

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
SEPTEMBER 1, 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 Kriesel moved, seconded by Commissioner Weik, to adopt the Consent Calendar as follows:

- A. Approval of the August 18, 2020, County Board meeting minutes.
- B. Approval of the appointment of citizen volunteers to the following boards and advisory committees: Gail Theisen, Forest Lake, appointed as an At Large Representative to the Child Protection Citizen Review Panel to a term ending June 30, 2023; Shannon Stotenbur, Woodbury, appointed as an At Large Representative to the Child Protection Citizen Review Panel to a term ending June 30, 2023; Julie Stromen, Renewal by Andersen LLC, appointed as a Business Representative to the Workforce Development Board to a term ending June 30, 2022; Gregory Renne, IUPAT District Council 82/Finishing Trades Institute Upper Midwest, appointed as a Business Representative to the Workforce Development Board to a term ending December 31, 2021.
- C. Approval of **Resolution No. 2020-087** as follows:

**RESOLUTION TO APPOINT COUNTY RESPONSIBLE AUTHORITY
STATE OF MINNESOTA
COUNTY OF WASHINGTON**

WHEREAS, Minnesota Statutes, section 13.02, subdivision 16, requires that Washington County appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the county and,

WHEREAS, the Washington County Board of Commissioners shares the concern expressed by the legislature on the responsible use of all County data and wishes to satisfy this concern by immediately appointing an administratively and technically qualified Responsible Authority as required under the statute.

BE IT RESOLVED, the County Board of Commissioners appoints Stuart V. Campbell as the Responsible Authority for the purpose of meeting all requirements of Minnesota Statutes, chapter 13, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register.

BE IT FURTHER RESOLVED, that this resolution replaces Resolution 2005-014.

- D. Approval of the grant agreement with the Department of Natural Resources for the Stanton conservation easement.
- E. Approval of revisions to the County's Abatement Policy #4001.
- F. Approval of **Resolution No. 2020-088** as follows:

**RESOLUTION TO ACCEPT METROPOLITAN COUNCIL
GRANT AGREEMENT SG-12522**

WHEREAS, the Minnesota Legislature appropriated funds in 2019, First Special Session, Chapter 2, Article 3 Section 4, for State Fiscal Years 2020 and 2021 from the Constitutional and Land Legacy Amendment's Parks and Trails Fund to the Metropolitan Council for grants to implementing agencies as required under the new Minn. Stat. § 85.53 for parks and trails resources ("Parks and Trails Fund Appropriation"); and,

WHEREAS, the Metropolitan Council has expressed its commitment to issue bonds for acquisition and betterment of regional recreation open space lands ("Council Park Bonds"); and,

WHEREAS, the Metropolitan Council is authorized by Minn. Stat. § 473.301 to make grants to eligible governmental units for the purpose of acquisition of regional recreation open space in accordance with the Metropolitan Council's Recreation Open Space Policy Plan; and,

WHEREAS, Washington County is a governmental unit eligible for a Parks and Trails Fund Appropriation Grant; and,

WHEREAS, Washington County Parks applied to Metropolitan Council for a Parks and Trails Fund Appropriation Grant for the partial reimbursement of the purchase price for the property at 11523 Grey Cloud Trail South, within the planned boundary of Grey Cloud Island Regional Park.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners accepts the aforementioned grant from the Metropolitan Council and authorizes its County Board Chair and County Administrator to execute on behalf of the county a Metropolitan Council Grant Agreement SG-12522 conditioned upon approval as to form by the Washington County Attorney's office.

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners hereby accepts the restrictive covenants to be imposed upon the property at 11523 Grey Cloud Trail South by the Metropolitan Council as a condition of the grant and authorizes Washington County to enter into the restrictive covenant agreement through the execution of the County Board Chair and County Administrator.

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners hereby authorizes the recording of said restrictive covenant agreement with the Washington County Recorder's Office.

G. Approval of **Resolution No. 2020-089** as follows:

**RESOLUTION TO APPROVE DECLARATION OF RESTRICTIONS
AND COVENANTS FOR PROJECT-SPECIFIC WETLAND
REPLACEMENT WITHIN LAKE ELMO PARK RESERVE**

WHEREAS, Washington County adopted the 2014-2018 Washington County Capital Improvement Plan (CIP) on December 17, 2013; and,

WHEREAS, included in the 2014-2018 CIP was the construction of improvements for Lake Elmo Park Reserve; and,

WHEREAS, improvements made within Lake Elmo Park Reserve impacted certain wetlands and mitigation was required to occur on site. The replacement wetland is subject to the Wetland Conservation Act of 1991, as amended, Minnesota Statutes section 103G.222 et seq. and all other provisions of law that apply to wetlands; and

WHEREAS, as a requirement of Permit No. 2015-13 received from the Valley Branch Watershed District for the replacement of impacted wetlands due to the improvements within Lake Elmo Park Reserve, a Declaration of Restrictions and Covenants for Replacement Wetlands is to be recorded on the replacement land area within Lake Elmo Park Reserve.

NOW, THEREFORE, BE IT RESOLVED that Washington County Board of Commissioners hereby authorizes its Chairperson and Administrator to execute on behalf of the County the Declaration and any other documents necessary for the County to complete the terms and conditions set forth in Permit No. 2015-13 to the property legally described as follows:

That part of the Southeast Quarter (SE $\frac{1}{4}$) of Section 22, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:

Commencing at the East Quarter corner of said Section 22; thence on an assumed bearing of South 00 degrees 12 minutes 59 seconds East, along the East line of said Section 22, a distance of 1,222.17 feet; thence North 90 degrees 00 minutes 00 second West, a distance of 358.11 feet to the point of beginning; thence North 86 degrees 39 minutes 07 seconds West, a distance of 283.99 feet; thence South 19 degrees 10 minutes 18 seconds West, a distance of 35.48 feet; thence South 16 degrees 41 minutes 46 seconds East, a distance of 244.33 feet; thence North 60 degrees 53 minutes 54 seconds East, a distance of 194.50 feet; thence North 00 degrees 07 minutes 05 seconds West, a distance of 81.96 feet; thence North 36 degrees 35 minutes 46 seconds East, a distance of 92.60 feet; to the point of beginning.

H. Approval of **Resolution No. 2020-090** as follows:

**RESOLUTION TO TRANSFER PERMANENT RIGHT-OF-WAY
FROM WASHINGTON COUNTY
TO RIVER COUNTRY COOPERATIVE**

WHEREAS, Washington County acquired and owns right-of-way for Manning Avenue (County State Aid Highway 15) within the City of Lake Elmo; and

WHEREAS, Washington County Public Works realigned a portion of Manning Avenue (CSAH 15) as a part of a roadway safety and improvement project; and

WHEREAS, a private drainage area on River Country Cooperative property was disturbed as a part of the Manning Avenue safety and improvement project; and

WHEREAS, said private drainage area was relocated as a part of the Manning Avenue safety and improvement project; and

WHEREAS, said private drainage area was relocated partially on the old Manning Avenue (CSAH 15) right-of-way after the roadway was relocated; and

WHEREAS, said private drainage area should be completely located on property owned, operated, and maintained by River Country Cooperative.

NOW, THEREFORE, BE IT RESOLVED, Washington County will execute a Quit Claim Deed to transfer said parcel to River Country Cooperative described on the attached Exhibit A and depicted on the attached Exhibit B.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes its Board Chair and Administrator to execute on behalf of the County the Quit Claim Deed necessary to transfer the permanent right-of-way to River Country Cooperative and any other documents necessary for the completion of this transaction.

I. Approval of **Resolution No. 2020-091** as follows:

**RESOLUTION TO TRANSFER PERMANENT RIGHT-OF-WAY
FROM WASHINGTON COUNTY TO CITY OF LAKE ELMO**

WHEREAS, Washington County acquired and owns right-of-way for Manning Avenue (County State Aid Highway 15) and Stillwater Boulevard (old County State Aid Highway 14) within the City of Lake Elmo; and

WHEREAS, Washington County Public Works reconstructed County State Aid Highways 15 and 14 as a part of a roadway safety and improvement project; and

WHEREAS, the City of Lake Elmo has agreed to take ownership of old CSAH 14 at the conclusion of the improvement project; and

WHEREAS, the above described agreement is detailed in Washington County Contract No. 11522: Agreement For Transfer of County State Aid Highway (CSAH) 14 To The City Of Lake Elmo; and

WHEREAS, the roadway safety and improvement project is now complete and ready for the transfer to be finalized.

NOW, THEREFORE, BE IT RESOLVED, Washington County will execute a Quit Claim Deed to transfer said parcel to the City of Lake Elmo depicted on the attached Exhibit A and described on the attached Exhibit B.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes its Board Chair and Administrator to execute on behalf of the County the Quit Claim Deed necessary to transfer the permanent right-of-way to the City of Lake Elmo and any other documents necessary for the completion of this transaction.

- J. 1. Award bid authorizing execution of Contract No. 13620 with Pember Companies Inc. in the amount of \$345,307.70 for the construction of a Traffic Signal System and related improvements on County State Aid Highway (CSAH) 13 at 5th Street North in the Cities of Lake Elmo and Oakdale.
2. Approve Cooperative Agreements No. 13509 and No. 13510 between the City of Lake Elmo and Washington County for the construction cost share and ongoing maintenance, respectively, of the Traffic Signal System and related improvements to be constructed on CSAH 13 at 5th Street North.
- K. Approval of **Resolution No. 2020-092** as follows:

**AGREEMENT BETWEEN THE WASHINGTON COUNTY
SHERIFF'S OFFICE AND SECURUS TECHNOLOGIES, LLC**

BE IT RESOLVED, that the Washington County Sheriff's Office is authorized to enter into an agreement with Securus Technologies, LLC for inmate telephone services.

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.

PUBLIC HEALTH AND ENVIRONMENT

Approval of Contract with BlueStone Physician Services

Public Health and Environment Director Lowell Johnson presented a contract seeking partnership with Bluestone Physician Services to provide COVID-19 testing services for high-risk and high-need populations in the county. Primary focus of the work will include targeting and offering testing at residential care (long-term care and group home) settings, and may be

expanded to include other types of community based settings, as determined by the department and contractor.

Commissioner Kriesel moved to approve Contract No. 13659 in the amount of \$500,000 with BlueStone Physician Services, for the period of September 1, 2020, through December 31, 2020. Commissioner Johnson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

County Administrator Kevin Corbid presented a resolution for a second round of small business applications and revised eligibility requirements. On July 28, 2020, the County Board adopted a program to provide small business assistance. The first round of applications were accepted from August 10th through August 24th and a total of 375 applications were made. The Washington County Community Development Agency and its partner Metropolitan Consortium of Community Developers (MCCD) is currently processing those applications. The county identified up to \$10 million in funds for that program. As of now, the first round will use just less than \$5 million (50%). At a workshop last week, the board expressed interest in doing a second round of applications and suggested some changes to the eligibility requirements.

Resolution – Second Round Coronavirus Relief Fund (CRF) Small Business Assistance Program

Commissioner Kriesel moved to approve **Resolution No. 2020-093** as follows:

RESOLUTION REVISING ELIGIBILITY FOR THE SMALL BUSINESS GRANT PROGRAM AS PROVIDED FOR IN THE COUNTY'S CORONAVIRUS RELIEF FUND SPENDING PLAN AND ADOPTING A SECOND APPLICATION PERIOD

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 agreed to spend the funds as required in the CARES Act (H.R. 748), agreed to periodically report our spending as required by Minnesota Management and Budget (MMB), and agreed 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 CRF guidance to state and local governments, as updated on June 30, 2020 provides that the funds must be used for actions taken to respond to the public health emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures; and

WHEREAS, the guidance provides the following examples of CRF eligible expenditures:

Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:

- Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.

WHEREAS, further guidance provided in the Treasury's Guidance Frequently Asked Questions Document (dated July 8, 2020) provides the following are CRF eligible expenditures:

- A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance; and

WHEREAS, the County Board of Commissioners found the expenditures adopted in Resolution #2020-082 creating a small business grant program to be necessary due to public health emergency with respect to COVID-19 and are allowable as described in the CARES Act and in federal guidance issued to implement the act; and

WHEREAS, the initial round of applications for the small business program were accepted between August 10, 2020, and August 24, 2020; over 370 Washington County businesses submitted applications; and additional funds remain from the initial allocation of \$10 million for this program; and

WHEREAS, the County Board of Commissioners supports an additional round of applications and supports revisions to the program eligibility and criteria, which revisions continue to meet the guidance for eligible expenditures under the CARES Act.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby approve the following revisions to the county's small business grant program:

- Expand eligibility by reducing the time a business must have been in operation prior to COVID-19; all businesses in operation as of January 1, 2020 would be eligible.
- Expand eligibility by increasing the annual revenue limit from \$3.5 million to \$5 million.
- Expand eligibility by increasing the number of employees from 50 full time equivalent to 75 full time equivalent.

The Washington County Small Business Coronavirus Relief Fund Guidelines as revised are adopted as provided for in Attachment A of this resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Board requests that the Washington County Community Development Agency (CDA) continue to administer the grant program on its behalf and that county staff are authorized to sign the appropriate documents to transfer or provide the necessary CRF to the CDA for the program.

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 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 10:19 a.m.

BUDGET WORKSHOP – PUBLIC WORKS

The Board met in workshop session to review the 2021 recommended budget for the Public Works Department. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Johnson, and Weik. Also present were Kevin Corbid, Jennifer Wagenius, and county staff.

BUDGET WORKSHOP – WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY

The Board met in workshop session to review the 2021 recommended budget for the Washington County Regional Railroad Authority and GOLD Line. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Johnson, and Weik. Also present were Kevin Corbid, Jennifer Wagenius, and county staff.

Attest:

Handwritten signature of Kevin Corbid in black ink.

Kevin Corbid
County Administrator

Handwritten signature of Fran Miron in black ink.

Fran Miron
County Board Chair