



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 20, 2024**

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 Karla Bigham, District 4
Commissioner Michelle Clasen, District 5

Also Present: Kevin Corbid, County Administrator
Susan Tice, Assistant County Attorney Division Chief
Holly Hess, Administrative Assistant

The Board recited the Pledge of Allegiance.

Sheriff Dan Starry and Sergeant Joel Legut addressed the board to show respect for the Burnsville police officers and firefighter/paramedic who were killed on Sunday, February 18, 2024, and spoke eloquently and thoughtfully about the dangers Sheriff's deputies, detectives, and sergeants, face each and every day as they serve the public. Board Chair Karwoski asked for a moment of silence for those who lost their lives in the tragedy.

COMMENTS FROM THE PUBLIC

Board Chair Karwoski asked for comments from the public; none were heard.

CONSENT CALENDAR

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

1. Approval of the February 6, 2024, County Board meeting minutes.
2. Approval to appoint Savannah Mans-Vail, Hugo, to a partial term on the Community Development Block Grant (CDBG) Citizen Advisory Committee expiring June 30, 2024.
3. Approval of a letter to the City of Woodbury regarding property tax abatement.
4. Approve Contract No. 16150 with Satellite Tracking of People, LLC for Electronic Monitoring services from final signature through December 31, 2025.

5. Approval for Washington County Community Services to apply for a Minnesota Housing Finance Agency grant to provide Family Homeless Prevention and Assistance Program (FHPAP) services.
6. Approve Memorandum of Understanding (MOU) and Infrastructure Funding Agreement (IFA) No. 16243 between Washington County Community Services, Great River Education Consortium, Century College, Minnesota Department of Employment & Economic Opportunity, Somali Community Resettlement Services and the Washington County Workforce Development Board for the operation of the One-Stop Service Delivery System in Washington County. Washington County is designated local area 16, there are 16 local areas in the state.
7. Approval of an application for renewal of an On-Sale and Sunday Liquor License for VR US Holdings DBA Afton Alps, located in Denmark Township.
8. Approval of an application for renewal of an On-Sale and Sunday Liquor License for the Disabled Veteran's Rest Camp Association, located in May Township.
9. Approval of **Resolution No. 2024-012** as follows:

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENT WITH THE COUNTY OF WASHINGTON ON BEHALF OF ITS SHERIFF REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

WHEREAS, the County of Washington on behalf of its Sheriff desires to enter into a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation on children that is committed and/or facilitated by or through the use of computers.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Washington, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreement by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Washington on behalf of its Sheriff is hereby approved. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.
2. That the Sheriff, Dan Starry, or his or her successor, is designated the Authorized Representative. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be

required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

3. That Commissioner Stan Karwoski, the Board Chair of the County of Washington, and Kevin Corbid, the County Administrator, are authorized to sign the State of Minnesota Joint Powers Agreement.

Passed and Adopted by the County Board on this 20th day of February, 2024.

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

COMMUNITY DEVELOPMENT AGENCY

Update on the American Rescue Plan Act (ARPA) Affordable Housing Development

Deputy Executive Director Karly Schoeman reported an update on the American Rescue Plan Act (ARPA) affordable housing development. Executive Director Melissa Taphorn and Vice President of Trellis Company Dan Walsch were also present.

Ms. Schoeman reported that in April 2022, Washington County received funding through the American Rescue Plan Act (ARPA) and the Community Development Agency (CDA) applied for \$7.5 million of ARPA funding for affordable housing through a Faircloth to Rental Assistance Demonstration program. In March 2023 the CDA released a request for proposals (RFP) and selected Trellis Company for the Bluestem Apartments in Cottage Grove. Since being selected, Trellis Company has secured other financing and has gained necessary approvals from the city of Cottage Grove.

Ms. Schoeman reported that Bluestem Apartments is a 52-unit development located in Cottage Grove. The development will give preference to senior/disabled households and many units will be available at a percentage of area median income (AMI) to ensure affordability. Ms. Schoeman explained the funding sources that are available for the development of the apartments. She also outlined the next steps in the process which include final approval of funding, closing on financing, groundbreaking and a projected timeline for opening the building.

ACCOUNTING AND FINANCE

Adopt a Resolution to Amend the American Rescue Plan Act Project Plan

Accounting Supervisor Jill Zenzola presented a resolution to amend the American Rescue Plan Act Project Plan.

Ms. Zenzola reported an overview of American Rescue Plan Act (ARPA) which outlined acceptable uses for the funds and stated that Washington County received an allocation just under \$51 million. Ms. Zenzola reviewed the projects in Washington County that have been completed

using ARPA funds. Through a review it was indicated that additional funding was needed for the Safe Working Environment at Big Marine Park Reserve project in the amount of \$47,000. Additional funding was needed for the Election Equipment Replacement project in the amount of \$438,283.

Ms. Zenzola reported that several completed projects have unused funds that are being reallocated. She reported that one new project is being added which is the purchase of two new boats for the Sheriff's Office Water, Parks, and Trails River Patrol Equipment. Grant funding has been received for this purchase, however \$137,980 is needed through ARPA to meet the necessary funding needs.

Ms. Zenzola reported a request to Transfer personnel costs from ARPA-funded projects in the Community Services Department that are ineligible, per guidance from the U.S. Department of Treasury to overtime costs in the Sheriff's Office that are levy funded in 2023 and 2024. A transfer of the equivalent in levy from Sheriff's Office to the Community Service Department for personnel costs will be necessary to complete this request.

Commissioner Clasen moved to adopt **Resolution No. 2024-013** as follows:

**RESOLUTION AMENDING AMERICAN RESCUE PLAN ACT
PROJECT 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, 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 the requirements as outlined in ARPA and the Final Rule provided by the United States Department of Treasury (effective 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, by resolution, approved an amended project plan on July 11, 2023; and

WHEREAS, the County Board wishes to decrease the following project budgets with no scope change; Payroll and Benefit Costs to those Directly Responding to the Pandemic, Virtual Meeting and Service Support, Internet Access to Support Adults and Students, Small Business Technical Assistance Program, Court Room and Security, Electric Vehicle Charging State Federal Grant Match and Mental Health Services; and

WHEREAS, the County Board wishes to increase the following project budgets with no scope change; Safe Working Environment at Big Marine Park Reserve and Election Equipment Replacement; and

WHEREAS, the County Board wishes to add the Water, Parks, and Trails River Patrol Equipment project.

WHEREAS, the County Board wishes to transfer personnel costs from ARPA- funded projects in Community Services Department that are ineligible, per guidance from the U.S. Department of Treasury, to overtime costs in the Sheriff's Office that are levy funded in 2023 and 2024. The equivalent in levy from the Sheriff's Office to the Community Services Department for personnel costs will be transferred.

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:

- Revenue Replacement – Provisions of Government Services

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorizes the county administrator or his designee to prepare necessary budget amendments authorizing ARPA expenditures as identified in this resolution; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorizes the county administrator or his designee to execute agreements necessary to authorize ARPA expenditures as identified in this resolution; and

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners authorizes the county administrator or his designee to prepare and submit all required reporting under ARPA.

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

PUBLIC WORKS

Agreement with Union Pacific Railroad for the Reconstruction of the Railroad Crossing in Relation to the County State Highway (CSAH) 14 (47th Street) and CSAH 24 (Osgood Avenue) Improvement Project

Engineer Andrew Giesen presented an agreement with Union Pacific Railroad for the reconstruction of the railroad crossing in relation to the County State Highway (CSAH) 14 (47th Street) and CSAH 24 (Osgood Avenue) Improvement Project.

Mr. Giesen reported that the project includes intersection improvements, new traffic signal (light), railroad crossing reconstruction, turn lanes and resurfacing. Mr. Giesen reported that the work on this project will be completed by the railroad and this agreement is the means to have the county pay their share for the work completed by the railroad.

Mr. Giesen reported improvements to the roadway and widening of the roadway requires a new agreement with the railroad. The new agreement will grant additional rights to the County to facilitate the reconstruction and widening of the roadway as well as include estimate cost shares for both the County and the railroad. Mr. Giesen reported the County's cost for the project as well as a breakdown of the costs, which total \$743,494 in addition to the Railroad's costs for the project, which total \$129,098.

Commissioner Kriesel moved to approve an agreement with Union Pacific Railroad for the reconstruction of the railroad crossing in relation to the County State Highway (CSAH) 14 (47th Street) and CSAH 24 (Osgood Avenue) Improvement Project. Commissioner Karwoski seconded the motion, and it was adopted unanimously.

Approval of Contract No. 16219 with WSB, Inc. in the Amount of \$289,943 for Preliminary and Final Design of Trunk Highway 61 and County State Aid Highway 8 Improvements

Engineer Ryan Hoefs presented approval of consultant Contract No. 16219 with WSB, Inc. in the amount of \$289,943 for preliminary and final design of Trunk Highway 61 and County State Aid Highway 8 improvements.

Mr. Hoefs reported that through the Minnesota Department of Transportation (MnDOT) Local Partnership Program, Washington County was awarded \$985,000 to be used towards this project. Mr. Hoefs outlined the improvements included in this project. He provided information on the timeline of this project and stated that the funding received from MnDOT for this project must be used in 2025. Approval of the contract will allow project staff to remain on track with the proposed timeline.

Mr. Hoefs reported that 9 qualified consultants submitted proposals for the project and the proposals were reviewed using Qualification-Based Selection. WSB, Inc. consulting was chosen to complete this project.

Commissioner Miron moved to approve consultant Contract No. 16219 with WSB, Inc. in the amount of \$289,943 for preliminary and final design of Trunk Highway 61 and County State Aid Highway 8 improvements. Commissioner Kriesel seconded the motion, and it was adopted unanimously.

EXECUTIVE (CLOSED) SESSION – ATTORNEY’S OFFICE

Commissioner Kriesel moved to move into Executive (closed) session. Commissioner Bigham seconded the motion, and it was adopted unanimously.

The Board met in Executive (closed) attorney/client session, pursuant to Minnesota Statute 13D.05, subd. 3(b) for the purpose of discussing active Opioid litigation legal strategy – In re Endo International, Case No. 22-22549 (S.D.N.Y.) the time being 10:01 a.m. Present for the Executive session were Commissioners Miron, Karwoski, Kriesel, Bigham, and Clasen, and Kevin Corbid, Jan Lucke, Jennifer Wagenius, and Susan Tice.

The Executive session closed at 10:23 a.m.

GENERAL ADMINISTRATION

Consideration of Bankruptcy Proceeding Restructuring Plan – In re Endo International, Case No. 22-22549 (S.D.N.Y.)

County Administrator Kevin Corbid reported Consideration of Bankruptcy Proceeding Restructuring Plan – In re Endo International, Case No. 22-22549 (S.D.N.Y.). Mr. Corbid stated that during the Closed Session the County Board received advice from legal counsel on the active litigation. Mr. Corbid presented the County Board with current available options and stated the staff recommendation is to approve the restructuring plan and authorize attorney Lockridge-Grindell-Nauen to submit a claim on their behalf.

Commissioner Miron moved to approve the restructuring plan and authorize attorney Lockridge-Grindell-Nauen to submit a ballot on behalf of the County Board. Commissioner Bigham seconded the motion, and the motion prevailed.

Legislative Update

Deputy County Administrator Jan Lucke provided a legislative update. Ms. Lucke provided the Commissioners with a bill tracker for the 9 legislative priorities for Washington County, along with the bill numbers that have been assigned to each. Ms. Lucke reported that Commissioners are continuing to meet with legislators who were unable to attend the Legislative Reception on January 23, 2024, to provide each absent legislator with an update on the County’s legislative priorities.

Ms. Lucke stated that the State Lobbyist Larkin Hoffman is recommending that the county schedule a second legislative reception at the State Capitol during the first week of April.

Ms. Lucke reported that Commissioner's Karwoski, Bigham and Clasen traveled to Washington D.C. last week for the National Association of Counties (NACo) Legislative Conference. While in D.C. they had the opportunity to meet with Representative Craig, Representative McCollum and Representative Stauber to discuss Washington County's funding needs in their districts. Similar meetings were held with staff from Senator Smith and Senator Klobuchar's offices.

Ms. Lucke reported that an upcoming Workshop will allow the County Board to solidify their approach to FY2025 Community Funding requests and a board action will follow.

Approval of Contract No. 16166 for an Amount Not to Exceed \$519,000 for the Restoration and Enhancement of Three Land and Water Legacy Program Conservation Easements in Woodbury Using Lessard Sams Outdoor Heritage Conservation Fund Grant Funds

Planner Serena Rath reported approval of Contract No. 16166 with Stantec Consulting Services Inc. for an amount not to exceed \$519,000 for the restoration and enhancement of three Land and Water Legacy Program conservation easements in Woodbury using Lessard Sams Outdoor Heritage Conservation Fund grant funds.

Ms. Rath reported that the Lessard Sams Outdoor Heritage Conservation Fund awarded Washington County \$4.288 million for the Land Water Legacy Program projects. \$618,000 is allocated for the restoration and enhancement of protected properties within Washington County. Three properties currently protected by LWLP were chosen to be the focus of this work. These properties are; Prairie Ridge Park Conservation Easement, Valley Creek Park Conservation Easement, and La Lake Conservation Easement.

Ms. Rath reported that this project is in partnership with the City of Woodbury and will be the first of its kind for the Land Water Legacy Program. Consultant selection was carefully considered to ensure that all goals for the project would be met and uphold current and future stewardship plans. Ms. Rath outlined the scope of work that the consultant will accomplish while meeting the grant deadline. Ms. Rath reported that Stantec was selected as the preferred consultant. Stantec is a professional services company in the design and consulting industry. Stantec is deeply familiar with the restoration and enhancement process and is currently performing work with the City of Woodbury at each of the proposed project sites.

Commissioner Clasen moved to approve Contract No. 16166 with Stantec Consulting Services Inc. for an amount not to exceed \$519,000 for the restoration and enhancement of three Land and Water Legacy Program conservation easements in Woodbury using Lessard Sams Outdoor Heritage Conservation Fund grant funds. Commissioner Bigham seconded the motion, and it was adopted unanimously.

COMMISSIONER REPORTS

Commissioners reported on meetings and other events they attended. Please see archived livestreaming of the board meeting for full commissioner reports at www.co.washington.mn.us, under "County Board."

BOARD CORRESPONDENCE

Board correspondence was received and routed to Administration.

ADJOURNMENT

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

The County Board meeting adjourned at 11:15 a.m.

BOARD WORKSHOP WITH COMMUNITY SERVICES

The board met in workshop session for an update on the Family Resource Center Project. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Bigham, and Clasen. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

BOARD WORKSHOP WITH PUBLIC WORKS

The board met in workshop session to review existing transit service options in the County as part of the Transit Workshop Series. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Bigham, and Clasen. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

Attest:

A handwritten signature in black ink that reads "Kevin Corbid".

Kevin Corbid
County Administrator

A handwritten signature in black ink that reads "Stan Karwoski".

Stan Karwoski
County Board Chair