



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

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09/05/95	PUBLIC WORKS-GENERAL		APPT. STEVEN RAMSEY TO THE CARNELIAN MARINE WATERSHED, TO A TERM EXPIRING 6/21/98.	9	281
09/19/95	PUBLIC WORKS-GENERAL		RES. 95-162, SOUTH WASH. WATERSHED DISTRICT LOAN.	9	307
09/19/95	PUBLIC WORKS-GENERAL	95-168	GRANTING EASEMENT TO CITY OF OAKDALE.	9	310
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09/26/95	PUBLIC WORKS-GENERAL		WORKSHOP TO DISCUSS: 1) LEVEL OF SERVICE CRITERIA & ACCESS SPACING CRITERIA PROPOSED IN THE TRANSPORTATION CHAPTER OF THE COMP PLAN AND, 2) TURNBACK OF THE FOREST LAKE OUTLET DAM TO LOCAL UNITS.	9	326
10/10/95	PUBLIC WORKS-GENERAL		APPT. JEFF PETERSON, TO THE VALLEY BRANCH WATERSHED DISTRICT TO A 3-YEAR TERM EXPIRING 11/13/98.	9	337
10/10/95	PUBLIC WORKS-GENERAL		ACCEPT RESIGNATION OF PETER ZETTERBERG FROM THE VALLEY BRANCH WATERSHED EFFECTIVE 12/1/95.	9	337
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12/26/95	PUBLIC WORKS-GENERAL		RAISE FROM TABLE. JOIN WITH STILLWATER & MAY TWP. IN LOAN TO CAR-MAR WATERSHED DIST. \$6,700 FOR PROJECT STUDY TO SOLVE FLOODING PROBLEMS ON LAKE LOUISE.	9	436
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07/25/95	SHERIFF		1996 GRANT REQUEST OF THE EAST METRO COORDINATED NARCOTICS TASK FORCE.	9	246
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07/25/95	SHERIFF	95-126	RES. OF APPRECIATION FOR KEN BOYDEN, WACO SHERIFF'S DEPT.	9	247
08/22/95	SHERIFF		EARLY HIRE OF CORRECTIONAL OFFICER I (BAILIFF).	9	277
09/05/95	SHERIFF		WORKSHOP TO DISCUSS POSSIBLE AGREE. W/RAMSEY COUNTY FOR JAIL SPACE IN THE LEC.	9	296
10/17/95	SHERIFF		GRANT AGREE. FOR \$75,000 W/U.S. DEPT. OF JUSTICE, LAKE ELMO TO HIRE 1 DEPUTY FROM 3/1/95 - 2/28/98.	9	342
10/17/95	SHERIFF		CITIZEN COMMENDATION AWARDS PRESENTED TO JOHANNA MULARONI, LIEN VETS AND TAYLOR ADAMS.	9	343
12/12/95	SHERIFF	95-219	SHERIFF'S CIVIL DIVISION FEES, EFFECTIVE 1/1/96.	9	406
12/12/95	SHERIFF		NANCY POLLACK SELECTED AS NEW EXECUTIVE DIRECTOR OF THE 911 BOARD.	9	409
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10/03/95	SURVEYOR	95-181	AWARD OF CONTRACT FOR GLOBAL POSITION SYSTEM TO TRIMBLE NAVIGATION.	9	328
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**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**JULY 11, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. at the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Mary McGlothlin, H.E.L.M. Director; Jack Perkovich, Public Works Deputy Director; Jim Frank, County Sheriff; Ted Brown, Chief Deputy; Brenda Davitt, Sheriff's Department; Russ Reetz, Court Services Director; Scott Hovet, Assessor; Cindy Koosmann, Recorder; Judy Honmyhr, Human Resources Director; John Devine, Controller; Leo Steiner, Assistant Controller; Marie Sunlitis, Court Administrator; Bill Funari, Court Administration Budget and Special Project Manager; Lyle Doerr, Facilities Project Manager; Richard Stafford, Auditor-Treasurer; Molly O'Rourke, Assistant Auditor-Treasurer; Melinda Kirk, Accounting; Al Folie, Accounting; Dave Dahlberg, Accounting; Ed Boeve, East Suburban Resources; Ron McDonough, Human Services Inc.; Cindy Rupp, Community Services Department; Robert Lockyear, Director of Planning and Administrative Services; and Mickey Scheid, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the June 27, 1995 Board meeting minutes.
2. Approval of revised Policy #1005, Code of Ethical Conduct.
3. Approval of revised organizational structure for the Office of Administration and Central Services.
4. Approval to extend community work experience organization joint powers agreement until September 1, 1995 or until such time as the State of Minnesota accepts claims pursuant to the injury protection created under M.S. Section 256.737.
5. Approval of nonfinancial memorandum of understanding between Ramsey County Opportunities Industrialization Center and Washington County Job Training Center.

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6. Adoption of **Resolution No. 95-111** as follows:

Request to the State Board of Government  
Innovation and Cooperation for a Waiver  
from MN Statutes 245.4711 and 245.4881

WHEREAS, the State Board of Government Innovation and Cooperation has announced the availability of waivers from administrative rules and the availability of temporary, limited exemptions from enforcement of state laws; and

WHEREAS, application for a waiver of temporary exemption may be submitted at any time to the Board; and

WHEREAS, MN Statutes 245.4711 and 245.4881 and Department of Human Services Rule 79, parts 9520.0900 to 9520.0926, require that Individual Community Support Plans and Functional Assessments be completed every 90 calendar days, impeding case managers' ability to provide direct services to adults with serious and persistent mental illness and children with severe emotional disturbance.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes County staff to apply for a waiver of MN Statutes 245.4711 and 245.4881 and Department of Human Services Rule 79, Minn. R. 9520.0900 to 9520.0926, for a period of four years to extend the required 90-day review of the Individual Community Support Plan and Functional Assessment for adults with serious and persistent mental illness and children with severe emotional disturbance to 180 days.

7. Approval of contract amendment to East Suburban Resources, Inc. for day training and habilitation service to adults with developmental disabilities.
8. Approval of contract with Minnesota Department of Health for water analysis services.
9. Adoption of **Resolution No. 95-112** as follows:

Final Payment to George Siegfried  
Construction Company for County Board Room  
Reconstruction for Multi-media Updates

WHEREAS, the Washington County Board of Commissioners, on October 4, 1994, signed a contract with George Siegfried Construction Company for the labor and materials to provide multi-media area reconstruction in the County Board Room;

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



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NOW, THEREFORE BE IT RESOLVED, that George Siegfried 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 to advertise for bids for construction on Mayberry Trail and Lofton Avenue in New Scandia Township.

11. Adoption of **Resolution No. 95-113** as follows:

Supplemental Agreement No. 1 with Allied Blacktop  
for CP 95-4155 - Bituminous Seal Coating

WHEREAS, pavement deterioration on CSAH 7, 34 and CR 83 warrants additional seal coating; and

WHEREAS, the savings due to the letting of County overlays at a lowest cost presents an opportunity to include the additional seal coating in the pavement preservation work being done under that contract; and

WHEREAS, the condition of the bituminous pavement on County State Aid Highway 7, from Tanglewood to Trunk Highway 95 and from Trunk Highway 95 to 3000 feet northwest; County State Aid Highway 34, from Trunk Highway 97 to 11th Avenue; and on County Road 83 has deteriorated and can be suitably preserved by sealing coating; and

WHEREAS, the recently let contract for bituminous overlay of County State Aid Highways 2, 7, 22, and County Road 51 was for an amount approximately \$121,000 under the Engineer's Estimate.

NOW, THEREFORE, BE IT RESOLVED, that the seal coating of County State Aid Highways 7 and 34 and County Road 83 are hereby authorized.

12. Approval and execution of Supplemental Agreement No. 1 with Ramsey County and Supplemental Agreement No. 1 with TKDA for additional engineering services for construction plans on CSAH 27 improvements in the amount of \$12,145.

13. Adoption of **Resolution No. 95-114** as follows:

Right of Way Acquisition on  
County State Aid Highway 13

BE IT RESOLVED, that Washington County proceed to improve and widen County State Aid Highway 13 between County State Aid Highway 10 and County State Aid Highway 6, in the City of Lake Elmo.

And that the officers of said County, including the County Engineer, the County Administrator and the County Attorney, shall proceed and are hereby authorized to proceed to acquire by purchase or condemnation,

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right of way to establish said highway plus sight corners and the necessary drainage or slope easements, and such officers are specifically authorized to take such action and execute such instruments if any be necessary, to acquire said rights of way.

14. Adoption of **Resolution No. 95-115** as follows:

Final Payment to George W. Olsen Construction Company  
for Historic Courthouse Structural Repairs

WHEREAS, the Washington County Board of Commissioners, on January 10, 1995, signed a contract with George W. Olsen Construction Company, Inc., for the labor and materials to provide structural repairs to the Historic Courthouse;

WHEREAS, George W. Olsen Construction Company, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

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

15. Approval of Supplemental Agreement No. 1 for professional design services with TKDA on the County Road 8A project for \$33,878.
16. Approval to advertise for bids on CSAH 6 (Stillwater Boulevard).
17. Adoption on **Resolution No. 95-116** as follows:

Authorization to Execute a Grant Agreement  
with the Minnesota Department of Public Safety for  
the Project Safe & Sober Communities

BE IT RESOLVED, that the Washington County Board of Commissioners, authorizes the Washington County Sheriff's Office to enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety, for the project entitled SAFE & SOBER COMMUNITIES during the period October 1, 1995 through September 30, 1996

BE IT FURTHER RESOLVED, that James Frank, Sheriff of Washington County, is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the Washington County Sheriff's Office.

BE IT FURTHER RESOLVED, that Chief Dave Schwartz, Forest Lake Police Department, is hereby authorized to be the fiscal agent and administer this grant on behalf of the Washington County Sheriff's Office.



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The foregoing Consent Calendar was adopted unanimously.

#### **COURT SERVICES DEPARTMENT**

Commissioner Hauser moved to enter into an agreement with Anoka County for secure juvenile detention bed services. Commissioner Engstrom seconded the motion and it was adopted unanimously.

#### **SHERIFF'S DEPARTMENT**

Commissioner Peterson moved to enter into a grant agreement with the United States Department of Justice for allocation of funds to hire two deputies to assist in implementation of the Sheriff's Community Policing Plan. Commissioner Engstrom seconded the motion and it was adopted unanimously.

#### **ACCOUNTING DEPARTMENT**

The County Controller gave an overview of the 1994 Comprehensive Accounting Financial Report (CAFR).

Commissioners thanked the Accounting staff team who worked on the CAFR for its format and readability and recognized the contributions of the Finance Committee for Washington County's sound financial condition.

#### **GENERAL ADMINISTRATION**

##### **Space Planning Report on District Court and Supporting Service Areas**

The Director of Planning and Administrative Services presented a space change proposal to accommodate the arrival of a new Judge in September.

Commissioner Peterson moved to approve the proposed short-term alterations as presented. Commissioner Engstrom seconded the motion and it was adopted unanimously.

A discussion followed on mid and long-term space use changes in District Court.

Commissioner Engstrom moved to appoint Commissioners Hauser and Peterson to the Space Planning Committee for Courts. Commissioner Peterson seconded the motion and it was adopted unanimously.

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The Auditor-Treasurer reminded the Board of the serious space problems elsewhere in the Government Center. The Board Chair assured him that they are aware of space issues in the west end of the north wing and that staff is addressing these concerns.

#### **DISCUSSION FROM THE AUDIENCE**

Lake Elmo Mayor Wyn John addressed the Board concerning Lake Elmo's position on the Sanitary Landfill problem. The Commissioners received Mayor John's comments and noted that they would be considered when the Board addressed the SW1 Landfill issues at a later date.

Commissioner Abrahamson recognized Deputy District Representative Corinne Hoeft of Congressman Bill Luther's office who was in the audience as an observer.

Rod Mattmiller, Denmark Township land owner, discussed his problems in obtaining a permit to remodel a substandard building. County Attorney Arney was directed to look into the matter and return with a legal opinion.

A discussion followed concerning zoning ordinances and the need to expedite the process citizens must go through when building/remodeling. It was noted that a workshop is planned to review County ordinances and that following completion of the comprehensive plan, all County ordinances will be looked at.

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom informed the Board the Metropolitan Mosquito Board meeting is July 12 and was not listed on the meeting notice.

Commissioner Peterson stated that the Wakota bridge meeting is Wednesday, July 13.

Commissioner Hauser stated that the Light Rail Joint Powers Board meeting is July 12.

Commissioner Peterson will be attending the Comp Worth Committee meeting for Commissioner Abrahamson on Friday, July 14.

Commissioner Hegberg noted that a Judicial Ditch 1 meeting was held on July 5, 1995, and that the Ditch Board has been served with a notice of appeal concerning legal fees.

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**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.


**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hauser moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 10:00 a.m.

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board meeting was followed by a workshop with the Office of Administration to discuss ADA signage/study results. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Engstrom, Abrahamson, Hauser, and Peterson. Also present were James Schug, Lyle Doerr, Bob Lockyear, Bill Funari, and Cheryl O'Donnell.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
JULY 18, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. at the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Dr. Robert Butler, Human Services Inc.; Richard Stafford, Auditor-Treasurer; Mary McGlothlin, H.E.L.M. Director; Judy Arends, Waste Management Manager; Dan Papin, Community Services Director; Don Wisniewski, Public Works Director; Robert Lockyear, Planning and Administrative Services Director; Fred Feuerpfel, Job Training Center; Judy Honmyhr, Human Resources Director; and Mickey Scheid, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval to authorize staff to bid resigning of all County buildings to comply with ADA requirements.
2. Approval of contractual agreement PY 95-016 with the Minnesota Department of Economic Security in the amount of \$407,263 to support "Local Plan for Employment and Training" JTPA programs.
3. Adoption of **Resolution No. 95-117** as follows:

**Minnesota Housing Finance Agency Rehabilitation  
Loan Program Funds**

WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide loans to property owners for the purpose of housing rehabilitation; and

WHEREAS, Washington County HRA has developed an application as an Administering Entity for the Minnesota Housing Finance Agency Rehabilitation Loan Programs; and

WHEREAS, Washington County HRA has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Rehabilitation Loan Programs.

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NOW, THEREFORE, BE IT RESOLVED that the Washington County HRA is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Rehabilitation Loan Programs, in the County/city of Washington.

4. Approval of new position of 911 Communication Supervisor in the Sheriff's Office.
5. Approval of new position of Court Aide III - Child Support Aide in the Court Administrator's Office.
6. Approval of new position of Court Aide II - In Court in Court Administration to provide a Judicial Aide for the ninth judge position to be chambered in Washington County; authorization for a salary budget adjustment to increase the Court Administrator's 1995 budget by \$10,700.
7. Bids were received for snow removal at the Government Center parking facilities as follows:

	Proposal A Wghted Avg	Proposal B Hrly Rate	Proposal C Hrly Rate	BB	CC
Buberl Landscaping	\$366.96	\$57.50	\$115.50		\$500

Adoption of **Resolution No. 95-118** as follows:

Award of Contract for Snow Removal at Government  
Center Parking Facilities to Buberl Landscaping

WHEREAS, in order for snow removal to be done at the Government Center, the County solicited bids for this project; and

WHEREAS, bids were opened on July 6, 1995, with Buberl Landscaping being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the County and Buberl Landscaping 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.

8. Information only - Recorder fees for the month of June 1995.

The foregoing Consent Calendar was adopted unanimously.

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### **MISSION DIRECTED BUDGET SAVINGS**

The Deputy Administrator gave a brief history on the reasoning behind implementing the Mission Directed Budget Savings program. The program was introduced to give incentives and challenges to department heads to look at saving money and to think about the future instead of just next year's budget and the "spend it or lose it" philosophy. She indicated that in 1994, departments saved over \$2.5 million. The Mission Directed Budget allows departments with savings to retain 25% of their savings and an additional 25% of the savings was allocated to a countywide pool. The 1994 general savings pool has \$676,900. Fifteen projects totalling \$1,042,000 were considered by the department head group. The group recommended projects totalling \$429,200 which would leave \$247,700 in the savings pool.

Commissioner Engstrom moved to approve projects as recommended by the department head group from Mission Directed Budget Savings in 1994 in the amount of \$429,200 as follows: County network structure; community file server; half of the Washington County MNet/Internet; FAX capabilities on the main computer (AS400); phase II of telephone replacement (phones purchased in 1986); global positioning equipment for Surveyor/Public Works; and HP/Design 650C plotter for Auditor-Treasurer, Assessor and Recorder to share (capability to print maps, etc., from the GIS in the Surveyor's office). Commissioner Peterson seconded the motion and it was adopted unanimously.

### **HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

Commissioner Engstrom moved to approve the execution of a grant agreement with the Robert Muir Company for \$25,000 to develop a complete waste management system for the retail development of Tamarack Village in Woodbury. Commissioner Peterson seconded the motion and it was adopted unanimously.

### **GENERAL ADMINISTRATION**

#### **Human Services, Inc. Building**

Commissioner Peterson moved to adopt **Resolution No. 95-119** as follows:

#### **Human Services, Inc. Building**

WHEREAS, On December 22, 1992, by Washington County Board Resolution No. 92-185, Washington County conveyed to Human Services, Inc. the property described on Certificate of Title No. 38016 subject to reversionary conditions; and,



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WHEREAS, the Board of Directors of Human Services, Inc. and the Washington County Board of Commissioners wish to replace the reversionary conditions contained in Washington County Board Resolution No. 92-185 with a lien in an amount equal to the County's investment of federal revenue sharing funds in the building.

NOW, THEREFORE, BE IT RESOLVED that the following conditions are substituted on the property described on Certificate of Title No. 38016.

This property is being conveyed by Washington County to Human Services, Inc. of Washington County, subject to a lien in favor of Washington County in the amount of \$1.348 million. If the property is transferred, leased, or sold without the written consent of Washington County, or the property is not used by Human Services, Inc., then this lien shall be due and payable in full.

Human Services, Inc. of Washington County acknowledges that no lien charge or incumbrance shall be placed or caused to be placed on the property in excess of \$1,000,000 without the written consent of Washington County and Washington County agrees to subordinate its interest in the property to the lien of any lender, as long as the aggregate interest secured by the lien does not at any time exceed \$1,000,000.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

#### **Response to State Auditor's Findings and Recommendations**

Commissioner Engstrom moved to authorize the Board Chair to sign the County Board's response to State Auditor's findings and recommendations contained in the draft report on the internal control structure and compliance for the year ended December 31, 1994. Commissioner Hauser seconded the motion and it was adopted unanimously.

#### **DISCUSSION FROM THE AUDIENCE**

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

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Hegberg informed the Board that the Planning Advisory Commission approved the Comprehensive Plan on July 13. He requested that staff review legislation passed this past March to make sure we do not have to go through this process again in 1998. Commissioner Peterson asked for a dollar figure on what the comp plan process has cost to date. Commissioner Engstrom asked for a timetable for completion of the comprehensive plan.

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Commissioner Abrahamson requested that staff investigate the air conditioning situation in the west wing of the Government Center. He has had a number of phone calls from employees indicating that it is very warm on that end of the building. The County Administrator indicated that coolers were brought in and the temperature was brought down. The facilities department is investigating ways to improve that situation.

#### **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 9:40 a.m.

#### **BOARD WORKSHOP WITH PUBLIC WORKS DEPARTMENT**

The Board met in workshop session with the Public Works Department to discuss jurisdictional turnbacks of CSAH 36, CR 62 and CR 79 in the City of Mahtomedi. No business was transacted and the public was welcome to attend. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Don Wisniewski, and Don Theisen.

#### **BOARD WORKSHOP WITH H.E.L.M. DEPARTMENT**

The Board met in workshop session with the Department of Health, Environment and Land Management to review the department's proposed framework for revision of the County's Zoning Ordinance and to establish the next steps in the review and revision process. No business was transacted and the public was welcome to attend. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Mary McGlothlin, Dennis O'Donnell, Bob Turrentine Lowell Johnson, and Jane Harper.

#### **BOARD WORKSHOP WITH SOIL AND WATER CONSERVATION DISTRICT**

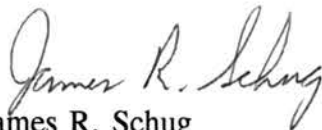
The Board met in workshop session with the Soil and Water Conservation District to discuss their program areas for 1996 and address anticipated capital needs. No business was transacted and the public was welcome to attend. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Konrad Koosmann, and George Rydeen.

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**BOARD WORKSHOP WITH LAKE ELMO CITY COUNCIL**

The Board met in workshop session with the Lake Elmo City Council to discuss the SW-1 landfill situation. No business was transacted and the public was welcome to attend. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Mary McGlothlin, Judy Arends, Bob Turrentine, Mayor Wyn John and Mary Kueffner, City Administrator.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
JULY 25, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. at the Washington County Government Center, County Board Room. Present were Commissioners Peterson, Abrahamson, Hauser and Hegberg. Commissioner Engstrom absent. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Marlene deBoef, Historic Courthouse Coordinator; Richard Backman, Community Services Division Manager; Dan Papin, Community Services Director; Ken Boyden, Sheriff's Office; Jim Frank, County Sheriff; Judy Honmyhr, Human Resources Director; Mickey Scheid, Public Information Specialist; Bob Lockyear, Planning and Administrative Services Director; Russ Reetz, Court Services Director; and Don Wisniewski, Public Works Director.

**CONSENT CALENDAR**

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

1. Approval of the July 11, 1995 Board meeting minutes.
2. Approval of revised motor vehicle accident review policy.
3. Adoption of **Resolution No. 95-120** as follows:

Repurchase of Tax Forfeited Land by  
80th Place, a MN Partnership

WHEREAS, 80th Place, a MN 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:

Plat/parcel #27346-3675

;and WHEREAS, said applicant has set forth in his application that owner has invested time, money and effort in developing this land and other lands in plat of Eightieth Place; has signed a Purchase Agreement with a prospective purchaser; and would be denied profits from sale if repurchase of this property is denied; that the repurchase of will promote and best serve the public interest, because land will be immediately developed with a single family residence and this will put the property back on the tax roll.

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

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NOW THEREFORE BE IT RESOLVED, That the application of 80th Place 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. Adoption of **Resolution No. 95-121** as follows:

Conveyance of Tax Forfeited Land to  
City of St. Mary's Point

The County Board of Washington County, Minnesota, has reviewed the application of St. Mary's Point dated July 12, 1995, for the conveyance of tax-forfeited land described therein. The County Board recommends that this application be granted.

- 5. Approval of abatement application for reduction of value as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Red/Val	9033-2396	Wash County HRA	\$31,191.54

- 6. Approval of 1995-1997 agreement with Hudson Medical Center for outpatient chemical dependency services to adolescents and adults.
- 7. Approval of 1995-1997 agreement with Burkwood Residence, Inc. to provide chemical dependency inpatient, extended care, and halfway house services.
- 8. Approval of 1995-1997 agreement with Kinnic Falls to provide chemical dependency halfway house services.
- 9. Approval of 1995-1997 agreement with District Memorial Hospital Family Services to provide chemical dependency outpatient services.
- 10. Approval of 1995-1997 agreement with Cedar Ridge, Inc. to provide chemical dependency inpatient services.
- 11. Approval of 1995-1997 agreement with Hawthorn Institute, Inc. to provide chemical dependency outpatient services.
- 12. Approval of 1995-1997 agreement with Fairview Deaconess Adolescent CD Programs to provide chemical dependency extended care and halfway house services.

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13. Approval of 1995-1997 agreement with We Care Counseling Center to provide chemical dependency outpatient services.
14. Approval of 1995-1997 agreement with Washington County Jail Program to provide chemical dependency services.
15. Approval of 1995-1997 agreement with HealthEast Chemical Dependency Treatment program to provide outpatient services.
16. Approval to extend the Private Industry Council memberships of Dale R. Anderson, Sue Putz, and James C. Wolcott to June 30, 1997.
17. Approval of agreement with Washington County Housing and Redevelopment Authority to provide case management for Section 8, Family Self-Sufficiency participants.
18. Approval of FY 1995 Sex Offender grant agreement with the Minnesota Department of Corrections and authorization for the County Administrator and Chairman to execute said grant agreement.
19. Adoption of **Resolution No. 95-122** as follows:

Agreement with Minnesota Department of Health  
for Water Analysis Services

WHEREAS, the Washington County Health, Environment and Land Management Department (WCHELM) is a public entity and environmental monitoring of wells is needed as a result of the point sources located by the Minnesota Pollution Control Agency and the Minnesota Department of Health; and

WHEREAS, the WCHELM is the local agency with the responsibility to protect, maintain and improve the health of citizens pursuant to Minnesota Statutes, Sec. 144.05; and

WHEREAS, the Department wishes to obtain the services of the Contractor which is qualified by experience and licensure to provide analyses of well water samples according to Standard Methods and according to the requirements of the Minnesota Department of Health.

BE IT RESOLVED, that the contract with the Minnesota Department of Health for the purpose of the Department performing environmental laboratory tests on samples and specimens submitted by the County of Washington paid for on a per test basis for total amount not to exceed \$18,000 during the period of July 1, 1995 to June 30, 1997 be approved, and that the County Administrator be authorized to sign the contract on behalf of the County and thereby so bind it.



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20. Approval for the County Board Chair to execute an agreement with Independent School District #831 for purposes of designating the Department of Health, Environment and Land Management the lead agency for the Interagency Early Intervention Committee.
21. Adoption of **Resolution No. 95-123** as follows:

Radiological Emergency Preparedness Grant

WHEREAS, the Radiological Emergency Preparedness Program is administered by the State of Minnesota, through its Department of Public Safety, Division of Emergency Management; and

WHEREAS, Washington County has applied for and entered into an agreement for financial assistance related to training and equipment for response to a radiological emergency; and

WHEREAS, Wally Abrahamson, Board Chairman and Jim Schug, County Administrator are authorized to execute the terms of the contract 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 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.

22. Approval of new position of .35 F.T.E. Legal Secretary in the County Attorney's office.
23. Approval of banding and grading of the new job description of Victim/Offender Mediation Program Coordinator in Court Services at C43-1; approval of new job description.
24. Approval of banding and grading of the new job description of Budget and Special Project Manager in Court Administration at C43-1.
25. Approval of banding and grading of the new job description of Juvenile Diversion Program Coordinator in Court Services at C41-1; approval of new job description.
26. Approval to execute lease with Salem Lutheran Church for parking spaces.
27. Adoption of **Resolution No. 95-124** as follows:

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Reconstruction of Bridge 97720  
Elmcrest Avenue Bridge

WHEREAS, the County of Washington has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of City Bridge No. 97720 over Hardwood Creek; and

WHEREAS, the amount of the grant has been determined to be \$65,779 by reason of the lowest responsible bid.

NOW, THEREFORE BE IT RESOLVED, that the County of Washington does hereby affirm that any cost of the bridge in excess of the grant will be appropriated for the bridge but not required, based on the final estimate, shall be returned to the Minnesota State Transportation Fund.

28. Bids were received for bituminous overly on CSAH 2 as follows:

Master Asphalt	\$58,520.90
Hardrives, Inc.	\$59,361.45
Ashbach Construction	\$60,027.25
Valley Paving	\$68,583.60

Adoption of **Resolution No. 95-125** as follows:

Award of Contract for Bituminous Overlay  
on CSAH 2 to Master Asphalt

WHEREAS, in order to facilitate the bituminous overlay on CSAH 2 in Washington County, the County solicited bids for this project; and

WHEREAS, bids were opened on July 17, 1995, with Master Asphalt being the lowest responsible bidder;

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

BE IT FURTHER RESOLVED, that the contract between the County and Master 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.

29. Approval of lease agreement with Valley Tours at the Historic Courthouse.
30. Approval to enter into the Juvenile Detention Services Subsidy grant with the Minnesota Department of Corrections from July 1, 1995 to June 30, 1997.

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31. Approval to authorize the County Administrator to execute 1996 grant request of the East Metro Coordinated Narcotics Task Force.

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

#### **HOUSING AND REDEVELOPMENT AUTHORITY**

Sue Putz, Housing and Redevelopment Authority, appeared before the Board and presented an overview of a cooperation agreement for the purposes of acquiring approximately 50 units of scattered site public housing in Washington County. She indicated that at this time there was a possibility that funds would be withdrawn at the federal level and this application for funds would not be made. She stated that when HRA becomes aware of funding availability, that it often calls for a very tight time line to submit the application. This application needs to be submitted by July 31.

Commissioner Abrahamson stated that the Board has not been given a lot of time to study this agreement. He suggested that this agreement be referred to the Finance Committee and County Attorney for their recommendation.

The County Administrator stated that this cooperative agreement appears to be only part of the application process and it may be possible for HRA to submit the application with a letter saying the cooperative agreement will follow if it is approved by the County Board at the next Board meeting.

Commissioner Peterson moved to table the cooperation agreement with the Washington County Housing and Redevelopment Authority for the purposes of acquiring approximately 50 units of scattered site public housing in Washington County to August 1, 1995. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Engstrom absent.

#### **COUNTY SHERIFF'S OFFICE**

The County Sheriff presented an overview of a reorganization involving the management of the jail. He is requesting a new classification of Jail Administrator to be a non-sworn position. This position will be on a trial basis for two years to determine the effectiveness of a civilian correctional administrator.

Commissioner Hegberg moved to approve the creation of a new classification of Jail Administrator in the Sheriff's Office. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Engstrom absent.

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**GENERAL ADMINISTRATION**

Commissioner Peterson moved to adopt **Resolution No. 95-126** as follows:

Resolution of Appreciation  
Ken Boyden,  
Washington County Sheriff's Department

WHEREAS, Ken Boyden, has served in the Washington County Sheriff's Department since 1979;

WHEREAS, Ken has served for 12 years as undersheriff and head of the major crime Felony Unit of Washington County;

WHEREAS, Ken served as chief deputy in Washington County from 1991 to 1994 and supervised four divisions with the Sheriff's Department;

WHEREAS, Ken served as interim Washington County Sheriff from August to December 1994;

WHEREAS, Ken served for 13 years as a Cottage Grove police officer and rose to the rank of detective/lieutenant;

WHEREAS, Ken served as an instructor and as a contract instructor for the Bureau of Criminal Apprehension for 13 years, while serving as an officer in Cottage Grove and as undersheriff in Washington County;

WHEREAS, Ken has served and helped protect the residents of Cottage Grove and of Washington County for more than 29 years;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners acknowledges the public service of Ken Boyden in his numerous capacities in law enforcement.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners heartily congratulates Ken for his dedication to the County and to the City of Cottage Grove, and wishes Ken and his family the very best in his retirement and his new pursuits as he continues to contribute to the betterment of his community.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby proclaims July 25, 1995, as

Ken Boyden Day in Washington County

Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Engstrom absent.

**DISCUSSION FROM THE AUDIENCE**

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

July 25, 1995

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

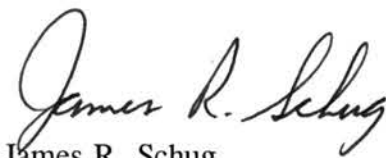
Commissioner Peterson requested that a meeting date be set with Metropolitan Council and May Township to discuss the Square Lake Park designation as a regional park. Commissioner Abrahamson suggested holding that meeting in May Township at their town board meeting, possibly the first meeting in September. The County Administrator indicated that Public Works - Parks Division will be in contact with the parties to schedule a time and date.

Commissioner Peterson noted that the space committee of district courts and support services will be meeting sometime today.

**ADJOURNMENT**

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

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 1, 1995**

The Washington County Board of Commissioners met in regular session at 4:30 p.m. at the Washington County Government Center, County Board Room. Present were Commissioners, Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Richard Stafford, Auditor-Treasurer; Judy Honmyhr, Human Resources Director; Shari Bowers, Human Resources Department; Rick Backman, Community Services Division Manager; Sue Hedlund, H.E.L.M. Department; Sally Borich, Community Services Department; Barb Fritsche, I.S.; Joyce Milton, Accounting and Budgeting; Lowell Johnson, H.E.L.M. Department; Robert Lockyear, Planning and Administrative Services Director; and Mickey Scheid, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the July 18, 1995 Board meeting minutes.
2. Adoption of **Resolution No. 95-127** as follows:

Repurchase of Tax Forfeited Land by  
 John E. Blomquist, Inc.

WHEREAS, John E. Blomquist, Inc. 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 NE1/4-NW1/4 Sec8 T28 R21 Com at the NE cor thence  
 run W 1300 links thence S 51deg E 1671 links thence N on  
 E line 1050 links to beg.

;and WHEREAS, said applicant has set forth in this application that hardship & injustice has resulted because of forfeiture of said land for the following reasons to-wit: that the property is a non-income producing and this creates a hardship; that the repurchase of said land by me will promote and serve the public interest because the property will be put back in the tax rolls.

;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 John E. Blomquist, Inc. for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor



August 1, 1995

is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945 Section 282.241, as amended.

3. Approval of contract with MCS Language Connection, Inc. for interpretation and translation on-site services.
4. Adoption of **Resolution No. 95-128** as follows:

Resolution to Support James R. Donovan for  
Appointment to the Governor's  
Workforce Development Council

WHEREAS, the federal Job Training Partnership Act (JTPA) Public Law 97-300 and the federal one-stop career center system, authorizes the creation of a Workforce Development Council at the state level; and

WHEREAS, the state enacted a law authorizing the Governor to assemble the Workforce Development Council (WDC); and

WHEREAS, the membership of the WDC consists of 32 members appointed by the Governor; and

WHEREAS, six (6) of those appointments are representative of labor organizations in Minnesota; and

WHEREAS, James R. Donovan, affiliated with the AFL/CIO and labor representative in good standing to the Washington County Private Industry Council/Workforce Council, has filed an application with the state to represent labor organizations on the WDC;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners support his application to serve as a representative of labor organizations on the WDC.

5. Approval to extend the Private Industry Council memberships of James R. Donovan and Barbara M. Swanson to terms expiring June 30, 1997.
6. Approval of revised banding and grading of Library Job descriptions as follows: Delivery Driver, A12-1; Assistant Librarian, B25-1; Librarian I, B33-1; Library Manager I, C41-1; and Library Manager II, C41-1.
7. Adoption of **Resolution No. 95-129** as follows:

Conveyance of CSAH 13 Right of Way to Woodbury

WHEREAS, Washington County acquired certain land for sight corner purposes on the west side of CSAH 13 across from what was once Brookview Road (now Tamarack Road); and

August 1, 1995

WHEREAS, the Tamarack Village shopping center will be developed on the west side of CSAH 13 across from what was once Brookview Road; and

WHEREAS, the original sight corner across from what was once Brookview Road will not be needed since a public road will not be constructed; and

WHEREAS, the City of Woodbury has requested that the County convey this sight corner to the City of Woodbury.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners convey to the City of Woodbury that portion of unneeded County State Aid Highway 13 right of way described as follows:

All that part of the right of way of County State Aid Highway No. 13 as delineated on WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 26, located in the SE¼ of the NW¼ and the NE¼ of the SW¼ of Section 4, Township 28 North, Range 21 West, Washington County, Minnesota, and described as follows:

Beginning at a point designated as Right of Way monument B3 on said WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 26; thence on an assumed bearing of North 45 degrees 54 minutes 50 seconds West along the westerly line of said plat for 157.21 feet to a point designated as Right of Way monument B4 on said plat; thence North 00 degrees 54 minutes 04 seconds West along said westerly line for 80.00 feet to a point designated as Right of Way monument B5 on said plat; thence North 36 degrees 49 minutes 03 seconds East along said westerly line for 140.17 feet to a point designated as Right of Way monument B6 on said plat; thence southerly for 303.13 feet along a non-tangential curve concave to the west, radius 7484.44 feet and central angle 02 degrees 19 minutes 14 seconds, the chord of said curve bears South 05 degrees 42 minutes 51 seconds East, to the point of beginning.

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.

8. Approval and execution of railroad crossing construction agreement with Chicago Northwestern Railroad in the amount of \$15,755.
9. Approval and execution of Amendment No. 2 to contract with Gausman and Moore to complete Phases C and D of the Local NSP Government Energy Program documentation, and authorization to advertise for bids for lighting retrofit once all necessary documentation has been completed.
10. Approval of the Plat of West Lakeland Bluffs, West Lakeland Township.

August 1, 1995

The foregoing Consent Calendar was adopted unanimously.

### **GENERAL ADMINISTRATION**

#### **National Association of Counties Achievement Awards**

The Board Chairman presented two National Association of Counties Achievement Awards for the Family Links Program and the Training Assessment Program. Both of these projects are collaborative in nature, involving many different County departments and outside agencies.

#### **Cooperative Agreement with the Washington County Housing and Redevelopment Authority**

Commissioner Engstrom moved to remove from table the cooperation agreement with the Washington County Housing and Redevelopment Authority for the purposes of acquiring approximately 50 units of scattered site public housing in Washington County. Commissioner Hauser seconded the motion and it was adopted unanimously.

The County Administrator presented an update on the status of the cooperative agreement with the HRA. He indicated that federal funds have been withdrawn for the scattered site public housing and therefore no action needs to be taken on the cooperative agreement. He stated that the Washington County Housing and Redevelopment Authority is hopeful that some funds may become available at a later date at the federal or state level, and would like the County to reconsider this cooperative agreement to determine what level of support the County could provide. The County Administrator suggested that the Finance Committee review the cooperative agreement to determine the financial impact to the County. He also suggested bringing this proposal to a group that's been assembled including the Ramsey Action Program, Community Services Department, East Metro Women's Council, HRA, and others who are looking at housing issues.

It was Board consensus that no action be taken at this time, and that this matter be submitted for review as indicated by the County Administrator.

#### **1996 Budget Hearings**

The County Administrator announced that 1996 Budget Hearings will follow the County Board meeting. Departments being reviewed this evening are: Soil and Water Conservation District; Agricultural Society; Auditor/Treasurer; Recorder/Registrar; Assessor; Surveyor; and Library.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file

August 1, 1995

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom announced that the Housing and Redevelopment Authority will be holding a special meeting on August 2 at the Government Center at 5:00 p.m. He also commended the Resource Recovery Project on the brochure that was made for the County Fair which talks about "where does your garbage go".

Commissioner Hegberg asked that the County Assessor take a look at individuals being able to file for homestead at the time of closing on a property rather than requiring the individual to come down to the courthouse. He also asked for a clarification on an ordinance regarding the setback requirements. As he understands it, in some areas the septic system is required to be setback 150 feet and others 200 feet. The Board will be holding a workshop on zoning ordinances on August 22 and it could possibly be discussed at that time.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hauser moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 4:55 p.m.

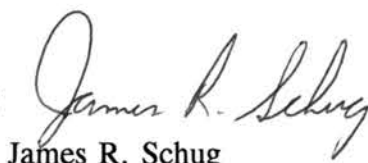
**BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT/PARKS DIVISION**

The County Board meeting was preceded by a workshop with the Public Works Department, Parks Division to discuss purchase of land on Lower Grey Cloud Island as part of the Grey Cloud Island Regional Park. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Jack Perkovich, Philip D. Hinderaker, Parks and Open Space Commission Chairman, and Jim Broede, St. Paul Pioneer Press.



Wally Abrahamson, Chairman  
County Board

Attest:



James R. Schug

County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
AUGUST 8, 1995**

**REGIONAL RAIL AUTHORITY**

The Washington County Regional Rail Authority met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Hauser presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Theisen, Public Works Deputy Director; Russ Reetz, Court Services Director; Larry Nybeck, County Surveyor; and Mickey Scheid, Public Information Specialist. 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 9:15 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Theisen, Public Works Deputy Director; Russ Reetz, Court Services Director; Larry Nybeck, County Surveyor; Mary McGlothlin, H.E.L.M. Director; Richard Backman, Community Services Division Manager; Bob Turrentine, Assistant County Attorney; and Mickey Scheid, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the July 25, 1995 Board meeting minutes.
2. Adoption of **Resolution No. 95-130** as follows:

Repurchase of Tax Forfeited Land by  
Richard D. Long, Owner

WHEREAS, Richard D. Long 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:



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Lot 14, 15, 16 and 17, Block 15  
 Wildwood  
 Plat/parcel #70870-4390  
 70870-4391

;and WHEREAS, said applicant has set forth in his application that lots are unbuildable and the repurchase of said land will promote and best serve the public interest because the property will be put back on tax rolls.

;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 Richard D. Long 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.

3. Adoption of **Resolution No. 95-131** as follows:

Repurchase of Tax Forfeited Land by  
 Bay-Lan Investment Inc.

WHEREAS, Bay-Lan Investment Inc. 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:

Plat/Parcel #81005-2750  
 Pt. NW¼ of NE¼ S05 T32 R21 Beg at a pt where Ely  
 R/W of Minn HWY NO 61 intersect S line of NW¼ of  
 NE¼ of Sec 5 then E along sd S line of NW¼ of NE¼ of  
 Sec 5 for 194.1 ft then N at rt ang for 435.3 ft then  
 S75deg56'W for 294.4 ft to sd Ely R/W of Minn HWY 61  
 then S14deg04'E along sd Ely R/W Minn HWY 61 for  
 375.0 ft to pt of beg

;and WHEREAS, said applicant has set forth in his application that she had a major health problems and was under extreme duress along with the economy being way down; that the taxes were based on over appraised value and are now at a fair value; that the repurchase of this property will put the property back on tax roll.

;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 Bay-Lan Investment, Inc. 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.



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4. Adoption of **Resolution No. 95-132** as follows:

Reconveyance of Forfeited Lands to State of Minnesota  
By Governmental Subdivisions

WHEREAS, Pursuant to Minnesota Statutes, Section 282.01, Subdivision 1, the State of Minnesota, as trustee under Minnesota Statutes, Section 281.25 of the 20th day of October 1989, conveyed to the City of Bayport Original Deed No.: 0172590, a governmental subdivision, the lands hereinafter described to be used for an authorized public use; and

WHEREAS, Said government subdivision has abandoned the public use for which such land was conveyed, and now desires to reconvey said lands to the State of Minnesota, as such trustee;

NOW, THEREFORE, this indenture, made this 1st day of August, 1995, between The City of Bayport a governmental subdivision of the State of Minnesota, as party of the first part, and the State of Minnesota, as trustee as hereinafter set forth, as party of the second part,

WITNESSETH, that the said party of the first part, in consideration of the premises and other valuable considerations, the receipt whereof is hereby acknowledged, does hereby Grant, Bargain, Quitclaim and Reconvey unto the said party of the second part all the tract of parcel of land lying and being in the County of Washington in the State of Minnesota, described as follows, to-wit:

PID #22119-3940  
Lot Ten (10), Block Twenty-seven (27)  
Bayport (Formerly South Stillwater)

in trust as provided by Minnesota Statutes, Section 281.25, upon like conditions and with like effect as if said lands had not been conveyed to said party of the first part as aforesaid.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said party of the second part and its successors and assigns, Forever.

IN TESTIMONY WHEREOF, said party of the first part has caused these presents to be executed in its corporate name by its Chairman, Board of County Commissioners and its County Administrator and its corporate seal to be hereunto affixed the day and year first above written.

5. Adoption of **Resolution No. 95-133** as follows:

Support Barbara S. Hansen for  
Appointment to the Governor's  
Workforce Development Council

WHEREAS, the federal Job Training Partnership Act (JTPA) Public Law 97-300 and the federal one-stop career center system, authorizes the creation of a Workforce Development Council at the state level; and

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WHEREAS, the state enacted a law authorizing the Governor to assemble the Workforce Development Council (WDC); and

WHEREAS, the membership of the WDC consists of 32 members appointed by the Governor; and

WHEREAS, six (6) of those appointments are representative of business and industry in Minnesota; and

WHEREAS, Barbara S. Hansen, Chair and small business representative in good standing to the Washington County Private Industry Council/Workforce Council, has filed an application with the state to represent business and industry on the WDC;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners support her application to serve as a representative of business and industry on the WDC.

6. Approval to appoint Marv K. Swanson to the Washington County Private Industry Council for a two year term expiring June 30, 1997.
7. Approval of amendment to the 1995 contract with REM Metro Services, Inc. to provide home and community based services to persons with developmental disabilities.
8. Approval of amendment to the 1995 contract with Focus Homes, Inc. to provide home and community based services to persons with developmental disabilities.
9. Approval of amendment to the 1995 contract with Nekton, Inc. to provide home and community based services to persons with developmental disabilities.
10. Approval to submit a Minnesota Healthy Communities Program grant application to the Minnesota Department of Health for \$18,000 to increase physical activity in Washington County.
11. Approval for County Surveyor to advertise for bids for aerial photography to be flown in the Spring of 1996.

The foregoing Consent Calendar was adopted unanimously.

#### **AUDITOR-TREASURER'S OFFICE**

Commissioner Hauser moved to set the date for the Truth-in-Taxation Hearing for December 12, 1995 at 7:00 p.m. and a continuation hearing (if needed) for December 19, 1995 at 7:00 p.m. Commissioner Hegberg seconded the motion and it was adopted unanimously.

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**COMMUNITY SERVICES DEPARTMENT****Grant Applications**

Commissioner Engstrom moved to submit the following grant applications to the Department of Human Services: Home and Community Based Waivered Services; Support for Emancipation and Living Functionally; Mental Health - Adult Rule 78 Community Support Grant; Mental Health - Adult Rule 12 Residential Treatment; Children's Mental Health Grant; Child Care Assistance Program; and, Child Care & Development Block Grant. Commissioner Hauser seconded the motion and it was adopted unanimously.

**1996 - 1997 Community Social Services Act Plan and Comprehensive Mental Health Act Plan**

The Community Services Division Manager presented a brief overview of the 1996-1997 Community Social Services Act Plan and Comprehensive Mental Health Act Plan. Holly Ryan-Moore, Chair of the Community Social Services Advisory Committee, read comments from other members of the Committee regarding this plan.

Commissioner Hauser moved to submit the preliminary 1996-1997 Community Social Services Act Plan and Comprehensive Mental Health Act Plan to the Department of Human Services. Commissioner Engstrom seconded the motion and it was adopted unanimously.

The Board thanked all the staff and citizens who participated in developing these plans and making them easy to read and understand.

**GENERAL ADMINISTRATION****Update on Setback Requirements and Minimum Buildable Lot Sizes on Shoreland**

The Health, Environment and Land Management Director presented three options for the Board to consider regarding Commissioner Hegberg's question concerning the County's zoning requirement and ordinance provisions for setbacks and minimum building lot sizes on shoreland. All three of the options would require amendments to the County Zoning Ordinance. The Board then discussed amending the County Zoning Ordinance to allow the County Board to amend the Zoning Ordinance without first referring the amendment to the Planning Advisory Commission for study and report, as is presently required by the ordinance.

Commissioner Hauser moved to refer the matter of amending the Zoning Ordinance to allow the County Board to amend the Zoning Ordinance without first referring the amendment to the Planning

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Advisory Commission for review; and, that the Planning Advisory Commission study and report their findings back to the County Board as quickly as possible. Commissioner Peterson seconded the motion and it was adopted unanimously.

#### **Meeting with Metropolitan Council Set for August 30, 1995**

The County Administrator announced that invitations have been sent to all local elected officials in the County including township supervisors, school board members, city council members and the County legislative delegation. The meeting is scheduled for August 30 in the County Board Room at 7:00 p.m.

#### **Juvenile Courtroom**

The County Administrator informed the Board that the juvenile courtroom is nearly completed and invited the Board members to go over and take a look during their break.

#### **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.

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

The Board discussed a letter from the City of Lake Elmo regarding their proposal to enter into binding arbitration with the City of Lake Elmo concerning Sanitary Landfill #1 reimbursement. Commissioner Hauser stated that she will be attending a meeting with the County Administrator, City of Lake Elmo Officials and staff of the Minnesota Pollution Control Agency to discuss this matter and suggested that no action be taken on this request.

Commissioner Peterson asked for Board members comments on a proposed policy by the Transportation Policy Committee for AMC regarding, among other issues, wetlands. She will be attending a meeting on August 18 and would like the Board's comments before that time.

The Board discussed changing the Resource Recovery Project Board workshop from August 22 to August 15. Staff will review this and get back to the Board.

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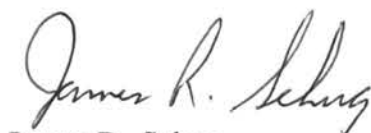
**BOARD WORKSHOP WITH THE COMMUNITY SERVICES DEPARTMENT**

The Board met in workshop session with the Community Services Department to discuss an administrative process for contested hearings for resolving child support issues. No business was transacted and the public was welcome to attend. Present for the workshop hearing were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Dan Papin, Char Farnum, Richard Arney, Jeanine Kopel, Susan Tice, Dona Jorgenson, and Jean Schmidt.

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

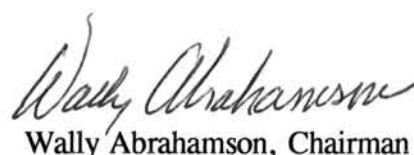
The Board met in workshop session with the Office of Administration to discuss the Comprehensive Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Virginia Erdahl, Jane Harper, Bob Turrentine, Bob Lockyear, Mary McGlothlin, Don Theisen, Jim Luger, Harry Melander, Planning Advisory Commission, Harvey Stiefel, Planning Advisory Commission, Jim Broede, St. Paul Pioneer Press and Jim Button, Parks and Open Space Commission.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 15, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners, Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Mickey Scheid, Public Information Specialist; Carolyn Phelps, Public Works Department; Dan Papin, Community Services Director; Richard Stafford, Auditor-Treasurer; Molly O'Rourke, Assistant Auditor-Treasurer; Robert Lockyear, Planning and Administrative Services Director; and Marie Sunlitis, Court Administrator.

**CONSENT CALENDAR**

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

1. Approval of the August 1, 1995 Board meeting minutes.
2. Approval to appoint Judy Laton, Grey Cloud Island Township, to the Planning Advisory Commission to fill an unexpired term to December 31, 1997.
3. Approval to set the public hearing on the Comprehensive Plan and the Linear Park Master Plan for October 3, 1995 at 7:00 p.m.
4. Approval to execute renewal of agreement to purchase goods and services cooperatively with the Joint Purchasing Group headed by the State of Minnesota.
5. Approval to appoint Susan M. Meredith to the Washington County Private Industry Council for a two-year term expiring June 30, 1997.
6. Adoption of **Resolution No. 95-134** as follows:

Agreement Between State of Minnesota  
and Washington County  
Legislative Commission on Minnesota Resources (LCMR) Grant

WHEREAS, Washington County desires to construct Pine Point Park rest station;

WHEREAS, the Minnesota Legislature by 1995 Minnesota Laws Ch. 220, Sec. 19, subd(h) has appropriated \$100,000 to the Commissioner of Natural Resources for this construction;



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WHEREAS, Washington County has agreed to provide matching funds in the amount of \$30,000 for this same construction;

WHEREAS, Washington County agrees to be in compliance with the legal restrictions and requirements, including Minnesota Statute CH. 116P, and all other relevant state and federal laws and regulations governing this grant in fulfillment of this project;

NOW, THEREFORE, BE IT RESOLVED, that this agreement be approved and executed by the Washington County Board of Commissioners and the County Administrator.

7. Approval to execute the agreement with the City of Oakdale for construction and maintenance on CSAH 6 (Stillwater Boulevard).
8. Bids were received for construction on Mayberry Trail and Lofton Avenue as follows:

Hardrives, Inc.	\$ 244,031.50
H & M Asphalt Company	\$ 254,958.55
Valley Paving, Inc.	\$ 257,206.50
Northwest Asphalt	\$2,253,512.40

Adoption of **Resolution No. 95-135** as follows:

Award of Contract for Construction on Mayberry  
Trail and Lofton Avenue to Hardrives, Inc.

WHEREAS, in order to facilitate the construction of Mayberry Trail and Lofton Avenue in New Scandia Township in Washington County, the County solicited bids for this project; and

WHEREAS, bids were opened on August 7, 1995, with Hardrives, Inc. being the lowest responsible bidder;

NOW, THEREFORE BE IT RESOLVED, that the bids of Hardrives, Inc. be accepted and the County enter into a contract with Hardrives, Inc. under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Hardrives, 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, approval by New Scandia Township, approval by the Minnesota Department of Transportation Division of State Aid for Local Transportation, and approval as to form by the Washington County Attorney's Office.

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9. Bid were received for construction on CSAH 6 as follows:

S.M. Hentges & Sons, Inc.	\$578,885.50
Tower Asphalt, Inc.	\$586,979.35
Ashbach Construction Co.	\$588,209.35
Hardrives, Inc.	\$609,011.40
Valley Paving, Inc.	\$627,782.64
Midwest Asphalt Corp.	\$664,265.70

Adoption of **Resolution No. 95-136** as follows:

Award of Construction on CSAH 6 to  
S.M. Hentges & Sons, Inc.

WHEREAS, in order to facilitate the pavement preservation and drainage project on CSAH 6 in Washington County, the County solicited bids for this project; and,

WHEREAS, bids were opened on August 7, 1995, with S.M. Hentges & Sons, Inc. being the lowest responsible bidder;

NOW THEREFORE BE IT RESOLVED, that the bid of S.M. Hentges & Sons, Inc. be accepted and the County enter into a contract with S.M. Hentges & Sons, Inc. under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and S.M. Hentges & Sons, 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, approval by the City of Oakdale, and approval as to form by the Washington County Attorney's Office.

10. Approval to advertise for bids on replacement of boiler at Public Works North Shop and acceptance and approval of proposals received from Twice Over Clean, Inc. and T. Wrecks Trading & Demolition for removal and disposal of the old boiler unit and asbestos pipe insulation conditioned upon the approval of a contract as to form by Washington County Attorney's Office.

11. Adoption of **Resolution No. 95-137** as follows:

Resolution Authorizing Eminent Domain  
Proceedings for CSAH 12

WHEREAS, Washington County proposes to improve County State Aid Highway 12 from 267 feet west of CSAH 36 to 428 feet east of CSAH 36 in the City of Mahtomedi; and

August 15, 1995

WHEREAS, the project consists of the installation of a traffic signal, construction of a sidewalk, and intersection modification; 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 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 12

Lot 5, Block 3, Diamond Estates - Torrens Property

Fee Owner: Diamond Estates, a limited partnership  
9412 - 36th Avenue North  
New Hope, MN 55427

Mortgagee: Morgan Guaranty Trust Company of New York  
30 West Broadway - 14th Floor  
New York, NY 10015

Acquisition  
Summary: 1,187 square feet of new right of way  
1,350 square feet of temporary slope easement  
(to begin December 1, 1995 and expire November 30, 1997)

August 15, 1995

Legal Description  
of R/W Acquisition:

That part of Lot 5, Block 3, Diamond Estates, according to said plat on file and of record in the office of the County Recorder, Washington County, Minnesota, which lies Northeasterly of the following described line:

Beginning at a point on the North line of said Lot 5, distant 40.00 feet West of the Northeast corner of said Lot 5, as measured along said North line; thence Southeasterly to a point on the East line of said Lot 5, distant 30.00 feet South of said Northeast corner as measured along said East line and said line there terminating.

And also the Northerly 5.00 feet of said Lot 5, Block 3, Diamond Estates, lying Westerly of the above-described perpetual easement.

To be acquired in Highway Easement.

Legal Description  
Temporary Slope Easement:

That part of Lot 5, Block 3, Diamond Estates, according to the plat on file and of record in the Washington County Records Office, described as follows:

Not to exceed 5 feet in width between and right of Engineer's Stations 39+09 and 41+80.

Said slope easement shall begin December 1, 1995 and expire November 30, 1997.

12. Information only - Recorder's fees for July, 1995.

The foregoing Consent Calendar was adopted unanimously.

**COMMUNITY SERVICES DEPARTMENT**

Commissioner Hauser moved to approve the Fraud Prevention Initiative Plan for State Fiscal Years 1996-1997. Commissioner Peterson seconded the motion and it was adopted unanimously.

**COUNTY ATTORNEY'S OFFICE**

Commissioner Engstrom moved to set the public hearing date to consider amending the Juvenile Curfew Ordinance for September 5, 1995. Commissioner Peterson seconded the motion and it was adopted unanimously.

**AUDITOR-TREASURER'S OFFICE**

Commissioner Peterson moved to adopt **Resolution No. 95-138** as follows:

August 15, 1995

Resolution Authorizing a Waiver Agreement with  
the Board of Government Innovation and Cooperation

WHEREAS, the State of Minnesota established the Board of Government Innovation and Cooperation to improve the quality and efficiency of local government services; and

WHEREAS, one of the primary goals of the Board is to help local governments overcome barriers to the effective and efficient provisions of local government services; and

WHEREAS, the Washington County Auditor-Treasurer's Office has met barriers caused by State laws and rules that lower efficiency and increase the County's cost of compliance in the issuance of Game and Fish Licenses; and

WHEREAS, the Washington County Auditor-Treasurer's Office approached State officials about these barriers and were encouraged to seek waivers of the appropriate State law and rules; and

WHEREAS, granting of these two waiver requests will result in decreased paperwork for Washington County and the Minnesota Department of Natural Resources; reduced Washington County staff time to prepare reports, improved customer service due to reallocation of staff, reductions in supply costs, and minimize the impact of credit risks to Washington County;

WHEREAS, the Minnesota Board of Government Innovation and Cooperation has approved the granting of the waivers for Game and Fish licenses as requested by the Washington County Auditor-Treasurer's Office upon signing and submitting a fully executed waiver agreement.

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners authorizes R.H. Stafford, Auditor-Treasurer, and Wally Abrahamson, Chairman of the County Board, to execute the attached waiver agreement.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

**HUMAN RESOURCES DEPARTMENT**

Commissioner Peterson moved to ratify the agreement of terms and conditions of employment with employees in the County Library system represented by AFSCME as follows:

1. Duration: 01/02/94 through 01/06/96.
2. Wages: Effective for 1994, a 1.0% general wage increase, and effective for 1995, a 2.0% general wage increase.

August 15, 1995

3. Health Insurance: Amend health insurance consistent with other County employees as follows:  
1994 - \$275  
1995 - \$290
4. Medical Pool: \$300 for 1995 (administered by existing plan; incorporate into flexible spending account for 1996).
5. Pay Equity: Effective 04/09/95, implement pay equity adjustments as approved by the County. The six month steps will be eliminated and in order to be eligible for backpay, the employee must be employed by the County on 07/25/95.
6. Seniority: Maintain separate seniority list for Library classifications through 12/31/97. If an employee transfers from the Library to the County or from the County to Library during the interim, the employee will be placed on the County's seniority list.
7. Holidays: The designated holidays as set forth in the Library agreement shall remain through calendar year 1995. Effective 01/01/96, full-time Library employees will be eligible for a full day floater and employees who work on a designated holiday will be compensated at the rate of time and one-half for hours worked. Part-time employees will be prorata.
8. Shift Differential: Effective the first day of the first payroll period following County Board approval of the agreement, implement County language regarding shift differential which provides \$.35 per hour for all hours worked between 3:00 p.m. and 8:00 a.m. when an employee works at least four hours within that time span.
9. Other Terms and Conditions: Other provisions of the agreement have been modified to reflect consistency with the Professional and Technical/Clerical bargaining unit agreements within the County.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **Courtroom and Support Services Remodeling**

Commissioner Hauser moved to authorize the County Board Chair and the Administrator to execute a contract for architectural services with Wold Architects and Engineers for courtroom and support services remodeling conditioned upon the approval of a contract as to form by the Washington County Attorney's Office. Commissioner Hauser seconded the motion and it was adopted unanimously.



August 15, 1995

The County Administrator announced that Don Wisniewski, Public Works Director, was recently named "Engineer of the Month" in a trade publication known as "Better Roads".

#### **DISCUSSION FROM THE AUDIENCE**

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

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom announced that there will be a Housing and Redevelopment Authority Board meeting on August 16, 1995 in the Board Room.

Commissioner Peterson informed the Board members that on Tuesday, September 12, the County will be having a teleconference on welfare reform with Maria Gomez, Commissioner, Department of Human Services. The teleconference will take place on the fifth floor on the Government Center.

Commissioner Hegberg indicated that the Minnesota Insurance Trust will be doing a similar training program through satellite on September 12. He also stated that there will be a small reduction in the cost of worker's comp insurance because of the changes made in the legislature. The County will again receive a dividend check from the Trust which will be a little more than last year's check.

Commissioner Abrahamson stated he has been getting calls about the ragweed problem. He has talked with Public Works staff and they indicated that they are cutting along the roadways. He also mentioned a meeting he had with Mr. Swenburg, who owns property near the Government Center concerning surveying that's taking place near his house and markings located approximately six feet into his yard. He asked Public Works staff to take a look at those markings and talk with Mr. Swenburg.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

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

August 15, 1995

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the draft 1996-2000 Capital Improvement Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Jim Schug, Virginia Erdahl, Jane Harper, Bob Lockyear, Cindy Koosmann, Jay Kafthefer, Larry Nybeck, Don Wisniewski, Don Theisen, Scott Hovett, and Jim Wells.

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the proposed 1996 budget. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Jim Schug, Virginia Erdahl, Edison Vizuite, Jane Harper, Cindy Koosmann, Jay Kafthefer, Larry Nybeck, Don Wisniewski, Scott Hovett, Jim Wells, Dan Papin, Russ Reetz, Jim Frank, Leo Steiner, and Judy Honmyhr.

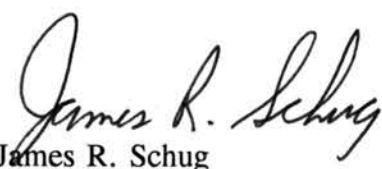
**BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT**

The Board met in workshop session with the Community Services Department to discuss Minnesota legislative action toward welfare reform. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, and Hauser. Also present were Jim Schug, Dan Papin, Char Farnum, Fred Feuerpfeil, and Bob Crawford.

**BOARD WORKSHOP WITH PUBLIC WORKS DEPARTMENT**

The Board met in workshop session with the Public Works Department to discuss the cost participation policy. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Jim Schug, Virginia Erdahl, Edison Vizuite, Don Theisen, Don Wisniewski, and David Jessup, City of Woodbury Public Works Director.

Attest:

  
James R. Schug

County Administrator



Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
AUGUST 22, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Russ Reetz, Court Services Director; Barb Mastrian, I.S. Department; Mike Gripentrog, I.S. Director; Marlene deBoef, Historic Courthouse Coordinator; Mickey Scheid, Public Information Specialist; Carolyn Phelps, Public Information Aide; Mary McGlothlin, H.E.L.M Director; and Judy Arends, Waste Management Manager.

**CONSENT CALENDAR**

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

1. Approval of the August 8, 1995 Board meeting minutes.
2. Approval to advertise for bids for office supplies for October 1, 1995 through September 30, 1996, with bids due in the Auditor-Treasurer's Office by 2:00 p.m. on September 12, 1995.
3. Adoption of **Resolution No. 95-139** as follows:

Resolution Rescinding Resolution No. 95-132  
Previously Approved August 8, 1995

WHEREAS, forfeited land, parcel #22119-3940 was conveyed to the City of Bayport on October 20, 1989;

WHEREAS, the City of Bayport no longer has any public use for the parcel;

WHEREAS, the County Board was asked to execute Reconveyance of Forfeited Lands to the State of Minnesota;

WHEREAS, the County Board adopted Resolution No. 95-132 on August 8, 1995;

WHEREAS, the City of Bayport has the authority to adopt resolution reconveying the land back to the State of Minnesota.

BE IT HEREBY RESOLVED, that the County Board rescind Resolution No. 95-132 previously approved August 8, 1995.

4. Adoption of **Resolution No. 95-140** as follows:

August 22, 1995

Application for Exemption from Lawful  
Gambling License from St. Croix Valley  
of the N.W.T.F. Stillwater

WHEREAS, St. Croix Valley Chapter of the N. W. T. F. has made application to the Gambling Control Board for an exemption from certain requirements contained in MINN.STAT. CHAPT. 349 in order to conduct (Bingo, raffling, paddlewheels, tip board, pull tabs) at the premises located at Withrow Ballroom, 12169 Keystone Ave. Hugo, May Township, Washington County on the following date: August 24, 1995; and

WHEREAS, the Gambling Control Board is prohibited from granting St. Croix Valley Chapter of the N. W. T. F. an exemption to engage in raffles until the expiration of thirty (30) days after St. Croix Valley Chapter of the N. W. E. T. has notified the County of its intent to engage in these activities; and

WHEREAS, Washington County would like to expedite this process in order for St. Croix Valley Chapter of the N. W. T. F. to obtain their exemption as soon as possible.

NOW, THEREFORE, BASED UPON THE FOREGOING, BE IT RESOLVED, that as it applies to the application of St. Croix Valley Chapter of the N. W. T. F. to conduct raffles at the premises location at Withrow Ballroom, 12169 Keystone Ave., Hugo, on August 24, 1995, Washington County hereby waives the requirement contained in MINN.STAT. § 349.166, SUBD. 2 that the Gambling Control Board withhold issuing as exemption until the expiration of thirty (30) days after Washington County received notification of the application.

5. Approval to accept \$14,000 grant award from the Minnesota Board of Water and Soil Resources for well sealing cost-share grant and authorize the Director of the Department of Health, Environment and Land Management to enter into agreements with property owners for well sealing in an amount not to exceed \$1,000 per property owner; and, approval to authorize adjustment to the Department's 1995 budget to be consistent with this grant award.
6. Approval of payment and distribution of recycling bonus funds, in a total amount of \$20,299, to the following eligible cities and townships: Afton, Bayport, Birchwood, Dellwood, Forest Lake, Forest Lake Township, Grant Township, Hugo, Marine on St. Croix, May Township, Newport, Oak Park Heights, Stillwater, Stillwater Township, and White Bear Lake.
7. Information only - Public Health Advisory has set a date for public meeting to solicit citizen input on the County's Draft Community Health Services Plan, 1996-1999 for September 19, 1995, at 7:00 p.m. in the Washington County Government Center.
8. Approval to go out for bids to replace the remainder of NEC Series III telephone equipment in the Government Center.

August 22, 1995

9. Bids were received for a new voice mail processing system as follows:

SPC Communication	\$106,645
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Approval to award contract for the purchase of a new voice mail processing system with SPC Communications, only responsible bidder, in the amount of \$106,645.

10. Approval and execution of cost reimbursement and maintenance agreements with the City of Woodbury for construction of traffic signals at Radio Drive, CSAH 13, and I-94 eastbound ramps, Hudson Road West and Hudson Road East; and adoption of **Resolution No. 95-141** as follows:

Bid Award Concurrence with the City of Woodbury  
for Signal Construction on CSAH 13 at I-94 and  
Hudson Road East and West to Tower Asphalt

WHEREAS, the City of Woodbury desires to construct traffic signals on CSAH 13 (Radio Drive) at I-94 and Hudson Road East and West;

WHEREAS, Washington County and the City of Woodbury have entered into a Cost Reimbursement Agreement for the traffic signal installation;

WHEREAS, the City of Woodbury has let bids for this signal construction and has determined that Tower Asphalt, Inc. is the low bidder;

NOW, THEREFORE, BE IT RESOLVED, that Washington County concurs in the bid award to Tower Asphalt, Inc. through authorization of the Washington County Board of Commissioners.

11. Approval of waiver of rental charge for weekend Veterans Day observance and exhibit at Historic Courthouse, November 11, 1995.
12. Approval to advertise for re-roofing at Public Works north shop contingent upon review and approval of specifications by the County Attorney.
13. Adoption of **Resolution No. 95-142** as follows:

Final Payment to Tolz, King, Duvall &  
Anderson for CSAH 27 Design

WHEREAS, the Washington County Board of Commissioners, on August 10, 1993, signed a contract with TKDA for the labor and materials to provide road design for CSAH 27 reconstruction;

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



August 22, 1995

NOW, THEREFORE, BE IT RESOLVED, that TKDA 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. Adoption of **Resolution No. 95-143** as follows:

Minnesota Trail Assistance Program

WHEREAS, Washington County has developed ski trail systems in Pine Point Park, Lake Elmo Park Reserve and Cottage Grove Ravine Park;

NOW, THEREFORE, BE IT RESOLVED, that any state grants and aids for the described trails be directed to Washington County and application made therefore by said County; and

BE IT FURTHER RESOLVED, that the Minnesota Trail Assistance Agreements be executed through the signatures of the Chairman of the County Board and Washington County Administrator without further action of the County Board conditioned upon compliance with all specification requirements and approval as to form by the Washington County Attorney's Office.

15. Adoption of **Resolution No. 95-144** as follows:

Bid Award Concurrence with the City of Woodbury  
for Signal Construction on CSAH 19  
and I-94/Hudson Road to Richard Knutson, Inc.

WHEREAS, the City of Woodbury desires to construct traffic signals on CSAH 19 (Woodbury Drive) at I-94 and Hudson Road;

WHEREAS, Washington County and the City of Woodbury have entered into a Cost Reimbursement Agreement for the traffic signal installation;

WHEREAS, the City of Woodbury has let bids for this signal construction and has determined that Richard Knutson, Inc., is the low bidder;

NOW, THEREFORE BE IT RESOLVED, that Washington County concurs in the bid award to Richard Knutson, Inc., through the authorization of the Washington County Board of Commissioners.

16. Adoption of **Resolution No. 95-145** as follows:

Final Payment to Allied Blacktop, Inc. for  
Seal Coating of County Roads

WHEREAS, the Washington County Board of Commissioners, on May 2, 1995, award the bid to Allied Blacktop, Inc. for the labor and materials to perform seal coating on various county roads; and



August 22, 1995

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

NOW, THEREFORE BE IT RESOLVED, that Allied Blacktop, 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.

17. Approval for early hire of Correctional Officer I (Bailiff).
18. Approval for County Surveyor to advertise for bids for global positioning system.

The foregoing Consent Calendar was adopted unanimously.

#### **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.

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

##### **Flooding in the Grant Township Area**

Commissioner Hegberg stated he attended a meeting with the City of Hugo on Monday night concerning the elevation of Hay Lake and School Lake. These lakes have risen 11 feet in the past 10 years. The City of Hugo has raised a couple of the roads in the past, and currently County Road 57 is under water. He indicated that the City of Hugo has a plan, along with the Browns Creek Water Management Organization, to correct this situation. He is requesting staff to look into the availability of funds to help fund that study. He stated there will need to be an emergency pumping permit to pump one of the lakes just out of Withrow, and that Hay Lake and School Lake will need a longer term solution. He indicated that it doesn't appear to be a real major expense, unless the trout have to be protected, but there is an emergency and those environmental requirements could probably be waived. He would like staff to take a look at this as rapidly as possible to alleviate this situation. He stated that there are several homes with septic systems and basements under water.

Commissioner Abrahamson stated that he had two calls over the weekend begging for help in a situation occurring a little south of where Commissioner Hegberg was referring to. He indicated that he got in touch with the Public Works Director and the garage was opened up and people were directed to come in and get sandbags. He received a letter from Lauren Fariss, a resident of Grant Township, asking the Grant Township Board for a meeting to discuss a proposal for pumping the water. The area that he toured had approximately 12 houses and each house had a minimum of 12 inches of water in the yard, some had water in their basement, and the septic systems were failing.

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The Public Works Director showed the Board pictures of flooding in that area. He stated that the flooding is due to the high amount of rain this area has received over the last several weeks and a large majority of these issues are in the Browns Creek Water Management Organization. The issues are whether the water will drain away in a timely manner or whether or not it should be pumped. The meeting requested by the Grant Township residents will ask the DNR to see if pumping will be allowed. He believes the meeting is tonight at 5:30 p.m. in the Grant Township Hall primarily to talk with the Grant Township people in this particular neighborhood to see if there is a solution that will deal with their immediate problem which is flooding roads and septic systems. Ultimately, the Water Management Organization has to see if they can come up with a total solution to this problem.

Commissioner Abrahamson stated that the people he talked with were concerned about a possible freeze, which would cause a lot of damage to their basements. He stated that he understands this is a Grant Township and DNR problem, but if there is any way the County can get some kind of solution -- whoever is responsible -- it would be good for the residents.

Commissioner Hegberg stated that the Browns Creek Water Management Organization has seen this problem coming. They met this spring and thought they had a possible solution and hoped to implement it much faster, but they didn't expect the 19 inches of rain in the last month. They were also tied down with all kinds of environmental issues. He believes that with all this rain, some of those requirements need to be waived and get the problem solved.

Commissioner Peterson asked if the Water Management Organization had authority to tax, assess property? Commissioner Hegberg stated this is a joint powers agreement between Grant Township, Hugo, and May Township. They get their money from the Town Boards, so the Town Boards can tax and give the Water Management Organization the money.

Commissioner Peterson asked if the County could loan money to the water management organization to be paid back at a later date? Commissioner Hegberg indicated that he thought that would be part of the request, but also in the past when County Roads were under water the County found some funds to help in some cases. The Public Works Director stated they have taken the initiative to solve the problem relating to County Road 57 near Withrow school. It was his opinion that the Water Management Organization has to deal with this, and since it's not a watershed district and each one of the municipalities is contributing to that water management organization, the local unit of government can help solve the local problem. In terms of County involvement, he feels that the County can become a facilitator only to the extent that the County may know people in the State government that they can contact. Right now it's the Water Management Organization's responsibility.

Commissioner Abrahamson stated that eight counties in northern Minnesota are getting money for flood damage, so obviously there's money out there. Commissioner Hauser suggested that since the Water

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Management Organization is a joint powers entity they could apply for State grants or other kinds of relief to help them implement the plan should they ever get it started.

The Public Works Director stated that water management organizations are loosely joined. They don't have the resources for staff and consult everything out. Eventually, that becomes very expensive.

Commissioner Hauser stated she agrees with the Public Works Director that this is the responsibility of the water management organization and the towns. And just as we have advocated or not advocated in other areas of interest, she believes it would be better to allow them to work it out. If there is some way the County can facilitate their decisions, then the County should stand ready in that regard, not to do any meddling around with their plan, they're responsible for solving this problem.

Commissioner Abrahamson stated he brought this up because the people who called him on Saturday were frantic, their septic systems weren't working. They tried everywhere to get the help and nobody would help them. Somehow they got a hold of him. Commissioner Hauser stated it seemed to her that there are emergency procedures in place in the Sheriff's Office rather than involving the Public Works Department. She stated she was sure they could stimulate the same kind of action, so it sounds as if the Towns are without knowledge or help on how to handle their citizen's emergency requests.

Commissioner Hegberg stated it was a question on where to get the sandbags. There was not any place available to obtain those sandbags other than a government entity.

#### **Other Commissioner Reports**

Commissioner Peterson gave the Public Works Director a memo on a meeting on local access issues regarding the Wakota Bridge. She also stated there will be a meeting of the Sustainable Communities, an AMC subcommittee, on August 31, 9:00 a.m. at AMC. Goodhue County will be presenting their strategic planning process. She thinks this would be a good meeting for some people in our County to attend that it would be the next logical step for the County to look at in what they are doing to implement the comprehensive plan.

Commissioner Hauser and Engstrom presented an update on the AMC Policy Committee meeting. Among the items discussed were: Fiscal reform in the State of Minnesota and that Counties be more involved in these discussions since they are the chief deliverer of some of these services; Dealing with corrections money with a possible unified funding approach to try to get a handle on moving toward one system for funding correction dollars to the counties instead of the three different systems currently in place, Russ Reetz, Court Services Director, is working on this plan; and Discussion on wetland policy and establishment of a joint committee of the environmental and transportation committees to present this issue to the legislature next session. Commissioner Engstrom asked that the County Board

August 22, 1995

look at the proposal that the Minnesota Board of Water and Soil Resources has drafted on the wetland conservation act.

Commissioner Abrahamson informed the Board that Jim Brekken, 911 Board Executive Director, will be retiring. Also, the 911 Board is considering one Commissioner appointment from each County rather than the two, three or four Commissioners appointed now.

#### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously. The Board meeting adjourned at 9:35 a.m.

#### **BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT**

The Board met in workshop session with the Community Services Department, Economic Support Division, to discuss the following: Report on managed care conversion process; "Medical Necessity" as a factor that may limit access to care, cause cost shifting, or reduce funding for the wrap-around services provided by the Social Services Division; and, Report on federal and state health care reform measurer -- possible impact on County. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Virginia Erdahl, Dan Papin, Rick Backman, Char Farnum, Andrew Ervin, Beth Clendenen, Karen Zeleznak, and Mary McGlothlin.

#### **BOARD WORKSHOP WITH HEALTH, ENVIRONMENT AND LAND MANAGEMENT**

The Board met in workshop session with the Department of Health, Environment and Land Management to discuss proposed definitions of land use districts and allowed uses in proposed districts. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Virginia Erdahl, Bob Turrentine, Dennis O'Donnell, Mary McGlothlin, and Jane Harper.

#### **BOARD WORKSHOP WITH HEALTH, ENVIRONMENT AND LAND MANAGEMENT**

The Board met in workshop session with the Department of Health, Environment and Land Management to discuss the Resource Recovery Project. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Abrahamson and Hauser. Also present were Virginia Erdahl, Mary McGlothlin, Judy Arends, George Kuprian, Jerry Turnquist, Resource Recovery Project Manager, and Seth Phillips.

Attest:

*Virginia R. Erdahl*  
Virginia R. Erdahl  
Deputy Administrator

*Wally Abrahamson*  
Wally Abrahamson, Chairman  
County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 5, 1995**

The Washington County Board of Commissioners met in regular session at 4:30 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Bob Turrentine, Assistant County Attorney; Jerry Turnquist, Resource Recovery Project Manager; Richard Stafford, Auditor-Treasurer; John Devine, Controller; Don Wisniewski, Public Works Director; Richard Backman, Community Services Division Manager; Dan Papin, Community Services Director; Bob Crawford, Job Training Supervisor; Fred Feuerpfeil, Job Training Division Manager; Patricia Cowilder, Job Training Counselor; Judy Arends, Waste Manager; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the August 15, 1995, Board meeting minutes.
2. Approval to appoint Steven Ramsey, Marine on St. Croix, to the Carnelian Marine Watershed District Board of Managers to a three year term expiring June 21, 1998.
3. Approval of letter of support in the construction of an ice arena in the City of Oakdale.
4. Approval of letter of agreement between the County and Tubby Lohmer's, designating Tubby Lohmer's as the preferred travel agency for Washington County.
5. Approval to raise the assessment service charges that are contracted to the Washington County Assessor's Department (1996 rates).
6. Approval of application by governmental subdivision for conveyance of tax-forfeited lands by City of Oakdale.
7. Adoption of **Resolution No. 95-146** as follows:

Repurchase of Tax Forfeited Land by  
Joseph Jansen, Owner

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WHEREAS, Joseph Jansen 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:

Plat/parcels 70870-7323, 7330, 7340 & 7430

Lots 10, 11, 12, 13, 19, 20 and 21, Block 29  
Wildwood Manor

;and WHEREAS, said applicant has set forth in his application that Joseph A. Jansen is the owner of Lots 10, 11, 12, 13, 19, 20 and 21, Block 29, Wildwood Manor, Washington County, Minnesota (hereinafter the "Property"). Title to the Property was acquired by Joseph A. Jansen on May 3, 1989 after the administration of the estate of Ebba Jansen, when Joseph A. Jansen and his siblings divided several real properties among themselves. Unfortunately, after the transfer of the Property to him, Joseph A. Jansen never received tax statements and, therefore, tax payments were not made.

Mr. Jansen was diagnosed with malignancy of the larynx with extensive bilateral metastatic disease to both sides of his neck on February 23, 1994. His illness was long standing even before its diagnosis. As a result of poor health, Mr. Jansen has been unable to attend to the concerns of this property or to even participate directly in this application to the court. Copies of medical records evidencing his medical condition are attached hereto and incorporated herein as Exhibits A and A-1.

On May 14, 1990, the Property were bid at tax judgment sale for the delinquent taxes for 1989. Notice of this sale and of the expiration of the redemption period was apparently mailed via certified mail on May 3, 1993. However, notice was not sent to Joseph A. Jansen. Rather, notice was mailed to A. Thomas Jansen who had acted as co-personal representative of the Estate of Ebba Jansen.

A copy of the certified mail envelope indicates that the certified letter was returned to the Washington County Auditor/Treasurer on June 1, 1993 without having been received by anyone. (See Exhibit B attached hereto and incorporated herein.) At the time of the May 3, 1993 notice, the total due to redeem the Property would have been only \$2,149.49 as is evidenced by copies of the notices which are attached hereto and incorporated herein as Exhibit C.

On July 13, 1993, Joseph A. Jansen went to the County Auditor/Treasurer's office to pay 1993 taxes. (A copies of two of the tax payment checks are attached hereto as Exhibit D.) However, while he was at the Auditor/Treasurer's, no one advised him of the delinquent taxes, the tax judgment sale, or the expiration of the redemption period. Nor did they mail the certified letter to his address which they received on that day and which was clearly identified on his personal checks.

The notices of expiration of redemption which were apparently mailed on May 3, 1993, stated clearly "That the time for redemption of such lands from such (tax judgment) sale will expire 60 days after service of notice and the filing of proof thereof . . ." Furthermore, publication of the



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delinquent properties occurred on May 24, 1993 in the Stillwater Evening Gazette. A copy of the publication listing the Property is attached hereto as Exhibit E.

Since no one had received the notices of expiration of redemption, the certified mail was returned to the Auditor/Treasurer's office, and the publication did not occur until May 24, 1993, the 60 days had certainly not expired on July 13, 1993 when Mr. Jansen was present at the county offices. Had he been informed at that time, redemption would have been possible without forfeiture of the Property.

Therefore, the undersigned, on behalf of Joseph A. Jansen, respectfully requests an order of this Court extending until September 15, 1995, the period of redemption of the Property and ordering the Washington County Auditor/Treasurer to immediately accept this Court's order and waive all penalties and interest which have accrued since July 13, 1993.

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 Joseph Jansen 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.

8. Approval of one day on sale non-intoxicating malt liquor license for Scandia Taco Days, September 9, 1995.
9. Adoption of **Resolution No. 95-147** as follows:

Repurchase of Tax Forfeited Land by  
James E. Misenor, Owner

WHEREAS, James E. Misenor 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 3  
Swager Bros 6th Add

;and WHEREAS, said applicant has set forth in his application that forfeiture of said land has resulted due to his divorce in 1986; That the repurchase of said land will promote and best serve the public interest, because the property will be put back in a tax roll.

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

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NOW, THEREFORE BE IT RESOLVED, That the application of James E. Misenor 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	19041-2125	Echols, Jimmie & Gloria	\$1,194.10
Hmstd	27005-2500	Dahlin, Mary & Danial	998.96
Hmstd	28378-2225	Grundhauser, Jerone & Jan	431.84
Hmstd	29100-1009	Smith, John & Jennifer	524.38
Hmstd	29100-1014	Doffing, Jane	571.30
Hmstd	29100-1022	Voigt, Raymond & Marjorie	500.24
Hmstd	29100-2002	Hanson, Marvin & Alice	594.10
Hmstd	29100-3011	Hauschildt, Debra	626.30
Hmstd	29100-3027	Kuyath, Theresa	519.00
Hmstd	32500-3550	Stocke, William	946.90
Hmstd	32500-3550	Stocke, William	883.58
Exempt	34870-1095	Frans, Dan	110.22
Hmstd	94780-0077	Schroeder, Warren	91.38
Hmstd	94780-0081	Leroux, Robin	47.00
Hmstd	38125-0084	Steffen, Lori Ann	55.74
Hmstd	38125-0085	Cox, Brennan	54.46
Hmstd	38125-0305	Fuller, Tamera J	547.18
Hmstd	38125-0495	Lovell, Joshua & Debra	53.18
Hmstd	48440-1500	Phan, Duong	174.26
Hmstd	48440-4180	Levasseur, Michele & Schweitz	158.26
Hmstd	48441-3100	Johnson, Carrie F	111.72
Hmstd	55347-5050	Williams, Earnest & Rita	121.80
Hmstd	57222-2775	Teschendorf, Eva	1,327.74
Hmstd	57222-2775	Teschendorf, Eva	15.14
Hmstd	57591-3275	Miller Graf, Sherral & Michael	1,204.88
Hmstd	59870-0045	Bergeron, Wendy	89.50
Hmstd	59990-0907	Wilson, Dawn & Eric	269.90
Hmstd	69585-0703	Donndelinger, Steven & Becky	49.12
Hmstd	69585-0714	Louden, Shirley & William	224.18
Hmstd	72109-2050	McDonnell, Catherine	1,373.58
Hmstd	72165-2150	Jorde, Diane	1,146.74
Hmstd	73622-3000	Blount, Gary & Susan	2,085.24
Hmstd	83740-2150	Keene, Steven D & Karen L	27.30
Hmstd	97034-2250	Sortedahl, Lynn	1,055.10
Disaster	83024-2300	Smith, Kenneth & Jean	3,122.82
Red/Val	19005-3855	Morgan Customs Homes	920.38
Exempt	27010-2400	City of Cottage Grove	458.66
Red/Val	27346-2675	Svendsen, Robert	190.42
Exempt	27350-2000	City of Cottage Grove	2.68
Exempt	27350-2025	City of Cottage Grove	2.68
Exempt	27350-2050	City of Cottage Grove	2.68
Exempt	27458-2125	City of Cottage Grove	105.42
Exempt	27458-2125	City of Cottage Grove	104.60
Exempt	28248-2025	City of Cottage Grove	186.52
Exempt	28248-2025	City of Cottage Grove	185.06

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<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Exempt	28248-2050	City of Cottage Grove	\$ 2.70
Exempt	28248-2050	City of Cottage Grove	2.68
Red/Val	32455-2020	Toonen, Richard	3,015.40
Red/Val	34870-1039	Letourneau, Sharon	43.38
Red/Val	34870-1039	Letourneau, Sharon	86.08
Red/Val	34870-1039	Letourneau, Sharon	84.10
Red/Val	34870-1039	Letourneau, Sharon	94.22
Red/Val	38125-0225	Cloutier/O'Dell	96.26
Red/Val	38125-0225	Cloutier/O'Dell	88.34
Red/Val	38125-0237	Wilson, Donald	105.12
Red/Val	38125-0663	Lyons, Pamela	98.80
Red/Val	48441-2750	Malmanger, Wayne	25.60
Red/Val	49355-3050	Weddell, Sarah	8.14
Red/Val	55328-2050	Seliga, John	5,319.64
Red/Val	55348-2350	Seliga, John	1,175.74
Red/Val	56001-0100	Bruhu, Richard	114.86
Red/Val	57030-3050	Forciea, James	443.50
Red/Val	59870-0047	Besser, James	174.90
Exempt	81027-2000	MN Department of Revenue	460.80
Exempt	81027-2225	MN Department of Revenue	690.04
Pen/Int	73420-2000	Katt, William	9,146.59

11. Approval of need determination for East Suburban Resources to consolidate their program from three to two sites and increase their licensed capacity from 155 to 180.
12. Approval to establish public hearing date of Tuesday, September 26, 1995, at 9:00 a.m. for purpose of amending Section 508.01 of the Washington County Zoning Ordinance and authorize publication of notice of intent to amend ordinance.
13. Approval of personal leave of absence for Sheila Schally in the Recorder's Office beginning August 28, 1995, to accept appointment of Deputy County Recorder.
14. Approval and execution of cost reimbursement agreement and maintenance agreement with the City of Woodbury to provide road construction on Tamarack Road and traffic signal installation on Radio Drive (CSAH 13) and Tamarack Road West; and adoption of **Resolution No. 95-148** as follows:

Bid Award Concurrence for  
Signal Construction on CSAH 13 and Tamarack Road

WHEREAS, the City of Woodbury desires to construct traffic signals on CSAH 13 (Radio Drive) at Tamarack Road West;

WHEREAS, Washington County and the City of Woodbury have entered into a Cost Reimbursement Agreement for the traffic signal installation;

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WHEREAS, the City of Woodbury has let bids for this signal construction and has determined that Ryan Contracting Co. is the low bidder;

NOW, THEREFORE, BE IT RESOLVED, that Washington County concurs in the bid award to Ryan Contracting Co., through the authorization of the Washington County Board of Commissioners.

15. Adoption of **Resolution No. 95-149** as follows:

Resolution to Purchase Wozniak Property  
Cottage Grove Ravine Regional Park

WHEREAS, Washington County is interested in acquiring the property described herein in the City of Cottage Grove, for inclusion into the Cottage Grove Ravine Regional Park 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 legally described as follows:

SEE ADDENDUM NO. 1 - LEGAL DESCRIPTION

for the sum of \$326,000.00; in total, upon the following terms and conditions:

1. Conveyance should be by warranty 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. Buyer 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, conservation fee, and green acre payback;
6. Closing is to be on or before October 1, 1995, or as soon as possible after that date. The closing shall be handled through the Washington County Attorney's Office.
7. The acquisition is subject to a satisfactory Phase I Environmental Assessment and inspection by the County.
8. The East 80 feet of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 14, Township 27 North, Range 21 West, will be conveyed to Washington County by a Quit Claim Deed.
9. Washington County to survey east boundary line of property (in Section 14) within six months of date of sale, set monuments, and provide description to seller.

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ADDENDUM NO. 1  
LEGAL DESCRIPTION OF WOZNIAK PROPERTY

That part of the Southeast Quarter of the Southwest Quarter and that part of the Southwest Quarter of the Southeast Quarter of Section 14, Township 27 North, Range 21 West, City of Cottage Grove, Washington County, Minnesota which lies westerly of the following described line:

Commencing at the southeast corner of said Section 14; thence westerly along the south line of said Section 14 a distance of 2200.0 feet to the centerline of the north-south township road (also known as Kimbro Avenue South); thence continue westerly along said south section line, a distance of 694.7 feet to the point of beginning of the line to be described; thence North 17 degrees 00 minutes 00 seconds West, bearings oriented to the NAD 27 Washington County Coordinate System, South Zone, a distance of 236.00 feet; thence North 30 degrees 00 minutes 00 seconds East a distance of 376.75 feet; thence North 06 degrees 00 minutes 00 seconds East a distance of 370.90 feet; thence North 50 degrees 00 minutes 00 seconds East a distance of 634.74 feet to the north line of said Southwest Quarter of the Southeast Quarter and said line there terminating. Said point of termination is North 00 degrees 37 minutes 05 seconds West, along the west line of said Southwest quarter of the Southeast Quarter, a distance of 1318.75 feet to the northwest corner of said Southwest Quarter of the Southeast Quarter; thence North 89 degrees 07 minutes 52 seconds East, along the north line of said Southwest Quarter of the Southeast Quarter, a distance of 406.23 feet from the southwest corner of said Southwest Quarter of the Southeast Quarter.

and

That part of the North Half of the Northeast Quarter of the Northwest Quarter of Section 23, Township 27 North, Range 21 West, City of Cottage Grove, Washington County, Minnesota which lies westerly of the following described line:

Commencing at the northeast corner of said Section 23; thence westerly along the north line of said section, a distance of 2200.0 feet to the centerline of the north-south township road (also known as Kimbro Avenue south); thence continue westerly along said north section line, a distance of 694.7 feet to the point of beginning of the line to be described; thence southerly, measured at right angles, a distance of 661.0 feet to the south line of said North Half of the Northeast Quarter of the Northwest Quarter and said line there terminating.

and

The East 80 feet of the Southwest Quarter of the Southwest quarter (SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ) of Section 14, Township 27 North, Range 21 West, City of Cottage Grove, Washington County, Minnesota.

16. Adoption of **Resolution No. 95-150** as follows:



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Minnesota Trail Assistance Program  
Star Trails

WHEREAS, Washington County Star Trail Association has developed a snowmobile trail system in Washington County; and

NOW THEREFORE, BE IT RESOLVED, that any State Grants in aid for the described trails be directed to Washington County for disbursal to the Washington County Star Trail Association, and application made therefore by said County; and

BE IT FURTHER RESOLVED, that the Minnesota Trail Agreement be executed through the signatures of the Chairman of the County Board and Washington County Administration without further action of the County Board conditioned upon compliance with all specification requirements and approval as to form by the Washington County Attorney's Office.

17. Adoption of **Resolution No. 95-151** as follows:

Rescind Resolution No. 95-135, Contract Award  
for Construction of Mayberry Trail and Lofton Avenue  
to Hardrives Inc., and Authorization to Rebid the Project

WHEREAS, in order to facilitate construction of Lofton Avenue and Mayberry Trail in New Scandia Township in Washington County, the County solicited bids for this project; and,

WHEREAS, bids were opened on August 7, 1995, and the low bidder was Hardrives, Inc. and

WHEREAS, bid award was approved by the County Board on August 15, 1995, to Hardrives, Inc. conditioned upon the approval of New Scandia Township of the bid award; and

WHEREAS, the New Scandia Town Council did not approve the bid as required;

NOW THEREFORE, BE IT RESOLVED, that the bid award to Hardrives, Inc., made on August 15, 1995, be rescinded because of the failure of a condition precedent, to wit: the failure of New Scandia Township to approve the bid as awarded.

BE IT FURTHER RESOLVED that the Washington County Department of Public Works is authorized to rebid the project under specifications that will conform to the desires of New Scandia Township.

18. Adoption of **Resolution No. 95-152** as follows:

Final Payment to Midwest Contracting, Inc.  
for Elmcrest Bridge Reconstruction



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WHEREAS, the Washington County Board of Commissioners, on April 4, 1995, signed a contract with Midwest Contracting, Inc., for the labor and materials to provide bridge reconstruction on Elmcrest Avenue in Hugo; and

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

NOW, THEREFORE BE IT RESOLVED, that Midwest Contracting, 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.

19. Adoption of **Resolution No. 95-153** as follows:

Appropriation of Project Board Fund Balance  
to the 1995 Resource Recovery Budget

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board wishes to educate both haulers and generators of the position of both Counties that the use of the Newport Facility is the best option for processing waste; and

WHEREAS, the Project Board has approved the Expanded Public Education Plan to promote the integrated solid waste management system; and

WHEREAS, a portion of the expanded plan will be implemented in 1995 for which additional funding is required; and

WHEREAS, the Expanded Public Education Plan activities scheduled to begin in 1995 may not be sufficiently completed in order to encumber the remaining funds in the 1995 budget for Advertising and Promotion at the end of the year; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board recommends that funds be transferred from the Resource Recovery Project's Fund Balance to appropriations to finance the 1995 portion of the Expanded Public Education Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners authorizes Ramsey County Budgeting and Accounting to appropriate \$59,200 from the Resource Recovery Project Board fund balance to the Project Board Administration budget for Advertising and Promotion and be it further

RESOLVED, that the Washington County Board of Commissioners authorizes the Resource Recovery Project at the end of 1995 to re-appropriate any unencumbered balance in the Advertising and Promotion account to the 1996 budget in order to have funds to complete the expanded public information plan.

The foregoing Consent Calendar was adopted unanimously.

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**APPOINTMENT TO THE HOUSING AND REDEVELOPMENT AUTHORITY**

Commissioner Engstrom informed the Board that his appointment to the Washington County Housing and Redevelopment Authority, Mary McConnell, has resigned, and he is requesting that he be appointed to fill the unexpired term. Commissioner Peterson indicated that Ms. McConnell is a recent appointment. She is also concerned that the Board has had difficulty finding women to serve on committees and now the Board is replacing a woman.

Commissioner Hauser moved to accept the resignation of Mary McConnell to the Washington County Housing and Redevelopment Authority Board and that Dave Engstrom be appointed to fill the unexpired term to December 31, 1995. Commissioner Hegberg seconded the motion.

Commissioner Hegberg asked the question "Can a Commissioner be appointed to the HRA Board?", and he stated he feels very strongly that a Commissioner is elected and is responsible to their electorate. He also indicated that he may or may not agree with a Commissioner being a part of the HRA Board, but he thinks that County Commissioners have a right to be appointed to the HRA Board if they choose to, and that is why he is seconding the motion.

Commissioner Peterson asked the County Attorney if the County assumes more liability when a County Board member is sitting on the HRA Board? The County Attorney indicated that it is entirely legal for this Board to appoint one of its own members or all of its own members to that Board if it so wishes. He stated that is a policy consideration; although, as the County Board's legal advisor, he believes that the County is increasing the potential liability of the taxpayers of Washington County, but it is certainly within the Board's right to make those appointments.

Commissioner Engstrom stated he is asking for the Board to confirm his appointment. One of his reasons is that he wants to protect the County's interest. He would like to see that the HRA establishes a policy whereby HRA employees would need to wait a year or two before working for vendors or consultants of the HRA. He also believes this Board needs to examine who is appointed to the HRA Board, what qualifications they have, and prior involvements with vendors or consultants of the HRA.

Commissioner Peterson read a letter from her appointment to the HRA Board, Phillip McMullen, resigning from the HRA Board and requesting her to consider appointing herself to fill out his term. She stated now there are two vacancies on this Board and that this was a crucial time, with a major report coming back in September, and she is concerned that the process is being interrupted.

Commissioner Hauser indicated that Commissioner Engstrom has been sitting on the HRA Board as a Commissioner liaison and knows the history and the workings of the HRA as they sit as a Board. She stated that of all the persons who would seek that office at the moment, Commissioner Engstrom is

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probably uniquely qualified among this County Board. The rest of the Board has not been privy to as many meetings, even though the Board members may have attended from time to time. It does assure some continuity. Commissioner Hauser stated she felt sure that Commissioner Peterson would be diligent about finding a person to fill the other open spot on the HRA Board.

Commissioner Hegberg asked Commissioner Peterson if she would be willing to serve on the HRA Board until a replacement could be found? Commissioner Peterson stated she would be very concerned about the liability for the County with two Commissioners sitting on that Board, but she is also concerned that her district has representation. She indicated that she has talked to a couple of people, and will continue to discuss this with them, but if no one has agreed to take the position by HRA's next meeting scheduled for September 12 she would like to be appointed. She will also talk to Commissioner McMullen to see if he would consider staying on until the first of October.

The Board Chairman stated there was a motion and second on the floor.

The County Attorney suggested that the motion be bifurcated. It was the consensus of the Board that the original motion be bifurcated.

Commissioner Hauser moved to accept the resignation of Mary McConnell from the Washington County Housing and Redevelopment Authority Board. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Hauser moved to appoint Commissioner Dave Engstrom to the Washington County Housing and Redevelopment Authority Board to fill an unexpired term to December 31, 1995. Commissioner Hegberg seconded the motion and it was adopted with the vote as follows: Yes, Commissioners Peterson, Abrahamson, Hauser and Hegberg; Abstain, Commissioner Engstrom.

The Board discussed appointing a Commissioner liaison to the Washington County Housing and Redevelopment Authority Board. It was Board consensus to discuss this matter at next week's Board meeting.

#### **APPOINTMENT TO THE PARKS AND OPEN SPACE COMMISSION**

Commissioner Hauser moved to appoint James Dockendorf, Oakdale, to the Parks and Open Space Commission to fill an unexpired term to December 31, 1995. Commissioner Engstrom seconded the motion and was adopted unanimously.

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**PUBLIC HEARING - COUNTY ATTORNEY'S OFFICE****Amendment to the County-Wide Juvenile Curfew Ordinance #115**

Doug Johnson, Assistant County Attorney, Juvenile Division, presented a brief overview of the amendments to Ordinance No. 115, the County-wide Juvenile Curfew Ordinance. He indicated that 1995 Minnesota Session Laws Chapter 226, Article 2, Section 1 authorizes the inclusion of juveniles under the age of 12 and 17 year olds. The amendment would involve including these age groups in the ordinance.

The Board Chairman opened the public hearing and asked for comments from the audience.

Harvey Anderson, owner of two bowling centers in Washington County, stated he had a question with regard to administration of this curfew and the changes proposed. He stated he was worried about his responsibility as a proprietor and that it was hard to tell who's 11 and who's 12. On Saturday nights after the movies let out it gets very busy and it's hard to keep track of who should go home when. The younger children have no ID's. He also asked what was the harm of them being at the bowling centers in the first place, they are having fun. If he kicks them out at a certain time because of age, they may not go home but hang around in the parking lots and get mad. He asked who enforces the ordinance, is it him? If he doesn't enforce the ordinance what happens to him? He feels that bowling is a nice wholesome thing to do and it's becoming more popular with the young people.

Commissioner Peterson indicated to Mr. Anderson that she and Commissioner Hauser had some of the same questions he asked when this ordinance was enacted. She stated that they were going to give this ordinance a one-year trail and revisit it next year. She noted that every city in the County supported this ordinance, so it was difficult for her not to support it also.

The Board Chairman asked for further comments; none were heard. The public hearing was closed at 5:10 p.m.

Commissioner Hegberg thought that the amendment should not include 17 year olds. He stated some 17 year olds have graduated from high school and this may be going a bit overboard.

The County Attorney indicated that to continue with the ordinance the 12 year olds need to be included. He wanted to make the Board aware of the fact that in all likelihood Anoka and Ramsey Counties are going to include 17 year olds; Hennepin and Dakota have already included 17 year olds. He would strongly recommend that 17 year olds be included in the ordinance.

Commissioner Hegberg moved to amend the ordinance amendment under Section 3 (C) to state: "It is unlawful for a juvenile, age 15 and 16, to be present in any public place or establishment within Washington County:". Commissioner Hauser seconded the motion and it was adopted with a 4-1 vote

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as follows: Yes, Commissioners Peterson, Abrahamson, Hauser and Hegberg; No, Commissioner Engstrom. The County Attorney was directed to prepare a resolution adopting amendments to Ordinance No. 115, County-wide Juvenile Curfew Ordinance, for next week's Consent Calendar.

#### **METROPOLITAN MOSQUITO CONTROL DISTRICT**

Joe Sanzone, Executive Director, Metropolitan Mosquito Control District, presented the 1996 Mosquito Control program and budget.

#### **HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

The Assistant County Attorney presented a brief update regarding the SW-1 site ownership and action to record the contract for deed for formal transfer of title of the 110 acres of SW-1 property to the City of Lake Elmo. He also recommended that the County Board not enter into binding arbitration with the City of Lake Elmo as was requested by the City of Lake Elmo in their August 7, 1995 letter.

Commissioner Engstrom moved to approve the County Attorney's recommendation to not enter into binding arbitration with the City of Lake Elmo regarding ownership of the SW-1 Site. Commissioner Peterson seconded the motion and it was adopted unanimously.

Commissioner Hauser moved to authorize staff to go ahead with a binding agreement between the Minnesota Pollution Control Agency and Washington County as operator of the SW-1 site, and leaving the City of Lake Elmo as owner of the SW-1 site to deal with the Minnesota Pollution Control Agency. Commissioner Engstrom seconded the motion and it was adopted unanimously.

A short recess was taken at 5:45 p.m.

#### **COMMUNITY SERVICES DEPARTMENT**

Patricia Cowilder, Job Training Division, presented the final report on the Job Training Partnership Act 8% Education Coordination, Frontline Women Project.

#### **PUBLIC WORKS DEPARTMENT**

The Public Works Director presented a brief overview of the Washington County Cost Participation Policy for Cooperative Highway Projects. He indicated that written comments were received on this proposed policy from the following cities: City of Oakdale, City of Cottage Grove, City of Stillwater, Stillwater Township, City of Oak Park Heights, and the City of Woodbury.



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The following individuals spoke against the proposed Cost Participation Policy and Cooperative Highway Project:

Janet Roberts, Councilwoman, City of Oak Park Heights, stated that the County has a responsibility to provide County roads that serve a County function. She requested that this plan be brought back to the drawing board and not put double taxation on municipalities.

Barry Johnson, Administrator, City of Woodbury, stated that this policy is an improvement over other draft policies in the past, and agrees with the Board that a written policy is needed. However, the City of Woodbury believes that further improvements could be made. 1) The County has a responsibility to provide a county highway system; 2) The proposed policy has the effect of shifting costs from the County to the city; and, 3) Potential loss of development to other counties and states. He requested that the Board take no action of this draft policy, that the policy be further revised, and that the County and the Cities go beyond the issue of the policy itself and work together to develop a common strategy for how to provide more adequate funding for road systems.

Dave Johnson, Supervisor, Stillwater Town Board, echoed the comments previously given. He urged the Board to step back and rethink this policy. If the roadway has County significance, then the dollars should come from the County as a whole.

Commissioner Hauser moved to adopt the Washington County Cost participation Policy for Cooperative Highway Projects. Commissioner Hegberg seconded the motion and it was adopted with a 4-1 vote as follows: Yes, Commissioners Peterson, Abrahamson, Hauser and Hegberg; No, Commissioner Engstrom.

#### **GENERAL ADMINISTRATION**

The Deputy Administrator presented an update on discussions held at an earlier workshop regarding the proposed 1996 budget. Adoption of the proposed 1996 budget will take place at next week's Board meeting.

The County Administrator announced that the Metropolitan Council will be conducting a tour of the north metro area and Chisago County on September 13 at 2:00 p.m. He indicated that there are a couple of seats remaining if any of the Commissioners are interested in attending.

#### **DISCUSSION FROM THE AUDIENCE**

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



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**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Hegberg asked the County Attorney the following questions regarding the Housing and Redevelopment Authority: 1) Can the County Attorney attend HRA meetings which take place in closed session? 2) Can the County Attorney's Office proceed as a representative if a civil lawsuit would develop?

The County Attorney stated that if he were invited by one of the Commissioners in the performance of that Commissioner's County duties, and he can assist in that capacity and there was no objection from the entity holding the closed session, he would be happy to perform that responsibility. With regard to the interest to the County Attorney's office in the day-to-day management or litigation or internal affairs of a separate entity, he thinks that the County Attorney's Office would not have any authority or responsibility.

Commissioner Hegberg asked is there anyone else that the County should notify per law of any investigation and the results of investigations? The County Attorney stated that since the County Attorney's Office has no involvement or knowledge or understanding of any investigations that may or may not be proceeding with regard to the Housing and Redevelopment Authority, we would have no responsibility for notification.

Commissioner Hauser stated that a letter was received from David L. Paraduea, Minnesota Zephyr, requesting a meeting to discuss a variance from the County Zoning Ordinance. She suggested that a letter be sent to Mr. Paraduea advising him to take this matter up with the Department of Health, Environment and Land Management as they could provide the proper process to address his request.

The Board discussed the possibility of moving up the public hearing set for September 26 to consider an amendment to the Zoning Ordinance regarding reviews by the Planning Advisory Commission on amendments to Zoning Ordinances. Staff will investigate this possibility.

**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 7:15 p.m.

September 5, 1995

**BOARD WORKSHOP WITH ADMINISTRATION AND SHERIFF'S DEPARTMENT**

The Board meeting was preceded by a workshop session with the Office of Administration and the Sheriff's Department to discuss a possible agreement with Ramsey County for jail space in the Washington County Law Enforcement Center. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Jim Schug, Jim Frank, Ted Brown, and Rod Amland, Stillwater Gazette.

**BOARD WORKSHOP WITH THE OFFICE ADMINISTRATION**

The Board meeting was preceded by a workshop session with the Office of Administration to receive final direction prior to certification of the proposed levy for payable 1996. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Jim Schug, Virginia Erdahl, Jim Frank, Ted Brown, Don Wisniewski, Jim Wells, John Devine, Richard Stafford, Joanne Helm, Brenda Davitt, Dan Papin, Scott Hovett, and Richard Arney.

Attest:



James R. Schug

County Administrator

Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 12, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, and Hegberg. Commissioner Hauser Absent. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Cindy Koosmann, County Recorder; Richard Stafford, Auditor-Treasurer; Carolyn Phelps, Public Information Aide; Dan Papin, Community Services Director; Judy Honmyhr, Human Resources Director; Jerry Turnquist, Resource Recovery Project Manager; Judy Arends, Waste Manager; Fred Feuerpfeil, Job Training Division Manager; and John Devine, Controller.

**CONSENT CALENDAR**

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

1. Approval of the August 22, 1995, Board meeting minutes.
2. Adoption of **Resolution No. 95-154** as follows:

Gambling License Renewal Application from  
Hastings Lions Club

WHEREAS, on or about August 30, 1995, the Lions Club-Hastings 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 Point, 12378 Pt. Douglas Dr. S., Hastings, in Denmark 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 Denmark.

3. Approval of applications by governmental subdivision for conveyance of tax-forfeited lands for parcel #72004-2450 and 73623-2000, by City of Woodbury.

September 12, 1995

4. Approval of application by governmental subdivision for conveyance of tax-forfeited lands for parcel #32050-2000, by City of Forest Lake.
5. Approval of application by governmental subdivision for conveyance of tax-forfeited lands for parcel #19481-3200, by City of Afton.
6. Approval of application by governmental subdivision for conveyance of tax-forfeited lands for parcel #93030-2250, by City of Hugo.
7. Approval of applications by government subdivision for conveyance of tax-forfeited lands for parcel #27346-2000, 27595-3980 and 28235-2100, by City of Cottage Grove.
8. Approval to apply for Americorp/Youthworks funding in the amount of \$56,573.
9. Adoption of **Resolution No. 95-155** as follows:

County Veterans Service Office  
Operational Improvement Grant

BE IT RESOLVED, that Jon Larson, Veterans Service Officer, act as the legal sponsor for project(s) contained in the County Veterans Service Officers Grant Application submitted on September 12, 1995 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.

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.

10. Approval of an agreement between Washington County and Chisago County for household hazardous waste management services.
11. Approval of household hazardous waste inter-county reciprocal use agreement amendment #2.
12. Adoption of **Resolution No. 95-156** as follows:

September 12, 1995

Renew Participation in the Minnesota  
Pollution Control Agency 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

WHEREAS, the Minnesota Pollution Control Agency has requested that Washington County renew its participation 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 County Board of Commissioners adopt the requirements of the Minnesota Pollution Control Agency Special Waste Pilot Project as set forth in the document entitled "Special Waste Pilot Project License Renewal Survey Document" for special licensure and the Department of Health Environment and Land Management (Department) has the approval to issue special licenses to regulate entities, and continues to waive the requirements of the Washington County Hazardous Waste Management Ordinance, according to Section 6.01.

AND BE IT FURTHER RESOLVED, that the licenses issued waiving the provisions of the Ordinance shall terminate on September 20, 1997, 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 fees 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.

13. Approval to advertise for bids for 6,000 recycling containers for recycling programs in rural townships/cities.
14. Adoption of **Resolution No. 95-157** as follows:

September 12, 1995

Single Family Mortgage Revenue  
Refunding Bonds

WHEREAS, in accordance with Minnesota Statutes, Chapter 462C (the "Act"), the Washington County Housing and Redevelopment Authority (the "Authority") proposes to issue together with certain other issuers, up to \$3,700,000 Single Family Mortgage Revenue Refunding Bonds (the "Refunding Bonds") to finance the acquisition by low and moderate income first-time homebuyers of single family homes; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Refunding Bonds must be approved by the "applicable elected representative" of the Authority; and

WHEREAS, pursuant to Section 147(f)(ii)(E) of the Code, the Washington County Board of Commissioners is the "applicable elected representative" for the issuance of tax-exempt bonds by the Authority;

THEREFORE, BE IT RESOLVED by the Washington County Board of Commissioners that the issuance of the Refunding Bonds by the Authority or by the Authority and other governmental units pursuant to Minnesota Statutes, Section 471.59 is hereby approved.

15. Approval of revised Section 11 (Retirement) of the County Personnel Rules and Regulations.
16. Approval of the plat of Stonehenge, Stillwater Township.
17. Information only - Recorder fees for the month of August, 1995.
18. Adoption of **Resolution No. 95-158** as follows:

Resolution Adopting an Ordinance  
Amending Washington County Ordinance No. 115  
County-Wide Juvenile Curfew Ordinance

WHEREAS, Minn. Stat. § 145.A.05, Subd. 7(A) (1994) provides that a county board may adopt an ordinance establishing a county-wide curfew for persons under seventeen (17) years of age; and

WHEREAS, on May 23, 1995, the Washington County Board of Commissioners adopted Ordinance No. 115 establishing a county-wide juvenile curfew ordinance; and

WHEREAS, Minn. Stat. § 145A.05, Subd. 7(A) was amended by the 1995 Legislature in a manner which permitted curfew ordinances covering persons under the age of eighteen (18) years of age and requiring that county boards that adopt a curfew ordinance pursuant to this legislative authority, include an earlier curfew for children under the age of twelve (12) than for older children; and



September 12, 1995

WHEREAS, it has been proposed that Washington County adopt an ordinance that amends Ordinance No. 115 by establishing an earlier curfew for persons under the age of twelve (12) than for older children; and

WHEREAS, a public hearing was held on September 5, 1995 on the proposed amendment to Washington County Ordinance No. 115, County-Wide Juvenile Curfew Ordinance; and

WHEREAS, because of their lack of maturity and experience, juveniles under the age of twelve are particularly susceptible to becoming victims of older perpetrators. The younger a person is, the more likely he or she is to become a victim of crime. While parents have the primary responsibility to provide for the safety and welfare of juveniles, Washington County has an interest in preventing juvenile crime, promoting parental supervision and providing for the well-being of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners adopt the attached ordinance amending Washington County Ordinance No. 115, County-Wide Juvenile Curfew Ordinance, to be effective the day after its publication according to law.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Washington County Administrator cause the Ordinance to be published in its entirety pursuant to statute.

WASHINGTON COUNTY  
JUVENILE CURFEW  
ORDINANCE #115 AMENDMENT

WASHINGTON COUNTY  
ORDINANCE NO. 116

AN ORDINANCE AMENDING THE WASHINGTON COUNTY  
JUVENILE CURFEW ORDINANCE #115

The Board of Commissioners of Washington County ordains:

**SECTION 1:**

The Washington County Juvenile Curfew Ordinance #115 is hereby amended as follows:

Delete Section 3 in its entirety and replace with the following language:

**SECTION 3: PROHIBITED ACTS**

(A) It is unlawful for a juvenile under the age of 12 to be present in any public place or establishment within Washington County:

- (1) any time between 9:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday and 5:00 a.m. of the following day.
- (2) any time between 10:00 p.m. on any Friday or Saturday and 5:00 a.m. on the following day.

September 12, 1995

(B) It is unlawful for a juvenile from age 12 through 14 to be present in any public place or establishment within Washington County:

- (1) any time between 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday and 5:00 a.m. of the following day.
- (2) any time between 11:00 p.m. on any Friday or Saturday and 5:00 a.m. on the following day.

(C) It is unlawful for a juvenile, ages 15 and 16, to be present in any public place or establishment within Washington County:

- (1) any time between 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday and 5:00 a.m. of the following day.
- (2) any time between 12:01 a.m. and 5:00 a.m. on any Saturday or Sunday.

(D) It is unlawful for a parent or guardian of a juvenile knowingly, or through negligent supervision, to permit the juvenile to be in any public place or establishment within Washington County during the hours prohibited in paragraphs (A) (B) and (C) of this section.

(E) It is unlawful for a proprietor of an establishment within Washington County to knowingly permit a juvenile to remain in the establishment or on the establishment's property during the hours prohibited in paragraphs (A) (B) and (C) of this section.

If the proprietor is not present at the time of curfew violation, the responding officer shall leave written notice of the violation with an employee of the establishment. A copy of the written notice shall be served upon the establishment's proprietor personally or by certified mail.

## SECTION 2:

The Washington County Juvenile Curfew Ordinance #115 is hereby amended as follows:

Delete Section 5 in its entirety and replace with the following language:

## SECTION 5: PENALTY

(A) Violation of Section 3 (A), (B) or (C) will be prosecuted pursuant to Minn. Stat. §260.195 and will be subject to the penalties therein.

(B) Violation of Section 3 (D) or (E) is a misdemeanor and will be subject to the penalty set forth in Minn. Stat. §609.09 (3).

## 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.

September 12, 1995

Passed by the Board of Commissioners of Washington County, Minnesota,  
this 12th day of September, 1995.

The foregoing Consent Calendar was adopted unanimously; Commissioner Hauser absent

**RESOURCE RECOVERY PROJECT**

Commissioner Engstrom moved to adopt **Resolution No. 95-159** as follows:

Resource Recovery Project 1996 Budget

WHEREAS, the Ramsey and Washington County Resource Recovery  
Project Board shall prepare and submit an annual budget for Ramsey and  
Washington County Board approval; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project  
Board reviewed the budget and recommends to the Ramsey County Board  
of Commissioners and the Washington County Board of Commissioners  
that it be adopted; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project  
Board is financed from interest earnings on the Project's fund balance,  
Project fund balance and from Ramsey and Washington Counties'  
participation;

NOW THEREFORE BE IT RESOLVED, the Washington County Board  
of Commissioners hereby approves the Resource Recovery Project's 1996  
Operating Budget as follows:

	<u>Appropriation</u>
58111 Administration	\$ 462,035
58112 Project Cost	\$ 73,860
58113 Service Fee	<u>\$4,800,000</u>
	\$5,335,895
	<u>Financing Sources</u>
Washington Co. Participation	\$1,080,000
Ramsey County Participation	\$2,920,000
Interest Income	\$ 335,895
Project Board Fund Balance	<u>\$1,000,000</u>
	\$5,335,895

Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hauser  
absent.

**GENERAL ADMINISTRATION**

**Proposed Budget for Payable 1996**

September 12, 1995

Commissioner Peterson moved to adopt **Resolution No. 95-160** as follows:

Resolution Adopting the Washington County  
Proposed Budget for Payable 1996

OPERATING FUNDS	EXPENDITURES	REVENUE OTHER THAN LEVY	FUND BALANCE INC./(DEC)	GROSS LEVY	HACA	CERTIFIED LEVY
General Government	\$46,982,200	\$23,468,700	(\$1,246,300)	\$22,267,200	\$3,378,539	\$18,888,662
Social Services	25,403,300	14,831,900	0	10,571,400	1,603,968	8,967,432
Public Works-Road & Bridge	12,818,600	9,010,700	0	3,807,900	577,762	3,230,138
Public Works-Parks	881,400	479,500	(22,700)	379,200	57,535	321,665
Regional Rail Authority	16,300	0	(16,300)	0	0	0
Library	3,384,400	249,900	(106,700)	3,027,800	459,399	2,568,401
Debt Service - County Wide	6,670,300	805,600	672,400	6,537,100	991,855	5,545,245
Debt Service - Library District	160,600	4,500	12,900	169,000	25,642	143,358
Debt Service - Ramsey Washington Metro Watershed District	194,200	12,000	(182,200)	0	0	0
Subtotal:	\$96,511,300	\$48,862,800	(\$888,900)	\$46,759,600	\$7,094,700	\$39,664,900
<b>CAPITAL FUNDS</b>						
CIP Bond Projects	780,000	210,000	(570,000)	0	0	0
Historic Courthouse Restoration	13,000	13,000	0	0	0	0
Big Marine Regional Park	1,042,000	1,042,000	0	0	0	0
Capital Repair Fund	0	250,000	250,000	0	0	0
Subtotal:	\$ 1,835,000	\$ 1,515,000	(\$320,000)	\$0	\$0	\$0
Total 1996 Budget:	\$98,346,300	\$50,377,800	(\$1,208,900)	\$46,759,600	\$7,094,700	\$39,664,900

Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

Certifying Proposed Property Tax Levy

Commissioner Peterson moved to adopt **Resolution No. 95-161** as follows:

Resolution Certifying Proposed Property Tax Levy for  
Washington County for Payable 1996

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following proposed property tax levies for payable 1996:

Washington County	\$39,664,900
Washington County HRA	\$ 983,800

Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

September 12, 1995

**Commissioner Liaison to the Housing and Redevelopment Authority**

Commissioner Abrahamson moved to appoint Commissioner Myra Peterson as liaison to the Washington County Housing and Redevelopment Authority Board. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson requested that the Board consider adopting term limits to those committees and advisory boards not currently participating in term limits such as watersheds and the HRA Board. Commissioner Abrahamson suggested this matter be discussed at a workshop after the first of the year.

Commissioner Peterson gave a report on an AMC District X meeting she attended. Items discussed were: 1) Local governments holding down their taxes and reduction of budgets and that a letter should be sent to the Governor indicating that we have held down the county's taxes and hope that he does the same with the State's budget. 2) Discussion on County Commissioner appointments to committees and boards and how to better utilize the Commissioner's time.

Commissioner Peterson suggested holding a workshop to discuss 1996 legislative priorities before meeting with the County Legislative delegation on September 26.

Commissioner Hegberg stated that the Browns Creek Water Management Organization is looking into the possibility of becoming a watershed district, which would allow them to tax the people who reside in the watershed district who benefit from improvements made. He also indicated that high water remains in this area and it is still covering the edges on County Road 57.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

Commissioner Hegberg moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously; Commissioner Hauser absent. The Board meeting adjourned at 9:50 a.m.

September 12, 1995

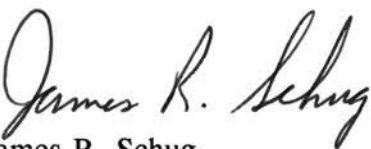
**BOARD WORKSHOP WITH COURT SERVICES DEPARTMENT**

The Board met in workshop session with the Court Services Department to discuss caseload reduction funding. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, and Hegberg. Also present were Jim Schug, Russ Reetz, Dave Wiles, Barb Illsley, Kristin Tuenge and Maureen Walton.

**BOARD WORKSHOP WITH PUBLIC WORKS DEPARTMENT**

The Board met in workshop session with the Public Works Department to discuss pavement management system for the County road system. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, and Hegberg. Also present were Jim Schug, Don Wisniewski, Don Theisen, and Jack Perkovich.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 19, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, and Hegberg. Commissioner Hauser absent. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Richard Arney, County Attorney; Robert Lockyear, Planning and Administrative Services Director; Mary McGlothlin, H.E.L.M. Director; Judy Arends, Waste Manager; Marie Sunlitis, Court Administrator; Bill Funari, Deputy Court Administrator; Don Wisniewski, Public Works Director; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of one day on sale non-intoxicating malt liquor license for L.W. Skating Park Committee, October 7, 1995.
2. Adoption of **Resolution No. 95-162** as follows:

South Washington Watershed District Loan (Extension)

WHEREAS, at the September 28, 1993, Washington County Board of Commissioners Meeting, the Cottage Grove Ravine Watershed District (renamed the South Washington Watershed District in 1995) requested a loan (advance) from the County, in the amount of \$200,000 for operational funding.

WHEREAS, the Washington County Auditor-Treasurer recommended that the County loan (advance) the 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, at the March 8, 1994, Washington County Board of Commissioners Meeting, authorization was adopted to execute on behalf of the County a loan agreement with the District in an amount up to \$200,000 at the interest rates on State Court Judgment and Arbitration Awards (Res. 94-038).

WHEREAS, the District has requested that the County permit the previous loan agreement to continue so that the District can repay the loan to the County out of the tax levy payments that will be received in December '95, and July and December '96.

WHEREAS, the District has the opportunity to purchase land to avoid significant additional expenses that may be incurred if the District delays the acquisition, due to potential development.

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NOW, THEREFORE, BE IT RESOLVED, that the County Board authorize the extension of the County's loan agreement with the South Washington 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 South Washington Watershed District per the loan (advance) agreement.

3. Adoption of **Resolution No. 95-163** as follows:

Resolution Accepting Renewal of  
One-Year Federal Grant

BE IT RESOLVED, that Washington County Attorney's Office enter into a cooperative agreement with the Office of Drug and Violence Prevention in the Minnesota Department of Public Safety for the Project entitled Washington County Attorney's Office during the period from January 1, 1996 through December 1, 1996.

The First Assistant County Attorney is hereby authorized to execute such agreements and amendments, as necessary to implement the project on behalf of Washington County Attorney's Office.

4. Adoption of **Resolution No. 95-164** as follows:

Authorization to Execute Grant Agreement  
with the Minnesota Department of Corrections

BE IT RESOLVED, that Washington County authorizes acceptance of a grant from the State of Minnesota for Intensive Probation Programs for Repeat DWI Offenders for a nine-month period of October 1, 1995 through June 30, 1996. The following persons are hereby authorized to sign the grant and any amendments or supplements that are necessary:

1. Wally Abrahamson, County Board Chairman
2. James R. Schug, County Administrator

5. Approval to execute agreements with the Cities of Afton, Oak Park Heights, St. Paul Park and Stillwater, and authorize payments for distribution of curbside recycling funds in the amount of \$106,433.

6. Adoption of **Resolution No. 95-165** as follows:

Request to Establish a Construction  
Zone Speed Limit on CSAH 13

WHEREAS, construction at Hudson Road and Tamarack Road, and construction of traffic signals at these intersections, will affect traffic on CSAH 13 (Radio Drive) for approximately six months; and

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WHEREAS, the impact to traffic will be ongoing; and

WHEREAS, the Woodbury City Engineer, the Washington County traffic engineering staff, and MN/DOT traffic engineering staff agree that posting of a Construction Zone Speed Limit will substantially improve traffic safety in the area;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Public Works to request the Commissioner of the Minnesota Department of Transportation to establish a Construction Zone Speed Limit on CSAH 13 (Radio Drive) from Tamarack Road to FAI 94 and to post such speed limits for the duration of the construction work.

7. Bids were received for boiler replacement at Public Works North Shop as follows:

	<u>Bid Amount</u>	<u>Alt. 1</u>
Conrad Mechanical	\$46,880	\$ 5,800
Northern Air Corp	\$48,298	\$10,231
Nimis Newman Mechanical	\$66,600	\$ 9,000

Adoption of **Resolution No. 95-166** as follows:

Award of Contract for Boiler Replacement at  
Public Works to Conrad Mechanical

WHEREAS, in order to facilitate the boiler replacement at the Public Works North Shop, the County solicited bids for this project; and,

WHEREAS, bids were opened on September 11, 1995, with Conrad Mechanical being the lowest responsible bidder;

NOW THEREFORE BE IT RESOLVED, that the bid of Conrad Mechanical be accepted and the County enter into a contract with Conrad Mechanical under the terms and conditions as set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Conrad Mechanical 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.

8. Bids were received for reroofing at Public Works North Shop as follows:

All Weather Roof, Inc.	\$64,830
Dalbco Roofing	\$67,743
Commercial Roofing	\$68,670

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All Systems Roofing	\$69,845
Berwald Roofing, Inc.	\$76,882

Adoption of **Resolution No. 95-167** as follows:

Award of Contract for Reroofing at Public Works  
North Shop to All Weather Roof, Inc.

WHEREAS, in order to facilitate the reroofing of the Public Works North Shop warm storage area, the County solicited bids for this project; and,

WHEREAS, bids were opened on September 5, 1995, with All Weather Roof, Inc. being the lowest responsible bidder;

NOW, THEREFORE BE IT RESOLVED, that the bid of All Weather Roof, Inc. be accepted and the County enter into a contract with All Weather Roof, Inc. under the terms and conditions as set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and All Weather Roof, 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.

9. Adoption of **Resolution No. 95-168** as follows:

Resolution Granting Easement to City of Oakdale

WHEREAS, the City of Oakdale needs to drill another municipal well on city land near the corner of Hilo Avenue and Stillwater Boulevard (CSAH 6); and

WHEREAS, Minnesota Statutes 103i.101 and ensuing Rule 4725.5850 require that the owner of a public water system well must own or legally control (through an easement) the property within a 50-foot radius of that well; and

WHEREAS, in order to comply with Minnesota Statutes 103i.101 and Rule 4725.5850, the City of Oakdale needs a wellhead protection easement on that portion of CSAH 6 right of way described below; and

WHEREAS, the required wellhead protection easement will not detrimentally affect the use or future use of CSAH 6.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners grant an easement for wellhead protection to the City of Oakdale on the following described property:

Commencing at the Northeast Corner of Lot 31, Block 8,  
HILLVALE SECOND EDITION, Washington County, Minnesota;  
thence on a bearing S 81°05'25" W a distance of 40 feet to the

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point of beginning; thence on a bearing N 00°41'09" W a distance of 17 feet; thence on a bearing S 81°05'25" W a distance of 75 feet; thence on a bearing of S 00°41'09" E a distance of 17 feet; thence on a bearing of N 81°05'25" E a distance of 115 feet to the point of beginning, and there ending.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes its Chairman and Administrator to execute on behalf of the County an easement and any other document necessary for the County to grant the easement described above.

10. Adoption of **Resolution No. 95-169** as follows:

Request to Conduct a Speed Survey on CSAH 10  
from TH 120 to CSAH 21 and on CSAH 21  
from CSAH 14 to CSAH 23

WHEREAS, construction and traffic control changes have created significant changes to both CSAH 10, from TH 120 to CSAH 21, and CSAH 21, from CSAH 14 to CSAH 23; and

WHEREAS, these changes have rendered present speed limits obsolete;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Public Works to request that the Commissioner of the Minnesota Department of Transportation conduct a survey to determine the reasonable and safe speed limits for these roads and to post such limits.

11. Adoption of **Resolution No. 95-170** as follows:

Execute a Joint Agreement for Purposes of Developing  
and Maintaining an Automated Public Health  
Information System

WHEREAS, the Washington County Board of Commissioners supports the efforts of staff from Anoka, Carlton, Dakota, Itasca, Olmsted, Sherburne, St. Louis, Washington and Wright counties to develop a public health information system for maternal and child health (MATCHS) for use by County Public Health staff; and

WHEREAS, representatives of Anoka, Carlton, Dakota, Itasca, Olmsted, Sherburne, St. Louis, Washington and Wright Counties have formed a MATCHS Steering Committee to make decisions related to software development, maintenance and expansion; and

WHEREAS, all parties to this venture are units of local government responsible for assuring the delivery of maternal and child health services, which include the recording and reporting client information; and



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WHEREAS, participating together in the planning, review and development of an automated MATCHS system will result in monetary savings for the individual counties involved; and

WHEREAS, the ownership rights and maintenance responsibilities over the MATCHS software among the nine counties must be clearly defined; and

WHEREAS, Dakota County has been designated to continue to act as the project administrator and fiscal agent for the MATCHS systems development.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Washington County Board of Commissioners is hereby authorized to execute the Joint Agreement with the counties of Anoka, Carlton, Itasca, Olmsted, Sherburne, St. Louis, Washington and Wright for the purpose of defining the ownership rights and ongoing maintenance obligations of the counties for the MATCHS software, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorizes the Director of Health, Environment and Land Management to appoint Washington County representatives to the Steering Committee, Expert Committee, and Technical Committee in accordance with the provisions of the Joint Agreement.

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

## **GENERAL ADMINISTRATION**

### **Excellence in Service Week**

Commissioner Engstrom read the following proclamation into the record:

#### Excellence in Service Week Washington County Court Administration Employees

WHEREAS, Minnesotans are served by more than 2,000 state court system employees in 87 courthouses, including the Washington County Government Center; and

WHEREAS, these dedicated public servants assist Minnesotans in resolving some of the most personal and public matters that affect their lives and their livelihoods; and

WHEREAS, in Washington County, these disputes come to court employees in the form of more than 41,000 cases annually and that number is increasing every year; and

WHEREAS, these same employees have given Minnesota's state court system a national reputation for efficiency and innovation; and



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WHEREAS, employees in several judicial districts are adapting total quality management techniques from the business community to the court system, within the standards of fairness and justice, to further enhance the system's ability to serve; and

WHEREAS, most court system work is made up of thousands of actions and transactions performed every day behind the scenes by dedicated employees - many of who are unsung heroes - to make the system as responsive to citizens' needs; and

WHEREAS, judicial employees take seriously the fact that the work of the courts has an impact on the daily lives of all Minnesotans, from birth to death; and

WHEREAS, Washington County's court personnel are recommitting themselves to a high standard of excellence and hard work on behalf of the diverse publics they serve; and

WHEREAS, respectful, cooperative and professional relationships among judges and staff people are crucial to providing comprehensive and responsive service.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners proclaim the week of September 25, 1995 as

"Excellence in Service Week"

#### **Agreement with City of Lake Elmo for Cleanup of SW-1 Landfill Site**

The County Administrator presented a brief overview and conditions for a proposed agreement with the City of Lake Elmo for the cleanup of the SW-1 Landfill site. Mayor Wyn John, City of Lake Elmo spoke in favor of the agreement.

Commissioner Peterson moved to approve the agreement with the City of Lake Elmo for cleanup of SW-1 Landfill site and authorized the County Board Chair and Administrator to execute the Warranty Deed and make the payment of \$213,000 to the City of Lake Elmo upon final execution of the binding agreements with the Minnesota Pollution Control Agency. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

#### **Housing and Redevelopment Authority Board Appointment**

Commissioner Peterson moved to accept the resignation of Phillip McMullen from the Washington County Housing and Redevelopment Authority Board. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

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Commissioner Peterson moved to appoint William A. Buth, Cottage Grove, to the Washington County Housing and Redevelopment Authority Board to fill an unexpired term to December 31, 1998. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

### **Guardian Ad Litem Program**

Judge Howard Albertson presented reports to the County Board regarding the Guardian Ad Litem program with a recommendation that the program be separate from the Court system. He indicated that this was a unanimous decision and recommendation from all the Judges. Board action on this recommendation will be brought back for discussion at a later date.

### **DISCUSSION FROM THE AUDIENCE**

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

### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson informed the Board that she will be attending a Dual Track Airport meeting this afternoon. The Metropolitan Airports Commission has recommended that there not be an off-site remote runway. She indicated that Dakota County is concerned that this land will be placed into a "bank" and it will not be available for development for the future leaving the citizens of Dakota County in limbo. She suggested that Washington County may want to support Dakota County's activities to bring this to a closure one way or the other. The County Administrator indicated that he would contact Dakota County and ask them for any written recommendation or policy requests that they are considering and then bring those back to our Board for discussion.

Commissioner Peterson informed the Board of the following events: Candlelight march in North St. Paul at 6:00 p.m. sponsored by VFW Post 1350 for the POW's and MIA's; The Board of Innovation will be hosting meetings with cities in Washington County on October 5 and November 7; and, on September 25, there will be a hearing in Cottage Grove School District talking about transportation issues in the metro area.

Commissioner Abrahamson asked the County Attorney to look at State Statue 343.11 regarding financial support for animal shelters in the amount of \$4,800. He indicated that he has met with the St. Croix Animal Shelter and that they brought this statute to his attention. The County Attorney stated he would look at the statute and report back to the Board through memorandum with regard to the County's position on mandated financial responsibility.

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**Future Meetings**

The County Administrator updated the Board members on future meetings: 1) The meeting with May Township and Metropolitan Council set for November 2 to discuss Square Lake Park, will be noticed so all Commissioners may attend; 2) Meeting with Park and Open Space Commission to discuss use of park fees with possible dates of October 10, 17 and 19; 3) Public Hearing for the Comp Plan scheduled for October 3. Commissioner Engstrom requested that the continuation date for that public hearing be scheduled for October 10 instead of October 4 because Yom Kippur begins on October 3 at sundown, and goes through October 4. He is requesting the October 10 date for the continuation for those people who cannot attend on the 3rd.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**EXECUTIVE SESSION**

Commissioner Hegberg moved to go into Executive (Closed) Session to discuss negotiation strategy for 1996-1997 agreement with employees represented by AFSCME. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hauser absent. The Board went into Executive Session at 9:45 a.m. Present for the Executive Session were Commissioners Abrahamson, Peterson, Engstrom and Hegberg. Also present were James Schug, Richard Arney, Frank Madden, Judy Honmyhr, Shari Bowers, and Patricia Raddatz.

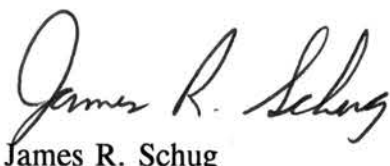
**ADJOURNMENT**

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

**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss legislative priorities for 1996. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson and Hegberg. Also present were James Schug, Bob Lockyear, Susan Ladwig, Richard Arney, Mary McGlothlin, Don Wisniewski, Dan Papin, John Devine, and Cindy Koosmann.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 26, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Richard Arney, County Attorney; Mike Gripentrog, I.S. Director; Barb White, I.S. Department; Mary McGlothlin, H.E.L.M. Director; Carolyn Phelps, Public Information Aide; Don Wisniewski, Public Works Director; Larry Nybeck, County Surveyor; Fred Feuerpfeil, Job Training Division Manager; Robert Lockyear, Director of Planning and Administrative Services; Beth Heiss, Central Services Division; Dan Papin, Community Services Director; Sue Fennern, Human Resources; and Rick Backman, Community Services Division Manager.

**CONSENT CALENDAR**

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

1. Approval of the September 5 and 12, 1995 Board meeting minutes.
2. Approval to advertise for 1996 newspaper publication of County legal notices.
3. Bids were received for office supplies as follows:

St. Paul Book and Stationery	\$55,554.71
American Office Supply	\$58,458.95
S&T Office Products, Inc.	\$59,199.48

Adoption of **Resolution No. 95-171** as follows:

**Award of Contract for Office Supplies to  
St. Paul Book and Stationery**

WHEREAS, the County wishes to enter into an agreement with a contractor for the purpose of purchasing office supplies during the time period of October 1, 1995 through September 30, 1996; and

WHEREAS, bids were solicited via advertisement with three responses from office supply contractors received; and

WHEREAS, St. Paul Book and Stationery Company is the lowest responsible bidder;

NOW, THEREFORE BE IT RESOLVED, that the County enter into an agreement with St. Paul Book and Stationery Company to purchase its

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office supplies during the time period of October 1, 1995 through September 30, 1996, with the option to renew two additional twelve month time periods upon mutual agreement of the County and the Contractor. The agreement is to be executed through the signatures of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator.

4. Adoption of **Resolution No. 95-172** as follows:

Certifying Parcels of Land on Forfeiture Sale  
List Have Been Viewed and Comply with  
Provisions of the Minnesota Statutes  
Governing the Sale

BE IT RESOLVED, that the Washington County Board of Commissioners hereby certifies that all parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 subd. 8, 282.018 and the 1991 Laws of Minnesota Ch. 354, Art. 10, Sec. 9, amending M.S. Sec. 282.018 subd. 2 (1990). The County Board of Commissioners hereby certifies that either the County Land Commissioners or the Soil and Water Conservation Board of the district in where the land is located has reviewed the land sale list and identified any and all nonforested marginal land and wetland.

5. Approval of applications by Government Subdivision for conveyance of tax-forfeited lands for parcels 9270-7630, 9850-2005, 11221-6260 & 11221-6270, by City of Stillwater.
6. Approval to issue and receive requests for proposals for home care and related services for calendar 1996.
7. Approval of contract with Stivland, Inc., dba Harbor Shelter and Counseling Center for period October 16, 1995 to December 31, 1996.
8. Approval to appoint Ron E. Dockery to fill vacancy on the Private Industry Council for a term beginning September 26, 1995 through June 30, 1996.
9. Approval for County Board Chairman to sign cover letter for Washington County workforce center local integration plan.
10. Approval of update to program year 1995 (7/1/95 - 6/30/96) Job Training Partnership Act (JTPA) Local Plan for Employment and Training (LPET).
11. Approval of administrative agreement with Ramsey County for Economic Dislocation Workers Adjustment Assistance Act.



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12. Approval of Minnesota Youth Works/Americorps program grant in the amount of \$71,225 to operate from September 1, 1995 to August 31, 1996.
13. Approval to execute agreements with the Cities of Birchwood and Oakdale and Forest Lake Township and authorize payments for distribution of curbside recycling funds in the amount of \$170,010.
14. Approval of contract renewal for consulting services with Frank Madden & Associates for the contract period of October 1, 1995 through September 30, 1996.
15. Approval of banding and grading of the new job description of Jail Administrator in the Sheriff's Department at D61-1; approval of job description.
16. Bids were received for the purchase of NEC Series III Equipment and trade-in old NEC Series One equipment as follows:

Enhanced Communications, Inc.	\$88,117.03
Matrix	\$93,629.74
US Telphonics	\$98,943.71
Vicom	\$99,559.39

Adoption of **Resolution No. 95-173** as follows:

Award of Contract for NEC Series III Equipment to  
Enhanced Communications, Inc.

WHEREAS, in order to facilitate the upgrade of NEC Series III equipment to provide more dependable service to users in the Washington County Government Center, the County solicited bids for the project; and,

WHEREAS, bids were opened on August 6, 1995, with Enhanced Communications, Inc. being the lowest responsible bidder;

NOW THEREFORE BE IT RESOLVED, that the bid of Enhanced Communications, Inc. be accepted and the County enter into a contract with Enhanced Communications, Inc. under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Enhanced Communications, Inc., be executed through the signature of the Chairman of the Washington County 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.



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17. Adoption of **Resolution No. 95-174** as follows:

Right of Way Acquisition of CSAH 16

BE IT RESOLVED that Washington County proceed to reconstruct and improve County State Aid Highway 16 between Interlachen Parkway and 800 feet east of St. John's Drive in the City of Woodbury

And that the officers of said County, including the County Engineer, the County Administrator and the County Attorney, shall proceed and are hereby authorized to proceed to acquire by purchase or condemnation, right of way to establish said highway plus sight corners and the necessary drainage or slope easements, and such officers are specifically authorized to take such action and execute such instruments if any be necessary, to acquire said rights of way.

18. Approval and execution of lease of space for office use in the "old lunchroom" of the Government Center with Universal Title and Equity Title.

19. Adoption of **Resolution No. 95-175** as follows:

Signal Construction Agreement No. 73999 and  
Maintenance Agreement No. 74130-R with  
Minnesota Department of Transportation

BE IT RESOLVED, that the County of Washington enter into Agreement No. 73999 and Agreement No. 74130-R with the State of Minnesota, Department of Transportation, for the following purposes, to-wit:

To provide for payment by the County to the State of the County's share of costs and participation in the construction and maintenance associated with the signal installation on CSAH 2 (Broadway Avenue) and 12th Street in the City of Forest Lake.

BE IT FURTHER RESOLVED, that the proper County officers are hereby authorized and directed to execute such agreement.

20. Approval of agreement with Northern States Power for removal of slag fill from County property in Oak Park Heights.
21. Approval to offer Step F of the salary range to the successful candidate to the vacancy of GIS Survey and Land Information Coordinator.
22. Authorization for Board Chairman to sign letter to Governor Carlson urging Minnesota's representatives and other House members to proceed on passing a federal flow control legislation currently being considered by the House.

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The foregoing Consent Calendar was adopted unanimously.

**PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**  
**Amendment to Zoning Ordinance, Section 508.01**

The Board Chairman presented an overview of today's public hearing to consider an amendment to the Washington County Zoning Ordinance, Section 508.01, which would allow the Washington County Board to amend the text of the Washington County Zoning Ordinance without first referring the amendment to the Planning Advisory Commission for study and report as is presently required by the ordinance.

The Secretary to the Board read into the record the notice of intent to adopt said amendment. The Board Chairman declared the public hearing open.

The Board Chairman asked for comments from the audience; none were heard. It was noted that all documentary evidence was made a part of this record. Commissioner Hegberg moved to close the public hearing. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Hegberg moved to adopt **Resolution No. 95-176** as follows:

Resolution Enacting Amendment to  
Washington County Zoning Ordinance  
Section 508.01

WHEREAS, the Washington County Board of Commissioners has authority under Minnesota Statutes Chapter 394 to carry on county planning and zoning activities; and

WHEREAS, Minnesota Statutes Chapter 394.24 authorizes the County Board to adopt official controls for purposes of carrying out its zoning activities; and

WHEREAS, the Washington County Board of Commissioners adopted their official zoning controls by ordinance on November 9, 1979; and

WHEREAS, these official controls became effective upon publication on December 4, 1979; and

WHEREAS, the County Board has interest in amending Section 508.01 of the Washington County Zoning Ordinance; and

WHEREAS, pursuant to Section 508.01, the County Board referred their proposed amendment to the Washington County Planning Advisory Commission for study, report and recommendation; and

WHEREAS, the Washington County Planning Advisory Commission heard and discussed the County Board's requested amendment to Section 508.01 at their meeting of August 22, 1995; and

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WHEREAS, the recommendation of the Washington County Planning Advisory Commission was provided to the Washington County Board of Commissioners on September 5, 1995; and

WHEREAS, the County Board provided public notice of its intent to amend Section 508.01 of the Washington County Zoning Ordinance as recommended to them by the Washington County Planning Advisory Commission; and

WHEREAS, the County Board held a public hearing on the proposed ordinance amendment on Tuesday, September 26, 1995;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners, having heard and considered the recommendation of the Planning Advisory Commission and the public, does hereby adopt Ordinance #117 as attached hereto and authorizes its publication according to law.

#### ZONING ORDINANCE AMENDMENT

Washington County Ordinance No. 117

#### AN ORDINANCE AMENDING THE WASHINGTON COUNTY ZONING ORDINANCE REGULATING LAND USE IN WASHINGTON COUNTY.

The Board of Commissioners of Washington County ordains:

Section 1: Amend the Washington County Ordinance by deleting Section 508.01 in its entirety and replacing it with the following language:

An amendment to this ordinance may be initiated by the County Board, the Planning Commission or by petition of affected property owners, as defined herein. A petition by affected property owners shall be presented to the County Board of Commissioners. Any amendment to an official zoning district map shall be referred to the Planning Advisory Commission. The County Board, at its option, may refer any other proposed amendment to the Planning Advisory Commission for study and report. In the event the County Board refers an amendment to the Planning Commission, the Board shall not act on the proposed amendment until it has received the recommendation of the Planning Commission or until sixty (60) days have elapsed from the date of reference of the amendment without a report by the Planning Commission.

Section 2: The Zoning Administrator is hereby directed to change the Washington County Zoning Ordinance in accordance with the foregoing amendment.

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.

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Passed by the Board of Commissioners of Washington County, Minnesota  
this 26th day of September, 1995.

Commissioner Peterson seconded the motion and it was adopted unanimously.

**Set Public Hearing Date to Amend the Washington County Zoning Ordinance, Section 602.02(5)**

Commissioner Hauser moved to set October 10, 1995, 9:00 a.m. as the date of public hearing to consider amending Section 602.02(5) of the Washington County Zoning Ordinance. Commissioner Peterson seconded the motion and it was adopted unanimously.

**WASHINGTON COUNTY STAR TRAIL ASSOCIATION**

Nora Gallmeyer, Washington County Star Trail Association, requested that Washington County enter into an agreement with the Star Trail Association for use of the railroad bed that runs between Hugo and Forest Lake. Commissioner Peterson asked that letters of approval from the Cities of Forest Lake and Hugo, and Forest Lake Township be provided to the County before any agreement is entered. Commissioner Peterson indicated that this item could be brought back on the Consent Calendar.

**MINNESOTA DEPARTMENT OF NATURAL RESOURCES**

**Boating Rules on the St. Croix**

Commissioner Engstrom moved to adopt **Resolution No. 95-177** as follows:

**Resolution Concerning Boating on the St. Croix**

WHEREAS, on June 6, 1995, the Washington County Board of Commissioners, in response to problems concerning boat wakes, adopted Resolution No. 95-087, supporting the proposed rule amendments extending the current slow, no-wake zone in the Hudson Narrows on the St. Croix River; and

WHEREAS, this resolution was forwarded to the Minnesota Department of Natural Resources as required by Minnesota Statutes § 86B.205; and

WHEREAS, the Minnesota Department of Natural Resources proposed to:

- 1) make the Hudson area a slow-no wake zone to make it consistent with the existing zone, eliminate confusion and comply with the adopted Wisconsin rule; and
- 2) study the area from approximately mile 31.0 to approximately 24.5 during 1995, to further clarify the cause of erosion and to further evaluate recreational boating activity; and

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WHEREAS, the Minnesota Department of Natural Resources conducted a public hearing on June 19, 1995 at 7:00 p.m. in Stillwater regarding the Hudson area slow-no wake zone and received a favorable finding from the Office of Administrative Hearings.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby approves the amendment made to Minnesota Rule § 6105.0330 which imposes a slow-no wake speed on the Lower St. Croix River from approximately mile 16.5 to approximately mile 16.1 and from shore to shore in the area known as South Hudson Bay, and is in effect continuously.

Commissioner Peterson seconded the motion and it was adopted unanimously.

#### **GENERAL ADMINISTRATION**

##### **Homestead Agricultural Credit Aid**

Commissioner Peterson moved to adopt **Resolution No. 95-178** as follows:

#### Washington County Resolution on Homestead Agricultural Credit Aid

WHEREAS, there is consideration being given by various legislative committees and community organizations to fund the current state shortfall through the reduction or elimination of Homestead Agricultural Credit Aid received by counties; and

WHEREAS, Washington County and all counties depend on Homestead Agricultural Credit Aid to help fund state-mandated program costs and as a means of offsetting property tax increases; and,

NOW THEREFORE BE IT RESOLVED that changes in local government aid should only be considered in the larger context of the state's fiscal relationship with all units of local government and its commitment to the provision of quality services provided by counties for the state; and

BE IT FURTHER RESOLVED that Washington County continues to support the Association of Minnesota Counties' position that the Homestead Agricultural Credit Aid (HACA) provides vital property tax relief that helps compensate counties for the reduction in tax base due to state policies that provide homestead tax relief and helps offset the cost of providing the various state programs that counties administer. Reductions in HACA could force cuts in these programs and could cause property tax increases; and that

Washington County opposes reduction in county HACA or transfers of county HACA to other county programs (other than direct state takeovers of county costs), unless the transfer of money:

- a) preserves adequate county board flexibility in the use of state money



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- b) provides the same or a higher level of total state funding for programs controlled by county boards, while assuring that individual counties are held harmless;
- c) requires no additional county levies or additional spending for new programs; and
- d) maintains property tax relief as the primary purpose of the state funding.

BE IT FURTHER RESOLVED that Washington County is willing to work with the Minnesota Legislature to explore options for addressing the issue of the state's fiscal relationship with all units of local government.

Commissioner Hauser seconded the motion and it was adopted unanimously.

#### **DISCUSSION FROM THE AUDIENCE**

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

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson moved to extend the time for written comments on the comprehensive plan to October 31, 1995. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Peterson gave an update on the AMC workshop she attended. She indicated that a new task force has been established to study new ways and methods to solving financial problems. She also gave an update on a meeting she attended last night in Cottage Grove held by the House Task Force on Metro Fares and Metro Transit regarding transit issues.

Commissioner Hegberg informed the Board that the Joint Ditch No. 1 passed a resolution concerning attorney fees and that they would be split between Chisago and Washington Counties and come from the County Attorney's budget. He also updated the Board on a meeting he attended with Browns Creek, Grant and May Townships, and the City of Hugo regarding the flooding in that area. He believes that Grant Township has finally agreed to accept responsibility and the pumping should begin shortly. He indicated that the citizens who would benefit have agreed to pay for the pumping.

The Board discussed financial support to the St. Croix Animal Shelter. The County Attorney's opinion was that the Board had no obligation to provide any financial support.

#### **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 Hauser moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 9:50 a.m.

**BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT**

The Board met in workshop session with the Public Works Department to discuss the following issues: 1) Level of service criteria and access spacing criteria proposed in the transportation chapter of the comp plan; and 2) Turnback of the Forest Lake outlet dam to local units. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Don Wisniewski, and Don Theisen.

**BOARD WORKSHOP WITH THE COMMUNITY SERVICES DEPARTMENT**


The Board met in workshop session with the Community Services Department to discuss changes to the vulnerable adult maltreatment reporting law. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Dan Papin, Rick Backman, Marcia Wielinski, Deb Tulloch, Richard Arney, and Sue Tice.

Attest:



James R. Schug

County Administrator

  
Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
OCTOBER 3, 1995**

The Washington County Board of Commissioners met in regular session at 4:30 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson and Hauser. Commissioner Hegberg absent. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Sue Tice, Assistant County Attorney; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Mary McGlothlin, H.E.L.M. Director; Don Wisniewski, Public Works Director; Larry Nybeck, County Surveyor; John Devine, Controller; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the September 19, 1995 Board meeting minutes.
2. Approval to appoint Donald Wujcik, Forest Lake, to the Library Board to fill an unexpired term to December 31, 1995.
3. Approval of application by governmental subdivision for conveyance of tax forfeited lands for parcel #30008-2100, City of Dellwood.
4. Adoption of **Resolution No. 95-179** as follows:

Authorization to Classify as Non-Conservation  
and Authorization to Offer Tax-Forfeited  
Parcel at a Private Sale

BE IT HEREBY RESOLVED that parcel 33405-2050 is a tax forfeited property, be classified as non-conservation; that the basic sale price of \$100.00 set by Washington County Assessor's office be approved and authorization to conduct private sale be granted per M.S. 282.01 Subd. 7a; that a method of sale other than sealed bids may be chosen by the county auditor.

BE IT FURTHER RESOLVED, that the terms of sale shall be for cash only.

5. Approval to designate Washington County Community Services to receive all vulnerable adult maltreatment reports for Washington County.

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- 6. Approval to receive \$121,036 in state and federal funds over two years to operate the Child Care Resource Referral Program.
- 7. Approval of agreement with the City of Newport and authorize payment for distribution of curbside recycling funds in the amount of \$12,200.
- 8. Approval of banding and grading of revised job description of Sentence to Service Crew Leader in Court Services at B25-3.
- 9. Approval of an additional .25 FTE Clerk Typist position in the County Recorder's Office.
- 10. Adoption of **Resolution No. 95-180** as follows:

Rejection of Bids for ADA  
Signage Fabrication/Installation

WHEREAS, in order to facilitate sign fabrication and installation to comply with ADA regulations, the County solicited bids for this project; and

WHEREAS, bids were opened on September 18, 1995, with multiple bids being received; and

WHEREAS, all bids received had errors in price submission and other areas due to the specification interpretation; and

NOW THEREFORE BE IT RESOLVED, that all bids received on September 18, 1995, for this project be rejected due to errors in bid submission due to multiple interpretation of specification aspects.

BE IT FURTHER RESOLVED that the Washington County Department of Public Works be authorized to rebid the project under the more clarified bid specifications.

- 11. Approval of commercial access from CSAH 13 for the new regional center, Tamarack Village.
- 12. Bids were received for the Global Positioning System as follows:

Albinson, Inc.	\$29,295.00 (Does not meet bid specification)
Trimble Navigation	\$71,867.50

Adoption of **Resolution No. 95-181** as follows:

Award of Contract for Global Position System  
To Trimble Navigation

October 3, 1995

WHEREAS, in order to facilitate efficiency and processing of geographical information, the purchase of a Global Positioning system was necessitated. The County solicited bids for this project; and

WHEREAS, bids were opened on September 14, 1995, with Trimble Navigation c/o Precision Measuring Systems being the only viable bidder; and

NOW THEREFORE BE IT RESOLVED, that the bid of Trimble Navigation c/o Precision Measuring System be accepted and the County enter into a contract with Trimble Navigation c/o Precision Measuring Systems under the terms and conditions set forth in the bid specifications documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Trimble Navigation c/o Precision Measuring Systems 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, approval as to form by the Washington County Attorney's Office.

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

#### **GENERAL ADMINISTRATION**

The County Administrator informed the Board that last week's resolution supporting the Homestead Agricultural Credit Aid was sent to the members of District X and to the Association of Minnesota Counties.

#### **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.

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson updated the Board on the Sensible Land Use Planning meeting she attended last week. She indicated there will be another meeting next month and that it is worthwhile to attend.

The Board discussed the action taken by the Dakota County Board last week regarding the proposed airport. The Dakota County Board voted 6-1 against the airport. Commissioner Engstrom asked the County Administrator if he would get a copy of the resolution that was passed by them.

October 3, 1995

The Board Chairman announced that the Comprehensive Plan Public Hearing will be held this evening at 7:00 p.m. and invited everyone to attend. He stated that the public hearing will be continued to October 10 because of a religious holiday.

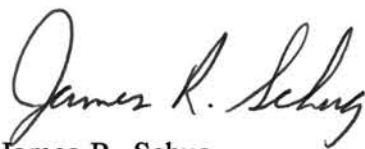
#### ADJOURNMENT

There being no further business to come before the Board, Commissioner Hauser moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 4:40 p.m.

#### PUBLIC HEARING - COMPREHENSIVE PLAN

The Washington County Board of Commissioners met at 7:00 p.m. in the Washington County Government Center to hold a public hearing to receive comments regarding the Washington County 2015 Comprehensive Plan and Linear Park Master Plan. Present for the public hearing were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Bob Turrentine, Assistant County Attorney; Robert Lockyear, Director of Planning and Administrative Support Services; Jane Harper, Physical Development Planner; Mary McGlothlin, H.E.L.M. Director; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Don Theisen, Deputy Public Works Director; and Dennis O'Donnell, Land Use Specialist. Official Proceedings of the Comprehensive Plan Public Hearing can be obtained in the Office of Administration.

Attest:



James R. Schug

County Administrator

Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
OCTOBER 10, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Administrator; Mary McGlothlin, H.E.L.M. Director; Dennis O'Donnell, Land Use Specialist; Judy Arends, Waste Management Manager; Bob Turrentine, Assistant County Attorney; Russ Reetz, Court Services Director; Judy Honmyhr, Human Resources Director; Cindy Koosmann, County Recorder; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the September 26, 1995 Board meeting minutes.
2. Approval of final payment on the lease purchase of Xerox 5090 copy/duplicator.
3. Adoption of **Resolution No. 95-181A** as follows:

Authorization to Classify as Non-Conservation  
and Authorization to Offer Tax-Forfeited  
Parcel at a Private Sale

BE IT HEREBY RESOLVED that parcel 22118-3940 is a tax-forfeited property, be classified as non-conservation; that the basic sale price of \$4,000 set by Washington County Assessor's office be approved and authorization to conduct private sale be granted per M.S. 282.01 Subd. 7a; that a method of sale other than sealed bids may be chosen by the county auditor.

BE IT FURTHER RESOLVED, that the terms of sale shall be for cash only.

4. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	28384-2400	Jerry, Timothy & Joan	\$1,319.64
Hmstd	49570-2950	Hintze, Peter	1,116.16
Hmstd	87197-2700	Taylor, Jeffrey	1,579.74
Hmstd	58503-2025	McCarthy, Michael & Kathleen	272.72
Hmstd	63005-2000	Boxrud, Gertrude	994.34



October 10, 1995

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	72161-2175	Grindland, David	\$1,419.20
Hmstd	72201-2970	Fleury, John & Diana	1,304.86
Hmstd	73170-3400	Knezevich, Dushan & Marija	1,296.92
Hmstd	95020-3350	Medinger, Barbara	1,129.18
Hmstd	29100-3029	Tolzman, Alice	501.46
Hmstd	34870-1097	Christopher, Renee	53.90
Hmstd	38125-0119	Koethe, Holly	58.26
Hmstd	38125-0552	Green, Martha	417.98
Hmstd	38125-0573	Hazen, Kathryn	49.40
Hmstd	48440-4390	Ryan, Kristi	81.48
Hmstd	38125-0563	Renier, Gina & Joseph	55.74
Hmstd	48440-9000	Brendale, Robin & Feiner, Robert	141.98
Hmstd	59990-0902	Meyer, Wendy & John	232.70
Hmstd	69585-0617	Rud, Jeffrey & Candance	123.42
Hmstd	69585-0740	Hiber, Michelle	283.36

5. Bids were received for recycling containers as follows:

Lewis Systems	\$28,980
A-1 Products	\$33,120

Adoption of **Resolution No. 95-182** as follows:

Award of Bid for Recycling Containers

WHEREAS, in order to purchase recycling containers for cities and townships in Washington County, the County solicited bids for the containers; and

WHEREAS, two bids were opened on September 28, 1995; and

WHEREAS, the bid of Lewis Systems was received by the County by the Department of Administration and not the Auditor/Treasurer's Department, but prior to the opening of bids; and

WHEREAS, the bid of A-1 Products does not conform to size specifications.

NOW, THEREFORE BE IT RESOLVED, that the Board waives the bid requirement of sending bids to the Auditor/Treasurer's Department; and

BE IT FURTHER RESOLVED, that the bid of Lewis Systems be accepted and the County enter into a contract with Lewis Systems under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Lewis Systems 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.

October 10, 1995

6. Approval of amendment between Washington County and Aptus Environmental Services for Household Hazardous Waste Management Service.
7. Approval of agreements with the Cities of Lake Elmo and Woodbury and authorize payments for distribution of curbside recycling funds in the amount of \$135,401.
8. Approval to continue .5 special project Accountant I position in the Accounting Department through December 31, 1995.
9. Approval for Chairperson and Administrator to execute the trail grooming agreement with the City of Lake Elmo.
10. Approval to advertise for sale and removal of a house at 16752 May Avenue, Marine, MN for the future development of the Big Marine Park Reserve.
11. Bids were received for construction work for improvement on CSAH 2 as follows:

Valley Paving, Inc.	\$249,766.16
Hardrives, Inc.	\$269,206.40
Ashbach Construction Co.	\$277,852.31
H & M Asphalt Co.	\$290,708.25

Approval to recommend to the Minnesota Commissioner of Transportation, as Agent for Washington County, that said contract be awarded to Valley Paving, Inc., the lowest responsible bidder.

Adoption of **Resolution No. 95-183** as follows:

Agreement with Minnesota Department of  
Transportation for Construction  
on CSAH 2 in Forest Lake

BE IT RESOLVED, that pursuant to Minnesota Statutes 161.36, the Commissioner of Transportation be appointed as Agent of the County of Washington to accept as its agent, federal aid funds which may be made available for eligible County force account work for S.P. 82-602-09, 214-102-03, and M.P. STP 8295 (054).

Resolved, the County Board Chairman and County Administrator are hereby authorized and directed for and on behalf of the County Board to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in Agreement No. 74243, a copy of which said agreement was before the County Board and which is a part hereof by reference.

October 10, 1995

The foregoing Consent Calendar was adopted unanimously.

**PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**  
**Amendment to the Washington County Zoning Ordinance Section 602.02(5)**

The Board Chairman presented an overview of today's public hearing to consider an amendment to the Washington County Zoning Ordinance, Section 602.02(5). This amendment would allow on a natural environment lake where a 200 foot structure setback is required, the buildable area calculation would be measured from a 150 foot setback rather than the required 200 foot setback.

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

Walt Anderson, Waland Companies, stated his company was in favor of this amendment to the Zoning Ordinance. He feels that the space between the 150 foot setback to the lake and the 200 foot setback should be included in the one acre buildable area because that area is allowed for septic system. The septic system setback is 150 feet and the structure is 200 feet from the lake. He indicated the ordinance is ambiguous as it is written now. He presented a preliminary plat for the Long Lake Shores Addition.

Mir Verner, 12685 107th, stated he was opposed to amending the zoning ordinance and that this amendment would only benefit this specific developer. He stated this change would allow one extra home for every four built with a possibility for twenty-five percent more pollution in a small pond. He stated there will be more crowding on County Road 4. He asked why is it when a developer sees a nice view they say "lets put up a condominium" thus destroying a beautiful view.

John Bower, 12405 Otchipwe Avenue, May Township, stated that the regulations that were established in the Zoning Ordinance were put in for a good reason, and he wonders whether those reasons have changed. He feels it would be wise to keep the restrictions and regulations that are in place now, and if anything, make them more restrictive. Once you impact these areas you can never go back again and they will never be the same.

Tom Anderson, Director of Warner Nature Center, stated that for the past 30 years the Warner Nature Center has been involved in environmental education for thousands of residents in Washington County and the Metropolitan area. He indicated that kids have been acquiring data on water quality in this area for nearly 30 years and have learned that water quality does not come easily. He stated they can leave the kids with two messages: how good planning works; or, how poor planning works. He feels that this is a good opportunity to not lessen the standards that have been set up. To lessen the standards would be reducing what Washington County, particularly May Township, has been very proud of--preserving values and a good quality of life. To lessen those standards would be a step back.

October 10, 1995

Keith Myrmel, Wilder Foundation, reemphasized what Tom Anderson stated. This development will have an impact on their environment. He asked that the Board really take a look at what reducing the restrictions would mean, and asked that the restrictions in place remain in place. Wilder has served between 30,000 and 40,000 individuals from the County and the Metropolitan area. Every new development is an additional encroachment to these nature centers.

Carolyn Griffith, Norell Avenue, representing the Long Lake Association, stated that the Association feels that the present ordinance should remain in affect. It was put in effect by a previous Board for a good reason. She asked what is one or two more houses in that development? The developer is not being denied permission to go ahead and develop the property. A question the Association has, is one or two more houses that important for this particular development, or any development, when you consider what impact it will have on nature and when you consider that May Township has definitely taken a stand for their open space environment? She wants to go on record that the Long Lake Association recommends that the Board deny changing the ordinance.

Walt Anderson spoke again and indicated that this amendment is just a clarification of the ordinance already in place. He stated that they were not going to be putting septic systems any closer than already allowable under the law; they are not going to be building buildings closer than is already allowable. It is just changing how the one acre buildable requirement is calculated. The Minnesota DNR requirement is 150 setback for both septic systems and buildings, they are not asking to change that. They are asking to include that space as part of the justification for the one acre buildable. They are not asking for anything different than just a clarification.

The Board Chairman asked for further comments; none were heard. The public hearing was closed at 9:20 a.m. The Board Secretary indicated that all evidence had been received.

The Board discussed the amendment to the Washington County Zoning Ordinance. The Health, Environment and Land Management Director presented a history of this proposed zoning ordinance amendment.

Commissioner Hegberg moved to amend the Washington County Zoning Ordinance, Section 602.02(5) which would provide that on natural environment lakes where a 200 foot structure setback is required, the buildable area calculation would be measured from a 150 foot setback rather than the required 200 foot setback for the reason that this amendment would be in compliance with the regulations established by the Minnesota Department of Natural Resources and that it would not allow further building intrusion in the setback than what is currently allowed. Commissioner Peterson seconded the motion and it was adopted unanimously.

October 10, 1995

**ZONING ORDINANCE AMENDMENT****WASHINGTON COUNTY ORDINANCE NO. 118****AN ORDINANCE AMENDING THE WASHINGTON COUNTY ZONING ORDINANCE REGULATING LAND USE IN WASHINGTON COUNTY.**

The Board of Commissioners of Washington County ordains:

**SECTION I.** Amend Section 602.02(5) of the Washington County Zoning Ordinance to read as follows:

All new lots created which are not served by public sanitary sewer must have at least 1 acre of accessible buildable land. Buildable land is defined as land with a slope less than 25 percent, and outside of any required setbacks except that on a natural environment lake where a 200 foot structure setback is required, the buildable area calculation would be measured from a 150 foot setback rather than the required 200 foot setback; above any floodway, drainageway, or drainage easement. All new lots created which are served by public sewer must contain at least 3,200 square feet of buildable area as defined above. Property situated within shorelands or the St. Croix River District are also subject to requirements set forth in those respective ordinances.

**SECTION II.** The Zoning Administrator is hereby directed to change the Washington County Zoning Ordinance in accordance with the foregoing amendment.

**SECTION III.** 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.

**HUMAN RESOURCES DEPARTMENT**

Commissioner Engstrom moved to adopt **Resolution No. 95-184** as follows:

October 12 Declared "Turn Off the Violence Day"

WHEREAS, the citizens of Washington County recognize violence as an epidemic that affects our daily habits, our children, and our overall quality of life in our neighborhoods, business, and schools; and

WHEREAS, we believe we have the power to help reverse the growing threat of violence by educating ourselves and our children about healthy ways of resolving conflicts and responding to anger;

NOW, THEREFORE, the Washington County Board of Commissioners do hereby proclaim the date of October 12, 1995 to be

Turn Off The Violence Day

in our community. "Turn off the Violence Day" is a day for citizens to begin using their individual power to choose to turn off violent television programs, not to listen to violence music, and not to go to violent movies.



October 10, 1995

Furthermore, on that day, citizens are encouraged to examine the way they resolve anger and conflicts and to begin to resolve them without violent words or actions. We dedicate our celebration of this day to all the victims of violence.

Commissioner Hauser seconded the motion and it was adopted unanimously.

### **GENERAL ADMINISTRATION**

#### **Valley Branch Watershed District Appointments**

Commissioner Engstrom moved to appoint Jeff Peterson, West Lakeland Township, to the Valley Branch Watershed District Board of Managers to a three-year term expiring November 13, 1998.

Commissioner Hegberg seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Engstrom, Peterson, Abrahamson and Hegberg; No, Commissioner Hauser.

Commissioner Engstrom moved to appoint Stephen Foley, Baytown Township, to the Valley Branch Watershed District Board of Managers, to fill an unexpired term beginning December 1, 1995 through November 13, 1996. Commissioner Abrahamson seconded the motion.

Commissioner Hauser asked that the appointment to fill the unexpired term of Peter Zetterberg, from December 1, 1995 to November 13, 1996, be postponed until more applicants can be solicited from a wider range of cities. The County Attorney suggested that the Board should first accept the resignation of Mr. Zetterberg from the Valley Branch Watershed District.

Commissioners Engstrom and Abrahamson withdrew their motion and second.

Commissioner Engstrom moved to accept the resignation of Peter Zetterberg from the Valley Branch Watershed District Board of managers effective December 1, 1995, and that the Chairman send a letter to Mr. Zetterberg thanking him for his services. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Peterson moved that vacancy on the Valley Branch Watershed District, which will take effect on December 1, 1995, be filled on November 14, 1995. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Engstrom asked that a letter be sent to the remaining applicants to the Valley Branch Watershed District stating that their applications will be considered on November 14.



October 10, 1995

**Location of International Airport in Dakota County**

The County Administrator informed the Board that a copy of Dakota County's resolution opposing the relocation of a new international airport to Dakota County has been distributed to the Board members. Commissioner Peterson indicated that she would like to discuss this issue at the Board meeting next week, particularly the land banking issue.

**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.

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom asked that a press release be sent out clarifying the amendment to the Zoning Ordinance, Section 602.02(5), and that it does not allow buildings closer to the water than 200 feet. Judging by the comments and letters received, he feels that individuals are under the impression that this amendment allows buildings and septic systems closer to the water. The only thing that changed was the calculation.

Commissioner Peterson indicated she will be attending the Transportation Alliance Convention this week and will not be able to attend the Community Social Service Advisory Committee meeting.

Commissioner Hegberg suggested that a workshop be scheduled to review the groundwater management plan.

Commissioner Peterson indicated that she attended a Rural by Design public meeting last week and there was a video shown which she thought the Planning Commission might be interested in seeing.

**EXECUTIVE (CLOSED) SESSION**

Commissioner Engstrom moved to go into Executive (Closed) Session for attorney-client discussion on the Junker Sanitation Landfill litigation. Commissioner Peterson seconded the motion and it was adopted unanimously. The Board went into Executive Session at 10:00 a.m. Present for the Executive Session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Richard Arney, Don Wisniewski, and Patricia Raddatz.

October 10, 1995

**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 10:20 a.m.

**BOARD WORKSHOP WITH PUBLIC WORKS DEPARTMENT**

The Board met in workshop session with the Public Works Department to discuss project development requirements and effort for the CSAH 3 project scheduled for 1997 and a West Lakeland Township maintenance agreement. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Virginia Erdahl, Don Wisniewski, and Don Theisen.

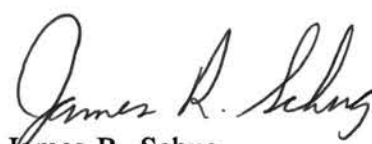
**BOARD WORKSHOP WITH THE H.E.L.M. DEPARTMENT**


The Board met in workshop session with the Department of Health, Environment and Land Management, to discuss the 1996-1999 Community Health Services Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Virginia Erdahl, Karen Zeleznak, Mary McGlothlin, Jane Harper and Lowell Johnson.

**PUBLIC HEARING - COMPREHENSIVE PLAN**

The Washington County Board of Commissioners met at 7:00 p.m. in the Washington County Government Center to continue a public hearing from October 3, 1995, to receive comments regarding the Washington County 2015 Comprehensive Plan and Linear Park Master Plan. Present for the public hearing were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Bob Turrentine, Assistant County Attorney; Robert Lockyear, Director of Planning and Administrative Support Services; Jane Harper, Physical Development Planner; Mary McGlothlin, H.E.L.M. Director; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Don Theisen, Deputy Public Works Director; and Dennis O'Donnell, Land Use Specialist. Official Proceedings of the Comprehensive Plan Public Hearing can be obtained in the Office of Administration.

Attest:

  
James R. Schug  
County Administrator

  
Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
OCTOBER 17, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Mary McGlothlin, H.E.L.M. Director; Karen Zeleznak, H.E.L.M. Manager; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Jim Frank, County Sheriff; Judy Honmyhr, Human Resources Director; Mike Polehna, Public Works-Parks Division; Jack Perkovich, Deputy Public Works Director; Robert Lockyear, Director of Planning and Administrative Services; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval to renew contract with Susan J. Ladwig for legislative representation.
2. Approval of additional projects from 1994 budget savings as recommended by the department head group in the amount of \$249,000.
3. Adoption of **Resolution No. 95-185** as follows:

**Premises Permit Renewal for Hockey Forest Lake Association**

WHEREAS, on or about October 9, 1995, the Hockey Forest Lake Association of 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 Vanellis, 7050 N. Scandia Trail, Forest Lake, in Forest Lake Township, Washington County;

WHEREAS, Minnesota Statutes § 349.213, subd. 2, requires before the State Gambling Control Board may issue or renew a premises permit of 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 the Township of Forest Lake.

October 17, 1995

4. Approval to renew contracts with Meridian Services and Thomas Allen, Inc. for case management services for persons with developmental disabilities.
5. Approval of trail grooming agreement with the City of Woodbury.
6. Adoption of **Resolution No. 95-186** as follows:

Agreement with the Minnesota Department of  
Transportation for Reconstruction on CR 8A  
in the City of Hugo

BE IT RESOLVED that the County of Washington enter into Agreement No. 74195 with the State of Minnesota, Department of Transportation, for the following purposes to-wit:

To provide for a lump sum payment of \$15,060.00 by the State to the County for the culvert improvement construction and other associated construction to be performed along and adjacent to Trunk Highway No. 61 from Engineer Station 319+20 (County Road 8A) to Engineer Station 323+90 (425 feet north of County Road No. 8A) within the corporate limits of the City of Hugo under State Project No. 8206-30 (T.H. 61=001).

BE IT FURTHER RESOLVED that the proper County officers are hereby authorized and directed to execute such agreement.

7. Approval to advertise for bids for the leasing of agricultural lands at Lake Elmo Park Reserve, Cottage Grove Ravine Regional Park and Pine Point Park.
8. Approval of road maintenance agreement with West Lakeland Township.
9. Approval of blacktop pavement for parking and service road to park maintenance building and chainlink fencing of storage yard at Lake Elmo Park Reserve.
10. Approval of grant agreement for \$75,000 between the U.S. Department of Justice and Washington County in conjunction with the City of Lake Elmo to hire one deputy from March 1, 1995 to February 28, 1998.
11. Adoption on **Resolution No. 95-187** as follows:

Proclaiming the Week of October 16 -20, 1995  
to be Minnesota Manufacturers Week

WHEREAS, Manufacturing has the largest total payroll of any business sector in Minnesota, providing \$13.5 billion in wages; and

October 17, 1995

WHEREAS, Manufacturing produces \$22.9 billion for the state economy and is the largest single share (21 percent) of our gross product; and

WHEREAS, Manufactured exports brought \$7.3 billion into the Minnesota economy in 1994; and

WHEREAS, Manufacturing provides high skill, high wage jobs which significantly contribute to Minnesota's high standard of living and economic vitality; and

WHEREAS, Manufacturing contributed nearly \$54 million more in corporate income taxes than any other business sector;

NOW THEREFORE, the Washington County Board of Commissioners do hereby proclaim the week of October 16 - 20, 1995 to be

Minnesota Manufacturers Week

The foregoing Consent Calendar was adopted unanimously.

**SHERIFF'S DEPARTMENT**

The County Sheriff presented Citizen Commendation Awards to Johanna Mularoni and Lien Vets for saving the life of Rashad Jones on August 1, 1995 at the Lake Elmo Park Reserve swimming pond. Taylor Adams was also given an award for his efforts in helping Rashad Jones' sister during this traumatic event.

**COMMUNITY SERVICES DEPARTMENT**

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

Family Child Care Provider Week

WHEREAS, there are 7,000 children in Washington County in licensed family child care homes; and

WHEREAS, these children are Washington County's most valuable asset and resource; and

WHEREAS, no occupation is more important than caring for children; and

WHEREAS, many families in Washington County seek child care outside their own homes; and

October 17, 1995

WHEREAS, the licensed family child caregivers of Washington County are professional people devoted to achieving and maintaining the highest level of parenting skills; and

WHEREAS, the licensed family child caregivers are highly competent, dedicated, caring, concerned individuals;

NOW, THEREFORE, I Wally Abrahamson, Chairman of the Washington County Board of Commissioners do hereby proclaim the week of October 15 - 21, 1995

Family Child Care Provider Week

in Washington County.

The Board Chairman presented Delayne Strand with a plaque recognizing her as the 1995 Child Care Provider of the Year. Delayne was nominated by parents and peers, and was selected as Washington County's representative to the provider recognition dinner which will be held on October 21, 1995 at the Radisson Hotel in Plymouth. The Board members thanked Ms. Strand for her dedication to Washington County's children.

**HUMAN RESOURCES DEPARTMENT**

Commissioner Peterson moved to approve the selection of the following carriers for employee benefits: renew with Health Partners for medical/hospitalization; renew with AMEX for long-term disability; and renew with Minnesota Mutual for life insurance. Commissioner Hauser seconded the motion and it was adopted unanimously.

**HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

Commissioner Hauser moved to adopt **Resolution No. 95-188** as follows:

1996-1999 Community Health Services Plan

WHEREAS, Washington County, in compliance with Minnesota Statute Chapter 145A., has developed its 1996-1999 Community Health Services plan; and

WHEREAS, the Washington County Board of Health through its Public Health Advisory Committee held a public meeting on the recommended plan on September 19, 1995; and

WHEREAS, the Washington County Board of Health received the final recommended plan from its Public Health Advisory Committee on October 17, 1995.

NOW, THEREFORE, BE IT RESOLVED that the 1996-1999 Community Health Services Plan is today adopted in its final form.



October 17, 1995

Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Hauser moved to adopt the following Resolutions:

**Resolution No. 95-189**

**Designation of Agent**

WHEREAS, Minnesota Statutes 145A.04, Subd. 2 requires that "a board of health must appoint, employ, or contract with a person or persons to act on its behalf"; and

WHEREAS, Minnesota Statutes 145A.04, Subd. 2 further requires that "the Board shall notify the commissioner (of health) of the agent's name, address, and phone number where the agent may be reached between board meetings and submit a copy of the resolution authorizing the agent to act on the board's behalf."

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Health hereby designates Mary McGlothlin, Director of the Department of Health, Environment and Land Management, 14900 North 61st Street, P.O. Box 3803, Stillwater, MN 55082-3803, (612)430-6659 as its duly appointed agent and gives to her the duties and authorities described in Minnesota Statute Chapter 145A.

**Resolution No. 95-190**

**Community Health Board**

The Community Health Board ("Board") by virtue of its authority under Minnesota Statutes, Chapter 145A. in accordance with the Board's articles and bylaws, and by this Resolution of the Board adopted at a scheduled meeting held on October 17, 1995, hereby appoints and authorizes the following person(s) to act on the Board's behalf and bind the Board for the following purpose(s):

- A. To serve as the Board's agent in communicating with the Commissioner of Health between Board meetings, including receiving information from the Commissioner and disseminating that information to the Board, as well as providing information to the Commissioner on the Board's behalf (Minn. Stat. 145A.04, Subd2).

Name: Mary McGlothlin  
Address: 14900 N. 61st St., P.O. Box 3803  
Stillwater, MN 55082-3803  
Phone Number: (B) 430-6659 (H) 773-9941

- B. To sign and submit to the Commissioner the prepared Community Health Plan, revisions to the plan and activity reports submitted according to Minn. Stat. 145A.10, Subdivisions 5, 6, and 8.

Name: Mary McGlothlin  
Address: 14900 N. 61st St., P.O. Box 3803  
Stillwater, MN 55082-3803  
Phone Number: 430-6659

October 17, 1995

- C. To sign and submit to the Commissioner the Board's annual budget, revisions to the budget and expenditure reports submitted according to Minn. Stat. 145A.10, Subd. 6 and 8.

Name: Mary McGlothlin  
 Address: 14900 N. 61st St., P.O. Box 3803  
 Stillwater, MN 55082-3803  
 Phone Number: 430-6659

- D. To sign and submit on behalf of the Board the application for formula Maternal and Child Health funds which are administered by the Commissioner of Health (Minn. Stat. Sec 145.882, Subd. 3, 4, and 7).

Name: Mary McGlothlin  
 Address: 14900 N. 61st St., P.O. Box 3803  
 Stillwater, MN 55082-3803  
 Phone Number: 430-6659

- E. To sign and execute on behalf of the Board contracts for funding under any of the following grants administered by the Commissioner of Health:

- Supplemental Food Program for Women, Infants, and Children (WIC)
- Family Planning (Minn. Stat. Sec. 145.925)
- Migrant Health (Minn. Stat. 145A.14, Subd. 1)
- Indian Health (Minn. Stat. 145A.14, Subd. 2)
- AIDS Prevention and Risk Reduction
- Chronic Disease
- Health Communities
- Refugee Health
- Dental Health
- Lead Screening
- Home Visiting
- MN ASSIST Tobacco Use Prevention Grant
- MN Breast and Cervical Cancer Screening Grant
- MN Immunization Action Plan Grant

(Note: Under Minn. Stat. 145A.03, Subd. 4, the Chair of the Community Health Board or the Vice Chair in the Chair's absence must sign contracts or authorize an agent to sign on behalf of the Board. If the Chair of the Community Health Board will be signing all contracts, no other agent need be authorized by resolution to sign contracts. If you want to appoint different agents for individual grants, please list them separately by grant).

Name: Mary McGlothlin  
 Address: 14900 N. 61st St., P.O. Box 3803  
 Stillwater, MN 55082-3803  
 Phone Number: 430-6659

Commissioner Engstrom seconded the motion and it was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **Dual Track Airport Planning Process**

October 17, 1995

Commissioner Engstrom moved to adopt **Resolution No. 95-191** as follows:

Dual Track Airport Planning Process

WHEREAS, in 1989, the Minnesota Legislature created a dual track airport planning process to determine how to best meet the region's aviation needs through the year 2020; and,

WHEREAS, in December, 1991, Dakota County was selected as the site for a potential new international airport, if a decision is made to construct a new replacement airport; and,

WHEREAS, while the Washington County Board of Commissioners recognizes that not all studies in the dual track airport planning process have been completed, the Board of Commissioners has determined there is sufficient evidence and reason to conclude the economic and social costs of locating a major new international airport in Dakota County outweigh any potential benefits of such a decision; and,

WHEREAS, a new airport, located in Dakota County, would have an impact on infrastructure needs in southern Washington County;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby opposes the relocation of a major new international airport to Dakota County; and,

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners opposes any form of initiative which will have the effect of "land banking" for a new airport in Dakota County, in the future.

Commissioner Peterson seconded the motion and it was adopted unanimously.

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom reminded the Board that there will be a Housing and Redevelopment Authority Board meeting in the Government Center on Wednesday, October 18, 1995, and that there is also a joint meeting between the County Board and the Parks and Open Space Commission on Thursday, October 19, 1995.

The County Board expressed its grief at the passing away of Ramsey County Commissioner Warren Schaber. They stated he was a great spokesman for the residents he represented and will be greatly missed.

Commissioner Hauser reminded the Board that there is an AMC District X meeting this afternoon at 3:30 p.m. and that all the Commissioners are invited. There will also be a meeting on October 26, with senators from the southern and western regions of the metro area, to discuss funding of education and local government services. This meeting will be held at the Blaine Senior High from 6:30 to 8:30 p.m.

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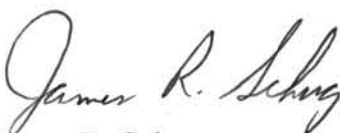
**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file including a letter from the Minnesota Pollution Control Agency regarding the Washington County Sanitary Landfill Concurrent Determination 106 Order has been Satisfied.

**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 10:10 a.m.

Attest:



James R. Schug

County Administrator

  
Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**OCTOBER 24, 1995**

**REGIONAL RAIL AUTHORITY**

The Washington County Regional Rail Authority met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Hauser presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Theisen, Public Works Deputy Director; Dennis O'Donnell, Senior Land Use Specialist; Bob Turrentine, Assistant County Attorney; Dan Papin, Community Services Director; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Arends, Waste Manager; Robert Lockyear, Director of Planning and Administrative Services; and Carolyn Phelps, Public Information Aide. 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 Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Theisen, Public Works Deputy Director; Dennis O'Donnell, Senior Land Use Specialist; Bob Turrentine, Assistant County Attorney; Dan Papin, Community Services Director; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Arends, Waste Manager; Robert Lockyear, Director of Planning and Administrative Services; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the October 3 and 10, 1995, Board meeting minutes.
2. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	27241-2800	Smith, Janis	\$1,324.98
Exempt	29100-2008	Crapps, Jay	903.90
Red/Val	48440-7300	Zwirner, Robert	23.28
Red/Val	59990-0321	Tiedens, Marvin	37.16

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<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Exempt	81029-2710	Burlington Northern	\$ 2.20
Hmstd	94780-0042	McDonald, Tammy	231.04
Hmstd	38125-0161	Larsen, Brent	55.74
Hmstd	9305-2720	Grabinski, Anna & John	1,483.80
Hmstd	58075-2500	Thene, Jeffrey	227.22
Disaster	9275-2600	Dixen, David & Susan	355.74
Disaster	73631-8675	Goodman, Lester & Helen	451.61
Disaster	73631-8700	Sigfrid, Perri	446.31
Penalty	57604-3150	Ingram, William	32.52

3. Approval of extension of the memorandum of agreement between Community Services Department and the Department of Health, Environment and Land Management to provide outreach service and education on the Child and Teen Checkup program.
4. Approval to execute agreements with the City of Cottage Grove and New Scandia Township and authorize payments for distribution of curbside recycling funds in the amount of \$89,999.50.
5. Approval of two part-time intermittent special project equipment operators in the Public Works Department from November 1, 1995 to April 15, 1996.
6. Adoption of **Resolution No. 95-192** as follows:

Final Payment to Lametti & Sons for  
Road Construction on CSAH 4

WHEREAS, the Washington County Board of Commissioners, on May 17, 1994, signed a contract with Lametti & Sons for the labor and materials to provide reconstruction of a wall and culvert at the Mill Pond in Marine and reconstruction on CSAH 4;

WHEREAS, Lametti & Sons has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Lametti & Sons 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.

7. Adoption of **Resolution No. 95-193** as follows:

Final Payment to T. Wrecks Demolition & Trading  
for Old Jail Demolition and Removal

WHEREAS, the Washington County Board of Commissioners, on June 13, 1995, signed a contract with T. Wrecks Demolition & Trading, for the labor and materials to provide demolition of the old jail at the Government Center and removal of the debris;



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WHEREAS, T. Wrecks Demolition & Trading, has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that T. Wrecks Demolition & Trading, 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.

8. Adoption of **Resolution No. 95-194** as follows:

Final Payment to Bergman Companies for  
Supply and Installation of Crackseal Material

WHEREAS, the Washington County Board of Commissioners, on May 2, 1995, signed a contract with Bergman Companies, Inc., for the labor and materials to provide crack sealant installation on various County roads;

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

NOW, THEREFORE BE IT RESOLVED, that Bergman Companies, 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. Approval to accept \$10,416 grant award from the Minnesota Department of Health for radon awareness programs and to promote radon testing; and authorize adjustment to the department's 1995 budget to be consistent with this grant award.
10. Approval to submit Washington County's Training Assessment Plan to Association of Minnesota Counties for consideration for County Achievement Award at the 1995 annual conference.

The foregoing Consent Calendar was adopted unanimously.

**HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

**Set Public Hearing - Amendments to the Hazardous Waste Management Ordinance**

Commissioner Peterson moved to authorize publication of a public notice setting a public hearing date of Tuesday, November 7, 1995 at 4:30 p.m. to receive comments to proposed amendments to the Hazardous Waste Management Ordinance. Commissioner Hauser seconded the motion and it was adopted unanimously.

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**Need for an Environmental Assessment Worksheet for the Proposed Plat of Maywood South in May Township**

The Board Chairman presented an outline of the procedure to be followed in hearing a petition for an Environmental Assessment Worksheet (EAW) for the proposed subdivision of land known as Maywood South in May Township.

Dave Dupay, Folz, Freeman, Dupay & Associates, Inc., stated he was hired by Mr. Andrews to take a look at developing a piece of property in May Township referred to as the Maywood South Plat. This plat consists of 11 proposed lots, ranging in size from 2.5 to 10 acres. One of the proposed lots has frontage on Square Lake. A new 1/2 mile road is proposed entering in a northerly direction off of Square Lake Trail and terminating in a temporary cul de sac where it meets Oakland Road. Grading is proposed for only the road work with some fill coming off of portions of two lots in the proposed subdivision. A storm water management plan was submitted that incorporates clean water diversions, three stormwater/sediment basins, and erosion control practices. All road runoff is proposed to be directed into one of the three stormwater basins. The post treatment water of two of the three basins will enter a wetland. The purpose of the stormwater basins are to provide settling areas for construction site runoff and keep peak post-development runoff rates to the same level as pre-developed conditions. He indicated that all of the lots have suitable septic systems which have been tested and sent to the County and have been approved. All the septic systems have the same type of sandy soil and are anywhere from 10 feet to 30 feet above what would be the water table. The final construction plans are not available because they haven't gotten that far into the process.

Dennis O'Donnell, Senior Land Use Specialist and member of the Washington County Plat Commission, presented an overview of the Plat Commission's review regarding a petition for an EAW. Items contained in this overview were: Background information on proposed plan; Standard of review, what is required by Minnesota Rules and the Environmental Quality Board; the Plat Commission Review; responses from the Plat Commission to Petition Review regarding 1) Square Lake and surface water contamination and groundwater contamination; 2) Wetlands; and conclusion by the Plat Commission that there would be no significant impact to Square Lake or the adjacent wetland as a result of this project and that an EAW is not needed for this project.

Mark Doneux, Water Resource Specialist, Washington County Soil and Water Conservation District, indicated that his office has a sitting membership on the Plat Commission and that their role is to review all plats for grading, drainage, erosion control, water quality, and wetland issues. They also review the plans for compliance consistency with numerous watershed districts and water management organization plans. Mr. Doneux discussed the following five areas: 1) Mandatory Requirements for EAW; 2) Grading and Drainage Plans; 3) Erosion Control Plan; 4) Plan Compliance Review of Marine on St. Croix Management Organization Plan; and 5) General Square Lake Water Quality.

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Robert Dickie, Attorney representing the homeowners in the Square Lake area, and a resident of Afton, appeared on behalf of the petitioners for an EAW. He indicated he has enjoyed Square Lake since he moved here in 1975. He stated he was appalled by the lack of understanding of the resources that we have in Square Lake. He stated this was just not any development going in there, this development will increase the houses on that lake by one-third. He asked what will be the impact of this development on Square Lake? He feels that County staff is not qualified to address the environmental impact of this development on the lake--there is not a hydrologist, geologist, nor staff naturalist who have reviewed this project.

Mr. Dickie indicated that the Department of Natural Resources (DNR) has not been invited to participate in this process. He indicated that the DNR has some valid and real concerns about this area, as Washington County should have as well. He stated that the DNR has made a huge commitment to Square Lake to help maintain its water quality and it supports a natural trout habitat. He was informed by the DNR that a particular wetland in this development area may not be a wetland at all, but may actually be a part of the lakeshore of Square Lake. He stated that this would change the requirements that both Washington County and May Township have. He found it appalling that this questions has not been addressed by County staff and by the developer.

Mr. Dickie stated that County staff have indicated that there has been no material evidence to support the petition. He advised the Board that they were not given the opportunity to participate in discussions at the Plat Commission. If they had been, they would have asked staff to review the submissions that had been made in the petition. Those submissions include not only the plat, which unlike the developer had indicated with the location of the septic systems as you can see in very close proximity to the wetlands, if you review the elevation data some of the surface area where the septic systems will be installed are 10 feet above the groundwater. It's his understanding that those septic systems are going to be below ground only a few feet above the water table. According to the hydrological maps that were provided with the petition, it shows the localized groundwater migration moving to Square Lake and then ultimately moving southeast towards the St. Croix River.

Mr. Dickie referred to an attachment on their petition which provides data that discusses the water table system in Washington County. Square Lake is in an area that has a high to very high probability of soil contamination due to the porous soils. He indicated that according to the geological survey, the ability of the soils to deal with contaminants entering this soil indicates that in an area where you have sand gravel deposits as you do here, there is a high to very high susceptibility to groundwater contamination, and that you actually have an increased likelihood of groundwater contamination when there is no bedrock. Which means, according to the geological survey conducted for this area, that contaminants entering the soil in the area of the proposed development will enter the groundwater within a matter of hours to days, which will flow into Square Lake and ultimately into the St. Croix System. They feel that is an extremely important issue. He indicated that staff was unable to provide that kind of analysis, they didn't even look at the maps when they sat in with the Plat Commission to discuss this.

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Mr. Dickie then referred to the surficial geology map attached to the petition, which describes the types of soils that are located in the area. He also referred to depth to bedrock map, which indicates what's happening at Square Lake. He stated that when you have 135 foot wells currently being installed in the Square Lake area, and the bedrock is 200 to 250 feet below the surface, you have private wells in the gravel outwash which means they are getting the water not from the aquifer but from the surface aquifer. The surface aquifer, as already indicated by the prior geological map, is subjected to contamination that will transport itself in a matter of hours to days into the that aquifer or into Square Lake. This too was not dealt with by the staff recommendation. The bedrock geology map was also attached to the EAW petition.

Mr. Dickie listed other items contained in the EAW petition, but were not addressed by County staff, including the endangered species list. He then outlined questions which an EAW would ask, including value of the wildlife, fish in an ecologically sensitive resource, physical impact on water resources, and physical or hydrological alteration of any surface water. He stated that when these questions were asked at the Plat Commission, the best answer that was given was "we'll try to maintain the hydrological conditions". The EAW asks to go into more detail--how will you try, how will that affect hydrological conditions of those wetlands, will they raise, will they lower? Questions of rates of discharge in and out of the water body, the frequency and extent of water level fluctuations interaction with the groundwater, these are all questions that the EAW requires that the developer deal with which have not been dealt with.

Mr. Dickie raised questions on groundwater contamination--is there a better way to put these wells in, should we put in 11 separate wells, should we have one deeper well going into an aquifer? He suggested asking those questions before the developer gets plat approval to go ahead. He asked that the Department of Health respond to those questions. Another question on the EAW, what water related land use management districts apply to this particular development? There's multi-level layering of governmental entities that are responsible for managing Square Lake and have an interest in Square Lake--DNR, Washington County, May Township, federal government with regard to the Corps of Engineers. An EAW would require some coordination and transfer of data back and forth between the entities to make sure all the standards and requirements are dealt with.

Mr. Dickie stated that another question contained in an EAW regards water quality, surface water runoff issues, the amount and composition of stormwater runoff and plans to minimize adverse quality and quantity impacts. He stated that no mention has been made of what is going to happen with the road salt that goes into the holding ponds, what impact is that salt going to have on the wetlands when it does discharge into the wetlands? What's going to happen to the groundwater that's only a few feet below the holding ponds when it absorbs the salt, and where is it going to go and what effect will it have on Square Lake? These are questions that the EAW is designed to answer, and we don't have a clue from the County response to the petition that they understand the answers to those questions.



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Mr. Dickie showed a map outlining a different type of development. The lots would be approximately 1½ acres in size, some would be larger, they fit the minimum requirements for cluster development. Surrounding all the wetlands there would be undisturbed area that would be owned in common by all the lot owners, they would have equal access and the right to use that area. That area could be developed into hiking and skiing trails around those wetlands, the ponds could be used as a skating rink in the winter time. Any potential impact of the type of suburban development that had been earlier proposed could be mitigated or eliminated all together. He suggested that the developer consider a 20 foot gravel road which are very common in the area around Square Lake and absorb more of the water runoff and don't shed them into different areas. He suggested that common septic systems could be proposed as in other areas such as Afton. He indicated that these are the kinds of developments that in 20 years will be extremely valuable after all the open spaces have been developed. He stated that answering the questions contained in an EAW, and once the developer enters into a dialogue with the different governing bodies that will be addressing these issues, will result in a better development both for themselves and for the environment in Washington County.

Judy Markham, resident of Square Lake and representing the petitioners for the EAW, indicated they are asking that this EAW be conducted so that some tough questions can be answered for reassurance that the environment in and around Square Lake not be harmed by this development. She stated that 44 petitioners, mostly Square Lake residents, signed the petition for an EAW. A few of the supporters have built new homes on existing homesites on Square Lake, several have upgraded substandard septic and road systems using County and Township guidelines. She stated they are not against development. They are against going ahead without having all the environmental questions answered. The questions on the EAW are worth asking. If the answers are positive, we will all have our assurance. If the answers are negative then they can be dealt with and we will feel glad that we asked in the future.

Lynette Anderson, Warner Nature Center, read into the record a letter from Tom Anderson, Director, Warner Nature Center, encouraging the Board to require an EAW for the proposed development site. Ms. Anderson also spoke on her own behalf. She wanted the Board to remember that natural communities is a word, and that there are actual life forms out there--the frogs, the birds and the insects--who are depending on our responsible decisions to ensure that they have a quality of life. She would ask that when the Board considers how the development is made, it remembers to be responsible and respectful of the other lives out there.

Jack Fortin, Director of Wilder Forest, read into the record a letter supporting the need for an EAW of the proposed Maywood South development.

Michael Alwin, Stillwater, stated that he is a member of Trout Unlimited, the Audubon Society, and the Nature Conservancy. He indicated that he was not here as a spokesman for these groups, he's simply a taxpayer and a concerned citizen. His interest in Square Lake is in maintaining the resource.

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Mr. Alwin advised that Square Lake has the depth, the water clarity, the groundwater influence, and the temperature regime to survive as a two-stage fishery. Over the years the land around Square Lake has provided enough of a buffer so that this unique two-stage fishery can survive. In order to continue to do its job the integrity of the buffer cannot be compromised. Therefore, it is prudent to know the effect of development before the construction begins. That is why the County should initiate the process with an EAW, because when you compromise on the environment, the environment always loses.

Mark Larson, Stillwater, stated he heard some things this morning that has him concerned as a citizen of Washington County and a user of Square Lake. He described Perch Lake which has about one-third the surface acre of Square Lake and also has a two-stage fishery. He has heard comments that Perch Lake is not as clear as Square Lake. He asked a question regarding a creek that emerges from the woods just west of Square Lake and it goes underground and comes out again somewhere--where does the creek go and what aquifer, what groundwater table is it near and how will the water continue its flow into Square Lake? He supports the request for an EAW.

Renee Pritzker, homeowner on Square Lake, stated that what this dialogue has shown this morning is that there are greater environmental questions that need to be answered before this development goes through. She stated she is also a member of the Square Lake Association and that their position is not that there can never be development in this area, but that the development be thoughtful and protect a resource that's available for all the people in the County as well as in the State. She asked that the Board take the responsibility as stewards of Square Lake seriously, and that the Board do a thorough environmental review to ensure that this resource be protected.

Dean Tharp, resident of Square Lake, stated he had a couple of concerns. He cautioned the Board to not be totally dependent or rely on the advice of the Plat Commission. He indicated that he was told that the Plat Commission was not a public meeting and that the public was not invited. He reviewed law books and found that Commission meetings are public and the public is invited. When he got to meeting he found out that the public was not invited to participate and he was concerned about that because of the nature of the discussion and the immediate effect it would have on him as an adjacent property owner. He was concerned that no evidence was allowed to be presented on behalf of the petitioners. He also heard at this meeting from Mr. Doneux about an erosion and drainage control plan that was designed. He wanted to know who designed it, was it the Soil and Water Conservation District or the developer? He cautioned the Board to really consider what Mr. Doneux's involvement is in developing these soil and water erosion control and drainage plans. Another issue that occurred at the Plat Commission that was not addressed is what would happen to the road salt when the ponds were frozen? The question wasn't answered. Another concern regards a permanent structure which is being directed over the wetland and doesn't require a variance. He asked the Department of Health and Environment and Land Management why a structure going over a wetland doesn't require a variance? His previous experience before the Board of Review was that he couldn't build a permanent structure



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within 75 feet of a wetland. He has serious questions about that. Commissioner Abrahamson indicated that that had nothing to do with the plat, that it was a separate issue with the DNR.

Mr. Tharp stated that as a resident of Square Lake he is enormously sympathetic to the problems developers have and people who are trying to get building permits. They are for orderly development here. Part of the orderly development that he hopes the Commissioners would support would be to hold the conservation effort dear to their hearts.

Floyd Johnson, resident of Square Lake for 35 years, stated he spends a lot of time protecting that lake and the protection is against those people that have moved in, not this development. This development will probably have the best septic systems and engineering planning in the whole watershed of Square Lake. He asked why do we spend our time complaining about this development when there are septic systems on the lake that are very poor? He indicated that the property next to his has 500 gallons of affluent within 60 feet of Square Lake. This system is 40 feet above the lake and if it leaks it will leak directly into Square Lake not through a wetland. The same property has caused erosion which is also a pollution to Square Lake. It has caused a ditch that is 12 feet deep. There is a new sandbar in Square Lake. Now these people are saying that this development should not go through because they feel it is improper. This development is the best of all of the septic systems in that Square Lake watershed area. He thinks more time should be spent on those properties including his. He guesses it is not nearly as good as these systems are going to be. He suggested spending time and effort on where the problems are and not trying to create problems where there are not any.

Tracy Mazanec, May Township Board Chairman, stated there is an important responsibility when the County administers zoning requirements within a township. He has reviewed the EAW request and finds it not only sound but extremely prudent for this project. He asked that the Commissioners take their responsibility and require this EAW for this project.

Commissioner Peterson asked if the Township would pay for the EAW? Mr. Mazanec stated he could not speak for the Township. Mr. Dickie stated that the Board as the RGU has the authority to assign who would pay that, and it's either going to be yourselves or what normally happens is the developer would pay for the EAW. The governing body is not going to pay for it, although your staff is going to assist in preparing the EAW.

Mr. Dickie also stated that they do believe that this does require a mandatory EAW because of the construction of the dock. It indicated in the EQB guidelines, that generally any project that removes material from the bed, places material on the bed, or places structures on the bed of a protected water or protected wetland requires an EAW.

Randy Samuelson, resident of May Township and also a member of the Planning Commission, stated that he was appalled by the attorney for the Square Lake Homeowners Association, for making the

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statements that the Washington County Plat Commission and staff is unqualified to review plans. He indicated that he has worked with them for the past five years and found them to be very qualified in doing that. This group does not represent all the residents of May Township and apologized to the Commissioners and the staff of the Plat Commission.

David Magnuson, Attorney, spoke on behalf of the developer. He stated that the petitioners have given their concerns for Square Lake but there was not any evidence presented that there is the potential for significant environmental harm. Mr. Magnuson referred to a map showing the development area and the peoples names in bold are the people that signed the petition. He went on to say that these people were given variances for several different reasons including substandard lots, houses too close to the lake, variance from the bluffland setback as well as the public road requirement, variance on a cement boathouse right on the shore. He asked are these people concerned? He said yes, they are concerned as long as they don't have to abide by the same regulations that other people have to abide by. He asked how can they say they are concerned about Square Lake when they come to this Board and ask for variances from all the various regulations that they want imposed on everybody else. He stated that last year several of these same people decided that they would improve Oakland Road. They did this without a permit to go in and begin work. He showed a picture of the results. They did not have a grading plan or an erosion control plan. Furthermore, the roadway goes right through a designated wetland as designated by the Army Corps of Engineers. These are the petitioners that want to drag this process through an extra six months of waiting and another \$25,000 worth of expense. He stated that the Board has to listen to their staff. There's no evidence of potential and significant environmental harm to the turtles and birds. He asked the Board to deny the petition for an EAW.

Dennis O'Donnell commented on the comments made by the petitioners. He expected there would be more evidence presented. He expected that there would a geologist, hydrologist to prove that these things will occur. The DNR has been aware of this plat, and also this is just the concept phase of this plat. The Plat Commission has not gone into great depth and has not given even preliminary approval to this plat and will definitely have the DNR involved in any approval process. In response to the petitioner's cluster development for some common septic areas. One of the things they forgot to look at were the state rules which prohibit a common drain field for new developments. A concern was putting so much sewage in one area where you could create a groundwater or surface water contamination problem.

Commissioner Hegberg asked what the setback was for septic systems on Square Lake. Mr. O'Donnell responded that it was 75 feet. Commissioner Hegberg asked what the setback requirement is for a wetland. Mr. O'Donnell responded 75 feet.

Commissioner Engstrom asked Mr. O'Donnell if the DNR was invited for any input, and was this issue of whether the wetland is part of the lake or not and had that been addressed?

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Mr. O'Donnell stated that the DNR was aware of this project. He indicated that we were not required to provide them information or make them aware of this EAW petition, but they certainly are aware and they did not send us any response saying an EAW petition would be recommended or that that was part of the lake. He indicated they would further explore that as the plat proceeds through the approval process. It hasn't even gone before the township as far as he knew.

Commissioner Engstrom asked if Mr. Doneux was a hydrologist? Mr. Doneux indicated that he was not. Commissioner Engstrom asked for his background. Mr. Doneux stated he has a bachelor of science degree in environmental science, the degree is specifically called reclamation. He spent the last ten years as an environmental scientist, environmental project manager, for R. A. Smith and Associates in Milwaukee with principle duties to conduct lake and wetland and environmental watershed management projects for the firm. He stated he joined the Washington County Soil and Water Conservation District in June.

Mr. Doneux stated he had two comments. First, all of the staff did review the geological maps prior to the Plat Commission special meeting. His other comment was relative to the Soil and Water Conservation District working with developers. They often encourage the developers to work with them. They see what works and what doesn't work. They give the developers ideas on how to minimize any impacts on grading and erosion on construction sites and that they will continue to do that.

The Board Chairman asked for further comments, none were heard. The Board secretary indicated that she had all the documentary evidence and that it was made a part of the record.

Commissioner Engstrom asked the County Attorney to address the comments that the public was not allowed to participate at the Plat Commission. Bob Turrentine, Assistant County Attorney, indicated that under the Environmental Quality Board rules, because this is not a County function, when the petition is reviewed and a recommendation is made to the County Board it is made at a staff level. The decision was made to review the petition at the Plat Commission which is a public meeting, no one is denied the opportunity to attend the meeting, but it's not a public hearing. The public hearing portion was intended to be today before the County Board. The petitioners were present and were allowed to ask questions and answer questions.

Commissioner Engstrom asked what the repercussions for not voting for an EAW, what is the recourse? Mr. Turrentine stated that the procedure is the County Board will make its decision, it will provide that decision to the Environmental Quality Board, the Environmental Quality Board will publish their decision. Within 30 days of publishing the decision either the developer or the petitioners if they don't like the decision can sue in district court to have the decision turned over regardless of what the decision is.

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Commissioner Engstrom asked the County Attorney if he knew the cost of an EAW, he indicated that he contacted the University of Minnesota and they indicated the cost of an EAW was about \$15,000? Mr. Turrentine indicated that he could not answer that. Mr. O'Donnell indicated that the price could vary depending on how thorough the EAW is.

Commissioner Engstrom asked when staff expected to hear from the DNR on whether that is a lake or a wetland? Mr. O'Donnell stated he couldn't give an exact time on that, but he assumed they could get back to them in a short period of time. Commissioner Engstrom asked if that issue was raised before? Mr. O'Donnell indicated that it was not brought up at the Plat Commission. They found out about it a few days ago.

Commissioner Hegberg stated he was also concerned about Square Lake. He stated he did some research through the University of Minnesota to determine if there was some concerns of the septic systems and he could find none. He called the Minnesota Pollution Control Agency to determine if there were areas that have septic problems and have been documented as contaminated wells. He stated there were individual cases, but even in much smaller lots there were no indications of pollution from the septic systems. He talked to the Minnesota Extension Office concerning the clustering of septic systems. They indicated to him that that would be a bigger concern being a cluster system rather than individual systems because people could dump their waste in that and you wouldn't know where it came from unless you were able to track the waste through the system. With those considerations also he finds that there is no evidence that this will cause a problem to Square Lake.

Commissioner Engstrom stated he will vote for an EAW. He stated that there should have been DNR input, there was an issue raised as to whether the Square Lake wetland is a wetland or a lake.

Commissioner Hegberg stated that if that wetland would be considered part of the lake the setback is identical--75 feet. So he stated that would be immaterial. Mr. O'Donnell agreed with Commissioner Hegberg. He indicated that the developer may need to rearrange a lot line here or there, but there wouldn't be a material change in that plat map.

Commissioner Hauser moved to deny the petition for an Environmental Assessment Worksheet (EAW) for the proposed plat of Maywood South in May Township based on the following findings:

The proposed development plan shows all road runoff being directed to stormwater management facilities, therefore further reducing the potential for surface water contamination. Therefore, based upon the evidence submitted in the petition, it does not appear that there would be any significant environmental impact to Square Lake from lawn chemicals, septic systems or road salt from this project.

Based upon the grading plan submitted, 0.4 acres of slopes greater than 25% would be altered for road or driveway construction. Therefore, the limited use and grading of steep slopes should not have a significant environmental impact to Square Lake. The steep slopes would only be used for road or driveway construction. All slopes will have erosion



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control provisions, including erosion matting for steep slopes. Finally, all road drainage will be directed to stormwater detention facilities for treatment.

There is no anticipated decrease in water clarity or increase in water temperature to Square Lake due to this project. This assessment is made based upon the low density development, the three stormwater detention facilities and because of the four wetlands located between the project and the lake.

Further, based upon the evidence submitted in the petition, the use of lawn chemicals does not appear to pose a significant environmental impact to the groundwater. Due to the low density of the proposed development and the wooded lots, lawn areas are anticipated to be substantially smaller than the lot size and even smaller than the minimum buildable area of each lot which is one acre. Smaller lawns translates into less overall chemical use and provides a greater buffer and absorption area.

Where as previously discussed, all lots have been approved for on-site private sewage treatment systems. Groundwater contamination as a result of these systems installations should not occur.

The Minnesota Department of Health reviews and approves private well permits which is out of the RGU's which is the County's area of authority.

Based upon the evidence submitted in the petition, the use of household hazardous waste does not appear to pose a significant environmental impact to Square Lake or groundwater.

Potentially shallow wells on Square Lake should not be impacted from groundwater contamination for the reasons discussed previously.

Five wetlands exist on the proposed development, however, contrary to the petition, no wetland filing is proposed for this project.

There is no direct untreated, concentrated stormwater runoff discharged to any wetlands on this project. All road runoff is directed to one of three stormwater detention facilities prior to its discharge to wetlands. No direct, concentrated, post treatment runoff is being discharged into the wetlands that abut Square Lake. Erosion control practices are proposed to minimize sedimentation reaching the stormwater detention ponds. The ponds are designed to current Minnesota Pollution Control Agency standards for "Protecting Water Quality in Urban Areas." Additionally, erosion control practices are proposed in areas where any other grading may occur. Therefore, due to the stormwater management and erosion control plan proposed for the Maywood South development, no significant environmental impact is expected to occur to on-site wetlands.

Commissioner Peterson seconded the motion, and it was adopted with a 4-1 vote as follows: Yes, Commissioners Peterson, Abrahamson, Hauser and Hegberg; No, Commissioner Engstrom.

The Board took a five minute recess.

#### COUNTY ATTORNEY'S OFFICE

Commissioner Engstrom moved to adopt **Resolution No. 95-195** as follows:



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Landfill Cleanup Agreement and  
Waiver of Claims

BE IT RESOLVED, that the Chairman of the Washington County Board of Commissioners and the Washington County Administrator are authorized to sign those documents necessary to enter into a Landfill Cleanup Agreement with the Commissioner of the Minnesota Pollution Control Agency, including the Landfill Cleanup Agreement, easement to the former Richert property, Declaration of Restrictions and Covenants to the former Richert property, off-site easements and agreements, Waiver of Claims, Quit Claim Deed to former Richert property and Settlement Agreement with the City of Lake Elmo, all as negotiated by the Washington County Attorney's Office.

Commissioner Peterson seconded the motion and it was adopted unanimously.

**GENERAL ADMINISTRATION**

**Training Assessment Plan**

The County Administrator gave a brief explanation of the County's application for Association of Minnesota Counties Achievement Award for the Training Assessment Plan which was approved on the Consent Calendar this morning. This plan was awarded a National Association of Counties Achievement Award this past summer. It was felt that this plan should be brought to the attention of other counties, as it may be a benefit to them in developing their own plan.

**County Library Employees**

The County Administrator informed the Board that the plan for incorporating the County Library employees into the general County personnel system is now completed.

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Hegberg stated there will be a public hearing on the Joint Ditch No. 1 on October 25.

Commissioner Peterson suggested a workshop concerning the Metro Area Agency on Aging to see how that is working out.

**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 Hauser and it was adopted unanimously. The Board meeting adjourned at 11:30 a.m.

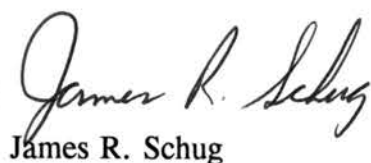
**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the court space and west end remodeling planning. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Robert Lockyear, Scott Hovett, Larry Nybeck, Richard Arney, Jim Wells, Cindy Koosmann, and Lyle Doerr.

**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss a survey from the Minnesota House of Representatives on state aid to local governments. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, and Robert Lockyear.

Attest:



James R. Schug

County Administrator

Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 7, 1995**

The Washington County Board of Commissioners met in regular session at 4:30 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Judy Arends, Waste Manager; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Jim Luger, Parks Planner; and Cindy Koosmann, County Recorder; Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the October 17, 1995, Board meeting minutes.
2. Approval to designate Commissioner Dennis Hegberg as voting delegate, and County Administrator James Schug as alternate, for Washington County at the Minnesota County Insurance Trust Annual Meeting.
3. Adoption of **Resolution No. 95-196** as follows:

Repurchase of Tax Forfeited Parcels 73695-2075  
and 73695-2100 by Richard J. Coverdale, Owner

WHEREAS, Richard J. Coverdale 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 3 & 4, Block 1  
Woodhill Office Addition

;and WHEREAS, said applicant has set forth in his application that hardship and injustice has resulted because of the forfeiture of said land, for the reason of financial hardship: That the repurchase of land by him will promote and best serve the public interest, because repurchase of said land will pay-off taxes and assessments to date and will put the property back on tax roll and will generate taxes once more.

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

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NOW, THEREFORE BE IT RESOLVED, That the application of Richard J. Coverdale 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. Adoption of **Resolution No. 95-197** as follows:

Gambling License Renewal, Recreation Scandia  
Chisago Area Lakes Association

WHEREAS, on or about October 26, 1995, the Recreation Scandia Chisago Area Lakes 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 Trails End, 16297 Scandia Trail N., Scandia, in New Scandia 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 New Scandia.

5. Approval to reappoint Charlotte Farnum to the Ramsey Action Program Board of Directors for a two-year term and that Andrew Ervin be reappointed as alternate representative.
6. Approval to issue a joint request for proposals with Anoka and Chisago Counties for a crisis response pilot program.
7. Approval of 1995-1996 contract with Northeast Residence Inc. to provide home and community based services to persons with developmental disabilities.
8. Approval to extend contract with the Minnesota Pollution Control for the operation of the Household Hazardous Waste Management Program.
9. Approval of .5 special project Family Service Worker in the Community Services Department through December 31, 1996.

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10. Approval of contract with Lawrence Mapping and Graphics in the amount of \$15,933 for the creation and supply of an up-to-date Washington County highway map.
11. Bids were received for construction on Mayberry Trail and Lofton Avenue in New Scandia Township as follows:

Valley Paving, Inc.	\$191,324.50
Hardrives, Inc.	\$196,338.00
H & M Asphalt Co.	\$198,996.85
Master Asphalt Co.	\$211,297.30

Adoption of **Resolution No. 95-198** as follows:

Award of Contract for Construction on  
Mayberry Trail and Lofton Avenue in New Scandia Township  
to Valley Paving, Inc.

WHEREAS, in order to facilitate the construction of Mayberry Trail and Lofton Avenue in New Scandia Township in Washington County, the County solicited bids for this project; and

WHEREAS, bids were opened on October 16, 1995, with Valley Paving, Inc., being the lowest responsible bidder;

NOW THEREFORE BE IT RESOLVED, that the bid of Valley Paving, Inc. be accepted and the County enter into a contract with Valley Paving, Inc., under the terms and conditions set forth in the bid specification documents; and,

BE IT FURTHER RESOLVED, that the contract between the County and Valley Paving, Inc., 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, approval by New Scandia Township, approval by the Minnesota Department of Transportation Division of State Aid for Local Transportation, and approval as to form by the Washington County Attorney's Office.

12. Adoption of **Resolution No. 95-199** as follows:

Traffic Signal Maintenance Agreement with the  
State of Minnesota, Department of Transportation  
for CSAH 19 and Hudson Road

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:



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For maintenance of the traffic control signal by State Forces on a reimbursable basis at the intersection of County State Aid Highway 19 (Woodbury Drive) at Hudson Road in accordance with the terms and conditions set forth and contained in Agreement No. 74247-R, 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.

Adoption of **Resolution No. 95-200** as follows:

Traffic Signal Maintenance with the  
State of Minnesota, Department of Transportation  
for CSAH 19 and I-94 & Hudson Road

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, emergency vehicle pre-emption, interconnect and signing on Trunk Highway No. 94 south ramps at County State Aid Highway No. 19 (Woodbury Drive) and on County State Aid Highway No. 19 (Woodbury Drive) at Hudson Road in accordance with the terms and conditions set forth and contained in Agreement No. 74246, 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.

13. Adoption of **Resolution No. 95-201** as follows:

Traffic Signal Construction Agreement with the  
State of Minnesota, Department of Transportation for  
CSAH 5 and TH 36

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 revise the existing traffic control signal with street lights on Trunk Highway No. 36 north ramps at County State Aid Highway No. 5 (Stillwater Boulevard), and install interconnect on County State Aid Highway No. 5 (Stillwater Boulevard) from Trunk Highway No. 36 south ramps to Curve Crest Boulevard in accordance with the terms and conditions set forth and contained in Agreement No. 73848, a copy of which was before the Board.

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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.

14. Bids were received for ADA signage compliance for County buildings as follows:

Pajor Graphics/ASI	\$132,375.95
Serigraphics	\$138,291.00
Tierney Bros.	\$139,851.00
SCS Cosigns	\$171,516.97
Andco Industries	\$183,942.00

Adoption of **Resolution No. 95-202** as follows:

Award of Contract for ADA Signage Compliance  
for County Buildings to Pajor Graphics/ASI

WHEREAS, in order to facilitate compliance with ADA regulations for signs on County buildings in Washington County, the County solicited bids for this project; and,

WHEREAS, bids were opened on October 24, 1995, with Pajor Graphics/ASI being the lowest responsible bidder;

NOW THEREFORE BE IT RESOLVED, that the bid of Pajor Graphics/ASI be accepted and the County enter into a contract with Pajor Graphics/ASI under the terms and conditions set forth in the bid specification documents; and,

BE IT FURTHER RESOLVED, that the contract between the County and Pajor Graphics/ASI 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 of contract with Braun Intertec for implementation of a pavement management system (PMS) for the County highway system in the amount of \$79,649.
16. Approval to request proposals to sell and remove the house at 16752 May Avenue or to raze the house if no RFP's are received.
17. Approval to execute NSP loan application for energy conservation/IAQ retrofit of a portion of Government Center air handling system.

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18. Approval of plat of Fountain Hills, West Lakeland Township.

The foregoing Consent Calendar was adopted unanimously.

**PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**  
**Amendment to the Washington County Hazardous Waste Management Ordinance**

The Waste Manager presented an overview of the proposed amendments to the Washington County Hazardous Waste Management Ordinance.

The Board Chair opened the public hearing and asked for comments from the audience; none were heard. The Public Hearing was closed at 4:35 p.m.

Commissioner Engstrom moved to adopt **Resolution No. 95-203** as follows:

Washington County Hazardous  
Waste Management Ordinance Amendments  
Ordinance No. 119

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, Minnesota Statutes Section 473.811 Subdivision 5b, specifies that each Metro County shall, by ordinance, establish and revise rules, regulations, and standards relating to Hazardous Waste. Provisions of this Statute require revision of the County Ordinance that embodies and is consistent with the Minnesota Pollution Control Agency Rules, Minnesota Rules Chapter 7045.0020 et. seq.; and

WHEREAS, the County Board of Commissioners of the County of Washington acknowledges the need for protection of the environment and public health and the need for regulation of hazardous waste.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners in and for the County of Washington, Minnesota, that Washington County Hazardous Waste Management Ordinance No. 78 is hereby amended in accordance with the attachments hereto, which are made a part hereof, and the same to become effective upon the publication of the minutes of these proceedings in the official newspaper of the County.

**WASHINGTON COUNTY, MINNESOTA**  
**ORDINANCE #119**

Amendment to Hazardous Waste Management Ordinance #78

An ordinance establishing standards to protect the health, safety and general welfare of the people of Washington County relating to hazardous waste management: Amends Washington County Hazardous Waste Management Ordinance #78 adopted on September 27, 1989.

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The Washington County Hazardous Waste Management Ordinance is being revised in accordance with Minnesota Statute 473.811, subd. 5b, which specifies that each metropolitan county shall by ordinance establish and revise rules, regulations, and standards relating to (1) the identification of hazardous waste, (2) the labeling and classification of hazardous waste, (3) the collection, storage transportation, processing, and disposal of hazardous waste, and (4) other matters necessary for the public health, welfare and safety. The county shall require permits or licenses for the generation, collection, processing, and disposal of hazardous waste and shall require registration with a county office. County hazardous waste ordinances may not be inconsistent with, and must be at least as stringent as the agency hazardous waste rules.

This ordinance shall be in full force and effect from and after its passage and publication according to law. (The full text of the ordinance is on file at the offices of the Auditor-Treasurer, Administrator of Washington County and the Washington County Department of Health, Environment and Land Management.)

Passed by the Board of County Commissioners of Washington County, Minnesota, this 7th day of November, 1995.

Commissioner Peterson seconded the motion and it was adopted unanimously.

## **PUBLIC WORKS DEPARTMENT**

### **Acquisition of Property for Inclusion into Grey Cloud Island Regional Park and Grant Agreement from Metropolitan Council for Land Acquisition**

The Public Works Director presented an overview of a proposal to acquire property for inclusion into the Grey Cloud Island Regional Park. Funds for the purchase of this property would come from the following sources: \$183,000 would come from the park permit fees for access to the parks; \$100,000 would come from the stewardship account which is money that is rental money from property that's under the Metropolitan Parks System; and \$607,000 would be a grant from the Metropolitan Council for a total purchase price of \$890,000.

Commissioner Peterson asked Sam Cave, the developer and seller of this property, for discussion purposes only, if these lots with houses would sell for \$300,000? Mr. Cave indicated that would be a modest figure. Commissioner Peterson stated that if this development was divided into 16 lots and homes were built, that they would generate \$96,000 a year in taxes that would be divided between the city, county and school district, and that over a 20 year period they would generate \$1,920,000.

Commissioner Peterson stated that there is an opportunity for the County to receive money from a housing development on this parcel of property and that there is still enough land for a park in that area. She feels this property is good residential property and would generate \$96,000 a year in taxes. She

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finds it difficult to spend this kind of money on the purchase of property for a major regional park when there are still over 1,300 acres left. She wonders with the cutbacks coming from the federal government for medical assistance, juvenile justice out-of-home placement and other social programs how the County can justify spending this kind of money for a park. Where will the money come from to purchase more property and to take on greater liability for future parks?

Commissioner Hauser stated that the funds used to purchase this property can only be used for parks. This money cannot be spent on any of the other issues Commissioner Peterson indicated.

Commissioner Peterson also stated she was concerned about placing additional transportation problems in the Cottage Grove area with this park, they are already being penalized for transportation problems on Highway 61.

Commissioner Peterson moved to deny the request for acquisition of the Michaud property for inclusion into the Grey Cloud Island Regional Park. Commissioner Abrahamson seconded the motion and it failed with a 3-2 vote as follows: Yes, Commissioners Peterson and Abrahamson; No, Commissioners Engstrom, Hauser and Hegberg.

Commissioner Hauser moved to adopt **Resolution No. 95-204** as follows:

Agreement Between State of Minnesota and  
Washington County for a Metropolitan Grant SG-95-36

WHEREAS, Washington County desires to acquire 80 acres of land for park expansion in Grey Cloud Island Regional Park;

WHEREAS, the Minnesota Legislature, by 1995 Minnesota Laws Chapter 220, Section 20, item(b) has appropriated \$607,000.00 to the Commissioner of Natural Resources for this land acquisition;

WHEREAS, Washington County agrees to be in compliance with legal restrictions and requirements, including Minnesota Statutes Section 473.301 et seq. and all other relevant state and federal laws and regulations governing this grant in fulfillment of this project;

THEREFORE, LET IT BE RESOLVED, that this agreement be approved and executed by the Washington County Board of Commissioners and the County Administrator.

Commissioner Engstrom seconded the motion and it was adopted with a 3-2 vote as follows: Yes, Commissioners Engstrom, Hauser and Hegberg; No, Commissioners Peterson and Abrahamson.

Commissioner Engstrom moved to adopt **Resolution No. 95-205** as follows:



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Resolution to Purchase Michaud Property  
Grey Cloud Island Regional Park

WHEREAS, Washington County is interested in acquiring the property described in addendum no. 1 in Grey Cloud Township, for inclusion into the Grey Cloud Island Regional Park 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 legally described in Addendum No. 1 ("the Property") for the sum of \$890,000; in total.

Conveyance should be by warranty deed pursuant to the terms and conditions of a standard Miller-Davis Purchase Agreement free and clear of all liens, charges and encumbrances. This purchase agreement shall be subject to the following conditions:

- a. Seller to pay all levied or pending special assessments (if any);
- b. Seller to pay abstract expenses;
- c. Real Estate taxes shall be pro rated as of the date of closing;
- d. Seller to pay state deed tax and conservation fee, if any;
- e. Seller to pay all the Green Acre payback tax on the property described in addendum no. 1.
- f. Closing is to be on or before December 1, 1995. The closing shall be handled through the Washington County Attorney's Office.
- g. The acquisition is subject to a satisfactory environmental assessment by the County.
- h. This sale is being made in lieu of condemnation.
- i. Sale is contingent upon the seller obtaining the necessary approvals by the required governmental bodies to split parcels 85025-2000 and 27030-3750.
- j. Seller shall successfully complete its purchase of the Property from the Estate of Martha Michaud and Betty Kartarik.
- k. The property is being purchased by Buyer in its present physical condition. Buyer has, or will have prior to Closing, conducted such tests, reviews, appraisals, and inspections of the Property as it deems necessary or appropriate in connection with the acquisition thereof and shall rely solely upon such due diligence with regard to the condition of the Property including all environmental matters, the location, size, character, value, subsurface or soil condition, and state of repair thereof. Upon closing, buyer shall be deemed to have purchased the property "as is" without any representation or warranty whatsoever, express or implied.

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ADDENDUM NO. 1  
LEGAL DESCRIPTION OF MICHAUD PROPERTY

The SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , except the East 313.66 feet lying north of the south 66.00 feet; also the S $\frac{1}{2}$  of the E $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , all in Section 25, Township 27 North, Range 22 West, Washington County, Minnesota. Subject to the flowage easement of the U.S. Corps of Engineers.

and

The South 66.00 feet of the W $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 30, Township 27 North, Range 21 West, Washington County, Minnesota, lying westerly of Grey Cloud Trail South, as now established. Subject to the right of way of Grey Cloud Trail South.

Commissioner Hauser seconded the motion and it was adopted with a 3-2 vote as follows: Yes, Commissioners Engstrom, Hauser and Hegberg; No, Commissioners Peterson and Abrahamson.

**GENERAL ADMINISTRATION**

**Natural Resources Block Grant**

Commissioner Hegberg moved to approve expenditures of \$16,000 of State Natural Resources Block Grant-Wetland Funds for Brown's Creek Water Management Organization hydrologic study and stormwater management plan. Commissioner Engstrom seconded the motion and it was adopted unanimously.

**Impact of the Livable Communities Act on Transportation Funding**

The Commissioners discussed the Livable Communities Act and the impact it would have on transportation funding. Commissioners Hauser and Engstrom attended a Metropolitan County Transportation Advisory Board (TAB) meeting on October 31 and gave an overview of the discussion that took place. A proposal was made to the TAB Policy Committee recommending that legislation be changed to include a place for counties to register their adoption or not of the Livable Communities Act in order to gain their own points for their own proposals for ISTEA money. The proposal is that county sponsored projects will be awarded 50 points if the following conditions are met: 1) Project in more than one city will be awarded 50 points if at least 20% of the project is located in a city that has adopted a resolution to participate in the Local Housing Incentives program by February 9, 1996; and/or 2) the county adopts a resolution supporting the Livable Communities Act, pledges to encourage communities in its jurisdiction to participate in the Local Housing Incentives program, and indicates how the county or another county entity (i.e. HRA) will assist municipalities that choose to participate in the Local Housing Incentives program, to meet their negotiated affordable and life-cycle housing goals.

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Commissioner Peterson indicated that Metropolitan Council has created a Livable Communities Committee which is made up primarily of city representatives. She requested the Board's support in her appointment to this committee as a representative of the Transportation Advisory Board. She feels that it would be a good idea to bring a county perspective to this committee.

The County Administrator suggested that if the Board is in support of the proposal as discussed that it send that message to the next TAB Policy Committee meeting scheduled for November 13. Then, after the guidelines are developed and the requirements as to what the county would have to do if this policy is adopted, a resolution could be prepared for Board action at that time.

Commissioner Engstrom moved general support for the proposal outlined in the Metropolitan Council letter of November 6, 1995 regarding ISTEA Incentive Funding Policy as follows: County sponsored projects will be awarded 50 points if the following conditions are met: 1) Project in more than one city will be awarded 50 points if at least 20% of the project is located in a city that has adopted a resolution to participate in the Local Housing Incentives program by February 9, 1996; and/or 2) the county adopts a resolution supporting the Livable Communities Act, pledges to encourage communities in its jurisdiction to participate in the Local Housing Incentives program, and indicates how the county or another county entity (i.e. HRA) will assist municipalities that choose to participate in the Local Housing Incentives program, to meet their negotiated affordable and life-cycle housing goals. Commissioner Peterson seconded the motion and it was adopted unanimously.

Commissioner Engstrom moved that a letter supporting the appointment of Commissioner Peterson to the Livable Communities Committee as a Transportation Advisory Board representative. Commissioner Hauser seconded the motion and it was adopted unanimously.

#### **Meeting with the Greater St. Paul Tomorrow Group**

The County Administrator informed the Board that there is a group called Greater St. Paul Tomorrow, which is a policy/planning organization with 28 members made up of elected officials and business community representatives throughout the east metro area. He stated that Commissioner Hauser sits on that committee. He indicated that they are in the process of putting together a Social Outcomes Report outlining the social and economic health of the east metro area and have expressed an interest in meeting with the local officials. He suggested holding a forum such as the one held a few months ago with Metropolitan Council, inviting all the elected officials. It was Board consensus to hold this forum and a date would be determined at a later date.

November 7, 1995

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORT - COMMENTS - QUESTIONS**

Commissioner Engstrom discussed the possibility of scheduling regular meetings between the County Board members and the County legislative delegation during the legislative session at the Capitol. The County Attorney advised the Board that these meetings will need to be noticed as to time, place, and items to be discussed. It was Board consensus that these meetings be scheduled.

Commissioner Peterson acknowledged Harvey Stiefel, Grey Cloud Island Township, who has faithfully served the County for many years. She and the other Board members thanked Mr. Stiefel for his services on the Planning Advisory Committee.

Commissioner Peterson also thanked the Board members and County staff for their support during the last week.

**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 Hegberg and it was adopted unanimously. The Board meeting adjourned at 5:45 p.m.

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board meeting was preceded by a workshop to discuss the public hearing record for the Washington County 2015 Comprehensive Plan and the draft Linear Park Master Plan and identify Commissioners' concerns with either plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Jane Harper, Bob Turrentine, Don Wisniewski, Jack Perkovich, Jim Luger, Lowell Johnson, Patricia Raddatz, Jim Broede, St. Paul Pioneer Press, and Mr. and Mrs. Harvey Stiefel, Grey Cloud Island Township.

November 7, 1995

The hearing record officially closed on October 31, 1995. The hearing record consists of the following items:

From the County Board Public Hearing held on October 3 & 10, 1995:

3 video tapes of the verbal testimony.

Written documentation which includes:

Name and address of the 134 citizens who presented verbal or written comments.

Written comments from 108 citizens.

Summary of all the comments by topic.

Staff comments from the Public Works Department and Administration.

Legal notice and affidavit of publication in the Oakdale Clarion.

From the Planning Advisory Commission Public Hearing held on April 18 & 20, 1995:

Four video tapes of the verbal testimony.

Written documentation which includes:

Name and address of the 240 citizens who presented verbal or written comments.

Written comments from 154 citizens.

Summary of all comments by topic.

Staff comments from the Department of Administration, the Historical

Courthouse, and the Health, Environment and Land Management Department.

Legal notice and affidavit of publication in the Oakdale Clarion.

The following is a recap of items discussed at the workshop:

Purpose: Identify concerns that the Commissioners would like to spend more time discussing before approving the plans.

Concerns:

I-94 Land Use - Consensus was reached on removing the statement referring to commercial development when sewer and water is available. The land use would remain R-1. The County can consider amending the plan in the future if the circumstances change.

Alternative Waste Treatment Systems - Consensus was reached on adding an implementation action relating to staff researching alternatives to individual on-site septic systems and the county reviewing its current septic ordinance, and adding language to the plan providing the county with the option to use alternative systems in the future. This ties into the sections on cluster development, rural centers, the commercial/industrial policy, and the natural resource policies.

MUSA Expansion - There was some concern that the Plan included too much emphasis on expansion of the MUSA. A suggestion was made to delete comments that are supportive of MUSA expansion. However, another comment was made that the Plan should look beyond 2015 a bit and indicate areas where the MUSA should be expanded and areas where it should not be expanded. This relates to the sections on the general philosophy of the plan, transition areas and supporting cities in their efforts to plan for orderly growth.



November 7, 1995

Rural Centers - Be sure that the rural center boundaries and applicable policies are well defined.

Cluster Housing - A suggestion was made to refer to cluster housing as Planned Unit Development Housing. Open space permanence: What can the County require? How far can the plan go? A suggestion was made to include a list of criteria that must be met in order to convert open space to another use? Need to specify a maximum lot size.

Minimum Lot Size - Staff will evaluate the impact of eliminating the minimum lot size and develop pros and cons of doing this. The lot size should be dictated by performance standards such as septic requirements, well requirements, lot width, etc.

Density - Concept: A suggestion was made to stick with the current plan and give townships more authority. Another suggestion was made to adopt one overall density for each township instead having different density districts.

Calculation: A suggestion was made to only include what's buildable. Staff will work up an example to show the impact of excluding lakes, parks, and wetlands.

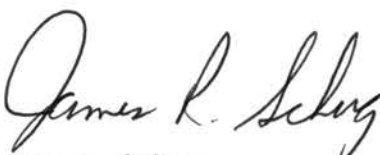
Right-to-Farm Issue - What can the County do to ensure that the farmers operation is not considered a "nuisance" as more rural residential development occurs? What is the feasibility of passing legislation for open space protection similar to the Metropolitan Agricultural Preserves Act?

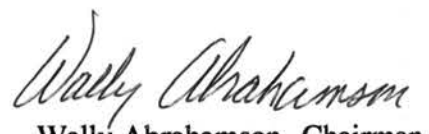
Affordable Housing - Does the plan do all it can to address the affordable housing issue. The plan should describe the concept of "community".

Water - Be sure that the plan has policies regarding proper planning and storm water run-off to avoid some of the water problems that have been occurring.

Natural Features - Incorporate more language regarding protecting the counties natural features.

Linear Parks - Issues - cost, maintenance, liability.

Attest:   
James R. Schug  
County Administrator

  
Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 14, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; John Devine, Controller; Judy Honmyhr, Human Resources Director; Mike Gripentrog, I.S. Director; Russ Reetz, Court Services Director; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Robert Lockyear, Director of Planning and Administrative Services; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the October 24, 1995, Board meeting minutes.
2. Approval to advertise for 1996 committee vacancies.
3. Adoption of **Resolution No. 95-206** as follows:

Repurchase of Tax-Forfeited Parcel No.  
22119-8320 by Henrietta Utecht, Owner

WHEREAS, Henrietta Utecht 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:

Plat/parcel #22119-8320

Lots 14-16, Block 118  
& S½ of Lot 17 exc to Hwy

;and WHEREAS, said applicant has set forth in his application that property taxes were overlooked; that the repurchase of said land will promote and best serve the public interest, because it will put the property back on tax roll.

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

November 14, 1995

NOW THEREFORE BE IT RESOLVED, that the application of Henrietta Utecht 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 to order reappraisal of tax-forfeited parcels remaining unsold after the last auction and withdrawing such parcels from sale until they may be offered at a future public auction.
5. Approval of 1.5 percent rate increase for day training and habilitation services provided by East Suburban Resources and Opportunity Services, Inc.
6. Approval of banding and grading of new job description of Central Services Supervisor in the Office of Administration at C42-1; approval of job description.
7. Approval of banding and grading of new job description of Workforce Center Division Manager in the Community Services Department of C52-1; approval of job description.
8. Approval to advertise for 1996 motor vehicle fuel supplies for the Public Works and Sheriff's Departments.
9. Approval to advertise for bids for carpet installation in County buildings.
10. Adoption of **Resolution No. 95-207** as follows:

Leasing of Tillable Farm Lands in Lake Elmo  
and Cottage Grove Ravine  
Regional Parks and Pine Point Park

WHEREAS, in order to facilitate the use of agricultural lands within the boundaries of the Lake Elmo and Cottage Grove Ravine Regional Parks and Pine Point Park, the County solicited bids for leasing of this land; and

WHEREAS, bids were opened on November 3, 1995, with Gordon Herman for Parcel A; Bruce Mahle for Parcel B; Keith McHatlie for Parcel C in the Lake Elmo Park Reserve; and Keith McHatlie for Parcel D in Cottage Grove Ravine Regional Park, and Ken Berwald for Parcel A in Pine Point Park, being the highest responsible bidders; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Gordon Herman for Parcel A; Bruce Mahle for Parcel B; Keith McHatlie for Parcel C in the Lake Elmo Park Reserve; and Keith McHatlie for Parcel D in Cottage Grove Ravine Regional Park, and Ken Berwald for Parcel A in Pine Point Park be accepted and the County enter into a contract with Gordon Herman for Parcel A; Bruce Mahle for Parcel B; Keith McHatlie for

November 14, 1995

Parcel C in the Lake Elmo Park Reserve; and Keith McHatlie for Parcel D in Cottage Grove Ravine Regional Park, and Ken Berwald for Parcel A in Pine Point Park under the terms and conditions set forth in the bid specifications documents; and,

BE IT FURTHER RESOLVED, that the contract between the County and Gordon Herman for Parcel A; Bruce Mahle for Parcel B; Keith McHatlie for Parcel C in the Lake Elmo Park Reserve; and Keith McHatlie for Parcel D in Cottage Grove Ravine Regional Park, and Ken Berwald for Parcel A in Pine Point Park, may be executed through the signatures of the Chairman 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.

11. Approval of Supplemental Agreement No. 5 for CSAH Road 5 construction project SAP 82-605-10 in the amount of \$11,530.
12. Approval of consulting services contract with the 106 Group Ltd. at a cost not to exceed \$37,660 for cultural resources investigation services on the County State Aid Highway 3 corridor improvement project.

The foregoing Consent Calendar was adopted unanimously.

### **GENERAL ADMINISTRATION**

#### **United Way Campaign**

The Board Chairman announced that the County Board hosted an appreciation coffee for the County employees who contributed to the United Way Campaign. The County Administrator stated that County employees raised almost \$16,000 which passed the amount raised last year. He thanked all the employees.

#### **Valley Branch Watershed District Appointment**

Commissioner Hauser moved to appoint Dr. David Bucheck of Lake Elmo, to the Valley Branch Watershed District Board of Managers, to fill an unexpired term to November 13, 1996. 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.

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**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson gave an update on the Transportation Advisory Board Policy Committee meeting she attended yesterday. She indicated that the Committee reached a compromise in the Livable Communities Act as discussed at last week's Board meeting.

Commissioner Peterson stated that there will be a policy brought forth from the Sustainable Development Committee dealing with annexation. This policy will be discussed at the Annual AMC Conference in December. She indicated that as soon as a final draft is ready she'll make it available to the County Board members. This policy would also establish a committee to be called the Local Governmental Task Force that would review not only annexation policy but would examine issues such as growth, land use, and economic development from a local government viewpoint rather than the legislative branch.

Commissioner Hegberg informed the Board that Dave Berg has tendered his resignation from the Carnelian Marine Watershed District. He requested staff to inform the communities located in that watershed district of the vacancy.

Commissioner Abrahamson discussed an article in the newspaper regarding the budget proposal and cuts of up to \$8 billion to the State of Minnesota and how those cuts would affect Washington County. He referred to a report by John Brandl and Vin Weber which was presented to Governor Arne Carlson entitled "An Agenda for Reform Competition, Community, Concentration." The County Administrator indicated that the legislative representative will be bringing out a copy of that report for the Commissioners. Commissioner Hauser stated that the biggest issue the State legislature has to deal with is property tax reform.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

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

**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the 1996 legislative package. No business was transacted and the public was welcome to attend. Present for the workshop



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session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Richard Arney, Robert Lockyear, Sue Ladwig, Legislative Representative, Russ Reetz, Dan Papin, Don Wisniewski, Judy Arends, Richard Stafford, Scott Hovet, Larry Nybeck, Cindy Koosmann, and Molly O'Rourke.

#### **BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss Court space and west end remodeling planning. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Robert Lockyear, Russ Reetz, Don Wisniewski, Lyle Doerr, Richard Stafford, Scott Hovet, Larry Nybeck, Cindy Koosmann, Bill Funari, and Mike Gripenrog.

#### **BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the Washington County 2015 Comprehensive Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Jane Harper, Robert Lockyear, Bob Turrentine, Dennis O'Donnell, Lowell Johnson, Jim Broede, St. Paul Pioneer Press, and Harry Melander. The following is a brief recap of the discussion that took place:

Issue: I-94 Land Use in West Lakeland Township

Discussion:

Commissioner Peterson - 50 years from now this area will be an economic resource. We should preserve it. It is ludicrous to put rural residential next to a freeway. Agricultural zoning makes most sense - preserves long-term options and allows PUD's. (Both sides of freeway.) The County will need an economic base to pay for open space.

Commissioner Engstrom - Wants agricultural zoning on south side of freeway. Parks and Open Space Commission is researching the viability of a golf course.

Commissioner Peterson - Her vision is corridor of corporate headquarters. We should encourage development of a golf course. Noise is hazardous.

Commissioner Engstrom - Not in favor of commercial along the corridor, in most areas. Probably won't be commercial within next 20 years.

Commissioner Hauser - North and south do not need to be treated in the same way. Need to look at permitted uses to be sure we can live with what is allowed in an agricultural zone.

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Commissioner Abrahamson - Keep R-1 on north side of freeway. Citizens want no sewer and water. Already have houses in the area. Others have plans to develop houses.

Commissioner Peterson - Tanner's Lake, City of Landfall - examples of developments that should not have been allowed. They are now causing problems for developing economic uses. We should not make the same mistake.

Bob Turrentine, Assistant County Attorney - When down zoning you need to leave some uses to allow the owners to have reasonable use of the property. This can be done through implementation. You need to be in furtherance of a legitimate governmental purpose (land banking for future residential or commercial). He would be more comfortable with 1/10 than 1/40.

Commissioner Hegberg - Concerned about noise - residential isn't appropriate in this location. Agriculture will preserve the land for long-term uses. DuPage County is an example of good development along a freeway. It is what the I-94 corridor should look like. Need to allow interim uses. What you see along the freeway is quads - where poor people live. It isn't fair to the poor people.

Commissioner Abrahamson - People aren't concerned about the noise. Leave the area as is - that's what the people want. Let the township plan it for long-term commercial if that is their wish.

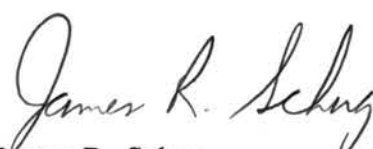
Commissioner Hauser - 1/10 residential will get us into some legal tangles. It's not inconceivable that the south side of the freeway could be annexed to Afton and the city could then rezone it.


#### Direction

Commissioner Engstrom -	R-1 residential
Commissioner Peterson -	1/10 residential
Commissioner Hauser -	Leave R-1 residential
Commissioner Hegberg -	Agricultural or 1/10
Commissioner Abrahamson -	Residential at 2½

#### Alternative Treatment Systems

Consensus: Language as proposed by staff was acceptable with no changes.

Attest:   
James R. Schug  
County Administrator

  
Wally Abrahamson, Chairman  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 21, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; John Devine, Controller; Russ Reetz, Court Services Director; Don Wisniewski, Public Works Director; Robert Lockyear, Director of Planning and Administrative Services; Lois Yellowthunder, Human Services Planner; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the November 7 and 14, 1995 Board meeting minutes.
2. Approval to authorize up to \$3 million for the remodeling of the Courts and Support Services area; authorization for the County Board Chair and County Administrator to execute the contract with Wold Architects for this remodeling along with associated mechanical items.
3. Approval to authorize the Public Works Department to remodel and relocate the Assessor, Auditor-Treasurer, Recorder and Surveyor's Offices and upgrade heating, ventilating and air conditioning on the west end of the north wing of the Government Center.
4. Approval to order reappraisal of tax-forfeited parcels 73100-2400 and 73100-2500 remaining unsold after the last auction and withdrawing such parcels from sale until they may be offered at a future public auction.
5. Adoption of **Resolution No. 95-208** as follows:

Vacating a Portion of Unneeded County  
Road 55 Right of Way in May Township

WHEREAS, that portion of County Road 55 between CSAH 7 and County Road 61 was reconstructed in the mid-1970's; and

WHEREAS, portions of County Road 55 were realigned; and

WHEREAS, a portion of the old right of way of County Road 55 is no longer needed for county road purposes; and

November 21, 1995

WHEREAS, that portion of former County Road 55 that is no longer used or needed creates a title encumbrance to the underlying parcel.

NOW THEREFORE BE IT RESOLVED, that pursuant to Minn. Stat. 163.11, Subd. 4, the Washington County Board of Commissioners vacate the following described right of way along County Road 55:

All that part of the original County Highway No. 55 right of way located within the Northwest Quarter of the Northeast Quarter (NW¼ of NE¼) of Section 33, Township 31 North, Range 20 West, Washington County, Minnesota which lies westerly of the westerly line of WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 12, as said plat is on file and of record in the office of the County Recorder of said Washington County, and which lies southerly and southeasterly of the southeasterly right of way of Washington County State Aid Highway No. 7, also known as Square Lake Trail North, as the same is presently surveyed, occupied and travelled.

BE IT FURTHER RESOLVED that a copy of this resolution be personally served on all occupants of land through which the vacated portion of County Road 55 passes and that a copy of this resolution be posted for at least 10 days in the Washington County Government Center and the Town Hall of May Township.

6. Bids were received for lighting retrofit of the Law Enforcement Center as follows:

Metro Electric	\$117,340
A.A. Hanson Electric	\$123,357
Donnelly Electric	\$135,000
Peoples Electric	\$138,000
Egan & Sons	\$139,705
Simon Electric	\$142,682
Granite City Electric	\$165,000

Adoption of **Resolution No. 95-209** as follows:

Award of Contract for Law Enforcement Center  
Lighting Retrofit to Metro Electric

WHEREAS, in order to facilitate the lighting retrofit of the LEC in Washington County, the County solicited bids for this project; and,

WHEREAS, bids were opened on November 1, 1995, with Metro Electric, being the lowest responsible bidder;

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

November 21, 1995

BE IT FURTHER RESOLVED, that the contract between the County and Metro Electric 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.

7. Approval and execution of Supplemental Agreement No. 1 with S.M. Hentges & Sons for road construction project on CSAH 6 in the amount of \$42,974.
8. Adoption of **Resolution No. 95-210** as follows:

Agreement with State of Minnesota, Department  
of Transportation, for Traffic Control Signals  
on CSAH 13 (Radio Drive) and I-94 South Ramps

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, emergency vehicle pre-emption, interconnect and signing on Trunk Highway No. 94 south ramps at County State Aid Highway No. 13 (Radio Drive) and on County State Aid Highway No. 13 (Radio Drive) at Hudson Road (east) and at Hudson Road (west) in accordance with the terms and conditions set forth and contained in Agreement No. 74249, 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.

Adoption of **Resolution No. 95-211** as follows:

Agreement with the State of Minnesota, Department  
of Transportation, for Maintenance of Traffic  
Control Signals on CSAH 13 (Radio Drive) and Hudson  
Road East and Hudson Road West

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:

For maintenance of the traffic control signals by State forces on a reimbursable basis at the intersections of County State Aid Highway 13 at Hudson Road (east) and at Hudson Road (west) in accordance with the terms and conditions set forth and contained in Agreement No. 74265-R, a copy of which was before the Board;



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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.

9. Approval to advertise for sale and removal of home at 11111 Lomond Avenue, Marine, MN 55047.

The foregoing Consent Calendar was adopted unanimously.

#### **GENERAL ADMINISTRATION**

Commissioner Engstrom moved to submit a pre-application to the Board of Government Innovation and Cooperation for a Service Budget Model Grant for the project entitled "Toward Defining the Role of Metropolitan Counties." Commissioner Peterson 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 Hegberg informed the Board of a letter he received from a youth athletic association in Forest Lake thanking the County for the use of its sentence-to-service crew who removed some bleachers saving the program approximately \$3,600.

Commissioner Engstrom asked the County Assessor to update the Board on a state required valuation increase of 10 percent for all agricultural land in the County. The County Assessor gave a brief overview of how the state arrived at that increase, and noted that the actual dollar amount for each parcel would not be a big increase. Commissioner Engstrom stated that at a time when the County Board is trying to preserve open land, that farmers should not be penalized by an increase in taxes.

Commissioner Hauser gave an update on a Corrections Subcommittee meeting she attended at AMC which discussed the Brandl/Weber Report dealing with criminal justice issues and the Curry Report which proposed changes in the formula for community corrections.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

November 21, 1995

**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 9:40 a.m.

**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to continue discussion on the 2015 Comprehensive Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Virginia Erdahl, Bob Turrentine, Jane Harper, Dennis O'Donnell, Robert Lockyear, Ron Amland, Stillwater Gazette, and Jim Broede, Pioneer Press. The following is a brief recap of the discussion that took place:

Issue: MUSA Expansion

Discussion:

Commissioner Abrahamson - Announced that the Township Association will seek changes to annexation laws to require a referendum. How would this affect the Plan?

Commissioner Peterson - The Sustainable Development Committee has asked all cities, towns and counties to take the next two years to study what position should be supported regarding annexation legislation.

Commissioner Hauser - The emphasis in the Plan should be on supporting the agreement between cities and towns, not on prescribing where annexation boundaries should be.

Commissioner Engstrom - We need to encourage cooperation.

Commissioner Peterson - The MUSA needs to be more flexible. The County needs to work with the cities to expand the MUSA and provide them room to grow. It is foolhardy for the county to not support orderly annexation in areas adjacent to the cities, especially when there is demand for urban-type housing. Orderly annexation is good land use policy. Sewered development will protect the ground water. That is better than a county full of 2 1/2 acre lots with individual on-site sewage treatment systems that might someday pollute the ground water.

Commissioner Hauser - Questioned how we influence the use of the land if we defer to the cities and their desires to expand. She fears that the County will have creeping sewers and a development pattern that might make a Woodbury or an Oakdale of the entire county. If we support the transition areas, they will fill up and ultimately put more pressure on the adjoining townships for smaller lots.

November 21, 1995

Commissioner Hegberg - People need a place to live. So many people will move here and we must provide for them. Some development will occur whether or not we do anything. We need the transition areas to allow for future high density development.

Commissioner Abrahamson - The only reason Stillwater wants to annex is to provide the sewer line to the schools. The services in the transition areas will cost more than the revenues generated.

Commissioner Engstrom - Transition areas will encourage more growth and a greater rate of growth.

Commissioner Hauser - Embraces the theory but the applications show the folly of the theory. We need to build in the regulations and policies to cause the theory to work. The current ways don't work. The Met Council has been unable to do something on a regional basis. We still can't find enough density to support mass transit.

Commissioner Engstrom - We need to tie our transportation investments to our desired land use.

Commissioner Hauser - We need to assess our fees and recover full costs from the towns we serve.

Commissioner Peterson - The market for large lots with large houses will deteriorate as the baby boomers age. They will want smaller structures, townhouses or condominiums. We need a place for these units. The large houses will decline in value as the demand for them decreases. We need to make up for the loss in tax capacity with more density.

Commissioner Hauser - Current zoning makes growth unmanageable. We shouldn't segregate communities by zone. We should consciously create community. Now we do it through social services after we've butchered the land. We should start with rural centers and build out. People want to live in areas where the services are.

Direction:

Change the Plan's language on page 4-30 General Philosophy to read: "Locations within the Metropolitan Urban Service Area (MUSA) should continue to accommodate staged serviced residential, commercial and industrial growth to the limits of **the MUSA**. The County will **support** orderly annexation agreements **developed cooperatively** between cities and townships in identified transition areas...."

The other references to MUSA will be revisited after the discussions on density.

November 21, 1995

Issue: Cluster Housing - Permanence of Dedicated Open Space

Discussion:

Commissioner Engstrom - Would like to require the townships to offer clustering as a development option. (Attorney Bob Turrentine confirmed that this would be legal.) Commissioner Peterson agreed.

Commissioner Peterson - Endorses the clustered housing concept. The ordinance needs to include a maximum lot size to make cluster housing work. She is concerned about ground water impacts from clustered housing. The ordinance must include performance standards to protect the environment.

Commissioner Hegberg - The bonus needs to be liberal enough to pay for the additional planning and design work developers will need to do. This is the key to the whole program.

Direction:

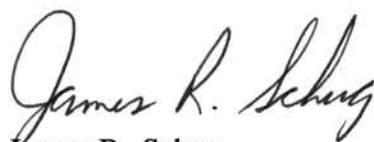
Delete the sentence referring to developing the open land if the land is rezoned.

Delete the words "for the development" and "No other uses, of the common land are permitted." These statements may exclude some legitimate open space uses.

Require that townships offer cluster as an option - the townships would be required to adopt the County's cluster ordinance.

The ordinance should contain a minimum and maximum lot size.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 28, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Judy Honmyhr, Human Resources Director; Mary McGlothlin, Director of Health, Environment and Land Management; Dan Papin, Community Services Director; Jon Larson, Veterans Service Officer; Rick Backman, Community Services Division Manager; Char Farnum, Community Services Division Manager; Jack Perkovich, Public Works Deputy Director; Cindy Koosmann, County Recorder; Sheila Neubauer, Risk Management Coordinator; Robert Lockyear, Director of Planning and Administrative Services; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Approval of the following proclamation:

Stillwater Area High School Football Team  
1995 Class "AA" Champions

WHEREAS, the Stillwater Area High School Football Team has won the 1995 Class "AA" High School Football Championship; and

WHEREAS, the 1995 Stillwater Area High School Football Team is an outstanding example of community teamwork and spirit in Washington County; and

WHEREAS, this excellence has been a combined achievement of the players, coaches, parents and the school community's spirit and dedication to a worthy goal;

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners commends the 1995 Stillwater Area High School Football Team, its coaches and parents for their outstanding commitment, contributions and achievement;

BE IT FURTHER RESOLVED, that a copy of this proclamation be forwarded to the school district, the players and coaches as a token of the County Board's esteem.

2. Approval of the 1996 purchase of service contract with Community Volunteer Service in the amount of \$38,000.



November 28, 1995

3. Approval of an amendment to the 1995 contract with Nekton, Inc. to provide home and community based services to persons with developmental disabilities.
4. Approval of an amendment to the 1995 contract with REM Metro Services, Inc. to provide home and community based services to persons with developmental disabilities.
5. Adoption of **Resolution No. 95-212** as follows:

Final Payment to Master Asphalt Company  
for Bituminous Overlay on CSAH 2

WHEREAS, the Washington County Board of Commissioners, on August 15, 1995, signed an agreement with Master Asphalt Company for the bituminous overlay on CSAH 2 in Forest Lake; and

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

NOW, THEREFORE BE IT RESOLVED that Master Asphalt 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.

6. Approval of the following abatement applications:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	27004-2100	Otis, Constance S.	\$3,445.02
Hmstd	27004-2050	Otis, Constance S.	444.40
Hmstd	27004-2000	Otis, Constance S.	455.82
Hmstd	27003-2400	Otis, Constance S.	158.28
Hmstd	28339-3450	Lustila, Leon	1,453.74
Hmstd	48440-1750	Ferder, Richard	151.28
Hmstd	87197-3075	Snyder, Edwin J.	388.28
Hmstd	58117-2050	Lalley, Cynthia L.	1,204.88
Hmstd	57588-2925	Weschcke, Catherine	1,147.34
Hmstd	09790-2250	Clayton, Lawrence	1,092.36
Hmstd	73613-3025	Swails, Thomas E.	451.26
Hmstd	81001-2500	Johnson, Richard J.	1,548.02
Hmstd	83330-3150	Hansen, Gary	443.44
Red/Val	19045-3550	Mauer, Kenneth B.	361.80
Red/Val	19405-3550	Mauer, Kenneth B	379.58
Exempt	57030-2460	Wash. County HRA	2,809.76

The foregoing Consent Calendar was adopted unanimously.

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**PUBLIC WORKS DEPARTMENT**

Commissioner Hegberg moved to authorize the County Board Chair to send a letter to the Metropolitan Park and Open Space Commission requesting that they consider the designation of Square Lake Park as a special recreational feature within the regional park system. Commissioner Peterson seconded the motion and it was adopted unanimously.

**COMMUNITY SERVICES DEPARTMENT**

The Community Services Director presented his department's strategy to plan for pending federal and state human service reform initiatives. Three creative project teams have been established: 1) Welfare, employment and training, child care; 2) Health care/medicaid; and 3) Child protection/child welfare. These teams will be facilitated by division managers and will involve supervisors, staff, other county departments, county commissioners, advisory board members and key community members. A steering committee will also be established to interface with the three project teams.

**GENERAL ADMINISTRATION****Minnesota Counties Insurance Trust (MCIT)**

Mike Rhyner, Minnesota Counties Insurance Trust, presented an overview of the County's workers compensation and property/casualty experience in MCIT. He also presented the Board Chair with a dividend check in the amount of \$129,295.

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Hegberg asked staff to investigate the possibility of charging a fee on building permits for the watershed district to defray the cost of correcting the stormwater runoffs that have occurred in the northern area of the County. He also suggested that the federal flood maps be updated.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

November 28, 1995

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously. The Board meeting adjourned at 10:00 a.m.

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to continue discussion on the 2015 Comprehensive Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Virginia Erdahl, Bob Turrentine, Jane Harper, Mary McGlothlin, Dennis O'Donnell, Robert Lockyear, Ron Amland, Stillwater Gazette, and Harry Melander, Planning Advisory Committee. The following is a brief recap of the discussion that took place:

Issue: Maximum Housing Density Concept

Discussion:

Commissioner Engstrom - To have individuals buy into the concept of cluster development, the zoning ordinance should have input from specific groups such as the Builders Association to help develop that ordinance.

Commissioner Hegberg - The Board needs to have more discussion on the density districts, and the bonus given for cluster development has to be significant enough to pay for infrastructure of clustering our planned unit developments.

Commissioner Hauser - Feels that a consensus has been reached that clustering is important enough that we are interested in finding an appropriate incentive level.

Commissioner Peterson - It may mean that the County will have to hire a specialist in this type of zoning because there may be legal and planning questions that we don't have experience with.

Dennis O'Donnell, Sr. Land Use Specialist - In order for clustering development to work, you need to convince the townships that clustering is a good idea and their ordinance would have to closely resemble the County's.

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Commissioner Hauser - Believes that the Comprehensive Plan should indicate what the township density should be and then allow the townships to divide it up according to how they could achieve that density without setting any kind of minimum or maximum lot size. This would mean that the town plan has to be in sync with the County's Comprehensive Plan. But we should allow maximum flexibility not only for the townships but for the property owners within those townships.

Direction

Consensus: The concept of maximum housing density accepted by the Board.

Issue: Average Housing Density Calculation

Discussion:

Commissioner Engstrom - Would like to see the public waters, public parks and wetlands excluded from the calculation.

Commissioner Peterson - Believes you cannot totally exclude wetlands from the calculation.

Commissioner Hauser - Undevelopable areas, whether they are water or just wetland, should not be included in the calculations.

Commissioner Hegberg - Would prefer to keep wetlands in the calculation of density because it allows the township to decide and look at that area. He questions whether you could define wetlands to such an extent that you could exclude it without getting into a whole regulatory program and lawsuits because of the size.

Bob Turrentine, Assistant County Attorney - If the County moves towards the density concept, there is nothing in the state or federal law that would prohibit the County from including or excluding the wetlands as part of the density because what protects wetlands is the setbacks from building on them and the inability to drain them. However, if you use minimum lot size then there are a few more constraints.

Direction

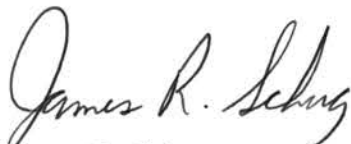
Discussion on the average housing density calculation will be continued at the December 12, 1995, Board meeting along with discussion on density districts.

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**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the Minnesota Wetland Conservation Act. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were James Schug, Virginia Erdahl, Konrad Koosmann, Mark Doneux, Dan Larson, Minnesota Board of Water and Soil Resources, Sue Ladwig, and Jane Harper.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 5, 1995**

The Washington County Board of Commissioners met in regular session at 4:30 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Abrahamson, Hauser and Hegberg. Commissioner Peterson absent. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; Richard Stafford, Auditor-Treasurer; Molly O'Rourke, Assistant Auditor-Treasurer; Jim Campbell, I.S. Supervisor; and Carolyn Phelps, Public Information Aide.

**CONSENT CALENDAR**

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

1. Adoption of **Resolution No. 95-213** as follows:

Authorizing Execution of Contract with David Norrgard  
to Complete Unit Testing of the Property Management  
Information System Computer System

WHEREAS, Washington County has been working to develop a Property Management Information System (PMIS) for several years, to provide more efficient and effective service to our taxpayers; and

WHEREAS, the PMIS system will connect information in the Recorder's, Assessor's, Surveyor's and Auditor-Treasurer's Offices to assure accurate and timely calculation of property market values, tax capacity tax rates, and proposed and actual taxes; and

WHEREAS, the PMIS system is nearing completion and needs to be tested prior to actual implementation; and

WHEREAS, testing of the PMIS system is expected to require at least 2000 person hours; and

WHEREAS, existing workload demands in the Auditor-Treasurer's Office cannot accommodate the full 2000 staff hours anticipated to test the system; and

WHEREAS, funds are available within the Auditor-Treasurer's and Information Services Departments, to secure additional testing support.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners authorizes the Auditor-Treasurer, the Information Services Director and the Chairperson of the County Board of Commissioners to enter into a contract with David Norrgard for \$30,000.00 to secure testing support for PMIS.

December 5, 1995

2. Approval of applications by governmental subdivision for conveyance of tax-forfeited lands for parcels #81694-2025 and 81677-2700 by Town of Forest Lake.
3. Approval of applications by governmental subdivision for conveyance of tax-forfeited lands for the following parcels: #57870-2010, 57460,6150, 57420-5260, 57950-4580 and 57950-4600, 57604-2000, 58500-2000 and 58500-2025, 58112-2000, 57029-2255, 57572-2000 and 57572-2005, by the City of Oakdale.
4. Approval of conversion of a Special Project Back-Up Operator to a permanent .75 FTE Clerical Aide in the I.S. Department effective December 31, 1995.
5. Adoption of **Resolution No. 95-214** as follows:

Request the Minnesota Department  
of Transportation to Perform Speed  
Surveys on County Road 54 and County Road 74

WHEREAS, reconstruction and paving have fundamentally changed Washington County Road 54; and

WHEREAS, development along and adjacent to County Road 74 has created new and differing traffic conditions since the last speed survey, done in 1978;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Public Works to request that the Commissioner of the Minnesota Department of Transportation perform speed surveys to determine the reasonable and safe speed limits on these roads.

6. Adoption of **Resolution No. 95-215** as follows:

Final Payment to Fuhr Trenching for  
Construction of Septic System at the Lake  
Elmo Park Reserve Picnic Facility

WHEREAS, the Washington County Board of Commissioners, on June 27, 1995, award the bid to Fuhr Trenching for the construction of a septic system for the south picnic facility in the Lake Elmo Park Reserve, Contract No. PWP-1995-195; and

WHEREAS, Fuhr Trenching has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Fuhr Trenching 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.

December 5, 1995

7. Approval of Metropolitan Council Transit Operations Interagency Bus Stop Signage Agreements.
8. Approval for Chairman and County Administrator to execute the second amendment to Acquisition Grant Agreement No. AG 91-16 for the Big Marine Park Reserve.
9. Approval for Chairman and County Administrator to execute the Grant Agreement for the ADA Retrofit and also the Developmental Grant for the Lake Elmo Park Reserve with the Metropolitan Council.
10. Approval of agreement with the Star Trail Association for a snowmobile trail easement on the abandoned Burlington Northern Railroad road bed.

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

#### **GENERAL ADMINISTRATION**

##### **Hardwood Creek Trail Management Plan Committee Appointment**

Commissioner Engstrom moved to appoint Commissioner Dennis C. Hegberg to the Hardwood Creek Trail Management Plan Committee. Commissioner Hauser seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

The County Administrator announced that the County Attorney's Office received a notice of compliance from the Minnesota Pollution Control Agency on SW-1 Landfill. This officially takes the County out of the landfill cleanup business.

#### **DISCUSSION FROM THE AUDIENCE**

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

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom gave an update on the AMC Conference held on December 3-5, 1995 in St. Cloud. He indicated that there is a flow control bill that may be passed. The bill is very narrow but it would include the Ramsey-Washington Resource Recovery Facility.

Commissioner Hauser stated that two panels in which County staff were involved were well received at the AMC Conference. The two presentations were on planning and county budget process. Commissioner Engstrom asked if there were extra copies of the budget packet. He indicated that Marshall County was very impressed with this information and would like to receive the packet.

December 5, 1995

Commissioner Abrahamson stated that the Board attended a Historic Courthouse Volunteer Reception prior to the Board meeting. He indicated that they were entertained by the Stillwater Area High School Vagabonds who did an outstanding job.

The County Administrator stated that a date of January 25, 1996 has been discussed with other Washington County elected officials as a good day to hold a forum with the Greater St. Paul Tomorrow Group to discuss the social and economic health of the east metro area. The meeting will be held in the County Board room at 4:30 p.m. It was Board consensus to proceed with this date and time.

#### **BOARD CORRESPONDENCE**

Board Correspondence was received and placed on file.

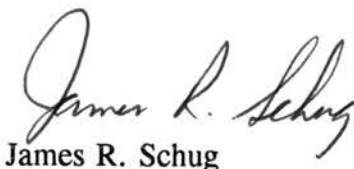
#### **EXECUTIVE (CLOSED) SESSION**

Commissioner Engstrom moved to go into Executive (Closed) Session for negotiation strategy for 1996-1998 agreements with all organized employees. Commissioner Hauser seconded the motion and it was adopted unanimously; Commissioner Peterson absent. The Board went into Executive Session at 4:55 p.m. Present for the Executive Session were Commissioners Engstrom, Abrahamson, Hauser and Hegberg. Commissioner Peterson was present by speaker phone. Also present were James Schug, Virginia Erdahl, Judy Honmyhr, Frank Madden, Richard Arney, Don Wisniewski, and Patricia Raddatz.

#### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded Commissioner Hauser and it was adopted unanimously; Commissioner Peterson absent. The Board meeting adjourned at 6:00 p.m.

Attest:

  
James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 12, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Richard Arney, County Attorney; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Mary McGlothlin, Director of Health, Environment and Land Management; Don Wisniewski, Public Works Director; Cindy Koosmann, County Recorder; and James Frank, County Sheriff.

**CONSENT CALENDAR**

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

1. Approval of the November 21 and 28, 1995 Board meeting minutes.

2. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Assmts	9028-0040	City of Stillwater	\$10,674.26
Assmts	9028-0040	City of Stillwater	11,109.96
Assmts	9028-0040	City of Stillwater	11,545.64
Assmts	9028-0040	City of Stillwater	16,618.66

3. Approval to accept the amended cooperative agreement between the Minnesota State Colleges and Universities and Washington County Community Services for program year 1995.
4. Approval of the agreement of cooperation between Community Services and the Washington County Attorney for the provision of fraud prosecution services.
5. Approval to authorize the County Administrator to sign an application for CY 1996-1997 distribution of recycling development grant program and authorize the Department of Health, Environment and Land Management to forward the completed grant application to the Office of Environmental Assistance.
6. Bids were received for 1996 motor vehicle fuel supplies as follows:



December 12, 1995

		Diesel Winter Blend	Diesel Premium Grade	Unleaded	Unleaded 89 Octane	Unleaded 90 Octane
Mark Ogren Croix Oil Company	1	.0142	.0142	.0124		
	2	.0165	.0165	.0145		
	3				.0145	.0145
	4	No bid	No bid	No bid		
Kath Bros. Fuel Oil Co.	1	.011	.011	.011		
	2	.011	.011	.011		
	3				.0075	.0075
	4	.0075	.0075	.0075		
Buck Wolter Rollins Oil Company	1	.0125	.0125	.0110		
	2	.0155	.0155	.0140		
	3				.014	.014
	4	.02	.02	.0185		
Wade Carlson	1	.016	.016	.016		
	2	.016	.016	.016		
	3				.016	.016
	4	.12	.12	.12		
Dick Christiansen Yocum Oil	1	.014	.014	.011		
	2	.016	.016	.014		
	3				.014	.014
	4	.105	.105	.105		

1=Woodbury  
2=Stillwater  
3=Sheriff  
4=Parks Dept.

Adoption of **Resolution No. 95-216** as follows:

Award of Contract for Supply and Delivery of  
Fuel Needs for 1996 to Kath Brothers Fuel Oil Company

WHEREAS, in order to facilitate the purchase of fuel for County vehicles, the County solicited bids for this project; and

WHEREAS, bids were opened on December 1, 1995, with Kath Brothers Fuel Oil Company being the lowest responsible bidder;

NOW THEREFORE BE IT RESOLVED, that the bid of Kath Brothers Fuel Oil Company be accepted and the County enter into a contract with Kath Brothers Fuel Oil Company under the terms and conditions as set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Kath Brothers Fuel Oil Company be executed through the signature of the

December 12, 1995

Chairman of the Washington County Board of Commissioners and the 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.

7. Approval of Supplemental Agreement No. 4 with TKDA, Inc. for the redesign of the CSAH 2 project from I-35 to 1/4 mile west of Everton Avenue in the amount of \$44,925.
8. Adoption of **Resolution No. 95-217** as follows:

Final Payment to Todd Communications, Inc. for  
Board Room Modifications

WHEREAS, the Washington County Board of Commissioners, on October 4, 1994, signed an agreement with Todd Communications, Inc., for modifications to the multi-media technical aspects of the County Board Room; and

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

NOW, THEREFORE BE IT RESOLVED, that Todd Communications, 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. Adoption of **Resolution No. 95-218** as follows:

Supporting MN/DOT Application for ISTEA Funding  
of TH 10 Improvement from St. Croix River to TH 61

WHEREAS, the Metropolitan Council is soliciting projects for Surface Transportation Program funding under ISTEA in FY 1999 and FY 2000; and

WHEREAS, TH 10 from the St. Croix River to TH 61 is an "A" Minor Arterial with safety and pavement needs; and

WHEREAS, TH 10 is under MN/DOT jurisdiction; and

WHEREAS, the Draft Washington County 2015 Comprehensive Plan lists this corridor as a high priority MN/DOT project; and

WHEREAS, the improvement has been programmed for many years and has completed environmental reviews, preliminary plans, and has acquired some right-of-way; and

WHEREAS, a lack of funding has delayed this needed regional improvement; and

WHEREAS, selection for ISTEA funding will provide a benefit to residents of Washington County;

December 12, 1995

NOW THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners fully supports the TH 10 application for ISTEAFunding in FY 1999 and FY 2000; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners endorses the submittal of this application as a joint applicant with MN/DOT as a sign of County support.

- 10. Approval of a plat for Hidden Valley Acres, Denmark Township.
- 11. Information only - Recorder fees for the month of November, 1995.
- 12. Adoption of **Resolution No. 95-219** as follows:

Sheriff's Civil Division Fees  
Effective January 1, 1996

WHEREAS, the Washington County Board of Commissioners shall set the fees to be charged by the Sheriff pursuant to MSA 357.09, Section 1, Subdivision 8, as amended by the 1989 Minnesota Legislature; and

WHEREAS, the Washington County Board of Commissioners shall set the fees to be charged, with the advice and consultation of the Sheriff; and

WHEREAS, the Sheriff has advised and recommended the fees to be charged, pursuant to MSA 357.09, as amended, which shall become effective January 1, 1996;

THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners does set the following and attached fees to be charged by the Sheriff, Pursuant to the provisions of MSA 357.09, as amended; effective January 1, 1996.

In addition to the fees charges, the Sheriff's Civil Division maintains a special checking account to handle money seized or held pursuant to various State Statutes. This account may be called on to hold small sums or very large sums of money from time to time. It would be appropriate that any money held pending further court action should generate interest while in the hands of the Sheriff.

Recommend Civil Process Fees

Effective 1/1/96

	<u>FEES-Per Person</u>
1) Summons, Summons & Complaint, Subpoena, Complaint, Summons, Writ (any writ other than Execution) . . . . .	\$22.00 + mil.
2) Orders (any Orders with other documents when original Order is provided so judges signature can be exhibited) . . . . .	\$32.00 + mil.
3) Orders (any Orders, either alone or with other documents, but without providing original Order) . . . . .	\$22.00 + mil.
4) Conduct Sale (mortgage foreclosure sale, Execution sale, lien sale) . . . .	\$40.00 + mil.
5) Posting of Notices (3 copies/3 locations) . . . . .	\$22.00 + mil.
6) Affidavit of Not Found after search . . . . .	\$22.00 + mil.
7) Handling/prep (when attorney or pro se cancels service request after papers have been prepared for service but before the papers go out on the road . . . . .	\$10.00

December 12, 1995

Fees-Per Person

- 8) Order for Protection & any other related papers . . . . . NC
- 9) Order for Harassment Hearing & any other related papers . . . . . NC  
(OFP & OHH are currently free due to legislation-if by court order  
or new legislation fees become allowable, the fee would then  
be \$30.00 + mil.)
- 10) Writ of Execution (when personal demand is unsatisfied) . . . . . \$40.00 + mil.
- 11) Writ of Execution (bank levy) . . . . . \$22.00 + mil. +  
\$10.00 Copies/forms
- 12) Writ of Execution (wage levy) . . . . . \$44.00 + mil. +  
\$10.00 copies/forms
- 13) Writ of Execution (personal property) - Service fees as appropriate  
for object/location of the levy, to also include charge for deputy  
time by the hour & mileage charge . . . . . \$500.00 deposit +  
\$10.00 copies/forms
- 14) Writ of Execution (till levy) - Service fees same as above . . . . . \$200.00 deposit +  
\$10.00 copies/forms
- 15) Writ of Execution (commission) - A commission of 4% of amount  
collected that applies toward judgement, or any settlement amount  
paid or agreed to be paid between plaintiff & defendant as a result  
or receipt of Execution by of action taken by Washington County  
Sheriff's Office
- 16) Replevin Order, Writ of Attachment or any other court-ordered  
seizure of property (additional hourly charge for deputy if time  
exceeds one hour) . . . . . \$75.00 + mil.
- 17) Storage fee (when property of any kind other than cash, is  
seized pursuant to Writ or Order, and then stored at Washington  
County Public Works facility for safekeeping - this storage fee  
is per vehicle or per lot of other property) . . . . . \$15.00 per day
- 18) Eviction or lockout . . . . . \$deputy per hour  
+ mileage
- 19) Redemption on Real Estate - original mortgagor: 1% of mortgage with \$200.00 cap  
- any other parties: 1% of mortgage
- 20) Mileage - Shall be computed from the place where court is normally held and  
shall be at the rate of .45¢ per mile. The initial 1 to 4 service attempts will be  
charged 1 mileage fee; 5 to 9 service attempts will be charged an additional  
mileage fee; 10 to 14 service attempts will incur a third mileage fee; 15 or more  
service attempts will necessitate a fourth mileage charge.

Refer to table below for sample mileage fees to various areas of Washington County.

CITY/APPROX. MIL.	FEE	CITY/APPROX. MIL.	FEE
Afton (30)	\$13.50	Mahtomedi (24)	\$10.80
Bayport (6)	\$ 2.70	Marine (24)	\$10.80
Baytown Twp (16)	\$ 7.20	May Twp (24)	\$10.80
Cottage Grove (50)	\$22.50	Newport (44)	\$19.80
Dellwood (24)	\$10.80	Oak Park Hgts (4)	\$ 1.80
Denmark Twp (50)	\$22.50	Oakdale (24)	\$10.80
Forest Lake (50)	\$22.50	St. Croix Beach (24)	\$10.80
Forest Lake Twp (50)	\$22.50	St. Paul Park (50)	\$22.50
Grant/Stillwater Twp		Scandia Twp	
Near (12)	\$ 5.40	South of Hwy 97 (34)	\$15.30
Grant/Stillwater Twp		Scandia Twp	
Far (24)	\$10.80	North of Hwy 97 (50)	\$22.50
Hugo (30)	\$13.50	Stillwater-City (2)	\$ .90
Lake Elmo (24)	\$10.80	West Lakeland Twp (24)	\$10.80
Lakeland (24)	\$10.80	Willernie (24)	\$10.80
Landfall (24)	\$10.80	Woodbury (30)	\$13.50

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13. Approval to continue the self-insurance pools (Medical Pool) for supervisory employees in the County Library system for 1995 at an amount of \$350.00 per employee or prorated as appropriate; payments to be made as designed in the prior Library program.

The foregoing Consent Calendar was adopted unanimously.

#### **WETLAND CONSERVATION ACT**

Commissioner Engstrom moved to adopt **Resolution No. 95-220** as follows:

##### Wetland Conservation Act

WHEREAS, the Washington County Board of Commissioners believes that wetlands are important resources that need to be protected in order to provide: storage area for excess water during times of flooding; filtering of sediments and nutrients before they enter lakes, rivers, and streams; fish and wildlife habitat; public recreation; commercial uses; and

WHEREAS, the County Board recognizes that the present Minnesota Wetland Conservation Act should be amended to provide more flexibility to local units of government in order to help them better deal with their local wetland issues; and

WHEREAS, the Washington County Board of Commissioners believes that the amendments to the Minnesota Wetland Conservation Act being proposed by the Board of Water and Soil Resources strike an appropriate balance between the protection of wetlands and the need for local control.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners supports the legislative amendments to the Minnesota Wetland Conservation Act being proposed by the Minnesota Board of Water and Soil Resources.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Association of Minnesota Counties and to the legislative delegation representing Washington County.

Commissioner Hauser seconded the motion and it was adopted with a 3-2 vote as follows: Yes, Commissioners Engstrom, Abrahamson and Hauser; No, Commissioners Peterson and Hegberg.

#### **COMMUNITY SERVICES DEPARTMENT**

The Community Services Director introduced Andrea Skolkin, Executive Director, and Robert Provost, Chairman, Board of Directors, Metropolitan Area Agency on Aging. Ms. Skolkin and Mr. Provost presented an update on the Metropolitan Area Agency on Aging.



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**GENERAL ADMINISTRATION****Capital Improvement Plan**

The Physical Development Planner presented an update on the 1996-2000 Capital Improvement Plan and requested that this plan be set for public hearing. Commissioner Peterson moved to set the public hearing date for the 1996-2000 Capital Improvement Plan for January 2, 1996, at 4:45 p.m. Commissioner Engstrom seconded the motion and it was adopted unanimously.

The County Administrator announced that the State Aid Director has indicated to Public Works that the County can use population estimates by Metropolitan Council for determination of an urban county, a population of 175,000. This would mean the County would be eligible for additional state aid.

The County Administrator also informed the Board that the LCMR has tentatively approved an increase in reimbursement for the purchase of the Michaud property in Grey Cloud Island in the amount of \$93,619.

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Hauser reported that the meeting between the Resource Recovery Project Board and NSP scheduled for this morning was cancelled because the Ramsey County Board Chair could not make the meeting. This meeting has been rescheduled for next Monday.

Commissioner Peterson announced a legislative forum on transportation will be held on January 24 from 4:30 to 7:30 at the Radisson Hotel in St. Paul. She also indicated that she has been elected Chair of the Suburban Transportation Alliance Chapter, and was appointed to the State Executive Committee. She reported that the I-35 Solution Alliance has asked the Transportation Alliance to support their call for a major summit in the State to address the transportation needs and concerns, and that MN/DOT and Metropolitan Council will be co-sponsoring this event.

Commissioner Abrahamson reported that Nancy Pollack has been selected as new Executive Director of the 911 Board.

Commissioner Abrahamson invited everyone to attend the Truth-in-Taxation Hearing this evening in the County Board Room at 7:00 p.m. He also indicated that it would be cablecast.

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**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously. The Board meeting adjourned at 9:35 a.m.

**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to continue discussion on the 2015 Comprehensive Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Bob Turrentine, Jane Harper, Mary McGlothlin, Dennis O'Donnell, Robert Lockyear. The following is a brief recap of the discussion that took place:

Issue: Stormwater Runoff

Discussion:

Commissioner Hauser - Objects to the second policy addition. She doesn't understand it ("natural surface outlets"). If used, the terms 'feasible' and 'practicable' must be defined. Commissioners agreed to drop this policy.

Commissioner Peterson - One of the most critical things to runoff management is the final grading of a site. This will be especially important in cluster developments where lots will be smaller and structures will be closer together. Emphasis should be on doing site inspections when the development is complete to ensure that the grading plan has been followed.

Commissioner Engstrom - The Plan should reference the FEMA (flood elevation) maps. These maps need to be updated. If resources is an issue, the County should look for grant money. HELM should develop a cost estimate.

Commissioner Hauser - It is most appropriate for the water management organizations to do this.

Commissioner Peterson - Thinks that the County also has a role and a need for updated maps.

Dennis O'Donnell - FEMA is digitizing the maps but is not doing any updating. It will be up to the County, or other local organizations to provide them with updated information.

Jane Harper - It might be possible to get better flood elevation information as part of the Brown's Creek hydrologic study.

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Commissioner Engstrom - Policy #1, must indicate that the 1% is rate not volume.

Issue: Natural Features

Discussion:

Commissioner Engstrom - Likes the proposed language. Suggested including it all in the Plan.

Jane Harper - Highlighted the fifth policy regarding doing a comprehensive survey. The policy will be changed to read "The County will encourage the DNR to conduct a comprehensive survey..."

Issue: Right-to-farm

Discussion:

Commissioner Abrahamson - We need to do what we can to protect the farmers. We shouldn't limit the protection to farmers and farmland in Cottage Grove and Denmark Township or to prime agricultural land. There are viable operations on non prime land. Don't limit the definition of farms to soil type or parcel size. In the statement on General Development Philosophy, change "especially" to "such as is located".

Commissioner Peterson - Need to define 'prime agricultural land'.

Commissioner Hegberg - Wants the Plan to communicate that the County is supportive of farmers and maintaining their farms.

Commissioner Hauser - The two points we need to cover in the Plan are:

1. Provide for preservation of the agricultural land.
2. Offer landowners more options in how they develop their land when they decide to do so.

Commissioner Peterson - Outstate the issue is with feedlots and their smell. Night time noise and light from farm operations, particularly in the spring and fall are concerns.

Bob Turrentine - There are legislative nuisances and judicial nuisances. You can do nothing about judicial nuisances - the ones that courts have ruled on. The best thing the County can do is to avoid land use conflicts by not locating conflicting uses near each other. This can be handled through the rezoning process. In the case of conflicts between residential and commercial/industry uses, the commercial/industry use is usually required to relocate. In the case of an agricultural operation, it can't be moved. The courts would be probably be more sympathetic.

Commissioner Engstrom - Zoning option #2 regarding open space development design: Change "Require" to "Encourage". We must provide carrots. Would like staff to come back with suggestions on what those carrots might be. There seems to be consensus developing on requiring the townships

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to offer cluster housing as a development option but not to make cluster housing the only option. We will come back to this discussion. Would like a briefing on the specifics of the Marine on St. Croix District Court case challenging the City's mandatory cluster ordinance.

Dave Washburn - Concerned that the Plan doesn't address this issue. He sees three parts to the issue: 1. right-to-farm, the nuisance issue, 2. options-to-farm, and 3. opportunities to farm. He would like the following concerns addressed:

1. Ordinance concern - Allow more parking for employees.
2. Legislative concern - The 40-acre minimum in the Ag. Preserves Act must be changed to apply to specialty farms in Washington County.
3. Legislative concern - An arbitration format must be approved for settling nuisance disputes. The burden of proof must be on the person bringing the complaint. The farmer can't afford lengthy court battles. Could the County provide an ombudsman to help these farmers?
4. Financial concern- Best farmland is under pressure of being suburbanized. Must make the economics work.

Ross Screation - The movement of equipment on roads and the storage of equipment, at least temporarily is becoming a bigger issue. This will be more important as smaller and smaller discontinuous parcels are farmed by the same farmer.

Judy Screation - Wants assurance that density can be transferred from one parcel to a non-contiguous parcel in the same ownership.

Commissioner Hauser - This could be done under a transfer of development rights program.

Issue: Affordable Housing

Description:

Commissioner Engstrom - Objective 1 regarding locating near support amenities should read "encourage" rather than "assure".

Comfortable with the language changes as proposed.

### **BOARD WORKSHOP WITH THE COUNTY ELECTED OFFICIALS**

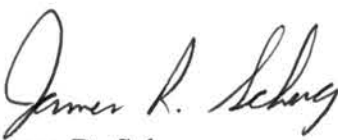
The Board met in workshop session with the County Elected Officials to discuss 1996 salaries for elected department heads. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Richard Arney, Richard Stafford, Jim Frank, Cindy Koosmann, and Judy Honmyhr.

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**REGIONAL RAIL AUTHORITY WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT**

The Regional Rail Authority met in workshop session with the Public Works Department to discuss the Burlington Northern line corridor from the south County (Ramsey County) line to County State Aid Highway 8 in the City of Hugo. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Don Wisniewski, Don Theisen, Jim Luger, and Greg Mack, Ramsey County Parks Director.

Attest:



James R. Schug

County Administrator

Wally Abrahamson, Chairman  
County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**TRUTH-IN-TAXATION PUBLIC HEARING**  
**DECEMBER 12, 1995**

The Washington County Board of Commissioners convened at 7:00 p.m. in the Washington County Government Center, County Board Room, to conduct a Truth-in-Taxation public hearing for the purposes of review of the proposed 1996 County budget. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Also present were Jim Schug, County Administrator; Richard Arney, County Attorney; Dick Stafford, Auditor-Treasurer; Dan Papin, Community Services Director; Don Wisniewski, Public Works Director; Mary McGlothlin, H.E.L.M. Director; Robert Lockyear, Director of Planning and Administrative Services; Jim Frank, Sheriff; Denny Montague, Assistant County Assessor; Sue Ladwig, Legislative Representative; and Ron Amland, Stillwater Gazette.

Chairman Abrahamson opened the hearing with a welcome to those in attendance and indicated that comment cards were available for audience members who wished to speak.

Jim Schug, County Administrator, presented an overview of the proposed 1996 budget.

Richard Stafford, Auditor/Treasurer, reviewed the property tax notice sent in the mail to all taxpayers.

Chairman Abrahamson indicated that the public hearing was open for comments. Commenting from the audience was the following individual:

Fred Heck, Baytown Township, complimented staff on the material presented in the budget overview. He felt it was very helpful and easy to understand. He stated he belonged to a small church in Afton and that they had a parsonage they had been renting until they felt it was no longer safe. This past summer they sold it for \$1,000. He stated that what probably should have happened was that the person who took position of that property would pay his share of the taxes. The church just received the property tax notice for payable 1996 and it came to \$2,500. He contacted the Assessor's Office and asked them to explain why that property was taxed so high. He was told that whatever the property was valued at on January 2, 1995 that was the amount they would figure tax on. He asked if this was correct.

Denny Montague, Assistant County Assessor, stated that it is true that whatever is on a property on January 2, 1995 is what the taxes are going to be based on for 1996. He did indicate that the church could make an application to make that property exempt from taxes in 1997, but the church has to do that the County Assessor's Office cannot do that for them.

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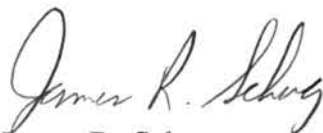
Mr. Heck also asked about the Valley Branch Watershed District. He indicated that about three years ago the soil conservation people came to his place to determine how much of his property was in the Valley Branch Watershed District. He was told that he was not going to be in the district. Then a couple of years later he sees it listed on his tax statement that he is in a watershed district. He stated he never received any notice. He asked if this was a proper way to run things? The Board indicated that this was a watershed district decision and someone from the watershed district would get back to him to answer his concerns.

The Board Chair asked for further comments; none were heard.

Chairman Abrahamson indicated that department heads and staff would be staying after the hearing to answer any further questions and concerns the audience might have.

The Truth-in-Taxation Hearing adjourned at 7:45 p.m.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 19, 1995**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Arends, Department of Health, Environment and Land Management; Dennis O'Donnell, Senior Land Use Specialist; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Cindy Koosmann, County Recorder; Bob Turrentine, Assistant County Attorney; Russ Reetz, Court Services Director; Jim Frank, County Sheriff; and Mickey Scheid, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	29100-1018	Malm, Joann	\$ 410.36
Hmstd	87199-3400	Graslewicz, Jeffrey	953.98
Hmstd	58410-2300	Young, John A.	152.86
Hmstd	09270-6660	Donnelly, Charles A.	1,272.20
Hmstd	72018-2300	Duffy, Dean R.	1,607.82

2. Approval of contract with Boston Health Care Systems, Inc. for residential services at Beeman Place in Lake Elmo.
3. Approval of social services fee schedule for calendar year 1996.
4. Approval of grant renewal agreement by the Department of Human Services for mental health support services for calendar year 1996 and 1997.
5. Approval to enter into a joint agreement for Senior's Agenda for Independent Living (SAIL) Project.

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6. Approval for Board Chair and County Administrator to execute an agreement between Washington County and Aptus, Inc. for household hazardous waste management services.
7. Approval of Federal Omnibus Transportation Employee Testing Act and Related Regulations Implementation Policy as an addendum to Policy #5015 - Washington County Drug and Alcohol Testing Policy.
8. Adoption of **Resolution No. 95-221** as follows:

Release Snow Fence Easements on CSAH 19

WHEREAS, Washington County acquired two highway easements on County State Aid Highway 19, said easements are recorded in Book 319 of Deeds, Page 205, and in Book 257 of Deeds, Page 615, Washington County Recorder's Office; and

WHEREAS, said highway easements include a phrase which conveys to the County "the right to construct and maintain, upon the lands adjoining the parcel hereby conveyed, such portable snow fences during such months as weather conditions make necessary"; and

WHEREAS, said snow fence phrase encumbers land lying outside the highway easement; and

WHEREAS, the landowner has requested that the County release the snow fence portion of the highway easements.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners release the snow fence easements contained in 1) the Highway Easement recorded as Document No. 305364 and found in Book 319 of Deeds, Page 205, Washington County Records Office; and 2) the Highway Easement recorded as Document No. 229067 and found in Book 257 of Deeds, Page 615, Washington County Records Office.

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.

9. Bids were received for supply and installation of carpet as follows:

Gisilas	\$23.89/yd. - roll
	\$31.30/yd. - tile

Adoption of **Resolution No. 95-222** as follows:

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Award of Contract for the Supply and Installation  
of Carpet Contract to Gisilas Interiors

WHEREAS, in order to facilitate carpet supply and installation to be done in the facilities of Washington County, the County solicited bids for this project; and

WHEREAS, bids were opened on December 11, 1995, with Gisilas Interiors being the lowest responsible bidder;

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

BE IT FURTHER RESOLVED, that the contract between the County and Gisilas Interiors may 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.

10. Adoption of **Resolution No. 95-223** as follows:

Final Payment to Valley Paving, Inc., for  
1995 Bituminous Overlay Projects

WHEREAS, the Washington County Board of Commissioners, on June 6, 1995, approved the bid award with Valley Paving, Inc. for the bituminous overlay of CSAH 2, 7, 22, 38 and CR 51; 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.

11. Adoption of **Resolution No. 95-224** as follows:

Final Payment to Master Asphalt Company for  
Traffic Signal and Road Construction on  
Tower Drive and Valley Creek Road

WHEREAS, the Washington County Board of Commissioners, on May 24, 1994, approved the bid with Master Asphalt Company for the installation of traffic signals and road resurfacing on Valley Creek Road (CSAH 16) and Tower Drive in Woodbury; and

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



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NOW, THEREFORE BE IT RESOLVED, that Master Asphalt 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.

- 12. Adoption of **Resolution No. 95-225** as follows:

Final Payment to S. M. Hentges & Sons, Inc. for  
Road Construction on CR 6

WHEREAS, the Washington County Board of Commissioners, on August 15, 1995, signed an agreement with S.M. Hentges & Sons, Inc. for the resurfacing on CSAH 2 and storm sewer work in Oakdale; and

WHEREAS, S.M. Hentges & Sons, Inc., has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that S.M. Hentges & Sons, 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. Approval of contract with Orr Schelen Mayeron & Associates, Inc. for design services on the mechanical modifications for the 1968 section of the Government Center.
- 14. Approval of first amendment to the Metropolitan Council Grant SG-95-36 to amend the original grant amount to \$700,619 for land acquisition in Grey Cloud Island Regional Park.
- 15. Approval of plat of Pine Valley Estates, West Lakeland Township.
- 16. Approval of plat of Bass Lake Shores Addition, May Township.

The foregoing consent calendar was adopted unanimously.

**AWARD OF BID FOR HOUSE REMOVAL**

The following bids were received for house removal at 11111 Lomond Trail, Marine:

Semple Building Movers	\$3,250
Otting House Movers	2,100
Jeff Peltier	450

Commissioner Hegberg moved to adopt the **Resolution No. 95-226** as follows:

December 19, 1995

Award of Bid for the Sale and Removal of House  
at 11111 Lomond Trail, Marine to Semple Building Movers

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 December 11, 1995, with Semple Building Movers being the highest responsible bidder;

NOW, THEREFORE BE IT RESOLVED, that the bid of Semple Building Movers be accepted and the County enter into a contract with Semple Building Movers under the terms and conditions as set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Semple Building Movers 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 Engstrom seconded the motion and it was adopted unanimously.

**PUBLIC HEARING - RECORDER'S OFFICE**

**Arbors Subdivision Request**

The Board Chair presented an overview of today's public hearing to consider approval of a proposed subdivision known as The Arbors, located in West Lakeland Township.

The Secretary to the Board read into the record the notice of public hearing to approve the proposed subdivision. The Board Chairman declared the public hearing open at 9:05 a.m.

Joel Cooper, James R. Hill, Inc., representing Brown Developers, presented a preliminary plat of a subdivision named The Arbors, which he indicated has been presented and approved by the West Lakeland Planning Commission, West Lakeland Town Board, and the Washington County Plat Commission. He indicated that this project consists of 54 single family lots which all meet the minimum requirement of two and a half acres, one acre buildable, and that all the roads are constructed within the West Lakeland Township requirements. He also indicated that this development will be completed in different phases.

Dennis O'Donnell, Senior Land Use Specialist, and member of the Washington County Plat Commission, gave an overview of the Plat Commission's findings. He indicated that all lots in the development meet minimum development standards of the County ordinance, each lot has suitable area for installation of on-site septic system, and that road improvements have all been reviewed to be acceptable and meet County standards. Mr. O'Donnell presented the County Board with copies of a review conducted by Charles Wetzler, TKDA, West Lakeland Township engineer, and their

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recommendation that a road connection to Olene Avenue not be approved without requiring the necessary improvements to conform to present day standards. He stated that since all standards of the County Development Code have been met the Plat Commission recommended approval of this subdivision.

Gretchen Hessler, 19th Street, West Lakeland, stated she has safety concerns on 19th street which she feels have not been addressed. She indicated that 19th Street has many curves and hills and two blind approaches. This road is heavily used by residents walking, bicycles, people waking their strollers and dogs. She is asking that the township be required to address the residents' safety issues before final approval is given.

Jim Depuydt, 19th Street, West Lakeland, stated he too was concerned with public safety on 19th Street. He also indicated there are blind areas on this road and this fact was not brought out at the Town Board meeting. There have been no safety studies done up to this point. He also wanted to mention that 18th Street was disqualified early on based on misinformation. There were claims of that area being below the 100 year flood plain and claims of encroachment on wetlands. Subsequent studies which they carried out show that neither are the case. There are no hills on 18th Street, and in his opinion it is very clear that 18th Street is a much more prudent choice in connecting out to this eastern outlet on this new development.

Esther Depuydt, 14800 N 19th Street, West Lakeland, stated that this other property up for development will connect straight down to 10th Street which would give a direct south access to 10th street which is where most of the traffic will flow.

Dennis McCain, owner of property at 14750 N. 18th Street, stated that his family settled on this property in 1854 and it has been farmed for the last 141 years. He informed the Board that his developer has proceeded with all the criteria set forth by the County and Township Boards. He feels it is their right to have the property developed in a timely manner, and asks the County Board to resolve this matter quickly.

Jim Depuydt stated he also wants this matter settled quickly, and early on in the process they were raising these safety issues and they were simply ignored at the Town Board meeting.

The Board Chair asked for further comments from the audience; none were heard. The Board Chair closed the meeting at 9:30 a.m. The Board secretary indicated that all documentary evidence had been made a part of the record.

Commissioner Hegberg found that township roads are not County roads, and the County must deal with safety problems on County Roads, and it's the township's responsibility to deal with their roads. He also found that the rest of the development does meet all the requirements. Therefore, Commissioner

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Hegberg moved to approve the subdivision known as The Arbors, located in West Lakeland Township. Commissioner Peterson seconded the motion and it was adopted unanimously.

#### **COURT SERVICES DEPARTMENT**

Commissioner Peterson moved to approve the 1996 Annual Comprehensive Plan and submit the Annual Comprehensive Plan to the Department of Corrections. Commissioner Engstrom seconded the motion and it was adopted unanimously.

#### **HUMAN RESOURCES DEPARTMENT**

Commissioner Hauser moved to ratify the 1994-95 agreement with Washington County Supervisors Association (Library Supervisors) as follows:

1. Duration: January 3, 1994 through January 6, 1996.
2. Wages: Effective for 1994, a 1.0% general wage increase, and effective for 1995, a 2.0% general wage increase.
3. Medical Flexible Spending Account: 1995 - \$350.
4. Part-time Supervisors with Full-time Benefits: Grandparent for 1995 and thereafter will be covered under the collective bargaining agreement with Supervisors Association.
5. Vacation Accrual: Grandparent for employees on present grid until such time as the 20 year grid is reached.
6. Salary Range Placement:

Library Manager I at range 4

Library Manager II at range 5

Division Manager at range 10

Assistant Director at range 11

Commissioner Peterson seconded the motion and it was adopted unanimously.

#### **SHERIFF'S DEPARTMENT**

Commissioner Engstrom moved to adopt **Resolution No. 95-227** as follows:

December 19, 1995

Authorizing Execution of Contracts  
with the Minnesota Department of Corrections  
for Short-Term Placement of Clients

BE IT RESOLVED, that on December 19, 1995 the Washington County Board of Commissioners approved a contract with the State of Minnesota for fiscal year 1996/1997. The following persons are hereby authorized to sign the contract and any amendments or supplements that are necessary.

- 1) Wally Abrahamson, Board Chairman
- 2) James R. Schug, County Administrator

Commissioner Peterson seconded the motion and it was adopted unanimously.

**PUBLIC WORKS DEPARTMENT**

**Natural Preservation Route**

Commissioner Hauser moved to adopt **Resolution No. 95-228** as follows:

Requesting the Commissioner of Transportation  
to Designate a Portion of CSAH 3 as a  
Type III Natural Resources Route

WHEREAS, County State Aid Highway 3 in Washington County, Minnesota is a road under Washington County jurisdiction; and

WHEREAS, this road is scheduled for reconstruction in 1997 to improve the poor pavement condition; and

WHEREAS, County State Aid Highway 3 from County State Aid Highway 4 to the north Washington County line traverses through a region of Washington County richly abundant in historical and environmental resources; and

WHEREAS, the preservation, protection, and enhancement of these resources is a goal of the Washington County Board of Commissioners; and

WHEREAS, the improvement of County State Aid Highway 3 must be sensitive to these County resources;

WHEREAS, the Department of Transportation State Aid for Local Transportation Division has adopted State Aid Operations Rules which include designation of Natural Preservation Routes; and

WHEREAS, the designation of County State Aid Highway 3 as a Type III Natural Preservation Route will allow the County to provide and balance the needed improvements and preservation of historical, cultural, and environmental resources.

NOW THEREFORE, the Washington County Board of Commissioners hereby requests the Commissioner of Transportation to designate County State Aid Highway 3 from County State Aid Highway 4 to the north Washington County line as a Type III Natural Preservation Route.



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Commissioner Engstrom seconded the motion and it was adopted unanimously.

### Carnelian-Marine Watershed District

Ron Gavelek, President of the Carnelian-Marine Watershed District, appeared before the County Board and presented a proposed solution to the flooding problems on Lake Louise. Mr. Gavelek stated that Stillwater and May Township would also be involved in this project. The County's costs would be one third or \$6,700, which would later be assessed to the improved properties. He indicated that the initial cost would be for the hydrologic study and engineering design.

Commissioner Engstrom felt that if the County gets into this project there may be many other projects throughout the County which would be looking for assistance where there are flooding problems. He indicated there were three areas in his district where the County may get a petition for County assistance. He asked the County Attorney if the County could help on this project? The County Attorney stated he would analyze this matter and report back to the Board.

Rebecca Johnson, Supervisor, May Township Board, requested that the County Board support this project so they can proceed as quickly as possible.

Commissioner Engstrom moved to table to December 26, 1995, the matter to consider joining in a petition to the Carnelian Marine Watershed District for an improvement project to solve flooding problems on Lake Louise in Stillwater Township, pending review by the County Attorney as to the impact on the County property and financing as to whether the County can financially participate in this project. Commissioner Peterson seconded the motion and it was adopted unanimously.

### GENERAL ADMINISTRATION

#### 1996 County Budget

Commissioner Engstrom moved to adopt **Resolution No. 95-229** as follows:

#### Resolution Adopting the Washington County Budget for Payable 1996

OPERATING FUNDS	EXPENDITURES	REVENUE OTHER THAN LEVY	FUND BALANCE INC./DEC)	GROSS LEVY	HACA	CERTIFIED LEVY
General Government	\$46,982,200	\$23,468,700	(\$1,246,300)	\$22,267,200	\$3,378,539	\$18,888,662
Social Services	25,403,300	14,831,900	0	10,571,400	1,603,968	8,967,432
Public Works-Road & Bridge	12,818,600	9,010,700	0	3,807,900	577,762	3,230,138
Public Works-Parks	881,400	479,500	(22,700)	379,200	57,535	321,665
Regional Rail Authority	16,300	0	(16,300)	0	0	0
Library	3,384,400	249,900	(106,700)	3,027,800	459,399	2,568,401

December 19, 1995

<u>OPERATING FUNDS</u>	<u>EXPENDITURES</u>	<u>REVENUE OTHER THAN LEVY</u>	<u>FUND BALANCE INC./DEC</u>	<u>GROSS LEVY</u>	<u>HACA</u>	<u>CERTIFIED LEVY</u>
Debt Service - County Wide	6,670,300	805,600	672,400	6,537,100	991,855	5,545,245
Debt Service - Library District	160,600	4,500	12,900	169,000	25,642	143,358
Debt Service - Ramsey Washington Metro Watershed District	194,200	12,000	(182,200)	0	0	0
Subtotal:	\$96,511,300	\$48,862,800	(\$888,900)	\$46,759,600	\$7,094,700	\$39,664,900
<u>CAPITAL FUNDS</u>						
CIP Bond Projects	780,000	210,000	(570,000)	0	0	0
Historic Courthouse Restoration	13,000	13,000	0	0	0	0
Big Marine Regional Park	1,042,000	1,042,000	0	0	0	0
Capital Repair Fund	0	250,000	250,000	0	0	0
Subtotal:	\$ 1,835,000	\$ 1,515,000	(\$320,000)	\$0	\$0	\$0
Total 1996 Budget:	\$98,346,300	\$50,377,800	(\$1,208,900)	\$46,759,600	\$7,094,700	\$39,664,900

Commissioner Peterson seconded the motion and it was adopted unanimously.

### Tax Levy for 1996

Commissioner Peterson moved to adopt **Resolution No. 95-230** as follows:

#### Resolution Certifying Property Tax Levy for Washington County for Payable 1996

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following property tax levies for payable 1996:

Washington County           \$39,664,900

Washington County HRA   \$ 830,431

Commissioner Engstrom seconded the motion and it was adopted unanimously.

### Elected Officers' Salaries and Benefits

Commissioner Hauser moved to adopt **Resolution No. 95-231** as follows:

#### Elected Officers' Salaries and Benefits

WHEREAS, the Washington County Board of Commissioners is required by Minnesota Statutes § 384.151; 385.373; 386.015; 387.20; 388.18 to establish salaries for the elected County officers including the County Auditor-Treasurer, County Recorder, County Sheriff, and County Attorney;

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NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners will use the following process to establish the salaries of the elected County officers:

1. The benefit levels for health insurance, life insurance, medical pool, long-term disability, and expense reimbursement shall be granted to elected County officers at the same level and in the amount as those granted to appointed department heads.
2. The annual salaries for the elected officers will be determined by the County Board in accordance with the statutory criteria. The Board will consider the experience, qualifications, and performance of the County officers in setting their individual salaries.
3. Each elected County officer will present information to the County Board of Commissioners at the time of her/his annual budget hearing which addresses the above statutory criteria. The Board will then consider this information in setting the officer's salary. (For 1996 only, the elected officers' opportunity to present this information on their experience, qualifications, and performance will take place at the same meeting at which the County Board adopts its 1996 budget.)
4. The County Board will then set the elected officer's salary for the following year on the meeting date in December at which it adopts its final budget.

BE IT FURTHER RESOLVED that Washington County Resolution #89-06 be rescinded effective immediately upon adoption of this resolution.

Commissioner Engstrom seconded the motion and it was adopted unanimously

**1996 Salaries for Elected County Officers**

Commissioner Peterson moved to adopt **Resolution No. 95-232** as follows:

1996 Salaries for the Elected County Officers

WHEREAS, Minnesota Statutes § 388.18, 384.151, 385.373, 386.015, and 387.20 require the County Board of Commissioners to set by resolution the salaries of the County Attorney, the Auditor/Treasurer, the Recorder/Abstracter, and the Sheriff.

NOW, THEREFORE BE IT RESOLVED, that the 1996 salaries for the Washington County elected officers shall be:

Attorney	\$92,000
Auditor/Treasurer	\$80,000
Recorder	\$57,000
Sheriff	\$82,000

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Commissioner Hauser seconded the motion and it was adopted unanimously.

#### **DISCUSSION FROM THE AUDIENCE**

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

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson reported on a legislative committee meeting she attended regarding transportation and land use planning. She also indicated that she has been appointed to the Livable Communities Advisory Committee and they will hold their first meeting on Thursday, December 21, 1995.

Commissioner Engstrom updated the Board on a joint meeting he and Commissioner Peterson attended with the County legislative delegation. Another meeting has been scheduled for January 29 at 4:00 p.m. at the State Capitol.

Commissioner Hauser informed the Board that there will be a local government officials forum on January 9 hosted by the Board of Government Innovation and Cooperation. She also suggested discussion with School District 834 about their plans to locate an elementary school on an intersection that includes two County Roads. The County Administrator indicated that School District 834 will be appearing before the County Board at the January 9 meeting to discuss school boundaries and he will ask them to be prepared to discuss the school siting issue also.

The Board Chair wished all the County employees and citizens a happy holiday season.

#### **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 11:10 a.m.

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**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to continue discussion on the 2015 Comprehensive Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson, Hauser, and Hegberg. Also present were James Schug, Bob Turrentine, Jane Harper, Mary McGlothlin, Dennis O'Donnell, and Lowell Johnson. The following is a brief recap of the discussion that took place:

Issue: Average Housing Density Calculation

Discussion: (Continuation of November 28, 1995 Discussion)

Commissioner Hegberg - Should exclude lakes but only those that are managed under the State Shoreland Management Program (lakes greater than 25 acres in unincorporated areas). The density is already accounted for in recognizing the shoreland districts as separate density districts.

Commissioner Hauser - All public parks and public lakes should be excluded because they can't be built upon.

Commissioner Engstrom - Agrees with Hauser.

Commissioner Hegberg - Parks should be included because they are open space that the public says they want. As a park, the land is preserved as open space.

Commissioner Peterson - Include public parks. Park land dedication is a tool that a community can use to get developers to set aside open space.

Consensus: State, county, local, and private parks and lakes not managed through the State Shoreland Management Program will be included in the average housing density calculation.

Issue: Density districts.

Discussion:

Jane Harper - Passed out a table that shows the average housing density given current township zoning. The table indicates that the only two areas where there is a difference between the current zoning and the County's proposed land use is in New Scandia and northern Stillwater townships. Two policies that could be adopted to address these situations are:

1. Allow greater density in exchange for mandating cluster housing.
2. Allow greater density if a township can prove that under its current zoning ordinance the actual development would not exceed the County's specified density.



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Commissioner Hauser - We should focus on providing townships and landowners with options to do development in a sensible manner and not focus so much on the distinction between 1/5 and 1/10 average densities.

Commissioner Hegberg - Need to provide carrots such as 100% bonus for clustering. This would give the townships a way to meet the County's average density guideline and still allow smaller lot sizes.

Commissioner Hauser - Favors specifying one average density per township.

Jane Harper - That approach would work in most places. However, in townships where there is a big difference in development patterns, multiple districts are needed to reflect the current development patterns. Suggested the following changes in Forest Lake: the 2/40 district be combined with the 1/10 to allow the Township more flexibility in providing for development while avoiding the areas with severe resource constraints; the 16/40 district be combined with the transition area because it is fully developed at a high density and should be blended in with the development that will occur in the transition area.

Commissioner Hegberg - Agreed with the changes for Forest Lake Township.

Consensus: Maintain stated densities as illustrated on the current Land Use Plan Map except for the staff suggested changes in Forest Lake Township.

Issue: Consider eliminating the minimum lot size requirements.

Discussion:

Commissioner Hegberg - Would like to have a 1.5 acre minimum lot size. Some research has shown that that is how much land is needed for nitrate absorption.

Commissioner Abrahamson - The township can make the lot size more restrictive.

Commissioner Peterson - Would favor leaving the lot size alone until the zoning rewrite committee has time to study it.

Commissioner Hauser - Originally proposed this issue. She has been persuaded that, because of the enforcement difficulties, it probably is not a good idea. Would support leaving the minimum lot size at 2 acres.

Consensus: Leave the minimum lot size at 2 acres.

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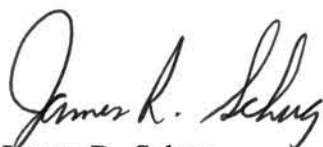
**BOARD WORKSHOP WITH THE SHERIFF'S OFFICE**

The Board met in workshop session with the Sheriff's Office to discuss standardization of weapons. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson and Hauser. Also present were James Schug, Virginia Erdahl, Jim Frank and Brent Olson.

**BOARD WORKSHOP WITH COURT SERVICES DEPARTMENT**

The Board met in workshop session with the Court Services Department to discuss a care grant and caseload reduction funding grant. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Peterson, Abrahamson and Hauser. Also present were James Schug, Virginia Erdahl, and Russ Reetz.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 26, 1995**

The Washington County Board of Commissioners met in regular session at 9:05 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Engstrom, Peterson, Abrahamson, Hauser and Hegberg. Absent none. Chairman Abrahamson presiding. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; John Devine, Controller; Dan Papin, Community Services Director; Rick Backman, Community Services; Carol Seefeldt, Community Services; Bob Crawford, Community Services; Don Theisen, Public Works Deputy Director; Ron Gavelek, President, Carnelian-Marine Watershed District; and Mickey Scheid, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the December 5 and 12, 1995 County Board Minutes, and the December 12, 1995 Truth-in-Taxation hearing minutes.
2. Approval to appoint Francis Rheinberger, Stillwater, to the Housing and Redevelopment Authority to fill an unexpired term to December 31, 1999.
3. Adoption of **Resolution No. 95-233** as follows:

**Creation of a Capital Repair Fund (Fund 44)**

WHEREAS, the Washington County Board in 1994 desired to establish a funding mechanism for a Capital Repair Fund. The plan was to budget \$250,000 in 1994 from the rents received from the departments by Facilities operation. Due to an oversight, this entry was not made;

WHEREAS, the second portion of that funding mechanism that was discussed was to modify the Mission Directed Budget Savings program to redirect 25% of that savings from the County-wide program to the Capital Repair Fund. In 1994 the Mission Directed Budget Savings for Facilities was approximately \$1,000,000; therefore, \$250,000 should have been transferred to the Capital Repair Fund.

THEREFORE, BE IT RESOLVED, that the Washington County Board directs the Controller to create a Capital Repair Fund (Fund 44).

BE IT FURTHER RESOLVED, that a residual equity transfer of \$250,000 be made from the General Fund to the Capital Repair Fund and that the 1994 Mission Directed Budget Savings amount of \$250,000 be transferred from the General Fund to the Capital Repair Fund.

BE IT RESOLVED, that this fund will not draw interest.

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## 4. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Exempt	68446-9555	City of St. Paul Park	\$444.20
Red/Val	73174-4150	Terry Kroener	119.50

5. Adoption of **Resolution No. 95-234** as follows:

Application for Premises Permit Renewal from  
VFW Post 323 Oak Park Heights

WHEREAS, on or about December 14, 1995, the VFW Post 323 Oak Park Heights 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 Washington County Fairgrounds, Box F, Lake Elmo, in Baytown 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 the Township of Baytown.

6. Approval to issue a request for proposals for a Family Based Crisis Services Pilot Program targeted to serve families with children ages 0-17.
7. Approval for County Board Chair and Administrator to execute contracts for renewal of jail health services with Lakeview Memorial Hospital and Stillwater Medical Group, P.A.
8. Approval to renew office lease agreement with the Best Group at the Historic Courthouse.
9. Adoption of **Resolution No. 95-235** as follows:

Final Payment to Design Electric, Inc. for  
Traffic Signal Construction on CSAH 2 and I-35

WHEREAS, the Washington County Board of Commissioners, on September 13, 1994, signed an agreement with Design Electric, Inc., for the traffic signal construction on CSAH 2 and I-35 in Forest Lake; and

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

NOW, THEREFORE BE IT RESOLVED, that Design Electric, 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.

10. Adoption of **Resolution No. 95-236** as follows:

Final Payment to Conrad Mechanical Contractors for  
Boiler Replacement at Public Works North Shop

WHEREAS, the Washington County Board of Commissioners, on September 19, 1995, signed an agreement with Conrad Mechanical contractors for the boiler replacement at Public Works North Shop;

WHEREAS, Conrad Mechanical contractors has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Conrad Mechanical Contractors 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.

11. Approval to advertise for bids for the purchase of handguns for all sworn employees in the Sheriff's Office.

The foregoing Consent Calendar was adopted unanimously.

**COMMUNITY SERVICES DEPARTMENT**

Community Services Division Manager Bob Crawford gave an overview of two requests for approval: to change the name of the Washington County Job Training Center to the Minnesota Workforce Center of Washington County; and 2) amend the partnership agreement between the Private Industry Council and the Board of Commissioners to operate a One-Stop Workforce Center in Washington County. Commissioner Engstrom moved to approve the two requests. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Engstrom indicated that a workshop has been set for January 30 to discuss the many changes taking place within the Minnesota Workforce Center.



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**PUBLIC WORKS DEPARTMENT**

Public Works Deputy Director Don Theisen requested approval of Supplemental Agreement No. 2 to the existing professional services agreement with Barton-Aschman Associates, Inc., for the development of plans and specifications on the Hardwood Creek Regional Trail (abandoned BN Railroad). The additional work includes conventional bridge design for three bridges. Commissioner Hegberg stated that he hoped the Public Works Department was considering the use of culverts for two of the three bridges as a cost saving measure. The Deputy Director indicated that they are looking at different options.

Commissioner Hauser moved to approve Supplemental Agreement No. 2 to the existing professional services agreement with Barton-Aschmann Associates Inc., for the development of plans and specifications on the Hardwood Creek Regional Trail (Abandoned BN Railroad). Commissioner Engstrom seconded the motion and it was adopted unanimously.

**Carnelian-Marine Watershed District**

Commissioner Engstrom moved to raise from the table the Carnelian-Marine Watershed request from the December 19 Board meeting. Commissioner Peterson seconded the motion and it was unanimously approved.

The County Attorney reported that his office had researched this matter, as requested by the County Board on December 19, and that he provided his findings to the Commissioners in the memo sent to them.

Carnelian-Marine Watershed District Manager Ron Gavelek appeared to ask for a decision from the Board on the Watershed District's request that the County join with Stillwater and May Townships in the petition and share in the cost for a project study to solve flooding problems on Lake Louise in Stillwater Township.

Commissioner Engstrom motioned to have Washington County join the petition with the two townships and loan the Carnelian-Marine Watershed District \$6,700 (1/3 share of the estimated study and design cost), with the following conditions: 1) The total cost of the project does not exceed the assessed value of the benefited property involved; 2) The Watershed must be eligible to receive these funds, according to State Statute and the advice of the County Attorney; and 3) The Watershed continues to work with the area TIF district to obtain funds for the project. Commissioner Hegberg seconded the motion.

Commissioner Hauser requested that the portion of the motion be withdrawn which stated that Washington County would be a petitioner. Commissioner Engstrom agreed to amend his motion to

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remove any language concerning petitioner. The motion passed by a 3-2 vote with Commissioners Hegberg and Abrahamson in opposition.

Commissioner Abrahamson discussed the hope that a Watershed District representative would be able to attend Plat Committee meetings since it is so important to get their input.

Commissioner Hegberg questioned whether the Watershed District had looked at additional fees to building permits to help with water management.

Ron Gavelek stated that he will share the request for attendance at Plat Committee meetings with his Board. He also stated that the Watershed District does attend town board meetings to give their input on future development. He also indicated that they have tried to stay away from additional charges on building permits to keep costs down, and that they are willing to listen, learn, and improve the way they work.

Commissioner Engstrom stated that perhaps, when reviewing ordinances, the Board can review who makes up the Plat Committee and consider changes in the membership.

Commissioner Hegberg and the County Administrator noted that the County's Finance Committee would review the Watershed District's need for a County loan to complete the study on this issue and that a recommendation would come from the Committee on the amount and terms of the loan which will be in accordance with State law.

The County Administrator stated that the loan agreement will come back to the Board as a consent calendar item.

## **GENERAL ADMINISTRATION**

### **1996 Commissioners' Salaries and Expenses**

Commissioner Hauser moved to adopt **Resolution No 95-237** as follows:

#### **Resolution Establishing County Commissioners' Salaries and Expenses for 1996**

WHEREAS, Minnesota Statute 375.055, Subdivision 1, requires the County Board of Commissioners to set salaries/per diem/expenses for its members prior to January 1 of the effective year; and

WHEREAS, the current 1995 salary rate for Washington County Commissioners has previously been established at \$33,368/year for Commissioners and \$35,568/year for the Board Chair; and

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WHEREAS, the current 1995 expense reimbursement for County Commissioners has previously been established at actual expenses plus mileage in accordance with County policy with no per diem payments.

NOW, THEREFORE BE IT RESOLVED, that the salary rate for Washington County Commissioners be \$34,035/year for Commissioners and \$36,279 for the Chair, effective January 1, 1996.

BE IT FURTHER RESOLVED, that the expense reimbursement for County Commissioners be for actual expenses plus mileage in accordance with County policy with no per diem payments.

BE IT FURTHER RESOLVED, that each of the County Commissioners receive the same County paid medical insurance premium and flexible medical expense account as received by the appointed and elected department heads.

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

Commissioner Abrahamson indicated that he will not take the raise and asked the County Administrator to prepare a paper stating this intention.

#### **1996 County Administrator Salary**

Commissioner Engstrom moved to increase the County Administrator's salary by 2%. Commissioner Peterson seconded the motion and it was adopted unanimously.

The Commissioners all thanked the County Administrator for the fine job he has done during the past year.

The County Administrator thanked the Board for their support.

#### **DISCUSSION FROM THE AUDIENCE**

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

#### **COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Hauser requested a report on the Washington County Housing and Redevelopment Authority be brought to the Board early in January. After discussion on dates it was agreed to hold a workshop on January 23 to bring the Board up-to-date on developments at the HRA.

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Commissioner Hauser thanked Commissioner Abrahamson for a great year as Board Chair.

Commissioner Engstrom thanked Commissioner Abrahamson for his leadership during the year.

Commissioner Abrahamson thanked the Board for the team effort given during his year as Board Chair.

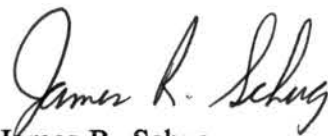
**ADJOURNMENT**

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 COURT SERVICES AND HUMAN RESOURCES DEPARTMENTS**

The Board met in workshop session with the Court Services and Human Resources Departments to discuss performance criteria and a merit based pay plan with Teamsters Local 320. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Engstrom, Hegberg, Peterson, and Hauser. Also present were Jim Schug, Virginia Erdahl, Judy Honmyhr, Russ Reetz, and Ron Wells.

Attest:



James R. Schug

County Administrator



Wally Abrahamson, Chairman

County Board