

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 14, 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 Fran Miron, District 1
 Commissioner Stan Karwoski, District 2
 Commissioner Gary Kriesel, District 3
 Commissioner Wayne Johnson, District 4
 Commissioner Lisa Weik, District 5

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

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

- A. Approval of the June 23, 2020, County Board meeting minutes.

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

PUBLIC WORKS

Resolution – Authorizing the Director of Public Works to Enter into Contracts for Emergency Repairs to County State Aid Highway 12 at Kimbro Avenue

Commissioner Miron moved to approve **Resolution No. 2020-076** as follows:

**RESOLUTION AUTHORIZING THE COUNTY OF WASHINGTON TO
PERFORM REPAIRS ON COUNTY ROAD 12 AT KIMBRO AVENUE IN
GRANT, MINNESOTA DURING A STATE OF EMERGENCY**

WHEREAS, rising water from an adjacent drainage basin has overtopped County Road 12 (75th Street North) at Kimbro Avenue, which required the roadway to be closed to traffic; and

WHEREAS, rising water from an adjacent basin has previously overtopped Kimbro Avenue and the trail on the south side of County Road 12, which required the roadway and trail to be closed to traffic; and

WHEREAS, the Washington County Board of Commissioners declared a State of Emergency on July 7, 2020, based on the current 2020 flood conditions; and

WHEREAS, the Washington County Board of Commissioners finds that immediate action must be taken to raise County Road 12 above flood elevation; and

WHEREAS, Minnesota Statute sections 12.29, 12.37, and 375.21 provide that emergency contracts are not subject to the normal purchasing and competitive-bidding requirements because of the emergency.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners authorizes the Director of the Public Works Department to enter into any contract to complete work to raise County Road 12 above flood waters without the necessity to advertise for bids.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorizes the Director of the Public Works Department to enter into contracts and incur obligations necessary to complete emergency work on County Road 12 at Kimbro Avenue.

BE IT FURTHER RESOLVED, that the actions taken by the Director of the Public Works Department to complete the emergency repairs on County Road 12 be brought to the County Board for ratification.

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.

Approve Permanent Use of Fund Balance to Complete Emergency Repairs on County Road 12

Commissioner Miron moved to approve permanent use of fund balance in an amount not to exceed \$700,000 from Road and Bridge Fund 210 to complete the County Road 12 emergency repairs. Commissioner Karwoski seconded the motion and it was adopted unanimously

GENERAL ADMINISTRATION

Resolution – Recognizing the Stillwater Gazette on its 150th Birthday

Commissioner Kriesel moved to approve **Resolution No. 2020-077** as follows:

RESOLUTION OF CONGRATULATION AND GRATITUDE FOR THE STILLWATER GAZETTE FOR 150 YEARS OF SERVICE TO THE ST. CROIX VALLEY

WHEREAS, the Stillwater Gazette was established August 6, 1870, by publisher and editor A.B. Easton, to serve the residents of the St. Croix Valley; and

WHEREAS, the Stillwater Gazette continued to prosper, becoming a daily publication in 1884; and

WHEREAS, the Stillwater Gazette continued to grow under the Easton family, purchasing additional newspapers that had been created in the St. Croix Valley; and

WHEREAS, the Stillwater Gazette provides the residents of the St. Croix Valley with timely news stories, recording the “first draft of history” for the communities of the St. Croix Valley; and

WHEREAS, the Stillwater Gazette continues to provide information on the actions of local government in the St. Croix Valley, while chronicling the daily activities of communities; and

WHEREAS, the Stillwater Gazette, along with all community newspapers that have survived, play a vital role in informing their readers of the local angle on national stories, in covering the local high school activities and sports, and in covering the events of the communities in the St. Croix Valley; and

WHEREAS, the Stillwater Gazette continues to reflect the values of the community and tells its stories to readers from all over the region, state and country; and

WHEREAS, the Stillwater Gazette has provided a historical record of the everyday daily lives as well as the momentous events of St. Croix Valley residents.

THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners thanks the leadership and staff of the Stillwater Gazette for its service to the St. Croix Valley over the last 150 years; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners congratulates the Stillwater Gazette on its milestone anniversary, and extends its gratitude for its service to the community of the St. Croix Valley.

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.

Alicia Lebens, Editor of the Stillwater Gazette, was present for the board meeting. Commissioner Kriesel presented Ms. Lebens with a copy of the resolution.

Resolution – Washington County’s Spending Plan for the Coronavirus Relief Fund Dollars

County Administrator Kevin Corbid reported the Coronavirus Aid, Relief, and Economic Security (CARES) Act established the \$150 billion Coronavirus Relief Fund. Through the Coronavirus Relief Fund, the CARES Act provides for payments to State, Local, and Tribal governments navigating the impact of the COVID-19 outbreak. The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and, were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Eligible expenditures include, but are not limited to, payment for:

- Expenses for communication and enforcement by State, Territorial, Local, and Tribal governments of public health orders related to COVID-19;
- Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment;
- Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency;
- Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions;
- Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions;
- Expenses related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.

The fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, Territorial, Local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

Through an executive action of Governor Walz, the State of Minnesota appropriated \$841.5M. \$467.3M was distributed to eligible counties, and \$374.2M was distributed to eligible towns and cities. Federal guidelines encouraged counties to use 10% for emergency financial assistance to individuals or for economic support for businesses. All funds must be expended by December 1, 2020, and any unspent County funds must be returned to the State of Minnesota by December 10, 2020. Funds can be used as the non-federal share of federal disaster (FEMA) assistance due to COVID-19. Cities and towns with populations greater than 200 will receive direct State appropriations and must return any unspent aid to their home county by November 15, 2020. Cities and towns with populations less than 200 can apply to its home county for a grant to cover allowable expenses.

Commissioner Weik moved to approve **Resolution No. 2020-078** as follows:

**RESOLUTION ACCEPTING CORONAVIRUS RELIEF FUNDS
AND ADOPTION OF COUNTY SPENDING PLAN**

WHEREAS, on March 11, 2020, the World Health Organization (WHO) deemed the outbreak of a respiratory illness called coronavirus disease 2019 (COVID-19) a pandemic; and

WHEREAS, public health authorities at the federal, state, and local levels recognized the public health threat that COVID-19 poses; and

WHEREAS, on March 13, 2020, President Donald Trump declared a Presidential National Emergency; and on the same day Governor Tim Walz declared a Peacetime State of Emergency in Minnesota; and

WHEREAS, on March 17, 2020, the County Board of Commissioners of Washington County declared a local state of emergency to respond to the impacts of the COVID-19 pandemic; and

WHEREAS, the county continues to respond to the COVID-19 emergency through the provision of direct services to impacted county residents, the purchase of materials and supplies needed to keep county employees, residents, and customers safe, the transition of a large part of the county workforce to remote working, the support and coordination of efforts to ensure food security for all residents, the provision of housing assistance to those who may be at risk of contracting the disease, and many of other county directed services; and

WHEREAS, on March 27, 2020, the federal government passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act, H.R. 748) to address the economic impact of the coronavirus; and

WHEREAS, the CARES Act provided \$150 billion in aid to: states and certain local governments, the District of Columbia and US Territories, and

tribal government, called the Coronavirus Relief Fund (CRF) to address spending shortages related to the pandemic and to address necessary expenditures incurred due to the COVID-19 public health emergency; and

WHEREAS, on June 25, 2020, by executive action, Governor Walz distributed over \$841 million in CRF funding to the counties, cities and townships in Minnesota, of which a total of \$31,715,560 was received by Washington County after providing the required certification form to the Department of Revenue on June 25, 2020; and

WHEREAS, through the certification signed by the County Administrator, the county agrees to spend the funds as required in the CARES Act (H.R. 748), agrees to periodically report our spending as required by Minnesota Management and Budget (MMB), and agrees to return any unspent or unencumbered funds as defined by the state or federal guidance as of December 1, 2020 to MMB by December 10, 2020; and

WHEREAS, county staff reviewed potential spending options of the county's CRF funds with the county board at a Finance Committee meeting on June 23, 2020 and a board workshop on July 7, 2020; and

WHEREAS, county staff reviewed the requirements as outlined in the CARES Act and the official guidance provided by the U.S. Department of the Treasury (Treasury Department) (most recently updated on July 8, 2020) and Frequently Asked Questions document prepared by the Treasury Department, as it developed a plan for recommendation to the county board; and

WHEREAS, county staff have participated in a number of webinars that have reviewed the guidance provided by federal and state officials, including a National Association of Counties webinar that included Mr. Dan Kowalski from the Treasury Department on June 26, 2020 and an Association of Minnesota Counties webinar that included Amy Jorgensen from the MMB on July 1, 2020; and

WHEREAS, the county board has directed that CRF funding be utilized to reimburse the county for expenses and to provide assistance to county residents and small businesses as allowed by the law and federal guidance.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby accept the funding as provided by the Governor's Executive Action of federal CRF funds in the amount of \$31,715,560 and directs the funds be used to pay for expenses through Emergency Fund 140, as created by County Policy 2508 Emergency Operations Accounting and that a separate business unit be created within Fund 140 to track expenditures of the CRF funding; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Washington County Board of Commissioners does hereby adopt the following expenses reasonably necessary to the function of the county in this spending plan:

Financial Assistance to County Residents - \$4,000,000

The county will provide assistance to individuals who have been impacted by COVID-19 for rent and short-term assistance or mortgage assistance to avoid eviction or mortgage foreclosure.

Basic Needs Financial Assistance for County Residents - \$1,250,000

The county will provide assistance to residents in need of safe housing during the pandemic, provide emergency assistance for food support, transportation, hygiene supplies, infection control equipment, cleaning supplies, and provide child care assistance to families impacted by the pandemic.

Small Business Assistance - \$10,000,000

The county will provide assistance to small businesses to reimburse the costs of business interruption caused by required closures or costs incurred by small businesses to respond to the pandemic, including costs for changes that are necessary to operate safely under the public health guidelines.

Public Health Contact Tracing and Testing - \$1,500,000

The Washington County Public Health and Environment Department has taken on the role of contact tracing for cases in Washington County. Costs for those activities will be reimbursed through this portion of the spending plan. In addition, the department is developing a program to allow testing of all residents residing in long-term care facilities within the county. Costs would include all supplies and materials necessary for the testing program.

Elections Costs - \$330,000

In order to administer the primary and general elections in 2020 under the guidelines for COVID-19, the county will incur additional costs. The costs reimbursed under this section of the plan will be in addition to those costs covered under the COVID-19 Elections Funding provided by the Secretary of State's Office. Costs are likely to include additional staffing to process absentee ballots, materials and supplies for absentee ballot locations and polling places, and protective equipment.

Support for county teleworking - \$1,635,000

A large portion of the county workforce continues to work from home or a remote location to allow for the appropriate social distancing as recommended by public health officials. Improvements to the county's technology infrastructure is necessary to support this volume of teleworking and still provide for the security of the county's data. Other costs to support

increased telework may include providing the necessary equipment to ensure appropriate work environments.

Local Match for FEMA eligible expenses - \$125,000

The MMB guidance allows for the use of the funds to pay for the local share for FEMA eligible expenses.

Payroll Expenses - \$10,200,000

As provided for in the CARES Act, and clarified through Treasury Guidance and Frequently Asked Question documents, as well as information provided in various webinars on allowable expenses for CRF funding, the county will utilize CRF funding to reimburse for the following payroll costs incurred March 1, 2020, through December 30, 2020:

- County costs (levy) for payroll costs in the following divisions: Jail, Patrol and Special Services in the Sheriff's Office and Disease Prevention and Control, Jail Health and Public Health Preparedness in the Public Health Department.
- In all other county divisions, reimbursement for payroll costs for services that are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
- Reimbursement of incurred payroll costs for COVID-19 benefit programs for paid sick and paid family and medical leave to enable compliance with COVID-19 public health precautions.

Equipment and Facility Modifications and Maintenance - \$1,520,000

Additional cleaning equipment, specialized cleaning equipment, changes to facilities and other safety modifications necessary to provide services to customers in a safe manner and prevent outbreaks.

Public Service Modifications - \$500,000

The county has identified a need to provide Wi-Fi hotspots and devices through the county libraries to allow students and adults access to county services and allow for distance learning for students who may not have access to in-home Wi-Fi.

Reimbursement of Technology Costs - \$250,000

In order to allow for a vast majority of county workers to work remotely, equipment and licenses were needed to be purchased. This project will reimburse county costs that are not FEMA eligible but are eligible costs under the CARES Act.

Unallocated - \$441,560

Remaining funds to be directed as needed to address COVID-19 pandemic.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Washington County Board of Commissioners authorizes the county administrator to make

adjustments to the spending plan as necessary to respond to changing conditions or guidance, and to provide for the approval of individual contracts or agreements necessary to carry out the spending plan under county policy.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Washington County Board of Commissioners authorizes the county administrator to increase the spending within any of these allowable categories if CRF funding from the municipalities is returned to the county as provided for in the state's executive action.

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 – Addition of Employees to Carry Out the County's Coronavirus Relief Fund Spending Plan

Commissioner Karwoski moved to approve **Resolution No. 2020-079** as follows:

RESOLUTION APPROVING THE ADDITION OF SPECIAL PROJECT AND TEMPORARY EMPLOYEES AND ADDITIONAL SEASONAL EMPLOYEES TO CARRY OUT COUNTY'S CORONAVIRUS RELIEF FUND SPENDING PLAN

WHEREAS, on March 11, 2020, the World Health Organization (WHO) deemed the outbreak of a respiratory illness called coronavirus disease 2019 (COVID-19) a pandemic; and

WHEREAS, public health authorities at the federal, state, and local levels recognized the public health threat that COVID-19 poses; and

WHEREAS, on March 13, 2020, President Donald Trump declared a Presidential National Emergency; and on the same day Governor Tim Walz declared a Peacetime State of Emergency in Minnesota; and

WHEREAS, on March 17, 2020, the County Board of Commissioners of Washington County declared a local state of emergency to respond to the impacts of the COVID-19 pandemic; and

WHEREAS, the county continues to respond to the COVID-19 emergency through the provision of direct services to impacted county residents, the purchase of materials and supplies needed to keep county employees, residents, and customers safe, the transition of a large part of the county workforce to remote working, the support and coordination of efforts to ensure food security for all residents, the provision of housing assistance to those who may be at risk of contracting the disease, and many of other county directed services; and

WHEREAS, on March 27, 2020, the federal government passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act, H.R. 748) to address the economic impact of the coronavirus; and

WHEREAS, the CARES Act provided \$150 billion in aid to: states and certain local governments, the District of Columbia and US Territories, and tribal government, called the Coronavirus Relief Fund (CRF) to address spending shortages related to the pandemic and to address necessary expenditures incurred due to the COVID-19 public health emergency; and

WHEREAS, on June 25, 2020, by executive action, Governor Walz distributed over \$841 million in CRF funding to the counties, cities and townships in Minnesota, of which a total of \$31,715,560 was received by Washington County after providing the required certification form to the Department of Revenue on June 25, 2020; and

WHEREAS, through the certification signed by the County Administrator, the county agrees to spend the funds as required in the CARES Act (H.R. 748), agrees to periodically report our spending as required by Minnesota Management and Budget (MMB), and agrees to return any unspent or unencumbered funds as defined by the state or federal guidance as of December 1, 2020 to MMB by December 10, 2020; and

WHEREAS, on July 14, 2020 the county board adopted a resolution approving a spending plan for the county's CRF funding; and

WHEREAS, the federal guidance allows a county to use CRF funding for expenditures related to the administration and distribution of fund payments; and

WHEREAS, the county will incur additional staff costs for the administration of the rental and short-term emergency assistance program, the sheltering program, and provision of the basic needs and child care assistance; and

WHEREAS, the county will incur additional costs to ensure the adequate disinfection of public areas, the provision of public safety measures in response to COVID-19 in a variety of county facilities, including the necessary sanitation and ability to quarantine impacted individuals in the county jail.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby approve the recruitment and hiring of special project and temporary staff as follows:

- 2.0 FTE Special Project Case Aids or Office Support (Community Social Services Department)

- 3.0 FTE Special Project Eligibility Specialists (Community Social Services Department)
- 5.0 FTE Special Project Custodians (Public Works Department, Building Services Division)
- An additional 4,000 hours of seasonal maintenance staff (Public Works Department)

NOW, THEREFORE, BE IT FURTHER RESOLVED that the costs for these positions will be paid for with the county's CRF funds, as identified in the county's spending plan and authority is granted for these positions through December 30, 2020.

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.

Legislative Update

County Administrator Kevin Corbid reported the Legislature started the second Special Session yesterday. Margaret Vesel from Larkin Hoffman, Minnesota Inter-County Association (MICA), and Association of Minnesota Counties (AMC) report that there seems to be an agreement on a bonding bill. If the bill is passed, it includes \$3M for the Manning & 36 interchange and \$7M for the Recycling & Energy facility. There is no funding in the agreement for Cottage Grove Ravine Regional Park improvements or St. Croix Bluffs, or the 4th Street bridge. It is unlikely there will be Community Corrections Act subsidy funding.

Mr. Corbid reported that Deputy County Administrator Jan Lucke, Public Works Deputy Director Wayne Sandberg, and John Hanson from the Valley Branch Watershed District have been working with Federal Lobbyist Tom Downs to create a project for the Water Resources Development Act (WRDA). They submitted a project proposal for \$23.6M to help with flooding in the Valley Branch region. The markup of the House of Representatives version of that interior bill is occurring now, and Mr. Downs reported there is language in the House version to direct the appropriators to do a project in the Valley Branch Watershed District in the St. Croix River Valley to help with flood mitigation and recreation.

Designation of Voting Delegate and Alternate for the 2020 National Association of Counties (NACo) Business Meeting

Mr. Corbid reported that a number of county commissioners will be participating virtually in the National Association of Counties (NACo) business meeting on Monday. NACo is not holding an annual conference this year due to COVID-19. Mr. Corbid requested the County Board delegate voting members for the meeting.

Commissioner Johnson moved to appoint Commissioner Karwoski as the voting delegate for the 2020 NACo business meeting. Commissioner Weik seconded the motion and it was adopted unanimously.

Commissioner Karwoski moved to appoint Commissioner Weik as the alternate voting delegate for the 2020 NACo business meeting. Commissioner Johnson seconded the motion and it was adopted unanimously.

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 Karwoski, and it was adopted unanimously. The County Board meeting adjourned at 10:43 a.m.

BOARD WORKSHOP – COMMUNITY SERVICES

The Board met in workshop session for an update on the COVID-19 hotel shelter for families and individuals who are experiencing homelessness. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Johnson, and Weik. Also present were Kevin Corbid, Jennifer Wagenius, Jan Lucke, and county staff.

BOARD WORKSHOP – COMMUNITY SERVICES

The Board met in workshop session for a report on the Washington County Food Security Unit’s efforts in response to the COVID-19 pandemic. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Johnson, and Weik. Also present were Kevin Corbid, Jennifer Wagenius, Jan Lucke, and county staff.

BOARD WORKSHOP – PUBLIC WORKS

The Board met in workshop session to discuss Planning Advisory Commission and Board of Adjustment and Appeal membership. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Johnson, and Weik. Also present were Kevin Corbid, Jennifer Wagenius, Jan Lucke, and county staff.

BOARD WORKSHOP – PUBLIC WORKS

The Board met in workshop session to discuss implementing a Washington County specific cross-country ski pass beginning in the winter of 2020-2021. 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