



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

## **Copyright Notice:**

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit [www.mnhs.org/copyright](http://www.mnhs.org/copyright).

1997 MINUTE INDEX  
JANUARY 7 - APRIL 22, 1997  
BOOK NO. 11 VOLUME I  
PAGES 1 - 188

ACCOUNTING

ADMINISTRATION

C.I.P.  
Comprehensive Plan  
Planning & Public Affairs

ASSESSOR

ATTORNEY

AUDITOR/TREASURER

CENTRAL SERVICES

COMMISSIONERS

Cable TV  
Citizen Comments  
Commissioner Reports  
Ordinances  
Policies  
United Way  
Workshops

COMMUNITY SERVICES

East Suburban Resources  
Human Services, Inc. (HSI)

Ramsey Action Program (RAP)

COURT ADMINISTRATION

COURT SERVICES

HEALTH, ENVIRONMENT &  
LAND MANAGEMENT

Code Enforcement  
EMS  
MPCA  
Resource Recovery  
Solid Waste

HOUSING & REDEVELOPMENT AUTH.

HUMAN RESOURCES

All Unions/Bargaining Groups  
Affirmative Action  
Comparable Worth  
Personnel Rules/Regulations  
Training & Education  
Vacancy Review Committee

INFORMATION SERVICES (I.S.)

INTERGOVERNMENTAL RELATIONS

Legislation/Legislators

INTERNAL AUDITOR

LIBRARY

MN EXTENSION

PUBLIC WORKS FACILITIES

County Owned Buildings  
Government Center  
Historic Courthouse

PUBLIC WORKS GENERAL

C.I.P.  
Carnelian-Marine  
Ramsey-Washington  
Rice Creek Watershed  
Valley Branch Watershed  
South Washington Watershed  
Watershed Mgmt Org.

PUBLIC WORKS PARKS

All County Parks  
DNR

PUBLIC WORKS ROADS

MN Dot

RECORDER

REGIONAL RAIL AUTHORITY

SHERIFF

Law Enforcement Center  
Metro 911



SURVEYOR

WORKFORCE CENTER

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/21/97	ACCOUNTING		1996 COLLECTIONS REPORT.	11	31
01/28/97	ACCOUNTING		ESTABLISH RESERVES & DESIGNATIONS OF FUND BALLANCE 11 FOR FY ENDED 12/31/96.		35
04/01/97	ACCOUNTING		STANDARD AND POORS HAS GIVEN NOTIFICATION THAT THE 11 COUNTY HAS RETAINED ITS AA- BOND RATING.		138
01/07/97	ADMINISTRATION		TWO-YEAR CONTRACT W/MN COUNTIES RESEARCH FOUNDATION, INDIRECT COST ALLOCATION PLAN.	11	2
01/07/97	ADMINISTRATION	97-001	AWARD OF 1997 NEWSPAPER PUBLICATION BIDS.	11	2
01/07/97	ADMINISTRATION		1997 AMC OFFICIAL DELEGATE LIST: COMMISSIONERS, J. SCHUG, V. ERDAHL, M. MCGLOTHLIN.	11	5
01/07/97	ADMINISTRATION	97-004	ADOPTION & SUBMITTAL OF THE 1997-2001 WACO CIP.	11	9
01/07/97	ADMINISTRATION		TWO AWARDS RECEIVED FROM MCIT ON SAFETY ISSUES.	11	11
01/14/97	ADMINISTRATION		REVISED DATA PRACTICES POLICY AND PROCEDURE (POLICY #1300) AND REVISED FEE SCHEDULE FOR NON-COUNTY RELATED SERVICES.	11	16
01/14/97	ADMINISTRATION		WORKSHOP W/CTY. ADMINISTRATOR TO DISCUSS HIS 1997 WORK PLAN.	11	24
01/28/97	ADMINISTRATION		TWO PROGRAMS TO BE SUBMITTED TO NACO FOR ACHIEVEMENT AWARDS: 1) RESPECTFUL WORKPLACE, 2) AUTOMATIC IMAGING PROGRAM IN RECORDER'S OFFICE.	11	38
01/28/97	ADMINISTRATION		UPDATE GIVEN ON COURTS MOVE INTO NEW ROOMS.	11	38
02/04/97	ADMINISTRATION		WORKSHOP TO DISCUSS A PROPOSAL FOR ESTABLISHING MANDATORY OPEN SPACE DESIGN DEVELOPMENT DISTRICTS.	11	48
02/25/97	ADMINISTRATION		SET THE PUBLIC HEARING DATE FOR ADOPTION OF THE 2015 COMPREHENSIVE PLAN FOR 3/25/97 AT 9:00 A.M.	11	67
02/25/97	ADMINISTRATION		COMMENTS ON PROPOSAL TO ESTAB. A TIF DISTRICT NO. 1-8, CITY OF OAKDALE.	11	67
02/25/97	ADMINISTRATION		WORKSHOP TO DISCUSS A PROPOSAL BY BEST, INC. TO REMODEL THE GOVT. CENTER LUNCHROOM.	11	69
03/04/97	ADMINISTRATION		COMP. PLAN LEGAL NOTICE TO INCLUDE STATEMENT THAT WRITTEN TESTIMONY WILL BE ACCEPTED UNTIL 4:30 P.M. ON APRIL 1, 1997.	11	76
03/11/97	ADMINISTRATION		1997 AGREE. W/MN MCIT, WORKERS' COMPENSATION DEDUCTIBLE PRICING.	11	79
03/25/97	ADMINISTRATION		PUBLIC HEARING ON WACO 2015 COMP PLAN. HRG. CONTINUED TO 4/1/97.	11	119
04/01/97	ADMINISTRATION		AUTH. \$88,800 FROM GEN. FUND & \$24,900 MDB POOL SAVINGS FOR MCCC/BRC TAX SYSTEM.	11	135
04/01/97	ADMINISTRATION		DAVID PIGGOTT, EX. DIRECTOR, METRO EAST DEVELOPMENT PARTNERSHIP, PRESENTED 1997 WORK PLAN AND MISSION OF THE MEDP.	11	137
04/01/97	ADMINISTRATION		PUBLIC HEARING ON 2015 COMP PLAN CONTINUED FROM 3/25/97. BOARD DISCUSSION TO BE HELD AT 4/8/97 BOARD MEETING.	11	138

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME 1

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
04/08/97	ADMINISTRATION		REVISED POLICY 2103, MISSION DIRECTED BUDGETING, REPLACES POLICIES 2103 AND 2104.	11	154
04/08/97	ADMINISTRATION		BOARD DISCUSSED 2015 COMP PLAN. SEVERAL AMENDMENTS MADE. DOCUMENT ADOPTED W/EFFECTIVE DATE OF 10/1/97. ATTORNEY DIRECTED TO BRING BACK RES. FOR NEXT WEEK'S MEETING.	11	157
04/15/97	ADMINISTRATION		2015 COMP PLAN ADOPTION SCHEDULED FOR APRIL 22 BOARD MEETING.	11	174
04/15/97	ADMINISTRATION		WORKSHOP HELD TO DISCUSS 1998 BUDGET GUIDELINES.	11	175
04/22/97	ADMINISTRATION	97-063	ADOPTION OF THE 2015 COMPREHENSIVE PLAN, ORD. NO. 124.	11	182
02/25/97	ASSESSOR		CHANGES TO 1996 ASSESSMENT THAT HAVE OCCURRED SINCE THE CLOSE OF THE 1996 BOARD OF EQUALIZATION AND 12/31/96.	11	63
01/14/97	ATTORNEY		EX. SESSION TO DISCUSS PROPOSED SETTLEMENT RE: JUNKER LANDFILL.	11	24
03/04/97	ATTORNEY		SIGN JUNKER LANDFILL LITIGATION AUTH. FOR JOINT REPRESENTATION FOR LAW FIRM OF POPHAM HAIK TO ACT AS CO-LEAD COUNSEL IN JUNKER LANDFILL TRUST AND ITS MEMBERS.	11	73
03/25/97	ATTORNEY		RATIFY SETTLEMENT OF THE AGREE. OF COMPROMISE, SETTLEMENT & RELEASE AND AGREE. TO TERMS OF THE CONSENT DECREE, JUNKER SANITARY LANDFILL, INC. SITE.	11	132
04/08/97	ATTORNEY		PUBLIC HEARING SET FOR APRIL 22, 9:00 A.M., AMEND JUVENILE CURFEW ORDINANCE.	11	155
04/22/97	ATTORNEY		EXTENSION OF GRANT FUNDS FROM MN DOC FOR ASSISTANT VICTIM/WITNESS COORD.	11	180
04/22/97	ATTORNEY		PUB. HRG. HELD TO COMBINE THE WACO JUVENILE CURFEW ORD. NOS. 115 & 116. RESOLUTION APPROVING THIS ACTION TO BE BROUGHT BACK AT NEXT BOARD MEETING.	11	180
04/22/97	ATTORNEY		EX. SESSION HELD TO DISCUSS THE JUNKER LANDFILL LITIGATION.	11	186
01/07/97	AUDITOR/TREASURER		ABATEMENT APPLICATIONS.	11	6
01/14/97	AUDITOR/TREASURER		ONE DAY, ON SALE NON-INTOXICATING MALT LIQ. LIC. VIETNAM VETERANS OF AMERICA CHAPTER 320, FOREST LAKE ICE FISHING CONTEST, 2/2/97. ALTERNATE DATES OF 2/9 AND 2/16 ALSO SUBMITTED.	11	16
01/14/97	AUDITOR/TREASURER		LETTER TO THE CITY OF OAKDALE RE: COUNTY'S COMMENTS ON TIF DISTRICTS.	11	23
01/21/97	AUDITOR/TREASURER		ABATEMENT APPLICATIONS.	11	26
01/21/97	AUDITOR/TREASURER		ONE DAY, ON-SALE NONINTOXICATING MALT LIQUOR LICENSE FOR THE FIREMAN'S BALL AT THE SCANDIA COMMUNITY CENTER ON 2/22/97.	11	26
01/21/97	AUDITOR/TREASURER	97-013	GAMBLING LICENSE RENEWAL FOR THE CHISAGO CITY BOOSTER CLUB.	11	26

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/21/97	AUDITOR/TREASURER		CONSUMPTION & DISPLAY PERMIT FOR WITHROW BALLROOM 4/1/96-3/31/97 CONDITIONED ON APPLICANTS PAYMENT FOR THIS PERMIT FOR THE PERIOD 4/1/97-3/31/98 ON OR BEFORE 3/31/97 & W/APPROPRIATE COUNTY SIGNATURES.	11	31
01/28/97	AUDITOR/TREASURER		BOARD OF EQUALIZATION DATES SET FOR 6/17 AND 6/18 (IF NEEDED).	11	37
02/04/97	AUDITOR/TREASURER	97-021	AUTH. TO OFFER TAX FORFEITED PARCEL AT A PRIVATE SALE & APPROVING BASIC SALE PRICE OF \$1,000.	11	43
02/04/97	AUDITOR/TREASURER		CONVEYANCE - CITY OF COTTAGE GROVE.	11	43
02/04/97	AUDITOR/TREASURER	97-022	SUPPORT LEGISLATION DESIGNED TO ADJUST SCHOOL BOUNDARIES IN THE CITY OF WOODBURY.	11	44
02/18/97	AUDITOR/TREASURER		LIQ. LIC. SCANDIA OLDE TOWNE LIQUOR, 4/1/97 - 3/31/98.	11	55
02/18/97	AUDITOR/TREASURER		LIQ. LIC. AFTON ALPS, 4/1/97 - 3/31/98.	11	55
02/18/97	AUDITOR/TREASURER		LIQ. LIC. FOREST HILLS GOLF CLUB, INC. 4/1/97 - 3/31/98.	11	55
02/18/97	AUDITOR/TREASURER		LIQ. LIC. OLD LOG CABIN, 4/1/97 - 3/31/98.	11	55
02/18/97	AUDITOR/TREASURER		LIQ. LIC. THE POINT, 4/1/97 - 3/31/98.	11	55
02/18/97	AUDITOR/TREASURER		CANCELLATION OF CERTIFICATE OF FORFEITURE, 10962-2000, 10962-2300 10962-2400.	11	56
02/25/97	AUDITOR/TREASURER		1997 BOARD OF EQUALIZATION SET FOR TUESDAY, 6/17/97 AND 6/18/97 IF NECESSARY.	11	63
02/25/97	AUDITOR/TREASURER	97-031	REQUESTING AUTH. FROM THE STATE OF MN TO OFFER THE SALE OF PLAT/PARCEL 89045-2560 TO ADJOINING OWNERS.	11	63
02/25/97	AUDITOR/TREASURER	97-032	LAWFUL GAMBLING EXEMPTION FOR FOREST LAKE DUCKS UNLIMITED.	11	64
03/04/97	AUDITOR/TREASURER		LIQ. LIC., MEISTERS BAR & GRILL, 4/1/97 - 3/31/98.	11	71
03/04/97	AUDITOR/TREASURER	97-036	LAWFUL GAMBLING EXEMPTION FOR WHITE BEAR LAKE DUCK'S UNMILITED, WITHROW BALLROOM.	11	72
03/11/97	AUDITOR/TREASURER		LIQ. LIC. VANNELLI'S ON THE GREEN, 4/1/97 - 3/31/98.	11	79
03/11/97	AUDITOR/TREASURER		LIQ. LIC., POINT LIQUORS, 4/1/97 - 3/31/98.	11	79
03/18/97	AUDITOR/TREASURER		LIQ. LIC., OUTING LODGE AT PINE POINT INC, 4/1/97 - 3/31/98.	11	101
03/18/97	AUDITOR/TREASURER		CONSUMPTION & DISPLAY PERMIT LICENSE FOR SCANDIA COMMUNITY SR. CENTER, 4/1/97 - 3/31/98.	11	101
03/18/97	AUDITOR/TREASURER		WINE LICENSE FOR CRABTREE'S KITCHEN, 4/1/97 - 3/31/98.	11	101
03/18/97	AUDITOR/TREASURER		LIQ. LIC., WILLOW POINT RESORT, 4/1/97 - 3/31/98.	11	101
03/18/97	AUDITOR/TREASURER		LIQ. LIC., WITHROW BALLROOM, INC., 4/1/97 - 3/31/98.	11	101

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
03/25/97	AUDITOR/TREASURER		LIQ. LIC., VETERANS REST CAMP, 4/1/97 - 3/31/98.	11	109
04/01/97	AUDITOR/TREASURER		LIQ. LIC., TRAIL'S END BAR & GRILL, INC. 4/1/97 - 3/31/98.	11	135
04/15/97	AUDITOR/TREASURER	97-051	LAWFUL GAMBLING EXEMPTION, AMERICAN HEART ASSOC., MN AFFILIATE, AT VANNELLI'S RESTAURANT, F.L. TWP.	11	165
04/22/97	AUDITOR/TREASURER	97-057	GAMBLING LICENSE RENEWAL FOR VOITURE #39 HO&8.	11	177
03/11/97	CENTRAL SERVICES		EXECUTE OPTION TO EXTEND CORPORATE EXPRESS CONTRACT FOR ONE ADDITIONAL YEAR THROUGH 9/30/97.	11	79
03/11/97	CENTRAL SERVICES		CONTRACT W/BEST, INC. FOR LEC AND GOVT. CENTER, FOR FOOD SERVICE, INCLUDING UPGRADE OF LUNCH ROOM, 11/1/97 - 10/31/03.	11	79
01/07/97	COMMISSIONERS		OATH OF OFFICE GIVEN TO COMMISSIONERS HEGBERG, ABRAHAMSON & ENGSTROM.	11	1
01/07/97	COMMISSIONERS		COMMISSIONER PETERSON ELECTED CHAIR, COMMISSIONER HEGBERG VICE-CHAIR FOR 1997.	11	1
01/07/97	COMMISSIONERS		BOARD MEETING DATES SET FOR 1997.	11	2
01/07/97	COMMISSIONERS		MEMORIAL DAY APPROPRIATION OF \$100 EACH UPON REQUEST FOR WACO POSTS AND BARRACKS.	11	5
01/07/97	COMMISSIONERS	97-002	POCKET GOPHER BOUNTIES.	11	5
01/07/97	COMMISSIONERS		PUBLIC HEARING HELD ON THE 1997-2001 CIP.	11	9
01/07/97	COMMISSIONERS		DAVID JUNKER, STILLWATER, SPOKE ON TWO ISSUES: 1) STILLWATER BRIDGE AND HIS URGING THE COUNTY BOARD TO SUPPORT ITS CONSTRUCTION 2) OPPOSED TO 10% COMMISSIONER SALARY INCREASE.	11	11
01/07/97	COMMISSIONERS		COMMISSIONER ABRAHAMSON SUPPORTS THE CONSTRUCTION OF THE NEW STILLWATER BRIDGE. HE ASKED FOR CONSENSUS OF BOARD. COMM. PETERSON ASKED FOR A WORKSHOP W/MN/DOT TO DISCUSS STATUS OF THE BRIDGE FOR FEBRUARY.	11	11
01/07/97	COMMISSIONERS		REPORT GIVEN ON MTG. W/HUGO AND MAY TWP. RE: SCHOOL SECTION AND GOGGINS LAKES.	11	11
01/07/97	COMMISSIONERS		COM. HAUSER ASKED THAT A RES. BE PREPARED SUPPORTING THE EFFORT TO EXEND THE ENVIRONMENTAL TRUST FUND ALLOCATION FROM THE STATE LOTTERY PROCEEDS BEYOND THE YEAR 2000.	11	11
01/07/97	COMMISSIONERS		COM. ENGSTROM TO SIT ON THE AMC LEGISLATIVE STEERING COMMITTEE.	11	12
01/07/97	COMMISSIONERS		WORKSHOP W/COUNTY LEGISLATIVE DELEGATION TO DISCUSS THE 1997 LEGISLATIVE AGENDA.	11	12
01/14/97	COMMISSIONERS		REVISED DATA PRACTICES POLICY (#1300) AND REVISED FEE SCHEDULE FOR NON-COUNTY RELATED SERVICES.	11	16
01/14/97	COMMISSIONERS		COMMISSIONER COMMITTEE APPOINTMENTS FOR 1997.	11	21
01/14/97	COMMISSIONERS		BRD. SEC. TO KEEP COMPLETE LIST OF ALL COMMITTEES COMMISSIONERS MAY SERVE ON TO ANSWER QUESITONS THE PUBLIC MAY HAVE.	11	23

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/14/97	COMMISSIONERS		UPDATE GIVEN ON JOINT DITCH #1.	11	23
01/14/97	COMMISSIONERS		INTRODUCTION OF NEWLY APPOINT P.H. ADV. MEMBER EILEEN WEBER.	11	23
01/14/97	COMMISSIONERS		MET. MOSQUITO CONTROL BRD. HAS FIRST WOMEN CHAIR, COMMISSIONER MARGARET LANGFELD FROM ANOKA COUNTY.	11	23
01/14/97	COMMISSIONERS		MET. LRT 1996 ANNUAL REPORT DISTRIBUTED TO BOARD MEMBERS.	11	23
01/14/97	COMMISSIONERS		BRD. ELECTED TO HOLD MARCH 4 BOARD MTG. RATHER THAN MEET W/DAKOTA COUNTY ON WAKOTA BRIDGE FOLLOWING NACO MTG. IN WASH. DC.	11	23
01/14/97	COMMISSIONERS		EMS MEETING ON MARCH 5 AND 6 IN BLOOMINGTON TO DISCUSS TERRIBLE WINTER WEATHER, STAFF FROM P.W. AND SHERIFF'S OFFICES ASKED TO ATTEND.	11	24
01/14/97	COMMISSIONERS		MN TRANSPORTATION COMMUNITY 1997 LEGISLATIVE RECEPTION SCHED. FOR 2/19/97 AT RADISSON IN ST. PAUL.	11	24
01/14/97	COMMISSIONERS		WORKSHOP W/COUNTY ADMINISTRATOR TO DISCUSS HIS 1997 WORK PLAN.	11	24
01/21/97	COMMISSIONERS		PUBLIC HEARING TO RECEIVE COMMENTS ON A REQUEST BY DON LOTHENBACH TO REZONE PROPERTY IN DENMARK TWP.	11	29
01/21/97	COMMISSIONERS		TABLE RES. SUPPORTING CONTINUED FUNDING OF MN ENVIRONMENTAL AND NATURAL RESOURCES TRUST FUND UNTIL INFO. CAN BE GATHERED ON FUNDING FOR EDUCATION & TREATMENT OF GAMBLING ADDICTION.	11	32
01/21/97	COMMISSIONERS	97-016	ADMINISTRATIVE PROCEDURE FOR CONTRACTS LESS THAN \$25,000.	11	33
01/21/97	COMMISSIONERS		NEXT WEEK'S BOARD MEETING SCHEDULED FOR REGULAR TIME OF 9:00 A.M. COURT'S MOVING BACK TO THEIR COURT ROOMS.	11	34
01/21/97	COMMISSIONERS		LETTER FROM OAK PARK HEIGHTS INVITING CTY. TO PARTICIPATE IN MEDIATION PROCESS RE: ST. CROIX RIVER CROSSING. STILLWAER, OAK PARK HEIGHTS & BAYPORT INVITED TO WORKSHOP ON 2/18 W/MN/DOT TO DISCUSS ISSUE.	11	34
01/21/97	COMMISSIONERS		LETTER FROM MET. AGENCY ON AGING ASKING ABOUT COUNTY'S PARTICIPATION. NAMES SUBMITTED SEVERAL YEARS AGO FOR CONSIDERATION TO SIT ON COMMITTEE.	11	34
01/21/97	COMMISSIONERS		LOWER ST. CROIX PLANNING TASK FORCE TO HOLD WORKSHOPS ON 1/28-30/97.	11	34
01/28/97	COMMISSIONERS	97-018	POLICY FOR MODIFICATION AND/OR REPLACEMENT OF HAZARDOUS MAILBOXES.	11	37
01/28/97	COMMISSIONERS		TED THOMPSON, REP. BILL LUTHER'S CHIEF OF STAFF, INTRODUCED.	11	38
01/28/97	COMMISSIONERS		SOLID WASTE COORD. BOARD TO DROP \$25 SURCHARGE TO HAULERS.	11	38
01/28/97	COMMISSIONERS		UPDATE ON AMC DISTRICT X MEETING. WORK PLAN W/BOLAND & ASSOCIATES APPROVED FOR \$4,000 PER COUNTY.	11	38

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/28/97	COMMISSIONERS		UPDATE GIVEN ON AMC LEGISLATIVE STEERING COMMITTEE.	11	39
01/28/97	COMMISSIONERS		STAFF ASKED TO RESEARCH INFO. RECEIVED ON ADDITIONAL LAND FOR GREY CLOUD ISLAND PARK AND LAND FROM THE CARPENTER NATURE CENTER IN A JOINT VENTURE AND REPORT BACK TO THE BOARD.	11	39
01/28/97	COMMISSIONERS		REPORT GIVEN ON WELFARE REFORM SEMINAR ATTENDED BY 11 LEGISLATORS, COMMISSIONERS AND RECIPIENTS OF WELFARE.	11	39
01/28/97	COMMISSIONERS		LOWER ST. CROIX PLANNING TASK FORCE TO HOLD PUBLIC MTGS. 1/28-30/97. LAURA REYNOLDS, COUNTY REP. TO REPORT ON THESE MEETINGS AT THE 2/11 BOARD MEETING.	11	39
01/28/97	COMMISSIONERS		WORKSHOP W/SHERIFF AND PUBLIC WORKS TO DISCUSS DEVELOPMENT OF A PARK AND WATER PATROL SECTION.	11	39
01/28/97	COMMISSIONERS		WORKSHOP W/COMMUNITY SERVICES TO DISCUSS WELFARE REFORM AND REVIEW A PROPOSED MODEL FOR SERVICE DELIVERY.	11	40
01/28/97	COMMISSIONERS		WORKSHOP W/SOIL & WATER CONSERVATION DISTRICT TO DISCUSS BROWN'S CREEK WATERSHED PROJECTS.	11	40
02/04/97	COMMISSIONERS		AMEND POLICY #1012, MILEAGE REIMBURSEMENT, FROM 31 CENTS TO 31.5 CENTS.	11	41
02/04/97	COMMISSIONERS		JOINT MTG. W/RAMSEY COUNTY BOARD SCHEDULED FOR 3/18/97, 12:30 P.M. LANDMARK CENTER. LEAGUE OF LOCAL GOVERNMENTS TO BE SCHEDULED FOR EITHER 3/4 OR 3/10/97.	11	47
02/04/97	COMMISSIONERS		HRA BOARD MAY CONTRACT W/COUNTY LEGISLATIVE REP. FOR THE LANDFALL CITY GRANT PROPOSAL.	11	47
02/04/97	COMMISSIONERS		BOARD COPIED ON LETTER FROM GOV. CARLSON TO PRESIDENT CLINTON, RE: ST. CROIX RIVER BRIDGE.	11	47
02/04/97	COMMISSIONERS		WORKSHOP W/PUBLIC WORKS TO DISCUSS A REMODELING PROJECT AT THE FOREST LAKE LICENSE CENTER.	11	47
02/04/97	COMMISSIONERS		WORKSHOP W/COURT SERVICES TO DISCUSS CURRENT CONTRACTS W/LOCAL YOUTH SERVING AGENCIES.	11	48
02/04/97	COMMISSIONERS		WORKSHOP W/OFFICE OF ADMIN. TO DISCUSS A PROPOSAL FOR ESTABLISHING MANDATORY OPEN SPACE DESIGN DEVELOPMENT DISTRICTS.	11	48
02/04/97	COMMISSIONERS		WORKSHOP W/HELM TO DISCUSS A SPECIAL PROJECT TO DIGITIZE 1996 HIGH WATER LEVELS.	11	48
02/11/97	COMMISSIONERS		CHERI GANGL, STILLWATER, ADDRESSED THE BOARD ON ALLEGED MISCONDUCT IN THE SHERIFF'S OFFICE.	11	53
02/11/97	COMMISSIONERS		JEFF SOVEREIGN, LANDFALL CITY COUNCIL, SPOKE IN FAVOR OF THE LOWER ST. CROIX COOPERATIVE MANAGEMENT PLAN TASK FORCE.	11	53
02/11/97	COMMISSIONERS		UPDATE GIVEN ON AMC LEGISLATIVE MEETING.	11	53
02/11/97	COMMISSIONERS		WORKSHOP W/HELM TO DISCUSS DEVELOPMENT OF AN ORDINANCE ON WIRELESS COMMUNICATIONS FACILITIES.	11	54



1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
02/18/97	COMMISSIONERS		INTRODUCTION OF NEWLY APPOINTED COMMITTEE MEMBERS: 11 SUSAN FLAHERTY, CSS ADVISORY COMMITTEE AND STEVEN DELAPP, PLANNING ADV. COMMITTEE.		61
02/18/97	COMMISSIONERS		TARTAN ICE ARENA TO HAVE GRAND OPENING 2/18/97, 6:30 P.M.	11	61
02/18/97	COMMISSIONERS		HRA TO HOLD STRATEGIC WORKSHOP ON 4/2/97.	11	61
02/18/97	COMMISSIONERS		COM. APPT. TO ACTIVE CITIZENSHIP COMMITTEE BY AMC COMMISSIONER PETER MCLAUGHLIN.	11	61
02/18/97	COMMISSIONERS		WORKSHOP W/MN/DOT AND WIS/DOT TO DISCUSS STATUS OF THE STILLWATER PROJECT.	11	62
02/25/97	COMMISSIONERS		LIFE-SAVING AWARD PRESENTED TO DEPUTY SCOTT STILLMAN.	11	67
02/25/97	COMMISSIONERS		REPORT ON AMC LEGISLATIVE STEERING COMMITTEE MEETING.	11	67
02/25/97	COMMISSIONERS		REPORT ON MTG. W/COMM. FROM DAKOTA COUNTY, WASH. COUNTY AND CONG. RAMSTAD TO DISCUSS WAKOTA BRIDGE AND ISTEAFUNDING.	11	67
02/25/97	COMMISSIONERS		REPORT ON POSSIBLE NSP LEGISLATION REQUESTION EXEMPTION FROM PROPERTY TAX.	11	68
02/25/97	COMMISSIONERS		WORKSHOP W/PUBLIC WORKS TO DISCUSS FEDERAL LOBBYING PROPOSAL FOR WAKOTA BRIDGE & GREY CLOUD ISLAND REG. PARK.	11	68
02/25/97	COMMISSIONERS		WORKSHOP TO RECEIVE COMMENTS ON THE STILLWATER BRIDGE PROJECT.	11	68
02/25/97	COMMISSIONERS		WORKSHOP W/ADMIN. TO DISCUSS A PROPOSAL BY BEST, INC. TO REMODEL THE GOVT. CENTER LUNCHROOM.	11	69
03/04/97	COMMISSIONERS	97-038	RECOGNITION OF RICHARD H. STAFFORD, A/T, ON HIS REAPPT. TO THE PERA BOARD OF TRUSTEES.	11	73
03/04/97	COMMISSIONERS		ARTICLE ON COMMISSIONER DENNIS HEGBERG APPEARED IN FEBRUARY ISSUE OF MCIT BULLETIN.	11	73
03/04/97	COMMISSIONERS		BRD. CORRESPONDENCE FROM OAKDALE CHIEF OF POLICE REGARDING FUNDS FOR DEVELOPMENT OF COUNTY RADIO SYSTEM PLAN DUE IN AUGUST.	11	75
03/04/97	COMMISSIONERS		UPDATE GIVEN ON NACO CONFERENCE IN WASH. D.C.	11	75
03/04/97	COMMISSIONERS		ACKNOWLEDGED THE VOLUNTEERS OF AMERICA ON THEIR 101 ANNIVERSARY.	11	76
03/04/97	COMMISSIONERS		DISCUSSION ON AGENDA FOR JOINT MEETING W/RAMSEY COUNTY BOARD ON 3/18/97, SCHEDULED FOR NEXT WEEK'S BOARD MEETING.	11	76
03/11/97	COMMISSIONERS		PUB. HEARING - WIRELESS COMMUNICATIONS ANTENNAS & TOWERS.	11	80
03/11/97	COMMISSIONERS		JANET YOUEL ADDRESSED THE BOARD ON COMMITTEE VACANCY INTERVIEWING PROCESS.	11	94
03/11/97	COMMISSIONERS		DON EMPSON, RIVER TOWN RESTORATION, ASKED FOR BOARD TIME TO SPEAK ON THE OLD STILLWATER LIFT BRIDGE. THIS MATTER SCHEDULED FOR MARCH 18, 1997.	11	94



1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
03/11/97	COMMISSIONERS		EILEEN WEBER, ADDRESSED THE BOARD ON COMMITTEE VACANCY INTERVIEWS.	11	95
03/11/97	COMMISSIONERS		PUBLIC HEARING CLOSED FOR ORAL COMMENTS ON WIRELESS COMMUNICATIONS TOWERS. WRITTEN COMMENTS TO BE RECEIVED THROUGH 3/12/97, 4:30 P.M.	11	98
03/11/97	COMMISSIONERS		AGENDA ITEMS DISCUSSED FOR MEETING W/RAMSEY COUNTY ON MARCH 18, 1997.	11	98
03/11/97	COMMISSIONERS		RESOLUTIONS TO BE BROUGHT BACK NEXT WEEK REGARDING FARMERS OF THE YEAR AWARDS.	11	100
03/11/97	COMMISSIONERS		WORKSHOP W/PUBLIC WORKS TO DISCUSS A POSSIBLE EARLY "BUY-OUT" ON LEASE/PURCHASE AGREE. FOR ST. CROIX BLUFFS REG. PARK.	11	100
03/18/97	COMMISSIONERS	97-040	RECOGNITION OF HUBERT AND HELEN SCHNEIDER, 1997 WACO FARM FAMILY OF THE YEAR.	11	102
03/18/97	COMMISSIONERS	97-041	RECOGNITION OF DAVID WASHBURN, MEG ANDERSON & EVERETT MYERS, THE RED CARDINAL FARM, 1997 NEW AG. INITIATIVE AWARD.	11	103
03/18/97	COMMISSIONERS		RIVER TOWN RESTORATION - REQUEST HEARING ON THE MN DNR PERMIT #96-6165. NO ACTION TAKEN.	11	106
03/18/97	COMMISSIONERS		WORKSHOP W/COMMUNITY SERVICES, PUBLICLY FUNDED HEALTH PROGRAMS.	11	108
03/25/97	COMMISSIONERS		PUBLIC HEARING ON WACO 2015 COMP PLAN. HEARING CONTINUED TO 4/1/97.	11	119
04/01/97	COMMISSIONERS		ANNOUNCED THAT SHERBURNE COUNTY COMMISSIONER ARNE ENGSTROM'S DAUGHTER PASSED AWAY, SHE WAS 19.	11	138
04/01/97	COMMISSIONERS		FORMER COUNTY DEPUTY ROBERT BELL PASSED AWAY.	11	138
04/01/97	COMMISSIONERS		GIS COMMITTEE UPDATE PRESENTED. COUNTY MAY BE ASKED TO PARTICIPATE IN FUNDING IN TWO YEARS.	11	138
04/01/97	COMMISSIONERS		UPDATE GIVEN ON AMC DISTRICT X MEETING.	11	138
04/01/97	COMMISSIONERS		JOINT EFFORT BETWEEN WI AND MN TO CONDUCT MEETINGS IN MAY RE: STRONGER RELATIONSHIP BETWEEN THE COUNTIES, TOWNSHIPS AND CITY GOVERNMENTS RELATED TO PLANNING, ZONING AND OTHER ISSUES RELATED TO GROWTH.	11	138
04/01/97	COMMISSIONERS		PUBLIC HEARING ON 2015 COMP PLAN CONTINUED FROM 3/25/97. BOARD DISCUSSION ON PLAN TO BE HELD ON 4/8/97.	11	138
04/01/97	COMMISSIONERS		LETTER FROM MN DEPT. OF HUMAN SERVICES COMMENDING WACO STAFF FOR THEIR PERFECT PERFORMANCE ON MEETING DHS FINANCIAL REPORTING DEADLINES FOR 1996.	11	151
04/01/97	COMMISSIONERS		WORKSHOP W/HELM, POLICY DIRECTION RE: EMS RADIO COMMUNICATION BOARD.	11	152
04/08/97	COMMISSIONERS	97-049	PROCLAIM APRIL 13-19, 1997 AS NATIONAL VOLUNTEER WEEK.	11	153
04/08/97	COMMISSIONERS		COM. HEGBERG TO REPLACE COM. ENGSTROM ON THE NEED ASSESSMENT SUBCOMMITTEE OF THE SOLID WASTE MGMT. COMMITTEE.	11	162

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
04/08/97	COMMISSIONERS		STAFF PERSON TO ATTEND CONFERENCE IN DALLAS RE: COMMUTER RAIL.	11	162
04/08/97	COMMISSIONERS		UPDATE GIVEN ON FLOODING CONDITIONS ON THE ST. CROIX RIVER.	11	162
04/08/97	COMMISSIONERS		UPCOMING MEETINGS LISTED.	11	162
04/08/97	COMMISSIONERS		WORKSHOP W/PUBLIC WORKS, STATUS OF JURISDICTIONAL TRANSFERS IDENTIFIED IN 2015 TRANSPORTATION PLAN.	11	163
04/08/97	COMMISSIONERS		WORKSHOP W/SOIL & WATER CONSERVATION, SCHEDULE FOR PROVIDING A SURFACE WATER OUTLET FROM GOGGINS LAKE TO BROWN'S CREEK.	11	163
04/15/97	COMMISSIONERS		RES. 97-054 RECOGNIZING THE PUBLIC SAFETY DISPATCHERS IN WACO IN HONOR OF NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK.	11	172
04/15/97	COMMISSIONERS	97-055	ACCEPTING A GIFT OF ART WORK FROM JUDGE HOWARD R. ALBERTSON ENTITLED "HOMETOWN COLLECTION".	11	172
04/15/97	COMMISSIONERS		MAY WORKSHOP W/DEPT. HEADS TO INCLUDE DISCUSSION ON ELIMINATING PER DIEM FOR COMMISSIONERS WHO SIT ON VARIOUS COMMITTEES.	11	174
04/15/97	COMMISSIONERS		CHERI GANGL, STILLWATER, SPOKE TO THE BOARD ON ALLEGED MISCONDUCT IN THE SHERIFF'S OFFICE.	11	175
04/15/97	COMMISSIONERS		911 EXECUTIVE MEETING, 4/17/97 TO DISCUSS BUDGET.	11	175
04/15/97	COMMISSIONERS		REPORT GIVEN ON JUDICIAL DITCH 1.	11	175
04/15/97	COMMISSIONERS		BOARD THANKED P.W. STAFF AND SHERIFF'S OFFICE FOR HELP DURING THE FLOODING ON THE ST. CROIX. HELP IS ALSO REQUESTED AFTER THE WATER RECEDES AND THE CLEAN UP BEGINS.	11	175
04/15/97	COMMISSIONERS		WORKSHOP W/ADMIN. TO DISCUSS THE 1997 BUDGET GUIDELINES.	11	175
04/15/97	COMMISSIONERS		WORKSHOP W/HELM TO RECEIVE POLICY DIRECTION ON THE ZONING ORDINANCE.	11	176
04/22/97	COMMISSIONERS		PUBLIC HEARING HELD TO CONSIDER AMENDMENT TO THE WACO JUVENILE CURFEW ORD. NOS. 115 & 116 BY CONSOLIDATING THEM.	11	180
04/22/97	COMMISSIONERS		RES. NO. 97-063, ADOPTING THE 2015 COMPREHENSIVE PLAN, ORD. NO. 124.	11	182
04/22/97	COMMISSIONERS		REPORT GIVEN ON FOSTER CARE PROGRAM AND GUARDIAN AD LITEM DINNERS.	11	185
04/22/97	COMMISSIONERS		CITY OF LANDFALL TO HIRE A PART-TIME ADMINISTRATOR.	11	185
04/22/97	COMMISSIONERS		TOM KEANE, DENMARK TWP. AND ACTIVE PARTICIPANT IN THE COUNTY AGRICULTURE SOCIETY, PASSED AWAY THIS PAST WEEKEND.	11	185
04/22/97	COMMISSIONERS		LETTER TO BE SENT TO LEG. DELEGATION RE: SCORE LEGISLATION.	11	185
04/22/97	COMMISSIONERS		UPCOMING MEETINGS: COPING W/URBAN GROWTH AND LOWER ST. CROIX PLANNING TASK FORCE.	11	185

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE
04/22/97	COMMISSIONERS		BOARD URGED CITIZENS TO TAKE SPECIAL NOTE OF EARTH DAY.	11	185
04/22/97	COMMISSIONERS		COM. HEGBERG WILL ATTEND PLANNING ADVISORY COMMISSION THIS EVENING TO DISCUSS PORTIONS OF THE ZONING ORD.	11	185
04/22/97	COMMISSIONERS		COM. PETERSON TO MEET W/CONGRESSMAN OBERSTAR TO DISCUSS THE WAKOTA BRIDGE.	11	185
04/22/97	COMMISSIONERS		WORKSHOP W/H.E.L.M. TO DISCUSS THE ZONING ORDINANCE - DESIGNATION OF SCENIC ROUTES.	11	186
04/22/97	COMMISSIONERS		WORKSHOP W/COMMUNITY SERVICES TO DISCUSS CURRENT ISSUES & FUTURE TRENDS IN CHILD PROTECTION INVESTIGATIONS/ASSESSMENTS.	11	186
04/22/97	COMMISSIONERS		WORKSHOP W/PUBLIC WORKS TO DISCUSS HINTON & MANNING AVENUE CORRIDORS.	11	186
01/07/97	COMMUNITY SERVICES		REAPPT. DAVID B. OLSEN, MENTAL HEALTH ADVISORY COUNCIL, 2ND TERM.	11	3
01/07/97	COMMUNITY SERVICES		REAPPT. DENNIS CUSICK, MENTAL HEALTH ADV. COUNCIL, 1ST FULL TERM.	11	4
01/07/97	COMMUNITY SERVICES		REAPPT. SUE BROTHERTON, MENTAL HEALTH ADVISORY COUNCIL, 1ST FULL TERM.	11	4
01/07/97	COMMUNITY SERVICES		REAPPT. THERESA STEWARD, COMMUNITY SOCIAL SERVICES, CHILDREN & FAMILIES REP., 2ND TERM.	11	5
01/07/97	COMMUNITY SERVICES		REAPPT. JUDGE KENNETH MAAS, COMMUNITY SOCIAL SERVICES, CORRECTIONS BOARD REP., 2ND TERM.	11	5
01/07/97	COMMUNITY SERVICES		REAPPT. THOMSON F. DAVIS, MENTAL HEALTH ADVISORY, OTHER MENTAL HEALTH PROFESSIONAL REP., 2ND TERM.	11	5
01/07/97	COMMUNITY SERVICES		ADULT MENTAL HEALTH PILOT PROJECT GRANT AGREEMENT FOR CY 1997.	11	6
01/07/97	COMMUNITY SERVICES		AMEND THE CHILD CARE RESOURCE AND REFERRAL PROGRAM CONTRACT W/DEPT. OF CHILD, FAMILIES AND LEARNING.	11	6
01/14/97	COMMUNITY SERVICES		APPT. RICHARD LARSON, MENTAL HEALTH ADVISORY CONSUMER REP., 1ST TERM.	11	14
01/14/97	COMMUNITY SERVICES		APPT. JEAN BUSELMEIER, MENTAL HEALTH ADVISORY CONSUMER REP., 1ST TERM.	11	14
01/14/97	COMMUNITY SERVICES		1997 CONTRACT W/COMMUNITY VOLUNTEER SERVICE FOR TRANSPORTATION SERVICES.	11	16
01/14/97	COMMUNITY SERVICES		1996 AGREEMENT W/WOODBURY HEALTH CARE CENTER (PAL UNIT) TO PROVIDE RESIDENTIAL CARE SERVICES.	11	16
01/14/97	COMMUNITY SERVICES		1996 AGREE. W/HOLM'S SWEET HOME TO PROVIDE RESIDENTIAL CARE SERVICES.	11	16
01/14/97	COMMUNITY SERVICES		SUB. SUPERVISORY POSITION OF ECONOMIC SUPPORT SUPV. FOR PROGRAM COORD.	11	16
01/14/97	COMMUNITY SERVICES		.75 SPEC. PROJ. FAMILY SERVICE WORKER, 1/97 - 12/97.	11	16

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/14/97	COMMUNITY SERVICES		APPLICATION FOR ALTERNATIVE CARE BUDGET FOR WACO STATE FY 97.	11	21
01/14/97	COMMUNITY SERVICES		1997 CONTRACT W/STIVLAND, INC., D/B/A HARBOR SHELTER AND COUNSELING CENTER, CHILD SHELTER & SHORT TERM TREATMENT SERVICES.	11	21
01/21/97	COMMUNITY SERVICES		CONTRACT W/FAMILY SERVICE ST. CROIX TO PROVIDE MGMT. OF VOLUNTEER RESPITE CARE SERVICES TO FRAIL ELDERLY AND CHILDREN W/DEVELOPMENT DISABILITIES FOR 1997.	11	27
01/21/97	COMMUNITY SERVICES		MULTI-COUNTY CONTRACT W/LA FAMILIA, CLEARING HOUSE FOR CULTURALLY APPROPRIATE SERVICES AS PART OF THE ADOLESCENT SERVICES GRANT.	11	27
01/21/97	COMMUNITY SERVICES		DESIGNATE WACO COMMUNITY SERVICES AS THE FISCAL AGENT AND ACKNOWLEDGE FORMATION OF WACO CHILDREN'S MENTAL HEALTH COLLABORATIVE.	11	31
01/28/97	COMMUNITY SERVICES		MODIFICATION TO SUBGRANT #6165016 SR. COMMUNITY SERVICE EMPLOYMENT PROGRAM.	11	35
01/28/97	COMMUNITY SERVICES		WORKSHOP TO DISCUSS WELFARE REFORM AND REVIEW A PROPOSED MODEL FOR SERVICE DELIVERY.	11	40
02/04/97	COMMUNITY SERVICES		APPT. LAURIE DROLSON, MENTAL HEALTH ADVISORY COUNCIL, PARTIAL TERM.	11	41
02/04/97	COMMUNITY SERVICES		INFORMATION ONLY - CHILD FOSTER CARE MAINTENANCE RATES FOR CY 97.	11	43
02/04/97	COMMUNITY SERVICES		1997 AGREE. W/MCS LANGUAGE CONNECTION FOR INTERPRETER SERVICES.	11	43
02/04/97	COMMUNITY SERVICES		1997 AGREE. W/AMERICAN RED CROSS OF ST. PAUL TO PROVIDE RESPONSE SERVICES & EMERGENCY SOCIAL SERVICES.	11	43
02/11/97	COMMUNITY SERVICES		APPT. MARY ELLEN NIELSEN, MENTAL HEALTH ADVISORY COUNCIL, CHAPLAINCY REP., 1ST TERM.	11	49
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/LEGAL ASSISTANCE OF WACO, INC.	11	49
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/FOCUS HOMES, INC., HOME & COMMUNITY BASED SERVICES.	11	49
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/MDM RUBICON, INC. HOME & COMMUNITY BASED SERVICES.	11	49
02/11/97	COMMUNITY SERVICES		AMEND. 1996 CONTRACT W/MDM RUBICON, INC.	11	49
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/NEKTON, INC., HOME & COMMUNITY BASED SERVICES.	11	49
02/11/97	COMMUNITY SERVICES		AMEND. 1996 CONTRACT W/NEKTON, INC.	11	49
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/NORTHEAST RESIDENCE, INC. HOME & COMMUNITY BASED SERVICES.	11	50
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/OUTCOMES, INC. HOME & COMMUNITY BASED SERVICES.	11	50
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/REM METRO SERVICES, INC., HOME & COMMUNITY BASED SERVICES.	11	50

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME 1

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
02/11/97	COMMUNITY SERVICES		AMEND 1996 CONTRACT W/REM METRO SERVICES, INC.	11	50
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/SUR LA RUE, INC. HOME & COMMUNITY BASED SERVICES.	11	50
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/THOMAS ALLEN, INC., HOME & COMMUNITY BASED SERVICES.	11	50
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/ADAPTED LIVING PROGRAMS, INC., HOME AND COMMUNITY BASED SERVICES.	11	50
02/11/97	COMMUNITY SERVICES		1997 CONTRACT W/A.M.E. COMMUNITY SERVICES, INC., HOME & COMMUNITY BASED SERVICES.	11	50
02/18/97	COMMUNITY SERVICES		APPT. SUSAN FLAHERTY, COMMUNITY SOCIAL SERVICES ADVISORY, 1ST TERM, 12/31/99.	11	55
02/18/97	COMMUNITY SERVICES		PUB. MTG FOR CITIZEN INPUT ON COMMUNITY HEALTH PLAN, CSS PLAN, & MENTAL HEALTH PLAN, 3/18/97.	11	56
02/18/97	COMMUNITY SERVICES		INCREASE PAYMENT RATES FOR COUNTY BURIALS.	11	56
02/18/97	COMMUNITY SERVICES		1997 CONTRACT W/EAST SURBURBAN RESOURCES, INC. DAY TRAINING & HABILITATION SERVICES.	11	56
02/18/97	COMMUNITY SERVICES		1997 CONTRACT W/OPPORTUNITY SERVICES, INC., DAY TRAINING & HABILITATION SERVICES.	11	56
02/18/97	COMMUNITY SERVICES		CONTRACTS W/MERIDIAN SERVICES AND THOMAS ALLEN, INC., CASE MGMT. SRVS.	11	56
02/18/97	COMMUNITY SERVICES		1997 COOP. AGREE. W/OFFICE OF ADMINISTRATIVE HRGS., CHILD SUPPORT PROCESS.	11	56
02/18/97	COMMUNITY SERVICES		RULE 36 LIMITED PARTNERSHIP OF DULUTH III, RESIDENTIAL SERVICES AT HAMILTON HOUSE IN LAKE ELMO.	11	56
02/18/97	COMMUNITY SERVICES		ADULT INTEGRATED FUND GRANT AGREE. FOR CY 1997.	11	56
02/25/97	COMMUNITY SERVICES		1997 CONTRACT W/HSI FOR MENTAL HEALTH, CHEMICAL HEALTH, AGING & TRANSPORTATION SERVICES.	11	64
03/11/97	COMMUNITY SERVICES		1997 COOP. AGREE. W/WACO CTY. ATTORNEY, TITLE IV-D PROGRAM CHILD SUPPORT ENFORCEMENT.	11	79
03/11/97	COMMUNITY SERVICES		HSI GRANT PROPOSAL, ADULT DAY TREATMENT SERVICES.	11	80
03/18/97	COMMUNITY SERVICES		WORKSHOP TO DISCUSS PUBLICLY FUNDED HEALTH PROGRAMS.	11	108
03/25/97	COMMUNITY SERVICES	97-043	APPLY FOR WAIVER FROM THE MN BRD. OF GOVERNMENT INNOVATION & COOPERATION FOR THE CHILD SUPPORT ENFORCEMENT PROGRAM.	11	109
04/08/97	COMMUNITY SERVICES		GRANT TO MN HOUSING FINANCE AGENCY FOR THE FAMILY HOMELESS PREVENTION & ASSISTANCE PROGRAM.	11	154
04/08/97	COMMUNITY SERVICES		CONTRACT W/HSI, CHILDREN'S MENTAL HEALTH COLLABORATIVE.	11	154
04/22/97	COMMUNITY SERVICES		WORKSHOP TO DISCUSS CURRENT ISSUES AND FUTURE TRENDS IN CHILD PROTECTION INVESTIGATIONS/ASSESSMENTS.	11	186

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/07/97	COURT ADMINISTRATION		GUARDIAN AD LITEM CONTRACTS W/JEAN KUBITSCHKE, STEPHEN ONELL & MARY BUXTON, 1/1/97 - 12/31/98.	11	9
01/07/97	COURT SERVICES		REAPPT. STEVEN LEHMANN, COMMUNITY CORRECTIONS ADV. 11 BOARD, 1ST FULL TERM.		4
01/07/97	COURT SERVICES		REAPPT. HOLLY RYAN-MOORE, COMMUNITY CORRECTIONS 11 ADV. BOARD, 1ST FULL TERM.		4
01/07/97	COURT SERVICES		REAPPT. ROB MCDONOUGH, COMMUNITY CORRECTIONS ADV. 11 BOARD, SOCIAL SERVICES AG. REP.		5
01/07/97	COURT SERVICES		REAPPT. LYNNE OSTERBAUER, COMMUNITY CORRECTIONS 11 ADV. BOARD, PROBATION OFFICER.		5
01/07/97	COURT SERVICES		REAPPT. RICHARD ARNEY, COMMUNITY CORRECTIONS ADV. 11 BOARD, COUNTY ATTORNEY.		5
01/07/97	COURT SERVICES		1997 ANNUAL COMPREHENSIVE PLAN & SUBMITTAL OF THIS 11 PLAN TO DOC.		10
02/04/97	COURT SERVICES		INTENSIVE COMMUNITY SUPERVISION GRANT APPLICATION 11 FOR 1997-1998.		43
02/04/97	COURT SERVICES		AGREEMENTS W/FAMILY VIOLENCE NETWORK AND LAKES NEW 11 AREA BEGINNINGS FOR 1/1/97 - 12/31/97.		43
02/04/97	COURT SERVICES		WORKSHOP TO DISCUSS CURRENT CONTRACTS W/LOCAL 11 YOUTH SERVING AGENCIES.		48
02/11/97	COURT SERVICES		AGREEMENTS W/EAST COMMUNITIES FAMILY SERVICE, 11 FOREST LAKE YOUTH SERVICE BUREAU, YOUTH SERVICE BUREAU, INC., AND WHITE BEAR LAKE COMMUNITY COUNSELING CENTER.		50
04/22/97	COURT SERVICES		REQUEST FOR PROPOSALS TO PROVIDE COMMUNITY-BASED 11 RESTORATIVE JUSTICE PROGRAMS.		182
01/07/97	H.E.L.M.		REAPPT. ARTHUR POTTS, PLANNING ADVISORY COMMITTEE 11 TO 3RD TERM.		3
01/07/97	H.E.L.M.		REAPPT. MARY STOLZ, PUBLIC HEALTH ADVISORY, TO 3RD 11 TERM.		3
01/07/97	H.E.L.M.		APPT. SARA WENZEL, PUBLIC HEALTH ADVISORY, 1ST 11 TERM.		3
01/07/97	H.E.L.M.		REAPPT. CARL TACKE, SOLID WASTE ADVISORY, 3RD 11 TERM.		3
01/07/97	H.E.L.M.		REAPPT. DAVID JONES, PLANNING ADVISORY COMMISSION, 11 2ND TERM.		4
01/07/97	H.E.L.M.		REAPPT. DEB TRUDEAU, PLANNING ADVISORY COMMISSION, 11 1ST FULL TERM.		4
01/07/97	H.E.L.M.		REAPPT. DONALD ARNOLD, EMERGENCY MEDICAL SERVICES 11 COUNCIL, 2ND TERM.		4
01/07/97	H.E.L.M.		REAPPT. DON SLATEN, PLANNING ADVISORY COMMISSION, 11 2ND TERM.		4
01/07/97	H.E.L.M.		APPT. MARTINA JOHNTZ, SOLID WASTE ADVISORY, 1ST 11 TERM.		4

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/07/97	H.E.L.M.		REAPPT. GENE BEALKA, PUBLIC HEALTH ADVISORY, 3RD TERM.	11	4
01/07/97	H.E.L.M.		REAPPT. JOHN COLBERT, PUBLIC HEALTH ADVISORY, 2ND TERM.	11	4
01/07/97	H.E.L.M.		REAPPT. THERESA SCHWARTEN, PUBLIC HEALTH ADVISORY, 11 3RD TERM.		5
01/07/97	H.E.L.M.		REAPPT. MARGUERITE RHEINBERGER, PUBLIC HEALTH ADVISORY, 2ND TERM.	11	5
01/07/97	H.E.L.M.		PUBLIC HEARING SET FOR 1/21/97, TO HEAR REZONING REQUEST AND COMPREHENSIVE PLAN AMENDMENT BY DON LOTHEBACH FOR PROPERTY IN DENMARK TWP.	11	10
01/14/97	H.E.L.M.		APPT. MARK WITTENBERG, SOLID WASTE ADVISORY, 1ST TERM.	11	13
01/14/97	H.E.L.M.		APPT. LISA RING, PUBLIC HEALTH ADVISORY, FILL UNEXPIRED TERM.	11	13
01/14/97	H.E.L.M.		REAPT. KEVIN RAUN, EMERGENCY MEDICAL SERVICES, 8TH TERM.	11	13
01/14/97	H.E.L.M.		APPT. HARRY MELANDER, BOARD OF ADJUSTMENT & APPEALS, 1ST TERM.	11	13
01/14/97	H.E.L.M.		REAPPT. MARY SENKUS, BOARD OF ADJUSTMENT & APPEALS, FILL AN UNEXPIRED TERM.	11	13
01/14/97	H.E.L.M.		APPT. ROSEMARY EMMONS, PUBLIC HEALTH ADVISORY, 1ST TERM.	11	13
01/14/97	H.E.L.M.		APPT. EILEEN WEBER, PUBLIC HEALTH ADVISORY, 1ST TERM.	11	14
01/14/97	H.E.L.M.		APPT. WILLIE TENNIS, SOLID WASTE ADVISORY, 1ST TERM.	11	14
01/14/97	H.E.L.M.		AMEND. TO CONTRACT W/MN DEPT. OF HEALTH FOR THE IMMUNIZATION ACTION PLAN GRANT.	11	16
01/21/97	H.E.L.M.		APPT. MAUREEN ERVIN, PUBLIC HEALTH ADV., 1ST TERM.	11	25
01/21/97	H.E.L.M.		CONTRACT RENEWALS FOR JAIL HEALTH SERVICES.	11	27
01/21/97	H.E.L.M.		PUBLIC HEARING HELD AND DENIAL OF REQUEST BY DON LOTHEBACH TO REZONE PROPERTY IN DENMARK TWP. CT. ATT. TO PREPARE RES. REFLECTING THIS ACTION.	11	29
01/28/97	H.E.L.M.	97-017	DENYING REZONING REQUEST BY BILL POND AND DON LOTHEBACH IN DENMARK TWP.	11	35
01/28/97	H.E.L.M.		APPT. BETSY BRUMMER, NOXIOUS WEED APPEAL COMMITTEE, 1ST TERM.	11	37
02/04/97	H.E.L.M.		WORKSHOP TO DISCUSS A SPECIAL PROJECT TO DIGITIZE 1996 HIGH WATER LEVELS.	11	48
02/11/97	H.E.L.M.		PUBLISH NOTICE OF INTENT TO PLAN THE 1998-1999 COMMUNITY HEALTH SERVICES PLAN UPDATE.	11	50
02/11/97	H.E.L.M.		COMM. HAUSER NAMED VICE-CHAIR OF THE R/W RESOURCE RECOVERY PROJECT BOARD FOR 1997.	11	53



1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
02/11/97	H.E.L.M.		WORKSHOP TO DISCUSS DEVELOPMENT OF AN ORDINANCE ON 11 WIRELESS COMMUNICATIONS FACILITIES.		54
02/18/97	H.E.L.M.		APPT. STEVEN DELAPP, PLANNING ADVISORY COMMISSION, 11 1ST TERM EXPIRING 12/31/99.		55
02/25/97	H.E.L.M.		PUBLISH NOTICE OF INTENT TO ADOPT WIRELESS 11 COMMUNICATIONS FACILITY ORDINANCE & SET PUBLIC HEARING DATE OF MARCH 11, 1997.		64
02/25/97	H.E.L.M.	97-035	LANDFILL CONTRACT EXTENSIONS W/PINE BEND LANDFILL, 11 INC. AND SPRUCE RIDGE LANDFILL, INC.		66
03/04/97	H.E.L.M.		1997-98 CONTRACTS W/HOME CARE SERVICES: HOME 11 CARING, LAKEVIEW HOME CARE, ALLIANCE & BECKLUND HOME HEALTH CARE.		72
03/11/97	H.E.L.M.	97-039	STATE AND LOCAL ASSISTANCE GRANT W/MN DEPT. OF 11 PUBLIC SAFETY, DIV. OF EMERGENCY MGMT.		80
03/11/97	H.E.L.M.		PUBLIC HRG. - WIRELESS COMMUNICATIONS ANTENNAS & 11 TOWERS.		80
03/11/97	H.E.L.M.		PUBLIC HEARING CLOSED ON ORAL COMMENTS - WIRELESS 11 COMMUNICATIONS, WRITTEN COMMENTS TO BE RECEIVED THROUGH 3/12/97, 4:30 P.M.		99
03/18/97	H.E.L.M.		RES. ADOPTING THE WIRELESS COMMUNICATION ANTENNAS 11 & TOWERS ORD. TO BE BROUGHT BACK ON 3/25/97 FOR FINAL ADOPTION.		103
03/18/97	H.E.L.M.	97-042	SCORE TAX. 11		105
03/25/97	H.E.L.M.	97-045	WIRELESS COMMUNICATION TOWERS AND ANTENNAS - ORD. 11 NO. 123.		111
04/01/97	H.E.L.M.	97-046	SUPPORT THE MET 911 BOARD AS REG. EMS PROGRAM 11 DESIGNEE BY THE MN EMS REGULATORY BOARD.		135
04/01/97	H.E.L.M.		WORKSHOP TO DISCUSS POLICY DIRECTION RE: EMS RADIO 11 COMMUNICATION BOARD.		152
04/08/97	H.E.L.M.		1997 EMPLOYEE WELLNESS PROGRAM ANNUAL REPORT. 11		154
04/08/97	H.E.L.M.		EXTEND IMPLEMENTATION DATE OF POLICY FOR PLANNING 11 AND ZONING CONSULTATION SERVICES TO JANUARY 1, 1998.		156
04/15/97	H.E.L.M.	97-056	RESOURCE RECOVERY PROJECT ADMINISTRATION CHANGES. 11		173
04/15/97	H.E.L.M.		WORKSHOP HELD TO RECEIVE POLICY DIRECTION ON THE 11 ZONING ORDINANCE.		176
04/22/97	H.E.L.M.	97-062	REQUEST THAT WACO BE DECLARED A MAJOR DISASTER 11 AREA.		181
04/22/97	H.E.L.M.		WORKSHOP TO DISCUSS THE ZONING ORDINANCE - 11 DESIGNATION OF SCENIC ROUTES.		186
01/07/97	HRA		REAPPT. GEORGE RUGGLES, HRA BOARD TO 2ND TERM. 11		3
01/07/97	HRA		COM. HAUSER NOTED THE PASSING OF ELMER MORRIS WHO 11 SERVED FOR MANY YEARS ON THE HRA BOARD.		12
02/25/97	HRA	97-033	APPROVING THE QUALIFIED ALLOCATION PLAN FOR LOW 11 INCOME HOUSING TAX CREDITS.		65



1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/07/97	HUMAN RESOURCES		REAPPT. SUSAN MOORE, PERSONNEL BOARD OF APPEALS, 1ST FULL TERM.	11	4
01/07/97	HUMAN RESOURCES		ATTRACTION/RETENTION SALARY RANGE FOR CLASS. OF ECONOMIC SUPPORT PROGRAM SPEC. IN COMMUNITY SERVICES.	11	6
01/07/97	HUMAN RESOURCES		CONTRACT W/ FRANK MADDEN & ASSOCIATES FOR CONSULTING SERVICES, 10/1/96 - 9/30/97.	11	6
01/07/97	HUMAN RESOURCES		INCREASE OF COUNTY ADMINISTRATOR'S SALARY BY 2.5%.	11	10
01/14/97	HUMAN RESOURCES		BANDING & GRADING NEW JOB DESCRIPTION, SURVEY PROJECT COORD., SURVEYOR'S OFFICE AT C42-2.	11	16
01/14/97	HUMAN RESOURCES		BANDING & GRADING OF NEW JOB DESCRIPTION, ADMIN. PROCESS SPECIALIST, COMMUNITY SERVICES AT B25-1.	11	16
01/28/97	HUMAN RESOURCES		ATTRACTION/RETENTION SALARY RANGE FOR CLASS. OF ADMIN. PROCESS SPECIALIST IN COMMUNITY SERVICES.	11	36
01/28/97	HUMAN RESOURCES		ATTRACTION/RETENTION SALARY RANGE FOR CLASS. OF CHILD SUPPORT OFFICER IN COMMUNITY SERVICES.	11	37
02/04/97	HUMAN RESOURCES		BANDING & GRADING OF NEW JOB DESCRIPTION OF GUARDIAN AD LITEM SPECIALIST IN COURT ADMIN. AT B25-1, NEW JOB DESCRIPTION.	11	43
02/18/97	HUMAN RESOURCES		.5 SPECIAL PROJECT CLERK TYPIST THROUGH 12/31/97.	11	56
03/18/97	HUMAN RESOURCES		BANDING & GRADING, REVISED JOB DESCRIPTION, JAIL ADMINISTRATOR IN SHERIFF'S DEPT. D62-1.	11	101
03/18/97	HUMAN RESOURCES		BANDING & GRADING OF NEW JOB DESCRIPTION, ASSISTANT JAIL ADMINISTRATOR IN SHERIFF'S DEPT. AT C51-2.	11	102
03/18/97	HUMAN RESOURCES		BANDING & GRADING OF NEW JOB DESCRIPTION, TELECOMMUNICATIONS MOVE/CHANGE COORDINATOR IN THE I.S. DEPT AT B24-1.	11	102
02/11/97	INFORMATION SERVICES		CONTRACT W/VICOM FOR UPGRADE OF COUNTY TELEPHONE SWITCH.	11	52
02/18/97	INFORMATION SERVICES		SPEND UP TO \$27,000 FOR A NEW PHONE SYSTEM FOR MN EXTENSION.	11	56
01/07/97	INTERGOVERNMENTAL RELATIONS		BOARD WORKSHOP HELD W/COUNTY LEGISLATIVE DELEGATION TO DISCUSS THE 1997 LEGISLATIVE AGENDA.	11	12
02/04/97	INTERGOVERNMENTAL RELATIONS	97-023	SUPPORT FOR STATE FUNDING OF GAMBLING TREATMENT PROGRAMS.	11	45
02/04/97	INTERGOVERNMENTAL RELATIONS	97-024	SUPPORT CONTINUED FUNDING OF THE MN ENVIRONMENTAL & NATURAL RESOURCES TRUST FUND.	11	46
02/04/97	INTERGOVERNMENTAL RELATIONS		STATE LEGISLATIVE UPDATE.	11	46
03/04/97	INTERGOVERNMENTAL RELATIONS		LEGISLATIVE UPDATE GIVEN.	11	74
03/04/97	INTERGOVERNMENTAL RELATIONS		COUNTY TO SEEK JOINT DITCH NO. 1 SPECIAL APPROPRIATION LEGISLATION.	11	74
03/04/97	INTERGOVERNMENTAL RELATIONS		UPDATE BY HRA ON THEIR REQUEST TO THE STATE LEGISLATURE FOR AN APPROPRIATION CONCERNING THE CITY OF LANDFALL.	11	74

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
03/11/97	INTERGOVERNMENTAL RELATIONS		LEGISLATIVE UPDATE.	11	99
03/11/97	INTERGOVERNMENTAL RELATIONS		COUNTY TO DROP INITIATIVE ON BILL WHICH WOULD GIVE COUNTY APPROVAL OVER PLATS ADJACENT TO CTY. ROADS FOR THIS LEG. SESSION.	11	99
03/11/97	INTERGOVERNMENTAL RELATIONS		SCORE TAX RESOLUTION TO BE BROUGHT BACK AT NEXT WEEK'S BOARD MEETING.	11	99
04/15/97	INTERGOVERNMENTAL RELATIONS		LEGISLATIVE UPDATE.	11	174
04/15/97	INTERGOVERNMENTAL RELATIONS		LETTER TO STATE OF MN RE: LEVY LIMITS.	11	174
04/22/97	INTERGOVERNMENTAL RELATIONS		LEG. UPDATE PRESENTED, DISCUSSION OF JOINT DITCH #1 APPROPRIATION.	11	184
04/22/97	INTERGOVERNMENTAL RELATIONS		LETTER ON SCORE LEGISLATION TO BE SENT TO LEG. DELEGATION.	11	185
01/14/97	INTERNAL AUDITOR		APPT. JOSEPH RHEINBERGER, INTERNAL AUDIT ADVISORY COMMITTEE, 1ST TERM.	11	14
01/07/97	LIBRARY		REAPPT. WILLIAM SULLIVAN, LIBRARY BOARD, TO 2ND TERM.	11	3
01/07/97	LIBRARY		REAPPT. MARGARET HORNING, LIBRARY BOARD, 2ND TERM.	11	3
01/14/97	LIBRARY		APPT. JOANNE BAILEY, LIBRARY BOARD, 1ST TERM.	11	13
01/07/97	MINNESOTA EXTENSION		REAPPT. ROGER E. BOTHE, MINNESOTA EXTENSION COMMITTEE, 3RD TERM.	11	4
01/07/97	MINNESOTA EXTENSION		REAPPT. PAT MIELKE, MINNESOTA EXTENSION COMMITTEE, 2ND TERM.	11	4
02/18/97	MINNESOTA EXTENSION	97-026	PAYMENT ADJUSTMENT TO THE MEMO. OF AGREE. W/U OF M EXTENSION SRV. 1995.	11	57
02/18/97	MINNESOTA EXTENSION	97-027	PAYMENT ADJUSTMENT TO MEMO. OF AGREE. W/U OF M, 1996.	11	57
01/07/97	PUBLIC WORKS-FACILITIES		REAPPT. CINDRA KLINE, HISTORIC COURTHOUSE ADVISORY COUNCIL, TO 2ND TERM.	11	3
01/07/97	PUBLIC WORKS-FACILITIES		REAPPT. BRENT PERTERSON, HISTORIC COURTHOUSE ADVISORY, 3RD TERM.	11	3
01/07/97	PUBLIC WORKS-FACILITIES		REAPPT. HERBERT RECKINGER, HISTORIC COURTHOUSE ADV. COUNCIL, 2ND TERM.	11	4
01/07/97	PUBLIC WORKS-FACILITIES		REAPPT. SHARON FORTUNAK, HISTORIC COURTHOUSE ADV. 1ST FULL TERM.	11	4
01/07/97	PUBLIC WORKS-FACILITIES		AMEND. NO. 4 TO AGREEMENT W/LAGERQUIST ELEVATOR CORP.	11	6
01/07/97	PUBLIC WORKS-FACILITIES		RENEW BEST GROUP OFFICE LEASE AT HISTORIC COURTHOUSE, 1/1/97 - 12/31/97.	11	6
01/07/97	PUBLIC WORKS-FACILITIES		LEASE OF OFFICE SPACE IN WEST WING TO NORTH STAR TITLE, UNIVERSAL TITLE, OLD REPUBLIC NATIONAL TITLE, AND EQUITY TITLE.	11	8
01/14/97	PUBLIC WORKS-FACILITIES		APPT. MYRL PETERSEN, HISTORIC COURTHOUSE, 1ST TERM.	11	13

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
01/14/97	PUBLIC WORKS-FACILITIES	97-007	AWARD OF CONTRACT FOR SPRINKLER SYSTEM HISTORIC COURTHOUSE TO BROTHERS FIRE PROTECTION COMPANY.	11	16
01/21/97	PUBLIC WORKS-FACILITIES	97-014	PURCHASE JOHNSON PROPERTY LOCATED AT 14922 60TH STREET NORTH IN OAK PARK HEIGHTS.	11	27
01/21/97	PUBLIC WORKS-FACILITIES	97-015	REJECTION OF BIDS FOR CARPETING NEEDS, AUTH. TO REBID AT A LATER DATE.	11	29
01/28/97	PUBLIC WORKS-FACILITIES		UPDATE GIVEN ON WEST WING REMODELING. PROJECTED END DATE, END OF FEBRUARY.	11	38
02/04/97	PUBLIC WORKS-FACILITIES		OFFICE LEASE FOR ADDITIONAL SPACE FOR YOUTH SERVICE BUREAU, INC. AT THE WACO HISTORIC COURTHOUSE.	11	43
02/04/97	PUBLIC WORKS-FACILITIES		WORKSHOP HELD TO DISCUSS REMODELING PROJECT AT THE FOREST LAKE LICENSE CENTER.	11	47
02/18/97	PUBLIC WORKS-FACILITIES	97-029	SPACE LEASE AMEND. FOR THE DEPT. OF ECONOMIC SECURITY.	11	58
02/18/97	PUBLIC WORKS-FACILITIES	97-030	SPACE LEASE AMENDMENT FOR THE FOREST LAKE DISTRICT COURTS.	11	58
02/25/97	PUBLIC WORKS-FACILITIES	97-034	AWARD OF CONTRACT FOR CARPETING IN COUNTY FACILITIES TO GISELA'S INTERIORS, INC.	11	65
03/04/97	PUBLIC WORKS-FACILITIES		PER-DAY RENTAL RATES FOR 1998 & 1999, HISTORIC COURTHOUSE COURTROOM.	11	72
03/25/97	PUBLIC WORKS-FACILITIES		CONTRACT RENEWAL W/DONNELLY ELECTRIC COMPANY, ELECTRICAL MAINTENANCE SERVICES FOR COUNTY FACILITIES.	11	110
04/15/97	PUBLIC WORKS-FACILITIES		OFFICE LEASE AT HISTORIC COURTHOUSE, LOEFFEL ENGSTRAND CORP. 4/97 - 4/30/98.	11	171
01/14/97	PUBLIC WORKS-GENERAL	97-005	COUNTY ACCEPTANCE OF RESPONSIBILITY AS THE BROWN'S CREEK WATER MGMT. ORG.	11	14
01/14/97	PUBLIC WORKS-GENERAL	97-006	AUTH. THE EXPENDITURE OF STATE OF MN, BWSR, DNR BLOCK GRANT UNSPENT FUNDS FROM 1994 AND 1995.	11	15
01/21/97	PUBLIC WORKS-GENERAL	97-012	SOUTH WASHINGTON WATERSHED DISTRICT LOAN EXTENSION.	11	25
01/28/97	PUBLIC WORKS-GENERAL		REAPPT. PAMELA SKINNER TO THE RAMSEY-WASH. METRO WATERSHED TO A TERM EXPIRING 2/23/2000.	11	35
01/28/97	PUBLIC WORKS-GENERAL		CONTRACT W/WACO SOIL & WATER CONSERVATION DISTRICT FOR PLANNING, TECH. & ADMINISTRATIVE SERVICES IN THE BROWN'S CREEK WATERSHED.	11	37
02/11/97	PUBLIC WORKS-GENERAL		AGREE. W/COMFORT LAKE/FOREST LAKE WATERSHED.	11	52
02/11/97	PUBLIC WORKS-GENERAL		UPDATE GIVEN ON LOWER ST. CROIX COOPERATIVE MANAGEMENT PLAN TASK FORCE BY LAURA REYNOLDS AND KATE HANSON.	11	53
02/18/97	PUBLIC WORKS-GENERAL		PURCHASE 1 NEW 3/4 TON HEAVY DUTY CARGO VAN FROM SUPERIOR FORD THROUGH HENNEPIN COUNTY BID AGREEMENT.	11	59
02/18/97	PUBLIC WORKS-GENERAL		PURCHASE 4 NEW 1/2 TON C1500 PICKUPS, 2 15,000 GVW CAB & CHASSIS TRUKS FROM GROSSMAN CHEVROLET THROUGH HENNEPIN CTY. BID, 1 KLAUER MP-3D SNOW BLOWER & (CONTINUED)	11	59

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
02/18/97	PUBLIC WORKS-GENERAL		(CONTINUED) 1 SELF-PROPELLED ELGIN PELICAN STREET SWEEPER FROM MCQUEEN EQUIP, THROUGH STATE OF MN BID AGREE.	11	59
02/18/97	PUBLIC WORKS-GENERAL		PURCHASE SALT SUPPLY AS NEEDED FOR 1997 THROUGH STATE OF MN BID PER COOPERATIVE AGREE.	11	59
02/18/97	PUBLIC WORKS-GENERAL		EXPENDITURE OF \$8,000 STATE NATURAL RESOURCES BLOCK GRANT WETLAND FUNDS FOR FLWMO ACTIVITIES.	11	59
02/18/97	PUBLIC WORKS-GENERAL		OPTION ONE TO BEGIN PROCESS OF CONSTRUCTING AN OPEN CHANNEL OUTLET FROM GOGGINS LAKE TO BROWNS CREEK CONTINGENT ON CERTAIN CONDITONS.	11	60
03/11/97	PUBLIC WORKS-GENERAL		AD. FOR BIDS FOR ROAD EQUIPMENT.	11	80
03/11/97	PUBLIC WORKS-GENERAL		AGREE. W/LOCKRIDGE, GRINDAL, NAUEN AND HOLSTEIN TABLED.	11	98
04/01/97	PUBLIC WORKS-GENERAL		DON WISNIEWSKI, P.W. DIRECTOR, ELECTED VICE PRESIDENT OF THE NORTH CENTRAL REGION OF THE NACE.	11	138
04/08/97	PUBLIC WORKS-GENERAL		REAPPT. PATRICK RICE TO THE SOUTH WASH. WATERSHED DISTRICT TO TERM EXPIRING 5/1/00.	11	154
04/08/97	PUBLIC WORKS-GENERAL		CRAIG LEISER, CITY OF GRANT, ASKED THAT BOARD SUPPORT GRANT'S RES. REQUESTING THE COUNTY, ACTING AD BROWNS CREEK WMO, TAKE OVER THE KISMET BASIN PROJECT.	11	162
01/07/97	PUBLIC WORKS-PARKS		APPT. DEAN WILLAR, PARKS AND OPEN SPACE, 1ST TERM.	11	3
01/07/97	PUBLIC WORKS-PARKS		APPT. JOHN RHEINBERGER, PARKS AND OPEN SPACE COMMISSION, 1ST TERM.	11	3
01/07/97	PUBLIC WORKS-PARKS		LEASE W/RICH LEISTICO AND KATHY ADEMAK, HUSBAND & WIFE, AT THE CERIDIAN PARK.	11	8
01/07/97	PUBLIC WORKS-PARKS		AD. FOR SALE AND REMOVAL OF HOUSE AT 16948 MAY AVE. MARINE.	11	9
01/14/97	PUBLIC WORKS-PARKS		INFORMATION ONLY - CONTEST TO RENAME CERIDIAN EMPLOYEES RECREATION AREA. GRAND OPENING SCHEDULED FOR JUNE.	11	20
02/11/97	PUBLIC WORKS-PARKS		LEASE AGREEMENT AMENDMENTS FOR TILLABLE FARMLAND AT L.E. PARK RESERVE, PINE POINT PARK, COTTAGE GROVE RAVINE REG. PARK, AND BIG MARINE REG. PARK.	11	51
02/11/97	PUBLIC WORKS-PARKS		RENAME CERIDIAN EMPLOYEES RECREATION AREA TO ST. CROIX BLUFFS REGIONAL PARK.	11	52
02/11/97	PUBLIC WORKS-PARKS		WINNERS NAMED FOR SUBMITTING ST. CROIX BLUFFS REGIONAL PARK.	11	52
02/25/97	PUBLIC WORKS-PARKS		APPT. CHARLES BURFEIND, PARKS AND OPEN SPACE, UNEXPIRED TERM TO 12/31/98.	11	63
03/11/97	PUBLIC WORKS-PARKS		WORKSHOP TO DISCUSS A POSSIBLE EARLY "BUY-OUT" ON LEASE/PURCHASE AGREE. FOR ST. CROIX BLUFFS REG. PARK.	11	100
03/18/97	PUBLIC WORKS-PARKS		AD. FOR PROPOSALS ON PLAY EQUIP. FOR L.E. PARK RESERVE.	11	102

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
04/01/97	PUBLIC WORKS-PARKS		AD. FOR SALE AND REMOVAL A DAIRY BARN LOCATED IN THE ST. CROIX BLUFFS REG. PARK.	11	137
04/08/97	PUBLIC WORKS-PARKS		FIRST AMEND. TO MET COUNCIL GRANT SG-94-75, GROUP PICNIC SHELTER DEVELOPMENT IN L.E. PARK RESERVE.	11	154
04/08/97	PUBLIC WORKS-PARKS		EXERCISE AN EARLY BUY-OUT OPTION OF ST. CROIX BLUFFS REGIONAL PARK.	11	156
04/08/97	PUBLIC WORKS-PARKS		BOARD CONSENSUS TO ALLOW STAFF TO NEGOTIATE FOR PROPERTY AT GREY CLOUD ISLAND.		
01/07/97	PUBLIC WORKS-ROADS	97-003	AUTH. EMINENT DOMAIN PROCEEDINGS ON ADDITIONAL PROPERTY FOR CSAH 14.	11	6
01/14/97	PUBLIC WORKS-ROADS	97-008	CONVEY A HIGHWAY EASEMENT TO MN/DOT (CSAH 5 AND T.H. 36).	11	17
01/14/97	PUBLIC WORKS-ROADS	97-009	REVOCATION OF A PORTION OF CSAH 36 TO CITY OF MAHTOMEDI. (RESCINDED BY RESOLUTION NO. 97-025, ADOPTED ON 2/11/97)	11	18
01/14/97	PUBLIC WORKS-ROADS	97-010	REVOCATION OF CR 62 TO CITIES OF MAHTOMEDI AND DELLWOOD.	11	19
01/14/97	PUBLIC WORKS-ROADS	97-011	REVOCATION OF CR 79 TO CITY OF MAHTOMEDI.	11	20
02/11/97	PUBLIC WORKS-ROADS	97-025	RESOLUTION FOR REVOCATION OF A PORTION OF CSAH 36 (RESCINDS RES. NO. 97-009).	11	50
02/18/97	PUBLIC WORKS-ROADS		AD. FOR BIDS FOR CSAH 5, CSAH 17, CSAH 24, CSAH 22 AND CSAH 18, 1997 PAVEMENT PRESERVATION PROGRAMS.	11	57
02/18/97	PUBLIC WORKS-ROADS	97-028	CONSTRUCTION AGREE. NO. 75826 W/MN/DOT, TRAFFIC CONTROL SIGNALS AT THE NORTH RAMP OF THE TH 36 OVERPASS ON TH 5 - CSAH 5 IN STILLWATER.	11	57
02/18/97	PUBLIC WORKS-ROADS		JAMES HARRISON, MN-WI BOUNDARY COMMISSION, SPOKE ON THE STILLWATER BRIDGE PROJECT.	11	61
02/18/97	PUBLIC WORKS-ROADS		REP. FROM IZAAK WALTON LEAGUE OF AMERICA STATED THEIR OPPOSITION TO THE STILLWATER BRIDGE PROJECT.	11	61
02/18/97	PUBLIC WORKS-ROADS		WORKSHOP W/MN/DOT AND WIS/DOT TO DISCUSS STATUS OF THE STILLWATER BRIDGE PROJECT.	11	62
02/25/97	PUBLIC WORKS-ROADS		INFORMATION ONLY - TOWN ROAD ALLOTMENTS FOR COUNTY TOWNSHIPS.	11	66
02/25/97	PUBLIC WORKS-ROADS		WORKSHOP TO DISCUSS A FEDERAL LOBBYING PROPOSAL FOR WAKOTA BRIDGE & GREY CLOUD ISLAND REG. PARK.	11	68
02/25/97	PUBLIC WORKS-ROADS		WORKSHOP TO RECEIVE COMMENTS ON THE STILLWATER BRIDGE PROJECT.	11	68
03/04/97	PUBLIC WORKS-ROADS		AD. FOR BIDS TO COMPLETE ROAD CONSTRUCTION ON CSAH 10.	11	72
03/04/97	PUBLIC WORKS-ROADS	97-037	FINAL PAYMENT TO BARTON ASCHMAN ASSOCIATES FOR THE DESIGN OF THE HARDWOOD CREEK TRAIL.	11	72
03/18/97	PUBLIC WORKS-ROADS		COST REIMBURSEMENT & MAINT. AGREE. W/CITY OF WOODBURY, TRAFFIC SIGNALS AT CSAH 13 AND LAKE ROAD.	11	102

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
03/25/97	PUBLIC WORKS-ROADS	97-044	AWARD OF CONTRACT FOR BITUMINOUS OVERLAYS FOR 1997 TO VALLEY PAVING, INC.	11	110
04/01/97	PUBLIC WORKS-ROADS	97-047	ADVANCE FUNDING FOR STATE AID REGULAR CONSTRUCTION FUND IN 1997 FOR STATE AID PROJECTS UP TO A MAX. OF \$1,900,000.	11	136
04/01/97	PUBLIC WORKS-ROADS		AD. FOR SEASONAL REQUIREMENTS OF ROAD MAINTENANCE MATERIALS.	11	137
04/01/97	PUBLIC WORKS-ROADS	97-048	SET MAX. TOLL FOR VEHICLES USING BRIDGE NO. 5600 (J.A.R. BRIDGE, INC.)	11	137
04/08/97	PUBLIC WORKS-ROADS	97-050	AWARD OF BID FOR PURCHASE OF ROAD MAINTENANCE EQUIPMENT.	11	155
04/08/97	PUBLIC WORKS-ROADS		WORKSHOP ON STATUS OF JURISDICTIONAL TRANSFERS IDENTIFIED IN THE 2015 TRANSPORTATION PLAN.	11	163
04/15/97	PUBLIC WORKS-ROADS	97-052	EMINENT DOMAIN PROCEEDINGS FOR CSAH 2.	11	165
04/15/97	PUBLIC WORKS-ROADS		AD. FOR BIDS ON SEASONAL MATERIALS AND SERVICES FOR ROAD MAINTENANCE.	11	171
04/22/97	PUBLIC WORKS-ROADS		COST SHARING AGREE. W/WOODBURY & ENGINEERING AGREE. W/SHORT-ELLIOT-HENDRICKSON, FOR WOODBURY DRIVE PROJECT.	11	177
04/22/97	PUBLIC WORKS-ROADS		COST REIMBURSEMENT & MAINT. AGREE. W/WOODBURY, TRAFFIC SIGNAL ON CSAH 13 & PIONEER DRIVE/AFTON RD.	11	177
04/22/97	PUBLIC WORKS-ROADS		COST REIMBURSEMENT & MAINT. AGREE. W/WOODBURY, TRAFFIC SIGNAL ON CSAH 13 & CITY CENTRE DR.	11	178
04/22/97	PUBLIC WORKS-ROADS	97-058	AUTH. FOR CTY. ENGINEER TO INSTALL STOP SIGNS ON 21ST ST. & MAXWELL AVE. IN NEWPORT.	11	178
04/22/97	PUBLIC WORKS-ROADS	97-059	DESIGNATING FORMER CSAH 33 AS CR 33A.	11	178
04/22/97	PUBLIC WORKS-ROADS		AD. FOR BIDS ON CSAH 5 AND CSAH 6, PAVEMENT PRESERVATION.	11	178
04/22/97	PUBLIC WORKS-ROADS	97-060	AWARD OF CONTRACT FOR SEASONAL MATERIALS - PLANT MIXED BITUMINOUS.	11	178
04/22/97	PUBLIC WORKS-ROADS	97-061	AWARD OF CONTRACT FOR SEASONAL MATERIALS - SAND.	11	179
04/22/97	PUBLIC WORKS-ROADS		WORKSHOP TO DISCUSS HINTON & MANNING AVENUE CORRIDORS.	11	186
03/04/97	REGIONAL RAIL AUTHORITY		RRA MEETING HELD. ITEMS DISCUSSED: ELECTION OF OFFICERS FOR '97, 1996 LRT JPB REPORT, 1997 LEG. PROGRAM, HIAWATHA & RIVERVIEW CORRIDORS, STAFF TO LOOK AT COMMUTER RAIL AND HASTINGS-ST. PAUL CORRIDOR.	11	71
01/14/97	SHERIFF		SUB. SUPERVISORY POSITION OF ASSIST. JAIL ADMINISTRATOR FOR SR. JAIL PROGRAM COORD.	11	16
01/14/97	SHERIFF		GRANT AGREEMENT FOR \$75,000 W/U.S. DEPT. OF JUSTICE AND CITY OF LAKE ELMO TO HIRE ONE DEPUTY FROM 1/19/97 - 1/18/2000.	11	20
01/28/97	SHERIFF		WORKSHOP TO DISCUSS DEVELOPMENT OF A PARK AND WATER PATROL SECTION.	11	39



1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
02/04/97	SHERIFF		START UP COSTS FOR WATER/PARKS/TRAILS UNIT, INCLUDING ONE FULL-TIME SERGEANT.	11	44
02/25/97	SHERIFF		LIFE-SAVING AWARD PRESENTED TO DEPUTY SCOTT STILLMAN.	11	67
03/04/97	SHERIFF		AMEND. & EXTENSION OF FOOD SERVICE CONTRACT W/BEST, INC. FOR PERIOD OF 11/1/96 - 10/31/97.	11	72
03/04/97	SHERIFF		GRANT AGREE. W/STATE OF MN OFFICE OF DRUG POLICY & VIOLENCE PREVENTION.	11	72
03/18/97	SHERIFF		AWARD CONTRACT W/ W.M. MONTGOMERY & ASSOC. FOR PROFESSIONAL SERVICES TO STUDY THE COMMUNICATIONS NEEDS IN WACO AND TO PREPARE A REPORT TO THE MET. RADIO BRD.	11	104
03/25/97	SHERIFF		PERSONAL LOA FOR STEVEN POTT BEGINNING 3/9/97 TO ACCEPT APPT. OF CHIEF DEPUTY SHERIFF.	11	110
04/01/97	SHERIFF		RES. 97-046, SUPPORT THE MET. 911 BOARD AS THE REG. EMS PROGRAM DESIGNEE BY THE MN EMS REGULATORY BOARD.	11	135
04/08/97	SHERIFF		1997 LAW ENFORCEMENT CONTRACTS.	11	155
04/08/97	SHERIFF		CONTRACT FOR TOUCHSCREEN SECURITY SYSTEM COMPUTERS UPGRADE W/BLACK CREEK INTEGRATED SYSTEMS CORP.	11	155
04/15/97	SHERIFF	97-053	ANNUAL BOAT AND WATER SAFETY ENFORCEMENT AGREEMENT.	11	171
04/15/97	SHERIFF	97-054	RECOGNIZING THE PUBLIC SAFETY DISPATCHERS IN WACO IN HONOR OF NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK.	11	172
01/14/97	SOIL AND WATER CONSERVATION		RES. 97-005, COUNTY ACCEPTANCE OF RESPONSIBILITY AS THE BROWN'S CREEK WMO.	11	14
01/28/97	SOIL AND WATER CONSERVATION		CONTRACT W/COUNTY FOR PLANNING, TECH. & ADMIN. SERVICES IN BROWN'S CREEK WATERSHED.	11	37
01/28/97	SOIL AND WATER CONSERVATION		WORKSHOP TO DISCUSS BROWN'S CREEK WATERSHED PROJECT.	11	40
02/04/97	SOIL AND WATER CONSERVATION	97-019	ADOPTION OF BROWN'S CREEK WATERSHED MANAGEMENT PLAN.	11	41
02/04/97	SOIL AND WATER CONSERVATION	97-020	AUTH. EXPENDITURE OF BROWN'S CREEK WATERSHED FUNDS FOR A PERMANENT WATERSHED OUTLET MONITORING STATION.	11	42
04/08/97	SOIL AND WATER CONSERVATION		WORKSHOP TO DISCUSS A SCHEDULE FOR PROVIDING A SURFACE WATER OUTLET FROM GOGGINS LAKE TO BROWN'S CREEK.	11	163
04/15/97	SOIL AND WATER CONSERVATION		AMEND. BROWN'S CREEK WMO PLAN TO INCLUDE CAPITAL IMPROVEMENT PROJECTS FOR SCHOOL SECTION/GOGGINS & KISMET BASIN. ESTABLISH WATERSHED & SUB-WATERSHED TAXING DISTRICTS.	11	165
04/15/97	SOIL AND WATER CONSERVATION		AUTH. TO ENTER AGREE. W/MONTGOMERY-WATSON, CONSULTING ENGINEERING SERVICES FOR BROWN'S CREEK PLAN AMENDMENTS.	11	165

1997  
JANUARY 7 - APRIL 22  
WASHINGTON COUNTY MINUTE INDEX  
BOOK 11, VOLUME I

DATE	DEPARTMENT	RESOLUTION NUMBER	SUMMARY	BOOK NO.	PAGE NO.
02/18/97	WORKFORCE CENTER		APPT. VERNER E. JOHNSON, WORKFORCE COUNCIL TO FILL 11 UNEXPIRED TERM TO 6/30/97 AND A NEW TWO-YEAR TERM TO 6/30/99.	11	56
02/18/97	WORKFORCE CENTER		SIX MONTH SPECIAL PROJECT CLERK II.	11	56
03/11/97	WORKFORCE CENTER		MN YOUTHWORKS/AMERICORPS PROGRAM GRANT, 10/1/96 - 11 8/31/97.	79	
03/18/97	WORKFORCE CENTER		APPT. THOMAS C. JOHNSON, ASHLAND PETROLEUM CO., 11 FOR THE WORKFORCE COUNCIL. TO JUNE 30, 1998.	101	
03/25/97	WORKFORCE CENTER		AGREE. W/MN DEPT. OF ECONOMIC SECURITY, 5% 11 INCENTIVE FUNDS FOR 4/1/97 - 9/30/98.	110	



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**JANUARY 7, 1997**

The Washington County Board of Commissioners met in regular session at 4:40 p.m. in the Washington County Government Center County Board Room. Present were Commissioners Abrahamson, Peterson, Engstrom, Hauser and Hegberg. Absent none. Chair Engstrom presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; John Devine, Controller; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, Health, Environment and Land Management Department; Marie Sunlitis, Court Administrator; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Russ Reetz, Court Services Director; Don Wisniewski, Public Works Director; Jim Frank, County Sheriff; Cindy Koosmann, County Recorder; Robert Lockyear, Director of Planning and Administrative Services; Jerry Turnquist, Resource Recovery Project Manager; Chris Eitemiller, Budget and Policy Analyst; and Tim Casey, Public Information Specialist.

Chair Engstrom called for unfinished business for 1996. There was none. Commissioner Hauser moved to adjourn sine die. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

The Honorable Smith Eggleston, District Court Judge, administered the Oath of Office to the following newly elected officials: Dennis C. Hegberg, Commissioner District 1; Wally Abrahamson, Commissioner District 3; and Dave Engstrom, Commissioner District 5.

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

The County Administrator declared nominations open for temporary Board Chair. Commissioner Abrahamson nominated Commissioner Peterson for temporary Chair. Commissioner Engstrom seconded the nomination. There were no further nominations and Commissioner Peterson was unanimously elected temporary chair.

Temporary Chair Peterson declared nominations open for Chair of the Washington County Board of Commissioners for 1997. Commissioner Hauser nominated Commissioner Peterson. Commissioner Abrahamson seconded the nomination. There were no further nominations and Commissioner Peterson was unanimously elected Washington County Board Chair for 1997.

Chair Peterson declared nominations open for Vice-Chair. Commissioner Peterson nominated Commissioner Hegberg. Commissioner Hauser seconded the motion. There were no further nominations and Commissioner Hegberg was unanimously elected Vice-Chair of the Washington County Board of Commissioners for 1997.

January 7, 1997

**BOARD MEETING DATES FOR 1997**

Commissioner Hauser moved to set meetings of the Washington County Board of Commissioners for 1997 for the first four Tuesdays of each month, excluding any Tuesday which is a legal holiday; that the first meeting of the month be an afternoon meeting starting at 4:30 p.m.; that the January 14 and 21 meetings will be held at 1:00 p.m. because of the Court remodeling; and, that the remaining Tuesdays will be held at 9:00 a.m. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

**CONSENT CALENDAR**

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

1. Approval of the December 10 and 17, 1996 Board Meeting minutes and the December 10, 1996 Truth-in-Taxation Hearing minutes.
2. Approval of two-year contract with the Minnesota Counties Research Foundation for indirect cost allocation plan services and authorize the Chair and Administrator to execute the contract.
3. Adoption of **Resolution No. 97-001** as follows:

Award of 1997 Newspaper Publication Bids

WHEREAS, pursuant to bid advertisement, newspaper publication bids were received until 3:00 p.m., November 14, 1996 for the following publications:

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

WHEREAS, timely bids were received from the Stillwater Gazette, Lillie Suburban Newspapers, St. Croix Valley Press, Forest Lake Times, The Courier and the Oakdale Clarion; and

WHEREAS, Washington County newspaper publishing awards are based on lowest index number for all bids.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby awards newspaper publication bids for 1997 as follows:

- 1) Official Proceedings of the Washington County Board of Commissioners (Board Minutes in Summary Form): Lillie Suburban

January 7, 1997

- |   |                        |
|---|------------------------|
| 2) Legal Notices:                         | LillieSuburban         |
| 3) Notice and List of Real Estate Taxes   |                        |
| Remaining Delinquent:                     | Lillie Suburban        |
| 4) First Publication of the Financial     |                        |
| Statement for year ending December        |                        |
| 31, 1996:                                 | Oakdale Clarion        |
| 5) Second publication of the Financial    |                        |
| Statement to be distributed as an insert: | St. Croix Valley Press |

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

4. Approval of citizen appointments/reappointments to Advisory Committees for 1997 as follows:

District 1

George Ruggles, Forest Lake, reappointed to the Housing and Redevelopment Authority Board to a second and final term expiring December 31, 2001;

Arthur Potts, Scandia, reappointed to the Planning Advisory Commission to a third and final term expiring December 31, 1999;

Mary Stolz, Forest Lake, reappointed to the Public Health Advisory Committee to a third and final term expiring December 31, 1998.

District 2

Cindra Kline, Birchwood, reappointed to the Historic Courthouse Advisory Council to a second term expiring December 31, 1998;

William Sullivan, Oakdale, reappointed to the Library Board to a second and final term expiring December 31, 1999;

David B. Olsen, Lake Elmo, reappointed to the Mental Health Advisory Council, to a second and final term expiring December 31, 1999;

Dean Willar, Oakdale, appointed to the Parks and Open Space Commission to a first term expiring December 31, 1999;

Sara Wenzel, Oakdale, appointed to the Public Health Advisory Committee to a first term expiring December 31, 1998;

Carl Tacke, Lake Elmo, reappointed to the Solid Waste Advisory Committee to a third and final term expiring December 31, 1999.

District 3

Brent Peterson, Stillwater, reappointed to the Historic Courthouse Advisory Council to a third term expiring December 31, 1998;

Margaret Horning, Stillwater, reappointed to the Library Board to a second and final term expiring December 31, 1999;

John Rheinberger, Stillwater, appointed to the Parks and Open Space Commission to a first term expiring December 31, 1999;

January 7, 1997

District 3 (cont)

David Jones, West Lakeland Township, reappointed to the Planning Advisory Commission to a second term expiring December 31, 1999;

District 4

Steven Lehmann, St. Paul Park, reappointed to the Community Corrections Advisory Board to a first full term expiring December 31, 1998;

Herbert Reckinger, Cottage Grove, reappointed to the Historic Courthouse Advisory Council to a second term expiring December 31, 1998;

Dennis Cusick, Cottage Grove, reappointed to the Mental Health Advisory Council to a first full term expiring December 31, 1999;

Deb Trudeau, St. Paul Park, reappointed to the Planning Advisory Commission to a first full term expiring December 31, 1999.

District 5

Holly Ryan-Moore, Woodbury, reappointed to the Community Corrections Advisory Board to a first full term expiring December 31, 1998;

Donald Arnold, Hastings, reappointed to the Emergency Medical Services Council to a second term expiring December 31, 1998;

Sharon Fortunak, Newport, reappointed to the Historic Courthouse Advisory Council to a first full term expiring December 31, 1998;

Sue Brotherton, Woodbury, reappointed to the Mental Health Advisory Council to a first full term expiring December 31, 1999;

Don Slaten, Denmark Township, reappointed to the Planning Advisory Commission to a second term expiring December 31, 1999;

Martina Johntz, Woodbury, appointed to the Solid Waste Advisory Committee to a first term expiring December 31, 1999.

At Large

Roger E. Bothe, Cottage Grove, reappointed to the Minnesota Extension Committee to a third and final term expiring December 31, 1999;

Pat Mielke, Lake Elmo, reappointed to the Minnesota Extension Committee to a second term expiring December 31, 1999;

Susan Moore, Cottage Grove, reappointed to the Personnel Board of Appeals to a first full term expiring December 31, 1999;

Gene Bealka, Stillwater, reappointed to the Public Health Advisory Committee to a third and final term expiring December 31, 1998;

John Colbert, Cottage Grove, reappointed to the Public Health Advisory Committee to a second term expiring December 31, 1998;

January 7, 1997

At Large (cont)

Theresa Schwarten, Forest Lake, reappointed to the Public Health Advisory Committee to a third and final term expiring December 31, 1998;

Marguerite Rheinberger, Stillwater, reappointed to the Public Health Advisory Committee to a second term expiring December 31, 1998.

Affirmation of the following committee appointments

Rob McDonough, social services agency representative, reappointed to the Community Corrections Advisory Board to a term expiring December 31, 1998;

Lynne Osterbauer, Probation Officer, reappointed to the Community Corrections Advisory Board to a term expiring December 31, 1998;

Richard Arney, County Attorney, reappointed to the Community Corrections Advisory Board to a term expiring December 31, 1998;

Theresa Stewart, children & families representative, reappointed to the Community Social Services Advisory Committee to second and final term expiring December 31, 1999;

Judge Kenneth Maas, Corrections Board Representative, reappointed to the Community Social Services Advisory Committee to a second term expiring December 31, 1999;

Thomson F. Davis, other mental health professional, reappointed to the Mental Health Advisory Council, to a second and final term expiring December 31, 1999.

5. Approval of a Memorial Day Appropriation of \$100 each upon request in 1997 for the Stillwater Citizens' Memorial Day Association and Washington County Posts and Barracks.
6. Adoption of **Resolution No. 97-002** as follows:

Pocket Gopher Bounties

BE IT RESOLVED, that the pocket gopher bounty for 1997, shall be \$.25 per pair of front feet. The bounty is to apply in those towns participating in a pocket gopher bounty program as provided in Minnesota Statutes 348.13.

7. Approval to designate the 1997 AMC Official Delegate List as follows: Commissioners Wally Abrahamson, Dennis C. Hegberg, Myra Peterson, Mary Hauser and Dave Engstrom; James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; and Mary McGlothlin, Director of Health, Environment and Land Management.

January 7, 1997

## 8. Approval of abatement applications as follows:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	28378-2700	Hart, Gerald	\$ 563.12
Hmstd	28505-7200	Jack, Joel	1,243.22
Hmstd	32450-2752	Husnik, Thomas	1,079.54
Hmstd	38125-0325	Podgorski, Joseph	59.20
Hmstd	59990-0610	Walters, William & Valerie	43.36
Hmstd	78110-2300	Magnuson, Sharo & Tim	404.80
Loc Assmt	57032-3305	Dreher, Robert	3,174.40
Loc Assmt	57032-3350	Dreher, Robert	7,419.96
Disaster	73374-2375	Conners, Michael T. & Jolene	1,290.15

9. Approval of the Adult Mental Health Pilot Project grant agreement for calendar year 1997.
10. Approval to amend the Child Care Resource and Referral Program contract with the Department of Children, Families, and Learning to \$120,503.
11. Approval of an attraction/retention salary range for the classification of Economic Support Program Specialist in Community Services.
12. Approval of contract renewal for consulting services with Frank Madden & Associates for the period October 1, 1996 through September 30, 1997.
13. Approval and execution of Amendment No. 4 to the amended agreement dated July 27, 1993 with Lagerquist Elevator Corporation.
14. Approval to renew the Best Group Office Lease at the Historic Courthouse for the period January 1, 1997 through December 31, 1997.
15. Adoption of **Resolution No. 97-003** as follows:

Resolution Authorizing Eminent Domain Proceedings  
on Additional Property for County State Aid Highway 14

WHEREAS, Washington County proposes to improve County State Aid Highway 14 from the intersection of County Road 67 and CSAH 14 to ¼ mile southwest of the intersection of County Road 67 and CSAH 14, in Baytown Township; and

WHEREAS, the improvements consist of realignment, grading, aggregate base, bituminous surfacing and shouldering, concrete curb and gutter, storm sewer, and drainage structures as herein determined necessary to provide for the safety of the traveling public; and



January 7, 1997

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 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 as yet 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 - COUNTY STATE AID HIGHWAY 14

Parcel Identification No.: 78009-4300

Fee Owner: Janice E. & Earl V. Keegan (of record)  
4545 Osgood Avenue North  
Stillwater, MN 55082

(winter residence)  
Janice E. Keegan  
6137 Upton Avenue South  
Minneapolis, MN 55410

Mortgagee: None

Acquisition 150 square feet of permanent drainage easement  
Summary: 1,750 square feet of temporary slope easement  
(to begin April 1, 1997 and expire October 31, 1998.)

January 7, 1997

Legal Description  
of Drainage Easement:

A perpetual easement for drainage purposes over, under and across the following described property:

All that part of the SE¼ of the NE¼ of Section 9, Township 29 North, Range 20 West, Washington County, Minnesota, which is described in Torrens Certificate of Title No. 20358, as found in Book 66, page 314 of the Washington County Recorders Office.

Said drainage easement being all that part of the above described parcel which lies within the following described area:

Commencing at Right of Way Boundary Corner B101 as shown on Washington County Highway Plat No. 104; thence northerly along the east right of way line of County State Aid Highway 14 a distance of 127.84 feet to the point of beginning; thence continuing northerly along said east right of way line a distance of 15 feet; thence easterly at right angle to said east right of way line, a distance of 10 feet; thence southerly parallel to said east right of way line a distance of 15 feet; thence westerly to the point of beginning.

Legal Description of Temporary Slope Easement:

That part of the following described property:

All that part of the SE¼ of the NE¼ of Section 9, Township 29 North, Range 20 West, Washington County, Minnesota, which is described in Certificate of Title No. 20358, found in Book 66, page 314, in the Recorder's Office of Washington County.

Described as follows:

Not to exceed 10 feet in width between and right of the south line of the above described property and Engineer's Station 496+70; and

Not to exceed 10 feet in width between and right of Engineer's Stations 496+85 and 497+00; and

Not to exceed 20 feet in width between and right of Engineer's Stations 497+00 and 497+25; and

Not to exceed 10 feet in width between and right of Engineer's Station 497+25 and the north line of the above described property.

Said slope easement shall begin April 1, 1997 and expire October 31, 1998.

16. Approval and execution of lease of office space in the west wing of the Government Center lower level with North Star Title, Universal Title, Old Republic National Title and Equity Title.
17. Approval of lease with Rich Leistico and Kathy Ademak, husband and wife, for property located within the Ceridian Recreation Area, by the signatures of the County Board and County Administrator.



January 7, 1997

18. Approval to advertise for sale and removal a house at 16948 May Avenue, Marine, MN 55047.
19. Approval of Guardian Ad Litem contracts with Jean Kubitschek, Stephen Onell and Mary Buxton for the period January 1, 1997 through December 31, 1998.

The foregoing Consent Calendar was adopted unanimously.

**PUBLIC HEARING - OFFICE OF ADMINISTRATION**  
**1997-2001 CAPITAL IMPROVEMENT PLAN**

The Deputy Administrator gave a brief overview of the 1997-2001 Washington County Capital Improvement Plan.

The Board Chair opened the public hearing to accept comments on the 1997-2001 Washington County Capital Improvement Plan. The Board Chair asked for comments; none were heard.

Commissioner Hegberg moved to close the public hearing. Commissioner Hauser seconded the motion and it was adopted unanimously; the public hearing was closed at 4:50 p.m.

Commissioner hauser moved to adopt **Resolution No. 97-004** as follows:

Adoption and Submittal of the 1997-2001  
Washington County Capital Improvement Plan

WHEREAS, the Washington County Board of Commissioners had considered the 1997-2001 Washington County Capital Improvement Plan covering a five-year period and setting forth the estimated year, together with the estimated cost, the need for the improvement, and sources of revenue to pay for the improvement; and

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

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

WHEREAS, the Washington County Board of Commissioners, after public notice, conducted a public hearing on January 7, 1997, for the purpose of

January 7, 1997

receiving comments on the proposed 1997-2001 Washington County Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners adopt the 1997-2001 Washington County Capital Improvement Plan.

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

Commissioner Engstrom seconded the motion and it was adopted unanimously.

#### **COURT SERVICES DEPARTMENT**

Commissioner Abrahamson moved to approve the 1997 Annual Comprehensive Plan and authorization to submit this plan to the Department of Corrections. Commissioner Hauser seconded the motion and it was adopted unanimously.

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

The Program Manager presented a brief overview of a request by Don Lothenbach for a rezoning and comprehensive plan amendment for property in Denmark Township. He indicated that this matter was before the Planning Advisory Commission on December 17, 1996 and was unanimously recommended for approval.

Commissioner Engstrom asked how many other parcels are in similar situations where they have been grandfathered into uses which they are not currently zoned for and what precedence would this have on those parcels? He asked that staff research this before the public hearing and report back.

Commissioner Engstrom moved to set a public hearing for 1:00 p.m., January 21, 1997 and authorize publication of notice to hear a request by Don Lothenbach for a rezoning and comprehensive plan amendment for property in Denmark Township. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

#### **GENERAL ADMINISTRATION**

##### **Establish the 1997 Salary for County Administrator**

Commissioner Engstrom moved to increase the County Administrator's salary by 2.5% Commissioner Hauser seconded the motion and it was adopted unanimously.

January 7, 1997

**Minnesota Counties Insurance Trust**

The County Administrator informed the Board that Washington County received two awards which were announced at the AMC Annual Convention in Duluth last month. The awards are for MCIT participants who achieved a property/casualty loss ratio of 50 percent and under and whose workers' compensation experience modification was 1.00 or less.

**DISCUSSION FROM THE AUDIENCE**

The Board Chair asked for comments from the audience. David C. Junker, Stillwater, spoke to the Board on two issues. The first issue he addressed was the Stillwater Bridge and he urged the County Board to support its construction. The second issue concerned the Commissioners' 10% salary increase. He asked how they could justify that increase. He asked that he be allowed to join a Commissioner for a week to see what the actual work hours are.

Commissioner Abrahamson stated he has had several calls regarding the Stillwater Bridge. He has also read several articles which he believes infer that the County Board is not in support of a new Stillwater Bridge. He stated he has not changed his mind on the need for a new bridge. He asked for the consensus of the Board as to their support for a new bridge.

Chair Peterson indicated she has talked to Chuck Siggerud with the Metro Division of MN/DOT, asking if he would be available for a workshop to discuss the status of the new bridge and what is going on with the federal government and how the state responded to their action. They discussed a workshop for February or early March.

Commissioner Hauser suggested they ask the State to find out what this will cost the County and what it has already cost the County in improvements which have been started.

**COMMISSIONER - REPORTS - COMMENTS - QUESTIONS**

Commissioner Hegberg reported on the meeting he attended in December hosted by the City of Hugo and May Township regarding School Section and Goggins Lakes. They are now in support of the project.

Commissioner Hauser noted that the portion of the State Lottery dedicated to the environmental trust fund will expire in the year 2000, and there is an effort to extend that part of the lottery beyond the year 2000. She would like the Board to consider a resolution supporting the effort to extend that environmental trust fund allocation from the State lottery proceeds in order to have the State help support parks, trails and wildlife.

January 7, 1997

Commissioner Hauser noted the passing of Elmer Morris who served for many years on the Housing and Redevelopment Authority Board.

Commissioner Engstrom informed the Board that he has been asked to sit on the AMC legislative steering committee.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

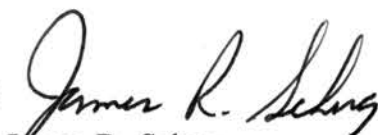
### **ADJOURNMENT**

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 5:20 p.m.

### **BOARD WORKSHOP WITH THE LEGISLATIVE DELEGATION**


The Board meeting was preceded by a workshop with the County Legislative delegation to discuss the 1997 legislative agenda. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Robert Lockyear, Representative Peg Larson, Representative Doug Swenson, Representative Nora Slawik, Representative Harry Mares, Senator Jane Krentz, Senator Gary Laidig, Jerry Turnquist, Don Wisniewski, Mary McGlothlin, Sue Ladwig, Judy Honmyhr, Richard Stafford, Dan Papin, John Devine, Scott Hovet, Tim Casey, Richard Hodsdon, Cindy Koosman, Chuck Leifeld, Marie Sunlitis, Richard Arney, Russ Reetz and Jim Frank.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**JANUARY 14, 1997**

The Washington County Board of Commissioners met in regular session at 1:00 p.m. in the Washington County Government Center County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Sue Tice, Assistant County Attorney; Tim Casey, Public Information Specialist; David Koenig, Planner; Don Wisniewski, Public Works Department; Rick Backman, Community Services Division Manager; Kathy Smith, Community Services Department; Lois Yellowthunder, Human Services Planner; Jim Frank, County Sheriff; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Arends, Department of Health, Environment and Land Management; Sue Harris, Assistant County Attorney; and Marcia Wielinski, Community Services Department.

**CONSENT CALENDAR**

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

1. Approval of citizen appointments/reappointments to Advisory Committees for 1997 as follows:

District 1

Mryl Petersen, Forest Lake, appointed to the Historic Courthouse Advisory Council to a first term expiring December 31, 1998;

District 4

JoAnne Bailey, Newport, appointed to the Library Board to a first term expiring December 31, 1999;

Lisa Ring, Cottage Grove, appointed to the Public Health Advisory Committee to fill an unexpired term to December 31, 1997;

Mark Wittenberg, Cottage Grove, appointed to the Solid Waste Advisory Committee to a first term expiring December 31, 1999;

Kevin Raun, reappointed to the Emergency Medical Services, to an eighth term expiring December 31, 1998;

At Large

Harry Melander, Mahtomedi, appointed to the Board of Adjustment and Appeals to a first term expiring December 31, 1999;

Mary Senkus, Stillwater, reappointed to the Board of Adjustment and Appeals to fill an unexpired term to December 31, 1997;

January 14, 1997

At Large (cont)

Joseph Rheinberger, Stillwater, appointed to the Internal Audit Advisory Committee to a first term expiring December 31, 1998;

Rosemary Emmons, Cottage Grove, appointed to the Public Health Advisory Committee to a first term expiring December 31, 1998;

Eileen Weber, Cottage Grove, appointed to the Public Health Advisory Committee to a first term expiring December 31, 1998;

Willie Tennis, Cottage Grove, appointed to the Solid Waste Advisory Committee to a first term expiring December 31, 1999;

Affirmation of the following committee appointments

Richard Larson, Stillwater, appointed to the Mental Health Advisory Council as a consumer representative to a first term expiring December 31, 1999;

Jean Buselmeier, Forest Lake, appointed to the Mental Health Advisory Council as a consumer representative to a first term expiring December 31, 1999.

2. Adoption of **Resolution No. 97-005** as follows:

County Acceptance of Responsibility as the  
Brown's Creek Water Management Organization

WHEREAS, Minnesota Statutes 103B.231 Subd. 3 states that "if the BWSR determines that a watershed management organization, wholly outside Hennepin and Ramsey counties, is not implementing their plan, the county shall prepare, adopt, and implement the watershed plan;" and

WHEREAS, the Minnesota Board of Water and Soil Resources, at its August 28, 1996 monthly Board meeting, declared the Brown's Creek Water Management Organization nonimplementing of its plan; and

WHEREAS, the BWSR requested in a September 12, 1996 letter to the Washington County Board of Commissioners that Washington County commence action to fulfill the County's responsibilities as provided in MS 103B.231 Subd. 3 (b) for the area of Brown's Creek Water Management Organization; and

WHEREAS, all the local government units belonging to the Brown's Creek Water Management Organization have taken official action to terminate their membership in the Brown's Creek Water Management Organization, thereby dissolving the joint powers water management organization;

NOW THEREFORE BE IT RESOLVED, THAT the Washington County Board of Commissioners agrees to fulfill the County's responsibilities as provided in Minnesota Statutes 103B.231 Subd. 3, including all the planning, reviewing, permitting, and financing authority of a watershed management organization as specified in MS 103B.211 to 103B.255; and



January 14, 1997

THEREFORE BE IT FURTHER RESOLVED, THAT the County directs staff to develop a contract with the Washington County Soil and Water Conservation District for technical services needed to carry out the County's duties as the Water Management Organization for the Brown's Creek Watershed; and

BE IT FURTHER RESOLVED, THAT Washington County intends to be the water management organization on a temporary basis pending a countywide study of water management that will recommend the most appropriate permanent governance structure for the Brown's Creek Watershed; and

BE IT FURTHER RESOLVED, THAT the County directs staff to conduct a study of the governance of water management countywide to determine the most effective strategy to proactively manage the water resources of the County.

3. Adoption of **Resolution No. 97-006** as follows:

Resolution Authorizing the Expenditure  
of State of Minnesota, Board of Water and Soil Resources  
Natural Resources Block Grant  
Unspent Funds from Years 1994 and 1995.

WHEREAS, Washington County has received Natural Resource Block Grants (NRBG) from the State of Minnesota, Board of Water and Soil Resources, in 1994, 1995, and 1996; and

WHEREAS, Washington County, through the NRBG, has received a total of \$108,000 to implement the Wetland Conservation Act, and matched it with \$42,000 of County levy funds; and

WHEREAS, Washington County allocated \$126,000 of the total \$150,000 to the Washington County Soil and Water Conservation District (SWCD) and \$24,000 to local units of government to be matched by \$12,000 cash match; and

WHEREAS, Washington County must spend \$16,000 of the \$24,000 by January 15, 1997;

NOW THEREFORE, BE IT RESOLVED, THAT, the Washington County Board of Commissioners authorizes the expenditure of the \$16,000 for the following three wetland banking and mitigation projects conducted by the Department of Public Works:

\$12,840	Carnelian Marine Watershed Mitigation Banking Project
\$ 8,800	CSAH 3 Wetland Permitting and Mitigation Planning
\$ 4,440	CR 52 Wetland Permitting and Mitigation Planning; and

BE IT FURTHER RESOLVED, THAT the Washington County Department of Public Works will contribute \$10,080 to the projects to fulfill the 50% cash match requirement.



January 14, 1997

4. Approval of revised Data Practices Policy and Procedures (Policy #1300) and approval of revised fee schedule for non-County related services.
5. Approval of one day on-sale non-intoxicating malt liquor license for Vietnam Veterans of America Chapter 320, for the Forest Lake Ice Fishing Contest scheduled for February 2, 1997; alternate dates of February 9 and February 16 have also been submitted.
6. Approval of 1997 contract with Community Volunteer Service for transportation services.
7. Approval of 1996 agreement with Woodbury Health Care Center (PAL Unit) to provide residential care services.
8. Approval of 1996 agreement with Holm's Sweet Home to provide residential care services.
9. Approval for County Board Chair and County Administrator to sign an amendment to the contract with the Minnesota Department of Health for the Immunization Action Plan Grant.
10. Approval to substitute a supervisory position of Assistant Jail Administrator for a position of Sr. Jail Program Coordinator in the Sheriff's Office.
11. Approval to substitute a supervisory position of Economic Support Supervisor for the position of Program Coordinator in Community Services.
12. Approval for a .75 special project Family Service Worker position in the Community Services Department from January 1997 through December 1997.
13. Approval of banding and grading of new job description of Survey Project Coordinator in the Surveyor's Office at C42-2; approval of job description.
14. Approval of banding and grading of new job description of Administrative Process Specialist in the Community Services Department at B25-1; approval of job description.
15. Bids were received for fire protection sprinkler system at the Historic Courthouse as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alt #1</u>	<u>Alt #2</u>	<u>Total Bid</u>
Brothers Fire Prot. Co	\$38,900.00	\$16,800.00	\$ 5,500.00	\$61,200.00
Fire-Guard Sprinkler Sv.	\$39,880.00	18,840.00	8,000.00	66,720.00
Viking Auto. Sprinkler	38,400.00	24,600.00	10,600.00	73,600.00
NewMech Co., Inc.	49,950.00	23,000.00	10,500.00	83,450.00
Falcon Fire Protection Co.	52,457.00	30,700.00	9,900.00	93,057.00

January 14, 1997

Adoption of **Resolution No. 97-007** as follows:

Award of Contract for Sprinkler System at  
Historic Courthouse to Brothers Fire Protection Company

WHEREAS, in order to complete the fire protection project for the Historic Courthouse, the County solicited bids for the sprinkler system; and

WHEREAS, bids were opened on January 7, 1997, with Brothers Fire Protection Company being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the County and Brothers Fire Protection Company 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.

16. Adoption of **Resolution No. 97-008** as follows:

Convey a Highway Easement to  
Minnesota Department of Transportation

WHEREAS, Washington County acquired a highway easement from Firstar Bank in the fall of 1994 as part of the reconstruction of County State Aid Highway 5; and

WHEREAS, part of this highway easement consisted of a sight corner at the intersection of CSAH 5 and T.H. 36; and

WHEREAS, said corner was acquired on behalf of Minnesota Department of Transportation (MN/DOT) for MN/DOT's T.H. 36 project since Washington County and MN/DOT felt it would be cost effective for both parties to have one acquisition from Firstar Bank rather than two separate acquisitions; and

WHEREAS, MN/DOT has agreed to reimburse the County for the County's acquisition of the sight corner; and

WHEREAS, MN/DOT will be reconstructing the CSAH 5 bridge over T.H. 36 and needs said sight corner for the project.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners convey to the State of Minnesota the highway easement which is legally described as follows:

See Addenda

January 14, 1997

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.

#### ADDENDA

##### Legal Description of Highway Easement to be Conveyed from Washington County to the State of Minnesota

A perpetual easement for highway right-of-way purposes over, under and across the following described parcel:

All that part of the East half of the Southeast quarter (E ½ of SE ¼) of Section thirty-one (31), Township thirty (30), North, Range twenty (20), lying Southeasterly of the old public highway leading from St. Paul to Stillwater, as said highway formerly existed and lying Northerly of State Highway Number 212 as the same now exists, containing about 5 acres, or less. According to the United States Government survey thereof.

Said perpetual easement being all that part of the above described parcel which lies within the following described area:

Commencing at the southeast corner of said section 31, Township 30 North, Range 20 West; thence North 00 degrees 50 minutes 10 seconds West, 320.39 feet along the East line of the Southeast quarter of said Section 31 (basis for bearings) to the Northerly right-of-way line of State Highway No. 36; thence North 80 degrees 22 minutes 33 seconds West, 465.32 feet along said northerly right-of-way to the intersection with the Easterly and Southeasterly right-of-way line of County State Aid Highway No. 5, and said point also being the point of beginning; thence South 80 degrees 22 minutes 33 seconds East, 65.00 feet along said Northerly right-of-way of State Highway No. 36; thence, leaving said line, North 23 degrees 02 minutes 33 seconds West, 70.17 feet to the intersection with said Easterly and Southeasterly right-of-way line of County State Aid Highway No. 5; thence South 34 degrees 17 minutes 23 seconds west, 65.00 feet along said Easterly and Southeasterly right-of-way line to the point of beginning.

17. Approval of resolutions, revocation of a portion of County State Aid Highway 36, County Road 62 and County Road 79 as follows:

#### **Resolution No. 97-009**

##### **Revocation of a Portion of County State Aid Highway 36**

WHEREAS, Washington County and the City of Mahtomedi have entered into a turnback agreement for the revocation of a portion of County State Aid Highway 36; and

WHEREAS, Washington County must adopt a resolution for a revocation of this road to the City; and

January 14, 1997

WHEREAS, the Commissioner of Transportation approval for revocation of this portion of road is needed; and

WHEREAS, this revocation is conditioned upon Commissioner of Transportation approval;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby revokes County road designation of the following described portion of County State Aid Highway 36 and that responsibility for this road shall revert to the City of Mahtomedi, pursuant to Minn. Stat. 162.02, on May 1, 1997.

Portion of County State Aid Highway 36 Description

Beginning at the intersection of 75th Street North (County State Aid Highway 12) and Warner Avenue (County State Aid Highway 36), Section 29, T30N, R21W, in the City of Mahtomedi, along the public road known as Warner Avenue North northerly to Maple Street, continuing along Maple Street westerly to its termini with Wildwood Road (Trunk Highway 244), Section 20, T30N, R21W, and there terminating, being approximately 1.17 miles in length.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby requests the Commissioner of Transportation to approve this revocation.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorized its Chairperson and Administrator to execute on behalf of the County any documents necessary to revoke the above described roads.

**Resolution No. 97-010**

**Revocation of County Road 62**

WHEREAS, Washington County and the City of Mahtomedi, and Washington County and the City of Dellwood have entered into a turnback agreement for the revocation of County Road 62; and

WHEREAS, Washington County must adopt a resolution for the revocation of this road to the City;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby revokes County road designation of the following described County Road and that responsibility for this road shall revert to the City of Mahtomedi and City of Dellwood, pursuant to Minn. Stat. 163.11, on October 1, 1997.

County Road 62 Description

Beginning at the intersection of Wildwood Road (Trunk Highway 244) and Quail Road (County Road 62), Section 20, T30N, R21W, in the City of Mahtomedi, along the public road known as Quail Road northeasterly to its termini with Wildwood Road (Trunk Highway 244), Section 17, T30N, R21W, in the City of Dellwood, and there terminating, being approximately 1.10 miles in length.

January 14, 1997

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorized its Chairperson and Administrator to execute on behalf of the County any documents necessary to revoke the above described roads.

**Resolution No. 97-011**

**Revocation of County Road 79**

WHEREAS, Washington County and the City of Mahtomedi have entered into a turnback agreement for the revocation of County Road 79; and

WHEREAS, Washington County must adopt a resolution for the revocation of this road to the City;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby revokes County road designation of the following described County Road and that responsibility for this road shall revert to the City of Mahtomedi, pursuant to Minn. Stat. 163.11, on May 1, 1997.

County Road 79 Description

Beginning at the intersection of Wildwood Road (Trunk Highway 244) and Old Wildwood Road (County Road 79), Section 31, T30N, R21W, in the City of Mahtomedi, along the public road known as Old Wildwood Road northeasterly to its termini with Wildwood Road (Trunk Highway 244), Section 29, T30N, R21W, and there terminating, being approximately 0.90 miles in length.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorized its Chairperson and Administrator to execute on behalf of the County any documents necessary to revoke the above described roads.

18. 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 January 19, 1997 to January 18, 2000.

The foregoing Consent Calendar was adopted unanimously.

**PUBLIC WORKS DEPARTMENT**

The Public Works Director presented details on a contest to establish a name for the recently acquired Ceridian Employees Recreation Area. The deadline for submission of names is January 28, 1997. He indicated there was a short deadline because they wanted to start getting the word out to the public about the new park. The winning name will be chosen at the February 11 Board meeting. A grand opening ceremony is scheduled for June.



January 14, 1997

**COMMUNITY SERVICES DEPARTMENT****Alternative Care Budget**

The Community Services Division Manager introduced Marcia Wielinski, Adult Family Supervisor, who presented an overview of the Alternative Care program, a joint program between Community Services and the Department of Health, Environment and Land Management. She indicated that this is the 15th year anniversary of Washington County being involved in this program.

Commissioner Engstrom moved to approve the application for Alternative Care Budget for Washington County for state fiscal year 1997. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Hauser asked for information on funding sources for various services and programs in the human services area. The Division Manager indicated that a report regarding this information should be ready in a few weeks.

**Contract with Stivland, Inc., D/B/A Harbor Shelter and Counseling Center**

Commissioner Engstrom moved to approve the 1997 contract with Stivland, Inc., D/B/A Harbor Shelter and Counseling Center to provide child shelter and short term treatment services. Commissioner Hauser seconded the motion and it was adopted unanimously.

**GENERAL ADMINISTRATION**

Commissioner Engstrom moved to approve Commissioner committee appointments for 1997 as follows:

**DAVE ENGSTROM**

Comp Worth Committee  
Law Library Board  
Metropolitan Mosquito Control  
Parks and Open Space Commission  
Resource Recovery Joint Powers Board  
Regional Rail Authority  
Regional Solid Waste Management Coordination Board  
Workforce Council

**DENNIS C. HEGBERG**

Audit Committee  
Comp Worth Committee  
Finance Committee  
Housing and Redevelopment Authority  
Joint Ditch #1  
Mental Health Advisory Committee  
MetroGIS Policy Committee

January 14, 1997

**Dennis C. Hegberg (Cont.)**

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

**MARY HAUSER**

Community Corrections  
 Comp Worth Committee (1/5/96 and 3/1/96)  
 Ground Water Advisory Committee  
 Joint Ditch #1  
 Library Board  
 MELSA/Metronet (July 1 - December 31, 1997)  
 Metropolitan Light Rail Transit Joint Powers Board  
 Minnesota Extension Service, Washington County  
 Regional Rail Authority, Chair  
 Resource Recovery Joint Powers Board  
 Sentence to Serve Task Force  
 Solid Waste Advisory  
 Space and Facilities Planning Committee

**WALLY ABRAHAMSON**

Comp Worth Committee (5/2/97 and 7/11/97)  
 East Metro Communications Board  
 Fair Board  
 Historic Courthouse  
 Metropolitan 911 Board  
 Metropolitan 911 Executive Board  
 Metropolitan Radio Planning (800 MegaHertz) Committee  
 Noxious Weed Appeal Committee  
 Plat Commission  
 Regional Rail Authority  
 Personnel Committee

**MYRA PETERSON**

Community Social Services  
 Comp Worth Committee  
 I-494 Wakota Bridge Coalition  
 East Metro Radio Communications Board  
 MELSA/Metronet (January 1 - June 30, 1997)  
 Metro 911 Telephone Board  
 Metropolitan Transportation Advisory  
 Minnesota Transportation Alliance  
 Regional Rail Authority  
 Space and Facilities Planning Committee

Commissioner Abrahamson seconded the motion and it was adopted unanimously.



January 14, 1997

The Board agreed that the Board Secretary should keep a complete list of these committee, and others the Board members may be involved in, to answer questions from the public. Each Commissioner will submit a full list of their committees (including the general time and date if possible) to the Board Secretary.

#### **Letter to the City of Oakdale Regarding Tax Increment Financing Districts**

Commissioner Hauser moved that a letter be faxed to Suzanne Warren, Finance Director for the City of Oakdale, in time for a public hearing the City will have this evening, January 14, concerning the County's comments on proposed modification to the Tax Increment Financing (TIF) Plan for a number of TIF Districts located in the City of Oakdale. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

#### **Joint Ditch #1**

The County Administrator updated the Board on Joint Ditch #1. He reported that a report is expected by the end of January on the progress of the local government units in creating a new water management organization.

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

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

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

Commissioner Hauser introduced Eileen Weber, the newly appointed member to the Public Health Advisory Committee.

Commissioner Engstrom noted that the Metropolitan Mosquito Control Board has elected its first women chair, Commissioner Margaret Langfeld from Anoka County.

Commissioner Hauser distributed copies of the Metropolitan Light Rail Transit Board's 1996 Annual Report.

Commissioner Peterson asked whether other Board members would be able to meet with Dakota County on Tuesday, March 4, to discuss the Wakota Bridge after the National Association of Counties meeting in Washington D.C.? She indicated this may cause the March 4 Board meeting to be cancelled. It was determined that most Commissioners would prefer to hold the meeting as scheduled.

January 14, 1997

Commissioner Abrahamson indicated that there is an Emergency Medical Services meeting on March 5 and 6 in Bloomington. He feels it is important that staff from the Sheriff's Office and Public Works Department attend and hear what problems are coming from the terrible weather this winter.

Commissioner Hauser informed the Board that there will be a Minnesota Transportation Community 1997 legislative reception on February 19 at the Radisson in St. Paul. Commissioners Peterson, Hauser and possibly Commissioner Hegberg will attend.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **EXECUTIVE (CLOSED) SESSION**


Commissioner Hegberg moved to go into Executive Session to discuss a proposed settlement regarding Junker Landfill. Commissioner Hauser seconded the motion and it was adopted unanimously. The Board went into Executive Session at 1:58 p.m. Present for the Executive Session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were Jim Schug, Virginia Erdahl, Sue Tice, Assistant County Attorney; Judy Arends, Waste Management Manager; and Sue Harris, Assistant County Attorney.


#### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously. The Board meeting adjourned at 2:20 p.m.

#### **BOARD WORKSHOP WITH COUNTY ADMINISTRATION**

The Board met in workshop session with the County Administrator to discuss his 1997 work plan and priority projects. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser, Engstrom, and County Administrator Schug.

Attest:   
James R. Schug  
County Administrator

  
Myra Peterson, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
JANUARY 21, 1997**

The Washington County Board of Commissioners met in regular session at 1:00 p.m. in the Washington County Government Center County Board Room. Present were Commissioners Abrahamson, Hegberg, Engstrom, Hauser and Engstrom. Absent none. Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; John Devine, Controller; Rosemary Peterson, Collections Officer; Richard Stafford, Auditor-Treasurer; Cindy Thibodeau, Auditor-Treasurer Division Manager; Jane Nordine, Auditor-Treasurer's Office; Dan Papin, Community Services Director; Carol Seefeldt, Community Services Supervisor; Mary McGlothlin, Director of Health, Environment and Land Management; Kathleen Nordine, Land Use Specialist; Don Wisniewski, Public Works Director; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval to appoint Maureen Ervin, Woodbury, to the Public Health Advisory Committee to a first term expiring December 31, 1998.
2. Adoption of **Resolution No. 97-012** 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, at the September 19, 1995, 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. 96-162).

January 21, 1997

WHEREAS, the District has requested that the County permit the previous loan agreement to continue so that the District can complete its projects without further delay and repay the loan to the County out of the tax levy payments that will be received in December 1997, July 1998, and December 1998.

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. Approval of the following abatement applications:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Hmstd	28410-2600	Halterman, Ronald W.	\$1,264.34
Hmstd	48440-9100	Yzaguirre, Kim M.	84.58
Hmstd	48441-0725	Keating, James J.	58.46
Hmstd	57587-2175	Tate, Deborah L.	1,123.72
Hmstd	69585-0628	Heider, Karl	325.00
Hmstd	11565-7600	Tate, Chad A.	1,189.30
Hmstd	78098-2200	Kunz, Gregory F.	320.04
Value	49875-3560	Krueger, Steven	658.14

4. Approval of one-day, on-sale nonintoxicating malt liquor license for the Fireman's Ball at the Scandia Community Center on February 22, 1997.

5. Adoption of **Resolution No. 97-013** as follows:

Gambling License Renewal for the  
Chisago City Booster Club

WHEREAS, on or about December 8, 1996, the Chisago City Booster Club has made a Premises Permit Application pursuant to the State of Minnesota authorizing lawful gambling; and

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

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.

January 21, 1997

6. Approval of contract with Family Service St. Croix to provide management of volunteer respite care services to frail elderly and children with development disabilities for 1997.
7. Approval to enter into a multi-county contract with La Familia to provide a clearing house for culturally appropriate services as part of the Adolescent Services Grant.
8. Approval of 1997 amended contract renewals for jail health services: physician services with the Stillwater Medical Group, P.A. (Steve Danaher, M.D. and Gene Stringer, M.D.); dental services with Patrick Wolfe, DDS; and ancillary services for pharmacy, laboratory services, imaging, and physical therapy with Lakeview Hospital.
9. Adoption of **Resolution No. 97-014** as follows:

Purchase Johnson Property Located at  
14922 60th Street North in Oak Park Heights

WHEREAS, Washington County is interested in acquiring the property located at 14922 60th Street North, in Oak Park Heights, and whereas the owners agree to sell the property.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes its Chairman and Administrator to execute on behalf of the County a purchase agreement and any other document necessary for the County to purchase the property located at 14922 - 60th Street North, legally described as follows:

See Addendum No. 1 - Legal Description

for the sum of \$97,500.00; in total, upon the following terms and conditions:

1. Conveyance should be by warranty deed or quit claim deed pursuant to the terms and conditions of a standard Miller-Davis Purchase Agreement free and clear of all liens, charges and encumbrances;
2. Sellers to pay all levied or pending special assessments (if any);
3. Sellers to pay abstract expenses;
4. Real Estate taxes shall be pro rated as of the date of closing;
5. Buyer to pay recording fee(s), state deed tax and conservation fee;
6. Closing is to be on or before June 1, 1997. The closing shall be handled through the Washington County Attorney's Office.
7. Possession of the house shall transfer to Washington County as of the date of closing. However, the sellers have the first option to rent the property for their personal use after the date of closing. By May 1, 1997, sellers must notify County's Property Acquisition Specialist whether they plan to vacate the house by the date of closing or whether they will enter into a lease agreement with the County to rent the property. Should the



January 21, 1997

sellers enter into a lease agreement with the County, the rental rate shall be set at market rate as determined by the County.

8. Sellers shall be obligated to perform all maintenance in order to keep the property in a reasonable repair until possession by the County, normal wear and tear excepted.

9. The sellers shall be obligated to pay all utilities, including fuel oil, propane gas, natural gas, electricity, city water, telephone, city sewer, and garbage hauling, in a timely manner, while they are in possession of the property.

10. The sellers shall remove all personal possessions and debris from both the house and yard prior to vacating the property. The house and yard shall be of reasonable cleanliness at the time the County possesses the property.

11. This sale is contingent upon the sellers waiving all relocation benefits and signing a relocation waiver.

12. The acquisition is subject to a satisfactory environmental inspection by Washington County.

13. Sellers shall remove from the property the tiffany chandelier in dining room and the cupboards in the basement. These items are to be removed in a reasonable manner so as not to damage walls or ceiling(s).

#### Addendum No. 1

#### Legal Description of Helen Johnson Property

All that part of Lots Twenty-one (21), Twenty-two (22), and Twenty-three (23) of Block No. Five (5) of McMillan and Cooley's Addition to Stillwater, according to the plat thereof on file and of record in the office of the Register of Deeds in and for the County of Washington, State of Minnesota, described as follows:

Commence at a point on the West line of Hazel Street Sixty (60) feet South of the southeast corner of said Block No. Five (5); thence West along the South line of what was formerly Wallace Street (now vacated) a distance of Three Hundred (300) feet to the point of beginning of this description; thence West along the South line of what was formerly Wallace Street (now vacated) a distance of One Hundred (100) feet; thence North and parallel to the West line of Hazel Street a distance of One Hundred Forty-five (145) feet; thence East and perpendicular to the last described line a distance of One Hundred (100) feet to a point; thence South on a line parallel to the West line of Hazel Street a distance of One Hundred Forty-five (145) feet to the point of beginning; containing 0.33 acres, more or less.

Together with an easement for public travel over and across that certain tract of land described in an easement dated and acknowledged July 7, 1960 and recorded September 21, 1960 in Book 233 of Deeds, page 25; to have and to hold such easement unto the parties of the second part, their heirs and assigns forever or until such time as said property shall be dedicated or conveyed to the public for use as a public street.

Property Identification Number: 60955-2400

January 21, 1997

10. Adoption of **Resolution No. 97-015** as follows:**Rejection of Bids for Carpeting Needs**

WHEREAS, in order to facilitate the purchase of carpeting needs for various County facilities, the County solicited bids for this project; and

WHEREAS, bids were opened on December 30, 1996, with bids being received from Benson Carpeting, B-I-S, Gisels's Interiors, Inc., Hiller Carpet, Multiple Concepts Interiors, Inc; and

WHEREAS, the bids received from B-I-S, Gisels's Interiors, Inc., Hiller Carpet, Multiple Concepts Interiors, Inc. did not conform to the requested bid aspects for the project; and

WHEREAS, the bid received from Benson Carpet were in excess of the established budget for the project.

NOW, THEREFORE BE IT RESOLVED, that the bids received from Benson Carpet, B-I-S, Gisels's Interiors, Inc., Hiller Carpet, Multiple Concepts Interiors, Inc. made on December 30, 1996, be rejected because they do not conform to the project bid specifications and are in excess of the project budget.

BE IT FURTHER RESOLVED, that the Washington County Department of Public Works is authorized to rebid the project at a later date.

The foregoing Consent Calendar was adopted unanimously.

**PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT****Amendment of the Comprehensive Plan and a Rezoning of Property in Denmark Township**

The Board Chairman presented an overview of today's public hearing to consider a request by Don Lothenbach to amend the Washington County Comprehensive Plan and Washington County Zoning Ordinance to rezone nine acres in Denmark Township from R-1 Rural Residential to GB - General Business.

The reading of the notice of intent was waived by the Board. The Board Chair declared the public hearing open at 1:05 p.m.

Kathleen Nordine, Land Use Specialist, presented a brief overview of the proposed amendment to the County Comprehensive Plan and rezoning request. She reviewed the proposal, zoning ordinance requirements, compatibility with adjacent land uses, conformance with the Comprehensive Plan, and action taken by the Planning Advisory Commission at their meetings on November 26 and December 17, 1996. The Planning Advisory Commission recommended approval of the rezoning request. She



January 21, 1997

also referred to a memo she sent to the County Commissioners dated January 15, 1997 identifying other properties within the unincorporated areas of the County which have similar characteristic (ie. improved with a commercial structure but not zoned commercial), which was requested by the County Board on January 7, 1997.

Don Lothenbach, 1206 West Second Street, Hastings, feels that the property he is asking to be rezoned has had a business on it previously, a bowling alley. He plans on relocating his auto repair shop from Hastings to this location. He feels it is close enough to other commercial property to the north. He projects there may be 25 cars a day through there. He is considering renting a portion of his building to a person who will open a cabinet shop. He also stated that Denmark Township approved this rezoning request and issued a conditional use permit.

The Board Chair asked for further comments from the audience; none were heard. The public hearing was closed at 1:30 p.m. All evidence was received and placed on file.

Commissioner Hegberg indicated that he was not at the December 17, 1996 Planning Advisory Commission Public Hearing where this was approved, but he was at the November 26 public hearing. The discussion at the November 26 meeting dealt with the fact that there had been a previous business in existence on this property prior to the zoning requirements in 1978, and it was in existence at the time of the Washington County Comprehensive plan from 1983. It then became vacant for an amount of time. He stated this was why the Planning Advisory recommended approval of the rezoning request.

Commissioner Engstrom believes that if the Board approves this rezoning request it will allow others who have been before this Board previously for rezoning to come back in with the same requests. This area has been confirmed agricultural in the 1996 Comprehensive Plan that the Board approved and sent to the Metropolitan Council. It also stated that the County did not want to expand commercial use outside of the sewer area. If the Board approves this rezoning request, the first people to come back with their requests are those along I-94. He is not in support of rezoning this area.

Commissioner Hauser agreed with Commissioner Engstrom. She is also concerned about setting a precedent. The County's ordinances and comprehensive plan seek to limit the amount of business use on on-site sewerred lots. It not only would set precedence in this area, but in other areas of the County where we have developed ordinances regulating land use as well as other uses in order to conform with the main thrust of the comprehensive plan.

Commissioner Abrahamson stated he was surprised that the Denmark Township Board approved this rezoning request. When the comprehensive plan was going through public hearings, people from that area were the most vocally opposed to business in that area. He will not support this request.

January 21, 1997

Commissioner Hegberg noted that there has been a business located on this parcel since 1978 and it is located near other areas that are considered general business. The Planning Committee meeting minutes show that most discussion was on the fact that most people thought this area was included in the general business area only to find out later it was not. Denmark Township also believed this area was included in general business.

Commissioner Hegberg moved to amend the County Comprehensive Plan and request to rezone nine acres in Section 6, Denmark Township, from R-1, Rural Residential to GB, General Business. The motion failed for a lack of a second.

Commissioner Engstrom moved to deny the request to amend the County Comprehensive Plan and request to rezone nine acres in Section 6, Denmark Township, from R-1, Rural Residential to GB, General Business. Commissioner Hauser seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Abrahamson, Peterson, Hauser and Engstrom; No, Commissioner Hegberg.

The County Attorney was directed to prepare a resolution for next week's Board meeting reflecting the action took at today's Board meeting regarding the rezoning request.

#### **COMMUNITY SERVICES DEPARTMENT**

Commissioner Abrahamson moved to designate Washington County Community Services as the fiscal agent and acknowledge the formation of Washington County Children's Mental Health Collaborative. Commissioner Engstrom seconded the motion and was adopted unanimously.

#### **ACCOUNTING AND BUDGETING DEPARTMENT**

The County Controller presented the 1996 collections report. Commissioner Hegberg indicated there will be a workshop scheduled in the near future to review policies concerning collections.

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

The Auditor-Treasurer presented an overview of a request by Mark Babcock, Withrow Ballroom, for an application for consumption and display (set up) permit for the period of April 1, 1996 to March 31, 1997. This application was not signed off by the County Sheriff or the County Attorney and is merely on the agenda for discussion by the Board.

Scott McDonald, Attorney for the applicant Mark Babcock, addressed the Board. He indicated that Mr. Babcock was delinquent in applying for this particular license last year. He indicated that Mr. Babcock

January 21, 1997

is currently going through a divorce and believes that some of his mail from last year was misdirected. He was not notified until New's Year Eve when the Washington County Sheriff's Office informed him that his license had expired earlier in the year. The Minnesota Liquor Control Division indicates that on November 26 Mr. Babcock and the County were sent a letter advising them that in fact this license needed to be procured. For some reason Mr. Babcock didn't receive that notice. The first direct notice he had was when the Officers showed up on New's Year Eve. The next business day Mr. Babcock went to the County to make arrangements to pay for the permit. He was told that this application needed to go through the proper process. That was on January 2 and it is now January 21. It is his understanding from the County Attorney that there is a hesitancy to sign off on this application stemming from the fact of that New's Year Eve incident. It is his understanding that the County Attorney's Office is in the process of filing charges against Mr. Babcock for selling without a consumption and display license. He is asking that the Board approve his application so he can continue his business.

The County Attorney suggested that the Board may approve this application under the condition that Mr. McDonald and his client arrive at a reasonable method of assuring the County Sheriff that the business is going to be complied with and carried on in a legal manner. The question of compliance that has been issued and filed against Mr. Babcock is only an allegation and isn't any proof in and of itself of wrong doing. He assumes that will be resolved by the time the new '97-'98 application comes in. He assures this Board that if the Board were to approve the application conditioned on the fact that he pays for the '96-'97 application, that he would advise the Board what the results were at the time the next application comes through.

Commissioner Hegberg moved to approve the application for consumption and display (set up) permit for the Withrow Ballroom, from April 1, 1996 to March 31, 1997, on the condition that the applicant has applied for and paid for his consumption and display permit for the period of April 1, 1997 to March 31, 1998 on or before March 31, 1997 and that the application has been reviewed and signed by the County Attorney, County Sheriff and the Auditor-Treasurer. Commissioner Hauser seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Abrahamson, Hegberg, Peterson and Hauser; No, Commissioner Engstrom.

#### **GENERAL ADMINISTRATION**

#### **Support for Continued Funding of Minnesota Environmental and Natural Resources Trust Fund**

Commissioner Hauser moved to adopt a resolution supporting continued funding of the Minnesota Environmental and Natural Resources Trust Fund. Commissioner Engstrom seconded the motion.

January 21, 1997

Commissioner Hauser noted that in the last paragraph of the resolution it states "beyond the year 2000", but it does not give a definite date. She suggested wording to the effect that as long as there is a state lottery that a portion of those revenues be designated to this fund.

Commissioner Peterson would like to make sure that some of those funds be used for gambling treatment programs.

Commissioner Hauser stated that there are funds committed to education and treatment. She suggested approving this particular resolution and getting more information on what part of the gambling funds are dedicated to the education and treatment of those persons who are gambling addicted.

Commissioner Hegberg moved to table the resolution supporting continued funding of Minnesota Environmental and Natural Resources Trust Fund until such time that information can be gathered on funding for education and treatment of persons addicted to gambling. Commissioner Abrahamson seconded the motion and it was adopted 3-2 with the vote as follows: Yes, Commissioners Abrahamson, Hegberg and Peterson; No, Commissioners Hauser and Engstrom.

#### Amendment of Contract Administration Guidelines

Commissioner Engstrom moved to adopt **Resolution No. 97-016** as follows:

#### Administrative Procedure for Contracts Less than \$25,000

WHEREAS, contractual agreements with Washington County are generally preceded by budget approval by the County Board; and

WHEREAS, each major contract is reviewed and approved by the County Board; and

WHEREAS, the administrative detail of processing approved contracts is routine and should not require further authorization from the County Board; and

THEREFORE, BE IT RESOLVED, that the Chairman of the County Board and the Administrator are hereby authorized to sign contracts for budgeted goods or services in the amount of \$25,000 or less without additional Board action.

BE IT FURTHER RESOLVED, that this resolution shall become part of County Fiscal Policy Adopted 10-11-83 in Resolution 83-112.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

January 21, 1997

**County Board Room**

The County Administrator announced that next week's Board meeting will be at the regular time of 9:00 a.m. The Court moved partly over this last week and will finish up during this weekend. They will be holding Court in the new rooms although all of the technology pieces are not in place.

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Hauser mentioned a letter from the City of Oak Park Heights inviting the County to participate in a mediation process regarding the St. Croix River Crossing. Commissioner Abrahamson suggested inviting the Cities of Stillwater, Oak Park Heights and Bayport to attend the workshop on February 18 with the Minnesota Department of Transportation to discuss this issue.

Commissioner Peterson reported she has received a letter from the Metropolitan Agency on Aging wanting to know what the County's participation was going to be. The County Administrator indicated that a few years ago when this agency was created the County submitted a number of names of individuals interested in serving on this committee.

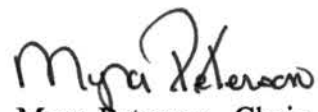
Commissioner Peterson noted that the Lower St. Croix Planning Task Force will hold a workshop on January 28, 29 and 30.

**BOARD CORRESPONDENCE**


Board correspondence was received and placed on file.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 2:45 p.m.

  
Myra Peterson, Chair  
County Board

Attest:

  
James R. Schug  
County Administrator



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
JANUARY 28, 1997**

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 Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administration; Richard Arney, County Attorney; Dan Papin, Community Services Director; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; Sandra Cullen, Transportation Engineer; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the January 7, 1997 Board meeting minutes.
2. Approval to reappoint Pamela Skinner, Oakdale, to the Ramsey-Washington Metro Watershed District for a three-year term expiring February 23, 2000.
3. Approval to establish reserves and designations of fund balance for fiscal year ended December 31, 1996.
4. Approval of the modification to subgrant #6165016 Senior Community Service Employment Program.
5. Adoption of **Resolution No. 97-017** as follows:

Denying Rezoning Request by Bill Pond and  
Don Lothenbach in Denmark Township

WHEREAS, Bill Pond as owner and Don Lothenbach as purchaser, submitted applications to amend the Washington County Comprehensive Plan and the Washington County Zoning Ordinance to rezone a 9 acre parcel of land located in Section 6, Denmark Township, from R-1 Rural Residential, to GB General Business; and

WHEREAS, the request was referred to the Washington County Planning Advisory Commission who, after holding public hearings, recommended approval of the rezoning request, but took no action on the request to amend the Comprehensive Plan as indicated in their December 17, 1996 minutes; and

January 28, 1997

WHEREAS, on January 21, 1997, the Washington County Board of Commissioners, pursuant to a Notice of Intent to Adopt Ordinance in response to the recommendations of the Planning Advisory Commission, conducted a public hearing on the request, and based upon the minutes of the Washington County Planning Advisory Commission hearing and the evidence presented at the January 21, 1997 County Board hearing, makes the following findings of fact with regard to the request:

1. The property is located on the northeast corner of 127th Street South and Highway 10 in Denmark Township. It is improved with a 17,000 square foot building, parking lot, on-site sewage treatment system and well.
2. The property had been previously used as a bowling alley pursuant to a special use permit issued in 1978. Use of the property as a bowling alley was inconsistent with the 1983 Washington County Comprehensive Plan and was considered a nonconforming use. That use has subsequently been discontinued and abandoned for at least two years.
3. Properties to the north, east and south are zoned for residential purposes and there is currently undeveloped general business property to the north and west of the property.
4. The property is not served by urban services such as sewer and water and the closest urban services are 1.5 miles to the south. It is not contemplated that these services will be made available to the property for the next 20 years.
5. The Denmark Town Board approved the rezoning request and issued a Conditional Use Permit to applicant to operate an automotive body repair shop on the property.
6. The existing Washington County Comprehensive Plan adopted January 4, 1983 provides, "Commercial and industrial activities shall be required to locate where there are adequate public facilities to service such an intensive land use type." The proposed 2015 Comprehensive Plan has as one of its objectives, "To locate commercial and industrial growth where urban services are available."
7. Granting this Comprehensive Plan amendment and zoning request would establish a land use classification for the property inconsistent with the land use as planned in the Washington County Comprehensive Plan and regulated by the Washington County Zoning Ordinance.
8. Granting this Comprehensive Plan amendment and zoning request is contrary to the County Board's policy of not allowing nonconforming uses to become conforming uses through rezoning requests.

NOW, THEREFORE, BE IT RESOLVED, that for the foregoing reasons, the request of Bill Pond and Don Lothenbach to rezone the property from R-1 Rural Residential to GB General Business is denied.

6. Approval of an attraction/retention salary range for the classification of Administrative Process Specialist in Community Services.



January 28, 1997

7. Approval of an attraction/retention salary range for the classification of Child Support Officer in Community Services.
8. Approval to appoint Betsy Brummer, Woodbury, to the Noxious Weed Appeal Committee to a first term expiring December 31, 1998.
9. Approval of contract with the Washington County Soil and Water Conservation District for planning, technical, and administrative services in the Brown's Creek Watershed.

The foregoing Consent Calendar was adopted unanimously.

#### **PUBLIC WORKS DEPARTMENT**

Commissioner Hauser moved to adopt **Resolution No. 97-018** as follows:

##### **Policy for Modification and/or Replacement of Hazardous Mailboxes**

WHEREAS, Minnesota Statute Section 169.072 authorizes local road authorities to remove, replace, or modify mailbox installations which are identified as roadside hazards; and

WHEREAS, an inventory of Washington County State Aid Highways and County Roads has identified 606 hazardous installations; and

WHEREAS, a review of this inventory by the Washington County Public Works staff, under direction of the Board of County Commissioners has formulated the attached Policy for Modification and/or Replacement of Hazardous Mailboxes.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the adoption of the Policy for Modification and/or Replacement of Hazardous Mailboxes and authorizes the Director of Public Works to carry out its provisions.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

#### **GENERAL ADMINISTRATION**

##### **Board of Equalization Meeting Dates**

The County Administrator confirmed the dates of June 17 and June 18 (if necessary) for the Board of Equalization to meet. Commissioners Engstrom, Hauser, Hegberg and Abrahamson will be able to meet. Commissioner Peterson will be in Washington D.C. for a transportation alliance fly-in.

January 28, 1997

**National Association of Counties Awards**

The County Administrator informed the Board that two programs will be submitted to the National Association of Counties for achievement awards: Respectful Workplace Policy through the Human Resources Department; and Automatic Imaging Program in the Recorder's Office.

**Courts Remodeling Project**

The County Administrator reported that the Courts occupied their new space yesterday. He indicated that there were a few minor problems but most everything went well. He stated that the Court rooms are very attractive and that the Board members should take a walk over there. He also indicated there will be an open house sometime soon that will be open to the public.

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson introduced Ted Thompson, Representative Bill Luther's Chief of Staff. Mr. Thompson informed the Board and public that they are encouraged to contact their offices in Woodbury with any questions or concerns they may have.

Commissioner Abrahamson asked for an update on the west wing remodeling project. The Public Works Director reported that the remodeling in that area should be done by the end of February. He indicated that even though the project has taken longer than anticipated, he does not believe it has been a problem for the people who are working in that space.

Commissioner Hegberg reported that the Solid Waste Coordinating Board has dropped the \$25 surcharge to haulers. The haulers will need to register in the County where they primarily haul and note in the space provided that they also haul in other counties.

Commissioner Hauser reported on the AMC District X meeting she attended yesterday. The main business conducted was to approve the work plan proposed by Boland and Associates. She indicated that Boland and Associates now includes former Scott County Commissioner Dick Underferth. They will monitor legislation regarding the Metro area. The cost to each County will be \$4,000, not to exceed a total amount of \$28,000. The other major topic dealt with two bills regarding land use planning for the State of Minnesota.

January 28, 1997

Commissioner Engstrom reported on the AMC Legislative Steering Committee he attended last week. They also discussed land use management and the community justice act which AMC is taking a proactive role on. He also mentioned that he will be passing along information to the County Administrator and Public Works Director regarding additional land for Grey Cloud Island Park and an effort at the Carpenter Nature Center for a joint program involving additional land. He asked that they look at these proposals and report back to the Board.

Commissioner Engstrom reported he attend a seminar on welfare reform. He indicated that most of the legislators attended, 15 county commissioners and recipients of welfare were also in attendance. He stated that if the legislators take what happened at the session and put it into place there will be some very good welfare reform proposals. It was a very good session.

Commissioner Peterson informed the Board that the Lower St. Croix Planning Task Force is meeting today at 1:00 and 7:00 p.m., January 29 in the afternoon and evening, and January 30 in the afternoon with an open house in the evening. The County Administrator mentioned that Laura Reynolds, Washington County's representative on that task force, will be attending the February 11 Board meeting to update the Commissioners on the outcome of those public meetings.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

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

#### **BOARD WORKSHOP WITH THE SHERIFF'S OFFICE AND PUBLIC WORKS DEPARTMENT**

The Board met in workshop session with the Sheriff's Office and Public Works Department to discuss development of a Park and Water Patrol Section. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James R. Schug, Virginia Erdahl, Sue Tice, Jim Frank, Don Wisniewski, Jack Perkovich, Mike Polehna, Sue Fennern, Gary Swanson, Mark Caroon, and Jim Broede, St. Paul Pioneer Press.

January 28, 1997

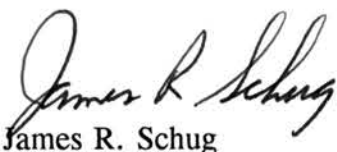
**BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT**

The Board met in workshop session with the Community Services Department to discuss welfare reform and review of a proposed model for service delivery. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James R. Schug, Virginia Erdahl, Sue Tice, Dan Papin, Char Farnum, Bob Crawford, Rick Backman, Suzanne Pollack, Andrew Ervin, Joan Sprain, Lois Yellowthunder, Mary McGlothlin, David Koenig, Jay Kuechenmeister, and Jim Broede, St. Paul Pioneer Press.

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


The Board met in workshop session with the Soil and Water Conservation District to discuss and request direction on Brown's Creek Watershed projects. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James R. Schug, Virginia Erdahl, Bob Turrentine, Jane Harper, Konrad Koosmann, Mark Doneux, Don Wisniewski, Molly Shodeen, Minnesota Department of Natural Resources, Matt Moore, Board of Water and Soil Resources, John Devine, George Rydeen, Soil and Water Conservation District Board, Bob Museus, City of Hugo Administrator, and Jim Broede, St. Paul Pioneer Press.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
FEBRUARY 4, 1997**

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 Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Dan Papin, Community Services Director; Mary Farmer Kubler, Community Services; Rick Backman, Community Services, Division Manager; Richard Stafford, Auditor-Treasurer; Jim Frank, County Sheriff; Don Wisniewski, Public Works Director; Mike Polehna, Public Works Department; Sue Fennern, Human Resources Department; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the January 14, 1997 Board meeting minutes as amended on Page 23, under Commissioner Reports, change from "Commissioner Hauser introduced Eileen Weber" to "Commissioner Peterson introduced Eileen Weber".
2. Approval to appoint Laurie Drolson, Forest Lake, to the Mental Health Advisory Council to fill an unexpired term to December 31, 1998.
3. Approval to amend Policy #1012, Mileage Reimbursement, to increase mileage for individuals using personal vehicle on County business from 31¢ to 31.5¢, effective February 9, 1997.
4. Adoption of **Resolution No. 97-019** as follows:

Adoption of the Brown's Creek Watershed Management Plan

WHEREAS, the Minnesota Board of Water and Soil Resources, at its August 28, 1996 monthly Board meeting, declared the Brown's Creek Watershed Management Organization nonimplementing of its plan; and

WHEREAS, the BWSR requested in a September 12, 1996 letter to the Washington County Board of Commissioners that Washington County commence action to fulfill the County's responsibilities as provided in MS 103B.231 Subd. 3 (b) for the area Brown's Creek Watershed Management Organization; and

WHEREAS, the Washington County Board of Commissioners has agreed to fulfill the County's responsibilities as provided in Minnesota Statutes 103B.231 Subd. 3; and

February 4, 1997

WHEREAS, the former WMO had prepared and adopted the Brown's Creek Watershed Management Plan for the Brown's Creek Watershed; and

WHEREAS, the BWSR has approved the Brown's Creek Watershed Management Plan; and

WHEREAS, the County wishes to initiate watershed management activities under the framework of the existing Brown's Creek Watershed Management Plan.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners adopt the existing Brown's Creek Watershed Management Plan so as to carry out the duties as the Brown's Creek Watershed Management Organization.

5. Adoption of **Resolution No. 97-020** as follows:

Authorizing the Expenditure of Brown's Creek Watershed  
Funds for a Permanent Watershed Outlet Monitoring Station

WHEREAS, Washington County has accepted responsibility as the Brown's Creek Watershed Management Organization;

WHEREAS, the previous WMO had received a Met Council grant for this project in the amount of \$13,500 that requires a local match of \$4,500;

WHEREAS, implementing a water monitoring station at the outlet of the Brown's Creek Watershed is vital to the long-term management goals of the plan;

WHEREAS, it is important to begin implementation of this monitoring station now to have it in operation for the spring runoff events, if possible;

WHEREAS, the City of Stillwater and Trout Unlimited are both interested and concerned stakeholders with regards to implementing a watershed outlet monitoring station;

WHEREAS, both the City of Stillwater and Trout Unlimited should participate financially with the installation costs of the watershed outlet monitoring station;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners authorizes the expenditure of \$1,500 for one third of the local match provided that it is met by equal contributions from the City of Stillwater and Trout Unlimited for the installation of the watershed outlet monitoring station.

BE IT FURTHER RESOLVED, that the County costs for this project be assessed to the Brown's Creek Watershed.



February 4, 1997

6. Adoption of **Resolution No. 97-021** as follows:

Authorization to Offer Tax Forfeited  
Parcel at a Private Sale and  
Approving Basic Sale Price of \$1,000

BE IT HEREBY RESOLVED that parcel 27700-2745 is a tax-forfeited property, classified as non-conservation land; that the basic sale price of \$1,000 set by the Washington County Assessor's Office be approved and authorization to conduct a 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 the sale shall be for cash only.

7. Approval of Application for Conveyance of Tax-Forfeited Lands to the City of Cottage Grove, P.I.D./GEOCODE 27456-2000/21.027.21.11.0002, for the authorized public use of three access points for public to use to get to the future neighborhood park adjacent to residential properties.
8. Information only - child foster care maintenance rates and difficulty rates for calendar year 1997.
9. Approval of 1997 agreement between MCS Language Connection and Washington County for interpreter services for non-English speaking clients requesting or requiring services.
10. Approval of Intensive Community Supervision Grant Application for the period July 1, 1997 to June 30, 1998.
11. Approval of purchase of service agreements with Family Violence Network and Lakes Area New Beginnings for the period January 1, 1997 through December 31, 1997.
12. Approval of banding and grading of new job description of Guardian Ad Litem Specialist in Court Administration at B25-1 and approval of job description.
13. Approval of office lease for additional space for Youth Service Bureau, Inc. at the Washington County Historic Courthouse.

The foregoing Consent Calendar was adopted unanimously.

#### **COMMUNITY SERVICES DEPARTMENT**

Commissioner Hegberg moved to approve the 1997 agreement with American Red Cross of the St. Paul Area to provide crisis response services and emergency social services for Washington County. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

February 4, 1997

**AUDITOR-TREASURER'S OFFICE**

The Auditor-Treasurer presented a progress report on the ad hoc Boundary Committee that was established to resolve school boundary problems in the City of Woodbury. He indicated that the committee is comprised of two members from School District 622, two members from School District 833, two members from the Woodbury City Council and himself. He advised the Board that the two members from each School District have not been back to their School Boards for approval of the proposed resolution that is before the Board this evening.

Commissioner Engstrom moved to adopt **Resolution No. 97-022** as follows:

Support Legislation Designed to Adjust  
School Boundaries in the City of Woodbury

WHEREAS, the annexation and detachment of property between school districts is subject to approval by the County Board as provided in M.S. 122; and

WHEREAS, the County is aware of the problems created by meandering boundaries in rapidly developing communities and its impact on neighborhoods and individual families; and

WHEREAS, the County desires a resolution to this problem that includes the consensus of all school boards impacted by any proposed remedy as well as the Washington County Board, as part of its responsibility under M.S. 122.

THEREFORE BE IT RESOLVED, that the Washington County Board supports legislation designed to adjust school boundaries in the City of Woodbury, contingent upon school district compliance with the requirements of M.S. 645.021, including local approval by school boards affected and County Board.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

**SHERIFF'S OFFICE**

Commissioner Engstrom moved to approve start up costs in the amount of \$91,039, for the Water/Parks/Trails Unit within the Sheriff's Office which will include one full-time Sergeant who will coordinate and run the unit. Commissioner Hauser seconded the motion and it was adopted unanimously.

February 4, 1997

**GENERAL ADMINISTRATION****State Funding of Gambling Treatment Programs**

Commissioner Abrahamson moved to adopt **Resolution No. 97-023** as follows:

Support for State Funding of  
Gambling Treatment Programs

WHEREAS, Minnesota ranks third in the nation in spending on legalized gambling approximately \$5 billion a year, with another \$1 billion dollars on illegal gambling; and

WHEREAS, the legalized gambling industry, including the Minnesota State Lottery, spends considerable amounts of money promoting gambling activities; and

WHEREAS, prevalence surveys identified approximately 48,000 Minnesota adults as compulsive gamblers; and

WHEREAS, recent studies show an increasing percent of Minnesota adults reporting negative consequences or problems as a result of their gambling; and

WHEREAS, a 1992 survey reported gambling risk behaviors in four percent of Minnesota sixth, ninth, and twelfth graders; and

WHEREAS, the State of Minnesota currently appropriates approximately \$1.8 million to the Department of Human Services to: conduct public awareness programs about gambling; fund out-patient treatment for compulsive gamblers; manage a hotline; and complete research projects on gambling; and

WHEREAS, the primary source of funding for gambling treatment services has been State grant money; and

WHEREAS, the six State-supported outpatient treatment programs have assessed and admitted over 1,300 compulsive gamblers and served an estimated 4,000-4,500 family members, with several of the programs maintaining waiting lists.

WHEREAS, a recent study showed that additional prevention programs and new treatment services should be developed to serve gamblers who are experiencing increasing negative consequences; and

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners supports increased State funding for programs that are designed to address the problems associated with legal and illegal gambling.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners supports an increase in State grant funding commensurate with future increases in the numbers of problem or pathological gamblers, as demonstrated by research projects.

February 4, 1997

Commissioner Hauser seconded the motion and it was adopted unanimously.

**Continued Funding of the Minnesota Environmental and Natural Resources Trust Fund**

Commissioner Engstrom moved to remove from table the matter of continued funding of the Minnesota Environmental and Natural Resources Trust Fund which was tabled on January 21, 1997. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Hauser moved to adopt **Resolution No. 97-024** as follows:

Support Continued Funding of the Minnesota  
Environmental and Natural Resources Trust Fund

WHEREAS, in 1989 a State Lottery was created; and

WHEREAS, 40% of the State Lottery net proceeds are presently dedicated to the State Environmental and Natural Resources Trust Fund; and

WHEREAS, dedication of these funds from the State Lottery for this program will sunset in December of the year 2000; and

WHEREAS, \$60,000,000 of this trust fund have been invested since 1989 in worthwhile activities including acquisition of critical land for parks, trails and reserves, wildlife habitat restoration and management and research on best practices for preservation of our natural resources in the State of Minnesota; and

WHEREAS, these significant and important investments will benefit people today, and most importantly, our future generations;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners endorses the continued dedication of 40% of State Lottery net proceeds to a State Environmental and Natural Resources Trust Fund; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners respectfully recommends that the Minnesota State Legislature approve continuation of use of State Lottery proceeds to fund the Environmental and Natural Resources Trust Fund for as long as there are net proceeds from the State Lottery.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

**1997 State Legislative Update**

Sue Ladwig, Washington County's State Legislative Liaison, provided an update on the status of legislative issues of interest to the County.

February 4, 1997

### **Future Meetings**

The County Administrator highlighted future meetings the Board should be aware of. The Ramsey County Board has requested a joint meeting to discuss issues of common interest and concern on March 18, at 12:30 p.m. at the Landmark Center in St. Paul. Also, the next meeting of the League of Local Governments will be scheduled for either March 4 or March 10, to discuss property tax reform.

### **DISCUSSION FROM THE AUDIENCE**

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

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

Commissioner Engstrom noted that discussions have taken place with Sue Ladwig concerning work on the Landfall City legislative proposal which would provide Landfall with funds to purchase the land of the city from the Housing and Redevelopment Authority. The HRA Board will meet next week to discuss contracting with Ms. Ladwig for her services. He informed the Board that Ms. Ladwig would be representing the HRA Board and not the County Board. No opposition to the contracting proposal was expressed.

Commissioner Abrahamson will copy the Board on a letter from Governor Carlson to President Clinton concerning the St. Croix River Bridge. The Governor stated he feels this is a transportation issue and not a parks issue. Also included are reports on the safety factors involved.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 5:25 p.m.

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

The Board meeting was preceded by a workshop with the Public Works Department to discuss a remodeling project at the Forest Lake License Center. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg,

February 4, 1997

Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Tim Casey, Don Wisniewski, Lyle Doerr, R. H. Stafford, Cindy Thibodeau, Russ Reetz, and Mark Longworth, SKD Architects.

#### **BOARD WORKSHOP WITH COURT SERVICES DEPARTMENT**

The Board meeting was preceded by a workshop with the Court Services Department to discuss current contracts with the local youth serving agencies. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Tim Casey, Russ Reetz, and Mary McGlothlin.


#### **BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board meeting was preceded by a workshop with the Office of Administration to discuss a proposal for establishing mandatory open space design development districts. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Tim Casey, Jane Harper, Mary McGlothlin, Richard Arney, George Kuprian, Lowell Johnson, Kathy Nordine and Don Wisniewski.

#### **BOARD WORKSHOP WITH THE DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT**

The Board meeting was preceded by a workshop with the Department of Health, Environment and Land Management to discuss a special project to digitize 1996 high water levels. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Tim Casey, Mary McGlothlin, Lowell Johnson, Konrad Koosmann, Larry Nybeck, John Baer, and Don Wisniewski.

Attest:

  
James R. Schug  
County Administrator

  
Myra Peterson, Chair  
County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
FEBRUARY 11, 1997**

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 Abrahamson, Peterson, Hauser and Engstrom. Commissioner Hegberg absent. Chair Peterson presided. Also present were James R. Schug, County Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Mike Polehna, Parks Manager; Don Theisen, Deputy Public Works Director; Mike Gripentrog, Information Services Director; Larry Haseman, Information Services Supervisor; Barb White, Information Services; Dan Papin, Community Services Director; Cathy Ellis, Community Services; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the January 21 and 28, 1997 Board meeting minutes.
2. Approval to appoint Mary Ellen Nielsen, Stillwater, to the Mental Health Advisory Council, as a Chaplaincy representative to a term expiring December 31, 1999.
3. Approval of 1997 contract with Legal Assistance of Washington County, Inc. to provide civil legal assistance in the area of family law to low income persons and provide assistance to recipients of General Assistance in their attempt to obtain supplemental security benefits.
4. Approval of 1997 contract with Focus Homes, Inc. to provide home and community based services to persons with developmental disabilities.
5. Approval of 1997 contract with MDM Rubicon, Inc. to provide home and community based services to persons with developmental disabilities.
6. Approval of amendment to the 1996 contract with MDM Rubicon, Inc. to provide home and community based services to persons with developmental disabilities.
7. Approval of 1997 contract with NEKTON, Inc. to provide home and community based services to persons with developmental disabilities.
8. Approval of an amendment to the 1996 contract with NEKTON, Inc. to provide home and community based services to persons with developmental disabilities.

February 11, 1997

9. Approval of 1997 contract with Northeast Residence, Inc. to provide home and community based services to persons with developmental disabilities.
10. Approval of 1997 contract with Outcomes, Inc. to provide home and community based services to persons with developmental disabilities.
11. Approval of 1997 contract with REM Metro Services, Inc. to provide home and community based services to persons with developmental disabilities.
12. Approval of amendment to the 1996 contract with REM Metro Services, Inc. to provide home and community based services to persons with developmental disabilities.
13. Approval of 1997 contract with sur la rue, Inc. to provide home and community based services to persons with developmental disabilities.
14. Approval of 1997 contract with Thomas Allen, Inc. to provide home and community based services to persons with developmental disabilities.
15. Approval of 1997 contract with Adapted Living Programs, Inc. to provide home and community based services to persons with developmental disabilities.
16. Approval of 1997 contract with A.M.E. Community Services, Inc. to provide home and community based services to persons with developmental disabilities.
17. Approval of purchase of service agreements for East Communities Family Service, Forest Lake Youth Service Bureau, Youth Service Bureau, Inc. and White Bear Lake Community Counseling Center for the period of January 1, 1997 through December 31, 1997.
18. Approval to publish the Notice of Intent to Plan the 1998-1999 Community Health Services Plan update.
19. Adoption of **Resolution No. 97-025** as follows:

Resolution for Revocation of a Portion of  
County State Aid Highway 36  
(Rescinds Resolution No. 97-009)

WHEREAS, Washington County and the City of Mahtomedi have entered into a turnback agreement for the revocation of a portion of County State Aid Highway 36; and

February 11, 1997

WHEREAS, this portion of County State Aid Highway 36 is also located within the City of Willernie;

WHEREAS, Washington County must adopt a resolution for a revocation of this road to the Cities; and

WHEREAS, the Commissioner of Transportation approval for revocation of this portion of roads is needed; and

WHEREAS, this revocation is conditioned upon Commissioner of Transportation approval.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby revokes County road designation of the following described portion of County State Aid Highway 36 and that responsibility for this road shall revert to the City of Mahtomedi and the City of Willernie, pursuant to Minn. Stat. 162.02, on May 1, 1997.

Portion of County State Aid Highway 36 Description

Beginning at the intersection of 75th Street North (County State Aid Highway 12) and Warner Avenue (County State Aid Highway 36), Section 29, T30N, R21W, in the City of Mahtomedi and the City of Willernie, along the public road known as Warner Avenue North northerly to Maple Street, continuing along Maple Street westerly to its termini with Wildwood Road (Trunk Highway 244), section 20, T30N, R21W in the City of Mahtomedi, and there terminating, being approximately 1.17 miles in length.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby requests the Commissioner of Transportation to approve this revocation.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorized its Chairperson and Administrator to execute on behalf of the County any documents necessary to revoke the above described roads.

BE IT FURTHER RESOLVED, that Resolution No. 97-009 adopted on January 14, 1997 is hereby rescinded.

20. Approval to execute lease agreement amendments for tillable farmland at Lake Elmo Park Reserve with Gordon Herman, Keith McHattie and Bruce Mahle; Pine Point Park with Ken Berwald; Cottage Grove Ravine Regional Park with Keith McHattie; and Big Marine Regional Park with John Edstrom.

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

INFORMATION SERVICES

The information Services Director presented a brief overview of the County's need to upgrade the Government Center telephone switch due to heavy demand from a variety of sources.

February 11, 1997

Commissioner Hauser moved to approve a contract with Vicom to purchase and install an upgrade to the County telephone switch in the amount of \$271,000 to be funded with 1996 pooled Mission Directed Budget savings in the amount of \$200,000 and \$71,000 from the Information Services Department 1996 designations. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

## **PUBLIC WORKS DEPARTMENT**

### **Comfort Lake/Forest Lake Watershed Agreement**

(Commissioner Hegberg arrived at the Board meeting at 9:19 a.m.)

Commissioner Hauser moved to approve the Comfort Lake/Forest Lake Watershed agreement to participate in the development of a joint powers agreement and defer filing of the watershed petition until May 1, 1997. Commissioner Engstrom seconded the motion and it was adopted unanimously.

### **Selection of Name for the Recently Acquired Ceridian Employees Recreation Area**

The Deputy Public Works Director presented three names selected by the Parks and Open Space Commission, out of more than 190 submitted, through a contest to rename the Ceridian Employees Recreation Area. The park was acquired by the County in October, 1996. The three names recommended were: 1) Eagle Point Regional Park; 2) St. Croix Bluffs Regional Park; and 3) Cedarbluff Regional Park.

Commissioner Engstrom moved to rename the recently acquired Ceridian Employees Recreation Area to St. Croix Bluffs Regional Park. Commissioner Hauser seconded the motion and it was adopted unanimously.

The Board discussed acknowledging Ceridian and Tom Ellerbe, the former owner of this property, through a plaque or brochure discussing this park's history and how this land has been preserved and developed into a recreational area. It was also suggested that different areas of the park, such as the conference cottage, could be named after an individual or Ceridian. Staff was asked to review the ideas suggested today with the Parks and Open Space Commission and come back with a recommendation for honoring these individuals and organizations.

The Deputy Public Works Director indicated that four individuals submitted the name of St. Croix Bluffs Regional Park. He asked that the names be placed in a container and a winner drawn to receive the prize of an annual vehicle park permit and a \$25 gift certificate.

Commissioner Hegberg moved to award an annual vehicle park permit and a \$25 gift certificate to each individual who submitted the name of St. Croix Bluffs Regional Park. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

February 11, 1997

The following individuals were awarded a 1997 Annual Vehicle Park Permit and \$25 gift Certificate: Henry Barnett, St. Paul Park; Florence Buehring, Oakdale; James Rued, Stillwater; and Barry Tungseth, Denmark Township.

#### **GENERAL ADMINISTRATION**

##### **Vice-Chair for the Ramsey-Washington Resource Recovery Project Board**

Commissioner Engstrom moved to name Commissioner Hauser as Vice-chair for the Ramsey-Washington Resource Recovery Project Board for 1997. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

##### **Lower St. Croix Cooperative Management Plan Task Force**

Laura Reynolds, Washington County's representative on the Lower St. Croix Cooperative Management Plan Task Force, and Kate Hanson, the Riverway Planning Coordinator, presented an update and progress of the Task Force in developing alternative approaches to managing the Lower St. Croix riverway. The following items were distributed and discussed: Desired future conditions; Summary of potential water management areas for the Lower St. Croix NSR; Key elements of the draft alternative concepts; and the Lower St. Croix National Scenic Riverway Newsletter.

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

Cheri Gangl, Stillwater, read from a letter she sent to the Board regarding misconduct of officers through two administrations at the Washington County Sheriff's Office. Items included in this packet were: 1) Cover memo to various County and State Offices and media; 2) Memo to County Board (referred to above); 3) Memo to Sheriff Jim Frank; 4) Various reports and correspondence; and 5) Audio tape entitled: "Cheri Gangl 6/20/96 - Speech: Austin, MN, 13 minutes".

Jeff Sovereign, Landfall City Council, spoke on the importance of the Lower St. Croix Cooperative Management Plan Task Force and its impact on the County. He stated that the St. Croix River is an important resource to the residents of Washington County. He was glad to see that a task force has been formed. He suggested that the task force should be written about in the County newsletter. He would also like to receive the newsletter published by the task force that was mentioned previously.

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

Commissioner Engstrom reported on the AMC Legislative meeting he attended last week. He stated that the Community Justice Act is progressing and will provide Commissioner Hauser with the latest



February 11, 1997

version. He also reminded the Board of a 2:30 meeting this afternoon with the County Legislative delegation, located in Room 300S, State Office Building.

Commissioner Hauser asked that Steve DeLapp's appointment to the Planning Advisory Committee be placed on next week's Consent Calendar.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

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

#### **BOARD WORKSHOP WITH THE DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT**

The Board met in workshop session to discuss policy direction on development of an ordinance on wireless communications facilities. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Mary McGlothlin, Lowell Johnson, Don Wisniewski, Joe Lux, and Jeff Nelson, Montgomery and Associates.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**FEBRUARY 18, 1997**

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 Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Peterson presided. Also present were James R. Schug, County Administrator; Richard Arney, County Attorney; Konrad Koosmann, Soil and Water Conservation District; Mark Doneux, Soil and Water Conservation District; Cindy Koosmann, County Recorder; Dan Papin, Community Services Director; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Jane Harper, Physical Development Planner; Char Farnum, Community Services Division Manager; Mike Gripentrog, Information Services Director; Larry Haseman, Information Services Supervisor; Barb White, Information Services; Judy Honmyhr, Human Resources Director; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the February 4, 1997 Board meeting minutes.
2. Approval to appoint Steven DeLapp, Lake Elmo, to the Planning Advisory Commission to a first term expiring December 31, 1999; and, appointment of Susan Flaherty, Woodbury, to the Community Social Services Advisory Committee, to a first term expiring December 31, 1999.
3. Approval to renew off-sale intoxicating liquor license from Scandia Olde Towne Liquor for the period April 1, 1997 to March 31, 1998.
4. Approval to renew on sale intoxicating and Sunday liquor license for Afton Alps for the period April 1, 1997 to March 31, 1998.
5. Approval to renew on sale intoxicating and Sunday liquor license for Forest Hills Golf Club, Inc. for the period April 1, 1997 to March 31, 1998.
6. Approval to renew on sale intoxicating and Sunday liquor license for Old Log Cabin for the period April 1, 1997 to March 31, 1998.
7. Approval to renew on sale intoxicating and Sunday liquor license for The Point, April 1, 1997 to March 31, 1998.

February 18, 1997

8. Approval of application for cancellation of certificate of forfeiture on parcels 10962-2000, 10962-2300 and 10962-2400, included in Auditor Certificate file on August 20, 1996 as document #906876.
9. Information only - Public meeting for citizen/consumer input on the County's Community Health Plan, Community Social Services Plan and Mental Health Plan scheduled for March 18, 1997, 7:00 p.m.
10. Approval of increased payment rates for County burials.
11. Approval of contract with East Suburban Resources, Inc. to provide day training and habilitation services for calendar year 1997.
12. Approval of contract with Opportunity Services, Inc. to provide day training and habilitation services for calendar year 1997.
13. Approval to renew contracts with Meridian Services and Thomas Allen, Inc. to provide case management services for persons with developmental disabilities.
14. Approval of 1997 cooperative agreement with the Office of Administrative Hearings to carry out the administrative child support process.
15. Approval of contract with Rule 36 Limited Partnership of Duluth III for residential services at Hamilton House in Lake Elmo.
16. Approval of Adult Integrated Fund Grant Agreement for calendar year 1997.
17. Approval to appoint Verner E. Johnson, Area Manager of Job Services/Reemployment Insurance Programs, to the Workforce Council to fill an unexpired term to June 30, 1997 and a new two-year term beginning July 1, 1997 to June 30, 1999.
18. Approval of a .5 special project Clerk Typist in the Department of Human Resources through December 31, 1997.
19. Approval of a six month special project Clerk II position in the Workforce Center.
20. Approval to spend up to \$27,000 for a new phone system for Minnesota Extension Services.

February 18, 1997

21. Adoption of **Resolution No. 97-026** as follows:

Payment Adjustment to the Memorandum of Agreement  
Between the University of Minnesota Extension Service  
and Washington County for Employing County Extension Staff

In accordance with the terms of our Memorandum of Agreement with the University of Minnesota Extension Service related to the hiring of County extension staff, salary funds for non-union employees and department heads in the County were increased by 2% during 1995.

This percent increase will be added to the County payment for each full time equivalent extension educator in the County for 1996.

- Adoption of **Resolution No. 97-027** as follows:

Payment Adjustment to the Memorandum of Agreement  
Between the University of Minnesota Extension Service  
and Washington County for Employing County Extension Staff

In accordance with the terms of our Memorandum of Agreement with the University of Minnesota Extension Service related to the hiring of County extension staff, salary funds for non-union employees and department heads in the County were increased by 2% during 1996.

This percent increase will be added to the County payment for each full time equivalent extension educator in the County for 1996.

22. Approval to advertise for bids for CSAH 5, CSAH 17, CSAH 24, CSAH 22 and CSAH 18 for various 1997 pavement preservation programs.

23. Adoption of **Resolution No. 97-028** as follows:

Construction Agreement No. 75826 with MN/DOT  
for Traffic Control Signals at the North Ramp of the  
TH 36 Overpass on TH 5 - CSAH 5 in Stillwater

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 remove the existing traffic control signal and install a new traffic control signal with street lights, emergency vehicle pre-emption, interconnect and signing on Trunk Highway No. 5 - County State Aid Highway No. 5 (Stillwater Boulevard) at Trunk Highway 36 North Ramps in accordance with the terms and conditions set forth and contained in Agreement No. 75826, a copy of which was before the Board.

February 18, 1997

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.

24. Adoption of **Resolution No. 97-029** as follows:

Space Lease Amendment for the Department  
of Economic Security

WHEREAS, the County of Washington and the State of Minnesota entered into a space lease agreement numbered 9838 on January 22, 1992 for the use of office space; and

WHEREAS, the County of Washington and the State of Minnesota wish to continue the space use arrangement facilitated by Amendment No. 1 that will continue the original lease for a period of five (5) additional years; and

NOW THEREFORE LET IT BE RESOLVED, that the continued use of space by the State of Minnesota be continued through the acceptance of the terms and conditions set forth in Amendment No. 1; and

BE IT FURTHER RESOLVED, that the lease amendment between the County of Washington and State of Minnesota be executed through the signatures of the Chairperson of the Washington County Board of Commissioners and Washington County Administrator without further action of the County Board conditioned upon compliance with all lease specification requirements and approval as to form by the Washington County Attorneys Office.

25. Adoption of **Resolution No. 97-030** as follows:

Space Lease Amendment for the  
Forest Lake District Courts

WHEREAS, the County of Washington and the City of Forest Lake entered into a space lease agreement numbered PWF-1995-140 on May 3, 1995 for the use of office space and district court purposes; and

WHEREAS, the County of Washington and the City of Forest Lake wish to continue the space use arrangement facilitated by Amendment No. 1 that will continue the original lease for a period of two (2) additional years; and

NOW THEREFORE LET IT BE RESOLVED, that the continued use of space by the County be continued through the acceptance of the terms and conditions set forth in Amendment No. 1; and

BE IT FURTHER RESOLVED, that the lease amendment between the County of Washington and the City of Forest Lake be executed through the signatures of the Chairperson of the Washington County Board of Commissioners and Washington County Administrator without further

February 18, 1997

action of the County Board conditioned upon compliance with all lease specification requirements and approval as to form by the Washington County Attorneys Office.

26. Approval to purchase one new 3/4 ton heavy duty cargo van from Superior Ford through the Hennepin County bid per cooperative purchase agreements.
27. Approval to purchase four new 1/2 ton C1500 pickups, two 15,000 GVW cab and chassis trucks from Grossman Chevrolet through the Hennepin County bid and one Klauer MP-3D snow blower and one self-propelled Elgin Pelican street sweeper from McQueen Equipment through the State of Minnesota bid per cooperative purchasing agreements.
28. Approval to purchase salt supply as needed for 1997 through the State of Minnesota bid per cooperative purchasing agreement.

The foregoing Consent Calendar was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **Department of Natural Resources Grant for Forest Lake Watershed Management Organization**

Commissioner Hegberg moved the expenditure of \$8,000 of State Natural Resources Block Grant-Wetland Funds for Forest Lake Watershed Management Organization for activities that will facilitate the successful expansion of the Forest Lake Watershed Management Organization and authorize the Chair and Administrator to execute the agreement with the Forest Lake Watershed Management Organization. Commissioner Hauser seconded the motion and it was adopted unanimously.

### **School Section/Goggins Lake Outlet Project in Hugo and May Township**

Mark Doneux, Soil and Water Conservation District, presented an overview on the School Section/Goggins lake project. He first discussed a report prepared by Montgomery Watson for the City of Hugo, to determine the feasibility of establishing an outlet from the School Section/Goggins Lake basin to Brown's Creek for the purpose of reducing the flood waters. Four options, with total probable project costs, were presented: 1) Construct open channel outlet from Goggins Lake to Browns Creek - cost \$460,000; 2) Construct 36-inch pipe outlet from Goggins Lake to Browns Creek - cost \$690,000; 3) Construct 36-inch pipe outlet from School Section Lake to Long Lake - cost \$730,000; and 4) Purchase flooded land and homes between elevation 975 and 966.5 - cost \$1,300,000. The other report discussed was the adverse impact study. Environmental concerns raised in this report include: 1) Water Quantity; 2) Water Quality (Temperature); 3 Critical/Sensitive Habitat; and 4) Pumping vs. pipe, transfer to other watershed.



February 18, 1997

Commissioner Hegberg indicated he preferred option two which would construct a 36-inch pipe outlet from Goggins Lake to Browns Creek. He feels that if there were more development they could control what went through a pipe more so than an open channel.

Commissioner Hauser stated she preferred to do the quickest and least expensive option, which would be option one, to relieve this situation. Environmentally, she feels the best solution would be to purchase those lands but that it would not be politically or financially feasible. She suggested that what should be done now is a temporary solution with the least amount of money and then develop a long-term solution and criteria in the whole watershed that would help to prevent these sorts of crisis situations in the future.

Commissioner Abrahamson stated he also preferred option one. He has concerns about putting pipes in the ground.

Commissioner Engstrom indicated he would go along with option one, but feels that going with the cheapest option may not be the best solution. The best solution would be to purchase the property, but that would cost more than the \$1.3 million listed because that amount was based on a figure of \$5,000 per acre and there are more than 20 homes located throughout this area. He feels that there is a crisis now and option one would solve that, but he also worries that option one may be degrading the stream. He will go along with option one if there is concurrence from the Department of Natural Resources regarding the protection of that stream.

Commissioner Engstrom moved to approve option one to begin the process of constructing an open channel outlet from Goggins Lake to Browns Creek contingent on the following: approval by the Department of Natural Resources; that work proceed as quickly as possible with the overall plan on a long-term solution; and that option two may be used as the project progresses. Commissioner Hegberg seconded the motion.

The Board received the following statements from the audience prior to the vote:

Rockwell Hoffman presented the Board with a letter and pictures depicting the flooding that has occurred on his farm.

Al Kemp informed the Board that he is a property owner in Browns Creek where the proposed drainage would take place. He stated he has a problem with the project. He feels that at the point where the water is going to be is not a creek but a bog and that the eco-system in this area would be flooded and destroyed. He and 20 other people who live in this area have hired an attorney to help straighten this project out. He feels this project will totally destroy the eco-system.



February 18, 1997

The motion to approve option one to begin the process of constructing an open channel outlet from Goggins Lake to Browns Creek contingent on the following: approval by the Department of Natural Resources; that work proceed as quickly as possible with the overall plan on a long-term solution; and that option two may be used as the project progresses; was adopted unanimously.

The Board discussed how this project would be paid for. It was discussed that this project be undertaken as the Browns Creek Watershed Management Organization, and that different options for funding this project be researched.

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

James Harrison, Public Affairs Director for the Minnesota-Wisconsin Boundary Commission, notified the Board of two actions taken by the Boundary Commission regarding the Stillwater Bridge Project: 1) Stillwater-Houlton traffic corridor added back in the resolution of unresolved problems and as a work item for 1997; and 2) Letter to Governors Carlson and Thompson offering the Commission's assistance in resolving this issue. He also distributed a copy of their latest newsletter.

A representative from the Izaak Walton League of America stated their opposition to the Stillwater bridge project and its present location. He presented a resolution on the proposed Stillwater Area Bridge.

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

Commissioner Engstrom introduced Susan Flaherty of Woodbury, who was just named to the Community Social Services Advisory Committee.

Commissioner Hauser introduced Steven DeLapp, Lake Elmo, who was just named to the Planning Advisory Commission.

Commissioner Hauser announced that the Tartan Ice Arena will have its grand opening today at 6:30 p.m. She stated this was a joint effort of the City of Maplewood, City of Oakdale and School District 622.

Commissioner Hegberg announced that the Housing and Redevelopment Authority will hold a workshop on April 2 to discuss HRA strategic planning.

Commissioner Peterson informed the Board that AMC Commissioner Peter McLaughlin has appointed her to the Active Citizenship Committee.

February 18, 1997

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously. The Board meeting adjourned at 10:45 a.m.

**BOARD WORKSHOP WITH MINNESOTA AND WISCONSIN DEPARTMENTS OF TRANSPORTATION**

The Board met in workshop session with the Minnesota and Wisconsin Departments of Transportation for an update on status of the Stillwater Bridge project. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioner Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Don Wisniewski, Don Theisen, Tim Casey, Chuck Siggerud, Metro Division Engineer, MN/DOT, Tom McCarthy, District Engineer, WIS/DOT; James Harrison, Minnesota-Wisconsin Boundary Commission, representatives from the City of Stillwater and the City of Oak Park Heights.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
FEBRUARY 25, 1997**

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 Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Don Wisniewski, Public Works Director; Scott Hovet, County Assessor; Dan Papin, Community Services Director; Jane Harper, Physical Development Planner; Jay Kuechenmeister, Community Services, Administrative Services Division Manager; Wes Butler, Housing and Redevelopment Authority; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the February 11, 1997 Board meeting minutes.
2. Approval to appoint Charles Burfeind, Oakdale, to the Parks and Open Space Commission to fill an unexpired term to December 31, 1998.
3. Approval of changes to 1996 assessment that have occurred since the close of the 1996 County Board of Equalization and December 31, 1996.
4. Approval to set the meeting dates for the Washington County 1997 Board of Equalization for Tuesday, June 17, 1997 and June 18, 1997, if necessary.
5. Adoption of **Resolution No. 97-031** as follows:

Requesting Authorization from the State of Minnesota  
to Offer the Sale of Plat/Parcel 89045-2560  
to Adjoining Owners

WHEREAS, property located in May Township forfeited to the State of Minnesota on September 6, 1984, described as:

Lot 12, Block 2  
Carnelian Hills  
Plat/parcel 89045-2560  
Geocode #35-031-20-12-0029

February 25, 1997

WHEREAS, the County Board of Commissioners of the County of Washington, State of Minnesota, desires to offer for private sale to adjoining owners the above-described property that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcel is under M.S. 282.018 located on public waters with 50 feet of waterfront; and

WHEREAS, tax forfeited land, under the 282.018 statute can be sold if it has 50 feet or less of waterfront and if the county determines that it is in the public interest to do so.

WHEREAS, the County Board of Commissioners determine that the sale of said parcel would be in public interest and would expand the county's tax base.

WHEREAS, said parcel of land has been viewed by the County Board of Commissioners and is being classified as non-conservation land as provided for in M.S. 282.01.

BE IT RESOLVED that Washington County Board of Commissioners determine that it is in the public's best interest to offer the sale of said parcel to adjoining owners and hereby request approval from the Minnesota Department of Natural Resources for the sale of said land to adjoining owners.

6. Adoption of **Resolution No. 97-032** as follows:

Lawful Gambling Exemption for  
Forest Lake Ducks Unlimited

WHEREAS, Forest Lake Ducks Unlimited has made application to the Gambling Control Board for an exemption from certain requirements contained in Minn.Stat.Chapt. 349 in order to conduct raffles at the premises located at Vannelli's on the Green, 7050 Scandia Trail, Forest Lake, Forest Lake Township, Washington County on the following date: April 20, 1997; and

Washington County does not oppose issuance of and exemption consistent with the application.

7. Approval of 1997 contract with Human Services, Inc. for Mental Health, Chemical Health, Aging and Transportation Services.
8. Approval to publish notice of intent to adopt Wireless Communications Facility Ordinance and establish public hearing date of March 11, 1997.

February 25, 1997

9. Adoption of **Resolution No. 97-033** as follows:

Approving the Qualified Allocation Plan  
for Low Income Housing Tax Credits

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

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

WHEREAS, the Authority has determined it is necessary and appropriate to modify the Authority's previously adopted Low Income Housing Tax Credit Qualified Allocation Plan (the "Plan"); and

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

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

## 10. Bids were received for carpeting needs in various County facilities:

Shaw Contract	\$67,500.00
Gisela's Interiors, Inc.	73,392.00
Hiller Carpet	75,300.00
Multiple Concepts Interiors, Inc.	82,572.00
B-L-S	95,580.00

Adoption of **Resolution No. 97-034** as follows:

Award of Contract for Carpeting in County  
Facilities to Gisela's Interiors, Inc.

WHEREAS, in order to complete carpeting needs in various County facilities the County solicited bids for this project; and

WHEREAS, bids were opened on February 10, 1997, with Shaw Contract Flooring Services being the lowest bidder; and

February 25, 1997

WHEREAS, because Shaw Contract Flooring Services did not submit carpeting meeting the standards set forth in the specifications, Shaw is not a responsible bidder; and

WHEREAS, Gisela's Interiors, Inc., is the lowest responsible bidder.

NOW, THEREFORE BE IT RESOLVED, that the bid of Gisela's Interiors, Inc. be accepted and the County enter into a contract with Gisela's Interiors, 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 Gisela's Interiors, Inc., be executed through the signatures of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

11. Information only - town road allotments for Baytown Township, Denmark Township, Forest Lake Township, Grey Cloud Township, May Township, New Scandia Township, Stillwater Township and West Lakeland Township.

12. Adoption of **Resolution No. 97-035** as follows:

Landfill Contract Extensions with Pine Bend  
Landfill, Inc. and Spruce Ridge Landfill, Inc.

WHEREAS, the Service Agreement between Ramsey and Washington Counties and NRG Energy, Inc. requires the counties to provide capacity for the disposal of Excess County Waste, Rejects, Unprocessed and Secondary Materials not marketed, except ferrous or unused RDF; and

WHEREAS, March 21, 1995 the Washington County Board of Commissioners entered into two-year contracts (expiring 3/31/97) with Pine Bend Landfill, Inc. and Spruce Ridge Landfill, Inc.; and

WHEREAS, these contracts provide for three one-year extensions at the tipping fee agreed upon in the contracts or the Gate Fee posted at the landfill, if it is less; and

WHEREAS, the counties are obligated to pay the applicable federal, state, county and local abatement fees, surcharges or taxes; and

WHEREAS, the contracts require Ramsey and Washington Counties to notify, in writing by March 1, 1997, the landfills of their intent to exercise their option to extend the contracts; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board met February 13, 1997 and recommends the counties exercise their first year option to extend the landfill contracts.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby approves the first year option to extend the landfill capacity contracts with Pine Bend Landfill, Inc. and Spruce Ridge Landfill, Inc. for the period March 31, 1997 to April 1, 1998.



February 25, 1997

The foregoing Consent Calendar was adopted unanimously.

#### **GENERAL ADMINISTRATION**

##### **Set Public Hearing Date for the 2015 Comprehensive Plan**

The Physical Development Planner reviewed recommended changes to the 2015 Comprehensive Plan before its final adoption.

Commissioner Hegberg moved to set the public hearing date for adoption of the 2015 Comprehensive Plan for March 25 at 9:00 a.m. Commissioner Engstrom seconded the motion and it was adopted unanimously.

##### **Comments on Proposal to Establish a TIF District No. 1-8 - City of Oakdale**

Commissioner Engstrom moved to approve comments on a proposal to establish a Tax Increment Financing District No. 1-8 located within Municipal Development District No. 1 in the City of Oakdale. Commissioner Hauser seconded the motion and it was adopted unanimously.

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

Sheriff Jim Frank presented Deputy Scott Stillman with a Life-Saving Award, for his rescue of an individual from a burning building in the City of Mahtomedi on November 6, 1996.

##### **Discussion from the Audience**

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

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

Commissioner Engstrom reported on the AMC Legislative Steering Committee meeting he attended last week. Items discussed were: Endorsed concept of getting new transportation and transit funding; Land use issues; Freeze to the MUSA line until Met Council approves a transportation plan; and the criminal justice act.

Commissioner Peterson reported on a meeting that she and Commissioner Hegberg attended with Congressman Ramstad and Commissioners Harris and Turner of Dakota County, to discuss the Wakota Bridge asking for ISTEA funding.

February 25, 1997

Commissioner Abrahamson asked about any legislative bills on the NSP plant in Oak Park Heights. The County Administrator indicated that this item was also discussed at the AMC Legislative Steering Committee meeting. NSP and other utility companies are pursuing legislation which would exclude generating equipment from property taxes to be replaced with a 6% surcharge to customers. He believes this will not come before the legislature this session but will be brought forward next session. AMC is establishing a work group of counties which would be affected by this legislation and Washington County has informed AMC that they would like to be a part of that discussion.

#### **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 Hauser and it was adopted unanimously. The Board meeting adjourned at 10:00 a.m.

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

The Board met in workshop session with the Public Works Department to discuss a federal lobbying proposal for Wakota Bridge and Grey Cloud Island Regional Park. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Don Wisniewski, Tim Casey, Dennis McGrann, Lockridge, Grindal, Nauen and Holsten, P.L.L.P, and Dave Schaaf, Mayor, City of Oak Park Heights.

#### **BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

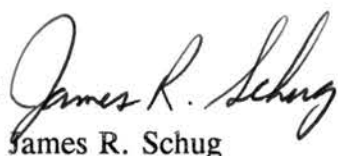
The Board met in workshop session to receive comments on the Stillwater Bridge Project. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Don Wisniewski, Tim Casey, George Kuprian, Dave Schaaf, Mayor, City of Oak Park Heights, David Beaudet, Councilmember, City of Oak Park Heights, Jay Kimble, Mayor, City of Stillwater, and Jim Fitzpatrick, MN-WI Boundary Water Commission.

February 25, 1997

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss a proposal by Best, Inc. to remodel the Government Center lunchroom. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Don Wisniewski, Tim Casey, Robert Lockyear, Nancy Brase, George Kuprian, Willie Pouncy, Best, Inc. and Marty Ventrone, Best Inc.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
MARCH 4, 1997**

**REGIONAL RAIL AUTHORITY**

The Washington County Regional Rail authority met in regular session at 4:30 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Hauser and Engstrom. Commissioner Peterson absent. Chair Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Assistant County Attorney; Don Theisen, Deputy Public Works Director; Richard Stafford, Auditor-Treasurer; James Heltzer, Housing and Redevelopment Authority Executive Director; Wes Butler, Housing and Redevelopment Authority; Robert Lockyear, Director of Planning and Administrative Services; Tim Casey, Public Information Specialist; and Sue Ladwig, County Legislative Representative. 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 4:50 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Hauser and Engstrom. Commissioner Peterson absent. Vice Chair Hegberg presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Assistant County Attorney; Don Theisen, Deputy Public Works Director; Richard Stafford, Auditor-Treasurer; James Heltzer, Housing and Redevelopment Authority Executive Director; Wes Butler, Housing and Redevelopment Authority; Robert Lockyear, Director of Planning and Administrative Services; Tim Casey, Public Information Specialist; and Sue Ladwig, County Legislative Representative.

**CONSENT CALENDAR**

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

1. Approval of the February 18, 1997 Board meeting minutes.
2. Approval of on/off sale and Sunday intoxicating liquor license and off sale non-intoxicating malt liquor license for Meister's Bar & Grill for the period April 1, 1997 to March 31, 1998.
3. Adoption of **Resolution No. 97-036** as follows:

March 4, 1997

Lawful Gambling Exemption for White Bear  
Lake Duck's Unlimited Chapter 32 to be  
Located at Withrow Ballroom

WHEREAS, White Bear Lake Duck's Unlimited Chapter 32 has made application to the Gambling Control Board for an exemption from certain requirements contained in Minn. Stat. Chapt. 349 in order to conduct raffles at the premises located at Withrow Ballroom, 12169 Keystone Avenue North, Hugo, May Township, Washington County on the following date: April 25, 1997; and

Washington County does not oppose issuance of and exemption consistent with the application.

4. Approval for Chair and County Administrator to sign 1997-98 contracts for home care services with Home Caring, Lakeview Home Care, Alliance and Becklund Home Health Care.
5. Approval of per-day rental rates for 1998 and 1999 for Courtroom at Historic Courthouse.
6. Approval to advertise for bids to complete road construction on CSAH 10.
7. Adoption of **Resolution No. 97-037** as follows:

Final Payment to Barton Aschman Associates for  
the Design of the Hardwood Creek Trail

WHEREAS, the Washington County Board of Commissioners, on December 28, 1995, signed an agreement with Barton-Aschman Associates, Inc. for the trail design of Hardwood Creek Trail; and

WHEREAS, Barton-Aschman Associates, has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Barton-Aschman Associates, 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.

8. Approval of amendment and extension of food service contract between Washington County and Best, Inc. for the period of November 1, 1996 to October 31, 1997.
9. Approval of grant agreement for \$10,000 between the State of Minnesota Office of Drug Policy and Violence Prevention and Washington County Sheriff's Office to study three site counties for the planning and transition methods used to implement community oriented policing in their agency and community.

March 4, 1997

10. Approval to authorize the Board Chair to sign a Junker Landfill Litigation Authorization for Joint Representation for the law firm of Popham Haik to act as co-lead counsel for Junker Landfill Trust and its members.

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

#### **GENERAL ADMINISTRATION**

##### **Recognition of Richard H. Stafford's Reappointment to PERA**

Commissioner Engstrom moved to adopt **Resolution No. 97-038** as follows:

Recognition of Richard H. Stafford  
Auditor-Treasurer on His Reappointment to the  
Public Employees Retirement Association Board of Trustees

WHEREAS, Richard H. Stafford has served as Treasurer and Auditor-Treasurer for Washington County since 1974; and

WHEREAS, Mr. Stafford was recently reappointed by Governor Arne Carlson to the Public Employees Retirement Association (PERA) Board of Trustees; and

WHEREAS, PERA provides retirement, survivor and disability benefits for public employees of county and local government; and

WHEREAS, being reappointed by the Governor as a member of the PERA Board is a testament to Stafford's professionalism in this position.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby expresses its congratulations to Richard H. Stafford on his reappointment as a member of the PERA Board of Trustees.

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

##### **Minnesota Counties Insurance Trust**

The County Administrator mentioned an article on Commissioner Dennis Hegberg which appeared in the February issue of the Minnesota Counties Insurance Trust Bulletin. The article mentioned that Commissioner Hegberg has been reappointed to the MCIT Board of Trustees and his financial expertise on that Board has been very much appreciated.



March 4, 1997

**Legislative Update**

The County Legislative Representative presented an update on the 1997 session to date. Items discussed included: Budget surplus; Washington County's bills, one on appointed offices for the Auditor-Treasurer and Recorder and the other on property tax "drop list", are scheduled for hearings this week and the beginning of next week; Utilities being exempt from paying personal property taxes, which for Washington County would mean removing \$45 million dollars from the property tax base; and Property tax reform.

The County Administrator updated the Board on the Joint Ditch Special Appropriation Legislation. He indicated that the Board of Soil and Water Resources has offered the following options the County may consider in asking the legislature for this appropriation:

Option 1. Notwithstanding section 103E.811, joint ditch number one in Chisago and Washington Counties is legally abandoned. \$192,000 in fiscal year 1998 is appropriated to Chisago and Washington Counties to defray costs associated with joint ditch number 1.

Option 2. Notwithstanding M.S. Chapter 103E.811 the counties of Chisago and Washington may after making a determination that Joint Ditch No. 1 is not of public benefit and utility may order the abandonment of Joint Ditch No. 1. \$192,000 in fiscal year 1998 is appropriated to Chisago and Washington Counties to defray costs associated with joint ditch number 1.

Option 3. \$192,000 in fiscal year 1998 is appropriated in Chisago and Washington Counties to assist in the orderly transfer of joint ditch number one to the Forest Lake Watershed Management Organization or other legally recognized water management authority.

Financing Option The governing bodies of Chisago and Washington Counties may levy a tax to pay the accumulated debt of Joint Ditch No. 1 and costs associated with the abandonment or transfer of Joint Ditch 1.

Commissioner Hegberg moved that staff pursue option 2 which states that the counties of Chisago and Washington may after making a determination that Joint Ditch No. 1 is not of public benefit and utility may order the abandonment of Joint Ditch No. 1 and that \$192,000 in fiscal year 1998 be appropriated

March 4, 1997

to Chisago and Washington Counties to defray costs associated with joint ditch number 1. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

James Heltzer, Executive Director, Housing and Redevelopment Authority, presented a brief history of a bonding pool created in 1991 to purchase the City of Landfall. If the bonding pool had not been created, 300 mobile home lots would have been sold out from underneath the residents of Landfall leaving them homeless. He indicated that the HRA is asking for an appropriation from the State of Minnesota for \$2 million, with additional funding from other sources for a total of \$7.9 million, to remove the City of Landfall portion from the 1991 bonds. He indicated that Senator Price and Representative Slawik have agreed to support the bill, although Senator Price is not confident that legislation will be approved. Senator Price urged the HRA to look at possible legislation which would increase for one year only the amount the HRA could receive in mill levy.

It was Board consensus that the Washington County HRA continue to seek an appropriation from the State Legislature.

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

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

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

Commissioner Abrahamson noted a letter in Board Correspondence from Chief Bill Sullivan requesting funds to develop a county radio system plan. He indicated that the County needs to have a plan in by August of this year.

Commissioner Engstrom updated the Board on the National Association of Counties Conference he attended this past weekend in Washington D.C. He stated there is legislation coming up again this year on flow control.

The County Administrator notified the Board of a call he had received from a Township regarding the Public Hearing on the Washington County Comprehensive Plan scheduled for March 25 at 9:00 a.m. The Township is concerned that they have not had enough time to review the plans. He discussed this matter with the County Attorney's Office and H.E.L.M. Department. They indicated that the Board can on that date hold the public hearing open to a time certain in the future.

Commissioner Engstrom felt if they had to continue it that would fine with him.

March 4, 1997

Commissioner Hauser stated she preferred to hold the hearing open for written comments for a specific period of time before the Board takes official action.

Commissioner Abrahamson would like to hold the public hearing over to April 1 which would be a night meeting to allow individuals to come in.

Commissioner Engstrom asked for clarification. He understands that Commissioner Hauser is suggesting keeping the meeting open for written comment and that Commissioner Abrahamson is asking that it be kept open for verbal comment. He asked who the verbal comments would be from, just the Township officials?

Commissioner Hegberg indicated it would be a public hearing and it would be open to everyone.

Commissioner Abrahamson noted that one of the concerns the Townships have is that they will be holding elections on March 11 for town boards and there might be some changes to the township makeup. Their concern is they may not be ready for the March 25 public hearing.

(Commissioner Engstrom left the meeting at 5:50 p.m.)

Commissioner Hauser believes there have not been substantial changes made to the comprehensive plan and it's time to move forward with it.

The County Administrator suggested that the legal notice could state the public hearing will be held on March 25 and the hearing would remain open for one week to receive written comments.

Commissioner Hauser moved that the legal notice for the public hearing to consider adopting an ordinance adopting the 2015 Comprehensive Plan on Tuesday, March 25, 1997 at 9:00 a.m. include a statement that written testimony will be accepted until 4:30 p.m. on April 1, 1997. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioners Peterson and Engstrom absent.

Commissioner Hegberg acknowledged the Volunteers of America on their 101 anniversary and extended the County's appreciation for their help.

The County Administrator reminded the Board of a joint meeting with Ramsey County scheduled for March 18, 12:30 p.m. at the Landmark Center in St. Paul. The Board asked that a discussion be held next week to discuss an agenda for that meeting.

March 4, 1997


**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

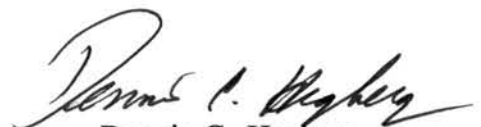
Their being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously; Commissioners Peterson and Engstrom absent. The Board meeting adjourned at 6:00 p.m.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Vice-Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
MARCH 11, 1997**

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 Abrahamson, Peterson, Hauser and Engstrom. Commissioner Hegberg absent. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Assistant County Attorney; Don Wisniewski, Public Works Director; Howard R. Turrentine, Assistant County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, Manager, Health, Environment and Land Management; Dennis O'Donnell, Senior Land Use Specialist; Kathy Nordine, Land Use Specialist; Judy Arends, Manager, Health, Environment and Land Use Management; Tim Casey, Public Information Specialist; Dan Papin, Community Services Director; Mike Polehna, Parks Manager; and Char Farnum, Division Manager, Community Services.

**CONSENT CALENDAR**

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

1. Approval of 1997 agreement with Minnesota Counties Insurance Trust (MCIT) for Workers' Compensation Deductible Pricing.
2. Approval to execute option to extend Corporate Express contract for one additional year from October 1, 1996 through September 30, 1997.
3. Approval of food service contract with Best, Inc. for Law Enforcement Center and Government Center including agreement to upgrade lunch room for the period November 1, 1997 through October 31, 2003.
4. Approval of on sale intoxicating and Sunday liquor license for Vannelli's on the Green for the period April 1, 1997 to March 31, 1998.
5. Approval of off-sale intoxicating liquor license for Point Liquors, for the period April 1, 1997 to March 31, 1998.
6. Approval of the Minnesota Youthworks/Americorps program grant in the amount of \$18,373 to support staff and other administrative costs to operate October 1, 1996 to August 31, 1997.
7. Approval of the 1997 cooperative agreement with the Washington County Attorney for Title IV-D Program child support enforcement.

March 11, 1997

8. Approval of Human Services, Inc. grant proposal to the Department of Human Services for adult day treatment services for persons with mental illness and chemical dependency.
9. Adoption of **Resolution No. 97-039** as follows:

State and Local Assistance Grant with the  
Minnesota Department of Public Safety  
Division of Emergency Management

WHEREAS, the State and Local Assistance (SLA) Program is provided by the Federal Emergency Management Agency (FEMA) and administered by the State of Minnesota, through the Department of Public Safety, Division of Emergency Management; and

WHEREAS, Washington County has properly applied in good faith for State and Local Assistance and has entered into contractual agreement for such financial assistance; and

WHEREAS, Myra Peterson, Board Chair, and James Schug, County Administrator are authorized to execute the terms of the agreement and thereby act on behalf of Washington County for all contractual obligations contained therein.

NOW, THEREFORE BE IT RESOLVED THAT Washington County fully agrees to the terms of the State and Local Assistance contract and with the passage of this resolution, officially requests the Division of Emergency Management to enforce the contract in accordance with the applicable rules and regulations.

10. Approval to advertise for bids on one new self-propelled road sweeper, one new diesel tractor with 3/4 cubic yard loader and two 3 cubic yard dump boxes with hydraulic systems for single axle trucks.

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

**PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

**AMENDMENT TO ZONING ORDINANCE - WIRELESS COMMUNICATIONS ANTENNAS & TOWERS**

The Board Chair presented an overview of today's public hearing to consider an ordinance amending those portions of the Washington County Zoning Ordinance dealing with towers and antennas.

The Secretary to the Board read into the record the notice of intent to adopt said ordinance. The Board Chair declared the public hearing open at 9:10 a.m.



March 11, 1997

Dennis O'Donnell, Senior Land Use Specialist, presented a review of actions taken since the Board adopted a 90 day moratorium on communication towers and antennas on December 3, 1996. He indicated that the proposed ordinance would be amending Section 602.05 of the Washington County Zoning Ordinance by deleting that section in its entirety and replacing it with a totally new section which will be discussed this morning. He indicated that in preparing this ordinance the County consulted with communities locally and nationwide. Consulting engineers helped staff in understanding the technical aspects of the industry and have reviewed the ordinance from a technical standpoint. The County Attorney has also reviewed the ordinance for its legal consequences. Mr. O'Donnell reported that staff has met with all the industry representatives that would be working here in Washington County. He indicated that prior to the ordinance preparation process, the Telecommunications Act of 1996 was thoroughly reviewed. Any ordinance that is adopted must comply with this act which, among other things, says that regulations cannot prohibit or have the effect of prohibiting the provision of personal wireless services.

Mr. O'Donnell stated that the ordinance was prepared keeping in mind the Board's expressed interest in protecting scenic resources and viewsheds which include the following: scenic roads as designated in the Washington County Comprehensive Plan; the Saint Croix River; DNR protected lakes and rivers; designated historic sites; and County Parks designated in the County Park Master Plan and State Parks. He indicated that the original draft ordinance approved by the Planning Advisory Commission, contained a one mile setback prohibition from the above described resources. After mapping was completed using this setback, it was determined that a vast majority of the unincorporated areas of the County would be eliminated for tower siting purposes. The draft ordinance sent in the Board packet left the setback from these resources open. He indicated that staff is ready this morning to recommend an option which they feel will reasonably accommodate the industry's needs, be consistent with the Telecommunications Act of 1996, and reasonably protect the scenic resources of Washington County.

Mr. O'Donnell noted that this ordinance may be more comprehensive and more restrictive than other ordinances that have been adopted locally, but staff felt that conditions in Washington County were different from other communities and that the ordinance is designed specifically for Washington County. The ordinance through its administrative process is designed to provide incentives to locate new towers in certain areas, to collocate on existing towers, and to prohibit towers in environmentally sensitive areas. Mr. O'Donnell reviewed the proposed ordinance with the Board.

Commissioner Abrahamson asked if public safety issues were considered? He stated there are "dead" spots in some of these areas. Mr. O'Donnell stated he didn't expect there would be any public safety concerns. The communications engineer reviewed the ordinance in that regard. If there are any problems that come up, they can be dealt with through the variance process.

March 11, 1997

Commissioner Peterson read a letter from Steve Pott, Technical Support Sergeant, to Sheriff James Frank regarding cellular phone coverage. She mentioned there were two incidents this past year where there were problems around the area of the William O'Brien Park and also down by the Afton State Park with cellular phone usage.

Commissioner Peterson asked if the variance process could be used for the type of building that could be built underneath the towers; for instance, if a tower were located in a gravel pit, is this the place where that variance process could occur? Mr. O'Donnell stated that it would.

Mr. O'Donnell mentioned that page 5, item 10)d)-10)f), Prohibitions, contains the different setbacks mentioned earlier. The changes are as follows: 10)d) - Parks, the blank should now read "one-half (1/2)" mile; 10)e) Certain scenic roads - the blank should now read "one-half (1/2) mile from the centerline of State Highways 95 and 96 and County Roads 4, 15 and 21.; 10)f) Protected lakes and rivers - the blanks should now read "one-half (1/2)" from ...., and "one-quarter (1/4)" mile.

Mr. O'Donnell indicated that item e) under section 10), dealing with Historic Sites has been removed since a number of the historic sites are located in cities and the remaining sites outside of those cities would be protected by the other setback requirements. Mr. O'Donnell displayed a map that indicates the setbacks staff is suggesting.

Commissioner Peterson asked about item 7)a)ii on page 3 "The facility has not been properly maintained", can that section be made clearer? Bob Turrentine, Assistant County Attorney, indicated that (ii) and (iii) should be read together in the sense that a nonconforming use, if it is abandoned for 12 months by state law, that is the threshold, 12 months. If there is a tower that could arguably still be in use but is in such a state of disrepair that it is causing a safety hazard, that's what (ii) is intended to address so the Planning Commission will not have to wait the full 12 months for a site that is not being used it could shorten that 12 months if its not being prepared to the point that it's going to cause a safety hazard. Commissioner Peterson asked if language could be added to explain that more. Mr. Turrentine indicated that language could be added to be consistent with the Board's direction.

Commissioner Engstrom asked about the provision setting up the County Planning Advisory Commission as the arbitrator for the lease, is that legal? Mr. Turrentine indicated that this law is new. He is unaware of anything that would prevent the County from doing it. The only glitch he can think of is the Planning Advisory Commission would be the final arbiter subject to an appeal by the industry to the County Board. In terms of deciding whether or not the industry is being reasonable in their relationship one to the other, giving the Planning Commission the first opportunity to make that decision would be appropriate, subject to an appeal to the County Board.

March 11, 1997

Mr. Turrentine corrected a statement made earlier about whether or not a brick building for the base of the tower could be handled by variance and he indicated that it probably could not be handled by the variance section. The variance standard was tailored to the federal law which prohibits counties from denying PCS Service. The Board could allow these base stations to be constructed of different material and it might be better to leave that discretion to the Planning Commission to have it consistent with the area. Commissioner Hauser suggested giving the Planning Advisory Commission guidelines in which they make the decision. It was Board consensus that the language regarding the subject on page 7), section 11)h) would allow visibility to be the prevailing issue, and that the Planning Advisory Commission could make that determination.

The Board Chair asked for comments from the audience.

Gary Gandrud, 90 South 7th Street, Minneapolis, representing Sprint PCS, stated he was in favor of the ordinance's adoption so they can proceed in including Washington County in a system that will be turned on May 1. They do have comments about some of the provisions. He stated they can live with a comprehensive ordinance and restrictive ordinance but they cannot live with prohibitions. He thanked the Board for the consideration of the building issue. On page 3, section 7)b) "If a permit is not renewed by its termination date..." He stated that in most systems if the application is in and complete that should stay any termination. If a renewal permit is applied for by its termination date that would make the company feel better.

Mr. Turrentine indicated that Mr. Gandrud would be correct, that the application has to be in a complete form to the County prior to its termination date. It was Board consensus to make that change.

Mr. Gandrud addressed the changes to the setbacks which were discussed earlier. Mr. Gandrud displayed a map which shows Sprint's interpretation of the County's ordinance at one-half mile. It is their belief, the engineers and experts, that they cannot establish a PCS system in Washington County at one-half mile. He did indicate that the areas in blue are at one-half mile, the County has now changed those to one-quarter mile. That's one of the differences that was handed out today. The Tower Asphalt site, which they have gotten West Lakeland Town Board approval for, that would be prohibited by the one-half mile provision. The other site was approved by the Grey Cloud Town Board, and that would also be precluded. There are two sites in Denmark Township that are both precluded.

Commissioner Peterson asked if the variance process allows for those areas that are being addressed now to be considered in the variance process? Mr. O'Donnell stated they expected some variances in certain areas. If the applicant can show that they cannot go on a NSP tower or some other existing tower and they cannot provide the service, the variance from that setback from a one-half mile is certainly one that is expected.

March 11, 1997

Mr. Gandrud stated that in all the ordinances the County has adopted, he believes that the County has never adopted, by law, a use that the only way it can be implemented is by variance. When a Board legislates, it designs a system in which someone can work. He indicated they can work with the comprehensive areas of this ordinance and they can work with the restrictive areas, but prohibition they can't. In the Tower Asphalt case, to prohibit a site like that doesn't protect the public health, safety and welfare and puts them in a real burden in designing their system.

Commissioner Hauser stated that the County does not do specialized things, it makes an ordinance that is general in nature, does protect the resources and provides the service. She believes the variance procedure provides that and if it proves onerous, then the ordinance can be amended. The County is not designing for a particular site, it is designing an ordinance for all the land that is available so it can not be site specific in the ordinance.

Commissioner Abrahamson noted on Mr. Gandrud's map that going north from Afton to the north boundaries of Stillwater, that's all controlled by cities. So, they can do what they want in their cities. He recalls that some of the public safety problems, in some of these areas are within those city boundaries. If the cities are aware of a dead spot, they can take care of that. Then the same thing in the City of Marine, they have their own say on where they want to put things. He asked how long the appeal process will take? Mr. O'Donnell indicated that normal variance procedures are taken care of in most cases in 30 days. The application is received by the first of the month and a hearing is heard at the end of the month.

Commissioner Peterson stated that what she has heard from the Board is that it does not want to discuss specific sites, but the Board does recognize that there will be variances granted because of the ordinance that is before the Board.

Mr. Gandrud stated that they do not have broad latitudes by which to select sites. There are search areas because they interconnect all over the metro area. There are limitations. The one-half mile prohibits them from creating their system. He stated that they can work with this ordinance, he's not saying it's perfect, but with the issues that have already been covered and with a changing of that setback.

Commissioner Abrahamson stated if the companies appear before the proper people and present why they have to have that site based on radius, circumference dead spots or whatever, that's the place to bring up the technical aspect. What the Board is doing today is trying to get this ordinance in and going. He feels the Board has compromised a lot. He's concerned about getting the ordinance in place.

James Schug, County Administrator, asked Mr. Gandrud to refer to the revised County map and address whether or not he sees problems with that map. Mr. Gandrud indicated that the one-half mile on the County map knocks out pretty much all Grey Cloud Township. Commissioner Engstrom asked Mr.



March 11, 1997

Gandrud if they can't site a tower in Grey Cloud, assuming, Grey Cloud is where you have to site it, but there are surrounding cities which also have ordinances. He assumed that this ordinance does not mean that applicants will only be siting towers within townships, you will be siting within cities? Mr. Gandrud answered by saying there are 26 different locations within the County, five or six within the townships. He is addressing the ones in the townships. If they could have avoided this process, they wouldn't be here. If they could locate in someplace that the County didn't regulate they would. Their search dictates where the needs are.

Peter Coyle, Attorney with Larkin Hoffman, outside zoning counsel for American Portable Telecom. He indicated Mr. Gandrud covered a number of areas they have concerns with, and he will try and focus on a couple of items. They believe that the ordinance in its current form is overbroad and they believe it will not stand up to the scrutiny required under the 1996 Telecommunications Act. This ordinance essentially prohibits the availability of service within the County. He discussed item 7), page 2 of the ordinance which requires an annual review process which functions as a license. It is their view that the FCC is the only entity that's entitled to license the PCS companies. They do in fact have a license from the FCC. It's their view that the CUP process, special exception process is a land entitlement that once approved should run with the property and that the County always reserves the ability onto itself to revoke a CUP once it demonstrates that there is a violation of the ordinance. They would oppose that discretion on the part of the County. They are concerned about the minimum setback requirements. They do not believe there is an adequate factual basis to support the one-half mile standard or the one-quarter mile in the one instance for the DNR wet areas. They believe this is an aesthetics issue. There's not much you can do to hide a tower. What he believes the County staff is trying to do is to create distance as a means of trying to hide towers, but the extent to which distance standards are applied to towers means they don't work as well, therefore more are needed and not less. They would like to have fewer towers, but that means they have to be proximate to where there are people that are going to use this technology and service. Their preference would be to use separation and setback standards that are more reasonable than this ordinance provides. In other jurisdictions the setback standards would be equivalent to the height of the tower. Also under Section 11)a) requirement of a minimum lot size acres for two and one-half acres, that strikes them as an arbitrary requirement and makes for wasteful use of land area. The extent to which they are obligated to use larger land areas coupled with what they believe are relatively difficult setback requirements, is going to mean that land areas are therefore not used in the most efficient and most appropriate manner. They believe the extent to which the Planning Commission is put in the position of being arbitrator of tower disputes between the companies is a pretty risky proposition and in fact may not be legal. He concluded his remarks and believes that the ordinance in its current form would be unenforceable.

Commissioner Peterson asked the County Attorney that in designing an ordinance, trying to protect our environment visually from a proliferation of towers, is the County providing with the variance process enough flexibility for the people who would like to design these towers?

March 11, 1997

Mr. Turrentine stated that the Federal Communication Act puts two requirements on counties. It says that counties shall not unreasonably discriminate amongst providers of functionally equivalent service and shall not prohibit or have the effect of prohibiting the provision of personal wireless services. That language is about a year old and has been talked about in only two cases he's aware of. The only case he's aware of that actually talks about it has guidance for all of us. It says, "Congress' command that local authority shall not discriminate indicates that it wants local decision makers to consider how their zoning decisions affect the market place for communication services. Congress, however, has not placed competition above all local concerns as the act nonetheless strikes a balance between local zoning power and promotion of free competition." Mr. Turrentine told that Board that when staff was looking at the zoning ordinance with a one mile setback, services could not be provided in Washington County. They then looked at one-half mile, and they agree there may be some problems, because if there is a zoning ordinance that requires everyone to get a variance it's probably unreasonable. What staff has attempted to do is address the Board's legislative decision as to what standards it thought would be reasonable. There's a difference between a legislative decision where the Board will consider all kinds of different factors and exercise its discretion and what could be called an adjudicative decision where the Board is going to have to find facts specific to a particular situation. In deference to Mr. Coyle's comment that there's not a factual basis in the record for the Board's standards, he suggests that because the Board is talking about them, a one-half mile and a quarter mile, the Board's making a legislative decision. Any decision the Board makes necessarily is going to be arbitrary, it's either 5 acres or 4.9 acres, but as long as it's reasonable and as long as the Board's discussed it he feels that the Board would be legal. In answer to Commissioner Peterson's question, staff has tried to strike that balance between the needs of the County to protect the viewshed, protect the aesthetics with the needs of the industry to provide competitive service in the County. That is the standard. A one-half mile, quarter mile that's the best we've done. Staff has tried to gear it so that on its face there is going to be more land available for towers than is going to require the industry to go in for variances. Staff believes it has done that and it is up to the industry to refute what County maps show. It's up to the Board to decide whether you want to go a one-half mile, quarter mile, the Board can decide whether it wants to protect lakes and rivers, all scenic roads or some of them, taking into consideration the industries needs to provide some seamless corridors.

Commissioner Engstrom asked the County Attorney about the 2 1/2 versus 5 acre this ordinance also allows a lease provision? Mr. Turrentine explained why that was provided. He indicated that if the County starts creating lots of record that have one primary use of tower and services change and the providers realize they don't need this tower, the County will create a lot of record that under the zoning ordinance will probably have no other use. That is a situation the County does not want to put itself into. If there's a primary use on the property, the applicants could lease space. What drove this provision is Tower Asphalt, instead of them having to buy a 2 1/2 acre parcel, they could lease a small piece from Tower Asphalt, because Tower Asphalt is a primary use.



March 11, 1997

Commissioner Hauser asked the County Attorney about Mr. Coyle's allegations that decision making by the Planning Advisory Commission may be illegal, that is if indeed as proposed in the ordinance there are certain decisions that the Board delegates to the Planning Advisory Commission that making those decisions on private leaseholds could be illegal. He's right, there is no court case on it. Staff county not think of a better way to do it. If the court says the County is acting unreasonably, then he guesses it is, but he believes it's as reasonable as they could find a way to balance the competing needs. Mr. Turrentine stated he would not stand before the Board and make a suggestion that was patently illegal or unreasonable. Staff believes it will work.

Eric Galatz, 150 South 5th Street, Minneapolis, representing Tower Asphalt, indicated that they have found the County to be reasonable in most cases. He urged the Commissioners to consider how much time it will be wasting for itself, staff and residence of the County if it sets up an ordinance it knows from the outset will require application for variances. The Board's already been told and the County map demonstrates that a tower cannot be located between County Road 21 and 96 without a variance because they are a mile apart and the standard says one-half mile. He asked the Board to reconsider the distance of the setback requirements so it's not setting itself up for the process that is going to require resorting to the variance process.

Commissioner Engstrom responded to Mr. Galatz, he indicated that it is County Road 21 and 95, not 96. Also, there are cities in that area and he wouldn't be the one to say that a variance would be required. He does not know that it could be proven and service could not be provided. There are other ordinances in Baytown and Oak Park Heights that might take some precedence there too.

Fred Heck, Baytown Township, is concerned if any of the people here has a tower next to them or will be having one shortly and what their reactions might be? He stated that a neighbor is currently considering having a tower next to his property, or near to it. He asked his neighbor to explain it to him. His neighbor indicated it will look like a telephone pole, with a little business on top and it will be about 100 feet tall he said you won't hardly notice it. Mr. Heck tried to find out more information about it at the township meeting, but didn't get too much information. Finally, he learned from the company there will be panels 13 1/2 feet long in a triangle and 5 feet high. That's noticeable. He sees that there is something in this ordinance about minimize adverse visual affects. He talked to surrounding neighbors and there was great concern and a petition was signed and presented to the Board at the Board meeting in December. He contacted the State of Minnesota, they said they didn't have anything to do with it and he would have to call Washington D.C. He called two or three times, finally got the Federal Communications Commission, and they said this tower thing is wide open, there's very little restriction anywhere in the country. As far as he can see there is very little guidelines, other than that the federal people have passed a law guaranteeing them the right to put towers in. He and his wife believe it will be an eyesore and this will devalue their property. He asked the neighbor if this could be put on the NSP tower he said no they don't have any right to go on their easement. He understands

March 11, 1997

now that it may be changing. He's hoping that the Board could minimize the visual effects. He passed out a copy of a tower pictured in the February issue of National Geographic which shows a tower disguised as a tree. This option was never discussed at the town board meeting.

Peter Beck, 150 South 5th Street, representing AT&T Wireless Services, stated they are one of the existing cellular providers to the Twin Cities metropolitan area and have been in business in this area since 1984, and one of the providers that Washington County has been using for many years. During these 12 to 13 years they have constructed over 90 cell sites. Not all the sites are on monopoles or towers, many are on existing buildings. He indicated he just received the ordinance the end of last week and the latest revision this morning with respect to the one-half mile setbacks. He has looked at the ordinance very closely and he has a lot of concerns about it. There are some major issues with the setbacks that have been mentioned already and there are a number of minor issues that really should be addressed if this community is going to have an ordinance that complies with federal law and also makes it possible for this service to be provided while still protecting the values that the Board has expressed today. He indicated they did attend the initial meeting before a draft ordinance was prepared. He thought it would have been much more productive to meet again after there was a draft ordinance to go over what was wrong with this word in this section and so on. He feels that if this is going to be his only opportunity to address these issues, he will have to take them one by one. The authority that has been reserved to the County with respect to radio communications is a zoning authority, nothing more. He thinks this ordinance has gone beyond that authority, for instance having the Planning Commission set prices. Issues like that should be brought out before the Board and discussed. The County Attorney mentions only knowing of two cases decided under the telecommunications act, in fact there are more cases than that and he would be happy to share his knowledge of the case law under the telecommunications act with him. He indicated that he would go through, on the assumption that he will not be able to do that in a written format before adoption of the ordinance, go through his comments section by section on the ordinance.

Commissioner Engstrom stated if Mr. Beck was willing to do that in a written format, it is possible that the Board could continue this public hearing for a period of time to accept further written comments.

Mr. Beck stated there are different points of view here among the providers of wireless service. They are an existing provider, they do not have the immediate need to put up a cell site in Washington County right now. The other systems the Board has heard from, time is important for them. He's not here for the purpose of delaying this, but he feels strongly that this ordinance could be a much better ordinance for the County and the industry if time was taken to look at some of the specifics. The County Attorney did mention that the burden is on the providers to show that the one-half mile setback is prohibitive. They can't do that in this short amount of time.

March 11, 1997

Commissioner Hauser asked for more information on the timing before the Board extends the limit on the public hearing. It was her understanding that there are some ramifications of delay.

Mary McGlothlin, Director of Health, Environment and Land Management, stated that the Board's 90 day moratorium ends effective today. In order to continue the moratorium, the Board would have to do a public hearing and have notice on that. If the Board does not adopt an ordinance today, the County will need to revert back to is the existing language in the current ordinance.

Commissioner Abrahamson was of the understanding that staff has had a few meetings with people regarding this ordinance. There were engineers, outside engineers representing the industries at these meetings. He would like to get that on the record. Was this gentleman invited to those meetings?

Mr. Beck indicated he was not advised of any meetings beyond the initial meeting that was held.

Lowell Johnson, Manager, Health, Environment and Land Management, indicated that Mr. Beck was present at the initial meeting that was held, as were many of the industry participants. Subsequent to that there were periodic discussions either by telephone or representatives that came into the office to discuss this. He believes staff had many of the items they are presenting today in mind, they knew these items were going to be a concern to them. At the same time, staff was trying to strike a balance with the goals of the Comprehensive Plan and the goals that were set by the Board in the policy discussion at the workshop. Staff believes they were aware and informed of many of the industry concerns and that staff did have dialogue with them. Mr. Johnson indicated that the Planning Advisory Commission, where this ordinance was recommended, was not a public hearing as such, but was a public meeting. Testimony was not taken that night because it was not noticed as a public hearing.

Commissioner Abrahamson asked the County Attorney to give the Board and audience the regulation from the federal government.

Mr. Turrentine stated that when this federal communication act was talked about in congress, there was a movement to completely preempt local units of government from exercising any land use authority. A compromise was entered into and the language is "A local unit of government shall not unreasonably discriminate amongst providers of functionally equipment services and shall not prohibit or have the effect of prohibiting the provision of personal wireless services". That's the law, that's why we are here.

Mr. Beck presented his comments on the ordinance. On page 2, section 4) - Nonconformities, he called this a policy issue. If a tower already exists that doesn't comply with the new ordinance, it couldn't be replaced with a better tower for multiple use.

March 11, 1997

Mr. Turrentine indicated that situations may arise where a tower becomes a non-conforming use. Under traditional zoning law, non-conforming uses are allowed to stay but they cannot expand. What has been done in this section is to say that this non-conforming tower can stay, but rather than preventing it from expanding in an effort to encourage collocation we are going to allow these non-conforming towers to expand by adding additional antennas to them. It is a policy question as to whether or not you want to see that continue. The Board could say no, you do not want these additional towers to expand we want them to be limited to the tower and the number of antennas; or, you could say that it would okay to replace that tower with a new state-of-the art antenna as long as certain conditions are met. It is a policy consideration, but that is the background in order to promote collocation as best we could.

Mr. Beck agrees with everything said and what's in here would be typical non-conforming situations. He suggested that as a policy issue the Board may want to consider whether it would rather have a newer facility that can accommodate more users so that you have fewer other facilities in the surrounding area.

Mr. Beck continued with Section 5) Exception - He believes this is a good idea and innovative provision and he does support it. He did suggest the very last section of that paragraph "Construction details of the tower must be approved by the power company having the easement" is fine if they are in their easement or in their right-of-way. If they are in the 50 foot area beside the easement or the right-of-way, he doesn't know if there's a need for a signoff by them. He suggested that there be a revision there that they will provide the construction details if they were in their easement or on their property but not off of it.

Commissioner Engstrom asked even though the power company may not have the authority outside their easement, wouldn't they have something to say about a structure that would have some ability to interfere with power lines should something happen?

Mr. Turrentine thinks Mr. Beck's point might be well taken in the sense that NSP would like to have some say so, but presumably when they acquired their easement the width of the easement was intended to adequately protect them against encroachments. The other side to that is they probably weren't anticipating that within 200 feet of their power line a 200 foot pole would come up. Staff attempted to strike the balance, understanding that the County would like to tell NSP they are going to put a 200 foot pole up. We assume NSP will act reasonably and would say yes or no. If NSP was to act unreasonably the County would take their comments and say thank you very much. Commissioner Engstrom asked that in the purview of public safety can the County require that?

Mr. Turrentine stated he thought the County could require the applicants to notify NSP, he does not believe the County could give NSP the veto power over what goes outside their easement. The County



March 11, 1997

could take into consideration NSP's concerns and if it is decided that the location of a pole outside of NSP's easement could create a threat to the public health, safety and welfare, then the County could deny the application for the request for the pole outside of the easement.

Commissioner Engstrom asked, with the consensus of the Board, that section 5) be changed as Mr. Beck suggested that if it is within the easement, it would require NSP approval, and if it is outside the easement that easement holder be notified, speaking specifically to power lines.

The Board took a 15 minutes recess at 11:00 a.m.

The Board reconvened at 11:15 a.m.

Mr. Beck continued on page 2, section 6) Variances b) - He feels that variance is a defined term, both in the zoning ordinance and state law. He believes this item should be called something else.

Mr. Turrentine would agree. What was intended by making that section specific to "cannot provide services" was to get out of the traditional hardship mode. If that will make the industry happier to use the word "exemption" rather than variance that's fine with him because that's how they intended it in the first place.

Commissioner Hauser suggested under 6)a) to strike the words "variance or" and just say "A modification to any requirements...", and then in b) "...for granting a modification". Mr. Beck read a proposed language change. Commissioner Abrahamson asked why couldn't the word "variance" be changed to modification? Mr. Turrentine stated that modification the way Commissioner Hauser stated it would work just fine.

Commissioner Engstrom stated that with the changes that are being made here, it is going to be difficult for this Board to pass this ordinance today, unless we can pass a motion that sets forth that it is the intent of the Board that this comes back to us next week. Is that what we are going to do?

Commissioner Peterson stated there is enough verbiage change that that would be likely. Commissioner Engstrom asked if that would be on the Consent Calendar? Commissioner Peterson indicated yes, it would. Commissioner Engstrom then asked if some of the comments could be submitted, get them and reach a consensus. Commissioner Peterson stated it is the desire of the Board to have the County Attorney bring it back for final approval at our next meeting. Mr. Turrentine stated that if that is the intent of the Board then staff would prefer to bring it back as a regular agenda item and not as a Consent Calendar item.

March 11, 1997

Commissioner Abrahamson asked that 6)b) be read as it was changed: "For purposes of this section of the ordinance, the criteria for granting a modification shall be: presentation of engineering data which demonstrates that personal wireless services cannot be provided by the applicant to a specific area of Washington County without a modification".

Mr. Beck continued with Section 7, Term of Permit - This section regarding the annual renew requirement and the automatic revocation of the permit if it's not renewed has been discussed earlier. His view would be that this section is licensing. This is not a conditional use permit that can automatically terminate. A conditional use permit runs with the land, it's a property right. To take it away it has to be revoked through the procedures that are in the ordinance. He thinks it's fine if the County wants to have a provision by which they would review on an annual basis, he does not believe it's necessary. These poles will be some of the strongest structures in the County. To require a telecommunications provider to annually renew what amounts to a license, he believes that is beyond the scope of the zoning authority that is reserved to the County in the Telecommunications Act.

Mr. Turrentine asked to take that question under consideration. What the staff was looking at was to annually review the operation, they wouldn't unilaterally be revoking the permit and they didn't consider it to be a licensing issue, but can understand where the industry may look at it like that. He requested to reserve comment on that until it comes back to the Board next week.

Commissioner Abrahamson stated there has been a change to section 7)b) already. Mr. Beck indicated that the change was that it would be okay if you have applied, but he feels that the County does not have the authority to require the provider to make an annual application.

Commissioner Engstrom noted that the County does have annual reviews of other licenses and permits throughout the County in our zoning ordinances even when the permit is not a license. He would strongly recommend that the County keep some sort of annual review process, whether it is a renewal of the license or whatever. He believes an annual review is important.

Mr. Beck continued with Section 8)b), Other Requirements - Regarding financial guarantee he does not believe that is necessary. On Page 5 Section 10) Prohibitions - Mr. Beck stated there has been a lot of discussion on setbacks. He stated he could not get too specific on it because they simply do not have the data with the new changes. He does not know whether the one-half mile requirement complies with the telecom act, he doesn't know how anybody could know that with just the limited information that is available today. He believes that is something that needs to be looked at much closer to determine what its impacts are. He believes that the 500 feet from a residential dwelling is further than anything he's seen in any other ordinance. Most ordinances would key that to the height of the pole away, some are one and one-half times the height of the pole away.



March 11, 1997

Commissioner Abrahamson stated this issue has been thoroughly discussed, in fact one of the individuals is sitting out in the audience. One of the neighbors was going to put an antenna in this gentleman's front yard because it was in the neighbor's backyard. We've studied this and talked about it to death. Let's move on.

Mr. Beck continued with Section 10)j) regarding no temporary mobile cell sites permitted except in case of equipment failure. He suggested revisions to that. Many times temporary mobile equipment is moved to a site of an emergency and used to increase capacity. If there were some sort of a natural or other disaster somewhere within the County, the County's safety people would undoubtedly want additional communication capacity and they would like to provide that for them through a mobile cell site. This ordinance would appear not to allow that. He also suggested expanding this ordinance to allow for emergencies and also for testing so they can determine where the best place to put a cell site is. He also suggested changing the limit to say 30 days or within 30 days of the end of the emergency. He could provide language to that effect if it's acceptable to the Board.

Mr. Beck moved on to Paragraph 11) Performance Standards - Each one of these restrictions in terms of the setbacks in 11)a) the five acres and two and one-half acres is narrowing the universe of possible sites and getting them to the point where you're bumping up against that prohibition against prohibitions. He understands the concept behind the five acres but does not know if it's reasonable as written. No. b) the setback from a property line. That language should be revised to accommodate the monopole situation. A monopole does not collapse, when it fails it will kink a little, it doesn't fall over, doesn't collapse progressively. He suggested supplying staff with language that will address the monopole situation. The second sentence in that paragraph deals with providing engineering evidence that blowing or falling ice can be contained on the subject property. He does not believe there is an engineer alive that would say such a thing. He suggested that be stricken unless somebody has evidence that a 75 to a 150 foot pole would ever create a problem like this. Section 11)c) says tower shall be located on parcel of land so as to have the least impact on adjoining properties. He understands the history of that provision, but believes it is vague to the point of being unenforceable. He's not sure how an applicant would possibly know where to locate a site based on language like that. He suggested the setbacks, the guidelines and go with that. He has the same sort of comment with respect to No. 11)d). No. 11)e) the collocation requirements -- he had a couple issues regarding heights of towers. He stated towers have to be above tree top level so 75 feet is as low as anyone can go. Requiring a 35 foot, 50 foot or even 75 foot pole to be over built for two users is an unreasonable burden for the industry. There wouldn't be a need for a second user. Anything 100 feet or above is fine, we have told other communities we will design for two users and that does add to the cost. The other requirements for three tenants, four tenants--this he stated is getting into not only a legal issue with respect to reasonableness of those types of requirements, but also a policy issue. A pole that's going to be big enough for three or four users is going to be a very bulky pole.

March 11, 1997

Commissioner Peterson advised Mr. Beck that the questions that he is bringing forth are not really policy questions, what he is really talking about are more technical questions. She asked if he could present that in a written form to staff and let them review that before next week. Mr. Beck indicated he would be happy to do that.

Mr. Beck continued with No. 11)n) regarding one communication tower on a parcel of land. He believes there should be some reference to the size of the parcel of land. On No. 12), Application - He suggested that there be two categories under here one set of requirements for an application for a conditional use permit because they would not be designing a pole before they knew whether or not they had the approval to put it in that location.

Commissioner Peterson suggested Mr. Beck's questions could be better addressed with the staff and that we should move on and hear the other people who would like to present in front of us.

Mr. Beck's final comments regarded a number of sections at the bottom of page 8 and 9 with respect to interference, giving a five-year facility plan, describing radio frequencies, all of those issues he believes are very clearly preempted not by the telecommunications act but by the original federal communications act of 1934 and he will be happy to get that information to staff.

The Board Chair suspended the public hearing for a brief time to receive comments from the audience.

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

Janet Youel, 4749 N. 122nd Street, Hugo, stated that in January she asked for and received an application for the opening on the Community Social Services Advisory Committee. She also received an explanation of what the advisory committee did. Commissioner Dennis Hegberg called her back and the first question he asked her was "What is your opinion of abortion?"

Commissioner Peterson indicated that the Commissioner Ms. Youel is addressing is not hear today and that the Board could not respond.

Ms. Youel then stated that Commissioner Hegberg's second question was "What is your opinion about condoms in high school?" She told the Board that she was shocked. She stated she just wanted the Board to know that.

Don Empson, 1206 North Second Street, Stillwater, appeared before the Board on behalf of the River Town Restoration, which is a non-profit organization based in Stillwater and dedicated to the preservation of Stillwater history. They are asking that the County Board request a hearing of the

March 11, 1997

Minnesota Department of Natural Resources on permit No. 96-9165 relating to the new St. Croix River crossing and the Stillwater lift bridge. The permit requires that the Stillwater lift bridge be removed within 10 years of the completion of the new St. Croix River Bridge. It was Board consensus that this matter be placed on next week's Board agenda for further discussion. Commissioner Abrahamson asked that the Cities of Stillwater and Oak Park Heights be notified.

Eileen Weber, 8450 Indian Boulevard South, Cottage Grove, advised the Board that Janet Youel is a colleague of hers through the nurses association. She heard about this litmus test and encouraged her to come and offer her comments to this Board. She believes citizens of Washington County should know if participating in advisory committees at the County level is limited to people who hold a certain proclivity on controversial issues which may or may not be pertinent to the advisory committee they are looking to serve on. It is also not public knowledge as to which commissioner will be present or absent at any given Board meeting. She thinks that Janet Youel's comments were not received very generously, given that she had to take time out of her busy schedule to sit and listen for an hour and a half past what the agenda stated was going to be allowed for the public hearing on telecommunications issues, to come and offer those comments. They should be welcome anytime they are offered. She does believe it would be appropriate for each Commissioner to answer whether participation on County advisory committees is limited to those who hold appropriate responses to litmus type questions?

Commissioner Peterson thanked Ms. Weber for her comments. Commissioner Engstrom indicated that in his case no, he doesn't ask those types of questions. Commissioner Hauser stated that although the Board does not generally respond, it does hear concerns of citizens. Also, she does not know where people are standing on various issues. Commissioner Peterson indicated she did not ask those types of questions. Commissioner Abrahamson stated he also does not ask those questions. He explained that during the discussion from the audience portion of the agenda, the Board does not respond to comments. Also, he feels it would be unfair not to hear Commissioner Hegberg's side of the issue.

The Public Hearing resumed.

#### **Public Hearing Continued**

John Troyer, Attorney, 4700 IDS Center, representing US West NewVector, which provides AirTouch Cellular service in Washington County. He addressed the issue of one-half mile setbacks for scenic highways. Under the ordinance that he was given this morning, setbacks for scenic highways are one-half mile. Most of their cellular customers and citizens who are using cellular services in Washington County are using them on the road. The reason for the setback from the testimony heard today is for an aesthetic issue. There is a concern that towers are unsightly and the County wants to make sure that they are removed from the view of someone standing on the road or driving down the road. He asked the Board to consider the standpoint of someone who is actually driving the road or someone actually

March 11, 1997

standing on the road. He believes a one-half mile setback, if there's an antenna about 150 feet high, a half mile away, he doesn't believe you will see it driving down the road or just standing there. He asked that the Board seriously consider that perspective and perhaps reduce the one-half mile setback to something less than that as well. Also for a point of clarification there was a map presented by County staff. When the County Board enacts the ordinance, they would request that the map that was presented today be an overlay to the existing County zoning map.

Bill Buhl, Buhl Consulting, representing Nextel in these proceedings. He stated they are concerned about the term of the permit. To a wireless company the most important thing is when a site is established all the rest of the neighboring sites are built in reliance of that site being there. If there is anything that can cause that site to be taken down it's probably the worst thing that can happen. This ordinance allows that to happen every year. What he would like to talk about is collocation. If he owns a tower and a collocater comes to him and says he would like to go on the tower, he can't guarantee him anything more than to the next anniversary permit. He would like to see this term of permit taken out completely and rely on the revocation power to revoke a permit if there is a violation.

Commissioner Peterson stated that is a point the Board will consider and look at in the final draft of the ordinance. Ms. McGlothlin suggested the following language for Section 7) a): "Towers permitted with either a conditional use permit or certificate of compliance must be reviewed every year. The grounds for revocation of a permit shall be limited to a finding that..." the next three items would remain the same. The first sentence of b) would be stricken. The second sentence would read "If a permit is revoked, all improvement shall be removed and the site restored to its original condition within 120 days of revocation". So, it talks about reviewing a permit and provides grounds for revocation. Board consensus was to approve this language.

Mr. Buhl, next talked about financial guarantee under Section 8)b). He proposed the following changes: Strike the words "A financial guarantee in a form acceptable to Washington County" and replace it with "Evidence of contractual obligation with the land owner". Then it can be handled much like a nuisance. If for some reason the tower isn't taken down, the land owner would be obligated anyway. Land owners require us to put this obligation in our contract, they are in the contracts that we are obligated to the land owner to take down the tower. Mr. Turrentine asked to take this matter under advisement. He'll be able to come back next week with a recommendation.

Mr. Buhl's last comments regarded Section 12)g) whereby the Zoning Administrator can ask for written statements from the Federal Aviation Administration, Federal Communications Commission, etc. He said these agencies won't do it. He stated you can call them, they won't return your calls. You can ask them to send you written letters telling you things they've already told you and they just won't do it. He asked that this ordinance just rely on Section 8)a) that providers follow the rules and regulations of the FCC and FAA.



March 11, 1997

Jacque Lamson, Metropolitan Aerial Structures, stated that aesthetics seems to be one of the big questions and collocation. If companies are to look to collocation and aesthetics there is one thing in Section 10)i) Prohibitions, that seems not to agree with what the County is trying to do. The more people you put on a radio tower, if its a self-support tower, the bigger and wider the face size will become. He believes that the prohibition of guyed towers may not be the best thing to do. It could say that guyed towers are discouraged, but not to prohibit them. He stated that a guyed tower from a mile away is almost invisible, but a self-support tower or monopole that can handle three or four sets of antennas, the girth is going to get greater. It's going to have a greater visual impact.

Commissioner Engstrom stated that is a good point. Since visibility is what the Board is talking about have we done any studies as to what point you lose on guyed towers. There's a point where you lose the guyed wires and that narrow tower is then less visible from a distance, at what point does that happen versus having a broader 30 or 40 foot wire? Mr. Lamson indicated that heavy guy wire will be 7/8 inch in diameter.

Ward Montgomery, the County's radio consultant engineer, spoke on the issue of guyed towers. He stated that his corrected vision is 20/20 and there have been times when he has had trouble on tall towers identifying where the guy wires are on the towers. If you're driving down the road, he doesn't know if you can afford enough looking time to count guy wires or see them very clearly. Mr. Lamson brings up a valid point. He's not sure that any provider is going to spend more money on his tower than he has to and money is related to structure density and the way the tower is built. The Board can put something on the rules if it wants to, but the economics and structural considerations will get you where you need to be.

Commissioner Engstrom asked that when the County is looking to promote visual quality in the County to protect some environmental significance that there may be along the river, does it make sense to eliminate guyed towers?

Mr. Montgomery stated that it did not make sense to him. The regulations on aesthetics of towers is appropriately taken, but now you're telling people how to do it you may have shot yourself in the foot.

Commissioner Engstrom hoped that the consensus of the Board is that one of the overall reasons for this ordinance is to prohibit visual affects and what we are trying to protect in Washington County and that we might actually then permit guy wire towers. It was the consensus of the Board to not prohibit guyed towers.

Commissioner Peterson stated that much has been addressed about driving past towers, but the Board is also concerned about the people who live in the County and have to look at towers. It's not only driving past, but it is indeed looking at them.

March 11, 1997

The Board Chair asked for further comments; none were heard. The Board Secretary noted that all documentary evidence had been received. The Public Hearing was closed.

Commissioner Engstrom moved that the attorney draft the ordinance based on conversation today, and that the County Attorney will bring back to the Board at next week's meeting a final draft of the Wireless Communication Antennas and Towers Ordinance. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

Mr. Turrentine asked for a clarification. During the public hearing the Board indicated that it would allow some of the presenters to provide written comments in lieu of making a total presentation. He suggested that the Board could close the public hearing on the oral portion and leave the record open for another couple of days to give the presenters an opportunity to comment.

Commissioner Engstrom moved to close the public hearing for oral comments and allow written comments to be received through Wednesday, March 12, 1997 and that the County Attorney will bring back to the Board a final draft of the Wireless Communications Antennas and Towers Ordinance. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

#### **PUBLIC WORKS DEPARTMENT**

Commissioner Abrahamson moved to table the agreement with Lockridge, Grindal, Nauen, and Holstein, P.L.L.P. for professional legislative services regarding two federal legislative initiatives, funding for the Wakota Bridge/T.H. 61 project and acquisition funding for Grey Cloud Island Regional Park. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

#### **GENERAL ADMINISTRATION**

##### **Discussion on Agenda Items for Meeting with Ramsey County on March 18, 1997**

It was Board consensus that the following items be discussed with the Ramsey County Board of Commissioners at a joint meeting scheduled for March 18, 1997, 12:30 p.m., Landmark Center, St. Paul: Wakota Bridge; Jail and Alternatives to Incarceration; Light Rail/Commuter Rail; Resource Recovery Project; and State Legislative Initiatives. Commissioners Engstrom, Peterson and Hauser indicated they would be attending the joint meeting.



March 11, 1997

**Legislative Update**

The County Administrator updated the Board on County sponsored legislative bills. He noted that cities located in Washington County are concerned about a proposed bill which would give the County plat approval power for all plats adjacent to County roads. He stated that he, Don Wisniewski and Sue Ladwig met with several city representatives and advised them of the County's concerns. This group thought the bill was too broad and gave the County too much plat authority in the cities. He asked that the County not pursue this further this session, and work with the cities over the coming year to look at a more voluntary method to deal with some of the issues.

Commissioner Engstrom moved to drop the initiative to give the County approval over plats adjacent to County roads for this legislative session. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

The Public Works Director updated the Board on the gravel tax legislation.

The County Administrator updated the Board on the bill regarding appointment of the Auditor/Treasurer and Recorder positions. Commissioner Hauser urged the other Board members to contact the legislators both in the Senate and in the House requesting their support for this bill. It was noted that this bill passed out of the Senate Local Government Committee with amendments, and it passed out of the House Local Government Committee with technical amendments. It was Board consensus to use the Senate language to be consistent.

The Board also discussed the property tax drop list. That bill has been withdrawn in the House until the language could be cleaned up. The County will be going back to the House Committee with the Senate language.

The County Administrator stated that a second letter has gone out to the Board of Soil and Water Resources reiterating the County's interest in requesting state appropriations for the Joint Ditch and authorization to abandon the ditch if it becomes of no further use. A meeting is scheduled for this Thursday with BWSR and Representative Jennings.

The County Administrator updated the Board on the TIF and Fiscal Disparities bill.

The SCORE Tax resolution will be brought back at next week's Board meeting, after staff has reviewed the language.

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Abrahamson notified the Board that he will be out of town on Thursday.

March 11, 1997

Commissioner Peterson updated the Board on her trip to Washington D.C. and testimony she presented to the subcommittee on the Wakota Bridge and request for ISTEA authorization.

Commissioner Hauser mentioned that two farms in Washington County will be recognized on Thursday, March 20. The two farms are: 1) Hubert and Helen Schneider as the 1997 Washington County Farm Family of the year; and 2) David Washburn, Meg Anderson and Everett Myers, The Red Cardinal Farm for the 1997 New Agricultural Initiative Award. Resolutions will be prepared for next week's Board meeting recognizing these individuals.

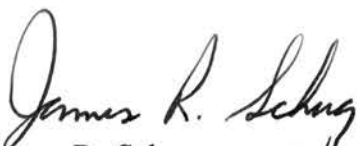
#### ADJOURNMENT

There being no further business to come before the Board, Commissioner Hauser moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 12:35 p.m.


#### WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss a possible early "buy-out" on lease/purchase agreement for the St. Croix Bluffs Regional Park. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Engstrom, Hauser and Abrahamson. Also present were James Schug, John Devine, Jack Perkovich, Don Wisniewski and Tim Casey.

Attest:

  
James R. Schug

County Administrator

  
Myra Peterson, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
MARCH 18, 1997**

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 Abrahamson, Peterson, Hauser and Engstrom. Commissioner Hegberg absent. Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; George Kuprian, Assistant County Attorney; Tim Casey, Public Information Specialist; Don Wisniewski, Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Dennis O'Donnell, Senior Land Use Specialist; Lowell Johnson, H.E.L.M. Manager; Howard R. Turrentine, Assistant County Attorney; Scott Hovet, County Assessor; Judy Honmyhr, Human Resources Director; John Devine, Controller; Dan Papin, Community Services Director; and Judy Arends, H.E.L.M. Manager.

**CONSENT CALENDAR**

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

1. Approval of the February 25 and March 4, 1997 Board meeting minutes.
2. Approval to renew on sale and Sunday intoxicating liquor license for Outing Lodge at Pine Point, Inc., April 1, 1997 to March 31, 1998.
3. Approval to renew consumption and display permit license for Scandia Community Senior Center, April 1, 1997 to March 31, 1998.
4. Approval to renew wine license for Crabtree's Kitchen, April 1, 1997 to March 31, 1998.
5. Approval to renew on sale and Sunday intoxicating liquor license for Willow Point Resort, April 1, 1997 to March 31, 1998.
6. Approval to renew on sale non-intoxicating malt liquor license, dance permit and consumption and display permit for Withrow Ballroom, Inc. April 1, 1997 to March 31, 1998.
7. Approval to appoint Thomas C. Johnson, Ashland Petroleum Co. to fill an unexpired term to June 30, 1998.
8. Approval of banding and grading of revised job description of Jail Administrator in the Sheriff's Department at D62-1.

March 18, 1997

9. Approval of banding and grading of new job description of Assistant Jail Administrator in the Sheriff's Department at C51-2; approval of job description.
10. Approval of banding and grading of new job description of Telecommunications Move/Change Coordinator in the I.S. Department at B24-1; approval of job description.
11. Approval to advertise for proposals on play equipment for the Lake Elmo Park Reserve.
12. Approval and execution of cost reimbursement and maintenance agreements with the City of Woodbury for construction of traffic signals and roadway improvements at CSAH 13 (Radio Drive) and Lake Road.
13. Adoption of the following resolutions:

**Resolution No. 97-040**

Recognition of  
Hubert and Helen Schneider  
1997 Washington County Farm Family of the Year

WHEREAS, Hubert and Helen Schneider own and operate a 600-acre farm in Denmark Township outside of Woodbury; and

WHEREAS, Mr. Schneider built the family home which doubles as "A County Rose" bed and breakfast; and

WHEREAS, Mrs. Schneider is a Washington County master gardener and was instrumental in establishing and managing the bed and breakfast; and

WHEREAS, Mr. Schneider farms with his brother Don, which expands their operation to about 1,000 acres. By jointly owning machinery and sharing the workload, they have successfully maintained a prosperous farm enterprise; and

WHEREAS, the Schneiders are both involved with local government and are active members of the St. Elizabeth Ann Seton Parish in Hastings.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby expresses its congratulations to the Schneider Family for being named the 1997 Washington County Farm Family of the Year.

March 18, 1997

**Resolution No. 97-041**

Recognition of  
David Washburn, Meg Anderson and Everett Myers  
The Red Cardinal Farm  
1997 New Agricultural Initiative Award

WHEREAS, the husband and wife team of David Washburn and Meg Anderson, plus partner Everett Myers, own and operate the Red Cardinal Farm, located in the City of Grant, just west of Stillwater, a Community Supported Agriculture (CSA) farm; and

WHEREAS, what began in 1991 as an experiment on a garden-scale project, has grown into one of the region's premiere CSA's supplying the organic produce for 200 farm shareholders, plus 50 shareholders with fresh-cut flower bouquets; and

WHEREAS, Washburn and Myers serve on planning commissions for the City of Grant and the City of Marine on St. Croix. Washburn also serves on the citizens review committee for the Washington County Comprehensive Plan. Anderson serves on the Board of the Valley Food Cooperatives and has had a long interest in environmental issues; and

WHEREAS, the newly established New Agricultural Initiative award is designed to recognize new, innovative agricultural enterprises, including recent entrants to farming.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby expresses its congratulations to the Red Cardinal Farm as the first recipient of the annual New Agricultural Initiative Award.

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

**HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

Mary McGlothlin, Director of Health, Environment and Land Management, noted that comments were received after last week's public hearing regarding the proposed Wireless Communication Antennas and Towers Ordinance. The following individuals responded and their comments were placed on record: 1) Fred and Marian Heck; 2) St. Paul Tower Incorporated; 3) US West NewVector, Inc., dba AirTouch Cellular; 4) Sprint PCS; 5) AT&T Wireless Services; and 6) American Portable Telecom (APT). She indicated that they also received a letter from the County's consultant W.M. Montgomery and Associates.

Ms. McGlothlin reviewed the revised ordinance based on the Board's comments last week. A copy of the old language from March 11 and new language from March 17 was discussed. She indicated that copies of the revised ordinance were faxed on March 17 to those individuals who submitted comments with the exception of Mr. Heck and St. Paul Tower.



March 18, 1997

The Board discussed the revised ordinance. Commissioner Engstrom indicated he liked what has been recommended with the exception of Section 10)e). He stated the County has similar language in the St. Croix River Ordinance regarding "visually inconspicuous" and that language gets the County in a bind over and over. His recommendation would be that the old language of 10)e) be adopted "No tower over 35 feet shall be erected within one-half (1/2) mile from the centerline of State Highways 95 and 96 and County Roads, 4, 15 and 21".

Commissioner Peterson believes there is another issue of public safety. She feels that public safety is more important than visual impact. Commissioner Abrahamson agrees on the public safety issue. In some of the areas where there are low spots and a lot of river traffic people need to make calls. Commissioner Hauser stated she doesn't have a problem with the language as revised.

It was Board consensus to accept Section 10)e) as revised.

Commissioner Engstrom asked that Section 11)k) "Antenna and tower owners shall be required to conduct an annual inspection of their facilities to insure continuing compliance with this requirement", which was deleted from the revised ordinance, be added back in. He believes that in the interest of public safety there should be an annual inspection on file to assure continuing compliance. It was board consensus that this item be added back to the ordinance.

Commissioner Hauser stated she feels that a lot of the language has been cleared up, and she appreciates both staff and the industry's effort in working together to clarify the language. She is pretty well satisfied that this is the way the ordinance ought to read.

Commissioner Abrahamson moved that a resolution adopting the Wireless Communication Antennas and Towers Ordinance as presented today with the addition of the following language under Section 11) "Antenna and tower owners shall be required to conduct an annual inspection of their facilities to insure continuing compliance with this requirement", be placed on next week's agenda for approval. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

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

Sheriff Jim Frank presented an overview of a mandate by the legislature made a year and a half ago that the seven Metro Counties prepare a plan on how they intended to use the 800 MHz frequency radio system that would be assigned to each County. That plan is due at the end of May of this year. As a result of this requirement, two committees were formed, the Technical and Policy Committees. The technical committee met several times to discuss a scope of work and to interview consulting firms to prepare a recommendation to the County Board. The two proposals before the Board today are

March 18, 1997

Montgomery and Associates and Ron Vegemast Engineering. The recommendation of the Technical Committee was to pursue a contract with Montgomery and Associates.

Commissioner Abrahamson indicated there is quite a difference between the costs for these two consultants. He stated he has been on the 800 MHz Board before it was even called that. He informed the Board that Vegemast Engineering has been doing the entire project for the metro area and they have attended every meeting that he's attended and he stated he hasn't missed a meeting except for one. He feels Vegemast is up on all of this, they knew from day one what's been going on. Unless someone can come up with a very good reason why the County should pay the \$35,000 that Montgomery and Associates have quoted instead of \$23,000 from Vegemast Engineering he is recommending going with Vegemast.

Commissioner Engstrom is interested in getting an independent view rather than somebody that is tied into the rest of the metro system. He would like an independent look at things.

Commissioner Engstrom moved to approve funding and authorization to enter into a contract with W. M. Montgomery & Associates for professional services to study the communications needs in Washington County and to prepare a report to the Metropolitan Radio Board to meet the legislative mandate. Commissioner Hauser seconded the motion and it was adopted 3-1 with the vote as follows: Yes, Commissioners Peterson, Hauser and Engstrom; No, Commissioner Abrahamson; Commissioner Hegberg absent.

## GENERAL ADMINISTRATION

### SCORE Tax Resolution

Commissioner Engstrom moved to adopt **Resolution No. 97-042** as follows:

#### Resolution Regarding SCORE Tax

WHEREAS, in 1988 the Select Committee on Recycling and the Environment (SCORE) developed recommendations to enhance and increase waste reduction, recycling and related solid waste abatement programs; and

WHEREAS, the Legislature enacted legislation in 1989 that established program directions and provided funding assistance to implement the SCORE recommendations; and

WHEREAS, the funding for these programs was provided by applying the state sales and use tax to solid waste collection and disposal services, referred to as the SCORE tax, and the definition of the tax was changed in 1995 to mixed municipal solid waste management services in an effort to clarify application of the SCORE tax; and

March 18, 1997

WHEREAS, SCORE programs have been a critical part of Minnesota's integrated solid waste management system, and have contributed to Minnesota's success in recycling and waste abatement; and

WHEREAS, application of the SCORE tax has become a controversial issue due to differing interpretations of the statute, specifically as it related to how the SCORE tax should be applied to local government solid waste activities; and, due to unique language that costs in excess of direct charges are included as taxable costs in applying the SCORE tax; and

WHEREAS, since 1995 the Legislature has placed a moratorium on efforts to collect any underpayments from local governments, or to reimburse any overpayments, while directing the Department of Revenue to evaluate the application of the SCORE tax on local government solid waste activities; and

WHEREAS, the 1996 Legislature debated the issue extensively and created the SCORE Tax Task Force to examine issues associated with the SCORE tax, and to make recommendations to address issues related to past and future application of the SCORE tax;

THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners supports and recommends the 1997 Legislature:

- Support the report of the SCORE Sales Tax Task Force.
- Extend indefinitely the current moratorium to collect any underpayments from local governments or to reimburse any overpayments on taxes on solid waste services.
- Remove the provision in Minnesota Statute 297A.45, subd.2-unique to the SCORE sales tax - that requires local government units to calculate and remit SCORE tax for solid waste management services in excess of direct charges.

BE IT FINALLY RESOLVED, that certified copies of this Resolution be forwarded to the Washington County Legislative Delegation; the Washington County municipalities; the Chair of the SCORE Tax Task Force; the Association of Minnesota Counties; and the Minnesota Office of Environmental Assistance.

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

#### **River Town Restoration - Request Hearing on the MN DNR Permit #96-6165**

The County Administrator introduced a request by River Town Restoration, Inc. that the County Board request a hearing of the Minnesota Department of Natural Resources on permit No. 96-6165 which would require removal of the old Stillwater lift bridge 10 years after any new bridge is built. He advised the Board that the City of Stillwater and Oak Park Heights have been notified of this matter.

March 18, 1997

Commissioner Hauser informed the Board that she had occasion to speak to the Mayor of Oak Park Heights and she was advised that the City acted affirmatively on the request. So an elected body has already acted to request a hearing on the permit.

Commissioner Peterson stated this is a city matter and it has come before us. She asked Nile Kriesel, Stillwater City Coordinator, to address this issue.

Commissioner Engstrom asked the Board Chair if her comments mean she does not want to partake in a public hearing? Commissioner Peterson stated this is a city issue. Commissioner Engstrom said it was not a city issue. Just as the other bridge is a regional issue, this is too.

Nile Kriesel, Stillwater City Coordinator, stated he appreciated getting on the agenda for the Board meeting. One of the things he wanted to point out was that the River Town Restoration has also requested to be placed on the Stillwater Council agenda for this evening. He could not guarantee what the City will do. He did indicate that the City was not uncomfortable with the DNR permit.

Commissioner Hauser asked Mr. Kriesel what his recommendation to the City Council would be? Mr. Kriesel said that he would probably recommend not requesting the public hearing because he believes it further ties the two bridges together.

Commissioner Engstrom stated that his interest was not with the new bridge at all, his interest is in what happens to the old bridge. He believes the County should be involved in the process that determines what happens to that bridge. That bridge may be used for pedestrian or bicycle use if a new bridge is ever completed. He went on to say that at some point if the determination is made by the City of Stillwater that they want to assign the old bridge to the County, what will the County's role be when it hasn't partaken in the process?

Commissioner Hauser suggested that the County be informed when that hearing will take place and have County staff present.

Commissioner Abrahamson stated that he and Mr. Kriesel have attended more meetings on this bridge than anyone sitting in this room. He feels that the issue of the old bridge is being used by the City of Oak Park Heights to delay the new bridge.

Don Empson, representing River Town Restoration, Inc., stated that this group is not a political shield for folks opposing the new bridge. He stated the two bridges are not linked. Their only wish is to preserve the lift bridge as a historic landmark. They would like to get the City of Stillwater's support, but he feels that outcome is dubious. They would like the County's support in this matter.

March 18, 1997

Commissioner Engstrom noted that if a vote were taken to support requesting the DNR to hold a public hearing the vote would be 2-2.

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

Commissioner Peterson reported that the Lower St. Croix Planning Coordinating Task Force will be meeting on March 18, 7:00 to 9:00 p.m. Also, there will be a Land Use Framework for Minnesota on March 20 at the Landmark Center.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

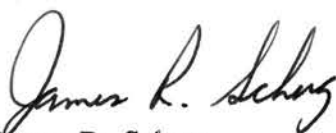
#### **ADJOURNMENT**

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

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

The Board met in workshop session with the Community Services Department to discuss publicly funded health programs. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Dan Papin, Mary McGlothlin, Sue Hedlund, Beth Clendenen, Patrick Singel, Human Services Inc. and Rob McDonough, Human Services Inc.

Attest:

  
James R. Schug

County Administrator



Myra Peterson, Chair  
County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
MARCH 25, 1997**

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 Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Board Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Theisen, Deputy Public Works Director; Jack Perkovich, Deputy Public Works Director; Tim Casey, Public Information Specialist; Mary McGlothlin, Director of Health, Environment and Land Management; Dennis O'Donnell, Senior Land Use Specialist; Lowell Johnson, Manager, H.E.L.M. Department; Robert Lockyear, Director of Planning and Administrative Services; Jane Harper, Physical Development Planner; Dan Papin, Community Services Director; and Scott Hovet, County Assessor.

**CONSENT CALENDAR**

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

1. Approval to renew on/off sale non-intoxicating malt liquor license for Veterans Rest Camp, for the period April 1, 1997 to March 31, 1998.
2. Adoption of **Resolution No. 97-043** as follows:

Resolution to Apply for a Waiver from the  
Minnesota Board of Government Innovation and Cooperation  
for the Child Support Enforcement Program

WHEREAS, the 1995 legislature amended the State Child Support Enforcement Cost of Living Adjustment (COLA) Statute to incorporate all COLA appeals into the contested administrative hearing process; and

WHEREAS, this required "settlement conferences" to be scheduled with a Child Support Officer before the matter could be heard by an Administrative Law Judge; and

WHEREAS, the implementation of an alternative administrative hearing process, exempting the required settlement conference, will achieve the same or better outcome as the contested administrative hearing process;

NOW, THEREFORE, be it resolved that the Washington County Board of Commissioners authorizes the Washington County Administrator to submit an application to the Board of Government Innovation and Cooperation for a waiver from the requirement to use the contested administrative hearing process for annual child support enforcement order cost of living adjustment appeals; and



March 25, 1997

BE IT FURTHER RESOLVED, that the County Board Chair is authorized to sign the application form on behalf of the County Board.

3. Approval of agreement with the Minnesota Department of Economic Security for 5% Incentive Funds for the period April 1, 1997 through September 30, 1998.
4. Approval of personal leave of absence for Steven Pott in the Sheriff's Office beginning March 9, 1997 to accept appointment of Chief Deputy Sheriff.
5. Bids were received for 1997 bituminous overlay projects ad follows:

	<u>Alternate A</u>	<u>Alternate B</u>
Valley Paving, Inc.	\$1,208,834.80	\$1,303,253.55
Tower Asphalt, Inc.	1,259,711.87	1,354,255.62
Hardrives, Inc.	1,251,997.75	1,348,335.25
Ashbach Construction Co.	1,285,351.05	1,381,392.30

Adoption of **Resolution No. 97-044** as follows:

Award of Contract for Bituminous Overlays  
for 1997 to Valley Paving, Inc.

WHEREAS, in order to complete bituminous overlay preservation projects on various County roads, the County solicited bids for this project; and

WHEREAS, bids were opened on March 17, 1997, with Valley Paving, Inc. being the lowest responsible bidder; and

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 Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's office.

6. Approval of contract renewal with Donnelly Electric Company for electrical maintenance services for County facilities.

The foregoing Consent Calendar was adopted unanimously.

March 25, 1997

**HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

The Director of Health, Environment and Land Management presented the resolution adopting the wireless communication towers and antennas ordinance which was authorized at last week's Board meeting.

Commissioner Hegberg moved to amend the Wireless Communication Towers and Antennas Ordinance, page 5, section 10) Prohibitions items d), e) and f) to replace the one-half mile distance with one-quarter mile. Commissioner Abrahamson seconded the motion and the amendment was adopted with the vote of 3-2 as follows: Yes, Commissioners Abrahamson, Hegberg and Peterson; No, Commissioners Hauser and Engstrom.

Commissioner Hegberg moved to adopt **Resolution No. 97-045** and the Wireless Communication Towers and Antennas Ordinance as follows:

Resolution Adopting  
Wireless Communication Towers and Antennas

WHEREAS, on December 3, 1996, Washington County adopted Ordinance No. 122 establishing a temporary moratorium on the siting of antennas and towers, pending a study so the County could adopt comprehensive plans and official controls consistent with the Federal Telecommunications Act of 1996; and

WHEREAS, the matter was referred to the Washington County Planning Advisory Commission, who reviewed a draft ordinance at their February 25, 1997 meeting and referred that draft ordinance to the Washington County Board, with the Planning Advisory Commission's recommendations; and

WHEREAS, on March 11, 1997, Washington County held a public hearing to consider adopting an amendment to the Washington County Zoning Ordinance, regulating the siting of towers and wireless communication antennas; and

WHEREAS, the verbal testimony portion of the hearing was closed on March 11, 1997 but the written record was left open until March 12, 1997; and

WHEREAS, the Board discussion of the Ordinance was continued to March 18, 1997 to consider the evidence received as part of the public hearing process.

NOW, THEREFORE, BE IT RESOLVED, to accommodate the communication needs of residences and businesses while protecting health, safety and welfare and to minimize adverse visual effects on towers through careful design and siting standards and to avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements, and to maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas, to reduce the number of towers needed to serve the community, the Board of Commissioners of Washington County ordains:

Section 1 - Washington County Ordinance No. 53 dealing with the siting of towers is deleted in its entirety.

March 25, 1997

Section 2 - The Washington County Tower Ordinance attached hereto is hereby adopted in its entirety.

Section 3 - The Zoning Administrator is hereby directed to change the Washington County Zoning Ordinance in accordance with the foregoing amendments.

**ZONING ORDINANCE AMENDMENT  
WASHINGTON COUNTY ORDINANCE NO. 123**

AN ORDINANCE AMENDING THE WASHINGTON COUNTY ZONING ORDINANCE AND REGULATING THE SITING OF WIRELESS COMMUNICATION TOWERS AND ANTENNAS IN THE COUNTY.

**DELETE SECTION 1. OF WASHINGTON COUNTY ORDINANCE 53. AND AMEND SECTION 602.05 OF THE WASHINGTON COUNTY ZONING ORDINANCE AS AMENDED BY DELETING THIS SECTION IN ITS ENTIRETY AND REPLACING IT WITH THE FOLLOWING:**

**Section 602.05. Wireless Communication Antennas and Towers.**

**1) Purpose.**

The purpose of this Section is to:

- a) Accommodate the communication needs of residents and businesses while protecting public health and safety;
- b) Minimize adverse visual effects of towers through careful design and siting standards;
- c) Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements;
- d) Maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas to reduce the number of towers needed to serve the community.

**2) Definitions.**

Antenna. That portion of any equipment used to radiate or receive radio frequency energy for transmitting or receiving radio or television waves. Antennas may consist of metal, carbon fibre, or other electromagnetically conductive rods or elements.

High power transmission line. A 69 kv or greater electric transmission line with towers a minimum of 75 feet in height.

Platted land. Lands with legal descriptions described as lot, block, plat name.

Structure. Something built or constructed.

Tower. Any pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, or to serve as an antenna.

Tower Accessory structure. A structure located at the base of the tower housing base receiving/transmitting equipment.

March 25, 1997

**3) Required Permits.**

The construction of a new tower in excess of 35 feet or the addition of a new antenna on an existing tower or building may be allowed following the issuance of a certificate of compliance or a conditional use permit if conditions contained in this ordinance are met.

**4) Nonconformities.**

Any existing tower which becomes non-conforming as a result of this ordinance may continue its use and additional antennas may be attached to the tower structure. If the tower needs to be replaced, it may be permitted with a certificate of compliance so long as it is of the same type (guyed, self-support or monopole), same height, same marking (lighting and painting) and it will be located within ten (10) feet of the tower to be replaced. The only permitted reasons for replacement of an existing, nonconforming tower will be to increase the number of antennas or to preserve the structural integrity of the structure. If a tower requires replacement for any other reasons, such replacement tower would need to meet all of the standards of this ordinance.

**5) Exception.**

In any district, a proposed tower 200 feet high or less located within the easement of overhead high voltage transmission lines with towers 75 feet in height or higher or within 50 feet of such transmission line easement on the same side of the road will not be required to meet the standards of Part 10) b. through g. of this Section, but will be required to meet all other standards.

This exception does not apply in the St. Croix River and Shoreland Overlay Districts.

**6) Modification.**

- a) A modification to any requirement of this ordinance may be sought by the applicant and heard by the Board of Adjustment & Appeals in accordance with the procedures, but not the standards, set forth in Section 503 of the Washington County Zoning Ordinance.
- b) The criteria for granting a modification under this section of the ordinance shall be: presentation of engineering data demonstrates that personal wireless services cannot be provided by the applicant to a specific area of Washington County without the modification.

**7) Term of Permit and Revocation.**

- a) Towers are permitted with either a conditional use permit or certificate of compliance. The certificate of compliance or conditional use permit shall remain in effect so long as the conditions contained in the certificate or permit are met.
- b) The grounds for revocation of a certificate of compliance or conditional use permit shall be based on a finding that:
  - (i) The permittee has failed to comply with conditions of approval imposed; or
  - (ii) The facility has not been properly maintained; or

March 25, 1997

(iii) The facility is no longer in use and has not been in use for the previous 12 months.

**8) Other Requirements.**

- a) All rules and regulations of the FCC and FAA must be met and complied with.
- b) In the event of revocation of a permit, the tower and all accessory structures must be removed and the site restored to its original condition within 120 days. Failure to do so will result in the County completing the removal and site restoration and the County's cost shall be assessed against the property and collected as a real estate tax.

**9) Districts.**

Antennas and towers are regulated differently depending on the zoning district in which the property is located. The following are the standards in each district:

**a) R-4 Districts.**

- i) The following are permitted with a Certificate of Compliance:

Antennas attached to an existing structure or tower and not extending more than 15 feet above the highest point of the structure or tower;

A tower within the easement of a high power overhead transmission line or within 50 feet of the easement on the same side of a road to a maximum height of 200 feet.

- ii) The following are permitted with a Conditional Use Permit:

A free standing communication tower not exceeding 75 feet in height.

Communication antenna attached to an existing structure or tower exceeding 15 feet above the highest point of the structure or tower to a maximum height of 75 feet.

**b) R-1 Districts.**

- i) The following are permitted with a Certificate of Compliance:

Antennas attached to an existing structure or tower and not extending more than 15 feet above the highest point of the structure or tower.

A tower within the easement of a high power overhead transmission line or within 50 feet of the transmission line easement on the same side of a road to a maximum height of 200 feet.

- ii) The following are permitted with a Conditional Use Permit:

A free standing communication tower not exceeding 150 feet in height.

Communication antenna attached to an existing structure or tower exceeding 15 feet above the highest point of the structure or tower to 150 feet.



March 25, 1997

**c) Agricultural Districts.****i) The following are permitted with a Certificate of Compliance:**

Antennas attached to an existing structure or tower and not extending more than 15 feet above the highest point of the structure or tower.

A tower within the easement of a high power overhead transmission line or within 50 feet of the easement on the same side of a road to a maximum height of 200 feet.

**ii) The following are permitted with a Conditional Use Permit:**

A free standing communication tower not exceeding 300 feet in height.

Communication antenna attached to an existing structure or tower exceeding 15 feet above the highest point of the structure or tower up to a maximum height of 300 feet.

**d) Commercial/Industrial Districts.****i) The following are permitted with a Certificate of Compliance:**

Antennas attached to an existing structure or tower and not extending more than 15 feet above the highest point of the structure or tower.

A free standing tower up to 150 feet in height.

A tower within the easement of a high power overhead transmission line or within 50 feet of the transmission line easement on the same side of a road up to a maximum height of 200 feet.

**ii) The following are permitted with a Conditional Use Permit:**

A free standing tower in excess of 150 feet in height to a maximum height of 300 feet.

**10) Prohibitions****a) No tower shall be over 300 feet in height or within one mile of another tower regardless of municipal boundaries.****b) A proposal for a new wireless service tower shall not be approved unless it can be shown by the applicant that the telecommunication equipment planned for the proposed tower cannot be accommodated:**

**i) on an existing tower; or**

**ii) on a tower that has been permitted by Washington County (even though it may not yet be constructed); or**

**iii) on a tower whose application for a certificate of compliance or conditional use permit is currently pending before Washington County.**

**c) No tower over 35 feet in height shall be located within 500 feet of any residential dwelling other than the dwelling on the parcel on which the tower is to be located.**

March 25, 1997

- d) No tower over 35 feet in height shall be located closer than one-quarter (1/4) mile to the outside boundary of an existing or proposed county park identified in the Washington County Park Master Plan or a boundary of a state park.
- e) No tower over 35 feet shall be erected within one-quarter (1/4) mile from the centerline of State Highways 95 and 96 and County Roads 4, 15, and 21, unless it can be demonstrated through visual impact demonstration that the tower will be visually inconspicuous as viewed from the road on a year-round basis.
- f) No tower over 35 feet shall be erected within one-quarter (1/4) mile of the Saint Croix River or within one-quarter (1/4) mile of a DNR protected lake or river.
- g) No tower over 35 feet shall be erected on any property platted for residential purposes.
- h) No temporary mobile cell sites are permitted except in the case of equipment failure, equipment testing, or in the case of an emergency situation as authorized by the County Sheriff. Use of temporary mobile cell sites for testing purposes shall be limited to twenty-four (24) hours; use of temporary mobile cell sites for equipment failure or in the case of emergency situations shall be limited to a term of thirty (30) days. These limits can be extended by the Zoning Administrator.
- i) Permanent platforms or structures, exclusive of antennas, other than those necessary for safety purposes or for tower maintenance are prohibited.
- j) No antenna or tower shall have lights, reflectors, flashers, daytime strobes, steady night time red lights or other illuminating devices affixed or attached to it unless required by the FAA or FCC.
- k) No advertising or identification signs shall be placed on towers or antennas.

**11) Performance Standards.**

- a) On a vacant parcel of land zoned for agricultural or residential purposes, the minimum lot size for construction of a tower over 35 feet in height shall be five acres. On a vacant parcel of land zoned for commercial/industrial purposes, the minimum lot size is two and one-half acres. On a parcel of land on which a principal use exists, a tower shall be considered an accessory use and a smaller parcel of land may be leased provided all standards contained in this ordinance can be met.
- b) Towers located closer to a property line than a distance equal to the height of the tower shall be designed and engineered to collapse progressively within the distance between the tower and property line. The application for any tower shall submit written documentation explaining tower construction and possible failure and provide assurance that blowing or falling ice can be contained on the subject property. At a minimum, the tower shall comply with the minimum setback requirement of the zone in which it is located.
- c) A tower shall be located on a parcel of land so as to have the least impact on adjoining properties and any negative impacts of the tower shall be confined as much as possible to the property on which the tower is located.
- d) The tower location shall provide the maximum amount of screening for off-site views of the facility. The Zoning Administrator reserves the right to require creative design measures to camouflage facilities by integrating them with existing buildings and among other existing uses. Existing on-site vegetation shall be preserved to the maximum extent practicable.

March 25, 1997

- e) The height of a tower shall allow for the co-location of additional antennas as follows:

Structures from 100 to 125 feet - a total of two tenants

Structures from 125 to 200 feet - a total of three tenants

Structures above 200 feet but less than 300 feet - a minimum of four (4) tenants

The plan shall be approved by a registered professional engineer.

- f) Structural design, mounting and installation of the antenna and tower shall be in compliance with manufacturers specifications. The plans shall be approved and certified by a registered professional engineer.
- g) In general, self-supporting towers (ie. those without the use of wires, cables, beams or other means) are preferred. The use of a guyed tower is permitted for new tower construction if there is an aesthetic and/or antenna supporting capability advantage. Anchors for the guyed wires must meet underlying setback requirements.
- h) Associated base equipment must be located within a structure. The base of the tower and any accessory structures shall be landscaped where practical. Tower accessory structures shall be constructed of materials designed to minimize visibility to the neighborhood.
- i) The tower shall be a color demonstrated to minimize visibility unless otherwise required by FAA regulations.
- j) Metal towers shall be constructed of, or treated with, corrosive resistant material.
- k) If space is available on a tower, the tower owners shall, in good faith, lease space to other users so long as there is no disruption in the existing service provided by the towers's existing users or no negative structural impact upon the tower. If a dispute arises, and as a condition to any permit or certificate of compliance, Washington County, at its discretion, reserves the right to act as arbitor in determining if a tower owner is acting in good faith in leasing to other tenants.
- l) Generally, only one communication tower is permitted on a parcel of land. If in the opinion of the Planning Advisory Commission, a particular parcel is well suited for more than one communication tower, and the tower is proposed within 100 feet of the other tower, the additional tower may be allowed following the issuance of a conditional use permit. All other standards contained in this ordinance must be met.
- m) All towers shall be reasonably protected against unauthorized climbing. The bottom of the tower from ground level to 12 feet above ground shall be designed in a manner to preclude unauthorized climbing or shall be enclosed by a six (6) feet high chain link fence with a locked gate.
- n) Antenna and tower owners shall be required to conduct an annual inspection of their facilities to insure continuing compliance with this ordinance. A copy of the annual inspection report shall be provided to the Zoning Administrator.

## 12) Application - New Tower.

In addition to the submittal requirements required elsewhere in this ordinance, applications for conditional use permits or certificates of compliance for new towers and antennas shall be accompanied by the following information:

March 25, 1997

- a) A report from a qualified and licensed professional engineer which:
  - (i) describes the tower height and design including a cross section and elevation;
  - (ii) certifies the tower's compliance with structural and electrical standards;
  - (iii) describes the tower's capacity, including the potential number and type of antennas that it can accommodate;
  - (iv) describes the lighting to be placed on the tower if such lighting is required by the FCC or FAA;
  - (v) describes that the applicant will avoid causing destructive interference to co-located, previously established public safety communications;
  - (vi) specifies the distance to any DNR protected lake or river, the St. Croix River, a scenic road designated in part 10)e, and any boundary of a state or county park.
- b) Each application shall include a five year facility plan. The County will maintain an inventory of all existing and proposed cell site installations and all carriers shall provide the following information in each five year plan. The plan must be updated with each submittal as necessary:
  - (i) Written description of type of consumer services each company/carrier will provide to its customers over the next five years (Cellular, Personal Communication Services, Specialized Mobile Radio, Paging Private Radio or other anticipated communications technology).
  - (ii) Provide a list of all existing sites, existing sites to be upgraded or replaced and proposed cell sites within the County for these services by the company.
  - (iii) Provide a presentation size map of the County which shows the five year plan for cell sites, or if individual properties are not known, the geographic service areas of the cell sites.

Information provided as part of the five year facility plan that is a trade secret pursuant to MN Stat. 13.37 shall be classified as non-public data.
- c) Written acknowledgement by the landowner that he/she will abide by all applicable conditional use permit or certificate of compliance conditions.
- d) The Zoning Administrator may, at its discretion, require visual impact demonstrations including mock-ups and/or photo montages; screening and painting plans; network maps; alternative site analysis; lists of other nearby telecommunication facilities; or facility design alternatives for the proposed tower.
- e) The Department of Health, Environment and Land Management is explicitly authorized to employ on behalf of the County, an independent technical expert to review technical materials submitted by the applicant or to prepare any technical materials required but not submitted by the applicant. The applicant shall pay the costs of said review and/or independent analysis. Any proprietary information disclosed to the County expert hired shall remain non-public and subject to the terms and conditions of a properly executed non-disclosure agreement.

March 25, 1997

**13. Application - Existing Tower/New Antenna.**

In the event that an application is only to add a new antenna to an existing tower or structure, the requirements as delineated under Part 12. a)vi, and b) shall not apply.

- 14) The Zoning Administrator is hereby directed to change the Washington County Zoning Ordinance in accordance with the foregoing amendment.
- 15) This ordinance shall be and is hereby declared to be in full force and effect from and after its passage on the 25th day of March, 1997.

**Passed by the Board of Commissioners of Washington County, Minnesota this 25th day of March, 1997.**

Myra Peterson/s/  
Myra Peterson, Chairman  
County Board of Commissioners

**ATTEST:**

James R. Schug/s/  
James R. Schug  
County Administrator

**APPROVED AS TO FORM:**

Howard R. Turrentine/s/  
Assistant County Attorney

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

**PUBLIC HEARING - OFFICE OF ADMINISTRATION**

**WASHINGTON COUNTY 2015 COMPREHENSIVE PLAN**

The Board Chair presented an overview of today's public hearing to consider adoption of an ordinance adopting the 2015 Comprehensive Plan.

The Secretary to the Board read into the record the notice of intent to adopt said ordinance. The Board Chair declared the public hearing open at 9:15 a.m.

Jane Harper, Physical Development Planner, presented a brief history of the Washington County 2015 Comprehensive Plan. She indicated that the County began updating its comprehensive plan in the summer of 1993. After much citizen involvement including four public forums, five citizen committees



March 25, 1997

consisting of over 90 citizen members, special study groups, numerous visits to the cities and townships and five county wide newsletters, the County Planning Advisory Committee recommended a plan for formal public comment in April of 1995 and over 450 people attended. The Planning Advisory Committee reviewed public comments, made changes and forwarded a plan to the County Board in July of 1995. The County Board then held a set of hearings on the recommended plan in October of 1995 and over 300 people attended that public hearing. After the County's public hearing, the Board held eight workshops to discuss the testimony and craft the final plan. On February 5, 1996 the County Board approved the plan and it was submitted to the Metropolitan Council for its approval. The Metropolitan Council approved the County plan with no changes in October of 1996. The Council did comment that the County should work with the townships to plan for a rural area density of no greater than one per ten. The final process is for the County to adopt an ordinance adopting the comprehensive plan.

Ms. Harper presented a summary of the 2015 comprehensive plan as highlighted in the Executive Summary distributed to the Board members and general public. Areas discussed included land use, transportation and recreation and open space.

Commissioner Abrahamson asked about item 6, page 2 in the Executive Summary, regarding transition areas. He read "The County will support orderly annexation between cities and townships...". He asked about annexation between townships and townships? Ms. Harper indicated that the plan does not have a definitive statement on that. She believed the intent of the discussions would not preclude that and that the intent of the workshops was to support communities that would get together and have those sorts of discussions. Commissioner Abrahamson believes the townships should have the same rights as cities. If two townships want to go together, he feels the County Board should back them just as well as backing cities annexing townships. Ms. Harper took note of that and will bring it up under the Board's discussion on April 8.

Commissioner Hegberg asked Ms. Harper to check the City of Hugo's plan which is before the Metropolitan Council. He stated that they have a commercial area along the west side of the Anoka County line and they extended their commercial area because the City of Hugo wanted continuity between the two Counties. Ms. Harper indicated she would check the City of Hugo's map.

Commissioner Hegberg asked about highway 97 between County Road 15 going west to Forest Lake which has been added as a scenic road and rural center, but it doesn't show County Road 50 where the bike trail is going to go. What was the reason for using 97 between Forest Lake and County Road 15? Ms. Harper indicated that 97 was added to the candidate list by the Planning Advisory Commission at one of the meetings when they were reviewing the Zoning Ordinance. So to make the Zoning Ordinance and the Comprehensive Plan compatible, that needed to be added to the Comprehensive Plan list. The list in the Comprehensive Plan is a candidate list, and the Zoning Ordinance will be the document that actually sets up the system. Commissioner Hegberg asked whether it would make sense

March 25, 1997

to add County Road 50 because that is where the bike trail will go? Ms. Harper indicated that it might make some sense to do that. She will make note of that also for further discussion.

Commissioner Abrahamson asked if the County ever discussed with the Parks Department about County Road 19 going through Lake Elmo Park rather than going over 10th Street up 15? Why not go through the park? Ms. Harper stated that during the plan development that was discussed a couple times with the Park staff and they did have some concerns about security in running the corridor through the park and out the north side of the park where there is currently no access point to the park. She stated that is something that would warrant further discussion as the plan is implemented. Commissioner Abrahamson stated there is a side entrance into the park off of County Road 5. Ms. Harper indicated that the intent of the linear park system was that as each corridor segment is developed that would come back to the County Board for final approval on implementation. That is one segment where a closer look should be taken at how that connects through the central part of the County.

Commissioner Peterson noted there is not a trail or connection from St. Croix Bluffs Regional Park to the Grey Cloud Ravine Regional Park and also Point Douglas Park. Ms. Harper indicated there is a search area running along the river and that the intent would be to try and find a connection running from Point Douglas through St. Croix Bluffs through Afton State Park and up to Afton Village. Then making the connection between the St. Croix Bluffs Park and Cottage Grove Ravine Park would be a good amendment to the master plan in the future.

The Board Chair opened the meeting for public comments.

Dan MacDonald, 1980 Stagecoach Trail North, West Lakeland, asked the Board to change the part of the plan that makes County Road 21 a scenic trail north of I-94 and south of Bayport. He feels that the portion on the north end of 21 by the Mill Road Inn to I-94 contain only three farms and the rest are gravel pits, NSP Plat, the prison and so on. He does not see any value at all to this being considered a scenic road and feels it is a waste of the taxpayers money to use that portion of the road. He agrees that 21 south of I-94 is a pretty road all the way down to Prescott. Lastly, the majority of the road from County Road 14 on the northern end down to 22nd Street in West Lakeland Township is a busy road. People coming from West Lakeland, St. Mary's Point, Afton or Hudson who are going to Stillwater come up 95 and cut over on 22nd Street, get on 21 and go north. It's got a lot of traffic on it now with the addition of those gravel pits and trucks pulling in and out of there. The last thing the Board would want to do for safety purposes is to encourage more traffic to be added on there by telling people it is a scenic trail. He hoped the Board would make that change to the plan.

Commissioner Peterson noted for the record that the Board received a letter from West Lakeland Township noting a vote taken at their annual meeting on March 11, 1997. The unanimous vote consisted of the following: 1) Does not want mandatory clustering; 2) Does not want the county staff

March 25, 1997

to be involved in their building permits; and, 3) Does not want linear parks, parkways or scenic roads in West Lakeland. This letter will be placed in the record.

Ross Screaton, 2474 Oakgreen North, West Lakeland, was happy to hear that there would be changes to the Comprehensive Plan. He felt the previous plan was too excessive on the townships. He thought they would be getting their chance for input on the Metropolitan Council's proposal for urban sprawl. Most critically, he thought they were going to get an opportunity to discuss the sizing and siting of the Cottage Grove sewer plant. No Comprehensive Plan of Washington County, at least south of 94, has any validity at all until it is known what is going on at that sewer plant. He thought that's what they would be discussing. Instead they are discussing an outline moving zoning powers from the townships. If the townships lose any more of their zoning power they lose their sense of individual community. Without that sense of individual community the townships might as well close up shop. This plan is a suggestion to the city and a warning to the townships what the County intends to do to them in the next 20 years. He feels that the use and value of property in townships will be drastically limited by overlay district zoning being considered by the County. He also feels that too much property is being considered for scenic parks and roads. He believes the changes to this plan are going through with very little publicity and some misinformation. He discussed a problem in West Lakeland with the generalized use map which came out in two forms, one dated February, 1997 showing part of the township had been zoned over to five acres rather than two and one-half acres as previously. He was told this was a mistake. He asked the question, was the mistake to print it or to send it? It was replaced in the later brochures with a map dated February, 1996 showing as it really should be. However, it's a very psychic diagram because it shows that Grant Township is no longer a township. When was that one really published? This is the kind of misinformation that needs to be corrected. He believes there has been no time for public debate of what is really in this plan. He feels this is being pushed through far too fast for the public to grasp the importance of the plan. The citizens deserve to see the fine print that should accompany this which includes the draft ordinance and other features.

Mr. Screaton discussed four items in this plan that he has concerns with. The items are scenic roads, linear parks, density control and cluster housing. He thought he knew where the scenic roads were going to be. Now he sees an ordinance that says there are twelve roads named but not limited to those. A person does not know if their road will be a scenic road. What is the definition of a scenic road, how wide will they be? He has raised the same questions about linear parks; where are they, how are they acquired, are they acquired by dedication? If it is not a continuous trail what use is it and therefore future condemnation will have to be considered to get the rest of the property. The cost of the linear parks hasn't even been discussed in any great detail. He has heard estimates of \$11 million if no property is to be acquired.

March 25, 1997

The next item is the land use area. There are two and one-half pages of corrections and changes for three pages of original writing. He has commented on density before, and he would like his comments on the density from the previous hearings to be read in. He does not see the answer to the key question which he outlined very clearly, what happens when a township reaches its allowable density? The answer he was given was the decision will then need to be made whether to allow more development. Who is going to make that decision? He does not believe it will be the town boards, it will be the County staff.

Mr. Screaton then discussed the open space development clustering rules. The plan says the County may establish land use districts adjacent to natural parks, along scenic roadways, along major highway corridors. Does anybody know the definition of a major highway corridor? It's implied that it's 94, 36, 61 and a few big roads like that. Look at what a major highway is to the transportation department, it's any arterial or corridor road. Mr. Screaton showed a map of roads where clustering can occur close to. Can anybody find a section of land in the townships that clustering cannot be mandatory? He thinks the public deserves that answer. In the second phrase they define the districts where this clustering is going to be mandatory for everybody. The basic definition of a cluster has been changed. More critically, the plan says that outside these districts developers may use either open space development standards or conventional standards. He believes what this means is that within the districts it is mandatory for the developer and the township to do this; outside these districts the township must offer clustering if a developer asks for it. If there are no districts, does it mean it's mandatory for a developer to ask for it and the township must respond? He does not really know what a cluster is. Is a development like Cimarron to be considered as a cluster in this plan? Without seeing the fine print the public does not know.

Commissioner Peterson indicated that it has been over five minutes since Mr. Screaton has had the floor and in order to accommodate everybody, we will have to adhere to that. She asked Mr. Screaton to close his testimony.

Mr. Screaton stated he will close his testimony under protest. He summarized by saying the plan is unfair to the township, unfair to township residents, more unfair to township residents who live along County roads and most unfair to County residents living along county roads who have not yet developed. They are the ones that have kept the community rural and now this is their reward. He believes there is too much power being put into the hands of too few people.

Commissioner Abrahamson asked if the testimony of everybody was going to be timed? Commissioner Peterson indicated there are thirteen people who have signed up and that does not include others who may have comments that have not signed up. If five minutes is allowed for each person that is 65 minutes.



March 25, 1997

Commissioner Peterson advised Mr. Screaton that he could enter the rest of his comments through written documentation and encouraged him to do that.

James Schug, County Administrator, stated that for this presentation and future presentations, as announced in the opening remarks, there is no time limit on the individual presentations, but the Chair does reserve the right to limit an individual's presentation if it becomes redundant, irrelevant or overly argumentative. The presenters were also asked to be as brief as possible.

Commissioner Abrahamson stated that when people come here to testify on an important plan such as this comp plan, he feels they have every right in the world to be able to stand up there if it takes them an hour and a half. He attended the West Lakeland Township meeting and he went on for an hour. When the meeting was over, the township voted against this plan.

John McPherson, 2398 Stagecoach Trail North, Chairman West Lakeland Town Board, stated this is an important issue to the township and the people who live in the township. He had over 60 calls because this meeting is being held at 9:00 in the morning and people can't get to it. People are very upset about it. He feels that this plan is affecting peoples lives and their property. He asked Ms. Harper about meeting with township officials, he only remembers meeting with Robert Lockyear once. He asked Mr. Lockyear if that was correct. Mr. Lockyear indicated he was down there, yes. Mr. McPherson feels, along with the members of their community, why does the County have to be into the township building permits? They have a qualified building inspector who does a good job, they haven't had any complaints, no problems. Why should the township's building inspector have to send the permit to the County? They are opposed to that and hope the Commissioners go along with the townships. They want to have the rights to do their own building inspecting. He stated the ordinances being written, to implement the plan, are in twelve chapters. The proposed deadline for adopting this ordinance is May 20, 1997, two months away. Eight of the twelve chapters have not as yet been seen by the townships. What are township suppose to do, they only meet once a month? They don't have enough time.

Commissioner Hauser asked Mr. McPherson if he was talking about the ordinances or the Comp Plan? Mr. McPherson stated he was talking about the ordinances. Commissioner Hauser asked is this a public hearing on the ordinance or on the Comp Plan? Mr. McPherson indicated he was here on both. Commissioner Hauser stated this was a Comp Plan hearing. Mr. McPherson stated he knew that and they have only seen four of the twelve chapters.

Mr. McPherson indicated that this map shows West Lakeland is zoned for clustering along I-94. He had many calls from people that live in those homes along I-94 in Windstone, Waterford and Waterford II and they are very opposed to that because they feel a developer will go in there and push that clustering back up to their homes. When it was discussed about having the commercial down there



March 25, 1997

one of the things that was brought up was the ground water pollution. He thinks if they have to go in there with clustering there might be more problems. The people living in those homes have a right to be concerned. He is not in favor of clustering and neither is the township. He would like to see the Board have it voluntary instead of mandatory.

Commissioner Peterson asked the County Attorney would it be possible to continue this hearing to the first meeting in April?

Richard Arney, County Attorney, stated that since the Board wants to hear everything that every one has to say, that unless the presentations become unruly, repetitive, redundant and so forth, at which point the Chair should exercise its authority to stop that presentation, it might be better to allow lengthy presentations as long as they are not repetitive. Also, it might be better to extend it to the next Board meeting, if the Board wishes, in order to implement the Board's policy of all the potential input possible by the public in these types of matters.

Mr. Screaton asked if he was allowed to continue his talk with that decision? Commissioner Peterson stated that the hearing would continue with the order of speakers as listed, and if there was time the Board will allow him to come back to the podium to finish.

Dale Borash, 996 Neal Avenue North, West Lakeland, agreed with the previous two speakers. He also stated that the Executive Summary doesn't match the hard copy of the Comprehensive Plan. He referenced page 2 of the Executive Summary, item No. 7. If the property is partially destroyed and it doesn't meet the present guidelines that they may or may not be able to rebuild. That is a concern to him and several other people. He also stated that something this important should have been an after hours meeting. He had to take off work to be here.

Mr. Schug, County Administrator, clarified what the previous speaker Mr. McPherson indicated. Mary McGlothlin reminded him that the first four chapters of the new proposed ordinances are the ones that will be heard at the next public hearing process, not all twelve. Those four chapters are now out in the townships and available to the public. The additional eight chapters would be reviewed and revised at later dates.

Dick Magler, West Lakeland Township, turned his time over to Mr. Screaton.

Ross Screaton stated he has looked at the ordinances and he will disagree that they are not part of the discussion. When the Board says a thing will be passed by ordinance, the ordinance should automatically be included in the discussion. He confined his remarks to the draft on what a scenic road is. Under the new ordinance that is being proposed it shows where they are and there are eleven of them there. At the bottom there are linear parkways also added to that and it says along Manning

March 25, 1997

Avenue all the way from the south to the north. That was not what was in the Comprehensive Plan as of January, 1996. He asked the Board to look at the performance standards. All structures shall be setback 150 feet from the center line of the road. All structures shall be setback a minimum of 200 feet from the centerline of the road. Which one do you mean? When he asked the question he was told this would be for the scenic roads, this would be for the linear. What does this setback mean? It means you can't build back in there. But does the public know there shall be no vegetative cutting of live trees or shrubs within the required building setback now? You cannot cut a six inch tree. He asked has the County not just confiscated your property in that zone? He asked what happens if you're non-conforming to these new rules? Look at what the County describes as non-conforming and what can happen to you. If the property is damaged to the extent of 50%, you have to go in and get a variance from the County as to whether you can rebuild. How many houses will be non-conforming to these new rules? That's a question that should be asked by everybody in the County. If a person's property is non-conforming you have a problem. If a persons's property is non-conforming in lots, if the lots are side-by-side, they can force you to rejoin them. The whole plan is just piling up too much strength into too few hands. The draft ordinances do say that a minimum lot size in a cluster can go as low as one-half acre.

Tamara Fast, 1980 Stagecoach Trail North, West Lakeland, stated that when this plan came out a survey was made and 85% said they opposed the plan as it was. She felt that wasn't heard at that time. They have been at several meetings where people have spoken up that they are concerned about this plan and feel that hasn't been listened to. She is opposed to the linear parks, the scenic roadways, the cluster housing, the zoning and the building controls. She feels that after looking at the different parks last summer there isn't very much use. She wonders why we need parks that run the full length of the County. There are many State parks and commercial facilities to support the people in their different sports. She does not believe it needs to be in her front yard. The dollar amounts to support these things are very vague. She's heard everything from \$13 million to \$34 million. The Board is expecting them to go along with a plan that doesn't even have any actual amounts to it. They are already supporting a showcase jail, a showcase high school, a showcase court house and on and on. She does not believe we need showcase parks for all the people to come out from the city and go up and down their front lawns. She is opposed to public bath houses, rest rooms and concession stands. She has a hard enough time keeping her ditches cleared of garbage, and then to have this type of thing turning her front lawn into a public facility. She thinks this community needs to support traditional and historical building sites. Many of the suggested plans call for taking 80 to 150 feet which will be taken from the current property owners to support these linear parks along the roadways. In that event, current trees and roadways will have to be removed in order for this to happen. She feels there is not a decent plan in this for the existing farmers. The government has to look at who will be feeding the people. She feels that the County believes cluster housing will be desirable for farmers to come in on 20 acre plots and farm a little hay. On her farm it's not very easy to get around with today's equipment. A lot of these designs were designed for workhorses. It is not advantageous or profitable

March 25, 1997

for farmers to go on 20 acres and raise crops around cluster housing and in turn have people complain about any of the chemical and/or fertilizer use they may have to do. That isn't a good basis to plan cluster housing on that has been brought up so many times as far as preserving the scenic areas and or the agriculture in our community. She is opposed to the over all government telling the townships what they can do or can't do with our current buildings and or our building permits. The township has requested many times for documents and information that they have not received. Because this plan is so vague it makes it real hard to go along with the support of a plan like this. She feels that the County Board is here to support them. It isn't their obligation to support the planning companies out of the city. She is concerned about annexation of land by the highway department. She feels money would be much better spent if they would take care of the existing roads that we have. Overall, she believes with all the inconsistencies and discrepancies, this plan is one sandwich short of a picnic and would like this plan to be tabled until there is proper time and all of the proper information for the people at the township level to review it before it goes ahead on the dates scheduled.

Dave Rowe, 9449 South St. Croix Trail, Denmark Township, stated he goes along with the people who have already spoken. He feels a little caution should be taken on the part of the Board as to adoption of the plan. There have been so many changes since the last meeting he attended. He does not believe the County should usurp the power of the local governments. Their town board does a good job. There should be a certain amount of balance between local governments and county governments and state governments. He concurs with the previous speakers.

Steve Biscoe, 13329 70th Street South, Denmark Township. As a township supervisor, he feels, as some of the other townships, that they have been left out. He also serves on the Planning Advisory Committee for Washington County. This Comp Plan that is coming close to the finished product is not the same product as the advisory committee had reviewed. He feels that as a representative of the local township, they have not had a lot of input from the township level to this comp plan. He agrees with a lot of the other things that have been said by some of the other speakers. This plan has been worked on for the past three and a half years. He thinks if it takes another half year or another year that would not be the end of the world. This plan is for a long period of time. He believes that time should be taken to address some of the issues that have been raised here today and before.

Jeff Sovereign, 8 Evergreen, Landfall. He has recognized in the last several years that most of the central areas of the County have endured large urban expansion. He believes it is the largest expansion that has ever taken place in the entire State of Minnesota. This expansion has hurt the natural and recreational area of the County. County residents need to have areas that are rural to meet the public's concerns of recreational and natural beauty. He believes the gateway trail is very well used and is a very important bike, horse, ski and walking trail. There are many beautiful rural areas along this trail, as there are in other parts of the County. He believes the goal should remain to try to preserve the rural and natural areas that are left in the County.

March 25, 1997

Dennis Hanna, 9301 Grey Cloud Island Trail. First, he echoed the statements made by the previous speakers from the various townships that the Board has heard. He agrees with and would support everything they said. Specifically, an issue in their township, they noticed that the Board designated or attempted to designate County Road 75 and other miscellaneous roads in the township that aren't even defined as a scenic road. They are very much opposed to that and as a township have gone on public record and sent the Board a letter in opposition to that designation. The impact on that is that it really destroys their ability to plan and zone because that road runs right through the middle and accesses everything in their township and amounts to an unfunded taking of all the lands on either side of it in terms of restrictions on building and so forth. They further oppose any mandatory clustering developments of any kind, which designating this as a scenic highway would do. Clustering is almost an impossibility in their area. The topography of the land, drainage, the availability of roadway access should be considered when discussing cluster housing. Houses on very small lots in an area, which for the most part has very little top soil, in some cases only a matter of an inch or two because it's an underlaying layer of rock; you cannot get perk down there to build a septic system unless you have a substantially larger lot than that which would typically be seen in any type of cluster housing development. It makes it a physical impossibility to develop a sewage system in an area where there is not any public sewer and water and its not in the comp plan to be done in theirs or the County's. It's impossible to do that with sanitary systems. Designating it as a scenic highway would almost mandate cluster housing down there and it just isn't going to work. That has to be changed in the plan.

Commissioner Peterson asked if they were in the process of changing their comp plan? Mr. Hanna indicated that yes it was being worked on. Commissioner Peterson stated she had heard they were being more restrictive in lot size. Mr. Hanna indicated that has not been determined yet it's still being worked on. Right now it's a two and one-half acre minimum with average of one per ten acres density.

Harriet McPherson, 2398 Stagecoach Trail North, West Lakeland Township, indicated that many of the things said today, they haven't had answers to. The Chair said that we can have answers to some of these questions. In the Executive Summary on page 16, it does show the linear park going through the Lake Elmo Park. She asked is this Executive Summary where the linear park is designated on page 16 is that where it is proposed to go? Ms. Harper displayed the linear park system plan map. She outlined the linear park Ms. McPherson referred to. At the public hearing where the County Board approved the plan, there were at that time two options. One of the options under discussion was to continue that linear park corridor all the way down County Road 15 and 95 as one option. The current route is another option. The decision was made and it's been in the plan that the Board approved in February, 1996 to align it as shown in the Executive Summary.

Ms. McPherson asked a question of the County Administrator, Jim Schug, who stated that only the first four chapters will be adopted on May 20 and the other eight that have not been seen yet will be adopted at later public hearings? Mr. Schug indicated that Mary McGlothlin would clarify that. Ms.



March 25, 1997

McGlothlin indicated that yes, the County Board will be reviewing a final draft and holding public hearing on only the first four chapters later this spring. Right now it is tentatively scheduled for late May and only the first four chapters. The subsequent chapters will be coming in succession after that, they are not under consideration for public hearing right now.

Ms. McPherson, asked three questions of Jane Harper or Robert Lockyear. 1) Where are the townships with the building permit situations? Is that still in there or will building permits still have to go to the County? Mr. Schug stated that if she is referring to the provision that would require review of the building permit applications by the County before issuance by the township, that's a provision that's in the draft ordinance. When the County goes through that public hearing process, the townships can comment. He will be looking at her comments when the ordinance is considered, but that's not specifically part of the comprehensive plan.

Ms. McPherson stated that adopting the comprehensive plan that's the outline, the guideline for the ordinances that are written to enforce it. Adopting the comp plan other than saying its something different than the ordinances, the two really go together. Mr. Schug stated that for clarification that's a very good point. That is one of the reasons that adoption of the comp plan was delayed. The development of the new ordinances would be a fairly intensive process and require a lot of input from other jurisdictions, so the County held off on the comp plan final adoption until it was closer to the time we could have the ordinance ready.

Ms. McPherson asked about mandatory clustering, where does that stand today? One of the places being considered for clustering in West Lakeland is along I-94. There are many people that live a thousand feet from there. If there is clustering down there, the open land will be left right along the highway and the cluster housing will be up against these three, four, five hundred thousand dollar homes which isn't necessarily fair to those people. Where does the mandatory clustering stand in this comp plan? Mr. Schug stated that in the opening comments by Jane Harper, she covered the open space development. Right now what the County is looking at is language in the comprehensive plan that would indicate that mandatory open space development may be required along districts that include major highway corridors, scenic roadways, adjacent areas and natural areas such as parks, private nature centers, rivers, streams, lakes and conservancy districts. That is on page 2 of the Executive Summary the current proposal in the plan is summarized there. Ms. McPherson said this says "may", where does that leave the townships, how do they know if it's there or it isn't? How do we impress on the Commissioners that we don't want any mandatory clustering in our townships? Mr. Schug, stated that the actual ordinance would cover the establishment of the open space design.

Ms. McPherson asked about the section where if a house is more than 50% destroyed by fire, wind or whatever means, a person can't build on if it's non-conforming. She indicated that personally their property would not be conforming with this 150 or 200 foot setback whatever it needs to be. They do



March 25, 1997

have enough property so the County could force them to build back further, but if they wanted to build on the same site where they already have their well and septic system, is someone then going to force them because they have the property to build back farther that they must do that?

Commissioner Peterson stated that question has been raised and the Board and staff will take that under review. The Board will revisit that because you have brought it up as a township and it has been brought up in several comments.

Ms. McPherson asked the question of returning Neal Avenue from County Road 10 down to the freeway to the township. As a taxpayer you have to realize that road is not in very good condition, it's a very unsafe road. Does the County do anything before they turn that over to the local unit of government, do they have it up to a certain standard? Commissioner Peterson stated that it is the County's policy that it brings the road up to specifications before it is returned to the township. Don Theisen, Deputy Public Works Director, stated when a road is turned back to local jurisdictions, they sit down with the townships or cities involved and discuss what conditions the roads should be brought back at. The County's policy is it won't turn a road back that requires immediate repair. It is put in a good maintenance condition. That may mean an overlay or sealcoat is done on the road. They look at the drainage structure, there may be some culverts or bridges that need to be replaced. They have been using a three to five year time frame as far as additional work is needed. There is also state provision that the County must maintain the road for three years after the turnback.

Ms. McPherson closed by saying that she was happy to hear that Steve Biscoe, who serves on the County Planning Commission, had a difficult time keeping up with all the changes. She was one of the volunteers who attended every meeting as this plan was put together. It's totally different than anything they saw as those committee meetings ended about a year ago.

Commissioner Abrahamson moved to continue this meeting until April 1 at 5:00 p.m. to allow the people to be heard at a night meeting. Commissioner Engstrom seconded the motion.

Commissioner Peterson asked if there were any speakers who would like to speak now before a vote is taken on the motion?

Karen Bohnert, 1254 Omaha Avenue North, West Lakeland Township. She has expressed her opinion at past public hearings on the comprehensive plan. She noted that many of these meetings were in the evening. She supports the parks system and cluster housing. She believes both contribute greatly to the quality of life in the County and to higher property values. When the planning first started she knew nothing about cluster housing so she educated herself. She is now a very strong proponent of the concept and she is quite sure that if most of the people that are now opposed to it learned as much as she did about it they would support cluster housing. She also asked that the ordinances contain strong

March 25, 1997

regulations protecting the ground water including monitoring and inspecting of septic systems. West Lakeland does not have a program in place and leadership from the County would be appreciated. She would also like it noted that over the whole process she never felt like she had a problem in keeping up with the information. She was always able to call the County for information about a particular item and they were able to direct her to people who could answer her questions. Lastly, she would like it noted that the letter from West Lakeland Township was written after the annual meeting. She attended that meeting, she abstained from that vote because the letter had not been written at that point and she did not choose to vote on something that had not been printed yet. The impression given at that meeting by the moderator was that the letter would request that residents have time to further inspect the comprehensive plan and become familiar with it. Nothing was mentioned that this letter would contain any of the objections to specifics in the comprehensive plan. She thanked the County Commissioners, the Planning Advisory Commission, and the staff.

Commissioner Peterson asked if there is anyone who did not sign up to speak and cannot attend the April 1 Board meeting and would like to speak at this time.

Joyce Welander, 10381 83rd Street North, City of Grant, stated she and her husband have attended many of the planning commission meetings on the comp plan. As she listens to the reports today, she agrees that there are many changes. She acknowledged that not too many of them affect the City, but there are a few that could come into play. She is concerned about the linear parks and the search areas. She referred to the strip from 15 all the way west is still listed between 12 and highway 96. Someone mentioned the gateway trail. Yes, it's there, it's well used. She does not use it, it's not good to go on it alone as women have been accosted. They are fine if they are patrolled. Their police reports show several homes being robbed from this trail. She's not sure they want or need any more trails in Grant. They have had some complaints from people on County Road 12 where people come and they park and have their picnic right in the front yard. She too feels they do not need to kowtow to the Met. Council. She asked that the Board not consider mandatory clustering. In the City of Grant, mandatory cluster does not go over well. There is some clustering in Grant and they are happy the way they have it. They do have clustering so it is not as though they don't like it but mandatory just does not sit well with people. She asked that the Board consider voluntary clustering.

The Board Chair asked for further comments; none were heard.

The Board Chair stated that there has been a motion made and seconded to continue the public hearing to April 1, 1997 at 5:00 p.m. The motion was adopted unanimously.

Sheryl Corrigan, No. 15 on the speaker list, asked if she could be the first to speak at the April 1 meeting. Chair Peterson indicated she would be placed No. 1 on the list at 5:00 p.m.

March 25, 1997

**GENERAL ADMINISTRATION****Ratification of Settlement Agreement**

Commissioner Hegberg left the meeting at 11:00 a.m.

Commissioner Abrahamson moved to ratify the Settlement of the Agreement of Compromise, Settlement and Release, and agreement to the terms of the Consent Decree relating to the Junker Sanitary Landfill, Inc. site. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

**DISCUSSION FROM THE AUDIENCE**

Tamara Fast, 1980 Stagecoach Trail North, West Lakeland Township. She asked the Board since the public hearing is going to be continued, will the people who already spoke and were trying to condense what they were saying to meet the time line, will they have an opportunity to speak again and complete the points they were trying to make?

Commissioner Peterson indicated if there are new points speakers wish to make, yes. They will be requesting that people sign up and an overall schedule will be looked at to give everybody an opportunity to speak.

John McPherson, West Lakeland Town Board, wanted to clear up a few things on the letter that was sent to the County Board. It was unanimous, there was nobody that said no. The motion was made from the floor. Commissioner Abrahamson was there. Everybody voted for it and the Board had nothing to do with it. Everybody wanted the Board to write the letter. That's what they wanted in it. Nothing was said about the comprehensive plan that they will look it over, and he believes Nancy's got the minutes there. It was just the way it came in and that's what they wanted.

Don Nolde, Stillwater, was at home watching the County Board meeting. There was a gentleman speaking and somewhere along the line the Board decided to cut him off after five minutes. He feels that if the County Board has to have more time to spend with the citizens of the townships and if they need more time and money to do this he thinks the citizens of the County should increase their salaries so that the Board can take more time to represent the citizens of the townships. He believes if the County is going to adopt a comp plan, it should get all the ordinances together and do it all at one time so that people that own the land and the people who are representing the people on the town board will understand what the County Board is doing.

March 25, 1997

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Peterson reported there is an Association of Minnesota Counties Region X meeting scheduled for Thursday, March 28.


**BOARD CORRESPONDENCE**


Board correspondence was received and placed on file.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 11:15 a.m.

Attest:

  
James R. Schug  
County Administrator

  
Myra Peterson, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
APRIL 1, 1997**

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 Abrahamson, Hegberg, Peterson, and Engstrom. Commissioner Hauser absent. Board Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Jane Harper, Physical Development Planner; Robert Lockyear, Director of Planning and Administrative Services; Mary McGlothlin, Director of Health, Environment and Land Management; Howard R. Turrentine, Assistant County Attorney; Dan Papin, Community Services Director; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval of the March 11 and 18, 1997, Board meeting minutes.
2. Approval to authorize the use of \$88,800 from the General Fund balance and re-allocation of \$24,900 from the MDB pool savings to fund final stage of implementation of the MCCC/BRC Tax System which was authorized on October 8, 1996.
3. Approval to renew on sale and Sunday intoxicating liquor license for Trail's End Bar & Grill Inc., for the period April 1, 1997 to March 31, 1998.
4. Adoption of **Resolution No. 97-046** as follows:

Supporting the Metropolitan 911 Board  
as the Regional EMS Program Designee by the  
Minnesota Emergency Medical Services Regulatory Board

WHEREAS, the Washington County Board of Commissioners has exercised authority under Minnesota Statute 471.59, entering into a joint powers agreement with the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, and Scott for the purpose of enhancing regional emergency medical services programs, operations and economic planning; and

WHEREAS, the Joint Powers Agreement and Bylaws of the Metropolitan 911 Board specifically provide for the provision of coordinated metropolitan region emergency medical services planning and administration; and



April 1, 1997

WHEREAS, the Metropolitan 911 Board, through its Metro Region EMS Committee, maintains a structure for input from community health services agencies, licensed ambulance providers, EMS training institutions, fire and law enforcement agencies, communications professionals, emergency physicians and ambulance service medical directors within the metropolitan region; and

WHEREAS, Minnesota Statute 144.8093 establishes authority for the Minnesota Emergency Medical Services Regulatory Board to biennially designate a metropolitan regional agency to meet provisions of said statute; and

WHEREAS, the Metropolitan 911 Board as the designated regional agency for emergency medical services is a government agency and has high standards for public and fiscal accountability and program management.

NOW, THEREFORE BE IT RESOLVED that Washington County supports the proposal by the Metropolitan 911 Board to be the designated agency of the Minnesota Emergency Medical Services Regulatory Board for regional emergency medical services coordination in the seven-county metropolitan area; and

BE IT FURTHER RESOLVED that Washington County pledges its continued participation and support to the Metropolitan 911 Board as the metropolitan region emergency medical services program designee.

5. Adoption of **Resolution No. 97-047** as follows:

Advance Funding for State Aid Regular  
Construction Fund in 1997 for State Aid Projects  
Up to a Maximum of \$1,900,000

WHEREAS, the County of Washington is planning on implementing County State Aid Highway Project(s) in 1997 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of advance encumbrances from the general State Aid Construction Account to supplement the available funds in their State Aid Regular Construction Account; and

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subdivision 7 and Minnesota Rules, Chapter 8820.

NOW THEREFORE BE IT RESOLVED, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway projects of Washington County in an amount up to \$1,900,000 in accordance with Minnesota Rules 8820.1500, Subparagraph 9, and to authorize repayments from the following year's accruals to the Regular Construction Account of the County State Aid Highway fund for said count.

April 1, 1997

6. Approval to advertise for bids for seasonal requirements of road maintenance materials.
7. Adoption of **Resolution No. 97-048** as follows:

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

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

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

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

WHEREAS, a demolition escrow fund agreement would need to be established to pay for the ultimate demolition;

WHEREAS, a demolition escrow fund agreement has not been completed.

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

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

#### **METRO EAST DEVELOPMENT PARTNERSHIP**

David Piggott, Executive Director, Metro East Development Partnership (MEDP), presented the 1997 work plan and mission of the MEDP.

#### **PUBLIC WORKS DEPARTMENT**

Commissioner Abrahamson moved to approve the advertisement for sale and removal of a dairy barn, located in the St. Croix Bluffs Regional Park, at 10191 St. Croix Trail, Denmark Township. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

April 1, 1997

**GENERAL ADMINISTRATION**

The County Administrator updated the Board on the following issues: Don Wisniewski, Public Works Director, has been elected vice president of the North Central Region of the National Association of County Engineers; Standard and Poors has sent notification that Washington County has retained its Bond rating at AA-; Legislature to discuss property tax towards the end of the week and this will be discussed with the Board when specific details are known.

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom mentioned the death of Sherburne County Commissioner Arne Engstrom's daughter who was 19.

Commissioner Abrahamson mentioned the death of former Washington County Deputy Robert Bell who passed away this weekend.

Commissioner Hegberg reported on the GIS Committee. He indicated that there is funding from the state for two years, but if the committee goes longer than two years Counties will be asked to participate in the funding.

Commissioner Peterson reported on the AMC District X meeting she attended last Thursday. She indicated she would like to attend the next couple of area on aging meetings if that is agreeable with the other Board members. She stated there are a few Commissioners from the region who have concerns with that organization.

Commissioner Peterson informed the Board that she has been working with the University of Minnesota and Wisconsin, the Humphrey Institute and the extension offices of both Minnesota and Wisconsin to develop a search group which will meet for three days in May to discuss developing a stronger relationship between the counties, townships and city governments related to planning, zoning and other issues related to growth management.

The Board recessed at 4:55 p.m. for five minutes.

**CONTINUATION OF PUBLIC HEARING - OFFICE OF ADMINISTRATION****WASHINGTON COUNTY 2015 COMPREHENSIVE PLAN**

The Board Chair presented an overview of today's continuation of a public hearing from March 25, 1997 to consider adoption of an ordinance adopting the 2015 Comprehensive Plan.

April 1, 1997

The Board Chair indicated that 40 people have signed up to speak already and they are still signing in. To allow all those who have signed up an opportunity to speak, she is requesting that remarks be limited to three minutes per speaker.

Steve Biscoe, Denmark Township, spoke from the audience. He does not believe three minutes will be sufficient time. He indicated that the townships have met as a group and a few people are going to need more than three minutes. Can a person designate their time to another individual?

The County Attorney indicated the Board may limit presentations to three minutes at this time, and for those who wish to incur more time, provision could be made to allow them more time at the end of this hearing. If the Board wishes, there would be the alternative of allowing individuals to give up their three minutes and designate someone for an additional period.

Commissioner Hegberg feels that most people will be respectful of each other's time. He believes five minutes should be enough time and ask that they not be redundant and if they agree with a previous speaker's opinion they just point that out.

Gordon Moosbrugger, West Lakeland Township, asked if this will be the last public hearing on the comp plan before it is adopted by the County Board?

Commissioner Abrahamson wants to make sure everything that is brought up at tonight's meeting is researched before a decision is made by this Board. He wants to make sure everybody is heard even if it takes another meeting.

Mr. Moosbrugger asked if the County Board was only going to address the changes submitted by the Metropolitan Council or will the County Board consider the entire comprehensive plan and all points in any matter is open to revision?

Commissioner Peterson indicated that the Comprehensive Plan was submitted as a draft to the County Board. Met Council's comments have come back to the Board and the Board will review those comments. The Board will then look at the Comprehensive Plan as a final document before final approve and there may be verbiage or clarifications that would be voted on.

Mr. Moosbrugger asked if that means that the elements of the plan that were approved without comment by Met Council may yet be changed and that may involve substantive changes. He asked if there are substantive changes made, will those changes have to be submitted again to Met Council for their comments on the changes?

April 1, 1997

Richard Arney, County Attorney, addressed Mr. Moosbrugger's comments. If the Board, after hearing the public's comments, makes substantive changes and the majority of the members of the Board do vote to do so, then it will be resubmitted to the Met Council for their comments and acted upon appropriately.

Eileen Weber, 8450 Indian Boulevard South, Cottage Grove, agrees with the County majority of tax payers that want cluster housing and an emphasis on parks. She displayed to the Board an editorial entitled "County Can Lead Way on Suburban Future". This editorial cites a poll that was done in 1996 which showed that 57% of the County's residents favored the concept of cluster housing. She believes the Board has the responsibility to honor those wishes. Also, a survey in Cottage Grove shows 76% of its citizens want the purchase of Grey Cloud Island Park as a regional park. She feels the Comprehensive Plan has been through an extensive multi-year process involving hundreds and hundreds of Washington County citizens. She asked that the Board not disregard their work.

Joan Meierotto, 13900 44th Street South, Afton, reiterated that this has been a three and a half year process, it's a good plan and in some cases it doesn't go far enough. She feels this is a compromise plan and it's fair. She requested that highway 18 and 95 into Afton be included in the multi-purpose, non-motorized trail. She is also in favor of the clustering and preservation of open space. She believes there has been a lot of input and everybody has had ample opportunity. She urged the Board to move forward with this plan.

Helen Baker, Afton, stated she has been to many meetings over the last couple of years and she believed everything was settled. She wants the people throughout the County to know that maybe the Board is backing off some of the things that were talked about in this plan.

Jeff Sovereign, Landfall, believes this has been a democratic process. He feels that the Comprehensive Plan not only meets present needs but should also meet future needs of the County. He believes the County needs more recreational facilities and more open space. More bike trails are needed. The bike trails are crowded especially on weekends. In Woodbury, nobody planned for open areas. He believes if there is clustering there will be open areas to make bike trails. You cannot extend the Gateway Trail through housing projects. There could be more flooding on lakes in the northern part of the County if there are dense housing projects. He hopes the Board passes a strong Comprehensive Plan to meet recreational needs for now and in the future.

Commissioner Peterson listed letters the Board has received and which will be placed in the official record: Letter from Grey Cloud Island Township; Pete and Marilyn Miller, Stillwater; Stillwater Township; Mary Tomes, Stillwater; John and Cynthia Gilpin, Afton; Dennis Atchison; Floyd Radinzel, Stillwater; Carol Gross, Afton; Forest Lake Township; and Don Slaten, Denmark Township.



April 1, 1997

Robert Zick, 5158 Granada, Oakdale, commented in regard to those items in the Comprehensive Plan that would discourage urban sprawl. He hoped that the Board would keep in the Plan as many items as possible that would preserve the outlying areas. He has ridden across the U.S. three times and has seen what urban sprawl has done. Anything that the Plan would do to keep the population from spreading, clustering housing has been mentioned, he is in favor of. He believes there is a need to preserve as much of the wetlands as possible. He lives in Oakdale and the city's symbol is the oak tree. He thinks they will be hard pressed to find an oak tree left in the future. He would support and appreciate any plan that can preserve open spaces.

Mike Rygh, 8235 115th Street, Cottage Grove, spoke on transferred development rights. He asked that the Board research this as a way to deal with zoning problems and future development of the County. He believes if the landowners had an opportunity to transfer or sell their development rights it would have a lot of benefits for land planning in the County. It would allow landowners to get the benefit of development from their land without requiring them to split off a five or ten acre parcel as the only option they have. It would promote cluster housing in the most desirable housing area and least favorable farm area.

Commissioner Peterson stated that the County has been looking at trying to find a mechanism to do that. Commissioner Engstrom indicated they are meeting next week with Chisago County and there is money from the State to develop those programs.

Gordon Moosbrugger, West Lakeland Township, has been informed that this process began four or more years ago. Over that considerable period of time through the diligence of the Washington County Planning Commission, Planning staff and interest of citizens and government officials who came to these hearings and had their input and opportunity to express their hopes for the future of the County, a plan was developed, a consensus of what most people could agree was the best plan for the future growth of Washington County. He believed the County Board adopted the Comprehensive Plan last fall. He believes this was a good plan because it represented the best consensus of the best ideas that all the people acting together could possibly produce. He hopes that this plan will move forward based on the consensus which was reached and show cynics that government is not hopelessly bogged down in endless reconsideration of things that have been discussed and disposed of. He feels this is a plan that all participants can be proud, it is a good plan for us, our children, for future generations and for the future of Washington County.

Mary Tomczyk, 13533 Manning Trail North, stated she and her husband have lived there for the past 27 years. They are concerned that County Road 15 is being made into a parkway. The traffic of County Road 15 has multiplied during that time. They probably see groups of horses on this road twice a year and each time she is terrified that these horses are going to get out of control because of the traffic noise and speed. If a bike path and horse path is added to this parkway, she feels this will be

April 1, 1997

dangerous. Where the Gateway Trail crosses 15 it is very dangerous. They are not against bike or horse paths, but feel they should not be placed on County Road 15. She suggested a path in the back of their ten acres.

Dennis Kruse, 20620 Manning Trail, he agrees with the previous speaker. The traffic is terrible up there.

Carol Gross, Afton, stated she attended the public hearing before the Board voted to approve this Comprehensive Plan. She has also attended meetings in Afton regarding cluster housing. Even though Afton is a city, she is concerned about how the County does grow. She appreciates the uniqueness of Washington County. It is close to the metro area, but it retains the rustic feel. The County has state parks, national scenic riverway, and interesting topography which lends itself to open land. She urged the Board to keep the rural residential and agricultural zoning along I-94 since it is the gateway to Minnesota. She would also like to see the area along the river remain low density. The people out there prefer less services and more rural character.

Sheryl Palmer, 10130 Manning Avenue North, reiterated what has been stated by the other speakers who live on Manning Trail. She feels that the rural atmosphere is important to those who live out there. She suggested expanding the Gateway Trail which might be an alternative rather than making Manning Avenue very urban like.

Tamara Fast, 1980 Stagecoach Trail, stated her major concern is the parks and the language in the Comprehensive Plan about the parks. It is very open ended, there are a lot of "ifs", "mays" and "whens". They are listed as historic interpretive loops, scenic roads, Washington parkways, linear parks, east-west greenways, river corridors, County or off-state road trails, supplementary or local routes. She is concerned about cost and safety. To get these trails on the side of the road land will need to be taken and that will cost us one way or the other. She is concerned about cost and safety. She feels this plan will be too expensive. This plan needs to be delayed until the citizens get a clear figure on how much this will cost to create as well as maintain it.

Leo Richert, 772 Neal Avenue North, stated he would rather hear from the people tonight rather than the County Commissioners.

Margaret Seifert, 771 Manning Avenue North, asked if there was a definite plan drawn for all these trails? She indicated that their neighborhood doesn't have room for all these trails. She stated that the traffic on County Road 15 is terrible and feels they do need a four lane highway, but does not see the room for it. She is concerned about the litter along County Road 15. She asked if the County intends to complete Manning Avenue between highway 36 and highway 5?

April 1, 1997

Commissioner Abrahamson indicated that was being studied.

Vince Turnblad, 305 Laurie Court, Stillwater, indicated he owns and operates a farm in New Scandia Township and that this farm has been in his family for 122 years. He stated that the Board is dealing with human lives when it proposes this comprehensive plan. People have worked long and hard hours sacrificing much in order to save their land. Now the Board wants to take away their rights by telling them to use cluster housing. He strongly discourages mandatory clustering and farming as a mix in Washington County. He suggested that the townships and landowners work together. The townships have managed their areas in the past and he feels they should continue to do so in the future. More input and time needs to be taken before this Comprehensive Plan is adopted. He feels the County does not need linear parks. Development of parks in the northern part of the County has been costly and has taken a lot of property off the tax rolls. Development of more trails will bring more trouble along the trails. Who is going to police them? There is more trouble for land owners. Anyone using these trails should have a license or permit so the taxpayers don't have to bear the whole burden. He urged the Board to delay for at least one year more a vote on the Comprehensive Plan.

Brian Nichols, Baytown Township, indicated that the township officials just held a meeting. They do have a spokesman who would like to speak first. Other members of the township, if possible, would then like to speak consecutively.

Commissioner Peterson asked that all the township officials come up and stand behind the Board.

Dennis Hanna, 9301 Grey Cloud Island Trail, indicated that the reason the townships are here as a group is as a result of the 2015 Comp Plan. Many of the townships have people from the township who sat on the committees that worked to develop this plan. When the plan left those committees and recently came back to them they discovered that this work didn't look like what the committee members were telling them it would be in many areas. They are concerned with the following areas: Code enforcement, zoning jurisdiction, the absence of definitions, open space issues regarding mandated densities and enforced clustering in certain places, what to do with a house that's damaged more than 50%, designation of which roads are going to be scenic roads and the affect that has on zoning and compliance with the zoning, and also the mandatory clustering around all lakes or bodies of water. They asked that in light of those changes that have been made, and the fact that the ordinances that go with the Comp Plan greatly impact how the Comp Plan actually works, that the Board delay any decision on this until the following two things can be done: 1) They want the ordinances to be completed and a chance be given to study them as thoroughly as the Comp Plan, look at them both as a package, they believe they do work together as a package; and 2) That a joint meeting of elected township officials and the County's planners be held to talk about the changes that occurred after it left committee and when it came back to them, so they could have influence into what goes ultimately in the Comp Plan.

April 1, 1997

Brian Nichols, Baytown Township, stated they have major concerns with the Comp Plan. He asked that the Planning Department meet as a group with the township officials and iron out some of these things. He believes this is not ready to be passed.

Elisabeth McEathorn, Chair, Grey Cloud Island Town Board, supports the opinion of Mr. Hanna on behalf of the townships of Washington County and Grey Cloud Township. They oppose the mandatory compliance with cluster housing and the scenic roadway proposal. Because of the size and configuration of Grey Cloud, she believes that these proposals do not work to the benefit of their residents.

Louise Bergeron, Chair, Stillwater Township, stated she too supports Mr. Hanna and what he has already spoken on. She referred to the letter that Stillwater Township sent where their density concern was mentioned. They are concerned about the mandatory clustering. She stated Stillwater Township has used clustering and it has worked very well. They do not oppose clustering, but are opposed to the mandatory clustering, what works well in one area may not work well in others.

Sheila-Marie Untiedt, Stillwater Township Supervisor, spoke on the following issues: 1) Mandatory clustering is not appropriate. There are places where clustering works well, they have a number of those in Stillwater Township, and there are places where it does not work well, and they have those also. 2) If someone asked her what the development restraints would be on a piece of undeveloped property in Stillwater Township, she would not be able to tell them what it would be under this proposal. 3) Let the townships do what the townships do well.

John McPherson, West Lakeland Town Board, agrees with Mr. Hanna, they do not think clustering should be mandatory. The Town Board is also concerned about the setback lines, whether it will be 150 or 200 feet and what affect that will have on property which is destroyed 50%.

Jerry Peterson, West Lakeland Town Board, agreed with what Mr. Hanna stated. A concern he has with cluster housing is that in 20 years when there is a new comp plan, new ordinance changes and that land that was suppose to be for open area, all of a sudden it is decided that more houses are needed, and someone says that open space would be a good place to put them. He feels every township should have the final say on clustering.

Kevin Nickelson, New Scandia Town Board, indicated that the Township strongly supports cluster development design. However, they do have strong reservations about mandating it from the County. They feel if they need to mandate it within their township they are capable of doing that themselves. Since many townships have concerns about linear parks, he suggested a meeting to review some of that language before this plan is adopted. He thought the aspect of lot averaging hasn't been emphasized enough and that would give the townships another tool to try to preserve farmland. He thanked the Board for putting that in there it's an option to clustering. He is also concerned about the language change of 4-33 regarding lots less than 40 acres.



April 1, 1997

Dennis Seefeldt, New Scandia Town Board, supports the position brought forward by Mr. Hanna to have continued dialog to answer some of the questions and concerns the elected officials have got. He urged that this Comp Plan be delayed for the time being.

Tom Vierling, West Lakeland Town Board, believes that bike paths do not belong on the main thoroughfare. Also, before the plan is implemented, he feels the taxpayers deserve to know exactly how much this is going to cost. He also requested more clarity on the Comp Plan.

Debra Foley, Chair, Baytown Township Planning Commission, agrees with Mr. Hanna and other comments about mandated clustering. She feels the townships have good zoning ordinances in place to promote the open space. She believes the Board should be using other tools to achieve the goal of open space such as transfer of development rights.

Dick Tschida, Supervisor, Forest Lake Township, mentioned a letter their attorney sent to the County Board addressing their concerns. They did spend a lot of time reviewing the Comprehensive Plan and they noticed there were a number of items that they found not to their liking. Some of these are: Inconsistencies within the state building codes; the absence of ordinances and maps that should be accompanying a comprehensive plan; mandating in lieu of townships being able to direct and predict what the needs are for its own community; transition issues whereby properties could be zoned either suburban or urban at the discretion of the County and not the needs or the wants of the community where the property lies in. He encouraged the Board to listen to the township supervisors, and planning commission and to Mr. Hanna's request.

Richard McNamara, Supervisor, Forest Lake Township, feels that all the townships and the County Board should meet in a workshop to help the County Board make this decision. The taxes are rising at two and one half times over inflation, something is wrong. Everyone should work together.

Kathy Higgins, Supervisor, Denmark Township, supports what Mr. Hanna and the other members of the township group. She asked that the Board delay passage of this plan and allow an opportunity for township dialog. She presented a letter from the Denmark Town Board to the Board Chair.

Bill Voedisch, Supervisor, May Township, indicated he first saw the plan about two years ago and provided lengthy written comment at that time. The township is concerned about mandated clustering and mandated scenic roads. They believe clustering can work, but it needs to be done on a case-by-case basis. Mandated scenic roads are new to him and he feels more citizen discussion should be considered for this topic. Finally, a lot of the decisions that used to be the province of the townships are now being made by the Plan. He asked that the County Board meet with the township supervisors and their planning commission people directly on this.



April 1, 1997

Steve Biscoe, Supervisor, Denmark Township, indicated he also serves on the Washington County Planning Advisory Commission. He also has spent many hours in meetings working on this project and there was no discussion on any of the committees he served on that discussed mandatory clustering. Denmark Township is against mandatory clustering. He believes approval of the plan should be delayed until the Board meets with the township officials as a group meeting and try to work out some of these things.

Commissioner Abrahamson thanked the township people for showing up tonight.

Lee Ronning, 414 North 4th Street, Stillwater, representing herself and the Land Stewardship Project which is working very hard to preserve some of the open space and farmland. She is also working at the State Capitol working on bills that would help benefit the farmers in this country by setting up a purchase of development rights and transfer of development rights program. She is proud of the work that has been put into the Comprehensive Plan by the Board members and the citizens of Washington County during the past four years. She is proud that this County Board voted unanimously to support their effort to establish this green corridor in Washington and Chisago Counties and to set up for the first time a purchase of development rights program and transfer of development rights program. What she has heard tonight is going to make it very difficult to do that. She has heard comments in the hall tonight that can only be called "fear mongering" and people talking about the County taking away their land. There is nothing in this plan or what the Land Stewardship Project is doing that would do that. It is upsetting that after this long process there is talk of reversing parts of the Comp Plan. She hopes that the Board passes this plan, she wishes that it were stronger, every survey taken supports what the Board is doing and weakening the Comprehensive Plan is going to make it harder to pass the purchase of development rights and transfer of development rights program.

Ross Screaton, 2474 North Oakgreen Street, asked a question on clustering housing and open space. How permanent is it? At the Lake Elmo hearings on it he learned that open space is open space for government agencies if it is for the public good. They can do what they want with that. Before the first house was built in the Engstrom Cluster Development in Lake Elmo, the open space is being considered for a highway corridor for Manning Avenue extension. Does this Plan give us permanent open space or are we getting a delusion? He is also hearing tonight that since four and a half years have been spent on this plan, it should be passed. The County never got input from those that would be most affected, the townships; the plan contains too many novel features, each one of which is difficult to understand--scenic roads, density control, linear parks and clustering; and the Plan was never completed, there were major changes to the plan as close as six weeks ago. He stated it is time to go back to the drawing board, spend the next year and a half and come up with a better plan.

Jim Kloek, 11108 Manning Trail North, lives just north of the Gateway Trail. He is concerned about the proposed parkway along County Road 15. He has a small business along that road and is

April 1, 1997

afraid that will do away with his sign advertising his business. He would like to speak on that subject when the ordinances are drawn up. He is also concerned that he may lose his green acres designation if land is taken away for the trail system. Also, 15 is a very noisy, busy road and with the trail system there shouldn't be any motorized vehicles allowed other than snowmobiles. He does support the parks. He grew up near Como Park and someone had the vision years ago to get that park. He was sure when that park was being planned, people got up and spoke against it too. Finally, in the northern part of the County it is getting too expensive to live there. Pretty soon the only people able to afford to be out there are people that would visit a park, they won't be able to purchase property up there.

Mark Babcock, 12169 Keystone Avenue North, and owns the Withrow Ballroom. He is concerned about a zoning issue. He will now turn his time over to his attorney, Scott McDonald.

Scott McDonald, Attorney representing Mr. Babcock, and he is also a County resident living in Stillwater Township at 10860 Myeron Road. They are here on an issue regarding a designation of the Withrow Ballroom property in the southwest corner of May Township. The Ballroom has existed out there for about 60 years. The Babcock family has owned it for the last 15 years. They are concerned that nothing be changed in the Comprehensive Plan that would affect their use of the property as a ballroom which it has historically been used as. It is their understanding that the current Comprehensive Plan would make the ballroom use a non-conforming use. They brought that to the attention of County staff and also to May Township. He indicated that May Township adopted a resolution indicating that the ballroom should continue to be zoned as a commercial zoning use in May Township. They are asking that it be maintained in a zoning designation that will allow the ballroom as a conditional use or as a straight commercial zoning which is what the township presently has.

Commissioner Abrahamson asked for a copy of that May Township resolution for the record.

Leo Heimerl, 2815 Manning Avenue North, West Lakeland. He is concerned with the taking of right-of-way for various construction projects. He strongly recommended that the Board consider the ordinances, the speed limits that will be associated with these thoroughfares and the use ordinances as far as recreational vehicles before any plan is passed. When he built on Manning Avenue he was told that there was a plan to widen 15, but it was just a plan and wouldn't happen for seven, eight ten years. He indicated he was in there two years and it was done. The speed on 15 has increased since the road was improved. He's had helicopters land in his yard to take out people injured in traffic accidents in front of his house. His daughter was injured in a school bus accident from being rear ended as the bus was stopped in front of his house. He asked that this be taken into consideration when parkways are discussed. He feels this development plan is done more for visitors rather than the residents.

April 1, 1997

Ed Stevens, 10133 47th Street North, Lake Elmo. He stated he has lived there for 35 years. The impression he got from most of the speakers here is that they want delay. He feels that this has been going on far too long. If this plan had been before the County 20 or 30 years ago, he believes this would be a far better County than it is today. There is hardly any open space left in Lake Elmo, they are trying to do what they can with cluster housing. He has heard criticism that there is not enough details in the plan. But, if there were more details he feels this plan would be nitpicked to death. He feels the plan is trying to take care of an avalanche of population that has come to the County. If something is not done it will get worse and worse. If planning is not done townships may find themselves as crowded as Woodbury. The plan encourages townships to have trails that connect with each other. He feels this is wonderful, but is there any teeth in the encouragement, are there incentives to the townships so they make the trails connect? He stated he lived in New York City for ten years. Somebody a hundred years ago had the foresight to purchase land in the middle of New York City for a Park, Central Park. That land today is worth hundreds of millions of dollars. He heard someone say tonight that the parks in Washington County are hardly used why do we need more. Parks are needed not for today but for 20, 30, 40 years from now when we won't be able to buy it anymore if we don't buy it now. He will submit the rest of his ideas in writing.

Ernie Hintze, 11390 Manning Trail North, moved out here nine years ago from the Midway in St. Paul. They moved out here for the country living. He does not think a bike trail and jogging trail on Manning Avenue would fit into the lifestyle of the area because it's an expressway, people go 65 to 70 miles an hour. He feels these bike paths should be on secondary roads and away from the traffic.

Colleen Crain, 9440 Manning Avenue North, north of the intersection of 96 and highway 15 and has lived in this area since she was fifteen. She is concerned about the environmental impact a biking trail, horse trail and snowmobile trail will have in that area specifically because of Brown's Creek and the watershed area. If improvements or additions of trails are made along that area, she feels that area will be disrupted. There is also the safety issue along 15. They have had dogs and small animals killed by cars because of the high speeds.

Nancy Magler, Clerk, West Lakeland Township, speaking as a resident she and Tammy Fast own a hobby farm. Because of cluster development they feel they may have to develop and sell real quick before this plan goes through. They love their farm and they want to stay. Speaking as a town clerk, she believes they have a wonderful town board, efficiently run township and she would like to keep it that way. How can they maintain this cluster development when one person wants the green space to be a garden, one wants it to be a horseback trail, another wants to fly model airplanes, and the next one might want to drive recreational vehicles. She feels it's ridiculous and they don't need it.

April 1, 1997

Russ Kirby, West Lakeland Township, stated he was a little confused about the hearing that is being held. What is the purpose of the hearing, are we talking about the plan, does the plan have the force of law? So, really if the plan is adopted it's a vision and it's not necessarily cast in stone. The ordinances are what really matter, isn't that correct?

Commissioner Peterson indicated that was correct.

Dick Magler, 13228 20th Street North, West Lakeland Township, read into the record a statement from Jim Buelow regarding cluster housing and that it should not be mandated, each parcel should be looked at individually. Mr. Magler also agreed with Mr. Buelow's written statement.

Mara Dworak, 10650 Manning Avenue North, City of Grant. She stated this is the first time she has heard that any of this was going on. She does not feel they need another trail running on 15. They live along the Gateway Trail. They have five children ages 12 to 19 and she does not let them go on the trail by themselves, she doesn't think it's safe to go on the trails by yourself. There have been accidents at the crossing of 15 and the Gateway Trail. Speeds along 15 are 65 miles an hour, they have lost pets. She feels bike trails should be on a more quite country road. She thinks this plan should be delayed.

Vilhelmine Vanags, Maplewood, and owns a seasonal cabin along the Gateway and 15. In the summer they don't want to go outside because they fear there will be a terrible accident. People coming down from Scandia and Square Lake are going 70 miles an hour, and children going on rollerblades along the trail and crossing 15, it is horrible to watch. If Manning Avenue is expanded to three lanes, she is afraid her house will be a victim of that. She's not sure how long that may take, but she is afraid to make improvements to the house because the County may take it. The County has already taken a couple of acres from them when highway 15 was made.

Brad Cornell, 2733 Neal Avenue, West Lakeland, had a couple major concerns. He feels there are excessive speeds on Manning Avenue. They have two horses and they tried to ride them on Manning Avenue, but the traffic is so fast the horses spook and run. He feels that adding trails to Manning will increase crime rates in the community. He believes that the Comprehensive Plan is focused in on the townships and they have no say in the matter.

Elizabeth O'Mara, 14392 Manning Trail North, May Township. She is concerned with the size proposed for Manning Avenue, with two eight foot paved shoulders for bikes, ten foot paved trail separated from the road for bikes, a twelve foot gravel equestrian trail and snowmobile trails in the ditch. She heard someone mention the fear factor. The fear is in not knowing what's going to happen. Her family is uncertain as to how much of their land will be purchased in order to widen County Road 15. She feels speed is a real issue on 15. She agrees that secondary roads may be for recreational uses,



April 1, 1997

but the Gateway Trail that crosses 15 is not safe. She is concerned that input provided from the township leaders is not totally reflected in the plan.

Juleen Cardenan, 1585 Manning Avenue, stated this is the first she's heard of this plan. She is afraid that adding these lanes to County Road 15 will take out her whole house. She does not believe 15 is a safe road to put horse trails, bike trails or snowmobile trails. She is concerned that this issue will be decided only by the Board and not go to the public for a vote. She is concerned about the environment, wildlife and historical sites. She does not see Manning Avenue as a scenic road, she sees it as a freeway.

Dan Jameson, 13663 Manning Trail North, May Township, stated he is opposed to taking 38 feet of someone's property to put in trails. They already have the Gateway Trail, there are trails all over in that area. More thought should be put into this plan before it is adopted. He is also concerned about clustering. If clustering is done and someone comes in 20 years later and wants to put in more houses, who owns the deed to that land? How far in the future will that be held as open land?

Walter Dennhardt, 13595 Manning Trail North, stated that Washington County is facing a great deal of change. Traffic on Manning is high and he expects there will be more in the future.

Jennifer Bouthilet, 10559 Manning Avenue North, just heard about this plan this past weekend. She has heard that Manning Avenue may be widened in the future. She is concerned about trails being put in along Manning. The traffic is very dangerous. The speed of 55 is a minimum rather than the maximum. She is concerned about the increase in crime along these trails. Also, there is a possibility of liability risk as a homeowner if people going by her house reach over the fence and get bit by her dog and then sue her for everything she owns.

Jerry VonBargen, 20959 Manning Trail, New Scandia Township, asked about mandatory cluster homes. Can township ordinances supersede County ordinance and be more restrictive in this area? Commissioner Peterson indicated it could be more restrictive. Mr. VonBargen, suggested that the County Board work with the townships on that and let them set the standards for what they feel is appropriate.

Ed Stevens, Lake Elmo, wished to address the Board again on repeated statements he has heard that cluster housing is a futile effort because 10 or 20 years after some area is set aside for open space the city could decide it needs some more land and sell that outlot that was set aside and it will disappear. He and his wife have put their 10 acres property in a so-called scenic easement with the Minnesota Land Trust. The Land Trust surveys the land, gives an estimate in the decline of the land if it cannot be further subdivided and retains the right to periodically inspect the land and also to make sure that the land is not going to be subdivided. The land can only be sold as a unit, indefinitely. It cannot be subdivided into further housing.



April 1, 1997

Dan MacDonald, 1980 Stagecoach Trail, West Lakeland Township, stated Washington County taxes are too high. He agreed with his township supervisor who said that taxes are increasing two and a half times the rate of inflation. He has followed the Comp Plan from the start and a lot of this is needed. But there are things in the plan that cost too much. He feels the linear parks are not affordable. He believes people that will be using these trails should pay for it, not the taxpayers. He recommends that the linear parks, greenway and scenic roads be taken out of the plan. Also, more work may need to be done on cluster housing. He feels farmers are getting the short end of the stick. If they want to subdivide, it isn't fair to say to him he can't develop it this way, he has to go with cluster housing, too bad if he doesn't get as much for the land as he would have. He asked who is going to take care of the open space, who is going to take care of the thistles and keep them out? Will the land stay on the tax rolls?

The Board Chair asked for further comments; none were heard.

Commissioner Abrahamson stated this meeting tonight and the one held last week were the two best meetings that have been held for public input into this whole process. He agrees with all the townships. If anybody has gotten the short end of the stick it is the townships. He thanked everybody for showing up tonight.

The Board Chair closed the public hearing. She indicated that the Board will continue its discussions next Tuesday. She also thanked the citizens who provided comments on the plan and informed them that their comments will be made part of the public record.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file including a letter from the Minnesota Department of Human Services commending Washington County staff for their perfect performance on meeting DHS social service financial reporting deadlines for calendar year 1996.

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

Dan Kantos, 9704 North Manning, City of Grant, stated he will be greatly affected if any trails are placed on Manning. He is concerned about the ecological issues. There is a pond on their property which may have to be filled in if these trails are placed there. He asked if the ordinance will be adopted next week? Commissioner Peterson indicated that it will be discussed at next week's Board meeting. Commissioner Hegberg also stated that the Board will discuss the Comprehensive Plan next week and will either approve it, or amend it and then approve it. The zoning ordinances have not been completed yet. Those zoning ordinance drafts are or will be sent out to the townships. It will probably be two or three months before those come back to the Board for public hearings.

April 1, 1997

Commissioner Abrahamson stated he will be requesting night time public hearings for the zoning ordinances and hopes he has the support of the Board.

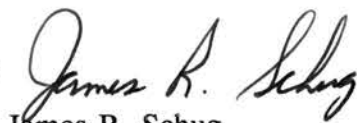
#### ADJOURNMENT

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously; Commissioner Hauser absent. The Board meeting adjourned at 8:30 p.m.

#### BOARD WORKSHOP WITH THE DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT

The Board meeting was preceded by a workshop session with the Department of Health, Environment and Land Management to request policy direction regarding the EMS Radio Communication Board. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg and Peterson. Also present were James Schug, Virginia Erdahl, Mary McGlothlin, Lowell Johnson, Stu Glaser, and Dick Ragen, Ramsey County Public Health Department.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
APRIL 8, 1997**

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 Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Board Chair Peterson presided. Also present were Virginia Erdahl, Deputy Administrator; Howard R. Turrentine, Assistant County Attorney; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Dan Papin, Community Services Director; Tim Casey, Public Information Specialist; Carol Seefeltd, Community Services Supervisor; Jane Harper, Physical Development Planner; Cindy Koosmann, County Recorder; and Robert Lockyear, Director of Planning and Administrative Services.

**CONSENT CALENDAR**

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

1. Approval of the March 25, 1997, Board Meeting minutes.
2. Approval of revised Policy 2103, Mission Directed Budgeting, which replaces Policies 2103 and 2104.
3. Adoption of **Resolution No. 97-049** as follows:

Proclaim April 13-19, 1997 as National Volunteer Week

WHEREAS, the foundation of a humane and just society is the people's willingness to work together for the common good; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of 89.2 million people is a great treasure; and

WHEREAS, volunteers demonstrate that it is possible to bring the disparate elements of our communities together; and

WHEREAS, self-sacrificing individuals mobilized to help others can stem the tide of poverty, hunger, homelessness, spouse and child abuse, and other problems that afflict society; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

April 8, 1997

WHEREAS, it is the duty of all our citizens to honor our dedicated volunteers and celebrate the volunteer programs which contribute to the life of our communities throughout Washington County.

NOW THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners do hereby proclaim April 13-19, 1997 as

**National Volunteer Week**

in Washington County, and urge their fellow citizens to observe this period by investing their time, their talents and their energy in reaching out to those who have become disconnected from their communities. By volunteering we can come together to build a brighter future for all our citizens.

4. Approval to reappoint Patrick Rice, Cottage Grove, to the South Washington Watershed District to a three year term expiring May 1, 2000.
5. Approval to submit a grant application to the Minnesota Housing Finance Agency for the Family Homeless Prevention and Assistance Program.
6. Approval to execute purchase of service contract between Human Services, Inc. and Washington County on behalf of the Children's Mental Health Collaborative.
7. Approval of the 1996 Employee Wellness Program Annual Report.
8. Approval of the first amendment to the Met Council Grant SG-94-75 to add several deliverables to the group picnic shelter development in the Lake Elmo Park Reserve.

9. Bids were received for diesel tractor with 3/4 cubic yard loader as follows:

Polfus Implement Inc.	\$24,785.14
Carlson Tractor and Equipment	36,106.00
Long Lake Ford Tractor	39,180.00

Bids were received for two - 3 cubic yard dump boxes with hydraulics as follows:

Jay Craft	\$13,058.00
Crysteel Truck Equipment	14,000.00

Bids were received for self-propelled road sweeper as follows:

Ruffridge-Johnson Equipment Co. Inc.	\$17,113.00
Sweepster Jenkins Equipment	37,039.00

April 8, 1997

Adoption of **Resolution No. 97-050** as follows:

Award of Bid for Purchase of Road  
Maintenance Equipment

WHEREAS, in order to complete road maintenance functions, equipment used for this function must be replaced periodically due to wear and tear and to do this the County solicited bids for this project; and

WHEREAS, bids were opened March 27, 1997 with the lowest responsible bidder for the Diesel Tractor with Loader being Polfus Implement, Inc. in the amount of \$24,785.14, Jay Craft for two 3 Cubic Yard Dump Boxes with Hydraulics in the amount of \$13,058.00 and Ruffridge-Johnson Equipment Company, Inc. for a Self-Propelled Road Sweeper in the amount of \$17,113.00; and

NOW, THEREFORE BE IT RESOLVED, that the bids of Polfus Implement, Inc., Jay Craft and Ruffridge-Johnson Equipment Company, Inc. be accepted and the County enter into purchase orders with these companies under the terms and conditions set forth in the specification documents; and

BE IT FURTHER RESOLVED, the purchase orders from the County to Polfus Implement, Inc., Jay Craft and Ruffridge-Johnson Equipment Company, Inc. be authorized by the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

10. Approval of 1997 law enforcement contracts with the following cities: Afton, Lakeland, St. Croix Beach, St. Mary's Point, Lakeland Shores, Mahtomedi, Dellwood, Willernie, Hugo, Lake Elmo and Forest Lake Township.
11. Approval of contract for touchscreen security system computers upgrade between Washington County and Black Creek Integrated Systems Corporation.

The foregoing Consent Calendar was adopted unanimously.

**COUNTY ATTORNEY'S OFFICE**

Commissioner Abrahamson moved to set the public hearing to consider the adoption of an amended Juvenile Curfew Ordinance for April 22, 1997, 9:00 a.m. Commissioner Engstrom seconded the motion and it was adopted unanimously.



April 8, 1997

**HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

The Director of Health, Environment and Land Management presented a brief overview of requests from New Scandia and Denmark Township related to land use planning and zoning assistance. She has also recently learned that Baytown is requesting this consideration also. She indicated that Denmark Township is asking the Board to extend the policy implementation date to cease providing planning and zoning consultation services to townships to January 1, 1998, and New Scandia Township is requesting that the Board reconsider its policy.

Commissioner Hegberg moved to extend the implementation date of the policy for planning and zoning consultation services to January 1, 1998. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

**PUBLIC WORKS DEPARTMENT**

The Deputy Public Works Director reviewed a proposal for an early buy-out of the lease purchase agreement with the Ceridian Employees' Recreational Foundation for the St. Croix Bluffs Regional Park. Advantages to an early buy-out are: Significant savings in interest payments; and, avoids the losses of \$1,000,000 in grant funds that must be spent by December 31, 1997.

Commissioner Abrahamson moved to request that the Metropolitan Park and Open Space Commission amend their Capital Improvement Work Plan with Washington County to reallocate \$400,000 from the Big Marine Park Reserve Grant SG-94-74 to exercise an early buy-out option of St. Croix Bluffs Regional Park; and, that the Legislative Commission on Minnesota Resources (LCMR) Work Plan be amended to reallocate \$1,000,000 from Grey Cloud Island Regional Park to complete an early buy-out of the St. Croix Bluffs Regional Park. Commissioner Engstrom seconded the motion and it was adopted unanimously.

The Deputy Public Works Director mentioned that a property owner within Grey Cloud Island has a desire to sell and is represented by an attorney. They have sent Public Works staff a letter indicating that the property owner would like to sell. They have put a dollar amount on the table indicating they would sell based on that price. From staff's standpoint what is on the table would not be something the County should proceed with. He is looking for Board direction on whether it is interested in having staff negotiate at this stage with the attorney.

Commissioner Abrahamson would recommend to staff and to this Board that the County does not want any land that is covered by water and pay a half million dollars for it, if that's the property he thinks is being discussed.

April 8, 1997

Commissioner Hauser stated the County does have a policy to consider bona fide offers made by willing sellers. The County would not be open to any outrageous requests but would be open to reasonable requests. She feels the County should respond to the request with what the County feels is a realistic purchase price or offer.

Commissioner Engstrom asked why this is even before the Board because there is a policy to consider offers made by willing sellers and then to negotiate a price. The offer then comes back before the Board where it can accept or reject any offer that is before the Board.

It was Board consensus to allow staff to use their discretion to pursue this further.

### GENERAL ADMINISTRATION

Jane Harper, Physical Development Planner, noted that the Board had received a summary of the public hearing testimony on the Washington County 2015 Comprehensive Plan, prior to the meeting. Included with this summary was a list of the primary issues that were raised during the public hearing. Those issues included: Mandatory cluster housing; Scenic roads; Zoning restrictions; Designation of County Road 15 as a parkway; and the process. There was a request from the townships that the County Board delay approval of the plan until the zoning ordinances are complete and until the County Board can meet jointly with the township officials. Also before the Board are two lists of recommended changes. The first list, with yellow cover, are changes to the Plan dated February 25, 1997 and which were approved by the Board on February 25 and were made prior to holding the public hearing on the plan and were incorporated in the draft in which the public hearing was held on. The second list, a grey sheet, are changes recommended as a result of the public hearing.

Ms. Harper indicated that if any substantial changes are made to the draft plan, it would need to go back to the Metropolitan Council for additional review. Also, many of the issues raised at the hearing are implementation issues and can be dealt with further as the plan is implemented.

Commissioner Hegberg moved to amend pg. 4-29 Figure LU 6 Generalized Land Use Plan - May Township - change land use designation of the Withrow Ballroom to commercial; and Hugo - change land use designation west of Highway 61 between 130th and 140th streets from general rural to commercial. Commissioner Engstrom seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Engstrom, Hauser, Peterson and Hegberg; No, Commissioner Abrahamson.

Commissioner Abrahamson asked the Board Chair if the Board is going to vote on the Comprehensive Plan before a joint meeting is held with the townships?

April 8, 1997

Commissioner Peterson indicated that these are amendments the Board had agreed on at the public hearing and they will be voted on item by item. She thought these items were a consensus for approval at the public hearing.

Commissioner Engstrom wasn't sure if these were a consensus or not, but these are being recommended and the Board is voting on them one at a time.

Commissioner Engstrom moved to amend pg. 6-55 Linear Park - Supplementary County or Local Routes Denmark Township - add a connection between the new St. Croix Bluffs Regional Park and the Cottage Grove Ravine Regional Park. Commissioner Hauser seconded the motion and it was adopted unanimously.

The Board discussed the suggested amendment to pg. 6-55, Linear Park - Supplementary County or Local Routes Lake Elmo - reroute the Linear Park corridor through Lake Elmo Regional Park. Commissioner Hauser asked that staff respond on the impact this amendment would have to the Lake Elmo Park Reserve. Jack Perkovich, Deputy Public Works Director, stated staff is concerned about bringing bikers down highway 5 which would mean crossing 5 with no intersection. Also, that entrance is now used only by maintenance crews.

Commissioner Hegberg moved that rerouting the Linear Park corridor through Lake Elmo Regional Park be considered as an alternate route. Commissioner Peterson seconded the motion.

Commissioner Abrahamson stated this is going to be a very costly situation. He knows the ordinances are going to be the ones that put the law to all this, but when he votes on something he wants to make sure that he's representing the people that were here at the public hearing. What he heard at the public hearing was that people were against linear parks.

Commissioner Engstrom noted that there were a lot of public hearings and he heard a lot of people in favor of the linear parks plan.

Commissioner Peterson believes that as the linear park is looked at, the Board does need to take into consideration a discussion with the townships. She believes there is a lot of misinformation out there.

Commissioner Hauser moved to table any action on rerouting the Lake Elmo linear park corridor. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Engstrom moved to amend pg. 4-39, 6-58 Scenic Roads by adding the following paragraph: "Scenic roads are routes that possess sensitive or unique scenic, environmental, or historical characteristics and characteristics of the County's rural landscape. Examples of such roads would be

April 8, 1997

routes along lakes, rivers, wetlands, or floodplains; through forests, prairie, or farmland; or through hilly, rocky or bluff terrain. Routes may be characterized by features that create a feeling of intimacy with nature, or by distant vistas from the roadway. The Scenic Roads Program should include the many varieties of the Washington County landscape and should be distributed throughout the County"; and, that the word "may" be underlined in the sentence that reads "The Scenic Road System will be established by County ordinance. It may include but is not limited to the following roadways." Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Abrahamson moved to amend pg. 6-58 Scenic Roads to eliminate County Road 21 from I-94 north to Oak Park Heights. Commissioner Hegberg seconded the motion and it was adopted 3-2 with the vote as follows: Yes, Commissioners Abrahamson, Hegberg and Peterson; No, Commissioners Engstrom and Hauser.

Commissioner Hauser moved to amend pg. 6-58 Scenic Roads Forest Lake Township - to replace the scenic road designation from Highway 95 west of CR 14 with CR 50. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Hauser asked if the changes to the Comprehensive Plan, which were listed on the yellow sheet, made by the Board in February and today's changes constitute substantive changes requiring that this plan be resubmitted to the Metropolitan Council?

Ms. Harper indicated that the changes the Board made to the Comprehensive Plan in February were submitted to Met Council for comment and they waived further review saying they considered those technical changes. The changes made today and contained on the grey sheet, she believes those would not be considered significant changes.

Commissioner Engstrom moved to adopt by ordinance next week the Washington County 2015 Comprehensive Plan as amended. Commissioner Hauser seconded the motion.

The Board discussed this motion.

Commissioner Abrahamson asked the County Attorney if everything in this plan has been reviewed by the County Attorney's Office, particularly the taking of land, will there be any problems the Attorney's Office may or may not see?

Howard Turrentine, Assistant County Attorney, stated the zoning ordinance is what would be attacked if there were claims the County was acting in an unconstitutional manner. Their office has not been involved in the drafting of the comp plan, so they haven't had an opportunity to review each section. The issues will come up in terms of the implementation of the comp plan through the zoning ordinance.



April 8, 1997

He sees nothing in this comp plan on its face that would be illegal. The tests for a zoning ordinance or any land use decision is one, does it promote a legitimate governmental interest, and two, does it deprive a landowner all reasonable use of their property? He sees nothing in this comp plan that is not in furtherance of a legitimate governmental interest, particularly since there is an abundance of permissive language. He sees nothing in the comp plan that, if implemented, would deny a landowner all reasonable use of the property, but that has to be decided on a case-by-case basis. The test will come down to the zoning ordinance and the County Attorney's office will be much more involved in the ordinance drafting process than it was in the comp plan.

Commissioner Peterson asked if future County Boards will have to support this Comp Plan or will they be able to make changes?

Mr. Turrentine indicated this request usually comes up in terms of a request for rezoning. Prior to 1995 the legislature said that if there was an inconsistency with the comprehensive plan and the zoning ordinance, the zoning ordinance would prevail. After 1995, the guiding document is the comprehensive plan. If this Board adopts the comprehensive plan and adopts a zoning ordinance to implement it and if a future board is faced with a request by a landowner to amend the zoning ordinance, a future board would be required to amend the comprehensive plan and the zoning ordinance. This Board cannot bind a future board no more than a previous board could bind this board in land use decisions. In order to change what a previous board has done there is a two-step process: 1) amend the comprehensive plan through the public hearing process; and, 2) amend the zoning ordinance to reflect that change.

Commissioner Hegberg moved to amend the motion to adopt by ordinance next week the Washington County 2015 Comprehensive Plan as amended and that the effective date of the Comprehensive Plan be October 1, 1997. Commissioner Peterson seconded the amendment and it was adopted 3-2 with the vote as follows: Yes, Commissioners Abrahamson, Hegberg and Peterson; No, Commissioners Engstrom and Hauser.

Commissioner Hauser asked for clarification. A resolution will come before the Board in the next week or two adopting the Comprehensive Plan and it will be published mid-May with an effective date of October 1, 1997.

Mr. Turrentine believes there is merit in doing it that way. If the Comp Plan became effective May 1, the County would be put in a position of having to handle some rezoning requests or conditional use requests under the old zoning ordinance which could create some real problems because the approach that the comprehensive plan is taking towards land use regulations is a little different than the existing zoning ordinance and the County could have situations where it would be forced to either adopt a moratorium or approve a rezoning request and allow some uses that would be inconsistent with the way the County wishes to go.



April 8, 1997

Commissioner Hauser reiterated that October 1 is not the day the Board would approve the Comprehensive Plan and then do the publishing and the process. The Comprehensive Plan will be approved by resolution at the next meeting and all the publishing would be done and the process completed and the effective date would be October 1, 1997.

Mr. Turrentine stated that was correct. Any request for rezoning prior to October 1 would be dealt with under the old Comprehensive Plan. After October 1, they would be under the new Comprehensive Plan and hopefully, under the new Zoning Ordinances.

Commissioner Engstrom indicated he voted against Commissioner Hegberg's amended motion, but after the Attorney's explanation it does make sense. Can the zoning ordinances also become effective October 1?

Mr. Turrentine stated assuming that the necessary public hearings are held, and if the ordinances are gotten to the Board by October 1, certainly. Another option the Board would have is that after the Plan is in place and if there are some glitches in the ordinance implementation, the Board could move that effective date a couple of weeks later so as to make the zoning ordinance as consistent with the Comprehensive Plan. The Comprehensive Plan wouldn't be taken off the Board, all that would be changed is the effective date.

Commissioner Abrahamson asked if the zoning ordinance public hearings would be held in August?

Mary McGlothlin, Director of Health, Environment and Land Management stated that the intent is to have the draft zoning ordinance ready for public hearings in June. There are three chapters they need to have in place in order to effectively implement the Comp Plan--the general zoning ordinance, the on-site septic ordinance, and the subdivision ordinance. Staff is anticipating that the zoning ordinance will be ready for public hearing probably in June, on-site septic ordinance in July, and the subdivision ordinance in August.

Commissioner Peterson stated that H.E.L.M. staff has or will meet with the following townships to discuss the zoning ordinance: April 3, Stillwater Township; April 4, Denmark Township; April 3 or 4, Baytown Township; and, Monday April 14 they will meet with Forest Lake Township. She put these on the record to let the audience know that the County is working with the townships.

The motion to adopt by ordinance next week the Washington County 2015 Comprehensive Plan as amended and that the effective date of the Comprehensive Plan would be October 1, 1997 was adopted unanimously.

April 8, 1997

**DISCUSSION FROM THE AUDIENCE**

Craig Leiser, 10300 Kismet Lane North, City of Grant, stated he is a resident of Kismet Basin. He presented a letter to the Board. He mentioned that a resolution was adopted by the City of Grant requesting that the County, acting as the Brown's Creek Water Management Organization, take over the resolution of the Kismet Basin project and integrate it with the overall Brown's Creek Plan. His letter requests support for the City of Grant's resolution.

Ross Screaton, West Lakeland Township, asked about the changes approved today for the Comp Plan. He referred to page 3 of the yellow sheet amendments, pg. 4-34 Open Space Development - Rural Housing Clusters. He asked if there are no districts made everything is outside the district and hence it's compulsory for townships to offer it or not, what is the intention? Ms. Harper explained that what was meant by that paragraph is if there are districts that are established that are mandatory, then all the land outside the districts would be voluntary. If there are no districts that are established it would be voluntary everywhere.

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Engstrom indicated that Commissioner Hegberg will be taking over his seat on the Need Assessment Subcommittee of the Solid Waste Management Committee.

Commissioner Hauser informed the Board that there is interest in investigating the idea of commuter rail. A staff person will be going to Dallas for a conference to investigate what is commuter rail and some of the processes that might be developed in looking at the question of establishing a commuter rail line in the metro area.

Commissioner Peterson updated the Board on the flooding conditions. She asked if anyone could help in sand bagging in Newport they should call 297-1304. The same would go for Stillwater, Afton, St. Croix Beach and St. Mary's Point.

Commissioner Peterson announced the following meetings: Seminar in Anoka County entitled "Putting Kids First" on April 30 and May 1; Roundtable discussion on sensible land development on April 18; Earth week is April 20 to 26; National Corridors Project Forum, April 11; Lower St. Croix Planning Task Force meeting, April 9; and, Congressman Luther will hold a public forum on April 12, in the County Board Room.

April 8, 1997

**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 Hauser and it was adopted unanimously. The Board meeting adjourned at 10:30 a.m.

**BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT**

The Board met in workshop session with the Public Works Department to discuss status of jurisdictional transfers identified in the 2015 transportation plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were Virginia Erdahl, Don Wisniewski, Don Theisen, and Tim Casey.

**BOARD WORKSHOP WITH SOIL AND WATER CONVERSATION DISTRICT**

The Board met in workshop session with the Washington County Soil and Water Conservation District to discuss a schedule for providing a surface water outlet from Goggins Lake to Brown's Creek. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were Virginia Erdahl, Don Wisniewski, Tim Casey, Konrad Koosmann, Mark Doneux, Bob Turrentine and citizens from the Brown's Creek area.

Attest:



Virginia R. Erdahl

Deputy Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**APRIL 15, 1997**

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 Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Board Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Howard R. Turrentine, Assistant County Attorney; Don Wisniewski, Public Works Director; Jerry Turnquist, Resource Recovery Project Manager; The Honorable Howard R. Albertson; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Arends, H.E.L.M. Department Manager; Marlene deBoef, Historic Courthouse Coordinator; Marie Sunlitis, Court Administrator; Russ Reetz, Court Services Director; Jim Frank, County Sheriff; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Approval to direct the Washington County Soil and Water Conservation District to prepare and submit an amendment to the Brown's Creek Watershed Management Plan to include Capital Improvement Projects for the School Section/Goggins and Kismet Basin projects; and, to establish watershed and sub-watershed taxing districts.
2. Approval to authorize the Washington County Soil and Water Conservation District to enter into an agreement with the firm of Montgomery-Watson to provide consulting engineering services for the Brown's Creek Plan Amendments.
3. Adoption of **Resolution No. 97-051** as follows:

Lawful Gambling Exemption for American Heart  
 Association, MN Affiliate, to be Used at  
 Vannelli's Restaurant, Forest Lake Township

WHEREAS, American Heart Association, MN Affiliate has made application to the Gambling Control Board for exemption from certain requirements contained in Minn. Stat. Chapt. 349 in order to conduct raffles at the premises located at Vannelli's Restaurant, 7050 N. Scandia Trail, Forest Lake, Forest Township, Washington County on the following date: March 28, 1997; and

Washington County does not oppose issuance of and exemption consistent with the application.

4. Adoption of **Resolution No. 97-052** as follows:

April 15, 1997

Authorizing Eminent Domain Proceedings for  
County State Aid Highway 2

WHEREAS, Washington County proposes to improve County State Aid Highway 2 from a point 1276.5 feet west of the north leg of Everton Avenue to the West ramps of Interstate 35 in the City of Forest Lake; and

WHEREAS, the improvements consist of grading, aggregate base, bituminous surfacing, concrete curb and gutter, storm sewer, traffic signals, and realignment of Everton Avenue as herein determined necessary to provide for the safety of the traveling public; and

WHEREAS, the acquisition of all right of way and easements over certain lands are necessary to provide for said construction; and

WHEREAS, Washington County has authority to acquire right of way and easements for highway purposes by eminent domain pursuant to Minnesota law; and

WHEREAS, Washington County has the right to acquire right of way and easements prior to the filing of an award by the court appointed commissioners pursuant to Minnesota law; and

WHEREAS, Washington County is unable to begin construction on the lands described herein until it has acquired title and possession to the necessary right of way and easements; and

WHEREAS, waiting until the commissioners file their award would delay the completion of the project, thus increasing the inconvenience to the traveling public; and

WHEREAS, Washington County has been unable as yet 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 - County State Aid Highway 2

Parcel 1:

Fee Owner: Minwis, Inc.\* and JJS Properties 4\*\*  
C/O Fred Chikovsky, Esq.  
1720 Harrison Street  
7th Floor  
Hollywood, Florida 33020-6822

\* a Florida Corporation

\*\* a New York Limited Partnership



April 15, 1997

Lessee: KMart Corporation, a Michigan Corporation  
C/O Daniel Burdick  
3100 West Big Beaver Road  
Troy, Michigan 48084-3163

Mortgagee: Norwest Bank Minnesota, as trustee for the benefit of holders of CNC  
Pass-Through Certificates Series 1994-1  
6th & Marquette  
Minneapolis, MN 55479-0069

and

Forest Lake, MN Limited Partnership  
C/O J & W Management Corporation  
810 Seventh Avenue, 28th Floor  
New York, New York 10019

Acquisition

Summary: 0.03 Acres of Drainage and Utility Easement  
0.10 Acres of Utility and Traffic Control Easement  
0.69 Acres of Temporary Slope Easement  
(To begin April 1, 1997 and expire October 31, 1998)

Legal Description of  
Drainage and Utility Easement

A permanent easement for drainage and utility purposes over, under and across that portion of the following described property:

That part of the West Half of the NW¼ of the NE¼ and that part of the SE¼ of the NW¼ of the NE¼, Section 7, Township 32 North, Range 21 West, Washington County, Minnesota, described as follows:

Beginning at the north quarter corner of said Section 7, thence North 88° 33' 35" East, assumed bearing along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 662.62 feet to the east line of said West Half of the Northwest Quarter of the Northeast Quarter, thence South 0° 28' 20" East, along said east line, a distance of 659.64 feet to the north line of said Southeast Quarter of the Northwest Quarter of the Northeast Quarter, thence North 88° 33' 04" East, along said north line a distance of 586.52 feet to the westerly right-of-way line of Interstate Highway No. 35, thence South 19° 53' 28" West, along said westerly right-of-way line, a distance of 436.37 feet, thence South 89° 29' 59" West, a distance of 183.00 feet, thence South 0° 30' 01" East, a distance of 132.14 feet to the northerly right-of-way line of West Broadway Avenue (also known as County State Aid Highway No. 2); thence South 75° 58' 04" West, along said northerly right-of-way line a distance of 271.94 feet, thence South 88° 14' 19" West, continuing along said northerly right-of-way line a distance of 55.60 feet, thence northwesterly, continuing along said northerly right-of-way line, a distance of 597.26 feet along a tangential curve concave to the northeast having a radius of 656.19 feet and a central angle of 52° 09', thence North 39° 36' 41" West, continuing along said northerly right-of-way line and tangent to said curve, a distance of 111.02 feet to the west line of said West Half of the Northwest Quarter of the Northeast Quarter, thence North 0° 30' 01" West, along said west line, a distance of 916.85 feet to the point of beginning.

Described as follows:

April 15, 1997

Commencing at Right of Way Boundary Corner B7 as shown on WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 105, said plat recorded in the Washington County Records Office; thence N 00° 30' 11" W along the east right of way line of Everton Avenue North, a distance of 224.75 feet to the point of beginning; thence continuing N 00° 30' 11" W, a distance of 40.00 feet; thence N 89° 29' 49" E, a distance of 20.00 feet thence S 00° 30' 11" E, a distance of 40.00 feet; thence S 89° 29' 49" W, a distance of 20.00 feet to the point of beginning.

and

Commencing at Right of Way Boundary Corner B6, as shown on Washington County Highway Right of Way Plat No. 105, said plat recorded in the Washington County Records Office; thence S 00° 30' 11" E along the east right of way line of Everton Avenue North, a distance of 335.57 feet; thence N 89° 29' 49" E, a distance of 10.00 feet; thence S 00° 30' 11" E, a distance of 30.00 feet; thence S 89° 29' 49" W a distance of 10.00 feet to the east right of way line of Everton Avenue North; thence N 00° 30' 11" W, a distance of 30.00 feet to the point of beginning.

Legal Description of  
Utility and Traffic Control Easement:

A permanent easement for utility and traffic control purposes over, under and across that portion of the following described property:

That part of the West Half of the NW¼ of the NE¼ and that part of the SE¼ of the NW¼ of the NE¼, Section 7, Township 32 North, Range 21 West, Washington County, Minnesota, described as follows:

Beginning at the north quarter corner of said Section 7, thence North 88° 33' 35" East, assumed bearing along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 662.62 feet to the east line of said West Half of the Northwest Quarter of the Northeast Quarter, thence South 0° 28' 20" East, along said east line, a distance of 659.64 feet to the north line of said Southeast Quarter of the Northwest Quarter of the Northeast Quarter, thence North 88° 33' 04" East, along said north line, a distance of 586.52 feet to the westerly right-of-way line of Interstate Highway No. 35, thence South 19° 53' 28" West, along said westerly right-of-way line, a distance of 436.37 feet, thence South 89° 29' 59" West, a distance of 183.00 feet, thence South 0° 30' 01" East, a distance of 132.14 feet to the northerly right-of-way line of West Broadway Avenue (also known as County State Aid Highway No. 2); thence South 75° 58' 04" West, along said northerly right-of-way line a distance of 271.94 feet, thence South 88° 14' 19" West, continuing along said northerly right-of-way line, a distance of 55.60 feet, thence northwesterly, continuing along said northerly right-of-way line, a distance of 597.26 feet along a tangential curve concave to the northeast having a radius of 656.19 feet and a central angle of 52°09', thence North 39° 36' 41" West, continuing along said northerly right-of-way line and tangent to said curve, a distance of 111.02 feet to the west line of said West Half of the Northwest Quarter of the Northeast Quarter, thence North 0° 30' 01" West, along said west line, a distance of 916.85 feet to the point of beginning.

Described as follows:

Beginning at Right of Way Boundary Corner B11 as shown on WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 105, said plat recorded in

April 15, 1997

the Washington County Records Office; thence westerly along the north right of way line of County State Aid Highway 2, a distance of 9.40 feet; thence N 07°35'41" E, a distance of 75.66 feet; thence S 90°00'00" E, a distance of 40.00 feet; thence S 00°00'00" W, a distance of 50.00 feet; thence S 90°00'00" E, a distance of 50.00 feet; thence S 14°01'56" E, a distance of 13.89 feet; thence S 75°58'04" W, a distance of 39.58 feet to Right of Way Boundary Corner B101, as shown on said Plat No. 105; thence S 88°14'19" W, a distance of 55.60 feet to the point of beginning.

Legal Description of  
Temporary Slope Easement:

A temporary easement for construction purposes over, under and across that portion of the following described property:

That part of the West Half of the NW¼ of the NE¼ and that part of the SE¼ of the NW¼ of the NE¼, Section 7, Township 32 North, Range 21 West, Washington County, Minnesota, described as follows:

Beginning at the north quarter corner of said Section 7, thence North 88° 33' 35" East, assumed bearing along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 662.62 feet to the east line of said West Half of the Northwest Quarter of the Northeast Quarter, thence South 0° 28' 20" East, along said east line, a distance of 659.64 feet to the north line of said Southeast Quarter of the Northwest Quarter of the Northeast Quarter, thence North 88° 33' 04" East, along said north line, a distance of 586.52 feet to the westerly right-of-way line of Interstate Highway No. 35, thence South 19° 53' 28" West, along said westerly right-of-way line, a distance of 436.37 feet, thence South 89° 29' 59" West, a distance of 183.00 feet, thence South 0° 30' 01" East, a distance of 132.14 feet to the northerly right-of-way line of West Broadway Avenue (also known as County State Aid Highway No. 2); thence South 75° 58' 04" West, along said northerly right-of-way line a distance of 271.94 feet, thence South 88° 14' 19" West, continuing along said northerly right-of-way line, a distance of 55.60 feet, thence northwesterly, continuing along said northerly right-of-way line, a distance of 597.26 feet along a tangential curve concave to the northeast having a radius of 656.19 feet and a central angle of 52°09', thence North 39° 36' 41" West, continuing along said northerly right-of-way line and tangent to said curve, a distance of 111.02 feet to the west line of said West Half of the Northwest Quarter of the Northeast Quarter, thence North 0° 30' 01" West, along said west line, a distance of 916.85 feet to the point of beginning.

Said temporary easement being all that part of the above described property which lies within the following described area:

Not to exceed 5 feet in width between and left of Engineer's Stations 41+50 and 42+50; and 42+50; and

Not to exceed 10 feet in width between and left of Engineer's Stations 42+50 and 44+25; and

Not to exceed 15 feet in width between and left of Engineer's Stations 44+25 and 45+75; and

Commencing at Right of Way Boundary Corner B11 as shown on WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 105; thence westerly along the north right of way line of County State Aid Highway 2 as shown on said plat, a distance of 19.40 feet to the point of beginning;

April 15, 1997

thence N 00°00'00" W, a distance of 260.00 feet; thence S 90°00'00" E, a distance of 50.00 feet; thence S 00°00'00" W, a distance of 100.00 feet; thence S 90°00'00" E, a distance of 80.00 feet; thence S 00°00'00" W, a distance of 115.00 feet; thence S 90°00'00" E, a distance of approximately 110 feet to the northerly right of way line of County State Aid Highway 2; thence westerly along the northerly right of way line of County State Aid Highway 2 to the point of beginning. Except the "Utility and Traffic Control" Easement acquired as part of this project.

and

Commencing at Right of Way Boundary Corner B7 as shown on WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 105; thence N 00°30'11" W along the east right of way line of Everton Avenue North, a distance of 120.00 feet to the point of beginning; thence continuing N 00°30'11" W, a distance of 80.00 feet; thence N 89°29'49" E, a distance of 30.00 feet; thence S 00°30'11" E, a distance of 80.00 feet; thence S 89°29'49" W, a distance of 30.00 feet to the point of beginning.

and

Commencing at Right of Way Boundary Corner B6, as shown on WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 105; thence S 00°30'11" E along the east right of way line of Everton Avenue North, a distance of 275.57 feet; thence N 89°29'49" E, a distance of 10.00 feet; thence S 00°30'11" E, a distance of 60.00 feet; thence S 89°29'49" W, a distance of 10.00 feet to the east right of way line of Everton Avenue North; thence N 00°30'11" W, a distance of 60.00 feet to the point of beginning.

Said temporary slope easement is to begin April 1, 1997 and expire October 31, 1998.

**PARCEL 2:**

Fee Owner: Philip C. Rosar and Karen A. Rosar  
9541 Foley Boulevard  
Coon Rapids, MN 55433

Lessee  
(Tenant): Forest Lake Motors  
44 SW 19th Avenue  
Forest Lake, MN 55025

Mortgagee: None

Acquisition 125 square feet of new right of way (to be acquired in highway easement)  
Summary: 125 square feet of temporary slope easement  
(to begin April 1, 1997 and expire October 31, 1998)

Legal Description  
of R/W Acquisition:

The North 5 feet of the East 25 feet of all that part of Lot 1, Block 2, EVERTON PARK, Washington County, Minnesota, lying North of the following described



April 15, 1997

line: Beginning at a point on the east line of said Lot 1, distant 180.00 feet north of the southeast corner, thence westerly to a point on the west line of said Lot 1, distant 187.00 feet north of the southwest corner.

Legal Description of Temporary Slope Easement:

The South 5 feet of the North 10 feet of the East 25 feet of all that part of Lot 1, Block 2, EVERTON PARK, Washington County, Minnesota, lying North of the following described line: Beginning at a point on the east line of said Lot 1, distant 180.00 feet north of the southeast corner, thence westerly to a point on the west line of said Lot 1, distant 187.00 feet north of the southwest corner.

Said slope easement shall begin April 1, 1997 and expire October 31, 1998 (19 months).

5. Approval of office lease at Historic Courthouse for Loeffel Engstrand Corporation for the period April, 1997 through April 30, 1998.
6. Approval to advertise for bids on seasonal materials and services for road maintenance.
7. Adoption of **Resolution No. 97-053** as follows:

**Annual Boat and Water Safety Enforcement Agreement**

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

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

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

WHEREAS, the County is eligible to receive \$38,912.00 to assist in the funding of the Sheriff's Duties during the period 1 January 1997 through 31 December 1997.

NOW, THEREFORE BE IT RESOLVED that the County of Washington enter into an agreement with the State of Minnesota, Department of Natural Resources for the following purposes: to receive assistance in the funding of carrying out the Sheriff's Duties under the provisions of M.S. Section 361.01 to MS. 361.29 during the period 1 January 1997 through 31 December 1997.

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



April 15, 1997

BE IT FINALLY RESOLVED, that a copy of this resolution be attached to the Annual County Boat and Water Safety Agreement covering the period from 1 January 1997 through 31 December 1997.

8. Adoption of **Resolution No. 97-054** as follows:

Recognizing the Public Safety Dispatchers in  
Washington County in Honor of  
National Public Safety Telecommunications Week

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby proclaims the week beginning April 13, 1997 as Public Safety Telecommunications Week in Washington County and extends its appreciation and thanks to the dedicated Public Safety Telecommunications Personnel for the vital contribution they make to the safety and well being of our citizens and public safety providers.

The foregoing Consent Calendar was adopted unanimously.

**ART WORK PRESENTATION**

Commissioner Engstrom moved to adopt **Resolution No. 97-055** as follows:

Accepting a Gift of Art Work from  
Judge Howard R. Albertson

WHEREAS, Judge Howard R. Albertson has loaned the art work series known as the Hometown Collection by local artist Randall J. Radeunz to the County for the past seven years; and

April 15, 1997

WHEREAS, the Hometown Collection is a series of six prints depicting the scenic beauty of the St. Croix Valley; and

WHEREAS, Judge Howard R. Albertson now wishes to make a gift of this collection to Washington County for display in the north end of the Government Center.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners gratefully accepts the six prints that comprise the Hometown Collection.

BE IT FURTHER RESOLVED, that the County Board of Commissioners extends its thanks to Judge Albertson for this contribution to the citizens of Washington County so that all visitors to the Government Center have an opportunity to view this collection of local art work.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Commissioner Abrahamson requested that one of the pictures be hung in the County Board room.

#### **RESOURCE RECOVERY PROJECT**

Commissioner Engstrom moved to adopt **Resolution No. 97-056** as follows:

##### **Resource Recovery Project Administration**

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board is now operating under Phase II of the Joint Powers Agreement; and

WHEREAS, the Joint Powers Agreement provides that there are certain administrative duties that are best attended to by full-time staff, and not a part-time independent consultant; and

WHEREAS, the Joint Powers Agreement specifies the authority granted to the Project Manager and further specifies that the Project Manager shall not work solely under the direction of either Ramsey or Washington Counties; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board met March 20, 1997, and recommended this administrative authority, formerly held by the Project Manager, be transferred to a Joint Staff Committee, made up of staff from Ramsey County, Washington County, and the Project with a member of the Joint Staff Committee designated by a majority vote of the Joint Staff Committee to sign documents previously signed by the Project Manager on behalf of the Joint Staff Committee; and

WHEREAS, the Joint Powers Agreement, in Section IV.I., specifies that changes in administrative structure are to be made by the Counties.

April 15, 1997

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners authorizes the transfer of all power and authority given to the Project Manager by the Joint Powers Agreement to the Joint Staff Committee until June 30, 1997.

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners approves an administrative structure that includes a Joint Staff Committee, comprised of one (1) member of the Washington County Department of Health, Environment and Land Management, one (1) member of the Ramsey County Division of Solid Waste (1) member of the Ramsey County Budgeting and Accounting Office, and the Project Administrative Assistant; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners delegates to the Joint Staff Committee the responsibility of establishing the administrative procedures under which the Joint Staff Committee operates.

Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Hauser asked that the subject of per diem payments for County Commissioners be brought up at the May workshop. She feels that the Board does receive salary and should not receive per diem payments for meetings that are assigned to them.

#### **GENERAL ADMINISTRATION**

The County Administrator informed the Board that the adoption of the 2015 Comprehensive Plan, which was announced last week that it would be adopted at this Board meeting, will take place at next week's Board meeting, April 22. The County Attorney's Office felt that all amendments should be made to the document so that a final clean copy would be available.

The County Administrator updated the Board on the following legislative issues: Appointment of Auditor-Treasurer bill passed the Senate and is moving along in the House; The Joint Ditch 1 legislation which would allow Chisago and Washington Counties to abandon the ditch is moving along, but there are some questions as to whether or not any appropriations will be made for past expenses; Aggregate tax bill; TIF fiscal disparity language is included in the tax bill; and, the investor owned utility tax change in the is not likely to be approved this year.

The Board discussed the proposed bill on levy limits.

Commissioner Engstrom moved that a letter be sent to the State showing Washington County's rate decreases for the past three or four years and identify the mandated programs which have been imposed on the Counties with no money to provide the services. Commissioner Hegberg seconded the motion and it was adopted unanimously.

April 15, 1997

**DISCUSSION FROM THE AUDIENCE**

Cheri Gangl, Stillwater, read from a letter which was distributed to the Board prior to the Board meeting, regarding alleged misconduct in the County Sheriff's Office. The Assistant County Attorney informed Ms. Gangl that this was not the appropriate place for her to seek redress for what she sees as wrong doings. He stated it serves no useful purpose to make public accusations as to the conduct or misconduct of public officials. He suggested that she see seek legal advice and that there was nothing this Board could do for her today. Commissioner Peterson advised Ms. Gangl that they had all received her letter and it would be placed on the record.

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Abrahamson noted there will be a 911 executive meeting on Thursday, April 17, at 9:00 a.m. regarding the 911 budget.

Commissioner Hegberg reported on the Judicial Ditch 1 meeting.

Commissioner Engstrom thanked staff from the Public Works Department and the Sheriff's Office for their work on flooding along the St. Croix.

Commissioner Peterson stated that as the waters recede help will also need to remove the sandbags.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

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

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

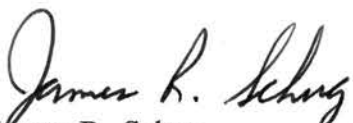
The Board met in workshop session with the Office of Administration to discuss the 1998 budget guidelines. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Chris Eitemiller, John Devine, Judy Honmyhr, Cindy Koosmann, Mary McGlothlin, Scott Hovet, Don Wisniewski, Marie Sunlitis, Dan Papin, Jim Frank, Richard Stafford, Molly O'Rourke, Tim Casey and Richard Hodsdon.

April 15, 1997

**BOARD WORKSHOP WITH THE DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND  
MANAGEMENT**

The Board met in workshop session with the Department of Health, Environment and Land Management to receive policy direction on the zoning ordinance. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Mary McGlothlin, Dennis O'Donnell, Bob Turrentine, Kathy Nordine, Tim Casey, Rita Moosbrugger, Eileen Weber, and Ross Screation.

Attest:

  
James R. Schug

County Administrator



Myra Peterson, Chair

County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
APRIL 22, 1997**

The Washington County Board of Commissioners met in regular session at 9:03 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Board Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Howard R. Turrentine, Assistant County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Russ Reetz, Court Services Director; Jane Harper, Physical Development Planner; Don Wisniewski, Public Works Director; Dan Papin, Community Services Director; Jim Frank, County Sheriff; Cindy Koosman, County Recorder; Lowell Johnson, Manager, H.E.L.M. Department; Richard Hodsdon, First Assistant County Attorney; Stu Glaser, H.E.L.M. Department; and Tim Casey, Public Information Specialist.

**CONSENT CALENDAR**

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

1. Adoption of **Resolution No. 97-057** as follows:

Gambling License Renewal for  
Voiture #39 HO&8

WHEREAS, on or about April 8, 1997, the Voiture #39 HO&8 has made an Application for Authorization to Conduct Excluded Bingo pursuant to the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved are located at Veterans Rest Camp, 11300 180th St. North, Marine on St. Croix in May Township, Washington County; and

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 May.

2. Approval of cost sharing agreement with the City of Woodbury and approval of engineering services agreement with Short-Elliott-Hendrickson (SEH) for the Woodbury Drive project in the amount of \$97,853.
3. Approval and execution of cost reimbursement and maintenance agreements with the City of Woodbury for traffic signal construction and maintenance on CSAH 13 (Radio Drive) and Pioneer Drive/Afton Road in Woodbury.

April 22, 1997

- 4. Approval and execution of cost reimbursement and maintenance agreements with the City of Woodbury for traffic signal construction on CSAH 13 (Radio Drive) and City Centre Drive in Woodbury.
- 5. Adoption of **Resolution No. 97-058** as follows:

Authorization for County Engineer to Install  
Stop Signs on 21st Street and Maxwell Avenue in Newport

WHEREAS, the intersection of CSAH 38 (Maxwell Avenue and 21st Street to the east) and 21st Street to the west is currently uncontrolled for east/west traffic; and

WHEREAS, placing stop signs for east/west traffic during a recent detour resulted in more efficient and potentially safer traffic movements; and

WHEREAS, the City of Newport, with concurrence from the Washington County Transportation Engineer, has requested that the stop signs be reinstalled.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby empowers the County Engineer to erect and maintain stop signs for east/west traffic movements at the intersection of CSAH 38 and 21st Avenue in Newport.

- 6. Adoption of **Resolution No. 97-059** as follows:

Designating Former CSAH 33 as CR 33A

WHEREAS, on August 6, 1996, the Washington County Board of Commissioners approved a resolution revoking the County State Aid Highway status of CSAH 33 in William O'Brien State Park; and

WHEREAS, a companion resolution is required to confer County Road status to the road.

NOW, THEREFORE, BE IT RESOLVED, that the former Washington County State Aid Highway be designated County Road 33A.

- 7. Approval to advertise for bids on CSAH 5 and CSAH 6 for pavement preservation.
- 8. Bids were received for Plant Mixed Bituminous as follows:

	<u>MC 800 w/Oil</u>	<u>AC-1 Mix w/Oil</u>	<u>AC-1 Mix w/oil + sand</u>
Commercial Asphalt	No Bid	\$20.70/T@ Scandia	No Bid
		\$22.40/T@Red Rock	

April 22, 1997

River City Asphalt	\$29.00/T	\$19.40/T	\$24.00/T
T.A. Schifsky	\$23.50/T	\$20.50/T	\$23.50/T

Adoption of **Resolution No. 97-060** as follows:

Award of Contract for Seasonal Materials  
Plant Mixed Bituminous Material

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

WHEREAS, bids were opened on April 15, 1997 with T.A. Schifsky, River City Asphalt and Commercial Asphalt being the multiple bidders; and

NOW, THEREFORE BE IT RESOLVED, that a contract for the Plant Mixed Bituminous Material supplied to Public Works be awarded to T.A. Schifsky, River City Asphalt and Commercial Asphalt.

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specification as stipulated by Washington County and as agreed to by T.A. Schifsky, River City Asphalt and Commercial Asphalt.

BE IT FURTHER RESOLVED, that the contract between the County and T.A. Schifsky, River City Asphalt and Commercial Asphalt be executed through the signature of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon contract execution by the vendors and approval as to form by the Washington County Attorney's Office.

Bids were received for sand material as follows:

Camas Minnesota, Inc.	\$1.95 per ton
M.J. Raleigh	\$1.75 per ton

Adoption of **Resolution No. 97-061** as follows:

Award of Contract for Seasonal Materials  
Sand Material

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

WHEREAS, bids were opened on April 15, 1997 with Camas Minnesota, Inc. and M.J. Raleigh being the multiple bidders; and

April 22, 1997

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

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

BE IT FURTHER RESOLVED, that the contract between the County and Camas Minnesota, Inc. and M.J. Raleigh be executed through the signature of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon contract execution by the vendors and approval as to form by the Washington County Attorney's Office.

9. Approval to apply for extension of grant funds from the Minnesota Department of Corrections for salary/fringe benefits of an Assistant Victim/Witness Coordinator.

The foregoing Consent Calendar was adopted unanimously.

#### **PUBLIC HEARING - COUNTY ATTORNEY'S OFFICE**

#### **AMENDMENT TO THE WASHINGTON COUNTY JUVENILE CURFEW ORDINANCE**

The Board Chair presented an overview of today's public hearing to consider amendment to the Washington County Juvenile Curfew Ordinance Nos. 115 and 116 by consolidating them into one ordinance and making it clear that a violation of the ordinance is a misdemeanor.

The Secretary to the Board read into the record the notice of intent to adopt said ordinance. The Board Chair declared the public hearing open at 9:05 a.m.

Richard Hodsdon, First Assistant County Attorney, presented an overview of the amended Juvenile Curfew Ordinance. He indicated that the original ordinance and its amendment caused confusion and the new ordinance before the Board today, would combine the two for clarity and consistency.

The Board Chair asked for comments from the audience; none were heard. The Board Chair closed the public hearing at 9:10 a.m.

Commissioner Abrahamson moved to amend Washington County Juvenile Curfew Ordinance Nos. 115 and 116 by consolidating them into one ordinance. Commissioner Engstrom seconded the motion and it was adopted unanimously.

April 22, 1997

The County Attorney's Office was directed to prepare a resolution adopting the Washington County Juvenile Curfew Ordinance for the next County Board meeting.

**HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**

Lowell Johnson, Manager, H.E.L.M. Department, stated that the adoption of a resolution declaring Washington County a major disaster area would give H.E.L.M. the authority to work with federal and state governments in getting assistance. Mr. Johnson also gave an overview of what constitutes a major disaster area and commended Public Works and Don Wisniewski, Roger Coomer and Brad Bodlovick, the Sheriff's Office and Steve Pott, Court Services and its Sentence to Service program, the Red Cross, and surrounding communities for their assistance in helping with the flood fighting effort.

Stuart Glaser, Emergency Management Director, recognized the workers from the surrounding cities and townships who coordinated the flood emergency activities and gave some statistics on money spent so far and personnel and volunteer hours put in on flood response activities. He showed a short video of some of the flood damage that occurred in cities and towns along the rivers.

Commissioner Peterson asked if it was possible to get a list of those schools who volunteered with sandbagging. Mr. Glaser indicated he will look into getting a list of volunteers and send it to the Board.

The Board commended County staff and community volunteers for their assistance during the flood disaster.

Commissioner Engstrom moved to adopt **Resolution No. 97-062** as follows:

Request that Washington County be Declared  
a Major Disaster Area

WHEREAS, the County of Washington, Minnesota has sustained severe losses of a major proportion, brought on by: Severe flooding of the Mississippi and St. Croix Rivers on the date of March 21, 1997, and continuing; and

WHEREAS, Washington County is a public entity within the State of Minnesota; and

WHEREAS, the following conditions exist in Washington County as a result of the disaster: Roads underwater; Parks underwater; Levees sustained damage; Dikes sustained damage; Private property damages, including but not limited to, basement flooding, septic system back-ups and contaminated wells; Public utility systems damage (sewer, water); and Local economic hardship created by these conditions.



April 22, 1997

NOW, THEREFORE BE IT RESOLVED that Washington County as empowered by Minnesota Statutes, Chapter 12.29, does hereby declare that a disaster exists within the County.

BE IT FURTHER RESOLVED that the Board of County Commissioners, for and on behalf of the citizens of Washington County, request the Governor of the State of Minnesota to petition the President of the United States to declare the County of Washington, Minnesota to be a major disaster area through appropriate channels.

BE IT FURTHER RESOLVED that this request is for the Public Assistance and Human Service Program and Hazard Mitigation Program as offered through P.L. 93-288; and A Small Business Administration Disaster Declaration.

BE IT FURTHER RESOLVED that the County Emergency Management Director is authorized to coordinate the damage survey teams with local government and assist in the administration of the disaster recovery process as needed.

Commissioner Hauser seconded the motion and it was adopted unanimously.

#### **COURT SERVICES DEPARTMENT**

Russ Reetz, Court Services Director, gave a brief explanation to the Board of a new program to the County to expand restorative justice into the community. It will hold juvenile offenders accountable to victims and the community affected by their behavior through some form of reparation. He stated that this program will be evaluated at its conclusion.

Commissioner Hauser moved to approve the Court Services Department to solicit proposals to provide community-based restorative justice programs. Commissioner Engstrom seconded the motion and it was adopted unanimously.

#### **GENERAL ADMINISTRATION**

##### **Resolution Adopting the 2015 Comprehensive Plan**

Jane Harper, Physical Development Planner, stated that with approval of the Plan, the next step will be for a summary of the ordinance to be published in the legal newspaper, copies of the Plan will be sent to all townships and replacement pages with Plan changes will be sent to parties on the Plan distribution list.

Commissioner Abrahamson stated he would be voting in opposition to the Comprehensive Plan. He thought the Board would be working with the Zoning Ordinance and the Comprehensive Plan together, chapter by chapter, sit down with the townships that were here at the public hearing and wanted to be

April 22, 1997

heard. He indicated he is having great difficulty approving a Plan, even though he hears this is only a road map, but this plan will cost millions of dollars. He does not believe the townships or the cities have had a chance to digest what the County is doing. He stated this is old hat for some of the Board, but when you are talking about spending \$50 million to \$100 million in the future, this Board should be careful and make sure the ordinances and everybody that's involved with these ordinances understands what's going on. He has a lot of problems with the Plan. He believed this was resolved. He thought the Board was going to work with the Zoning Ordinances and the Comprehensive Plan together, chapter by chapter, with all the people involved and those that wanted to be heard would be heard when the Board was doing this. Those are his reasons for being opposed to this resolution.

Commissioner Hauser stated that the Plan and Ordinance are two separate documents and the Ordinance needs the framework of the Plan and that the effective dates should correspond to take affect at the same time. She feels that there has been enough time spent on this Plan. She said the Comp Plan approval won't cause any more money to be spent than what has already has been. She also stated that the biggest expenditure is in roads.

Commissioner Engstrom stated that each issue will come back to the Board before more money can be spent. He said the Plan has been strongly approved by the communities with only a few dissenters.

Commissioner Abrahamson agreed that a great portion of the money is for roads. He has no problem with that, roads are needed. The money he's referring to is for land acquisition beyond road right-of-ways all the way from Cottage Grove to Chisago County and those are going to be in the millions. He is not talking about park money. The \$50 to \$100 million he's referring to is looking at land acquisition and road costs in this plan that's proposed. The money for Grey Cloud Island Park which will cost \$50 to \$100 million is coming from the State and outside moneys, but it's still coming from tax payers pockets. He has received approximately 100 calls on evaluations of property. He does not feel the County can afford all these things. He has a problem with spending money in the future, spending his grandkid's money.

Commissioner Engstrom moved to approve **Resolution No. 97-063** as follows:

Resolution Adopting the 2015 Comprehensive Plan

WHEREAS, Washington County is authorized to carry on County planning and zoning activities in the unincorporated areas of the County pursuant to Minn. Stat. Chapt. 394; and

WHEREAS, Minn. Stat. § 473.851, *et seq.* requires the County's planning and zoning activities to be consistent with the Metropolitan Systems Statement Plan; and

April 22, 1997

WHEREAS, in order to implement this requirement, counties are required to adopt and periodically update their policy statements, goals, standards and maps which they use for guiding the physical, social and economic development, both private and public, of the County, which is cumulatively known as a comprehensive plan and which comprehensive plan includes statements of policy, goals and standards, a land use plan, transportation plan, recreational open space plan, natural resources plan, housing plan, county facility policies and cultural resource policies; and

WHEREAS, it was determined that Washington County's existing Comprehensive Plan was in need of updating and amending so as to be consistent with the Metropolitan Systems Statement Plan; and

WHEREAS, the plan was referred to the Washington County Planning Advisory Commission for study and recommendation; and

WHEREAS, on July 13, 1995, a proposed Comprehensive Plan was recommended to the Washington County Board; and

WHEREAS, on March 25, 1997, the Washington County Board conducted public hearings on the proposed 2015 Comprehensive Plan; and

WHEREAS, the proposed 2015 Comprehensive Plan has been reviewed and approved by the Metropolitan Council, as required by law.

NOW, THEREFORE, BE IT RESOLVED, that for the purposes of guiding the physical, social and economic development, both private and public of the County and for the reasons set forth in the Comprehensive Plan dated the 22nd day of April, 1997, the Board of Commissioners of Washington County ordains:

1. The 2015 Comprehensive Plan dated the 22nd day of April, 1997 attached hereto is hereby adopted in its entirety as Washington County Ordinance No. 124.
2. This Ordinance shall be and is hereby declared to be in full force and effect from and after October 1, 1997, after its passage and publication according to law.
3. From and after October 1, 1997, the 1983 Comprehensive Plan adopted by the Washington County Board on January 4, 1983 is repealed as being substituted by the 2015 Comprehensive plan being adopted by Ordinance No. 124.

Commissioner Hegberg seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Hegberg, Peterson, Hauser and Engstrom; No, Commissioner Abrahamson.

#### Legislative Update

The County Administrator presented an update on the Joint Ditch #1 appropriation and reported that a letter has been sent by Commissioner Peterson to the legislative delegation on levy limits.

April 22, 1997

**DISCUSSION FROM THE AUDIENCE**

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

**COMMISSIONER REPORTS - COMMENTS - QUESTIONS**

Commissioner Abrahamson stated he is having problems with the amount of money the County is spending. He doesn't understand the philosophy of politicians saying it's other agencies giving the County money, or getting it from here and giving it here -- he thinks of the Stillwater Bridge, \$14 million was spent, it's been studied for eight years and a group of people can spend a quarter of a million and stop something like that -- he feels that bridge is needed.

Commissioner Hegberg stated that a Plan is needed to get money from the State and Federal governments.

Commissioner Hegberg reported on the Foster Care program dinner and Guardian ad Litem dinner and thanked all those involved.

Commissioner Engstrom reported that the City of Landfall will be getting a part-time administrator. He also reported that Tom Keane, Denmark Township, passed away on Sunday. He was very active in the County agriculture society.

Commissioner Hauser indicated that we should be mindful of SCORE legislation and that a letter should be sent to the legislative delegation.

Commissioner Peterson reported on upcoming meetings: Coping with Urban Growth, May 1, 5:00 to 9:00 p.m., May 13, 5:00 to 9:00 p.m., and May 27, 5:00 to 9:00 p.m.; Lower St. Croix Planning Task Force, April 23, 7:00 - 9:00 p.m., May 5, 7:00 - 9:30 p.m. and May 22.

Commissioner Peterson noticed that today is Earth Day and urged everyone to plant a tree or do something kind for our environment.

Commissioner Hegberg will attend the Planning Advisory Commission this evening to discuss part of the Zoning Ordinances.

Commissioner Peterson indicated she will be meeting with U.S. Representative Jim Oberstar this afternoon regarding the Wakota Bridge.

April 22, 1997

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**EXECUTIVE (CLOSED) SESSION**

Commissioner Engstrom moved to go into Executive Session to discuss the Junker Landfill Litigation. Commissioner Abrahamson seconded the motion and it was adopted unanimously; the time being 10:05 a.m. Present for the Executive Session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Richard Hodsdon, Sue Harris, and Virginia Erdahl.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously.

**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 Zoning Ordinance - designation of scenic routes. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Bob Turrentine, Kathy Nordine, Paul Patting, Tim Casey, Mary McGlothlin, Lowell Johnson, Dennis O'Donnell, and Don Wisniewski.

**BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT**

The Board met in workshop session with the Community Services Department to discuss current issues and future trends in child protection investigations/assessments. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Dan Papin, Tim Casey, Debbie Kenney, Jerry O'Dair, Kathy Smith, Patrick Courtney, Rick Backman and Scott Malinosky.

**BOARD WORKSHOP WITH PUBLIC WORKS DEPARTMENT**

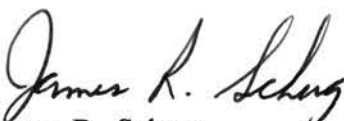
The Board met in workshop session with the Public Works Department to discuss Hinton and Manning Avenue Corridors. No business was transacted and the public was welcome to attend. Present for the




April 22, 1997

workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Don Wisniewski, Don Theisen, Jane Harper, Tim Casey, Sandy Cullen and Brian Gage.

Attest:

  
James R. Schug

County Administrator

  
Myra Peterson, Chair  
County Board