



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
OCTOBER 25, 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 Miron moved, seconded by Commissioner Kriesel, to adopt the Consent Calendar as follows:

1. Approval to set a public hearing for November 15, 2022, to consider revisions to Washington County's 2023 Fee Schedule, Policy No. 1032.
2. Approval to set a public hearing for November 15, 2022, to review comments on the 2023-2027 Washington County Capital Improvement Plan (CIP).
3. Approval of **Resolution No. 2022-122** as follows:

**RESOLUTION OF SUPPORT OF
NATIONAL CYBERSECURITY AWARENESS MONTH 2022**

WHEREAS, Washington County recognizes that it has a role in identifying and protecting its citizens from, and responding to, cyber threats that may have a significant impact to our individual and collective security and privacy; and

WHEREAS, Washington County recognized that local governments are increasingly targeted by cyber criminals to gain illegal access to sensitive information in which Washington County employees protect and safeguard daily; and

WHEREAS, businesses and governments are increasingly reliant on information systems and technology to support financial services, energy, telecommunications, transportation, utilities, health care, and emergency response systems; and

WHEREAS, in 2022 Washington County continued building cybersecurity awareness for all employees by requiring the completion of security awareness training courses designed to address the most common risks; and

WHEREAS, the “See Yourself in Cyber” Campaign serves as the national cybersecurity public awareness campaign, implemented by the Cybersecurity and Infrastructure Security Agency (CISA) through a coalition of private companies, nonprofit and government organizations, as well as academic institutions working together to increase the understanding of cyber threats and empowering the American public to be safer and more secure online; and

WHEREAS, the National Institute of Standards and Technology (NIST) Cybersecurity Framework has been developed as a free resource to help organizations improve their cybersecurity practices through a practical approach to addressing evolving threats and challenges; and

WHEREAS, maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role to play, and awareness of computer security essentials will improve the security of Washington County’s information, infrastructure, and economy; and

WHEREAS, the Federal Government of the United States of America, the U.S. Department of Homeland Security (www.dhs.gov/cyber), the Multi-State Information Sharing and Analysis Center (<http://msisac.cisecurity.org>), the National Association of State Chief Information Officers (www.nascio.org), and the National Cyber Security Alliance (www.staysafeonline.org) all recognize October as National Cyber Security Awareness Month; and all citizens are encouraged to visit these websites and the See Yourself in Cyber Campaign website (<https://www.cisa.gov/cybersecurity-awareness-month>) to learn about cybersecurity to put that knowledge into practice in their homes, schools, workplaces, and businesses.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners recognizes October as National Cybersecurity Awareness Month.

4. Approval of **Resolution No. 2022-123** as follows:

**RESOLUTION TO ENTER INTO AGREEMENT NO. 1051567
WITH THE STATE OF MINNESOTA, DEPARTMENT OF
TRANSPORTATION TO PROVIDE SNOW AND ICE REMOVAL
ON TRUNK HIGHWAY 96**

WHEREAS, the State requests Washington County to perform snow and ice removal maintenance on Trunk Highway 96, and Washington County is willing to perform the snow and ice removal maintenance; and

WHEREAS, the State will reimburse Washington County for the snow and ice removal maintenance performed; and

WHEREAS, under Minnesota Statutes § 161.38, subdivision 3, the State and Washington County wish to enter into an agreement; and

WHEREAS, Minnesota Statutes § 161.20, subdivision 2, authorizes the Commissioner of Transportation to make agreements with and cooperate with any governmental authority for the purposes of constructing, maintaining, and improving the trunk highway system.

NOW, THEREFORE, BE IT RESOLVED, that Washington County enter into MnDOT Agreement No. 1051567 with the State of Minnesota, Department of Transportation, to provide for snow and ice removal maintenance by Washington County upon, along, and adjacent to Trunk Highway No. 96, the limits of which are defined in said Agreement.

5. Approval of **Resolution No. 2022-124** as follows:

**RESOLUTION
Exhibit E for Grant Agreement to State Transportation Fund
Local Road Improvement Program, Grant Terms and Conditions,
SP 8204-74**

WHEREAS, Washington County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Local Road Improvement; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$3,000,000 by reason of the lowest responsible bid;

NOW, THEREFORE, BE IT RESOLVED that Washington County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52 and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

6. Approval of the Local Road Improvement Program (LRIP) Grant Agreement, including the Bond Financed Property Certification, to provide funding for a grade-separated interchange located at Minnesota Trunk Highway 36 and County State Aid Highway 15 (Manning Avenue).
7. Approval of **Resolution No. 2022-125** as follows:

**APPROVE AN AGREEMENT BETWEEN UNITED STATES
DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT
ADMINISTRATION (DEA) AND THE WASHINGTON COUNTY
SHERIFF'S OFFICE (WCSO)**

BE IT RESOLVED, that the Washington County Sheriff's Office is authorized to enter into an agreement with the United States Department of Justice, Drug Enforcement Administration (DEA), allowing the Washington County Sheriff's Office to detail one experienced officer to the Minneapolis/St. Paul District Office Task Force for the period of October 1, 2022, through September 30, 2026.

BE IT FURTHER RESOLVED, that the Washington County Sheriff, Dan Starry, is hereby authorized to execute and sign this agreement and any amendments or addendum's 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 Miron, Karwoski, Kriesel, Weik, and Johnson. Nays, none.

ACCOUNTING AND FINANCE

Resolution to Amend the American Rescue Plan Act Recovery Plan

Accounting Supervisor Jill Zenzola presented a resolution for an amendment to the American Rescue Plan Act (ARPA) Recovery Plan. On March 11, 2021, the United States Congress passed the American Rescue Plan Act of 2021 (ARPA), which provides fiscal relief funds to state and

local governments, and other program areas aimed at mitigating the continuing effects of the COVID-19 pandemic. The U.S. Department of the Treasury released guidance on the allowable use of state and local funding under ARPA. Washington County received \$50,975,893 ARPA funding. On August 24, 2021, the county board adopted an ARPA project plan, in accordance with federal guidance, and updated the plan on July 12, 2022.

Ms. Zenzola reported that the Accounting & Finance Department is requesting to change the treasury expenditure category of 13 ARPA projects. The following ARPA projects will be moved from their current expenditure category to 6.1 Revenue Replacement – Provision of Government Services: Affordable Housing Project, Broadband Grant Program, Building Modifications, Campus Heating and Cooling, Emergency/Transitional Capital Project, Emergency/Transitional Housing Program, Enhancements to the County Environmental Center, Food Security, Internet Access to Support Adults and Students, Library Express Lockers, Public Health Records Assessment, Safe Working Environment at Big Marine, and Stillwater Sewer and Water.

Ms. Zenzola reported that the scope of these projects will not change, and this request is only a category shift. Moving these additional projects would ease the procurement requirements for staff, decrease the amount of reporting to Treasury, ease asset ownership, and streamline the audit. Also included in the resolution, is a request to change the scope of the equitable services consultant project. Community Services was unsuccessful in finding a qualified consultant to carry out the project. The department is requesting that this project be changed to a special project position to lead the work.

Commissioner Weik moved to adopt **Resolution No. 2022-126** as follows:

RESOLUTION AMENDING AMERICAN RESCUE PLAN ACT RECOVERY PLAN

WHEREAS, on March 11, 2021, The United States Congress passed the American Rescue Plan Act of 2021 (ARPA), which provides fiscal relief funds to State and Local Governments, and other programs areas aimed at mitigating the continuing effects of the COVID-19 pandemic; and

WHEREAS, ARPA provided \$65.1 billion in direct aid to counties and allocated hundreds of billions of dollars for public health assistance for vulnerable populations, education and housing stabilization, economic recovery assistance and direct assistance for families and individuals; and

WHEREAS, Washington County is a direct recipient of \$50,975,893.00 under ARPA, of which the full amount of the funding has been received as of June 9, 2022, to address the expenditures and impacts of COVID-19 and to replace revenue shortages related to the pandemic; and

WHEREAS, through the certification signed by the County, the county agrees to spend the funds as required in the American Rescue Plan Act of 2021 (Pub L. No. 117-2) and agrees to regularly report its spending as required by the United States Department of the Treasury, and

WHEREAS, county staff reviewed ARPA eligibility and potential spending options in board workshops on April 13, 2021, to overview ARPA funding for local governments, on May 25, 2021, to review ARPA funding guidance, and on July 27, 2021, to discuss ARPA planning, and on July 12, 2022, to update the recovery plan; and

WHEREAS, county staff reviewed the requirements as outlined in ARPA and the Final Rule provided by the United States Department of Treasury (effective on April 1, 2022), as it developed a plan for recommendation to the county board; and

WHEREAS, the county board, by resolution, accepted the ARPA funds and adopted a county project plan on August 24, 2021, and updated the plan on July 12, 2022; and

WHEREAS, the county board wishes to amend 13 project treasury expenditure categories in the recovery plan effective quarter three of 2022. The following ARPA projects will be moved from their current expenditure category to 6.1 Revenue Replacement – Provision of Government Services: Affordable Housing Project, Broadband Grant Program, Building Modifications, Campus Heating and Cooling, Emergency/Transitional Capital Project, Emergency/Transitional Housing Program, Enhancements to the County Environmental Center, Food Security, Internet Access to Support Adults and Students, Library Express Lockers, Public Health Records Assessment, Safe Working Environment at Big Marine, and Stillwater Sewer and Water; and

WHEREAS, the county board wishes to amend a project, with no dollar amount change, in the county recovery plan to change the scope of an ARPA project. The equitable services consultant will change from a consultant to one full-time employee.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby approve the changes and directs staff to update the recovery plan accordingly under the following categories authorized in ARPA and the final guidance:

- Public Health – COVID-19 Mitigation & Prevention
- Negative Economic Impacts – Assistance to Households
- Infrastructure - Broadband
- Revenue Replacement – Provisions of Government Services
- Administrative – Transfers to Other Units of Government

Commissioner Miron 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.

HUMAN RESOURCES

Memorandum of Agreement with AFSCME for Correctional Health Unit Support

Deputy Director Paula Graff presented a Memorandum of Agreement (MOA) with American Federation of State, County and Municipal Employees, AFL-CIO Council No. 5 (AFSCME) exempt and non-exempt unions for Correctional Health Unit Support. Washington County has two units of AFSCME, which represents professional clerical and technical classifications. Both units of AFSCME are parties to collective bargaining agreements, which are in effect from January 1, 2022, through December 31, 2023.

Ms. Graff reported that as part of a pilot project, Human Resources negotiated with both units of AFSCME to draft an MOA, which creates the mechanism for Public Health Nurses, on a voluntary basis, to assist with the filling of Correctional Health Nurse unit shifts in the Washington County Jail. This action helps to augment correctional health staffing by utilizing current county staff.

Ms. Graff stated that this MOA was an effort to find a creative way to staff county operations. Under the terms of the MOA, the volunteering Public Health Nurse is eligible to receive out-of-class pay, at a rate commensurate with other nurses in the Correctional Health Unit with similar education and work experience. If overtime is earned as a result of the nurse working in the Correctional Health Unit, the employee will be paid at a blended rate in accordance with Fair Labor Standards Act requirements. The agreement will sunset on December 31, 2023, unless renewed. However, either party may terminate the MOA with 14 days' notice to the other party.

Commissioner Karwoski moved to approve the Memorandum of Agreement with AFSCME exempt and non-exempt unions for Correctional Health Unit support, and direct the Human Resources Director to sign the agreement on behalf of the county. Commissioner Kriesel seconded the motion, and it was adopted unanimously.

PUBLIC WORKS

Contract for Construction Management Agent Services for Exterior Improvements on the Historic Courthouse

Engineer Eden Rogers presented a contract in the amount of \$444,944 for Construction Management Agent Services for the Historic Courthouse exterior improvements. This project is identified in the county's Capital Improvement Plan (CIP) as project #HC 1048-028. This project will include exterior restoration, roof and dome repair, brick and mortar, and site grading, and is scheduled to begin Summer 2023.

Ms. Rogers reported that in 2021, the county board approved a design contract with HGA, and design has progressed to 60%. The county now seeks to add a construction manager to provide a full range of services throughout the rest of the design and construction, including design review, constructability analysis, cost estimating, and leading the construction bid process. In addition, the construction manager will provide overall project inspection services, project coordination, and oversight through construction and warranty period. This service is a crucial part of producing a

quality project. There were three Requests for Proposal received and reviewed by a committee, and staff recommends authorization to approve the contract for Kraus-Anderson Construction.

Commissioner Kriesel moved to approve Contract No. 15157 with Kraus-Anderson Construction for \$444,944 for Construction Management Agent Services for the Historic Courthouse Exterior Improvement Project. Commissioner Karwoski seconded the motion, and it was adopted unanimously.

GENERAL ADMINISTRATION

2022 Third Quarter Donations

County Administrator Kevin Corbid presented a resolution to approve donations for the third quarter of 2022.

Commissioner Miron moved to adopt **Resolution No. 2022-127** as follows:

2022 3rd QUARTER DONATIONS, GIFTS, AND BEQUESTS

WHEREAS, Washington County gratefully accepts donations, gifts, and bequests from public and private sources to enhance the programs and services it provides; and

WHEREAS, any gift, donation, or bequest becomes the property of Washington County; and

WHEREAS, the Washington County Board is authorized to approve donations, gifts, and bequests on a quarterly basis.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners does hereby approve donations and gifts of \$6,029.39 for the third quarter of 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.

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.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn. Commissioner Weik seconded the motion, and it was adopted unanimously.

The County Board meeting adjourned at 10:16 a.m.

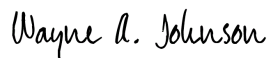
BOARD WORKSHOP WITH PUBLIC WORKS

The Board met in workshop session for an update on the Northern Household Hazardous Waste and Yard project. Present for the workshop were Commissioners Weik, Kriesel, Miron, Karwoski, and Johnson. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

Attest:

A handwritten signature in cursive script that reads "Kevin Corbid".

Kevin Corbid
County Administrator

A handwritten signature in cursive script that reads "Wayne A. Johnson".

Wayne A. Johnson
County Board Chair