



Board of Commissioners

Agenda

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-9200

March 7, 2023 - 9 a.m.

Council Chambers - Courthouse Room 300

ROLL CALL

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGEMENT

1. **Agenda of March 7, 2023 is Presented for Approval** 2023-026

Sponsors: County Manager's Office

Approve the agenda of March 7, 2023.

2. **Minutes from February 28, 2023 are Presented for Approval** 2023-027

Sponsors: County Manager's Office

Approve the February 28, 2023 Minutes.

PROCLAMATION

3. **Proclamation: Women in Construction Week** 2023-080

Sponsors: Workforce Solutions

ADMINISTRATIVE ITEMS

4. **Salary Schedule and Grade for a New, Unrepresented Job Classification: County Engineer - Unclassified** 2023-082

Sponsors: Human Resources

1. Approve the salary schedule and grade for a new, unrepresented job classification: County Engineer - Unclassified.
2. Approve designation of a new classification to the unclassified service in accordance with Minnesota Statutes 383A.286, Subdivision 3:
 - Job Classification: County Engineer - Unclassified
 - Schedule: 98B
 - Grade: 40
 - Annual Salary Range: \$98,982 - \$147,096
3. Approve the change in designation of a current classified, managerial position to an unclassified position within the Public Works department in accordance with the Personnel Act, Minnesota Statutes 383A.286, Subdivision 3.

5. Cooperative Agreement for Operation and Maintenance of Silver Lake Aerator 2023-071

Sponsors: Public Works

1. Approve cooperative agreement Public Works 2022-16, with the cities of Maplewood, North St. Paul, and the Valley Branch Watershed District, for the transfer of ownership, operation, and maintenance of the aeration system located within Joy Park on Silver Lake, for the period March 2023 through winter 2035-2036.
2. Authorize the Chair and Chief Clerk to execute the agreement.

LEGISLATIVE UPDATE**COUNTY CONNECTIONS****OUTSIDE BOARD AND COMMITTEE REPORTS****BOARD CHAIR UPDATE****ADJOURNMENT**

Following County Board Meeting:

10 a.m. (est.) Board workshop: Safety and Justice Service Team - Department of Emergency Communications - Council Chambers, Courthouse Room 300

1:30 p.m. Board workshop: 2023 - 2027 Transportation Improvement Program - Courthouse Room 220, Large Conference Room

Public access via Zoom Webinar:

<https://zoom.us/j/95639066822?pwd=eUkzSlmT2FGMnNqZkJKdms0MzZJUT09>

Webinar ID: 956 3906 6822 | Passcode: 924031 | Phone: 651-372-8299

Advance Notice:

March 14, 2023 County board meeting – Council Chambers

March 21, 2023 County board meeting – Council Chambers

March 28, 2023 No county board meeting

April 4, 2023 County board meeting – Council Chambers



Board of Commissioners

Request for Board Action

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-9200

Item Number: 2023-026

Meeting Date: 3/7/2023

Sponsor: County Manager's Office

Title

Agenda of March 7, 2023 is Presented for Approval

Recommendation

Approve the agenda of March 7, 2023.



Board of Commissioners

Request for Board Action

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-9200

Item Number: 2023-027

Meeting Date: 3/7/2023

Sponsor: County Manager's Office

Title

Minutes from February 28, 2023 are Presented for Approval

Recommendation

Approve the February 28, 2023 Minutes.

Attachments

1. February 28, 2023 Minutes.

Board of Commissioners

Minutes

February 28, 2023 - 9 a.m.

Council Chambers - Courthouse Room 300

The Ramsey County Board of Commissioners met in regular session at 9:02 a.m. with the following members present: Frethem, McGuire, Moran, Ortega, Reinhardt, Xiong and Chair MatasCastillo. Also present were Ryan O'Connor, County Manager, and Sam Clark, Civil Division Director, Ramsey County Attorney's Office.

ROLL CALL

Present: Frethem, MatasCastillo, McGuire, Moran, Ortega, Reinhardt, and Xiong

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGEMENT

Read by Commissioner Ortega.

Every community owes its existence and vitality to generations from around the world who contributed their hopes, dreams, and energy to making the history that led to this moment . Some were brought here against their will, some were drawn to leave their distant homes in hope of a better life, and some have lived on this land since time immemorial. Truth and acknowledgment are critical to building mutual respect and connection across all barriers of heritage and difference.

We are standing on the ancestral lands of the Dakota People. We want to acknowledge the Ojibwe, the Ho Chunk and the other nations of people who also called this place home. We pay respects to their elders past and present. Please take a moment to consider the treaties made by the tribal nations that entitle non-Native people to live and work on traditional Native lands. Consider the many legacies of violence, displacement, migration, and settlement that bring us together here today. And please join us in uncovering such truths at any and all public events.

1. Agenda of February 28, 2023 is Presented for Approval [2023-023](#)

Sponsors: County Manager's Office

Approve the agenda of February 28, 2023.

Motion by Moran, seconded by Frethem. Motion passed.

Aye: Frethem, MatasCastillo, McGuire, Moran, Ortega, Reinhardt, and Xiong

2. Minutes from February 21, 2023 are Presented for Approval [2023-024](#)

Sponsors: County Manager's Office

Approve the February 21, 2023 Minutes.

Motion by McGuire, seconded by Frethem. Motion passed.

Aye: Frethem, MatasCastillo, McGuire, Moran, Ortega, Reinhardt, and Xiong

ADMINISTRATIVE ITEMS

3. Ramsey County Vision, Mission and Goals

[2023-068](#)

Sponsors: County Manager's Office

Reaffirm Ramsey County's Vision, Mission and Goals as follows:

Vision: A vibrant community where all are valued and thrive.

Mission: A county of excellence working with you to enhance our quality of life.

Goals:

1. Strengthen individual, family and community health, safety and well-being through effective safety-net services; innovative programming; prevention and early intervention; and environmental stewardship.
2. Cultivate economic prosperity and invest in neighborhoods with concentrated financial poverty through proactive leadership and inclusive initiatives that engage all communities in decisions about our future.
3. Enhance access to opportunity and mobility for all residents and businesses through connections to education, employment and economic development throughout our region.
4. Model forward-thinking investment, fiscal accountability and transparency through professional operational, financial management, and performance management.

Motion by Ortega, seconded by Reinhardt. Motion passed.

Aye: Frethem, MatasCastillo, McGuire, Moran, Ortega, Reinhardt, and Xiong

Resolution: [B2023-038](#)

LEGISLATIVE UPDATE

Presented by Commissioner MatasCastillo. Discussion can be found on archived video.

COUNTY CONNECTIONS

Presented by County Manager, Ryan O'Connor. Discussion can be found on archived video.

OUTSIDE BOARD AND COMMITTEE REPORTS

Discussion can be found on archived video.

BOARD CHAIR UPDATE

Presented by Chair MatasCastillo. Discussion can be found on archived video.

ADJOURNMENT

Chair MatasCastillo declared the meeting adjourned at 10:14 a.m.



Board of Commissioners

Request for Board Action

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-9200

Item Number: 2023-080

Meeting Date: 3/7/2023

Sponsor: Workforce Solutions

Title

Proclamation: Women in Construction Week

Attachments

1. Proclamation

Proclamation

WHEREAS, The construction industry plays a critical role in Ramsey County and across the state in building our communities and strengthening our economy; and

WHEREAS, There are currently opportunities in the construction industry in construction professions and trades; and

WHEREAS, Women are underrepresented in the construction industry, and through education, community partnerships and advocacy can grow their professional construction careers; and

WHEREAS, A solution to promoting and advancing women in the construction industry is bringing together regional and local businesses and organizations to celebrate Women in Construction Week during the period from March 5 through 11, 2023, providing opportunities for professional development, networking, and community service during a week of collaborative activities and events; and

WHEREAS, Through Women in Construction Week activities, it is possible that together, industry partners can shine a light on the growing role of women in construction and provide information on how others can find their path in this important career field; Now, Therefore, Be It

PROCLAIMED, The Ramsey Board of Commissioners hereby proclaim the week of March 5-11, 2023 as Women in Construction Week in Ramsey County; and Be It Further

PROCLAIMED, The Ramsey County Board of Commissioners encourages all Ramsey County residents to honor and celebrate the contributions of women in the construction industry in Ramsey County.



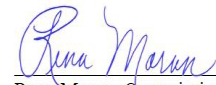
Trista MatasCastillo, Board Chair, District 3




Nicole Frethem, Commissioner, District 1



Mary Jo McGuire, Commissioner, District 2



Rena Moran, Commissioner, District 4



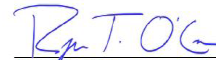
Rafael Ortega, Commissioner, District 5



Mai Chong Xiong, Commissioner, District 6



Victoria Reinhardt, Commissioner, District 7



Ryan T. O'Connor, County Manager

Board of Commissioners

Request for Board Action

Item Number: 2023-082

Meeting Date: 3/7/2023

Sponsor: Human Resources

Title

Salary Schedule and Grade for a New, Unrepresented Job Classification: County Engineer - Unclassified

Recommendation

1. Approve the salary schedule and grade for a new, unrepresented job classification: County Engineer - Unclassified.
2. Approve designation of a new classification to the unclassified service in accordance with Minnesota Statutes 383A.286, Subdivision 3:
 - Job Classification: County Engineer - Unclassified
 - Schedule: 98B
 - Grade: 40
 - Annual Salary Range: \$98,982 - \$147,096
3. Approve the change in designation of a current classified, managerial position to an unclassified position within the Public Works department in accordance with the Personnel Act, Minnesota Statutes 383A.286, Subdivision 3.

Background and Rationale

Human Resources is requesting the creation of a new, unrepresented job classification: County Engineer - Unclassified within the Public Works department. This request reflects an addition to the structure that the Director of Public Works supports. The newly created County Engineer position is responsible for:

- Providing professional expertise to the Ramsey County Board of Commissioners, Minnesota Department of Transportation, municipal partners, and other state and regional agencies. Building collaborative partnerships to support state, regional and local transportation initiatives. Participating in an array of committees, boards and task forces to enhance transportation infrastructure and related development impacting Ramsey County and the metropolitan region.
- Directing the development and management of the department's operating budget and capital improvement program budget. Direct the monitoring of expenditures to ensure they are compliant with state and federal rules.
- Directing and managing state, regional and federal contract and grant applications and monitor compliance with funding requirements. Coordinate grant work with the Federal Highway Administration, Metropolitan Council and Minnesota Department of Transportation.
- Directing and managing the selection of professional consultants and contractors, negotiation and execution of contracts and agreements with vendors, and monitoring contracted services performance to ensure the delivery of effective services in compliance with applicable laws, rules, regulations and policies.

The Human Resources department followed its normal process for conducting the classification study. The philosophy behind Ramsey County's compensation program is to create a program that supports Ramsey County's [vision, mission, and goals](https://www.ramseycounty.us/your-government/leadership/boardcommissioners/vision-mission-and-goals) by utilizing its Talent Priority strategies. Ramsey County is committed to administering a compensation program in a manner that is fair and

equitable. Ramsey County will position itself at the 65th percentile of its relevant core comparators, ensuring that our organization is competitive within the public service sector.

To be in alignment with the market, it is recommended that the County Engineer job classification is allocated to salary schedule 98B grade 40 (\$98,982 - \$147,096 annually). The recommended salary is based on the Ramsey County's job evaluation procedures and policies and is consistent with county compensation policy and practices (Resolution 95-356 and the Personnel Act - Minnesota Statutes 383A.282). The County Engineer - Unclassified position meets the standards and criteria of the Personnel Act - Minnesota Statutes 383A.286, Subdivision 3, to be placed in the unclassified service.

The request for change in designation of a current classified, managerial position aligns with countywide process and in accordance with the Personnel Act, Minnesota Statutes 383A.286, Subdivision 3.

County Goals (Check those advanced by Action)

☐ Well-being ☐ Prosperity ☐ Opportunity ☒ Accountability

Racial Equity Impact

This position is being created to meet a statutory requirement to have a designated County Engineer. Offering competitive wages and being intentional about attracting and hiring diverse applicants who are reflective of the Ramsey County community will have a positive impact in the community.

Community Participation Level and Impact

There was no community engagement involved with this request for board action. However, this role will have significant impact on the county's Public Works presence in the community and will frequently represent the county on a range of technical and policy matters.

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Fiscal Impact

This request for board action will not require an additional complement increase for Public Works. Public Works will use existing funding from the 2022-23 budget and no additional funding is needed for this request.

Last Previous Action

None.

Attachments

1. County Engineer - Position Description

Job Class Title: County Engineer (Unclassified)

BASIC FUNCTION:

To manage and assess the county's infrastructure and engineering needs related to transportation, highways, roadway; develop short-term and long-term plans to achieve the vision of the County Board; collaborate with other professional managers and leaders internally and externally; guide staff and contractors to ensure plans are brought to fruition, foster innovation at staff and individual level motivating employees to achieve the mission and goals of the division and the county; and perform related duties as assigned. This position is a direct report to the Director of Public Works and will fulfill the appointed role of County Engineer as defined by MS 163.07.

EXAMPLES OF WORK PERFORMED:

1. Promote a diverse, culturally competent, and respectful workplace.
2. Serve as County Engineer per MN Statute 163.07 and as appointed by the Ramsey County Board of Commissioners.
3. Serve as the director of Public Works in the director's absence, with all delegated authorities of the director.
4. Provide professional expertise to the Ramsey County Board, Minnesota Department of Transportation, municipal partners, and other state and regional agencies. Build collaborative partnerships to support state, regional and local transportation initiatives. Participate in an array of committees, boards, and task forces to enhance transportation infrastructure and related development impacting Ramsey County and the metropolitan region.
5. Direct the development and management of the department's operating budget and capital improvement program budget. Direct the monitoring of expenditures to ensure they are compliant with state and federal rules.
6. Direct and manage state, regional and federal contract and grant applications and monitor compliance with funding requirements. Coordinate grant work with the Federal Highway Administration, Metropolitan Council, and Minnesota Department of Transportation.
7. Direct the preparation of required regional, state, and federal reports on program activity and effectiveness and grant proceeds.
8. Works with the Public Works Director and other key Public Works staff on developing and implementing the All-Abilities Transportation policy.
9. Direct, manage and manage the selection of professional consultants and contractors, the negotiation and execution of contracts and agreements with vendors, and the monitoring of contracted services performance to ensure the delivery of effective services in compliance with applicable laws, rules, regulations and policies.
10. Collaborate and participate in county projects as needed. Supports activities that move the county's strategic plan forward.
11. Collaborate with the Public Works Director on regional transportation issues (Met Council/Metro Transit); collaborate with the County's Legislative and Communications Coordinator on State Legislation issues. Keep abreast of County Engineer legislative initiatives and communicates them to Public Works Director and County Administration.
12. Participate in county-wide activities and events that build relationships and enhance the Public Works Department and county organizational culture.

(The work assigned to a position in this classification may not include all possible tasks in this description and does not limit the assignment of any additional tasks in this classification. Regular attendance according to the position's management approved work schedule is required.)

ESSENTIAL FUNCTIONS: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.

SUPERVISOR/MANAGERIAL RESPONSIBILITY:

Direct and supervise up to ten staff including professional and technical staff, and graduate and undergraduate student interns. Indirect supervision of up to 70 professional and technical FTEs. Will

provide work direction and oversight to project teams which include consultants and staff members. May provide work direction and oversight to department staff and to staff in cross-department work teams and committees.

INTERNAL/EXTERNAL RELATIONSHIPS:

Monthly contact with County Board members, the County Manager, Deputy County Managers and Department Heads to develop strategies, provide information, and discuss and resolve matters of county-wide concern or impact; with the Minnesota Department of Transportation leadership, Federal Highway Administration representatives, Metropolitan Council management staff, city managers, city and county engineers, and private industry officials to discuss and resolve issues of mutual interest. Occasional contact with federal elected officials to discuss issues related to transportation funding and federal land transfers; with city elected officials to discuss projects in their jurisdictions; and with members of the court and judges to testify in lawsuits and other legal actions impacting the county.

IMPACT ON SERVICES/OPERATIONS:

Proper performance impacts the long and short term economic health and development of the county, region and state and the ability to provide efficient and effective services for the region's citizens and businesses. Proper performance results in the ability to provide thorough, accurate policy analysis, thereby enabling policy makers to deliver services efficiently and effectively; make informed decisions; maximize service delivery by influencing legislative, funding, and policy decisions; allocate resources effectively; and improve community trust and collaboration. Improper performance could result in damage to the state, county and department reputation, result in reduced revenue or inefficient or ineffective allocation of resources, degrade mobility options and quality, lead to loss of economic development for the county, undermine the department's ability to deliver its program and services in a lawful manner, and undermine the department's ability to conduct operations and maintenance functions in a cost-effective, well-planned manner.

WORK ENVIRONMENT:

Work is normally performed in an office setting and includes two to six hours of keyboard use per day. Occasional travel to other county, state, and local agency facilities to attend meetings; may include evening venues. Occasional travel to other sites to evaluate projects and related issues, and to respond appropriately to emergencies, with exposure to inclement weather conditions and construction site hazards.

KNOWLEDGE, SKILLS AND ABILITIES REQUIRED:

- A high level of integrity with strong ethics and values.
- Knowledge of the principles and practices of civil and highway engineering.
- Knowledge of state, federal and local laws, rules, and regulations governing the provision of county services as they apply to the transportation industry and the Regional Rail Authority.
- Knowledge of multi-modal transportation planning.
- Knowledge of the political structures, funding sources and various constituencies related to Ramsey County transit projects.
- Knowledge of the principles and application of information technology as it relates to the division assigned.
- Knowledge of strategic planning principles and of advanced performance measurement methods, including the development of meaningful performance measures and targets.
- Skill in determining priorities, organizing, delegating and directing the work of others.
- Skill in written and verbal communications to a wide range of audiences, including public speaking and making public appearances.
- Skill in using computer word processing, spreadsheet, and data analysis programs.
- Demonstrated ability to provide effective and strategic leadership.
- Ability to promote a diverse and culturally competent workforce with a commitment to providing leadership in Ramsey County's racial equity work.
- Ability to provide leadership and instill a shared vision of excellence.
- Ability to encourage and foster a department office culture of respect, collaboration and innovation.
- Ability to manage, administer and monitor a large budget.

- Ability to manage, train, motivate, evaluate and coach professional and support staff.
- Ability to plan, organize and direct multi-disciplinary activities.
- Ability to establish and maintain effective working relationships with county leaders, representatives of other counties, municipalities, state departments and legislative bodies.
- Ability to anticipate future trends, assess impact, and display a system-wide thinking approach.
- Ability to negotiate, mediate, and identify creative solutions for problem solving and effectively work with individuals who have conflicting opinions and interests.
- Ability to analyze complex changes in laws, rules and regulations and respond accordingly.
- Ability to analyze complex data and identify organizational and policy problems and choose an appropriate resolution.
- Ability to present and explain complex issues in understandable terms.
- Ability to effectively work with individuals who have conflicting opinions and interests on controversial matters of public interest.
- Ability to understand the political climate within which the office must operate, while always acting apolitically.

MINIMUM QUALIFICATIONS:

Education: Bachelor's Degree in Civil Engineering, Construction Management, Transportation Planning, Urban Studies, Public Administration, Business Administration or a related field.

Experience: Six years of progressively responsible experience in transportation and/or public infrastructure development and operations, including three or more years of management experience supervising professional staff.

Substitution: Master's Degree in Public Administration, Urban Studies, Transportation Planning, Civil Engineering, Regional Planning or a related field may substitute for two years of the required experience. Or a combination of education and experience that equates to ten years may be used as a substitution.

Certifications/Licensure: Licensed as a Registered Professional Engineer in the state of Minnesota. A valid Class D driver's license.

Other: [Minnesota Statute County Engineer 163.07](#)

Revisions:

Board of Commissioners

Request for Board Action

Item Number: 2023-071

Meeting Date: 3/7/2023

Sponsor: Public Works

Title

Cooperative Agreement for Operation and Maintenance of Silver Lake Aerator

Recommendation

1. Approve cooperative agreement Public Works 2022-16, with the cities of Maplewood, North St. Paul, and the Valley Branch Watershed District, for the transfer of ownership, operation, and maintenance of the aeration system located within Joy Park on Silver Lake, for the period March 2023 through winter 2035-2036.
2. Authorize the Chair and Chief Clerk to execute the agreement.

Background and Rationale

In 1997, Ramsey County Parks and Recreation transferred Joy Park to the city of Maplewood but did not include the transfer and operation of the aeration system on Silver Lake, which is located on the property. This agreement will transfer ownership, operation, and maintenance responsibilities to North St. Paul with support from Maplewood and Valley Branch Watershed District. Ramsey County will continue to monitor water quality values as part of its job tasks for lake management within the county.

County Goals (Check those advanced by Action)

☒ Well-being ☐ Prosperity ☐ Opportunity ☐ Accountability

Racial Equity Impact

While this request for board action has no direct racial equity impact, continuous operation and maintenance of the aeration system on Silver Lake will ensure that water resources are accessible to all residents.

Community Participation Level and Impact

The community was not consulted on this action and this request is to inform community.

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Fiscal Impact

Ramsey County Public Works will contribute to the future operation of the aeration system with a one-time payment of \$20,000 to the city of North St. Paul to assist with maintenance costs. Ramsey County Public Works staff will continue to monitor water quality values as part of the lake management, a supporting effort to aerate Silver Lake and as part of our job tasks to monitor water quality of thirty lakes in Ramsey County.

Last Previous Action

On July 23, 1996, the Ramsey County Board approved conveyance of certain Ramsey County parks and open space lands to the city of Maplewood (Resolution 96-317).

Attachments

1. Cooperative Agreement PW2022-16

COOPERATIVE AGREEMENT FOR OPERATION AND MAINTENANCE OF SILVER LAKE AERATOR

THIS AGREEMENT, made and entered into effective January 26, 2023 by and between City of North Saint Paul, a Minnesota municipal corporation ("North St. Paul"), City of Maplewood, a Minnesota municipal corporation ("Maplewood"), Valley Branch Watershed District, a Minnesota municipal corporation ("VBWD"), and County of Ramsey, a political subdivision of the state of Minnesota ("Ramsey County") for the conveyance of aerator equipment and continued operation of an aerator system on Silver Lake in Joy Park in the City of Maplewood.

RECITALS

- A. The area known as Joy Park was transferred by Ramsey County to Maplewood pursuant to a January 17, 1997, agreement. The agreement provided that the property was to be used for public parks, recreation, and open space purposes. In the event the property was no longer used for those identified purposes, title of the property reverts to the County.
- B. At the time of transfer, Ramsey County was operating an aerator system on Silver Lake on the property of Joy Park. The agreement transferring Joy Park did not include or mention the aerator system, or the operation and maintenance thereof.
- C. Ramsey County seeks to transfer responsibility for the aeration system to a local unit of government for its continued operation and maintenance and seeks to withdraw from responsibility for ownership, operation, minor and major maintenance, and replacement of the aerator system.
- D. North Saint Paul, Maplewood, and VBWD have an interest in the continued operation of the aeration system on Silver Lake and have authority to participate in the ownership, operation, maintenance, and financial obligations as provided herein.

AGREEMENT

IN CONSIDERATION OF the mutual covenants and agreements hereinafter provided, the parties agree as follows:


- 1. **CONVEYANCE TO NORTH ST PAUL AND ONE-TIME PAYMENT:** The County agrees to convey all equipment and its inventory of supplies for the operation and maintenance of the aerator system currently operating at Silver Lake. In addition, the County agrees to pay to North St. Paul a one-time payment of \$20,000 in exchange for being released from responsibility for any and all future maintenance and replacement of the equipment.
- 2. **MAPLEWOOD ONE-TIME PAYMENT TO NORTH ST. PAUL: \$5,000:** Maplewood agrees to pay North St. Paul a one-time payment of \$5,000 in exchange for being released from responsibility for future maintenance obligations.

3. **ACCEPTANCE OF SYSTEM:** In consideration of the payment and the conveyance of equipment and supplies, North St. Paul agrees to accept the equipment and supplies as is, with no warranty or expectation of ongoing operation, maintenance, or condition. North St. Paul further assumes full responsibility for the aeration of Silver Lake and for the continuing operation of an aeration system. Except as provided below, this Agreement does not require that North St. Paul operate an aerator in Silver Lake but transfers the current responsibility thereof from Ramsey County to North St. Paul. Ramsey County staff will continue to be available to help with any questions on the aeration system. Ramsey County will still provide water quality monitoring of the lake to include Dissolved Oxygen testing.
4. **OPERATION OF SYSTEM:** North St. Paul agrees to operate an aeration system in Silver Lake through the winter of 2035-2036.
5. **CONTRIBUTION TO NORTH ST PAUL:** Beginning July 1, 2025, Maplewood and VBWD each separately agree to contribute \$1750 to North St. Paul on or before July 1 of each year as contribution to the electrical consumption of the aeration system of the following winter season. This amount may be adjusted every year after 2027 by agreement of the parties. In adjusting the amount, North St. Paul shall identify the actual costs of electrical consumption of the aeration system over the past two winter operation cycles. The adjusted amount identified above shall be no less than 50% of the average of the costs identified.
6. **RESPONSIBILITY FOR MAINTENANCE AND REPLACEMENT:** North St. Paul shall be solely responsible for maintenance or replacement of the aeration equipment. Nothing herein shall be interpreted as an obligation of the non- North St. Paul parties to contribute to maintenance or replacement of the equipment.
7. **GRANT OF ACCESS TO NORTH ST. PAUL:** Maplewood hereby grants a permit to North St. Paul for the installation, removal, operation, maintenance, utilities, and access of the aeration system in Joy Park and Silver Lake at no cost. Access to the site of installation and connection to utilities necessary to operate the aerator system must be reasonable convenient, direct, and safe. Maplewood agrees to consult with North St. Paul on any development or change to Joy Park that may interfere with the access and operation of the aerator system. The permit shall be valid during the term of this agreement.
8. **LIABILITY AND INDEMNIFICATION:** As North St. Paul is assuming ownership and operation of the aeration system to be located on Maplewood property, neither Ramsey County, Maplewood, nor VBWD, nor any of its officers, agents, or employees, officially or personally, shall be liable on account of any claim, demand, or cause of action made or brought by reason of any alleged act or omission by any person or entity, whether a party hereto or not, in the use, operation, installation, removal, maintenance, repair, or presence of an aeration system in Silver Lake or Joy Park, or by reason of any loss of life, or any injury or damage to persons or property, whether avoidable or not, that may be alleged to be due to the use or operation of the aeration system. It is the intent of the parties that no risk or liability is or shall be incurred by Ramsey County or VBWD, or its

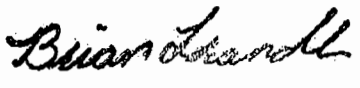
officers, agents, or employees, by this Agreement, and that all such risk and liability shall be assumed by North St. Paul. It is the intent that Maplewood shall retain responsibility for risk or liability related to the ownership of the property on which the aeration system is installed and operated, but shall not incur any additional risk due to the use or operation of the aeration system. North St. Paul shall indemnify, defend, and hold harmless Ramsey County, Maplewood, and VBWD from any and all liability arising out of the use, operation, installation, removal, maintenance, repair, or presence of the aeration system. Nothing in this Agreement shall constitute a waiver by Ramsey County, North St. Paul, Maplewood, or VBWD of any statutory or common law immunities, limits, or exceptions on liability. Any damages assessed for a claim under this agreement shall be limited to the statutory limit applicable to one party and without stacking claims.

9. ELECTRONIC SIGNATURES: The parties agree that the electronic signature of a party to this Agreement shall be as valid as an original signature of such party and shall be effective to bind such party to this Agreement. The parties further agree that any document (including this Agreement and any attachments or exhibits to this Agreement) containing, or to which there is affixed, an electronic signature shall be deemed (i) to be "written" or "in writing," (ii) to have been signed and (iii) to constitute a record established and maintained in the ordinary course of business and an original written record when printed from electronic files. For purposes hereof, "electronic signature" also means a manually signed original signature that is then transmitted by any electronic means, including without limitation a faxed version of an original signature or an electronically scanned and transmitted version (e.g., via PDF) of an original signature. Any party's failure to produce the original signature of any electronically transmitted signature shall not affect the enforceability of this Agreement.
10. TERM: This Agreement shall remain in full force and effect until terminated as provided herein. Written notice of termination of the Agreement by any party must be provided to all other parties by July 1 of the years 2023 through 2035. However, the termination shall not be effective for one year, terminating the Agreement on the following July 1.

CITY OF NORTH SAINT PAUL, MINNESOTA

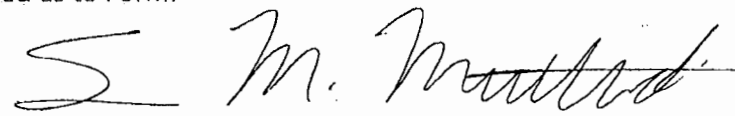
By: 
John Monge, Mayor

Date: 2/9/2023

By: 
Brian Frandle, City Manager/ Clerk

Date: 2/9/2023

Approved as to Form:

By: 
Soren Mattick, City Attorney

CITY OF MAPLEWOOD, MINNESOTA

DocuSigned by:
Marylee Abrams
By: 05E4BC9EB1D8415

Mayor

Date: 2/21/2023 | 1:02 PM CST

DocuSigned by:
Mike Darrow
By: 22ED912E870543A...

Acting City Manager

Date: 2/24/2023 | 8:24 AM CST

Approved as to Form:

DocuSigned by:
Ron Batty
By: D81F5F81BAD84EC

City Attorney

RAMSEY COUNTY, MINNESOTA

Date: _____

Ryan T. O'Connor, County Manager

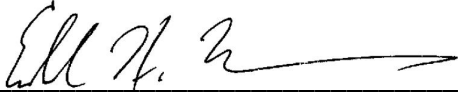
Approval recommended:

Brian Isaacson, Director
Public Works Department

Approved as to form:


James A Mogen, Assistant County Attorney

VALLEY BRANCH WATERSHED DISTRICT, MINNESOTA

By: 

President

Date: January 26, 2023

By: 

Secretary

Date: January 26, 2023

Approved as to Form:

By: 

Valley Branch Watershed District Attorney