

The Anoka County Board of Commissioners held a regularly scheduled board meeting in Room #705 of the Anoka County Government Center. Due to the applicable Governor's Emergency Executive Orders, and a determination by the board chair that public attendance was not feasible due to the health pandemic, there were no members of the public in the board room where this meeting was held. Notice of this meeting included that monitoring of this meeting by the public could be done through audio streaming over the internet or by telephone. Public monitoring in this manner was done pursuant to Minn. Stat. § 13D.021.

ANOKA COUNTY BOARD MEETING

MINUTES

Government Center
Anoka, Minnesota

May 11, 2021

Chair Schulte called the meeting to order at 9:30 a.m. and called for participation in reciting the Pledge of Allegiance.

Present:	District #1	Matt Look
	District #2	Julie Braastad
	District #3	Robyn West
	District #4	Mandy Meisner
	District #5	Mike Gamache
	District #6	Jeff Reinert
	District #7	Scott Schulte

Others Present: Rhonda Sivarajah, County Administrator; Tony Palumbo, County Attorney; and staff

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Commissioner Braastad made motion granting reductions of valuation and/or abatements of taxes, special assessments, costs, penalties and/or interest as requested and approved by the county assessor, county auditor and/or county treasurer. (A full text of persons receiving tax abatements is on file and available for public inspection in the County Administration Office.) Commissioner West seconded the motion. Upon roll call vote, motion carried unanimously.

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Commissioner Look made motion accepting the regular claims paid over \$500 for the period ending April 23, 2021, and purchase-card claims paid for the period ending April 23, 2021. (Claims are on file in the County Administration Office.) Commissioner Reinert seconded the motion. Upon roll call vote, motion carried unanimously.

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Commissioner Meisner made motion approving the minutes from the April 27, 2021, Anoka County board meeting. Commissioner Gamache seconded the motion. Motion carried unanimously.

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- Commissioner Schulte presented the Transportation Committee Report from the meeting of May 3, 2021.
1. Commissioner Meisner made motion approving entering into Contract #C0008564, Professional Services Agreement with WSB Engineering for Project SP 002-635-012, improvements at the intersection of CSAH 35 (Old Central Avenue) and Gardena Avenue N.E. in the City of Fridley; and authorizing the county board chair and county administrator to execute said agreement, subject to review by the county attorney as to form and legality. (Contract is on file in the Transportation Department.) Commissioner West seconded the motion. Upon roll call vote, motion carried unanimously.
 2. Commissioner West made motion approving entering into Contract #C0008410, Joint Powers Agreement with the City of Blaine for Project SAP 002-612-019, a sub-project of the 2021 County-Wide Overlay Program that will include the addition of left and right turn lanes on CSAH 12 (109th Avenue) at Okinawa Street in the city of Blaine; and authorizing the county administrator to execute said agreement, subject to review by the county attorney as to form and legality. (Contract is on file in the Transportation Department.) Commissioner Braastad seconded the motion. Upon roll call vote, motion carried unanimously.

3. Commissioner Gamache made motion awarding Contract #C0008557 to Redstone Construction LLC, in the amount of \$21,825,829.99, for Project S.P. 002-611-036, the railroad grade separation of CSAH 11 (Foley Boulevard) between CR 3 (Coon Rapids Boulevard) and CSAH 1 (East River Road), in the city of Coon Rapids, subject to review by the county attorney as to form and legality. (Contract is on file in the Transportation Department.) Commissioner Look seconded the motion. Upon roll call vote, motion carried unanimously.

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Commissioner Look presented the Finance and Capital Improvements Committee chair report.

1. Commissioner Look offered the following resolution and moved its adoption:

RESOLUTION #2021-59

**APPROVING AMENDMENTS TO CERTAIN
LEASE-PURCHASE FINANCING DOCUMENTS EXECUTED
BY THE COUNTY IN CONNECTION WITH THE PROPOSED SALE
BY ACCAP OF ONE OF THE RESIDENCES COMPRISING THE
LEASED PREMISES THEREUNDER; APPROVING THE FORMS OF
AND AUTHORIZING THE EXECUTION AND DELIVERY OF
SUCH AMENDMENTS AND RELATED DOCUMENTS AND
APPROVING CERTAIN OTHER ACTIONS WITH RESPECT THERETO**

WHEREAS, Anoka County, Minnesota (the "County") previously provided for the refinancing of the acquisition of certain residential facilities (the "Facilities") operated by Anoka County Community Action Program, Inc., a Minnesota nonprofit corporation ("ACCAP"), for various uses under its social service programs by the execution and delivery by the County of: (i) a Lease-Purchase Agreement, dated as of July 1, 2010, (the "Original Lease"), between the County, as lessee, and Wells Fargo Bank, National Association, as lessor (the "Lessor"), pursuant to which the Lessor leased the Facilities to the County; (ii) a Declaration of Trust, dated as of July 1, 2010, (the "Original Declaration"), by the Wells Fargo Bank, National Association, in its capacity as trustee (the "Trustee"), and joined in by the County, pursuant to which the Trustee issued Taxable Refunding Certificates of Participation, Series 2010 in the original aggregate principal amount of \$1,930,000 (the "Certificates"), representing undivided interests in the Original Lease and the right to receive lease payments thereunder; and (iii) a Sublease Agreement, dated as of July 1, 2010, (the "Original Sublease"), between the County, as landlord, and ACCAP, as tenant, pursuant to which ACCAP subleased the Facilities from the County; and,

WHEREAS, the Facilities that were subject to the Original Lease and the Original Sublease comprised 11 properties, set forth on Exhibit A attached to the Original Lease and Exhibit A attached to the Original Sublease; and,

WHEREAS, pursuant to a First Amendment to Lease-Purchase Agreement, dated August 17, 2015, (the "First Amended Lease" and together with the Original Lease, the "Lease"), by and between the Lessor and the County, the Original Lease was amended to add one parcel and delete one parcel from the list of Facilities on Exhibit A of the Original Lease and to provide in Section 5.7 that upon request of ACCAP in connection with a proposed sale of one or more residences comprising the Facilities, the County has the option to purchase such residence, including the land upon which it is located by (i) paying to the Trustee for deposit in the Redemption Account of the Trust Fund (each as defined in the Declaration) the sale proceeds received thereof in an arms' length transaction, or (ii) subjecting to the Lease, and including in the leased premises (i.e., the Facilities), an additional residence and the land upon which it is located, so long as its "value [is] not less than the value of the residence proposed to be sold;" and,

WHEREAS, the County and ACCAP executed a First Amendment to Sublease Agreement, dated August 17, 2015, (the "First Amended Sublease" and together with the Original Sublease, the "Sublease"), pursuant to which the list of Facilities that were subject to the Original Sublease, as set forth on Exhibit A attached to the Original Sublease, was amended to correspond to the change in parcels set forth on Exhibit A attached to the First Amended Lease; and,

WHEREAS, ACCAP has entered into a purchase agreement for the sale of one of the residences comprising the Facilities under the Lease and the Sublease; and,

WHEREAS, in connection with such sale, ACCAP proposes: (i) that the Lessor and the County execute a Second Amendment to Lease-Purchase Agreement, to be dated on or after May 1, 2021, (the "Second Amended Lease"), pursuant to which the list of Facilities set forth on Exhibit A of the Lease is amended to add one parcel and to delete one parcel; and (ii) that the County and ACCAP execute a

Second Amendment to Sublease Agreement, to be dated on or after May 1, 2021, (the “Second Amended Sublease”), pursuant to which the list of Facilities set forth in Exhibit A of the Sublease is correspondingly amended; and,

WHEREAS, pursuant to a Certificate of Valuation, ACCAP has certified to the Trustee and the County that the value of the parcel proposed to be deleted is not greater than the value of the parcel to be added to the lien of the Lease, in satisfaction of requirement under Section 5.7 of the Lease:

NOW, THEREFORE, BE IT RESOLVED, that Anoka County, by and through its Board of Commissioners, does hereby approve the following:

1. The chair and the county administrator (together, the “County Officials”) are hereby authorized and directed to execute and deliver the Second Amended Lease, the Second Amended Sublease, a Limited Warranty Deed, dated on or after May 1, 2021, from the County to ACCAP, and any consents or such other documents as are necessary or appropriate in connection with the proposed amendments to the Lease and Sublease, including any certificates of the County (collectively, the “Amending Documents”). All of the provisions of the Amending Documents, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Amending Documents shall be substantially in the forms on file with the County which are hereby approved, with such necessary and appropriate variations, omissions, and insertions as are approved by Kennedy & Graven, Chartered (“Bond Counsel”), as do not materially adversely change the substance thereof with respect to the County, and as the County Officials, in their discretion, shall determine, and the execution thereof by the County Officials shall be conclusive evidence of such determinations.
2. The officers of the County, Bond Counsel, other attorneys, and other agents or employees of the County are hereby authorized to do all acts and things required of them by or in connection with this resolution and the aforementioned documents, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the aforementioned documents and this resolution.

(Agreements are on file in the Finance Department.)

Upon roll call vote, Commissioners Reinert, Look, Braastad, Schulte, Meisner, and Gamache voted “yes.” Commissioner West abstained. Motion carried. Resolution declared adopted.

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Commissioner Braastad presented the Intergovernmental and Community Relations Committee report from the meeting of May 6, 2021.

1. Commissioner Meisner made motion approving Contract #C0008555 with Red Lake Indian Health Service Hospital for autopsy services for a one-year term with automatic renewals of one-year terms up to seven years, subject to review by the county attorney as to form and legality. (Contract is on file in the Medical Examiner’s Office.) Commissioner West seconded the motion. Upon roll call vote, motion carried unanimously.
2. Commissioner Look offered the following resolution and moved its adoption:

RESOLUTION #2021-60

**RESOLUTION ADOPTING A SPECIAL ASSESSMENT
UNDER THE PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM**

WHEREAS, on December 13, 2019, the County of Anoka (“County”) entered into a Joint Powers Agreement with the Port Authority of the City of Saint Paul (“Port Authority”) to establish a Property Assessed Clean Energy Program (“PACE”) in the County for commercial property owners to finance the energy efficiency and conservation improvements to property through the use of special assessments under PACE, pursuant to Minnesota Statutes Sections 216C.435 – 436 and Chapter 429 (collectively “the Act”); and,

WHEREAS, the County has received an application from the Port Authority for an eligible property located in Anoka County, which is approved for financing under the PACE program, as follows:

Property Owner:	Coventry Properties of Ramsey, LLC
Parcel Number:	34-32-25-22-0056
Assessment Details:	\$2,000,000.00
Interest Accrual Date:	January 1, 2022

WHEREAS, pursuant to the parties' Joint Powers Agreement and the Act, the county board is required to adopt by resolution each assessment under the PACE program, causing the special assessment to become a lien against the property once added to the tax rolls, to be collected by the County on behalf of the Port Authority:

NOW THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby approve the following:

- (1) The special assessment of the above-described property is hereby adopted and will be added to the County tax rolls for collection.
- (2) After imposition of the special assessment, the County shall collect such assessment and remit it to the Port Authority for repayment of the clean energy loan. The County will take all actions permitted by law, including but not limited to actions permitted by Minn. Stat. 429.071 subd. 4, to recover the assessment.

BE IT FINALLY RESOLVED, the County Administrator, or her designee, is authorized to execute on behalf of the County, any documents necessary to implement the special assessment authorized by this resolution.

Upon roll call vote, motion carried unanimously. Resolution declared adopted.

3. Commissioners Reinert, Look, Braastad, West, Schulte, Meisner, and Gamache made motion approving designating \$3,150,000 of Federal American Rescue Plan Act (ARP) funds, to be used as matching funds up to \$150,000, subject to U.S. Treasury guidelines, for community broadband projects completed on or before December 31, 2023. Commissioner Look seconded the motion. Upon roll call vote, motion carried unanimously.

Commissioner Gamache presented the Parks Committee Report from the meeting of May 4, 2021.

1. Commissioner Look offered the following resolution and moved its adoption:

RESOLUTION #2021-61

**RESOLUTION RELATING TO SNOWMOBILE
AND CROSS-COUNTRY SKI TRAILS GRANT-IN AID PROGRAMS**

WHEREAS, the Minnesota Department of Natural Resources (DNR) has established a grant-in-aid program for the establishment of cross-country ski trails and snowmobile trails; and,

WHEREAS, such ski trails and snowmobile trails are beneficial to the public recreation programs conducted by the Anoka County Parks Department; and,

WHEREAS, Anoka County agrees to sponsor three local snowmobile clubs, certify that various benchmarks have been met, and administer the grant from the DNR; and,

WHEREAS, such grant-in-aid assistance is available on certain terms and conditions specified by the Minnesota Department of Natural Resources, which are compatible with the county's existing public recreation program:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby authorize the Anoka County director of Parks to make application for funds to secure financial assistance to conduct a Cross-Country Ski Trail Program and Snowmobile Trail Program in Anoka County from May 15, 2021, through June 30, 2023.

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the county director of Parks and the Minnesota Department of Natural Resources.

Motion carried unanimously. Resolution declared adopted.

The following item came forward on an additional agenda, as recommended by the Management Committee:

1. Commissioner West offered the following resolution and moved its adoption:

RESOLUTION #2021-62

**A RESOLUTION APPROVING THE TENTATIVE AGREEMENT
BETWEEN THE COUNTY OF ANOKA AND
LAW ENFORCEMENT LABOR SERVICES, INC.
REPRESENTING THE WORK RELEASE UNIT
FOR THE CALENDAR YEAR 2021
(CONTRACT #C0008581)**

WHEREAS, representatives of Anoka County and representatives of Law Enforcement Labor Services, Inc., representing the work release unit of the Anoka County Community Corrections Department, have negotiated a one-year labor agreement for the term January 1, 2021, through December 31, 2021; and,

WHEREAS, the attached document (Exhibit A) summarizes the substantive agreement between the parties:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby approve the tentative agreement and that the Chief Negotiator for the Anoka County Board is authorized and directed to prepare contract documents incorporating this tentative agreement and further, that upon receipt of the three original contracts executed by the Union, the Anoka County board chair, county administrator, director of Employee Relations, labor negotiator and other appropriate individuals be authorized and directed to execute the original contracts.

(Exhibit A is on file in Administration.)

(Contract is on file in the Employee Relations Department.)

Upon roll call vote, motion carried unanimously. Resolution declared adopted.

Commissioner Braastad offered the following resolution and moved its adoption:

RESOLUTION #2021-63

**RELATING TO THE APPOINTMENT OF DAVID M. ZIEGLMEIER
AS ACTING COUNTY SURVEYOR**

WHEREAS, the current County Surveyor, Charles Gitzen will be separating from employment on May 21, 2021; and

WHEREAS, this creates a vacancy in the position of County Surveyor; and,

WHEREAS, the Anoka County Highway Department is in the process of considering how to best fill that position for the long term; and,

WHEREAS, the Anoka County Board of Commissioners ("County Board") has the authority to appoint an acting County Surveyor by resolution pursuant to Minn. Stat. § 389.011, subd. 2(1); and,

WHEREAS, David M. Zieglmeier has served as the Deputy County Surveyor since March 22, 2021, and is qualified to fill the position of Acting County Surveyor:

NOW, THEREFORE, BE IT RESOLVED that David M. Zieglmeier is hereby appointed to serve as Acting County Surveyor effective May 22, 2021, for up to six months, ending upon the appointment of the County Surveyor.

BE IT FURTHER RESOLVED that while working out-of-class as the Acting County Surveyor, David M. Zieglmeier shall be paid at a rate determined by the Employee Relations Department in accordance with the guidelines and procedures set forth in in the Anoka County Personnel Rules & Regulations.

Upon roll call vote, motion carried unanimously. Resolution declared adopted.

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Commissioner West made motion acknowledging that the county board has received a copy of the proposed City of Blaine Tax Increment Financing (TIF) District for the following purposes:

1. Reviewing the Proposed Tax Increment Financing District No. 1-22 (Phase 1) and No. 1-23 (Phase 2) for the 35W Industrial Park Development.
2. Submitting comments on the Tax Increment Financing District to the city, in lieu of the traditional 30-day comment period.

Commissioner Reinert seconded the motion. Motion carried unanimously.

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Chair Schulte stated that Anoka County will be opening the County Board Meetings and Management Committee Meetings, which take place just prior to regular board meetings, to the public for in-person attendance beginning May 25, 2021. Due to the pandemic, the Government Center will remain closed except for the first floor. Information on how to attend the meetings will be available on the official Anoka County website and at the top of future meeting notices.

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The county board meeting was adjourned at 10:21 a.m.

ATTEST:

**COUNTY BOARD OF COMMISSIONERS
ANOKA COUNTY, MINNESOTA**

By: _____
Rhonda Sivarajah
County Administrator

By: _____
Scott Schulte, its Chair

Motion carried means all commissioners in attendance voted affirmatively unless otherwise noted.