



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

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05/27/97	PUBLIC WORKS-GENERAL		EAW ON DRAINAGE PROJECT FOR SCHOOL SECTION/GOGGINS LAKE DEFERRED, DNR WILL BE INVITED TO MAKE COMMENTS, PETITION EQB FOR AN ALTERNATIVE ENVIRONMENTAL REVIEW.	11	234
05/27/97	PUBLIC WORKS-GENERAL		BRD. TO REQUEST CITIES AND TWPS. IN BROWN'S CREEK TO IMPOSE A DEVELOPMENT MORATORIUM FOR FUTURE DEVELOPMENT FOR AT LEASE ONE YEAR.	11	237
06/03/97	PUBLIC WORKS-GENERAL		RES. 97-076, ACCEPTANCE OF A BROWN'S CREEK WATERSHED PLANNING GRANT FROM THE MN BWSR.	11	240
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06/17/97	PUBLIC WORKS-GENERAL		APPT. OF MICHAEL WHITE, NEW SCANDIA TO THREE YEAR TERM ON THE CAR-MAR WATERSHED WITH A TERM EXPIRING 6/21/2000. APPT. OF TOM OAKES, MAY TOWNSHIP, TO THE CAR-MAR WATERSHED TO FILL AN UNEXPIRED TERM TO 6/21/99	11	262
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06/24/97	PUBLIC WORKS-GENERAL		PETITION THE MN BWSR FOR THE ESTAB. OF THE BROWN'S CREEK WATERSHED DISTRICT.	11	276
07/01/97	PUBLIC WORKS-GENERAL		RES. 97-090 ADOPTING BROWN'S CREEK WATERSHED TAX DISTRICT - ORD. NO. 126.	11	279
07/22/97	PUBLIC WORKS-GENERAL		UPDATE ON FLOODING CONDITIONS OF KISMET, SCHOOL AND GOGGINS LAKES. UPDATE ON BROWN'S CREEK WMO SITUATION.	11	315
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05/13/97	PUBLIC WORKS-PARKS	97-069	MN TRAIL ASSISTANCE PROGRAM.	11	198
05/13/97	PUBLIC WORKS-PARKS		STEVE CHATTERTON, OAKDALE, RESIGNED FROM THE PARKS AND OPEN SPACE COMMISSION.	11	201
05/27/97	PUBLIC WORKS-PARKS		WATERCRAFT OVERNIGHT BEACH ANCHOR FEE AT ST. CROIX BLUFFS REG. PARK AT \$5.00.	11	213
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06/17/97	SOIL AND WATER CONSERVATION		STAFF DIRECTED TO PREPARE PETITION REQUESTING THAT THE MN BWSR CREATE A BROWN'S CREEK WATERSHED DISTRICT AND THAT THE COUNTY BOARD RECOMMENDS THAT IT BE CONSOLIDATED W/ANOTHER WATERSHED DISTRICT.	11	261
06/17/97	SOIL AND WATER CONSERVATION		STAFF ASKED TO PRESENT CITIES AND TWP'S WITHIN THE BROWN'S CREEK WMO WITH INFORMATION PRESENTED AT LAST WEEK'S WORKSHOP RE: BOUNDARIES.	11	261
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07/01/97	SURVEYOR		TWO-YEAR SPEC. PROJ. SURVEY & LAND INFOR. TECH.	11	287
05/06/97	WORKFORCE CENTER		AGREE. W/TWIN CITIES TREE TRUST, 1997 SUMMER YOUTH PROGRAM.	11	190
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OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 6, 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. Board Chair Peterson presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Assistant County Attorney; Don Theisen, Deputy Public Works Director; Russ Reetz, Court Services Director; Robert Crawford, Workforce Center Division Manager; Susan Ladwig, Legislative Representative; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the April 1, 8, 15 and 22, 1997 Board meeting minutes.
2. Adoption of **Resolution No. 97-064** as follows:

Repealing the Current Juvenile Curfew Ordinance
 Nos. 115 and 116
 and Replacing it with a New Washington County
 Juvenile Curfew Ordinance

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

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

WHEREAS, on September 12, 1995, the Washington County Board amended Ordinance No. 115 with Ordinance 116; and

WHEREAS, a public hearing was held on April 22, 1997, on the proposed Washington County Ordinance No. 125, County-Wide Juvenile Curfew Ordinance; and

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

May 6, 1997

NOW, THEREFORE, BE IT RESOLVED, that on the recommendation of the Washington County Attorney's Office and the testimony received at the public hearing and for the reasons set forth therein, the existing Washington County Juvenile Curfew Ordinance Nos. 115 and 116 are hereby repealed and that the proposed Juvenile Curfew Ordinance as presented by the Washington County Attorney's Office be and hereby is adopted as the Washington County Juvenile Curfew, Ordinance No. 125.

BE IT FURTHER RESOLVED, that this Ordinance supersedes the existing Washington County Juvenile Curfew Ordinance Nos. 115 and 116. The purpose of this Ordinance is to set a county-wide night time curfew for juveniles. The Ordinance establishes, among other things, the curfew times, applicable ages, enforcement mechanisms and penalties for violations of the Ordinance.

BE IT ALSO RESOLVED, that the foregoing is only a summary of the Ordinance and that the full text is available for public inspection at the Washington County Auditor/Treasurer's Office, the Washington County Attorney's Office and the Washington County Department of Administration.

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

3. Approval to enter into an amended agreement extending the vending contract with Best Vending for one additional year from May 1, 1997 through April 30, 1998.
4. Approval of on/off sale non-intoxicating malt liquor license for Oswald's Resort, April 1, 1997 to March 31, 1998.
5. Approval of agreement with Twin Cities Tree Trust to provide services for the 1997 Summer Youth Program.
6. Approval of Program Year 1997 (July 1, 1997 through June 30, 1998) Local Workforce Service Area Plan for Employment and Training for submission to the Department of Economic Security.
7. Approval to renew the Juvenile Restitution Grant Program for the period July 1, 1997 through June 30, 1998.
8. Approval of license to use real property between Washington County and the City of Forest Lake, Forest Lake Township, the City of Woodbury, Scandia Township and the South Washington County Schools for household hazardous waste collections.

May 6, 1997

9. Bids were received for play area equipment for the Lake Elmo Park Reserve as follows:

	<u>Projects A & B</u>
Flanagan Sales Inc.	\$76,990
Earl F. Anderson, Inc.	\$73,875
St. Croix Rec. Co., Inc.	\$69,999

Adoption of **Resolution No. 97-065** as follows:

Award of Contract for Play Equipment at
Lake Elmo Park Reserve to Flanagan Sales, Inc.

WHEREAS, in order to expand the current play structure at the Lake Elmo Park Reserve to meet new safety and accessibility guidelines, the County solicited proposals for this project; and

WHEREAS, proposals were opened on April 15, 1997 with Flanagan Sales, Inc. being the selected bidder for Projects A and B;

WHEREAS, all bid proposals received were based on one requirement, that they meet established safety standards. Per the project specifications all proposals received were reviewed by a selection committee for creativity, age appropriateness, diversity and quality of equipment. The committee selected the proposal submitted by Flanagan Sales, Inc. based on this review.

NOW, THEREFORE BE IT RESOLVED, that the proposal of Flanagan Sales, Inc. be accepted for Projects A and B and the County enter into a contract with Flanagan Sales, Inc., under the terms and conditions set forth in the proposal specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and Flanagan Sales, 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 proposal specifications requirements and approval as to form by the Washington County Attorney's Office.

10. Adoption of **Resolution No. 97-066** as follows:

Authorization for County Engineer to Establish a
School Speed Zone on CSAH 38 in Newport

WHEREAS, the City of Newport had requested that the County review traffic operations on CSAH 38 (4th Avenue) between 7th Street and 10th Street adjacent to the Newport Elementary School; and

WHEREAS, a traffic study performed by the Public Works Department indicated that establishing a School Speed Zone of 20 miles per hour in the School Zone; and

May 6, 1997

WHEREAS, the Newport City Council has adopted Resolution 97-13 supporting the findings of the traffic study and establishment of the School Speed Zone.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the County Engineer to establish a School Speed Zone of 20 miles per hour on CSAH 38 between 7th Street and 10th Street and to erect and maintain the appropriate signs and pavement markings.

11. Adoption of **Resolution No. 97-067** as follows:

Prioritizing County and Township Bridges Planned
for Replacement Within the Next Five Years

WHEREAS, Washington County has determined that the following deficient bridges on the CSAH, County Road and Township systems are a high priority and require replacement or rehabilitation within the next five (5) years; and

<u>Bridge No.</u>	<u>Road No.</u>	<u>Estimated Project Cost</u>	<u>Federal Funds</u>	<u>Local Funds</u>	<u>Bond Funds Needed</u>	<u>Proposed Const. Year</u>
4611	CSAH 21	\$325,000	\$120,000	\$175,000	\$30,000	2000
L8165	0172	\$50,000	\$0	\$45,000	\$5,000	1998

WHEREAS, local roads play an essential role in the overall state transportation network and local bridges are the critical component of the local road systems; and

WHEREAS, State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the townships to proceed with the replacement or rehabilitation of the high priority deficient bridges described above; and

WHEREAS, Washington County intends to proceed with replacement or rehabilitation of these bridges as soon as possible when State Transportation Bond Funds are available;

BE IT RESOLVED, that Washington County commits that it will proceed with the design and contract documents for these bridges immediately after being notified that funds are available in order to permit construction to take place within one year notification.

12. Approval for the County Board Chair and County Administrator to execute the contract for extra funds from the DNR to assist in enforcement of BWI laws.
13. Approval of local law enforcement block grant request to enhance Victim/Witness efforts to assure more rapid assistance to victims of violent crimes and processing of cases for prosecution involving violent adults and juveniles.
14. Approval to appoint Laurie Gagner, Oakdale, to the Solid Waste Advisory Committee, Local Government Representative, to fill an unexpired term to December 31, 1998.

The foregoing Consent Calendar was adopted unanimously.

May 6, 1997

AUDITOR-TREASURER'S OFFICE

Commissioner Hegberg moved to approve the following abatement applications:

<u>Type</u>	<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
Pen/Int	16.027.21.42.0049	Pete Alsides	\$ 34.25
Pen/Int	07.032.21.14.0020	Paul Shanda	185.07.
Pen/Int	09.026.20.34.0006	Joseph Carroll	149.70
Discrdt	29.030.21.34.0145	Greeder, Elizabeth	476.15
Discrdt	15.032.21.44.0004	Newburg, Fred	416.36
Discrdt	04.031.20.13.0003	Kilgriff, Michael & Francis	494.50
Value	10.028.20.32.0010	Ferche, Dennis	398.56
Value	08.032.21.13.0024	Haines, Theodore	12,649.02
Hmstd	29.027.21.11.0004	Zywiec, Joseph & Debra	882.70
Hmstd	88.088.88.00.1052	Rousseau, Steve & Laura	260.16
Hmstd	19.032.21.12.28	Lowe Jr., Donald J.	916.56
Value	10.028.20.32.0010	Ferche, Dennis	408.30
Blind	22.028.20.44.0004	Mucciacciaro, Nicholas	198.80
Tax Cap	19.027.21.41.0001	Zywiec, Joseph & Debra	699.39

Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Engstrom abstaining.

GENERAL ADMINISTRATION**Legislative Update**

The Legislative Representative presented an update on the following issues: Aggregate material tax - provision considered and included in Omnibus Tax Bill; Plat Approval - deferred; Property tax drop list -conference committee; TIF-Fiscal disparities from district - will be considered this evening; Joint Ditch No. 1 appropriation - will be discussed later this evening; Appointed Auditor/Treasurer, Recorder - passed both houses with an amendment added on the House side regarding St. Paul City Council; 5¢ gas tax increase; Elected Met Council; County CIP Authority; ISTEA Enhancement; Mosquito Control Board.

The Board discussed a resolution regarding the Omnibus Environment Bill review of transportation enhancement projects.

Commissioner Hegberg moved to adopt **Resolution No. 97-068** as follows:

May 6, 1997

Omnibus Environmental Bill
Review of Transportation Enhancement Projects

WHEREAS, the Minnesota House of Representatives' version of the Omnibus Environmental Bill now being considered by the Environmental and Natural Resources Funding Conference Committee contains a provision that would require all ISTEAs enhancement projects to be reviewed and recommended by a committee of members of the Legislative Committee on Minnesota Resources (LCMR) and the chairs of transportation related committees of the Legislature; and

WHEREAS, ISTEAs enhancement projects are currently solicited, evaluated, selected, and programmed by the Transportation Advisory Board (TAB); and

WHEREAS, the current process has successfully resulted in the approval of approximately \$20 million in enhancement projects; and

WHEREAS, the review and recommendation of these projects by the TAB has been consistent with the long-range regional transportation plan of the Metropolitan Council.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners opposes the transfer of this responsibility for ISTEAs enhancement projects from the Transportation Advisory Board/Technical Advisory Committee to a committee made up of LCMR members and the chairs of the transportation-related committees of the Legislature.

BE IT FURTHER RESOLVED that the County Board of Commissioners supports a process in which the TAB would give priority consideration to projects that are receiving LCMR funding.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Washington County legislative delegation, including those members who are serving on the Environment and Natural Resources Funding Conference Committee.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Wakota Bridge Legislation

Dennis McGrann, Lockridge, Grindal, Nauen and Holsten, presented an update on Federal legislation regarding the Wakota Bridge.

League of Local Governments Meeting

It was Board consensus to schedule the next League of Local Government's meeting for June 30, 1997 to discuss the draft zoning ordinance. The meeting will be held at 7:00 p.m. in the County Board Room. Commissioner Abrahamson asked that the meeting be video taped.

May 6, 1997

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hegberg reported that he has had several calls regarding flooding on Twin Lake, which is an outlet of Square Lake. He has also been made aware of severe erosion taking place on the northeast corner of Square Lake. He asked that the Soil and Water Conservation District look into this situation and report back to the Board.

Commissioner Abrahamson asked that interviews with applicants be scheduled for the two vacancies on the Carnelian-Marine Watershed District and that these interviews be scheduled for June 3, following the evening Board meeting.

Commissioner Hauser congratulated Don Wisniewski, Public Works Director, on his election as Vice-President of the North Central Region of the National Association of County Engineers. She asked that Public Works staff investigate any alternatives to the current de-icing methods.

Commissioner Hegberg thanked Sheriff Jim Frank and his staff on a perfect inspection report for the County jail.

Commissioner Peterson reported that Jim Wroblewski has been named the MELSA Executive Director effective May 5, 1997.

Commissioner Peterson listed upcoming meetings: Lower St. Croix Planning Task Force, May 7, and May 22, 7-9:30 p.m.; County Board and department head retreat, May 16, Katherine Abbott Center, Mahtomedi; I-94 Urban Growth Stakeholders met on May 1 in Hudson, Wisconsin, and will hold additional meetings on May 13 and 27.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

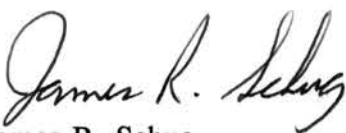
There being no further business to come before the Board Commissioner Engstrom moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously. The Board meeting adjourned at 5:25 p.m.

May 6, 1997

WASHINGTON COUNTY REGIONAL RAIL AUTHORITY

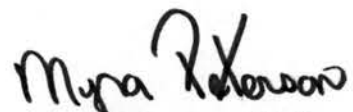
The Washington County Regional Rail Authority met in regular session at 5:25 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Chair Hauser presided. Also present were James R. Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Assistant County Attorney, Don Theisen, Deputy Public Works Director; and Tim Casey, Public Information Specialist. Official Proceedings of the Regional Rail Authority are available in the Office of Administration.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 13, 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 Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Hodsdon, First Assistant County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Don Wisniewski, Public Works Director; Dan Papin, Community Services Director; Char Farnum, Community Services Division Manager; Robert Crawford, Workforce Center Division Manager; Richard Backman, Community Services Division Manager; Robert Lockyear, Director of Planning and Administrative Services; Scott Hovet, County Assessor; Judy Honmyhr, Human Resources Director; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of Court Services continuum of care grant for FY 1997 for the period July 1, 1997 through June 30, 1998.
2. Approval of two part-time special project 911 Telecommunicator positions in the Sheriff's Office through December 31, 1997.
3. Approval of continuation of a special project Clerk I position in Court Administration through December 31, 1997.
4. Approval of banding and grading of Court Administrator at D71-1.
5. Approval of banding and grading of revised job description of Principal Planner - Program & Policy Development in the Office of Administration at C44-1.
6. Approval of lease with Deborah and Gregory Nelson for rental house at 18339 Manning Trail, Marine through the signatures of the County Board and County Administrator.
7. Adoption of **Resolution No. 97-069** as follows:

May 13, 1997

Minnesota Trail Assistance Program

WHEREAS, Washington County has developed trail systems in Cottage Grove Ravine Regional Park, Pine Point Park, Lake Elmo Park Reserve and St. Croix Bluffs Regional Park Reserve; and

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

BE IT FURTHER RESOLVED, that participation in the Minnesota Trail Assistance Programs be authorized by the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator per the guidelines of Minnesota Statutes, Section 84.43.

8. Approval to advertise for bids for painting service needs in County buildings.
9. Approval to advertise for bids on the sale of excess right of way land located in Stillwater Township along CSAH 12.

The foregoing Consent Calendar was adopted unanimously.

HUMAN RESOURCES DEPARTMENT

Commissioner Abrahamson moved to approve the following bargaining agreement with Law Enforcement Labor Services, Inc., Sheriff Deputies unit:

1. Duration: January 7, 1996 through January 4, 1999.
2. Wages:
Effective 01/07/96, 2.0% general adjustment
Effective 01/12/97, 2.5% general adjustment
Effective 12/28/97, 2.5% general adjustment
3. Health Insurance:
1996 - \$290.00/month
1997 - \$305.00/month
1998 - \$320.00/month
4. Medical Flexible Spending Account:
1996 - \$310.00
1997 - \$320.00
1998 - \$330.00

May 13, 1997

5. Night Shift Differential:

1997 - \$.50/hour (first pay period after ratification)

1998 - \$.60/hour

6. Severance Pay:

The severance pay provision has been modified to include a cap of a total payment not to exceed \$12,000.00. Eligible employees shall be paid one-half of accrued sick leave to a maximum of 400 hours at the employees' hourly rate of pay.

7. Language Items:

Various clarifications and improvements.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Richard Gauger, Gauger Engineering, Inc., presented a final report on the courts remodeling project. He indicated that this project was completed within the funds that were allocated.

Commissioner Engstrom moved to reduce the retainage contracts to one percent for Lund Martin Construction, Inc. for the courts remodeling contract, Electronics Design Company, for the security systems contract connecting the LEC and Courts area, and Impulse Group for the courts audio contract. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

COMMUNITY SERVICES DEPARTMENT**Update on Welfare Reform Activities**

The Community Services Director presented an update on welfare-to-work activities which are underway in his department.

1996 Community Services Annual Report

The Community Services Director presented his department's 1996 annual report.

May 13, 1997

GENERAL ADMINISTRATION**1996 Budget Savings Pool Recommended Projects**

The Deputy Administrator reported that the 1996 budget savings allocated to the County-wide pool was \$738,800. She indicated that of that amount, \$200,000 has previously been allocated for the County's telephone system leaving \$538,800 in the savings pool. On April 28, the department head group considered 17 projects totalling \$751,000. Of those 17 projects four projects were recommended for approval by the County Board.

Commissioner Abrahamson moved to approve the following projects recommended by the Department Head group from the 1996 budget savings pool in the amount of \$407,800: Financial management system for the County; Intranet analysis project submitted by Court Services; LEC router and network analyzing software/hardware recommended by Information Services; and an oxygen cascade system in the Sheriff's department. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Comments on City of Woodbury's Proposed Tax Increment Financing District

Commissioner Hauser moved to approve County comments on the City of Woodbury's proposal to enlarge Development District No. 1, reduce the size of Tax Increment Financing District No. 9, and establish Tax Increment Financing Districts No. 10 and 11. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Legislative Update

The County Administrator announced that the Auditor-Treasurer/Recorder appointment bill has passed both houses and is on its way to the Governor for signature.

DISCUSSION FROM THE AUDIENCE

Floyd Johnson, May Township, asked the Board to check the erosion occurring on the north side of Square Lake. Two years ago he reported to the May Town Board that there were ditches which measure two feet deep. He indicated that those same ditches are now 40 feet deep and there is runoff into Square Lake.

Commissioner Abrahamson stated that he, as well as Commissioner Hegberg, have received several calls on this problem. He has talked to the Soil and Water Conservation District and he and Commissioner Hegberg will be going out to that site on Thursday to take a look at those ditches.

May 13, 1997

The County Administrator has been in contact with the Soil and Water Conservation District. They will be here next week on a Browns Creek Water Management issue and he will ask them to update the Board on this issue. Also, a meeting has been scheduled with the Department of Natural Resources to discuss the outlet structure from Square Lake to Twin Lake. He also indicated that the Marine on St. Croix Water Management Organization is taking a look at that water flow issue.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson asked that the new Gazette reporter, Mark Brouwer, introduce himself to the Board.

Commissioner Abrahamson asked that the Board Chair attend the Finance Committee meeting for him tomorrow. He understands that Housing and Redevelopment Authority issues will be discussed and hopes that a workshop will be scheduled to discuss those issues. Commissioners Hauser, Hegberg and Peterson will be attending the Finance Committee meeting on Wednesday, May 14 at 9:00 a.m.

Commissioner Hegberg reported on the Mental Health Conference he attended in Duluth. He indicated it was very informative and that clients as well as providers were in attendance.

Commissioner Engstrom reported that Steve Chatterton, Oakdale, has resigned from the Parks and Open Space Commission.

Commissioner Hauser updated the Board on the AMC District X meeting held last week. She indicated that two focus groups have been formed: 1) Transit with Lois Yellowthunder, Senior Planner, as Washington County's representative; and 2) Law Enforcement - Jim Frank, County Sheriff, and Bill Sullivan, Chief of Police, City of Oakdale, as Washington County's representatives.

Commissioner Peterson reported on upcoming meetings: State-wide symposium entitled "Changing Roles for County Health Planners and Human Services Providers" on June 26 and 27 at the St. Cloud Civic Center; Law Enforcement Memorial, Thursday, May 15 at noon; Lower St. Croix Planning Coordinating Task Force will meet on May 22; and the Growth Options Forum will meet this evening and May 27.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

May 13, 1997

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 10:15 a.m.

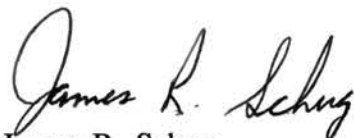
BOARD WORKSHOP WITH THE AUDITOR-TREASURER'S OFFICE

The Board met in workshop session with the Auditor-Treasurer's Office to discuss the Forest Lake and Stillwater License Center renovations and election equipment purchase. 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, Richard Stafford, Molly O'Rourke, Cindy Thibodeau, Tim Casey, Lyle Doerr, Don Wisniewski, Jane Nordine, and David Meade.

BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the 1997 strategic planning environmental scan. 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, Jane Harper, Robert Lockyear, Lois Yellowthunder, Dan Papin, Don Wisniewski, Glenda Eoyang, Consultant,

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 20, 1997**

WASHINGTON COUNTY REGIONAL RAIL AUTHORITY CONVENE

The Washington County Regional Rail Authority met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Hauser presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Assistant County Attorney; Don Theisen, Deputy Public Works Director; Sandy Cullen, Transportation Engineer; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, H.E.L.M. Division Manager; Stuart Glaser, EMS Coordinator; Cindy Calease, H.E.L.M. Department; Dan Papin, Community Services Director; Russ Reetz, Court Services Director; Jane Harper, Physical Development Planner; Konrad Koosmann, Soil and Water Conservation District; and Tim Casey, Public Information Specialist. Official Proceedings of the Regional Rail Authority are available in the Office of Administration.

WASHINGTON COUNTY BOARD OF COMMISSIONERS CONVENE

The Washington County Board of Commissioners met in regular session at 9:15 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Peterson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Assistant County Attorney; Don Theisen, Deputy Public Works Director; Sandy Cullen, Transportation Engineer; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, H.E.L.M. Division Manager; Stuart Glaser, EMS Coordinator; Cindy Calease, H.E.L.M. Department; Dan Papin, Community Services Director; Russ Reetz, Court Services Director; Jane Harper, Physical Development Planner; Konrad Koosmann, Soil and Water Conservation District; 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 May 6, 1997 Board meeting minutes amended as follows: Replace third paragraph, first sentence under "Commissioners Reports - Comments - Questions" with the following: "Commissioner Hauser congratulated Don Wisniewski, Public Works Director, on his election as Vice- President of the North Central Region of the National Association of County Engineers."

May 20, 1997

2. Approval of a Metropolitan Area Watershed Outlet Monitoring Program Grant from Metropolitan Council and authorization for matching funds.
3. Approval of contract amendment between Washington County and the Washington County Soil and Water Conservation District for conducting the activities outlined in the Metropolitan Council grant agreement for a water monitoring program in Brown's Creek.

4. Approval of applications for abatement/refund of taxes, penalty, interest or cost as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R01.031.20.41.0007	Eric & Carole LeVine	\$1,348.00
R02.028.21.33.0013	Kevin & Paula Ario	542.00
R02.028.21.33.0082	Marie & Robert Lorensen	348.00
R02.029.21.33.0083	Lawrence & Phyllis Lundholm	242.00
R03.028.21.21.0094	Rosemary Olson	768.00
R03.029.21.14.0002	Richard & Eileem Egersdorf	914.00
R03.031.21.44.0001	Shirley Smith & Cindy Bellamy	448.00
R41 parcels	MnDOT	1,968.00
R27.028.21.22.0002	Salem Lutheran Church	48.00
R03.032.21.33.0054	Michael A & Janice M Stone	388.00
R04.028.21.41.0222	Mark A & Beth R Ollhoff	110.00
R04.028.21.42.0146	Geller & Geller	1,988.00
R06.029.20.21.0001	Robert Buberl	2,428.00
R07.027.21.43.0007	Carolyn M & Jason A Thompson	1,084.00
R07.029.20.13.0007	Steven A & Julie M Zimmer	1,002.00
R07.029.21.22.0085	Peterson, Gary	430.00
R07.031.19.32.0007	Wildenauer, John & Mary	156.00
R08.027.21.42.0163	Slagle, Robert G & Cecilia M	320.00
R08.029.21.23.0017	Younghans, Joseph D & Margaret T	1,468.00
R08.029.21.23.0093	Boecker, Thomas D & Kimberly Jo	1,316.00
R08.029.21.42.0076	Lavey, Link R & Anju Gupta	1,468.00
R08.032.21.13.0144	Meltzer, Lester	1,882.00
R08.032.21.13.0147	Winnick, David	1,616.00
R18.030.21.43.0001	Whitaker, Steven & Shannon	5,256.00
R18.032.21.43.0018	Laska, Albert Jr. & Diann	56.00

5. Approval for 1998 request for the Emergency Shelter Grant program funded by the State Department of Economic Security and administered by Ramsey Action Program.
6. Approval of Sentence to Service Joint Powers Agreement with the State of Minnesota for the period July 1, 1997 through June 30, 1999.
7. Approval of extension of special project Clerical Aide position in the Assessor's Office through December 31, 1997.
8. Approval of .50 FTE Clerk I position in the Office of Administration, Central Services Division.

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9. Approval and execution of cost reimbursement agreement with the City of Oakdale for construction and maintenance of sidewalk along CSAH 6 in Oakdale.
10. Approval for County Board Chair and County Administrator to execute agreement with the U.S. Marshal for bed rental at the Law Enforcement Center.

The foregoing Consent Calendar was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Contract for Groundwater Modeling and Protection Efforts

Staff presented an overview of a proposed study which would provide upgraded interpretations of the three dimensional arrangement and water bearing characteristics of quaternary-age glacial sediments in Washington County. This study will build on the work previously published in the Geologic Atlas of Washington County and will improve the precision by investigating in detail the stratigraphy and hydrologic properties of the quaternary glacial sediments. The study is expected to last 15 months and the \$64,428 cost will be funded through reimbursements the County receives from the Lake Jane refund from the State of Minnesota.

Commissioner Abrahamson moved to authorize the County Administrator and Board Chair to enter into an agreement with the Minnesota Geological Survey, University of Minnesota, to provide a revised and upgraded interpretations of the quaternary characteristics of Washington County geology for use in groundwater modeling and protection efforts. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Emergency Medical Services Week

Commissioner Abrahamson moved to adopt **Resolution No. 97-070** as follows:

Designate the Week of May 18 - 24, 1997 as
Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

May 20, 1997

WHEREAS, emergency medical services providers have traditionally served as the safety net of America's health care system; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

WHEREAS, injury prevention and the appropriate use of the EMS system will help reduce national health care costs; and

NOW, THEREFORE BE IT RESOLVED that Washington County, in recognition of this event does hereby proclaim the week of May 18-24, 1997, as Emergency Medical Services Week and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Board members presented certificates of appreciation to EMS providers and first responders throughout the County.

GENERAL ADMINISTRATION

Set Public Hearing on Petition for EAW on School Section/Goggins Lake

Commissioner Hegberg moved to acknowledge receipt of the petition for an Environmental Assessment Worksheet on the School Section/Goggins Lake project and order a public hearing on the subject for May 27, 1997. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

National Association of Counties Steering Committees

The Board discussed nominations to the National Association of Counties Steering Committees. Commissioner Hauser suggested that Commissioner Hegberg serve on the Taxation & Finance Steering Committee and Commissioner Engstrom suggested Commissioner Hegberg for the Environment, Energy and Land Use Steering Committee which he has served on for the past several years.

May 20, 1997

Commissioner Hauser moved to nominate Commissioner Engstrom to the Community & Economic Development Steering Committee; Commissioner Peterson to the Transportation and Telecommunications Steering Committee; and Commissioner Hegberg to either the Taxation & Finance Steering Committee or the Environment, Energy & Land Use Committee. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Legislative Session Wrap-up

Sue Ladwig, Legislative Liaison, presented an update on the results of the 1997 Minnesota State Legislative Session and the impact on Washington County. Items discussed were: Aggregate material tax - tax increase considered but not approved, auditing provisions included in Omnibus Tax Bill; Property tax drop list - language included in Omnibus Data Practices Bill; TIF-Fiscal disparities from district - language included in Omnibus Tax Bill; Joint Ditch - abandonment language and \$200,000 State appropriation included in Omnibus Environment Bill; and, Appointed Auditor/Treasurer, Recorder - Chapter 153.

The Board thanked the Legislative delegation and Sue Ladwig for their help in getting crucial bills passed this session. The County Administrator indicated that a letter is being prepared for the County Boards signature thanking the legislative delegation.

Update on Erosion at Square Lake

Konrad Koosmann, Soil and Water Conservation District, updated the Board on the water quality on Square Lake due to gullies located on the Josephson property. He has made arrangements to view these gullies with a member of the Josephson family and will discuss possible solutions to stabilizing the gullies. He will report back to the Board.

DISCUSSION FROM THE AUDIENCE

Eileen Weber, 8450 Indian Boulevard South, Cottage Grove, addressed the Board on a matter that came up during the legislative session relating to a bill prohibiting children's access to tobacco. The Washington County Attorney's Office testified strongly against a provision that was supported by Senator Dave Johnson that would have created a \$75 penalty for minors who were caught trying to buy cigarettes. She indicated that at yesterday's final Senate discussion over this bill, Senator Dave Johnson, from Bloomington, was castigating the County Attorney's Office and waiving a letter around reflecting the County's position on this issue. She informed the Board that Senator Johnson stated that "perhaps the good people of Washington County ought to consider getting a new County Attorney". She called the County's Attorney's Office and spoke with Doug Johnson and he explained the County's position on this issue. She is here today to tell the Board that she is offended to have a member of her

May 20, 1997

political party malign the County Attorney's Office, who she feels is doing a good job on this issue. She suggested that the Board might want to send a letter to the County Attorney's Office as well as Senator Johnson, commending the County Attorney and stating that he is representing the good people of Washington County.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hegberg left the meeting at 10:15 a.m.

Commissioner Peterson announced that the Minneapolis Planning Department will be hold a discussion on preservation of commercial structures and warehouse buildings on Thursday, June 22 from 5:30 to 7:00 p.m.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn seconded by Commissioner Engstrom and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 10:22 a.m.

BOARD WORKSHOP WITH THE AUDITOR-TREASURER'S OFFICE

The Board met in workshop session to discuss options to replace aging election equipment. 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, Richard Stafford, Molly O'Rourke, Dave Maeda, and Tim Casey.

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 discuss the implementation of a county-wide telephone notification system. 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, Mary McGlothlin, Stuart Glaser, Lowell Johnson, Tim Casey, Dennis Cusick, Director of Public Safety, City of Cottage Grove, Dave Dally, Cottage Grove Fire Chief, and Tom Baltutis, 3M Cottage Grove.

May 20, 1997

FOLLOW UP SESSION TO MAY 16 DEPARTMENT HEAD/COUNTY BOARD RETREAT

The County Board meet with Department Heads in an informal follow up session to the May 16 retreat to discuss strategic planning issues. No business was transacted and the public was welcome to attend.

Myra Peterson, Chair
County Board

Attest:

James R. Schug
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 27, 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 Schug, County Administrator; Howard R. Turrentine, Assistant County Attorney; Konrad Koosmann, Soil and Water Conservation District; Mark Doneux, Soil and Water Conservation District; Jane Harper, Physical Development Planner; Mary McGlothlin, Director of Health, Environment and Land Management; Don Wisniewski, Public Works Director; Dan Papin, Community Services Director; 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 May 13, 1997 Board meeting minutes.
2. Approval of amended County Policies #1403, operation of County Owned Motor Vehicles, and #1404, Operation of Personal Vehicles for County business.
3. Adoption of **Resolution No. 97-071** as follows:

Petty Cash and Change Funds
Replaces Resolution 96-102

WHEREAS, the Finance Committee has reviewed status of petty cash, change, and postage funds of Washington County, as reflected in Resolutions 86-127, 87-53, 88-105, 90-07, 91-066, 91-129, 92-032, 92-180, 94-152 and 96-062; and

WHEREAS, periodic changes in programs necessitate changes in change fund and petty cash needs;

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners hereby adopts the following petty cash and change funds in the amounts indicated:

Petty Cash and Change Funds

Accounting - change fund	\$200.00
Auditor-Treasurer	
Treasurer's counter - change fund	1,500.00
Forest Lake License Center - change fund	150.00
Stillwater License Center - change fund	275.00
Woodbury License Center - change fund	200.00

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Government Center Vital Statistics - change fund	25.00
License Bureau & Finance section - petty cash fund (to be spilt equally at 4 sites)	200.00
Central Services - change fund	100.00
County Attorney - petty cash fund	300.00
County Recorder - change fund	100.00
County Administrator	
Government Center - change fund	300.00
Cottage Grove - change fund	100.00
Jury Commissioners, Cottage Grove - change fund	50.00
Job Training Center - petty cash fund	1,000.00
Library	
Change fund	100.00
Petty cash fund	200.00
Planning - change fund	100.00
Public Health	
Immunization - change fund	20.00
Public Works	
Change Fund	50.00
Petty cash fund	50.00
<u>Parks</u>	
Square Lake - permits change fund	100.00
Square Lake - concessions change fund	100.00
Lake Elmo - permits change fund	200.00
Lake Elmo - concessions change fund	100.00
St. Croix Bluffs - permits change fund	200.00
Sheriff	
Civic Process - change fund	50.00
Emergency Assistance - change fund	100.00
Jail Released Inmates Reimbursement - petty cash fund	300.00
Surveyor - change fund	50.00

Total	<u>\$6,220.00</u>
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BE IT FURTHER RESOLVED that this Resolution becomes a part of County Fiscal Policy, as identified in Resolution 83-112.

4. Approval of child care resource and referral program service development grant in the amount of \$5,000.
5. Approval of contract with Community Living Options to provide home and community based services to persons with developmental disabilities.

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6. Approval to schedule a public hearing on June 24, 1997 to adopt an ordinance establishing the Brown's Creek Watershed Tax District pursuant to Minn. Stat. sec. 103B.245.
7. Approval for the I.S. Director to utilize the entire salary range (Step A-H) for an offer of employment for the vacancy of County Network Systems Manager.
8. Approval of contract with Imagineering to furnish network computer services on an as needed basis from June 1, 1997 to December 31, 1997.
9. Approval of the watercraft overnight beach anchor fee at St. Croix Bluffs Regional Park at \$5.00.
10. Adoption of **Resolution No. 97-072** as follows:

Award of Contract for Plant Mixed Bituminous
Surface Inplace to Multi-Bidders

WHEREAS, in order to facilitate road preservation and maintenance on County roads, the County solicited bids for these materials; and

WHEREAS, bids were opened on May 12, 1997, with Tower Asphalt, Midwest Asphalt and Ashbach Construction being the multiple bidders; and

NOW, THEREFORE BE IT RESOLVED, that a contract between the County and Tower Asphalt, Inc., Midwest Asphalt and Ashbach, Construction be executed through the signature of the Chairperson 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. Adoption of **Resolution No. 97-073** as follows:

Bid Award Concurrence for Signal Construction
on CSAH 13 at Pioneer Drive/Afton Road with Tower Asphalt

WHEREAS, the City of Woodbury and Washington County desire to construct a traffic signal on CSAH 13 (Radio Drive) at Pioneer Drive/Afton Road; and

WHEREAS, the City of Woodbury and Washington County have entered into a Cooperative Agreement for the construction of the traffic signal and a Traffic Signal Maintenance Agreement; and

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

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

12. Bids were received for bituminous overlay on CSAH 6 and CSAH 5 as follows:

Tower Asphalt, Inc.	\$224,988.10
Valley Paving, Inc.	236,769.34
Hardrives, Inc.	248,926.80
Ashbach Construction Co.	263,640.71
Midwest Asphalt Corporation	288,577.95

Adoption of **Resolution No. 97-074** as follows:

Award of Contract for Bituminous Overlays on
CSAH 5 and CSAH 6 to Tower Asphalt, Inc.

WHEREAS, in order to complete road preservation on CSAH 5 and 6, the County solicited bids for this project; and

WHEREAS, bids were opened on May 19, 1997, with Tower Asphalt, Inc. being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Tower Asphalt, Inc. be accepted and the County enter into a contract with Tower Asphalt, 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 Tower Asphalt, 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.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Hauser moved to approve applications for abatement/refund of taxes, penalty, interest or cost as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
M 88.088.88.00.1052	Rousseau, Steve & Laura	\$ 260.16
R 10.028.20.32.0010	Ferche, Dennis	398.56
R 08.032.21.13.0024	Haines, Theodore	12,649.02

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 29.027.21.11.0001	Zywiec, Joseph & Deborah	\$ 882.70
R 19.032.21.12.0028	Lowe, Donald J Jr & Lori K	916.56
R 10.028.20.32.0010	Ferche, Dennis	408.30
R 22.028.20.44.0004	Mucciacciaro, Nicholas & Elain	198.80
R 19.027.21.41.0001	Zywiec, Joseph & Deborah	699.39
R 02.030.21.44.0004	Strohkirch, Dennis	156.00
R 08.032.21.42.0013	K & M Properties	980.00
R 08.032.21.42.0014	K & M Properties	982.00
R 09.026.20.32.0018	Beil, Robert L & Dannielle D	1,044.00
R 10.032.20.43.0003	Nowland, Susan J. & Ellis, R.J.	920.00
R 10.032.21.12.0033	Tauer, Michael M.	202.00
R 10.032.21.32.0012	Russell, Robert S.	92.00
R 10.032.21.32.0040	Christianson, Brian	928.00
R 14.030.21.41.0003	Sockalosky, Joseph & Jane M.	938.00
R 15.027.21.24.0083	Felix, James P	320.00
R 15.029.21.31.0003	Malmquist, Gregory	1,698.00
R 16.027.21.34.0062	Eshom, Ken J. & Leeann J.	1,176.00
R 16.032.21.13.0037	Levine, Mark N. & Abby S	80.00
R 16.032.21.14.0048	Bass, Paul G. & Phyllis L.	490.00
R 17.029.21.34.0031	Luberts, Cletus J & Becky A	450.00
R 18.027.21.41.0073	Hodgin-Sirek, Tami	1,174.00
R 18.028.21.31.0145	Joseph, John P. & Teresa M.	1,184.00
R 18.028.21.34.0064	Anderson, Gail T	88.00
R 18.029.21.23.0154	Thompson, Julie	256.00
R 19.027.21.41.0001	Zywiec, Joseph & Deborah	688.00
R 19.028.21.14.0066	Phelan, Vicki	1,182.00
R 19.029.21.43.0074	Akin, J. Daniel	636.00
R 20.028.21.11.0016	Canell, Jannie & Clans	1,346.00
R 20.028.21.14.0027	Goodman, Susan & Michael	1,434.00
R 20.030.21.43.0087	Dvorak, Thomas & Debra	528.00
R 20.032.21.11.0021	Hall, Vincent & Pamela	248.00
R 21.028.21.34.0036	Livingston, Brian & Tina	1,432.00
R 21.028.21.43.0015	Tody, Marvin C & Pamela J	1,592.00
R 21.029.20.43.0002	Olson, Sheila	298.00
R 21.030.20.34.0131	Tunison, William	230.00
R 21.032.21.43.0001	Houle, Steven G & Charlene D	1,062.00
R 22.028.20.44.0004	Mucciacciaro, Nicholas & Eldin	190.00
R 22.028.21.11.0025	Thompson, Delton R	778.00
R 22.028.21.11.0026	Endres, Kathy A	672.00
R 28.030.20.13.0108	Fielder, Kathleen M	2,206.00
R 28.030.20.32.0114	Rosebud, Heide	6,800.00
R 28.031.21.23.0006	Orton, David L	1,148.00
R 29.027.21.11.0001	Zywiec, Joseph & Deborah	964.00
R 29.030.21.31.0076	Reis, Robert	650.00
R 29.030.21.31.0077	Reis, Robert A	114.00
R 30.028.21.32.0008	Pankonie, Robert H	788.00
R 30.030.21.13.0066	Murphy, Charlene M	1,122.00
R 30.030.21.13.0067	Murphy, Charlene M	38.00
R 30.029.21.31.0135	Hagle, Robert E	778.00
R 30.030.21.22.0040	Oliver, Marlys	968.00
R 31.030.21.21.0035	Pehoski, Edwin D	10.00
R 31.030.21.43.0039	Masanz, Deborah	1,614.00
R 31.030.21.44.0032	Sullivan, Edwin	318.00
R 31.030.21.44.0043	Begeman, Allen E	318.00
R 32.027.20.21.0004	Tomczak, James P	398.00

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 32.029.21.11.0032	Maurer, Patrick J	\$ 278.00
R 32.030.21.21.0030	Mason, Ed	736.00
R 33.027.21.32.0003	Drude, Thomas	566.00
R 33.029.21.23.0005	Krile, Shawn	52.00
R 33.029.21.23.0011	Lancette, Larry & Isackson, Barbara	52.00
R 33.029.21.23.0016	Hackett, Steven C	84.00
R 34.030.20.33.0049	McKee, Verna L	624.00
R 34.030.20.33.0101	McKee, Verna L	8.00
R 34.030.20.33.0102	McKee, Verna	8.00
R 33.030.20.34.0003	Smith, Benjamin B	2,102.00
R 35.027.21.13.0003	Hendrickson, David A	1,736.00
R 05.029.20.23.0070	Soukup, Alvin E	196.00
R 19.029.20.33.0012	Schneider, Kurtis Karl	1,590.00
R 28.029.21.33.0004	ISD #622	676.00
R 15.028.21.34.0066	Evangelical Lutheran Church	2,612.00
R 26.028.21.31.0001	Brandt, Paul	36.00
R 25.027.22.44.0003	WACO Public Works	84.00
R 28.030.20.31.0002	Shalles, Bruce	768.40
R 28.030.20.31.0002	Shalles, Bruce	858.96
R 28.030.20.31.0002	Shalles, Bruce	0.00

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

PUBLIC HEARING - ENVIRONMENTAL ASSESSMENT WORKSHEET, SCHOOL SECTION/GOGGINS LAKE DRAINAGE PROJECT

The Board Chair presented the procedures to be followed to hear a citizens' petition for an Environmental Assessment Worksheet for the School Section Lake/Goggins Lake drainage project presently being reviewed by the County in their capacity as the water management organization for the Brown's Creek Watershed District.

Jane Harper, Physical Development Planner, presented an overview on the proposed project. She indicated that School Section Lake/Goggins Lake drainage basin forms the upper headwaters of the Brown's Creek Watershed. This part of the watershed has experienced flooding of homes, property and roads since the 1980's, with the severity of flooding peaking in June of 1996. The peak level of 972.4 is more than six feet over the normal high water level of these lakes. In August of 1996, the City of Hugo and May Township hired Montgomery Watson to complete a feasibility study to examine possible solutions to resolve the flooding problem. Four alternatives were developed from this study. In December of 1996 Montgomery Watson completed for the City of Hugo a School/Section Lake Impact Study examining the potential downstream adverse impacts of discharging water from the landlocked basin into the headwaters of Brown's Creek. This study looked at impacts on wetlands, low and forest wetland and a private trout pond located near County Roads 9 and 68. The Board of Water and Soil Resources determined that the Brown's Creek Joint Powers Watershed Management Organization was

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not implementing their watershed plan, the County was required by law to assume the responsibility of the Brown's Creek Watershed Management Organization. After reviewing the alternatives described in the Montgomery Watson Feasibility Study, the County Board on February 18, 1997 directed staff to begin work on a project to construct an open channel outlet from Goggins Lake to Brown's Creek keeping open the option of piping some of it. In order for the County to undertake any project to drain down the floodwaters, the County must first amend the Brown's Creek WMO plan to adopt the project in its capital improvement program. At this time, there is no specific project and no permits have been applied for; therefore, staff has determined that the preparation of an Environment Assessment Worksheet is neither mandatory nor exempted under the Minnesota Rules of the Environmental Quality Board. Staff does believe there is the potential for significant environmental impacts because of the nature of the project and its location. The County has included in its work plan for this project the preparation of an EAW when the plan amendment goes to public hearing this fall. The DNR and others have expressed concerns about the adequacy of the studies done to date regarding this project.

Marc Hugunin, 10775 Kimbro Avenue Court North, Grant, appeared before the Board as the petitioner for an EAW for the School Section/Goggins Lake project. He indicated he became aware of the proposed project about six months ago from Allan Kemp, whose property adjoins the headwaters of Brown's Creek. He has visited Mr. Kemp's property and the headwaters area and has walked through it a total of three times. He noted that the area is a beautiful 100 acre woods and wetland filled with Aspen, Tamarack and Birch sitting on a floating bog surrounded on all sides on the upland areas by Oak Savanna. He has learned that this area is regarded as being an unusually well preserved natural community. He has learned from research that the Department of Natural Resources has done, that there is a serious threat to that wetland as a result of this project. He believes that not only would that be a significant environment event, but would also have a negative impact on Mr. Kemp's property, as well as the property values of 21 residents of Grant whose property adjoins this wetland. He was further alarmed by this project when he received a copy of a letter from Molly Shodeen, DNR Hydrologist, to Ed Matthiesen, Montgomery Watson, dated January 27, a copy of which is in the records, indicating that the project is about much more than just a few trout, it is about an entire ecosystem that is at risk. The wetlands where the water is proposed to be discharged is a floating bog that could be irreparably damaged by continuous increased flows. The letter goes on to say that the environmental costs may not have been adequately considered in the Montgomery Watson Adverse Impact Study. He has discovered a number of hot spots throughout the watershed, including the headwaters area and trout habitat, and also including School Section and Goggins Lakes themselves. Many of the signers of the petition live in Hugo and May Township. Most of the residents who live adjacent to Goggins Lake have signed the petition supporting this EAW. He stated these lakes were dry as early as the 1930's. He asked if they are taken down six feet by man made devices at this time, what will happen to those lakes if another dry cycle occurs in the future? He feels that is a question that has not been discussed. He has also learned there is concern down at the other end of the watershed about silt or sedimentation flowing into the mouth of Brown's Creek and potentially into the

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St. Croix River. Increased water flows in the system would have the potential to increase the flow of silt or sediment into that area. He received a fax from Bonita Eliaison, DNR Natural Heritage and Non-game Research Division, which conducts statewide county biological surveys, and she indicated there are few areas of Washington County that are regarded as harboring rare natural features in good quality. There are several locations along Brown's Creek which are included in the County biological survey. Ms. Eliaison indicates in her fax that increased flows in Brown's Creek could alter or destroy the plant community. She noted that the ecologists who surveyed the site judged it to be of high protection importance. In closing, he referred to Molly Shodeen's letter where she states "As information on the watershed continues to evolve, more questions seem to develop". He believes the information concerning this watershed is still evolving and an EAW would be a good way to take stock of that information and hopefully get to the point where there is not only raw information but real knowledge about what the impacts on the watershed might be from this project. He disagreed with Ms. Harper and believes that this case calls for a mandatory EAW according to the Environmental Quality Board rules, and asked the Board to support their petition.

Ms. Harper clarified the staff recommendation was based upon the fact that currently there is no specific project, therefore they couldn't consider it a mandatory or exempt category at this time. Once there is a clear project, if it results in impact of a wetland or channelization, then staff will be in a better position to assess whether it's mandatory or exempt and which permits would be required.

Commissioner Engstrom stated that the Board did decide which direction to go although a specific project had not been decided on. Ms. Harper indicated that a general direction has been received from the Board; however, the Board has not specifically acted upon designing and moving forward on a specific project.

Commissioner Engstrom sees this petition as a request to look at the option that the Board has opted for along with other things that may be available, is that correct? Ms. Harper believes that the general gist of the request is to look at the broader impacts. The Board did discuss its concern about cumulative impacts of things happening throughout the watershed.

Commissioner Engstrom indicated that he does support the request and is concerned about the DNR's input. When did the DNR come into this process? Do they have input into this process if the Board votes to continue with the EAW or does the County request their input? Ms. Harper believes that the DNR would have input into that. She advised the Board that Ms. Shodeen, DNR, is here today, and may be able to fill the Board in on what their role is in EAW's.

Al Kemp, 11675 Lansing Avenue North, Stillwater, stated that the Audobon Society, Sierra Club and the Izaak Walton League have sent in resolutions stating their concerns for this project. They are environmental people who look into projects like this and they have great concerns about this also. He

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was advised by John Michaels, construction site supervisor for Bay West Environmental Remediation and Engineering, who walked through the Brown's Creek area behind his property, that he was concerned about this project and the amount of water that was going to be put through Brown's Creek. Where the water is intended to be dumped there is no creek, it will traverse a low land bog before it finally finds an outlet. Mr. Michaels saw the proposed drainage project as being unjustified and potentially quite damaging. Mr. Kemp pointed out that the original feasibility study called for a 24 inch pipe to pipe this water from School Section/Goggins Lake to Brown's Creek, and now that pipe has been increased to 36 inches. That also is a concern to them. The Board should also be aware that the firm of Montgomery Watson was contacted secondarily. The firm of OSM was originally contacted by the City of Hugo. OSM sent a letter to the City of Hugo stating that they did not want to participate in this project because there were too many implications of it. When the City of Hugo didn't find what they wanted to hear from the first company they went to another one before they got what they wanted to hear. He hears that Montgomery Watson is reputable, but they are hired to do a job and they plan to see the job through if at all possible otherwise they wouldn't be earning their money. Another item that has come to light is that the feasibility study lacks a lot of information. No one has addressed the issue that there is a 24 inch high pressure gas line running through this area. This pipe line will have to be cut or moved, has anybody addressed this issue? He suggested that not enough homework has been done in this area. They also learned recently that the lake was dynamited in the 1920's and in the 1930's there was no water in there at all, it was a cow pasture. The high water mark may not be accurate. Draining six feet from these lakes will mean there will be no buffer left to them if there is a dry period, these lakes will be destroyed. Six feet is uncalled for, it's unreasonable. To change the course of the current of this wetland bog is, hopefully, against the law. Mr. Kemp stated that originally when this project started he was concerned about his own property, his trout pond. Now he sees it as a much bigger project and so damaging that he just has a hard time believing the scope that is involved. It will not only destroy the lakes, but it will destroy Brown's Creek and will cause havoc among the ecosystem all the way down. On the petition there are many homeowners who reside on this lake that do not want this project to go through and do not want their lakes drained. There are property owners here that are concerned but they are the minority, the majority are against this project.

Molly Shodeen, Minnesota DNR, believes the Board is aware of where the DNR stands on many of the issues. She informed the Board on what happens to a little stream ecosystem when it is turned into an open channel storm water conveyance system. In a small stream like Brown's Creek, there is a V-shaped channel and a floodplain where it widens out. When an increased volume of water is put through that stream, there are impacts on the creek channel configuration. The bank flow condition is increased and it continues to wear away at the banks. Instead of happening once every three to four years it's going to be happening every two, three weeks in the summertime. The channel widens out its floodplain and it becomes more of a rectangle. The stream channel configuration is impacted to a point where at low flow, when there is not very much water, there is such a broad area that it becomes dry and the ability is lost to have little critters in it not to mention the trout. It cuts away the banks,

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the trees fall in, the sediment fills up the little crevices where the rocks use to be and there is just a muddy channel. That sediment either fills in the structure of the stream or it ends up in Wolf Marine in Stillwater. The adverse impact is much more than what size pipe and how much water and how fast can it be gotten rid of. It's more about an urbanizing watershed that has seen numerous changes since the 1930's and 1950's. There has been so much road construction, railroads, farm roads. The drainage patterns have been altered not to mention increasing the impervious surface coverage in the watershed. To answer the Board's question on the DNR's input into EAW, she indicated that they are one of the reviewing agencies. It goes to six or eight branches of the DNR and those reviews are compiled and submitted in one letter.

Commissioner Hegberg asked if the DNR considers the amount of land that has already flooded and what it's doing to that environment? Ms. Shodeen indicated they do consider that, but it's very complex. Landlocked basins have been rising and falling throughout their lifetime. With the human factor of homes being built and roads being built it complicates it quite a bit. Commissioner Hegberg stated that his point is that the lakes are six feet over where the flood mark is according to the 100 year flood maps now, and it has covered additional woodlands where the trees are dying. If it continues to go another four feet, then it will flow naturally down, is that correct? Ms. Shodeen indicated yes, it would. Commissioner Hegberg then asked if they are assured that would not happen? Ms. Shodeen stated no.

Commissioner Peterson reminded the Board and audience that the purpose of today's hearing is to discuss the merits of an EAW and not the merits of the project.

Commissioner Engstrom stated that the Board voted to support a project. When the Board voted it knew there was going to be some environmental questions that would need to be answered. What this process would do, if the Board votes to support it, is to answer environmental questions up front on not only that project but other proposals such as buying out some homes. The Board was unanimous in supporting the project, but it knew there were environmental issues that had to be answered. The Board is not talking about a specific project that might be the impetus for this petition.

Commissioner Abrahamson asked why is the Board going through this? The Board knows what the state statutes are, what the mandates are, the Board designated a project which would help the situation. The Board knew going in there was going to be an EAW. He questions why are we going through all this if in fact the Board had made a decision with the understanding that an EAW would have to be done.

Ms. Harper stated that the County received a petition for an EAW. She asked Mr. Turrentine to explain the process the County has gone through in the past and what he feels is required when a petition is received. Howard R. Turrentine, Assistant County Attorney, explained the process. When

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a petition is received from EQB the County is required to act on it. The County has three options, order the petition, deny the petition or suspend acting on the petition until there is an actual project in place. The staff's recommendation is to acknowledge that because of the natural consequences of a project like this that an EAW will be necessary. He's not sure if the Petitioners were aware that the County had planned to do an EAW at a later date, but the reason we are here today is because there is a petition that has been filed that has to be acted on. From staff's point of view it is not whether or not an EAW is done, staff feels they will be doing an EAW, it's a question of when that will be done.

Commissioner Engstrom asked if the EAW would not only look at the project proposed by the Board but also other options and alternatives including purchase of property? Ms. Harper stated that technically, the EAW would be scoped around a particular project, but there are parts of the EAW that require cumulative impacts and impacts a little bit broader than the project be looked at and it asks have other alternatives been explored.

Ms. Harper, at this time, presented the staff's recommendation. She indicated that staff does acknowledge, and have acknowledged in the past, that the project does have potential for significant environmental effects and the County does want to look at those environmental impacts more closely; and, that the County plans to prepare an EAW on the project at the time that the public hearing is held on the plan amendment. The plan amendment is close to draft form to be sent into the state agencies for comment on the draft and she believes that plan amendment would be coming before the County Board for public hearing towards the end of August. Staff recommends that the Board defer a decision on ordering a petition until a more solid proposal has been developed. They also recommend that the County Board consider requesting the Environmental Quality Board assign a different responsible government agency to prepare the EAW. This request is based on the following unique circumstances: The County Board is acting as the WMO on a temporary basis; There is a conflict between the upstream landowners being affected by the high water and the downstream landowners who will be affected by the drainage project; There is a statewide interest in Brown's Creek and that the DNR manages as a designated trout stream; and, there appears to staff that there is an inherent conflict between the County acting as the WMO that's proposing and implementing the project and the County acting as the responsible government unit reviewing the project that it's also proposing. For those reasons staff would ask the County Board to consider requesting the EQB to designate possibly the DNR as the RGU for the project. If the Board does defer the project, the petition is on record for a year and before the project could be moved ahead, staff would need to come back to the Board and make a decision to order or deny an EAW.

Wayne Barstad, Senior Biologist, DNR Fish and Wildlife Division, informed the Board that he would coordinate the responses to the EAW if it is to be produced. He stated they would also like to be involved with the development of the EAW providing technical advise and expertise. It is the Department's desire to become involved with this process as early on as possible. As to the question

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of the DNR becoming the RGU in this case, he believes that would be a possibility and the decision would have to be made by the metropolitan region administration.

Commissioner Engstrom stated that the County has opted for a project, at least a concept, and now the Board is seeing a lot of information that it may not work. How does the Board get it back to where other alternatives could be looked at, but have the environmentally correct solution? Ms. Harper advised Commissioner Engstrom that a workshop has been scheduled for June 10 at which time staff would present to the Board a draft plan amendment. The draft plan amendment is written based on the Board's former direction, which was for the option of an open channel, keeping open the possibility of piping some of it. That would probably be the next formal time the Board could change its direction prior to that plan amendment going further. The County Board, until a project is ordered, could reconsider the direction staff is moving in.

David Truax, 10123 Kerry Court, Hugo, stated he was on the Brown's Creek Watershed Management Board since its inception in 1985. He asked that the Board adopt the staff recommendation of tabling the request for an EAW at this time. One of the reasons that an EAW is perhaps not necessary at this time, is because of the need to gather further information which has already been determined. Before an environmental impact can be determined, a determination has to be made on what information is out there. The old Brown's Creek Board last year applied for, and it has been approved by the House and Senate, a quarter of a million dollar grant to determine what exactly does happen after the water falls out of the sky and before it goes into the St. Croix River. This quarter of a million dollar grant is to be administered by the Washington County Soil and Water Conservation Office. It's this information that the Board, acting as the WMO, needs in order to determine what's going to happen. It could be that the information that this grant does obtain will demonstrate that there is no need for an EAW or the information could say that an EAW is necessary. But until the information is gathered he feels nothing should be done.

Commissioner Hauser asked what the timetable is for this study, and did the County know about this grant? Mr. Truax indicated that Soil and Water and Ms. Harper knew about the grant. He indicated that this is a two year study from the Legislative Commission on Minnesota Resources starting this July 1 and running two years. This study will find out the information need to conduct the hydrology and hydraulic study so it can be determined what will happen. It's an elaboration upon the engineer's report regarding the South School Section Basin and the impact it would have on the creek. What this grant will determine is: What's going to happen in the whole watershed; What will happen when the Kismet Basin outlet is installed; What's going to happen when the Long Lake Basin outlet is installed; What's going to happen when all the development is completed along Highway 36 in Oak Park Heights; What's going to happen when 1,200 homes are built on 1,200 acres in Stillwater Township.

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Commissioner Hauser stated this study will go forward no matter what and it's larger than this particular project at the moment. It takes into consideration the whole watershed. She asked the petitioner and DNR to respond to this suggestion that the EAW be delayed and the request that the EQB designate the DNR as the RGU.

Mr. Hugunin, indicated that he could not speak for all the petitioners, but speaking for himself first of all he would not object to the delays for the reason that Ms. Harper has outlined. Secondly, he believes that if the DNR would be willing to take on the role of the RGU, that would be a very positive move for all concerns.

Mr. Barstad, DNR, commented that the purpose of an EAW is to provide very basic information about a project so the Responsible Government Unit can make a decision about whether or not more information has to be gathered through an environmental impact statement. What Mr. Truax is suggesting is that a lot of information is gathered and along with the basic information gathered in the EAW, that should be sufficient for decisions about this project to be made.

Commissioner Peterson stated that it is her understanding that with this grant the County would essentially be doing an environment impact statement.

Mr. Barstad stated he was not familiar with what is being done, but feels it would be a fairly intense study of at least a portion of the basin. It may not cover all the impacts, both the negative and the detrimental impacts that could be seen from this particular project. He does not believe they could count it as either an EIS or an EAW, but it would be excellent additional information to be used in the decision making process.

Commissioner Hauser asked Mr. Turrentine if it is necessary to have a project to which an EAW is addressed, or can one just do generally an EAW on the whole area? Mr. Turrentine stated that the threshold for an EAW is a project. There is an alternate kind of review that the City of Stillwater is going through, an AUAR study, that would take a look at the impacts of a much larger project. In this specific instance you need a project, that's the trigger for an EAW.

Commissioner Hauser asked the Soil and Water Conservation District how they determine the depth and width of the study they are going to undertake funded by the LCMR?

Mark Doneux, Soil and Water Conservation District, stated that with respect to the LCMR proposal that is in final House and Senate language and was approved, but is still awaiting the Governor's signature. The LCMR study specifically is to identify and implement practices or projects or whatever is necessary to protect the lower reach of Brown's Creek as a trout habitat. To that end, a much broader watershed wide analysis would be required with a portion of the funding going to some implementation project.

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The EAW in question is much more focused, much more project specific on outletting surface water from a basin to the stream. He believes there is a potential economy of scale in looking at the hydrology and hydraulics of the whole watershed through the EAW and LCMR study, but the LCMR is a bigger, long scope study.

Commissioner Hauser asked what would happen if an EAW were done on this particular project, and then the project in the course of the LCMR study provides information that that was not the thing to do? Mr. Doneux hopes that if this LCMR study goes through, to accelerate the study phase to be concurrent with the whole School Section/Goggins plan amendment and EAW phase so those answers could be gotten at the same time prior to the project being awarded. Two years have been given for this study and initial discussion with LCMR staff he feels they can certainly do it in less time.

Commissioner Hegberg would like to see that portion of the LCMR study accelerated so answers could be arrived at and not necessarily charge the people that are in the watershed or the upper School/Goggins Lake Area.

Ms. Harper informed the Board that in the Environmental Quality Review rules, there are generic EIS's that can be done that are not project specific, and also what they call alternative reviews that can be done on geographic areas. These different options are available in these kinds of situations where there may be a geographic area and there are cumulative effects of projects and situations and you can't sufficiently address impacts on a project specific basis. If the Board is interested in doing something along this line, staff could work with the EQB and design it under one of those alternative options.

Commissioner Peterson asked if the LCMR study could be utilized so that it would give us the information that we normally have under an EAW? Ms. Harper indicated she was not sure because they were not a party to the development of the grant proposal or discussion with the LCMR. She would hope that it would be a broad enough study that the hydrologic information could be obtained. She reminded the Board that this is a two year study and staff has a work plan developed which calls for the ordering of a project next spring.

Commissioner Abrahamson stated there are real problems out there. Something needs to be done about it. He believes the County Board should keep control of this project and that is why he went along with the take over of the Brown's Creek WMO was because of the dilemmas that are being faced out there. He feels it's very important for the Board to keep control. He is in support of the original proposal that the Board recommended along with an EAW. He feels it's very important to keep this project moving forward. He is concerned about any delays. He will take the word of the experts, the EAW specialists, but he thinks something needs to be done to keep this moving forward.

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Paul Nessa, 11510 Lockridge Avenue North, indicated he lives on part of a marsh that's part of the runoff from Brown's Creek and this is his eighth summer. With the beavers and that sort of activity in the area he has seen the water in the marsh go from very little to covering trees in his yard. The dam that was there blew and the water went back to a reasonable level. What happens in this runoff area is a very slow process. It takes a long time for the water to drain out of that area because of the nature of the soil, the bog situation that is there. He wants to make sure that the Board takes all the time it can possibly take because he does not believe the proposed situation has been properly studied anywhere near enough downstream. He understands the person who has a problem now wants a fix now, but he doesn't want to be one of the next people in line with some sort of complaint because of some sort of damage to his foundation. He's just above the water level now and he can see frost problems in the winter. If the water were high it could ruin the foundation in his house, so he's one of the series of people in that situation, so there's no reason to hurry. More thought needs to be given to the project.

Phil Hinderaker, 1496 Hallam Avenue, Mahtomedi, spoke on behalf of the Agassiz Chapter of the Izaak Walton League of America. This chapter is active in the western part of the County and they have a long history of concern with groundwater issues. They are currently cooperating with the Rice Creek Watershed District in the restoration of the Schuneman Marsh which is east of Bald Eagle Lake and near the west County line. This marsh is owned by the Izaak Walton League Chapter and they are offering it as a long life refuge and educational resource for the community. A number of years ago their Chapter carried out a program monitoring the water in Brown's Creek. They have been involved in this watershed. In March of this year, they adopted a resolution supporting the preparation of an EAW for this drainage project. They believe that in view of the potential impact on Brown's Creek, as has been discussed here today, they feel that before this project gets set in concrete that all the facts should come out and the study should be done early whether it's the EIS or EAW or whatever the means is, the information that's really germane to the overall impact of the project should be well known by the people who are doing it.

Brad Boucher, 10151 Kerry Court, School/Section Lake, agrees with Commissioner Abrahamson regarding the urgency. Not only has the lake been rising, but there's a secondary effect that's just devastating to property and that is the erosion. Chunks of earth are falling off of people's property, and there is not a lot of property left that they can afford to lose these large chunks. The trees are dying, they are all sandbagging trying to stop this. He and his wife have lived on this lake for twenty years and in the last two years the water has risen a lot more than it did at any one given time. Mr. Boucher showed pictures of his property from the years 1979 - 1996.

Commissioner Engstrom realizes that everyone wants things to be done fast, and he doesn't disagree, but the fastest solution may not be the solution that we can do or want to do. All the information needs to be available so that the Board knows what the effect of any solution may be. He believes the Board

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agrees that an EAW will need to be done, and agrees with Commissioner Hauser's comments on a generic EAW or Commissioner Peterson's suggestion of tying the LCMR grant with a generic statement. He wishes the Board had known about the LCMR grant, as the WMO, he feels they should have been informed about that.

Mr. Schug indicated they became aware of the grant very late in the legislative process as the conference committee was considering it. When the Soil and Water Conservation District was asked to testify on the grant a brief conversation was held with them at that time. Mr. Schug indicated to them that since the County Board had not reviewed this proposal, they could not take an official position. He just cautioned them on how they would testify and what hat they were wearing in this case because the Soil and Water Conservation has been wearing multiple hats. Subsequently in a meeting last week, staff did talk about the fact that there is this LCMR grant coming, and on June 10 a workshop is scheduled to discuss the Stillwater annexation area and a number of other studies which are going on regarding the Brown's Creek area. One of the challenges staff is facing is coordinating all of these so actions can be taken. That was the intent of the June 10 workshop to inform the Board of what's out there and how it might fit together.

Don Rice, 9497 140th Street North, Hugo, has lived on Lake Plaisted, which is flooded eight feet above normal, for 35 years. He indicated that 140th Street is now under three feet of water and has been under water going on three years. If he wants to visit his neighbors, who are less than 80 rods down the road, he has to drive four miles. He had Robey & Associates, Real Estate Appraisers, come out and appraise his loss. They valued his place at \$200,000 and the loss is \$135,000. They have his property listed at \$65,000. Mr. Rice presented a copy of this letter to the Clerk. His taxes on that is \$2,400 a year. He has twelve and a half acres on that lake. He has lost hundreds of trees which are under water. In 1986 it came up to just about the same height, but in the last year it came up another foot. He has had to raise his driveway three times and he will have to do it again. The Federal Emergency Management Agency came out and did a survey of his place and declared it a disaster and they are paying for raising the driveway and pumping water out of his basement and allowed him damage on his wall. He presented pictures of the water on his property and in his basement. He needs two pumps to pump the water out of his basement. When he first moved here they were fighting about putting the bridge across the St. Croix River and that was 37 years ago and they are still fighting about it. If they get to fighting about draining a little water out of this area he believes he is not going to live to see it. At the last meeting here he had a little hope and it looked like they were going to go ahead with the project and drain down some of this water. Now it looks like it may be another 10 years and he may never see it. If the Board would like to buy his place, he would be glad to sell it to them.

Mr. Kemp addressed the Board again and stated if this project goes through he will bring his pictures of his backyard and the damage that will be done. He indicated he can do the same thing in a year from now if the project goes through. This whole project still amounts to taking one person's problem

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and giving it to someone else. He asked the Board to please not lose sight of that fact. He can see in his observation how this Board is divided and he can see who is for it and who is against it. He told Commissioner Abrahamson that his comments were like a politician from the last century and he stated he was ashamed of him.

Commissioner Peterson stated that Washington County has a respectful workplace policy. She read that policy to the audience.

Mr. Doneux clarified the LCMR process. In early 1996, Dave Truax as a member of the Brown's Creek WMO, applied for an LCMR grant that is currently being contemplated for approval. That did not make the cuts at the LCMR and was not proposed for funding in 1996. As far as the Soil and Water Conservation knew it was a dead issue. Four weeks ago he received a phone call from Senator Osthoff's office stating that specific proposal had been resurrected and asked him to testify on behalf of and on the merits of the proposal. He then contacted Administrative staff and discussed the specifics of their role in that. At the time it was submitted they were also technical advisors for the then Brown's Creek WMO. They testified on behalf of them. The proposal was still not in House and Senate language until a week or two ago and it's still yet to be signed by the Governor. They would have liked to get that in earlier so they could integrate it with their schedule. They believe they can still do that. As of four weeks ago, that was not an issue on the table.

Pat Erickson, 12945 Keller Avenue North, stated a lot of people have said a lot of things today. There is another problem that is still ongoing. They still have water coming in, there's still further development that is continuing, maybe the Board will have to consider stopping further development of any new houses along this area until this problem is straightened out. There is talk about the Kelly Farms dividing up their property and that's going to impact. If you look at where the water comes from that comes into their section, into School Section and Goggins it all comes from above. It's not that this water is created by them, it comes from other places and runs into the lake. They are not looking at destroying anyone's property downstream, but there has to be something worked out to move this water. The problem is it all comes to this place and stops. A lot of people on the petition on the lake have profited over the years by dividing their property and selling it, but now when it's going to take a little something to give back they don't want to do that. That's unfair to the people who do have their problem. This problem continues to grow and something needs to be done to get this project done before 1998 or 1999 whether it's this one or some other alternative.

Karl Ranum, Attorney, representing Wolf Marine, referred to Ms. Shodeen's testimony on where the water ends up and she indicated that it doesn't end up in the wetlands, in the creek it's eventually going to end up in Wolf Marine. His concern, as well as his clients, is that they are on the bottom end of receiving anything that happens in Brown's Creek. They deal with a large accumulation of silt down at the mouth of the creek which empties right into the marine area. He's not sure if that is an

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environmental impact issue or an assessment worksheet issue or not, but he is concerned that his clients are going to deal with the bottom end effect of anything that goes into Brown's Creek in terms of a water flowage. They already deal with an increase of silt accumulation as a result of some uncontrolled runoff from the north end of the City of Stillwater. His clients wish to express to the Board that they understand the homeowners are subject to some severe flooding and damage to their homes. He does not necessarily object to additional water going into Brown's Creek, but only that it is done in a controlled fashion and that any study be aware of the impact that it's going to have into the marine. His client incurs \$20,000 to \$25,000 worth of dredging costs every year and a half right now. He would urge that when the vote is taken that an EAW be performed and that the County be aware of this problem at the bottom end of Brown's Creek from a feasibility issue as well as an environmental issue.

Paul Leonard, 11040, 121st Street North, stated a lot of concerns have been made, realistic concerns, by the people who are on School Section Lake. There have been numerous concerns made by people who live downstream, himself among them. He is one of the first people the water will get dumped on. There have been concerns regarding the 24 inch pipeline that has to be crossed through right next to his house. Nobody necessarily knows exactly what's going to happen here and nobody has spoken on who will take responsibility for what does happen. The people are suffering damages up north and they are incurring costs. Should this water be dumped downstream into Brown's Creek and all the way down to the Wolf Marine, who will be responsible for any damages made to people downstream, who will take care of this? Is this the responsibility of the landowners, who will have this put on them or, will the County be prepared to handle this? Answers need to be found either through the EAW or other means of determining information within a reasonable period of time, and it has to be done accurately and take into consideration all of the aspects of this. Another consideration is the cost of the projects.

The Board Chair asked if the clerk had all the documentary evidence. She indicated yes, she had.

The Board closed the public hearing and opened it up for discussion from the Board.

Commissioner Hegberg moved to defer the Environment Assessment Worksheet for the School Section/Goggins Lake drainage project, until a project comes forward; and at that point in time the Department of Natural Resources will be invited to make their comments; and, that the funding grant from the Legislative Commission on Minnesota Resources will look at the School and Goggins Lake area first. Commissioner Abrahamson seconded the motion.

Commissioner Hauser stated the Board is in a chicken and egg situation--there is the same agency that is committed to what will hopefully be a very comprehensive study as soon as the Governor signs the LCMR grant and at the same time describe in an EAW, which is not an EIS, those things that should be considered in doing this one particular project that's quite narrow in scope. She is somewhat put off by Commissioner Hegberg's motion. She believed the concept the Board was entertaining when it

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began this project was the least intrusive and the least expensive which was a 24 inch pipe. Has that project changed to a 36 inch pipe?

Commissioner Hegberg stated they will not know until the project comes forward. Commissioner Hauser stated a specific recommendation on the concept was made and forwarded to the Soil and Water Conservation, what are they doing?

Mr. Doneux indicated that during the City of Hugo's process with Montgomery Watson they initially looked at a 24 inch pipe and ultimately decided on a 36 inch pipe prior to the County Board taking on that project. He believes that's where the change was. There has been no pipe size change since the WMO has been involved.

Commissioner Hegberg restated his motion to defer the Environment Assessment Worksheet until the project comes forward, and at that point in time there is no question in his mind that an EAW will be required. He'll make a separate motion later on as to the local unit of government.

Commissioner Hauser stated that the motion was to delay the EAW until a project is arrived at. She asked how can the project be arrived at if the implications are not known? She believes the Board is trying to define the project as a relief to the upstream problems, is that the understanding?

Commissioner Hegberg stated that on the EAW part of it yes, that would be correct. Commissioner Hauser asked whether the project was designed to relieve the flooding in the upstream community? Commissioner Hegberg indicated yes. The other funds that would be available to look at the entire watershed district, which he agrees with, that should be done also.

Commissioner Hauser stated the EAW itself would be relative to what the Board suggested was an open channel outlet. Commissioner Hegberg said yes, with his amendment to making it into a pipe. He said they didn't know how that's going to run until the project comes forward. Commissioner Hauser stated that was her question, what is the project?

Ms. Harper indicated that the recommendation from staff was to defer the ordering of the EAW based on the specific request of the petitioners today that an EAW be done on the project, and the project so far is only defined as looking at moving forward with an open channel with an option to maybe pipe some of it down the road in time. She is not sure how specific the plan amendment gets, the one that the Soil and Water District is drafting, but the direction from the Board to date was to begin looking at the open channel rather than the closed pipe approach. She continued that there was a question earlier that if the Board takes care of the motion on the petition, is there a need to do something else that's broader, because the petition and the EAW is really designed to be very project specific even

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though it does look at related impacts. If the Board is willing to do something that's more cumulative or broader in scope, then staff can look at what the options are under that direction.

Commissioner Hauser stated the Board is muddling through in trying to determine whether this EAW should be done before or after a project, which may or may not be of a certain size. It's a rather nebulous project at this time, although it seemed to her that this Board voted on the open channel outlet and did not include a pipe. At this point she is not inclined to vote for an EAW of any kind unless it is done before the fact. It seemed to her that there is an option here with a newly revealed study that is going to be comprehensive in nature and might determine whether any project of this kind should be done at all. The Board is not doing projects to be doing projects. These are very costly in terms of both the study being done itself, the project itself would be costly, and if indeed it does not resolve the things that it purports to do that would not necessarily be found in an EAW but may be done in the longer study that is proposed under the grant from the LCMR.

Commissioner Hegberg felt that the project itself has to move forward because that is the impetus for the study that's being done at the current time. If this project wasn't moved ahead they wouldn't have gotten the money from the LCMR to take a look at the whole issue. He stated that maybe mother nature will allow us to go forward two or three years down the road if the water recedes, but at this point in time it's not receding and if it continues to go up another four feet we'll know who gets sued because we didn't do the project, the wetland downstream will flood and houses will flood and we'll be held responsible for not doing the project when we were suppose to take on the responsibility.

Commissioner Hauser stated that the ultimate responsibility has now come to the Board because of those who have not assumed the responsibility for this problem all these years. She asked Mr. Doneux to give an estimate on how long it would take to do this particular LCMR grant?

Mr. Doneux stated, looking at the previous schedule that was developed for the WMO for the different phases of the project, it would be their intent to get that baseline data integrated with the current time schedule. They spoke to LCMR staff about accelerating that portion of the study. The whole project has to be done in two years, but the study could be designed to meet their needs and that is what they would look for.

Commissioner Hauser asked how long would it take to define the project? Mr. Doneux stated that the original schedule had August 19 as a date to determine when to do an EAW, that was the original timeline for defining the project and getting that first round of agency comments on the plan amendments. All the environmental issues would be out on the table before initiating the EAW.

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Commissioner Hauser then asked how long the EAW would take? Mr. Doneux stated that it has to be completed within 25 days and an extension would need to be requested. Commissioner Hauser asked could the EAW/EIS process be shortened by going through the LCMR grant project in order to flush out the information that would be required in an Environment Impact Statement, if that were to ensue from an EAW? Mr. Doneux indicated that would be correct. He believes the LCMR could get that baseline data that is needed for the EAW. The EAW can't be done as the LCMR project, but the hydrology, hydraulics, the natural system inventory any of that data collection for the LCMR is certainly valid for the EAW.

Commissioner Hauser asked is it helpful to do the EAW and the other kind of project on the way, or could the LCMR project be accelerated to flush out the same information upon which the Board would make the basic decision about which project, if any, should go forward? Mr. Doneux believes the LCMR would look more towards assuming there would be some project. It's looking at the lower reach of Brown's Creek and preserving that base flow and adding inputs from annexation and possible drainage projects and identifying a project or projects necessary to preserve that habitat.

Commissioner Hauser stated that the whole thing has been changed by presuming that a project is put in place to alleviate the flooding upstream. You have already altered whatever is going to happen by making this decision ahead of the LCMR study. Mr. Doneux understands that. The LCMR study has to put in some unknown parameters -- there are other basins that have had high water if you were to do an LCMR study right now and not consider these drainage projects knowing what we know some assumptions would have to be made.

Commissioner Hauser asked who is the decision maker in this, would the Board, as the WMO, decide whether the EAW provided enough information to stimulate an EIS? Mr. Doneux stated as it stands right now the Board would make that decision. There has been discussion about making the DNR the RGU and they would make that decision.

Ms. Harper asked Commissioner Hauser if she were exploring how could something broader than a project specific type environmental study be started now rather than six months down the road when the project is so well defined that it would be very timely to step back and change course. She indicated that the staff could work with the Environmental Quality Board and explore under the environmental rules some of the alternative reviews and see if something could be scoped, an EIS process or alternative urban area process, or some kind of alternative environmental study that would be acceptable to replace an EAW or EIS project where it could be started now but could be designed to look at the impacts of alternatives rather than looking at impacts of one option. That could be started immediately. Staff could be involved in some of the discussions regarding the LCMR work program design, look at what the elements of that type of an alternative environmental review would be and make sure that the project the Soil and Water District will be conducting will be gathering information to address those

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specific parts of the alternative review. She believes there are some rules that would allow the County to do that if that's the direction of the Board.

Commissioner Hauser suggested a motion to amend Commissioner Hegberg's motion to include a petition to the Environmental Quality Board for an alternative environmental review.

Commissioner Hegberg agreed with that part, but because the petition before the Board is somewhat specific the issue is do we suspend it, recommend it or go away.

Mr. Turrentine stated that is why the EQB rules gives the third option to defer action on the petition while other steps are taken, as Ms. Harper suggested, get a hold of the EQB and see if an alternate scoping can be done. The issue before the Board is the need for an EAW. That third option would allow you to legally address the petition while at the same time move ahead with the project and the environmental review.

Commissioner Hegberg believes his motion gives the County that alternative to look at as the process continues.

Commissioner Hauser asked Mr. Turrentine is Commissioner Hegberg's original motion making that happen? Mr. Turrentine stated it does not.

Commissioner Engstrom stated his understanding of the motion is to defer the process until this project comes back up as a plan. What he hears Commissioner Hauser saying is she would support a motion which would defer the process until something could be worked out with the EQB to broaden the scope of the process, rather than on this specific project. That is his understanding. He would also like to see the DNR be the responsible government unit.

Commissioner Hegberg restated his motion to take staff's recommendation and he's looking at the project being the one that's pushing this thing along, and he'll agree he does not want to cause the delay in the project in the fact that we wait two years to do the other study because he feels it will take two and a half or three years. His motion is staff's recommendation that the project come forward, once the project comes forward to the Board and hopefully it will give these other elements or all items of consideration will be considered in the project as it comes forward; once it reaches the Board then the Board will decide if it wants to do an EAW, which it will probably do and he will support doing it. To keep the feet to the fire we have to continue on with it. He called the question.

Commissioner Peterson asked if the intent of Commissioner Hegberg's motion was to follow the staff recommendation and bring forward a project? Commissioner Hegberg stated the motion is to suspend the EAW until the project comes forward.

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Ms. Harper stated that staff recommendation was to defer a decision on ordering an EAW until the project was brought forward and that would be at a time when a public hearing was held on the plan amendment. That was to occur late in August.

Commissioner Engstrom also understood that part of staff's recommendation was to request the EQB name DNR as the responsible government unit. Ms. Harper indicated that Commissioner Hegberg clarified that was not part of his motion and he wished to discuss that separately.

Commissioner Hauser asked Ms. Harper if the Board did petition the EQB for an alternative environmental review process, would that help to speed up the process, would it impede the process, what would be her take on it? Ms. Harper stated that if the Board feels it is inevitable that an EIS will be done, she believes if staff started today to design an alternative review that it would greatly speed up the process rather than to wait for everything to trigger things down the road. If an EIS isn't inevitable, designing an alternative now, depending on how it was scoped and the time frame, it could slow it down and it may not. She also pointed out that an EAW done at the time of a plan amendment public hearing would not slow down any of the work on getting a project going next spring because in fact doing the EAW at that time was designed to shorten the time frame as much as possible. Typically, an EAW would come even further down the road than that point in time.

Commissioner Engstrom asked if the Board does proceed with Commissioner Hegberg's suggestion to accept the staff recommendations, that would trigger an EAW when the proposed project came back, the proposed project comes back, it triggers the EAW, DNR comments are received, the DNR may have some final authority as to whether that project could proceed or not? They have permit approval, it is a DNR protected wetland they have permit approval process.

Commissioner Hegberg indicated that they do, but when the water is six feet over the high water mark they do not have permitting process he understands it.

Commissioner Hauser moved to amend Commissioner Hegberg's motion to petition the Environmental Quality Board for an alternative environmental review and that the Department of Natural Resources be assigned the responsible governmental unit. Commissioner Engstrom seconded the motion.

Commissioner Hegberg stated he would speak against the amendment. He does not think the DNR is the appropriate body to review, he believes they have their own agenda in this issue. He believes it is up to the elected body to make this difficult decision as to do the project or not to do the project and to leave the DNR as the one who decides is not appropriate.

Commissioner Hauser moved to remove the portion of her motion related to the DNR being designated as the RGU. Commissioner Engstrom agreed and continued to second the motion.

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Commissioner Abrahamson asked Mr. Turrentine if the County comes forward with the open ditch project, then by petition isn't the EAW required? Mr. Turrentine stated as it stands right now the petition is good for a year, so if the Board amended the plan and went ahead with the CIP project for the open ditch the Board would still have to act on the petition if it don't act on it today.

Commissioner Hauser moved to amend the motion to petition the Environmental Quality Board for an alternative environmental review. Commissioner Engstrom seconded the motion and it was adopted 3-2 with the vote as follows: Yes, Commissioners Hauser, Engstrom and Peterson; No, Commissioners Abrahamson and Hegberg.

The motion to defer the Environmental Assessment Worksheet until a drainage project for the School Section/Goggins Lake comes forward at which time the Department of Natural Resources will be invited to make their comments, and that the County will petition the Environmental Quality Board for an alternative environmental review was adopted 3-2 with the vote as follows: Yes, Commissioners Hauser, Engstrom and Peterson; No, Commissioners Abrahamson and Hegberg.

Mr. Turrentine restated the direction from the Board as follows: Defer the Environmental Assessment Workshop, asking staff to contact the Environmental Quality Board regarding an alternative review of the project, and that during the one year period of that petition, the County cannot take formal action on the project. If the County turns this into an EAW or EIS then that will effectively take the action on the petition.

Ms. Harper stated that if the EQB approved an alternative, the alternative would supersede the EAW. It brings it forward and maybe would expand the scope of what would be studied from the narrower scope that would be studied under an EAW.

Mr. Turrentine stated that if the EQB allows the County to go with an alternative format, the Board would take action on that alternative format which would have the effect of acting on the petition.

Ms. Harper indicated that staff would bring that back to the Board once it's scoped with the reaction from the EQB and have the Board take action on that.

Commissioner Abrahamson asked that staff make available to this Board information on the ten homes that are affected by the flooding waters, the valuation of those homes presently and he would like to have that information by the next meeting.

Commissioner Hauser stated the Board is not unaware of the plight. It seems to her that the Board is receiving this job because there were other units of government that declined to act on behalf of their

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citizens, and it's not that she cares any less about those citizens who are in trouble today. She indicated her point was she cares about the people of Washington County whether they are upstream or downstream and what the Board is trying to do is a little more comprehensive and quicker job on ascertaining what the options are and move forward as rapidly as possible.

Commissioner Engstrom asked Mr. Turrentine, as he understands the zoning and issuing of building permits, the Board has no authority except over May Township in this watershed district, the rest are all cities? Mr. Turrentine stated that is correct, but the County also does not have building permit authority in May Township, they administer their own building code.

Commissioner Engstrom asked with the Board sitting as the WMO, does it have any authority over development in any area of this watershed district to approve or disapprove future developments? His point is that Mr. Erickson brought up that there is development occurring as we speak. Is there a way the County acting as the WMO can put a moratorium on development in this area until these water issues are settled?

Mr. Turrentine indicated that was a two-part question. Washington County acting as a water management organization would have some limited land use regulatory authority if the County, acting as the WMO, determines that the particular township does not have a local plan that's in conformance with the overall Brown's Creek water management plan; or, if the County, acting as the WMO, determines that the township does have regulations in place to implement their plan. Mr. Doneux could answer better than he could whether or not May Township's plan is in conformance with the plan or whether that have regulations. The second question of issuing a moratorium on development, he would have to do some research on that before he could answer that question.

Commissioner Engstrom stated the issue here is, and he sees it with other watersheds in the County, that the solutions to the problem may protect or restore some uses and indeed lower water levels on existing properties, but so many of the plans that are being developed are restoring development opportunities. How much does the water management organization have a responsibility to restore development opportunities that may or may not have existed in the past? Mr. Turrentine stated the County, acting as the water management authority, has very little authority to restore preexisting rights or obligations.

Commissioner Engstrom believes that as the Board moves forward on this it has to keep in mind what is the solution for the existing and current residents of the areas. He does not believe it is the Board's obligation, and there are some inferences in the material that has been presented, that there are cities who are wishing to develop certain areas that may not be developable and that may lead to some issues down the line which may keep Mr. Turrentine employed for many years. But it is not the County's obligation to protect every square inch of land for future development.

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Commissioner Hegberg stated that he hopes staff gets the message that the Board would like to proceed as fast as possible because he agrees with Commissioner Hauser's motion provided it keeps the project going along so that a resolution could be brought. He would like staff to take a review of the School and Goggins Lake and building can be stopped in that area if it is determined that the next four feet of water, if it goes up four feet, it will then flow out naturally and it would then be determined that would be in the 100 year flood area. So if staff could look at that area and determine how big the area would be, if the water rose another four feet, then no building permits would be allowed until there was a controlled outlet lowering that 100 year flood level. He is not saying the County would do it, but staff could take a look at it and bring a review if the water went up four feet how much would that cover and we would then say that area is in the 100 year flood level and stop all building permits in that area, whether it's city or township.

Commissioner Hauser confirmed with Mr. Turrentine that the Board, sitting as a water management organization or the County Board of Commissioners, cannot affect that which happens with the cities. Mr. Turrentine stated that was correct.

Commissioner Peterson asked if the County Board could ask for a meeting with all of the communities that live in this watershed district and ask them to comply with the Board's request? It would seem that would be the appropriate step for this Board to do is sit down with the cities and ask them to sit back and look at some of the problems and ask them if they could hold their building permits until the County has a better handle on this problem.

Mr. Turrentine indicated that the County will have a very difficult time enforcing a development moratorium either in a city or in a township, simply because the County does not have building permit authority.

Commissioner Engstrom indicated that was the point he was trying to make, maybe this Board, either as the County Board or as the WMO, should request that we have a development moratorium in those cities that are affected by that WMO. It seems to him that is the prudent thing that this Board should be doing. There are studies ongoing, plans ongoing, there are environmental problems, the Board should be requesting a development moratorium from those cities. If those cities don't act, it's back on them, we should ask for it.

Commissioner Peterson agrees, but believes it should be done in the spirit of cooperation. She thinks there is another vehicle that the Board has in front of it and that is that the Board look at an assessment policy that every time you have an area that adds or contributes that the County would build in a very high cost that those homeowners would be paying for. As a WMO we have that right.

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Commissioner Engstrom stated that was not his point. His point was not trying to make the County so expensive that they will pay any cost. His point is that there is an issue right now, and the County should request a development moratorium for the City of Hugo, City of Grant, May Township and Stillwater Township, all the affected properties within this watershed district.

Commissioner Engstrom moved that the Board request that the cities and townships within the Brown's Creek Watershed District that they impose a development moratorium for future development, for a period of at least one year. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Hegberg asked that the work release crew be sent to School and Goggins Lake to pick up the tires and other debris that is floating out there along the road.

The Board took a five minutes recess.

Rescheduling of Today's Workshops

The County Administrator noted that since this morning's public hearing ran longer than scheduled a few workshops may need to be rescheduled for next week. It was Board consensus that the workshop with the Community Services Department to discuss the child support program be kept on today's schedule and that the remaining two workshops with the Department of Health, Environment and Land Management to discuss experimental on-site sewer systems, and the proposed rewrite of individual sewage treatment system ordinance be continued to next week at 1:00 p.m. prior to the County Board meeting. Commissioner Abrahamson asked that these two workshops be cablecast and video taped.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hauser reported that Ramsey County has joined Anoka and Washington County in supporting the Commuter Rail Demonstration Project scheduled for July 1, 2 and 3, 1997.

Commissioner Hegberg reported that the Ramsey/Washington Resource Recovery Project is temporarily running as a joint committee since the retirement of the project manager.

Commissioner Peterson reported that tonight is the last night of the Growth Options meetings which have been held in Hudson, Wisconsin. Tonight's discussion will focus on the I-94 corridor.

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BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

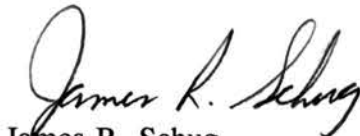
ADJOURNMENT

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn seconded by Commissioner Hauser and it was adopted unanimously. The Board meeting adjourned at 11:55 a.m.

BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT

The Board met in workshop session with the Community Services Department to discuss the child support program. 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, Dan Papin, Char Farnum, Susan Tice, Elodie Huttner, Lee Krzyzaniak and Linda Bixby.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 3, 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, Hegberg, Peterson, Hauser and Engstrom. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Howard R. Turrentine, Assistant County Attorney; James Heltzer, Washington County Housing and Redevelopment Authority Director; Wes Butler, Washington County Housing and Redevelopment Authority; Jane Harper, Physical Development Planner; Dan Papin, Community Services Director; Mary McGlothlin, Director of Health, Environment and Land Management; 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 May 20, 1997 Board meeting minutes.
2. Authorization to amend Contract # ADM-1994-136 with the Washington County Soil and Water Conservation District; and

Adoption of **Resolution No. 97-075** as follows:

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

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

WHEREAS, the State of Minnesota, acting by and through its Board of Water and Soil Resources ("BWSR"), has authority to award Natural Resources Block Grants for purposes of implementing comprehensive local water plans, the Wetland Conservation Act, the DNR Shoreland Program, and the MPCA County Feedlot Program, to local government pursuant to Laws of Minnesota 1993, Chapter 172, sec. 6, and Laws of Minnesota 1994, Chapter 632, sec. 3; and

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

June 3, 1997

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

WHEREAS, BWSR has determined that Washington County is eligible for a Natural Resources Block Grant of up to \$57,750 upon BWSR acceptance of the LGU's application and the execution and delivery of a Grant Agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Washington County Board of Commissioners approves of Washington County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water plans, the administration of the Wetland Conservation Act, and administration of the DNR Shoreland Program, under the terms of the Grant Agreement and all statutory requirements;

THAT THE Washington County Board of Commissioners authorizes the expenditure of \$14,000 cash and \$30,750 in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota 1993, chapter 172, sec. 6; the Laws of Minnesota 1994, Chapter 632, sec. 3, and the Grant Agreement; and

THAT THE Washington County Board of Commissioners currently levies over the required \$60,447 for local water plan implementation.

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

THAT THE grant and county dollars will be allocated in the following manner: \$3,000 to the Department of Health, Environment and Land Management to implement the State Shoreland Program; \$30,121 to the Washington County Soil and Water Conservation District and \$11,879 to local governmental units to implement the State Wetland Conservation Act; \$18,750 to the Department of Health, Environment and Land Management to conduct groundwater protection activities; and \$8,000 to the Department of Administration to conduct a countywide study of water management.

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

3. Adoption of **Resolution No. 97-076** as follows:

Acceptance of a Brown's Creek Watershed Planning Grant from
the Minnesota Board of Water and Soil Resources

WHEREAS, the State of Minnesota, acting by and through its Board of Water and Soil Resources ("BWSR"), has authority to award grants to the seven county metropolitan area watershed management organizations pursuant to Minn. Stat §103B.3369, Subd. 5 (1995); and

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WHEREAS, BWSR has made \$15,600 in state grant funds available to the Brown's Creek WMO to assist in the development of its second generation watershed management plan; and

WHEREAS, the terms of the State Grant require the Brown's Creek WMO to contribute matching funds and in-kind goods and services to equal \$15,600; and

WHEREAS, the Board of Water and Soil Resources has established a priority review schedule for submittal of second generation watershed management plans.

NOW, THEREFORE BE IT RESOLVED, that the Brown's Creek WMO Board of Managers approves entering into a Grant Agreement with the State of Minnesota to receive funds for the development of its second generation watershed management plan under the terms of the Grant Agreement and all statutory requirements; and

THAT THE, Brown's Creek WMO Board of Managers authorize the expenditure of cash and in-kind contributions to match the Watershed Management Plan Grant; and

BE IT FURTHER RESOLVED that the Chairperson of the WMO Board of Managers is authorized to execute the Grant Agreement together with all related documents.

4. Approval of request by the Northern Natural Gas Company for an easement on tax forfeited land for gas utility installation, and authorization for the County Auditor-Treasurer to grant the easement.
5. Approval of agreement with the Housing and Redevelopment Authority and Washington County Community Services, Workforce Center Division, for case management services provided for the Family Self-Sufficiency Program.
6. Approval to appoint Mary C. Goulette from Sam's Club, to fill an unexpired term on the Workforce Council to June 30, 1998.
7. Approval of contract with the Washington County Housing and Redevelopment Authority to provide housing subsidies for individuals with a serious and persistent mental illness.
8. Approval of a contract with Rule 36 Limited Partnership of Duluth III for residential services at Hamilton House in Lake Elmo.
9. Approval to amend contract with Chisago County for household hazardous waste management services.

June 3, 1997

10. Adoption of **Resolution No. 97-077** as follows:Approval of Final Payment to the State of Minnesota
for CR 64 Reconstruction

WHEREAS, the Washington County Board of Commissioners, on July 25, 1993, concurred with the State of Minnesota in the bid award to Shafer Contracting Company, Inc. for the road construction of CR 64 in Stillwater; and

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

WHEREAS, the State of Minnesota has requested final payment for the County share of this project; and

NOW, THEREFORE BE IT RESOLVED, that the final payment be made to the State of Minnesota for the final aspects of the construction project in the amount due as indicated on the final payment request which is attached and is hereby a part of this resolution.

11. Approval of the plat of St. Croix Vista, West Lakeland Township.

The foregoing Consent Calendar was adopted unanimously.

GENERAL ADMINISTRATION**Washington County Housing and Redevelopment Authority - Metropolitan Housing Opportunities Program - Cooperative Agreement**

Commissioner Engstrom removed himself from discussion and action on this item.

Wes Butler, Washington County Housing and Redevelopment Authority, advised the Board that they are requesting the County to enter into a cooperation agreement for the development of approximately 60 units of low-rent, single-family housing to be located in scattered sites throughout the County. He indicated that although the Housing and Urban Development defines "single-family units" as anything up to 12 units or less, it is the intention of the HRA to acquire single-family homes and rehabilitate them. He stated there may be one or two cases where a city may request that the HRA actually construct a double duplex or four-unit apartment building, in which case they would work in partnership with the city to get that done.

Mr. Butler indicated that the HRA will hire a private management company to do the management of these units. The tenants will be screened thoroughly and they intend to do FBI screenings as well as criminal background checks. There will also be strong provisions for terminating leases and they will

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be enforced as much as practical. Regarding the waiting list issue, he stated there are three priorities. The first priority will be those people in Minneapolis whose public housing is being demolished. Second priority would be for Minneapolis residents who live in a high area of poverty. The third priority is anybody else on the Minneapolis waiting list. Twenty units will be strictly for Washington County residents.

Commissioner Hauser moved to adopt **Resolution No. 97-078** as follows:

Cooperation Agreement with Washington County Housing and
Redevelopment Authority for Low-Rent Housing Projects

WHEREAS, the Washington County Housing and Redevelopment Authority proposes to develop and administer low-rent housing projects to consist of approximately 60 scattered site housing units located in various locations throughout the County; and

WHEREAS, Washington County desires to enter into a Cooperation Agreement with the Washington County Housing and Redevelopment Authority in connection with such projects; and

WHEREAS, the Washington County Housing and Redevelopment Authority approved Resolution No. 97-10 on April 9, 1997, authorizing the HRA Chair or Vice-chair to enter into this Cooperation Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners agrees to enter into a Cooperation Agreement with the Washington County Housing and Redevelopment Authority as set forth in the attached exhibit.

BE IT FURTHER RESOLVED, that the Chair of the Board of Commissioners and the County Administrator are hereby authorized to execute such a Cooperation Agreement on behalf of Washington County.

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

Resolution Deferring a Decision on the Need for an EAW on Goggins/School Section Lake Project

Commissioner Hauser moved to adopt **Resolution No. 97-079** as follows:

Brown's Creek Watershed Environmental Assessment Worksheet

WHEREAS, the Brown's Creek Watershed is a recognized watershed in Washington County; and

WHEREAS, certain distinct sub-watersheds within the Brown's Creek Watershed have suffered from flooding and some up-stream property owners have suffered property damage, both real and personal; and

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WHEREAS, although the cause of the flooding has not been specifically established, the damage experienced by the up-stream owners can be alleviated by constructing projects that would partially drain down these sub-watersheds; and

WHEREAS, it is generally felt that, depending upon the nature and extent, such projects may have the potential for significant environmental effects throughout the entire Brown's Creek Watershed; and

WHEREAS, as a result of the Board of Water and Soil Resources determining that the Brown's Creek Joint Powers Agreement Water Management Organization was not implementing their water plan, Washington County, by operation of law, was required to assume the responsibilities of a watershed management organization within the Brown's Creek Watershed District; and

WHEREAS, in order for the County to undertake any projects to drain down the sub-watersheds, the County must first amend the Brown's Creek Water Management Organization Plan and then specifically approve capital improvement projects; and

WHEREAS, this process is in progress, but the plan amendments are not anticipated to occur until early 1998 and the individual capital improvement programs will not occur until the spring of 1998; and

WHEREAS, a Petition has been filed under Minnesota Rule 4410.1100 requesting that an EAW be prepared for a project that would drain Goggins/School Section Lakes into the head waters of Brown's Creek; and

WHEREAS, the Environmental Quality Board has named Washington County as the responsible governmental unit; and

WHEREAS, Washington County, as the water management organization, would also be the project proposer; and

WHEREAS, a public hearing was conducted on May 27, 1997 to make a determination on the need for an Environmental Assessment Worksheet on the School Section Lake/Goggins Lake drainage project; and

WHEREAS, Minnesota Rule 4410.1100 allows the responsible governmental unit to defer action on a petition if there is no permit application pending for the project; and

WHEREAS, there is, in fact, no permit application pending upon a project to drain down School Section and Goggins Lakes in Hugo and May Township into the headwaters of Brown's Creek; and

WHEREAS, the County Board has determined that any project to drain down any sub-watersheds within the Brown's Creek Watershed has the potential for significant environmental effects throughout the Brown's Creek Watershed; and

WHEREAS, it would be reasonable and prudent to have the results of environmental studies available prior to taking action on any projects within the Brown's Creek Watershed District.

June 3, 1997

NOW, THEREFORE, BE IT RESOLVED, that for the foregoing reasons, Washington County, as the RGU, elects to take no action on the Petition at this time, pursuant to Minnesota Rule 4410.1100, subp. 9.

BE IT FURTHER RESOLVED, that based on the foregoing Washington County will contact the Environmental Quality Board in order to obtain permission to engage in an alternative form of environmental review to study the entire watershed and that no action will be taken on any capital improvement project to drain down any watershed or sub-watershed until after such an approved alternative environmental review has been conducted and evaluated by the Washington County Board or until the County has taken action on the petition requesting that an Environmental Assessment Worksheet be prepared on any such project.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hegberg informed the Board that the Assessment Committee of the Solid Waste Management Coordinating Board met and recommendations were made that staff might report on in a workshop session or for Board discussion. One of the issues was that the Solid Waste Management Coordinating Board may need to be extended another 18 months.

Commissioner Hegberg asked that the County Attorney's Office research whether the County Board, acting as the water management organization, may have more authority than it may realize on plats. Commissioner Engstrom asked in addition to that, does that authority vary from municipality to municipality. A report is to be given at the June 10 workshop on Brown's Creek WMO issues.

Commissioner Hauser reported on a meeting that Commissioner Peterson and she attend regarding the commuter rail demonstration set for July 1, 2, and 3, 1997. She stated there will be two sets of trains, with three cars on each set. Only one set of trains will be running at a time, but the other set will be open for tours. Each set of trains can carry 150 passengers.

Commissioner Peterson noted that the Board will be conducting interviews at 5:30 this evening for vacancies on the Carnelian-Marine Watershed District Board of Managers.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

June 3, 1997

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 5:20 p.m.


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

The Board meeting was preceded by a workshop session with the Department of Health, Environment and Land Management Department to discuss the following issues: Discussion on experimental on-site sewer systems; and Proposed rewrite of individual sewage treatment system ordinance. No business was transacted and the public was welcome to attend. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Mary McGlothlin, Bob Turrentine, Al Goodman, Curt Sparks and Lowell Johnson.

BOARD WORKSHOP WITH THE WASHINGTON COUNTY LIBRARY BOARD

The Board meeting was preceded by a workshop session with the Washington County Library Board to discuss options for a new Woodbury Library, Forest Lake Library issues, and the Library Foundation. No business was transacted and the public was welcome to attend. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, James Wells, Alice Engelman, Cindy Thibodeau, Don Wisniewski, Tim Casey, Barry Johnson, Administrator, City of Woodbury, and the following Library Board members: Don Wujcik, Larry Steltzner, Karin McGinnis, JoAnn Bailey and Margaret Horning.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 10, 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 Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Dan Papin, Community Services Director; Russ Reetz, Court Services Director; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Honmyhr, Human Resources Director; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the May 27, 1997 Board meeting minutes.

2. Approval of abatement applications as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
05.032.21.43.0020	Cheryl Meuller	\$ 1,487.47
5 parcels	Lakeview Hospital	420.00
34.030.20.34.0041	MnDot	48.00
36.028.22.21.0003	Rantala, John	84.00
19.027.21.33.0001	Jansen, Helen	72.00
27.029.20.12.0002	See, John	72.00
31.031.20.11.0001	Carlson, John	72.00
20.030.21.34.0003	Wildwood Church	120.00
871 parcels		31,560.00

3. Approval of abatement applications as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 25.028.22.13.0001	Bailey Nurseries	\$6,258.00
R 20.029.21.22.0018	Thorn, Alvin C.	0.00
R 20.029.21.22.0018	Thorn, Alvin C.	0.00
R 34.030.20.34.0007	State of Minnesota	844.00
R 12.032.21.33.0002	State of Minnesota	18.00
R 12.032.21.33.0003	State of Minnesota	18.00
R 22.030.21.12.0001	Hilton, Franklyn & Margaret	6,190.00
R 34.030.20.34.0075	NSP	842.00
R 07.027.21.42.0007	City of Cottage Grove	788.84
R 08.027.21.12.0011	City of Cottage Grove	109.38
M 88.088.88.00.1452	Bruce, Jeffrey & Bridgette	0.00
P 99.099.99.00.0287	Elmo Aero Inc.	34.00

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 9 Parcels	Various	0.00
R 17.028.21.22.0016	Lockner, John & Mary	275.67
R 17.028.21.22.0067	Strharsky, Roger & Marcia	275.67
R 08.028.21.33.0022	Bello, Kenneth & Michele	275.67
R 17.028.21.23.0093	Merrill, Dorothy	275.67
R 17.028.21.24.0028	Wardell, Douglas & Susan	275.67

4. Approval of five day on sale non-intoxicating malt liquor license for VFW Post #323, July 30 through August 3, 1997 at the Washington County Fairgrounds.
5. Adoption of **Resolution No. 97-080** as follows:

Application by the Department of Natural Resources
for Release of Tax-forfeited Lands from the
Trust in Favor of the Taxing District

WHEREAS, the following lands located in Forest Lake Township are on adjoining protected Wetlands 82-205W:

The South 990 feet of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Thirty-Four (34) in Township Thirty-Two (32) North, Range Twenty-one (21) West.

and has forfeited to the State of Minnesota held in trust in favor of the taxing district; and

WHEREAS, Washington County Board has received application by the Department of Natural Resources for the release of the above described tax-forfeited lands from the trust in favor of the taxing district; and

WHEREAS, Department of Natural Resources desires to obtain such lands for conservation purposes; and

WHEREAS, under M.S. 282.01 subd. 2, County Board may, by resolution duly adopted, resolve that certain lands classified as conservation lands shall be devoted to conservation uses may submit such resolution to the Commissioner of Natural Resources;

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby classifies the parcels as conservation lands and releases the said lands from the trust in favor of the taxing district to the Department of Natural Resources for the aforesaid purposes as provided by law.

6. Adoption of **Resolution No. 97-081** as follows:

June 10, 1997

Repurchase of Tax Forfeited Land by
James A. Simning, Former Owner

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

- (A) Geocode 30.030.21.13.0040/Parcel #25442-3650
Lot 2, Block 6, except west 120 feet and except
South 5 feet
Lakewood Park 3rd Division
- (B) Geocode 30.030.21.21.0066/Parcel #25440-7100
Lot 15, Block 8
Lakewood Park First Division

;and, WHEREAS, said applicant has set forth in his application that the 2 homes are needed by both family units...for either to move would be a hardship; that both properties were eligible for relative homestead; that applicant has filed for relative homestead for both, but was never acknowledged or granted; that his wife had severe health problems - beginning in 1988 with cancer & treatment plus 2 more rounds with cancer & other health problems; that his wife died in November 1996. That his repurchase of said properties will promote and best serve because; Parcel A - is a home for his daughter and 2 grandchildren, Liz Simning, a single mother, working at a beginning job...she needs the home on a rent she can afford. Parcel B - is a home for his in-laws, Senior Citizens on low income - both with health problems-they have lived in this house rent free since 1981. That the repurchase of said parcels will put the properties back on tax roll.

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

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

- 7. Approval of receipt of certificate of commendation from the Governor's Office for the "Metro Crisis Coordination Program".
- 8. Approval of contract with Anoka County for secure juvenile detention bed services for the period of July 1, 1997 through September 30, 1997.
- 9. Approval to publish notice of availability of Maternal-Child Health grant funds through the County Board of Health for CY 98-99.

June 10, 1997

10. Bids were received for painting services for County facilities as follows:

Jay Brothers, Inc.	\$24,000.00
Allied Painting	28,000.00
Rick Renfrow	32,800.00
David Bindert	36,800.00

Adoption of **Resolution No. 97-082** as follows:

Award of Contract for County Painting Needs
to Jay Brothers, Inc.

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

WHEREAS, bids were opened on May 27, 1997, with Jay Brothers, Inc. being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Jay Brothers, Inc. be accepted and the County enter into a contract with Jay Brothers, 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 Jay Brothers, 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. Approval to advertise for bids on seasonal materials and services for road maintenance.

12. Adoption of **Resolution No. 97-083** as follows:

Bid Award Concurrence with the City of Woodbury
for Road and Signal Construction on
CSAH 13 at Lake Road with Arnt Construction

WHEREAS, the City of Woodbury and Washington County desire to construct a traffic signal on CSAH 13 (Radio Drive) at Lake Road along with necessary road improvements; and

WHEREAS, the City of Woodbury and Washington County have entered into a Cooperative Agreement for the construction of the traffic signal and a Traffic Signal Maintenance Agreement; and

WHEREAS, the County and the City will participate in the Cost of the project in accordance with County policy; and

June 10, 1997

WHEREAS, the City of Woodbury has let bids for this signal construction and has determined that Arnt Construction is the low bidder;

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

The foregoing Consent Calendar was adopted unanimously.

GENERAL ADMINISTRATION

The Deputy Administrator presented a review of the following new or revised policies:

Policy #1104 has been developed by the Work Group and reviewed by the Department Head Group to provide a framework for development and implementation of policies relating to "public purpose" expenditures for employee activities and certain organizational functions.

Policy #1009 has been developed in response to a need for such a policy to reflect the rapidly developing and changing telecommunications environment within the County and to ensure consistency in reimbursement procedures.

Policy #5003 has been revised to reflect the general policy statement and to clarify some of the language. It does not affect the implementation of the program and continues the current recognition programs.

Policy #1021 has been revised to reflect a change from \$10 to \$28 for other expenses; this amount is consistent with the amount authorized for meals per day without receipts.

Policy #5023 has been developed to reflect the informal wellness program which was approved by the Board in 1987.

Sections 18 and 19 of the Personnel Rules and Regulations have been revised to reflect language supporting the Public Purpose Policy but contain no substantive changes.

Policy #1805 should be eliminated; the retiree recognition program is incorporated in Policy #5003 and budgeted for annually in Human Resources. Vending commissions are budgeted in General Operations annually as are equipment replacements.

June 10, 1997

Commissioner Engstrom moved to adopt the following new or revised County policies: #1009 Telecommunications Devices (new); #5003 Employee Recognition Program (revised); #1021 Reimbursement for Meals and other Authorized Expenses (revised); #5023 Wellness Program (new); Sections 18 and 19 of the Washington County Personnel Rules and Regulations (amended); Elimination of #1805 Employee Projects; and adoption of **Resolution No. 97-084** as follows:

Guidelines Governing Public Purpose Expenditures
in Washington County

WHEREAS, Washington County is a political subdivision of the State of Minnesota, and

WHEREAS, under the statutes and laws of the State of Minnesota, Washington County as a municipal corporation and the elected officials of Washington County are authorized and directed to perform the duties and responsibilities imposed by law, and

WHEREAS, to effect those duties Washington County employs or is represented by various elected officials, appointed officials, employees and other representatives, and

WHEREAS, the statutes and laws of the State of Minnesota permit and require the expenditure of public funds for public purposes, and

WHEREAS, a public purpose expenditure is one which relates to the purpose for which Washington County exists and the duties and responsibilities of Washington County, its elected and appointed officials, employees and other representatives, and,

WHEREAS, the Washington County Board of Commissioners, acting in consultation with the other elected officials of Washington County, believes it necessary and appropriate to provide assistance and guidance to the officials, employees and representatives of Washington County to aid in the determination of when public funds may be spent for a public purpose,

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners adopts the following public purpose guidelines for the establishment of operating policies and procedures and the appropriate expenditures of public funds.

1. Training and development programs for Washington County employees serve a public purpose when those training and development programs are directly related to the performance of the employees' job-related duties and are directly related to the programs/services for which the County is responsible.
2. Payment of employee work-related expenses, including travel, lodging and meal expenses, serves a public purpose when those expenses are necessarily incurred by Washington County employees in connection with their actual work assignments or official duties and those expenses are directly related to the performance of the governmental functions for which Washington County has responsibility.

June 10, 1997

3. Appropriate safety and health programs for Washington County employees serve a public purpose because they result in healthier and more productive employees and reduce certain costs to the County and the taxpayers of Washington County, including various costs associated with workers compensation and disability benefit claims, insurance premiums, and lost time from employee absences.
4. Public expenditures for appropriate Washington County employee and volunteer recognition programs serve a public purpose because formally recognizing employees and volunteers who make significant contributions and demonstrate their commitment during the performance of their duties result in higher morale and productivity among all Washington County employees and volunteers, and therefore help the County to fulfill its responsibilities efficiently and more cost-effectively.
5. Public expenditures for food and refreshments associated with official Washington County functions serve a public purpose when the provision of food or refreshments is an integral part of an official Washington County function and the provision of food or refreshment is necessary to ensure meaningful participation by the participants.
6. Public expenditures for appropriate community and customer outreach and similar activities serve a public purpose when those expenditures are necessary for Washington County to ensure the efficient operation of its programs/services, promote the availability and use of County resources, and promote coordinated, cooperative planning activities among and between the public and the private sectors.

Based on these guidelines, the County Board authorizes the County Administrator, elected officials and appointed department heads to establish administrative policies and procedures that are consistent with these guidelines and the adopted County policies which implement these guidelines.

Commissioner Hauser seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson reported that he has received numerous calls on the highway construction involving Highways 5 and 36 and County Roads 14 and 21.

Commissioner Hegberg updated the Board on a meeting held yesterday with the townships to discuss the zoning ordinances. He also reported that he will be attending the symposium in St. Cloud dealing with changing roles for County health planners and human service providers at the end of this month.

June 10, 1997

Commissioner Engstrom stated he has received phone calls regarding the St. Croix Bluffs Regional Park beach and the County closing it to swimming. The callers cannot understand why they cannot swim there. They indicate that boaters who come in there can jump off their boats and swim, but the County doesn't allow people in the park to swim at their own risk. He would like staff to look at that issue again. He requested the County Attorney's Office to research who has jurisdiction or liability if someone jumps off a boat and swims in that water near the park.

Commissioner Engstrom also was concerned about a meeting held last night with the townships to discuss the zoning ordinances. He was not aware of that meeting and feels that it should have been noticed since two County Commissioners attended. Commissioner Peterson indicated it was an oversight. The townships requested a meeting with planning staff to discuss the ordinances. She intended to announce it at last week's meeting but did not.

Commissioner Hauser informed the Board that she and Commissioner Peterson attended the commuter rail meeting yesterday. She indicated that this group now includes Anoka, Hennepin, Ramsey and Washington Counties. The firm of Goff & Howard, Inc. has been chosen as the public relations firm and they are currently putting information together. Commissioner Peterson indicated that the City of Hastings has contributed \$5,000 to this group.

Commissioner Hauser reported on the Sentence-to-Service Committee meeting she attended this morning. The Sentence-to-Service crews were thanked for their efforts during the recent flooding. She asked that a letter from the Board be sent to the crew leaders and supervisors who lead this effort. She also indicated that an offender sent a letter to Court Services thanking them for the opportunity to work off their time in the Sentence-to-Service program and how that has affected their outlook on life.

Commissioner Peterson stated she met with Dakota County and some of the union officials from the building trades to look for support for the Wakota Bridge project.

Commissioner Peterson announced that on Saturday, June 14, the County will be hosting the Grand Opening of the St. Croix Bluffs Regional Park.

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 Hegberg and it was adopted unanimously. The Board meeting adjourned at 9:55 a.m.

June 10, 1997

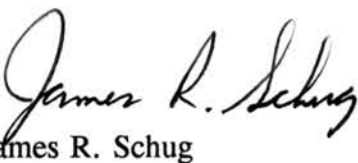
BOARD WORKSHOP WITH THE DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT

The Board met in workshop session with the Department of Health, Environment and Land Management to discuss the preliminary final draft of Chapters One through Four (Zoning Ordinances) of the Washington County Development Code and administrative process for recording real estate transactions. 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, Mary McGlothlin, Lowell Johnson, Kathy Nordine, Dennis O'Donnell, Jane Harper, Bob Turrentine, Sue Tice and Tim Casey.

BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration and the Soil and Water Conservation District to discuss Brown's Creek Watershed issues. 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, Jane Harper, Konrad Koosmann, Mark Doneux, Cindy Calease, Don Wisniewski, Molly Shodeen, DNR, Steve Russell, City of Stillwater Community Development Planner, Klayton Eckles, City of Stillwater Engineer, Sherri Buss, Boonstroo, Matt Moore, Minnesota Board of Soil and Water Resources, Gary Huber, Trout Unlimited, Peter Schwartz, Stan Vanderbeck, and Craig Leiser.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 17, 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. Board Chair Peterson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Richard Stafford, Auditor-Treasurer; Howard R. Turrentine, Assistant County Attorney; Robert Crawford, Workforce Center Division Manager; Cindy Koosmann, County Recorder; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; Sandy Cullen, Transportation Engineer; Jane Harper, Principle Planner; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval to appoint Lorri Wood, Stillwater, to the Community Social Services Advisory Committee to a three year term expiring December 31, 1999.
2. Approval of abatement applications as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
M 88.088.88.00.1714	Holzschuh, Bradley	\$ 622.00
R 16.027.21.41.0015	Stanoich, Timothy G.	602.00
R 10.030.21.41.0003	Hartzell, Robert	1,414.00
R 32.031.20.12.0001	Keller, Lorraine	710.00
R 03.028.21.21.0102	Ansved, Jessica	768.00
R 03.028.21.31.0009	Halhakken, Daniel M.	384.00
R 09.032.21.43.0052	Anderson, Leo M.	188.00
R 19.029.21.41.0045	Kinderman, Roxanne	272.00
R 08.028.21.22.0004	Hinz, Joann	2,450.00
R 08.027.21.33.0011	Colony House Assoc.	2,036.06
R 04.029.20.14.0146	Goetschel, Walter	336.00
R 34.030.20.34.0027	MN Dept of Transportation	64.58
R 06.026.20.31.0004	Larson, Dennis	358.00
R 08.026.20.24.0013	MN Dept of Transportation	182.00
R 24.032.21.22.0028	Bolen, Lou Ann	758.00
R 18.032.21.34.0021	Cardinal, Greg	402.00
R 18.032.21.34.0028	Cardinal, Greg	170.00
R 06.032.19.31.0004	Gilbert, Thomas J.	1,498.00
R 08.030.20.42.0002	Dietrich, Jeffrey	790.00
R 29.029.21.42.0135	Larson, Ethel	1,144.00
R 20.028.21.12.0087	Pan, Houyao	1,194.00
M 88.088.88.00.1595	Hauk, Scott	574.00

June 17, 1997

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 21.029.21.24.0012	Becker, Tamara	\$ 50.00
R 04.029.20.13.0006	Coleman, Larry	1,204.00
R 18.029.21.23.0231	Haugen, James	70.00
R 19.029.21.11.0054	Aebly, Laurie	242.00
R 08.030.20.42.0002	Dietrich, Jeffrey	832.12
R 02.028.21.33.0084	Flugge, Melinda	242.00
R 17.028.21.33.0025	Schultz, William	1,244.00
R 06.031.19.21.0002	Dunn, James	22.00
R 06.031.19.21.0003	Dunn, James	10.00
R 19.032.20.42.0002	Altnow, Mark	420.00
R 29.030.20.31.0003	Trail Head Dev. Corp	3,836.00
R 29.030.21.34.0133	Bohnen, Mark	92.00
R 09.028.21.31.0136	Lokken, Helen	1,546.00
R 20.028.21.41.0001	Wellspring Assembly of God	14,196.14
R 20.028.21.41.0001	Wellspring Assembly of God	12,694.74
R 29.028.21.11.0007	Fuhrman, William	104.00
R 21.027.21.12.0012	Turnquist, Ralph	2,038.00

- 3. Approval of one day on sale non-intoxicating malt liquor license for June 20, 1997, by the Marine/Scandia Lions.
- 4. Approval of off sale intoxicating liquor license for S/S/G Corporation - Auto Stop, Hastings through March 31, 1998.
- 5. Adoption of **Resolution No. 97-085** as follows:

Approval of Conveyance of Tax Forfeited Lands
for an Authorized Public Use to the City of Oakdale

BE IT RESOLVED, that the Application for Conveyance of Tax Forfeited Land listed below be approved free of charge for an authorized public use, and that the Board Chairman be authorized to execute the Application for Conveyance pursuant to M.S. 282.01 Subd. 1.

<u>City</u>	<u>GEOCode No.</u>	<u>Authorized Public Use</u>
Oakdale	30.029.21.42.0002 Described as: Outlot A, Oakpond Terrace	Fire Station No. 2

- 6. Approval of host County contract with R-Home of Woodbury, Inc. for residential care for adolescents with disruptive behaviors.
- 7. Approval of contract with ACR Mississippi, Inc. to provide home and community based services to persons with developmental disabilities.

June 17, 1997

8. Approval of contract with Minnesota Department of Economic Security/Workforce Preparation Branch for Program year 1997 (July 1, 1997 - June 30, 1998) to operate the Senior Community Service Employment Program.
9. Approval to submit a \$10,000 grant application to the Minnesota Department of Health Breast and Cervical Cancer Control Program for the period of September 1, 1997 through August 31, 1998 and authorize the Director of Health, Environment and Land Management to sign and submit the application.
10. Approval of preliminary draft of Chapter Eight of the Washington County Development Code: Individual Sewage Treatment Systems and referral of draft document to the Planning Advisory Commission for review and recommendation to the County Board of Commissioners.
11. Adoption of **Resolution No. 97-086** as follows:

Acquire Right of Way on
County State Aid Highway 3

BE IT RESOLVED that Washington County proceed to improve and reconstruct County State Aid Highway 3 from the intersection of County State Aid Highway 4 to the north County line, in May Township and New Scandia Township.

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

12. Adoption of **Resolution No. 97-087** as follows:

Award of Deed for Sale of Excess Land
Along CSAH 12

WHEREAS, Washington County has a parcel of excess Right of Way along CSAH 12; and

WHEREAS, an adjacent landowner inquired about the possible sale of said excess Right of Way; and

WHEREAS, the County Board gave authority to advertise for the sale of the excess Right of Way on June 5, 1997; and

WHEREAS, bids were opened on June 5, 1997 with Grace Baptist Church being the only bidder; and

June 17, 1997

NOW, THEREFORE BE IT RESOLVED, that the bid of Grace Baptist Church be accepted and the County convey by Quit Claim deed excess Right of Way to Grace Baptist Church under the terms and conditions set forth in the bid specifications documents, and on legal description as shown on attached Exhibit A; and

BE IT FURTHER RESOLVED, that the deed between the County and Grace Baptist Church 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.

Exhibit A

Legal Description of Excess R/W on CSAH 12 NE 1/4 Section 30, Township 30 North, Range 20 West

That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) and the West Half of the Southeast Quarter of the Northeast Quarter (W 1/2 of SE 1/4 of NE 1/4), all is Section 30, Township 30 North, Range 20 West, Washington County, Minnesota, described as follows:

Commencing at the Southeast corner of the West Half of the Southeast Quarter of the Northeast Quarter (W 1/2 of SE 1/4 of NE 1/4); thence on an assumed bearing of South 89 degrees 03'06" West along the South line of said West Half of the Southeast Quarter of the Northeast Quarter (W 1/2 of SE 1/4 of NE 1/4) a distance of 575.00 feet to the point of beginning; thence northerly parallel to the West line of said West Half of the Southeast Quarter of the Northeast Quarter (W 1/2 of SE 1/4 of NE 1/4) to a point 120.00 feet southerly of (as measured radially to) the centerline of County State Aid Highway 12 which is described below; thence westerly along a line which is 120.00 feet southerly of and parallel to said centerline, to the South line of said Northeast Quarter of Section 30; thence easterly along said South line of Northeast Quarter of said Section 30 to the point of beginning.

Centerline Description of County State Aid Highway 12

Commencing at the southwest corner of the Northeast Quarter of Section 30, Township 30 North, Range 20 West; thence on an assumed bearing of North 01 degree 04'48" West along the west line of said Northeast Quarter, a distance of 38.03 feet to the beginning of said centerline; thence North 81 degrees 50'36" East, a distance of 1,395.69 feet; thence along a tangential curve concave to the south, a distance of 1,279.97 feet, said curve has a radius of 5,729.58 feet, a central angle of 12 degrees 47'59", and a chord bearing of North 88 degrees 14'36" East, to a point on the east line of said Northeast Quarter; said point being 262.54 feet northerly of the southeast corner of said Northeast Quarter, and said centerline there terminating.

13. Approval of the plat of Legacy Hills, May Township.

The foregoing Consent Calendar was adopted unanimously.

June 17, 1997

COMMUNITY SERVICES DEPARTMENT**Workforce Center Division**

The Workforce Division Manager presented an update on the summer youth employment program for Washington County youth between 14 and 21 years of age. He indicated that funding for this program has increased \$23,588 over last year's funds.

Commissioner Engstrom moved to approve the agreement between the Minnesota Department of Economic Security and Washington County Community Service's Workforce Center Division to provide a Minnesota Youth Program from June 1, 1997 through June 30, 1998. Commissioner Hegberg seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION**Petition to Establish the Brown's Creek Watershed District**

The County Administrator stated that at a workshop held on June 10, 1997, discussion was held on what authority the County Board had acting as the Brown's Creek Watershed Management Organization. The consensus was reached by the Board members present that they had limited authority and expressed an interest in establishing a watershed district to more effectively deal with the water management issues facing the Brown's Creek Watershed.

Commissioner Hegberg moved to direct staff to prepare a petition requesting that the Minnesota Board of Water and Soil Resources create a Brown's Creek Watershed District; and, that the County Board would recommend the consolidation of this watershed district with another watershed district. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Commissioner Abrahamson requested that the Soils and Water Conservation District send the information they presented at last week's workshop to all the cities and townships in the Brown's Creek WMO. He believes there is a lot of misinformation being presented about where the water flows south of Highway 36.

Commissioner Peterson asked if that workshop was taped and if it wasn't, staff should look at the possibility of internally taping those in the future. She feels that a lot of useful information is presented and that maybe these video tapes could be made available to the general public.

June 17, 1997

The County Administrator noted that there is a public hearing scheduled for next week's Board meeting regarding the adoption of an ordinance establishing a Brown's Creek Watershed Tax District. He asked whether the Board wished to cancel that public hearing in view of today's action to petition BWSR for the establishment of a Brown's Creek Watershed District or to continue with the public hearing?

It was Board consensus to continue with the public hearing scheduled for next week regarding the adoption of an ordinance establishing a Brown's Creek Watershed Tax District.

Comments on the Stillwater Annexation Area Alternative Urban Areawide Review

Commissioner Engstrom moved to approve the Brown's Creek WMO Comments and the Washington County Comments for the Stillwater Annexation Area Alternative Urban Areawide Review for submittal to the City of Stillwater. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Engstrom noted that the City of Grant has asked the County for a sample resolution outlining the reasons for a moratorium on developments in the Brown's Creek WMO. This is in response to the County's letter requesting that the cities and townships impose this moratorium.

Appointments to the Carnelian-Marine Watershed District Board of Managers

Commissioner Hegberg moved to appoint Michael White, New Scandia Township, to the Carnelian-Marine Watershed District Board of Managers for a three year term expiring June 21, 2000; and, appoint Tom Oakes, May Township, to the Carnelian-Marine Watershed District Board of Managers to fill an unexpired term to June 21, 1999. Commissioner Engstrom seconded the motion and it was adopted unanimously.

UPDATE ON COMMUTER RAIL DEMONSTRATION

Sandra Cullen, Transportation Engineer, presented a tentative schedule of the commuter rail demonstration for July 1, 2 and 3, 1997. The trains will run in Anoka County on July 1, Hennepin County on July 2, and Ramsey and Washington Counties on July 3.

TOUR OF THE BROWN'S CREEK WATERSHED AREA

The County Administrator notified the Board that the Legislative Commission on Minnesota Resources (LCMR) will be touring the Brown's Creek Watershed district on Monday, June 23 at 1:00 p.m. The group will meet at the Withrow Ballroom. Commissioners Peterson, Hauser and Hegberg indicated they would be attending.

June 17, 1997

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 grand opening at the St. Croix Bluffs Regional Park. He thanked staff for the wonderful job they did for that event.

Commissioner Abrahamson thanked the Public Works staff for the good job they did on CR 5.

Commissioner Hegberg reported that there will be Joint Ditch meeting next Wednesday in Chisago County. He believes it will be at 1:00 p.m.

Commissioner Peterson advised the Board that she will distribute copies of remarks made by Secretary of Transportation Rodney E. Slater which he made at the small railroads and economic development meeting held in Minneapolis on June 16, 1997.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

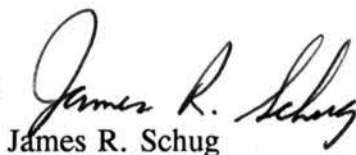
There being no further business to come before the Board, Commissioner Hauser moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 2:00 p.m.

The County Board met as the Board of Equalization following the regular County Board meeting.



Myra Peterson, Chair
County Board

Attest:



James R. Schug

County Administrator

**OFFICIAL PROCEEDINGS OF THE BOARD OF EQUALIZATION
OF
WASHINGTON COUNTY, MINNESOTA
JUNE 17, 1997**

Commissioner Peterson called the 1997 Washington County Board of Equalization to order at 2:00 p.m. with the following members present: Myra Peterson, Chairperson, D.D. "Dave" Engstrom, Mary M. Hauser, Dennis C. Hegberg, Wallace L. Abrahamson, and R. H. Stafford, Auditor-Treasurer.

Also present were Scott Hovet, Washington County Assessor, Julie Roisen, Commerical/Industrial Appraiser, and Sharoan Harp, Assessment Coordinator, acting as recording secretary.

Scott Hovet administered the oath to the Board members and Commissioner Peterson presented opening comments.

CASE #5 -- Kenneth L. Sovereign -- Lake Elmo -- #09.029.21.32.0022

Mr. Sovereign did not appear before the Board.

CASE #6 -- Larry Larson -- May Township -- #26.031.20.11.0007

Mr. Larson came before the Board to appeal the land valuation of his property. He stated that a larger lot had the same value as his while a similar size lot had a lesser value. There was discussion regarding the proximity of the campgrounds and the topography of the lots.

The Board voted unanimously to direct the local assessor to review the land value of the lots in question for the 1998 assessment. Commissioner Abrahamson also directed that pictures of each of the lots be supplied to the Board if there is a question on this property next year.

CASE #8 -- Suzanne Weyer & Robert Horning -- Lake Elmo -- #09.029.21.11.0013

Ms. Weyer and Mr. Horning did not appear before the Board.

CASE #15 -- Lyle Peterka -- Bayport -- #11.029.20.31.0026

Mr. Peterka presented the Board with a letter requesting that the valuation of his property not be higher than the 1996 assessment due to the negative effects of the flood. Mr. Peterka also presented the Board with pictures of his property in its flooded state. Other facts presented included the property was built below the flood plain due to an error of the building inspector at that time and the properties on both sides of the subject are used for commercial or for storage purposes.

Scott Hovet informed the Board that the value had been reduced by \$30,000 on the land and five percent on the buildings to allow for the loss of value due to its location.

June 17, 1997

The Board agreed that the location of the property did have an influence on the value and that the flood would have a negative effect for potential buyers. The Board also acknowledged the fact that commercial influences were in existence at the time the house was built. After further discussion Commissioner Abrahamson moved to lower the value by \$5,000; Commissioner Hegberg seconded the motion. The Board voted unanimously to reduce both the land and the buildings by \$2,500 each for a total reduction of \$5,000.

CASE #14 -- Walter Olson -- Woodbury -- #08.028.21.34.0053

Mr. Olson asked the Board to review the amount of increased valuation for the 1997 assessment. He presented the Board with his market analysis of comparable properties and stated that a \$6,000 increase would be acceptable, but a \$10,000 increase was too much. Mr. Olson informed the Board that the sale price listed in the narrative included the value of personal property.

The Board discussed the Royal Park neighborhood of the subject property and surrounding sales in both Royal Park and Royal Oaks. Scott Hovet stated that this property was only compared to sales in Royal Park when determining the value.

Commissioner Abrahamson moved to reduce the property by \$2,000; Mr. Stafford seconded the motion. The motion carried by a vote of 3 to 1 with one board member abstaining. Commissioner Engstrom was not present at this time.

CASE #20 -- Calvin Bruer -- Denmark Township -- #33.027.20.44.0007

Mr. Bruer came before the Board to ask how his property was valued. Commissioner Engstrom stated that he was very familiar with this property. It is located on a cul de sac with a good view of the river. There is 210 feet of river frontage with a steep slope to the river. The cabin is of minimal value to the property.

The Board discussed how river front property was valued with the County Assessor. LuAnn Stanley, staff appraiser, offered information regarding a land schedule that takes into consideration a factor for both the width and depth of lots which is then applied to a site value determined through sales. Commissioner Hauser then stated that there was not a simple mathematical formula for comparison purposes.

The Board advised Mr. Bruer to contact the assessor's office for more detailed information on the value of his property. The Board voted unanimously for no change in the value of this property.

June 17, 1997

CASE #27 -- Gina Axelsen -- Forest Lake City -- #08.032.21.23.0048

Mrs. Axelsen came before the Board to request the value of her property be lowered due to the influence of the surrounding commercial properties. She stated that WalMart, Super America and the car wash were not in existence at the time her house was built. Mrs. Axelsen brought information about two properties that did sell in her neighborhood and indicated that both properties were on the market for an extended period of time. She was concerned that her estimated market value may be out of line with the estimated market value of the other properties.

Scott Hovet, county assessor, stated that 15% economic obsolescence was allowed for the location of the property near commercial ventures. This amounted to a \$20,800 reduction. Both Commissioners Hegberg and Peterson agreed that there may be some justification for a reduction. Commissioner Hauser stated that she had no rational to make any further changes at this time.

Commissioner Abrahamson moved to instruct the local assessor, Ken Tolzmann, to review these properties for the 1998 assessment. Commissioner Hegberg seconded the motion. Motion carried by a unanimous vote.

CASE #29 -- Dale Swanson -- Forest Lake Township -- #14.032.21.31.0045

Mr. Swanson did not appear before the Board.

There were no further appearances before the Board.

Scott Hovet, county assessor, asked the Board to consider a letter regarding changes in value in the City of Lakeland Shores due to a data entry error correction. The Lakeland Shores Board of Review exceeded the one percent maximum amount of reduction allowed by law because of this error causing the changes made at the local board of review to be null and void. Mr. Hovet asked the Board to reinstate the adjustments. On motion by Commissioner Hegberg, seconded by Commissioner Abrahamson, the Board voted unanimously to reinstate the Lakeland Shores adjustments.

The following two parcels are the valuation adjustments for Lakeland Shores:

Todd Sheily -- Lakeland Shores -- #02.028.20.11.0012

Reduced from \$1,051,400 to \$755,100

Building reduced \$296,300.

Rick Baylon -- Lakeland Shores -- #35.029.20.44.0008

Reduced from \$217,000 to \$21,700

Land reduced \$195,300.

June 17, 1997

Julie Roisen, staff appraiser, brought to the Board's attention Case #16--Thomas Zirbes--Denmark Township. She indicated that county staff would like to amend the recommendation cited in the documentation to allow the agricultural classification to the 1.4 acre parcel. Mr. Zirbes also owns an adjoining nine acre parcel on which he raises cattle. Commissioner Peterson questioned the building site issue, and Commissioner Hauser questioned if the land use was appropriate with regard to the number of animals on the property that would be allowable under county and township regulations. Commissioner Hegberg moved and Commissioner Abrahamson seconded that the agricultural class be allowed on the 1.4 acre parcel, but that information on these parcels be transferred to HELM for their determination of the appropriate land use.

Commissioner Abrahamson moved to accept the Valuation Change Report of Settled Cases submitted by the county assessor. Commissioner Hauser seconded the motion. Motion unanimously carried. Approved changes are as follows:

Herbert Forthuber -- Hugo -- #22.031.21.42.0006

Reduce from \$121,000 to \$116,200.

Building reduced \$4,800.

Helen Mahoney -- Lakeland City -- #26.029.20.43.0012

Reduce from \$106,600 to \$104,200

Building reduced \$2,400.

Donald Rice -- Hugo -- #25.031.21.22.0002

Reduce from \$65,000 to \$40,000

Building reduced \$25,000.

Ronald Hance -- Dellwood -- #07.030.21.12.0014

Reduce from \$179,300 to \$175,900

Building reduced \$3,400.

Efrain Febus -- St. Paul Park -- #13.027.22.11.0013

Reduced from \$106,000 to \$94,800

Building reduced \$11,200.

Dennis Amoth -- Afton -- #22.028.20.14.0034 (1 of 3 parcels)

Change class code from 243-0-83 to 204-0-99

Reduced from \$13,000 to \$10,000

Land reduced \$3,000.

June 17, 1997

#22.028.20.14.0033 (2 of 3 parcels)

Reduced from \$13,000 to \$10,000

Land reduced \$3,000.

#22.028.20.14.0032 (3 of 3 parcels)

Reduced from \$13,000 to \$10,000

Land reduced \$3,000.

Walter Doehne -- Afton -- #09.028.20.31.0005

Reduced from \$132,300 to \$130,300

Land reduced \$2,000.

Rob Boyts -- Stillwater City -- #20.030.20.34.0009

Reduced from \$233,900 to \$207,300

Land reduced \$5,000

Building reduced \$21,600.

Michael & Debra Dailey -- Hugo -- #01.031.21.33.0002

Reduced from \$232,700 to \$218,800

Building reduced \$13,900.

Carol Thompson -- Lake Elmo -- #15.029.21.33.0022

Reduced from \$141,000 to \$139,000

Land reduced \$2,000.

Barbara Peterson -- Lake Elmo -- #15.029.21.33.0021

Reduced from \$85,400 to \$83,400

Land reduced \$2,000.

Richard Johnson -- Lake Elmo -- #22.029.21.22.0001

Reduced from \$91,300 to \$89,300

Land reduced \$2,000.

Dianne Purington -- Lake Elmo -- #15.029.21.33.0027

Reduced from \$88,400 to \$86,400

Land reduced \$2,000.

William Moszer -- Lake Elmo -- #15.029.21.33.0016

Reduced from \$107,900 to \$105,900

Land reduced \$2,000.

June 17, 1997

Theodore Sterbenk -- Lake Elmo -- #15.029.21.33.0026

Reduced from \$87,400 to \$85,400

Land reduced \$2,000.

Barbara Ferderer -- Lake Elmo -- #16.029.21.21.0020

Reduced from \$86,900 to \$83,600

Building reduced \$3,300.

Stephan Plessel -- St. Paul Park -- #13.027.22.14.0115

Reduced from \$95,800 to \$89,200

Building reduced \$6,600.

Jeffrey Suchy -- St. Paul Park -- #13.027.22.14.0003

Reduced from \$113,800 to \$111,500

Building reduced \$2,300.

Ken Tennant -- Bayport -- #10.029.20.11.0026

Reduced from \$81,600 to \$55,000

Building reduced \$26,600.

Robert Brandt -- Hugo -- #14.031.21.41.0004

Reduced from \$179,400 to \$172,100

Building reduced \$7,300.

Allen E. Johnson -- Baytown -- #99.099.99.00.0302

Reduced from \$30,300 to \$22,500

Building reduced \$7,800.

Clifford L. Muller -- Baytown -- #99.099.99.00.0293

Reduced from \$37,600 to \$30,100

Building reduced \$7,200.

Heidi Rosebud -- Stillwater City -- #28.030.20.32.0114

Reduced from \$571,300 to \$434,200

Building reduced \$137,100.

Simonet's Funeral Home -- Oak Park Heights -- #33.030.20.41.0011

Reduced from \$497,300 to \$384,100

Building reduced \$93,200.

June 17, 1997

Simonet Furniture -- Stillwater City -- #32.030.20.31.0007

Reduced from \$1,332,200 to \$1,248,300

Building reduced \$83,900.

Beverly Enterprises -- Stillwater City -- #28.030.20.33.0001

Reduced from \$1,660,000 to \$1,328,000

Building reduced \$332,000.

Beverly Enterprises -- Stillwater City -- #28.030.20.13.0122

Reduced from \$1,415,000 to \$1,125,000

Building reduced \$290,000.

Commissioner Hegberg moved to adjourn the 1997 Washington County Board of Equalization. Motion was seconded by Mr. Stafford and unanimously carried. Meeting adjourned.

Resolution

WHEREAS, the Boar of Equalization has examined the returns of the Assessors of the Towns and Cities of Washington County for the year payable 1998, and equalized the same.

THEREFORE, BE IT RESOLVED, that the foregoing records as submitted by the County Assessor be and the same are hereby approved.

Dated at Stillwater, Minnesota 55082

June 17, 1997.

COUNTY COMMISSIONERS

/s/ Wally L. Abrahamson

/s/ Dave Engstrom

/s/ Mary M. Hauser

/s/ Dennis C. Hegberg

/s/ Myra Peterson

/s/ R.H. Stafford

Auditor-Treasurer

Attest: /s/ R.H. Stafford

Auditor-Treasurer

/s/ R.H. Stafford

On motion, the Board adjourned.

Board of Equalization, Clerk

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 24, 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; Richard Arney, County Attorney; Howard R. Turrentine, Assistant County Attorney; Konrad Koosman, Manager, Soil and Water Conservation District; Mark Doneux, Soil and Water Conservation District; Don Wisniewski, Public Works Director; Robert Crawford, Workforce Division Manager; Cindy Koosmann, County Recorder; Mary McGlothlin, Director of Health, Environment and Land Management; 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 June 3 and 10, 1997 Board meeting minutes.
2. Approval for the County Board Chair to sign the County's certification of local performance measures for local performance aid payable in 1998.
3. Approval of non-intoxicating malt liquor license, dance permit and consumption and display for Kimberly's Catering through March 31, 1998.
4. Approval of on sale non-intoxicating malt liquor license for the Scandia fastpitch softball on June 27, 28 and 29, 1997.
5. Approval of abatement applications as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 10.028.20.32.0010	Ferche, Dennis	\$478.00
R 28.030.20.42.0028	Kemper, Amy	36.00
R 34.030.20.42.0081	Weyer, Mark	36.00

6. Approval of agreement between the Department of Economic Security Workforce Preparation Branch and the Community Service's Workforce Center Division to receive a supplemental allocation for the Minnesota Youth Program.

June 24, 1997

7. Adoption of **Resolution No. 97-088** as follows:

Minnesota Trail Assistance Program
Star Trails

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

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

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

8. Approval to advertise for partial re-roofing at Public Works north shop.
9. Approval for County Board Chair and County Administrator to execute the renewal of road maintenance agreements with Cities of Afton, Hugo, Lakeland, Lakeland Shores, St. Mary's Point, Lake St. Croix Beach and Grant and the towns of West Lakeland and Grey Cloud Island.
10. Adoption of **Resolution No. 97-089** as follows:

Final Payment to Fuhr Trenching for
Lift Station Construction at Lake Elmo
Park Reserve South Picnic Shelter

WHEREAS, the Washington County Board of Commissioners, on August 13, 1996 signed an agreement with Fuhr Trenching for the Lift Station construction at the South Picnic Shelter in the Lake Elmo Park Reserve; and

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

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

11. Approval of the Plat of Specialized Acres, Denmark Township.

The foregoing Consent Calendar was adopted unanimously.

June 24, 1997

PUBLIC HEARING - COUNTY ATTORNEY'S OFFICE**Proposed Ordinance to Establish the Brown's Creek Watershed Tax District**

The Board Chair presented an overview of today's public hearing to consider adoption of an ordinance relating to the establishment of a Brown's Creek Watershed Tax District pursuant to Minn. Stat. Sec. 103B.245.

The Board Secretary indicated that the notice of intent was published on May 28 and June 4 and that the affidavit of publication was on file. The Board Chair opened the public hearing at 9:05 a.m.

Howard R. Turrentine, Assistant County Attorney, presented a brief overview of the proposed ordinance. He indicated that the proposed taxing district would include Baytown Township, Stillwater Township, May Township, City of Hugo, City of Grant, City of Oak Park Heights, City of Stillwater and the City of Lake Elmo and affects approximately 2,800 tax payers.

The Board Chair asked for comments from the audience; none were heard. The public hearing was closed at 9:17 a.m.

Commissioner Engstrom moved to adopt an ordinance establishing the Brown's Creek Water Management Tax District pursuant to Minn. Stat. Sec. 103B.245. Commissioner Hegberg seconded the motion and it was adopted unanimously.

The County Attorney's Office was directed to prepare a resolution adopting the Brown's Creek Water Management Tax District for next week's Board meeting. The Board Secretary indicated that all documentary evidence has been made a part of the record.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

The Director of Health, Environment and Land Management presented the final draft of the Washington County Development Code, Chapters One through Four. She briefly outlined the following changes since last week's County Board workshop: Chapter One, Section 14.3 (B) revised to reflect Board direction related to an exception for road setback requirement; Chapter Two, Section 1, revision of zoning map for Grey Cloud Island Township reflecting a smaller conservancy area; Chapter Four, Section 2.1 Accessory Apartments, Part (D) related to occupancy by persons related by blood or marriage to the owner's family of the dwelling units has been removed.

June 24, 1997

The Board discussed Chapter Four, Section 2.13, Home Occupations. After discussion, the Board made the following change and Chapter Four, Section 2.13 now reads: "(1) Require Permits. Home occupations are allowed in all districts. Home occupations must meet the performance standards for home occupations and are required to obtain a certificate of compliance."

Commissioner Hauser moved to approve the final draft of the Washington County Development Code, Chapters One through Four with the change to Chapter Four, Section 2.13 as discussed. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Abrahamson moved to set the public hearing on the final draft of the Washington County Development Code, Chapters One through Four for September 2, 1997 at 6:30 p.m. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Abrahamson moved to place the following letters on the record: 1) Dennis Hanna, Grey Cloud Island Township Board, dated June 18, 1997, resolution and official minutes from March 13 regarding the township's opposition to County Road 75 designation as a scenic road; and Richard E. Mullen, Clerk, Grey Cloud Island Township, dated March 14, 1997, stating the township's objection to designation of County Road 75 as a scenic road. Commissioner Hegberg seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Petition to Establish the Brown's Creek Watershed District

Commissioner Hegberg moved to approve a petition to the Minnesota Board of Water and Soil Resources for the establishment of the Brown's Creek Watershed District. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson asked Don Wisniewski, Public Works Director, to give an update on the Transportation Alliance Fly-in in Washington D.C. regarding the Wakota Bridge project. Mr. Wisniewski indicated that funds may not be available for the Wakota Bridge or other projects submitted across the United States in 1997, but the House is discussing the possibility of extending the ISTEA bill for one more year and the Senate would like to see a new six year transportation bill.

June 24, 1997

Commissioner Abrahamson asked Mr. Wisniewski for a progress report on County Road 14 and the railroad signal crossing at that location. Mr. Wisniewski indicated that the price for that signal has been reduced, but because of the railroad's lengthy schedule with similar projects on their other lines, it may be a year before they get to those signals. The Board suggested that a letter be sent to Congressman Luther and Congressman Oberstar asking them to help speed this matter along.

Commissioner Hegberg updated the Board on a meeting he attended with NSP concerning their taxing proposal that will come forward at next year's legislative session.

Commissioner Hauser reported on the Brown's Creek tour with the Legislative Commission on Minnesota Resources held yesterday.

Commissioner Peterson reminded the audience of the League of Local Governments meeting which is scheduled for June 30, 7:00 p.m. in the Washington County Board Room. This meeting will discuss the new Zoning Ordinance.

Commissioner Peterson reminded the audience of the commuter rail demonstration that will be occurring on July 1, 2 and 3. On July 1 the train will be in Anoka County, July 2 in Hennepin County, and July 3, Washington County in the morning and Ramsey County in the afternoon.

Commissioner Hauser announced there will an AMC District X meeting this afternoon from 4:00 to 6:00 p.m.


BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

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


Myra Peterson, Chair
County Board

Attest: 
Virginia R. Erdahl
Deputy Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 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, Hauser and Engstrom. Commissioner Peterson absent. Vice-Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Howard R. Turrentine, Assistant County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, H.E.L.M. Division Manager; Dennis O'Donnell, Senior Land Use Specialist; Rick Backman, Community Services Division Manager; Don Wisniewski, Public Works Director; Judy Honmyhr, Human Resources Director; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the June 17, 1997 Board Meeting minutes.
2. Adoption of **Resolution No. 97-090** as follows:

Resolution Adopting Brown's Creek Watershed
Tax District - Ordinance No. 126

WHEREAS, on August 26, 1996, the Board of Water and Soil Resources determined that the Brown's Creek Water Management Organization was not implementing the watershed management plan for the watershed; and

WHEREAS, by letter dated September 12, 1996, the Board of Water and Soil Resources notified Washington County of its obligation to prepare, adopt and implement the watershed plan for the area pursuant to Minn. Stat. § 103B.231; and

WHEREAS, on January 14, 1997, by Board resolution, Washington County agreed to act as the Watershed Management Organization for this area on a temporary basis; and

WHEREAS, Washington County, acting as the Watershed Management Organization, has incurred and will continue to incur expenses in connection with their responsibilities as the Watershed Management Organization; and

WHEREAS, Minn. Stat. § 103B.245 authorizes counties to establish a Watershed Management Tax District for the purposes of paying the general costs incurred pursuant to Minn. Stat § 103B.231; and

WHEREAS, these general costs will benefit all taxable property in the Watershed District on an ad valorem basis.

July 1, 1997

NOW, THEREFORE, BE IT RESOLVED, that for the foregoing reasons, the Board of Commissioners of Washington County, acting as a Watershed Management Organization pursuant to Minn. Stat. § 103B.231 ordains:

- 1. The Washington County/Brown's Creek Watershed Management Tax District, Ordinance No. 126, attached hereto is hereby adopted in its entirety.
- 2. Taxes levied to pay the general costs of planning, capital improvements and maintenance shall be apportioned on all taxable property within the district on an ad valorem basis.
- 3. The cost of specific capital improvements contained in an approved Watershed Management Plan and authorized pursuant to Minn. Stat. § 103B.251 will be apportioned according to benefits through the creation of Sub-Watershed Tax Districts, if necessary to apportion the costs proportionate to benefits.
- 4. This Ordinance shall be effective July 1, 1997 and the Washington County Administrator is directed to file this ordinance with the County Recorder and County Auditor/Treasurer

WASHINGTON COUNTY/BROWN'S CREEK WATER
MANAGEMENT TAX DISTRICT

ORDINANCE NO. 126

The Board of Commissioners of Washington County, Minnesota hereby ordains:

Section 1. Pursuant to Minn. Stat. § 103B.231, Subd. 3(b) wherein Washington County is obligated to prepare, adopt and implement the watershed plan for the Brown's Creek Watershed District and pursuant to Minn. Stat. § 103B.211 to 103B.255 wherein Washington County, acting as the water management organization has planning, review, permitting and financing authority in the watershed district, and pursuant to Minn. Stat. § 103B.245, Subd. 1, wherein Washington County, acting as the water management organization, may establish a watershed management tax district for the purposes of paying for the costs of the planning required by law, there is hereby established a special tax district to be known as the Brown's Creek Watershed Management Tax District.

Section 2. The territory of the Brown's Creek Watershed District is comprised of all lands listed below, including all 40 acre tracts, fractional 40 acre tracts, and Government Lots of land within the listed tracts, together with all platted lands which are in the following listed tracts, together with all platted lands which are in the following listed tracts:

Township 29 North, Range 20 West (Baytown)

NW1/4 Section 5

That part of the W1/2 of the NE1/4 lying northerly Section 5
of the north line of Tract F, REGISTERED LAND SURVEY NO.114

That part of the NE1/4 of the NE1/4 lying westerly of Section 5
the following described line: beginning at the southwest corner of Tract A, REGISTERED LAND SURVEY NO. 114; thence northerly along the west line of said Tract A to its intersection with the centerline of 59th Street North; thence west along said center line 180 feet, more or less, to its intersection with the east line of HAASE ADDITION; thence north along the east line of HMSE ADDITION to the north line of said NE1/4 of the NE1/4, and said line there terminating.

July 1, 1997

N1/2 of the NE1/4	Section 6
N1/2 of the NW1/4	Section 6
SW1/4 of the NW1/4	Section 6

Township 29 North, Range 21 West (Lake Elmo)

NE1/4	Section 1
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Township 30 North, Range 20 West (Stillwater)

W1/2 of the NW1/4	Section 6
NW1/4 of the SW1/4	Section 6

S1/2 of the SW1/4	Section 7
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W1/2 of the SW1/4	Section 16
SE1/4 of the SW1/4	Section 16

S1/2 of the NE1/4	Section 17
SE1/4	Section 17

SE1/4 of the SW1/4	Section 17
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W1/2	Section 18
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S1/2	Section 19
S1/2 of the NE1/4	Section 19
S1/2 of the NE1/4	Section 19
NW1/4 of the NW1/4	Section 19

N1/2	Section 20
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That part of the SW1/4 lying northerly following described line: beginning at the southwest corner of said SW1/4; thence east along the south line of said SW1/4 to the southwest corner of Lot 16, Block 1, OAK GLEN 12TH ADDITION; thence northerly along the west line of said Block 1 to the northwest corner of Lot 14 of said Block 1; thence easterly and northerly along the northerly and northwesterly lines of Lots 14, 13, 12 and 11 of said Block 1 to the northerly most corner of said Lot 11; thence northeasterly to the southeast corner of Lot 36, Block 1, OAK GLEN 13TH ADDITION and westerly right of way line of Thorene Place; thence northeasterly, easterly and southerly along the right of way line of said Thorene Place to the northerly most corner of Lot 42 of said Block 1; thence southeasterly along the north line of said Lot 42, to the westerly line of OAK GLEN 6TH ADDITION; thence northeasterly along said westerly line to the northerly most corner of said Block 1; thence southeasterly to the northerly most corner of Lot 35 of said Block 1; thence southerly along the westerly line of said Lot 35 to the northerly right of way line of Lecuyer Circle; thence easterly and southerly along said right of way line to the southwest corner of Lot 33 of said Block 1, thence east along the south line of said Lot 33 to the west line of Lot 30 of said Block 1; thence southeasterly along said west line to the northerly right of way line of Lecuyer Court; thence easterly and southerly along said right of way line to the northerly most corner of Lot 27 of said Block 1; thence southeasterly to the most easterly corner of said Lot 27; thence southwesterly to the most southerly corner of said Lot 27, and the northerly right of way line of Lecuyer Drive; thence southeasterly along said right of way line to the northwest corner of Lot 23 of said Block 1; thence northeasterly along the northerly line of said Lot 23 to the easterly line of said Block 1; thence southeasterly along said easterly line of Block 1 to the south line of said SW1/4 thence east along said south line to the southeast corner of said SW1/4, and said line there terminating.

July 1, 1997

That part of the SE1/4 lying northerly, westerly and easterly of the following described line: Beginning at the southwest corner of said SE1/4; thence east along the south line of said SE1/4 to the centerline of McKusick Road; thence northerly 800 feet, more or less, along said centerline to its intersection with the centerline of McKusick Road Lane; thence easterly along the centerline of said McKusick Road Lane to its intersection with the southerly extension of the west line of Block 1, THE GARDENS 2ND ADDITION; thence northerly along said west line of Block 1 and the southerly extension thereof, to the northwest corner of said Block 1; thence northeasterly along the north line of said Block 1, to the northeast corner of said Block 1; thence southerly along the easterly line of said Block 1 to the south line of said SE1/4; thence east along said south line to the west line of Block 4, OAK GLEN, thence northerly along the west line of said Block 4 to the northwest corner of Lot 15 of said Block 4; thence northeasterly along the north line of said Lot 15 and the northeasterly extension thereof, to a point on the west line of Lot 9, Block 5, OAK GLEN; thence northwesterly along said west line to the northwest corner of said Lot 9; thence easterly along the north line of said Lot 9 to the east line of said Block 5; thence northerly, easterly and northerly along said east line to the south line of DALLAGER ESTATES; thence east along said south line to the southeast corner of Lot 9, Block 1, DALLAGER ESTATES; thence northerly along the east line of said Lot 9 to the northeast corner of said Lot 9, and the easterly right of way line of Dallager Court; thence northerly along said right of way line of Dallager Court to the northwest corner of Lot 8 of said Block 1; thence east along the north line of said Lot 8 to the northeast corner of said Lot 8, thence northeasterly along the northwesterly line of Lot 6 of said Block 1 and the extension thereof, to the centerline of Old Stonebridge Trail; thence southeasterly along said centerline to the east line of said SE1/4, and said line there terminating.

Section 20

Gov't Lot 1
Gov't Lot 2
NW1/4

Section 21
Section 21
Section 21

That part of the SW1/4 lying northerly, easterly and westerly of the following described line: Beginning at a point where the centerline of West Sycamore Street intersects the west line of said SW1/4; thence easterly along said centerline to its intersection with the northerly extension of the west line of Block 7, COOPER'S ADDITION; thence south along said west line and the northerly extension thereof, to the northerly right of way line of West St. Croix Avenue; thence easterly along said right of way line to its intersection with the northerly extension of the west line of Lot 12, Block 6, COOPER'S ADDITION; thence south along the west line of Lots 12 - 8 of said Block 6 and the northerly extension thereof, to the north line of LUX'S MEADOWVIEW ADDITION; thence east along said north line to the northeast corner of LUX'S MEADOWVIEW ADDITION; thence south along the east line of LUX'S MEADOWVIEW ADDITION and the southerly extension thereof, to the centerline of West Stillwater Avenue; thence east along said centerline to the centerline of North Owens Street; thence continuing east along the centerline of vacated Stillwater Avenue to its intersection with the southerly extension of the centerline of North Carnelian Street; thence north along the centerline of North Carnelian Street and the southerly extension thereof, to the north line of COOPER'S ADDITION; thence easterly along said north line to the southeast corner of the NW1/4 of said SW1/4, thence north along the east line of said NW1/4 of the SW1/4 to the north line of said SW1/4. and said line there termination.

Section 21

That part of the SE1/4 lying easterly and northerly of the following described line: beginning at a point where the centerline of North Second Street intersects the north line of said SE1/4; thence south along said centerline to its intersection with the westerly extension of the north line of the south 9.43 feet of vacated East Spruce Street as platted in CARLI AND SCHULENBURG'S ADDITION; thence east along said north line and the easterly extension thereof, to the centerline of North First Street; thence north along said centerline to the centerline of Ridge Lane Drive; thence east and northeasterly along the centerline of said Ridge Lane Drive to the south line of Lot 23, Block 32, CARLI AND SCHULENBURG'S ADDITION; thence east along said south line of Lot 23 and the easterly extension thereof, to the east shore of the St. Croix River, and said line there terminating.

Section 21

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All that part of REGISTERED LAND SURVEY NO. 73

Section 22

That part of the W1/2 of the NW1/4 which lies
 westerly and southerly of the following described line: Beginning at the northwest corner of Lot 1, Block 1, TROLLEY TRAIL ACRES; thence southerly along the west line of said Block 1 to the southwest corner of Lot 3 of said Block 1; thence east along the south line of said Lot 3 to the west line of Block 1, VALLEY HIGH ESTATES; thence southerly along said west line to the southwest corner of Lot 2 of said Block 1; thence easterly along the south line of said Lot 2 to the southeast corner of said Lot 2; thence northeasterly to the northwest corner of Lot 7 of said Block 1; thence east along the north line of said Lot 7 to the east line of said plat of VALLEY HIGH ESTATES; thence south along said east line to the southeast corner of said plat; thence northwesterly along the southerly line of said plat to the west line of the easterly 11.5 rods of said W1/2 of the NW1/4; thence south along the west line of said easterly 11.5 rods to the south line of said NW1/4, and said line there terminating.

Section 29

That part of the SW1/4 lying westerly and southerly
 of the following described line: Beginning at the northwest corner of Lot 1, Block 2, CROIXWOOD SEVENTH ADDITION; thence southerly along the west line of said Lot 1 to the southwest corner of said Lot 1; thence southwesterly to the northwest corner of Lot 17, Block 3, CROIXWOOD SEVENTH ADDITION; thence southerly along the west line of Lots 17, 16 and 15 of said Block 3 to the southwest corner of Lot 15 of said Block 3; thence easterly along the south line of said Lot 15 to the southeast corner of said Lot 15, thence easterly to the northwest corner of Lot 4, Block 4, CROIXWOOD SEVENTH ADDITION; thence easterly along the north line of said Lot 4 to the east line of CROIXWOOD SEVENTH ADDITION, thence south along said east line to the northerly line of FAIRMEADOWS NO. 3; thence easterly, southerly and easterly along said northerly line to the northeast corner of Lot 4, Block 1, FAIRMEADOWS NO. 3; thence southerly along the east line of said Lot 4 to the northeast corner of Lot 3, of said Block 1; thence southwesterly along the northerly line of said Lot 3 to the easterly right of way line of Laurie Court; thence southerly along said easterly right of way line to the northerly line FAIRMEADOWS NO. 1; thence easterly along said northerly line to its intersection with the northerly extension of the west line of Lot 32, Block 1, FAIRMEADOWS NO. 1; thence southerly along the west line of Lots 32, 31 and 30 of said Block 1 and the northerly extension thereof, to the southwest corner of said Lot 30; thence easterly along the south line of said Lot 30 and the easterly extension thereof, to the centerline of Hanson Place; thence southerly along said centerline to the centerline of Oak Ridge Road; thence east along said centerline of Oak Ridge Road to its intersection with the northerly extension of the east line of Lot 3, Block 1, FAIRMEADOWS NO. 1; thence south along said east line and the northerly extension thereof, to the south line of said SW1/4, and said line there terminating.

Section 29

All of Section

Section 30

All of Section

Section 31

SW1/4

Section 32

W1/2 of the SE1/4

Section 32

NW1/4, except that part lying easterly of the
 centerline of Stillwater Boulevard and northerly of the following described line: Beginning at a point on the east line of said NW1/4, said point being 169.09 feet southerly of the northeast corner of said NW1/4; thence northwesterly to a point on the centerline of Stillwater Boulevard, said point being 215 feet, more or less, southwesterly of the intersection of said centerline and the north line of said NW1/4, and said line there terminating.

Section 32

That part of the NE1/4, lying westerly, southerly and easterly of the following described line: Beginning at the intersection of the easterly line of Block 2, THE HIGHLANDS OF STILLWATER 5TH ADDITION, and the south line of said NE1/4; thence northeasterly along

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said easterly line of Block 2 to the southwest corner of Lot 3 of said Block 2; thence northerly along the westerly line of said Lot 3 to the southerly right of way line of Trotter Court; thence easterly, northerly and westerly along the right of way line of said Trotter Court to the southwest corner of Lot 1, Block 1, THE HIGHLANDS OF STILLWATER 5TH ADDITION and the easterly right of way line of Driving Park Road; thence northerly and westerly along the right of way line of said Driving Park Road to the southeast corner of Lot 1, Block 2, THE HIGHLANDS OF STILLWATER 6TH ADDITION; thence northerly along the easterly line of said Lot 1 to the southeast corner of Block 3, THE HIGHLANDS OF STILLWATER 4TH ADDITION; thence northerly and westerly along the easterly line of said Block 3 to the northwesterly corner of Lot 1 of said Block 3; thence southerly along the westerly line of said Lot 1 to the northerly right of way line Benson Boulevard East; thence westerly along the right of way line of said Benson Boulevard East to its intersection with the easterly right of way line of Gilbert Court; thence northerly and westerly along the right of way line of said Gilbert Court to its intersection with the northerly line of Block 1, THE HIGHLANDS OF STILLWATER 3RD ADDITION; thence westerly along said northerly line to the northwest corner of said Block 1; thence southerly along the westerly line of said THE HIGHLANDS OF STILLWATER 3RD ADDITION and the west line of Lot 11, Block 1, THE HIGHLANDS OF STILLWATER 2ND ADDITION to the northeasterly corner of Lot 10 of said Block 1; thence west along the north line of said Block 1, to the west line of said NE1/4, and said line there terminating.

That part of the NE1/4 of the SE1/4 lying
northerly and westerly of the following described line: Beginning at the northwest corner of Lot 7, Block 3, FEELEY'S ADDITION; thence easterly along the northerly line of said Lot 7 to the east line of the westerly 29.28 feet of Lot 2 of said Block 3; thence northerly along said easterly line and the northerly extension thereof, to the centerline of Curve Crest Boulevard; thence easterly along said centerline to its intersection with the centerline of West Orleans Street; thence northerly along the centerline of said West Orleans Street to its intersection with the westerly extension of southerly line of Outlot C, FEELEY'S ADDITION; thence easterly along said southerly line and the extension thereof, to the southeast corner of said Outlot C; thence northerly along the east line of said Outlot C to the north line of said NE1/4 of the SE1/4, and said line there terminating.

Township 30 North, Range 21 West (Grant)

NE1/4	Section 1
W1/2	Section 1
N1/2 of the SE1/4	Section 1
SW1/4 of the SE1/4	Section 1
All of Section	Section 2
All of Section lying southerly of the centerline of the Soo Line Railroad	Section 3
NE1/4	Section 9
N1/2 of the SE1/4	Section 9
SE1/4 of the SE1/4	Section 9
All of Section	Section 10
All of Section	Section 11
W1/2	Section 12
W1/2 of the NE1/4	Section 12
W1/2 of the SE1/4	Section 12
SE1/4 of the SE1/4	Section 12

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All of Section	Section 13
All of Section	Section 14
All of Section	Section 15
SE1/4	Section 16
S1/2 of the NE1/4	Section 16
NE1/4 of the NE1/4	Section 16
E1/2	Section 22
E1/2 of the SW1/4	Section 22
E1/2 of the NW1/4	Section 22
NW1/4 of the NW1/4	Section 22
All of Section	Section 23
All of Section	Section 24
All of Section	Section 25
E1/2	Section 26
NW1/4	Section 26
E1/2 of the SW1/4	Section 26
NW1/4 of the SW1/4	Section 26
NE1/4	Section 27
That part of the N1/2 of the NW1/4 that lies southerly of the centerline of Jeffrey Boulevard North	Section 27
N1/2 of the NE1/4	Section 35
E1/2	Section 36
NW1/4	Section 36
Township 31 North, Range 20 West (May)	
S1/2	Section 19
SW1/4 of the NW1/4	Section 19
W1/2 of the SW1/4	Section 20
W1/2 of the NW1/4	Section 29
W1/2	Section 30
NE1/4	Section 30
N1/2 of the SE1/4	Section 30
SW1/4 of the SE1/4	Section 30
All of Section	Section 31
SW1/4	Section 32
SW1/4 of the SE1/4	Section 32
SW1/4 of the NW1/4	Section 32

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Township 31 North, Range 21 West (Hugo)

S1/2	Section 23
S1/2 of the NE1/4	Section 23
SE1/4 of the NW1/4	Section 23
S1/2	Section 24
S1/2 of the N1/2	Section 24
All of Section	Section 25
NE1/4	Section 26
N1/2 of the SE1/4	Section 26
E1/2	Section 36
E1/2 of the NW1/4	Section 36
E1/2 of the SW1/4	Section 36
SW1/4 of the SW1/4	Section 36

Section 3. From and after the effective date of this ordinance, Washington County, acting as the water management organization for the Brown’s Creek Watershed District may annually levy a tax on all taxable property in the Brown’s Creek Watershed Management Tax District for the purposes for which this tax district is established. The proceeds of the tax shall be paid into a fund reserved for these purposes.

Passed and adopted by the Board of Commissioners of Washington County the 1st day of July, 1997.

WASHINGTON COUNTY, MINNESOTA

Dennis C. Hegberg, Vice-Chair
Board of Commissioners

Attest:

James Schug
Administrator

Approved as to form:

Howard R. Turrentine
Assistant Washington County Attorney

3. Adoption of **Resolution No. 97-091** as follows:

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Lawful Gambling Exemption for St. Paul
Riverside Lions Club

WHEREAS, St. Paul Riverside Lions Club has made application to the Gambling Control Board for an exemption from certain requirements contained in Minn.Stat.Chapt. 349 in order to conduct bingo at the Washington County Fairgrounds, 12300 No. 40th Street, Lake Elmo, Baytown Township, Washington County on the following dates: July 30, 31, August 1, 2 and 3, 1997; and

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

4. Approval of on sale non-intoxicating malt liquor license for the North Star Gay Rodeo Association, to be held on July 12 and 13, 1997 at the Washington County Fairgrounds.
5. Approval of 5% rate increase for East Suburban Resources for all day training and habilitation programs effective July 1, 1997.
6. Approval for continuation of Special Project Planner in the Office of Administration through December 31, 1998.
7. Approval of 2-year Special Project Survey and Land Information Technician in the Surveyor's Office.
8. Adoption of **Resolution No. 97-092** as follows:

Purchase of Balfanz Property in
Oak Park Heights

WHEREAS, Washington County is interested in acquiring the property located at 6142 Paris Avenue 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 6142 Paris Avenue North, legally described as follows:

Lots 1 and 2, Block 2, Murdocks Addition to Oak Park,
Washington County, Minnesota

for the sum of \$49,000.00; in total, upon the following terms and conditions:

1. Conveyance should be by warranty deed or quit claim deed pursuant to the terms and conditions of a standard Miller-Davis Purchase Agreement free and clear of all liens, charges and encumbrances;
2. Sellers to pay all levied or pending special assessments (if any);

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3. Sellers to pay abstract expenses;
4. Real Estate taxes shall be prorated 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 August 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.
8. The sellers shall remove all personal possessions and debris from both the house, outbuildings and yard prior to vacating the property. The house, outbuildings and yard shall be of reasonable cleanliness at the time the County possesses the property.
9. This sale is contingent upon the sellers waiving all relocation benefits and signing a relocation waiver.
10. The acquisition is subject to a satisfactory environmental inspection by Washington County.

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

PUBLIC WORKS DEPARTMENT

Commissioner Abrahamson moved to approve an agreement with the Union Pacific Railroad for railroad signal construction on CSAH 14 at the 40th Street crossing and the Osgood Avenue crossing conditioned upon approval as to form by the Washington County Attorney's Office. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

Commissioner Abrahamson requested that the Public Works Director copy Baytown Township on any correspondence they have sent to the Congressional delegation concerning the Union Pacific Railroad and this agreement.

PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT **Comprehensive Plan Amendment and Rezoning Request by Scott Roberts and Penny Sue Roberts**

Richard Arney, County Attorney, informed the Board that if it were interested in continuing the Public Hearing in view that the Board Chair is absent, it could be laid over for one week to next week's normal meeting.

John Bannigan, Attorney representing applicants Scott Roberts and Penny Sue Roberts, would request that this matter be continued for the reason that there is not a full Board. They would also agree to waive the 60 day rule if in fact action cannot be taken next week.

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Commissioner Abrahamson moved to continue the public hearing on the Comprehensive Plan amendment and rezoning request by Scott Roberts and Penny Sue Roberts to July 8, 1997. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

Commissioner Hegberg advised the audience that if there was anyone who wished to speak at this public hearing and cannot attend next week's meeting that they could submit their concerns in writing to the County Board and those comments will be placed on the record.

COMMUNITY SERVICES DEPARTMENT

Commissioner Engstrom moved to approve the grant application to the McKnight Foundation for funding of a planning process to enhance local welfare reform efforts. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

DISCUSSION FROM THE AUDIENCE

The following individuals spoke on the proposed Valley Crossing development at the intersection of Valley Creek Road and County Road 19 in Woodbury and concerns they have with respect to the access issue: Phil McCauley, 1941 Windjammer Drive, Woodbury; David O'Neill, 1782 Regatta Drive, Woodbury; Scott Wolfe, 1912 Catalina Drive, Woodbury; and Robert Lumley, 1936 Catalina Drive, Woodbury.

Mr. McCauley also distributed to the County Board members a letter from Bradley D. Hauswirth listing the Lakeview Knolls Residents concerns regarding the proposed Valley Crossing development and possible solutions.

Don Wisniewski, Public Works Director, showed the Board where this area is located. Commissioner Hegberg thanked everyone for coming in and advised them that the Public Works staff will review this situation and bring this matter before the Board for discussion at the appropriate time.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom informed the Board that Bob Burns, Denmark Township, passed away this weekend. Mr. Burns had served on several County committees and worked to protect the St. Croix River.

Commissioner Abrahamson reported on the League of Local Governments meeting held on June 30 to discuss the County zoning ordinance.

July 1, 1997

Commissioner Hauser reported on the Commuter Rail demonstration she and Commissioners Hegberg and Engstrom and the County Administrator attended this morning in Anoka County. She indicated it was a pleasurable ride.

Commissioner Engstrom left the Board meeting.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

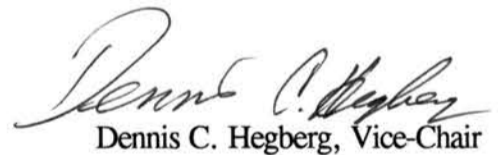
There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously; Commissioners Peterson and Engstrom absent. The Board meeting adjourned at 5:25 p.m.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Vice-Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 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 James Schug, County Administrator; Richard Arney, County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Karen Zeleznak, H.E.L.M. Division Manager; Dennis O'Donnell, Senior Land Use Specialist; Lowell Johnson, H.E.L.M. Division Manager; Howard R. Turrentine; Assistant County Attorney; Dan Papin, Community Services Director; Bob Crawford, Workforce Center Division Manager; Marie Sunlitis, Court Administrator; Don Wisniewski, Public Works Director; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the June 24, 1997 Board Meeting minutes.
2. Approval to appoint John Munro, Afton, to the Parks and Open Space Commission to fill an unexpired term to December 31, 1998.
3. Approval to transfer the Risk Management function from Administration to Human Resources, including the transfer of one permanent full-time position from Administration to Human Resources.
4. Approval of Child Care Resource and Referral Program two year base grant of \$299,784.
5. Approval of contracted agreement with the Minnesota Department of Economic Security/Workforce Preparation Branch to provide employment and training services through the JTPA programs.
6. Approval of modification No. 1 to subgrant #90167 Youthworks/Americorps Program.
7. Approval of 5% rate increase for Opportunity Services, a day training and habilitation provider for adults with developmental disabilities.
8. Adoption of **Resolution No. 97-093** as follows:

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Acceptance of Continued Grant Funding from the Minnesota
Department of Corrections for the Victim/Witness Division

WHEREAS, the Victim Service Unit of the Department of Corrections of the State of Minnesota has awarded to the Washington County Attorney's Office in Washington County a grant in the amount of \$38,000 for the period July 1, 1997 through June 30, 1998; and

WHEREAS, funds exist in the current approved budget which are sufficient to meeting matching fund requirements; and

WHEREAS, Washington County Board of Commissioners and Washington County Attorney believe it would be in the best interest of service to the public to use these funds to continue the current level of service to crime victims and witnesses.

THEREFORE, BE IT RESOLVED that the County of Washington, State of Minnesota, enter into an agreement with the State of Minnesota to be conducted during the period from July 1, 1997 through June 30, 1998.

BE IT FURTHER RESOLVED that the Chair of the Washington County Board of Commissioners, Washington County Administrator, and the County Attorney or his designee are hereby authorized and directed to sign and execute such agreements as are necessary to implement this project on behalf of Washington County and the Washington County Attorney's Office.

9. Approval and authorization to advertise for bids for mobile printer equipment to be used in conjunction with existing Mobile Data Terminals in law enforcement cars and Automated Citation Software currently being developed.
10. Adoption of **Resolution No. 97-094** as follows:

Resolution Appointing Washington County
Representative to Metro EMS Committee

WHEREAS, the Metropolitan 911 Board has established an Emergency Medical Services Committee; and

WHEREAS, this Emergency Medical Services Committee by-laws require County Board appointment of Community Health Services agency representation on the Committee; and

WHEREAS, the Washington County Department of Health, Environment and Land Management maintains a program of Emergency Medical Services coordination; and

WHEREAS, Stuart Glaser serves as the Emergency Services Manager for the HELM Emergency Services program.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of County Commissioners does hereby appoint Stuart Glaser, HELM Emergency Services Manager, as the Washington County

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Community Health Services representative to the Metropolitan 911 Board
Regional EMS Committee.

11. Approval of continuation of Special Project Information Specialist through December 31, 1997; position is being shared among the Offices of Auditor-Treasurer, Recorder and Assessor.
12. Approval and execution of a supplemental agreement to the Minnesota Trail Assistance Program for Star Trail Association.

The foregoing Consent Calendar was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Acceptance of Funds from UCare for County Development Program

Karen Zeleznak, Division Manager, presented background on how the County was contacted by UCare requesting projects that they could potentially fund. In May, UCare notified Washington County that they would fund the following projects: 1) Parent education materials for a public campaign on immunization; and 2) Family Links, a family service collaborative serving South Washington County, to conduct a needs assessment on barriers to accessing health care for children attending Pullman Elementary School in St. Paul Park and Newport Elementary School.

Commissioner Hegberg moved to accept from UCare funds in the amount of \$4,000 for programs that have been developed for Washington County. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Public Hearing - Comprehensive Plan Amendment and Rezoning Request by Scott Roberts and Penny Sue Roberts

The Board Chair presented an overview of today's public hearing to consider a request by Scott Roberts and Penny Sue Roberts to amend the Washington County Comprehensive Plan and Washington County Zoning Ordinance to rezone approximately 45 acres in Stillwater Township from A-1 classification, to A-2 classification. The notice of intent was read into the record and the public hearing was opened at 9:15 a.m.

Dennis O'Donnell, Senior Land Use Specialist, presented a brief overview of the Roberts Rezoning and Comprehensive Plan Amendment requests. He also presented an analysis on the following issues: 1) Is the request in conformance with the Comprehensive Plan? 2) Is the proposed use compatible with adjacent land uses? 3) Is the timing proper for the rezoning, or is the request premature? Are all utilities

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available to serve the development? 4) Will the proposed development place an undue financial burden on the Town or County, or have any other negative off-site impacts? 5) Does the property owner have use of the property in its present zoning classification? and 6) Is the request in the public interest or in just the interest of the property owner? He indicated that the Stillwater Township Planning Commission recommended denial of this request, but the Stillwater Town Board approved the request. The findings of fact for the Town Board were included in the record.

Mr. O'Donnell also indicated that this matter came before the Washington County Planning Commission on May 27, 1997 and the request ended in a 4 to 4 split vote. The minutes of the Planning Commission were included in the record. Also included in the record are letters from VHR Properties, Rod Hunter, and Mary and Jeff Ranta.

John Bannigan, Bannigan and Kelly PA, 1750 North Central Life Tower, St. Paul, appeared on behalf of the applicants. Mr. Bannigan presented a brief history of their request. He indicated that the Stillwater Township Board approved their request in July of last year based on the following conditions: 1) The amendment to the Comprehensive Plan and rezoning of the northerly 45 acres from A-1 to A-2 shall not take place until the Town approves a subdivision application for the property and the Metropolitan Council completes its review and comments on the Comprehensive Plan amendment; and 2) If a completed subdivision application is not submitted by January 1, 1997, this application shall be considered denied. He indicated that the development will be consistent with what is going on in the neighborhood. The neighborhood is developed at 2½ to about 5 acres. He presented an exhibit which showed their parcel which they plan to develop at a density of one dwelling unit per 8.75 acres. He stated that in August of 1991, Stillwater Township and this Board approved the development of Curtis Hills to an overall density of one dwelling unit per 7.7 acres. He feels that approval constituted a substantial change in the nature and character of this area and indicates to him that this Board and the town and local governing agencies have determined that an average density of something about 7.5 is appropriate for this area and seems to be compatible with the topography and development trends on the west side of Norell and up toward the County Public Works garage. What they are proposing is consistent with what has been developed in the neighborhood. He urged the Board to consider its past actions which he feels has been a substantial change in this area. He feels that the Board should go back and review this and make sure the Comp Plan and zoning ordinances are consistent with what's in place and protect those homeowners where an A-1 at a 5 acre or less density.

Mr. Bannigan agrees with Items 2, 3 and 4 of the analysis presented by Mr. O'Donnell. On Item 5, "Does the property owner have use of the property in its present zoning classification?" He believes they do not have a reasonable use. This property was analyzed by Edina Realty to determine what type of configuration should be marketed on this site. At a 10 acre density they would probably be marketing to people who want out buildings, animals and 4-wheel type recreational vehicles and could not have restrictive covenants such as they have in Curtis Hills. This area is now a 5 acre lifestyle,

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it's much more restrictive in its land use. On Item 6 "Is the request in the public interest or in just the interest of the property owner?" They feel this Board has already made that decision. They wish to be treated equally and fairly as other owners have been treated which are in the immediate area of this property. He asked that the Board approve this amendment both on the Comp Plan and on the rezoning based upon this Board's own policy. He asked that this rezoning, which has been approved at the local level, be affirmed by this Board.

Rod Hunter, 10210 Oakgreen Avenue North, referred to his letter of June 22, 1997, which has been placed in the record. He feels that if the Board allows this rezoning VHR Properties will come back and try to get those outlots rezoned to allow additional density and they will predicate it on what happens here. He believes they will come in and say the Board allowed these guys a greater density than what he was allowed, and that he should be allowed to come back and develop that outlet property. He feels they have good use of that property now. If the Board did consider to rezone this property he suggested putting the same type of contingency on it that was given to the Curtis Hills development that allowed 5 acres lots but would not be allowed density greater than what the current zoning allows.

Karen Richtman, 10560 Norwood Avenue North, Curtis Hills development. She does not agree with what is happening here. She has attended most of the meetings on this issue. She believes this rezoning is a private interest and not a public interest. She bought her property as a cluster development with open space, she likes the rural character, and feels she paid a premium for that rural character to remain. Ever since they bought that property there have been threats to develop the outlots and Robert's property. Everybody wants to develop it into smaller parcels and make more money. She cannot believe that it is in the public interest to change the rural character. That's what this Board has decided in its Comprehensive Plan in 1983 and in the new plan. This land should remain as it is and she hopes the Board will do that.

Jody Aha, 10525 Norwood Avenue North, Curtis Hills development. She agrees with the opinions of Mr. Hunter and Ms. Richtman. She also has attended most meetings that have occurred on this development. She believes there has been no hardship shown that this should go to five acres. The Comp Plan says ten acres. She also feels VHR Properties is just waiting in the wings even though the development agreement says that this 90 acres behind them should remain open space in perpetuity only to be used for passive recreation. She understands that there is a request to put a gravel pit in the 90 acres owned by VHR Properties. She hopes the Board votes against this request.

Sheila Marie Untiedt, 14540 - 119th Street North, Stillwater Township, stated she was here as a township official having served on the Stillwater Township Planning Commission and currently as a supervisor. She has voted twice on this issue. She indicated she was here to answer questions the Board may have, or clarify how they went through the process.

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Commissioner Engstrom asked Ms. Untiedt what the Stillwater Township Planning Commission vote was? Ms. Untiedt stated she believed it was unanimous against it. She indicated that the Planning Commission felt there was no hardship demonstrated and in essence stopped at that point with the process and said that they felt it could be denied.

Commissioner Hegberg asked Ms. Untiedt about the Town Board vote since they voted for the request, what was there discussion that would override it? Ms. Untiedt stated she was not on the Town Board at that time, but understood their feeling was that there was similar use in the other properties around it. They felt it would blend in with the other communities and also that the hardship issue wasn't as important in their thinking as how it fit in the other issues.

Mary Kueffner, 10750 Norwood Avenue North, spoke in favor of this development. She lives in Hillside Estates which was the development prior to Curtis Hills and this reminds her of the opposition people had to Curtis Hills coming in. They had also been through the threat of a mining pit, which she believes could never have happened on the site. She feels that the plan is good and is conducive and complementary to the area. She also believes the difference between three lots and eight lots is minute, and as she looks at the plan it seems to her that it is reverse spot zoning, that the Robert's property should have been zoned A-2. She also feels that the County Board should not take away the choice of large lot homesites. She is happy on five acres. There are enough urban developments around the area and the needs of the small lot, urban seeking homesites have been met. She does not believe that the needs of the larger homesites have been. She is asking the Board to not take that choice away. She believes that Mr. Roberts is not asking for more than what has been granted to others in the immediate area and she supports that.

Lee Ronning, Land Stewardship Project, indicated that residents of the County contacted their office and asked them to become involved in this because of their concern. She added that these residents did not live in any of the subdivisions that are affected by this. She does not know the Robert's family and has nothing against what they are attempting to do. They have been lead to believe by the land use decisions that it is their right to come in and ask for this rezoning and indeed it is. But from a citizen perspective and someone who lives in Stillwater, lives in Washington County and as an environmental advocate, she is concerned that the Board is being asked to condone more urban sprawl. She is concerned that as a taxpayer in this County she is going to be asked to pay more taxes to pay for the increased cost of services to service a sprawled out, low density development. Studies show that in this type of development it costs more to provide services than it recaps in tax dollars. It is this incremental chipping away of amendments and rezoning that takes away the very thing that the public has said it admires about living in Washington County. She stated that there is not a planning expert in the entire country that will tell you that 2½ to 5 acre lots is good land use planning or a wise use of land. She asked the Board to stick to their guns and stick to the Comp Plan.

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Julie Wasser, 10820 Myeron Road North, read a letter from her husband, John Wasser, which requested that the County Board refuse Mr. Robert's request for rezoning. This letter was placed on the record.

Eileen Weber, 8450 Indian Boulevard South, Cottage Grove, thanked Lee Ronning for coming, she was one of the folks who called her on this issue. She feels that this is a very small piece of land, but it is a very symbolic piece of land and it does represent the urban sprawl issue. She asked the Board to stand by the Comp Plan that took hundreds of citizen hours. She asked the Board to put teeth in the Comp Plan and turn down this proposal.

John Bannigan indicated that they were not here to chip away at the Comp Plan. They are here to say that this particular piece of ground, at a density of 8.75 acres per dwelling unit, is the best compromise and has been acknowledged by the local governing unit. He asked that the Board consider that and not the concerns of people who have other agendas which they may support. But in this particular piece of ground which is very unusual, very irregular, this is the only way that this land could be developed which is consistent with the local development.

Commissioner Peterson asked if there is a violation of the conservancy, with the placement of lots there? Mr. Bannigan indicated he was not aware of any violation. It's a twenty acre homesite and everything that they have found so far they are allowed but one access to Norell from this entire tract of land that's why there is no road looping. They have done everything they can to preserve every tree, that's why the cul-de-sac is drawn up short just before the tree line. They have gone through this thing for a year and a half with the town board and feel they finally have a plan. He reminded the County Board that this is contingent upon drafting an acceptable development agreement. If that is not done it goes back to ground zero.

The Board Chair asked for further comments; none were heard. It was noted that all documentary evidence had been received. The public hearing was closed at 10:05 a.m.

Commissioner Hauser stated that with the testimony both written and oral presented, she finds no reason to grant the rezoning request. She finds that there are discrepancies in the density and the land that was asked to be rezoned is really only 6.5 acres. She reminded the Board that what they are here to do is preserve the density that was worked for long and hard to develop and retain. She sees this as the beginning of the end of their ability to maintain the density in the towns that seem to be in sync with the citizens in the Comp planning process, the citizens who were surveyed, and the citizens who indeed live in the area. She stated this zoning is consistent with not only the Comp Plan of 1983 but the one that has been developed and will be implemented on October 1 of this year.

Commissioner Hauser moved to deny the rezoning request submitted by Scott Roberts and Penny Sue Roberts to rezone property in Stillwater Township from A-1 Agricultural to A-2 Agricultural. Commissioner Engstrom seconded the motion.

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Commissioner Hegberg spoke against the motion to deny the rezoning request. He has driven out to the property and finds that it is not agricultural property, it is housing type of property with lots of similar size in density. The supply of housing in the County is necessary. This piece of property is an arm out into the A-1 zoning. He would support the township in its deliberation and thought process to do what they did on a 3-2 vote.

Commissioner Engstrom echoed Commissioner Hauser's comments. In going through the criteria that the Board should be looking at he believes that density is the main issue. He does look at this vote as a reaffirmation of the Comp Plan that was just voted on and will take place on October 1. None of the Board was here when the 1983 Comp Plan was put in place, but he does support that. That was developed with citizen input and the Comp Plan that will take place October 1 was developed with considerable citizen input. In reasoning beyond the density issue, he believes there is reasonable use of the land, that this is in the private interest and not the public interest and it is chipping away at what has been set forth and what the citizens have asked this Board to do.

Commissioner Abrahamson will also oppose the motion. He believes the plat that was proposed is a good plan, it complements the area. He has also been out there. He supports the township decision even though it was a 3-2 vote.

The motion to deny the rezoning request submitted by Scott Roberts and Penny Sue Roberts to rezone property in Stillwater Township from A-1 Agricultural to A-2 Agricultural was adopted 3-2 with the vote as follows: Yes, Commissioners Engstrom, Hauser and Peterson; No, Commissioners Abrahamson and Hegberg.

Commissioner Engstrom moved to deny adoption of an ordinance amending the Washington County Comprehensive Plan. Commissioner Hauser seconded the motion and it was adopted 3-2 with the vote as follows: Yes, Commissioners Engstrom, Hauser and Peterson; No, Commissioners Abrahamson and Hegberg.

The County Attorney's office was directed to prepare a resolution reflecting the action taken at today's meeting regarding the Comprehensive Plan and County Zoning Amendment requests.

PUBLIC WORKS DEPARTMENT

Discussion on Operation of the Swim Beach at St. Croix Bluffs Regional Park

Commissioner Engstrom presented a petition from Denmark Township residents who have signed and support the opening of the St. Croix Bluffs Regional Park swim beach. Also, he indicated that the Denmark Township Board at last night's meeting unanimously requested that the beach be opened at

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the St. Croix Bluffs Regional Park. A resolution to that effect will be forthcoming. Lastly, he distributed a map prepared by Barry Tungseth which shows the depth of the beach.

Don Wisniewski, Public Works Director, indicated that based on public comments during the last three to four weeks, three options have been developed regarding the swimming beach at St. Croix Bluffs Regional Park:

- 1) No change in existing use. (No swimming allowed)
- 2) Swim at your own risk. (This means that the County would not provide supervision at any time)
- 3) Refer to the Park and Open Space Commission for discussion and recommendation.

Commissioner Engstrom stated that the Lake St. Croix Beach, although they charge for parking, there is an unsupervised beach. There is the Steamboat Park in Afton which is not used too much. The Afton State Park beach is also unsupervised and posted swim at your own risk. Also the County's St. Douglas Point beach is supervised.

Commissioner Engstrom moved to post the beach at the St. Croix Bluffs Regional Park as swim at your own risk and that buoys be placed to keep the boats back off the beach. Commissioner Hegberg seconded the motion.

Commissioner Hauser stated that when the Parks and Open Space Commission initially studied this matter they may not have had all the information that has been presented this morning. She believes this matter should be returned to the Parks and Open Space Commission.

Commissioner Abrahamson stated he will support the motion. He also believes if the Parks and Open Space Commission had this information about the depth and sandbar at the time their earlier decision was made they may have approved swimming at this beach.

Commissioner Peterson stated she would prefer if this matter was referred to the Parks and Open Space Commission. She asked that at the end of the summer that the Parks and Open Space Commission and staff take a look at the Park and reevaluate the swimming, boating, staffing, parking and other operations at the Park.

Richard Arney, County Attorney, indicated that if the Board supports the motion there should be an extensive survey of the liabilities of swim at your own risk and whether or not this should be a County option. No swimming is pretty definitive from a liability point of view, and swimming with lifeguards is about the best the County can do. Research should be done on the swim at your own risk issue.

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Barry Tungseth, 6434 St. Croix Trail South, Denmark Township, asked the Board to support swimming at the St. Croix Bluffs Regional Park.

The motion to post the beach at the St. Croix Bluffs Regional Park as swim at your own risk and that buoys be placed to keep the boats back off the beach was adopted 3-2 with the vote as follows: Yes, Commissioners Engstrom, Hegberg and Abrahamson; No, Commissioners Peterson and Hauser.

The Public Works Director indicated that at the end of the year a review of all the operations at the St. Croix Bluffs Regional Park will take place.

GENERAL ADMINISTRATION

The County Administrator updated the Board on action taken at last week's meeting regarding a McKnight Foundation grant. He indicated that the planning grant has been approved. The County received compliments for having the strongest community participation process both in the development of the planning grant and in the plans for providing support services to people who are trying to transition from welfare to work.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson stated that he has received two complaints in the last week regarding how long it takes to get septic permits, in some cases as long as three to four weeks. He asked staff to look into this matter.

Commissioner Abrahamson indicated there is a 911 Board meeting on July 9 to discuss the budget. He stated the County's rates will be going up approximately \$3,500.

Commissioner Hegberg mentioned calls he has been getting on permits for 4-H meals. Some of the 4-H groups only make about \$100 and the County charges \$50 to get the permit. He asked that staff look into this matter.

Commissioner Peterson noted she will be attending a leadership retreat in Grand Rapids for AMC. She also reminded the citizens of South Washington County that tonight is the open house for the Wakota Bridge, from 2:00 to 8:00 p.m. at NSP Service Center.

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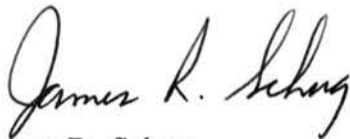
BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously. The Board meeting adjourned at 10:50 a.m.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 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, Peterson, Hauser and Engstrom. Commissioner Hegberg absent. Board Chair Peterson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Dan Papin, Community Services Director; Tom O'Farrell, Internal Auditor; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of Geographic Information System Interim Data and Cost Sharing agreement between Washington County and Metropolitan Council.
2. Approval of the following abatement applications:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 05.030.21.43.0003	J-Six	\$ 294.00
R 32.029.21.11.0009	City of Oakdale	130.00
R 32.029.21.11.0008	City of Oakdale	1,194.00
R 32.029.21.11.006	City of Oakdale	800.00
R 18.029.21.33.0001	City of Oakdale	3,934.00
M 88.088.88.00.1693	Schuler, Bryan	310.00
M 88.088.88.00.0481	Orlawski, Janet	46.00
R 10.032.21.32.0047	Sykora, Paul	1,020.00
R 15.028.21.11.0006	Northeast Metro ISD #916	15,850.80
R 34.030.20.31.0095	Cosgrove, Chantal	1,152.00
R 34.030.20.32.0057	Cosgrove, Chantal	36.00
R 20.027.21.11.0007	C & P Railroad	20,050.00

3. Adoption of **Resolution No. 97-097** as follows:

Establish No Parking Zone on CSAH 12

WHEREAS, Gateway Trail, a State trail, crosses CSAH 12 (75th Street) in the City of Grant; and

WHEREAS, the City and the County wish to eliminate a safety hazard caused by vehicle parking next to the Trail entrance; and

July 15, 1997

WHEREAS, the City of Grant has requested the County Engineer to consider establishing a "No Parking" zone adjacent to the Trail entrance as it crosses CSAH 12 to address pedestrian safety to cross the highway at this point; and

WHEREAS, the County traffic engineering staff supports establishing this zone as a safety measure; and

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the County Transportation Engineer to establish a "No Parking" zone adjacent to the northeast, northwest and southwest corners of the Trail entrance at CSAH 12 and to erect and maintain appropriate signing.

4. Bids were received for crackseal on County roads as follows:

Daffinson Asphalt Maintenance	\$49,500.00
Allied Blacktop	50,757.00
Bergman Companies, Inc.	54,400.00
Astech Asphalt	69,500.00
Bituminous Roadways	90,000.00

Adoption of **Resolution No. 97-098** as follows:

Award of Contract for Crackseal on County Roads
to Daffinson Asphalt Maintenance

WHEREAS, in order to complete road maintenance on various County roads, the County solicited bids for this project; and

WHEREAS, bids were opened on July 7, 1997, with Daffinson Asphalt Maintenance being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the County and Daffinson Asphalt Maintenance 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.

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

Commissioner Engstrom moved to approve the agenda with the addition of Item No. 5, County response to State Auditor's findings and recommendations contained in the draft report on the internal control

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structure and compliance for the year ended December 31, 1996. Commissioner Hauser seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

WASHINGTON COUNTY HOUSING AND REDEVELOPMENT AUTHORITY

Commissioner Engstrom moved to adopt **Resolution No. 97-095** as follows:

Resolution Authorizing Application for MHFA Rehabilitation Loan Program Funds

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

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

WHEREAS, Washington County Housing and Redevelopment Authority has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Rehabilitation Loan Programs;

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

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

COUNTY ATTORNEY'S OFFICE

Commissioner Engstrom moved to adopt **Resolution No. 97-096** as follows:

Resolution Denying Comprehensive Plan Amendment and Rezoning Request by Scott Roberts and Penny Sue Roberts

WHEREAS, Scott Roberts and Penny Sue Roberts submitted an application to amend the Washington County Comprehensive Plan and Washington County Zoning Ordinance to rezone approximately 45 acres in Stillwater Township from A-1 Agriculture to A-2 Agriculture; and

WHEREAS, the request was referred to the Washington County Planning Advisory Commission who, after holding public hearings, was unable to come up with a definite recommendation as indicated in the minutes of their May 27, 1997 meeting; and

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WHEREAS, the matter was scheduled for hearing before the Washington County Board on July 1, 1997 pursuant to a Notice of Intent to Adopt Ordinance, but was continued to July 8, 1997; and

WHEREAS, pursuant to the continuance, the Washington County Board of Commissioners 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 July 8, 1997 County Board hearing, the County Board makes the following findings of fact with regard to the request of Scott Roberts and Penny Sue Roberts:

1. Applicants own approximately 70 acres of land located in part of the South One-half (S½) of Section 8, Township 30 North, Range 20 West in Stillwater Township. The property is east of Norell Avenue and south of 150th Street and has frontage on both streets. The northerly 45 acres is zoned A-1 Agricultural, which has a 10 acre minimum lot size and the southerly 25 acres is zoned Conservancy, which has a 20 acres minimum lot size. The property is subject to the Comprehensive Plan Amendment and the rezoning request is for the northerly 45 acres.

2. If the Comprehensive Plan Amendment and rezoning request were granted and given the condition of the property, the allowed density would be increased from five (5) lots to eight (8) lots.

3. Under the 1983 Washington County Comprehensive Plan, the property is designated as Agricultural and is surrounded by property designated as Rural. The overall land use goals and policies provide for a slow, orderly population growth by limiting housing density. The 2015 Comprehensive Plan (which goes into effect on October 1, 1997) shows the property as general rural. The goals and objectives of which are to foster a low density, truly rural land use pattern by limiting the number of dwelling units. Both plans have as their goal a density of one dwelling unit per 10 acres.

4. Although a residential subdivision would be compatible with the adjacent land uses, the increase in density allowed by the Comprehensive Plan Amendment and rezoning request is inconsistent with both the 1983 and 2015 Comprehensive Plans because it increases density, which is contrary to the overall land use goal of planning for a slow, orderly population growth by limiting housing density to one dwelling per 10 acres.

5. Under the existing zoning classifications, applicants continue to have the reasonable use of their property and the rezoning request will serve only to increase applicants' financial return on the property by increasing the number of lots that could be subdivided and sold.

NOW, THEREFORE, BE IT RESOLVED, that for the foregoing reasons, the request of Scott Roberts and Penny Sue Roberts to amend the Comprehensive Plan and rezone the property from A-1 Agriculture to A-2 Agriculture is denied.

Commissioner Hauser seconded the motion and it was adopted 3-1 as follows: Yes, Commissioners Engstrom, Hauser and Peterson; No, Commissioner Abrahamson; Commissioner Hegberg absent.

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PUBLIC WORKS DEPARTMENT

Don Wisniewski, Public Works Director, presented an overview on the City of Woodbury's request for a right in/right out access for Valley Crossing Shopping Center from County State Aid Highway No. 16, Valley Creek Road. He stated that it was staff's recommendation, using the County Access Guidelines, that the request be denied.

Commissioner Hauser moved to deny the request by the City of Woodbury for a right in/right out access for Valley Crossing Shopping Center from County State Aid Highway No. 16, Valley Creek Road. Commissioner Abrahamson seconded the motion.

Commissioner Abrahamson commented that he sits on the Plat Commission and hears all kinds of requests for access. He stated that staff recommendations should be followed.

Cheryl Hurst, Councilperson, City of Woodbury, spoke on behalf of the request. She stated that she was surprised to hear the Board vote on the request before hearing from the audience. She indicated that without the access, traffic to the shopping center would go through Catalina Drive, a residential Street.

Robert Lumsden, resident of Woodbury, stated he lives on the affected street and spoke on behalf of the residents who are requesting the access. He indicated meetings have been held with approximately 150 residents and they would like the access to Valley Creek Road.

Commissioner Engstrom asked if the affected street, Catalina Drive, could be closed off? Mr. Lumsden replied that this would be the residents second choice. He also indicated that residents also wanted to request accident reports from two other accesses on Valley Creek. They feel the accesses compare exactly to the type being requested.

Commissioner Engstrom stated he will support the motion. He feels that the City has to deal with this problem. Commissioner Peterson also feels this is a city problem and supports the motion.

The motion to deny the request by the City of Woodbury for a right in/right out access for Valley Crossing Shopping Center from County State Aid Highway No. 16, Valley Creek Road was adopted unanimously; Commissioner Hegberg absent.

GENERAL ADMINISTRATION

The County Administrator gave an overview of the County's response letter to the State Auditor's management letter on internal control and compliance. The response, prepared by the Internal Audit

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Advisory Committee, discusses three categories addressed in the management letter and how the County will resolve the issues.

Commissioner Engstrom moved to authorize the Board Chair to sign the response letter to the State Auditor's findings and recommendations contained in the draft report on the internal control structure and compliance for the year ended December 31, 1996. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson thanked staff for their hard work on the rail demonstration project.

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; Commissioner Hegberg absent. The Board Meeting adjourned at 9:35 a.m.

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss pavement preservation needs and road capacity level of service on the County highway system. 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, Don Wisniewski, Don Theisen, Chris Eitemiller, and Eileen Weber, citizen from Cottage Grove.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 22, 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 Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Honmyhr, Human Resources Director; Russ Reetz, Court Services Director; Judy Arends, Manager, H.E.L.M. Department; Sue Hedland, Manager, H.E.L.M. Department; Karen Zeleznak, Manager, H.E.L.M. Department; Dan Papin, Community Services Director; Carol Seefeldt, Supervisor, Community Services Department; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval to order reappraisal of tax-forfeited parcel #68442-6370 or geocode 12.027.22.34.0002 remaining unsold after the last public auction and withdrawing such parcel from remaining sale list; and, authorize the Auditor-Treasurer to offer parcel #68442-6370 or geocode 12.027.22.34.0002 to adjoining owners at a private sale.
2. Approval to execute one-year federal grant documents to fund for calendar year 1998 a prosecuting attorney and a legal secretary in the County Attorney's Office for calendar year 1998.
3. Approval to accept the addendum to the Job Training Plan for the 5% set aside for the Older Worker Program.
4. Approval to renew the Intensive Community Supervision Grant for the period July 1, 1997 to June 30, 1998.
5. Approval to renew the Victim/Offender Mediation Grant for the period July 1, 1997 to June 30, 1998.
6. Adoption of **Resolution No. 97-099** as follows:

July 22, 1997

Renewal of Solid Waste Management Coordinating
Joint Powers Agreement for an Additional Two-year Term

WHEREAS, the Solid Waste Management Coordinating Board was created by joint powers agreement among the Counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington ("Counties"), in 1991, and re-established by agreement in 1993 ("Agreement"); and

WHEREAS, in 1995, the Counties renewed the Agreement for an additional two-year term, extending the term until December 31, 1997; and

WHEREAS, the draft Solid Waste Management Policy Plan, under development by the Minnesota Office of Environmental Assistance and the SWMCB, provides that a governance structure should be established to plan for and oversee the integrated regional solid waste management system, by December 31, 1998; and

WHEREAS, the SWMCB, through the Needs Assessment Committee, is currently evaluating the need for an alternate regional governance structure; and

WHEREAS, the Counties recognize their responsibility to collaboratively address regional needs, to maximize the efficiency and cost-effectiveness of their solid waste systems, to further protect public health and environment by the environmentally safe management of solid waste and to ensure compliance with State and regional policy; and

WHEREAS, the Counties desire to provide for continuity in collaboration until such time as an alternate governance structure is established, if a change is deemed necessary by the SWMCB and its member Counties; and

WHEREAS, Articles III of the Agreement provides that the Agreement may be renewed for additional terms of two years each by resolution of all of the Boards of Commissioners of the member Counties, prior to the expiration date of the Agreement.

NOW, THEREFORE, BE IT RESOLVED THAT, Washington County approves by Resolution the renewal of the Agreement for an additional two year term, for the period January 1, 1998 through December 31, 1999, or until terminated by the Counties to provide for the establishment of an alternate governance structure to plan for and oversee the integrated solid waste management system in the region.

7. Approval of banding and grading of new job description of County Network Systems Manager in the Information Services Department at C43-1; and approval of the job description.
8. Approval for an 18-month Special Project Eligibility Worker position in Community Services.
9. Approval to advertise for the sale and removal of a house at 16325 May Avenue, Marine, MN 55047 located within the Big Marine Park Reserve.

July 22, 1997

10. Bids were received for reroofing at the Public Works north shop as follows:

Nieman Roofing Co.	\$41,880.00
Northwestern Waterproofing	46,899.00
Berward Roofing, Inc.	47,302.00
Commercial Roofing	62,595.00
Roof-Right, Inc.	67,500.00

Adoption of **Resolution No. 97-100** as follows:

Award of Contract for Partial Reroofing at
Public Works North Shop to Nieman Roofing Company

WHEREAS, in order to complete the reroofing repair for the Public Works north shop, the County solicited bids for the project; and

WHEREAS, bids were opened on July 14, 1997, with Nieman Roofing Company being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Nieman Roofing Company be accepted and the County enter into a contract with Nieman Roofing 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 Nieman Roofing 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.

11. Approval to use 10 daily vehicle park permits for a free drawing during the Metropolitan Council's display at the Minnesota State Fair.
12. Approval to advertise for bids on replacement of bridge on 60th Street in Afton.
13. Approval to extend current contract with InVision Telecom to provide inmate telephone equipment and services for a period of two months from September 1, 1997, to November 1, 1997.
14. Approval of final payment for touchscreen security system computers upgrade to Black Creek Integrated Systems Corporation in the amount of \$32,708.88.
15. Adoption of **Resolution No. 97-101** as follows:

July 22, 1997

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

BE IT RESOLVED, that the Washington County Board of Commissioners, authorizes the Washington County Sheriff's Office to enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES during the period of November 19th, 1997 through September 21st, 1998.

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

BE IT FURTHER RESOLVED, that Brenda Davitt, Budget Coordinator for the Washington County Sheriff's Office, is hereby authorized to be the fiscal agent and administer this grant on behalf of the Washington County Police jurisdictions of Forest Lake, Oak Park Heights, Stillwater and the Sheriff's Office.

The foregoing Consent Calendar was adopted unanimously.

RESOURCE RECOVERY PROJECT

Commissioner Hegberg moved to adopt **Resolution No. 97-102** 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 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 Joint Powers Agreement, in Section IV.I., specifies that changes in administrative structure are to be made by the Counties; and

WHEREAS, the Washington County Board of Commissioners authorized the transfer of all power and authority given to the Project Manager by the Joint Power Agreement to the Joint Staff Committee until June 30, 1997; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board met June 26, 1997, and recommended the administrative structure to continue indefinitely;

July 22, 1997

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners approve an administrative structure to continue indefinitely that includes:

1. 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;
2. Authorization to the Joint Staff Committee to carry out Project Management Activities as provided for in the Joint Powers Agreement and to direct and supervise Project Staff activities, with the Ramsey County Representative or his designee to carry out direct supervision of Project Staff.
3. Designation of the lead staff person for the Joint Staff Committee as the County Staff person on the Joint Staff Committee from the County represented by the Chair of the Project Board.

Commissioner Hauser seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Don Wisniewski, Public Works Director, outlined the proposed option to purchase Parcel B located in the St. Croix Bluffs Regional Park pursuant to the Ceridian Park Agreement. This parcel consists of 371 acres, including all facilities. Under this agreement an early buy-out of this parcel would save the County \$895,103. Funding for this buy-out would be as follows: State/Metro - \$1,400,000 and County, \$2,204,897 for a total of \$3,604,897. He also indicated that County funds would be eligible for future reimbursement by the Metropolitan Council.

Commissioner Engstrom moved to authorize staff to provide the Ceridian Employees' Recreational Foundation notification of the County Board's intent to exercise its option to purchase Parcel B (St. Croix Bluffs Regional Park), pursuant to the Ceridian Park Agreement #909469. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Potential Tobacco Lawsuit Settlement

Commissioner Engstrom moved to adopt **Resolution No. 97-103** as follows:

July 22, 1997

Concerns of the Potential National Settlement of
Lawsuits with the Tobacco Industry

WHEREAS, tobacco use is the cause of 430,000 premature deaths annually in the United States and has been identified by former Surgeon General C. Everett Koop as "the single most preventable cause of death and disability in the U.S."; and

WHEREAS, the cost to Washington County residents for the death and disability attributable to tobacco use is estimated by the Minnesota Department of Health to be more than \$45 million per year, or \$262 per person; and

WHEREAS, the Washington County Board of Commissioners has been actively supportive of reducing tobacco use in Washington County; and

WHEREAS, the Washington County Department of Health, Environment and Land Management has an ongoing commitment to reduce tobacco use by Washington County residents; and

WHEREAS, discussions are currently underway regarding settlement of the numerous lawsuits against the tobacco industry; and

WHEREAS, grave concerns about the proposed "global settlement" with the tobacco industry have been expressed by a number of national and local health organizations, including the American Medical Association, the American Cancer Society, the American Heart Association, the American Lung Association, Minnesota Attorney General, Blue Cross/Blue Shield and the Minnesota Smoke-Free Coalition; therefore

BE IT RESOLVED that the Washington County Board of Commissioners concurs with the above organizations and urges the Minnesota Attorney General and Blue Cross/Blue Shield of Minnesota that any settlement with the tobacco industry must serve the long-term interests of the citizens of Minnesota and Washington County; and

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners concurs that the following elements be included in any "global settlement" with the tobacco industry:

1. No blanket immunity from litigation for tobacco companies,
2. full disclosure of all information about tobacco products and marketing,
3. payments commensurate with the harm done,
4. tobacco regulated as a drug under the same laws as other drugs,
5. restrictions on marketing that will effectively eliminate targeting of children, and
6. public health organizations must be adequately represented in any discussions of resolution.

BE IT FURTHER RESOLVED that the Chair of the Board be authorized to communicate this resolution with Blue Cross, the Attorney General, members of Congress and others as appropriate.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

July 22, 1997

Commissioner Peterson moved that a letter be sent to Minnesota's federal delegation encouraging them not to give subsidies to the tobacco farmers and the tobacco industry. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Commissioner Hauser asked that staff research the possibility of eliminating smoking on Washington County Government Center grounds and bring this matter back for a workshop.

1996 Annual Health, Environment and Land Management Report

Karen Zeleznak, H.E.L.M. Division Manager presented the Department's 1996 Annual Report.

COMMUNITY SERVICES DEPARTMENT

Carol Seefeldt, Supervisor, presented a brief overview of the Local Collaborative Time Study which is a method of claiming federal reimbursement for some activities currently performed by the partners in local collaboratives.

Commissioner Abrahamson moved to authorize Washington County Community Services to act as fiscal agent for the Local Collaborative Time Study. Commissioner Engstrom seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

James Schug, County Administrator announced that there was a Joint Ditch meeting on July 23, at 2:00 p.m. in Chisago County. He updated the Board on what is happening with the proposed WMO agreement. He indicated that the draft agreement has been circulated and all local governments have approved it with the exception of Wyoming Township. They had proposed some changes and that is now being recirculated to all the local units of government and Chisago and Washington Counties. He stated it was staff's feeling that if this current review doesn't result in a WMO agreement that the petition to create a watershed district will go forward.

Mr. Schug also indicated that the Joint Ditch Board will discuss the new legislation approved in the last session that would allow the Counties to abandon the ditch and provides grant funds to take care of the debt.

Commissioner Peterson asked for an update on flooding conditions of Kismet, School and Goggins Lakes. Commissioner Abrahamson indicated that he has had a few calls and he has been out to check. He stated that the water is going up in that area. He asked where the County is at with the Brown's Creek situation. People in that area haven't heard anything recently. Mr. Schug indicated that the County Attorney's office has developed a petition for a watershed district in the Brown's Creek area

July 22, 1997

and that is being reviewed by the Minnesota Board of Soil and Water Resources. Work is proceeding on the tax district, the various studies, and working with local units of government to talk about the possibility of building moratoriums. Commissioner Hauser asked if the County has received any response to the Chair's letter regarding the building moratorium in the Brown's Creek area? Mr. Schug indicated that the City of Lake Elmo has adopted a moratorium for their portion of Brown's Creek. That is the only municipality that he is aware of. Commissioner Abrahamson indicated that Baytown Township is leaning that way. Commissioner Engstrom suggested that the Chair send a letter to Lake Elmo thanking them for their cooperation.

Commissioner Abrahamson asked how many members will serve on the Brown's Creek Watershed District? He has had several calls from people who are willing to serve on that Board. Mr. Schug indicated that the petition calls for a five member board and that the County will submit names of the nominees to the Board of Soil and Water Resources prior to the hearing which is what is required in the law. Commissioner Hauser suggested notifying the affected cities that the County will be forwarding names of nominees to the Board of Soil and Water Resources to serve on this new watershed and if they know of anyone who is interested in serving to let the County know.

Mr. Schug updated the Board on progress of the new library in Oakdale. He asked if the Board was interested in touring the facility on August 12 following the Board meeting. It was Board consensus to tour the library in Oakdale on August 12 and that the Library Board and representatives from the City of Oakdale also be invited to the tour.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hegberg stated he will not be able to attend the Finance Committee on July 23. Commissioner Peterson indicated she would attend that meeting. Commissioner Hegberg updated the Board on the National Association of Counties Conference held in Baltimore.

Commissioner Peterson thanked Senator Grams and Senator Wellstone for supporting the transfer of a portion of the federal fuel tax from the general fund to the highway trust fund.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

July 22, 1997

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 10:15 a.m.

BOARD WORKSHOP WITH THE SHERIFF'S OFFICE AND COURT SERVICES DEPARTMENT

The Board met in workshop session with the Sheriff's Office and the Court Services Department to discuss community based alternatives to jail. 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, Jim Frank, Russ Reetz, Steve Potts, Richard Arney, Ron Wells, and Chuck Yetter.

BOARD WORKSHOP WITH THE SHERIFF'S OFFICE

The Board met in workshop session with the Sheriff's Office to discuss a proposed joint public safety training facility. 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, Jim Frank, and Steve Potts.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
AUGUST 5, 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. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Dan Papin, Community Services Director; Carol Seefeldt, Community Services Supervisor; Rick Bachman, Community Services Division Manager; Bob Crawford, Workforce Center Division Manager; Lois Yellowthunder, Human Services Planner; Robert Butler, HSI Executive Director; Richard Stafford, Auditor-Treasurer; Joanne Helm, Property Management Coordinator; Mary McGlothlin, Director of Health, Environment and Land Management; Stuart Glaser, Emergency Services Manager; 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 July 1, 8, 15 and 22, 1997 Board Meeting minutes.
2. Approval to appoint Robert Mann, St. Paul Park, to the Planning Advisory Commission to fill an unexpired term to December 31, 1999.
3. Approval of on sale 3.2 malt liquor license for Taco Daze at the Scandia Community Center, September 6, 1997.
4. Approval to submit the following grant applications to the Department of Health Services: Home and Community-Based Waivered Services; Support for Emancipation and Living Functionally; Children's Mental Health Grants; Child Care Development Fund; and Child Care Assistance Program.
5. Approval of Child and Teen Checkup administrative services contract with the Washington County Department of Health, Environment and Land Management.
6. Approval of fraud prevention investigation plan and grant application for July 1, 1997 through June 30, 1999.
7. Adoption of **Resolution No. 97-104** as follows:

August 5, 1997

Radiological Emergency Preparedness Grant with
Minnesota Department of Public Safety

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

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

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

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

8. Approval to enter into a contractual arrangement with the State of Minnesota, Department of Human Services, for temporary assignment of Public Health Nurse Connie Waldera to DHS for development of home care services program for Minnesotans with Disabilities and authorization for the County Board Chair and County Administrator to sign the contract on behalf of Washington County.
9. Adoption of **Resolution No. 97-105** as follows:

Final Payment to Tower Asphalt, Inc. for the
Entrance Road Construction at St. Croix Bluffs Regional Park

WHEREAS, the Washington County Board of Commissioners, on June 3, 1997, signed a contract with Tower Asphalt, Inc. for the entrance road construction at St. Croix Bluffs Regional Park; and

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

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

10. Approval of the force account funding agreement with MN/DOT for replacement of railroad crossing signals on CSAH 14.
11. Approval of cooperative agreement with the City of Oakdale for construction and maintenance on CSAH 13.

August 5, 1997

12. Approval of 1998 grant request of the East Metro Coordinated Narcotics Task Force.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Hauser moved to adopt **Resolution No. 97-106** as follows:

Authorizing Chair and Administrator to Execute Tax Deed

WHEREAS, the property that is the subject of this resolution was forfeited to the State of Minnesota for nonpayment of real estate taxes; and

WHEREAS, Chapter 207, section 8 of the 80th Legislative Session (1997-1998) requires Washington County to convey this land to the City of Oakdale upon a finding that the City of Oakdale will use the land for a public purpose on the condition that development of the parcel is limited to the north 230 feet of Outlot A and that the property revert to the State of Minnesota if it is no longer used for public purposes; and

WHEREAS, the City of Oakdale proposes to use this land for a fire station which is found to be a public purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Chair and Administrator are authorized to sign a conveyance of tax forfeited lands pursuant to Chapter 207, section 8, 80th Legislative Session (1997-1998) conveying without warranty Outlot A, Oak Pond Terrace, Washington County, Minnesota to the City of Oakdale on the condition that the development of the parcel is limited to the north 230 feet and on the condition that the land so conveyed shall revert to the State of Minnesota if the City of Oakdale stops using the land for a public purpose.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

COMMUNITY SERVICES DEPARTMENT

1998-1999 Community Social Services Act Plan and Mental Health Act Plan

James Rosenwinkel, Community Social Services Advisory Committee, and Robert Rafferty, Mental Health Advisory Council, presented the 1998-1999 Community Social Services Act Plan and Mental Health Act Plan.

Commissioner Engstrom moved to approve and submit the preliminary copy of the 1998-1999 Community Social Services Act Plan and Mental Health Act Plan to the Department of Human Services. Commissioner Hegberg seconded the motion and it was adopted unanimously.

August 5, 1997

Certificate of Commendation from the Governor's Office

Bob Crawford, Workforce Center Division Manager, informed the Board that Partnership Minnesota selected the Washington County Workforce Center to receive commendation from the Governor for its development of more than seventeen partnerships through its cross-training taskforce this past year. These partnerships will receive these certificates at the Annual Customer Celebration on August 7 at Tartan Park.

Commissioner Abrahamson moved to approve the receipt of Certificate of Commendations from the Governor's Office for the partnership efforts developed through the Workforce Center. Commissioner Hegberg seconded the motion and it was adopted unanimously.

County-Based Direct Purchase

Dan Papin, Community Services Director, updated the Board on activities that his department, as well as the Department of Health, Environment and Land Management, have been involved in regarding legislation approved in 1997 which allows counties the opportunity to expand their role in the health care delivery system for publicly funded individuals. He indicated that the option of county-based purchasing was the subject of a statewide conference in St. Cloud on June 26 and 27. He noted that counties interested in county-based purchasing must submit a preliminary plan by September 1, 1997.

Commissioner Abrahamson moved to approve the initiation of planning for County-based direct purchasing. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Grant from the McKnight Foundation

Lois Yellowthunder, Human Services Planner, and Joan Sprain, Extension Educator, presented information on a planning grant award from the McKnight Foundation to help the County plan a community response to welfare reform. Ms. Yellowthunder indicated that if this grant is accepted, the County will contract with the University of Minnesota Extension to coordinate the planning process.

Commissioner Hegberg moved to approve a grant from the McKnight Foundation, in the amount of \$23,450, to plan a community response to Welfare-to-Work. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

August 5, 1997

GENERAL ADMINISTRATION

James Schug, County Administrator, informed the Board that the Chisago and Washington County Joint Ditch No. 1 will hold a public hearing for possible abandonment of Joint Ditch No. 1. That public hearing is scheduled for August 19, at 7:30 p.m. in the Washington County Board Room. In addition to that public hearing, each County will need to hold a separate public hearing. Notice for this public hearing has to be published in the County legal newspaper for three consecutive weeks which places the date for the public hearing on September 9 or September 16. It was Board consensus to hold the public hearing to consider the possible abandonment of Joint Ditch No. 1 on September 9 at 9:00 a.m.

Mr. Schug indicated that any testimony taken at the public hearing on August 19, will be placed on the public hearing record of September 9.

Mr. Schug noted the following events: Workforce Center Customer Recognition on August 7 at Tartan Park; Tree Trust Recognition for the Summer Youth Employment Program on August 11 at Lake Elmo Park Reserve; and, an open house for the new juvenile detention center in Anoka County on August 19 beginning at 2:00 p.m.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson announced that she has appointed Commissioners Hauser and Hegberg to work with Ramsey County for additional jail beds.

DISCUSSION FROM THE AUDIENCE

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

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

EXECUTIVE (CLOSED) SESSION

Commissioner Abrahamson moved to go into Executive (Closed) Session for an Attorney-Client discussion on a possible settlement of an indemnification claim against the County relating to Junker Landfill. Commissioner Hegberg seconded the motion and it was adopted unanimously; the time being

August 5, 1997

5:50 p.m. Present for the Executive Session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Richard Arney and Patricia Raddatz.

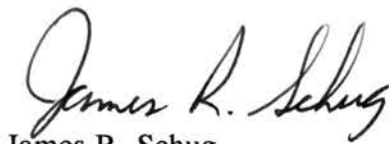
ADJOURNMENT

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 6:00 p.m.

BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the proposed 1998 budget. No business was transacted and the public was welcome to attend. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Chris Eitemiller, Scott Hovet, Richard Stafford, Joanne Helm, Cindy Koosmann, Larry Nybeck, John Devine, Judy Honmyhr, Jay Krafthefer and Mike Gripentrog.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
AUGUST 12, 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 Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Arends, Manager, HELM Department; Dan Papin, Community Services Director; Judy Honmyhr, Human Resources Director; Karen Zeleznak, Manager, HELM Department; Marcia Wielinski, Adult Family Services Supervisor; and Tim Casey, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval to transfer one computer to the Washington County Historical Society.
2. Approval to set public hearing regarding the proposed abandonment of Joint Ditch No. 1 in Washington and Chisago Counties for September 9, 1997 at 9:00 a.m.
3. Approval of the allocation of the remaining \$131,000 in the 1996 budget savings pool toward projects requested through the 1998 budget process to avoid further reductions in the capital requests in the proposed 1998 budget.
4. Approval to appoint Kay Buchanan, Woodbury, to the Community Social Services Advisory Committee, to fill an unexpired term to December 31, 1999.
5. Approval of abatement applications for homestead classification, value changes, waste management fees and disaster credit as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 03.028.21.14.0004	Pfaff, John B.	\$6,102.00
R 34.030.20.33.0102	McKee Schwyzer, Verna	36.00
R 15.032.21.44.0004	Newburg, Frederick J. III	0.00
P 99.099.99.00.0272	People's Natural Gas	1,844.00
R 16.028.21.33.0002	Heritage Development of MN	6,284.00
R 21.028.21.44.0111	Nelson, Fern M.	3,658.00
R 20.032.21.14.0052	Litecky, Richard E.	238.00

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
M 88.088.88.00.0234	Gjerdahl, Wendy	\$ 418.00
R 32.029.21.11.0047	Zimmerman, Roger/Olson, Kim	338.00
R 04.029.20.24.0033	Skogen, Kathryn A. & Rodney M.	1,216.00
R 18.027.20.43.0001	Fjerstad, Kevin Lee	586.00
R 04.028.21.41.0182	Reiland, Richard P. Jr.	1,166.00
R 34.030.20.42.0068	Zink, Walter & Ruth	36.00
M 88.088.88.00.0875	Star Manufacturing Homes	216.00
R 14.028.20.11.0054	Picard, Jonathan & Kathleen	54.00
R 31.029.20.11.0003	Richert, Leo A.	20.00
M 88.088.88.00.1616	Pawlenty, Eugene & Marie	404.00
M 88.088.88.00.1711	Seehusen, Kari	552.00
M 88.088.88.00.1550	Bess, Delora Catherine	280.00
M 88.088.88.00.1392	Torell, Jeanne	206.00
M 88.088.88.00.0310	Bain, Sherry & Jeffrey	512.00
M 88.088.88.00.0496	Borowicz, Lawrence R. & Patricia	118.00
M 88.088.88.00.1233	Jirovec, Steven M. & Sharon	98.00
M 88.088.88.00.1245	Jacobs, Darwyn & June	180.00
R 15.028.21.32.0026	Barker, Katie Lee	1,118.00

6. Approval of agreement for delivery of employment and training services to dislocated workers for the Ramsey/Washington County EDWAA program with Ramsey County Job Training.
7. Approval of modification to subgrant #6165016 Senior Community Services Employment Program.
8. Approval to submit a Senior Agenda for Independent Living (SAIL) grant application by HELM and Community Services; and approval to submit an Innovation and Cooperation waiver application to the Department of Human Services requesting permission to be waived from the current State Rules and Statutes governing the Pre-Admission Screen program.
9. Approval of Community Services Application for request for capacity building around non-standard hour child care.
10. Approval to execute agreement with Forest Lake Township and authorize payment for distribution of curbside recycling funds in the amount of \$61,538.
11. Approval of Special Project Service Representative in the Auditor-Treasurer's Office through December 31, 1997.
12. Approval of a .5 Special Project Assistant Victim Witness Coordinator position in the County Attorney's Office.

August 12, 1997

13. Approval of .5 FTE Special Project Job Developer in the Workforce Center through June 30, 1998.
14. Approval of a new position of Senior Case Aide in the Community Services Department.
15. Approval to execute the first amendment to the acquisition grant agreement No. SG-94-74 for Big Marine Park Reserve.
16. Approval to execute grant agreement SG-97-93 for Grey Cloud Island Regional Park acquisition with the Metropolitan Council.
17. Adoption of **Resolution No. 97-107** as follows:

Final Payment to General Sheet Metal Corporation
for West End Mechanical Modification

WHEREAS, the Washington County Board of Commissioners, on May 7, 1996, signed an agreement with General Sheet Metal Corporation for West End Mechanical Modifications project within the West Wing of the 1968 section of the Government Center; and

WHEREAS, General Sheet Metal Corporation, has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that General Sheet Metal Corporation 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.

The foregoing Consent Calendar was adopted unanimously.

DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT

Commissioner Engstrom moved to adopt **Resolution No. 97-108** as follows:

Amendment No. 8 to the Service Agreement Between
Washington and Ramsey Counties and NRG Energy, Inc.

WHEREAS, Ramsey and Washington Counties and NRG Energy, Inc. (NRG) are parties to a Service Agreement effective November 6, 1986; and

WHEREAS, Section 6.07 of the Service Agreement provides for revenue credits to the Counties; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project is facing a potential budget shortfall caused by greater than budgeted waste deliveries and a higher than expected escalator used in Service Fee calculations; and

August 12, 1997

WHEREAS, on May 22, 1997, the Project Board authorized staff to initiate discussions with NRG Energy, Inc. and negotiate changes to the Service Agreement to address Ramsey and Washington Counties' concerns regarding budget shortfalls in 1997; and

WHEREAS, County staff have met with NRG and have negotiated a proposed Amendment to the Service Agreement that addresses the unexpected increase in the N1 escalator; and

WHEREAS, NRG has agreed to provide a \$3.04 per ton revenue credit for each ton of RDF subject to the N1 fee amending Section 6.07 of the Service Agreement from January 1, 1997 through December 31, 1997; and

WHEREAS, on July 24, 1997, the Ramsey/Washington County Resource Recovery Project Board approved the proposed Amendment No. 8 to the Service Agreement and recommends its approval by the Ramsey and Washington County Boards of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners approves Amendment No. 8 to the Service Agreement between Ramsey and Washington Counties and NRG Energy, Inc. to amend Section 6.07 effective January 1, 1997 through December 31, 1997.

Commissioner Hauser seconded the motion and it was adopted unanimously.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS- QUESTIONS

Commissioner Hegberg reported on the Tree Trust ceremony he attended yesterday.

Commissioner Hauser announced that NRG will be holding an open house at the Resource Recovery Project Facility on August 17 from 12:30 to 2:30 to mark the 10th anniversary of its opening.

Commissioner Hauser advised the Board of a letter she received from a new resident to Washington County commending the County's household hazardous waste recycling efforts. Commissioner Peterson suggested that a newspaper article be prepared on this program.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

August 12, 1997

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. The Board meeting adjourned at 9:15 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration, County Assessor, and Auditor-Treasurer to discuss a proposal to exempt from taxes certain personal property in investor-owned utility plants. 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, Scott Hovet, Richard Stafford, Joanne Helm, Jim Broede, St. Paul Pioneer Press, and Eileen Weber, Citizen of Cottage Grove.

BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT

The Board met in workshop session with the Community Services Department to discuss welfare reform legislation. 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, Dan Papin, Bob Crawford, Andrew Ervin, Char Farnum, Rick Vanzwol, Citizen of Grant, and Eileen Weber, Citizen of Cottage Grove.

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 discuss the following issues: Final review of Zoning Ordinance issues prior to public hearing; ISTS Ordinance recommendation from the Planning Advisory Committee and discussion of public hearing date; and, draft subdivision ordinance and update on review process. 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, Dennis O'Donnell, Al Goodman, Paul Tatting, Bob Turrentine, Rick Vanzwol, Citizen of Grant, and Eileen Weber, Citizen of Cottage Grove.

August 12, 1997

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss the use of carbide studs on snowmobiles and their effect on paved trails. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson and Hauser. Also present were James Schug, Virginia Erdahl, Tim Casey, Don Wisniewski, Jack Perkovich, David Heuer, and Eileen Weber, Citizen of Cottage Grove.

COUNTY BOARD TOUR OF OAKDALE LIBRARY PROJECT

The Board toured the Oakdale Library project site. Present for the tour were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Tim Casey, Don Wisniewski, and Dick Gauger, Project Manager.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session at 5:30 p.m. to discuss the proposed 1998 budget with the Public Works Department. 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 and Don Wisniewski.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
AUGUST 19, 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. Board Chair Peterson presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Dan Papin, Community Services Director; Bob Crawford, Workforce Center Division Manager; Russ Reetz, Court Services Director; Richard Stafford, Auditor-Treasurer; Molly O'Rourke, Assistant Auditor-Treasurer; Scott Hovet, County Assessor; 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 August 5, 1997 Board meeting minutes.
2. Adoption of **Resolution No. 97-109** as follows:

Repurchase of Tax Forfeited Land by
James F. Volin, Former Owner

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

Plat/parcel #72008-3360
72008-3350

Parcel A-That part of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section (8), in township Twenty-eight (28) North, of Range Twenty-one (21) West, Washington County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Eight (8); thence southerly along the west line of said Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Eight (8) a distance of Three Hundred Sixty One and Twenty-four Hundredths (361.24) feet to the point of beginning, thence continuing South on said west line Eighty-seven and Twenty-six Hundredths (87.26) feet; thence easterly, deflecting to the left

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90 a distance of Four Hundred Seventy-nine and Sixty-eight Hundredths (479.68) feet to the westerly right-of-way line of Interstate Highway No. 494; thence northeasterly, along said westerly right-of-way line Ninety-four and Seventy-six Hundredths (94.76) feet to a point on a line Eighty-seven and Twenty-six Hundredths (87.26) feet north of, measured at a right angle to and parallel with the last described line; thence westerly, along said line Five Hundred Sixteen and Sixty-four Hundredths (516.64) feet to the point of beginning. Subject to Township road over the west Thirty-three (33) feet thereof. Parcel contains 1.0 acres \pm . According to the United States Government Survey thereof.

Parcel B-That part of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Eight (8), Township Twenty-eight (28) North, Range Twenty-one (21) West, Washington County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter of Northwest Quarter (NW 1/4 of NW 1/4) of Section Eight (8); thence southerly, along the west line of said Northwest Quarter of Northwest Quarter (NW 1/4 of NW 1/4) of Section Eight (8) a distance of Four hundred forty-eight and fifty hundredths (448.50) feet to the point of beginning; thence continuing south on said west line Three hundred twenty (320.0) feet; thence easterly, deflecting to the left 90 a distance of Three hundred thirty-three and fifty-seven hundredths (333.57) feet to the westerly right-of-way line of Interstate Highway No. 494; thence northeasterly, along said westerly right-of-way line Three Hundred Fifty-one and seventy-eight hundredths (351.78) feet to a point on a line Three hundred twenty (320.0) feet north of, measured at a right angle to and parallel with the last described line; thence westerly, along said line, Four hundred seventy-nine and sixty-eight hundredths (479.68) feet to the point of beginning. Subject to Township road over the west Thirty-three (33) feet thereof. Parcel contains 3.0 acres. According to the United States Government Survey thereof.

; and WHEREAS, said applicant has set forth in his application that he has experienced financial difficulties and has had a significant investment in the subject property; That the repurchase of said land by the applicant will promote and best serve the public interest because Washington County will be fully paid and the property will go back on the tax roll.

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

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

3. Approval of abatement applications for special assessments as follows:

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 30.030.21.21.0066	Washington Co. Aud/Treas.	\$ 92.84
R 30.030.21.21.0065	Washington Co. Aud/Treas.	92.84
R 30.030.21.41.0013	Washington Co. Aud/Treas.	156.10
R 12.027.22.24.0034	Washington Co. Aud/Treas.	99.26
R 20.031.21.24.0038	Washington Co. Aud/Treas.	266.88
R 03.031.21.24.0003	Washington Co. Aud/Treas.	45.48
R 28.031.21.33.0012	Washington Co. Aud/Treas.	212.42

4. Approval of Community Services participation in the "Minnesota Grown" supplemental food voucher program for eligible legal non-citizens residing in Washington County.
5. Adoption of **Resolution No. 97-110** as follows:

Final Payment to NewMech Companies, Inc. for
Cooling Tower/Chiller Project

WHEREAS, the Washington County Board of Commissioners, on January 6, 1997, signed a contract with NewMech Companies, Inc. for the Cooling Tower and Chiller replacement in the 1968 addition to the Government Center; and

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

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

6. Adoption of **Resolution No. 97-111** as follows:

Authorization to Establish No Parking Zones
on CSAH 13 and CSAH 18

WHEREAS, the City of Woodbury has requested that a no parking zone be established on CSAH 13 (Tower Drive) and on CSAH 18 (Bailey Road) in the vicinity of the Bielenberg Athletic Complex; and

WHEREAS, adequate parking exists within the Complex to accommodate the cars that are now being parked on the road shoulder; and

WHEREAS, the County traffic engineering staff concurs with the City's opinion that the pedestrian traffic associated with parking on the road shoulders in this area constitutes a hazard.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Public Works to erect and maintain the appropriate signs to establish no parking zones on CSAH 13 from CSAH 18 to 3/8 mile south and on CSAH 18 from CSAH 13 to 5/8 mile east.

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7. Approval to advertise for proposals for an inmate telephone system and equipment, and communications center recording equipment and services.

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

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Chapter Eight of the County Development Code/Establishment of Public Hearing Date

Commissioner Abrahamson moved to approve the draft language of Chapter Eight of the Washington County Development Code: Individual Sewage Treatment Systems; establish the public hearing date of September 23, 1997 at 5:30 p.m.; and, authorize the Department of Health, Environment and Land Management to publish notice of public hearing and distribute the draft document to townships, cities and the public. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

Request of the City of Grant for Continuation of Planning/Zoning Services

Mary McGlothlin, Director of Health, Environment and Land Management, informed the Board that the City of Grant has requested that the County continue services in the areas of building inspection, septic inspection, and planning/zoning services for 1998. She indicated to the City of Grant that under current Board policy, the department is able to continue contractual arrangements with the City for building and septic services, but to continue planning/zoning services would require further Board approval.

Commissioner Engstrom moved to reaffirm the Board's current policy No. 413 regarding contracting with local jurisdictions for property management services. Commissioner Hauser seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

COURT SERVICES DEPARTMENT

Commissioner Hauser moved to approve a Joint Powers Agreement between Washington County and Anoka County for secure juvenile detention bed services for a fifteen year period beginning September 8, 1997. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Russ Reetz, Court Services Director, informed the Board of an upcoming meeting on September 26 and 27 which will feature Dr. Howard Zehr, a leading authority of restorative justice.

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AUDITOR-TREASURER'S OFFICE

Richard Stafford, Auditor-Treasurer, informed the Board that the County has obtained ownership of a mobile home, located in Cimarron Park, as a result of non-payment of property taxes. He indicated that after inspection by his office, it was determined that the mobile home is in a bad state of repair and has no value. The Cimarron Park managers have determined that the unit is dilapidated and have indicated they are willing to incur the \$2,200 cost for its demolition if they are provided title.

Commissioner Engstrom moved to transfer the mobile title to Cimarron Park. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

GENERAL ADMINISTRATION**Joint Meeting with the County Board and the Community Social Services Advisory Committee**

Jim Schug, County Administrator, informed the Board that the Community Social Services Advisory Committee would like to meet with the County Board at one of their meetings. A date of October 14, 1997, 8:00 a.m. was discussed.

Commissioner Engstrom moved to meet with the Community Social Services Advisory Committee on October 14, 1997 at 8:00 a.m. prior to the County Board meeting. Commissioner Hauser seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

Finance Committee Meeting

Mr. Schug informed the Board that a Finance Committee meeting has been scheduled for tomorrow, August 20, at 9:30 a.m. to discuss an upcoming workshop with the Washington County Housing and Redevelopment Authority. He noted that Commissioner Hegberg would not be able to attend. Commissioner Peterson stated she will attend that meeting for Commissioner Hegberg.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom informed the Board that Congressmen from Minnesota and Wisconsin, Commissioners from St. Croix County, Wisconsin and Pierce County, Wisconsin and himself will speak at a celebration for the 25th Anniversary of the National Wild and Scenic Rivers Act in Hudson.

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Commissioner Engstrom moved to adopt a resolution affirming the protection of the St. Croix River by the Wild and Scenic Rivers Act. Commissioner Hauser seconded the motion.

Commissioner Abrahamson spoke against adoption of this resolution.

Commissioner Peterson asked the County Attorney since this is new business if it could be acted on at this meeting? Richard Arney, County Attorney, suggested that since there is a member of the Board that is opposed to this resolution that perhaps this matter could be tabled and brought back for action at next week's Board meeting.

Commissioner Abrahamson moved to table the matter of adopting a resolution affirming the protection of the St. Croix River by the Wild and Scenic Rivers Act to next week's Board meeting. Commissioner Peterson seconded the motion and the motion failed 2-2 with the vote as follows: Yes, Commissioners Abrahamson and Peterson; No, Commissioners Engstrom and Hauser; Commissioner Hegberg absent.

Commissioner Engstrom withdrew his motion to adopt a resolution affirming the protection of the St. Croix River by the Wild and Scenic Rivers Act.

Commissioner Engstrom moved that a resolution affirming the protection of the St. Croix River by the Wild and Scenic Rivers Act be brought back for action at next week's Board meeting. Commissioner Hauser seconded the motion and it was adopted 3-1 with the vote as follows: Yes, Commissioners Engstrom, Hauser and Peterson; No, Commissioner Abrahamson; Commissioner Hegberg absent.

Commissioner Hauser updated the Board on the open house held at the Resource Recovery Project Facility this past Sunday.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

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

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BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the proposed Capital Improvement Program for 1998-2002. 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, Chris Eitemiller, Don Wisniewski, Don Theisen, Larry Nybeck, Richard Stafford, Molly O'Rourke, Joanne Helm, Jerry Turnquist, Council Member, City of Oak Park Heights, and Eileen Weber, citizen of Cottage Grove.

BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the proposed 1998 budget with the following departments: Court Administration, County Attorney, Court Services, Minnesota Extension, Soil & Water Conservation District, Agricultural Society, Historical Society, Housing & Redevelopment Authority, and County Sheriff.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
AUGUST 26, 1997

WASHINGTON COUNTY REGIONAL RAIL AUTHORITY CONVENE

The Washington County Regional Rail Authority met in regular session at 8:30 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Chair Hauser presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Don Wisniewski, Public Works Director; Sandy Cullen, Transportation Engineer; and Tim Casey, Public Information Specialist. Official Proceedings of the Regional Rail Authority are available in the Office of Administration.

WASHINGTON COUNTY BOARD OF COMMISSIONERS CONVENE

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 Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Arney, County Attorney; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Sandy Cullen, Transportation Engineer; Jim Luger, Parks Planner; Dan Papin, Community Services Director; 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 August 12, 1997, Board meeting minutes.
2. Approval of on sale 3.2 malt liquor license for Courage Center, Golden Valley, MN, to be used at Taco Daze, September 6, 1997.
3. Approval to accept \$90,000 for the Family Homeless Prevention and Assistance Program from the Minnesota Housing Finance Agency.
4. Approval of agreement with the City of Oakdale and authorize payment for distribution of curbside recycling funds in the amount of \$91,900.

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5. Approval to continue Special Project Clerk II position in the Community Services Department through March 31, 1998.
6. Adoption of **Resolution No. 97-112** as follows:

Flashing Beacon Systems with Street Lights at
Trunk Highway 96 and CSAH 9 and CSAH 5

BE IT RESOLVED that the County of Washington enter into an agreement with the State of Minnesota, Department of Transportation for the following purposes, to wit:

To install new flashing beacon systems with street lights on Trunk Highway No. 96 (Dellwood Road) at County State Aid Highway No. 9 (Jamaica Avenue North) and at County State Aid Highway No. 5 (Stonebridge Trail North) - County Road 55 (Norell Avenue North) in accordance with the terms and conditions set forth and contained in Agreement No. 76510, a copy of which was before the Board.

BE IT FURTHER RESOLVED, that the proper County officers be and hereby are authorized to execute such agreement, and thereby assume for and on behalf of the County all of the contractual obligations contained therein.

7. Adoption of **Resolution No. 97-113** as follows:

Final Payment to Visual Communications for
Consultant Work on ADA Compliance

WHEREAS, the Washington County Board of Commissioners, on September 27, 1994, signed an agreement with Visual Communications for the design and specifications for compliance to ADA regulations; and

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

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

8. Adoption of **Resolution No. 97-114** as follows:

Final Payment to Arnt Construction Company for
CR 8A Construction

WHEREAS, the Washington County Board of Commissioners, on June 27, 1995, signed an agreement with Arnt Construction Company for the road construction on County Road 8a in Hugo; and

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

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

9. Adoption of **Resolution No. 97-115** as follows:

Final Payment to ASI Sign Systems (Pajor Graphics, Inc.) For
Signage to Comply with ADA Regulations

WHEREAS, the Washington County Board of Commissioners, on November 7, 1995, signed an agreement with ASI Sign Systems (Pajor Graphics, Inc.) for provision of signage on the ADA compliance project; and

WHEREAS, ASI Sign Systems (Pajor Graphics, Inc.) has satisfactorily completed all work in accordance with the terms and conditions of the contract.

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

10. Approval to hold public hearing on October 7, 1997 for the purpose of amending the existing Park Ordinance No. 93 to: 1) Include language prohibiting snowmobiles with studs from using Washington County paved trails; 2) Incorporate County trails into the Ordinance; and 3) Add St. Croix Bluffs Regional Park to the Ordinance.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Don Wisniewski, Public Works Director, informed the Board that construction of a contact station at the St. Croix Bluffs Regional Park would cost approximately \$198,000, with \$18,000 of that for the design. He indicated that funds for this project would be through the Regional Stewardship Account and park permit fees.

Commissioner Abrahamson moved to authorize funding for the design of a contact station at the St. Croix Bluffs Regional Park. Commissioner Engstrom seconded the motion and it was adopted unanimously.

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GENERAL ADMINISTRATION**Resolution Supporting the Wild and Scenic River Act**

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

Resolution Recognizing the Silver Anniversary
of the Lower St. Croix River Act of 1972

WHEREAS, the Lower St. Croix River Act of 1972 includes the Lower St. Croix National Scenic Riverway which borders Washington County; and

WHEREAS, October 25, 1997 marks the twenty-fifth anniversary of this Act; and

WHEREAS the St. Croix River is an integral part of the history of Washington County and continues to be an identifying characteristic of the County from its banks in New Scandia Township to its confluence with the Mississippi River at Point Douglas in Denmark Township; and

WHEREAS a number of public agencies and community groups will be celebrating this Silver Anniversary of the Lower St. Croix River Act over the next months.

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners does hereby recognize the observance of the Twenty-Fifth Anniversary of the Lower St. Croix River Act and celebrates the beauty, the recreational opportunities, the natural habitat, and the rich history that the St. Croix River has provided to the citizens of Washington County over the years.

Commissioner Hegberg stated he has had concerns regarding this Act. His first concern is that in the Cities of Stillwater, Bayport and Oak Park Heights, there is commercial development and there has always been. There was infrastructure in place before this Act was adopted. He believes the St. Croix River Act does limit the use in those areas. The use in those areas has been commercial for a number of years. His second concern is that when this River Act did take place, when they looked at the northern half down to just north of Stillwater, to the old railroad crossing bridge, they purchased the rights of the land to maintain it and continue that duty, which he believes was very appropriate for them to do. Going south from that point they regulate it and basically they had a taking of that property. For those reasons he will not support the resolution.

Commissioner Abrahamson agreed with Commissioner Hegberg and will not support this resolution. He feels that there is a hidden agenda to this resolution concerning the new Stillwater Bridge. He believes that the courts should decide the case.

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The motion to adopt the resolution recognizing the silver anniversary of the Lower St. Croix River Act of 1972 failed on a 3-2 vote as follows: No, Commissioners Abrahamson, Hegberg and Peterson; Yes, Commissioners Engstrom and Hauser.

GENERAL ADMINISTRATION

It was Board consensus to hold interviews for the vacancy on the South Washington Watershed District on September 23, 1997 prior to the public hearing scheduled at 5:30.

DISCUSSION FROM THE AUDIENCE

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

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hegberg asked that Public Works staff check into who may be mowing the grass at the 201 project site on County Road 15 where the large septic tank systems are located. He stated this looked like it would be a good habitat for pheasants.

Commissioner Hauser reported on the Policy Committee meeting through AMC this past week which discussed community correction issues.

Commissioner Peterson announced the opening of a thrift store called the Stone Soup Thrift Store in Cottage Grove, which was a collaboration of the Community Services Department and officials from the City of Cottage Grove. The store will open on September 6 and anyone wishing to donate clothing or small items of furniture may do so.

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 9:25 a.m.

August 26, 1997

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss the Manning Avenue connection corridor study between TH 36 and TH 5. 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, Don Theisen, Sandy Cullen, Tim Casey, Jerry Turnquist, Council Member, City of Oak Park Heights, David Schaaf, Mayor, City of Oak Park Heights, Wyn John, Mayor, City of Lake Elmo, Mary Kueffner, Administrator, City of Lake Elmo, and Sheila Marie Untiedt, Supervisor, Stillwater Township.

BOARD WORKSHOP WITH THE WASHINGTON COUNTY HOUSING AND REDEVELOPMENT AUTHORITY

The Board met in workshop session with the Washington County HRA to discuss recently enacted legislation regarding the City of Landfall. 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, George Kuprian, Richard Stafford, John Devine, Tom O'Farrell, James Heltzer, HRA, Wes Butler, HRA, Peter Cooper, Stephen Yanisch, Dain Bosworth, and Tim Casey.

Attest:



James R. Schug

County Administrator


Myra Peterson, Chair

County Board