

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
DECEMBER 3, 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: Jan Lucke, Deputy County Administrator
Jennifer Wagenius, Deputy County Administrator
John Ristad, Assistant County Attorney Division Chief
Stephanie Kammerud, Administrative Assistant

The Board recited the Pledge of Allegiance.

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 November 19, 2024, County Board meeting minutes.
2. Approve a Memorandum of Understanding between Washington County and the Minnesota Land Trust to affirm roles and responsibilities concerning the stewardship and co-ownership of conservation easements.
3. Approve an agreement granting \$100,000 in funding to the Washington County Historical Society for matching funds to complete Phase II of the Heritage Center project.
4. Approve Amendment No. 4 to Contract No. 15461 with Sarju Stillwater dba Asteria Inn and Suites to extend the term of the contract through December 31, 2025, and add \$666,000 for CY2025 to secure rooms to provide emergency housing for individuals experiencing homelessness in Washington County.

5. Approval of the plat of Pilla Bass Lake Estates located in May Township.
6. Approval of **Resolution No. 2024-137** as follows:

**RESOLUTION TO ACCEPT AND CONTINUE
IMPLEMENTATION OF THE STATE'S AQUATIC INVASIVE
SPECIES PREVENTION AID PROGRAM**

WHEREAS, aquatic invasive species (AIS) are non-native aquatic organisms that invade water beyond their natural and historical range and have long-term implications for our environment, economy and human health; and

WHEREAS, the majority of AIS infestations in Minnesota are caused by the unintentional transfer of AIS through boats, trailers, live wells, bilge water, bait buckets, ballast water from barges, boat lifts, docks and other recreational equipment; and

WHEREAS, 25 lakes and 2 rivers in Washington County are now on the Minnesota Department of Natural Resources' Infested Waters List including those affected by Eurasian watermilfoil (Alice, Big Marine, Bone, Camp Galilee, Clear, Colby, DeMontreville, Elmo, Forest, Goose, Horseshoe, Jane, Long (four distinct lakes), Mud, Olson, Pine, Powers, Sunfish, Sunnybrook, Sunset, White Bear, and Wilmes lakes; Mississippi and St. Croix rivers), flowering rush (Forest Lake, Mississippi River), zebra mussels (Big Carnelian, Bone, Clear, Forest and White Bear lakes; Mississippi and St. Croix rivers); and bighead, grass and silver carp (Mississippi River and St. Croix rivers); and

WHEREAS, Washington County's Battle Creek, Oneka, Square, Tanners, and other lakes are not yet affected by AIS; and

WHEREAS, a Minnesota State Management Plan for Invasive Species was completed in 2009 outlining effective and known strategies for addressing AIS in Minnesota; and

WHEREAS, the Minnesota State Legislature passed MN Statute 477A.19 Aquatic Invasive Species Prevention Aid in 2014 providing counties with \$10 million annually with the amount designated for each county based on the number of watercraft trailer launches and watercraft trailer parking spaces; and

WHEREAS, the AIS Prevention Aid results in a 2025 allocation of \$134,041 (based on 24 watercraft trailer launches x \$2,217 per launch) plus (354 watercraft trailer parking spaces x \$228 per space); and

WHEREAS, acceptance of this funding requires Washington County to establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county; and

WHEREAS, the county may appropriate the proceeds directly or may use any portion of the proceeds to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county; and

WHEREAS, Washington County plans to run a competitive grant program to award funds to entities focusing on prevention projects within the scope of activities described in the State's AIS framework; and

WHEREAS, Washington County plans to utilize a portion of the funds available to partner with the Washington Conservation District for the provision of countywide activities to prevent the spread of AIS including watercraft inspections, public awareness, and monitoring of projects that may be funded through the grant; and

WHEREAS, the County must submit a copy of its resolution or plan to the Department of Natural Resources by December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Washington County, Minnesota, accepts and will continue to implement the state's Aquatic Invasive Species Prevention Aid; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners will submit this resolution to the DNR for acceptance pursuant to applicable Minnesota laws and rules.

7. Approval of **Resolution No. 2024-138** as follows:

**RESOLUTION TO PURCHASE VACANT LAND KNOWN AS
PID 06.031.20.11.0001 IN SOUTHEAST QUADRANT OF MANNING
TRAIL NORTH AND 180TH STREET NORTH IN MAY TOWNSHIP
FOR INCLUSION INTO BIG MARINE PARK RESERVE**

WHEREAS, Washington County is interested in acquiring the property described herein in May Township, Minnesota for inclusion into Big Marine Park Reserve; and,

WHEREAS, the Robin L Booren Trust as owner, agrees to sell the property to the County.

NOW, THEREFORE, BE IT RESOLVED, that Washington County Board of Commissioners hereby authorizes its Chair and Administrator to execute on behalf of the County a Purchase Agreement and authorizes the execution of any other documents necessary for the County to purchase the property legally described as follows:

That part of the NE1/4 of Section 6, Township 31 North, Range 20 West, described as follows: viz: Beginning at a point 3 rods due South and 612 feet West of the NE corner of said Section 6, running thence West parallel with the North line of said Section 1,264 feet to the centerline of the County Road, as now established; thence Southerly along said center of said public highway to the South line of the NW1/4 of NE1/4 of said section; thence Easterly along the South line of said NW1/4 of NE1/4 to the East line of said public highway; thence Southerly along said East line of said public highway to the South line of said NE1/4 of said section; thence Easterly along said South line of said NE1/4 1,339 feet to a point and thence Northerly in a direct line to the place of beginning.

for the purchase of \$1,865,000.00.

8. Approve Agreement No. 17026 with the City of Newport for the transfer of Red Rock Crossing east of County State Aid Highway 38 (Maxwell Avenue) from Washington County to the City of Newport.
9. Approval of **Resolution No. 2024-139** as follows:

**RESOLUTION FOR WASHINGTON COUNTY TO ENTER INTO
MINNESOTA DEPARTMENT OF TRANSPORTATION (MNDOT)
AGREEMENT NO. 1056231**

BE IT RESOLVED that Washington County enter into MnDOT Agreement No. 1056231 with the State of Minnesota, Department of Transportation, for the following purposes:

To provide for construction and maintenance upon, along, and adjacent to Trunk Highway No. 61 at the intersection with Headwaters Parkway, the limits of which are defined in said agreement.

BE IT FURTHER RESOLVED that the County Board Chair and the County Administrator are authorized to execute the Agreement and any amendments to the Agreement.

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

PUBLIC HEARING – PUBLIC HEALTH AND ENVIRONMENT

Washington County Cannabis Ordinance

The public hearing opened at 9:03 a.m.

Board Chair Karwoski presented a brief overview of today's public hearing on the proposed Cannabis Ordinance. This public hearing is being held pursuant to the requirements in Minnesota Statute 375.51. On November 12, 2024, the County Board issued its order setting this public hearing for today. Board Clerk Stephanie Kammerud indicated that proper notices were published and made part of the record.

Mr. Johnson reported that this ordinance is necessary due to Minnesota Statute 342.22, which requires that retailers must obtain registration from the city/town as part of the state licensing process. It also authorizes cities and towns to delegate the registration duties to the county. The registration authority has the responsibility to conduct compliance checks. Mr. Johnson reviewed Minnesota Statutes 145A.05, 342.13, and 375.18, that empower the board to adopt this ordinance.

Mr. Johnson reported that there have been three workshops to discuss and refine the ordinance, and there are 12 sections within the ordinance: 1) Findings of Fact and Purpose; Scope; 2) Definitions and Interpretations; 3) Registration; 4) Fees; 5) Basis for Denial of Registration; 6) Prohibited Sales and Other Restrictions; 7) Responsibility; 8) Compliance Checks and Inspections; 9) Enforcement and Penalties; 10) Exceptions and Defenses; 11) Severability; 12) Effective Date.

Public health and cannabis statutes allow for some ordinance requirements to apply across the entire county. Sections 3, 4, and 5 cover the county registration system for communities delegated to the county by city/town. Section 6 covers sales standards countywide, including in cities/towns who retain registration duties. Sections 8 and 9 address inspections, compliance check protocols, and penalties for ordinance violations.

Mr. Johnson reported that the ordinance has been shared with cities and townships, and public feedback could be received in writing, by phone, in-person, and an online form through the county's website. As of today's public hearing, there have been no public comments received.

Board Chair Karwoski asked for comments from the public regarding the Cannabis Ordinance. There were no comments from the public.

There being no further members of the public who wished to speak, Chair Karwoski asked for a motion to close the public hearing. Commissioner Bigham moved to close the public hearing. Commissioner Clasen seconded the motion, and it was adopted unanimously.

The public hearing closed at 9:14 a.m.

The board is scheduled to take action on the Washington County Cannabis Ordinance at the December 17, 2024, County Board meeting.

ACCOUNTING AND FINANCE

Resolution to Adjust American Rescue Plan Act Budget

Jill Zenzola, Accounting Manager, presented a resolution for proposed budget adjustments on the American Rescue Plan Act (ARPA) project plan.

Ms. Zenzola reported that after the American Rescue Plan Act of 2021 was signed into law, Washington County received an allocation of \$50,975,893. The funds must be used or obligated by December 31, 2024, and obligations must be expensed by December 31, 2026. As of October 31, 2024, Washington County has expensed \$35,060,091, with \$15,915,800 remaining to expense.

Ms. Zenzola reported that the county has 39 projects with ARPA funding, and 19 of those projects have been completed. Adjustments are needed to the current projects to fully obligate the funds. If ARPA funds are not obligated by the end of the year, unobligated funds must be returned to the U.S. Department of Treasury.

The recommended adjustments to current projects include: Emergency Housing Services Building; County Emergency/Transitional Housing Program; Campus Heating and Cooling Improvements; Building Modifications to Ensure Safe Service Delivery; Community Health Workers-Health Equity Initiative; Voice-Telephone System Replacement; and remaining funding from completed projects.

Commissioner Miron moved to adopt **Resolution No. 2024-140** 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 ARPA budget adjustments with the County Board on December 3, 2024; and

WHEREAS, the county board, by resolution, approved the recommended budget adjustments on December 3, 2024; and

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby adopt the proposed budget adjustments presented on December 3, 2024, under the following categories authorized in ARPA and the final guidance:

- Supporting the Public Health Needs of County Residents and Staff
- Supporting Workers, Residents, Businesses and Others Negatively Impacted by the Pandemic
- County Infrastructure Improvements & Operations Funded by Lost Revenue Replacement and
- Investments in Water, Sewer or Broadband

NOW, THEREFORE, 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

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorizes the county administrator or his designee to approve project budget adjustments to current board approved projects up to \$175,000; and

NOW, THEREFORE, 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

NOW, THEREFORE, 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, Kriesel, Bigham, Clasen, and Karwoski. Nays, none.

PUBLIC WORKS

Resolution to Perform Speed Studies

Zack Raven, Engineer I, presented a resolution to perform speed studies within Washington County. Mr. Raven reported that per Minnesota statutes, the authority to determine speed limits on all county highways resides with the Commissioner of the Minnesota Department of Transportation. It is normal procedure to request such a determination after a roadway has undergone major changes, such as reconstruction, expansion, or significant changes to the roadside character or access. The speed studies will determine the reasonable and safe speed limits where county staff have identified that the current speed authorization may be obsolete, based on changes in driver behavior or roadway environment.

Commissioner Kriesel moved to adopt **Resolution No. 2024-141** as follows:

**RESOLUTION TO AUTHORIZE THE COUNTY ENGINEER TO
SUBMIT A REQUEST TO THE COMMISSIONER OF THE MINNESOTA
DEPARTMENT OF TRANSPORTATION TO PERFORM A SPEED
STUDY TO DETERMINE THE REASONABLE AND SAFE SPEED
LIMIT AT THE FOLLOWING LOCATIONS:**

- County State Aid Highway (CSAH) 11 (Otchipwe Ave N/Fairy Falls Rd N/Boom Rd) from CSAH 96 (Dellwood Rd) to CSAH 7 (Square Lake Trail N) in the City of Stillwater and Stillwater township
- CSAH 12 (75th Street N/Myrtle St W) from CSAH 15 (Manning Ave N) to CSAH 5 (Owens St N) in the City of Stillwater
- CSAH 14 (Stillwater Blvd/34th St) from Stillwater Way N to 100' East of Omaha Ave N in Baytown Township
- CSAH 16 (Valley Creek Rd) from CSAH 19 (Woodbury Dr) to TH 95 (Manning Ave S) in the City of Woodbury.
- CSAH 17 (Lake Elmo Ave) from CSAH 10 (10th St N) to 470' North of 32nd Street in the City of Lake Elmo
- CSAH 29 (Hilton Trail) from TH 36 to CSAH 12 (Stillwater Rd) in the Cities of Pine Springs and Mahtomedi
- CSAH 33 (Everton Ave N) from CSAH 32 (220th St N) to CSAH 2 (W Broadway Ave) in the City of Forest Lake
- CSAH 38 from Glen Rd to the Ramsey/Washington County Line in the City of Newport
- County Road 74 (65th St S) from CSAH 38 (Hastings Ave) to CSAH 13 (Hinton Ave S) in the Cities of Newport and Cottage Grove

WHEREAS, per MN Statute 169.14, the authority to determine the safe and reasonable speed on a county highway resides with the Commissioner of the Minnesota Department of Transportation; and

WHEREAS, the above portions of roadway are operated by Washington County and construction projects have recently occurred within or adjacent to these segments; and

WHEREAS, it is in the best interest of all parties to have reasonable and safe speed limits posted on our county highways.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the County Engineer to request that the Commissioner of the Minnesota Department of Transportation perform a speed study to determine the reasonable and safe speed limit at the above referenced locations.

BE IT FURTHER RESOLVED, that the County Engineer is hereby authorized to install and maintain signage consistent with the resulting order.

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

Contract for Design Services for County Highway 17 and Trunk Highway 36 Improvement Project

Andrew Giesen, Engineer III, presented a design contract for the County Highway 17 (Lake Elmo Avenue) and Trunk Highway (TH) 36 Improvement Project. This project is identified in the Capital Improvement Plan as #RB-2674. Mr. Giesen reported that the purpose of this project will improve vehicle safety, vehicle mobility, and bikeability/walkability in the TH 36 and Lake Elmo Avenue intersection area. This contract is for the final design phase, and to provide design support during the construction phase of the project.

Mr. Giesen reported that the Public Works Department issued a request for proposal (RFP) to provide project coordination, final engineering, stakeholder and public engagement, utility coordination, permitting, environmental documentation, and bidding and construction services. Alliant Engineering was the sole bidder, and the department recommends awarding this bid to Alliant Engineering, due to their qualifications and experience, past performance, and ability to meet the project schedule.

Mr. Giesen reported that the contract is funded by state aid and local contributions. Project construction is scheduled to begin in 2026.

Commissioner Miron moved to approve Contract No. 17001 with Alliant Engineering, Inc. in the amount of \$1,924,763 for final design services for the County Highway 17 and Trunk Highway 36 Improvement Project. Commissioner Kriesel seconded the motion, and it was adopted unanimously.

SHERIFF'S OFFICE

Recognition of the Washington County Sheriff's Office K9 Unit

Sheriff Dan Starry announced that from October 6-11, 2024, members of the Washington County Sheriff's Office K9 Unit attended the 2024 United States Police Canine Association National Patrol Dog Field Trials in Baton Rouge, Louisiana.

Sheriff Starry introduced the K9 teams that participated, including Deputy Chris Majeski and K9 Jake, Deputy Brandon Yetter and K9 Huck, Deputy Nate Thienes and K9 Goose, and Deputy Josh Liebenow and K9 Viking.

Sheriff Starry reported that there were 67 of the best K9 teams in attendance from around the United States, representing 13 different states. The teams certified and competed in events such as obedience, evidence recovery, suspect search, and apprehension work. The Washington County Sheriff's Office K9 Unit was awarded 1st Place Department Team, giving them back-to-back National Championships. Deputy Yetter and K9 Huck were also awarded the Individual National Champion, for the second year in a row. The K9 teams also won several individual awards in many of the events, and placed 4th and 10th individually overall.

GENERAL ADMINISTRATION

Deputy County Administrator Jan Lucke presented the donations report for the 2024 3rd quarter.

Commissioner Clasen moved to adopt **Resolution No. 2024-142** as follows:

2024 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 \$8,083.23 for the third quarter of 2024.

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

COMMISSIONER REPORTS

Commissioners reported on meetings and other events they attended. Please see archived livestreaming of the board meeting for full commissioner reports on the county's website washingtoncountymn.gov under "County Board of Commissioners."

BOARD CORRESPONDENCE

No board correspondence was received.

ADJOURNMENT

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

The County Board meeting adjourned at 10:45 a.m.

Attest:

Jan Lucke

Jan Lucke
Deputy County Administrator

Jennifer Wagenius

Jennifer Wagenius
Deputy County Administrator

Stan Karwoski

Stan Karwoski
County Board Chair