



[Washington County Board of
County Commissioners:
Minutes and Agenda
Packets](#)

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OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 4, 1994

The Washington County Board of Commissioners met in regular session at 7:00 p.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hegberg, Hauser, and Engstrom. Absent none. Chairman Hegberg presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Jim Trudeau, County Sheriff; Captain Don McGlothlin, Sheriff's Office; Brendan McLaughlin, Budget Analyst; Don Wisniewski, Public Works Director; Jim Schug, Community Services Director; Jane Harper, Physical Development Planner; Robert Lockyear, Planning and Public Affairs Director; Mary McGlothlin, Health, Environment, and Land Management Director; Richard Stafford, Auditor-Treasurer; and John Devine, Controller.

Chairman Hegberg called for unfinished business for 1993. There was none. Commissioner Engstrom moved to adjourn sine die. Commissioner Hauser seconded the motion and it was adopted unanimously.

A new roll call was taken. Present were Commissioners Peterson, Abrahamson, Hegberg, Hauser, and Engstrom. Absent none.

The Deputy Administrator declared nominations open for temporary Board Chairman. Commissioner Hegberg nominated Deputy Administrator Erdahl. Commissioner Peterson seconded the nomination. There were no further nominations. Commissioner Hegberg moved to elect Deputy Administrator Erdahl as temporary chairman. Commissioner Engstrom seconded the motion and Deputy Administrator Erdahl was unanimously elected temporary chairman.

Temporary Chairman Erdahl declared nominations open for Chairman of the Washington County Board of Commissioners for 1994. Commissioner Engstrom nominated Commissioner Hauser. Commissioner Peterson seconded the nomination. No further nominations were heard. Commissioner Hegberg moved to elect Commissioner Hauser as Washington County Board Chairman for 1994. Commissioner Abrahamson seconded the motion and Commissioner Hauser was unanimously elected Washington County Board Chairman for 1994.

Chairman Hauser declared nominations open for Vice-Chairman. Commissioner Peterson nominated Commissioner Abrahamson. Commissioner Engstrom seconded the nomination. No further nominations were heard. Commissioner Hegberg moved to elect Commissioner Abrahamson as Vice-Chairman of the Washington County Board of Commissioners for 1994. Commissioner Engstrom seconded the motion and Commissioner Abrahamson was unanimously elected Vice-Chairman of the Washington County Board of Commissioners for 1994.

January 4, 1994

Commissioner Peterson suggested that the positions of County Chairman and Vice-Chairman be rotated yearly. It was the consensus of the Board that it be an unwritten policy of the Board that the Chairman and

Vice-Chairman will rotate on a yearly basis.

Commissioner Abrahamson thanked Commissioner Hegberg for serving as Chairman the past six months.

BOARD MEETING DATES FOR 1994

Commissioner Hegberg moved to set meetings of the Washington County Board of Commissioners for the year 1994 for the first four Tuesdays of each month excluding any Tuesday which is a legal holiday; and that the first meeting of the month being an evening meeting starting at 7:00 p.m., with remaining Tuesday meetings beginning at 9:00 a.m. Commissioner Engstrom seconded the motion and it was adopted unanimously.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Engstrom to adopt the following Consent Calendar:

1. Adoption of **Resolution No. 94-001** as follows:

Pocket Gopher Bounties

BE IT RESOLVED, that the pocket gopher bounty for 1994, shall be \$.25 per pair of front feet. The bounty is to apply in those towns participating in a pocket gopher bounty program as provided in Minnesota Statutes 348.13.

2. Approval of Memorial Day appropriation of \$100 each upon request in 1994 for the Stillwater Citizens' Memorial Day Association and Washington County Posts and Barracks.
3. Approval to designate 1994 AMC Official delegates as follows: Commissioners Hegberg, Hauser, Abrahamson, Peterson, and Engstrom; Virginia Erdahl, Deputy Administrator; James Schug, Community Services Director; and County Administrator to be named later.
4. Adoption of **Resolution No. 94-002** as follows:

Gambling License Renewal for
VFW Post 7267 Lindstrom

January 4, 1994

WHEREAS, on or about December 27, 1993, the VFW Post 7267 Lindstrom has made a premises permit application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved are located at Trails End Restaurant and Bar, 16297 Scandia Trail North, Scandia, in New Scandia Township, Washington County; and

WHEREAS, Minnesota Statute § 349.213, subd. 2, requires before the State Gambling Control Board may issue or renew a premises permit or Bingo Hall License, the County Board must by resolution approve granting of the same within 60 days of the application for issuance or renewal of the permit or license;

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby resolve to approve the granting of a premises permit for the above-described licensee at the above described location subject to the terms and conditions of all the Laws of the State of Minnesota the County of Washington and Township of New Scandia.

5. Approval of 1994 contract with Dungarvin Alternative Services Inc. to provide home and community based services for people with developmental disabilities.
6. Approval of amendment to the 1993 contract with Dungarvin Alternative Services, Inc.
7. Approval of 1994 contract with NEKTON Inc. to provide home and community based services for people with developmental disabilities.
8. Approval of amendment to the 1993 contract with Nekton Inc.
9. Approval of 1994 contract with REM Metro Services Inc. to provide home and community based services for people with developmental disabilities.
10. Approval of amendment to the 1993 contract with REM Metro Services Inc.
11. Approval of 1994 contract with MDM Rubicon Inc. to provide home and community based services for people with developmental disabilities.
12. Approval of amendment to the 1993 contract with MDM Rubicon Inc.
13. Approval of 1994 contract with Human Services Support Network Inc. to provide home and community based services for people with developmental disabilities.
14. Approval of amendment to the 1993 contract with Human Services Support Network, Inc.

January 4, 1994

15. Approval of 1994 contract with Mains'l Services Inc. to provide home and community based services for people with developmental disabilities.
16. Approval of 1994 contract with Focus Homes Inc. to provide home and community based services for people with developmental disabilities.
17. Approval of amendment to the 1993 contract with Focus Homes Inc.
18. Approval of 1994 contract with Adapted Living Programs Inc. to provide home and community based services for people with developmental disabilities.
19. Approval of amendment to the 1993 contract with Adapted Living Programs Inc.
20. Approval of 1994 contract with Family Services St. Croix to provide respite care services and care giver support for eligible individuals.
21. Approval to submit a fourth year grant proposal to the Minnesota Department of Human Services for the Anoka Alternative and the Alternative Disposition Plan Grants.
22. Information only - child foster care maintenance and difficulty of care (DOC) daily rates effective January 1, 1994.
23. Approval to convert 2.8 FTE special project positions to permanent positions in the Court Services Department.
24. Approval to hire .5 FTE special project probation/program aide in the Court Services Department.
25. Adoption of **Resolution No. 94-003** as follows:

Final Payment to Ace Blacktop, Inc. for
Parks Pedestrian/Bike Path Construction
At Lake Elmo Park Reserve

WHEREAS, the Washington County Board of Commissioners, on May 23, 1993, signed a contract with Ace Blacktop, Inc. for the labor and materials to construct a bike/pedestrian path; and

WHEREAS, Ace Blacktop, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Ace Blacktop, Inc. be paid in full for the said contract in the amount due indicated on the final payment voucher which is attached herewith and is hereby a part of this resolution.

January 4, 1994

26. Adoption of **Resolution No. 94-004** as follows:

Recognition of Chuck Swanson Day
December 29, 1993

WHEREAS, Charles J. Swanson has given 29 years of service to Washington County; and

WHEREAS, he has served Washington County in the capacities of Assistant County Engineer, County Engineer, Associate Administrator, Acting Administrator and County Administrator; and

WHEREAS, Chuck has provided guidance, leadership and stability during many major changes in the County during a time of significant growth; and

WHEREAS, the employees and citizens of Washington County extend sincere gratitude and appreciation to Chuck for his many contributions during his tenure here.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners does hereby proclaim December 29, 1993, as Chuck Swanson Day in Washington County.

The foregoing Consent Calendar was adopted unanimously.

GENERAL ADMINISTRATION

Minimum Salaries for Elected Officials for 1995

The Board discussed the minimum salaries for elected officials for 1995.

Commissioner Abrahamson moved to delete the last paragraph of the 1995 minimum salaries resolution which reads as follows:

"BE IT FURTHER RESOLVED, that the adoption of this resolution shall not preclude the Washington County Board of Commissioners from abolishing, reorganizing, consolidating or reallocating the duties of any of the above offices by authority that may be granted by the Minnesota Legislature in 1994."

Commissioner Engstrom seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Abrahamson, Hegberg, and Engstrom; No, Commissioners Hauser and Peterson.

January 4, 1994

Commissioner Engstrom moved to adopt **Resolution No. 94-005** as amended as follows:

1995 Minimum Salaries

WHEREAS, Minnesota Statutes require the respective County Boards during the January meeting of the year of election of County elected offices to set the salaries to apply to the four elected County offices of Auditor-Treasurer, Recorder, Attorney and Sheriff for the term following; and

WHEREAS, the intent of said resolution is to set a minimum salary of the four elected offices for application in 1995, and for which filings and elections will occur this year.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby establish the following minimum salaries of elected County officials for application for the term commencing 1995:

Auditor-Treasurer	\$60,389
Recorder	\$43,480
Attorney	\$69,772
Sheriff	\$67,636

Commissioner Peterson seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Hauser, Hegberg, and Engstrom; No, Commissioner Abrahamson.

PUBLIC HEARING - CAPITAL IMPROVEMENT PLAN

The Physical Development Planner gave a brief overview of the 1994-1998 Washington County Capital Improvement Plan.

Chairman Hauser opened the public hearing to accept comments on the 1994-1998 Washington County Capital Improvement Plan. Chairman Hauser asked for comments. None were heard. Commissioner Peterson moved to close the public hearing. Commissioner Engstrom seconded the motion and it was adopted unanimously, the time being 7:30 p.m.

Commissioner Peterson moved to adopt **Resolution No. 94-006** as follows:

Adoption and Submittal of the 1994-1998
Washington County Capital Improvement Plan

WHEREAS, the Washington County Board of Commissioners had considered the 1994-1998 Washington County Capital Improvement Plan covering a five-year period and setting forth the estimated year, together with the estimated cost, the need for the improvement, and sources of revenue to pay for the improvement; and

January 4, 1994

WHEREAS, in preparing the Capital Improvement Plan, the County Board of Commissioners has considered for each project and for the overall plan:

- 1) the condition of the County's existing infrastructure, including the projected need for repair or replacement;
- 2) the likely demand for the improvement;
- 3) the estimated cost of the improvement;
- 4) the available public resources;
- 5) the level of overlapping debt in the County;
- 6) the relative benefits and costs of alternative uses of the funds;
- 7) operating costs of the proposed improvements; and
- 8) alternatives for providing services more efficiently through shared facilities with other counties or local government units; and,

WHEREAS, the Washington County Board of Commissioners, after public notice, conducted a public hearing on January 4, 1994, for the purpose of receiving comments on the proposed 1994-1998 Washington County Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners adopt the 1994-1998 Washington County Capital Improvement Plan.

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners authorize submittal of the plan to the Community Development Division of the Minnesota Department of Trade and Economic Development for their approval.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Award of 1994 Newspaper Publishing Bids

The Administration Office Manager presented an overview of the 1994 newspaper publishing bids. Mike Mahoney, Stillwater Gazette, asked the Board to consider awarding the Notice and List of Real Estate Taxes Remaining Delinquent to the Gazette. He stated that the cost per column inch between the Gazette and St. Croix Valley Press is the same; however, the Gazette has a larger circulation.

Commissioner Peterson moved to adopt **Resolution No. 94-007** as follows:

Award of 1994 Newspaper Publication Bids

WHEREAS, pursuant to bid advertisement, newspaper publication bids were received until 3:00 p.m., November 16, 1993 for the following publications:

January 4, 1994

- 1) Official Board Proceedings (Board minutes in summary form)
- 2) Official Notices
- 3) Delinquent Real Estate Tax List
- 4) Financial Statement (first & second publication)

WHEREAS, timely bids were received from the Stillwater Gazette, Forest Lake Times, Press Publications, and the Courier; and

WHEREAS, Washington County newspaper publishing awards are based on lowest index number for Delinquent Real Estate Tax List and the Financial Statement (first & second publication) and the index number and newspaper circulation for the Official Board Proceedings and Official Notices.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby awards newspaper publication bids for 1994 as follows:

- | | | |
|----|--|------------------------|
| 1) | Official Proceedings of the
Washington County Board of
Commissioners (Board Minutes
in Summary Form): | St. Croix Valley Press |
| 2) | Official Notices: | Stillwater Gazette |
| 3) | Notice and List of Real
Estate Taxes Remaining
Delinquent: | St. Croix Valley Press |
| 4) | First Publication of the
Financial Statement for year
ending December 31, 1992: | The Courier News |
| 5) | Second publication of the
Financial Statement to be
distributed as an insert: | St. Croix Valley Press |

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes **additional** publication of Official Proceedings in Summary Form (Board Minutes) in the following qualified newspapers, and to be paid at a rate not to exceed the official bid award for 1994:

- 1) Forest Lake Times
- 2) Washington County Bulletin
- 3) Stillwater Gazette
- 4) Oakdale-Lake Elmo Review

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes **additional** newspaper publication of Official Notices as necessary to reach targeted areas of the County, and to be paid at a rate not to exceed the official bid award for 1994;

BE IT FURTHER RESOLVED that prior to soliciting bids for 1995 publication, criteria will be established for additional newspaper publishing.

January 4, 1994

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to each newspaper.

Commissioner Hegberg seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Abrahamson, Hauser, and Hegberg; No, Commissioner Engstrom.

Commissioner Committee Appointments for 1994

The Board discussed their respective appointments for 1994. Chairman Hauser asked each Commissioner to indicate to her which committees they would like to serve on for 1994 and get back to her.

Wakota Bridge Coalition Grant

The Deputy Administrator stated that a FAX was received this afternoon requesting that part two of the cooperation planning grant for the Wakota Bridge Coalition be signed by an elected official of Washington County. The Deputy Administrator suggested that Commissioner Peterson, the Board's representative to the Wakota Bridge Coalition, be authorized to sign that grant on behalf of the Board. Commissioner Hegberg moved to authorize Commissioner Peterson to sign part two of the cooperation planning grant for the Wakota Bridge Coalition. Commissioner Engstrom seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

Chairman Hauser asked for discussion from the audience; none was heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

The Housing and Redevelopment Authority Board meeting scheduled for January 5 has been postponed to January 12, 1994.

The Board discussed whether a Board member should attend the annual "Fly-In" to Washington D.C. sponsored by the Minnesota Transportation Alliance. Meetings are held with congressional delegations to discuss various road projects around the country. It was proposed that this would be a good opportunity to discuss the Wakota Bridge matter. It was Board consensus that Commissioner Peterson attend this meeting in Washington D.C. the first week of February.

January 4, 1994

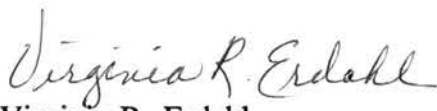
ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 8:10 p.m.

BOARD WORKSHOP WITH COURT SERVICES DEPARTMENT


The Board meeting was preceded by a Board workshop with the Court Services Department to discuss a policy on juvenile detention services. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Staff present were Virginia Erdahl, Richard Arney, Russ Reetz, Jim Trudeau, and Dave Johnson, Minnesota Department of Corrections.

Attest:



Virginia R. Erdahl

Deputy Administrator



Mary M. Hauser, Chairman
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 11, 1994**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Government Center Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Jim Schug, Community Services Director; John Devine, Controller; Bob Lockyear, Planning and Public Affairs Director; Bob Turrentine, Assistant County Attorney; Richard Stafford, Auditor-Treasurer; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Engstrom to adopt the following Consent Calendar:

1. Approval of the December 14, 1993 Board meeting minutes and the December 14 Truth-in-Taxation public hearing minutes.
2. Approval of appointments to County advisory committees for 1994 as follows:

At Large

Thomas Niedzwiecki, Marine, appointed to the Internal Audit Advisory Committee to a first term expiring December 31, 1995;

Pat Mielke, Lake Elmo, appointed to the Minnesota Extension Committee, to a first term expiring December 31, 1996.

3. Approval of Commissioner committee appointments for 1994 as follows:

WALLY ABRAHAMSON

Community Corrections
Comp Worth Committee
East Metro Communications Board
Fair Board
Historic Courthouse
Metropolitan 800 MegaHertz Commission
Metropolitan 911 Board
Minnesota Extension Service, Washington County
Plat
Regional Rail Authority
Vacancy and Review

January 11, 1994

DENNIS C. HEGBERG

Audit Committee
 Metro Mosquito Control
 MN County Extension, Washington County
 Planning Advisory Commission
 Public Health Advisory
 Regional Rail Authority
 Regional Solid Waste Management Coordination Board
 Resource Recovery Joint Powers Board

MARY HAUSER

Ground Water Advisory Committee
 Library Board
 Metro Council Chairman's Advisory
 Regional Rail Authority, Chair
 Regional Rail Joint Powers Board
 Resource Recovery Joint Powers Board
 Sentence to Serve Task Force
 Solid Waste Advisory
 Space and Facilities Planning Committee

MYRA PETERSON

Community Social Services
 I-494 Wakota Bridge Coalition
 East Metro Radio Communications Board
 MELSA/METRONET
 Mental Health Advisory Committee
 Metro 911 Telephone Board
 Metropolitan Transportation Advisory
 Regional Rail Authority
 Space and Facilities Planning Committee

DAVE ENGSTROM

Housing and Redevelopment Authority
 Law Library Board
 Legal Assistance Board
 Metropolitan Mosquito Control
 Parks and Open Space Commission
 Private Industry Council
 Resource Recovery Joint Powers Board
 Regional Rail Authority
 Regional Solid Waste Management Coordination Board

4. Approval to establish reserves and designations of fund balance for the fiscal year ended December 31, 1993.
5. Adoption of **Resolution No. 94-008**, as follows:

January 11, 1994

Repurchase of Tax Forfeited Land by
Orleans Homes II Limited Partnership

WHEREAS, Orleans Homes II Limited Partnership the Owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit

Pt of Lot 1 Block 1 Lying W & No of a line desc as foll:
Beg at pt on N line of sd Lot 1 a dist 100ft E of the NW
corn of sd Lot 1 thn SLY at rt ang to sd N line a dist 35 ft
thn WLY par with sd N line to the W line of sd Lot 1 and
sd line there terminating. The Cottages of Stillwater

;and WHEREAS, said applicant has set forth in his application that the land is an integral part of their housing complex commonly known as the Cottages of Stillwater. That the partnership stopped paying taxes on this parcel due to their mistaken belief that it was not in their project. That to their knowledge they are the only entity that can make any constructive use of the land.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Orleans Homes II Limited Partnership for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

6. Approval of 1994 wage rate for participants of the Federal Senior Community Services Employment Program (SCSEP). Part of Title V Older Americans Act.
7. Approval of reclassification of position of Administrative Aide I to the classification of Clerk Specialist in the County Surveyor's office effective January 2, 1994.
8. Approval for Frank Madden & Associates to represent the County in a hearing with the Bureau of Mediation Services for a clarification of appropriate units petitioned by AFSCME; cost of services not to exceed \$5,000.
9. Adoption of **Resolution No. 94009** as follows:

Final Payment to Knutson Construction Company
for Law Enforcement Center Construction

WHEREAS, the Washington County Board of Commissioners, on June 11, 1991, signed a contract with Knutson Construction Company for the labor and materials to construct the Law Enforcement Center;

January 11, 1994

WHEREAS, Knutson Construction Company has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Knutson Construction Company be paid in full for the said contract work in the amount due indicated on the final payment voucher which is attached herewith and is hereby a part of this resolution.

10. Approval of contracts for Public Works special project positions of Acting Design Coordinator, Acting Construction Coordinator, and Acting Survey Coordinator.
11. Approval of the Plat of Cloverdale Farm in Baytown Township.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Engstrom moved to approve the addition of one FTE to the County license bureau in order to improve extended hours to the public. Commissioner Hegberg seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Commissioner Peterson moved to authorize the County to join in preparation of a cooperative agreement with the Minnesota Department of Transportation and Dakota County to conduct a feasibility study for the I-494 (Wakota Bridge) improvement project; and authorization to expend \$10,000 as the County's share for the feasibility study. Commissioner Hegberg seconded the motion and it was adopted unanimously.

COMMUNITY SERVICES DEPARTMENT

Commissioner Peterson moved to approve a Family Services Collaborative Grant application to fund the expansion of the Village Project. Commissioner Engstrom seconded the motion and it was adopted unanimously.

CONTINUED DELIBERATION IN THE OAKLAND ROAD MATTER (Continued from December 28, 1993)

The Assistant County Attorney addressed questions which were raised at the December 28, 1993 public hearing. He indicated that a copy of these questions together with the County Attorney's response was sent to the Washington County Board members and copied to the May Township attorney and Mr. Dean Tharp.

January 11, 1994

The Board discussed this matter further.

Commissioner Hegberg moved that Oakland Road is not the responsibility of May Township. Commissioner Peterson seconded the motion.

Roll Call: Commissioner Peterson, Yes; Commissioner Abrahamson, No; Chairman Hauser, Yes; Commissioner Hegberg, Yes; Commissioner Engstrom, No. The motion passed on a 3-2 vote.

The County Attorney will prepare a resolution consistent with the Board's findings for the next Board meeting.

Commissioner Peterson urged the complainants and May Township to work together to solve this problem.

DISCUSSION FROM THE AUDIENCE

Chairman Hauser asked for comments from the audience; none were heard.


COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom asked that staff look into the matter of reinstating the Board's leave without pay program for employees who negotiate union contracts.

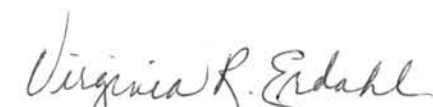
Commissioner Hegberg asked that the County Attorney's office review the two arbitration cases the County lost regarding the Law Enforcement Center to see if the architect has any responsibility in those two cases.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 10:30 a.m.


Mary M. Hauser, Chairman
County Board

Attest:


Virginia R. Erdahl

Deputy Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 18, 1994**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Government Center Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Richard Arney, County Attorney; Jim Schug, Community Services Director; Rick Backman, Community Services Division Manager; Don Wisniewski, Public Works Director; Judy Honmyhr, Human Resources Director; Mary McGlothlin, Health, Environment and Land Management Director; Scott Hovet, County Assessor; Robert Lockyear, Planning and Public Affairs Director; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Engstrom, to adopt the following Consent Calendar:

1. Approval to amend the 1993 budget and use \$45,450 of fund balance to cover a portion of the vacation cash out expense.
2. Approval of 1994 advisory committee appointments as follows:

District 3

Kathleen Czar, Stillwater, reappointed to the Community Corrections Advisory Board to a second term expiring December 31, 1995.

District 4

Jack Lavold, Cottage Grove, reappointed to the Planning Advisory Committee, to a third term expiring December 31, 1996.

At Large

Richard Mergens, Stillwater, appointed to the Board of Adjustment & Appeals to a term expiring December 31, 1996;

Jim Koenig, Cottage Grove, appointed to the Board of Adjustment & Appeals to fill an unexpired term to December 31, 1994;

Mary Senkus, Stillwater, reappointed to the Board of Adjustment & Appeals to a term expiring December 31, 1996;

Eric Hockert, Cottage Grove, appointed to the Library Board to a first term expiring December 31, 1996;

Roger E. Bothe, Cottage Grove, reappointed to the Minnesota Extension Committee to a second term expiring December 31, 1996;

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At Large (Continued)

Lisa Ring, Cottage Grove, reappointed to the Solid Waste Advisory Committee to a second term expiring December 31, 1994;

Gregory Tennis, St. Paul Park, reappointed to the Solid Waste Advisory Committee to a second term expiring December 31, 1994.

3. Approval of on sale one day non-intoxicating malt liquor license for ice fishing contest on Forest Lake, February 6, 1994.
4. Adoption of **Resolution No. 94-010** as follows:

Application for Cancellation of
Certificate of Forfeiture

BE IT RESOLVED, that the Board of County Commissioners of Washington County, Minnesota, finding the allegations of this application of Cancellation of Certificate of Forfeiture described as:

That part of the northerly 1031.93ft of the Northwest Quarter of the Northwest Quarter and that part of the northerly 1031.93ft of Government Lot 5, all in Section 6, Township 31 North, Range 19 West, Washington County all of which lies westerly of the public highway presently designated as State Highway No. 95; Excepting therefrom, that part of the northerly 48.3 ft thereof which lies easterly of a line drawn southerly at right angles to the northerly line of said Government Lot 5 from the northwest corner of said Government Lot 5. (Plat Parcel #52006-0055)

to be true, hereby approves this application and recommends that the same be granted.

5. Adoption of **Resolution No. 94-011** as follows:

Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the Owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 1, Block 7, Lake Inverness Estates

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest, because the property will be productively used for a residence and will generate property tax revenue for the County.

January 18, 1994

and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

6. Adoption of **Resolution No. 94-012** as follows:

Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the Owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 6, Block 4, Lake Inverness Estates

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

7. Approval of the 1994 purchase of service agreement with Forest Lake Area Youth Service Bureau.
8. Approval of the 1994 purchase of service agreement with Lakes Area New Beginnings.
9. Approval of the 1994 purchase of service agreement with South Communities Counseling Services.
10. Approval of 1994 contract with the Family Violence Network to provide services to victims of domestic abuse.

January 18, 1994

11. Approval of the 1994 purchase of service agreement with White Bear Lake Community Counseling Center.
12. Approval of contracts for renewal of services for 1994 with Lakeview Memorial Hospital, Dr. Mark Roettger and the St. Croix Valley Clinic for medical services to jail inmates.
13. Approval of contract with Minnesota Valley Testing Laboratories, Inc. for water analysis services.
14. Approval to prepare a request for proposal to seek a consultant to provide an employee assistance program for Washington County.
15. Approval of banding and grading of the new job description of Traffic Control Technician at B23-3; approval of job description; approval of elimination of Traffic Sign Worker I and Traffic Sign Worker II classifications; approval to reclassify existing Traffic Sign Worker II incumbent into the new classification effective January 2, 1994.
16. Approval to change the banding and grading for the classification of 911 Telecommunicator in the Sheriff's Department from B24-2 to B25-2.
17. Approval of banding and grading for the revised job descriptions of Facilities Technician Supervisor from C41-2 to C42-1 and Utility Supervisor from C41-2 to C41-1.
18. Approval of banding and grading of new job description of Job Developer at C41-1; approval of attached job description.
19. Adoption of **Resolution No. 94-013** as follows:

Request the Commissioner of Transportation to
Transfer Accumulated County State Aid Municipal
Account Fund to County State Aid
Regular Account Fund

WHEREAS, Washington County has developed and approved a 1994-1998 Capital Improvement Program that includes State Aid improvement projects; and

WHEREAS, the County Municipal State Aid Highway improvement needs are met with the Capital Improvement Program; and

WHEREAS, Washington County's Municipal State Aid Account will have a fund balance over \$1,400,000 with the 1994 apportionment; and

January 18, 1994

WHEREAS, significant County Regular State Aid Highway improvement needs are underfunded in 1994 in the Regular Account; and

WHEREAS, State Aid Operational Rules 8820.2400 allow the Commissioner of the Department of Transportation to transfer accumulated funds from the County State Aid Municipal Account Fund to the County State Aid Regular Account Fund upon request from a County; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Washington County hereby requests that the Commissioner of the Department of Transportation transfer \$1,200,000 from the County State Aid Municipal Account Fund to the County State Aid Regular Account Fund.
2. Washington County will hold a public hearing within 30 days of this request to receive and consider objections to this proposed request for transfer by any governing body of a city within the County having a population of less than 5,000.

Approval to set the public hearing on request to the Commissioner of Transportation to transfer County State Aid Municipal funds to County State Aid Regular Account for February 1, 1994 at 7:00 p.m.

20. Adoption of **Resolution No. 94-014** as follows:

Request MN/DOT to Enter a Cooperative
Agreement for Temporary Intersection
Work - CSAH 5 and T.H. 36 Ramps

WHEREAS, Washington County is planning the reconstruction of County State Aid Highway 5 from Croixwood Boulevard to the northerly freeway ramps for Trunk Highway 36 in the communities of Stillwater and Stillwater Township; and

WHEREAS, this project is scheduled for 1994;

WHEREAS, Trunk Highway 5 right of way begins at the northerly freeway ramps for Trunk Highway 36; and

WHEREAS, the Trunk Highway 5 bridge replacement and associated approach work is not presently scheduled in the current 1994 - 1996 Metro Transportation Improvement Plan; and

WHEREAS, this difference in scheduling will require that a temporary connection be made between County State Aid Highway 5 and Trunk Highway 5;

NOW THEREFORE BE IT RESOLVED THAT, Washington County requests the Commissioner of Transportation to enter into a Cooperative Agreement for the necessary work to provide a temporary connection from County State Aid Highway 5 to Trunk Highway 5;

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AND BE IT FURTHER RESOLVED, Washington County costs associated with revisions to the temporary traffic signal at the intersection of County State Aid Highway 5, Trunk Highway 5, and Trunk Highway 36 ramps be credited to future cost participation in the permanent signals to be installed at this location.

21. Bids were received for automotive equipment as follows:

Single Axle Cab & Chassis

Boyer Ford Trucks Inc.	\$32,158.00
Lakeland Ford Trucks Inc.	\$35,200.00
Astleford Intl.	\$53,500.00
Northstar Intl. Trucks Inc.	\$73,428.38

Approval to award bid for Single Axle Cab & Chasis to Boyer Ford Trucks, Inc., lowest responsible bidder in the amount of \$32,158.

3-1/2 Cubic Yard Loader

St. Joseph Equipment Inc.	\$70,985.00
Midwest Machinery Inc.	\$74,962.00

Approval to award bid for 3-1/2 Cubic Yard Loader to St. Joseph Equipment, Inc., lowest responsible bidder, in the amount of \$70,985.

Snow & Wing Plows

Crysteel Truck Equipment	\$16,916.00
Jay Craft	\$18,758.00
McQueen Equipment	\$20,962.00

Approval to award bid for Snow & Wing Plows to Crysteel Truck Equipment, lowest responsible bidder, in the amount of \$16,916.

Dump Box - Single & Hydraulics

Crysteel Truck Equipment	\$15,486.00
Jay Craft	\$18,604.00
McQueen Equipment	\$24,036.00

Approval to award bid for Dump Box - Single & Hydraulics to Crysteel Truck Equipment, lowest responsible bidder, in the amount of \$15,486.

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22. Approval of the plat of Christmas Ridge, West Lakeland Township.
23. Approval of final payment to Motorola for Central Link 911 project in the amount of \$23,213.50.
24. Approval of final payment to Motorola for RF and Console upgrade (radio and console upgrade) in the amount of \$53,623.19.

The foregoing Consent Calendar was adopted unanimously.

COURT SERVICES DEPARTMENT

Commissioner Abrahamson moved to approve the 1994 Annual Comprehensive Plan and submit it to the Department of Corrections. Commissioner Hegberg seconded the motion and it was adopted unanimously.

LS POWER CORPORATION

Phill McMullen, LS Power Corporation Project Manager, and George Kerrick, 3M Company, appeared before the Board to request support for legislation revising taxation of a cogeneration facility in Washington County at the 3M Cottage Grove Plant.

Commissioner Peterson moved to adopt **Resolution No. 94-015** as follows:

Support Legislation Revising Taxation of a Cogeneration Facility

WHEREAS, Northern States Power Company ("NSP") has a need for 232 megawatts of new electric generating capacity in the late 1990s; and

WHEREAS, NSP conducted a competitive procurement process for its 1997 power resource needs at the direction of the Minnesota Public Utilities Commission ("PUC"); and

WHEREAS, LS Power Corporation ("LS Power") was selected as a result of the NSP/PUC process to build a cogeneration facility at the ("3M") Cottage Grove plant; and

WHEREAS, the cogeneration facility will provide 3M with steam for heating and process needs for 3M's existing and future facilities; and

WHEREAS, the cogeneration facility will provide electric power to serve the growing needs of the south Washington County area and the rest of NSP's service territory; and

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WHEREAS, the cogeneration facility at the 3M Cottage Grove plan will have environmental benefits, replacing existing coal-fired boilers, will not require extension or construction of city utilities, will not require new major gas pipelines or electrical transmission lines, will require provision of minimal or no governmental services, will provide permanent employment for 25 people, and will provide employment for 250 people during the two year construction period; and

WHEREAS, in order to proceed with the development of the LS Power Corporation cogeneration facility, the annual taxation of the facility in Minnesota must be comparable to the taxation of the Wheaton, Wisconsin alternative; and

WHEREAS, under current Minnesota law, the LS Power facility would pay approximately \$12.1 million annually in taxes in Minnesota, as contrasted to taxes on the Wheaton facility estimated by NSP at approximately \$9,000 annually, due to the Minnesota real estate taxation of electrical generating equipment; and

WHEREAS, if the LS Power cogeneration facility were taxed in the same fashion as other commercial/industrial property, on its real estate value only, and close enough to NSP's tax cost in Wisconsin to allow the facility to be built in Minnesota:

NOW, THEREFORE, the County of Washington, acting by and through its County Board, RESOLVES:

1. That the construction of a 232 megawatt cogeneration facility at the 3M Cottage Grove facility will benefit the 3M Cottage Grove plant and the growing electrical needs of south Washington County, is environmentally desirable and will have no impact of county governmental services; and
2. That the County supports an amendment to the state property tax statutes for this proposed electrical generation facility. The amendment would provide a limited exception for this facility, taxing only its real property value. This allows taxation costs consistent with taxation of other manufacturing facilities in Minnesota, and close enough to NSP's tax cost in Wisconsin to allow the facility to be built in Minnesota.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

HUMAN RESOURCES DEPARTMENT

The Board of Commissioners gave recognition to the following employees in honor of their 15-year employment anniversary with the County:

Mary McGlothlin, H.E.L.M.; Tom Hokenson, Sheriff; Mike Polehna, Public Works; Judy Letizio, Sheriff; Rick Backman, Community Services; Scott Malinosky Sheriff; Larry Flaherty, Sheriff; Alice Burke, Court Administration; Judy Ritzer, Court Services; Jim Gaumitz, Court Services; Donna Jorgensen, Community Services; Barbara Prudhon, Community Services; Brad Bodlovick, Public Works; Tom Boesel, Public Works; and Cheryl Larson, H.E.L.M.

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GENERAL ADMINISTRATION

The Community Services Director announced that the Association of Minnesota Counties and the Minnesota School Board Association collaborative conference will be held on February 24 and 25 at the Radisson South.

DISCUSSION FROM THE AUDIENCE

Chairman Hauser asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Chairman Hauser requested the Board's input on an appointment to the Ramsey/Washington Metro Watershed District.

Commissioner Engstrom asked that the Public Work's staff again look at the intersection of Manning Avenue in front of Oakland School. He stated there was another accident at that intersection involving a school bus. He would like to have that area school zoned.

Commissioner Peterson stated that the Board has not taken any official action on Representative Pam Neary's property tax proposals.

Commissioner Peterson encouraged other Board members to attend next year's Human Services Seminar. She stated it was well worth the time, and that staff who spoke at the seminar did an outstanding job.

The Board discussed the Metropolitan Governance Board's decision that Metropolitan Council members be elected rather than appointed.

ADJOURNMENT

There being no further business to come before the Board Commissioner Peterson moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously. The Board meeting adjourned at 9:50 a.m.

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BOARD WORKSHOP WITH PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss the status of the Grey Cloud Island Park Master Plan. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jack Perkovich, Jim Luger, Don Wisniewski, Mike Polehna, and Jim Schug.

Attest:


Virginia R. Erdahl

Deputy Administrator

Mary M. Hauser, Chairman
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 25, 1994**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Richard Arney, County Attorney; Jim Schug, Community Services Director; Judy Arends, Department of Health, Environment, and Land Management; Mary McGlothlin, Director of Health, Environment, and Land Management; Jim Trudeau, Sheriff; John Devine, Controller; Bob Turrentine, Assistant County Attorney; Jack Perkovich, Deputy Public Works Director; Richard Stafford, Auditor-Treasurer; Judy Honmyhr, Human Resources Director; Brendan McLaughlin, Budget Analyst; John Franzen, County Recorder; and Scott Hovet, County Assessor.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Abrahamson, to adopt the following Consent Calendar:

1. Approval of the December 21, 1993, County Board meeting minutes.
2. Approval to recommend increase for individual's using personal vehicles on County business from 28¢ to 29¢ per mile effective January 30, 1994.
3. Approval of the following appointments to 1994 advisory committees:

District 4

Phillip McMullen, reappointed to the Housing and Redevelopment Authority, to a first term expiring December 31, 1998;

Michael James Kelly, appointed to the Mental Health Advisory Committee, to a first term expiring December 31, 1996;

Rosemary Emmons, appointed to the Public Health Advisory Committee, to a first term expiring December 31, 1995.

4. Approval of the 1994 purchase of service agreement with the American Red Cross St. Paul Chapter for emergency social services.
5. Approval of reclassification of position of Accounting Technician to the classification of Accountant I in the Accounting Department retroactive to September 7, 1993; and authorization for adjustment to the departmental budget of \$432 for 1993 and \$1,404 in 1994.

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6. Approval to transfer funds in the amount of \$4,200 into the Human Resources Department temporary employee budget for allocation to the County Recorder's Office.
7. Approval to allow the use of the Board's leave of absence without pay plan for designated employees attending an AFSCME/County mediation session on January 24, 1994.
8. Adoption of **Resolution No. 94-016** as follows:

Final Payment to Valley Paving, Inc.
for Bituminous Milling and Overlay on CSAH 29

WHEREAS, the Washington County Board of Commissioners, on November 24, 1992, signed a contract with Valley Paving, Inc., for the labor and materials to do bituminous milling and overlay on CSAH 29; and,

WHEREAS, Valley Paving, Inc., has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Valley Paving, Inc., be paid in full for the said contract work in the amount due indicated on the final payment voucher which is attached herewith and is hereby a part of this resolution.

9. Information only - Recorder fees for the month of December, 1993.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Commissioner Peterson stated that she had received a letter from the City of Cottage Grove requesting the Board to delay action on Alternative No. 7 of the master plan draft for the Grey Cloud Island Park until such time as the City could discuss this matter with the County Board.

Commissioner Engstrom moved to authorize staff to proceed with the master plan draft for Grey Cloud Island Park based on Alternative No. 7. Commissioner Abrahamson seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Abrahamson, Hauser, Hegberg, and Engstrom; No, Commissioner Peterson.

SIXTH CONGRESSIONAL DISTRICT

Barbara Sykora, Aide to Representative Rod Grams, Sixth Congressional District, appeared before the Board to hear concerns the Board may have on current issues. Some of the issues the Board would like

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Congressman Grams to address were: Resource Recovery Facility and the designation ordinance which has been judged to be in violation of the Inter-State Commerce laws; Widening of the I-494 (Wakota Bridge); New mandates on juvenile detention; and, Unfunded mandates. Ms. Sykora thanked the Board, and indicated she will be passing the Board's concerns on to Congressman Grams.

COMMUNITY SERVICES DEPARTMENT

Commissioner Abrahamson moved to approve the 1994 contract with Human Services, Inc. to provide mental health, chemical health, aging and transportation services. Commissioner Engstrom seconded the motion and it was adopted unanimously.

RESOURCE RECOVERY PROJECT

Jerry Turnquist, Resource Recovery Project Manager, appeared before the Board to discuss the Resource Recovery Facility tipping fee and the Waste Management Service Charge for Resource Recovery.

Commissioner Engstrom moved to adopt **Resolution No. 94-017** as follows:

Ramsey/Washington County Resource Recovery Facility Tipping Fee

WHEREAS, Ramsey and Washington Counties are authorized by the Joint Powers Agreement, dated December 30, 1986, to establish by resolution, the tipping fee at the Ramsey/Washington County Resource Recovery Facility; and

WHEREAS, increases imposed by federal, state or local governmental units may be passed directly on to haulers without a ninety (90) day notice.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners hereby establishes the tipping fee at the Ramsey/Washington County Resource Recovery Facility at \$50/ton, effective February 1, 1994.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Engstrom moved to adopt **Resolution No. 94-018** as follows:

Waste Management Service Charge for Resource Recovery

WHEREAS, on December 28, 1993, the Ramsey County Board of Commissioners and Washington County Board of Commissioners passed

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resolutions lowering the tipping fee at the Resource Recovery Facility in Newport; and

WHEREAS, on December 28, 1993, the Ramsey County Board of Commissioners and Washington County Board of Commissioners passed resolutions to establish and implement collection of a Waste Management Service Charge (WMSC), to be used for the Resource Recovery Project, on all generators which is to be collected by licensed waste haulers; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board adopted a resolution on January 20, 1994 which provided recommendations on the WMSC to be used for the Resource Recovery Project; and

WHEREAS, Ramsey and Washington Counties desire to handle solid waste in an environmentally responsible manner and to provide an economically sound basis for the operation of the Resource Recovery Facility.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners determines that it will implement a WMSC (to be used for the Resource Recovery Project) that requires residential generators to pay a flat charge and non-residential generators to pay a charge based on the cubic yards of disposal capacity, and that the WMSC be collected by haulers.

BE IT FURTHER RESOLVED, the County Board designates the Resource Recovery Project as the designated agent of the Counties to collect the WMSC from the haulers.

BE IT FURTHER RESOLVED, the County Board determines that the Counties require that April 1, 1994 be the effective date for implementation of the WMSC.

BE IT FURTHER RESOLVED, the County Board approves that the shortfall created by the reduced tipping fee for the months of January, February and March, 1994 be appropriated from the Resource Recovery Project Board's undesignated fund balance.

BE IT FURTHER RESOLVED, the County Board determines that haulers will not be required to pay the WMSC if they do not collect it from their customers, as long as haulers submit a list of generators that do not pay the WMSC to the County when remitting the WMSC collected.

BE IT FURTHER RESOLVED, the County Board will consider in a timely manner ordinance changes necessary to implement the collection of the WMSC and that the Ordinances be as consistent as possible with Ramsey County and to be structured so that the ordinance changes can be effective April 1, 1994.

BE IT FURTHER RESOLVED, the County Board directs staff to prepare specific plans for implementing the WMSC for discussion and consideration by the Project Board at its February meeting.

BE IT FURTHER RESOLVED, the County Board supports the Project Board's efforts to prepare and implement a public education work plan.

Commissioner Peterson seconded the motion and it was adopted unanimously.

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GENERAL ADMINISTRATION

Oakland Road

Commissioner Hegberg moved to adopt **Resolution No. 94-019** as follows:

Oakland Road Findings

Pursuant to Minn. Stat. § 163.16, on December 28, 1993 the Washington County Board of Commissioners held a public hearing to determine if the complaint of Dean Tharp, et al that a portion of Oakland Road in the Town of May was impassable was well founded. At the hearing, the Board heard and received evidence for and against the complaint and at the completion of the hearing, deliberations were continued until January 11, 1994. Based on the evidence provided at the hearing and after due deliberation, the Board finds the following facts with regard to the complaint:

Oakland Road was dedicated in 1910 on the plat of Idlewylde and Jarchows Additions to Idlewylde as a 33 foot wide dead end road. It is marked in orange on Exhibit 4, which is incorporated herein by reference.

In 1991, the Town Board discovered that Oakland Road was dedicated to the public. In 1993, the Town Board posted the road as a minimum maintenance road for liability reasons. The Town of May never accepted, opened or maintained the road.

There is a gap between the public road now known as Oldfield Road and Oakland Road so that as dedicated, Oakland Road does not connect to another public road and dead ends in a marshy area to the east as shown on Exhibit 4.

The current access to Oakland road from Oldfield Road is across a private driveway located on a parcel of land owned in common by the owners of Lots 6-24 of Jarchows Addition. This access road is marked in green on Exhibit 4.

Because this access is private, even if Oakland road were improved, the public would have no access to it.

The portion of Oakland Road used by the landowners to access their properties and which is the subject of the complaint is located between Lots 6 and 24 of Jarchows Addition to Idlewylde and is marked in red on Exhibit 4. This portion of the road is passable for emergency vehicles only in the summer months.

This road is approximately 2300 feet in length and provides access to four dwellings, two of which are located at the east end of the road and are either used or proposed to be used as full time residences, with the other two located on the westerly portion of the road and being used on a seasonal basis.

There is a fifth dwelling on Oakland road, but access is provided directly from the access road and not from Oakland Road.

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Of the 2300 feet of travelled roadway, 1600 feet is on the platted right-of-way of Oakland Road and 700 feet is on private property.

In order to provide year-around access for emergency vehicles to the two properties at the end of the road, the entire road should be upgraded to a 20 foot horizontal surface, a 12 foot vertical surface and a 10-12 foot hard driving surface.

Minn. Stat. § 163.16 limits the County's jurisdiction to the platted portions and the cost to upgrade the entire road within the platted boundaries to these standards, would be between \$29,000 and \$36,000.

The two residents at the end of the road knew, or should have known, that the Town of May had not accepted or maintained the road as a town road when they purchased their property or converted the use from seasonal to full time residences.

The Town has not allocated funds to improve the road to a passable condition.

The Town determined not to open and maintain the road for the reasons set forth on Exhibit 10, which is incorporated herein by reference.

BASED ON THE FOREGOING and because the landowners knew, or should have known, that Oakland road was not an opened or maintained town road before they attempted to use their properties on a year-around basis; because the Town of May has not allocated the funds necessary to open and maintain the road; because, even if the road were improved, it would not be accessible to the public and would benefit only the abutting property owners; and because of the relatively high costs to provide access to only two year-around dwellings;

BE IT RESOLVED that the Washington County Board of Commissioners finds the complaint not to be well founded, that the relief requested by the landowners is denied and the decision by the Town is sustained.

Commissioner Peterson seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Hauser, and Hegberg; No, Commissioners, Abrahamson and Engstrom.

Commissioner Abrahamson stated he was opposed to this resolution. He feels there is a safety issue at stake here and that is why he voted against the resolution.

Update on Board Workshop to Discuss Personnel Issues

The Human Resources Director and First Assistant County Attorney asked for input from the Board on what types of personnel issues they would like discussed at a future workshop. Some of the areas suggested were: Americans with Disability Act and Reasonable Accommodation; Data Practices; Labor Relations Law; Comparable Worth; and, Civil Rights Liability Law.

Commissioner Peterson suggested inviting the local municipalities to attend also.

January 25, 1994

DISCUSSION FROM THE AUDIENCE

Chairman Hauser asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson indicated that the last meeting before the final draft of the 800 MegaHertz radio system will be held on Thursday, January 27, at 9:00 a.m. in the Metro Square Building in St. Paul.

Commissioner Peterson stated there will be a Metro Governance meeting on Wednesday at 3:00 p.m. at the Capital, Room 107.

Chairman Hauser has two pieces of correspondence that she received and will make available to the other Board members: 1) Letter from the Metropolitan Light Rail Transit Joint Powers Board addressed to Representative Martin Sabo regarding federal funding for light rail transit; and 2) Department of Corrections regarding juvenile temporary holdover facility within the law enforcement center building.

Commissioner Peterson stated that there will be a AMC District X meeting on January 31, at 3:00 p.m.

BOARD CORRESPONDENCE

Board Correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Peterson, and it was adopted unanimously. The Board meeting adjourned at 10:15 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the 1994 legislative agenda. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hauser, Engstrom, Peterson, Hegberg, and Abrahamson. Staff present were Robert Lockyear, Sue Ladwig, Russ Reetz, Larry Nybeck, Jim Schug, Mary McGlothlin, Richard Arney, and Richard Stafford.

January 25, 1994

BOARD WORKSHOP WITH THE COUNTY ATTORNEY'S OFFICE

The Board met in workshop session with the County Attorney's Office to discuss the Board's relationship to appointed boards, advisory committees and commissions; responding to citizen complaints about actions by these groups and/or by actions taken by County Staff. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Hauser, Engstrom, Hegberg, Abrahamson. Staff present were Richard Arney, Bob Turrentine, and Mary McGlothlin.

Attest:



Virginia R. Erdahl

Deputy Administrator



Mary M. Hauser, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 1, 1994**

The Washington County Board of Commissioners met in regular session at 7:00 p.m. in the Washington County Board Room. Present were Commissioners Abrahamson, Hauser, Hegberg, and Engstrom. Absent, Commissioner Peterson. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Robert Lockyear, Planning and Public Affairs Director; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Jim Schug, Community Services Director; and Mary McGlothlin, Health, Environment, and Land Management Director.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Hegberg, to adopt the following Consent Calendar:

1. Approval to appoint Pamela Skinner, Oakdale, to the Ramsey-Washington Metro Watershed District to a term expiring February 23, 1994.
2. Approval of appointments to 1994 advisory committees as follows:

District 1

Diana Van Wormer, Stillwater, appointed to the Emergency Medical Services Council, to a term expiring December 31, 1994.

District 2

Dave D. Johnson, Lake Elmo, appointed the Regional Rail Authority Citizens Advisory Committee, to fill an unexpired term to December 31, 1994.

At Large

Carol Kohler, Forest Lake, reappointed to the Solid Waste Advisory Committee to a third term expiring December 31, 1995;

Charlene Bergerson, Forest Lake, reappointed to the Solid Waste Advisory Committee to a third term expiring December 31, 1994;

Ken Hartung, Bayport, reappointed to the Solid Waste Advisory Committee to a second term expiring December 31, 1995;

Michael Minea, Woodbury, appointed to the Solid Waste Advisory Committee to a first term expiring December 31, 1994.

February 1, 1994

3. Adoption of **Resolution No. 94-020** as follows:Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 14, Block 6, Lake Inverness Estates.

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, That the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

Adoption of **Resolution No. 94-022** as follows:Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 4, Block 7, Lake Inverness Estates.

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

February 1, 1994

NOW THEREFORE BE IT RESOLVED, That the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

4. Approval of 1994 contract with Ramsey Action Programs, Inc. (RAP) to administer the family homeless prevention and assistance program.
5. Approval of application to the Department of Human Services for provider certification for child welfare targeted case management.
6. Approval of 1994 contract with Stivland, Inc., D/B/A Harbor Shelter and Counseling Center, to provide child shelter and short term treatment services.
7. Approval of 1994 agreement with Legal Assistance of Washington County, Inc.
8. Approval of 1994 contract with Ramsey Action Programs, Inc. (RAP) to administer an emergency need program.
9. Approval of County paid medical/hospitalization insurance premiums for retiring employee Lorna M. Mack, Court Administration in accordance with Section 11 of the Personnel Rules and Regulations.
10. Approval of severance payment for Lorna M. Mack, Court Administration, per Section 5.10 of the Personnel Rules and Regulations; and authorization to amend 1994 salary budget, service 1170, object 6114 by \$4,250.
11. Approval of County paid medical/hospitalization insurance premiums for retiring employee Patricia J. Kinsky, Community Services, per Section 11 of the Personnel Rules and Regulations.
12. Approval of unpaid leave of absence to hold elected office for Douglas Swenson in the County Attorney's Office beginning February 7, 1994, and continuing to the end of the 1994 session expected to end on or about May 1, 1994.
13. Approval of agreement with Northern States Power Company for a demonstration section using fly ash for pavement stabilization on County State Aid Highway 18 (Bailey Road).
14. Adoption of **Resolution No. 94-021** as follows:

February 1, 1994

Annual Boat and Water Safety
Enforcement Agreement

WHEREAS, under the provision of M.S. Section 361.24 (1980) the Sheriff of each county is required to carry out the provisions of M.S. Section 361.01 to 361.29, and the Board and Water Safety Rules, hereinafter referred to as the "NR Rules," promulgated by the Commissioner of Natural Resources, including Patrol, Enforcement, Search and Rescue, Watercraft Inspections, Waterway Marking, and Accident Investigation, all hereinafter referred to as the "Sheriff's Duties"; and

WHEREAS, in connection with the Sheriff's Duties, M.S. Section 361.24, sub 2 and 3, provides the County submit to the Commissioner of Natural Resources a budget to carry out the Sheriff's Duties; and

WHEREAS, the County will be submitting a proposed budget to the State; and

WHEREAS, the County is eligible to receive \$36,277 to assist in the funding of the Sheriff's Duties during the period 1 January 1994 through 31 December 1994.

NOW, THEREFORE BE IT RESOLVED, that the County of Washington enter into an agreement with the State of Minnesota, Department of Natural Resources for the following purposes: to receive assistance in the funding of carrying out the Sheriff's Duties under the provisions of M.S. Section 361.01 to M.S. 361.29 during the period 1 January 1994 through 31 December 1994.

BE IT FURTHER RESOLVED, that the Chairperson of the Washington County Board of Commissioners, the Washington County Auditor/Treasurer, and the Washington County Sheriff be and are hereby authorized to execute said agreement;

BE IT FINALLY RESOLVED, that a copy of this resolution be attached to the Annual County Boat and Water Safety Agreement covering the period from 1 January 1994 through 31 December 1994.

The foregoing Consent Calendar was adopted unanimously; Commissioner Peterson absent.

**PUBLIC HEARING - TRANSFER OF COUNTY STATE AID MUNICIPAL FUNDS TO
COUNTY STATE AID REGULAR ACCOUNT**

The Deputy Public Works Director gave a brief overview of the request to the Commissioner of Transportation to transfer County State Aid Municipal funds to County State Aid Regular Account in the amount of \$1,200,000.

The Chairman opened the public hearing for comments; none were heard. Commissioner Hegberg moved to close the public hearing. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

February 1, 1994

The Deputy Public Works Director stated that a letter was received from the City of Lake St. Croix Beach. He also stated that the County Board adopted Resolution No. 94-013 on January 18, 1994, requesting the Commissioner of Transportation to transfer County State Aid Municipal funds to County State Aid Regular Account. As part of that Resolution, it was stated that a public hearing will be held on this matter to receive comments. Since that has now been accomplished, the Deputy Public Works Director is requesting that the County Board submit Resolution No. 94-013 to the Commissioner of Transportation.

Commissioner Engstrom moved to submit Resolution No. 94-013, requesting the Commissioner of Transportation to transfer County State Aid Municipal funds to County State Aid Regular Account in the amount of \$1,200,000, to the Minnesota Department of Transportation. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

COMMUNITY SERVICES DEPARTMENT

Appointments to the Ramsey Action Program, Inc. Board of Directors

Commissioner Abrahamson moved to reappoint James Schug, Community Services Director, and Charlotte Farnum, Economic Support Division Manager, as alternate, to the Ramsey Action Program, Inc. Board of Directors. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

Economic Support Division Programs

The Community Services Director presented a year end report on economic assistance, medical assistance, child support, and welfare fraud programs.

PUBLIC WORKS DEPARTMENT

The Public Works Director presented an overview on two requests to designate portions of CSAH 21 as Natural Preservation Routes (NPR), Type III.

Jon Kroschel, Mayor, City of Afton, encouraged the Board to designate portions of CSAH 21 as a Natural Preservation Route.

Kenneth Kopitzke, Afton, spoke against designating CSAH 21 as a Natural Preservation Route. He stated that he feels CSAH 21 does not meet the requirements outlined in state statutes for NPR designation. He presented information on the function, accident history, scenic characteristics, and traffic volumes on CSAH 21.

February 1, 1994

Jon Kingstad, Afton, spoke in favor of the NPR designation on CSAH 21. He stated that perhaps there is one dangerous spot that may need to be reconstructed under any plan that goes forward and that would be Dodges Corner. He feels that the NPR designation will preserve the rural character of that area.

Al Gorgus, Chairman, Denmark Township, spoke on his own behalf and not necessarily that of the Denmark Township Board. He stated he is against having some portions of CSAH 21 designated as NPR and some not. He would rather have the entire CSAH 21 designated as NPR so it would be less of a safety hazard. He feels the design standards should remain high. He feels that the intersection of CSAH 20 and 21 needs immediate attention.

Commissioner Engstrom moved to designate CSAH 21 within the city limits of Afton, with the exception of the main street, as a Natural Preservation Route Type III, and that the County apply for the variance at the time of the reconstruction. Commissioner Abrahamson seconded the motion.

Darlene Moynagh, Afton, stated that the resurfacing that was done last summer has not made CSAH 21 any safer.

Tom Augustine, Denmark Township, presented statistics on traffic accidents occurring on CSAH 21. He feels that the resurfacing has not made CSAH 21 safer and that it should be reconstructed. He stated that designating CSAH 21 as a Type III NPR will not make that road any safer.

Barbara Kallusky, Afton, suggested that only the southern portion of CSAH 21 be designated NPR.

Howie Vetterick, Afton, stated that if CSAH 21 is designated as a NPR, the residents will have to live with a very substandard road for the next 10 years.

Nancy Bode, Afton, reminded the Board that there are two portions of CSAH 21 that have been requested as NPR Type III, one from the City of Afton and the other from Darlene Moynagh. She urged the Board to consider the southern portion of CSAH 21 be designated as NPR Type III.

Commissioner Hegberg moved to table the matter of designating the portion of CSAH 21 that is within the city limits of Afton as Natural Preservation Route Type III until Denmark Township requests that the southern portion of CSAH 21 be designated as a natural Preservation Route Type III. Commissioner Hauser seconded the motion. The motion failed.

The motion to designate CSAH 21 within the city limits of Afton, with the exception of the main street, as a Natural Preservation Route Type III, and that the County apply for the variance at the time of the reconstruction was adopted with the vote as follows: Yes, Commissioners Abrahamson, Hauser, and Engstrom; No, Commissioner Hegberg; Commissioner Peterson absent.

February 1, 1994

GENERAL ADMINISTRATION

Cancellation of March 1 Board Meeting

Commissioner Engstrom moved to cancel the March 1, 1994, Board meeting due to precinct caucuses, and to not reschedule that meeting unless there is a need to meet. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

Update of SW-1

The Health, Environment and Land Management Director presented a status report on the responsible party search for SW-1.

DISCUSSION FROM THE AUDIENCE

Chairman Hauser asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom requested an executive session for next week to discuss the Library issue.

Commissioner Engstrom and Abrahamson asked that Representative Pam Neary's growth management act proposal be placed on next week's agenda for discussion.

It was Board consensus that a letter be faxed to Commissioner Peterson, who is in Washington D.C., for Washington County's congressional delegation supporting funding for the Wakota Bridge project.

The Board will hold a workshop session with Personnel Decision, Inc. on February 22 to review applicants for the County Administrator position.

Commissioner Hauser reported on the AMC District X meeting held last week. Included in her report were the following items: Solid Waste Management Regional Coordinating Board funding; Association of Metropolitan Municipalities; Contract through AMC for the coordination of county response to metro governance issues, the funding for Washington County's portion of this contract to be brought back at next weeks board meeting for approval; and an AMC and Minnesota School Board Association meeting on February 24 and 25.

Commissioner Hauser stated that Charlotte Brooker, Vice President of the Isaak Walton League, wrote to her requesting that Washington County consider whether the County should continue to be part of

February 1, 1994

the Metropolitan Mosquito Control District. It was Board consensus that a workshop should be held to discuss the Metropolitan Mosquito Control, and that a representative from the mosquito control and Ms. Brooker should both be invited to attend.

BOARD CORRESPONDENCE

Board Correspondence was received and placed on file including a letter from former Commissioner Artie Schaefer regarding the intersection of CR 10 and 15. The Public Works Department was asked to respond to that letter.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously; Commissioner Peterson absent. The Board meeting adjourned at 9:25 p.m.

Attest:

Virginia R. Erdahl
Virginia R. Erdahl

Deputy Administrator

Mary M. Hauser
Mary M. Hauser, Chairman
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 8, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Jim Schug, Community Services Director; Chuck Leifeld, Minnesota Extension; Brendan McLaughlin, Budget Analyst; Merritt Clapp-Smith, Planner; Jane Harper, Physical Development Planner; Robert Lockyear, Planning and Public Affairs Director; Russ Reetz, Court Services Director; Larry Nybeck, Surveyor; and Jim Trudeau, Sheriff.

CONSENT CALENDAR

Commissioner Engstrom moved, seconded by Commissioner Peterson, to adopt the following Consent Calendar:

1. Approval of the December 28, 1993, January 4, 11, and 18, 1994, Board meeting minutes.
2. Approval of payment in the amount of \$1,500 to Association of Minnesota Counties for contract to coordinate Metropolitan Governance effort on behalf of Metropolitan Counties (District X plus Dakota County).
3. Adoption of **Resolution No. 94-023** as follows:

Resolution Authorizing Signature of
Board of Water and Soil Resources
Natural Resources Block Grant Documents

WHEREAS, Washington County has a State approved comprehensive local water plans, which has been locally adopted pursuant to Minnesota Statutes Chapter 103B.311 or 103B.255, or has State approved comprehensive local water plans, covering 50% of land area in the county, which have been locally adopted pursuant to Minnesota Statutes Chapter 103B.231, 103D.401, or 103D.405; and

WHEREAS, the State of Minnesota, acting by and through its Board of Water and Soil Resources ("BWSR"), has authority to award Natural Resources Block Grants for purposes of implementing comprehensive local water plans, the wetland conservation act, and the DNR shoreland program to local government pursuant to Laws of Minnesota 1993, Chapter 172, sec. 6; and

WHEREAS, Washington County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minn. State § 103B.335; and

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WHEREAS, the Minnesota Department of Revenue has determined the minimum amount necessary to be raised by Washington County for the base grant portion of the grant under the formula in repealed Minn. Stat. § 275.50, subd., 5; and

WHEREAS, BWSR has determined that Washington County is eligible for a Natural Resources Block Grant up to \$39,000 in 1994 upon BWSR acceptance of the LGU's application and the execution and delivery of a Grant Agreement.

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners approves of Washington County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water plans, the administration of the wetland conservation act, and the administration of the DNR shoreland program, under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Washington County Board of Commissioners authorizes the expenditure of \$14,000 cash and \$25,000 in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota 1993, Chapter 172, sec. 6 and the Grant Agreement; and

THAT THE grant and county dollars will be allocated in the following manner: \$3,000 to the Department of Health, Environment and Land Management to implement the State Shoreland Program, \$42,000 to the Washington County Soil and Water Conservation District to implement the State Wetland Conservation Act, and \$8,000 to local governmental units to implement the State Wetland Conservation Act.

BE IT FURTHER RESOLVED, that the Chairperson of the County Board of Commissioners and the County Administrator are authorized to execute the Grant Agreement together with all related documents.

4. Adoption of **Resolution No. 94-024** as follows:

Gambling License Renewal
Minnesota Waterfowl Minneapolis Association

WHEREAS, on or about January 28, 1994, the Minnesota Waterfowl Minneapolis Association has made a premises permit application pursuant to the statutes of the State of Minnesota authorizing lawful gambling, and

WHEREAS, the premises involved are located at Withrow Ballroom, 12169 Keystone Avenue North, Stillwater, in May Township, Washington County; and

WHEREAS, Minnesota Statute § 349.213, subd. 2, requires before the State Gambling Control Board may issue or renew a premises permit or Bingo Hall license, the County Board must by resolution approve granting of the same within 60 days of the application for issuance or renewal of the permit or license;

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby resolve to approve the granting of a premises

February 8, 1994

permit for the above-described licensee at the above-described location subject to the terms and conditions of all the Laws of the State of Minnesota, the County of Washington and Township of May.

5. Approval of off-sale intoxicating liquor license for Point Liquors/R & R of Denmark Township, April 1, 1994 to March 31, 1995.
6. Approval of one day on/sale non-intoxicating malt liquor license for February 13, 1994, ice fishing contest on Forest Lake.
7. Approval of 1994 purchase of service agreement with Family Service of St. Croix for money management services and for the family law loan fund pilot project.
8. Approval of 1994 purchase of services agreement with St. Croix Valley Youth Service Bureau.
9. Approval of severance payment for retiring employee Floyd L. Simonson, Public Works Department, and authorization to amend 1994 salary budget by \$3,877.76.
10. Approval of County paid medical/hospitalization insurance premiums for retiring employee Floyd L. Simonson, Public Works Department, in accordance with Section 11 of the Personnel Rules and Regulations.
11. Approval of cooperative construction agreement for CSAH 10 with City of Oakdale through the signatures of the Chairman of the Washington County Board of Commissioners and County Administrator.
12. Bids were received for sale and removal of home at 12150 155th Street, Marine, Minnesota as follows:

Otting House Movers	\$120.00
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Adoption of **Resolution No. 94-025** as follows:

Award of Bid for the Sale and Removal of House
at 12150 155th Street, Marine, Minnesota

WHEREAS, in order for the sale and removal of house to be done at the Big Marine Park Reserve, the County solicited bids for this project; and,

WHEREAS, bids were opened on January 19, 1994, with Otting Housemovers being the highest responsible bidder;

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NOW, THEREFORE BE IT RESOLVED, that the bid of Otting Housemovers be accepted and the County enter into a contract with Otting Housemovers under the terms and conditions set forth in the bid specifications documents; and,

BE IT FURTHER RESOLVED, that the contract between the County and Otting Housemovers be executed through the signatures of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

13. Approval to purchase salt supply as needed through the State of Minnesota bid per cooperation purchasing agreement.
14. Adoption of **Resolution No. 94-026** as follows:

Speed Survey on CSAH 15

BE IT RESOLVED, that the Board of Commissioners for Washington County, Minnesota, hereby request the Commissioners of the Minnesota Department of Transportation to conduct a speed survey to determine the reasonable and safe speed on the following County highways:

County State Aid Highway 15 between I-94 and T.H. 5

BE IT FURTHER RESOLVED, that upon determination of a reasonable and safe speed on the above highway, Washington County be authorized by the Commissioner of the Minnesota Department of Transportation to post such speed limit.

15. Adoption of **Resolution No. 94-028** as follows:

Designating Portions of CSAH 21 as a
Natural Preservation Route, Type III

WHEREAS, Washington County received two requests for designation of portions of County State Aid 21 (CSAH 21) as a Natural Preservation Route, Type III; and

WHEREAS, after receiving public comment and discussion regarding the requests at the February 1, 1994 County Board meeting; and

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby find that:

1. The Type III criteria and descriptions as defined in State Aid Operations Rules, Chapter 8820, are substantially met for segments of CSAH 21 in the City of Afton.
2. The following segments of CSAH 21 shall be recommended to the Commissioner of the Minnesota Department of Transportation as Type III, Natural Preservation Routes.

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- A. From the north limits of the City of Afton to Trunk Highway 95 (T.H. 95).
 - B. From 45th Street South in Afton to the south limits of the City of Afton.
3. Although one of the requests for NPR designation stipulated that variances to NPR standards be pursued, no variances will be requested at this time.

FURTHER BE IT RESOLVED, by the Washington County Board of Commissioners that Washington County hereby requests the Commissioner of Transportation to designate the above-mentioned roadway segments as Type III Natural Preservation Routes.

16. Approval for Chair of the Washington County Board of Commissioners to send a letter in support of the Regional Recreation Open Space Revised Capital Improvement Program for fiscal years 1994-2000; and the sale of State and Regional bonds for the 1994-1995 biennium.

The foregoing Consent Calendar was adopted unanimously.

GENERAL ADMINISTRATION

The Board discussed the Washington County Growth Management Act proposal by Representative Pam Neary.

Commissioner Hegberg moved to adopt **Resolution No. 94-027** as follows:

RESOLUTION CONCERNING THE WASHINGTON COUNTY GROWTH MANAGEMENT ACT (as proposed by Representative Pam Neary)

WHEREAS, Representative Neary has floated a proposal entitled "the Washington County Growth Management Act" which would manage and guide growth into areas which are within the Metropolitan-Urban Service Area Boundary and exact an occupation tax on all development. The tax would be used to help offset additional and increased service delivery costs resulting from development, and

WHEREAS, Washington County government has, through both a survey conducted in the spring of 1993 and a Futures Visioning Workshop conducted in the fall of 1993, heard from our citizens a concern over the rapid expansion and development of both rural and urban lands in the County. Washington County experienced a 41% increase in households (about 14,000) from 1980 to 1990, and

WHEREAS, the County, using both state demographer and Metropolitan Council forecasts, anticipates that in the next 20 years (1995-2015) we will add at least 25,000 new households, or more than 50,000 new people to our existing development in Washington County, and

February 8, 1994

NOW, THEREFORE, BE IT RESOLVED that Washington County government applauds Representative Neary for her timely response to a perceived need gathered through contact with her constituency and participation in the preliminary stages of Washington County's comprehensive plan update. Her proposal provides a forum in which to examine growth issues and shows some promise, especially in the areas of government collaboration and utilization of existing infrastructure. The Board will monitor closely the responses to this proposal in order to better focus County initiatives on guiding growth by listening to our constituency.

BE IT FURTHER RESOLVED that Washington County is in the middle of a detailed comprehensive planning update process. The County Board of Commissioners is of the opinion that we should let this thoughtful process, which has a large public involvement piece, work through the established 18-month program in order to take advantage of the wide amount of available input. It is only through extensive dialogue with our joint constituencies that we can realize the wants and needs of the public and the future residents of Washington County.

BE IT FURTHER RESOLVED that Representative Neary should delay any proposed legislation until the County has completed the comprehensive plan update. The Washington County Board of Commissioners opposes any legislative occupancy tax proposal.

BE IT FURTHER RESOLVED that considering this extensive input and working with the appointed bodies, the County Board will forge a plan that addresses the many and complex issues of growth that face us today and in the future. This proposed plan will be available for review in January of 1995. It will contain background information, a program outlining how we can balance growth and development with land preservation in the County and implementation proposals to reflect our partnership with local governments.

BE IT FURTHER RESOLVED that January of 1995 will be an appropriate time for proposals such as the Washington County Growth Management Act to be considered by Washington County government as well as all of the other taxing jurisdictions in Washington County. Working together, local, County and state officials can provide leadership today for a better tomorrow.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Commissioner Abrahamson requested that this resolution be presented at the public meeting tonight at the Stillwater Junior High School to discuss Representatives Neary's Growth Management Act Proposal.

Board of Equalization Meeting Dates

It was Board consensus to set the Board of Equalization meetings for June 21 and 28 following the County Board meetings.

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DISCUSSION FROM THE AUDIENCE

Dean Tharp requested that the County Board recognize Oakland Road as a private road. He stated he presented a private road agreement to the May Town Board on Wednesday, February 2 and it was rejected by the Town Board. Chairman Hauser directed Mr. Tharp to present any information he had to the County Attorney's Office and the Public Works Department.

Ann Hovland asked when they would hear back from the County Attorney on the Oakland Road request. The County Attorney indicated they he would have a report back to the County Board in two to four weeks.

Sheriff Jim Trudeau announced today that he would not be seeking reelection as County Sheriff in 1994. The Board thanked Sheriff Trudeau for his outstanding contributions to the County during the past 15 years as County Sheriff.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson reported on her trip to Washington D.C. to attend the Annual Minnesota Transportation Fly-in and promote support for the Wakota Bridge project.

Commissioner Hegberg informed the Board that Bob Sjogren has been hired as the new Administrative Director for the Metropolitan Mosquito Control. The Deputy Administrator indicated that a tentative Board workshop has been set for March 8 with the Metropolitan Mosquito Control. She asked if the Board has specific items they wished to discuss at this workshop to let her know. Commissioner Abrahamson requested that Charlotte Brooker, Vice President of the Izaak Walton League, also be invited to attend this workshop.

Commissioner Hegberg indicated that he has had some discussion with Ramsey County Commissioner Hal Norgard regarding combined efforts of both County's Extension Services.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file including a letter from the Metropolitan Airports Commission inviting a Commissioner or designee to participate in a Technical Committee which is preparing a long term comprehensive plan for a potential new airport on Site 3 in the Dakota search area. This letter was forwarded to the Public Works Director to see if a person with technical experience was needed to serve on this committee.

February 8, 1994

EXECUTIVE (CLOSED) SESSION

Commissioner Engstrom moved to go into executive session for attorney-client closed session to review the legal status of the Library Board employee litigation. Commissioner Hegberg seconded the motion and it was adopted unanimously; the time being 10:30 a.m. Present for the executive session were Commissioners Hegberg, Hauser, Engstrom, Abrahamson, and Peterson. Staff present were Virginia Erdahl, Richard Arney, George Kuprian, Judy Honmyhr, and Patricia Raddatz.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously. The Board meeting adjourned at 10:40 a.m.

BOARD WORKSHOP WITH COUNTY ATTORNEY'S OFFICE AND THE HUMAN RESOURCES DEPARTMENT

The Board met in workshop session with the County Attorney's Office and the Human Resources Department to discuss personnel liability issues. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Virginia Erdahl, Richard Arney, Richard Hodsdon, Judy Honmyhr, Shari Bowers, and Sue Fennern.

Attest:

Virginia R. Erdahl
Virginia R. Erdahl

Deputy Administrator

Mary M. Hauser
Mary M. Hauser, Chairman
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 15, 1994**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; George Kuprian, Assistant County Attorney; Jim Schug, Community Services Director; Judy Arends, Department of Health, Environment, and Land Management; Russ Reetz, Court Services Director; Robert Lockyear, Planning and Public Affairs Director; John Devine, Controller; and Judy Honmyhr, Human Resources Director.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Engstrom, to adopt the following Consent Calendar:

1. Approval of the January 25, 1994, Board meeting minutes.
2. Approval to appoint Lee Minks, Stillwater, to the Public Health Advisory Committee to a first term expiring December 31, 1995.
3. Approval of on/sale one day non-intoxicating malt liquor license for Scandia Fireman's Ball, February 26, 1994, Scandia, MN.
4. Approval of on/sale intoxicating and Sunday liquor license for Forest Hills Golf Club, Inc., April 1, 1994 to March 31, 1995.
5. Approval of on/sale intoxicating and Sunday liquor license for Mogrow Inc. - Indian Hills Golf Club, April 1, 1994 to March 31, 1995.
6. Approval of 1994 agreement of cooperation between Washington County Community Services and the Washington County Attorney for the provision of fraud prosecution services.
7. Adoption of **Resolution No. 94-029** as follows:

Participate in the Minnesota PCA Special
Waste Pilot Project

WHEREAS, the Board of Washington County Commissioners has adopted the Washington County Hazardous Waste Management Ordinance which regulates the generation and management of hazardous wastes within Washington County; and

February 15, 1994

WHEREAS, the Minnesota Pollution Control Agency has requested that Washington County participate in a Pilot Project involving the relaxation of the regulations for generators of certain wastes which are recycled; and

WHEREAS, the Washington County Hazardous Waste Management Ordinance provides for the waiver or modification of the strict application of the provisions of the Ordinance, subject to the approval of such modification by the Minnesota Pollution Control Agency; and

WHEREAS, the request by the Minnesota Pollution Control Agency constitutes said approval; and

WHEREAS, the Board of Washington County Commissioners supports the economical and practical management of hazardous waste within the confines of environmental protection.

NOW THEREFORE BE IT RESOLVED, that the Washington Board of County Commissioners adopt the requirements of the Minnesota Pollution Control Agency Special Waste Pilot Project as set forth in letter and attachments from Charles Williams, Commissioner dated October 1, 1993 for special licensure and the Department of Health, Environment and Land Management (Department) has the approval to issue special licenses to regulate entities, which licensees waive section 6.01 of the Washington County Hazardous Waste Management Ordinance.

AND BE IT FURTHER RESOLVED, that the licenses issued waiving the provisions of the Ordinance shall terminate on September 20, 1995, or until the Pilot Project is terminated by the Minnesota Pollution Control Agency which ever date is sooner;

AND BE IT FURTHER RESOLVED, that no license fee shall be applied to this license during the pilot timeline;

AND BE IT FURTHER RESOLVED, that the Department can revoke special license if the licensed regulated entity fails to comply with all of the requirements of the Pilot Project requirements subject to the appeals procedure contained in the Washington County Administrative Ordinance.

8. Approval of 1994 contract with Wenck Associates, Inc. for professional engineering services in conjunction with the Lake Jane Landfill; and authorize the Chair and County Administrator to execute on behalf of Washington County and authorize payment in the amount of \$54,342.
9. Approval of leave of absence without pay for Carol Murphy, Accounting and Budgeting, beginning January 30, 1994, through April 30, 1994.
10. Approval to purchase truck equipment through quotes conditioned upon the execution of a contract with Crysteel Truck Equipment Company in the amount of \$11,071 and authorization of payment.

February 15, 1994

11. Approval to purchase sweeper through quotes and conditioned upon the execution of a contract with Herc-U-Lift in the amount of \$22,416 and authorization of payment.

12. Adoption of **Resolution No. 94-030** as follows:

Final Payment to Valley Paving Inc. for
Bituminous Overlay on CSAH 19, 22, 31 and CR 19A

WHEREAS, the Washington County Board of Commissioners, on July 13, 1993, signed a contract with Valley Paving, Inc., for the labor and materials to perform a bituminous overlay on CSAH 19, 22, 31, and CR 19A;

WHEREAS, Valley Paving, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE, BE IT RESOLVED, that Valley Paving, Inc., be paid in full for the said contract work in the amount due indicated on the final payment voucher which is attached herewith and is hereby a part of this resolution.

13. Adoption of **Resolution No. 94-031** as follows:

Final Payment to Valley Paving, Inc. for
Bituminous Overlay on CSAH 1, 7, 8, and CR 54, 58

WHEREAS, the Washington County Board of Commissioners, on May 11, 1993, signed a contract with Valley Paving, Inc., for the labor and materials to perform a bituminous overlay on CSAH 1, 7, 8, and CR 54, and 58;

WHEREAS, Valley Paving, Inc., has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Valley Paving, Inc., be paid in full for the said contract work in the amount due indicated on the final payment voucher which is attached herewith and is hereby a part of this resolution.

14. Approval to purchase automotive equipment needs through Hennepin County bid per cooperative purchasing agreement in the amount of \$71,461.56.

15. Adoption of **Resolution No. 94-032** as follows:

Support MN/DOT's Application for Federal ISTEA
Funding of Trunk Highway 5 Bridge Project

WHEREAS, Trunk Highway 5 serves a critical function for residents of Washington County; and

February 15, 1994

WHEREAS, the section of Trunk Highway 5 near Trunk Highway 36, including the bridge over Trunk Highway 36 are in dire need of capacity and safety improvements; and

WHEREAS, the present section of Trunk Highway 5 at Trunk Highway 36 cannot accommodate intermodal trip demands that have been created by a new area High School and development; and

WHEREAS, Washington County will be reconstructing CSAH 5 north of Trunk Highway 36 that will directly connect to Trunk Highway 5.

WHEREAS, MN/DOT has proposed a Trunk Highway 5 project that will provide the needed improvements in this area; and

WHEREAS, this project is not programmed because of a funding shortfall.

NOW, THEREFORE, BE IT RESOLVED, Washington County strongly supports MN/DOT's application for Federal ISTEA funding of the Trunk Highway 5 project.

BE IT FURTHER RESOLVED, Washington County supports the proposed design and connection of Trunk Highway 5 to County State Aid Highway 5.

16. Adoption of **Resolution No. 94-033** as follows:

Cooperative Agreement Between Washington County
and the City of St. Paul Park for Erection and
Maintenance of Two Street Lights at CSAH 38
(Hastings Avenue) and the Park Estates Entrances

BE IT RESOLVED, that Washington County and the City of St. Paul Park enter into a cooperative agreement to erect and maintain street lights on County State Aid Highway 38 (Hastings Avenue) at the entrances to Park Estates, Inc. (St. Paul Park City Streets).

BE IT FURTHER RESOLVED, that the agreement between the County and the City of St. Paul Park be executed through the signatures of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board and approved as to form by the Washington County Attorney's Office.

17. Adoption of **Resolution No. 94-034** as follows:

Speed Survey on County State Aid Highway 12

BE IT RESOLVED, that the Board of County Commissioners for Washington County, Minnesota, hereby request the Commissioner of the Minnesota Department of Transportation to conduct a traffic survey to determine the reasonable and safe speed on the following County highway:

February 15, 1994

County State Aid Highway 12 between TH 244 and 1/2 mile east of Ideal Avenue

BE IT FURTHER RESOLVED, that upon determination of a reasonable and safe speed on the above highway, Washington County shall be authorized by the Commissioner of the Minnesota Department of Transportation to post such speed limit.

18. Approval to fund technical and legal advise on Judicial Ditch No. 1 for an amount not to exceed \$2,000 from contingency fund.
19. Approval to re-instate overtime funds in the amount of \$2,800 into the Recorder's budget.

The foregoing Consent Calendar was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT

Commissioner Engstrom moved to establish a public hearing to consider amending the Solid Waste Management Ordinance, #105 for Tuesday, March 15, 1994, at 9:00 a.m. Commissioner Peterson seconded the motion and it was adopted unanimously.

HUMAN RESOURCES DEPARTMENT

Commissioner Engstrom moved to amend Section 16 of the Personnel Rules and Regulations to add a new leave section which would allow employees to request a leave of up to five days per year with the continuation of benefits during that leave. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

1994 Legislative Agenda

Sue Ladwig, the County legislative representative, presented the 1994 legislative agenda.

Commissioner Peterson moved to adopt the 1994 Legislative Agenda. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Abrahamson requested that the Board hold a workshop to discuss a possible contract with the present Auditor-Treasurer and Recorder.

February 15, 1994

DISCUSSION FROM THE AUDIENCE

Chairman Hauser asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson requested that a letter be drafted from the County Board to Commissioner Denn of Minnesota Department of Transportation and Governor Carlson, supporting the Wakota Bridge Project. The Public Works staff and Administration will draft said letter.

Commissioner Abrahamson requested that the Public Works Director give a report on County Road 21 located behind the old Stillwater Prison in Bayport regarding water problems over that road. The Public Works Director reported that the drainage system in that area has been failing for the last several years. The City of Bayport has recently voted on constructing a dike which would help with that problem. He stated that he will be bringing in an agenda item supporting the City of Bayport's construction of a dike.

Commissioner Engstrom thanked Senator Krentz for her letter of support to the Commissioner of Transportation regarding the interchange on Highway 36 and County Road 5.

Commissioner Engstrom encouraged the other Board members to attend the Guardian Ad Litem dinner, which marks their 10th anniversary. Commissioner Peterson requested that a certificate be prepared congratulating the Guardian Ad Litem program on their 10th anniversary.

Commissioner Engstrom requested that committee vacancies which have not been filled be readvertized.

Commissioner Hauser stated that she had received a letter from Barbara Sykora, Aide to Congressman Rod Grams, indicating that she will be passing along the Board's concerns on the Resource Recovery issues and will keep the Board informed on further developments in that area.


BOARD CORRESPONDENCE

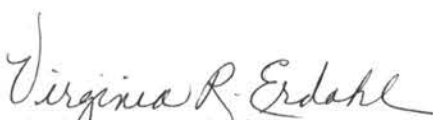
Board Correspondence was received and placed on file.

February 15, 1994

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom, and it was adopted unanimously. The Board meeting adjourned at 9:45 a.m.


Mary M. Hauser, Chairman
County Board

Attest: 
Virginia R. Erdahl
Deputy Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 22, 1994**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Hodsdon, First Assistant County Attorney; Don Wisniewski, Public Works Director; Doug Johnson, Land Acquisition Specialist; Bill Funari, Deputy County Administrator; John Devine, Controller; Judy Arends, Department of Health, Environment and Land Management; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Honmyhr, Human Resources Director; and Bob Lockyear, Planning and Public Affairs Director.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Engstrom, to adopt the following Consent Calendar:

1. Approval of the February 1 and 8, 1994, Board meeting minutes.
2. Approval to appoint Carl Tacke to the Solid Waste Advisory Committee to a first term expiring December 31, 1994; and David B. Olsen to the Mental Health Advisory Committee to a first term expiring December 31, 1996.
3. Adoption of **Resolution No. 94-035** as follows:

Application for Cancellation of
Certificate of Forfeiture

BE IT RESOLVED, that the Board of County Commissioners of Washington County, Minnesota, finding the allegations of this application of Cancellation of Certificate of Forfeiture described as:

Lot 24 Block 2 Hadley Meadows

to be true, hereby approves this application and recommends that the same be granted.

4. Adoption of **Resolution No. 94-036** as follows:

Application for Cancellation of
Certificate of Forfeiture

BE IT RESOLVED, that the Board of County Commissioners of Washington County, Minnesota, finding the allegations of this application

February 22, 1994

of Cancellation of Certificate of Forfeiture described as:

Lot 13A Cedarcliff on St. Croix

to be true, hereby approves this application and recommends that the same be granted.

5. Approval of the 1994 purchase of service agreement with East Communities Family Services.
6. Approval of cooperative agreement between the Washington County Community Services Department and the Washington County Sheriff's Department for service of process relative to the child support program.
7. Approval of appointments to the Private Industry Council as follows: Sue Esklin, term expiring June 30, 1996; Larry Funk, term expiring June 30, 1995; and, James L. Wolcott, term expiring June 30, 1995.
8. Approval to loan surplus office furniture to Minnesota Job Training Partnership Association.
9. Approval of 1994 purchase of service contract with Community Volunteer Service.
10. Approval of 1994 service contract with Commonhealth clinic to provide STD services.
11. Approval of the following 1994 vendor contracts to provide home care services: Lakeview Home Care, Commonhealth Clinic, Care Plus HHA, Inc., and Homecaring.
12. Approval to increase working hours of a part-time special project Social Worker II in the Community Services Department from .5 FTE to .75 FTE.
13. Approval to advertise for bids for cold in-place recycling and bituminous overlay on CSAH 18 from Mile Drive to CSAH 15.
14. Approval to advertise for bids for concrete paving on CR 38A/CSAH 38 at I494.
15. Approval of cooperative construction agreement with the City of Hugo for Bridge 97720 through signatures of the County Board Chair and County Administrator.
16. Approval of joint powers agreement with City of Bayport for berm construction/removal along CSAH 21 through the signatures of the County Board Chair and Administrator.

February 22, 1994

17. Approval of lease agreement amendment for tillable farmland in the Cottage Grove Ravine Regional Park with Donald Tank; Pine Point Park with Ken Berwald, and in Lake Elmo Park Reserve with David Screation.
18. Adoption of **Resolution No. 94-037** as follows:

Recognizing the Washington County
Guardian *ad Litem* Program and Volunteers for
Ten Years of Outstanding Service

WHEREAS, the Washington County Guardian *ad Litem* Program was founded in 1984 to represent the best interests of abused and neglected children; to assure the judges have well-founded, clear and timely recommendations on which to base their decisions; and to recruit, screen, train and support community volunteers to be the advocates for these children involved in court proceedings; and

WHEREAS, during the past ten years, 140 volunteers have donated their time and talents representing the best interests of over 2,000 children; and

WHEREAS, in 1993, volunteers reported contributing 2,972 hours on behalf of vulnerable children in Washington County; and

WHEREAS, in 1993 the Guardian *ad Litem* Program represented the best interests of 451 children; and

WHEREAS, the following active volunteer guardians *ad litem* will be formally recognized for their efforts on March 3, 1994; Randy Bassitt, Glenna Bealka, Dawn Beedle, Nancy Berven, Jerilyn Birnie, Pamela Bjorum, John Blahna, Nancy Brooks, Ila Brown, Sharon Buffington, Jean Corbett, Lee Edwards, Jane George, Lois Grafenstein, Barbara Haacke, Judith Hansen, Deanna Johannes, LuAnn Lewis, Rosemary Lindlan, Cindy Mackay, Dona Mathews, Janice Miller, David Murphy, Anne Petersen, Frank Poole, Neale Povey, Christine Rued, Dora Salazar, Lisa Schlingerman, Bonita Schulz, Amy Silberberg, Mary Smits, Melissa Sorman, Sandy Snellman, Frank Sutherland, Stephanie Taylor, Jo Ward, Debra Weiss, Janice Young

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby extends its appreciation and thanks to the past and present volunteer and paid staff of the Washington County Guardian *ad Litem* Program for their outstanding service in advocating for abused and neglected children in Washington County over the past ten years.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Engstrom moved to adopt the following abatement applications:

February 22, 1994

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	19021-3050	Miller, Vivian	\$1,462.32
Hmstd	19021-3050	Miller, Vivian	1,683.40
Hmstd	27347-2725	Cournoyer, Fenn	1,429.66
Hmstd	49020-2450	Bichner, John & Mary	1,326.66
Hmstd	48440-8650	Edmonds, Jessie	73.54
Hmstd	93010-3000	Borndale, Richard & Elaine	1,218.48
Hmstd	93010-2960	Borndale, Richard & Elaine	39.84
Penalty	37300-2000	Hammes, William	49.05
Penalty	37300-2025	Hammes, William	0.89
Penalty	37034-2150	Hammes, William	70.47
Penalty	37035-2950	Hammes, William	114.17
Assmt	9032-2112	Rheinberger, Rodrique	2,400.78
Assmt	9032-2110	Rheinberger, Rodrique	2,400.78
Assmt	9032-2112	Rheinberger, Rodrique	918.27
Assmt	9032-2110	Rheinberger, Rodrique	98.27
Penalty	83022-2750	Lyons, Dorothy	33.14
Penalty	83022-2750	Lyons, Dorothy	33.14
Penalty	72385-2125	Dakota Co Abst	3.60

Commissioner Peterson seconded the motion and it was adopted unanimously.

The Board asked for a workshop with the Auditor-Treasurer's Office to discuss abatement applications and the reason they have increased over the past few years.

PUBLIC WORKS DEPARTMENT

The Public Works Director gave a brief overview of the request from F.M. Frattalone Excavating & Grading, Inc. for access license across the Schroeder Pit. F.M. Frattalone Excavating & Grading Inc. is currently in the process of obtaining necessary County and Township permits to mine gravel on property adjacent and north of the Schroeder Pit in May Township.

Bruce Folz, representing F.M. Frattalone Excavating & Grading, Inc. asked the Board to grant this access license.

Tom Loucks, May Township Planner, feels the question of access across the Schroeder pit is only one issue. Some of the other issues the Township is concerned about are: 1) Inconsistent with May Township's Comprehensive Plan; 2) Incompatibility with surrounding neighborhood; 3) Concerns about impact on May Avenue if this access were to go through; and 4) An EAW has to be prepared for this project. The Town Board feels the County should not grant the access license before the mining permit is approved by the Town of May or the County.

Tom Oakes, May Township, stated that Frattalone Excavating plans on using approximately 300 trucks a day in the proposed pit. They would be hauling in bituminous road material and crushing it for recycling. He stated there is a water area that is described by the County atlas as a sensitive area in terms of groundwater contamination. He is concerned about hauling in bituminous road material

February 22, 1994

and recycling it on that site. Also this area is getting to be very residential and they don't need another gravel pit.

Mike Coulon, May Township, stated his property borders this proposed gravel pit. He feels the County should take a look at the environmental impact this pit would have on the area and its residents. He is totally against another pit in this area.

Commissioner Hegberg moved to table the request from F.M. Frattalone Excavating & Grading, Inc. for an access license across the Schroeder Pit until May Township forwards a request to the County. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Collections Office Annual Report

Commissioner Engstrom moved to approve the Collections Office Annual Report, and that the Board send a letter of commendation to the Collection's Officer for her fine work. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

Chairman Hauser asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson asked the Public Works Department to investigate the need for street lighting at the intersection of Manning Avenue and Highway 5. She stated that it is a dark intersection and hard to see. The Public Works Director indicated that MN/DOT has that intersection scheduled for stop lights, and they usually check to see if additional street lighting is necessary.

The Public Works Director stated that MN/DOT will be holding an open house on February 25 from 9:00 to 10:00 a.m. in Rooms B & C of the Government Center, to present their construction projects for 1994. The County will also show their construction projects for 1994.

Commissioner Engstrom distributed copies of proposed legislation from the Attorney General's Office which would require municipalities to select waste haulers through the competitive bid process. He feels the County should oppose this legislation and suggested that a workshop be held to discuss this issue and that someone from the Attorney General's Office attend this workshop. Commissioner Peterson suggested sending a letter to the municipalities indicating that this legislation has been proposed. This workshop to be scheduled for the March 8 Board meeting.

February 22, 1994

Commissioner Hauser stated there will be a transportation legislative reception on February 23, at the St. Paul Radisson. Also, a property tax discussion with Representative Pam Neary and the Executive Director of the Minnesota Taxpayers Association is scheduled for February 25 from 8:00 to 9:00 a.m. in the County Board Room.

Board Correspondence

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Engstrom, and it was adopted unanimously. The Board meeting adjourned at 9:50 a.m.


BOARD WORKSHOP WITH PERSONNEL DECISIONS, INC.

The Board met in workshop session with Personnel Decisions, Inc. (PDI) to discuss candidates for the position of County Administrator. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Abrahamson. Also present were Richard Hodsdon, First Assistant County Attorney, and Harry Bruhl, PDI.

Attest:


Virginia R. Erdahl

Deputy Administrator


Mary M. Hauser, Chairman
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 8, 1994**

REGIONAL RAIL AUTHORITY

The Washington County Regional Rail Authority met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, and Engstrom. Absent Commissioner Hegberg. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; George Kuprian, Assistant County Attorney; Don Wisniewski, Public Works Director; Don Theisen, Public Works Deputy Director; Douglas K. Johnson, Land Acquisition Specialist; Jim Schug, Community Services Director; John Devine, Controller; Lyle Doerr, Facilities Manager; Marlene Workman, Historic Courthouse Coordinator; Sheila Neubauer, Administration Office Manager; Sue Fennern, Human Resources Office Manager; Bob Lockyear, Planning and Public Affairs Director; and Brendan McLaughlin, Budget Analyst. Official proceedings of the Regional Rail Authority are available in the Office of Administration.

REGULAR COUNTY BOARD SESSION

The Washington County Board of Commissioners met in regular session at 9:10 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, and Engstrom. Absent Commissioner Hegberg. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; George Kuprian, Assistant County Attorney; Don Wisniewski, Public Works Director; Don Theisen, Public Works Deputy Director; Douglas K. Johnson, Land Acquisition Specialist; Jim Schug, Community Services Director; John Devine, Controller; Lyle Doerr, Facilities Manager; Marlene Workman, Historic Courthouse Coordinator; Sheila Neubauer, Administration Office Manager; Sue Fennern, Human Resources Office Manager; Bob Lockyear, Planning and Public Affairs Director; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Engstrom moved, seconded by Commissioner Peterson, to adopt the following Consent Calendar:

1. Approval of the February 15 and 22, 1994 Board meeting minutes.
2. Approval of the following Committee appointments: Sara Wenzel, Public Health Advisory Committee to a first term expiring December 31, 1995; and Kelly Frawley, Personnel Board of Appeals, to a first term expiring December 31, 1996.

March 8, 1994

3. Approval of deductible pricing agreement with Minnesota Counties Insurance Trust (MCIT) for 1994 worker's compensation insurance coverage.
4. Adoption of **Resolution No. 94-038** as follows:

Cottage Grove Ravine Watershed
District Loan (Advance)

WHEREAS, at the September 28, 1993, Washington County Board of Commissioners meeting, the Cottage Grove Ravine Watershed District requested a loan (advance) from the County in the amount of \$200,000 for operational funding.

WHEREAS, Minn. Stat. 103D.335 Subd. 17, allows the County to lend money to a Watershed District.

WHEREAS, the Washington County Auditor-Treasurer, recommended that the County loan (advance) the Cottage Grove Ravine Watershed District up to \$200,000, per MS 103D.335(2) and subd. 17, on a draw-down basis at the Interest Rates on State Court Judgments and Arbitration Awards (M.S. 549.09).

WHEREAS, the Washington County Board of Commissioners passed a motion authorizing a loan (advance) to the Cottage Grove Ravine Watershed District up to \$200,000 on a draw-down basis at the Interest Rates on State Court Judgments and Arbitration Awards (M.S. 549.09).

WHEREAS, the Cottage Grove Ravine Watershed District, on February 18, 1994, has requested an initial loan (advance) of \$30,000 in mid March, and a second advance in mid May, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the County Board Chair and the Acting Administrator be authorized to execute on behalf of the County a loan agreement with the Cottage Grove Ravine Watershed District in an amount up to \$200,000 at the Interest Rates on State Court Judgments and Arbitration Awards.

BE IT FURTHER RESOLVED, that the Controller be authorized to disburse up to \$200,000 based upon written request from the Cottage Grove Ravine Watershed District per the loan (advance) agreement.

5. Approval of **Resolution No. 94-039** as follows:

Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 2, Block 4, Lake Inverness Estates

March 8, 1994

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

Adoption of **Resolution No. 94-040** as follows:

Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 34, Block 6, Lake Inverness Estates

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

6. Approval of on-sale and Sunday intoxicating liquor license for Schones Inc. - Gausthause Bavarian, April 1, 1994 to March 31, 1995.
7. Approval of intensive community supervision grant for 1994.

March 8, 1994

8. Approval of new classification of Mapping Applications Developer with an initial banding and grading of C4-1-1 in the Surveyor's office; approval of draft job description; and authorization for reclassification of a present GIS Technician into the new classification.
9. Adoption of **Resolution No. 94-041** as follows:

Set Maximum Toll for Vehicles Using
Bridge Number 5600 (J.A.R. Bridge, Inc.)

WHEREAS, Dakota and Washington Counties have entered into an agreement for the joint administration of the combination railroad and highway bridge (Bridge No. 5600) connecting St. Paul Park in Washington County and Inver Grove Heights in Dakota County to permit J.A.R. Bridge, Inc. to operate the structure as a toll bridge; and

WHEREAS, this agreement allows the Board of Commissioners of both Counties to set by resolution the maximum toll which can be charged for motor vehicles crossing the bridge; and

WHEREAS, the bridge has a limited useful life and will have to be demolished when it is no longer in use.

NOW, THEREFORE BE IT RESOLVED, that Washington County approves the grant of authority to increase the one-way toll to \$1.00 per motor vehicle; and

BE IT FURTHER RESOLVED, that an amount approved by both Counties by which each one-way toll exceeds \$.75 be set aside in a separate escrow fund for the purpose of paying for the ultimate demolition of the structure; and

BE IT FURTHER RESOLVED, that the County Board Chairman and County Administrator are authorized to enter into any agreements required to establish, monitor, and disburse the demolition escrow fund, subject to review by the County Attorney; and

BE IT FURTHER RESOLVED, that the maximum allowable toll shall remain at \$.75 until a demolition escrow fund agreement is ratified by Washington County, Dakota County, an J.A.R. Bridge, Inc.

10. Approval to execute a lease agreement amendment for tillable farmland in Lake Elmo Park Reserve with Gordon Herman.
11. Approval of construction reimbursement agreement and maintenance agreement with City of Woodbury for installation of a traffic signal at the intersection of Valley Creek Road and Tower Drive.
12. Approval of contract with Electronic Interiors for the design of the County Board Room systems reconfiguration.

March 8, 1994

13. Adoption of **Resolution No. 94-042** as follows:

Final Payment to All Systems Roofing, for
Reroof of 1975 Edition of Government Center

WHEREAS, the Washington County Board of Commissioners, on March 8, 1993, signed a contract with All Systems Roofing, for the labor and materials to reroof the 1975 edition of the Government Center;

WHEREAS, All Systems roofing, has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that All Systems Roofing, be paid in full for the said contract work in the amount due which is attached herewith and is hereby a part of this resolution.

14. Approval to advertise for bids for seasonal requirement, plant mixed bituminous and sand materials.
15. Adoption of **Resolution No. 94-043** as follows:

Vacating Excess CSAH 12 Right of Way

WHEREAS, prior to the mid 1970's, County State Aid Highway 12 (Myrtle Street) was 66 feet wide (33 feet on either side of centerline) and was located 125-150 feet north of its present location within the East 500 feet of the NW¼ of the SE¼ of Section 29, Township 30 North, Range 20 West (City of Stillwater); and

WHEREAS, County State Aid Highway 12 was reconstructed in the mid 1970's and as part of that project the actual road was realigned to the south by 125-150 feet within the East 500 feet of the NW¼ of the SE¼ of said Section 29; and

WHEREAS, the County presently has 150-190 feet of right of way lying north of the realigned CSAH 12 centerline within the East 500 feet of said NW¼ of the SE¼; and

WHEREAS, the owner of parcel 9029-2150 (which is described as the East 500 feet of the NW¼ of the SE¼ lying north of the road) has requested that Washington County vacate excess right of way adjacent to parcel 9029-2150; and

WHEREAS, after review, the Public Works Department has concluded that 100 feet of right of way on the north side of centerline, adjacent to parcel 9029-2150, is adequate, and that the additional 50-90 feet of right of way is excess; and

WHEREAS, there is an existing driveway serving parcel 9029-2150 which is located at the east property line of parcel 9029-2150.

NOW THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners vacate, pursuant to Minnesota Statutes 163.11, Section 4, the following described excess right of way:

March 8, 1994

That part of the East 500 feet of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 29, Township 30 North, Range 20 West, Washington County, Minnesota, lying south of the northerly right of way of old County Road 12 as formerly laid out and traveled, and lying north of a line parallel with and 100 feet north of the following described centerline of County State Aid Highway 12 as now laid out and traveled:

Commencing at the northwest corner of said Southeast Quarter (SE $\frac{1}{4}$); thence South 00°59'54 West, assumed bearing, along the West line of said Southeast Quarter (SE $\frac{1}{4}$), a distance of 233.05 feet to the point of beginning of the centerline to be described; thence South 77°39'47" East a distance of 633.93 feet; thence southeasterly a distance of 485.53 feet along a tangential curve, concave to the southwest, having a radius of 1273.24 feet and a central angle of 21°50'55"; thence South 55°48'52" East a distance of 311.20 feet to its intersection with the east line of said Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) and said centerline there terminating.

BE IT FURTHER RESOLVED that access control be reserved to the County on the above described vacation, except that access be allowed for the existing driveway.

BE IT FURTHER RESOLVED that a copy of this resolution be personally served on all occupants of land through which the vacated portion of CSAH 12 passes and that a copy of this resolution be posted for at least 10 days in the Washington County Government Center and Stillwater City Hall; and after service and posting that the resolution be recorded in the Washington County Auditor-Treasurer's Office, together with proofs of service and posting.

16. Information only - Grey Cloud Island Master Plan.
17. Approval of letter to Minnesota Department of Transportation Commissioner Denn urging his support in identifying a program year for the I-494 bridge improvement project.
18. Approval to renewal office lease with the Youth Service Bureau at the Historic Courthouse.
19. Information only - Recorder fees for the month of January, 1994.

The foregoing Consent Calendar was adopted unanimously; Commissioner Hegberg absent.

ACCOUNTING AND BUDGETING

The Controller presented the County Board Chair with a Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the Fiscal Year ended December 31, 1992. He also mentioned that the County had been designated by the Internal Revenue

March 8, 1994

Service as a quality supplier of information; and that the Department of Health and Human Services has commended the County for submitting all required reports in a timely and accurate manner.

PUBLIC WORKS DEPARTMENT

The Deputy Public Works Director presented an overview of the County State Aid Highway 5 Environmental Assessment Worksheet findings.

Commissioner Abrahamson moved that no Environmental Impact Statement needs to be conducted on the County State Aid Highway 5 project. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

GENERAL ADMINISTRATION

Commissioner Engstrom moved to appoint Commissioner Hauser and Commissioner Abrahamson to participate in discussions with Dakota and Ramsey County Board members on juvenile detention needs; and that Russ Reetz, Court Services Director, also attend these discussions. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

DISCUSSION FROM THE AUDIENCE

Dean Tharp appeared before the Board regarding the Oakland Road matter. He stated he had received the response from the County Attorney's Office regarding his request that the County Board recognize Oakland Road as a private road. He stated that in order to keep Oakland Road safe, he has filed suit against May Township and will file suit against Washington County as well.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson stated he has received a letter from Mayor John Jansen of St. Croix Beach requesting the County's support in obtaining financial assistance from several local foundations for the Lake St. Croix Beach Bluffland/Shoreland Protection Project. The County Attorney's office was directed to prepare a resolution of support for next week's Board meeting.

Commissioner Abrahamson stated that he would like to discuss the Law Enforcement Center training officer position at a future Board meeting. This matter will be brought back in a workshop session for discussion in two weeks.

Commissioner Abrahamson asked that a report be given at the next Board meeting on the status of bed rental at the Law Enforcement Center.

March 8, 1994

Commissioner Abrahamson asked for an update on union negotiations. He stated he would like an executive session to discuss that matter.

Commissioner's Peterson and Engstrom updated the Board on their trip to Washington D.C. to attend the National Association of Counties legislative convention. Commissioner Peterson reported on transportation, and Commissioner Engstrom reported on the solid waste issues, flow control and designation.

Commissioner Hauser stated she received the following correspondence: Thank you from Congressman Jim Ramstad for the County's input on collection of property taxes by credit card; Invitation from the Ramsey County Board to a luncheon to discuss issues of mutual concern; and, Association of Minnesota Counties concerning National County Government Week, set for April 16-23.

BOARD CORRESPONDENCE


Board correspondence was received and placed on file.

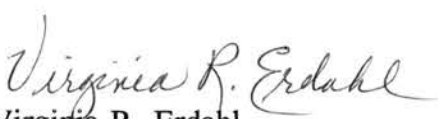
ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 9:40 a.m.

WORKSHOP WITH THE MINNESOTA ATTORNEY GENERAL'S OFFICE

The Board met in workshop session with the Minnesota Attorney General's Office to discuss legislative issue regarding municipal rubbish hauling contracts. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Engstrom, Hauser, and Peterson. Also present were Virginia Erdahl, Judy Arends, Mary McGlothlin, Richard Arney, George Kuprian, and Susan Grets, Minnesota Attorney General's Office.


Mary M. Hauser, Chairman
County Board

Attest: 
Virginia R. Erdahl
Deputy Administrator

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 15, 1994

The Washington County Board of Commissioners met in regular session at 8:30 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, and Engstrom. Absent Commissioner Hegberg. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; George Kuprian, Assistant County Attorney; Howard R. Turrentine, Assistant County Attorney; Jim Trudeau, Sheriff; Captain Don McGlothlin, Sheriff's Office; Mary McGlothlin, Health, Environment, and Land Management Director; Judy Arends, Health, Environment, and Land Management Department; Jim Schug, Community Services Director; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Engstrom, to adopt the following Consent Calendar:

1. Adoption of **Resolution No. 94-044** as follows:

Per Diem for Advisory Boards, Committees, Commissions

WHEREAS, Washington County recognizes the important contributions made by members of its advisory boards, committees and commissions; and

WHEREAS, Washington County desires to support the members of its committees for volunteering their time and efforts on the County's behalf; and

THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby sets a per diem rate of \$35.00 per meeting, payable to individuals (excluding staff) for the performance of service in any of the following boards, committees and commissions:

- Board of Adjustment and Appeals
- Community Corrections Advisory Board
- Community Social Services Advisory Committee
- Cost Effective Operations Commission
- Ground Water Advisory Committee
- Historic Courthouse Advisory Committee
- Internal Audit Advisory Committee
- Mental Health Advisory Council
- Minnesota Extension Service
- Noxious Weed Appeal Committee
- Park and Open Space Commission
- Personnel Board of Appeals
- Planning Advisory Commission
- Public Health Advisory Committee
- Regional Rail Authority Citizens Advisory Committee
- Solid Waste Advisory Commission

March 15, 1994

Space and Facilities Planning Committee

BE IT FURTHER RESOLVED, that mileage reimbursement shall be paid to the boards, committees, and commissions listed above at the same rate set for County employees.

This resolution supersedes Resolutions 80-131, 88-33, 88-120, and 91-031.

2. Approval to appoint Herbert Reckinger, Cottage Grove, to the Historic Courthouse Advisory Council to fill an unexpired term to December 31, 1994.
3. Adoption of **Resolution No. 94-045** as follows:

Gambling License Renewal for
Lions Club-Forest Lake

WHEREAS, on or about March 4, 1994, the Lions Club-Forest Lake has made a premises permit application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved are located at Old Log Cabin, 9726 Scandia Trail North, Forest Lake, in Forest Lake Township, Washington County; and

WHEREAS, Minnesota Statutes § 349.213, subd. 2, requires before the State Gambling Control Board may issue or renew a premises permit or Bingo Hall License, the County Board must by resolution approve granting of the same within 60 days of the application for issuance or renewal of the permit or license,

THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners does hereby resolve to approve the granting of a premises permit for the above-described licensee at the above-described location subject to the terms and conditions of all the Laws of the State of Minnesota, the County of Washington and Township of Forest Lake.

4. Adoption of **Resolution No. 94-046** as follows:

Gambling License Renewal for
Forest Lake Area Ducks Unlimited

WHEREAS, on or about March 7, 1994, the Forest Lake Area Ducks Unlimited has made a premises permit application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved are located at Vannelli's on the Green, 7050 North Scandia Trail, Forest Lake, in Forest Lake Township, Washington County; and

WHEREAS, Minnesota Statute §349.213, subd. 2, requires before the State Gambling Control Board may issue or renew a premises permit or

March 15, 1994

Bingo Hall License, the County Board must by resolution approve granting of the same within 60 days of the application for issuance or renewal of the permit or license.

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby resolve to approve the granting of a premises permit for the above-described licensee at the above-described location subject to the terms and conditions of all the Laws of the State of Minnesota, the County of Washington and Township of Forest Lake.

5. Approval to execute a contract with CommonHealth Clinic for provisions of maternal-child health services.
6. Approval to issue requests for proposals to community based organizations or groups to implement community health promotion projects.
7. Approval to authorize payment of \$19,305.71 to the Solid Waste Management Coordinating Board pursuant to the approved joint powers agreement.
8. Adoption of **Resolution No. 94-047** as follows:

County State Aid Highway No. 22
(CSAH 22) All Way Stop

BE IT RESOLVED, that County State Aid Highway 22, located between County State Aid Highway No. 38 and County State Aid Highway No. 19 be and hereby is designed as a "Through Highway" except as modified below; and,

BE IT FURTHER RESOLVED, that the junction with County State Aid Highway No. 22 shall stop at County State Aid Highway No. 38; and,

BE IT FURTHER RESOLVED, that the intersection of Third Street and Third Avenue shall be an all way stop; and,

BE IT FURTHER RESOLVED, that the intersection of Broadway Avenue and Third Street shall be an all way stop intersection; and,

BE IT FURTHER RESOLVED, that the intersection of Broadway Avenue and Summit Avenue shall be an all way stop intersection; and,

BE IT FURTHER RESOLVED, that the west intersection of County State Aid Highway No. 22 and County Road No. 74 shall be an all way stop intersection; and,

BE IT FURTHER RESOLVED, that the intersection of County State Aid Highway No. 22 and Hinton Avenue South shall be an all way stop; and,

BE IT FURTHER RESOLVED, that the intersection of County State Aid No. 22 and Jamaica Avenue shall be an all way stop; and,

BE IT FURTHER RESOLVED, that the intersection of County State Aid Highway No. 22 shall stop at County State Aid Highway No. 19; and,

March 15, 1994

BE IT FURTHER RESOLVED, that the County Engineer is authorized and directed to erect and maintain the appropriate signs.

9. Approval to change calendar year for sale of vehicle park permits from November 1 through December 31 of the following year to October 1 through December 31 of the following year.
10. Adoption of **Resolution No. 94-048** as follows:

Support for City of Lake St. Croix Beach Project

WHEREAS, the City of Lake St. Croix Beach is a municipality located in Washington County, Minnesota; and

WHEREAS, the floods of 1993 did significant erosion damage in the City to a 40 foot high bluff over, and a 1,200 foot earthen dike along, the St. Croix River; and

WHEREAS, the damage covers virtually the entire boundary of the City of St. Croix Beach; and

WHEREAS, homes, a road, utilities and a historic church located on the bluff are in jeopardy because of continued erosion; and

WHEREAS, an earthen dike is necessary to protect residences in the floodplain; and

WHEREAS, the City has been able to repair some of the damage but more work is required to be done; and

WHEREAS, the City has developed a plan to further the repair; and

WHEREAS, the City is applying to several local foundations in search of financial assistance for this project; and

WHEREAS, the City has requested from the County Board letters in support of its quest for financial assistance.

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners supports the plan developed by the City of Lake St. Croix Beach in making its repairs and supports its endeavors in seeking financial assistance for the project.

BE IT FURTHER RESOLVED, that the Chairperson of the Washington County Board of Commissioners is authorized to sign letters on behalf of the County Board in support of the City's applications to various local foundations for financial assistance for the project.

The foregoing Consent Calendar was adopted unanimously; Commissioner Hegberg absent.

SHERIFF'S OFFICE

The Sheriff updated the Board on 1994 bed rental at the Law Enforcement Center. The Board discussed options for housing the work release prisoners in other facilities which would free up those beds for

March 15, 1994

rental to other counties and the state. A Board workshop will be held on April 12 to discuss the cost to retrofit the current work release area to house regular prisoners; discussion on training procedures at the LEC; and an update on the juvenile detention situation.

PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT
Admendments to the Washington County Solid Waste Management Ordinance #105

The Board Chairman presented an overview of today's public hearing to consider amendments to the Washington County Solid Waste Management Ordinance, #105.

The Secretary to the Board read into the record the notice of intent to amend said ordinance. The Board Chairman opened the public hearing for comments at 9:00 a.m.

The Health, Environment, and Land Management Program Supervisor presented an overview of the proposed amendments to the Solid Waste Management Ordinance #105.

The Board Chairman asked for comments from the audience.

Tom Spence, Attorney representing waste haulers in Washington County, requested that the Board delay action on this item until decisions have been reached in cases pending in Federal Court regarding the Hennepin County facility, and a similar case in the U.S. Supreme Court.

Ronald Roth, President of Waste Control Haulers in Washington County, stated that a discussion was held with the Department of Health, Environment, and Land Management on March 1. He stated that most of the haulers at that meeting were opposed to the ordinance in total. He also stated that most of the discussion at that meeting dealt with the service fees proposed by the Resource Recovery Facility.

The Board Chairman asked for further comments; none were heard. The Board Secretary stated that all documentary evidence has been received and made a part of this record.

The Board Chairman closed the public hearing at 9:10 a.m. The Board discussed this matter. Commissioner Abrahamson moved to table the matter of amendments to the Washington County Solid Waste Management Ordinance #105 until March 22. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

ADAM OUTDOOR ADVERTISING

Robert Brill, Attorney for Adam Outdoor Advertising, requested that the County Board instruct the Washington County Attorney and the Environment and Land Use Division not to enforce the order

March 15, 1994

causing the removal of the advertising billboard located at I-94 and CSAH 21, until such time the billboard violates the comprehensive plan as modified.

Commissioner Engstrom moved to deny the request for stay of proceedings by Adam Outdoor Advertising. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

DISCUSSION FROM THE AUDIENCE

The Board Chairman asked for comments from the audience; none were heard.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

EXECUTIVE (CLOSED) SESSION

The Board met in Executive (Closed) Session to discuss negotiation strategy for 1994-1995 bargaining agreements; the time being 12:20 p.m. Present for the Executive Session were Commissioners Abrahamson, Peterson, Engstrom and Hauser. Staff present were Virginia Erdahl, Richard Arney, Judy Honmyhr, Frank Madden, Labor Negotiator, and Patricia Raddatz.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Abrahamson, and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 1:30 p.m.

BOARD WORKSHOP WITH THE AUDITOR-TREASURER AND COUNTY ASSESSOR

The Board met in workshop session to discuss abatements and their impact on County revenue. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Abrahamson, Peterson, and Hauser. Also present were Virginia Erdahl, Richard Arney, Richard Stafford, Joann Helm, Scott Hovet, Denny Montague, and Brendan McLaughlin.

Attest:

Virginia R. Erdahl
Virginia R. Erdahl
Deputy Administrator

Mary M. Hauser
Mary M. Hauser, Chairman
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 22, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; George Kuprian, Assistant County Attorney; Brendan McLaughlin, Budget Analyst; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Russ Reetz, Court Services Director; John Devine, Controller; Rick Backman, Community Services Division Manager; Judy Arends, Health, Environment, and Land Management Department; Jim Schug, Community Services Director; Jerry Turnquist, Resource Recovery Project Manager; and Judy Honmyhr, Human Resources Director.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Hegberg, to adopt the following Consent Calendar:

1. Approval of the March 8, 1994, Board meeting minutes.
2. Approval of on-sale and Sunday intoxicating liquor license for Applewood Hills, Inc., April 1, 1994 to March 31, 1995.
3. Approval of on and off sale non-intoxicating malt liquor license for Veterans Rest Camp, April 1, 1994 to March 31, 1995.
4. Approval of on-sale non-intoxicating malt liquor license for Sawmill Golf Club, April 1, 1994 to March 31, 1995.
5. Approval of on-sale and Sunday intoxicating liquor license for Afton Alps, Inc., April 1, 1994 to March 31, 1995.
6. Approval of on and off sale non-intoxicating malt liquor license for Big T. Inc., April 1, 1994 to March 31, 1995.
7. Approval of on-sale and Sunday intoxicating liquor, off-sale intoxicating liquor, and off-sale non-intoxicating malt liquor licenses for Meister's Bar & Grill, April 1, 1994 to March 31, 1995.
8. Approval of on-sale and Sunday intoxicating liquor and off-sale non-intoxicating malt liquor licenses for Willow Point Supper Club, April 1, 1994 to March 31, 1995.

March 22, 1994

9. Adoption of **Resolution No. 94-049** as follows:

Repurchase of Tax Forfeited Land by
Manley A.N. Goldberg, Former Owner

WHEREAS, Manley A.N. Goldberg the Former Owner, has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

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;and WHEREAS, said applicant has set forth in his application that applicant's name was not assigned to the tax parcel in the county records. Applicant did not receive tax notices, and the parcel went into forfeiture. Hardship resulted from the forfeiture because due to clerical error, Applicant does not have title to the entire property subject to the Agreement, all the property upon which Applicant foreclosed, and which is integral to Applicant's ownership of contiguous property. That the repurchase of said parcel will return the land to tax rolls and its rightful owner.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, That the application of Manley A.N. Goldberg for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

10. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
HMSTD	19021-3050	Miller, Vivian	\$1,233.88
HMSTD	19026-0740	Slomkowski, Richard	2,297.96
HMSTD	19026-0750	Slomkowski, Richard	122.56
HMSTD	27241-2800	Smith, Janis	702.86
HMSTD	58401-2300	Ventrone, Martin & Rosemarie	790.72
HMSTD	28491-3600	Aarthun, Linda	1,223.24
HMSTD	32455-2705	Flores, Cynthia	822.34
HMSTD	35118-2025	Biros, James	99.98
HMSTD	93500-2075	Dauffenbach, Keith & Lynn	98.62
HMSTD	87197-2775	Schufman, Scott	247.46
HMSTD	87572-2100	Albrecht, Gary & Kathryn	433.38
HMSTD	57877-3575	Peterson, Wendy	716.44
HMSTD	58128-3550	Horwath, George	591.80
HMSTD	58194-2200	Sullivan, William & Feay, Rene	16.02

March 22, 1994

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
HMSTD	67760-4600	Levers, Jerry	\$1,097.18
HMSTD	9032-3025	Howe, Gary	1,228.76
HMSTD	11080-4280	McKenna, Elsie	822.16
HMSTD	11080-4280	McKenna, Elsie	1,071.10
HMSTD	11221-5650	Buck, James	636.06
HMSTD	73100-2000	Sims, Sylvester	1,321.64
HMSTD	73374-2575	LeClaire, William & Sally	761.84
HMSTD	73425-2050	Hardy, Roxanne M	1,168.90
HMSTD	73622-2475	Spencer, Michele & David	71.62
HMSTD	73623-2400	Fleming, Peter & Barbara	2,139.62
HMSTD	73624-2650	Elsbernd, Mark & Cheryl	286.50
HMSTD	73658-2850	Miller, Scott	1,389.38
HMSTD	79014-2075	Schaffer, Michele & Douglas	45.92
HMSTD	81010-0320	Snell, Maurice & Virginia	834.42
HMSTD	81018-1180	Linz, Christopher & Jessica	1,065.94
HMSTD	81592-3500	Harley, James J III & Lori	1,279.50
HMSTD	81027-2950	Husfeldt, Brian	162.92
HMSTD	81027-2950	Husfeldt, Brian	193.44
HMSTD	81593-2100	Tkach, Timothy & Barbara	383.00
HMSTD	81593-2200	Gerrety, Edward	1,071.16
HMSTD	81721-3100	Spence, Timothy & Marie	164.16
HMSTD	81770-2100	Friberg, Loren & Karen	1,051.22
HMSTD	83070-2025	Femrite, Timothy & Rebekah	719.92
HMSTD	83320-2400	Simone, Livio & Lise	2,284.32
HMSTD	83305-2800	Eiseman, Fred	1,389.04
HMSTD	83305-2950	Eiseman, Fred	17.32
HMSTD	83305-2850	Eiseman, Fred	17.32
HMSTD	83305-2900	Eiseman, Fred	17.32
HMSTD	83305-2750	Eiseman, Fred	34.62
HMSTD	89031-4604	Schultz, Kimberly	1,248.80
HMSTD	89090-2025	Foss, Timothy	1,192.86
HMSTD	89090-2050	Holmgren, Craig & Sandra	1,265.14
HMSTD	91004-2745	Schlegel, Randy & Annette	1,325.62
HMSTD	91100-5450	Erickson, Marvin & Gladys	2.40
HMSTD	91100-5500	Erickson, Marvin & Gladys	2.40
HMSTD	91295-2500	Sandgren, Marvin	1,121.92
HMSTD	95417-2200	Johnson, Jeffrey & Cathi	979.30
HMSTD	95660-2700	Janssen, Larry & Peggy	342.88
HMSTD	97019-2425	Grobner, Richard	79.96
HMSTD	73471-2425	McCann, Michael & Diane	1,388.32
HMSTD	87453-2450	Strewger, Joyce & Gerald	837.74
HMSTD	87570-2900	Strewger, Joyce & Gerald	751.78
HMSTD	27012-2260	Kohls, Wayne	917.76

11. Approval of agreement between Washington County Community Services and Washington County Court Administration for child support administrative services.
12. Approval of contract amendment with South Communities Counseling Service to provide counseling seminars for parents and children in South Washington County.

March 22, 1994

13. Approval to appoint Theresa Stewart to the Community Social Services Advisory Committee to a first term expiring December 31, 1996.
14. Adoption of **Resolution No. 94-050** as follows:

Biannual Plan for Economic Dislocation
Workers Assistance Act for the Period
July 1, 1994 Through June 30, 1996

WHEREAS, in 1989, the State designated Ramsey and Washington Counties as one Substate Service Area (SSA #11) for the purpose of receiving funds and operating a program under the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act; and

WHEREAS, Ramsey and Washington Counties agreed that Ramsey County would serve as the Substate Grantee and would operate the program for both counties; and

WHEREAS, the State through its Department of Jobs and Training has designated Ramsey County as the Administrative agency for the purpose of delivering dislocated worker services under EDWAA for program years 1994 and 1995; and

WHEREAS, the State has made an estimated allocation of \$292,734 in Federal EDWAA funds and \$341,090 in State Dislocated Worker funds to the Ramsey-Washington Substate Service Area for Program Year 1994; and

WHEREAS, the SSA has agreed to subcontract a portion of the funds to the North St. Paul Job Service Office and Washington County;

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners in conjunction with the Ramsey County Board of Commissioners authorizes the acceptance and expenditure of \$292,734 of Economic Dislocation Worker Adjustment Assistance Act funds and \$341,090 of State Dislocated Worker funds; and

BE IT FURTHER RESOLVED, the Washington County Board authorizes the Chairman and Chief Clerk of Ramsey County to sign the PY 94-95 Worker Adjustment Services Plan; and

BE IT FURTHER RESOLVED, the Washington County Board authorizes the Ramsey County manager to negotiate and execute subgrant agreements and subsequent modifications for provisions of services under the plan.

15. Approval to accept Minnesota Youth Program allocation in the amount of \$48,706.
16. Adoption of **Resolution No. 94-051** as follows:

Qualified Allocation Plan for Low
Income Housing Tax Credits

March 22, 1994

WHEREAS, Congress has permanently extended the Low Income Housing Tax Credit Program by enactment of the Revenue Reconciliation Act of 1993; and

WHEREAS, Treasury Regulations (the "Regulations") which would require allocators of low income housing credits, including The Washington County Housing and Redevelopment Authority (the "Authority") which allocates such credits on behalf of Washington County (the "County"), to monitor compliance by projects to which it has allocated low income housing tax credits with the requirements of Section 42 of the Internal Revenue Code of 1986, as amended, have been published; and

WHEREAS, the Regulations, as well as certain revisions to state law, require modifications to the Authority's previously adopted Low Income Housing Tax Credit Qualified Allocation Plan (the "Plan"); and

WHEREAS, the Authority has approved the Plan, as amended, in substantially the form attached hereto as Exhibit A following a public hearing regarding the revision of the Plan for which not less than 14 days notice was published in a newspaper of general circulation in the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washington County that the amended Low Income Housing Tax Credit Qualified Allocation Plan previously approved by the Authority and attached hereto as Exhibit A is hereby adopted and approved.

17. Approval to designate the Utility Worker I classification in the job series as a trainee position and to approve a promotional program from Utility Worker I to Utility Worker II after a training period of up to 18 months; promotional movements to be at the discretion of the department head.
18. Approval to proceed to arbitration with Teamsters and AFSCME regarding the Christmas Eve holiday; further authorization for expenditure up to \$7,000 for the cost of the arbitration (consultant and arbitrator fees).
19. Approval of County paid medical/hospitalization insurance premiums for retiring employee Phyllis J. Sellers, Central Services Department, in accordance with Section 11 of the Personnel Rules and Regulations.
20. Approval of severance payment for Russell W. Anderson, H.E.L.M. in the amount of \$4,250; and authorization to amend 1994 salary budget, service 1601, object 6114 by that same amount.
21. Approval of County paid medical/hospitalization insurance premiums for retiring employee Russell W. Anderson, H.E.L.M. in accordance with Section 11 of the Personnel Rules and Regulations.

March 22, 1994

22. Approval of County paid medical/hospitalization insurance premiums for retiring employee David L. Asmus, Public Works Department, in accordance with Section 11 of the Personnel Rules and Regulations.
23. Approval of reclassification of the position of Clerk Typist to the classification of Secretary in Community Services effective January 31, 1994.
24. Approval of reclassification of the position of Clerk Typist to the classification of Clerk II in Recorder's Office effective March 28, 1994.
25. Approval to advertise for bituminous overlays on CSAH 21, 40, 42, 45, and CR 15A, 55, and 68.
26. Adoption of **Resolution No. 94-052** as follows:

ISTEA Funding for Multi-Use Trail Along
Burlington Northern Rail Corridor from
Hugo to North Branch, Chisago County

WHEREAS, Washington County has recognized the need for a multi-use trail along the Trunk Highway 61 corridor in its current Comprehensive Plan; and

WHEREAS, the Washington County Parks and Linear Space Plan also recognizes the value in a multi-use trail along Trunk Highway 61; and

WHEREAS, Washington County has recently entered into a Purchase Agreement for the acquisition of the abandoned Burlington Northern railroad right of way from Hugo to the north County line; and

WHEREAS, Washington County Public Works Department has prepared an application for ISTEA funding of construction of this multi-use trail; and

WHEREAS, Chisago County has also prepared an application for funding of a trail along the same abandoned railroad corridor in Chisago County; and

WHEREAS, the construction of this trail from the City of Hugo to the City of North Branch would provide a significant and much needed regional trail connection;

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners supports the proposed multi-use trail project in Washington and Chisago County;

AND BE IT FURTHER RESOLVED, that this project is consistent with Washington County Comprehensive Plans, Goals, and Objectives.

March 22, 1994

Adoption of **Resolution No. 94-053** as follows:

ISTEA Funding for Reconstruction of
CSAH 19 from Hudson Road to 1/2 Mile
South of Valley Creek Road

WHEREAS, County State Aid Highway 19 is an important "A" Minor Arterial in Washington County; and

WHEREAS, the Washington County Public Works Department has prepared an application for ISTEA funding of reconstruction of County State Aid Highway 19 from Hudson Road to 1/2 mile south of Valley Creek Road in Federal Fiscal Year 1997; and

WHEREAS, the application process requires projects be identified in the local Capital Improvement Program or Comprehensive Plan; and

WHEREAS, the current Washington County Comprehensive Plan is dated 1983; and

WHEREAS, Washington County is working on a new Comprehensive Plan, including a Transportation Plan, that will not be complete until 1995; and

WHEREAS, the Current Capital Improvement Program identifies funding for projects in 1998 resulting from the updated Transportation Plan; and

WHEREAS, the County State Aid Highway 19 project has been identified in draft documents as a needed project; and

WHEREAS, the timing of this ISTEA project solicitation does not allow the County to revise its Comprehensive Plan or Capital Improvement Plan.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners recognizes the proposed County State Aid Highway 19 project as implementing a solution to a County transportation problem; and

BE IT FURTHER RESOLVED, that this project will be supported by funding at the local level share if ISTEA funds are provided to Washington County.

27. Approval of \$36,300 from fund balance to modify three court rooms to comply with ADA rules and regulations.
28. Approval of lease with Sheri S. and Douglas J. Studanski for property located at 12020 16th Street North in Marine.
29. Information only - Recorder fees for the month of February, 1994.
30. Adoption of **Resolution No. 94-054** as follows:

March 22, 1994

Recognition of Public Safety Dispatchers in
Washington County in Honor of National Public
Safety Telecommunications Week

WHEREAS, the dedicated public safety telecommunications personnel daily serve the citizens of Washington County by answering their telephone calls for police, fire, and emergency medical services and dispatching the appropriate assistance as quickly as possible; and

WHEREAS, the critical functions performed by professional public safety telecommunications personnel impact all aspects of public safety and many other operations performed by state, county, and local government agencies; and

WHEREAS, Professional public safety telecommunications personnel work to improve the emergency response capabilities in the County through their participation in training programs and other activities that more efficient and responsive to the needs of the public safety organizations in the County; and

WHEREAS, the Washington County Sheriff's Office and the Cottage Grove Department of Public Safety provide 24 hour dispatching, and the Forest Lake, Oak Park Heights, Oakdale, Stillwater, and Woodbury Police Departments provide day time dispatching for their communities;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby proclaim the week beginning April 10, 1994 as Public Safety Telecommunications Week in Washington County and extends its appreciation and thanks to the dedicated Public Safety Telecommunications Personnel for the vital contribution they make to the safety and well being of our citizens and public safety providers.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT
Amendments to the Washington County Solid Waste Management Ordinance #105

The Board Chairman presented an overview of today's public hearing to consider amendments to the Washington County Solid Waste Management Ordinance, #105.

The Secretary to the Board read into the record the notice of intent to amend said ordinance. The Board Chairman opened the public hearing for comments at 9:05 a.m.

The Health, Environment, and Land Management Program Supervisor presented an overview of the proposed amendments to the Solid Waste Management Ordinance #105.

The Board Chairman asked for comments from the audience.

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Tom Spence, Attorney representing certain waste haulers in Washington County, questioned Section 13.3.3 which states that the service charge can be adjusted by resolution. He stated that according to Minnesota Statute 400.08 that any adjustment rates have to be done by ordinance not by resolution. He also asked whether the service charge would be subject to sales tax.

The Assistant County Attorney stated that Section 13.3.3 says service charges may be revised by resolution. He indicated that it's just a minor point right now and feels that the Courts wouldn't strike the whole ordinance by that one provision. The County Board can still revise the rates through an ordinance, it never has to use this particular provision. It just gives the Board a little leeway down the road. As to the service charge being subject to sales tax, he indicated that the Department of Revenue is sending them mixed messages on whether it is or isn't.

The Resource Recovery Project Manager indicated that the last contact he had with the Department of Revenue was that the service charge would be subject to sales tax. He has asked for that ruling in writing but has not received anything as yet.

Commissioner Hegberg gave a brief history on how the resource recovery facility was established and how this situation arose.

The Board Chairman asked for further comments; none were heard. The Board Secretary stated that all documentary evidence has been received and made a part of this record.

The Board Chairman closed the public hearing at 9:28 a.m.

Commissioner Hegberg moved to adopt **Resolution No. 94-055** as follows:

Amendment to the Washington County
Solid Waste Ordinance #105

WHEREAS, the Waste Management Act, which imposes various mandates upon counties, was created out of concern for the protection of water, air and land resources, as well as protection of public health; and

WHEREAS, pursuant to State law Washington County has adopted and received Metropolitan Council approval for its Solid Waste Master Plan, which acknowledges the State's preferential order for waste management, and which plans for the implementation of an integrated waste management system in order to protect public health and the environment; and

WHEREAS, in order to discharge the mandate imposed upon counties by the Minnesota Waste Management Act to manage mixed municipal solid waste in a more environmentally sound manner than land disposal, Ramsey and Washington Counties contracted with Northern States Power Company (NSP) to design, construct, own and operate the Resource Recovery Facility at Newport, Minnesota; and

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WHEREAS, the Counties are required by the Service Agreement with NSP to pay for those services; and

WHEREAS, the Counties set the tipping fee for waste delivered to the Facility; and

WHEREAS, licensed Collectors of solid waste from both Counties requested the County Boards to reduce the tipping fee at the Facility; and

WHEREAS, both County Boards, in response to this request, reduced the tipping fee from \$66.79 per ton to \$50.00 per ton effective January 1, 1994, as a way to continue to discharge the Minnesota Waste Management Act mandate to manage mixed municipal solid waste in an environmentally sound manner; and

WHEREAS, this tipping fee reduction will result in a shortfall of revenue to the Counties which is a portion of the cost of solid waste management; and

WHEREAS, the Washington County Board of Commissioners has determined that a service charge collected by licensed waste collectors will be used to collect funds to pay for services related to the Resource Recovery Facility; and

WHEREAS, the Washington County Board of Commissioners adopted the Washington County Solid Waste Ordinance on November 24, 1992; and

WHEREAS, 1984 Minnesota Laws, Chapter 644, Section 80, Minnesota Statutes Sc400.08 and Sc473.811 Subd 3a, authorize Washington County to create a service charge for waste management services; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners adopts the attached amendments to the Washington County Solid Waste Ordinance to be effective April 1, 1994, said amendments authorizing the Board to establish the rates, charges and amounts of the Waste Management Service Charge and the mechanism of collection and changing designation to apply only to waste deposited within the State.

Washington County
Solid Waste Management
Ordinance #105 Amendment

WASHINGTON COUNTY
ORDINANCE #110

AN ORDINANCE AMENDING THE WASHINGTON COUNTY SOLID WASTE MANAGEMENT ORDINANCE #105.

The Board of Commissioners of Washington County ordains:

SECTION 1:

The Washington County Solid Waste Management Ordinance #105 is hereby amended as follows:

Delete Section 10.1 in its entirety and replace with the following language:

- 10.1 Designation. All acceptable waste generated within the County and deposited within the State of Minnesota must be delivered to the designated facility, and may not be delivered to any other solid waste management facility except as provided in subsection 10.4 and 10.7 herein. The County may from time to

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time designate additional solid waste management facilities. This provision is binding on all persons in the County, including without limitation, political subdivisions, solid waste management operations, solid waste generators, and solid waste haulers.

Delete Section 10.3 in its entirety.

- 10.3 Diversion. If the designated facility is declared by the Director of the Department or the Director's designee to be inoperative, the County may institute diversion. Diversion is the procedure wherein all acceptable waste must be delivered to the designated facility, pass over the scale, and then be diverted to another licensed solid waste management site or facility. Diversion does not mean interruption of designation as set forth in Section 10.4.

Delete Section 13 in its entirety and replace with new Section 13.

13.0 SERVICE CHARGE

- 13.1 Purpose and Authority: Pursuant to Laws 1984, Chapter 644, Section 80, and Minn. Stat. Sections 400.03, 473.811, Subd. 3A, the County hereby imposes on all owners, lessees or occupants of property, including properties owned, leased or used by the State or a political subdivision of the State a service charge for solid waste management services provided to their properties by the County or by those under contract with the County.

- 13.2 Definitions: For the purpose of this section, the terms used herein shall have the following meaning unless the context clearly indicates otherwise.

- 13.2.1 Licensed Collector; A person or other legal entity licensed by the County pursuant to Minn. Stat. Section 115A.93 to collect mixed municipal solid waste.

- 13.2.2 Residential Generator:

- a. a person who resides in a single residence; or
- b. a person residing in a building or at a site containing multiple residences, including a townhome or mobile home park, where each resident either has separate trash pickup, or is separately assessed for such service. Each dwelling unit will be considered a residential generator if there is a separate waste collection for each resident, even if the resident pays the owner or association a monthly maintenance fee which includes the expense of waste collection, and the owner or association pays the waste collector for waste collection in one lump sum.

- 13.2.3 Non-residential Generator:

- a. An industry, business, including a home-operated business, church, nursing home, nonprofit organization, schools and other commercial accounts; or
- b. An owner of a building or site containing multiple residences, including a townhome or mobile home park, where one or more waste containers with a capacity of at least one (1) cubic yard is used, and no resident is separately assessed for such service.

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- 13.3 Rates and Charges: Rates and charges imposed may take into account the character, kind and quality of the service and of the solid waste; the method of disposition including but not limited to activities such as recycling, composting, co-composting, resource recovery, the number of people served at each place of collection, and all other factors that enter into the cost of service, including but not limited to depreciation and payment of principal and interest on money borrowed by the County for the acquisition or betterment of solid waste facilities, the establishment of a reserve fund for payments of a fee to the Facility vendor for services to be provided at the Facility, and administrative costs associated with providing waste management services to County residents; and specifically may take into account as an additional cost of service, the amount of waste estimated to be generated by different classifications of solid waste generators, as determined by the County.
- 13.3.1 The rate of the solid waste management service charge for Residential Generators shall be \$1.60 per month.
- 13.3.2 The rate of the solid waste management service charge for Non-residential Generators shall be volume based and be charged in the following manner:
- a. If the Non-residential Waste Generator purchases disposal capacity from a Licensed Hauler, the Generator shall be charged for disposal capacity purchased at the rate of \$0.80 per cubic yard of purchased capacity if the purchased disposal capacity is of the type that is not able to compact waste and \$2.40 per cubic yard of purchased capacity if the purchased disposal capacity is of the type that is able to compact waste.
 - b. If the Non-residential Waste Generator does not purchase disposal capacity from a Licensed Collector, the Generator shall be charged an equivalent of \$0.80 per cubic yard of waste generated.
- 13.3.3 Revision and Collection: When deemed advisable, the County Board may by resolution revise the rates and charges of the solid waste management service charge promulgated herein.
- 13.4 Collection.
- 13.4.1 As a condition of license issued under Minn. Stat. Section 115A.93, a Licensed Collector shall collect from the solid waste generators within the County and serviced by the Licensed Collector the service charges established under this section.
- 13.4.1.1 The collection shall be made at the time of billing and remitted to the County in the following manner:
- 13.4.1.2 The waste management service charge collected shall be remitted no later than the twentieth (20th) day of each month following collection, on a form and in a manner to be determined by the Ramsey/Washington County Resource Recovery Project Manager to:
- The Ramsey Washington County Resource Recovery Project
Suite C
6989 N. 55th Street
Oakdale, MN 55128
- 13.4.1.3 If a generator does not pay the waste management service charge to the Licensed Collector, the Licensed Collector shall not be obliged to remit

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the waste management service charge to the County. It shall be presumed that the Licensed Collector has collected the fee from the generator unless the Licensed Collector states in writing the generator's name, address, the time period and amount of waste management service charge billed by January 20, 1995.

- 13.4.1.4 In the event that a generator pays a Licensed Collector only part of the generator's bill for waste management services, the waste management service charge shall be deemed to be paid to the extent that it is equal to the proportion of the bill paid by the generator. That amount shall be remitted to the County as partial payment of the waste management service charge by January 20, 1995 at which time the Licensed Collector shall state in writing that the generator did not fully pay the waste management service charge and provide in writing the generator's name, address, the time period and amount of waste management service charge billed and the amount of waste management service charge paid by the generator.
- 13.4.1.5 No later than July 20, 1994 all Licensed Collectors shall report to the Resource Recovery Project Manager, on a form and in a manner to be determined by the Project, summary information regarding generators that have not paid the waste management service charge, or have made partial payment of the waste management service charge. The information shall include the number of generators that have been billed the waste management service charge, the number of generators that have made partial payment of the waste management service charge, and the number of generators that have not paid the waste management service charge.
- 13.4.1.6 The Licensed Collector's records may be audited to the extent allowed by Minn. Stat. Sections 400.08 and 115A.93.
- 13.4.1.7 A failure of a Licensed Collector to make a good faith attempt to collect the service charge shall be in violation of a condition of licensing and subject to the sanctions found in the Washington County Administrative Ordinance.
- 13.4.2 Service charges may be billed directly to every owner of real property through the County property tax statements as a separate item and shall be due, payable and collected in the same manner as real property taxes subject to the same penalties and interest as overdue real property taxes. In such instances, no charge shall become payable in any year unless first certified by the County Board to the County Auditor in the year prior to its being payable.
- 13.4.3 Solid waste generators not using Licensed Collectors to dispose of their waste may be billed directly by the County.
- 13.4.4 An owner occupant or lessee of property may be billed directly by the County.
- 13.4.5 In cities with organized collection, the Licensed Collector is responsible for remitting the waste management service charge if the Licensed Collector bills the generators for service. If the City bills the generators for service, the County and the Ramsey/Washington County Resource Recovery Project will develop specific procedures for collecting the waste management service charge in collaboration with the City.

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- 13.4.6 The County may use any other manner of billing or collection allowed by law.

13.5 Unpaid Charges.

- 13.5.1 Taxable Properties: On or before October 15 in each year, the County Board shall certify to the County Auditor all unpaid outstanding charges for services hereunder, and a statement of the description of the lands which were serviced and against the charges arose. It shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments with interest of six percent upon the tax rolls of the County of the taxes of the year in which the assessment is filed.

For each year ending October 15 the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the state. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the state.

- 13.5.2 Tax-Exempt Properties: Unpaid charges may be collected as otherwise provided in Section 13 of this ordinance.

- 13.5.3 Civil Action: In addition to each and every other remedy available to the County, unpaid solid waste management charges, penalties and interest may be recovered in a civil action against a property owner, lessee or occupant and/or licensed collector.

- 13.5.4 Licensed Collector: In addition to any other civil action available to the County, any Licensed Collector failing to remit to the County service charges collected shall be in violation of a condition of licensing and subject to the sanctions found in the Washington County Administrative Ordinance.

13.6 Administrative Appeal

- 13.6.1 A person assessed or a Licensed Collector required to collect a service charge may appeal the amount of the charge billed or required to be collected to the Department by requesting in writing an adjustment to the charge. If the Department denies the request for adjustment, the person or Licensed Collector may appeal the decision to the County Board.

- 13.7 Effective Date: The rates and manner of collection established herein shall be effective on April 1, 1994.

SECTION 2:

The Director of Health, Environment and Land Management Department is hereby directed to change the Washington County Solid Waste Management Ordinance #105 in accordance with the foregoing instrument.

SECTION 3:

Effective Date. This Ordinance shall be and is hereby declared to be in full force and effect from and after its passage and publication according to law.

Passed by the Board of Commissioners of Washington County, Minnesota this 22nd day of March, 1994.

March 22, 1994

Commissioner Peterson seconded the motion, and it was adopted with the vote as follows: Yes, Commissioners Peterson, Hauser, and Hegberg; No, Commissioners Abrahamson and Engstrom.

DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT

Commissioner Hegberg moved to approve an amendment to the lease agreement between the City of Oakdale and Washington County to include collection of Very Small Quantity Generator (VSQG) hazardous waste. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Hegberg moved to approve an agreement between Washington County and Aptus Environmental Services for a license to operate a Very Small Quantity Generator (VSQG) collection at the Household Hazardous Waste Facility. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Hegberg moved to adopt **Resolution No. 94-056** as follows:

1994 Hazardous Waste Fee Schedule

WHEREAS, the Washington County Department of Health, Environment & Land Management provides services to the community in the form of licensing and permits, professional consultation and direct services; and

WHEREAS, Minnesota Statutes and adopted Washington County Ordinances allow for the collection of fees for services delivered; and

WHEREAS, the Department of Health, Environment & Land Management has prepared a fee schedule for the year 1994 for a Very Small Quantity Hazardous Waste Generator Collection Site consistent with Board Policy.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby adopted the 1994 fee schedule for a Very Small Quantity Hazardous Waste Generator Collection Site:

1994 Very Small Quantity Hazardous
Waste Generator Collection Site Fee Schedule

License application review fee	\$100.00
Annual license fee for a commercial VSQG collection site	\$500.00

Commissioner Engstrom seconded the motion and it was adopted unanimously.

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COURT SERVICES DEPARTMENT

Commissioner Abrahamson moved to authorize the Department of Court Services to apply for State funds in the amount of \$62,800 for a repeat DWI offender program, and, if awarded, to implement the program. Commissioner Engstrom seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom requested the County Attorney to investigate the jail population and why there is such a huge increase in inmates.

Commissioner Abrahamson updated the Board on the joint meeting that Commissioner Hauser and he attended with Dakota and Ramsey Counties to discuss a juvenile detention center.

Commissioner Hauser stated she attended a ceremony for Expanded Life Choices a volunteer program for women who have been released from prison. This is a 20 week course that helps women develop their own self-esteem and establishes support groups amongst these women in a positive way.

Board Correspondence

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board Commissioner Peterson moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously. The Board meeting adjourned at 10:12 a.m.

BOARD WORKSHOP WITH HUMAN RESOURCES AND COUNTY ATTORNEY'S OFFICE

The Board met in workshop session with the Human Resources Department and the County Attorney's Office to continue discussion of personnel liability. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Hauser, Abrahamson, Peterson, and Hegberg. Staff present were Virginia Erdahl, Richard Arney, Richard Hodsdon, Judy Honmyhr, Sue Fennern, and Shari Bowers.

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BOARD WORKSHOP WITH PERSONNEL DECISIONS, INC.

The Board met in workshop session with Personnel Decisions, Inc. to discuss selection of finalists for County Administrator. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Hauser, Abrahamson, Hegberg, and Peterson. Staff present were Judy Honmyhr and Richard Hodsdon.

Attest:


Virginia R. Erdahl

Deputy Administrator


Mary M. Hauser, Chairman
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 29, 1994**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Russ Reetz, Court Services Director; Mary McGlothlin, Public Health Director; John Devine, Controller; and, Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Peterson, to adopt the following Consent Calendar:

1. Approval of the March 15, 1994, Board meeting minutes.
2. Approval to appoint Sandra Swenson, Forest Lake, to the Community Corrections Advisory Committee to a first term expiring December 31, 1995.
3. Approval of off-sale intoxicating liquor license for A & L Enterprises DBA Scandia Olde Towne Liquor, April 1, 1994 to March 31, 1995.
4. Approval of on-sale and Sunday intoxicating liquor license for Old Log Cabin, Inc., April 1, 1994 to March 31, 1995.
5. Approval of on-sale and Sunday intoxicating liquor license for Trail's End, Inc., April 1, 1994 to March 31, 1995.
6. Approval of Juvenile Restitution Grant Program from January 1, 1994 through June 30, 1995.

The foregoing Consent Calendar was adopted unanimously.

GENERAL ADMINISTRATION

Commissioner Engstrom moved to adopt **Resolution No. 94-057** as follows:

Application for the Metropolitan Counties
to be Designated as the Metropolitan
Area Agency on Aging

WHEREAS, the Minnesota Board on Aging has the responsibility for designation of the area agencies on aging in the State of Minnesota; and

March 29, 1994

WHEREAS, the Metropolitan Council which is currently designated as the Area Agency on Aging in the metropolitan area, has provided notice of its intent to withdraw as the Area Agency on Aging, effective June 1, 1994; and

WHEREAS, the Minnesota Board of Aging has published its notice of intent to designate a new Area Agency on Aging to serve the metropolitan area; and

WHEREAS, any office or agency designated by the chief elected officials of a combination of units of general purpose local government is eligible for designation as an Area Agency on Aging; and

WHEREAS, consolidating the comprehensive planning and service funding functions of the area agency on aging with the statutory responsibilities of county government for community assessment, policy development and assurance of service delivery will reduce duplicative service planning, funding and evaluation efforts and will promote both a community-based, county and regional approach to reshaping the system for services to aging populations within the metropolitan area; and

WHEREAS, the counties of Dakota, Ramsey and Washington and the current Area Agency on Aging staff have successfully used a regional approach to service planning for seniors through the East Metro Seniors Agenda for Independent Living (SAIL) project; and

WHEREAS, staff on the seven metropolitan counties believe that the metropolitan counties have the capacity to perform all of the functions of an area agency on aging as specified in the Notice of Intent to Designate an Area Agency on Aging; and

WHEREAS, County Commissioners representing District X of the Association of Minnesota Counties and a County Commissioner representative of Dakota County have discussed and given support for preparing an application for the metropolitan counties to be designated as the Metropolitan Area Agency on Aging.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners supports the preparation of an application for the metropolitan counties to be designated as the Metropolitan Area Agency on Aging, using an agency or entity created through a Joint Powers Agreement, and authorizes its staff to work with representatives of the other six metropolitan counties to complete said application; and

BE IT FURTHER RESOLVED, that the application be returned to the Washington County Board of Commissioners for authorization to submit to the Minnesota Board on Aging.

Commissioner Peterson seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

The Board Chairman asked for comments from the audience; none were heard.

March 29, 1994

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

The Board discussed the following legislative bills: Revision of the ethics bill; Juvenile justice funding takeover; Funding for scenic easements along the St. Croix; Proposal by Ceridian Corporation to develop a large tract of land along the St. Croix for a recreational area.

Commissioner Engstrom stated that he will be presenting the "Washington County Farmer of the Year Award" to Maryllis and Francis Oehlke of Woodbury at the Minnesota Extension banquet to be held this evening.

The Deputy Administrator stated there will be a workshop on the Law Enforcement Center on April 12, 1994.

Board Correspondence

Board correspondence was received and placed on file.


ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 9:30 a.m.

Attest:


Virginia R. Erdahl

Deputy Administrator


Mary M. Hauser, Chairman
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 5, 1994**

The Washington County Board of Commissioners met in regular session at 7:00 p.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; John Devine, Controller; Jim Schug, Community Services Director; Lyle Doerr, Facilities Project Manager; Don Wisniewski, Public Works Director; Marie Sunlitis, Court Administrator; Brendan McLaughlin, Budget Analyst; Judy Honmyhr, Human Resources Director; and Robert Lockyear, Planning and Public Affairs Director.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Engstrom, to adopt the following Consent Calendar:

1. Approval of the March 22 and 29, 1994, Board Meeting minutes.
2. Adoption of **Resolution No. 94-058** as follows:

Per Diem for Advisory Boards, Committees, Commissions

WHEREAS, Washington County recognizes the important contributions made by members of its advisory boards, committees and commissions; and

WHEREAS, Washington County desires to support the members of its committees for volunteering their time and efforts on the County's behalf; and

THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby sets a per diem rate of \$35.00 per meeting, payable to individuals (excluding staff) for the performance of service in any of the following boards, committees and commissions:

Board of Adjustment and Appeals
Community Corrections Advisory Board
Community Social Services Advisory Committee
Cost Effective Operations Commission
Ground Water Advisory Committee
Historic Courthouse Advisory Committee
Internal Audit Advisory Committee
Mental Health Advisory Council
Minnesota Extension Service
Noxious Weed Appeal Committee
Park and Open Space Commission
Personnel Board of Appeals
Planning Advisory Commission
Private Industry Council
Public Health Advisory Committee

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Regional Rail Authority Citizens Advisory Committee
 Solid Waste Advisory Commission
 Space and Facilities Planning Committee

BE IT FURTHER RESOLVED, that mileage reimbursement shall be paid to the boards, committees, and commissions listed above at the same rate set for County employees.

This resolution supersedes Resolutions 80-131, 88-33, 88-120, 91-031, and 94-044.

3. Approval of on sale and Sunday intoxicating liquor license for Vannelli's on the Green, April 1, 1994 to March 31, 1995.
4. Approval of on sale and Sunday intoxicating liquor license for The Point, Inc., April 1, 1994 to March 31, 1995.
5. Approval of on sale non-intoxicating malt liquor license and dance permit for Withrow Ballroom Inc., April 1, 1994 to March 31, 1995.
6. Adoption of **Resolution No. 94-059** as follows:

Gambling License Renewal for Holy Redeemer
 Parish - Maplewood, to be Used at Withrow
 Ballroom, May Township

WHEREAS, on or about March 22, 1994, the Holy Redeemer Parish-Maplewood has made a premises permit application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved are located at Withrow Ballroom, 12169 Keystone Avenue, Hugo, in May Township, Washington County; and

WHEREAS, Minnesota Statute § 349.213, subd. 2, requires before the State Gambling Control Board may issue or renew a premises permit or Bingo Hall license, the County Board must by resolution approve granting of the same within 60 days of the application for issuance or renewal of the permit or license,

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby resolve to approve the granting of the premises permit for the above described licensee at the above-described location subject to the terms and conditions of all the Laws of the State of Minnesota, the County of Washington and Township of May.

7. Adoption of **Resolution No. 94-060** as follows:

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Gambling License Renewal for Lions
International - Forest Lake

WHEREAS, on or about March 23, 1994, the Lions International - Forest Lake has made a premises permit application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved are located at Vannelli's on the Green, 7050 N. Scandia Trail, Forest Lake, in Forest Lake Township, Washington County; and

WHEREAS, Minnesota Statute § 349.213, subd. 2, requires before the State Gambling Control Board may issue or renew a premises permit or Bingo Hall License, the County Board must by resolution approve granting of the same within 60 days of the application for issuance or renewal of the permit or license;

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby resolve to approve the granting of a premises permit for the above-described licensee at the above-described location subject to the terms and conditions of all the Laws of the State of Minnesota, the County of Washington and Township of Forest Lake.

8. Approval of application for grant funding from Minnesota Department of Corrections for Victim/Witness Division.
9. Approval of leave of absence without pay for Marilyn Neumann, Community Services, retroactive to March 29, 1994 through April 29, 1994.
10. Approval of personal leave of absence without pay for Shawn Bernier, H.E.L.M. Department, beginning April 6, 1994, through June 5, 1994.
11. Adoption of **Resolution No. 94-061** as follows:

Releasing CSAH 4 Right-of-Way to
the City of Marine on St. Croix

WHEREAS, Washington County has acquired additional right-of-way along CSAH 4 in Marine on St. Croix to reconstruct CSAH 4 in the vicinity of the Flour Mill Pond; and

WHEREAS, the below described CSAH 4 right-of-way is no longer needed by the County for highway purposes; and

WHEREAS, the below described CSAH 4 right-of-way encumbers an existing house which is located on said right-of-way.

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners release to the City of Marine on St. Croix that portion of County State Aid Highway 4 right-of-way described as follows:

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That part of the recorded plat of Rose's Addition to the Village of Marine lying northeasterly of the following described line and southwesterly of the northerly and northeasterly lines of Broadway as shown on said plat:

Commencing at the east quarter corner of Section 1, Township 31 North, Range 20 West; thence on an azimuth from north of 180 degrees 32 minutes 44 seconds along the east line of the southeast quarter of said Section 1 a distance of 1104.52 feet; thence on an azimuth of 302 degrees 48 minutes 22 seconds a distance of 33.84 feet to said northerly line of Broadway for the point of beginning of the line to be described; thence on an azimuth of 122 degrees 48 minutes 22 seconds a distance of 107.11 feet to the intersection of said northeasterly line of Broadway with the southerly extension of the west line of Sixth Street as shown on said plat and said line there terminating.

BE IT FURTHER RESOLVED that the Washington County Board Chairman and Administrator are authorized to execute, on behalf of the County, all legal documents necessary to implement this resolution.

- 12. Bids were received for bituminous overlay on CSAH 18 as follows:

Tower Asphalt	\$262,575.39
Valley Paving, Inc.	\$279,164.19
Hardrives, Inc.	\$284,801.96
Ashbach Construction	\$292,540.60

Adoption of **Resolution No. 94-062** as follows:

Award of Contract for Bituminous Overlay on
CSAH 18 to Tower Asphalt

WHEREAS, in order to facilitate road preservation to be done on County roads, the County solicited bids for this project; and,

WHEREAS, bids were opened on March 21, 1994, with Tower Asphalt, being the lowest responsible bidder;

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Tower Asphalt be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

- 13. Approval and execution of maintenance agreement with City of Stillwater for the installation of a traffic signal at the intersection of Curve Crest Boulevard and Neal Avenue.

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14. Approval to award seasonal road maintenance supplies as follows:

Resolution No. 94-063

**Award Supply of Sand Material to Shiely Company
and M.J. Raleigh Company**

WHEREAS, in order to facilitate usage of materials to be done within the scope of the general road maintenance on County roads by Public Works in Washington County, the County solicited bids for this project; and,

WHEREAS, bids were opened on March 22, 1994, with Shiely Company and M.J. Raleigh Company, being the lowest responsible bidders; and

NOW, THEREFORE BE IT RESOLVED, that a contract for the Sand Material supplied to Public Works be awarded to Shiely Company and M.J. Raleigh Company.

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specification as stipulated by Washington County and as agreed to by Shiely Company and M.J. Raleigh Company.

BE IT FURTHER RESOLVED, that the contract between the County and Shiely Company and M.J. Raleigh Company, be executed through the signature of the Chairman of Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

Resolution No. 94-064

**Award of Contract for Plant Mixed Bituminous
Material to T.A. Schifsky & Sons, Inc., Tower
Asphalt, Midwest Asphalt Corporation, and
River City Asphalt**

WHEREAS, in order to facilitate usage of materials to be done within the scope of the general road repairs on County roads by Public Works in Washington County, the County solicited bids for this project; and,

WHEREAS, bids were opened on March 22, 1994, with T.A. Schifsky & Sons, Inc., Tower Asphalt, Inc., River City Asphalt, and Midwest Asphalt Corporation, being the multiple bidders; and,

NOW, THEREFORE BE IT RESOLVED, that a contract for the Plant Mixed Bituminous Material supplied to Public Works in Washington County be awarded to T.A. Schifsky & Sons, Inc., Tower Asphalt, Inc., River Asphalt, and Midwest Asphalt Corporation.

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specification as stipulated by Washington County and as agreed to by T.A. Schifsky & Sons, Inc., Tower Asphalt, Inc., River City Asphalt, and Midwest Asphalt Corporation.

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BE IT FURTHER RESOLVED, that the contract between the County and T.A. Schifsky & Sons, Inc., Tower Asphalt, Inc., River City Asphalt, and Midwest Asphalt Corporation, be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

15. Approval and execution of supplemental agreement no. 3 with Tolz, King, Duvall, Anderson and Associates, Inc., for construction administration on CSAH 4, culvert and wall reconstruction.
16. Approval to advertise for bids for seasonal requirements: Plant mixed bituminous material inplace; seal coat; weed spraying, and crack sealing.
17. Approval to advertise for bids for reconstruction of culvert and wall at Flour Mill Pond on CSAH 4 in Marine.
18. Adoption of **Resolution No. 94-065** as follows:

Authorizing Eminent Domain Proceedings for CSAH 5

WHEREAS, Washington County proposes to improve County State Aid Highway 5 from T.H. 36 to West Pine Street in the City of Stillwater; and

WHEREAS, the improvements consist of grading, drainage, bituminous surfacing, traffic signals and misc. construction as herein determined necessary to provide for the safety of the traveling public; and

WHEREAS, the acquisition of all right of way and easements over certain lands are necessary to provide for said construction; and

WHEREAS, Washington County has authority to acquire right of way and easements for highway purposes by eminent domain pursuant to Minnesota law; and

WHEREAS, Washington County has the right to acquire right of way and easements prior to the filing of an award by the court appointed commissioners pursuant to Minnesota law; and

WHEREAS, Washington County is unable to begin construction on the lands described herein until it has acquired title and possession to the necessary right of way and easements; and

WHEREAS, waiting until the commissioners file their award would delay the completion of the project, thus increasing the inconvenience to the traveling public; and

WHEREAS, Washington County has been unable to successfully negotiate the acquisition of the following required right of way and easements:

SEE ADDENDUM

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NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby authorizes the acquisition of said property interests by eminent domain and to take title and possession of that land prior to the filing of an award by the court appointed commissioners.

BE IT FURTHER RESOLVED that the Washington County Attorney's Office is authorized to commence the necessary proceedings to acquire title and possession and to prosecute said action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or Order of the Court.

ADDENDUM CONDEMNATION LIST - CSAH 5

Parcel A:

Fee Owner: Firststar Bank of Minnesota, National Association
213 East Chestnut Street
Stillwater, MN 55082

Mortgagee: None

Acquisition

Summary: 2,032 Square Feet of new Right of Way (to be acquired in highway easement)
1,800 Square Feet of Permanent Drainage Easement
28,951 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

Parcel A - Legal Description of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 OF SE 1/2) OF SECTION THIRTY-ONE (31), TOWNSHIP THIRTY (30), NORTH, RANGE TWENTY (20), LYING SOUTHEASTERLY OF THE OLD PUBLIC HIGHWAY LEADING FROM ST. PAUL TO STILLWATER, AS SAID HIGHWAY FORMERLY EXISTED AND LYING NORTHERLY OF STATE HIGHWAY NUMBER 212 AS THE SAME NOW EXISTS, CONTAINING ABOUT 5 ACRES, MORE OR LESS. ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE NORTH 00 DEGREES 50 MINUTES 10 SECONDS WEST, 1055.33 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31 (BASIS FOR BEARINGS) TO THE EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE-AID HIGHWAY NO. 5, AND SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 50 MINUTES 10 SECONDS EAST, 6.41 FEET ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER; THENCE, LEAVING SAID EAST LINE, SOUTH 38 DEGREES 06 MINUTES 21 SECONDS WEST, 55.41 FEET TO THE INTERSECTION WITH SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE-AID HIGHWAY NO. 5; THENCE NORTH 34 DEGREES 17 MINUTES 23 SECONDS EAST, 60.53 FEET ALONG SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

AND

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE NORTH 00 DEGREES 50 MINUTES 10 SECONDS WEST, 320.39 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31 (BASIS FOR BEARINGS) TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 36; THENCE NORTH 80 DEGREES 22 MINUTES 33 SECONDS WEST, 465.32 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY TO THE INTERSECTION WITH THE EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE-AID HIGHWAY NO. 5, AND SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 80 DEGREES 22 MINUTES 33 SECONDS EAST, 65.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 36; THENCE, LEAVING SAID LINE, NORTH 23 DEGREES 02 MINUTES 33 SECONDS WEST, 70.17 FEET TO THE INTERSECTION WITH SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE-AID HIGHWAY NO. 5; THENCE SOUTH 34 DEGREES 17 MINUTES 23 SECONDS WEST, 65.00 FEET ALONG SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

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Parcel A - Legal Description of
Permanent Drainage Easement:

A PERPETUAL EASEMENT FOR DRAINAGE PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 OF SE 1/2) OF SECTION THIRTY-ONE (31), TOWNSHIP THIRTY (30), NORTH, RANGE TWENTY (20), LYING SOUTHEASTERLY OF THE OLD PUBLIC HIGHWAY LEADING FROM ST. PAUL TO STILLWATER, AS SAID HIGHWAY FORMERLY EXISTED AND LYING NORTHERLY OF STATE HIGHWAY NUMBER 212 AS THE SAME NOW EXISTS, CONTAINING ABOUT 5 ACRES, MORE OR LESS. ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SAID DRAINAGE EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE NORTH 00 DEGREES 50 MINUTES 10 SECONDS WEST, 1055.33 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31 (BASIS FOR BEARINGS) TO THE EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE-AID HIGHWAY NO. 5; THENCE SOUTH 34 DEGREES 17 MINUTES 23 SECONDS WEST, 195.35 FEET ALONG SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE NORTH 34 DEGREES 17 MINUTES 23 SECONDS EAST, 40.00 FEET ALONG SAID EASTERLY AND SOUTHEASTERLY RIGHT OF WAY LINE; THENCE, LEAVING SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE, SOUTH 55 DEGREES 42 MINUTES 37 SECONDS EAST, 45.00 FEET; THENCE SOUTH 34 DEGREES 17 MINUTES 23 SECONDS WEST, 40.00 FEET; THENCE NORTH 55 DEGREES 42 MINUTES 37 SECONDS WEST, 45.00 FEET TO THE POINT OF BEGINNING AND THERE TERMINATING.

Parcel A - Legal Description
of Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 OF SE 1/2) OF SECTION THIRTY-ONE (31), TOWNSHIP THIRTY (30), NORTH, RANGE TWENTY (20), LYING SOUTHEASTERLY OF THE OLD PUBLIC HIGHWAY LEADING FROM ST. PAUL TO STILLWATER, AS SAID HIGHWAY FORMERLY EXISTED AND LYING NORTHERLY OF STATE HIGHWAY NUMBER 212 AS THE SAME NOW EXISTS, CONTAINING ABOUT 5 ACRES, MORE OR LESS. ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SAID TEMPORARY EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE NORTH 00 DEGREES 50 MINUTES 10 SECONDS WEST, 320.39 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31 (BASIS FOR BEARINGS) TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 36; THENCE NORTH 80 DEGREES 22 MINUTES 33 SECONDS WEST, 465.32 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY TO THE INTERSECTION WITH THE EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE-AID HIGHWAY NO. 5, AND SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 80 DEGREES 22 MINUTES 33 SECONDS EAST, 70.94 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 36; THENCE, LEAVING SAID LINE, NORTH 23 DEGREES 02 MINUTES 35 SECONDS WEST, 58.76 FEET; THENCE NORTH 34 DEGREES 17 MINUTES 23 SECONDS EAST, 220.00 FEET; THENCE SOUTH 55 DEGREES 42 MINUTES 38 SECONDS EAST, 35.00 FEET; THENCE NORTH 34 DEGREES 17 MINUTES 23 SECONDS EAST, 100.00 FEET; THENCE NORTH 44 DEGREES 17 MINUTES 23 SECONDS EAST, 160.00 FEET; THENCE NORTH 21 DEGREES 47 MINUTES 22 SECONDS EAST, 218.11 FEET TO A POINT ON SAID EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 31; THENCE NORTH 00 DEGREES 50 MINUTES 10 SECONDS WEST, 53.14 FEET, ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER TO THE INTERSECTION WITH SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE-AID HIGHWAY NO. 5; THENCE SOUTH 34 DEGREES 17 MINUTES 23 SECONDS WEST, 745.29 FEET ALONG SAID EASTERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND THERE TERMINATING.

Parcel B:

Fee Owner: First Trust National Association, as Trustees of Orthopaedic Consultants, P.A. 1984 Employees' Retirement Profit Sharing Trust
180 East 5th Street, PO 64488
St. Paul, MN 55164

Mortgagee: None

April 5, 1994

Acquisition 226 Square Feet of New Right of Way (to be acquired in highway easement)
Summary: 18,784 Square Feet of Temporary Slope Easement
 (To begin May 1, 1994 and expire October 31, 1995)

Parcel B - Legal Description
of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER, THENCE SOUTH 89 DEGREES 25 MINUTES 16 SECONDS EAST, ASSUMED BEARING, ALONG THE NORTHERLY LINE THEREOF, 42.00 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 11 SECONDS EAST 214.95 FEET; THENCE EASTERLY ALONG A TANGENTIAL CURVE, CONCAVE TO THE NORTH, RADIUS 1333.12 FEET, CENTRAL ANGLE 17 DEGREES 03 MINUTES 51 SECONDS, 397.04 FEET; THENCE SOUTH 82 DEGREES 16 MINUTES 02 SECONDS EAST, ALONG TANGENT 806.81 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT A"; THENCE SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST 66.50 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT B"; THENCE CONTINUING SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST ALONG A LINE HEREINAFTER REFERRED TO AS "LINE A" A DISTANCE OF 534.32 FEET TO THE POINT OF BEGINNING OF THE PARCEL BEING DESCRIBED AND THE END OF SAID "LINE A"; THENCE SOUTH 19 DEGREES 51 MINUTES 55 SECONDS WEST 227.39 FEET; THENCE NORTH 81 DEGREES 14 MINUTES 14 SECONDS WEST 458.34 FEET TO THE INTERSECTION WITH A LINE WHICH BEARS SOUTH FROM SAID "POINT B"; THENCE NORTH 209.73 FEET TO SAID "POINT B"; THENCE NORTH 82 DEGREES 56 MINUTES 16 SECONDS WEST 66.50 FEET TO SAID "POINT A"; THENCE SOUTH 207.73 FEET; THENCE NORTH 81 DEGREES 14 MINUTES 14 SECONDS WEST 26.52 FEET; THENCE SOUTH 18 DEGREES 37 MINUTES 36 SECONDS WEST 124.09 FEET; THENCE SOUTH 87 DEGREES 24 MINUTES 31 SECONDS WEST 1029.11 FEET; THENCE NORTH 05 DEGREES 07 MINUTES 41 SECONDS WEST 229.04 FEET; THENCE WEST 299.15 FEET TO THE WESTERLY LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 21 MINUTES 34 SECONDS EAST ALONG SAID WESTERLY LINE 877.34 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89 DEGREES 31 MINUTES 09 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER 1840.92 FEET TO THE CENTERLINE OF STILLWATER BOULEVARD NORTH; THENCE NORTH 34 DEGREES 51 MINUTES 17 SECONDS EAST ALONG SAID CENTERLINE 1098.09 FEET TO ITS INTERSECTION WITH AN EASTERLY PROLONGATION OF SAID "LINE A"; THENCE NORTH 82 DEGREES 56 MINUTES 16 SECONDS WEST ALONG SAID EASTERLY PROLONGATION OF "LINE A" 467.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.14 ACRES MORE OR LESS, SUBJECT TO THE RIGHT-OF-WAY OF SAID STILLWATER BOULEVARD NORTH, 62ND STREET NORTH AND 60TH STREET NORTH (A.K.A. MINNESOTA TRUNK HIGHWAY 36).

ALL SUBJECT TO AND TOGETHER WITH ANY OTHER VALID EASEMENTS, RESERVATIONS OR RESTRICTIONS.

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 25 MINUTES 16 SECONDS EAST, ASSUMED BEARING, ALONG THE NORTHERLY LINE THEREOF, 42.00 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 11 SECONDS EAST 214.95 FEET; THENCE EASTERLY ALONG A TANGENTIAL CURVE, CONCAVE TO THE NORTH, RADIUS 1333.12 FEET, CENTRAL ANGLE 17 DEGREES 03 MINUTES 51 SECONDS, 397.04 FEET; THENCE SOUTH 82 DEGREES 16 MINUTES 02 SECONDS EAST, ALONG TANGENT 806.81 FEET; THENCE SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST 600.82 FEET; THENCE SOUTH 19 DEGREES 51 MINUTES 55 SECONDS WEST 33.84 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 62ND STREET NORTH; THENCE SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 62ND STREET NORTH, 367.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 62ND STREET NORTH, SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST, 22.61 FEET TO THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF 62ND STREET NORTH AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STILLWATER BOULEVARD NORTH; THENCE SOUTH 34 DEGREES 51 MINUTES 17 SECONDS WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY OF STILLWATER BOULEVARD NORTH, 22.61 FEET; THENCE NORTH 24 DEGREES 02 MINUTES 30 SECONDS WEST 23.36 FEET TO THE POINT OF BEGINNING.

To be acquired in Highway Easement.

April 5, 1994

Parcel B - Legal Description
of Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS ALL THAT PART OF THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER, THENCE SOUTH 89 DEGREES 25 MINUTES 16 SECONDS EAST, ASSUMED BEARING, ALONG THE NORTHERLY LINE THEREOF, 42.00 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 11 SECONDS EAST 214.95 FEET; THENCE EASTERLY ALONG A TANGENTIAL CURVE, CONCAVE TO THE NORTH, RADIUS 1333.12 FEET, CENTRAL ANGLE 17 DEGREES 03 MINUTES 51 SECONDS, 397.04 FEET; THENCE SOUTH 82 DEGREES 16 MINUTES 02 SECONDS EAST, ALONG TANGENT 806.81 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT A"; THENCE SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST 66.50 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT B"; THENCE CONTINUING SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST ALONG A LINE HEREINAFTER REFERRED TO AS "LINE A" A DISTANCE OF 534.32 FEET TO THE POINT OF BEGINNING OF THE PARCEL BEING DESCRIBED AND THE END OF SAID "LINE A"; THENCE SOUTH 19 DEGREES 51 MINUTES 55 SECONDS WEST 227.39 FEET; THENCE NORTH 81 DEGREES 14 MINUTES 14 SECONDS WEST 458.34 FEET TO THE INTERSECTION WITH A LINE WHICH BEARS SOUTH FROM SAID "POINT B"; THENCE NORTH 209.73 FEET TO SAID "POINT B"; THENCE NORTH 82 DEGREES 56 MINUTES 16 SECONDS WEST 66.50 FEET TO SAID "POINT A"; THENCE SOUTH 207.73 FEET; THENCE NORTH 81 DEGREES 14 MINUTES 14 SECONDS WEST 26.52 FEET; THENCE SOUTH 18 DEGREES 37 MINUTES 36 SECONDS WEST 124.09 FEET; THENCE SOUTH 87 DEGREES 24 MINUTES 31 SECONDS WEST 1029.11 FEET; THENCE NORTH 05 DEGREES 07 MINUTES 41 SECONDS WEST 229.04 FEET; THENCE WEST 299.15 FEET TO THE WESTERLY LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 21 MINUTES 34 SECONDS EAST ALONG SAID WESTERLY LINE 877.34 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89 DEGREES 31 MINUTES 09 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER 1840.92 FEET TO THE CENTERLINE OF STILLWATER BOULEVARD NORTH; THENCE NORTH 34 DEGREES 51 MINUTES 17 SECONDS EAST ALONG SAID CENTERLINE 1098.09 FEET TO ITS INTERSECTION WITH AN EASTERLY PROLONGATION OF SAID "LINE A"; THENCE NORTH 82 DEGREES 56 MINUTES 16 SECONDS WEST ALONG SAID EASTERLY PROLONGATION OF "LINE A" 467.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.14 ACRES MORE OR LESS, SUBJECT TO THE RIGHT-OF-WAY OF SAID STILLWATER BOULEVARD NORTH, 62ND STREET NORTH AND 60TH STREET NORTH (A.K.A. MINNESOTA TRUNK HIGHWAY 36).

THAT PORTION OF THE ABOVE DESCRIBED PARCEL, WHICH LIES NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY OF THE FOLLOWING DESCRIBED REFERENCE LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 25 MINUTES 16 SECONDS EAST, ASSUMED BEARING, ALONG THE NORTHERLY LINE THEREOF, 42.00 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 11 SECONDS EAST 214.95 FEET; THENCE EASTERLY ALONG A TANGENTIAL CURVE, CONCAVE TO THE NORTH, RADIUS 1333.12 FEET, CENTRAL ANGLE 17 DEGREES 03 MINUTES 51 SECONDS, 397.04 FEET; THENCE SOUTH 82 DEGREES 16 MINUTES 02 SECONDS EAST, ALONG TANGENT 806.81 FEET; THENCE SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST 600.82 FEET; THENCE SOUTH 19 DEGREES 51 MINUTES 55 SECONDS WEST 33.84 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 62ND STREET NORTH; THENCE SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 62ND STREET NORTH, 289.96 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 07 DEGREES 03 MINUTES 44 SECONDS WEST 10.00 FEET; THENCE SOUTH 82 DEGREES 56 MINUTES 16 SECONDS EAST, PARALLEL WITH SAID SOUTHERLY RIGHT-OF-WAY OF 62ND STREET NORTH, 60.82 FEET TO A POINT ON A LINE LYING 30.00 FEET NORTHWESTERLY OF AND A PARALLEL WITH SAID NORTHWESTERLY RIGHT-OF-WAY OF STILLWATER BOULEVARD NORTH; THENCE SOUTH 34 DEGREES 51 MINUTES 17 SECONDS WEST, ALONG SAID PARALLEL LINE 610.59 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT-OF-WAY OF MINNESOTA TRUNK HIGHWAY 36 AND SAID REFERENCE LINE THERE TERMINATING.

Parcel G:

Fee Owner: Bethany Covenant Church
6490 Stillwater Boulevard
Stillwater, MN 55082

April 5, 1994

Mortgagee: National Covenant Properties
5101 N. Francisco Avenue
Chicago, Illinois 60625-3699

Acquisition Summary: 2,721 Square Feet of New Right of Way (to be acquired in highway easement)
11,339 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

**Parcel G - Legal Description
of R/W Acquisition:**

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30, RANGE 20, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 265.00 FEET EASTERLY FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID NORTH LINE, A DISTANCE OF 194.19 FEET; THENCE EASTERLY DEFLECTING TO THE LEFT 57 DEGREES 39 MINUTES 53 SECONDS, A DISTANCE OF 521.47 FEET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1005.11 FEET EASTERLY FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE WESTERLY ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. SUBJECT TO A HIGHWAY EASEMENT FOR STILLWATER AND ST. PAUL ROAD.

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30, RANGE 20, WASHINGTON COUNTY, MINNESOTA; THENCE SOUTH 89 DEGREES 29 MINUTES 25 SECONDS EAST, ASSUMED BEARING, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 933.95 FEET, MORE OR LESS, TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5, WHICH IS THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 29 MINUTES 25 SECONDS WEST ALONG SAID NORTH LINE 70.98 FEET; THENCE SOUTH 28 DEGREES 19 MINUTES 30 SECONDS EAST, 50.24 FEET; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST, 41.40 FEET; THENCE SOUTH 57 DEGREES 10 MINUTES 37 SECONDS EAST, 16.00 FEET TO A POINT ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5; THENCE NORTH 32 DEGREES 49 MINUTES 23 SECONDS EAST, 103.56 FEET ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

To be acquired in Highway Easement.

**Parcel G - Legal Description of
Temporary Slope Easement:**

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS ALL THAT PART OF THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30, RANGE 20, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 265.00 FEET EASTERLY FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID NORTH LINE, A DISTANCE OF 194.19 FEET; THENCE EASTERLY DEFLECTING TO THE LEFT 57 DEGREES 39 MINUTES 53 SECONDS, A DISTANCE OF 521.47 FEET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1005.11 FEET EASTERLY FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE WESTERLY ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. SUBJECT TO A HIGHWAY EASEMENT FOR STILLWATER AND ST. PAUL ROAD.

SAID TEMPORARY EASEMENT BEING THAT PART OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30, RANGE 20, WASHINGTON COUNTY, MINNESOTA; THENCE SOUTH 89 DEGREES 29 MINUTES 25 SECONDS EAST, ASSUMED BEARING, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 933.95 FEET, MORE OR LESS, TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5, WHICH IS THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 29 MINUTES 25 SECONDS WEST ALONG SAID NORTH LINE 350.00 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 35 SECONDS WEST 10.00 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 25 SECONDS EAST, 319.88 FEET TO POINT ON A LINE LYING 20.00 FEET NORTHWESTERLY OF AND PARALLEL WITH SAID

April 5, 1994

NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST, ALONG SAID PARALLEL LINE, 496.74 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY LINE OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTH 57 DEGREES 09 MINUTES 16 SECONDS EAST, ALONG SAID SOUTHWESTERLY LINE, 20.00 FEET TO SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. EXCEPTING THEREFROM HIGHWAY RIGHT-OF-WAY.

Parcel H:

Fee Owner: Tom Thumb Food Markets, Inc.
110 East 17th Street
Hastings, MN 55033

Mortgagee: Citicorp N.A. Inc.

Diversified Business Credit, Inc.
3970 Multifoods Tower
33 South 6th Street
Minneapolis, MN 55402-3720

Acquisition 840 Square Feet of New Right of Way (to be acquired in highway easement)
Summary: 2,100 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and Expire October 31, 1995)

Parcel H - Legal Description
of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARINGS ORIENTED TO WASHINGTON COUNTY COORDINATE SYSTEM, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 1075.07 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STILLWATER BOULEVARD NORTH (COUNTY STATE-AID HIGHWAY NO. 5); THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 241.73 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 55 DEGREES 42 MINUTES 37 SECONDS EAST, 273.29 FEET; THENCE SOUTHERLY ON A CURVE CONCAVE TO THE WEST, HAVING A CENTRAL ANGLE OF 14 DEGREES 11 MINUTES 33 SECONDS AND A RADIUS OF 606.62 FEET, A DISTANCE OF 150.26 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 13 DEGREES 19 MINUTES 12 SECONDS WEST; THENCE NORTH 55 DEGREES 42 MINUTES 37 SECONDS WEST, 323.34 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 32 DEGREES 49 MINUTES 23 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 140.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.969 ACRES MORE OR LESS.

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

THE NORTHWESTERLY 6.00 FEET OF THE ABOVE DESCRIBED PARCEL AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID PARCEL.

To be acquired in Highway Easement.

April 5, 1994

Parcel H - Legal Description of
Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARINGS ORIENTED TO WASHINGTON COUNTY COORDINATE SYSTEM, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 1075.07 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STILLWATER BOULEVARD NORTH (COUNTY STATE-AID HIGHWAY NO. 5); THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 241.73 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 55 DEGREES 42 MINUTES 37 SECONDS EAST, 273.29 FEET; THENCE SOUTHERLY ON A CURVE CONCAVE TO THE WEST, HAVING A CENTRAL ANGLE OF 14 DEGREES 11 MINUTES 33 SECONDS AND A RADIUS OF 606.62 FEET, A DISTANCE OF 150.26 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 13 DEGREES 19 MINUTES 12 SECONDS WEST; THENCE NORTH 55 DEGREES 42 MINUTES 37 SECONDS WEST, 323.34 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 32 DEGREES 49 MINUTES 23 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 140.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.969 ACRES MORE OR LESS.

SAID TEMPORARY EASEMENT IS DESCRIBED AS THE SOUTHEASTERLY 15 FEET OF THE NORTHWESTERLY 21.00 FEET OF THE ABOVE DESCRIBED PARCEL AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID PARCEL.

Parcel I:

Fee Owner: Tom Thumb Food Markets, Inc.
110 East 17th Street
Hastings, MN 55033

Mortgagee: Citicorp N.A. Inc.

Diversified Business Credit, Inc.
3970 Multifoods Tower
33 South 6th Street
Minneapolis, MN 55402-3720

Acquisition Summary: 1,176 Square Feet of New Right of Way (to be acquired in highway easement)
1,906 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

Parcel I - Legal Description
of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARINGS ORIENTED TO WASHINGTON COUNTY COORDINATE SYSTEM, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 1075.07 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STILLWATER BOULEVARD NORTH (COUNTY STATE-AID HIGHWAY NO. 5); THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 47.32 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST PARALLEL WITH SAID NORTH LINE 119.84 FEET; THENCE SOUTH 00 DEGREES 58 MINUTES 10 SECONDS EAST, 240.25 FEET; THENCE SOUTHERLY ALONG A TANGENTIAL CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 07 DEGREES 11 MINUTES 35 SECONDS AND A RADIUS OF 606.62 FEET, A DISTANCE OF 76.16 FEET; THENCE NORTH 55 DEGREES 42 MINUTES 37 SECONDS WEST 273.29 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 32 DEGREES 49 MINUTES 23 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 194.41 FEET TO THE POINT OF BEGINNING. CONTAINING 1.059 ACRES MORE OR LESS.

April 5, 1994

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, ASSUMED BEARING, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 1075.07 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STILLWATER BOULEVARD NORTH (COUNTY STATE-AID HIGHWAY NO. 5); THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 241.73 FEET TO THE SOUTHWESTERLY CORNER OF THE ABOVE DESCRIBED PARCEL, WHICH IS ALSO THE POINT OF BEGINNING; THENCE SOUTH 55 DEGREES 42 MINUTES 37 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF THE ABOVE DESCRIBED PARCEL, 6.00 FEET; THENCE NORTH 32 DEGREES 49 MINUTES 23 SECONDS EAST, 164.61 FEET; THENCE NORTH 66 DEGREES 30 MINUTES 46 SECONDS EAST, 70.08 FEET TO A POINT ON THE NORTH LINE OF THE ABOVE DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 28 MINUTES 29 SECONDS WEST ALONG SAID NORTH LINE, 53.09 FEET TO THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STILLWATER BOULEVARD NORTH; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 194.41 FEET TO THE POINT OF BEGINNING.

Parcel I - Legal Description of
Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARINGS ORIENTED TO WASHINGTON COUNTY COORDINATE SYSTEM, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 1075.07 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STILLWATER BOULEVARD NORTH (COUNTY STATE-AID HIGHWAY NO. 5); THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 47.32 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST PARALLEL WITH SAID NORTH LINE 119.84 FEET; THENCE SOUTH 00 DEGREES 58 MINUTES 10 SECONDS EAST, 240.25 FEET; THENCE SOUTHERLY ALONG A TANGENTIAL CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 07 DEGREES 11 MINUTES 35 SECONDS AND A RADIUS OF 606.62 FEET, A DISTANCE OF 76.16 FEET; THENCE NORTH 55 DEGREES 42 MINUTES 37 SECONDS WEST 273.29 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 32 DEGREES 49 MINUTES 23 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 194.41 FEET TO THE POINT OF BEGINNING. CONTAINING 1.059 ACRES MORE OR LESS.

SAID TEMPORARY EASEMENT BEING THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

SAID EASEMENT BEING A STRIP OF LAND 10.00 FEET IN WIDTH LYING SOUTHEASTERLY OF, PARALLEL WITH AND ABUTTING THE SOUTHEASTERLY RIGHT OF WAY LINE OF COUNTY STATE AID HIGHWAY 5.

THE SIDE LINES OF SAID EASEMENT SHALL BE PROLONGED OR SHORTENED TO TERMINATE ON THE NORTHERLY AND SOUTHWESTERLY LINES OF THE ABOVE DESCRIBED PARCEL.

Parcel J:

Fee Owner: Colonial Apartments Partnership
1940 Greeley Street
Stillwater, MN 55082

Mortgagee: First State Bank of Bayport
950 North Highway 95
Bayport, MN 55003

Michael L. and Carolyn M. Weiss
10450 North 60th Street
Stillwater, MN 55082

Acquisition Summary: 3,168 Square Feet of New Right of Way (to be acquired in highway easement)
5,873 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

April 5, 1994

Parcel J - Legal Description
of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARING ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, SOUTH ZONE, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 574.96 FEET; THENCE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST, 0.68 FEET TO AN INPLACE 1/2 INCH IRON PIPE MONUMENT AT THE SOUTHEAST CORNER OF CROIXWOOD SECOND ADDITION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA, AS MONUMENTED; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID CROIXWOOD SECOND ADDITION, AS MONUMENTED 38.35 FEET TO A POINT DISTANT 33.00 FEET NORTH OF SAID SOUTH LINE OF THE NORTHWEST QUARTER, AS MEASURED AT A RIGHT ANGLE TO SAID SOUTH LINE AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE 20.11 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE AND THE SOUTHEASTERLY LINE OF CROIXWOOD SIXTH ADDITION, ACCORDING TO THE PLAT OF RECORD IN SAID OFFICE OF THE COUNTY RECORDER, A DISTANCE OF 1504.54 FEET TO A JUDICIAL LANDMARK AT THE ANGLE POINT IN THE SOUTHERLY LINE OF LOT 7, BLOCK 5, OF SAID CROIXWOOD SIXTH ADDITION; THENCE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY LINE OF SAID CROIXWOOD SIXTH ADDITION 358.36 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY LINE 70.95 FEET TO THE CENTERLINE OF COUNTY STATE AID HIGHWAY 5 AS LOCATED AND TRAVELED ON DECEMBER 28, 1981; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE 1524.44 FEET TO A POINT DISTANT 33.00 FEET NORTHERLY OF SAID SOUTH LINE OF THE NORTHWEST QUARTER, AS MEASURES AT A RIGHT ANGLE TO SAID SOUTH LINE; THENCE NORTH 89 DEGREES 28 MINUTES 29 SECONDS WEST, PARALLEL WITH SAID SOUTH LINE 429.14 FEET TO THE POINT OF BEGINNING, CONTAINING 12.70 ACRES, MORE OR LESS.

EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARING ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, SOUTH ZONE, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 574.96 FEET; THENCE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST, 0.68 FEET TO AN INPLACE 1/2 INCH IRON PIPE MONUMENT AT THE SOUTHEAST CORNER OF CROIXWOOD SECOND ADDITION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA, AS MONUMENTED; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID CROIXWOOD SECOND ADDITION, AS MONUMENTED 58.46 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE 409.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE AND THE SOUTHEASTERLY LINE OF CROIXWOOD SIXTH ADDITION, ACCORDING TO THE PLAT OF RECORD IN SAID OFFICE OF THE COUNTY RECORDER, A DISTANCE OF 1094.65 FEET TO A JUDICIAL LANDMARK AT THE ANGLE POINT IN THE SOUTHERLY LINE OF LOT 7, BLOCK 5, OF SAID CROIXWOOD SIXTH ADDITION; THENCE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID CROIXWOOD SIXTH ADDITION 358.36 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY LINE 70.95 FEET TO THE CENTERLINE OF COUNTY STATE AID HIGHWAY 5 AS LOCATED AND TRAVELED ON DECEMBER 28, 1981; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE 1323.66 FEET; THENCE NORTH 57 DEGREES 11 MINUTES 22 SECONDS WEST, 362.84 FEET TO THE POINT OF BEGINNING, CONTAINING 10.08 ACRES, MORE OR LESS.

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL, WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARING ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, SOUTH ZONE, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 574.96 FEET; THENCE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST, 0.68 FEET TO AN INPLACE 1/2 INCH IRON PIPE MONUMENT AT THE SOUTHEAST CORNER OF CROIXWOOD SECOND ADDITION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA, AS MONUMENTED; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID CROIXWOOD SECOND ADDITION, AS MONUMENTED 38.35 FEET TO A POINT DISTANT 33.00 FEET NORTH OF SAID SOUTH LINE OF THE NORTHWEST QUARTER, AS MEASURED AT A RIGHT ANGLE TO SAID SOUTH LINE AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE 20.11 FEET TO A JUDICIAL LANDMARK; THENCE SOUTH 89

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DEGREES 28 MINUTES 29 SECONDS EAST, 40.79 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 27 SECONDS EAST, 201.59 FEET; THENCE EASTERLY, A DISTANCE OF 95.45 FEET ALONG A TANGENTIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 338.00 FEET AND A CENTRAL ANGLE OF 16 DEGREES 15 MINUTES 54 SECONDS; THENCE SOUTH 76 DEGREES 43 MINUTES 39 SECONDS EAST, 15.00 FEET; THENCE NORTH 32 DEGREES 49 MINUTES 12 SECONDS EAST, 97.27 FEET; THENCE NORTH 36 DEGREES 37 MINUTES 41 SECONDS EAST, 90.25 FEET; THENCE NORTH 32 DEGREES 49 MINUTES 23 SECONDS EAST, 33.43 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTH 57 DEGREES 11 MINUTES 22 SECONDS EAST, 60.00 FEET ALONG SAID NORTHERLY LINE TO THE CENTERLINE OF COUNTY STATE AID HIGHWAY AS LOCATED AND TRAVELED ON DECEMBER 28, 1981; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE, 200.78 FEET TO A POINT DISTANT 33.00 FEET NORTH OF THE AFORESAID SOUTH LINE OF THE NORTHWEST QUARTER, AS MEASURED AT A RIGHT ANGLE; THENCE NORTH 89 DEGREES 28 MINUTES 29 SECONDS WEST, PARALLEL WITH SAID SOUTH LINE OF THE NORTHWEST QUARTER 429.14 FEET TO THE POINT OF BEGINNING.

To be acquired in Highway Easement.

Parcel J - Legal Description of Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARING ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, SOUTH ZONE, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 574.96 FEET; THENCE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST, 0.68 FEET TO AN INPLACE 1/2 INCH IRON PIPE MONUMENT AT THE SOUTHEAST CORNER OF CROIXWOOD SECOND ADDITION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA, AS MONUMENTED; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID CROIXWOOD SECOND ADDITION, AS MONUMENTED 38.35 FEET TO A POINT DISTANT 33.00 FEET NORTH OF SAID SOUTH LINE OF THE NORTHWEST QUARTER, AS MEASURED AT A RIGHT ANGLE TO SAID SOUTH LINE AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE 20.11 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE AND THE SOUTHEASTERLY LINE OF CROIXWOOD SIXTH ADDITION, ACCORDING TO THE PLAT OF RECORD IN SAID OFFICE OF THE COUNTY RECORDER, A DISTANCE OF 1504.54 FEET TO A JUDICIAL LANDMARK AT THE ANGLE POINT IN THE SOUTHERLY LINE OF LOT 7, BLOCK 5, OF SAID CROIXWOOD SIXTH ADDITION; THENCE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY LINE OF SAID CROIXWOOD SIXTH ADDITION 358.36 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY LINE 70.95 FEET TO THE CENTERLINE OF COUNTY STATE AID HIGHWAY 5 AS LOCATED AND TRAVELED ON DECEMBER 28, 1981; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE 1524.44 FEET TO A POINT DISTANT 33.00 FEET NORTHERLY OF SAID SOUTH LINE OF THE NORTHWEST QUARTER, AS MEASURES AT A RIGHT ANGLE TO SAID SOUTH LINE; THENCE NORTH 89 DEGREES 28 MINUTES 29 SECONDS WEST, PARALLEL WITH SAID SOUTH LINE 429.14 FEET TO THE POINT OF BEGINNING, CONTAINING 12.70 ACRES, MORE OR LESS.

EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89 DEGREES 28 MINUTES 29 SECONDS EAST, BEARING ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, SOUTH ZONE, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 574.96 FEET; THENCE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST, 0.68 FEET TO AN INPLACE 1/2 INCH IRON PIPE MONUMENT AT THE SOUTHEAST CORNER OF CROIXWOOD SECOND ADDITION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA, AS MONUMENTED; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID CROIXWOOD SECOND ADDITION, AS MONUMENTED 58.46 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE 409.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 32 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE AND THE SOUTHEASTERLY LINE OF CROIXWOOD SIXTH ADDITION, ACCORDING TO THE PLAT OF RECORD IN SAID OFFICE OF THE COUNTY RECORDER, A DISTANCE OF 1094.65 FEET TO A JUDICIAL LANDMARK AT THE ANGLE POINT IN THE SOUTHERLY LINE OF LOT 7, BLOCK 5, OF SAID CROIXWOOD SIXTH ADDITION; THENCE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID CROIXWOOD SIXTH ADDITION 358.36 FEET TO A JUDICIAL LANDMARK; THENCE CONTINUE SOUTH 89 DEGREES 25 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY LINE 70.95 FEET TO THE CENTERLINE OF COUNTY STATE AID HIGHWAY 5 AS LOCATED AND TRAVELED ON DECEMBER 28, 1981; THENCE SOUTH 32 DEGREES 49 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE 1323.66 FEET; THENCE NORTH 57 DEGREES 11 MINUTES 22 SECONDS WEST, 362.84 FEET TO THE POINT OF BEGINNING, CONTAINING 10.08 ACRES, MORE OR LESS.

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SAID TEMPORARY EASEMENT BEING THAT PART OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

SAID TEMPORARY EASEMENT BEING THE MOST EASTERLY 90.00 FEET OF THE ABOVE DESCRIBED PARCEL AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE MOST EASTERLY LINE OF SAID PARCEL ALSO KNOWN AS THE CENTERLINE OF COUNTY STATE AID HIGHWAY 5 AS LOCATED AND TRAVELED ON DECEMBER 28, 1981.

Parcel K:

Fee Owner: Erickson Post Inc.
6118 Osgood Avenue North
Stillwater, MN 55082

Mortgagee: None

Acquisition Summary: 100 Square Feet of New Right of Way (to be acquired in Highway Easement)
8,044 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

Parcel K - Legal Description of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE SOUTH 375.28 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, LYING EASTERLY OF THE CENTERLINE OF STILLWATER BOULEVARD (COUNTY STATE-AID HIGHWAY NO. 5) AND WESTERLY OF THE EAST 1214.00 FEET THEREOF.

CONTAINING 2.649 ACRES, MORE OR LESS.

SUBJECT TO A HIGHWAY EASEMENT FOR STILLWATER BOULEVARD (COUNTY STATE-AID HIGHWAY NO. 5) ALONG THE WESTERLY LINE THEREOF AS DESCRIBED IN BOOK 291 OF DEEDS, PAGE 442, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA.

SUBJECT ALSO TO A PERMANENT EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF STREETS AND UTILITIES OVER, UNDER AND ACROSS THAT PART OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH HALF OF SECTION 32, A DISTANCE OF 1075.07 FEET TO THE POINT OF BEGINNING; THENCE DEFLECT LEFT 57 DEGREES 42 MINUTES 08 SECONDS, A DISTANCE OF 42.68 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF COUNTY STATE-AID HIGHWAY NO. 5; THENCE DEFLECT RIGHT 85 DEGREES 56 MINUTES 00 SECONDS, A DISTANCE OF 76.27 FEET TO THE NORTH LINE OF SAID SOUTH HALF OF SECTION 32; THENCE DEFLECT RIGHT 151 DEGREES 46 MINUTES 08 SECONDS, A DISTANCE OF 90.00 FEET ALONG SAID NORTH LINE OF THE SOUTH HALF OF SECTION 32, TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 2.00 ACRES, MORE OR LESS; EXCLUSIVE OF ROAD EASEMENTS.

SAID PERPETUAL EASEMENT BEING ALL OF THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH HALF OF SECTION 32, A DISTANCE OF 1075.07 FEET TO THE POINT OF BEGINNING; THENCE DEFLECT LEFT 57 DEGREES 42 MINUTES 08 SECONDS, A DISTANCE OF 55.55 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF COUNTY STATE-AID HIGHWAY NO. 5; THENCE DEFLECT RIGHT 126 DEGREES 48 MINUTES 17 SECONDS, A DISTANCE OF 50.26 FEET TO THE NORTH LINE OF SAID SOUTH HALF OF SECTION 32; THENCE DEFLECT RIGHT 110 DEGREES 53 MINUTES 53 SECONDS, A DISTANCE OF 47.61 FEET ALONG SAID NORTH LINE OF THE SOUTH HALF OF SECTION 32, TO THE POINT OF BEGINNING.

To be acquired in Highway Easement.

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Parcel K - Legal Description of
Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE SOUTH 375.28 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, LYING EASTERLY OF THE CENTERLINE OF STILLWATER BOULEVARD (COUNTY STATE-AID HIGHWAY NO. 5) AND WESTERLY OF THE EAST 1214.00 FEET THEREOF.

CONTAINING 2.649 ACRES, MORE OR LESS.

SUBJECT TO A HIGHWAY EASEMENT FOR STILLWATER BOULEVARD (COUNTY STATE-AID HIGHWAY NO. 5) ALONG THE WESTERLY LINE THEREOF AS DESCRIBED IN BOOK 291 OF DEEDS, PAGE 442, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA.

SUBJECT ALSO TO A PERMANENT EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF STREETS AND UTILITIES OVER, UNDER AND ACROSS THAT PART OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH HALF OF SECTION 32, A DISTANCE OF 1075.07 FEET TO THE POINT OF BEGINNING; THENCE DEFLECT LEFT 57 DEGREES 42 MINUTES 08 SECONDS, A DISTANCE OF 42.68 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF COUNTY STATE-AID HIGHWAY NO. 5; THENCE DEFLECT RIGHT 85 DEGREES 56 MINUTES 00 SECONDS, A DISTANCE OF 76.27 FEET TO THE NORTH LINE OF SAID SOUTH HALF OF SECTION 32; THENCE DEFLECT RIGHT 151 DEGREES 46 MINUTES 08 SECONDS, A DISTANCE OF 90.00 FEET ALONG SAID NORTH LINE OF THE SOUTH HALF OF SECTION 32, TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 2.00 ACRES, MORE OR LESS; EXCLUSIVE OF ROAD EASEMENTS.

SAID TEMPORARY EASEMENT BEING THAT PART OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 20 WEST; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH HALF OF SECTION 32, A DISTANCE OF 1075.07 FEET TO THE POINT OF BEGINNING; THENCE DEFLECT LEFT 57 DEGREES 42 MINUTES 08 SECONDS, A DISTANCE OF 443.97 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF COUNTY STATE-AID HIGHWAY NO. 5 TO THE NORTHERLY LINE OF THE ABOVE DESCRIBED PARCEL; THENCE DEFLECTING 57 DEGREES 42 MINUTES 08 SECONDS RIGHT, A DISTANCE OF 23.66 FEET ALONG SAID NORTH LINE; THENCE DEFLECTING 122 DEGREES 17 MINUTES 52 SECONDS RIGHT 443.97 FEET TO THE SOUTH LINE OF SAID PROPERTY; THENCE DEFLECTING 57 DEGREES 42 MINUTES 08 SECONDS RIGHT 23.66 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND THERE TERMINATING.

Parcel L:

Fee Owner: Richard L. Zimmerman and Janet K. Zimmerman
1008 Pine Tree Trail
Stillwater, MN 55082

Mortgagee: None

Acquisition 2,860 Square Feet of Temporary Slope Easement
Summary: (To begin May 1, 1994 and expire October 31, 1995)

Parcel L - Legal Description of
Temporary Slope Easement:

That portion of Outlot A, Orleans Addition, according to the plat thereof on file and of record in the Office of the Registrar of Titles, County of Washington, State of Minnesota, described as follows:

Not to exceed 10 feet in width between and right of Engineers Stations 498+06 and 500+92.

April 5, 1994

Parcel O:

Fee Owner: Blanc Vineyards (General Partnership)
10200 West Road
Redwood Valley, California 95470

Tenant: Kindercare Learning Centers
6740 North Stillwater Boulevard
Stillwater, MN 55082

Mortgagee: Unrecorded Mortgage
Roland Nordlund
C/O Mid America Bank
1815 North St. Paul Road
Maplewood, MN 55109

Mortgage Recorded as Document No. 537453
Richard Prokosch
2587 Lydia Avenue
Maplewood, MN 55109

? C.L. Wood
1721 Fulham Street
St. Paul, MN 55113

Lee DuFresne
1637 Myrtle
Maplewood, MN 55109
or 2242 Jennifer Street, North St. Paul, MN

Spring Lake Park Fire Relief Association
11203 7th Street NE
Minneapolis, MN 55434

Mortgage of Tenants Rights Recorded as Document No. 737303
Toronto Dominion (Texas), Inc., a Georgia Corp, in it's capacity as collateral agent for the Agent, the Tranche A Lenders, the Trustee, the Tranche B Noteholders, the IRB LC Bank and the Insurance LC Bank
909 Fannin, Suite 1700
Houston, Texas 77010
Attn: Martha L. Gariepy, Manager, Agency

Acquisition Summary: 1,134 Square Feet of New Right of Way (to be acquired in Highway Easement)
3,770 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

Parcel O - Legal Description
of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION WHICH LIES SOUTHWESTERLY OF A LINE RUNNING FROM A POINT ON THE SOUTHEASTERLY LINE OF SAID OUTLOT C, DISTANT 110.0 FEET NORTHEASTERLY OF THE SOUTHEASTERLY CORNER OF SAID OUTLOT C TO A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 255.05 FEET NORTHEASTERLY OF THE SOUTHWESTERLY CORNER OF SAID OUTLOT C.

SAID PERPETUAL EASEMENT BEING THE SOUTHEASTERLY 10.00 FEET OF THE ABOVE DESCRIBED PARCEL AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID OUTLOT C, AND THE EXTENSION OF SAID SOUTHEASTERLY LINE.

To be acquired in Highway Easement.

April 5, 1994

Parcel O - Legal Description
of Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION WHICH LIES SOUTHWESTERLY OF A LINE RUNNING FROM A POINT ON THE SOUTHEASTERLY LINE OF SAID OUTLOT C, DISTANT 110.0 FEET NORTHEASTERLY OF THE SOUTHEASTERLY CORNER OF SAID OUTLOT C TO A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 255.05 FEET NORTHEASTERLY OF THE SOUTHWESTERLY CORNER OF SAID OUTLOT C.

SAID TEMPORARY EASEMENT BEING DESCRIBED AS THE NORTHWESTERLY 30.00 FEET OF THE SOUTHEASTERLY 40.00 FEET OF THE ABOVE DESCRIBED PARCEL AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID OUTLOT C, AND THE EXTENSION OF SAID SOUTHEASTERLY LINE.

Parcel P:

Fee Owner: Investors Savings Bank, F.S.B.
C/O Welsh Companies, Inc.
11200 West 78th Street
Eden Prairie, MN 55344

Tenant: Gateway Foods, Inc.

Mortgagee: None

Acquisition

Summary: 3,223 Square Feet of New Right of Way (to be acquired in Highway Easement)
500 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

Parcel P - Legal Description
of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION, WASHINGTON COUNTY, MINNESOTA, LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 168.00 FEET SOUTHWESTERLY OF THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO SAID NORTHWESTERLY LINE TO THE SOUTHEASTERLY LINE OF SAID OUTLOT C AND SAID LINE THERE TERMINATING. WASHINGTON COUNTY, MINNESOTA.

TOGETHER WITH THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION, WASHINGTON COUNTY, MINNESOTA, LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 168.00 FEET SOUTHWESTERLY OF THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO SAID NORTHWESTERLY LINE AND TO THE SOUTHEASTERLY LINE OF SAID OUTLOT C AND SAID LINE THERE TERMINATING, AND EXCEPT THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION WHICH LIES SOUTHWESTERLY OF A LINE RUNNING FROM A POINT ON THE SOUTHEASTERLY LINE OF SAID OUTLOT C, DISTANT 110.0 FEET NORTHEASTERLY OF THE SOUTHEASTERLY CORNER OF SAID OUTLOT C TO A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 255.05 FEET NORTHEASTERLY OF THE SOUTHWESTERLY CORNER OF SAID OUTLOT C. WASHINGTON COUNTY, MINNESOTA.

SAID PERPETUAL EASEMENT BEING THE SOUTHEASTERLY 10.00 FEET OF THE ABOVE DESCRIBED PARCEL AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID OUTLOT C, AND THE EXTENSIONS OF SAID SOUTHEASTERLY LINE.

TOGETHER WITH A FURTHER PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL LYING EASTERLY OF A LINE DRAWN FROM A POINT ON THE NORTHEASTERLY LINE OF SAID PARCEL, A DISTANCE OF 25.00 FEET NORTHWESTERLY OF THE NORTHEASTERLY CORNER OF SAID PARCEL TO A POINT ON THE SOUTHEASTERLY LINE OF SAID PARCEL, A DISTANCE OF 25.00 FEET SOUTHWESTERLY OF THE NORTHEAST CORNER OF SAID PARCEL.

To be acquired in Highway Easement.

April 5, 1994

Parcel P - Legal Description of
Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION, WASHINGTON COUNTY, MINNESOTA, LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 168.00 FEET SOUTHWESTERLY OF THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO SAID NORTHWESTERLY LINE TO THE SOUTHEASTERLY LINE OF SAID OUTLOT C AND SAID LINE THERE TERMINATING. WASHINGTON COUNTY, MINNESOTA.

TOGETHER WITH THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION, WASHINGTON COUNTY, MINNESOTA, LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 168.00 FEET SOUTHWESTERLY OF THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO SAID NORTHWESTERLY LINE AND TO THE SOUTHEASTERLY LINE OF SAID OUTLOT C AND SAID LINE THERE TERMINATING, AND EXCEPT THAT PART OF OUTLOT C, CROIXWOOD SIXTH ADDITION WHICH LIES SOUTHWESTERLY OF A LINE RUNNING FROM A POINT ON THE SOUTHEASTERLY LINE OF SAID OUTLOT C, DISTANT 110.0 FEET NORTHEASTERLY OF THE SOUTHEASTERLY CORNER OF SAID OUTLOT C TO A POINT ON THE NORTHWESTERLY LINE OF SAID OUTLOT C, DISTANT 255.05 FEET NORTHEASTERLY OF THE SOUTHWESTERLY CORNER OF SAID OUTLOT C. WASHINGTON COUNTY, MINNESOTA.

SAID TEMPORARY EASEMENT BEING DESCRIBED AS THE SOUTHEASTERLY 20.00 FEET OF THE SOUTHWESTERLY 50.00 FEET OF THE ABOVE DESCRIBED PARCEL AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTHEASTERLY AND SOUTHWESTERLY LINES OF SAID PARCEL.

Parcel Q:

Fee Owner: Gary R. Howe
911 County Road 5
Stillwater, MN 55082

Lien: Sharron R. Howe
570 Wildwood Lane
Stillwater, MN 55082

Mortgagee: None

Acquisition

Summary: 866 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

Parcel Q - Legal Description of
Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

THE SOUTH (100) FEET OF THAT PART OF THE NORTH HALF (N1/2) OF THE NORTHWEST QUARTER (NW1/4) LYING EAST OF THE PUBLIC ROAD, AS NOW ESTABLISHED AND LAID OUT, ALL IN SECTION THIRTY-TWO (32), TOWNSHIP THIRTY (30) NORTH OF RANGE TWENTY (20) WEST OF THE FOURTH PRINCIPAL MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SAID TEMPORARY EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF NORTHWEST QUARTER OF SAID SECTION 32; THENCE NORTH 89 DEGREES 23 MINUTES 47 SECONDS WEST, ASSUMED BEARING, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, 704.14 FEET TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5, WHICH IS ALSO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 23 MINUTES 47 SECONDS EAST, 33.00 FEET ALONG SAID SOUTH LINE; THENCE NORTH 00 DEGREES 36 MINUTES 13 SECONDS EAST, 52.48 FEET TO A POINT ON THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5; THENCE SOUTH 32 DEGREES 45 MINUTES 53 SECONDS WEST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY 62.00 FEET TO THE POINT OF BEGINNING.

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Parcel R:

Fee Owner: Amelia D. Wert
Rural Route 2, Box 81
Staples, MN 56479

Purchasers: John T. Roettger and Lisa Roettger
2930 Itasca Avenue South
St. Marys Point, MN 55043

John Roettger
300 North 4th Street
Apartment # 701
St. Louis, Missouri 63102

Mortgagee: None

Acquisition

Summary: 270 Square Feet of Permanent Drainage Easement

**Parcel R - Legal Description of
Permanent Drainage Easement:**

A PERPETUAL EASEMENT FOR DRAINAGE PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

THE NORTH FIVE HUNDRED (500) FEET OF THE SOUTH SIX HUNDRED (600) FEET OF THAT PART OF THE NORTH HALF (N1/2) OF THE NORTHWEST QUARTER (NW1/4) LYING EAST OF THE PUBLIC ROAD, AS NOW ESTABLISHED AND LAID OUT IN SECTION THIRTY-TWO (32) IN TOWNSHIP THIRTY (30) NORTH OF RANGE TWENTY (20) WEST OF THE FOURTH MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN A 15.00 FOOT WIDE STRIP OF LAND BEING 7.50 FEET WIDE ON EACH SIDE OF THE FOLLOWING DESCRIBED REFERENCE LINE:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 30, RANGE 20, WASHINGTON COUNTY, MINNESOTA; THENCE NORTH 89 DEGREES 18 MINUTES 58 SECONDS WEST, ASSUMED BEARING, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, 89.93 FEET; THENCE SOUTH 20 DEGREES 17 MINUTES 02 SECONDS WEST, 505.13 FEET; THENCE SOUTHWESTERLY A DISTANCE OF 416.03 FEET ALONG A TANGENTIAL CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1909.86 FEET AND A CENTRAL ANGLE OF 12 DEGREES 28 MINUTES 51 SECONDS; THENCE SOUTH 32 DEGREES 45 MINUTES 53 SECONDS WEST, 157.40 FEET TO THE POINT OF BEGINNING OF THE REFERENCE LINE BEING DESCRIBED; THENCE SOUTH 57 DEGREES 14 MINUTES 07 SECONDS EAST, 78.00 FEET AND SAID REFERENCE LINE THERE TERMINATING.

THE SIDE LINES OF SAID PERPETUAL EASEMENT TO BE SHORTENED TO BEGIN ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 5 (PUBLIC ROAD) AND END PERPENDICULAR TO THE TERMINUS OF THE ABOVE DESCRIBED REFERENCE LINE.

Parcel S:

Fee Owner: Croixwood Condominium Association
C/O Walter Baker, President
2227 Pinehurst
Stillwater, MN 55082

or

Croixwood Condominium Association
C/O Judd Orff & Associates
305 South Greeley Street
Stillwater, MN 55082

April 5, 1994

Mortgagee: NoneAcquisition

Summary: 112 Square Feet of New Right of Way (to be acquired in Highway Easement)
 225 Square Feet of Permanent Drainage Easement
 9,188 Square Feet of Temporary Slope Easement
 (To begin May 1, 1994 and expire October 31, 1995)

Parcel S - Legal Description
of R/W Acquisition:

A PERPETUAL EASEMENT FOR HIGHWAY RIGHT-OF-WAY PURPOSES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

CONDOMINIUM NO. 61, CROIXWOOD CONDOMINIUM, CITY OF STILLWATER, WASHINGTON COUNTY, MINNESOTA.

SAID PERPETUAL EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

BEGINNING AT THE MOST SOUTHERLY CORNER OF CONDOMINIUM NO. 61, CROIXWOOD CONDOMINIUM, WASHINGTON COUNTY, MINNESOTA; THENCE NORTH 54 DEGREES 56 MINUTES 00 SECONDS WEST, ASSUMED BEARING, ALONG THE SOUTHWESTERLY LINE OF SAID CONDOMINIUM NO. 61, 15.00 FEET; THENCE NORTH 78 DEGREES 36 MINUTES 11 SECONDS EAST, 20.66 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID CONDOMINIUM NO. 61; THENCE SOUTH 32 DEGREES 08 MINUTES 23 SECONDS WEST ALONG SAID SOUTHEASTERLY LINE 15.00 FEET TO THE POINT OF BEGINNING.

To be acquired in Highway Easement.

Parcel S - Legal Description of
Permanent Drainage Easement:

A PERPETUAL EASEMENT FOR DRAINAGE PURPOSES OVER, UNDER AND ACROSS A PORTION OF THE FOLLOWING DESCRIBED PROPERTY:

CONDOMINIUM NO. 61, CROIXWOOD CONDOMINIUM, CITY OF STILLWATER, WASHINGTON COUNTY, MINNESOTA.

SAID DRAINAGE EASEMENT BEING THAT PART OF THE ABOVE DESCRIBED PARCEL WHICH LIES WITHIN A 15.00 FOOT WIDE STRIP OF LAND BEING 7.50 FEET WIDE ON EACH SIDE OF THE FOLLOWING DESCRIBED REFERENCE LINE:

COMMENCING AT THE MOST SOUTHERLY CORNER OF CONDOMINIUM NO. 61, CROIXWOOD CONDOMINIUM, WASHINGTON COUNTY, MINNESOTA; THENCE NORTH 32 DEGREES 08 MINUTES 23 SECONDS EAST, ASSUMED BEARING, ALONG THE SOUTHEASTERLY LINE OF SAID CONDOMINIUM NO. 61, 85.35 FEET; THENCE NORTHEASTERLY, A DISTANCE OF 160.50 FEET ALONG A TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1859.86 FEET AND A CENTRAL ANGLE OF 04 DEGREES 56 MINUTES 40 SECONDS TO THE POINT OF BEGINNING OF SAID REFERENCE LINE; THENCE NORTH 62 DEGREES 48 MINUTES 17 SECONDS WEST, 15.00 FEET AND SAID REFERENCE LINE THERE TERMINATING.

THE SIDE LINES OF SAID PERPETUAL EASEMENT TO BE PROLONGED OR SHORTENED TO BEGIN ON THE SOUTHEASTERLY LINE OF SAID CONDOMINIUM NO. 61, AND END PERPENDICULAR TO THE TERMINUS OF THE ABOVE DESCRIBED REFERENCE LINE.

Parcel S - Legal Description of
Temporary Slope Easement:

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES OVER, UNDER AND ACROSS THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY:

CONDOMINIUM NO. 61, CROIXWOOD CONDOMINIUM, CITY OF STILLWATER, WASHINGTON COUNTY, MINNESOTA.

April 5, 1994

SAID TEMPORARY EASEMENT BEING ALL THAT PART OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITHIN THE FOLLOWING DESCRIBED AREA:

BEGINNING AT THE MOST SOUTHERLY CORNER OF CONDOMINIUM NO. 61, CROIXWOOD CONDOMINIUM, WASHINGTON COUNTY, MINNESOTA; THENCE NORTH 54 DEGREES 56 MINUTES 00 SECONDS WEST, ASSUMED BEARING, ALONG THE SOUTHWESTERLY LINE OF SAID CONDOMINIUM NO. 61, 15.02 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 23 SECONDS EAST, 84.58 FEET; THENCE NORTHEASTERLY, A DISTANCE OF 80.00 FEET ALONG A TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1844.86 FEET AND A CENTRAL ANGLE OF 02 DEGREES 29 MINUTES 04 SECONDS; THENCE NORTH 60 DEGREES 20 MINUTES 41 SECONDS WEST, 20.00 FEET; THENCE NORTHEASTERLY, A DISTANCE OF 120.00 FEET ALONG A NON-TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1824.86 FEET AND A CENTRAL ANGLE OF 03 DEGREES 46 MINUTES 04 SECONDS, THE LONG CHORD OF WHICH BEARS NORTH 27 DEGREES 46 MINUTES 17 SECONDS EAST, 119.98 FEET; THENCE SOUTH 64 DEGREES 06 MINUTES 45 SECONDS EAST, 20.00 FEET; THENCE NORTHEASTERLY, A DISTANCE OF 183.55 FEET ALONG A NON-TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1844.86 FEET AND A CENTRAL ANGLE OF 05 DEGREES 42 MINUTES 04 SECONDS, THE LONG CHORD OF WHICH BEARS NORTH 23 DEGREES 02 MINUTES 14 SECONDS EAST, 183.48 FEET TO A POINT ON THE NORTHERLY LINE OF SAID CONDOMINIUM NO. 61; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID NORTHERLY LINE 15.97 FEET TO THE NORTHEASTERLY CORNER OF SAID CONDOMINIUM NO. 61; THENCE SOUTHEASTERLY, A DISTANCE OF 393.50 FEET ALONG A NON-TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1859.86 FEET AND A CENTRAL ANGLE OF 12 DEGREES 07 MINUTES 21 SECONDS, THE LONG CHORD OF WHICH BEARS SOUTH 26 DEGREES 04 MINUTES 42 SECONDS WEST, 393.77 FEET; THENCE SOUTH 32 DEGREES 08 MINUTES 23 SECONDS WEST, 85.35 FEET TO THE POINT OF BEGINNING.

Parcel V:

Fee Owner: Supervalu Inc.
11840 Valley View Road
Eden Prairie, MN 55343

and

Dayton Hudson Corporation
Target Stores
33 South 6th Street
Minneapolis, MN 55440

Mortgagee: Unknown

Acquisition

Summary: 48,000 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

**Parcel V - Legal Description of
Temporary Slope Easement:**

A temporary construction easement on that part of the following described property:

That part of the Southwest Quarter of Section 32, Township 30 North, Range 20 West, Washington County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence South 89°28'29" East bearing oriented to the Washington County Coordinate System, South Zone, along the north line of said Southwest Quarter a distance of 1004.09 feet to the center line of Stillwater Boulevard as presently traveled and the point of beginning; thence continue South 89°28'29" East along said north line 70.98 feet to the southeasterly right-of-way line of said Stillwater Boulevard; thence South 32°49'23" West along said southeasterly right-of-way line 381.73 feet to the southwest corner of the tract described in Document No. 412693 recorded and on file in the office of the County Recorder, Washington County, Minnesota; thence South 55°42'37" East along the southwesterly line of said tract 323.34 feet to the southeast corner of said tract; thence South 69°35'02" East 60.00 feet; thence northerly along a curve, concave to the west, having a radius of 666.62 feet and a central angle of 21°23'08", a distance of 248.82 feet, the chord of said curve bears North 09°43'24" East; thence North 00°58'10" West along tangent a distance of 238.68 feet; thence South 89°28'29" East, parallel with said north line of the Southwest Quarter a distance of 430.74 feet to a point on the west line of the plat of STILLWATER INDUSTRIAL PARK as recorded and on file in said office of the County Recorder, also being the west line of the East 990.00 feet of said Southwest Quarter, as

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measured at right angle to the east line of said Southwest Quarter, distant 40.01 feet south of the northwest corner of said plat, as measured along said west line; thence South 00°58'10" East along said west line 2601.04 feet to the south line of said Southwest Quarter; thence North 89°36'32" West along said south line 1665.39 feet to the southwest corner of said Southwest Quarter; thence North 00°50'10" West along the west line of said Southwest Quarter a distance of 1159.61 feet to said center line of Stillwater Boulevard as presently monumented; thence North 34°17'23" East along said center line 852.00 feet; thence northeasterly along said center line and a tangential curve, concave to the northwest, having a radius of 11459.16 feet and a central angle of 01°28'00", a distance of 293.33 feet; thence North 32°49'23" East along tangent and along said center line 627.71 feet to the point of beginning.

(Above property to be platted as Stillwater Marketplace, Washington County, Minnesota)

Said temporary construction easement is described as follows:

- Not to exceed 20 feet in width between and right of Engineer's Stations 474 + 10 and 477 + 00; and
- Not to exceed 30 feet in width between and right of Engineer's Stations 477 + 00 and 477 + 20; and
- Not to exceed 20 feet in width between and right of Engineer's Stations 477 + 20 and 477 + 70; and
- Not to exceed 100 feet in width between and right of Engineer's Stations 477 + 70 and 479 + 70; and
- Not to exceed 20 feet in width between and right of Engineer's Stations 479 + 70 and 490 + 00.

Parcel Y:

Fee Owner: David J. Hobson and Susan J. Hobson
2007 West Pine Street
Stillwater, MN 55082

Mortgagee: Norwest Mortgage, Inc.
800 Marquette Avenue South
Minneapolis, MN 55402

Acquisition Summary: 475 Square Feet of Temporary Slope Easement
(To begin May 1, 1994 and expire October 31, 1995)

Parcel Y - Legal Description of Temporary Slope Easement:

THE WESTERLY 5 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

PART OF LOT 1 LYING SOUTH OF THE SOUTH LINE OF PINE STREET, ALL OF LOT 2, AND THE NORTH 6 FEET OF LOT 3,
ALL IN BLOCK 26 OF MCKINSTRY AND SEELEY'S 2ND ADDITION.

19. Approval to reject all bids for SAP 82-638-09 and CP 93-3851, replacement of the bituminous pavement on CSAH 38/CR 38A, and transfer levy dollars budgeted for this project to CP 94-1553, maintenance overlay of County Road 15A from TH 97 to the County line.
20. Approval and execution of traffic control signal agreement with the Minnesota Department of Transportation and the City of Hugo for the installation of a traffic signal at the intersection of Trunk Highway 61 and County State Aid Highway 8.

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The foregoing Consent Calendar was adopted unanimously.

HUMAN RESOURCES DEPARTMENT

Commissioner Engstrom moved to approve a new 1.0 FTE Court Aide I position in the Court Administrator's Office (.5 FTE for Juvenile Division and .5 for Civil/Family Division). Commissioner Peterson seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT-FACILITIES

The Facilities Project Manager introduced Dave Schwartz, Tim Guck, and Scott Getty of NSP who gave a brief overview of the local government energy conservation program and its potential application to energy saving retrofit projects. This program would enable the County to realize cost savings through reduced consumption of energy.

Commissioner Hegberg moved to authorize the implementation of the NSP local government energy conservation program. Commissioner Engstrom seconded the motion.

Commissioner Peterson moved to table the matter of authorization to proceed to implement the NSP local government energy conservation program for one week to obtain additional information. Commissioner Abrahamson seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Abrahamson, Hauser, and Hegberg; No, Commissioner Engstrom.

GENERAL ADMINISTRATION

Commissioner Peterson moved that the Special Meeting of the Washington County Board of Commissioners to discuss the selection of a new County Administrator set for April 8, 1994 at 9:00 a.m. be rescheduled to April 8, 1994 at 1:00 p.m. to be followed by an Executive Session to discuss negotiation strategy for 1994-1995 bargaining agreements at 2:00 p.m. Commissioner Engstrom seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom stated he will be attending a meeting on April 6 at which time the Washington County Housing and Redevelopment Authority will be withdrawing from the Home Program which is

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a consortium with Anoka, Dakota and Ramsey Counties. The Washington County HRA Executive Director indicated that Washington County would be better off financially if the County proceeded on its own.

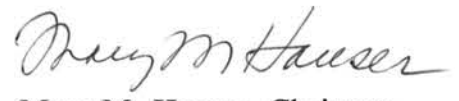
Commissioner Peterson stated that she will be attending the AMC District 10 meeting at 2:00 p.m., April 6 to discuss the Metropolitan Council and whether it should be appointed versus elected and operational versus non-operational.


Commissioner Abrahamson reported to the Board that the Law Enforcement Center lost \$60,000 during the month of March, which brings the total for the year up to \$160,000. He also stated that some of the cells in the LEC cannot be used because the toilets are not operational. He requested that the Public Works Department check into this matter as soon as possible.

Commissioner Engstrom asked for an update on whether the Minnesota Department of Correction has requested additional per diem from the State Legislature for renting space for state prisoners.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 7:45 p.m.


Mary M. Hauser, Chairman
County Board

Attest: 
Virginia R. Erdahl
Deputy Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 8, 1994**

The Washington County Board of Commissioners met in special session at 1:00 p.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Richard Arney, County Attorney; Mike Gripentrog, I.S. Director; Richard Stafford, Auditor Treasurer; John Franzen, County Recorder; Russ Reetz, Court Services Director; Jon Larson, Veterans Service Officer; Fred Feuerpfel, Job Training Center; Judy Honmyhr, Human Resources Director; John Devine, Controller; and Brendan McLaughlin, Budget Analyst.

COUNTY ADMINISTRATOR SELECTION

Commissioner Peterson moved that the position of County Administrator be selected by ballot. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

The Board Chair gave a brief overview on the selection process for County Administrator. The two names being considered for the position are Patrick Mahan and James Schug. The Board voted by secret ballot. The Board Chair announced that the new County Administrator is James Schug.

Commissioner Engstrom moved to appoint James Schug as County Administrator for Washington County. Commissioner Peterson seconded the motion and it was adopted unanimously.

The Board discussed the starting date for the new County Administrator. These details will be worked out with Personnel Decisions, Inc. as part of their contract with the County.

The County Attorney collected the ballots.

EXECUTIVE (CLOSED) SESSION

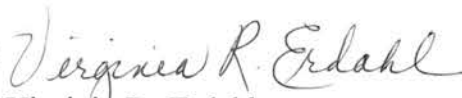
Commissioner Peterson moved to go into Executive (Closed) Session for the purposes of mediation discussion. Commissioner Engstrom seconded the motion and it was adopted unanimously; the time being 1:45 p.m. Present for the mediation session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Judy Honmyhr, Shari Bowers, Frank Madden, Labor Negotiator, Wayne High, Bureau of Mediation, and Patricia A. Raddatz.

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ADJOURNMENT

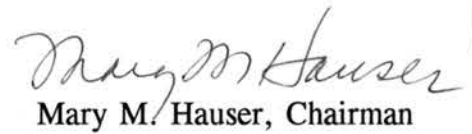
Commissioner Engstrom moved to adjourn the special meeting and continue the mediation session. Commissioner Peterson seconded the motion and it was adopted unanimously. The special meeting was adjourned at 4:50 p.m.

Attest:



Virginia R. Erdahl

Deputy Administrator



Mary M. Hauser, Chairman

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 12, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Jim Schug, County Administrator/Community Services Director; Mary McGlothlin, Health, Environment, and Land Management Director; John Devine, Controller; Shari Bowers, Human Resources; Sue Fennern, Human Resources; Richard Slivik, Central Services Director; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Bob Lockyear, Planning and Public Affairs Director; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Engstrom moved, seconded by Commissioner Peterson, to adopt the following Consent Calendar:

1. Adoption of **Resolution No. 94-066** as follows:

Agreement with Vicom, Inc. for Provision
of Telecommunications Services

WHEREAS, Washington County requires telecommunications service to maintain its telecommunications equipment; and

WHEREAS, Vicom Inc., is the most qualified choice for provision of telecommunications services for Washington County based upon costs and quality of services.

NOW THEREFORE BE IT RESOLVED, that the County enter into an agreement with Vicom, Inc. for provision of telecommunications services at its Government Center, Law Enforcement Center, and outlying offices.

2. Approval of program year 1994 and 1995 (July 1, 1994 through June 30, 1996) plan for job training services.
3. Approval of Local Service Unit (LSU) Plan update for State Program Year 1995 (July 1, 1994 through June 30, 1995), for submission to the Minnesota Department of Jobs and Training.
4. Approval of amendment to 1993 contract with the Wilder foundation Adult Day Care.
5. Approval to select Family Service Employee Resources in response to an RFP for consultant services to provide an employee assistance program and authorization for the Board Chairman to sign the service agreement.

April 12, 1994

6. Approval of a personal leave of absence without pay for Elizabeth Burger, Community Services Department, beginning April 21, 1994, through June 27, 1994.
7. Approval to solicit sealed bids for highway striping of approximately 115 miles of county roads.
8. Adoption of **Resolution No. 94-067** as follows:

Cooperative Agreement Between Washington County
and the City of Cottage Grove for Erection and
Maintenance of Two Street Lights on
CR 19A (Keats Avenue) at 82nd Street
South and 90th Street South

BE IT RESOLVED, that Washington County and the City of Cottage Grove enter into a cooperative agreement to erect and maintain street lights at the intersection of 82nd Street South and 90th Street South with County Road 19A (Keats Avenue).

BE IT FURTHER RESOLVED, that the agreement between the County and the City of Cottage Grove be executed through the signatures of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board and approved as to form by the Washington County Attorney's Office.

9. Adoption of **Resolution No. 94-068** as follows:

Speed Survey on CSAH 1 and CR 15A

BE IT RESOLVED, that the Board of County Commissioners for Washington County, Minnesota, hereby request the Commissioner of the Minnesota Department of Transportation to conduct a traffic survey to determine the reasonable and safe speed on the following County highway:

County State Aid Highway 1 (Lofton Avenue North) from
MN TH 97 to the North County Line

County Road 15A (Manning Trail North) from MN TH 97
to the North County Line

BE IT FURTHER RESOLVED, that upon determination of a reasonable and safe speed on the above highway, Washington County shall be authorized by the Commissioner of the Minnesota Department of Transportation to post such speed limit.

10. Information only - Recorder fees for the month of March, 1994.

The foregoing Consent Calendar was adopted unanimously.

April 12, 1994

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**Designation as the Area Agency on Aging**

Commissioner Engstrom moved to adopt **Resolution No. 94-069** as follows:

Application for Designation as the Area Agency
on Aging for the Metropolitan Area

WHEREAS, the Minnesota Board on Aging has the responsibility for the designation of the areas agencies on aging in the State of Minnesota; and

WHEREAS, the Metropolitan Council, which is currently designated as the Area Agency on Aging in the metropolitan area, has provided notice of its intent to withdraw as the Area Agency on Aging effective June 1, 1994; and

WHEREAS, the Minnesota Board on Aging has published its notice of intent to designate a new Area Agency on Aging to serve the metropolitan area with applications for designation for as Area Agency on Aging due by April 15, 1994; and

WHEREAS, any office or agency designated by the chief elected officials of a combination of units of general purpose local government is eligible for designation as an Area Agency on Aging; and

WHEREAS, the seven metropolitan counties believe that they have the capacity to perform all of the functions of an area agency as specified in the Notice of Intent; and

WHEREAS, consolidating the comprehensive planning and service funding functions of the area agency on aging with the statutory responsibilities of county government for community assessment, policy development, and assurance of service delivery will reduce duplicative service planning, advocacy, funding, and evaluation efforts and will promote both a community-based, county and regional approach to reshaping the system for services to aging populations within the metropolitan area.

NOW THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners joins with the six other metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, and Scott to submit an application for designation as the Area Agency on Aging for the Metropolitan area; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners commits to entering into a joint powers agreement with the counties of Anoka, Carver, Dakota, Hennepin, Ramsey and Scott to create and operate the Metropolitan Area Agency on Aging should the application for designation be accepted; and

BE IT FURTHER RESOLVED, that the County Board and the County Administrator are authorized to execute any agreements or amendments to agreements necessary and that the County Administrator is authorized to make any budget adjustments as necessary to implement the designation.

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Commissioner Peterson seconded the motion and it was adopted unanimously.

Chore Corps Demonstration Project

Cheryl Larson, Department of Health, Environment and Land Management, gave a brief overview of the Chore Corps Demonstration Project, and the services it will provide to senior citizens.

Commissioner Peterson moved to approve a contract with the Department of Human Services on behalf of the East Metro SAIL (Seniors Agenda for Independent Living) Project for purposes of funding and implementing a Chore Corps Demonstration Project. Commissioner Hegberg seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Advertise for Removal of Home in Marine

Commissioner Hegberg moved to advertise for sale, to be moved, a home at 17556 May Avenue, Marine, MN; and also, that a report be given on what the cost would be to repair the house so that it may continue to be rented out. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Schematic Design for Proposed Board Room Alteration

Dixon Stewart, Electronic Interiors, Inc. gave a brief summary of a proposed electronic media technology systems design for the County Board Room.

Commissioner Engstrom moved to continue with the County Board room alteration design as proposed by Electronic Interiors, Inc., and that Public Works staff look into grant money that may be available from the cable commission to redo council chambers. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

NSP Local Government Energy Conservation Program - (Tabled on April 5, 1994)

Commissioner Peterson moved to approve the Northern States Power (NSP) Local Government Energy Conservation Program and its potential application to energy saving retrofit projects; and, that the County also investigate grant monies which may be available from state and federal agencies for the same types of projects. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

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DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONERS REPORTS - COMMENTS - QUESTIONS

The Board Chair, on behalf of the County Board, thanked Virginia Erdahl, Deputy Administrator, for her services as Acting County Administrator during the past three months.

Commissioner Peterson moved that a proclamation be prepared for the next Board meeting in honor of Minnesota Authors' month. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Abrahamson stated that a workshop was held with the Sheriff's Department prior to the Board meeting. He requested that workshops which may require lengthy discussion, be scheduled after the Board meetings instead of before.

Commissioner Hegberg announced that Russell Jackson, New Scandia Town Board, is retiring after 36 years of service. There will be an open house on April 18, from 5:00 to 7:00 p.m. He requested that a resolution be prepared for next week's Board meeting honoring Mr. Jackson for his many years of public service.

Commissioner Hegberg stated that he attended a two-day meeting with the Minnesota Insurance Trust Board. He indicated that that Board will be requesting employees to take driver's license tests through the State of Minnesota, because of the number of accidents that have occurred.

Commissioner Engstrom announced that he has an article on national flow control and will make copies for the other Board members.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously. The Board meeting adjourned at 9:55 a.m.

April 12, 1994

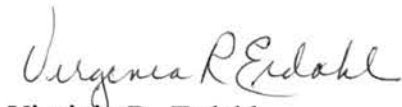
BOARD WORKSHOP WITH SHERIFF'S DEPARTMENT

The Board meeting was preceded by a workshop with the Sheriff's Department to discuss various law enforcement/criminal justice issues. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Virginia Erdahl, Richard Arney, Richard Hodsdon, Russ Reetz, Don Wisniewski, Lyle Doerr, Shari Bowers, Sue Fennern, John Devine, Jim Trudeau, Dick Becker, Don McGlothlin, Ken Boyden, and Brendan McLaughlin.

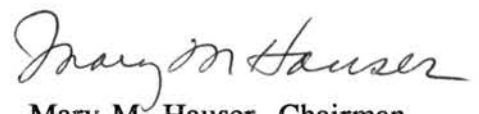
BOARD WORKSHOP WITH PUBLIC WORKS DEPARTMENT

The Board meeting was followed by a workshop with the Public Works Department to discuss County cost participation policy, 1994 projects including new technology efforts, and private sign policy. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Virginia Erdahl, Don Wisniewski, Don Theisen, Jack Perkovich, and Jane Harper.

Attest:


Virginia R. Erdahl

Deputy Administrator

Mary M. Hauser, Chairman
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 19, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were James Schug, County Administrator/Community Services Director; Richard Arney, County Administrator; Jim Trudeau, Sheriff; John Devine, Controller; Don Wisniewski, Public Works Director; Judy Honmyhr, Human Resources Director; Brendan McLaughlin, Budget Analyst; and Larry Nybeck, Surveyor.

CONSENT CALENDAR

Commissioner Engstrom moved, seconded by Commissioner Peterson, to adopt the following Consent Calendar:

1. Approval of the April 5 Board meeting minutes, and the April 8 Special Board meeting minutes.
2. Adoption of **Resolution No. 94-070** as follows:

Minnesota Authors' Month

WHEREAS, Minnesota has a lively and meaningful history of tale telling, writing, publishing and book production that stretches to its origins; and

WHEREAS, Minnesota creators of books contribute significantly to the personal, cultural, social, economic and civic life of Minnesotans, of other Americans, and of the world; and

WHEREAS, Minnesota's publishers, communications media, booksellers, librarians and readers make known to one another and share the wealth of literature produced by Minnesotans; and

WHEREAS, Minnesotans are greatly enriched by the contributions of hundreds of Minnesota book creators and hundreds of Minnesota publishers who contribute to our quality of life; and

WHEREAS, During National Library Week, Minnesotans annually honor the creative work of the state's writers, illustrators, editors and publishers; and

WHEREAS, The Minnesota Book Award nominees since 1988 represent those books that Minnesota readers prize among their favorites; and

WHEREAS, Arne H. Carlson, Governor of the State of Minnesota, proclaimed the month of April, 1994 to be Minnesota Authors' Month in Minnesota;

NOW, THEREFORE, The Washington County Board of Commissioners hereby joins Governor Carlson in proclaiming the month of April, 1994 to be Minnesota Authors' Month in Minnesota.

April 19, 1994

3. Adoption of **Resolution No. 94-071** as follows:

Honoring Russell Jackson
Retiring from the New Scandia Town Board

WHEREAS, Russell Jackson has served 36 years on the New Scandia Town Board; and

WHEREAS, Russell Jackson has devoted uncountable hours to public service, in addition to his responsibilities to his farm and family; and

WHEREAS, Russell Jackson has also been very active in the local Lion's Club, the Forest Lake Watershed District, the Senior Housing Board, and his church; and

WHEREAS, during his tenure on the Town Board to which he was elected 12 times, and elected Chair in 1972, he was instrumental in developing a plan to control the level on Big Marine Lake; solve problems of the numerous gravel pit operations within the township; planning and construction of the New Scandia Community/Senior Center; developing and implementing a plan to blacktop all of New Scandia's roads over the next ten years; upgrading the fire protection for the township; and developing and implementing a recycling plan for the community; and

WHEREAS, during his long association through the Town Board with Washington County, he has provided leadership in collaborating to maintain and improve County roads; upgrading local on-site waste-water treatment systems to protect the communities groundwater resources; and, developing strong land use controls to protect the environment, the land values of the community and the beautiful St. Croix River and its watershed.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners congratulates Russell Jackson for his many years of devoted service to the public; for his compassion and interest in both people and the environment; and, for his leadership in helping to mold the future of New Scandia Township.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners wish you well in your retirement from public life as an elected official and applauds your continued involvement through your various volunteer organizations to benefit your community.

4. Adoption of **Resolution No. 94-072** as follows:

Reappointment of County Highway Engineer

WHEREAS, Minnesota Statute 163.07 requires each County to appoint and employ a County Highway Engineer; and

WHEREAS, the Washington County Board has appointed and employed Donald C. Wisniewski as its County Highway Engineer; and

April 19, 1994

WHEREAS, his existing four-year appointment expires on April 30, 1994; and

WHEREAS, it is the recommendation of the County Administrator to reappoint Donald C. Wisniewski to another four-year term;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby reappoint Donald C. Wisniewski as the Washington County Highway Engineer for a four-year term effective May 1, 1994 through April 30, 1998.

5. Adoption of **Resolution No. 94-073** as follows:

Washington County's Commitment to
Light Rail Transit

WHEREAS, the Washington County Board of Commissioners established the Washington County Regional Railroad Authority with its purpose to work toward the provision of better transit service, including light rail transit, in the region; and

WHEREAS, the Washington County Regional Railroad Authority participates with the other regional railroad authorities, the Metro LRT Joint Powers Board, the Minnesota Department of Transportation (MN/DOT), Metropolitan Transit Commission, Metropolitan Council, Regional Transit Board, and cities in coordinating the planning and engineering work for light rail transit in the metro area;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners reaffirms its commitment to light rail transit as a means to address some of the pressing transportation problems faced by our region; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners is committed to continuing work with other counties, the Metro LRT Joint Powers Board, MN/DOT, and metro agencies on light rail transit; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners supports a regional view of transit, including light rail transit, with the Central Corridor as the spine of a regional light rail transit system.

6. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Red/Value	19034-3150	Opsahl, Marian	\$ 268.44
Red/Value	19135-2250	Spika, Eugene	126.06
Red/Value	19135-2300	Spika, Eugene	126.06
Red/Value	19135-2550	Spika, Eugene	107.36
Red/Value	27215-3350	Biscoe, Robert	617.70
Red/Value	28201-3175	Axtmann, Paul	297.36

April 19, 1994

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Red/Value	28370-2550	Bieniek, Jack	\$ 181.12
Red/Value	28396-2050	Yarbrough, John	213.56
Red/Value	28397-2700	Ray, Michael	151.38
Red/Value	28399-2450	Ridgemay, Wayne	162.20
Red/Value	28397-3175	Peterson, Gary	886.68
Red/Value	28505-5650	Griffith, Dean	209.52
Red/Value	28508-2650	Correll, Margaret	178.42
Red/Value	35135-8050	Williams, Earl	53.86
Red/Value	37013-0050	Zdechlik, Mark	282.16
Red/Value	37015-4550	Hruska, Donna	441.66
Red/Value	37090-2550	Tran, Thu-Huong	484.60
Red/Value	37164-2900	McCamy, Allan	1,123.26
Red/Value	37445-6010	Marchio, James	314.08
Red/Value	49020-0350	Foley, William	379.08
Red/Value	49029-0260	City of Mahtomedi	20.22
Red/Value	49355-3600	City of Mahtomedi	44.24
Red/Value	49355-5400	City of Mahtomedi	625.44
Red/Value	50447-2100	City of Mahtomedi	735.40
Red/Value	50750-2000	City of Mahtomedi	2.52
Red/Value	87197-2125	City of Mahtomedi	2.58
Red/Value	87197-2150	City of Mahtomedi	11.60
Red/Value	49760-2500	Irvine, Paul	1,094.24
Red/Value	50715-2450	Griesgraber, Robert	303.26
Red/Value	87450-2050	Novak, Robert	927.44
Red/Value	54025-4302	South Suburban Rental	79.98
Red/Value	54036-4160	Oftedahl, Richard	2,097.62
Red/Value	54530-2225	Monahan, Charles	276.16
Red/Value	55035-2160	Rantala, John	1,736.32
Red/Value	55325-2350	Decker, Roger	98.34
Red/Value	55348-2100	Belair, Thomas	153.70
Red/Value	57483-9300	Fleischauer, Kevin	311.30
Red/Value	58455-2650	Wilson, Dean	723.42
Red/Value	58575-2000	City of Oakdale	2.46
Red/Value	60004-2250	Swager, Norris	966.44
Red/Value	60004-2400	Swager, Norris	951.82
Red/Value	61600-2000	City of Oak Park Heights	5,092.02
Red/Value	61600-2025	City of Oak Park Heights	1,737.66
Red/Value	61705-2050	HSI	718.72
Red/Value	63740-2150	Schultz, Janet	339.36
Red/Value	63740-2200	Schultz, Janet	167.36
Red/Value	63740-2250	Schultz, Janet	130.44
Red/Value	63740-2300	Schultz, Janet	65.80
Red/Value	63740-2350	Schultz, Janet	103.88
Red/Value	68442-4050	Zilmer, Clarence	462.18
Red/Value	68446-8000	Comm United Church	58.90
Red/Value	68446-8050	Comm United Church	58.90
Red/Value	68446-8100	Comm United Church	58.90
Red/Value	68446-8150	Comm United Church	58.90
Red/Value	9270-3700	Anderson, Angela	71.38
Red/Value	9270-6220	Roettger, Don	667.92
Red/Value	9311-2500	Rose Floral	518.78
Red/Value	9356-2350	Grafenstein, Kyle	193.74
Red/Value	9340-3350	Boosalies, Shermin	1,690.18
Red/Value	10650-2000	Zimmerman, Richard	2,399.32
Red/Value	10690-5350	Greenhalgh, Jill	1,120.42

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<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Red/Value	11080-3740	March, Bonnie	\$ 175.90
Red/Value	11552-2000	Human Services, Inc	21,750.08
Red/Value	11552-2160	Human Services, Inc	721.34
Red/Value	70870-7560	Weber, Jim	99.42
Red/Value	73420-2000	Klatt, William	8,548.26
Red/Value	79003-2300	DNR	2,109.50
Red/Value	81022-2000	Kunze, Roger	248.08
Red/Value	81415-6185	Pera, Judy & William	136.64
Red/Value	81006-2530	Svenkeson, Paul	423.08
Dis/Cred	81321-2200	Williamson, Filby	372.68
Red/Value	91031-2070	DNR	2,364.06
Dis/Cred	97090-2300	Enerson, Cheryl	782.26
Dis/Cred	81283-2050	Corradi, Bruce	278.09
Assmts	60004-3315	City of Oak Park Heights	9,608.26
Assmts	60004-3320	City of Oak Park Heights	9,608.26
Assmts	72002-2500	City of Woodbury/Floyd Peltier	5,438.34
Assmts	72002-2550	City of Woodbury/Michael Smith	200.68
Assmts	72002-2600	City of Woodbury/R Neville	224.30
Assmts	72117-2500	City of Woodbury/Mohamed Harez	377.20
Assmts	72007-2970	Wozniak, D.D.	53,747.27

7. Approval of 1994 cooperative agreement between Community Services Department and the Office of the County Attorney to provide legal services for the child support enforcement program.
8. Adoption of **Resolution No. 94-074** as follows:

Final Payment to Knutson Construction Company
for the Government Center Parking Ramp Construction

WHEREAS, the Washington County Board of Commissioners, on March 21, 1991, signed a contract with Knutson Construction Company for the labor and materials to construct the parking ramp.

WHEREAS, Knutson Construction Company has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Knutson Construction Company be paid in full for the said contract work in the amount due indicated on the final payment voucher which is attached herewith and is hereby a part of this resolution.

9. Adoption of **Resolution No. 94-075** as follows:

Purchase Edstrom Property - Big Marine Park

WHEREAS, Washington County is interested in acquiring the property located at 18329 Manning Avenue North, in New Scandia Township, for inclusion into the Big Marine Park Reserve and whereas the owners agree to sell the property.

April 19, 1994

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes its Chairman and Administrator to execute on behalf of the County a purchase agreement and any other document necessary for the County to purchase the property located at 18329 Manning Avenue North, legally described as follows:

SEE ADDENDUM NO. 1 - LEGAL DESCRIPTION

for the sum of \$744,000.00; in total, upon the following terms and conditions:

1. Conveyance should be by warranty deed or quit claim deed pursuant to the terms and conditions of a standard Miller-Davis Purchase Agreement free and clear of all liens, charges and encumbrances;
2. Seller to pay all levied or pending special assessments (if any);
3. Seller to pay abstract expenses;
4. Real Estate taxes shall be pro rated as of the date of closing;
5. Buyer to pay recording fee(s), state deed tax and conservation fee.
6. Closing is to be on or before May 1, 1994, or as soon as possible after that date. The closing shall be handled through the Washington County Attorney's Office.
7. John and Harriet Edstrom may retain possession of the main house, rent free, through October 31, 1994, or six months after date of closing, whichever is later. After that six month period, John and Harriet Edstrom have the first option to rent the main house and immediate yard, and outbuildings for their personal use. By September 15, 1994 sellers must notify County's Property Acquisition Specialist whether they plan to vacate the main house by October 31, 1994, or whether they will enter into a lease agreement with the County to rent the main house, the immediate yard around the main house, and outbuildings. Should John and Harriet Edstrom enter into a lease agreement with the County, the rental rate shall be set at \$700 per month for a period of one (1) year. After 1 year, the rental rate shall be reviewed and set according to the rental market of houses in the area.
8. Sellers shall be obligated to perform all maintenance in order to keep the rental property in a reasonable repair, normal wear and tear excepted. If at such time during John and Harriet Edstrom's rental period that main house requires major repair (new roof, new furnace, new septic system or new well), it is understood that John and Harriet Edstrom will share in 40% of the expense of that repair. If John and Harriet Edstrom fail to meet this obligation the County reserves the right, after 60 days notice to the Edstroms, to terminate rental of the main home. If John and Harriet Edstrom decide to share in 40% of that expense, they may continue renting the main house.
9. The outbuildings will remain on property for use of John and Harriet Edstrom as long as outbuildings are safe, useful, and not a liability (to be determined by County). However, at time when outbuildings require large expenditure for maintenance or repair, the County may decide that outbuilding(s) should be removed or razed. Should John and Harriet

April 19, 1944

Edstrom be leasing the property at that time, sellers shall be given first right to purchase and remove outbuilding(s) at salvage value.

10. John and Harriet Edstrom shall be obligated to pay all utilities, including fuel oil, propane gas, natural gas, electricity, water, telephone, sewer, and garbage hauling, in a timely manner, while they are in possession of the property.

11. Relocation benefits are available to qualified sellers and renters as per state law.

12. Acquisition is subject to a satisfactory environmental audit by the County.

13. The acquisition is subject to the existing lease (if any) of the second house and upon acquisition the County will terminate the existing lease. Upon acquisition the County will inspect second house and after review, will decide whether to rent, remove, or raze the second house. Should County decide to rent existing second house, existing renters shall be given first option to rent by entering into a lease agreement with the County.

14. John Edstrom will have the option of entering into the County's standard farmland lease with Washington County for the existing cropland on the property at the rate of \$37 per acre per year. Said lease will be effective for the 1994 growing season and will give him an option to rent cropland for an additional three (3) years.

Addendum No. 1

Legal Description of Edstrom Property

Government Lot 1, Government Lot 2, that portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying east of Manning Avenue, the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; all in Section 31, Township 32 North, Range 20 West, Washington County, Minnesota.

Property Identification Numbers: 91031-0150, 91031-0200, 91031-2250, 91031-2350, and 91031-2300.

10. Approval to advertise for bids on road and signal construction on CSAH 16.

11. Approval of contract for extra funds from the Department of Natural Resources to assist in the enforcement of Boating While Intoxicated (BWI) Laws on the St. Croix River.

The foregoing Consent Calendar was adopted unanimously.

HUMAN RESOURCES DEPARTMENT

The Board Chair presented 1993 Suggestions of Year Awards to the following employees: Convenience, Karen Presser, Surveyor's Department; Customer Service, Pam Ringsmith, Community Services; Safety, Ray Peterson, Sheriff's Department; Savings, Sharon Harrison, Public Works, and Mike Haraldson, Public Works; and, Waste Reduction, Pam Mattila, Auditor-Treasurer's Office.

April 19, 1994

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONERS REPORTS - COMMENTS - QUESTIONS

The Board Chair stated that the results of the diversity survey are out and that there will be two workshops on this issue. The dates are April 27 and May 18 at the Human Services Offices in Oakdale.

It was the consensus of the County Board that the terms of employment, as addressed in a letter from Personnel Decisions Inc., for the new County Administrator be placed on next week's Consent Calendar.

Commissioner Engstrom updated the Board on a meeting he attended concerning the Housing and Redevelopment Authority (HRA) withdrawing from the Home Program, a consortium with Anoka, Dakota and Ramsey Counties. He indicated that the HRA worked out a better deal and will be continuing with that program.

Commissioner Peterson gave each Commissioner suggested ideas for the Association of Minnesota Counties convention in December. She asked that the Commissioners rank the ideas and return them to her.

Commissioner Abrahamson suggested that workshops be televised. He stated that many important issues are discussed at these workshops and should be available to the general public.

BOARD CORRESPONDENCE

Board Correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom, and it was adopted unanimously. The Board meeting adjourned at 9:25 a.m.

BOARD WORKSHOP WITH THE METROPOLITAN MOSQUITO CONTROL DISTRICT

The Board met in workshop session with the Metropolitan Mosquito Control District. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Peterson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Richard

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Stafford, Joe Sanzone, Mosquito Control Executive Director, Susan Patchick, Mosquito Control, Ross Green, Marcus Peterson, Charlotte Brooker, Izaak Walton League, Phil Henderaker, and Patrick Kellogg.

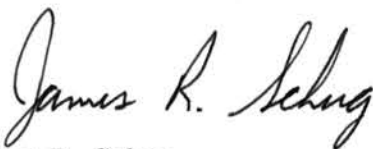
BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss priorities of the Board for the new Administrator. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, and Richard Arney.

BOARD WORKSHOP WITH THE SHERIFF'S DEPARTMENT

The Board met in workshop session with the Sheriff's Department to continue discussion on the Law Enforcement Center/Jail operation. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Richard Hodsdon, Jim Trudeau, Don McGlothlin, Ken Boyden, Lyle Doerr, Russ Reetz, John Devine, and Brendan McLaughlin.

Attest:



James R. Schug

County Administrator



Mary M. Hauser, Chairman

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 26, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Jim Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Judy Honmyhr, Human Resources Director; Rick Backman, Community Services Division Manager; Bob Lockyear, Planning and Public Affairs Director; Don Theisen, Deputy Public Works Director; Don Wisniewski, Public Works Director; Char Farnum, Community Services Division Manager; John Devine, Controller; Judy Arends, Health, Environment and Land Management Department; and Mary McGlothlin, Director of Health, Environment and Land Management.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Hegberg, to adopt the following Consent Calendar:

1. Approval of the April 12, 1994, Board meeting minutes.
2. Approval to designate the following areas within the County facilities for placement of campaign material: Lobby areas of the two wings of the Government Center and the lobby of the Law Enforcement Center (L.E.C.); tables will be placed in the Government Center wings and built in shelves are available in the lobby of the L.E.C.
3. Approval of employment agreement with new County Administrator James R. Schug.
4. Approval of one day on sale non-intoxicating malt liquor license for Regional Awards Banquet/Social, to be held on April 30, 1994 at Hooley Hall, County Fairgrounds.
5. Approval of on sale and Sunday intoxicating liquor license for the Outing Lodge at Pine Point, Inc., April 1, 1994 to March 31, 1995.
6. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	19040-8900	Miller, Beverly N.	\$ 1,227.76
Hmstd	22118-9800	Taube, Janis & Elvira	247.48
Hmstd	27012-2600	Eddy, Robert & Sampson Ray	1,281.38
Hmstd	27600-2350	Keeley, Donald & Mauricelte	1,603.06
Hmstd	28200-2550	Mead, Rodney & Heuer, Renee	1,343.52

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<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	28237-3150	Jones, Tim & Lisa	\$ 237.90
Hmstd	28496-3360	Officer, Forrest & Elise	1,173.22
Hmstd	28500-6380	Page, Craig	1,186.74
Hmstd	28507-3160	Rogge, Karen	1,224.58
Hmstd	30703-2000	Adrian, Joseph & Jane	4,258.86
Hmstd	93725-2650	Kersten, Scott & Jodie	1,112.70
Hmstd	37160-2050	Orloff, Debra Rae	1,417.04
Hmstd	44700-2675	Prunty, Scott & Sarah	1,238.46
Hmstd	44810-5500	Park, Timothy	529.40
Hmstd	49878-3450	Olson, David	1,068.96
Hmstd	87275-4500	Bartholomew Thomas & Deborah	909.74
Hmstd	87275-4900	Johnson, Kevin	962.82
Hmstd	87760-2825	Jacob, Carla	521.86
Hmstd	55340-3150	Ostvolden, Craig William & Ann	1,083.76
Hmstd	57710-2775	Scribner Lyle & Lorraine	950.80
Hmstd	58126-3650	Hedican, Gerald & Theresa	1,513.30
Hmstd	58127-2875	Schouvieller, Brian Scott	147.66
Hmstd	57710-3075	Englebert, Joyce	950.80
Hmstd	57602-2080	Corn, Ronald & Jeanette	1,162.66
Hmstd	60162-3300	Sharon, Barry & Julie	1,152.64
Hmstd	67200-2370	Meade, Donald & Gloria	225.34
Hmstd	68448-6180	Scofield, Douglas	836.02
Hmstd	68448-4650	Wukawitz, Natalie	1,075.42
Hmstd	09347-2450	Wulf, Lea	820.88
Hmstd	09357-2000	Balfanz, Marie	920.30
Hmstd	11211-2625	Felhaber, Andrea	1,232.60
Hmstd	72145-2225	McLean, David & Hattie	1,404.76
Hmstd	72194-2450	Stucky, Douglas & Valerie	1,936.48
Hmstd	72205-2100	O'Rourke, John	179.72
Hmstd	72385-2950	McDonald, Matthew	144.28
Hmstd	72850-2630	Melchiori, Brian & Carol	538.98
Hmstd	73040-2350	Peck, Dorothy	1,284.46
Hmstd	73386-3550	Sanville, Jeffrey	1,099.80
Hmstd	73467-2150	Mujumdar, Ashutosh & Anita	308.00
Hmstd	73800-2475	Solberg, Brian	338.60
Hmstd	79014-0170	Nielsen, James	1,325.80
Hmstd	79015-2110	Lacroix, Daniel & Julie	1,202.30
Hmstd	81595-2900	Lindeberg, Robert & Signe	1,156.40
Hmstd	81014-0210	Lindeberg, Robert & Signe	15.78
Hmstd	81744-2500	Eastey Richard Charles & Lynn	935.42
Hmstd	89034-0075	Schaeppi, Dennis	391.62
Hmstd	95031-2030	Berner, Dan & Suzanne	1,506.84
Red/Value	28220-2440	Asche, Larry	448.74
Red/Value	30018-0065	White Bear Yacht Club	63.22
Red/Value	32721-7350	Olson, Robert	527.42
Red/Value	32870-2050	Dempsey, Albert & Patricia	479.84
Red/Value	38125-0453	Fischer, Matthew John	87.72
Red/Value	57032-2200	Oakdale 694	5,197.02
Red/Value	57032-2250	Oakdale 694	6,140.66
Red/Value	67001-2010	Kostka, Harold	325.18
Red/Value	09021-0500	DNR-Bureau of Real Estate MN	302.10
Red/Value	09340-4100	Ev. Lutheran Church - Good Sam	387.50
Red/Value	09340-4150	Ev. Lutheran Church - Good Sam	240.92
Red/Value	09340-4200	Ev. Lutheran Church - Good Sam	175.90
Red/Value	09340-4250	Ev. Lutheran Church - Good Sam	240.92

April 26, 1994

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Red/Value	73657-2850	Richmond, Daniel	\$ 217.84
Red/Value	78005-3150	Ruvelson, James & Sarah	20.32
Red/Value	81210-2060	Serbus, Terry & Carrolle	965.68
Red/Value	87031-2050	Diamond Devel. Inc.	3,090.72
Assmt	87031-2050	Diamond Devel. Inc.	5,422.16
Red/Value	89020-2400	Kiesow, Robert	788.00
Red/Value	DNR-Bureau of Real Estate MG		306.18
Dis/Cred	Vance, Donald & Carolyn		267.25

7. Approval of 1994 rate recommendation and rate variance for East Suburban Resources, a day training habilitation service provider for adults with developmental disabilities.
8. Approval of 1994 rate recommendations for Opportunity Services, a day training and habilitation service provider for adults with developmental disabilities.
9. Approval of increased payment rates for County burials.
10. Approval to reclassify position of Account Clerk II to the classification of Sr. Accounting Technician in the Accounting Department retroactive to December 19, 1993; authorization for adjustment to the Accounting 1994 salary budget of \$1,872.
11. Approval to reclassify position of Accountant I to the classification of Accountant II in the Accounting Department retroactive to March 14, 1994; authorization for adjustment to the Accounting 1994 salary budget of \$1,420.
12. Approval to reclassify position of Family Service Worker to the classification of Social Worker I in the Community Services Department effective April 24, 1994.
13. Approval of County paid medical/hospitalization insurance premiums for retiring employee Richard D. Becker, Sheriff's Office, in accordance with Section 11 of the Personnel Rules and Regulations.
14. Approval of severance payment for Richard D. Becker, Sheriff's Office, in the amount of \$4,700; and authorization to amend the 1994 salary budget, service 1668, object 6114, by that same amount.
15. Adoption of **Resolution No. 94-076** as follows:

April 26, 1994

Installation of "No Parking" Signs on County Road 79
(Old Wildwood Road) in the City of Mahtomedi

BE IT RESOLVED, that the Washington County Board of Commissioners authorize the Washington County Director of Public Works to install and maintain "No Parking" signs on a segment of County Road 79 (Old Wildwood Road) approximately 400 feet long, adjacent to a City of Mahtomedi park.

16. Bids were received for bituminous overlay on CSAH 40, 42, 45, 21 CR 15A, 55 and 68 as follows:

Valley Paving, Inc.	\$460,727.75
Hardrives, Inc.	\$471,729.75
Tower Asphalt	\$502,603.50

Adoption of **Resolution No. 94-077** as follows:

Award of Contract for Bituminous Overlay on CSAH 21, 40,
42, 45, and CR 15A, 55, 68 to Valley Paving Inc.

WHEREAS, in order to facilitate road reconstruction to be done on County roads, the County solicited bids for this project; and,

WHEREAS, bids were opened on April 18, 1994, with Valley Paving, Inc., being the lowest responsible bidder; and,

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Valley Paving, Inc. be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

17. Approval to advertise for bids on road construction on CSAH 5, project #SAP 82-605-10.
18. Approval of the plat of Mannington Downs, West Lakeland Township.

The foregoing Consent Calendar was adopted unanimously.

GENERAL ADMINISTRATION

The County Administrator indicated that Washington County will be meeting with Dakota and Ramsey Counties to discuss the regional juvenile center on Monday, May 2, 1994, at 9:00 a.m. at the Wentworth Library, West St. Paul.

April 26, 1994

The County Administrator stated that our legislative consultant told him that there has been no further progress concerning the Tax Bill.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson stated that he had met with the City of Stillwater Administrator concerning the Waste Management Service Charge of \$1.60 and questioned if the Cities of Stillwater and Oak Park Heights should be at the next Board meeting to resolve this problem.

Judy Arends, Health, Environment and Land Management (HELM) Department, stated that a meeting will be set up between the two cities, their attorneys, HELM, and the Assistant County Attorney to further discuss collection of the Waste Management Service Charge. She will report back to the Board on the results of the meeting.

Commissioner Abrahamson questioned if a lawsuit has been served on the County concerning the Waste Management Service Charge. The County Attorney stated that it has and his department will be answering the complaint. The Board Chair stated that the main complaint in the lawsuit charges that the County didn't use proper process in adopting the Waste Management Service Charge.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Hegberg, and it was adopted unanimously. The Board meeting adjourned at 9:20 a.m.

BOARD WORKSHOP WITH THE HISTORIC COURTHOUSE ADVISORY COMMITTEE

The Board met in workshop session with the Historic Courthouse Advisory Committee to discuss the strategic plan for the Historic Courthouse. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Virginia Erdahl, Marlene deBoef, Don Theisen,

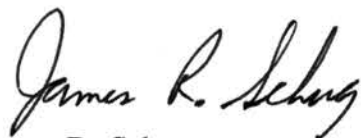
April 26, 1994

Gudrun Nordby, John Devine, Dick Stafford, Bob Lockyear, and Don Wisniewski. Also attending were members of the Historic Courthouse Advisory Committee: Clayton Patterson, Howard Swenlund, Steffie Angevine, Gloria Haslund, Brent Peterson, and Mark Balay.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the 1995 budget process. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Virginia Erdahl, Sue Fennern, Mary McGlothlin, Don McGlothlin, Brendan McLaughlin, Marie Sunlitis, Bob Lockyear, Bill Funari, John Devine, Don Wisniewski, Judy Honmyhr, Jim Trudeau, and Dick Hodsdon.

Attest:



James R. Schug

County Administrator



Mary M. Hauser, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 3, 1994**

The Washington County Board of Commissioners met in regular session at 7:00 p.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Richard Arney, County Attorney; Jack Perkovich, Deputy Public Works Director; Richard Stafford, Auditor-Treasurer; Judy Honmyhr, Human Resources Director; Frank Madden, County Labor Negotiator; John Devine, Controller; Mary McGlothlin, Health, Environment, and Land Management Director; and George Kuprian, Assistant County Attorney.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioners Engstrom, to adopt the following Consent Calendar:

1. Approval of the April 19, 1994, Board meeting minutes.
2. Approval to appoint Judge Kenneth Maas to the Washington County Historic Courthouse Advisory Committee.
3. Adoption of **Resolution No. 94-078** as follows:

Mission Directed Budgeting - 1995 Guidance
(Replaces Resolution No. 93-043)

WHEREAS, the County Board adopted the concept of Mission Directed Budgeting on April 20, 1993; and

WHEREAS, the County Board continues to support MDB and its desire to more definitively set the mission for Washington County and link it to the resources they are willing to provide; and

WHEREAS, the County Board wishes to continue empowering departments to manage their budget allocations to best accomplish this mission and the duties assigned to them;

NOW THEREFORE BE IT RESOLVED, that the following guidelines are to be used by departments in Mission Directed Budgeting for 1995.

Departments will be given an operating budget based on the monetary equivalent to their 1994 budget minus capital expenditures and adjusted for 1995 employee wage and benefit increases and changes in facilities rent charges.

Departments will budget for their operating expenses and submit requests to Administration for additional funds for capital and/or other expenses.

May 3, 1994

Departments will be able to transfer dollars between line items within their operating budget, provided there is no net increase in expenditures. Transfers to wage and benefit and capital objects are limited to \$10,000 per position, item or project. Transfers to road and building projects require County Board approval.

The County Administrator, or his designee, has authority to transfer dollars within the budget provided it does not reduce the fund balance (i.e., monies must come from increased current revenues, decreased current expenditures, or contingency), except for authorized use of MDB Savings Allocation. Transfers to wage and benefit and capital objects are limited to \$10,000 per position, item or project.

The County Board may make any budget adjustments necessary to reflect changes in financial conditions.

4. Adoption of **Resolution No. 94-079** as follows:

Mission Directed Budgeting - Savings Plan

WHEREAS, the County Board adopted the concept of Mission Directed Budgeting on April 20, 1993; and

WHEREAS, the County Board continues to support MDB and its desire to offer an incentive plan for departments to decrease expenditures;

NOW THEREFORE, BE IT RESOLVED, that the Savings Plan portion of Mission Directed Budgeting be refined and implemented beginning with the 1994 fiscal year.

Departments with any savings at year-end will have 25% allocated to that department and will have 25% allocated to a countywide pool.

Savings will be measured at the year-end accounting system close prior to audit adjustments (approximately the second week of February).

Savings will be based on the excess revenues over expenditures line of the operating statement. Departments which receive revenues to support countywide operations will not have those revenues considered as part of the savings plan.

Departments and services with legal restrictions (dedicated use of funds) are not included in the savings plan.

The savings will be measured at the appropriate departmental level. Departments with more complicated budgets will review their services separately to determine savings and prepare a memo to the administrator explaining where they believe it occurred and how much was saved.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the following procedures will be used to govern the use of funds under the savings plan.

Departments wishing to use any of their savings allocation should write a memo to the administrator explaining what the savings will be spent on and detailing which services and objects to increase by what amounts.

May 3, 1994

The administrator has final discretion to authorize the expenditures and budget increases.

The use of the countywide MDB Savings Pool will be available for departments to submit proposals to their peers to determine projects deserving of this funding. A two-thirds majority of those present at the department head meeting is needed for approval. Final approval must be authorized by the County Board.

Expenditure of MDB Savings should be for one-time expenses (i.e.) equipment, additional training, or a pilot project). Savings should not be used for additional staffing, supporting operating costs, new programs or items that will cause increased ongoing operating costs.

5. Adoption of **Resolution No. 94-080** as follows:

Authorize City of Oakdale to Enter Tax-Forfeited
Property Withheld by DNR for Grading Work

WHEREAS, parcel 57575-2000 being Outlot A, Hadley Meadows Addition in the City of Oakdale is forfeited property withheld by DNR per M.S. 282.018.

WHEREAS, the City of Oakdale is desirous of conducting grading work for drainage improvement purposes.

WHEREAS, such work shall be performed by the city and the city shall be responsible for any expenses incurred in the entire project.

WHEREAS, M.S. 282.04 Subdivision 2, the county auditor may, with the approval of the county board provide for the grading thereof such that reasonable grading is necessary for the protection and preservation of the property.

BE IT HEREBY RESOLVED that the Washington County Board of Commissioners authorizes the City of Oakdale to enter tax forfeited property withheld by DNR, parcel #57575-2000 to have such grading work done for drainage improvement purposes.

6. Approval to submit grant application to the Department of Human Services for Rule 12 funds for Beeman Place.
7. Approval of modification #1 to the 5% older worker program contract. This modification changes the terms of the original contract from July 1, 1993 through June 30, 1994, to October 1, 1993 through September 30, 1994.
8. Approval of contract with Minnesota Department of Jobs and Training for 5% incentive funds (April 1, 1994 through September 30, 1995).

May 3, 1994

9. Approval of contract with Minnesota Department of Jobs and Training for program year 1994 (July 1, 1994 - June 30, 1995) senior community service employment program.
10. Approval of the 1993 Wellness Program annual report.
11. Adoption of **Resolution No. 94-081** as follows:

Emergency Management Assistance Grant with
the Minnesota Department of Public Safety,
Division of Emergency Management

WHEREAS, the Emergency Management Assistance (EMA) Program, is provided for the Federal Emergency Management Agency (FEMA) and administered by the State of Minnesota, through the Department of Public Safety, Division of Emergency Management; and

WHEREAS, Washington County has properly applied in good faith for Emergency Management Assistance and has entered into contractual agreement No. 94-74 for such financial assistance; and

WHEREAS, Mary Hauser, Board Chair, and James Schug, County Administrator are authorized to execute the terms of the agreement and thereby act on behalf of Washington County for all contractual obligations contained therein.

NOW, THEREFORE BE IT RESOLVED THAT Washington County fully agrees to the terms of the Emergency Management Assistance contract and with the passage of this resolution, officially requests the Division of Emergency Management to enforce the contract in accordance with the applicable rules and regulations.

12. Approval of County paid medical and hospitalization insurance for retiring employee Mary Lou Larson, Auditor-Treasurer's Office, in accordance with Section 11 of the Personnel Rules and Regulations.
13. Approval of County paid medical and hospitalization insurance premiums for retiring employee Richard M. Orth, Sheriff's Department, in accordance with Section 11 of the Personnel Rules and Regulations.
14. Adoption of **Resolution No. 94-082** as follows:

Support MN/DOT's Application for Federal ISTEA
Funding of the Trunk Highway 10 Project

WHEREAS, Trunk Highway 10 serves a critical function for residents of Washington County and the metro region; and

May 3, 1994

WHEREAS, the section of Trunk Highway 10 between Trunk Highway 61 and Prescott, WI is in dire need of capacity and safety improvements; and

WHEREAS, this present section of Trunk Highway 10 cannot accommodate intermodal trip demands that have been created by development; and

WHEREAS, MN/DOT has proposed a Trunk Highway 10 project that will provide the needed improvements in this area; and

WHEREAS, this project is not programmed because of a funding shortfall.

NOW, THEREFORE, BE IT RESOLVED, Washington County strongly supports MN/DOT's application for Federal ISTEA funding of the Trunk Highway 10 project.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the MN/DOT Metro Division Engineer for his use with the Area Transportation Partnership.

15. Bids were received for plant mixed bituminous surface inplace as follows:

Tower Asphalt

Zone Bids

Adoption of **Resolution No. 94-083** as follows:

Award of Contract for Plant Mixed
Bituminous Inplace to Tower Asphalt

WHEREAS, in order to facilitate road preservation to be done on County roads, the County solicited bids for these materials; and

WHEREAS, bids were opened on April 25, 1994, with Tower Asphalt, being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Tower Asphalt be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

16. Bids were received for seal coat as follows:

Allied Blacktop

\$288,543.03

Astech Asphalt Surface Tech. Corp.

\$305,745.69

May 3, 1994

Adoption of **Resolution No. 94-084** as follows:

Award of Contract for Sealcoating to Various
County Roads to Allied Blacktop

WHEREAS, in order to facilitate road preservation to be done on County roads, the County solicited bids for this project; and,

WHEREAS, bids were opened on April 25, 1994, with Allied Blacktop being the lowest responsible bidder; and,

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Allied Blacktop, be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

17. Bids were received for crack seal as follows:

Bergman Companies	\$64,888.08
Astech Asphalt Surface Tech Corp.	\$67,998.23

Adoption of **Resolution No. 94-085** as follows:

Award of Contract for Supply and Application of Crack
Seal Material on County Roads to Bergman Companies

WHEREAS, in order to facilitate road preservation to be done on County roads, the County solicited bids for this project; and,

WHEREAS, bids were opened on April 25, 1994, with Bergman Companies being the lowest responsible bidder; and,

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Bergman Companies, be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

18. Bids were received for chemical weed control as follows:

Chem-Trol, Inc.	\$69.75/hr
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Adoption of **Resolution No. 94-086** as follows:

May 3, 1994

Award of Contract for Chemical Weed Spraying
to Chem-Trol, Inc.

WHEREAS, in order to perform weed control to be done on the right-of-way along County roads, the County solicited bids for this project; and

WHEREAS, bids were opened on April 25, 1994, with Chem-Trol, Inc., being the lowest responsible bidder; and,

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Chem-Trol, Inc. be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Engstrom moved to approve the abatement application for settlement of delinquent taxes by Management Services, Inc., Parcel No. 32457-2400, in the amount of \$94,168.49. Commissioner Peterson seconded the motion and it was adopted unanimously.

HUMAN RESOURCES DEPARTMENT

Commissioner Engstrom moved to ratify the 1994-95 bargaining agreement with AFSCME Clerical/Technical and Professional Employees as follows:

1. Duration: January 3, 1994 through December 31, 1995.
2. Wages: Effective for 1994, a 1.0% general wage increase and effective for 1995, a 2.0% general wage increase. In addition, effective January 1, 1995, adjust the salary ranges for six classifications in accordance with the County's pay equity plan.
3. Holidays: Increase Christmas Eve day from a one-half day holiday to a full day holiday.
4. Health Insurance: Amend Article 17.1 to provide the following monthly contributions for dependent health insurance:

1994 - \$260.00 (\$15.00 increase).

1995 - \$290.00 (\$15.00 increase).

May 3, 1994

5. Flexible Spending Accounts: Effective for 1995, amend Article 17.3 to \$310.00 (\$15.00 increase).
6. Compensatory Time: For employees in the Professional unit, increase maximum accrual of compensatory time from 40 to 50 hours and allow for up to a 50 hour carry over from one year to the next in 1994 and effective in 1995 increase accrual of compensatory time up to 60 hours with a 60 hour carry over.
7. Other Items: In addition to the above, revise various language provisions including an update of the non-discrimination clause, increase of the number of Union stewards, increase leave without pay for Union business, include language regarding the Family and Medical Leave Act.

Commissioner Peterson seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

The Deputy Public Works Director presented an overview of the Big Marine Park Reserve Acquisition Guidelines adopted by the County Board in 1988. The Board discussed improvements to property within the Big Marine Park Reserve. Commissioner Hauser suggested that a percentage of the total value of the house could be used as a guideline for improvements. Commissioner Abrahamson stated that if a property owner wishes to improve his property he should be allowed to do so. Commissioner Engstrom suggested surveying other metropolitan Counties to see what their policies are, and how we compare to them.

Ray Richardson, property owner in the Big Marine Park Reserve, stated he has been trying to put up an accessory building since last October. He stated that this would be a temporary building and that he would remove the building, when it became necessary, at his own expense. He got approval from May Township, but he was turned down by the County.

Commissioner Hegberg moved to reaffirm Phase I, Phase II, and Phase III, items 1, 2, and 3, of the Big Marine Park Reserve Acquisition Guidelines; and, that Phase III items 4 and 5 be removed and discussed further at a workshop to be held at a later date. Commissioner Peterson seconded the motion.

Commissioner Abrahamson asked that this workshop be held in the evening, and that the May Township Board and residents of the Big Marine Park Reserve be invited to attend this workshop. Chair Hauser stated that this workshop would not be revisiting whether or not there would be a park reserve, or where the boundaries will be. She stated this will be a workshop dealing with the Big Marine Park Reserve Acquisition Guidelines.

May 3, 1994

The County Attorney asked for time to analyze the possible repercussions of removing items 4 and 5 from Phase III of the Big Marine Park Reserve Acquisition Guidelines

Commissioner Engstrom moved to table the matter of reaffirming the Big Marine Park Reserve Acquisition Guidelines until after the Board has held its workshop on this matter. Commissioner Peterson seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Hauser, and Engstrom; No, Commissioners Abrahamson and Hegberg.

Sue Soderman, May Township Board Chairman, asked whether the Board is going to delay a decision on the two building permits until after the Board workshop is held. Commissioner Engstrom asked that the matter of the two building permits be brought back for discussion at next week's Board meeting. He requested that the Public Works staff provide information on when the property was acquired, the current owners, what is the current assessed value, and the percentage increase of the improvement.

GENERAL ADMINISTRATION

Recognition of Community Response to the Tornado of April 26, 1994

Commissioner Hegberg moved to adopt **Resolution No. 94-087** as follows:

Community Response to the Tornado April 26, 1994

WHEREAS, on April 26, 1994, a tornado touched down without warning in Grant and Stillwater Townships of Washington County, causing significant property damage, but thankfully no serious injury to persons; and

WHEREAS, the Washington County Disaster Response Team, including employees of the County, and representatives of the American Red Cross, the National Guard, and numerous other community agencies, responded to the disaster in a way that demonstrated the highest level of preparedness, professionalism, and concern for citizens; and,

WHEREAS, this response resulted in a well coordinated effort of numerous individuals and community agencies.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby commends the members of the Washington County Disaster Response Team for their effective response to this tornado disaster, and for the commitment and concern they demonstrated in providing services to the affected County residents.

BE IT FURTHER RESOLVED, that the County Board extends its appreciation to the many local and state government agencies, as well as businesses and volunteers for their efforts and compassion during and after the tornado disaster of April 26, 1994.

May 3, 1994

Commissioner Engstrom seconded the motion and it was adopted unanimously.

Ken Smith, Stillwater Township, stated he intends to rebuild after the tornado totally destroyed his property. He appreciates the Board considering waiving building permits for property that was destroyed.

Waive Building Permit Fees for Homes Damaged by the April 26 Tornado

The Board discussed a request received from a citizen by the Health, Environment, and Land Management Department to waive, in total or in part, building permit fees required for rebuilding of storm damaged homes in Stillwater and Grant Townships. This matter will be discussed further at the next Board meeting.

The County Administrator stated that the County Assessor and Auditor-Treasurer are looking at two possible options for property tax relief for those homes that were affected by the tornado. Commissioner Hegberg asked that homes located in the Sunnybrook area be included for property tax relief. They have suffered water problems, and septic systems no longer function due to the storm.

Commissioner Hegberg suggested that the Sentence-to-Service crew might be used to pick up debris from the storm.

Meeting Dates for May Board Meetings

It was Board consensus to not meet the fifth Tuesday, May 31, 1994.

DISCUSSION FROM THE AUDIENCE

Ken Smith, Stillwater Township, stated that if the people out in the area where the tornado struck get their building permits quickly, most places will be rebuilt in four months.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom asked that an advertisement be placed for a vacancy on the Mental Health Advisory Council from District 5.

Commissioner Engstrom congratulated Chair Hauser on her election as Chair to AMC District X.

Commissioner Peterson stated that both the House and Senate have allowed \$1 million dollars for the Wakota Bridge, which will take care of the Environment Impact Statement.

May 3, 1994

BOARD CORRESPONDENCE

Board correspondence was received and place on file.

EXECUTIVE (CLOSED) SESSION

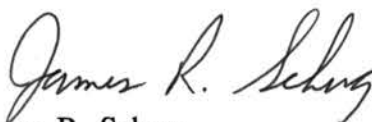
Commissioner Engstrom moved to go into Executive Session for attorney-client discussion on litigation strategy regarding Wastco et al vs. Washington County. Commissioner Peterson seconded the motion and it was adopted unanimously; the time being 8:35 p.m. Present for the Executive Session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Jim Schug, Richard Arney, George Kuprian, and Patricia Raddatz.

The Board reconvened at 9:05 p.m.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Peterson, and it was adopted unanimously. The Board meeting adjourned at 9:05 p.m.

Attest:


James R. Schug

County Administrator



Mary M. Hauser, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 10, 1994

REGIONAL RAIL AUTHORITY

The Washington County Regional Rail Authority met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; George Kuprian, Assistant County Attorney; Don Wisniewski, Public Works Director; Douglas K. Johnson, Land Acquisition Specialist; Jack Perkovich, Deputy Public Works Director; John Devine, Controller; Russ Reetz, Court Services Director; Rick Backman, Community Services Division Manager; Mary McGlothlin, Health, Environment and Land Management Director; and Jim Trudeau, Sheriff. Official proceedings of the Regional Rail Authority are available in the Office of Administration.

REGULAR COUNTY BOARD SESSION

The Washington County Board of Commissioners met in regular session at 9:05 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; George Kuprian, Assistant County Attorney; Don Wisniewski, Public Works Director; Douglas K. Johnson, Land Acquisition Specialist; Jack Perkovich, Deputy Public Works Director; John Devine, Controller; Russ Reetz, Court Services Director; Rick Backman, Community Services Division Manager; Mary McGlothlin, Health, Environment and Land Management Director; and Jim Trudeau, Sheriff.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Hegberg, to adopt the following Consent Calendar:

1. Approval of the April 26, 1994, Board meeting minutes.
2. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	27009-2150	Sandborgh, Raymond & Anita	\$ 1,547.64
Hmstd	27029-2475	Julen, Joan	561.12
Hmstd	27830-2850	Hayden, John & Deborah	1,374.64
Hmstd	37013-2950	Papenfuss, Larry & Gina	1,032.96
Hmstd	37300-2000	Hammes, Eleanor & Helena	1,340.90

May 10, 1994

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	37035-2950	Hammes, William & Earl	\$ 1,679.62
Hmstd	37034-2150	Hammes, William & Earl	\$404.86
Hmstd	39875-4750	Benton, John	643.24
Hmstd	49020-0150	Sullivan, Burnett	131.42
Hmstd	50095-2250	Sullivan, Burnett	99.82
Hmstd	54175-2550	Scofield, Cedric & Frederic	670.84
Hmstd	55348-3200	Sanderson, Wendy	362.12
Hmstd	58128-2425	Lindberg, Paul & Amy	879.68
Hmstd	72159-2250	Schrodt, Shari	212.28
Hmstd	72850-2800	Dittman, Gerald & Robin	1,119.42
Hmstd	73174-7500	Swanson, Christopher & Susan	1,426.56
Hmstd	78095-2750	Stennes, Todd & Ann Marie	611.36
Hmstd	81210-2610	Olson, Jon & Judy	1,000.64
Hmstd	83027-3010	Mingo, David	1,210.42
Hmstd	83035-2300	Schneider, Lee	1,281.40
Hmstd	91019-3570	Altnow, Mark	2,210.32
Hmstd	9021-1150	Finstad, Kim Wolf	164.44
Hmstd	38125-0489	Oswald, Dawn & Donald	129.47
Hmstd	37300-2000	Hammes, Eleanor & Helena	1,496.40
Hmstd	37035-2950	Hammes, William & Earl	1,855.94
Hmstd	37034-2150	Hammes, William & Earl	116.16
Red/Value	27595-3500	Tschida, Robert	162.20
Red/Value	37445-4390	Dean, Patrick & Deborah	233.10
Red/Value	44795-4570	Ash, Terri	420.86
Red/Value	9615-2900	Feeley, Leonard	574.88
Assmts	73852-2025	City of Woodbury	15,998.34
Wmgt Fee	60203-2070	Michaelis, Shelly	40.00
Wmgt Fee	35900-2800	Granger, Richard	40.00
Wmgt Fee	35900-2700	Granger, Richard	40.00
Wmgt Fee	35900-2600	Granger, Richard	40.00
Wmgt Fee	35900-2500	Granger, Richard	40.00
Wmgt Fee	35900-2400	Granger, Richard	40.00
Wmgt Fee	35900-2300	Granger, Richard	40.00
Wmgt Fee	35900-2200	Granger, Richard	40.00
Wmgt Fee	35900-2100	Granger, Richard	40.00
Int, Cost	37161-2850	Kloek, Lynn	64.69

3. Adoption of **Resolution No. 94-088** as follows:

Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the Owner, has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 5, Block 4, Lake Inverness Estate

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote

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and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

4. Approval of on/off sale non-intoxicating malt liquor license for Oswald's Resort, April 1, 1994 to March 31, 1995.
5. Approval to submit a proposal to the Minnesota Department of Human Services for Children's Justice Act Grant.
6. Approval to restore temporary employee funds in the amount of \$6,600 to the County Recorder's 1994 budget for the purpose of converting an O.J.T. student to special project clerical aide from June 1 to September 2, 1994.
7. Approval of conversion of O.J.T. student to special project clerical aide, in the Central Services Department, from June 1 to September 2, 1994.
8. Approval of new position of .25 FTE to increase the present .75 FTE extension coordinator position to full-time in the Minnesota Extension Service.
9. Approval of banding and grading of revised job description of epidemiologist in Health, Environment and Land Management from C43-2 to C44-2.
10. Bids were received for highway striping as follows:

Triple AAA Striping	\$52,743.20
Traffic Marking Services	\$56,247.60

Adoption of **Resolution No. 94-089** as follows:

Award of Contract for Highway Striping
to AAA Striping

WHEREAS, in order to facilitate striping to be done on County roads, the County solicited bids for this project; and,

WHEREAS, bids were opened on April 29, 1994, with AAA Striping, being the lowest responsible bidder; and,

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NOW, THEREFORE BE IT RESOLVED, that the bid of AAA Striping be accepted and the County enter into a contract with AAA Striping under the terms and conditions set forth in the bid specification documents; and,

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and AAA Striping, be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

11. Approval of supplemental agreements No. 1 and 2 for professional services on the County State Aid Highway 5 project.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Commissioner Hegberg moved to table the matter of awarding the bid for the sale and removal of a house at 17556 May Avenue, Marine, MN, until after the Board holds a workshop on May 17 to discuss the Big Marine Park Reserve acquisition guidelines. Commissioner Abrahamson seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Abrahamson, Hegberg, and Engstrom; No, Commissioner Hauser.

SHERIFF'S DEPARTMENT

Commissioner Abrahamson moved to approve the following reorganization in the County Sheriff's Office:

1. Elimination of one Captain position
2. Creation of new position of Program & Budget Coordinator
3. Creation of new classification of Division Manager - Sheriff's Administration, and reclassification of present position of Office Manager into the new classification.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Acquisition of Goossen and Richardson Properties Located within the Big Marine Park Reserve - (Discussion continued from the May 3, 1994 Board Meeting)

The Director of Health, Environment and Land Management gave a brief overview of the matter before the County Board which is whether or not to acquire the Richardson and Goossen properties located within the Big Marine Park Reserve.

May 10, 1994

Commissioner Hegberg moved to not acquire the Goossen and Richardson properties located within the Big Marine Park Reserve. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Commissioner Abrahamson asked how long it will take to issue the building permits, as approved by the Board of Adjustment and Appeals, to Mr. Goossen and Mr. Richardson. The H.E.L.M. Director stated they will be issued within the week.

Waiver of Building Permit Fees for Rebuilding of Storm Damaged Homes - (Discussion continued from the May 3, 1994 Board Meeting)

Commissioner Engstrom moved to waive all building permit fees for homes damaged as a result of the tornado activity on April 26, 1994 in Stillwater and Grant Townships; and that the following conditions be applied:

1. Permit fees will be adjusted only for those homeowners who are on the Assessor's official list of damaged properties as follows:

Grant Township

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Jocelyn C. Lefto
83735-2000
25-30-21-24-0001 3. Michael and Charlotte Montag
83024-2000
24-30-21-44-0001 5. Kenneth and Jean Smith
83024-2300
24-30-21-14-0002 6. Pamela Reifschneider
83024-2350
24-30-21-14-0003 8. Jo Ellen Stenberg
83025-2200
25-30-21-42-0004 10. Frank Enfield
83024-2020
24-30-21-41-0002 | <ol style="list-style-type: none"> 2. Vicki K. Hartman
83024-2220
24-30-21-11-0002 4. Bruce Ramsden
83024-2050
24-30-21-43-0001
83024-2710
24-30-21-34-0002
83024-2040
24-30-21-44-0002 7. Luverne Schwartz
83024-2010
24-30-21-41-0001 9. Thomas and Wendy Grainger
83025-2500
25-30-21-11-0002 |
|---|--|

Stillwater Township

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. George and Betty Wade
95660-2150
19-30-20-22-0003 3. Ward and Mary Simon
95660-2300
19-30-20-23-0003 | <ol style="list-style-type: none"> 2. Susan Palmer Bjorklund
95660-2250
19-30-20-22-0005 4. Larry and Peggy Janssen
95660-2700
19-30-20-23-0009 |
|--|---|

May 10, 1994

- | | |
|---|---|
| 5. Hazel Burtzlaff
95018-3200
18-30-20-33-0001 | 6. Delmar and Doris Freeman
95018-2550
18-30-20-43-0002 |
| 7. Timothy and Mary Jo Keenan
95018-3250
18-30-20-32-0001 | 8. William and Debra Marvin
95018-2500
18-30-20-43-0004
95018-3150
18-30-20-34-0003 |
| 9. Mark Freman
95018-2400
18-30-20-43-0006 | 10. Gregory and Jodi Brookman
95018-2800
18-30-20-13-0001 |
| 11. Carl and Nanci Le Vake
95018-2940
18-30-20-13-0003 | 12. Joseph and Lorraine Costa
95018-3305
18-30-20-33-0004 |
| 13. Robert Laidig
95018-2930
18-30-20-13-0002 | 14. Robert and Shirley Anderson
95005-2900
08-30-20-22-0003 |

2. The waiver of permit fees will be in effect only until December 31, 1994. Homeowners who delay rebuilding until after January 1, 1995 would be required to pay all applicable building permit fees in effect as of January 1, 1995.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Legislative Update

Susan Ladwig, County Legislative lobbyist, presented an update on the Legislative session that just concluded.

The County Administrator announced that the workshop to discuss the Big Marine Park Reserve acquisition guidelines will be held on May 17, 7:00 p.m. in the County Board room. He stated that the property owners have been invited to attend.

DISCUSSION FROM THE AUDIENCE

Sue Soderman, May Township Board Chair, asked if a date has been scheduled for the clean up of debris from the April 26 tornado. The County Administrator stated that at last week's Board meeting it was suggested that the sentence-to-service crew be used to help pick up the debris. It is his understanding that a crew had been sent out a couple of days ago. The Board Chair suggested a cooperative effort between the County Public Works Department and the May Township Board.

May 10, 1994

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom stated that he attended the Natural Preservation Route hearing for CSAH 21 and that it was recommended for passage.

Commissioner Abrahamson asked the Director of Health, Environment and Land Management if the residents of Baytown Township and West Lakeland Township were getting the same information he has received from the Minnesota Pollution Control regarding clean up of contaminated wells in their area. The H.E.L.M. Director stated she thought the residents received the same fact sheet as the Commissioner. She will follow up with the State agencies to see if the communities are being kept up to date.

Commissioner Hauser stated that there will be a workshop with the Valley Branch Watershed District on June 7 at 5:00 p.m. She also thought it would be a good idea to have similar workshops with the other four watershed districts in the future.

The County Attorney stated he will review the letter from State Auditor Mark Dayton and prepare an opinion on per diem practices by elected officials.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Abrahamson, and it was adopted unanimously. The Board meeting adjourned at 10:10 a.m.

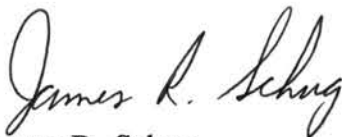
BOARD WORKSHOP WITH HUMAN RESOURCES AND THE COUNTY ATTORNEY


The Board met in workshop session with the Human Resources Department and the County Attorney's Office to continue discussion of personnel liability, labor relations and comparable worth. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Richard Arney, Richard Hodsdon, Judy Honmyhr, Sue Fennern and Shari Bowers.

May 10, 1994

BOARD WORKSHOP WITH THE FINANCE COMMITTEE

The Board met in workshop session with the County Finance Committee to discuss the debt limit policy and the Finance Committee Structure. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, John Devine, Richard Stafford, Tom O'Farrell, and Brendan McLaughlin.

Attest: 
James R. Schug
County Administrator


Mary M. Hauser, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 17, 1994

The Washington County Board of Commissioners met in regular session at 9:10 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Mary McGlothlin, Director of Health, Environment, and Land Management; Richard Backman, Community Services Division Manager; Judy Honmyhr, Human Resources Director; Judy Arends, Health, Environment and Land Management; Bob Turrentine, Assistant County Attorney; Brendan McLaughlin, Budget Analyst; and John Devine, Controller.

CONSENT CALENDAR

Commissioner Hegberg moved, seconded by Commissioner Peterson, to adopt the following Consent Calendar:

1. Approval of the May 3, 1994, Board meeting minutes.
2. Approval to reappoint Ronald Gavelek, May Township, to the Carnelian-Marine Watershed District to a three year term expiring June 21, 1997.
3. Approval of abatement application as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Red/Value	57032-2150	Oakdale 694	\$10,633.42

4. Approval of contract with the Department of Human Services to receive funds and administer a child care service development grant in Washington County.
5. Approval of agreement with "Twin Cities Tree Trust" to provide services for 1994 summer youth programs.
6. Approval of amendment to Human Service Inc. contract to include children's mental health integrated fund planning grant for \$35,000.
7. Approval to transfer \$12,000 from Service 1595, Object 6405 (rent) and \$15,000 from Service 1591, Object 6050 (Direct Payments) to service 1591, Object 6992 (Capital) for purposes of completing a planned computer networking system in the Health, Environment and Land Management Department.

May 17, 1994

8. Approval of a one-week extension to a previously approved leave of absence for Elizabeth Burger, Community Services Department, through July 5, 1994.
9. Approval of banding and grading of new job description of Copy/Duplicating Technician in Central Services at B21-1; approval of job description.
10. Approval to abolish supervisory classification of Office Manager in the Public Works Department; approval of reorganization which replaces the supervisory position with a lead worker position; approval to reclassify present Office Manager incumbent to Administrative Assistant with no change in present salary; approval of new classification of Administrative Coordinator at C42-1; approval of reclassification of present Budget Program Coordinator to Administrative Coordinator effective April 4, 1994.
11. Approval of agreement with Barton Sand and Gravel Company for cost participation of turn lanes being constructed on CR 15A through the signatures of the Chairperson of the Washington County Board and County Administrator.
12. Approval of amendment to the lease for the Cottage Grove Courts Facility through the signatures of the Chairperson of the Washington County Board of Commissioners and the County Administrator.
13. Approval and execution of cost reimbursement agreement with City of Stillwater for Project SAP 82-605-10, reconstruction of CSAH 5, and maintenance of traffic signals at Curve Crest Boulevard, Croixwood Boulevard, and West Orleans Street, at Stillwater Boulevard.
14. Approval of contract renewal with Donnelly Electric Company in the amount of \$86,187.50.
15. Bids were received for Flour Mill Pond culvert replacement project in Marine as follows:

Lametti & Sons, Inc.	\$293,777.00
Arnt Construction Company, Inc.	\$309,566.04

Adoption of **Resolution No. 94-090** as follows:

Award of Contract for Culvert, Retaining Walls,
Street Improvement and Pond Desiltation on CSAH 4

WHEREAS, in order to facilitate road reconstruction to be done on County roads, the County solicited bids for this project; and

May 17, 1994

WHEREAS, bids were opened on May 2, 1994, with Lametti and Sons, Inc., being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Lametti and Sons, Inc., be executed through the signature of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

The foregoing Consent Calendar was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Commissioner Peterson moved to accept the 1993 Annual Report from the Department of Health, Environment and Land Management. Commissioner Engstrom seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

The Public Works Director updated the Board on the County's request for a Type III Natural Preservation Route (NPR) on CSAH 21 in Afton. This request was reviewed by the Advisory Committee selected by the Minnesota Department of Transportation State Aid Division on May 9, and was approved. The County's request and the Advisory Committee's recommendation will be forwarded to the Commissioner of Transportation for his review and decision. The Public Works Director stated that the Commissioner should make his decision by the end of the month, and that he will keep the Board informed.

GENERAL ADMINISTRATION

The County Administrator stated that the Mental Health Advisory Committee will be meeting at the Forest Lake City Hall instead of the Human Services Inc. location as listed on the Board Agenda under meeting notices.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

The Board Chair read a letter from John Franzen, County Recorder, stating that he will be retiring on December 31, 1994.

May 17, 1994

Commissioner Peterson stated that the Minnesota Board on Aging will be meeting on May 20 at 9:00 a.m. at O'Shaughnessy Auditorium. The Board Chair stated that she will be sending a letter in support of the metropolitan counties' application to the Minnesota Board on Aging to be designated as the Area Agency on Aging.

Commissioner Peterson stated she testified at a hearing for the Dual Track Airport Planning Process in Dakota County and feels that the southern part of Washington County should be included in the EIS. She stated there were a number of issues that needed to be addressed. Commissioner Engstrom suggested that a letter be sent to the Metropolitan Airports Commission under the Board Chair's signature outlining the concerns expressed by Commissioner Peterson.

Commissioner Engstrom made two corrections to the meetings listed on the Board Agenda: Legal Assistance is meeting on May 18 and not May 17; and, the HRA Board will be meeting on May 25 and not May 18.

Commissioner Hegberg gave an update on the Minnesota Insurance Trust Board meeting he attended.

Commissioner Abrahamson discussed the Resource Recovery Project correspondence between Ramsey and Washington County.

Commissioner Abrahamson asked where the County fits into the proposed no wake zone on the St. Croix River. The Director of Health, Environment and Land Management stated that there are new rules coming from a commission that has been working on the St. Croix River Management area. This commission is not affiliated with the County Board. The new rules will be proposed to both Wisconsin and Minnesota counties who border the river. The rules will be adopted by the Minnesota Department of Natural Resources and will be enforced by the County Sheriff's Department. The County will be advised about the new rules and will have an opportunity to make comments before they are adopted. Commissioner Abrahamson stated he is concerned about who will pay for the enforcement of these new rules.

Commissioner Peterson suggested having a joint meeting of the two Wisconsin County Boards that border Washington County to discuss this issue and also other issues of a joint concern such as the proposed airport in Dakota County.

Commissioner Peterson brought up an issue she has been working on, and that is a needs assessment for regional transportation in the southern part of Washington County. She has been in contact with the Regional Transit Board.

May 17, 1994

Commissioner Abrahamson stated there will be a evening workshop tonight at 7:00 p.m. in the Board Room to discuss the Big Marine Park Reserve acquisition guidelines.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom, and it was adopted unanimously. The Board meeting adjourned at 10:05 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION/PLANNING & PUBLIC AFFAIRS

The Board met in workshop session with the Office of Administration/Planning and Public Affairs Division to discuss program evaluation. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Robert Lockyear, Lois Yellowthunder, Rick Bachman, and Brendan McLaughlin.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION/PLANNING & PUBLIC AFFAIRS

The Board met in workshop session with the Office of Administration/Planning and Public Affairs Division for an update and discussion on the comprehensive plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Robert Lockyear, Jane Harper, Merritt Clapp-Smith, Brendan McLaughlin, Don Wisniewski, Mary McGlothlin, Bob Turrentine, Harry Melander, Planning Advisory Commission, and Tim Griffen, BRW, Inc.

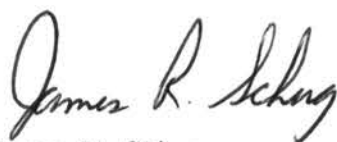
BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT/PARKS DIVISION

The Board met in workshop session at 7:00 p.m. with the Public Works Department/Parks Division to discuss the Big Marine Park Reserve acquisition guidelines and guidelines for the disposition of homes purchased through the Big Marine Park Reserve acquisition. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson,

May 17, 1994

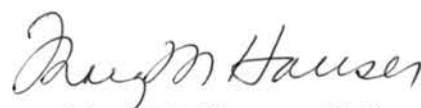
Hauser, Hegberg, and Engstrom. Also present were James Schug, Richard Arney, Don Wisniewski, Mike Polehna, Jack Perkovich, and Bob Turrentine.

Attest:



James R. Schug

County Administrator



Mary M. Hauser, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 24, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Hodsdon, First Assistant County Attorney; Dennis O'Donnell, Land Use Specialist; Mary McGlothlin, Director of Health, Environment and Land Management; Bob Turrentine, Assistant County Attorney; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Judy Honmyhr, Human Resources Director; Russ Reetz, Court Services Director; John Devine, Controller; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Peterson, to adopt the following Consent Calendar:

1. Approval of the May 10, 1994, Board meeting minutes.
2. Approval for County Board Chair to send a letter to the Metropolitan Airports Commission identifying Washington County issues to be considered in the new airport planning study process.
3. Approval of the County Debt Service policy.
4. Adoption of **Resolution No. 94-091** as follows:

Finance Committee Organization Structure

WHEREAS, the Washington County Board of Commissioners established the Finance Committee on September 4, 1979, to analyze and evaluate needs, do studies at the direction of the Board, recommend solutions to the Board, and implement Board decisions, with the Committee composed of the County Administrator, the Deputy Administrator, the Treasurer, the Auditor and the Data Processing Manager; and

WHEREAS, the Washington County Board of Commissioners has periodically revised the membership of the Finance Committee to meet changing needs; and

WHEREAS, the County Board and the Finance Committee reviewed the membership of the Committee at its meeting on May 10, 1994, and has determined a desire for Board participation;

May 24, 1994

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners approve the following composition of the Finance Committee: the County Administrator, the County Auditor/Treasurer, the County Controller, the Internal Auditor, and one member of the County Board.

BE IT FURTHER RESOLVED that the Committee, at its first meeting annually, select its own Chairperson for a one year term.

Approval to appoint Commissioner Dennis C. Hegberg, as the Commissioner representative on the Finance Committee.

5. Adoption of **Resolution No. 94-092** as follows:

Repurchase of Tax-Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the Owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 4, Block 4, Lake Inverness Estates

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW, THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

6. Approval of contract amendment with Human Services, Inc., to provide alcohol and drug abuse prevention materials, resource directories and other activities.
7. Approval of an emergency assistance intensive family preservation services development grant award of \$29,250 for 1994.
8. Approval to convert an Intern position to a Special Project Planner I position in the Office of Administration from June 15, 1994 through December 31, 1994.

May 14, 1994

9. Approval to establish a .6 Special Project Secretary/Receptionist position in the Accounting Department from July 1, 1994 through December 31, 1994; and, approval to amend Accounting Department 1994 salary budget by \$2,700.
10. Approval to reclassify position of Court Specialist I to the classification of Program Coordinator in the Court Administrator's Office retroactive to February 27, 1994.
11. Adoption of **Resolution No. 94-093** as follows:

Purchase of Stadler Property - Big Marine Park

WHEREAS, Washington County is interested in acquiring the property located at 11087 170th Street North, in May Township, for inclusion into the Big Marine Park Reserve and whereas the owners agree to sell the property.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes its Chairman and Administrator to execute on behalf of the County a purchase agreement and any other document necessary for the County to purchase the property located at 11087 170th Street North, legally described as follows:

SEE ADDENDUM NO. 1 - LEGAL DESCRIPTION

for the sum of \$124,600.00; in total, upon the following terms and conditions:

1. Conveyance should be by warranty deed or quit claim deed pursuant to the terms and conditions of a standard Miller-Davis Purchase Agreement free and clear of all liens, charges and encumbrances;
2. Seller to pay all levied or pending special assessments (if any);
3. Seller to pay abstract expenses;
4. Real Estate taxes shall be pro rated as of the date of closing;
5. Buyer to pay recording fee(s), state deed tax and conservation fee;
6. Closing is to be on or before June 15, 1994, or as soon as possible after that date. The closing shall be handled through the Washington County Attorney's Office.
7. The sellers may retain possession of the house, rent free, through December 15, 1994, or 6 months after date of closing, whichever is later. After that six month rent free period, the sellers have the first option to rent the property for their personal use. By November 15, 1994, sellers must notify County's Property Acquisition Specialist whether they plan to vacate the house by the end of the free rent period, or whether they will enter into a lease agreement with the County to rent the house and the immediate yard. Should the sellers enter into a lease agreement with the County, the rental rate shall be set at \$700 per month for a period of one (1) year. After 1 year, the rental rate shall be reviewed and set according to the rental market of houses in the area.

May 24, 1994

- 8. Sellers shall be obligated to perform all maintenance in order to keep the rental property in a reasonable repair, normal wear and tear excepted.
- 9. The sellers shall be obligated to pay all utilities, including fuel oil, propane gas, natural gas, electricity, water, telephone, sewer, and garbage hauling, in a timely manner, while they are in possession of the property.
- 10. Relocation benefits are available to qualified sellers as per state law. Relocation benefits may be waived at sellers option in exchange for \$7,500 payment over and above stated purchase price of \$124,600.
- 11. Acquisition is subject to a satisfactory environmental audit by the County.

Addendum No. 1
Legal Description of Stadler Property

That part of the Southwest Quarter of the Southeast Quarter (SW¼ of SE¼) of Section 6, Township 31 North, Range 20 West, Washington County, Minnesota, lying East of County Road No. 15, according to the United States Government survey thereof, except the North 840 feet thereof, the said tract containing 4.47 acres, more or less.

Property Identification Number 89006-2050.

- 12. Approval and execution of road maintenance agreements with the following communities: Afton, Hugo, Grey Cloud, Grant, Lake St. Croix Beach, Lakeland, Lakeland Shores, and St. Mary's Point, conditioned upon approval as to form by the Washington County Attorney's Office.
- 13. Bids were received for Traffic Signal and Bituminous Mill Overlay on CSAH 16 as follows:

Master Asphalt Co.	\$273,259.61
Ace Blacktop, Inc.	\$274,698.45
Hardrives, Inc.	\$275,376.00

Adoption of **Resolution No. 94-094** as follows:

Award of Contract for Traffic Signal
and Bituminous Mill & Overlay on CSAH 16
to Master Asphalt Co.

WHEREAS, in order to facilitate road reconstruction and traffic control to be done on County roads, the County solicited bids for this project; and,

WHEREAS, bids were opened on May 16, 1994, with Master Asphalt Company, being the lowest responsible bidder; and,

May 24, 1994

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Master Asphalt Company be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Rezoning Request by Tony Emmerich Construction (Applicant) and Walt Anderson & Clem Houle (Owners)

The Board Chair presented an overview of today's public hearing to consider an amendment to the Zoning Ordinance as requested by Tony Emmerich Construction and Walt Anderson & Clem Houle to rezone approximately 4.5 acres from Industrial to R-4 Residential.

The Board Secretary read into the record the notice of intent to adopt said ordinance. The Board Chair declared the public hearing open at 9:05 a.m.

The Land Use Specialist presented an overview of the rezoning request.

Rod Halvorsen, housing developer, requested that this rezoning request be approved.

The Board Chair asked for further comments; none were heard. Commissioner Hegberg moved to close the public hearing. Commissioner Abrahamson seconded the motion and it was adopted unanimously, the time being 9:15 a.m.

The Board secretary indicated that all documentary evidence had been received and was made a part of the record.

Commissioner Hegberg moved to approve the rezoning request by Tony Emmerich Construction and Walt Anderson & Clem Houle, Forest Lake Township, to rezone approximately 4.5 acres from Industrial to R-4 Residential. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

The County Attorney's office was directed to prepare a resolution adopting the Zoning Ordinance Amendment, and that said resolution will be presented at the next County Board meeting.

May 24, 1994

PUBLIC WORKS DEPARTMENT**County Road 64 (McKusick Road) - Supplemental Agreement**

The Public Works Director gave an update on construction for the County Road 64 project. The original design called for "floating" the road across the swamp on styrofoam. Due to high water levels and potential road icing problems with this design, an alternative design is needed. The cost of this alternative design is approximately \$135,000 with the County share of 45% or \$60,750.

Commissioner Peterson moved to approve a supplemental agreement for the alternative design to complete construction work on County Road 64 (McKusick Road), with an additional cost to the County of \$60,750. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Big Marine Park Reserve Acquisition Guidelines and Disposition of Homes Guidelines

Commissioner Engstrom moved to remove from table the matter of the Big Marine Park Reserve Acquisition Guidelines and Disposition of Homes Guidelines which was tabled on May 3, 1994. Commissioner Peterson seconded the motion and it was adopted unanimously.

Commissioner Engstrom moved to approve the Big Marine Park Reserve Acquisition Guidelines, as amended, and the Big Marine Park Reserve Disposition of Homes Guidelines as amended. Commissioner Peterson seconded the motion and it was adopted unanimously.

Award of Bid for Sale and Removal of House at 17556 May Avenue, Marine, MN

Commissioner Peterson moved to remove from table the matter of award of bid for the sale and removal of a house at 17556 May Avenue, Marine, MN. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Bids were received for the sale and removal of a house at 17556 May Avenue, Marine, MN as follows:

Dave Baird

\$1,250.00

Commissioner Engstrom moved to adopt **Resolution No. 94-095** as follows:

Award of Bid for the Sale and Removal
of House at 17556 May Avenue, Marine, MN
to David Baird

May 24, 1994

WHEREAS, in order for the sale and removal of house to be done at the Big Marine Park Reserve, the County solicited bids for this project; and,

WHEREAS, bids were opened on April 28, 1994, with David Baird, being the highest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and David Baird be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

The County Administrator noted that the following item has been added to Board Correspondence: Letter from James M. Harrison, Coordinator, Lower St. Croix Management Commission, regarding the lower St. Croix River boating rules.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

The Board Chair stated that Sheriff Jim Trudeau has been named the new Executive Director of the Minnesota State Sheriff's Association. This new position takes effect August 1, 1994. Commissioner Abrahamson requested a Board workshop to discuss Sheriff Trudeau's replacement until the end of the year.

Commissioner Engstrom requested the County Attorney's Office to look at the Carbone decision that came down from the Supreme Court to see how that may or may not affect the County's ordinance on flow control. The First Assistant County Attorney advised the Board that the County Attorney's office has been researching that issue. A report on that will be available shortly to see what the Boards' options are.

Commissioner Engstrom requested a letter supporting the reappointment of Jason C. Willett to the Governor's Solid Waste Management Advisory Council. It was Board consensus to prepare a letter for the Board Chair's signature at the June 7th Board meeting.

May 24, 1994

The Board Chair announced that Congressman Rod Grams will be holding a meeting on Tuesday, May 31, 9:00 a.m. in his Fridley office to discuss unfunded mandates if any of the Commissioners are interested in attending.

Commissioner Peterson requested a copy of the zoning ordinance which addresses airports.

Commissioner Abrahamson and the Director of Health, Environment and Land Management, updated the Board on the City of Oak Park Heights' decision to decline to bill their residents the \$1.60 a month County waste service fee.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

The Washington County Board of Commissioners recessed until 1:00 p.m.

BOARD WORKSHOP WITH THE HOUSING AND REDEVELOPMENT AUTHORITY (HRA)

The Board met in workshop session to discuss using County general obligation bonding authority to finance new and existing senior housing projects. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, George Kuprian, Richard Stafford, John Devine, Scott Hovet, and Brendan McLaughlin. Other individuals attending: Jim Heltzer and Sam Griffith, Housing and Redevelopment Authority; Ron Langness and Kathy Aho, Springsted, Public Finance Advisors; and officials from Holmes & Graven.

BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT

The Board met in workshop session with the Community Services Department to discuss progress on implementing the Managed Care program. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Char Farnum, Karen Zeleznak, Kae Christensen, Andrew Ervin, and Mary McGlothlin.

EXECUTIVE (CLOSED) SESSION

The Board met in Executive (Closed) Session with the Human Resources Department for the purposes of negotiation strategy, the time being 1:00 p.m. Present for the Executive Session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Staff present were James Schug, Virginia Erdahl, Judy Honmyhr, Frank Madden, Labor Negotiator, and Patricia Raddatz.

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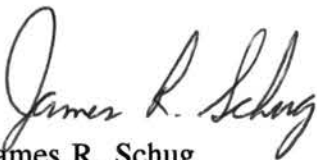
ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously. The Board meeting adjourned at 1:35 p.m.

BOARD WORKSHOP WITH THE COUNTY ADMINISTRATOR

The Board met in workshop session with the County Administrator to discuss administrative priorities. The workshop was held in the Oakdale City Offices, located at 1584 Hadley Avenue North. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom; and James Schug, County Administrator.

Attest:



James R. Schug

County Administrator



Mary M. Hauser, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 7, 1994

The Washington County Board of Commissioners met in regular session at 7:10 p.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Jack Perkovich, Deputy Public Works Director; Richard Stafford, Auditor-Treasurer; Mary McGlothlin, Director of Health, Environment, and Land Management; Russ Reetz, Court Services Director; Rick Backman, Community Services Division Manager; Carol Seefeldt, Community Services; Karen Zeleznak, H.E.L.M. Department; Sheila Neubauer, Administration Office Manager; and Robert Lockyear, Planning and Public Affairs Director.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Hegberg, to adopt the following Consent Calendar:

1. Approval of the May 17 and 24, 1994, Board meeting minutes.
2. Approval for County Board Chair to send a letter to the Commissioner of the Minnesota Pollution Control Agency recommending the appointment of Jason Willett to the Solid Waste Management Advisory Council.
3. Approval of abatement applications for reduction in values as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Value	81592-3200	Seifert, Kevin & Kristi	\$ 78.16
Value	28370-4250	Schumi, Michael & Ruth	173.00
Value	30865-2000	Adrian, Joseph & Jane	119.24

4. Approval of abatement applications for homesteads as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	19040-7000	Schnide, Thomas & Susan	\$1,394.66
Hmstd	19040-7100	Schnide, Thomas & Susan	36.16
Hmstd	22180-2750	Gramenz, Susan Donahue	847.90
Hmstd	28492-5080	Blair, Christopher & Tracey	1,129.98
Hmstd	58095-2840	Gartne, Wayne & Paulett	1,142.16
Hmstd	58501-2350	Larsin, Robert & Pamela	829.32
Hmstd	68442-2360	Heredia, Jessica	815.50
Hmstd	10500-2375	Brown, Carroll	843.82
Hmstd	10500-3175	Brown, Carroll	20.40
Hmstd	11221-6400	Rhodes, Sally Johnson Mosio	911.38
Hmstd	73040-2650	Gautreaux, Lawrence & Connie	151.44
Hmstd	73687-2100	Nelson, Lynden	1,690.36

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<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	81060-2050	Rychley, Wendy & Gary	1,340.50
Hmstd	81485-2550	Weber, William & Susan	993.28
Hmstd	83380-2325	Jawor, Elizabeth	777.06
Hmstd	97286-2400	Jackle, Diana L	1,029.40

5. Adoption of **Resolution No. 94-096** as follows:

Repurchase of Tax Forfeited Land by
Roderick Lawson, Representative of the
Estate of Mark Markson

WHEREAS, Roderick Lawson the Representative of the Estate of Mark Markson has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 5126
Lake St. Croix Beach Section 5

;and, WHEREAS, said applicant has set forth in his application that the repurchase of said lot is necessary because it is important to adjoining land and the property is valueless as a separate lot. That the repurchase of said land will promote and best serve the public interest because it will protect and is needed for adjoining land and it will put the parcel back on the tax roll and will promote and best serve the public interest.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, That the application of Roderick Lawson, Representative of the Estate of Mark Markson for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241. as amended.

6. Adoption of **Resolution No. 94-097** as follows:

Repurchase of Tax Forfeited Land by
Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the Owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 2, Block 5, Lake Inverness Estates

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;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

7. Approval of five day on sale non-intoxicating liquor license (beer) for August 3-7, 1994, VFW Post 323, to be used at the Washington County Fairgrounds.
8. Approval of one day on sale non-intoxicating liquor license (beer) for June 12, 1994, VFW Post 323, to be used at the Washington County Fairgrounds.
9. Approval to advertise for bids for telecommunications equipment.
10. Approval for Court Services to enter into a grant contract for \$50,237 with the Minnesota Department of Public Safety for the Repeat DWI Intensive Probation Program, and designating Russell A. Reetz as the official authorized to sign the grant contract.
11. Adoption of **Resolution No. 94-098** as follows:

Resolution Rezoning Request by Tony Emmerich
Construction, Walt Anderson and Clem Houle

WHEREAS, applicants, Tony Emmerich Construction and Walt Anderson and Clem Houle, submitted a request to rezone approximately 4.5 acres of land legally described as:

All that part of the West one-half of the Northeast quarter (W¹/₂ of NE¹/₄) of Section 20, Township 32 North, Range 21 West, Forest Lake Township, Washington County, Minnesota, lying easterly of State Trunk Highway No. 61, lying north of the south 820 feet and lying south of the north 25 rods, including any right of title existing in State Trunk Highway No. 61. Subject to and including any valid easements, restrictions and reservations, according to the United States Government Survey thereof, Parcel #81020-2300,

from Industrial to R-4 Residential; and

WHEREAS, the Washington County Planning Advisory Commission held a public hearing on this request and is recommending approval by the Washington County Board of Commissioners; and

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WHEREAS, Forest Lake Township has also approved the rezoning request; and

WHEREAS, this zoning classification allows for lots of 15,000 square feet in size and is intended for areas where public sewer is available; and

WHEREAS, public sewer is available to this property; and

WHEREAS, this property is part of a 68 acre sit which applicants are in the processing of subdividing into single family residential lots; and

WHEREAS, rezoning would negate any potential conflicts between industrial and residential development; and

WHEREAS, the rezoning is consistent with the surrounding neighborhood; and

WHEREAS, there is no need or market for industrial land in this area.

NOW, THEREFORE, BE IT RESOLVED, that the rezoning request of applicants to rezone the above described property from Industrial to R-4 Residential is granted;

BE IT FURTHER RESOLVED that the Washington County Administrator cause to be published an amendment to the Zoning Ordinance placing this property in the R-4 zoning district.

ZONING ORDINANCE AMENDMENT

WASHINGTON COUNTY ORDINANCE NO. 111

An Ordinance amending the Washington County Zoning Ordinance Regulating Land Use in Washington County.

The Board of Commissioners of Washington County ordains:

SECTION 1: The Washington County Zoning Ordinance is hereby amended by placing the following legally described property in the Residential(R-4) District:

Parcel #81020-2300 - All that part of the West one-half of the Northeast quarter (W $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section 20, Township 32 North, Range 21 West, Forest Lake Township, Washington County, Minnesota, lying easterly of State Trunk Highway No. 61, lying north of the south 820 feet and lying south of the north 25 rods, including any right of title existing in State Trunk Highway No. 61. Subject to and including any valid easements, restrictions and reservations, according to the United States Government Survey thereof.

SECTION 2: The Zoning Administrator is hereby directed to change the Washington County Zoning Ordinance in accordance with the foregoing instrument.

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SECTION 3: Effective Date. This Ordinance shall be and is hereby declared to be in full force and effect from and after its passage and publication according to law.

Passed by the Board of Commissioners of Washington County, Minnesota this 7th day of June, 1994.

12. Approval for County Board Chair and Administrator to enter into professional services agreement with Braun Intertec Engineering, Inc.
13. Approval of disability leave of absence for Shawn Bernier from June 5 through December 3, 1994.
14. Approval of reclassification of position of Correctional Health Nurse to the classification of Sr. Correctional Health Nurse in H.E.L.M. effective May 22, 1994.
15. Approval of reclassification of position of Senior Secretary to the classification of Administrative Aide I in the Sheriff's Department effective May 22, 1994.
16. Approval of personal leave of absence without pay, for a period of up to six months, for Sally Chial, Court Services, beginning June 13, 1994.
17. Approval of supplemental agreement for additional work to be accomplished on sealcoating project on County Road 78.
18. Bids were received for CSAH 5 reconstruction and signal installation as follows:

Shafer Contracting, Inc.	\$2,157,064.93
Arnt Construction Company, Inc.	\$2,322,205.94
Tower Asphalt, Inc.	\$2,357,675.10

Adoption of **Resolution No. 94-099** as follows:

Award of Contract for CSAH 5 Reconstruction and
Signal Installation to Shafer Contracting, Inc.

WHEREAS, in order to facilitate road reconstruction and traffic control to be done on County roads, the County solicited bids for this project; and,

WHEREAS, bids were opened on May 23, 1994, with Shafer Contracting, being the lowest responsible bidder; and,

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NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Shafer Contracting be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

19. Approval of Joint Powers Agreement with Ramsey County for the reconstruction of CSAH 27.
20. Adoption of **Resolution No. 94-100** as follows:

Resolution Authorizing Eminent Domain
Proceedings for CSAH 10

WHEREAS, Washington County proposes to improve County State Aid Highway 10 from the East ramp of I-694 in Oakdale to 1/3 mile east of CSAH 13 in Lake Elmo; and

WHEREAS, the improvements consist of grading, aggregate base, bituminous surfacing and shouldering, concrete curb and gutter, concrete walk, bituminous walk, drainage, and misc. construction as herein determined necessary to provide for the safety of the traveling public; and

WHEREAS, the acquisition of all right of way and easements over certain lands are necessary to provide for said construction; and

WHEREAS, Washington County has authority to acquire right of way and easements for highway purposes by eminent domain pursuant to Minnesota law; and

WHEREAS, Washington County has the right to acquire right of way and easements prior to the filing of an award by the court appointed commissioners pursuant to Minnesota law; and

WHEREAS, Washington County is unable to begin construction on the lands described herein until it has acquired title and possession to the necessary right of way and easements; and

WHEREAS, waiting until the commissioners file their award would delay the completion of the project, thus increasing the inconvenience to the traveling public; and

WHEREAS, Washington County has been unable to successfully negotiate the acquisition of the following required right of way and easements:

SEE ADDENDUM

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby authorizes the acquisition of said property interests by eminent domain and to take title and possession of that land prior to the filing of an award by the court appointed commissioners.

BE IT FURTHER RESOLVED that the Washington County Attorney's Office is authorized to commence the necessary proceedings to acquire title

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and possession and to prosecute said action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or Order of the Court.

ADDENDUM
CONDEMNATION LIST - CSAH 10

Plat 87 - Parcel 1
(Huch & Oakdale)

Fee Owner: Mr. William F. Huch
750 NE 24th Way
Fort Lauderdale, Florida 33304
and
City of Oakdale
1584 Hadley Avenue North
Oakdale, MN 55128

Mortgagee: None

Acquisition
Summary:

Parcel 1: 1.130 acres of existing highway r/w (to be acquired in fee)
0.014 acres of drainage easement
0.055 acres of temporary slope easement

Legal Description
of R/W Acquisition:

Parcel No. 1 of Washington County Highway Right of Way Plat No. 87. Said parcel no. 1 being within Warren and McDowell's Acre Lots subdivision and within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Township 29 North, Range 21 West, Washington County, Minnesota. Warren and McDowell's Acre Lots is within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Township 29 North, Range 21 West, Washington County, Minnesota.

To be acquired in Fee.

Plat 87 - Parcel 1 Continued
(Huch and City of Oakdale)

Legal Description
of Drainage Easement

That part of McDowell Avenue North as platted in Warren and McDowell's Acre Lots subdivision, City of Oakdale, Washington County, Minnesota, lying within the following description:

Commencing at Right of Way Boundary Marker B2 as shown on Washington County Highway Right of Way Plat No. 87; thence easterly along the north right of way line (of said right of way plat no .87) a distance of 146.72 feet to the point of beginning; thence continuing easterly along said northerly right of way line a distance of 300 feet to Right of Way Boundary Marker B3; thence northerly

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perpendicular to said northerly right of way line a distance of 10 feet; thence westerly and parallel with said northerly right of way line a distance of 300.26 feet; thence southerly to the point of beginning and there ending.

Legal Description
of Slope Easement:

That part of McDowell Avenue North and that part of Warren Avenue North, as platted in Warren and McDowell's Acre Lots subdivision, City of Oakdale, Washington County, Minnesota, described as follows:

Not to exceed 15 feet in width between and left of Engineer's Stations 293+08 and 293+68; and

Not to exceed 50 feet in width between and left of Engineer's Stations 299+70 and 300+00.

To begin August 1, 1994 and expire July 31, 1996.

Plat 87 - Parcels 2 & 3
(Huch)

Fee Owner: Mr. William F. Huch
750 NE 24th Way
Fort Lauderdale, Florida 33304

Mortgagee: None

Acquisition
Summary:

Parcel 2:	0.247 acres of existing highway r/w (to be acquired in fee) 1.183 acres of new highway r/w (to be acquired in fee) 0.877 acres of permanent drainage easement 0.218 acres of temporary slope easement
Parcel 3:	0.235 acres of existing highway r/w (to be acquired in fee) 1.175 acres of new highway r/w (to be acquired in fee) 0.030 acres of permanent drainage easement 0.459 acres of temporary slope easement
Total:	0.482 acres of Existing Right of Way (convert to fee) 2.358 acres of New Right of Way (to be acquired in fee) 0.907 acres of Permanent Drainage Easement 0.677 acres of Temporary Slope Easement

Legal Description
of R/W Acquisition:

Parcel Nos. 2 and 3 of Washington County Highway Right of Way Plat No. 87. Said parcel no. 2 being within Lots 6-10 of Block 7 and vacated Stower Avenue and said parcel no. 3 being within Lots 6-10 of Block 8, of Warren and McDowell's Acre Lots subdivision, City of Oakdale, Washington County,

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Minnesota. Warren and McDowell's Acre Lots is within the SE¼ of the SE¼ of Section 29, Township 29 North, Range 21 West, Washington County, Minnesota.

To be acquired in Fee.

Plat 87 - Parcels 2 and 3 Continued
(Huch)

Description of Permanent
Drainage Easement

That part of Lots 7, 8, and 9, Block 7, of Warren and McDowell's Acre Lots subdivision, City of Oakdale, Washington County, Minnesota, described as follows:

Commencing at Right of Way Boundary Marker B103 as shown on Washington County Highway Right of Way Plat No. 87; thence N 87°04'41" E a distance of 190.00 feet to the point of beginning; thence N 00°09'32" E a distance of 100.00 feet; thence S 89°50'28" E a distance of 60.00 feet; thence N 00°09'32" E a distance of 80.00 feet; thence S 89°50'28" E a distance of 180.00 feet; thence S 00°09'32" W to the northerly right of way line of County State Aid Highway 10 as shown on Washington County Highway Right of Way Plat No. 87; thence westerly along said northerly right of way line to the point of beginning and there ending.

and

That portion of Lot 10 of Block 7 and Lots 6 and 7 of Block 8, Warren and McDowell's Acre Lots, Washington County, Minnesota, (or that portion of the SE¼ of the SE¼ of Section 29, Township 29 North, Range 21 West, Washington County, Minnesota) lying within the following description:

Commencing at Right of Way Boundary Marker B2 as shown on Washington County Highway Right of Way Plat No. 87; thence easterly along the north right of way line (of said right of way plat no. 87) a distance of 146.72 feet to the point of beginning; thence continuing easterly along said northerly right of way line a distance of 300 feet to Right of Way Boundary Marker B3; thence northerly perpendicular to said northerly right of way line a distance of 10 feet; thence westerly and parallel with said northerly right of way line a distance of 300.26 feet; thence southerly to the point of beginning and there ending.

Plat 87 - Parcels 2 and 3 Continued
(Huch)

Description of
Slope Easement:

That part of Lots 6, 7, 8, 9 and 10 of Block 7 and that part of Lots 6, 7, 8, 9, and 10 of Block 8 of Warren and McDowell's Acre Lots, (or if the plat is vacated, that part of the SE¼ of the SE¼ of Section 29, Township 29 North, Range 21 West), Washington County, Minnesota, described as follows:

Not to exceed 10 feet in width between and left of Engineer's Stations 287+50 and 288+50; and

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Not to exceed 30 feet in width between and left of Engineer's Stations 288+50 and 288+70; and

Not to exceed 30 feet in width between and left of Engineer's Stations 289+30 and 291+10 (lying adjacent and north of permanent drainage easement); and

Not to exceed 10 feet in width between and left of Engineer's Stations 291+10 and 292+00; and

Not to exceed 15 feet in width between and left of Engineer's Stations 292+00 and 293+08 (lying adjacent and north of permanent drainage easement); and

Not to exceed 15 feet in width between and left of Engineer's Stations 293+68 and 295+00 (lying adjacent and north of permanent drainage easement); and

Not to exceed 20 feet in width between and left of Engineer's Stations 295+00 and 296+50; and

Not to exceed 30 feet in width between and left of Engineer's Stations 296+50 and 297+00; and

Not to exceed 50 feet in width between and left of Engineer's Stations 297+00 and 299+70.

Said slope easement is to begin August 1, 1994 and expire July 31, 1996.

Plat 88 - Parcels 1, 5, and 6
(DeCoster)

Fee Owners: Douglas M. DeCoster and Jean T. DeCoster
1314 Hillcrest
St. Paul, MN 55116

Mortgagee: None

Acquisition
Summary:

Parcel 1:	0.756 acres of existing r/w (to be acquired in fee) 1.319 acres of new r/w (to be acquired in fee) 0.435 acres of temporary slope easement
Parcel 5:	1.250 acres of existing r/w (to be converted to fee) 0.459 acres of temporary erosion control easement
Parcel 6:	0.080 acres of new r/w (to be acquired in fee)
Total:	2.006 Acres of Existing Right of Way (To be Acquired in fee) 1.399 Acres of New Highway Right of Way (To be acquired in fee) 0.435 Acres of Temporary Slope Easement 0.459 Acres of Temporary Erosion Control Easement

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Legal Description
of R/W Acquisition:

Parcel Nos. 1, 5 and 6 of Washington County Highway Right of Way Plat No. 88. Said parcels 1 and 6 being within the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, Township 29 North, Range 21 West, Washington County, Minnesota. Said parcel 5 being within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, Township 29 North, Range 21 West, Washington County, Minnesota.

To be acquired in Fee.

Description of
Slope Easement:

That part of the W $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:

Not to exceed 40 feet in width between and left of Engineer's Stations 300+00 and 302+00; and

Not to exceed 30 feet in width between and left of Engineer's Stations 302+00 and 304+00; and

Not to exceed 25 feet in width between and left of Engineer's Stations 304+00 and 305+98.

Said slope easement is to begin August 1, 1994 and expire July 31, 1996.

Plat 88 - Parcels 1, 5, and 6 Continued
(DeCoster)

Legal Description of
Temporary Erosion Control Easement:

That part of the following described property:

Part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows: Beginning at the North $\frac{1}{4}$ corner of said section 33; thence South 50 rods; thence northwesterly to a point in the West line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$, said point being 20 rods south of the northwest corner of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$; thence north to northwest corner of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$ thence east 80 rods to point of beginning.

Described as follows:

Not to exceed 50 feet in width between and right of west line of above described property and Engineer's Station 317+20.

Said temporary easement shall begin August 1, 1994 and expire July 31, 1996.

Said erosion control easement to be used for purposes of controlling erosion during the reconstruction of County State Aid Highway 10, and conveys the right to enter onto the easement to install, maintain and remove a flotation silt curtain.

June 7, 1994

Plat 89 - Parcels 2, 3, 5 & 6
(North Suburban Company)

Fee Owner: North Suburban Company
2125 Desoto Street
St. Paul, MN 55117

Farm Lessee: Dave Krueger
1781 Radio Drive
Woodbury, MN 55125

Mortgagee: None

Acquisition
Summary:

Parcel 2:	0.40 acres of existing r/w (to be converted to fee) 0.34 acres of new r/w (to be acquired in fee) 0.13 acres of temporary slope easement
Parcel 3:	0.48 acres of existing r/w (to be converted to fee) 0.40 acres of new r/w (to be acquired in fee) 0.22 acres of temporary slope easement
Parcel 5:	0.48 acres of existing r/w (to be converted to fee) 0.40 acres of new r/w (to be acquired in fee) 0.10 acres of temporary slope easement
Parcel 6:	0.48 acres of existing r/w (to be converted to fee) 0.40 acres of new r/w (to be acquired in fee)
Total:	1.84 Acres of Existing Right of Way (To Be Acquired in fee) 1.54 Acres of New Right of Way (To be acquired in fee) 0.45 Acres of Temporary Slope Easement

Legal Description
of R/W Acquisition:

Parcel Nos. 2, 3, 5 & 6 of Washington County Highway Right of Way Plat No. 89. Said parcel 2 being within the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; said parcel 3 being within the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; and said parcels 5 and 6 being within the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; all in Section 33, Township 29 North, Range 21 West, Washington County, Minnesota.

To be acquired in Fee.

Plat 89 - Parcels 2, 3, 5, and 6

Description of
slope Easement:

That part of the NE $\frac{1}{4}$ of Section 33, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:

Not to exceed 10 feet in width between and right of Engineer's Stations 327+50 and 336+00; and

June 7, 1994

Not to exceed 20 feet in width between and right of Engineer's Stations 336+00 and 339+00; and

Not to exceed 15 feet in width between and right of Engineer's Stations 339+00 and 342+00; and

Not to exceed 10 feet in width between and right of Engineer's Stations 342+00 and 343+00.

Said slope easement is to begin August 1, 1994 and expire July 31, 1996.

21. Adoption of **Resolution No. 94-101** as follows:

Cooperative Construction Agreement with MN/DOT
to Reconstruct the Northwest Ramp
from CSAH 5 to TH 36

BE IT RESOLVED, that the County of Washington enter into Agreement No. 72096 with the State of Minnesota, Department of Transportation, for the following purposes to-wit:

To provide for payment by the State to the County of the State's share of the costs of the grading and surfacing construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 36 from northwest ramp Engineer Station 4+80 to northwest ramp Engineer Station 10+00 (County State Aid Highway No. 5) within the limits of Stillwater Township under State Project No. 8214-112 (Th 36=045).

BE IT FURTHER RESOLVED, that the proper County officers are hereby authorized and directed to execute such agreement.

22. Approval to use five vehicle park permits for a free drawing during "Explore Washington County Parks Day" on Saturday, June 11, 1994.
23. Approval of agreement with Short Elliot Hendrickson for design and engineering services for the prison pond outlet on CSAH 21 in Oak Park Heights.
24. Information only - Recorder fees for the month of April, 1994.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

The Auditor-Treasurer requested that the County Board establish a Government Study Commission to review the structure of Washington County government. The last study was completed in 1984, at

June 7, 1994

which time they proposed a referendum which led to the combination of the Auditor and Treasurer's Offices. Commissioner Hegberg moved that the Board hold a workshop on the establishment of a Government Study Commission to review the structure of Washington County government to address questions the Board has on the process including state statute requirements and options that could be considered by this Study Commission. Commissioner Peterson seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Hauser, and Hegberg; No, Commissioners Abrahamson and Engstrom.

HEALTH, ENVIRONMENT, AND LAND MANAGEMENT

Waiver of Fees for Building Permits in the Big Marine Park Reserve Official Map Area

Commissioner Hegberg moved to waive the \$75.00 fee for persons appealing the denial of a building permit in the Big Marine Park Reserve Official Map area. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Commissioner Hegberg moved to refund the fees already paid by nine property owners for appeals to denial of building permits since the adoption of the official mapping ordinance in the amount of \$675.00. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Community Asset Inventory

Commissioner Peterson moved to proceed with a contract with Search Institute to implement an Asset Inventory in four communities in Washington County for County planning purposes. Commissioner Engstrom seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

The Deputy Public Works Director presented a request by the City of Lake Elmo and the Tri-lakes Association to pave shoulders on County Road 13B from CSAH 35 to TH 36.

Ken Sovereign, Tri Lakes Improvement Association, Lake Elmo, asked that the Board approve the request to pave the shoulders on County Road 13.

Commissioner Abrahamson moved that this matter wait until the linear parks plan is completed, and that pedestrian and bicycle trail improvements only be considered in areas with documented safety issues and positive cost/benefit ratios. Commissioner Peterson seconded the motion and it was adopted unanimously.

June 7, 1994

Not to exceed 20 feet in width between and right of Engineer's Stations 336+00 and 339+00; and

Not to exceed 15 feet in width between and right of Engineer's Stations 339+00 and 342+00; and

Not to exceed 10 feet in width between and right of Engineer's Stations 342+00 and 343+00.

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Commissioner Abrahamson moved that this matter wait until the linear parks plan is completed, and that pedestrian and bicycle trail improvements only be considered in areas with documented safety issues and positive cost/benefit ratios. Commissioner Peterson seconded the motion and it was adopted unanimously.

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I-494 LAKE ROAD INTERCHANGE PROJECT

Abigail Grenfell, Co-Chair, Citizens for Conservative Development, presented an overview on the I-494 Lake Road Interchange Project in Woodbury. She requested that the County do the following:

1. Withdraw the final design plan approval for the Lake Road Interchange.
2. Hold a public information meeting, jointly with the Ramsey County Board of Commissioners if possible, to listen to citizen concerns regarding this issue.
3. Send a letter to Minnesota Department of Transportation, State Aid Office, regarding the environmental and traffic concerns applicable to this interchange.

Kathy Mullaney, Woodbury, stated they have experienced trouble with their well since last spring. When neighbors drill new wells, their water turns muddy. She stated she is concerned about what might happen to her water when they start construction on this interchange.

The Board Chair thanked Ms. Grenfell and Ms. Mullaney for appearing at the Board meeting. She noted that the City of Woodbury has been asked to come in and make a presentation and give the Board more information about the Environmental Assessment Worksheet. The County Public Works Department will also be present to update the Board on how the County has been involved in this matter thus far. This item will be placed on next week's agenda at 9:00 a.m.

GENERAL ADMINISTRATION**1993 Occupational Safety Award**

The Safety Committee Co-Chair presented the Board Chair with a Meritorious Achievement Award for Occupational Safety for 1993 from the Minnesota Safety Council Governors Safety Award Program.

Comments on Metropolitan Council's Proposed Regional Blueprint

Commissioner Abrahamson moved to approve the comments on the Metropolitan Council's Proposed Regional Blueprint and that they be forwarded to the Metropolitan Council. Commissioner Engstrom seconded the motion and it was adopted unanimously.

1994 Legislative Report

Sue Ladwig, the County Legislative Representative, presented the 1994 Session Report. She highlighted several areas that will be looked at for the 1995 session.

June 7, 1994

Commissioner Abrahamson moved to accept the 1994 Legislative Session Report as presented. Commissioner Peterson seconded the motion and it was adopted unanimously.

The Board was reminded of a Legislative Reception/Workshop to be held at the Historic Courthouse on June 28, 1994, from 4:00 to 6:30 p.m.

Commendation for Retiring Law Librarian Sheila Chappel

Commissioner Engstrom moved to adopt **Resolution No. 94-102** as follows:

Resolution of Commendation to Sheila Chappel

WHEREAS, Sheila Chappel was the Washington County Law Librarian from January 1988 to April 1994; and

WHEREAS, she brought her broad base of knowledge of the law from life, and her education from the William Mitchell College of Law; and

WHEREAS, during her more than six (6) years of service she provided valuable research assistance to the Judges and court professionals of Washington County; and

WHEREAS, she was regarded as a valuable resource for the area's attorneys, legal professionals and the general public.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby commends Sheila Chappel for her service to the legal community of Washington County; and

BE IT FURTHER RESOLVED, that we will all miss her friendly demeanor, sharp research skills and resourcefulness in running the Washington County Law Library.

Commissioner Peterson seconded the motion and it was adopted unanimously.

Time Schedule for the Board of Equalization and the Workshop on Update of the Grey Cloud Island Master Plan

It was Board consensus that the Board of Equalization schedule as many appointments as possible on June 21 and that they also be scheduled into the evening. The workshop for an update on the Grey Cloud Island Master Plan is scheduled for 7:00 p.m. on June 28.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

June 7, 1994

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson asked that the Board discuss at next week's Board meeting the possible shortfall to the County of placing juvenile offenders in outside facilities and the cost of opening a juvenile detention center.

Commissioner Peterson stated that all the banners and posters scattered throughout the Board room are from the Crestview Elementary School thanking the Board for the recycling refund that the County gives to participating cities. The City of Cottage Grove used their refund to purchase playground equipment made out of recycled plastic material.

Commissioner Engstrom indicated that he has distributed a copy of the NACo memo on environmental land use to the other Board members. He also stated that the Board received the County Attorney's memo on the Supreme Court's decision on Carbone and how that decision affects Washington County. He suggested that the Board adopt a resolution supporting federal bills on flow control, and that this resolution be forwarded to our Federal Congressional delegation in Washington D.C. He also suggested that the other 86 counties in Minnesota be sent a copy of the resolution and request that they adopt a similar resolution and forward it to their congressional delegation. Commissioner Peterson suggested that Washington County municipalities also be sent a copy of this resolution.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously. The Board meeting adjourned at 8:40 p.m.

BOARD WORKSHOP WITH THE VALLEY BRANCH WATERSHED DISTRICT

The Board meeting was preceded by a workshop with the Valley Branch Watershed District to discuss issues concerning Sunnybrook Lake and Olson Lake Estates. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were Virginia Erdahl, Don Wisniewski, Lyle Doerr, Mike Groggen, Indian Hills Golf Course, Petter Zetterberg, Dave Parkin and Russ Kirby, members of

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the Valley Branch Watershed District, and residents of Sunnybrook Lake and Olson Lake Estates. The workshop concluded at 6:15 p.m.

Attest:



Virginia R. Erdahl

Deputy Administrator



Mary M. Hauser, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 14, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Robert Lockyear, Planning and Public Affairs Director; Don Wisniewski, Public Works Director; Jon Larson, Veterans Service Officer; Charlotte Farnum, Community Services Division Manager; Sally Ruvelson, Court Services Department; Judy Honmyhr, Human Resources Director; Larry Haseman, I.S. Department; Captain Don McGlothlin, Sheriff's Office; Chief Deputy Ken Boyden, Sheriff's Office; John Devine, Controller; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Engstrom, to adopt the following Consent Calendar:

1. Approval of the revised Washington County contract guidelines.
2. Approval to appoint Sue Brotherton, Woodbury, to the Mental Health Advisory Council, to fill an unexpired term to December 31, 1996.
3. Adoption of **Resolution No. 94-103** as follows:

Repurchase of Tax Forfeited Land by
 Marcel Eibensteiner, Owner

WHEREAS, Marcel Eibensteiner the Owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Washington, Minnesota, and described as follows, to-wit:

Lot 7, Block 7, Lake Inverness Estates

;and WHEREAS, said applicant has set forth in his application that he suffer the loss of equity therein. That the repurchase of said land will promote and best serve the public interest because the property will be productively used for a residence and will generate property tax revenue for the county.

;and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Marcel Eibensteiner for the purchase of the above described parcel of tax forfeited

June 14, 1994

land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

4. Approval of two day on sale non-intoxicating malt liquor license for North Star Gay Rodeo Association, July 23 and 24, 1994, to be held at the Washington County Fairgrounds.
5. Adoption of **Resolution No. 94-104** as follows:

Authorizing Auditor-Treasurer to Execute Quit
Claim for Permanent Easement to the Town of Forest Lake

WHEREAS, parcel 81480-3000 being Lot 20, Melquist's North Shore in the Town of Forest Lake is forfeited property withheld per M.S. 282.018.

WHEREAS, the Town of Forest Lake is desirous of obtaining permanent utility easement over, under and across Lot 20, Melquist's North Shore, for the purposes of constructing, maintaining, improving, and operating a sewage system lift station, including all equipment, wiring and plumbing normally incident thereto.

WHEREAS, M.S. 282.04 Subdivision 4, authorizes the Auditor to grant easements on such terms as the county board prescribes.

BE IT HEREBY RESOLVED that the Washington County Board of Commissioners authorizes the Auditor of said County to execute a Quit Claim for a permanent utility easement on tax-forfeited property parcel # 81480-3000 withheld per M.S. 282.018 to the Town of Forest Lake for the purposes of constructing, maintaining, improving, and operating a sewage system lift station including all equipment, wiring and plumbing normally incident thereto.

6. Adoption of **Resolution No. 94-105** as follows:

County Veterans Service Office
Operational Improvement Grant

BE IT RESOLVED that Jon Larson, Veterans Service Officer, act as the legal sponsor for the project(s) contained in the County Veterans Service Officers Grant Application submitted on February 7, 1994, and that the County Veterans Service Officer is hereby authorized to receive grant funds from the Minnesota Department of Veterans Affairs for funding of this project on behalf of Washington County.

BE IT FURTHER RESOLVED that Jon Larson, Veterans Service Officer, has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project.

June 14, 1994

BE IT FURTHER RESOLVED that Washington County has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practices.

7. Approval of one F.T.E. Special Project Probation Officer I position in Court Services through June 30, 1995.
8. Approval of .5 Special Project Secretary in Community Services through June 30, 1995 to assist in fraud prevention.
9. Approval of positions required for managed care in Community Services: 1 F.T.E. Managed Care Advocate, .5 F.T.E. Eligibility Technician, .5 Special Project Eligibility Technician, and .5 F.T.E. Secretary.
10. Approval for conversion of student back-up operator to Special Project in I.S. through December 31, 1994.
11. Approval for one F.T.E. Special Project position of Sr. Accounting Technician in the Auditor-Treasurer's Office through December 31, 1994.

The foregoing Consent Calendar was adopted unanimously.

SHERIFF'S DEPARTMENT

Amendment to 1994 Budget

Commissioner Abrahamson moved to amend the 1994 budget for the Sheriff's Office as follows: Cut \$232,200 in expenses and bring in an additional \$60,000 in revenues due to rate increases; authorize use of fund balance in the amount of \$500,000. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Contract with U.S. Marshal for Rental of Beds at the L.E.C.

Commissioner Engstrom moved to approve the contract with the U.S. Marshal for bed rental at the Law Enforcement Center in the amount of \$75 a day per bed. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

June 14, 1994

PUBLIC WORKS DEPARTMENT

The Board continued discussion from last week regarding the Lake Road/I-494 interchange in Woodbury. Dave Jessup, City of Woodbury Public Works Director, presented background information on this project. Mr. Jessup stated that some citizens were concerned about their well water and septic systems because of the construction. He stated that the City of Woodbury was committed to working with its residents in ensuring the continuity of their water supply. Possible options for this may be redoing their existing well, drilling a new well, or providing municipal water service. The same would apply to the septic system if the property owner can show that the system failed as a result of the construction, then the City will work with the property owner in developing an alternative system. These options may include a new on-site system or municipal service.

The Public Works Director stated that no action was needed by the County Board if they wished the plans to go ahead as proposed by the City of Woodbury and as approved by him. The Board Chair thanked Mr. Jessup for appearing, and also thanked the citizens group for coming back. No further action was taken on this matter.

HUMAN RESOURCES DEPARTMENT

The Human Resources Director presented the agreements which have been reached through the meet and confer process for 1994 with the Confidential Employees, Confidential Supervisors and Essential Supervisors.

Commissioner Abrahamson moved to approve the 1994 terms and conditions of employment for Confidential Employees, Confidential Supervisors, and Essential Supervisors as follows:

Confidential Employees:

1. **Duration:** January 3, 1994 through December 31, 1994.
2. **Wages:** Effective for 1994, a 1.0% general wage increase.
3. **Holidays:** Increase Christmas Eve Day from a one-half day holiday to a full day holiday. (Friday before Christmas in 1994).
4. **Health Insurance:** Increase monthly contribution for dependent health insurance:
1994 - \$275 (\$15 increase).
5. **Merit Pay Program:** Feasibility study will be conducted in 1994 for possible adoption of merit pay program in 1995.

June 14, 1994

Confidential Supervisors

1. Duration: January 3, 1994 through December 31, 1994.
2. Wages: Effective for 1994, 1.0% general wage increase.
3. Holidays: Increase Christmas Eve Day from a one-half day holiday to a full day holiday. (Friday before Christmas in 1994).
4. Health Insurance: Provide the following monthly contribution for dependent health insurance:
1994 - \$275 (\$15 increase).
5. Merit Pay Program: Feasibility study will be conducted in 1994 for possible adoption of merit pay program in 1995.

Essential Supervisors

1. Duration: January 3, 1994 through December 31, 1994.
2. Wages: Effective for 1994, a 1.0% general wage increase.
3. Holidays: Increase Christmas Eve Day from one-half day holiday to a full day holiday. (Friday before Christmas in 1994).
4. Health Insurance: Provide the following monthly contribution for dependent health insurance:
1994 - \$275 (\$15 increase).
5. Merit Pay Program: Feasibility study will be conducted in 1994 for possible adoption of merit pay program in 1995.

Commissioner Peterson seconded the motion and it was adopted unanimously.

COURT SERVICES AND SHERIFF'S DEPARTMENTS

Captain McGlothlin presented an overview of a request to fill five F.T.E. Correctional Officer II positions for juvenile detention. The State of Minnesota has given permission to Washington County to open up the Juvenile Detention section in the Law Enforcement Center.

Commissioner Abrahamson moved to approve five F.T.E. Correctional Officer II positions for juvenile detention and approve the necessary funding in the amount of \$80,000 out of the contingency fund. Commissioner Peterson seconded the motion and it was adopted unanimously.

Captain McGlothlin stated that the juvenile detention center should be opened on or as close to August 1 as possible.

June 14, 1994

GENERAL ADMINISTRATION**Federal Legislation on Local Flow Control**

Commissioner Engstrom moved to adopt **Resolution No. 94-106** as follows:

Federal Legislation on Local Flow Control

WHEREAS, a recent U.S. Supreme Court decision, *C & A Carbone v. the Town of Clarkstown (N.Y.)* held that local government flow control ordinances are unconstitutional because they violate the Interstate Commerce Clause; and,

WHEREAS, solid waste flow control is an extremely sensitive and important issue, because to the extent that counties can no longer regulate the flow of trash and recyclables generated within their borders, it opens the door to exportation of waste to other states; and,

WHEREAS, this is not environmentally sound, nor economically appropriate for our constituencies; and,

WHEREAS, considering the large financial investments we have made, and must continue to make in environmentally sound disposal and recycling facilities, and the need to fund these costs from within our solid waste system, we need to be assured of relatively predictable, stable tonnage at our facilities; and,

WHEREAS, Washington County has, since 1987, operated a resource recovery facility jointly with another county, and is committed to future funding of this resource recovery facility. In 1994 alone, were we not able to meet our flow control commitments, it would cost Washington County over Four Million Dollars (\$4,000,000.00); and,

WHEREAS, this Four Million Dollar (\$4,000,000.00) figure would increase yearly to the end of the contract; and,

WHEREAS, flow control legislation, such as Senate Bill S1634, and flow control amendments to any interstate solid waste bill in the House of Representatives, is the only way of securing appropriate fiduciary responsibility for our investment.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners endorses waste flow control legislation at the federal level, which will allow local units of government to achieve comprehensive and environmentally sound solid waste management within their own borders.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to each member of the congressional delegation from Minnesota and to the Association of Minnesota Counties to be shared with all Minnesota counties.

Commissioner Peterson seconded the motion and it was adopted unanimously.

June 14, 1994

Per Diem for Advisory Boards, Committees, Commissions

The County Administrator stated that the current policy on per diem for County advisory boards, committees, and commissions was a little vague on who was not entitled to collect per diems on County advisory committees. An amendment to the current policy would add the words "and Commissioners" to the third paragraph which already has staff excluded from receiving per diems.

Commissioner Engstrom moved to adopt **Resolution No. 94-107** as follows:

Per Diem for Advisory Boards, Committees, Commissions

WHEREAS, Washington County recognizes the important contributions made by members of its advisory boards, committees and commissions; and

WHEREAS, Washington County desires to support the members of its committees for volunteering their time and efforts on the County's behalf; and

THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby sets a per diem rate of \$35.00 per meeting, payable to individuals (excluding staff and Commissioners) for the performance of service in any of the following boards, committees and commissions:

- Board of Adjustment and Appeals
- Community Corrections Advisory Board
- Community Social Services Advisory Committee
- Cost Effective Operations Commission
- Ground Water Advisory Committee
- Historic Courthouse Advisory Committee
- Internal Audit Advisory Committee
- Mental Health Advisory Council
- Minnesota Extension Service
- Noxious Weed Appeal Committee
- Park and Open Space Commission
- Personnel Board of Appeals
- Planning Advisory Commission
- Private Industry Council
- Public Health Advisory Committee
- Regional Rail Authority Citizens Advisory Committee
- Solid Waste Advisory Commission
- Space and Facilities Planning Committee

BE IT FURTHER RESOLVED, that mileage reimbursement shall be paid to the boards, committees, and commissions listed above at the same rate set for County employees.

This resolution supersedes Resolutions 80-131, 88-33, 88-120, 91-031, 94-044, and 94-058.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

June 14, 1994

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson stated there will be a Legislation Reception for the Wakota Bridge Coalition on June 27, and that she will be hosting a reception for the new County Administrator on June 26.

Commissioner Hegberg asked for a map showing where the proposed "no wake zone" is located on the St. Croix River.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

The County Administrator informed the Board that the Metropolitan Council has notified the County of a public hearing on the revised aviation chapter of the Metropolitan Development Guidelines. Copies will be made available if any of the Commissioners are interested.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 10:25 a.m.

BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT

The Board met in workshop session with the Community Services Department to discuss the County child support program. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Richard Arney, Charlotte Farnum and Jeanine Kopel.

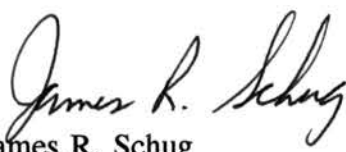
BOARD WORKSHOP WITH HEALTH, ENVIRONMENT AND LAND MANAGEMENT

The Board met in workshop session with the Health, Environment and Land Management Department to discuss the County's role in zoning. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Richard Arney, Bob

June 14, 1994

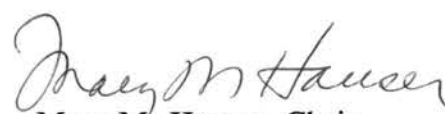
Turrentine, Mary McGlothlin, Dennis O'Donnell, Al Goodman, Lowell Johnson, Bob Lockyear, and Jane Harper.

Attest:



James R. Schug

County Administrator



Mary M. Hauser, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 21, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; John Devine, Controller; Judy Arends, Health, Environment and Land Management; Don Wisniewski, Public Works Director; Rick Backman, Community Services Division Manager; Fred Feuerpfeil, Job Training Center; Brendan McLaughlin, Budget Analyst; Sheila Neubauer, Administration Office Manager; and Robert Lockyear, Planning and Public Affairs Director.

CONSENT CALENDAR

Commissioner Peterson moved, seconded by Commissioner Hegberg, to adopt the following Consent Calendar:

1. Approval of the June 7, 1994 Board meeting minutes.
2. Adoption of **Resolution No. 94-108** as follows:

AREA AGENCY ON AGING

WHEREAS, the Metropolitan Council has withdrawn as the Area Agency on Aging (AAA) effective June 1, 1994; and,

WHEREAS, the Minnesota Board of Aging has the authority to designate a new agency on aging to serve the seven county metropolitan area and the deadline for applications for designation as the AAA was April 15, 1994; and,

WHEREAS, the seven metropolitan counties were eligible for designation as the AAA and the counties submitted an application to the Minnesota Board on Aging to serve as the AAA through a Joint Powers Agreement; and,

WHEREAS, the Minnesota Board on Aging on May 20, 1994, voted to designate MAAA, Inc., a Minnesota nonprofit corporation, to serve as the AAA; and,

WHEREAS, the activities of the AAA are federally funded and governed by federal law, rule and regulation; and,

WHEREAS, pursuant to 42 U.S.C. section 3025 (b) (5) (B) a right of first refusal for the agency designation exists for general purpose local government units; and,

June 21, 1994

WHEREAS, the Minnesota Board of Aging in its designation of MAAA, Inc., made a determination that the seven metropolitan counties acting through a Joint Powers Agreement was not a general purpose local government unit and therefore not entitled to the federal right of first refusal; and,

WHEREAS, pursuant to 42 U.S.C. sections 3012 (a) (6) and 3012 (b) (3), the Administration of the United States Department of Health and Human Services shall provide technical assistance, consultation, review, and comment to state political subdivisions with respect to regulations and policies for the aged and aging;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners authorizes the County to work with the staff of other metropolitan area counties on a joint application to the United States Department of Health and Human Services requesting to review and an opinion of the Minnesota Board on Aging's refusal to designate the seven metropolitan counties as the AAA or grant the metropolitan counties the right of first refusal for the designation.

3. Approval to appoint Sandra Shiely, Cottage Grove, to the Board of Adjustment and Appeals, to fill an unexpired term to December 31, 1994.
4. Adoption of **Resolution No. 94-109** as follows:

Resolution Calling for Redemption of the
Outstanding \$2,500,000 General Obligation County
Building Bonds of 1971

WHEREAS:

A. The County Board of the County of Washington, Minnesota, issued on behalf of the County \$2,500,000 General Obligation County Building Bonds of 1971 dated August 1, 1971.

B. The Bonds maturing in the years 1995 to 1997, both inclusive, may be called for redemption and prepayment, on August 1, 1981, and on any interest payment date thereafter at par and accrued interest, all as provided in the resolution of the County Board authorizing the issuance of said Bonds;

C. The County Board deems it desirable and in the best interest of the County to call \$450,000 (Bond Numbers 411-500) in principal amount of the Bonds on August 1, 1994, in accordance with said resolution authorizing the issuance of said Bonds;

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

1. The \$2,500,000 General Obligation County Building Bonds of 1971 of the County maturing in the years 1995 to 1997, both inclusive, and totaling \$450,000 (Bond Numbers 411-500) shall be redeemed and prepaid on August 1, 1994, at a price of par and accrued interest.

June 21, 1994

2. Notice of call for redemption shall be mailed to the bank at which principal and interest are payable and shall be published, as required by law, in substantially the form attached as Exhibit A.

3. The County Controller is hereby authorized and directed to deposit with the bank where the Bonds are payable prior to said call date sufficient funds to pay all principal and interest due on said Bonds as of the call date.

4. The County Controller is hereby authorized and directed to make all required transfer of funds and budget adjustments necessary to close the Capital and Debt Service Accounts.

Exhibit A
Notice of Redemption

\$2,500,000
General Obligation County Building Bonds of 1971
Washington County, Minnesota

NOTICE IS HEREBY GIVEN that the Bonds of the above issue dated August 1, 1971, which mature on August 1 in the years and according to the following schedule:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Bond Number</u>
1995	\$150,000	5.70%	411-440
1996	\$150,000	5.75%	441-470
1997	\$150,000	5.75%	471-500

are called for redemption and prepayment on August 1, 1994. The Bonds will be redeemed at a price of 100% of their principal amount plus accrued interest to the date of redemption. Holders of such Bonds should present them, with unmaturing coupons attached, for payment to:

By Mail or Courier:	By Registered or Certified Mail:	In Person, By Hand:
Norwest Bank Minnesota, N.A.	Norwest Bank Minnesota, N.A.	Corporate Trust Service-12th Floor
Corporate Trust Operations	Corporate Trust Operations	Northstar East Building
6th Street & Marquette Avenue	P.O. Box 1517	608 2nd Avenue South
Minneapolis, MN 55479-0113	Minneapolis, MN 55480-1517	Minneapolis, MN

Interest on the Bonds will cease to accrue on the redemption date. Holders of said Bonds are requested to surrender the same at the designated place of payment.

In compliance with the Interest and Dividend Compliance Act of 1983 and Broker Reporting Requirements, the Paying Agent is required to withhold 31% of the principal amount redeemed unless they are provided with your social security number or federal employer identification number, properly certified. This Compliance should be fulfilled by submitting a W-9 Form which may be obtained at a Bank or other Financial Institution.

Dated: June 21, 1994

By Order of the Board of Commissioners
Washington County, Minnesota

/s/ James R. Schug, County Administrator

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5. Adoption of **Resolution No. 94-110** as follows:

Resolution Calling for Redemption of the Outstanding
\$2,035,000 General Obligation Improvement Bonds,
Series 1987C

WHEREAS:

A. The County Board of the County of Washington, Minnesota, issued on behalf of the County \$2,035,000 General Obligation Improvement Bonds, Series 1987C dated July 1, 1989.

B. The bonds maturing on or after February 1, 1996, may be called for redemption and prepayment on February 1, 1995, and on any interest payment date thereafter at par and accrued interest, all as provided in the resolution of the County Board authorizing the issuance of said Bonds;

C. The County Board deems it desirable and in the best interest of the County to call \$615,000 in principal amount of the Bonds on February 1, 1995, in accordance with said resolution authorizing the issuance of said Bonds;

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

1. The \$2,035,000 General Obligation Improvement Bonds, Series 1987C of the County maturing on or after February 1, 1996, both inclusive, and totaling \$615,000 shall be redeemed and prepaid on February 1, 1995, at a price of par and accrued interest.

2. The County Controller is hereby authorized and directed to instruct American National Bank and Trust Company, the Bond Registrar, to mail the notice of call to each and every registered holder of the Bonds to be called for redemption. Said notice shall be in substantially the form attached hereto as Exhibit A.

3. The County Controller is hereby authorized and directed to deposit with the bank where the Bonds are payable prior to said call date sufficient funds to pay all principal and interest due on said Bonds as of the call date.

4. The County Controller is hereby authorized and directed to make all required transfer of funds and budget adjustments necessary to close the Capital and Debt Service Accounts.

Exhibit A
Notice of Redemption

\$2,035,000
General Obligation Improvement Bonds, Series 1987C
Washington County, Minnesota

NOTICE IS HEREBY GIVEN that the Bonds of the above issue, dated July 1, 1987, which mature on February 1 in the years and according to the following schedule:

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<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>CUSIP Number</u>
1996	\$205,000	6.20%	937785 GU1
1997	\$205,000	6.40%	937785 GV9
1998	\$205,000	6.50%	937785 GW7

are called for redemption and prepayment on February 1, 1995. The Bonds will be redeemed at a price of 100% of their principal amount plus accrued interest to the date of redemption. Holders of such Bonds should present them for payment to:

American National Bank and Trust Company
Paying Agent, 9th Floor
101 East fifth Street
St. Paul, Minnesota 55101-9976

Interest on the Bonds will cease to accrue on the redemption date. Holders of said Bonds are requested to surrender the same at the designated place of payment.

In compliance with the Interest and Dividend Compliance Act of 1983 and Broker Reporting Requirements, the Paying Agent is required to withhold 31% of the principal amount redeemed unless they are provided with your social security number or federal employer identification number, properly certified. This compliance should be fulfilled by submitting a W-9 Form which may be obtained at a Bank or other Financial Institution.

Dated: June 21, 1994.

By Order of the Board of Commissioners
Washington County, Minnesota

/s/ James R. Schug, County Administrator

6. Approval of three day on sale non-intoxicating malt liquor license for Scandia Fastpitch Tournament, Scandia Ballfield, June 24-26, 1994.
7. Approval of consumption and display (set-up) permit license for Scandia Community Senior Center, April 1, 1994 to March 31, 1995.
8. Approval to appoint Charlotte Farnum to the Ramsey Action Program Inc. Board of Directors, to complete the term vacated by James Schug, and appoint Andrew Ervin as the alternate.
9. Approval of agreement with Minnesota Technical College System for second year special needs based funding in the amount of \$47,640.
10. Approval of agreement with Minnesota Department of Economic Security to increase Minnesota Youth Program biennial allocation to \$202,519.

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11. Approval of program years 1994 and 1995 Job Training Partnership Act (JTPA) and Wagner-Peyser grant agreement with Minnesota Department of Economic Security/Community Based Services Division.
12. Approval to endorse application for \$24,000 in supplementary funds for Children's mental health integrated fund collaboratives.
13. Approval of amendment to the 1994 contract with Human Services Support Network, Inc., to provide home and community based services to persons with developmental disabilities.
14. Approval of amendment to the 1994 contract with Focus Homes, Inc. to provide home and community based services to persons with developmental disabilities.
15. Approval of amendment to the 1994 contract with Adapted Living Programs, Inc. to provide home and community based services to persons with developmental disabilities.
16. Approval of amendment to the 1994 contract with MDM Rubicon, Inc. to provide home and community based services to persons with developmental disabilities.
17. Approval of amendment to the 1994 contract with A.M.E. Community Services, Inc. to provide home and community based services to persons with developmental disabilities.
18. Approval of amendment to the 1994 contract with Nekton, Inc. to provide home and community based services to persons with developmental disabilities.
19. Approval of .5 F.T.E. special project Senior Case aide in the Job Training Center Division of Community Services from July 1, 1994 through June 30, 1995.
20. Information only - town road allotment distribution.
21. Information only - Recorder fees for the month of May, 1994.
22. Adoption of **Resolution No. 94-111** as follows:

Agreement with State of Minnesota for
Victims of Crime Act Funds

WHEREAS, the Victim Service Unit of the Department of Corrections of the State of Minnesota has awarded to the Washington County Attorney's Office in Washington County a grant in the amount of \$33,700 for the period July 1, 1994 through June 30, 1995; and

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WHEREAS, funds exist in the current approved budget which are sufficient to meeting matching fund requirements; and

WHEREAS, Washington County Board of Commissioners and Washington County Attorney believe it would be in the best interest of service to the public to use these funds to continue the current level of service to crime victims and witnesses;

THEREFORE, BE IT RESOLVED that the County of Washington, State of Minnesota, enter into an agreement with the State of Minnesota for the Victims of Crime Act funds and the Inmate Wage funds to be conducted during the period from July 1, 1994 through June 30, 1995.

BE IT FURTHER RESOLVED that the Chair of the Washington County Board of Commissioners, Washington County Administrator, and the County Attorney or his designee are hereby authorized and directed to sign and execute such agreements as are necessary to implement this project on behalf of Washington County and the Washington County Attorney's Office.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Government Center Security System

Bids were received as follows for the installation of a Government Center security system:

Videotronix, Inc.	\$62,750
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Commissioner Engstrom moved to adopt **Resolution No. 94-112** as follows:

Award of Contract for Government Center Security System

WHEREAS, in order to provide adequately secure entrance to the Government Center, the County solicited bids for this project; and

WHEREAS, bids were opened on June 14, 1994, with Videotronix, Inc., being the lowest responsible bidder; and,

NOW, THEREFORE BE IT RESOLVED, that the contract between the County and Videotronix, Inc., be executed through the signature of the Chairperson of the Washington County Board of Commissioners and Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

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Government Center Building Security Policy

Commissioner Engstrom moved to approve the Government Center Building Security Policy which replaces Government Center Security Policy No. 1018. Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

The County Administrator presented an update on the County auction which made approximately \$93,000. The Central Services Director will present a more detailed report at a later date.

A workshop has been scheduled with the Lower St. Croix River Management Association to discuss the proposed boating rules. This workshop will be held on July 5, at 4:30 p.m. prior to the County Board Meeting.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson announced that Millard "Bill" Axelrod, former County Commissioner and Mayor of St. Paul Park passed away on Sunday.

Commissioner Hegberg stated that Minnesota Extension Committees of Washington and Ramsey Counties are discussing combining their efforts. He will keep the Board informed on these discussions.

Commissioner Peterson stated that all five public works projects submitted for federal funding have been approved by the Transportation Advisory Board. The Public Works Director will be bringing more information back to the Board on these projects.

Commissioner Engstrom requested a joint workshop with the Library Board to discuss the recent court order concerning the Library employees.

Commissioner Abrahamson asked the Public Works Director about the construction project that will be starting on County Road 5 and the possible delays that this may cause.

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ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 9:35 a.m. The Board meeting was followed by the Board of Equalization at 11:15 a.m.

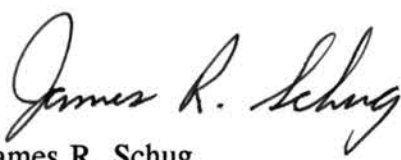
BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the audio/visual upgrade for the Board room. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Robert Lockyear, Don Wisniewski, Lyle Doerr, and Dickson Stewart, Electronic Interiors.

BOARD WORKSHOP WITH COMMUNITY SERVICES AND COURT SERVICES

The Board met in workshop session with Community Services and Court Services to discuss the cost of out-of-home placement for children. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Russ Reetz, and Rick Backman.

Attest:



James R. Schug

County Administrator



Mary M. Hauser, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 28, 1994

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Absent none. Chairman Hauser presided. Also present were James R. Schug, County Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Judy Honmyhr, Human Resources Director; John Devine, Controller; Rick Backman, Community Services Division Manager; Sue Fennern, Human Resources Office Manager; Shari Bowers, Human Resources; Russ Reetz, Court Services Director; and Brendan McLaughlin, Budget Analyst.

CONSENT CALENDAR

Commissioner Abrahamson moved, seconded by Commissioner Engstrom, to adopt the following Consent Calendar:

1. Approval of the June 14, 1994 Board meeting minutes.
2. Approval of applications for abatement as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Value	32455-7060	Haines, Theodore	\$36,495.58
Value	11175-2200	Orleans Homes #1	13,824.20
Value	11175-2200	Orleans Homes #1	12,401.66
Hmstd	28372-2600	Rhode, Douglas & Pamela	1,361.10
Hmstd	28508-2850	Conley, David & Catherine	1,274.60
Hmstd	57950-5180	Spangenberg, Alma	764.32
Hmstd	57950-5200	Spangenberg, Alma	126.36
Hmstd	57965-5200	Gaylord, Patricia	1,030.52
Hmstd	57587-2650	Clausen, Georgianna	1,036.66
Hmstd	9305-3900	Thompson, Sally	1,064.34
Hmstd	72147-2250	Zager, Richard & Betty	1,277.52
Hmstd	97950-2075	Moore, Clifford & Katherine	313.22
Hmstd	29100-3018	Heller, George & Deloris	508.22
Hmstd	29100-4002	Kachmarzinski, Lori	501.86
Hmstd	73643-5900	Boudreau, Bruce & Linda	1,276.46
Interest	38125-0677	Featherstone, James & Deb	329.67
Interest	38125-0677	Featherstone, James & Deb	304.35

3. Approval of the fee policy for Rule 12 funds.
4. Approval to advertise for bids on road construction on CSAH 10, Project #SAP 82-610-03, 82-610-04, and 82-610-06.
5. Approval to advertise for bids on traffic signal construction on CSAH 2, Project #SAP 82-602-08.

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Adoption of **Resolution No. 94-113** as follows:

Cooperative Signal Construction Agreement
Number 71950 with MN/DOT and City of Forest Lake

BE IT RESOLVED that the County of Washington enter into an agreement, with the State of Minnesota, Department of Transportation for the following purposes, to wit:

To install new traffic control signals with street lights, interconnect, emergency vehicle pre-emption and signing on Trunk Highway No. 35 East and West Ramps at County State Aid Highway No. 2 (Broadway) in accordance with the terms and conditions set forth and contained in Agreement No. 71950, a copy of which was before the Board.

BE IT FURTHER RESOLVED that the proper County officers be and hereby are authorized to execute such agreement, and thereby assume for and on behalf of the County all of the contractual obligations contained therein.

6. Approval for the Board Chair and Administrator to execute the Minnesota Trail Assistance program application with the State of Minnesota for reimbursement of trails costs to the Star Trail Association.
7. Approval to advertise for sign materials and installation/removal as is provided for in the Hazard Elimination Safety Program.
8. Approval and execution of cooperative agreement with the City of White Bear Lake for the reconstruction of CSAH 27.

The foregoing Consent Calendar was adopted unanimously; Commissioner Peterson abstaining.

HUMAN RESOURCES DEPARTMENT

The Human Resources Director introduced Joe Harten, Deloitte & Touche, who presented an analysis of the proposed Flexible Leave Program. It was Board consensus to not take any action on the Flexible Leave Program at this time.

DISCUSSION FROM THE AUDIENCE

The Board Chair asked for comments from the audience; none were heard.

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COMMISSIONER REPORTS - COMMENTS - QUESTIONS

The Board Chair stated that the County Sheriff has submitted a letter of resignation to the County Administrator effective July 30, 1994. Appointment of an interim Sheriff will be discussed at the July 26 Board meeting.

Commissioner Engstrom distributed a copy of a memo from the National Association of Counties regarding the status of federal legislation on waste flow control.

Commissioner Engstrom noted that the Minnesota Department of Transportation Commissioner authorized the Natural Preservation Route designation for the north and south segments of County Road 21. Discussions are taking place with the County and Afton city officials to determine how the main street of Afton may be designated as a Natural Preservation Route also.

Commissioner Abrahamson stated that the traffic was moving smoothly through the construction area on County Road 5. He commended the Public Works Department and Sheriff's Office for their efforts in making this construction project as convenient for the public as possible.

The Board Chair presented the time and place for the remainder of today's agenda items.

The Board Chair will prepare letters of support to Frank Swedzinski, President, Association of Minnesota Counties, for Commissioners Engstrom and Peterson who wish to serve on National Association of Counties Steering Committees. Commissioner Engstrom wishes to be reappointed to the Committee on Environment, Energy and Land Use; Commissioner Peterson wishes to be appointed to the Committee on Transportation.

The Board discussed briefly a committee that the state legislature has allowed to be established which would look at different requests for transportation. Also discussed was MAAA, Inc. being designated as the Area Agency on Aging. The Board will follow this organization closely to see how that agency does its business. Commissioner Peterson stated that on January 1, 1995, there will be an opening on the State Board of Aging, and that the County should be seeking individuals who might like to serve on that Board.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

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ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 9:45 a.m. The Board of Equalization met at 11:00 a.m.

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss a cost participation policy. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Don Wisniewski, Don Theisen, and Brendan McLaughlin.

BOARD WORKSHOP WITH COMMUNITY SERVICES AND COURT SERVICES

The Board met in workshop session with Community Services and Court Services to continue discussion on the cost of out-of-home placement for children. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Russ Reetz, and Rick Backman, Michael Clancy, Patrick Singel, Human Services Inc., Maureen Walton, and Kristin Tuenge.

BOARD WORKSHOP WITH THE COUNTY LEGISLATIVE DELEGATION

The Board held a workshop and reception for the County Legislative delegation at the Historic Courthouse. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Virginia Erdahl, Richard Stafford, Richard Arney, Russ Reetz, Don Wisniewski, Mary McLaughlin, Robert Lockyear, Senator Len Price, Senator Jane Krentz, Representative Walter Perl, Representative Mark Holsten, Representative Pat Beard, Representative Pamela Neary, Representative Doug Swenson, and Susan Ladwig, Legislative Representative.

BOARD WORKSHOP WITH THE PARKS AND OPEN SPACE COMMISSION

The Board met in workshop session with the Parks and Open Space Commission to discuss and review the draft Grey Cloud Island Park Master Plan. Present for the workshop session were Commissioners Peterson, Abrahamson, Hauser, Hegberg, and Engstrom. Also present were James Schug, Don Wisniewski, Jack Perkovich; Park and Open Space Commission Members Phil Hinderaker, Lloyd

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Bodlovick, James Button, Rich Leistico, Sue Johnson, LaVayne Dupslaff, and John Hall; Barry Warner, Barton-Aschman Associates; Bob Bieraugel, Shiely Company; Leone Stiefel, Joe Fogarty, and Steven Chrisensen.

Mary M. Hauser
Mary M. Hauser, Chair
County Board

Attest:

James R. Schug
James R. Schug
County Administrator

**OFFICIAL PROCEEDINGS OF THE BOARD OF EQUALIZATION
OF
WASHINGTON COUNTY, MINNESOTA
JUNE 21, 1994**

The 1994 Washington County Board of Equalization composed of Mary Hauser, Chairperson, and Commissioners, Wally Abrahamson, Myra Peterson, Dave Engstrom and Dennis Hegberg opened the meeting on Tuesday, June 21, 1994 at 11:30 a.m.

Board officers were sworn in by Washington County Assessor, Scott Hovet with staff assessor Ed Hervin, Auditor-Treasurer, R.H. Stafford and recorder, Dawn Aerts.

CASE 27, RON CARR, 93031-2260 Hugo

Mr. Carr appealed his property valuation on the grounds that two previous independent fee appraisals had reflected lower values and that the Assessor's Office had increased the value \$7,000 over these two appraisals. He also disputes a 3% across the board increase on Hugo property values. Based on Carr's two appraisals (May 1992 for \$121,000, and October 1992 for \$125,000), Assessor Frank Langer responded that when using a time adjustment of 4% per year, the lower value adjusts to \$128,700 and the higher to \$130,800.

Note: The Local Board of Review in Hugo recommended no value decrease.

CASE 5, MARY LESLIE, 37024-2700 Lake Elmo

Mary Leslie appealed the value of her home based on the addition of a 3-season porch constructed in 1992-1993. Mrs. Leslie said that the porch, once completed, was found to have significant structural problems and that the addition did not meet required building codes. Leslie presented estimates that show it will cost her (or a potential buyer) roughly \$33,000 to demolish the current porch and rebuild a new one. Frank Langer said that a partial value of \$3,000 established in 1993 and \$1,400 in 1994 reflects 50% of the completed value of the structure. He noted that if the Leslies obtained a statement verifying the need for demolition, the Assessor's Office will ("red tag") or subtract the value (\$4,400) from the assessed value. However, if the porch is completed, the rest of the value will be added on. Scott Hovet noted that the current physical condition of the porch is reflected in the present value. Leslie responded that the 3-season porch is a deterrent to the property and should be considered a value liability.

CASE 15, ROD CAMERON, 83670-2250 Grant Township

Rod Cameron requested that his property assessment be based on an average of two appraisals (one at \$212,000) that he previously submitted to the Local Board of Review. Cameron explained that his

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home was unique (Prairie style - 1 bedroom, 3/4 bath) with limited value in terms of fair market sales price. Appraiser Pat Poshek responded that there are two factors considered in property value reductions: 1) functionality (i.e. 1 bedroom, 1 bath) and 2) lack of comparison with a similar home. He pointed out that Grant Township property is valued at \$5,000 per acre minimum.

Note: The Local Board of Review recommended a reduction of value on the new construction from \$273,500 to \$221,500.

CASE 3, DEAN THARP, 89370-2550 May Township

Dean Tharp requested that the Board consider special circumstances relevant to his property. He noted that Dennis Montague agreed to review the situation after discussing the property value with appraiser, Pat Poshek. Tharp explained that the purchase price and valuation does not reflect "the true value" and that his secondary lot was unbuildable due to local zoning restrictions. He explained that one lot (75 ft) should be treated as unbuildable and substandard. Appraiser Pat Poshek responded that values on other cabins/lots on similar properties on Square Lake were in line with the Tharp property and that the premium and aesthetic "quality" of the lake itself overrides adverse factors such as access or seasonal nature of area.

Note: The current value is significantly below the purchase price (\$145,000) and the other parcel is valued at \$500.00.

CASE 11, HELEN MAHONEY, 39026-0400, 39026-0471, Lakeland

Helen Mahoney brought photos before the County Board to illustrate the ongoing and significant problem with flooding on her property. Appraiser Steve Daggett responded that the flood plain factor had been taken into account when establishing values for the Mahoney property and he noted that neighborhood sales data indicate that the property is not overvalued.

Note: The taxpayer purchased the vacant lot in 1992 for \$25,000 - the Assessor's Office has the lot currently assessed at \$10,400.

CASE 30, ALAN SANDKAMP, (Multiple Parcels) 9962 S. Grey Cloud Tr.,

Alan Sandkamp questioned Board Members on the reason behind a \$900.00 increase in taxes and requested specific reasons for the value increase. According to the Assessor's Office staff, the taxable value has remained the same since 1987 and the Local Board reduced the value of the building by \$10,000. R.H. Stafford, Auditor-Treasurer, explained that the State of Minnesota uses 110 different

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calculations when taxing properties in Washington County and that a tax-value comparison may be needed to analyze the reasons for Sandkamp's increase. A rate sheet and thorough explanation of tax calculations will be provided to Mr. Sandkamp.

Note: It was noted that an Independent School District #833 referendum, approved in 1992, may account for some of the increase in taxes reflected in 1993.

CASE 28, JOEL GRIESHABER, 73631-3375 Woodbury

Mr. Greishaber testified that he purchased his property in December '92 for \$117,000. Greishaber disagreed with the current assessed value on the home of \$122,600 and presented comparable sales figures for similar properties in the immediate area with comparable amenities. Greishaber said he was misinformed about an across the board increase of 12% in the Woodbury area and said that the increase was closer to 3.2%. Greishaber said that based on the comps he has analyzed, the value should be further decreased to below \$117,000.

Note: The Local Board of Review recommended a value reduction from \$122,600 to \$117,000.

CASE 10, M. MINWEGEN (NO APPEARANCE) 91018-4264

CASE 11, G. SHTOWCHAN, (NO APPEARANCE) 93016-0805

CASE 12, F. SEARLES (NO APPEARANCE) 55346-3500

CASE 13, M. SHANK (NO APPEARANCE) 25441-2000

CASE 21, DEAN AND BRENDA PETERSON, 55450-4710 Newport

According to Brenda Peterson, the land portion of assessed value has remained the same since 1991. The Peterson's originally purchased the land for \$32,000 and feel that the land value was appropriate, but disagree with the assessed value of the home. Peterson asked the Board to consider factors such as ground water contamination and odors emitted from a nearby industrial plant when assessing the "real value" of the home. Peterson said she averaged tax amounts with four of the highest valued properties in the immediate area and she found that they were paying considerably more property taxes than the others. The Peterson's believe their home is over-valued by as much as \$20,000.00 based on the narrowness of the lot, location and environmental concerns.

Scott Hovet and Ed Hervin said that they were sympathetic to the identified pollution problems in the area, but explained that for lack of sale figures from similar properties in the area, there currently is no data on how contamination and potential clean-up may affect overall property marketability. Board

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Members requested that the Assessor's Office initiate some research and investigation into the legal and policy implications of contamination as they relate to property values in the future.

CASE 17, SHERYL PALMER, 83012-2060 10130 Manning Av. N., Grant

Maureen Flaherty appeared, on behalf of Sheryl Palmer, to dispute the perceived "arbitrary assignment" of values (without input from all Grant Township property owners). Flaherty said the concerns are with the disparity of values and tax amounts between similar property types (i.e. age, style, size, in Grant Township) and the seemingly arbitrary means of establishing property values.

Local Grant Township appraiser, Pat Poshek explained that the Township had an across-the-board increase in land value of \$5,000.00 and that all properties located in the northern half of Grant Township experienced a value increase based on market activity and subsequent sales data. Scott Hovet noted that properties with varying land classifications (i.e. Green Acres, agricultural, homestead, etc.) are calculated differently and that the confusion may be with the 110 varying tax formulas dealing with value, classification and Local Base Tax Rates. Auditor-Treasurer Dick Stafford offered to share the tax formula rate sheets with the property owner and provide an analysis of how the property tax was determined.

CASE 18, BRUCE FEATHERSTONE, 79004-2134 12157 St. Croix Tr. So., Denmark

Bruce Featherstone disputes the method of valuing property and the assessed value of his property based on the move of his home to a new location with less acreage and loss of aesthetic view. Featherstone believes that the home is currently in a less desirable location (without a view), on less acreage (15 acres to 7 acres) which should justify a decrease in property value and subsequent tax in the new location. Featherstone said the neighborhood would not command the price currently assessed on the property of \$178,000.

Note: The Local Board of Review of Denmark Township previously decreased the value from \$187,600 to \$178,000.

CASE 20, DAVID BEAUDET, 60140-2350 6400 Lookout Tr. No., Oak Park Heights

Mr. Beaudet disputes the land value portion of the assessment based on several factors: a utility and sewer easement on property, building restrictions and encumbrances. Beaudet explained that the Assessor's Office lowered the overall property value in 1992, but said that the property has more encumbrances than previously identified. According to staff assessor, Ed Hervin, the subject property has a river view (even with encumbrances) and comparables in the area show that similar properties are commanding well over \$50,000.

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Note: The Local Board of Review recommended no change.

SEE ATTACHED NOTES: (Per Pat - Auditor-Treasurer's Office)

CASE 16, OMNO VAN DEMMELTRAADT, 9397-9399 Lake Jane Rd.

CASE 1, RICHARD PRATT,

CASE 22, THOMAND O'BRIEN,

CASE 23, BARBARA PROETZ,

CASE 24, RICHARD and CHERIE TIMMING,

CASE 25, DONALD and CAROLYN VANCE,

CASE 29, HEIDI HARVIEUX,

CASE 31, NANCY KNAAK,

CASE 14, NEIL and CAROL HICKEY,

CASE 16, OMNO VAN DEMMELTRAADT 37090-2600 Lake Elmo

Flooded for a couple of years. Paid \$80,000 - recommend an Assessor's sheet.

CASE 1, RICHARD PRATT 91029-0750 - NO APPEARANCE

CASE 22, THOMAND O'BRIEN 52018-2300 Multiple Parcels - Marine

Farm land or steeply wooded - asking for reduction in evaluation. Part of lands have never been built on - swamp land or have springs, or highway comes through. Believes there are unbuildable sites because of slope of hills, etc. Per Frank Langer, this is valued like all other property in the City - AGR \$3,500/acre (not on Green Acres). Of total acres there are some in AGR and some in Vacant Residential. Eight parcels residential non-homesteaded, seasonal or farm non-homestead. Lot 12 valued at \$43,000 but has highway around it and heavily swamped area. To the right there also is an island between highways. South and West of parcel 52007-2100 (?) the land is next to highway and has a steep slope. Another two parcels (both marked #1) are difficult to get to. Parcel 3 is heavily wooded, parcel 7 agricultural use. Far west parcel very heavily ravined. South of that is next to a nature center and has hard access. Assessed as #151, seasonal residential and #250 vacant land non-homestead.

Three parcels Mr. O'Brien identified as farm land and #7 is farm land. Possibly some of them could be combined. They are residential homestead but could have a house built on them. #6 is the O'Brien Observatory (they are very proud to have had the U of M come to them for land). The Assessor needs more topographic information on this property. There may be some other things they could do to get the taxes lowered! Staff will look into this and get back to them.

CASE 23, BARBARA PROETZ 95420-2000 Stillwater Township

He (Mr. Proetz?) is disabled since 1985 and is a licensed real estate broker. The assessed value in '93

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was \$182,800, in '94, \$183,000 and \$243,500 this year '95). Local Board of Review lowered it to \$210,000. Their new roof leaks more now than before. They have a suit now against the roofer. The pool is shot. Does not have the money to repair the house. Have had one oral offer of \$175,000 but no written offers. He would be satisfied if the \$243,500 would be reduced to the \$175,000 level. Even though the Local Board reduced it to \$210,000 we do not support the \$210,000. Recommend leaving value at \$210,000.

CASE 24, RICHARD and CHERIE TIMMING 72390-2250 Woodbury

Contacted the Assessor a year ago. Three others in the neighborhood valued at \$300,000. In '95 increased the value from \$326,000 to \$339,800. Assessor came to house and checked the unfinished area (don't know why). Showed her two other homes that were not comparable. - not all things were on the assessment sheet. A comparable property (Blatchley) at 7702 Somerset the contractor built with more square footage - everything is not the same. Borders Tamarack reserve. Were told by the Assessor, Blatchley's was too low. They thought they got a good deal from the former owner in 1991, but they should have paid \$323,000 instead of \$355,000. Comparable to a house in '88? The Assessor did not come up with anything.

Mrs. Timming doesn't think the ones they showed her were comparable to theirs. All the taxes are lower than theirs by about \$2,000. Now valuation \$339,800 - she wants it lowered to \$323,000 or \$326,000. Most of Bjorklund Development houses have gone down in price. Valley Creek Mall almost in their back yard. Group home also in neighborhood. Two other homes on the market have been on the market for two years. They are trying to sell their home and asking \$379,000 - on the market for two years. No reduction recommended by the Assessor's Office.

CASE 25, DONALD and CAROLYN VANCE 85740-2200 & 2250 Grey Cloud

Our staff recommending a reduction to \$97,000 from \$100,500 total for both parcels. We are a 100% market value state. The measurement in St. Paul Park is 93% The \$97,000 assessment for both parcels is good.

CASE 29, HEIDI HARVIEUX 93025-0090 Hugo

There was an increase across the board for the City. Eight acres with house are on farm classification, homesteaded and on green acres.

CASE 31, NANCY KNAAK 42065-2950 Lakeland Shores

Ms. Knaak thought the value increased by \$42,000 in one year, but it actually changed \$14,400 from \$194,900 to \$209,000. Equalized all lots in the area in 1992/1993. The land value increased by \$10,300 and the building by \$3,600 for a total of \$13,900. There has been a slight reduction the last two years in the evaluation. Recommend no change.

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CASE 14, NEIL and CAROL HICKEY 37444-2400 (No "Property Narrative") in file

In the landfill area of Lake Elmo on Jamaca. They received city water. They've owned property four years - were told no problems by city, county and real estate agent when they bought. First evaluation \$132,000 - \$135,000, then \$127,000 then \$105,500. After water installed (by city) it went up to \$132,000. The Local Board did not do anything. The Assessor's Office is always watching the situation, as well as others in the County. Appraisal by a real estate agent is \$140,000. This did not reflect the contamination situation. Recommended no change.

The County should have a workshop on landfill contamination portions of the County.

Motion by Dave Engstrom, seconded by Wally Abrahamson to continue and reconvene the Board of Review next Tuesday, June 28, 1994. Time to be established at a later date. There are three more cases to consider.

June 28, 1994

The Washington County Board of Equalization reconvened at 11:00 a.m., Tuesday, June 28, 1994. Members composed of Mary Hauser, Acting Chair, Wally Abrahamson, Myra Peterson, Dennis Hegberg and Dave Engstrom were present in addition to Auditor-Treasurer, R.H. Stafford, County Assessor, Scott Hovet; Assessor Ed Hervin and Recorder, Dawn Aerts.

Scott Hovet outlined three motions for consideration before the Board: Motion 1, 1994 Assessor's Recommendations to the County Board of Equalization; Motion 2, the 1994 Property Valuation Change Report and Motion 3, an independent appeal for property valuation adjustment requested by board member, Myra Peterson.

CASE 7, WALTER MOE, 79004-2130 12125 St. Croix Tr. S., Denmark Township

Mr. Moe requested that his property value be adjusted based on reduced acreage and deterioration of his home. Mr. Moe explained that his property had been on the market on at least two previous occasions over a one-year period when the property consisted of 22 acres and the property failed to sell at \$200,000 or later, at a reduced price of \$196,000. According to Mr. Moe, his current property consists of 5 acres, his home may be over-built for the area and he feels the home has deteriorated since it was previously on the market. Assessor Ed Hervin noted that according to comparable properties (equal or slightly better) than the Moe property, the value is appropriate.

Note: The Local Board of Review recommended no change.

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CASE 32, TOM SWENO, 37445-6310 8076 Hill Trail, Lake Elmo

Mr. Tom Sweno requested that the Board review the value on his parcel and noted that he felt there were major disparities in the values established on similar and larger parcels in the immediate area. Sweno identified several larger multi-parcel properties which reflected lower values than his and said that his property was less valuable due to noise and activity from an adjacent business property.

Assessor Ed Hervin, said that the property was inspected that morning, but due to lack of specific data on the properties identified by Mr. Sweno, the Assessor's Office could not respond to the disparity issue. Scott Hovet explained that assessed value is not proportional to the size of vacant or multi-parcel properties and that other factors such as open-improved lot vs non-developed, land use, wetlands, or other potential differences will likely produce different values.

Without sufficient or concrete data to review, Board Members suggested that the Assessor's Office further investigate the disparity issue and offered several options for Mr. Sweno: 1) to pursue an abatement of value (informal) or 2) request further consideration at the Minnesota State Tax Court.

CASE 33, LLOYD and ANN BODLOVICK, 10425-5500 1511 Olive St., Stillwater

Ann Bodlovick requested that the Board reduce the value of her property based on heavy traffic flow (16,000 per day estimate along Olive St.), and to keep her value in line with the current "on market" asking price of \$100,000. Bodlovick said that current traffic and projected increases in flow due to major commercial expansion along County Rd. 5 continues to negatively impact the value of her home. Board member Wally Abrahamson agreed with the traffic issue and recommended in concurrence with Dave Engstrom that the value be reduced to \$100,000. The Board agreed.

FINAL BUSINESS:

On Motion 1, the Board Approved:

- CASE 1: Reduce the value of the Richard Pratt property from \$153,800 to \$151,000;
- CASE 4: Reduce the value of the Neely & Olson property from \$95,100 to \$90,600;
- CASE 5: Reduce the J & M Leslie property from \$104,700 to \$99,700;
- CASE 7: Reduce the value the William Moe property from \$247,100 to \$225,000;
- CASE 8: Reduce the value of the Duane Reil property from \$4,000 to \$1,000;
- CASE 9: Reduce the value of the Howard Moe Property from \$73,000 to \$70,600;
- CASE 16: Reduce the value of the Van Demmeltraadt property from \$88,000 to \$80,000;
- CASE 19: Reduce the value of the Phyllis Holburn property from \$139,600 to \$113,000;
- CASE 21: Reduce the value of the Brenda Peterson property from \$153,000 to \$133,000;

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- CASE 22: Change classification of the Thomand O'Brien property from vacant residential to timberlands and farm;
- CASE 25: Reduce the value of the Donald Vance property from \$100,500 to \$97,000;
- CASE 26: Reduce the value of the Robert Pofert property from \$104,300 to \$102,400;
- CASE 33: Reduce the value of the Ann Bodlovick property from \$108,700 to \$100,000;

Dick Stafford offered an amendment to reduce the value of the Rod Cameron property from \$221,500 to \$211,500; The Board approved.

The Board voted to approve Motion 1, "1994 Assessor's Recommendations" with amendments;

The Board voted to approve Motion 2, "1994 Valuation Change Report"

The Board voted to approve Motion 3, reducing the value of the Myra Peterson property to \$117,000 in consideration of sink hole problems, over-built property, a recent market analysis completed by a realtor and two independent fee appraisals demonstrating lower value.

The 1994 County Board of Equalization adjourned at 11:55 p.m., Tuesday June 28, 1994.

Minutes By:

Dawn Aerts, Assessor's Office

Pat Herold, Auditor-Treasurer's Office

County Commissioners

Mary M. Hauser
Wallace L. Abrahamson
D.D. "Dave" Engstrom
Dennis C. Hegberg
Myra Peterson

Attest: R.H. Stafford
Auditor-Treasurer