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Washington County

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 7, 2022

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 Johnson asked for comments from the public; none were heard.

CONSENT CALENDAR

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

1. Approval of the May 10, 2022, County Board meeting minutes.

2. Approval of contracts with Phoenix Alternatives (Contract No. 14807), Opportunity Services, Inc. (Contract No. 14806), and Midwest Special Services, Inc. (Contract No. 14805), to provide Day Support Services, formally known as Day Training & Habilitation, and other related services for persons with disabilities for the period of May 1, 2022, through December 31, 2023.

3. Approve permanent use of fund balance in the amount of $45,000 from Library Fund 230 to be used for strategic planning for the Library.

4. Approve the Lower St. Croix Partnership's Annual Work Plan.

5. Approval to increase a 0.34 full-time equivalent (FTE) Special Project Office Specialist position to 0.75 FTE in the Department of Public Health & Environment.

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6. Approval of Cooperative Agreement No. 14823 with the South Washington Watershed District for stewardship activities within and outside of the overflow conveyance system in Cottage Grove Ravine Regional Park.

7. Approval of **Resolution No. 2022-067** as follows:

RESOLUTION TO ACCEPT METROPOLITAN COUNCIL GRANT AGREEMENT SG-22-P1-10-01

WHEREAS, the Metropolitan Council is authorized by Minn. Stat. § 473.301 to make grants eligible 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, the Minnesota Legislature appropriated Environmental Natural Resources Trust Fund (ENRTF) funds to the Metropolitan Council for subgrants for the acquisition of lands within the approved park unit boundaries of the metropolitan regional park system; and,

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

WHEREAS, Washington County is a governmental unit eligible for a Park Acquisition Opportunity Fund Grant to assist in the acquisition of recreation open space lands; and,

WHEREAS, Washington County Parks applied to Metropolitan Council for a Parks Acquisition Opportunity Fund Grant for partial reimbursement of the purchase price for the property at PIDs 05.031.20.33.0001 and 06.031.20.44.0001 within Big Marine Park Reserve.

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-22P1-10-01 conditioned upon approval as to form by the Washington County Attorney's Office.

8. Approve Contract Amendment No. 2 to increase the not to exceed value of Contract No. 12950 to $125,000 for professional water resources consulting services.

9. Approve Agreement No. 14856 for medical examiner services with Ramsey County.

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

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WASHINGTON COUNTY COMMUNITY DEVELOPMENT AGENCY

Washington County Community Development Agency (CDA) Deputy Executive Director Karly Schoeman presented a resolution for the 2022 Annual Action Plan for submission to the U.S. Department of Housing and Urban Development (HUD).

Ms. Schoeman reported that on the county's behalf, the CDA administers the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs. Each year, the county must prepare an Annual Action Plan detailing its intended use of the CDBG and HOME funds granted by HUD. The funded activities must address the priorities identified in the 2020-2024 Consolidated Plan.

Ms. Schoeman reported that the CDBG/HOME 2022 program year runs from July 1, 2022, to June 30, 2023. The CDA solicited HOME applications for the 2022 Program Year in December 2021. The CDA staff and CDBG Citizen Advisory Committee reviewed the nine applications received and the funding allocations. The 2022 Annual Action Plan contains those programs and projects that are eligible for funding and meet the funding priorities of the Consolidated Plan. A full copy of the plan is available from the Washington County CDA and on its website. A public comment period was held from April 8, 2022, to May 9, 2022, and the CDA held a public hearing on the draft plan on April 19, 2022. Upon County Board approval of the 2022 Annual Action Plan, it will be submitted to HUD, and HUD has 45 days to review and approve it.

Commissioner Miron moved to adopt **Resolution No. 2022-068** as follows:

RESOLUTION APPROVING WASHINGTON COUNTY'S 2022 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTERNSHIPS PROGRAMS AND AUTHORIZING SUBMISSION OF SUCH GRANT REQUEST TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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

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

WHEREAS, the Washington County 2020-2024 Consolidated Plan establishes priorities for the use of CDBG and HOME funds; and

WHEREAS, the proposed projects in the 2022 Annual Action Plan are eligible projects and are priorities identified in the Consolidated Plan; and

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

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

WHEREAS, the public comment period was open from April 8, 2022 through May 9, 2022 and the Washington County Community Development Agency held a public hearing on April 19, 2022; and

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

WHEREAS, upon final CDBG allocation of funds, HUD will require execution of an Application for Federal Assistance (SF-424); and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHINGTON COUNTY, that the Washington County 2022 Annual Action Plan for the CDBG and HOME programs is approved for submission to HUD; and

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

BE IT FURTHER RESOLVED that the Board Chair or their designee is authorized to execute the Application for Federal (SF-424 and SF-424D), Certifications, Fiscal Year 2022 CDBG Agreement with HUD for the acceptance of the CDBG funds upon final receipt of the documents, and the Fiscal Year 2022 HOME Agreement with Dakota County Community Development Agency for the acceptance of the HOME funds upon final receipt of the documents.

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

DocuSign Envelope ID: B61A5160-0FBB-4A5F-B0E4-F074485A663C

LIBRARY

Resolution for Summer at Your Library

Library Director Amy Stenftenagel reported that Washington County Library is celebrating its summer learning program, Summer at Your Library. This program includes events and activities to encourage children, teens, and adults to make reading and learning part of their summer plans, and runs June 1 through August 20.

Commissioner Johnson moved to adopt **Resolution No. 2022-069** as follows:

SUMMER AT YOUR LIBRARY 2022 PROCLAMATION

WHEREAS, today's libraries are finding creative ways to deliver services that are important to their communities, including lifelong learning opportunities, books, and technology; and

WHEREAS, libraries are addressing racial and social inequities in our community and serve as a resource for all members of the community, regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

WHEREAS, from June 1 through August 20, 2022, Washington County Library will celebrate its Summer at Your Library program with an array of events and activities; and

WHEREAS, participation in summer library programs can neutralize summer learning loss and improve comprehension and memory skills for children and teens; and

WHEREAS, these programs and activities encourage library users of all ages to become lifelong readers and learners; and

WHEREAS, Washington County Library staff are working to offer programs and support to community members as they recover from the COVID-19 pandemic; and

WHEREAS, libraries and librarians work to create an equitable society by providing free access to information to all people.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners does hereby proclaim June 1 to August 20, 2022, as Summer at Your Library.

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

DocuSign Envelope ID: B61A5160-0FBB-4A5F-B0E4-F074485A663C

PUBLIC WORKS

Contract and Permanent Use of Fund Balance for Lake Elmo Park Reserve Modern Campground Septic Improvement Project

Public Works Engineer Eden Rogers presented Contract No. 14842 with Septic Check for $719,979 for the Lake Elmo Park Reserve Modern Campground Septic Improvement Project, and a request for permanent use of fund balance for this project.

Ms. Rogers reported that in 2019, Washington County Parks had the septic systems at the modern campground in Lake Elmo Park Reserve inspected and tested by Washington County Public Health. The septic systems were found to be non-compliant due to the existing holding tanks being undersized for current regulations, and the septic fields not meeting minimum separation to ground water levels. Washington County was made aware of this non-compliance and was directed to bring septic systems up to code.

Washington County started on design of a new system and went out for bids in summer of 2021. Bids received were higher than budget and were rejected at that time. The project was analyzed and a new budget was developed. Funding was allocated for this project to be completed in 2022. The scope of this project includes replacement of all three current septic systems, new pavement and layout of the dump station, and new electrical, tanks, and pumps for septic systems. This project is funded by County Bond Funds and Parks Operating Fund 211 Fund Balance.

Commissioner Kriesel moved to approve Contract No. 14842 for $719,979 with Septic Check for the Lake Elmo Park Reserve Modern Campground Septic Improvement Project. Commissioner Karwoski seconded the motion, and it was adopted unanimously.

Commissioner Kriesel moved to approve permanent use of fund balance in an amount not to exceed $121,200 from the Parks Operating Fund 211. Commissioner Miron seconded the motion, and it was adopted unanimously.

GENERAL ADMINISTRATION

Resolution for Participation in the 2022 State Standard Measures Program

Office of Administration Senior Planner Amanda Hollis presented a resolution authorizing the County Administrator to file the declaration to participate in the 2022 Performance Measurement Program, and to file the Performance Measurement Review with the Office of the State Auditor by July 1, 2022.

Ms. Hollis summarized the history of the Performance Measurement Program. In 2010, the Legislature created the Council on Local Results and Innovation, and in February 2011, the Council released a standard set of 10 measures for counties and 10 measures for cities meant to aid residents, taxpayers, and state and local elected officials. In 2013, the council reviewed and released an expanded list of measures from which counties and cities could choose a minimum of

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10 measures. To qualify, Washington County has had to adopt and provide data for the set of performance measures for counties.

The program is voluntary and participants in the standard measures program are eligible for state County Program Aid of $0.14 per capita, not to exceed $25,000. The county has participated in this program since 2011. It requires minimal additional work by staff because the county has had a performance measurement and Quality Improvement (QI) program for more than two decades, and publishes an annual Performance Measurement & Indicator Report.

Washington County has received $25,000, the maximum limit allowed by the program in the last 11 years of December County Program Aid payments.

Commissioner Weik moved to adopt **Resolution No. 2022-070** as follows:

PARTICIPATION IN THE 2022 PERFORMANCE MEASUREMENT PROGRAM

WHEREAS, the Minnesota Legislature created the Council on Local Results and Innovation in 2010, setting it in state law; and

WHEREAS, the Council on Local Results and Innovation released a standard set of performance measures for counties that will aid residents, taxpayers, and state and local elected officials to determine the effectiveness of counties in providing services and measure residents' opinions of those services; and

WHEREAS, the County Board began the county's participation in the voluntary standard measures program in 2011; and

WHEREAS, a county that chooses to participate in the standard measures program for 2022 may be eligible for a reimbursement of 14 cents per capita in county government aid, not to exceed $25,000; and

WHEREAS, counties must file a report with the Office of the State Auditor by July 1, 2022, with a declaration adopting and implementing performance measures developed by the Council on Local Results and Innovation; and

WHEREAS, the county has a longstanding commitment to performance measurement and continuous quality improvement that focuses on outcome goals and performance results; and

WHEREAS, the county has implemented a local performance measurement system, including the use of measurement and reporting to help plan, budget, manage, and evaluate programs and processes; and

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WHEREAS, the county is implementing an internal quality improvement plan with a framework for countywide quality improvement work, which includes setting targets, measuring progress, reporting on progress, and making improvements; and

WHEREAS, the county will report the results of the 10 adopted measures from this program to residents by posting the results on the county's website; and

WHEREAS, the county will continue to communicate the results of its performance measurement and improvement program with residents through the use of public meetings, news releases, website postings, and an annual report to the County Board and residents.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners adopts 10 Model Performance Measures for Counties and authorizes the County Administrator to file the declaration to participate in the 2022 Performance Measurement Program and to file the Performance Measurement Review with the Office of the State Auditor by July 1, 2022.

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

Consideration of Appointment to Fill the Office of County Attorney Vacancy

County Administrator Kevin Corbid stated that with the death of County Attorney Pete Orput on April 3, 2022, a vacancy now exists in the position of County Attorney. Minnesota Statutes 375.08 provide direction to the County Board on filling the vacancy. Washington County First Assistant Attorney Brent Wartner has been performing all the duties and functions of the office since Attorney Orput's death.

Based on discussion with the County Attorney's Office, Mr. Corbid offered three options for the board to fill the vacancy. The first option is to appoint a County Attorney through an application process. Applications would be reviewed and screened, and the board would select an applicant to appoint and serve until a successor is elected in November's General Election.

The second option is to appoint a County Attorney by board action. This option would be similar to the first option, except for not requesting applications. The board could act to appoint a replacement at today's board meeting, or at a future board meeting.

The third option is to take no action on an appointment. As stated previously, Mr. Wartner has been performing the duties and functions of the Office of County Attorney. This option would have Mr. Wartner continue in this capacity until a winner is declared in the race for County Attorney at the November General Election.

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Mr. Corbid noted key dates: the county attorney vacancy occurred as of April 4, 2022; filings to run for the Office of County Attorney at the General Election in 2022 opened on May 17, 2022, and closed on May 31, 2022; the Primary Election occurs on August 9, 2022, and the General Election will occur on November 8, 2022. Mr. Corbid reported that there was one candidate that filed for the Office of County Attorney. Kevin Magnuson, a current Washington County Assistant County Attorney, was the only individual to file.

Commissioner Miron moved to appoint Kevin Magnuson as the Washington County Attorney. Commissioner Kriesel seconded the motion, and it was adopted unanimously.

Mr. Corbid stated that he and Human Resources Director Angie Nalezny will meet with Mr. Magnuson to complete the necessary actions needed for the transition from his current position to the County Attorney position.

State Legislative Updates

Deputy County Administrator Jan Lucke reported that the board directed staff to draft a letter to the Washington County state delegation, outlining the significant impacts of a legislative session with no action on key priorities for counties, and requesting they return to complete their work. Ms. Lucke distributed a draft of the proposed letter.

Ms. Lucke reported that the letter provides three examples of that impact - county program aid, county probation services, and county license centers. These examples were selected because of the significant impact on county operations. In addition, bipartisan support had been reached on these increases. Ms. Lucke noted that as the 2023 budget is prepared, the lack of state funding for these services will be evident, as many services are mandated by the state.

Since a bonding bill has not been introduced and no agreement has been reached, staff kept the letter focused on the agreements that had been reached, the operational piece, and the impact on property taxes. Staff also observed a letter co-authored by the Association of Minnesota Counties (AMC), the Minnesota Inter-County Association (MICA), and the Minnesota Rural Counties (MRC), which emphasized bonding and matching funds to federal infrastructure funding.

Commissioner Miron moved to approve the letter to the legislative delegation. Commissioner Karwoski seconded the motion, and it was adopted unanimously.

Federal Legislative Update

Ms. Lucke reported that U.S. Senator Tina Smith moved all of Washington County's community project funding requests forward to appropriations committees. Staff will continue to monitor requests as they move through the congressional funding process.

DocuSign Envelope ID: B61A5160-0FBB-4A5F-B0E4-F074485A663C

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

Board correspondence was received and placed on file.

EXECUTIVE (CLOSED) SESSION – PUBLIC WORKS

Commissioner Weik moved to move into Executive (closed) Session. Commissioner Karwoski seconded the motion, and it was adopted unanimously.

The Board met in Executive (closed) Session, the time being 11:00 a.m., pursuant to Minnesota Statute 13D.05 subd. 3(c), to review the appraisal of property identified as PID 27.027.21.11.0001, in regard to the potential purchase for inclusion into Cottage Grove Ravine Regional Park. Present for the Executive Session were Commissioners Johnson, Weik, Kriesel, Karwoski, and Miron, Kevin Corbid, Jan Lucke, Jennifer Wagenius, Jessica Oertel, Sharon Price, Wayne Sandberg, Frank Ticknor, Sandy Breuer, Erica Ellefson, and Stephanie Kammerud.

The Executive Session closed at 11:20 a.m.

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 unanimously.

The County Board meeting adjourned at 11:22 a.m.

BOARD WORKSHOP WITH PROPERTY RECORDS AND TAXPAYER SERVICES

The Board met in workshop session to review assessment year 2022 local appeals and adjustments in preparation for the County Board of Appeal and Equalization meeting. Present for the workshop were Commissioners Johnson, Kriesel, Weik, Miron, and Karwoski. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

BOARD WORKSHOP WITH ADMINISTRATION

The Board met in workshop session to review commissioner boards and commissions. Present for the workshop were Commissioners Johnson, Kriesel, Weik, Miron, and Karwoski. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

DocuSign Envelope ID: B61A5160-0FBB-4A5F-B0E4-F074485A663C

Attest:

Kevin Corbid

Kevin Corbid
County Administrator

Wayne A. Johnson

Wayne A. Johnson
County Board Chair