



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

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	05/05/1998		AGREE. W/TWIN CITIES TREE TRUST TO PROVIDE SERVICES FOR 1998 SUMMER YOUTH PROGRAM.	12	154
	05/05/1998		AGREEMENTS W/RIVERTOWN CAR CARE, STILLWATER, AND ST. CROIX VALLEY CHRISTIANS IN ACTION CAR CARE, LAKE ELMO, TO PROVIDE CAR CARE SERVICES ONE SATURDAY PER MONTH.	12	155
	05/12/1998		GRANT PROPOSAL TO MN DEPT OF ECONOMIC SECURITY, EMERGENCY SHELTER, TRANSITIONAL HOUSING AND EMERGENCY SERVICES.	12	175
	05/19/1998		AGREE W/DEPT OF ECONOMIC SECURITY WORKFORCE PREPARATION BRANCH, MN YOUTH PROGRAM FOR 1998.	12	186
	05/19/1998		NEW POSITION OF CASE MANAGER AS PART OF WELFARE-TO-WORK.	12	187

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
WORKFORCE CENTER	05/26/1998		APPTS. TO WORKFORCE COUNCIL FOR TWO YEAR TERMS: SARA R. SHORE, MOLLY M. WELLIK, JERRY P. TURNQUIST, PASTOR CHRISTOPHER J. ICENOGLE, AND PAT UELAND.	12	201
	06/23/1998		AGREE. W/MN DEPT. OF ECONOMIC SECURITY WORKFORCE PREPARATION BRANCH FOR LOCAL PLAN FOR EMPLOYMENT & TRAINING JTPA PROGRAMS & EDWAAA SUBSTATE PLAN.	12	261

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 6, 1998

The Washington County Board of Commissioners met in regular session at 4:30 p.m. in the Washington County Government Center County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson and Engstrom. Commissioner Hauser absent. Board Chair Peterson presided. Also present were James 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; Judy Honmyhr, Human Resources Director; Don Theisen, Deputy Public Works Director; Doug Swenson, Senior Assistant County Attorney; and Tim Casey, Public Information Specialist.

Chair Peterson called for unfinished business for 1997. There was none. Commissioner Abrahamson moved to adjourn sine die. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

A new roll call was taken. Present were Commissioners Abrahamson, Hegberg, Peterson and Engstrom; Commissioner Hauser absent.

The Board Chair declared nominations open for temporary Board Chair. Commissioner Hegberg nominated James Schug, County Administrator, as temporary Chair. Commissioner Abrahamson seconded the nomination. There were no further nominations and County Administrator Schug was unanimously elected temporary chair; Commissioner Hauser absent.

Temporary Chair Schug declared nominations open for Chair of the Washington County Board of Commissioners for 1998. Commissioner Abrahamson nominated Commissioner Hegberg. Commissioner Engstrom seconded the nomination. There were no further nominations and Commissioner Hegberg was unanimously elected Washington County Board Chair for 1998; Commissioner Hauser absent.

Chair Hegberg asked the County Attorney if the nomination for Vice Chair could be delayed until Commissioner Hauser returns and there is a full Board. Richard Arney, County Attorney, stated that since the Board has elected a Chair and there is no immediate necessity for a Vice Chair, he could see no reason why that matter could not be put over until the next meeting.

Commissioner Engstrom moved to delay the election of a Vice Chair of the Washington County Board of Commissioners for 1998 until January 13, 1998. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

January 6, 1998

BOARD MEETING DATES FOR 1998

Commissioner Peterson moved to set meetings of the Washington County Board of Commissioners for 1998 for the first four Tuesdays of each month, excluding any Tuesday which is a legal holiday, and that the first meeting of the month be an afternoon meeting starting at 4:30 p.m. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

CONSENT CALENDAR

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

1. Approval of the December 16, 1997 Board meeting minutes.
2. Approval to designate the 1998 AMC Official Delegate list as follows: Commissioners Wally Abrahamson, Dennis Hegberg, Myra Peterson, Mary Hauser and Dave Engstrom; James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; and Russ Reetz, Court Services Director.
3. Adoption of **Resolution No. 98-001** as follows:

Award of 1998 Newspaper Publication Bids

WHEREAS, pursuant to bid advertisement, newspaper publication bids were received until 3:00 p.m., December 4, 1997 for the following publications:

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

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

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

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby awards newspaper publication bids for 1998 as follows:

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

January 6, 1998

- | | | |
|----|---|--------------------|
| 2) | Legal Notices: | Lillie Suburban |
| 3) | Notice and List of Real Estate Taxes
Remaining Delinquent: | Lillie Suburban |
| 4) | First Publication of the Financial
Statement for year ending December
31, 1997: | Stillwater Gazette |
| 5) | Second publication of the Financial
Statement to be distributed as an insert: | Lillie Suburban |

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

4. Adoption of **Resolution No. 98-002** as follows:

Pocket Gopher Bounties

BE IT RESOLVED, that the pocket gopher bounty for 1998, shall be \$.25 per pair of front feet. The bounty is to apply in those towns participating in a pocket gopher bounty program as provided in Minnesota Statutes 348.13.

5. Approval of Memorial Day appropriations of \$100 each upon request in 1998 for the Stillwater Citizens' Memorial Day Association and Washington County Posts and Barracks.
6. Approval to pay 1998 membership fees for the Metro East Development Partnership in the amount of \$10,000.
7. Approval to pay 1998 membership dues to the Association of Minnesota Counties in the amount of \$29,351.
8. Approval of one day on-sale 3.2 percent malt liquor license for Vietnam Veterans of America Chapter 320 for the Forest Lake fishing contest scheduled for February 1, 1998; applications for alternate dates of February 8, 1998 and February 15, 1998.
9. Approval of service agreement with Youth Services Bureau, Inc. for a parent group for the PLACE Program.
10. Approval for County Board Chair and County Administrator to execute an agreement with CommonHealth Clinic for the purposes of their receiving State of Minnesota Maternal and Child Health Grant funds.

January 6, 1998

11. Approval for Public Works Director to offer up to Step F of the salary range for the vacancy of Parks Coordinator.
12. Adoption of **Resolution No. 98-003** as follows:

Advance Funding for State Aid Regular Construction
Fund in 1998 for State Aid Projects up to
a Maximum of \$2,100,000

WHEREAS, the County of Washington is planning on implementing County State Aid Highway Project(s) in 1998 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of advance encumbrances from the general State Aid Construction Account to supplement the available funds in their State Aid Regular Construction Account; and

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subdivision 7 and Minnesota Rules, Chapter 8820.

NOW, THEREFORE BE IT RESOLVED, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway projects of Washington County in an amount up to \$2,100,000 in accordance with Minnesota Rules 8820.1500, Subparagraph 9, and to authorize repayments from the following year's accruals to the Regular Construction Account of the County State Aid Highway fund for said county.

13. Bids were received for County plumbing services for 1998 as follows:

	Journeyman Hourly Rates				Qualification
	Regular	Weekly Overtime	Weekend Overtime	Materials Markup %	
NewMech Companies	\$60.00	\$ 90.00	\$ 90.00	20 %	Qualified
Harris Construction Co.	\$63.00	\$ 90.00	\$116.00	15 %	Qualified
LP Mechanic	\$65.00	\$ 85.00	\$ 85.00	15 %	Qualified
Alta Mechanical	\$75.00	\$131.25	\$145.00	20 %	Qualified
Ryan Plumbing	\$95.00	\$160.00	\$160.00	38 %	Qualified

Adoption of **Resolution No. 98-004** as follows:

January 6, 1998

Award of Contracts for Plumbing Services for 1998 to
NewMech Company, Harris Companies and L.P. Mechanical

WHEREAS, in order to complete plumbing needs as required throughout County facilities, the County solicited bids for service need; and

WHEREAS, service specification requirements indicate bid award be made to multiple bidders due to the expanse of the County land area and location of County facilities where plumbing services are required on a timely basis; and

WHEREAS, bids were opened on December 6, 1997, with NewMech Company, Harris Companies and L.P. Mechanical being the lowest responsible bidders; and

NOW THEREFORE BE IT RESOLVED, that the bids of NewMech Company, Harris Companies and L.P. Mechanical be accepted and the County enter into a contract with each of these three companies under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the County and the NewMech Company, Harris Companies and L.P. Mechanical be executed through the signatures of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action and approval as to form by the Washington County Attorney's Office.

14. Bids were received for County painting Services as follows:

	Labor Rates Including Markup (Per Hour)		Parts & Materials Markup %	Subcontractor's Markup %
	Foreman	Painter		
Allied Painting	\$37.00	\$35.00	10%	10%
David Bindert	\$36.50	\$35.00	17%	10%
Rick Renfrow	\$44.44	\$43.00	5%	5%
Hammernick Decor	\$47.40	\$46.20	15%	15%

Adoption of **Resolution No. 98-005** as follows:

Award of Contract for Painting Services within
County Facilities to Allied Painting

WHEREAS, in order to complete painting maintenance activities within County facilities, the County solicited bids for this service; and

WHEREAS, bids were opened on December 30, 1997, with Allied Painting being the lowest responsible bidder; and

January 6, 1998

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

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

15. Approval of the plat of Maple Hills, New Scandia Township.

16. Adoption of **Resolution No. 98-006** as follows:

Resolution Authorizing Execution of a Grant Agreement for
the Statewide Criminal Gang Strike Force

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 for the Statewide Criminal Gang Strike Force;

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are hereby authorized to execute and sign such Grant Agreements and amendments as are necessary to implement this program on behalf of Washington County.

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

LEGISLATIVE PROTOCOLS FOR WASHINGTON COUNTY EMPLOYEES

Commissioner Engstrom moved to table the policy on legislative protocols for Washington County employees and asked for discussion on this matter in a workshop session. Commissioner Hauser seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

RECOGNITION OF DOUGLAS G. SWENSON

Commissioner Engstrom moved to approve the following Certificate of Recognition:

County of Washington
Certificate of Recognition
Douglas G. Swenson

WHEREAS, Douglas G. Swenson has been with Washington County for 22 years; and

January 6, 1998

WHEREAS, Mr. Swenson is a Senior Assistant Washington County Attorney; and

WHEREAS, Prior to that, Mr. Swenson was an attorney with the law firm of Norton, Jergens, Hebert and Cass in Forest Lake; and

WHEREAS, Mr. Swenson has been a member of the Minnesota House of Representatives since 1987 where he serves on the Judiciary Committee and is the lead Republican on the Judiciary Finance Division; and

WHEREAS, Douglas G. Swenson was recently appointed to the Tenth Judicial District trial court bench by Governor Arne H. Carlson.

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners acknowledges with grateful appreciation Mr. Swenson's years of service to the citizens of Washington County; and

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners heartily congratulates Mr. Swenson for his many accomplishments during his tenure and wish him and his family the very best in his new position as District Court Judge.

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

COURT SERVICES DEPARTMENT

Commissioner Engstrom moved to approve the Court Services Department's 1998 Annual Comprehensive Plan and authorize its submittal to the Minnesota Department of Corrections. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

GENERAL ADMINISTRATION

1998 Legislative Agenda

Commissioner Engstrom moved to approve the 1998 Legislative Agenda. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

James Schug, County Administrator, informed the Board that this Legislative Agenda will be presented to the Washington County Legislative delegation at next week's workshop scheduled for 3:30 p.m. in County Board Room.

January 6, 1998

COMMISSIONER COMMITTEE ASSIGNMENT FOR 1998

Commissioner Peterson moved to approve the following Commissioner Committee assignments for 1998:

DENNIS C. HEGBERG

Comp Worth Committee (9/11/98 and 11/6/98)
Finance Committee
Housing and Redevelopment Authority
Internal Audit Advisory Committee
Joint Ditch #1
Mental Health Advisory Committee
Metro GIS Policy Committee
Minnesota Association of Governments Investing for Counties
Minnesota County Extension, Washington County
Minnesota Counties Insurance Trust
Planning Advisory Commission
Public Health Advisory
Regional Rail Authority
Regional Solid Waste Management Coordination Board
Resource Recovery Joint Powers Board

MARY HAUSER

AMC Region 10 Executive Committee
Community Corrections
Ground Water Advisory Committee
Joint Ditch #1
Library Board
Metropolitan Light Rail Transit Joint Powers Board
Metropolitan Mosquito Control
Minnesota Extension Service, Washington County
Regional Rail Authority, Chair
Resource Recovery Joint Powers Board
Sentence to Serve Task Force
Solid Waste Advisory
Space and Facilities Planning Committee

January 6, 1998

WALLY ABRAHAMSON

East Metro Communications Board
 Historic Courthouse Advisory Council
 Metropolitan 911 Board
 Metropolitan 911 Executive Committee
 Metropolitan Radio Planning (800 MegaHertz) Committee
 Noxious Weed Appeal Committee
 Plat Commission
 Regional Rail Authority

MYRA PETERSON

Area Transportation Partnership
 Community Social Services
 Comp Worth Committee (1/9/98 and 3/6/98)
 I-494 Wakota Bridge Coalition
 East Metro Radio Communications Board
 MELSA/Metronet
 Metropolitan Mosquito Control
 Metro 911 Telephone Board
 Metropolitan Transportation Advisory
 Minnesota Transportation Alliance
 Regional Rail Authority
 Space and Facilities Planning Committee

DAVE ENGSTROM

Comp Worth Committee (5/1/98 and 7/10/98)
 Law Library Board
 Parks and Open Space Commission
 Resource Recovery Joint Powers Board
 Regional Rail Authority
 Regional Solid Waste Management Coordination Board
 Workforce Council

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

January 6, 1998

AUDITOR-TREASURER'S OFFICE

Molly O'Rourke, Assistant Auditor-Treasurer, advised the Board that a primary election for the vacancy in the House of Representatives created by Representative Doug Swenson's judicial appointment, has been set for January 13, 1998 with a special election scheduled for January 27, 1998. Two County Board members will need to be appointed to serve on each of the canvas Boards.

Commissioner Peterson moved to appoint Commissioners Abrahamson and Engstrom to serve on the primary election canvass board on January 14, 1998 at 4:30 p.m. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

Commissioner Engstrom moved to appoint Commissioners Abrahamson and Peterson to serve on the general election canvass board on January 28, 1998 at 3:00 p.m. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

Commissioner Engstrom moved to appoint Commissioner Hauser and County Administrator James Schug as alternates to the January 14 and January 28 canvass boards. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

LUNCHEON MEETING WITH THE JUDICIARY

James Schug, County Administrator, suggested a date of January 20, 1998 for an informal luncheon with the Washington County Judges to discuss mutual concerns of the County Board and the Judges. Items for discussion could include the renewed contract with Ramsey County for bed rental at the LEC and alternatives to incarceration.

It was the consensus of the Board to schedule a luncheon with the Washington County Judges for January 20, 1998 in the County Board Room.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hegberg requested a workshop to discuss waived services. He also requested that the Chair's position at the Board table be moved to the end rather than the center so that he can recognize fellow Board members requesting to speak. It was Board consensus to make that change.

January 6, 1998

Commissioner Abrahamson agreed with a memo from the Auditor-Treasurer regarding the bidding process for bonding.

PUBLIC HEARING - OFFICE OF ADMINISTRATION

1998-2002 Capital Improvement Plan

Virginia Erdahl, Deputy Administrator, presented a brief overview of the 1998-2002 Washington County Capital Improvement Plan.

The Board Chair asked for comments from the audience.

Jeffrey Sovereign, 8 Evergreen, Landfall - Mr. Sovereign stated this is a good plan, and he feels a lot has been done to improve the roads. He liked the part about helping bike trails out. He hopes it will be passed.

The Board Chair asked for further comments; none were heard.

Commissioner Engstrom moved to close the public hearing. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hauser absent. The public hearing was closed at 5:05 p.m.

Commissioner Peterson moved to approve the 1998-2002 Capital Improvement Plan. Commissioner Engstrom seconded the motion.

Commissioner Abrahamson spoke on Project No. 3016 regarding the \$4.4 million for the land acquisition in Grey Cloud Island. He is concerned that based on information he has been able to receive this figure does not agree with the projection. He asked if this is the total land acquisition for Grey Cloud Island?

Ms. Erdahl stated that amount is just for the next five years.

Commissioner Abrahamson stated there is a meeting scheduled for tomorrow that he will not be able to attend which will discuss acquiring 15 acres in Grey Cloud Island, 7 of which are under water. He has real concerns about that. Before he spends money for land acquisition he wants to know where the money is going and what it will be used for.

January 6, 1998

Commissioner Engstrom stated that any transaction is going to come back to this Board for a vote. This is only the Capital Improvements Plan it is not an individual appropriation or acquisition.

Mr. Schug informed the Board that the meeting Commissioner Abrahamson referred to relates to a discussion the County Board held a number of weeks ago regarding that piece of property. Staff was directed to start negotiations with the property owner. Before any purchase is made or any purchase agreement is signed, it will be made contingent upon County Board approval. A tentative price has been agreed to and that will be coming before the Board for review at a later date before any purchase is completed.

The motion to approve the 1998-2002 Capital Improvement Plan was adopted unanimously; Commissioner Hauser absent.

Resolution No. 98-007

Adoption and Submittal of the 1998-2002 Washington County Capital Improvement Plan

WHEREAS, the Washington County Board of Commissioners has considered the 1998-2002 Washington County Capital Improvement Plan covering a five-year period and setting forth the estimated year, together with the estimated cost, the need for the improvement, and sources of revenue to pay for the improvement; and

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

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

WHEREAS, the Washington County Board of Commissioners, after public notice, conducted a public hearing on January 6, 1998, for the purpose of receiving comments on the proposed 1998-2002 Washington County Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners adopt the 1998-2002 Washington County Capital Improvement Plan.

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

January 6, 1998

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

HONORING THE OUTGOING CHAIR

Commissioner Abrahamson moved that outgoing Board Chairs be presented with a plaque and the gavel they used for that year. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

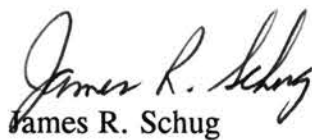
ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously; Commissioner Hauser absent. The Board meeting adjourned at 5:20 p.m.

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

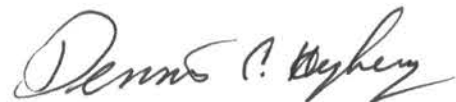
The Board meeting was preceded by a workshop session with the Public Works Department to discuss traffic control warrants. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Peterson, Hegberg and Engstrom. Also present were James Schug, Virginia Erdahl, Don Theisen, Joe Lux, Sandy Cullen, and Adam Bruening.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 13, 1998

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 Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; George Kuprian, Assistant County Attorney; Jeneen Johnson, Human Resources Associate; Don Wisniewski, Public Works Director; D.K. Johnson, Public Works Property Acquisition Specialist; Jack Perkovich, Public Works Deputy Director; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, HELM Department Manager; Judy Hunter, HELM Department Manager; Sheila Schally, Chief Deputy Recorder; Bob Lockyear, Director of Planning and Administrative Services; Marlene deBoef, Historic Courthouse Coordinator; Dan Papin, Community Services Director; Bob Crawford, MN Workforce Center Manager; Cathy Ellis, Community Services, Suzanne Pollack, Community Services Supervisor; Carol Seefeldt, Community Services Supervisor; Chief Deputy Sheriff Steve Pott,

CONSENT CALENDAR

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

1. Approval of the December 23, 1997, Board meeting minutes.
2. Adoption of **Resolution 98-008** as follows:

Board of Water and Soil Resources Natural Resources Block Grant

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 Shore land 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

January 13, 1998

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 Shore land Program, under the terms of the Grant Agreement and all statutory requirements;

THAT THE Washington County Board of Commissioners authorizes the expenditure of \$18,000 cash contribution 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 Shore land Program; \$38,000 to the Washington County Soil and Water Conservation District and \$16,000 to the Public Works Department to implement the State Wetland Conservation Act; and \$18,750 to the Department of Health, Environment and Land Management to conduct groundwater protection activities.

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. Approval to amend Policy No. 1012, Mileage Reimbursement, to increase mileage for individuals using personal vehicles on County business from 31.5¢ to 32.5¢ effective January 11, 1998.
4. Approval of **Resolution No. 98-009** as follows:

January 13, 1998

Repurchase of Tax Forfeited Land by Jeffrey Winiecki

WHEREAS Jeffrey Winiecki 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:

Geocode # 18.032.21.13.0001

Pt of Gov Lot 3 Sec18 Twp32 Range21 Com at the NE corner of Lot 36 of Franksons Clear Lake Subd thence North on a continuation of the East line of Lot 36 a dist of 190 ft thence West at right angles a dist of 250 ft m/1 to the intersection of the West line extended of Lot 40 thence South along sd extended West line a distance of 190 ft to the NW corner of sd Lot 40 thence East along the North line of sd Lots to pt of beg. Except ELY 150 ft & exc that pt which may be owned by Lamprey Farm & Pass Inc.

;and WHEREAS, said applicant, has set forth in his application that That property was part of their homestead and was unaware of the delinquent taxes; that the repurchase of said lot will put the property back on tax roll and again continue to generate taxes. Also, delinquent taxes will be paid in full.

;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 Jeffrey Winiecki 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.

5. Approval of **Resolution No. 98-010** as follows:

Repurchase of Tax Forfeited Land by Richard D. Long

WHEREAS, Richard D. Long 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:

Lot 42, Block 4
Including a right of way easement over
Lots 13-14 & 79 Block 2 - Carnelian Hills
for access to and from Big Carnelian Lake

Geocode #26.031.20.44.0036

January 13, 1998

;and WHEREAS, said applicant has set forth in his application that hardship and injustice has resulted because of the forfeiture of said land, for the following reasons, to wit: that said applicant has difficulties due to his status as disabled; that the repurchase of said parcel by the applicant will promote and best serve the public interest, because he will pay back the taxes, interest and penalties and will benefit public to receive and continue to receive said funds as a viable taxable land parcel.

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

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

6. Approval of **Resolution No. 98-011** as follows:

Authorization for Auditor-Treasurer to Classify as Non-Conservation
and Offer the Tax Forfeited Parcel 29.030.20.40.0101
to Adjoining Owner at a Private Sale

BE IT HEREBY RESOLVED that parcel 29.030.20.41.0101 is a tax forfeited property, be classified as non-conservation; that the basic sale price of \$3,000.00 set by Washington County Assessor's office be approved and authorization to conduct private sale be granted per M.S. 282.01 Subd. 7a; that the method of sale other than sealed bids may be chosen by the County Auditor.

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

7. Approval of 1998 contract with Stivland, Inc. D/B/A Harbor Shelter and Counseling Center to provide child shelter and short term treatment services.
8. Approval of contract with Eastern Minnesota State Operated Community Services to provide home and community based services for persons with developmental disabilities.
9. Approval to accept a grant in the amount of \$50,000 to build Children's Mental Health capacity and accept a grant in the amount of \$47,720 for collaborative wrap-around services.
10. Approval of child foster care maintenance and initial clothing allowance rates for calendar year 1998.

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11. Approval for County Board Chair and County Administrator to execute an amendment to an agreement between the County and the State of Minnesota for Immunization Action Plan grant dollars.
12. Approval of **Resolution No. 98-012** as follows:

Authorization for Ramsey County Director of Budgeting and Accounting to Appropriate from the Resource Recovery Project Board Fund Balance, as Needed, to Finance any Shortfall in the 1997 Project Board Service Fee Budget

WHEREAS, Ramsey and Washington Counties approved the 1997 Resource Recovery Project service fee budget at \$9,460,436.00 and the 1997 tipping fee at \$38.00 per ton; and

WHEREAS, the approved 1997 service fee budget was based on waste delivery of 350,000 tons in 1997 and a tipping fee of \$38.00 per ton, and current projections for actual 1997 waste deliveries range from 385,000 to 390,000 tons; and

WHEREAS, a shortfall may develop in the Resource Recovery Project service fee budget as a result of the increased waste delivery amounts; and

WHEREAS, funds are available in the Resource Recovery Project Board Fund Balance to be appropriated to finance the projected shortfall in the service fee budget; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board, in Resolution 97-RR-12, dated September 25, 1997, recommended that the Ramsey and Washington County Boards authorize the Ramsey County Director of Budgeting and Accounting to appropriate from the Project Board Fund Balance, as needed, to finance any shortfall in the 1997 Project Board service fee budget.

NOW, THEREFORE, BE IT RESOLVED, the Board of Washington County Commissioners hereby authorizes the Ramsey County Director of Budgeting and Accounting to appropriate from the Project Board Fund Balance, as needed, to finance any shortfall in the 1997 Project Board service fee budget.

13. Approval for the County Board Chair and County Administrator to execute agreements for building inspection services and on-site septic inspection services with cities and towns.
14. Approval of contract with Minnesota Valley Testing Laboratories, Inc., for water analysis.
15. Approval to substitute the position of Division chief for one position of Sr. Assistant County Attorney in the County Attorney's Office.

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16. Bids were received for installing carpeting within County facilities as follows:

<u>Bidder</u>	<u>Each Pricing Carpet</u>		<u>Ea. Price</u>	<u>Carpet</u>	<u>Total</u>		
	<u>Roll</u>	<u>Tile</u>	<u>Cove Base</u>	<u>Removal</u>	<u>Bid</u>	<u>B</u>	<u>C</u>
	<u>Sq. Yd.</u>	<u>Sq. Yd.</u>	<u>Lin/Ft.</u>	<u>Labor Per Hr.</u>			
Gisela's Interiors	\$24.75	\$33.80	\$1.50	\$40.00	\$72,060		100
Hiller Carpet	\$25.00	\$ 3.90	\$1.20	\$50.00	\$36,120	X	
Multiple Concepts	\$26.10	\$ 4.19	\$1.25	\$48.50	\$37,848	X	
St. Paul Linoleum	\$29.00	\$ 4.37	\$1.35	\$20.00	\$41,664	X	

Approval of **Resolution No. 98-013** as follows:

Award of Contract for Installing Carpeting for 1998 to Hiller Carpet

WHEREAS, in order to provide carpet material installed within County facilities, the County solicited bids for this project; and,

WHEREAS, bids were opened on December 30, 1997, with Hiller Carpet being the lowest responsible bidder; and,

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

BE IT FURTHER RESOLVED, that the contract between the County and Hiller Carpet be executed through the signatures of the Chairperson of the Washington County Board of Commissioners and the Washington County Administrator without further action and approval as to form by the Washington County Attorney's Office.

17. Approval of first amendment to the grant agreement Number SG-95-50 with Met Council for recreational open space lands development to retrofit existing facilities to meet "ADA" requirements within the boundaries of Lake Elmo Park Reserve.
18. Approval of the plat of Ridgewood Acres Plat 2, May Township.
19. Approval to appoint Janet Norton, St. Paul Park, to the Parks and Open Space Commission, to a term of December 31, 2000.

The foregoing Consent Calendar was adopted unanimously.

January 13, 1998

ELECTION OF COUNTY BOARD VICE CHAIR OR 1998

Commissioner Peterson moved, seconded by Commissioner Engstrom to nominate Commissioner Hauser as County Board Vice Chair for 1998. The motion was approved unanimously.

PUBLIC WORKS DEPARTMENT

Historic Courthouse

Marlene deBoef, Historic Courthouse Coordinator, gave an overview of an upcoming exhibit to be shown at the Historic Courthouse. The exhibit "Through the Lens: Images of a Neighborhood" involved students and staff from Stillwater Junior High School who worked on a photo and oral history documentation of the Lower Oak Park neighborhood during the last two years.

Giving a short presentation to the Board on what their project involved were students Tessa Diebel and Alexis Beinlich, and their teacher, Jan Spreeman.

Commissioner Engstrom moved to adopt **Resolution No. 98-014** as follows:

Recognition of Participants in Exhibit at Historic Courthouse and
Declaration of January 18, 1998 as "Lower Oak Park Neighborhood Day"
in Washington County

WHEREAS, Lower Oak Park was a well-defined neighborhood along the St. Croix bluffs, which included an historic stagecoach stop and a century-old mattress factory; and

WHEREAS, the Lower Oak Park neighborhood was slated for demolition in preparation for the proposed St. Croix River Valley bridge crossing; and

WHEREAS, students from Stillwater Junior High School saw a need to document this neighborhood while it still was intact; and

WHEREAS, the students produced a photo documentation and conducted oral history interviews with residents of the Lower Oak Park neighborhood, prior to and during demolition, with contributions from Forest Hills School, the Stillwater Area High School, and the University of Minnesota; and

WHEREAS, the students and staff have designed and created a photo and memorabilia exhibit, entitled "Through the Lens: Images of a Neighborhood" and have collaborated with the staff at the Washington County Historic Courthouse to host the exhibit in its Vault Exhibit Room; and

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WHEREAS, the exhibit will be opening, Sunday, January 18, 1998 in the afternoon at the Historic Courthouse with a reunion reception for residents of the former neighborhood and for the general public; and

WHEREAS, the Washington County Board of Commissioners wishes to recognize the efforts of those involved in preserving this part of Washington County's heritage.

NOW, THEREFORE BE IT RESOLVED that Sunday, January 18, 1998 be declared "Lower Oak Park Neighborhood Day" in Washington County.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Grey Cloud Island Regional Park Property Acquisition

Don Wisniewski, Public Works Director, gave an update on the proposed acquisition of a portion of the Katarik property for Grey Cloud Island Regional Park.

Commissioner Engstrom moved to adopt **Resolution No. 98-015** as follows:

Purchase of Katarik Property for Inclusion Into Grey Cloud Island Regional Park

WHEREAS, Washington County is interested in acquiring a portion of the Kartarik property located on lower Grey Cloud Island, and whereas the owners agree to sell the property.

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

LEGAL DESCRIPTION OF KARTARIK ACQUISITION

All that part of the Southwest Quarter of the Southwest Quarter of Section 30, Township 27 North, Range 21 West, Washington County, Minnesota described as follows:

Commencing at the northwest corner of said Southwest Quarter of the Southwest Quarter; thence on an assumed bearing of North 88 degrees 45 minutes 23 seconds East, a distance of 332.00 feet to the point of beginning of the parcel of land to be described; thence South 20 degrees 27 minutes 53 seconds West, a distance of 385.84 feet; thence South 01 degrees 07 minutes 45 seconds East, parallel with the west line of said Southwest Quarter of the Southwest Quarter, a distance of 304.00 feet; thence South 88 degrees 52 minutes 15 seconds West, a distance of 25.00 feet; thence South 01 degrees 07 minutes 45 seconds East, parallel with the west line of said Southwest Quarter of the Southwest Quarter, a distance of 587.45 feet to the intersection with the north line

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of the south 66.00 feet of said Southwest Quarter of the Southwest Quarter; thence North 88 degrees 42 minutes 23 seconds East, along said north line of the south 66.00 feet, a distance of 638.35 feet to the westerly right of way line of Grey Cloud Trail South; thence South 28 degrees 22 minutes 47 seconds West, along said westerly right of way line, a distance of 75.96 feet to its intersection with the south line of said Southwest Quarter of the Southwest Quarter; thence North 88 degrees 42 minutes 23 seconds East, along the south line of said Southwest Quarter of the Southwest Quarter, a distance of 75.96 feet to its intersection with the easterly right of way line of said Grey Cloud Trail South; thence North 28 degrees 22 minutes 47 seconds East, along said easterly right of way line, a distance of 176.08 feet; thence North 32 degrees 00 minutes 56 seconds East, continuing along said easterly right of way line, a distance of 42.53 feet to its intersection with the east line of said Southwest Quarter of the Southwest Quarter; thence North 00 degrees 11 minutes 48 seconds West, along the east line of said Southwest Quarter of the Southwest Quarter, a distance of 311.44 feet to a point distant 500.00 feet north of the southeast corner of said Southwest Quarter of the Southwest Quarter, as measured along said east line; thence North 49 degrees 35 minutes 25 seconds West, a distance of 685.10 feet; thence North 00 degrees 11 minutes 48 seconds West, a distance of 360.00 feet to the intersection with the north line of said Southwest Quarter of the Southwest Quarter; thence South 88 degrees 45 minutes 23 seconds West, along said north line of the Southwest Quarter of the Southwest Quarter, a distance of 118.00 feet to the point of beginning of the parcel of land described.

AND

That part of the Southeast Quarter of the Southwest Quarter of Section 30 in Township 27 North, Range 21 West, Washington County, Minnesota, lying southerly of Grey Cloud slough and westerly of the Town Road now existing and extending through the said Southeast Quarter of the Southwest Quarter.

Subject to Grey Cloud Island Drive, Grey Cloud Trail South and other easements of record, if any.

for the sum of \$260,000.00; in total, upon the following terms and conditions:

1. Conveyance should be by warranty deed pursuant to the terms and conditions of a standard Miller-Davis Purchase Agreement free and clear of all liens, charges and encumbrances;
2. Seller to pay all levied or pending special assessments (if any);
3. Seller to pay abstract expenses;
4. Real estate taxes shall be pro rated as of the date of closing;
5. Buyer to pay recording fee(s), state deed tax, and conservation fee;
6. Closing to be on or before February 20, 1998, or as soon as possible after that date. The closing shall be handled through the Washington County Attorney's Office.

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7. This transaction is contingent upon Ms. Kartarik obtaining split authority from the City of Cottage Grove for the property described above.
8. The sale is subject to a satisfactory environmental inspection by Washington County.

Commissioner Abrahamson stated that he will vote against the resolution. He asked, "How many acres do we need for a park? Do we need to buy up everything? He also stated that he thinks the price is too high.

Mr. Wisniewski stated that the price was an average between two appraisals received and that the money will come from a Metropolitan Council grant.

Commissioner Hauser seconded the motion and it was approved 4-1. Commissioner Abrahamson voted against the resolution.

COMMUNITY SERVICES DEPARTMENT

Minnesota Workforce Center Annual Report

Bob Crawford, Workforce Center Manager, presented his department's Annual Report in its new calendar form, and discussed the programs the Workforce Center offers.

Commissioner Engstrom moved to approve the report. Commissioner Peterson seconded the motion and it was approved unanimously.

Commissioner Engstrom commended the Workforce Center for its creative and innovative Annual Report.

Minnesota Workforce Center - Transportation Assistance Grant

Bob Crawford, Workforce Center Manager, gave an overview of how the Transportation Assistance Grant will be used. The Minnesota Legislature has appropriated money to the Metropolitan Council for grants to metro-area countries to implement transportation-related services and to facilitate the transition between public assistance and employment. Washington County's share is \$30,000.

Commissioner Peterson moved to accept the grant. Commissioner Hauser seconded the motion and it was adopted unanimously.

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SHERIFF' DEPARTMENT

Steve Pott, Chief Deputy, gave a history of Washington County's participation in the Regional Radio System. With Legislation requiring a plan to be submitted to the Metropolitan Radio Board describing Washington County's participation, a consultant was hired to study the needs for two-way radio communications in the county. A group of representatives from various county governmental agencies have been meeting over the last few months with the consultant. This committee is now recommending a Radio Plan to be submitted to the Metropolitan Radio Board.

Commissioner Abrahamson, who is a Board member on the Metropolitan Radio Board, stated that he agrees with the recommendations of the committee.

Commissioner Abrahamson moved to adopt **Resolution No. 98-016** as follows

Approval and Submission of Radio Plan

WHEREAS, Washington County is required by MSS 473.904 to submit a plan to the Metropolitan Radio Board describing the County's use of the region wide public safety radio system; and

WHERE, Washington County retained the services of W.M. Montgomery and Associates to study the radio needs in Washington County and prepare an analysis and plan; and

WHEREAS, Washington County, through the Sheriff's Office, notified local governments and other eligible users about the planning process, and held a series of meetings with representatives of those groups; and

WHEREAS, the study showed that significant enhancements to the existing two way radio communications capabilities will be needed within five years, and

WHEREAS, the Radio Communications Analysis and Plan was presented to the Board of Commissioners at a workshop held December 2, 1997,

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners accepts the report and hereby submits it to the Metropolitan Radio Board.

BE IT FURTHER RESOLVED, that Washington County:

Delays any final decision concerning participating in the region wide radio system pending full public disclosure of vendor proposal content and costs of system construction, equipment purchase, subscriber fees, and ongoing maintenance costs.

Monitors and evaluates the FCC process relating to the release of TV channels 60 to 69 for public safety use. Files license applications for some of these channels to preserve the County's option to build a stand alone

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system. Pursues preliminary design of a separate, stand alone trunked radio system.

Pursues license opportunities for wide band VHF channels and enhances the current system to address short-term needs identified by the study.

Secures letter of intent from eligible radio users within the County.

Establishes a capital budget planning process for purchase of the new radio system.

Commissioner Peterson seconded the motion and it was approved unanimously.

GENERAL ADMINISTRATION

Mr. Schug announced that the Department of Health, Environment and Land Management has sent out a press release describing the County's new method for emergency warning and notification. The system is called CAN (Community Alert Network) and will be available in February; Washington County is the first in the state to install this system.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hauser thanked the Board members for holding off until today to vote for the County Board Vice Chair position.

Commissioner Abrahamson passed out a copy of a FAX of a letter from Ramsey County Commissioner Dino Gueren to the other Ramsey County Commissioners in which he proposes abolition of the 911 Board. Commissioner Abrahamson will be attending the 911 Board tomorrow and will be speaking out against this proposal.

Commissioner Peterson supports Commissioner Abrahamson and feels it is imperative to continue 911 services as they are. She is disappointed in Commissioners Gueren's stand on this.

Commissioner Engstrom stated it is the job of the 911 Board to see that 911 services function correctly. He feels that Commissioner Gueren misunderstands the function of the 911 Board.

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Commissioner Hegberg asked County Administrator Schug to see if there is a need for a workshop with the county newspapers to discuss any issues they might have.

Commissioner Peterson stated that the Minnesota State Horticultural Society will be holding its 1998 Greening Conference on February 28, 1998, at Hennepin Technical College.

Commissioner Hauser stated that there will be a meeting to discuss a possible long-term commuter rail demonstration from Hastings to St. Paul on January 15, 1998, at City Hall in Cottage Grove.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT


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

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT


The Board met in workshop session with the Public Works Department to discuss the 1998-2002 Capital Improvement Program. No business was conducted and the public was welcome to attend. Present for the workshop were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were: James Schug; Don Wisniewski; Don Theisen; Sandy Cullen; Virginia Erdahl; Jim Broede, St Paul Pioneer Press; Bob Museus, Hugo City Administrator; Susan Ladwig; Jeff Sovereign, Citizen; and Eileen Weber, Citizen.

REGIONAL RAIL AUTHORITY WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss a Regional Rail Authority Commuter Rail Study update. No business was conducted and the public was welcome to attend. Present for the workshop were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were: James Schug; Virginia Erdahl; Don Wisniewski; Don Theisen; Sandy Cullen; Sue Ladwig; Jim Broede, St. Paul Pioneer Press; Eileen Weber; Bob Museus, Hugo City Administrator; and Eileen Weber, Citizen.


Dennis Hegberg, Chair
County Board

Attest:


James R. Schug
County Administrator

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 20, 1998

The Washington County Board of Commissioners met in regular session at 10:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Hodsdon, Acting County Attorney; Judy Honmyhr, Human Resource Director; Jeneen Johnson, Human Resources Associate; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Hunter, HELM Department Manager; Jim Frank, Sheriff; Sue Tice, Chief Assistant County Attorney; Judy Shefland, Executive Assistant, Attorney's Office; Bob Lockyear, Director of Planning and Administrative Services; Virginia Chase, Public Works Budget Coordinator; John Devine, Controller; Leo Steiner, Assistant Controller; Mike Gripentrog, Information Services Director; Barb Fritsche, Lead Programmer Analyst; Rick Backman, Community Services Division Manager; Jay Kuechenmeister, Community Services Division Manager; Chris Eitemiller, Budget and Policy Analyst; Jane Harper, Principal Planner; Marian Bayer, Auditor-Treasurer Division Manager.

The Board Chair asked for a moment of silence to honor County Attorney Richard Arney who passed away on January 14, 1998.

CONSENT CALENDAR

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

1. Approval of abatement applications for homestead classifications as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 29.031.21.23.0032	Horn, Reed	\$1,178.00
R 12.029.21.44.0002	Grages, Brant & Elizabeth	1,134.00
R 16.032.21.12.0013	Nybakke, Erick & Elizabeth	714.00
M 88.088.88.00.0627	Theile, Troy	150.00
R 35.029.20.13.0004	Moore, Howard Jr.	1,018.00
M 88.088.88.00.1189	Nerud, Lynehe	294.00
R 02.028.21.33.0072	Paulet, Harry & Audrey	986.00
R 20.028.21.11.0040	Broshears-Fleury, Diana	402.00
R 08.028.21.41.0026	Gibis, Claudia	216.00

2. Approval of final copy of the 1998-1999 Community Social Services Act Plan and Mental Health Act Plan.

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3. Approval to execute an agreement with Baytown Township for planning and zoning services for 1998.
4. Approval to execute agreements with Stillwater Medical Group, P.A., and Lakeview Memorial Hospital for provision of jail health services.
5. Approval of banding and grading of the new job description of Community Justice Program Assistant in Court Services at B25-1.
6. Approval to authorize the County Board Chair to sign and submit the 1998 Pay Equity Report to the Minnesota Department of Employee Relations.
7. Bids were received for the CCTV system for the Law Enforcement Center Jail as follows:

<u>Bidder</u>	<u>Base Bid</u>
Honeywell, Inc.	\$44,000.00
Videotronix, Inc.	44,250.00
Honda Electric, Inc.	56,130.00

Adoption of **Resolution No. 98-017** as follows:

Award of Contract for CCTV System to
Honeywell, Inc.

WHEREAS, in order to complete construction of a CCTV System at the LEC Jail area, the County solicited bid for this project, and

WHEREAS, bids were opened on January 12, 1998, with Honeywell, Inc., being the lowest responsible bidder; and

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

8. Approval and execution of agreement with the Star Trail Association for a snowmobile trail license to operate within set parameters at Pine Point Park.

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9. Adoption of **Resolution No. 98-018** as follows:

Traffic Control at the Intersection of 70th Street South
and St. Croix Trail in Denmark Township

WHEREAS, the existing traffic control at the intersection of 70th Street South (County State Aid Highway 20) and St. Croix Trail (County State Aid Highway 21) in Denmark Township stops only the traffic on CSAH 20; and

WHEREAS, traffic volumes on each of the County Road approaches are approximately equal; and

WHEREAS, six (6) traffic accidents occurred at the intersection of 70th Street South (County State Aid Highway 20) and St. Croix Trail (County State Aid Highway 21) in Denmark Township during 1997, all of a type susceptible to correction by an all-way stop installation; and

WHEREAS, according to the Minnesota Manual on Uniform Traffic Control Devices, the accident situation at the CSAH 20 and CSAH 21 intersection warrants the installation of an all-way stop;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby directs the County Engineer to change the traffic control at the intersection of 70th Street South (County State Aid Highway 20) and St. Croix Trail (County State Aid Highway 21) in Denmark township to an all-way stop condition.

10. Approval of Consulting Engineering Services agreement with Toltz, King, Duvall, Anderson, and Associates, Inc., (TKDA) for CSAH 39 (Hastings Ave./Broadway Ave.) in an amount not to exceed \$100,000.
11. Approval to establish the 1998 per diem rates that Washington County charges for jail bed rental.
12. Adoption of **Resolution No. 98-019** as follows:

VFW Post 323, Oak Park Heights
Premises Permit Renewal

WHEREAS, on or about January 9, 1998, the VFW Post 323, Oak Park Heights, has made a permit application pursuant to the statutes of the State of Minnesota authorizing lawful gambling, and

WHEREAS, the premises involved are Fairgrounds, 12300 N. 40th St., Baytown Township, Washington County, and

THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby resolve to approve the granting of a premises permit for the above-described licensee at the above-described location

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subject to the terms and conditions of all the Laws of the State of Minnesota, the County of Washington and Township of Baytown.

The foregoing Consent Calendar was adopted unanimously.

GENERAL ADMINISTRATION

Financial Management System

Edison Vizuite, project manager, provided an overview of the County's need for a new financial management system and the process to date to come to the Board with a recommendation for a vendor.

The system currently being used is 15 years old, hard to access, not user-friendly, labor intensive and not year 2000 compliant. A new system will bring more flexibility, electronic forms, easy data access, and be less labor intensive.

Over the past few months the County has had a Technical Committee and a Steering Committee evaluating the four proposals that were received from potential vendors. Bids received were as follows:

JDEdwards	\$1.1 Million
Lawson	1.5 Million
Oracle	1.6 Million
PeopleSoft	2.1 Million

The committees are recommending that the contract be awarded to JDEdwards.

Commissioner Abrahamson moved, seconded by Commissioner Engstrom to award the contract for a new financial management system to JDEdwards. The motion was approved unanimously.

The Commissioners and County Administrator thanked the County staff involved in the selection process.

Appointment of County Attorney

Jim Schug stated that, by statute, the First Assistant County Attorney is performing the duties of County Attorney until the County Board makes an appointment to the position.

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Discussion followed on how the Board wants to proceed. It was consensus to have a Board workshop on January 27 to discuss the appointment process and the legislative and referendum options which may be available to convert all or parts of the office from elective to appointive.

Commissioner Abrahamson moved, seconded by Commissioner Engstrom to set February 17, 1998, as the date for acceptance of resumes for the position of County Attorney. The motion was approved unanimously.

The Human Resources director was instructed to place a notice of the appointment process in the County's legal newspaper and to prepare a draft supplemental statement of intent to be reviewed at the workshop.

Cottage Grove West Draw AUAR

Commissioner Peterson moved, seconded by Commissioner Engstrom to approve a letter from Jane Harper, Principal Planner, to the City of Cottage Grove. The motion was approved unanimously.

The letter contains comments on the Cottage Grove West Draw Study Area Alternative Urban Areawide Review. The proposed project for the study area involves low and medium density residential development and the construction of a one-mile collector road to service new development.

State Mandates and Local Fiscal Impact

Jim Schug reported that he is serving on a committee of the Minnesota Association of County Administrators that is working with the Minnesota Department of Finance and the Association of Minnesota Counties to develop a process to provide legislative tax committee chairs with information on the fiscal impact of new state mandates on local government. Legislation which was passed in 1997 and supported by counties now requires this local fiscal impact report. Mr. Schug also reported that Washington County would be a member of a core group of counties who will be providing cost estimates to the Department of Finance.

DISCUSSION FROM THE AUDIENCE

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

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COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Peterson attended a Citizen League breakfast; discussion centered around a proposal that would have County Commissioners serve as the Metropolitan Council.

Commissioner Abrahamson is attending an Andersen Corporation meeting concerning the environment.

Commissioner Engstrom said that the County should closely monitor the legislative proposals concerning the Metropolitan Council.

This afternoon Commissioners Peterson, Hauser and Abrahamson will be meeting with a local cable access channel to talk about the jail.

BOARD CORRESPONDENCE

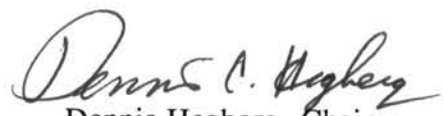
Board correspondence was received and placed on file.

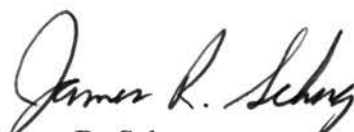
ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Engstrom and it was adopted unanimously. The Board meeting adjourned at 11.25 a.m.

BOARD WORKSHOP WITH THE H.E.L.M. DEPARTMENT

The Board met in workshop session with the department of Health, Environment and Land Management to discuss the amended joint powers agreement of the Solid Waste Management Coordinating Board. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Abrahamson, Hegberg, Peterson, Hauser and Engstrom. Also present were Jim Schug, Virginia Erdahl, Judy Hunter and Mary McGlothlin.


Dennis Hegberg, Chair
County Board

Attest: 
James R. Schug
County Administrator

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 27, 1998

The Washington County Board of Commissioners met in regular session at 9:30 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard D. Hodsdon, Acting County Attorney; Russ Reetz, Court Services Director; Jack Perkovich, Deputy Public Works Director; Dan Papin, Community Services Director; Jay Kuechenmeister, Community Services Division Manager; Robert Lockyear, Planning and Administrative Services Director; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Adoption of **Resolution No. 98-020**, as follows:

Repurchase of Tax Forfeited Land by
 Wendy K. Mancini, Former Owner

WHEREAS, Wendy K. Mancini 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:

Part of Lots 1 & 2 Block 5
 Being W 30 ft of Lots 1 & 2
 Beulah Heights
 Parcel 20.030.21.42.0034

;and WHEREAS, said applicant has set forth in his application that hardship and injustice has resulted because of the forfeiture of said land, for the following reasons, to wit: That she was never told that she had back taxes; that the repurchase of said land will promote and best serve the public interest, because this will put the property back on tax roles and once again will generate taxes.

;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 Wendy K. Mancini 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.

January 27, 1998

2. Adoption of **Resolution No. 98-021** as follows:

Repurchase of Tax Forfeited Land by
Thomas L. Burow, Mortgagee

WHEREAS, Thomas L. Burow the Mortgagee 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:

The North ½ of the South ½ of the Southwest ¼ of the Southwest ¼ of Section 6, Township 28, Range 21, except the North 160 feet of the West 800 feet thereof.
Parcel 06.028.33.0003

;and WHEREAS, said applicant has set forth in his application that without knowledge, mortgagor was not making property tax payments which now has jeopardized all his interests in the property. That the repurchase of said land will promote and best serve the public interest because:

- *Bring current all back taxes, interest and penalties and allow for the property to be tax generating for the county of Washington.
- *Alleviate the county of the administrative duties related to the property.
- *Promote the public policy where the mortgagee does not lose their interest due to mortgagor's non-payment of property taxes.

;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 Thomas L. Burow 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 to participate in a multi-county grant application to the Minnesota Board of Government Innovation and Cooperation to develop a child care assistance computer information system.
4. Approval to amend the two-year child care resource and referral contract with the Minnesota Department of Children, Families and Learning to \$360,073.
5. Approval of the 1998 purchase of service contract with Community Volunteer Services for client transportation services.
6. Approval of updated contract with Richard Ilkka for public defender services.
7. Approval of purchase of service agreement with Family Violence Network.

January 27, 1998

8. Approval to submit a \$5,000 special initiatives project grant application to the American Heart Association, Minnesota Affiliate to promote physical activity among high risk populations.
9. Adoption of **Resolution No. 98-022** as follows:

Vacation of Unneeded Slope Easement Along
CSAH 12 in the City of Grant

WHEREAS, Washington County acquired a slope easement on a portion of a parcel of land along CSAH 12 in the City of Grant in 1984; and

WHEREAS, the slope easement was acquired for the reconstruction of CSAH 12 which was completed in the 1980's; and

WHEREAS, said slope easement was to expire after the completion of the road reconstruction; and

WHEREAS, said slope easement was acquired via condemnation and a final certificate was recorded as document no. 469257 in the Washington County Recorders Office; and

WHEREAS, said final certificate does not contain an expiration clause for the slope easement and therefore creates an unnecessary encumbrance on the parcel of land on which the slope easement is located.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners terminate the following described slope easement along County State Aid Highway 12:

A Tract of Land Taken for Slope Easement Purposes Described as follows:

That part of the N½ of the SW¼ of Section 26, Township 30 North, Range 21 West, approximately 1.28 acres, adjacent and parallel to permanent right of way; not to exceed 35 feet in width between and Engineer's Stations 156+12 and 157+00 and between 165+00 and 166+50 and not to exceed 20 feet in width between and right of Engineer's Stations 157+00 and 158+00 and not to exceed 10 feet in width between and right of Engineer's Stations 158+00 and 160+50 and not to exceed 15 feet in width between and right of Engineer's Stations 160+50 and 164+50 and between 173+00 and 176+50 and not to exceed 25 feet in width between and right of Engineer's Stations 164+50 and 165+00 and between 172+25 and not to exceed 45 feet in width between and right of Engineer's Stations 166+50 and 169+00 and not to exceed 55 feet width between and right of Engineer's Stations 169+00 and 170+00 and not to exceed 65 feet in width between and right of Engineer's Stations 170+00 and 172+00 and not to exceed 5 feet in width between and right of Engineer's Stations 172+25 and 173+00.

(As found in a Final Certificate recorded as document no. 469257 in the Washington County Recorder's Office).

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

10. Approval to purchase salt supply, as needed, for 1998 through the State of Minnesota bid per cooperative purchasing agreement.
11. Approval to purchase equipment for Public Works as budgeted for 1998 through the State of Minnesota and Hennepin County bids per cooperative purchasing agreements with those agencies.
12. Approval for the County Board Chair to send a letter to Congressman Bill Luther designating Commissioner Peterson to serve as a County spokesperson before a House Appropriations Subcommittee on Transportation and related agencies on behalf of the Wakota Bridge Coalition.
13. Approval of the plat of Greenfield Estates, New Scandia Township.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Commissioner Peterson moved to approve the execution of licenses for Star Trail Association to operate snowmobiles and build and maintain trails within the parameters of the Cottage Grove Ravine Regional Park and the Lake Elmo Park Reserve. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Jack Perkovich, Deputy Public Works Director, informed the Board that the Sheriff's Department was out this past weekend on County Road 12 monitoring this area for an hour to see if the snowmobiles using the Star Trail Association Corridor were using illegal studs. All the snowmobiles which were stopped were in compliance with the new ordinance banning studs.

GENERAL ADMINISTRATION

Legislative Update

James Schug referred to a memo from Sue Ladwig, County Lobbyist, that was in the Board's mail packet updating the Board on legislative activities. A summary will be provided whenever possible and if the Board members need a full copy of a bill that also can be provided. He indicated that he has received a bill talking about the possibility of changing the Metropolitan Council to a council of elected county

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commissioners and can make that available to the Commissioners. He also updated the Board on a bill recently introduced exempting local units of government from sales tax. When more information is available he will have Ms. Ladwig come out and update the Board.

Commissioner Peterson indicated there has been talk at the legislature that if counties receive the sales tax exemption there would be no levy increase. She asked that this bill be watched very carefully. She believes counties would not do well under this type of bill because a 2.5% levy would be better than a sales tax exemption.

Commissioner Hegberg asked staff to provide numbers to the Board on the impact of this bill. Mr. Schug stated that information has been provided to the legislators on the County's annual expenditure for sales tax in a non-construction project year and that is in the range of \$300,000 to \$400,000 a year.

Mr. Schug notified the Board of a hearing on January 28, 12:30, in the State Office Building, Room 10 on the Twin Cities Transit Way Project. He has more information on that if any of the Commissioners are interested in attending.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom asked that the Board consider making an appointment to the Washington County Library Board at next week's Board meeting. He indicated that he would like to see Adela Peskorz, Woodbury, appointed.

It was Board consensus that the Library Board appointment be placed on next week's agenda.

Commissioner Engstrom asked that staff keep track of letters from municipalities responding to the Manning Avenue Corridor and that those letters be made available to the Board when this matter is discussed.

Commissioner Hauser reported that she attended the Library Board meeting on Monday and they are anxious to see the At Large appointment made as they are moving ahead on their organizational study. She was also informed at that time that Library Board member Bill Sullivan from her district is going to resign so there will be another opening. She will be seeking applications for that opening.

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Commissioner Hauser also gave a report on the grand opening of the Oakdale Library she attended on January 24. She indicated it was a beautiful building and encouraged everyone to stop by and take a look.

Commissioner Peterson stated she attended a citizen league meeting this morning. Commissioner McCarron, Anoka County, reported on the Council of Governments, how they work and where they work. He also talked briefly about the Orfield bill which he is supporting. She reported there will be a Region 10 meeting of the Executive Board on Monday at 9:00 a.m. and they will be talking about the Orfield bill and she believes Representative Orfield will be there.

Commissioner Peterson asked if the request to provide information on state mandates and local fiscal impact estimates is a reasonable length of time to respond and how the County will respond to this request?

Mr. Schug stated it is a challenging length of time for turn around. As he reported last week, he has volunteered to serve on the group of County representatives that is designing the format for responding to the Department of Finance. He attended a meeting yesterday and a format was agreed on. The timeframe is not of their choosing and in order for it to have impact they will need to turn it around in seven days. Mr. Schug and Virginia Erdahl, Deputy Administrator, met yesterday with department heads and informed them of what is happening. They are prepared to help in putting together the County's cost estimates which will be submitted to the Department of Finance, extrapolated for the whole state and provided to the chairs of the tax committees.

Commissioner Abrahamson informed the Board that he has received mail and phone calls regarding the Manning Avenue situation. He referred to a headline in the Stillwater Gazette which stated that the City of Stillwater wants approval to ease the traffic situation in the city and they feel this is something that is going to have to happen. He is still receiving phone calls opposed to that situation, especially from people in the Baytown, Lake Elmo and Oak Park Heights area.

Commissioner Abrahamson distributed a letter from the Public Works department to Mr. Steve Russell concerning the Stillwater final plat comment on Manning Avenue and also County Road 12. He stated there are big issues in this letter that the Public Works department is concerned about, as he is, regarding the same situation that occurred when Woodbury was asking for cuts on various county roads.

Commissioner Hegberg stated he attended a needs assessment committee meeting on Wednesday and that is going to be sent back to staff to discuss. He brought the three issues the County Board had, primarily on the SCORE funds, not being strong enough on both sides of that, and a honeymoon period. He does not think this will proceed unless discussion and wording for those kinds of considerations can be put in.

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Commissioner Hegberg reported that last Friday he attended the AMC Human Services meeting. A discussion was held on a proposal by Governor Carlson for \$12 million to place 7th through 12th grade children in an academy type setting. Those funds are for capital expenditures and not operating expenditures.

Commissioner Engstrom announced that the County has a new Public Information Specialist David Brierley. Mr. Brierley addressed the Board and stated he was looking forward to working with the County Board.

Commissioner Abrahamson asked that a letter of thanks be sent to the former Public Information Specialist, Tim Casey, for the fine job he did.

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

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the process for appointment of County Attorney. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Richard Hodsdon, Judy Honmyhr, Susan Tice, Robert Lockyear, David Brierley, James Frank, John Devine, Jeneen Johnson, Susan Harris, 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 tax increment financing for a proposed Tamarack Road interchange in the City of Woodbury. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Richard Stafford, Joanne Helm, Don Wisniewski, Eileen Weber, Citizen of Cottage Grove, Barry Johnson, Administrator, City of Woodbury and Bill Hargis, Mayor, City of Woodbury.

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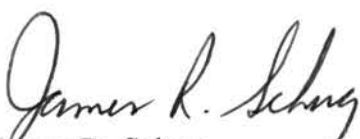
BOARD WORKSHOP WITH THE COMMUNITY SERVICES DEPARTMENT

The Board met in workshop session with the Community Services Department to discuss waived services. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Hauser. Also present were James Schug, Virginia Erdahl, Dan Papin, Mary McGlothlin, John Devine, Sue Hedlund, Doug Karsky, Cathy Ellis and Eileen Weber, Citizen of Cottage Grove.


BOARD WORKSHOP WITH THE INFORMATION SERVICES DEPARTMENT

The Board met in workshop session with the Information Services Department to discuss the status of the Year 2000 issue in Washington County and the impact of the new telephone prefix. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Hauser. Also present were James Schug, Virginia Erdahl, Mike Gripentrog, Larry Haseman, Jean Lugge, Teresa Lee, Annette Tokar, Greg Vanderbilt, Barb White and Robert Lockyear.

Attest:


James R. Schug

County Administrator


Dennis C. Hegberg, Chair
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 3, 1998**

The Washington County Board of Commissioners met in regular session at 4:35 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Meredith Magers, Assistant County Attorney; Robert Lockyear, Director of Planning and Administrative Services; Mary McGlothlin, Director of Health, Environment and Land Management; John Devine, Controller; Don Wisniewski, Public Works Director; Judy Honmyhr, Human Resources Director; Dan Papin, Community Services Director; Marie Sunlitis, Court Administrator; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the January 6, 13 and 20, 1998 Board meeting minutes.
2. Approval to establish reserves and designations of fund balance for fiscal year ended December 31, 1997.
3. Approval of independent fee appraisal contract with Bakken & Liedl, Inc. for Andersen Window Corporation petition to the Minnesota Tax Court.
4. Approval of one day on sale non-intoxicating malt liquor license for the Fireman's Ball, at the Scandia Community Center, Scandia, Minnesota, on February 28, 1998.
5. Approval of abatement applications for waste management fee and penalty paid in error as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 28.029.20.21.0004	Newman/Ground Dev	(\$690.96)
R 06.029.21.32.0008	Weber/Plante	(84.00)
R 01.031.20.41.0028	Richard Zoller	(71.87)
R 05.029.21.22.0006	David & Julie Joseph	(1,600.97)

6. Approval of agreement with Anoka Metro Regional Treatment Center for state employees to work with Washington County Community Services.

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7. Approval for County Board Chair and County Administrator to execute an agreement with New Scandia Township for Planning and Zoning services for the calendar year 1998.
8. Approval of 1998 Public Works seasonal employee pay rates.
9. Bids were received for road construction on CSAH 2 as follows:

Dresel Contracting	\$1,143,610.01
Forest Lake Construction	\$1,308,222.70
Arnt Construction	\$1,441,269.54
Shafer Contracting	\$1,527,373.08
S M Hentges & Sons	\$1,572,490.86

Adoption of **Resolution No. 98-023** as follows:

Award of Contract for Road Construction on CSAH 2 to
Dresel Contracting, Inc.

WHEREAS, in order to complete road construction on CSAH 2, the County solicited bids for this project; and

WHEREAS, bids were opened on January 26, 1998, with Dresel Contracting, Inc. being the lowest responsible bidder; and

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

10. Approval for County Board Chair and County Administrator to approve the State Bond-funded Grants-in-Aid Agreement and the Minnesota Historical Letter of Agreement governing use of historic site for the Historic Courthouse.

The foregoing Consent Calendar was adopted unanimously.

February 3, 1998

GENERAL ADMINISTRATION**Washington County Library Board Appointment**

Commissioner Peterson moved to appoint Adela Peskorz, Woodbury, to the Washington County Library Board to a first term expiring December 31, 2000. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Support for State Funding for a Creek Erosion Problem in the City of Willernie

Commissioner Hauser moved to adopt **Resolution No. 98-024** as follows:

State Funding for a Creek Erosion Project in the City of Willernie

WHEREAS, State Senator Charles Wiger has introduced Senate File No. 2056 seeking an appropriation of \$200,000 from state bond proceeds to the City of Willernie to stop erosion from a natural waterway that threatens residences; and,

WHEREAS, a companion bill, House File No. 2393 has been introduced by State Representative Harry Mares; and,

WHEREAS, the City of Willernie has requested Washington County support for this funding proposal; and,

WHEREAS, the Washington County Soil and Water Conservation District has thoroughly reviewed this erosion situation and unsuccessfully attempted to obtain a state Board of Water and Soil Resources grant to remedy the problem and concurs with the need for the erosion control project; and,

WHEREAS, the Rice Creek Watershed District has indicated its support for the project; and,

WHEREAS, the Washington County Board of Commissioners has reviewed this proposed legislation and finds it to be of significant benefit to the citizens of Willernie and of Washington County.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby support Senate File No. 2056 and House File No. 2393.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator Wiger, Representative Mares, and the rest of the Washington County delegation.

Commissioner Engstrom seconded the motion and it was adopted unanimously.

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Commissioner Hauser suggested that the Board hold a workshop with the watershed districts in Washington County to discuss the watersheds' histories and how funding for projects is obtained and what is happening in their watershed districts.

Discussion on House File No. 2588 Related to County Commissioners Serving as Metropolitan Council Members

The Board discussed Representative Myron Orfield and Representative Peg Larsen's bill, House File No. 2588, which proposes to change the Metropolitan Council from a body whose members are appointed by the Governor to a council made up of not less than 25 elected county commissioners representing districts drawn by the State Legislature in the seven metropolitan counties.

Commissioners Hegberg, Peterson and Hauser attended an Association of Minnesota Counties (AMC) District X meeting where Representative Orfield was present to discuss this bill. The Commissioners presented an overview of that meeting.

Commissioner Engstrom stated he had a discussion with Commissioner Paul McCarron of Anoka County who indicated that their Board did not endorse the bill, but they did endorse the concept of commissioners being seated as the Met Council. He believes that Washington County might select that option.

Commissioner Peterson stated her main objection to the bill was that cities were not involved. She feels that Met Council's primary purpose has always been to work with cities on their transportation, waste treatment and land use issues. She believes by having a Met Council made up of only county commissioners eliminates a very important part of the region. She talked with Representative Orfield after the meeting and he indicated to her that he would be more than willing to sit down and work out some methods that would involve cities in the decision making process. She was comfortable with those comments and believes she could support that concept and would work with him to create some different venues for a solution.

Commissioner Hegberg stated he was concerned that all of Hennepin County and Ramsey County would be placed on the Met Council. Washington County would have two and one half people on it.

Commissioner Hauser told Representative Orfield that one of her primary concerns as a county commissioner was to find out what the effect would be on County government and how it would jive with the duties Commissioners have. She believes what seems to be going on is the development of a larger and larger government, perhaps to the evaporation of the metro counties. She didn't feel that local services would be best provided from regional government, rather than delivered locally in local

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jurisdictions. She thought there was good discussion and ideas were brought forward. She hoped Representative Orfield got the message that although they were fairly defensive in their dialogue, that they did appreciate the fact that they were considered in it and a new idea was put out and that counties should be encouraged by that.

Commissioner Peterson stated that another issue that was brought up was they felt the bill was premature because there is a group that has been asked to look and study regional government and make a report back to the legislature. She believes it was the consensus of the group gathered at the meeting that legislation might be put forward after the conclusion of the study group rather than before it. The report is due at the end of the year.

Commissioner Hauser stated that AMC does endorse an appointed body that would be made up of municipal and county elected persons. Washington County could reiterate that position.

Commissioner Abrahamson stated he has always felt the Met Council should be an elected position.

Commissioner Engstrom moved to re-endorse the Association of Minnesota Counties policy position of elected officials serving as the Metropolitan Council; and further, that Washington County looks forward to working with others on the changes that will be occurring in metropolitan governance. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Update on Service Delivery Report

James Schug, County Administrator, reminded the Board that AMC District X is wrapping up a study that the County participated in on the issue of service delivery at the county level. Jane Harper, Principal Planner, will be attending a meeting later this week to hear the final report. A report will be brought back to the Board for its review. This report will talk about what services are best delivered at what level.

Legislative Update

Mr. Schug announced that on Thursday, February 5 at 4:00 p.m. there will be a hearing on elimination of the state sales tax to local jurisdictions. He stated that Commissioner Hegberg has been asked to testify at that hearing and will be carrying forward the information that the Board developed as part of the legislative package.

February 3, 1998

Mr. Schug relayed a message from Susan Ladwig, County Legislative Liaison, that there are three money issues in the legislature right now that cannot be acted on until the February revenue forecast is received to see how much money the state will have. The three issues are: Elimination of the state sales tax; Retention of the mortgage deed registration tax by counties instead of passing them on to the state; and, Family preservation which would primarily be aid to counties for some of the child welfare and placement costs.

Commissioner Peterson discussed House File No. 2973 regarding a corridor planning pilot project. This bill would look at funding to do a study on transit, shared geographic information systems, establish a framework for a comprehensive livable community urban design, strategies for housing and economic development and redevelopment including the cleanup of contaminated properties, and create a comprehensive multimodal transportation plan for highway 61 south in South Washington County as well as the I-35 North Corridor.

Commissioner Peterson moved to make House File No. 2973, as stated above, a priority on the County's Legislative Agenda. 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 if either of the former Commissioners who served on the Metropolitan Mosquito Control Board attended its conference and if so was it worth going to? Commissioner Hegberg indicated that parts of it were interesting, but a lot of it was technical reports from experts in the insect world on the passing of diseases.

Commissioner Peterson reported that the Highway 61 corridor planning group will hold its first meeting on Wednesday, February 4 at 5:00 p.m.

Commissioner Abrahamson asked about the resignation of Jonathan Elam as Executive Director of the Housing and Redevelopment Authority. He stated this gentleman has only held that position for five to six weeks. He asked if the HRA Board was going to release any information on what the problems are?

Commissioner Engstrom, who is a member of the HRA Board, stated he was asked to refer phone calls regarding this matter to the HRA Board Chair, Bill Buth, who then responded to the reporter.

February 3, 1998

Commissioner Abrahamson asked that the County Board and the HRA Board hold a joint meeting to discuss various problems the HRA may be facing.

Commissioner Engstrom stated he had a discussion with the HRA Board Chair prior to the beginning of this meeting. He will be talking with the Chair and working through some of these issues.

Commissioners Engstrom and Abrahamson were presented with a Washington County pen acknowledging their five year anniversary with the County.

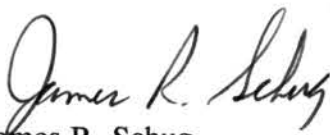
BOARD CORRESPONDENCE

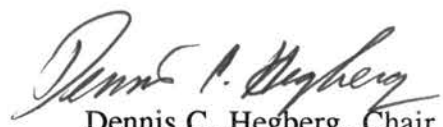
Board correspondence was received and placed on file.

ADJOURNMENT

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

Attest:


James R. Schug
County Administrator


Dennis C. Hegberg, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 10, 1998

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 Hegberg, Abrahamson, Peterson and Hauser. Commissioner Engstrom absent. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Susan Tice, Chief Assistant County Attorney; Dan Papin, Community Services Director; Russ Reetz, Court Services Director; Don Wisniewski, Public Works Director; Richard Gauger, Project Manager; Mary McGlothlin, Director of Health, Environment and Land Management; Molly O'Rourke, Assistant Auditor-Treasurer; Cindy Thibodeau, License Bureau Division Manager; Robert Lockyear, Director of Planning and Administrative Services; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Adoption of **Resolution No. 98-025** as follows:

Lawful Exemption from Gambling License
Mississippi Longtails Chapter of Pheasants Forever

WHEREAS, the Mississippi Longtails Chapter of Pheasants Forever has made application to the Gambling Control Board for an exemption from certain requirements contained in MINN. STAT. CHAPT 349 in order to conduct (Bingo, raffling, paddlewheels, tip board, pull tabs) at the premises located at The Point Restaurant, Highway 10 and 61, Hastings, Denmark Township, Washington County on the following date: March 24, 1998; and

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

2. Approval of host county contract for Park Therapeutic Services, Inc. to provide residential care and group home services to adolescents.
3. Approval of host county contract for R-Home of Woodbury, Inc. to provide residential care and group home services to adolescents.
4. Approval of purchase of service agreement with Lakes Area New Beginnings for the period January 1, 1998 to December 31, 1998.

February 10, 1998

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

PUBLIC WORKS DEPARTMENT

Final Payment to Lund Martin Construction for Oakdale Library Project

Commissioner Peterson moved to adopt **Resolution No. 98-026** as follows:

Final Payment to Lund Martin Construction, Inc.
for the Oakdale Library Construction Project

WHEREAS, the Washington County Board of Commissioners, on December 3, 1996, awarded the bid and signed a contract with Lund Martin Construction, Inc. for the building construction of the Washington County Library in Oakdale; and

WHEREAS, Lund Martin Construction, Inc., has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Lund Martin Construction, 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.

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

Forest Lake License Bureau Lease

Richard Gauger, Project Manager, distributed copies of a proposed project budget for relocation of the Washington County License Center in Forest Lake to the Northland Mall. The proposed budget is for \$150,000 and includes items such as furnishing, cabling - telephone and data, construction, signage moving costs, etc. He feels this budget can be met easily. Relocation to the new office space is anticipated to be the end of April. He also mentioned that the proposed lease is for five years.

Commissioner Hauser moved to approve and execute the lease agreement with Forest Lake Associates, LLP for the space lease in the Northland Mall that will be used to house the Forest Lake License Bureau. Commissioner Abrahamson seconded the motion and it was adopted unanimously; Commissioner Engstrom absent.

February 10, 1998

Commissioner Abrahamson asked that the present location of the Forest Lake License Bureau and the land which was purchased behind it be sold as one parcel. Don Wisniewski, Public Works Director, indicated that was their intent and should be ready for sale by mid-summer.

GENERAL ADMINISTRATION

Update on Strategic Planning Process

Robert Lockyear, Director of Planning and Administrative Services, presented an update on strategic planning. Items highlighted were teleworking, facilities planning, contracted services policy, community oriented governing, working across jurisdictional boundaries, review of advisory committee structures, workforce maintenance, future organizational structure of the County, establishment of a technology vision for the County, imaging and records management system, groundwater and surface water management issues, county role in historic preservation, transit and the Washington County sesquicentennial.

1998 State Legislative Update

James Schug, County Administrator, presented an update on 1998 legislative issues of interest to Washington County and their current status. He reported on the repeal of sales tax on local governments and that Commissioner Hegberg testified on that issue last week. He stated that the City of Oak Park Heights has written a letter of support for the County's initiatives in this area.

Commissioner Hauser questioned a bill proposed by Senator Moe that would allow local governments to assess a local transportation tax. Commissioner Peterson stated she was not sure if that bill had been heard at this point. It has been suggested that cities and counties could have a gasoline tax, but there would have to be a constitutional amendment. This would allow for the gathering of those dollars to be used for transportation, not just roads, but it could be used for transit.

Commissioner Hauser asked whether a bill on community based planning has been introduced into the House? Commissioner Peterson stated that bill was discussed at the sustainable development meeting. The bill would extend the current study committee and would increase the numbers of people serving on that committee. The sustainable development group suggested that the committee should sunset early and get on with the proposed legislation.

February 10, 1998

Commissioner Abrahamson believes that the State should seriously look at the condition of the metro area roads. He is also concerned about the condition of the bridges throughout Minnesota. He feels some of the state surplus should be spent on these issues to improve the infrastructure. Commissioner Peterson noted that the Minnesota Transportation Alliance has developed a comprehensive study on the condition of bridges in the State of Minnesota. They are working very hard to secure funding of \$36 million to replace bridges in Minnesota.

Commissioner Peterson asked that a letter be sent to Representative Bud Shuster and Representative James Oberstar, ranking Congress members in Washington, D.C., thanking them on behalf of the Washington County residents for their commitment to improvement of transportation infrastructure in Minnesota and remind them of the need for the Wakota Bridge project.

Commissioner Peterson stated she will be testifying this afternoon at the Metropolitan Affairs on House File 2973 requesting dollars for the corridor planning project for the southern area of Highway 61 and north I-35.

Mr. Schug mentioned a few other issues on the summary including the elected officials communication which is a data privacy law that would exclude communications from a staff person to an elected official from the category of private documents.

Commissioner Peterson stated her concerns about that bill. She asked if a Commissioner asked about a constituent's personal problem, that document would then be open to the public? Mr. Schug stated he did not know the answer to that because the data practices laws are very complicated and an interpretation would have to be obtained. If it's private data under another section of the law, then it would probably remain private. More reviews will have to be made.

Mr. Schug discussed a bill proposed by AMC which would amend the date for the truth in taxation hearing from the first Tuesday to the first Thursday in December. He mentioned there is a bill in both the Senate and House dealing with the correction employees pension plans which would remove the jailers from the regular PERA retirement creating early retirement opportunities for those employees. He indicated that both the employer and employee would be paying higher percentages on the contributions to the fund. The County has not had a chance to cost it out. Some feel that it may not be a negative situation for county expenses because typically higher salaried employees would be able to retire earlier. Staff will review the numbers and report their findings back to the Board.

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Mr. Schug reported that a couple of years ago, the State took over most of the cost of public defenders. There is a bill being proposed that would limit some of the things that the public defender's office would be responsible for and would no longer be responsible for. The impact to counties is that these are cases that still need legal representation so the county would end up paying for those services.

Commissioner Abrahamson discussed the child welfare costs that are going higher and higher. He does not feel the State is ready for the high costs that will be coming and they are not addressing this issue. Commissioner Peterson mentioned that Representative Dee Long asked why so many of the out-of-home placements were being placed out of state. Commissioner Peterson suggested that the County provide Representative Long and the County legislative delegation an analysis of where Washington County places most of their out-of-home placement children. She believes it would also be a good time to bring up the PLACE Program and how effective that has been.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hauser reported that she and Commissioner Peterson are monitoring some of the transportation and transit legislative activity and will be attending a hearing on the bill she discussed earlier.

Commissioner Hauser gave a cautionary comment on the various county service bills that are being dealt with at the legislature. She feels that if Representative Orfield's bill goes through there will be a metropolitan government and the majority of the services would be pulled into a regional service agency. She does not believe that would serve the public well. She feels that services should be provided on a model that is in the community and closer to the public. She feels this is more than regionalization, rather an elimination of the metropolitan counties.

Commissioner Peterson notified the Board that she has been appointed to the executive committee of the Metro East Development Partnership.

Commissioner Abrahamson stated he will attend a meeting this evening with the Andersen Corporation at the Bayport Library. He will also be attending a meeting tomorrow of the 911 Board.

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Commissioner Abrahamson commended the Woodbury Police Department for providing information to the Mason City Iowa Police Department on the Jodi Huisentruit disappearance and a possible connection with a case here in Washington County.

Commissioner Hegberg stated he will attend the Finance Committee meeting and the Minnesota Counties Insurance Trust meeting this week. He announced that the Housing and Redevelopment Authority Board meeting has been canceled for this evening and rescheduled for next week.

Mr. Schug introduced Susan Tice, Chief Assistant County Attorney, who has filled in as County Attorney in the past.

Commissioner Peterson asked Ms. Tice to inform the public, as well as the Board members, as to what area she normally works with in the County Attorney's Office. Ms. Tice stated she has been with Washington County for ten years. She is currently the division leader in the civil division, supervises five attorneys and handles her own portion of a case load. She stated that the Civil Division deals with everything from the social services area, child support enforcement, paternity establishment, mental illness and chemical dependency commitments all the way to the more day-to-day business functions of the County, such as providing legal advice to the County Board and other County departments and department heads. They also deal with juvenile protection, land use issues and contracts.

Commissioner Hegberg announced that former County Commissioner Idor Pederson passed away last week. He asked that the County set up a living tree trust in his name in the County Parks.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

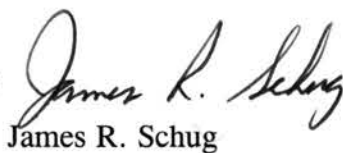
There being no further business to come before the Board, Commissioner Hauser moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously; Commissioner Engstrom absent. The Board meeting adjourned at 10:00 a.m.

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**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 Minnesota youth access to tobacco legislation requiring local units of government to adopt ordinances designed to reduce illegal youth access to tobacco products. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Hauser. Also present were James Schug, Mary McGlothlin, Jim Frank, Steve Potts, Sue Hedlund, Susan Tice, Judy Clare, Cristina Phill, and Eileen Weber, Citizen from Cottage Grove.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 17, 1998**

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Don Wisniewski, Public Works Director; Don Theisen, Deputy Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Hunter, H.E.L.M. Division Manager; Anne Kleinschmidt, H.E.L.M. Department; Chuck Leifeld, Minnesota Extension; Dan Papin, Community Services Director; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the January 27 and February 3, 1998 Board meeting minutes.
2. Adoption of Resolution No. **98-027** as follows:

Authorization to Classify Non-conservation and
Authorization to Offer Tax Forfeited Parcel 14.028.20.12.0165
and 14.028.20.12.0166 at a Private Sale

BE IT HEREBY RESOLVED, that parcels 14.028.20.12.0165 and 14.028.20.12.0166 are tax forfeited properties, be classified as non-conservation; that the basic sale price of \$750.00 & \$250.00 set by Washington County Assessor's office be approved and authorization to conduct private sale be granted per M.S. 282.01 Subd. 7a; that the method of sale other than sealed bids may be chosen by the county auditor.

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

3. Approval to renew a multi-county contract with La Familia to provide a clearing house for culturally appropriate services as a part of the adolescent services grant for children's mental health.
4. Approval of 1998 host county contracts for chemical dependency services with the following providers: Fairview Recovery Services - Forest Lake, Fairview Behavioral Services, Hudson Medical Center, Kinnic Falls Alcohol - Drug Abuse Services, Aurora Programs, Burkwood Residence, Inc., Cedar Ridge, Healtheast St. Joseph's Hospital, Human Services, Inc. (Jail Treatment Program), and We Care Counseling Center.

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5. Approval of amendments to 1997 contracts providing home and community based services for persons with developmental disabilities as follows: Focus Homes, NEKTON and Northeast Residence.
6. Approval of 1998 contracts providing home and community based services for persons with developmental disabilities as follows: ACR Mississippi, Adapted Living Programs, A.M.E. Community Services, Community Living Options, Focus Homes, MDM Rubicon, NEKTON, Northeast Residence, Outcomes, REM Metro, sur la rue, and Thomas Allen.
7. Adoption of **Resolution No. 98-028** as follows:

Appropriating for County Extension Work for
Year Beginning January 1, 1997

BE IT RESOLVED, that the sum of \$333,900 be set apart from the General Revenue Fund and appropriated subject to the order of the Dean and Director of the Minnesota Extension Service of the University of Minnesota for the support of county extension work in Washington County for the year beginning January 1, 1997, in accordance with Minnesota Statute, Section 38.33-38.38, 1990.

Adoption of **Resolution No. 98-029** as follows:

Appropriating for County Extension Work for
Year Beginning January 1, 1998

BE IT RESOLVED, that the sum of \$380,000 be set apart from the General Revenue Fund and appropriated subject to the order of the Dean and Director of the Minnesota Extension Service of the University of Minnesota for the support of county extension work in Washington County for the year beginning January 1, 1998, in accordance with Minnesota Statute, Section 38.33-38.38, 1990.

8. Approval to advertise for a Geodimeter Model 626 Total Station for survey work at Public Works.
9. Approval of lease with Margaret and Harry Camplin for property located at 17111 Manning Trail North, Marine, MN for the period of January 1, 1998 through December 31, 1998.

The foregoing Consent Calendar was adopted unanimously.

February 17, 1998

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Anne Kleinschmidt, Environmental Health Specialist, presented an agreement with Advanced Environmental Technical Services for household hazardous waste management services. She indicated that the previous contract with Laidlaw Environmental Services expires on February 28, 1998. This company proposed significant price increases for paint disposal and labor which would have amounted to an increase of approximately \$40,000.

Commissioner Hauser moved to approve the agreement with Advanced Environmental Technical Services for household hazardous waste management services. Commissioner Engstrom seconded the motion and it was adopted unanimously.

COMMUNITY SERVICES DEPARTMENT

Commissioner Peterson moved to approve the 1998 agreement with The American Red Cross of the St. Paul Area to provide emergency social services and crisis response services for Washington County. Commissioner Hauser seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Don Wisniewski, Public Works Director, reviewed the study process of the Environmental Assessment Worksheet (EAW) for the Manning Avenue connection project. He indicated that this project started in the spring of 1997 and the firm of SRF Consulting Group, Inc. was hired to assist the County in this study. A public meeting was held towards the end of the summer in 1997 and certain alternatives were looked at. The EAW and preliminary designs that would give staff numbers and features needed in order to make an accurate environmental finding was prepared in the fall of 1997. A public open house was held to allow citizens to review the information that the consultants and staff had put together. On December 16, the County Board authorized the release of the EAW. The period for comments began on December 29, 1997 and ended on January 28, 1998.

Don Theisen, Deputy Public Works Director, presented a review of the four alternatives which included: Upgrade of the existing gravel road alignment to a bituminous roadway; A north-south connection between TH 36 and TH 5; Extend Manning Avenue from TH 36 southeast to a connection at 53rd Street North on TH 5; and a no build alternative.

Mr. Theisen presented an overview of the draft EAW record of decision regarding the Manning Avenue connection. Findings of fact regarding potential environmental impacts as a result of the proposed project

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were outlined on pages 4 - 9 of the draft EAW and included the following: 1) Wildlife; 2) Physical Impacts on Water Resources (Wetlands and Floodplains); 3) Water Use; 4) Water-related Land Use Management Districts; 5) Soils; 6) Erosion and Sedimentation; 7) Water Quality - Surface Water Runoff; 8) Traffic & Benefit-cost Ratio; 9) Vehicle-related Air Emissions; 10) Dust, Odor, Noise; 11) Visual Impacts; 12) Compatibility with Plans; 13) Related Developments, Cumulative Impacts; and 14) Other Potential Environmental Impacts.

Mr. Theisen presented a summary on the criteria to be considered as to whether or not an Environmental Impact Statement (EIS) is needed. The criteria to be considered are: 1) Type, Extent and Reversibility of Impacts; 2) Cumulative Potential Effects of Related or Anticipated Future Projects; 3) Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority; and 4) Extent to Which Environmental Effects can be Anticipated and Controlled as a Result of Other Environmental Studies. Based on the information contained on pages 9 - 11 of the Draft EAW Record of Decision, staff recommends that no EIS is needed.

Mr. Theisen presented a summary of comments received from the public. He stated public comments were equally divided between build something and a no build decision. A summary was then provided of comments received from the regulatory agencies. Comments were also received from the City of Stillwater who recommended either alternative 2 or 3 and a joint resolution from Baytown Township, City of Lake Elmo and the City of Oak Park Heights who recommended a no build alternative.

Mr. Theisen described each alternative and it was staff's recommendation that alternatives 1 and 3 not be considered. He then discussed the key issues of alternative 2 which is the major alignment and alternative 4 which is the no build. Staff did not present a recommendation on either of these alternatives.

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

Commissioner Hegberg asked if there is a no build decision, how does staff visualize the intersection of Manning and Highway 36 in 20 years? Mr. Wisniewski indicated it might be hard to judge 20 years from now, but if it's a no build decision the County would be out of it because there will be a local street that will come up to 36 from the south and it would cross 36 to County Road 15 at that location. Whether or not that will be a bridge or a separated interchange in 20 years would be difficult to say.

Commissioner Peterson asked when the MN/DOT study would be completed on highway 36? Mr. Wisniewski stated it will be about a year.

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Commissioner Peterson stated there will probably be major improvements to Highway 8 in Chisago County and she does not know what is going to happen to the Stillwater Bridge. She believes both of those roadways have an impact on what CR 15 is and what CR 15 will be. She prefers that the Board wait on this decision until the 36 study is completed so they will have a better handle on what might happen to the Stillwater Bridge.

Commissioner Engstrom stated that whatever decision is made today he's assuming that the Highway 36 corridor study would take the County Board's decision into play. He believes the Board needs to make a decision today.

Commissioner Hauser stated that the Board passed a comprehensive plan which was a conservative view of land use. It appears a development of this particular crossing would undermine those land use policies which were placed in the comprehensive plan. She believes alternative 2 would impact one of the uses of land that this Board has been encouraging and is one of those that is now viewed state wide as a model. She also believes there would be problems in challenging how the County acquires the right of way through the conservation easements. There is also the issue of the cost-benefit ratio which is not favorable in alternative 2. She would find it difficult to embrace an acquisition of 220 feet of roadway at this point. Commissioner Hauser stated at this point she is in favor of a no build alternative.

Commissioner Abrahamson stated there is no way he could support alternative 2. He stated local government has been opposed to it. He is concerned about the benefit cost ratio. Local support is needed to acquire the right of way and there is no support for it. He's concerned about the environment in that area. He supports the three communities of Oak Park Heights, Baytown Township and Lake Elmo who are opposed to this.

Commissioner Peterson believes there is a need for a north-south route and there is a need for an overall transportation plan for the County. If the Board chooses a no build alternative, then she believes it is incumbent upon the Board and staff to continue the search for a north-south route. As the County continues to develop and grow, the Board would be remiss if there was not an internal north-south route.

Commissioner Engstrom does not see a commuter pattern from Cottage Grove to Forest Lake. He believes the Board needs to make a decision.

Commissioner Hauser stated she was disappointed that the school district did not respond to this EAW. She suggested that a letter be sent to the school district.

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Commissioner Engstrom moved to approve a no build option for the Manning Avenue connection project and directed staff to prepare a resolution for next week's meeting affirming the no build option. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Engstrom moved that a negative declaration on the need for an EIS for the Manning Avenue connection project be made. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

COURT ADMINISTRATION

Commissioner Abrahamson moved to approve a contract with Independent School District 622 for parent education services which are mandated for divorcing or other couples with custody disputes. Commissioner Engstrom seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

1998 Legislative Update

James Schug, County Administrator, distributed the latest legislative update from Sue Ladwig the County Legislative liaison showing the status of various legislative initiatives of interest to Washington County.

Don Wisniewski, Public Works Director, presented an overview of Representative Sharon Marko's bill that changes the highway user fund. Currently, the highway user fund is a combination of the State gas tax that is collected in Minnesota and the motor vehicle license fee which goes into one highway trust fund. The split is 62% to the State, 29% to the Counties and 9% to the cities. Under Representative Marko's bill, there would be a constitutional question that would take the license fee or tab fees and put it into a new intermodal surface transportation trust fund that would statutorily be split in the same manner, but in addition to the license fees there would be an additional 20% of the motor vehicle sales tax on automobiles which would go into this fund. The two constitutional funds would be used in two ways. The one side would be used for highways and bridges where you have the gas tax as the sole source of revenue, but the other fund would be used for highways, bridges and transit and would give the local units of government the capability of taking their license tabs and sales tax dollars and putting it to a transit effort as well as building highways and bridges. On the gas tax side, presently the state highway patrol is paid through the highway user fund and under Representative Marko's proposal the general revenue fund would pay for that cost which would mean an additional \$45 million to be used for highways and bridges in the future.

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Mr. Wisniewski stated there was a meeting last week with a group of people at AMC, primarily county commissioners and a few county engineers, who reviewed this bill. Two things came out of that meeting:

1) It would be the group's preference that operational costs for transit not be taken out of this new constitutional fund, just capital transit items; and 2) Keeping the flexibility in terms of local units of government, their ability to make decisions in terms of whether they want to use it for highways and bridges or transit. He indicated that in both instances this particular bill creates better and more flexibility to match the federal dollars that are coming from Washington D.C., especially as it relates to transit dollars. The group that was at the AMC meeting gave its support with the two caveats as he stated.

Commissioner Engstrom asked if this bill will be on the ballot as a constitutional amendment? Mr. Wisniewski stated that was correct.

Commissioner Peterson moved that this Board prepare a letter urging the passage of Representative's Marko's bill as outlined above, and that this become a priority issue for the County. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Peterson addressed the Wakota Bridge-Highway 61 corridor funding and indicated there was an error on the House File, she believes it's 2973, but she does not have it in front of her, and not 2664 as listed. She stated she did testify at both the House and Senate and the bill seems to be coming along fairly well. This Board did support that bill and she believes it does create a new venue to do planning and provide for corridors that encourage transit development.

Commissioner Peterson asked that a letter be sent to the authors of the Met Council bill and the Governor to encourage the committee that has been established to finish its task before a position or vote is taken on that bill. She indicated there was a local committee that was created last year to study metropolitan governance and that study is not done. She believes to present a bill on the floor at this time and vote on it is circumventing the process. The process was to have this committee continue to meet and report back to the legislature.

Commissioner Peterson moved that a letter be sent to the authors of the Met Council bill, the Governor and the Washington County Legislative delegation supporting the process that was placed into legislation in 1997 establishing a metropolitan governance committee, and that this committee be allowed to finish its task before the Metropolitan Council bill is voted on. Commissioner Abrahamson seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Hegberg, Abrahamson, Peterson and Hauser; No, Commissioner Engstrom.

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Mr. Wisniewski informed the Board that his office was contacted by the Minnesota Park Trails stating there was discussion of legislation banning studded snowmobiles on all public lands and trails similar to Washington County's ordinance. He asked for Board consensus as to whether or not it would want staff to move forward in supporting that legislation. He indicated he will get more specific information to the Board on this legislation when it becomes available.

It was the consensus of the Board to support the general concept of the Minnesota Park Trails to ban studded snowmobiles on public lands and trails and that more specific information be back brought at next week's meeting.

Commissioner Hegberg asked for information on a bill for funding of a Brown's Creek Watershed study. He has been receiving more calls reminding him that even though the water has gone down somewhat, that this is the third year in a row that this particular road has been under water.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom moved to lift the term limits on the Board of Adjustment and Appeals and authorize the Director of Health, Environment and Land Management to contact Mary Senkus to determine her interest in continuing to serve on that Board. Commissioner Peterson seconded the motion and it was adopted unanimously.

Commissioner Abrahamson asked staff from Public Works to investigate the possibility of placing a marked crosswalk on Osgood from the Raymie Johnson Apartments to the St. Croix Mall for the pedestrians to cross more safely.

Commissioner Abrahamson moved that staff prepare a certificate of commendation for Tim Bell, Captain of the Stillwater Police Department, who is retiring after 30 years of service to the City of Stillwater. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Commissioner Peterson noted that the National Association of Counties will hold its annual convention in Washington D.C. beginning February 27 through March 3. She asked if the Board Meeting of March 3 should be canceled. Commissioners Abrahamson, Engstrom and Hegberg stated they would be here for the meeting. However, Commissioner Hegberg stated if there were no pressing matters to come before the Board it could be canceled.

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Mr. Schug advised the Board that the Finance Committee heard a request by the Brown's Creek Watershed District for an advance to help them continue their work before their next tax levy. The Finance Committee recommended to advance them the funds and that will be brought to the Board for action within a few weeks. He also stated that there was a bill introduced by Senator Krentz that would grant Brown's Creek Watershed District some funding under the bond proposal in the amount of \$250,000.

Commissioner Hegberg moved that a letter be sent in support of State funds being allocated for the Brown's Creek Watershed District. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 10:55 a.m.

BOARD WORKSHOP WITH THE WORKFORCE COUNCIL

The Board meeting was preceded by a workshop session with the Washington County Workforce Council to discuss its strategic plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Engstrom, Hegberg, Abrahamson, Hauser and Peterson. Also present were James Schug, Virginia Erdahl, Bob Crawford, Dan Papin, and the following members of the Workforce Council: Liz Templin, Dale Anderson, Steve Zinnel, Ernie Pines, Barb Swanson, Joe Reichert, and Jerry Maier.

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss County highway sign issues. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Don Wisniewski, Don Theisen, Sandy Cullen and Susan Tice.

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BOARD WORKSHOP WITH THE SHERIFF'S OFFICE

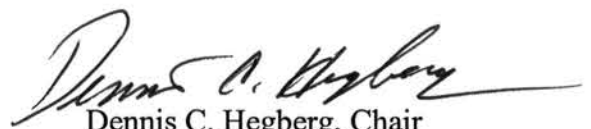
The Board met in workshop session with the Sheriff's Office to discuss booking fees for the Washington County Jail. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Jim Frank, Chuck Yetter, Steve Pott and Susan Tice.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 24, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Scott Hovet, County Assessor; Dan Papin, Community Services Director; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Hunter, H.E.L.M. Division Manager; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Don Theisen, Deputy Public Works Director; Jim Luger, Parks Planner; Russ Reetz, Court Services Director; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of payment to the Wakota Bridge Coalition for federal lobbying services.
2. Approval to set the meeting dates for the Washington County 1998 Board of Equalization for Tuesday, June 16, 1998 and June 17, 1998 if necessary.
3. Approval of off sale intoxicating liquor license for S/S/G Corporation for the period April 1, 1998 to March 31, 1999.
4. Approval of the 1998 contract with Legal Assistance of Washington County, Inc. to provide civil legal assistance in the area of family law to low income persons.
5. Approval of 1998 contract with Human Services, Inc. for mental health, chemical health, aging, and transportation services.
6. Approval of 1998 contract with Human Services, Inc. and Washington County on behalf of the Children's Mental Health Collaborative.
7. Adoption of **Resolution No. 98-030** as follows:

February 24, 1998

Authorization to Execute Second Year Option to
Extend the Landfill Capacity Contracts with Pine
Bend Landfill and Spruce Ridge Landfill, Inc.

WHEREAS, the Service Agreement between Ramsey and Washington Counties and NRG Energy, Inc. requires the counties to provide capacity for the disposal of excess County waste, rejects, unprocessed and secondary materials not marketed, except ferrous or unused RDF; and

WHEREAS, on March 21, 1995 the Washington County Board of Commissioners entered into a two year contract (expiring March 31, 1997) with Pine Bend Landfill, Inc. and Spruce Ridge Landfill, Inc.; and

WHEREAS, these contracts provide for three one-year extensions at the tipping fee agreed upon in the contracts or the gate fee posted as the land fill, if it is less; and

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

WHEREAS, the counties exercised their first year option to extend the contracts in February 1997; and

WHEREAS, the contracts require Ramsey and Washington Counties to notify, in writing by March 1, 1998, the landfills of their intent to exercise their second year option to extend the contracts; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Joint Staff Committee met February 12, 1998 and recommends the counties exercise their second year option to extend the landfill contracts.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby approves the second year option to extend the landfill capacity contracts with Pine Bend Landfill, Inc. and Spruce Ridge Landfill, Inc. for the period March 31, 1998 to April 1, 1999.

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners authorizes Resource Recovery Project staff to express this intent to Pine Bend Landfill, Inc. and Spruce Ridge Landfill, Inc.

8. Adoption of **Resolution No. 98-031** as follows:

Local Recycling Development Grant Program

WHEREAS, Minnesota Statute Section 473.8441 created a Local Recycling Development Grant Program; and

WHEREAS, the Office of Environmental Assistance administers the Local Recycling Development Grant Program and has created guidelines for the grants; and

February 24, 1998

WHEREAS, Washington County has an approved Solid Waste Management Master Plan which includes policies addressing waste reduction and recycling; and

WHEREAS, the Washington County Department of Health, Environment and Land Management has received Local Recycling Development Grant Funds since 1988.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby authorizes the Board Chair and County Administrator to sign and execute the Local Recycling Development Grant Agreement.

9. Approval for the County Assessor to offer Step E and above on the salary range for the vacancy of Commercial/Industrial Appraiser.
10. Approval to renew two office leases for the Youth Service Bureau at the Historic Courthouse.

The foregoing Consent Calendar was adopted unanimously.

HUMAN RESOURCES DEPARTMENT

Judy Honmyhr, Human Resources Director, presented a brief overview of a proposed policy and a review process on adding employee benefit options through payroll deduction. She indicated that there has been an increase of unsolicited offers from companies for a variety of employee benefits through payroll deduction. This policy would define a process to determine the need for new offerings and would provide a consistent response to interested vendors.

Commissioner Engstrom moved to approve the Department of Human Resources policy on adding employee benefit options through payroll deduction and the review process. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Manning Avenue Corridor Decision

Commissioner Engstrom moved to adopt **Resolution No. 98-032** as follows:

Manning Avenue Connection Need for
Environmental Impact Statement and Preferred Alternative

WHEREAS, Washington County is the Responsible Government Unit (RGU) for the Manning Avenue Connection project; and

February 24, 1998

WHEREAS, the County has completed an Environmental Assessment Worksheet (EAW) for the project in accordance with the Environmental Quality Board Rules; and

WHEREAS, the EAW presented impacts for four alternatives (three build alternatives and one no build); and

WHEREAS, the Findings of Fact and the comments received on the EAW indicate that an EIS would not be necessary for any of the "build" alternatives; and

WHEREAS, the build alternative analysis did not show high enough benefit-cost ratios that would support incurring the irreversible environmental, social, and economic impacts associated with construction; and

WHEREAS, the No Build alternative was supported by Lake Elmo, Oak Park Heights and Baytown Township; and

WHEREAS, the Board considered that a connection may induce higher density development in the Manning corridor that is not consistent with the Washington County 2015 Comprehensive Plan;

NOW, THEREFORE BE IT RESOLVED, that the EAW for the project was adequate and a negative declaration is made on the need for an Environmental Impact Statement; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners has selected the No Build alternative (Alternative 4) as the preferred alternative.

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners approves distribution of the Record of Decision documenting this decision.

Commissioner Hauser seconded the motion and it was adopted unanimously.

Purchase of Play Equipment for the St. Croix Bluffs Regional Park

Commissioner Abrahamson moved to adopt **Resolution No. 98-033** as follows:

Award of Bid for the Purchase of Play Equipment for St. Croix
Bluffs Regional Park to Earl F. Anderson, Inc.

WHEREAS, in order to provide appropriate play equipment at St. Croix Bluffs Regional Park, the County solicited bids for the project; and

WHEREAS, bids were opened on January 12, 1998. Bids were received from five firms, Earl F. Anderson, Inc., Flanagan Sales, Inc., Minnesota/Wisconsin Playground, Inc., Miracle Recreation of Minnesota, Inc., and St. Croix Recreation Company, Inc.

February 24, 1998

WHEREAS, all vendors submitting a bids were required to meet ADA and Consumer Product Safety requirements as the bid criteria. All bids met the requirements requested.

WHEREAS, a selection committee reviewed all bids submitted and ranked two vendors equally, Earl F. Anderson, Inc. and Minnesota/Wisconsin Playground, Inc.

WHEREAS, Parks staff completed a more in depth review, including field visits of these vendors play equipment installations, and selected Earl F. Anderson, Inc. to provide the play equipment in the bid request.

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

Commissioner Peterson seconded the motion and it was adopted unanimously.

Contact Station Building at St. Croix Bluffs Regional Park

Don Wisniewski, Public Works Director, advised the Board that the proposal for the St. Croix Bluffs Regional Park contact station is approximately \$48,000 over what was budgeted for this project. He indicated that the additional funds can be covered through the park permit fund. This proposal was presented to the Parks and Open Space Commission on February 19, 1998 where it was recommended for approval.

Jim Luger, Parks Planner, presented diagrams of the proposed contact station.

Commissioner Peterson moved authorization to advertise for bids for the contact station building at St. Croix Bluffs Regional Park as presented and as recommended by the Parks and Open Space Commission and authorized an additional \$48,000 for this project. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Status of County Jurisdictional Transfers with MN/DOT and Local Communities

Don Theisen, Deputy Public Works Director, presented a status report on jurisdictional transfers of the following roadways: 1A) TH 95 - Manning Avenue (CSAH 15) exchange with MNDOT - goal for exchange is July 1, 1998; 1B) CSAH 30, CSAH 31, CSAH 32 turnbacks to river communities at Lakeland, Lakeland

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Shores, Lake St. Croix Beach and St. Mary's Point - goal for exchange by July 1, 1998; 2) Stonebridge Trail, segment between CR 11 to TH 95; 3) Northbrook Boulevard, road between TH 36 and CSAH 14; 4) TH 120, segment from I-494 to I-94; and 5) Wakota Bridge/TH 61 impacts in Newport and St. Paul Park.

GENERAL ADMINISTRATION

Selection of Finalists for Appointment to the Office of Washington County Attorney

James Schug, County Administrator, informed the Board that ten statements of interest from candidates have been received for the position of County Attorney. Copies were supplied to the Board last week. He reminded the Board that the names of persons who have expressed an interest are private data and cannot be released. Once the Board takes action selecting the finalists the names of those finalists will become public information. He suggested the Board may wish to contact the finalists to determine if they are still interested in going on to the interviews before their names are released.

Commissioner Engstrom moved to nominate candidate number one. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Abrahamson moved to nominate candidate number five. Commissioner Peterson seconded the motion and it was adopted unanimously.

Commissioner Peterson moved to nominate candidate number seven. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Engstrom moved that the Board not release the names of the finalists until Human Resources has had a chance to contact those individuals to determine their willingness to move ahead. Commissioner Hauser seconded the motion and it was adopted unanimously.

Brent Killacky, Woodbury- South Maplewood Review, stated for the record he objects to the withholding of the names because the Board just nominated them, declaring them finalists therefore he believes those names should be made public at this point.

The Board discussed possible dates to schedule interviews with the finalists. It was Board consensus to schedule interviews for March 10. If a finalist could not be present on that date it was the consensus to schedule them for sometime during the week.

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Ms. Honmyhr distributed proposed questions the Board may consider for the interview process. If any Board member has additional questions they would like asked they should submit them to Ms. Honmyhr or Mr. Schug.

Mr. Schug indicated that Human Resources could start contacting the finalists now and report back this morning to the Board. If all finalists are contacted then the names could be released prior to the Board adjourning.

The Board discussed the salary range for the County Attorney's position. Commissioner Hegberg asked Human Resources staff to obtain metro salaries for this position to determine a range for the Board to consider.

Land Stewardship Project

Lee Ronning and Michael Pressman of the Land Stewardship Project, presented an overview of the Washington/Chisago County Green Corridor Project funded by the Legislative Commission on Minnesota Resources (LCMR). Ms. Ronning reported on the public forums held this past fall. She indicated that they were largely attended, fun and informative. A video has been completed that explains the green corridor and different incentive tools they will be using. A landowners option handbook is done and was made available to the Board. Within the next week or two the local government handbook will be printed and distributed. The mapping of the green area corridor will be done late spring or early summer. There will also be a survey to each Board member which is the draft of the public financing options survey. She asked for the Board's input on that survey. The survey will help determine which public financing option is most palatable to the people in this area. They are also investigating funding sources on the federal level, LCMR and large private donors as well.

Michael Pressman, project leader for the green corridor project, discussed the local government outreach plan and the new LCMR proposal. A letter will be going out to all local units of government and meetings will be requested with almost all local units of government. He discussed the LCMR proposal for funding beginning in July of 1999 through the year 2001 which calls for \$4,480,000. Of that amount, \$4 million is for direct acquisition of development rights and limited fee interests in 2,200 to 4,000 acres of land protection through the four tools: Donated conservation easements; Purchase development rights; Transfer of development rights; and, Limited land acquisition. The remaining money is designed to set up the programs to be self-sustaining.

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Commissioner Hauser moved to support the 1999 Legislative Commission on Minnesota Resources proposal on incentive-based land protection in Washington and Chisago Counties. Commissioner Peterson seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Abrahamson, Peterson, Hauser and Engstrom; No, Commissioner Hegberg.

Mr. Pressman presented a video entitled "Green Corridors: Open Spaces for Tomorrow" to each Commissioner.

Commissioner Abrahamson recommended that this tape be played for the public sometime in the future. He believes there is a lot of misinformation out there concerning this project. Commissioner Peterson suggested cablecasting this video following the County Board meeting.

Commissioner Hegberg suggested that staff look at how Maplewood placed this question on the ballot and the process they went through to ask the voters to vote on it and then allocate a sum of money to this type of a project. He feels that the public should be aware of this and that they are willing to pay for it. He would like to see this on the November's ballot, but would like that looked at.

Commissioner Engstrom thought that was a good idea and Chisago County may be looking at that also. He believes the survey that Ms. Ronning mentioned earlier, which is part of this whole proposal, is going to be asking for input on how money could be raised and will enlighten the Board as to what type of questions should be asked. He thinks that would be a good proposal to put on the ballot.

Barbara Ramsden, Grant, asked if this video being discussed is available to the public? Commissioner Hegberg asked that it be made available in the public libraries.

Joyce Welander, Grant, indicated she had a copy of a video entitled "Oregon's Land Use System - A Betrayal of Trust". She asked that the Board take a closer look at this proposal. She also distributed a copy of an article from the Minnesota Landowner's Rights Association which states that Oregon offers a poor example for Minnesota growth and management efforts.

Commissioner Peterson suggested that Ms. Welander's tape also be cablecast following the Board meeting along with Green Corridor tape and that perhaps a copy of that tape could be made available to the Board.

Dave Rowe, Denmark Township, stated the Board should slow up just a little bit until more information is obtained regarding what lands are going to be acquired and what's going to be taken off the tax rolls, and how the financing will be done.

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Commissioner Abrahamson suggested a workshop on the Green Corridor project and that both of these tapes be made available.

Announcement of Finalists for the County Attorney Position

Commissioner Hegberg noted that Human Resources has contacted two of the three finalists and they have confirmed they will be continuing in the process. They have been unable to contact the third finalist. He asked if two of the names could be released and hold off on release of the third name.

Mr. Schug noted that the decision to not release the names of the finalists until they had been contacted was merely a courtesy to the candidates. All of the candidates did sign statements, as part of their application, in which they were advised that the data would remain private until they were named as a finalist. He believes it's up to the Board whether it wishes to announce the two now and announce the third once they are able to get in touch with that person or release all three names at this time.

Commissioner Hegberg asked the County Attorney for her opinion.

Susan Tice, Chief Assistant County Attorney, stated that all applicants were provided with their data practice advisory rights and by providing the statement of interest did acknowledge those. Her suggestion is that if the Board releases any names that all names be released.

Commissioner Engstrom moved that because two of the three candidates have been contacted that all three names be released. Commissioner Hauser seconded the motion and it was adopted unanimously.

Commissioner Hegberg read the names of the finalists: Number 1 - Thomas J. Foley; Number 5 - George Kuprian; and Number 7 - Robert J. Molstad.

Commissioner Hauser left the Board meeting at 10:40 a.m.

March 3 Board Meeting

Commissioner Abrahamson moved to cancel the March 3 Board meeting due to the National Association of Counties conference in Washington D.C. and another Commissioner being out of town. Commissioner Engstrom seconded the motion and it was adopted unanimously; Commissioner Hauser absent.

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State Reimbursement for the St. Croix Bluffs Regional Park

Mr. Schug announced that a bill is being considered to reimburse the County for some of the funds used to purchase the St. Croix Bluffs Regional Park. Staff will be talking to legislators today and tomorrow. He suggested that Board members may also want to contact various legislators seeking their support.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom noted that the Washington County Housing and Redevelopment Authority met this morning to discuss the process for hiring a new HRA Executive Director. They are trying to complete this process by March 17.

Commissioner Abrahamson asked that the application of Gayle Hudak be placed on the next Board meeting for appointment to the Historic Courthouse Advisory Council.

Commissioner Hegberg announced that there is a Planning Advisory Commission meeting this evening covering the shoreland ordinance at 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 Engstrom moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously; Commissioner Hauser absent. The Board meeting adjourned at 10:45 a.m.

BOARD WORKSHOP WITH COMMUNITY SERVICES AND H.E.L.M. DEPARTMENTS

The Board met in workshop session with the Departments of Community Services and H.E.L.M. for an update on prepaid medical assistance options. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and

February 24, 1998

Engstrom. Also present were James Schug, Virginia Erdahl, Mary McGlothlin, Dan Papin, Pat Singel, Edison Vizuetta, Rick Backman, Julie Sorrem, Eileen Weber, citizen of Cottage Grove and Public Health Advisory Committee member; Rob McDonough, Beth Clendenen, Marcia Wielinski, Karen Zeleznak, and Linda Stein, consultant.

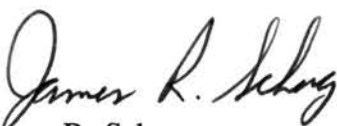
BOARD WORKSHOP WITH COMMUNITY SERVICES DEPARTMENT

The Board met in workshop session to discuss efforts to contain out-of-home placement costs while insuring the safety of children. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Engstrom. Also present were James Schug, Virginia Erdahl, Dan Papin, Susan Tice, Carol Seefeldt, Nancy Farmer-Kubler, Tammy Kincaid, and Debbie Kenney.

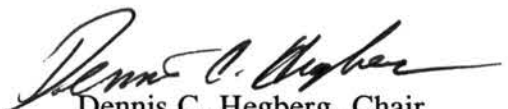
BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the five year budget projections. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Engstrom. Also present were James Schug, Virginia Erdahl, Chris Eitemiller, Dave Brierley, Susan Tice, John Devine, Don Wisniewski and Dan Papin.

Attest:


James R. Schug

County Administrator


Dennis C. Hegberg, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 10, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Dan Papin, Community Services Director; Andrew Ervin, Supervisor; Brandi Niemi, Community Services Department; Mary McGlothlin, Director of Health, Environment and Land Management; Sue Hedlund, H.E.L.M. Manager; John Devine, Controller; Don Wisniewski, Public Works Director; Cindy Koosmann, County Recorder; David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the February 10, 17 and 24, 1998 Board meeting minutes.
2. Approval to appoint Gayle Hudak, Stillwater, to the Historic Courthouse Advisory Committee to a two year term expiring December 31, 1999.
3. Adoption of **Resolution No. 98-034** as follows:

Lawful Gambling Exemption for the St. Croix Valley
National Wild Turkey Federation

WHEREAS, the St. Croix Valley National Wild Turkey Federation has made application to the Gambling Control Board for and exemption from certain requirements contained in MINN. STAT.CHAPT. 349, in order to conduct (bingo, raffling, paddlewheels, tip board, pull tabs) at the premises at Withrow Ballroom, 12169 Keystone Ave. Hugo, May Township, Washington County on the following date: April 9, 1998; and

WHEREAS, the Gambling Control Board is prohibited from granting St. Croix Valley National Wild Turkey Federation an exemption to engage in raffles until expiration of thirty (30) days after St. Croix Valley National Wild Turkey Federation has notified the County of its intent to engage in these activities; and

WHEREAS, Washington County would like to expedite this process in order for St. Croix Valley National Wild Turkey Federation to obtain their exemption as soon as possible.

NOW, THEREFORE, BASED UPON THE FOREGOING, BE IT RESOLVED, that as it applies to the application of St. Croix Valley National Wild Turkey to conduct raffles at the Withrow Ballroom, 12169 Keystone Ave., Hugo, on April

March 10, 1998

9, 1998, Washington County hereby waives the requirement contained in MINN. STAT. S 349.66, SUBD. 2 that the Gambling Control Board withhold issuing an exemption until the expiration of thirty (30) days after Washington County received notification of the application.

4. Adoption of **Resolution No. 98-035** as follows:

Lawful Gambling Exemption for the
North Star Gay Rodeo Association

WHEREAS, the North Star Gay Rodeo Association has made application to the Gambling Control Board for an exemption from certain requirements contain in MINN. STAT.CHAPT. 349 in order to conduct (bingo, raffling, paddlewheels, tip board, pull tabs) at the premises located at the Washington County Fairgrounds, 12300 North 40th St., Lake Elmo, Baytown Township, Washington County on the following date: July 12, 1998; and

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

5. Adoption of **Resolution No. 98-036** as follows:

Lawful Gambling Exemption for the
Forest Lake Ducks Unlimited

WHEREAS, the Forest Lake Ducks Unlimited has made application to the Gambling Control Board for an exemption from certain requirements contained in MINN. STAT.CHAPT. 349 in order to conduct (bingo, raffling, paddlewheels, tip board, pull tabs) at the premises located at Vannelli's on the Green, 7050 N. Scandia Trail, Forest Lake Township, Washington County on the following date: April 4, 1998; and

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

6. Approval of on sale and Sunday intoxicating liquor license for Willow Point Resort for the period April 1, 1998 to March 31, 1999.
7. Approval of off sale intoxicating liquor license for Scandia Olde Towne Liquor for the period April 1, 1998 to March 31, 1999.
8. Approval of on sale and Sunday intoxicating liquor license for Vannelli's on the Green for the period April 1, 1998 to March 31, 1999.
9. Approval of consumption and display permit for the Scandia Community Center for the period April 1, 1998 to March 31, 1999.

March 10, 1998

10. Approval of on sale and Sunday intoxicating liquor license for Forest Hills Golf Club, Inc., for the period April 1, 1998 to March 31, 1999.
11. Approval of on sale and Sunday liquor license for Trail's End Bar & Grill, Inc. for the period April 1, 1998 to March 31, 1999.
12. Approval of on sale and Sunday liquor license for Point Inc., for the period April 1, 1998 to March 31, 1999.
13. Approval of wine license for Bennett & Bennett, Crabtree's Kitchen for the period April 1, 1998 to March 31, 1999.
14. Approval of on sale and Sunday intoxicating liquor license for Afton Alps Inc. for the period April 1, 1998 to March 31, 1999.
15. Approval of on sale and Sunday intoxicating liquor license for Old Log Cabin, Inc. for the period April 1, 1998 to March 31, 1999.
16. Approval of abatement applications for homestead classification, district corrections and penalties as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 16.031.20.33.0006	Samuelson, Randall	\$ 39.14
R 16.031.20.33.0008	Samuelson, Randall	\$ 39.14
R 16.031.20.34.0005	Samuelson, Randall	\$ 31.32
R 16.031.20.34.0006	Samuelson, Randall	\$367.71
R 16.031.20.33.0006	Samuelson, Randall	\$ 52.00
R 16.031.20.33.0008	Samuelson, Randall	\$ 52.00
R 16.031.20.34.0005	Samuelson, Randall	\$ 46.00
R 16.031.20.34.0006	Samuelson, Randall	\$268.00
M 88.088.88.00.1607	Maltby, Jeffrey	\$514.00
R 11.029.20.22.0002	Bell, Linda	\$ 66.70
R 35.029.20.24.0034	Dana, Daniel	\$173.80
R 21.28.21.23.0039	Anderson, Michael	\$172.20
R 29.029.21.12.0080	C.U.Mtg. Svc., Inc.	\$110.76

17. Approval of County certification of Community Services Case #199662 to provide adult foster care services to a related person.
18. Approval of 1998 contracts with East Suburban Resources, Inc. and Opportunity Services, Inc. to provide day training and habilitation for adults with developmental disabilities.

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19. Approval of contract with Karl M. Ranum for public defender services.
20. Information only - town road allotments for Denmark, Forest Lake, Grey Cloud, May, New Scandia, Stillwater, and West Lakeland Townships.
21. Approval of license with Star Trail Association for snowmobile operations and trail grooming on the abandoned Burlington Northern road bed.
22. Approval to execute the trail grooming agreement with the City of Lake Elmo.
23. Adoption of **Resolution No. 98-037** as follows:

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

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

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

WHEREAS, the bridge has a limited useful life and will have to be demolished when it is no longer in use or upgraded to meet the required needs of future railroad traffic if M.I.R.T.S. (Minnesota Intermodal Railroad Terminal Study) is brought to fruition.

WHEREAS, a demolition escrow fund agreement would need to be established to pay for the ultimate demolition;

WHEREAS, a demolition escrow fund agreement has not been completed.

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

24. Adoption of **Resolution No. 98-038** as follows:

Acquire Right of Way on County State Aid Highway 10

BE IT RESOLVED THAT Washington County proceed to improve and signalize the intersection of County State Aid Highway 10 (10th Street North) and Greenway Avenue North in the City of Oakdale.

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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 and easements to complete this project. 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.

25. Approval of cooperative construction agreement with Denmark Township for the construction of Bridge No. 82J04 on Oakgreen Avenue South.
26. Approval of cooperative agreement with the City of Woodbury for the reconstruction of CSAH 25 (Century Avenue).
27. Approval of amendment 1 to lease between Department of Military Affairs and Washington County dated April 1, 1983; and approval of new position of Utility Worker I in the Facilities Section of Public Works.
28. Bids were received for painting services within County facilities as follows:

Allied Painting	\$ 94,800
David Bindert	\$ 96,176
Rick Renfrow	\$109,532
Hammernick Decorating	\$118,060

Adoption of **Resolution No. 98-039** as follows:

Rejection of Original Bid Award and Award to Second
Lowest Bidder, David Bindert, for Painting Services in County Facilities

WHEREAS, in order to complete painting maintenance activities within County facilities, the County solicited bids for this services; and

WHEREAS, bids were opened on December 30, 1997, with Allied Painting being the lowest responsible bidder; and

WHEREAS, the County Board approved the bid award to Allied Painting on January 6, 1998, contingent upon the execution of a contract as required by law.

WHEREAS, Allied Painting has refused to execute a contract.

NOW, THEREFORE BE IT RESOLVED, that the bid award to Allied Painting be rejected for failure to execute a contract.

BE IT FURTHER RESOLVED, that the bid of David Bindert, second lowest bidder, be accepted, conditioned upon the execution of a contract.

March 10, 1998

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

29. Approval of consulting engineering services agreement with Short Elliott Hendrickson, Inc. for CSAH 21 in an amount not to exceed \$80,000.
30. Adoption of **Resolution No. 98-040** as follows:

Final Payment to Gisela's Interiors, Inc. for
Carpeting within County Facilities During 1997

WHEREAS, the Washington County Board of Commissioners, on May 14, 1997, signed an agreement with Gisela's Interiors, Inc. for the provision and installation of County carpeting needs during 1997; and

WHEREAS, Gisela's Interiors, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Gisela's Interiors, 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.

31. Adoption of **Resolution No. 98-041** as follows:

Final Payment to Kath Brothers Fuel Oil Company for
Fuel Supplies for County Vehicles for 1997

WHEREAS, the Washington County Board of Commissioners, on December 17, 1996 signed a contract with Kath Brothers Fuel Company for fuel supplies for County vehicles for 1997; and

WHEREAS, Kath Brothers Fuel Oil Company, has satisfactorily delivered all fuel products requested by the County during 1997 in accordance with the terms and conditions of the contract.

NOW, THEREFORE BE IT RESOLVED, that Kath Brothers Fuel Oil 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.

32. Approval of plat of Sunset View, New Scandia Township.
33. Adoption of **Resolution No. 98-042** as follows:

March 10, 1998

Resolution Authorizing Execution of Grant Agreement
with the State of Minnesota for Operation NightCAP

BE IT RESOLVED that the Washington County Board of Commissioners enters into a Grant Contract with the Minnesota Department of Public Safety, State Patrol Division for the program entitled Operation NightCAP.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are hereby authorized to execute and sign such Grant Contracts and amendments thereto, as are necessary to implement this program on behalf of Washington County.

The foregoing Consent Calendar was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Commissioner Peterson moved to authorize the Department of Health, Environment and Land Management to issue 1998 Request for Proposals for mini-grants to community-based organizations to implement community violence prevention projects. Commissioner Engstrom seconded the motion and it was adopted unanimously.

COMMUNITY SERVICES DEPARTMENT

Commissioner Peterson moved to approve the MinnesotaCare Outreach contract to promote MinnesotaCare for the uninsured in Washington County. Commissioner Hauser seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

League of Local Governments Meeting

James Schug, County Administrator, advised the Board that he has tentatively scheduled a League of Local Governments meeting for March 31, 1998, 7:00 p.m. in the County Board Room to discuss watershed issues. All the water management organizations and watershed districts will be invited. Ron Harnack, Minnesota Board of Water and Soil Resources, indicated he will be available that evening to provide an overview and answer particular questions related to water management. It was Board consensus to hold the League of Local Governments meeting on March 31, 1998, 7:00 p.m.

Commissioner Peterson suggested that members of the County's Planning Commission, as well as the Planning Commission members from the communities, be invited to this meeting.

March 10, 1998

Board Workshop with Area Media

Mr. Schug stated a workshop has been scheduled with local media asking for their feedback on how the County is doing in terms of press releases and to answer any questions they may have about information packets, covering events in the County, and our process for handling bids for legal notices. That workshop has tentatively been set for March 24, 1998.

Proposed Lower St. Croix River Management Plan

Mr. Schug distributed copies of a meeting notice sent to local elected officials to discuss the proposed Lower St. Croix River Management Plan. The meeting is scheduled for March 30, 7:00 p.m. at Hudson Senior High. If any of the Commissioners are interested in attending they should let staff know so they can be registered.

Association of Minnesota Counties

Mr. Schug mentioned a fax received this morning, and distributed to the Board, from the Association of Minnesota Counties regarding work being done by County Social Service directors on the first fiscal impact study of a local mandate. The bill being studied is the child protection bill. There are initiatives in the legislature that would strengthen child protection services as a result of the Legislative Auditor's Report which showed there was some unevenness in service across the state, and that counties and the state need to work toward developing permanent plans for children who have been subjected to neglect or abuse.

Mr. Schug also noted there was a legislative update from Sue Ladwig in the Board's packet.

DISCUSSION FROM THE AUDIENCE

Matt Nelson, Business Agent for AFSCME, distributed a recent survey of Washington County AFSCME members related to job stress and increases in their work loads. He asked that the Board members keep this survey in mind when it deliberates the upcoming budget process.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom stated he went to the National Association of Counties conference in Washington D.C. and attended some interesting sessions.

Commissioner Peterson informed the Board that she met with Congressman Luther. She again thanked him for his help with the Wakota Bridge project.

March 10, 1998

Commissioner Abrahamson asked for an update on the Housing and Redevelopment Authority regarding the hiring of a new executive director. Commissioner Engstrom stated the whole HRA Board will be going through resumes at tonight's meeting and hopefully will have a finalists' list by March 17.

Commissioner Peterson stated she hoped to make an appointment to the HRA Board by next week.

Commissioner Abrahamson asked Public Works staff about the intersection of Manning Avenue and CR 12. He has been receiving calls from people who are concerned on what the County position is. Don Wisniewski, Public Works Director, indicated they have been receiving calls as well requesting that they put in an additional access between Manning Avenue and the one that is a quarter mile to the east which would not follow the County's standards in terms of spacing.

Commissioner Hauser stated she received a communication from the Metropolitan Light Rail Transit Joint Powers Board regarding the success with which the bonding bill is meeting. She asked that a thank you note be sent to the legislators who were instrumental in supporting this bill so far. The legislators are: Senator Carol Flynn, Janet Johnson, Dick Cohen, Roger Moe, Keith Langseth, Gary Laidig, Dave Knutson and Steve Novak. Commissioner Peterson also suggested sending a thank you note to the house members.

Commissioner Hegberg stated he also attended the National Association of Counties conference in Washington D.C. He found the light rail system interesting and a good way to travel. He stated he attended a number of sessions on land use. One in particular was on the federal level and they are looking at the rights of landowners and it's becoming more of a concern. The other one he found interesting was a tour through the IBM Technology Center and an interactive office which may be something the County would look at in the future rather than buildings.

Commissioner Hegberg mentioned that he has had discussion with some of the citizens in Forest Lake about the corridor for light rail and that Chisago County has paved their section and Washington County hasn't. He is in favor of blacktopping that section from Forest Lake to Chisago County, because he does not believe that will be connected to the light rail. Commissioner Hauser stated she is not opposed to blacktopping that trail, but she would not like to see that as a future impediment to the development of a transit alternative.

Commissioner Hegberg informed the Board that he attended the Farm Family of the Year banquet and two families from Washington County were honored. Bob and Elaine Eberhard of Oakdale were named "Farm Family of the Year" and Vince and Christine Maefsky were the recipients of the "New Agricultural Initiative Award".

March 10, 1998

BOARD CORRESPONDENCE

Board correspondence was received and place 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 10:05 a.m.

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board met in workshop session with the Public Works Department to discuss the Hinton Avenue/Tower Drive connection project. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Don Wisniewski, Don Theisen, Sandy Cullen, Konrad Koosmann, Mark Doneux, Rick Vanzwol, citizen of Grant, Eileen Weber, citizen of Cottage Grove, and Dave Brierley.

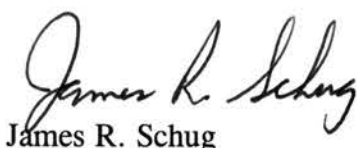
BOARD WORKSHOP WITH ADMINISTRATION AND H.E.L.M. DEPARTMENT

The Board met in workshop session with the Office of Administration and the Department of Health, Environment and Land Management to discuss initiating strategic planning for the County role in water management. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Don Wisniewski, Konrad Koosmann, Mark Doneux, Louis Smallidge, Chair, Soil and Water Conservation District Board, Rick Vanzwol, citizen of Grant, Eileen Weber, citizen of Cottage Grove, and Dave Brierley.

BOARD INTERVIEWS FOR THE VACANT COUNTY ATTORNEY POSITION

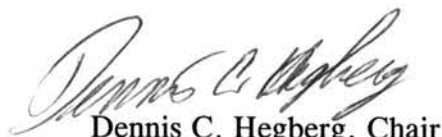
The Board met at 1:00 p.m. to hold interviews with the following applicants for the County Attorney vacancy: 1:00 p.m. - Robert J. Molstad; 1:45 - George Kuprian; and 2:30 - Thomas J. Foley. Present for the interview process were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Judy Honmyhr, Sue Tice, Jim Frank, Eileen Weber, citizen of Cottage Grove, Judy Shefland, Jay Brunner and members of the press.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 17, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Susan Tice, Chief Assistant County Attorney; Russ Reetz, Court Services Director; Dan Papin, Community Services Director; Jon Larson Veterans Service Officer; Judy Honmyhr, Human Resources Director; Don Wisniewski, Public Works Director; Jim Frank, County Sheriff; Steve Pott, Deputy Sheriff; Judy Shefland, County Attorney's Office; Sue Ladwig, Legislative Liaison; and Dave Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval to appoint David Piggott, Cottage Grove, to the Washington County Housing and Redevelopment Authority to fill an unexpired term to December 31, 1998.
2. Approval to donate the County's obsolete computers to the "Computers for School" program.
3. Approval to renew consumption and display permit license for Kimberly's Catering Inc., for the period April 1, 1998 to March 31, 1999.
4. Approval of agreement between Washington County Community Services-Workforce Division and Community Volunteer Service to provide volunteer driver service to customers moving from Welfare-to-Work for the period January 1, 1998 to December 31, 1998.
5. Approval of banding and grading of the revised job description of GIS Analyst in the Surveyor's Office at C43-1.
6. Approval of banding and grading of the new job description of Senior Service Representative in the Auditor/Treasurer's Office at B21-1; approval of job description.
7. Approval to amend traffic budget - 1248/5360 an additional \$110,000 in revenues and 1248/6001 an additional \$110,000 in expenses.

March 17, 1998

8. Approval to advertise for bids on CSAH 15, CSAH 17, CSAH 34, CSAH 19, CR 55, CSAH 22, Cottage Grove Ravine Regional Park roads and St. Croix Bluffs Regional Park roads for pavement preservation program.
9. Adoption of **Resolution No. 98-043** as follows:

Resolution to Vacate Excess Right of Way on CSAH 2

WHEREAS, that portion of County State Aid Highway 2 between Interstate 35 and the west County line was reconstructed in the 1960's; and

WHEREAS, a portion of CSAH 2 was realigned in that reconstruction; and

WHEREAS, a portion of the old right of way of CSAH 2 is excess and is no longer needed for County State Aid Highway 2; and

WHEREAS, the landowner who owns the underlying fee title to the excess right of way has requested that the County vacate the excess right of way on CSAH 2; and

WHEREAS, the landowner who owns the underlying fee title to the excess right of way has agreed that in return for the vacation of the excess right of way, he will limit access to his adjacent property to a single shared right in/right out access for one driveway; across, over and through the easterly 32 feet of Lot 4 and the westerly 32 feet of Lot 5, Holmquist's Addition; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Minn Stat. 163.11, Subd. 4, the Washington County Board of Commissioners, in return for the above access control, vacate the following described right of way along County State Aid Highway 2 in the City of Forest Lake:

Parcels 7 and 9 of Washington County Highway Right of Way
Plat No. 105, subject to existing utilities.

BE IT FURTHER RESOLVED that a copy of this resolution be personally served on all occupants of land through which the vacated portion of CSAH 2 passes and that a copy of this resolution be posted for at least 10 days in the Washington County Government Center and the City Hall of Forest Lake.

10. Bids were received for Geodimeter Model 620 as follows:

Spectra Precision	\$41,000
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Adoption of **Resolution No. 98-044** as follows:

March 17, 1998

Award Contract for the Purchase of a Geodimeter
Model 620 to Spectra Precision

WHEREAS, in order to update County surveying equipment the County solicited bids for this project; and

WHEREAS, bids were opened on March 6, 1998, with Spectra Precision Surveying, Inc. being the lowest responsible bidder; and

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

11. Approval to accept donated exercise equipment for the juvenile unit.
12. Approval to reappoint Mary Senkus to the Board of Adjustment and Appeals to a sixth term expiring December 31, 2000.

The foregoing Consent Calendar was adopted unanimously.

CERTIFICATE OF RECOGNITION TO TIMOTHY J. BELL

Commissioners Abrahamson and Hegberg presented the following Certificate of Recognition to Timothy J. Bell:

County of Washington
Certificate of Recognition
Captain Timothy J. Bell

WHEREAS, Captain Bell has given more than 30 years of his life to public service; and

WHEREAS, Captain Bell served full-time for 29 years for the Stillwater Police Department beginning January 1, 1969; and

WHEREAS, Captain Bell was promoted to Sergeant on April 1, 1973, and he was promoted to Captain on March 16, 1992; and

WHEREAS, Captain Bell has been highly respected by both his fellow officers and by the residents of the Stillwater community that he served so professionally with his high regard for their safety and security; and

March 17, 1998

WHEREAS, Captain Bell officially retired on February 28, 1998 from the Stillwater Police Department, but will remain active in the community as a volunteer Assistant Chief in the Stillwater Fire Department.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners acknowledges with grateful appreciation Captain Bell's service to the citizens of Washington County; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners heartily congratulates Captain Bell for his many accomplishments during his tenure as a public servant and wishes him and his family the very best in his retirement.

COURT SERVICES DEPARTMENT

Russ Reetz, Court Services Director, presented an update on the repeat offender program which is a specialized supervision program for those offenders who are convicted of three or more DWI's. He indicated that the program has three phases: 1) Local jail time and treatment; 2) Supervision in the community under home arrest; and 3) Prepares people to move to a lower level of supervision. He indicated that since the program was started in March of 1995, they have had 112 offenders that met the criteria of three or more DWI's and about 75% of those have successfully completed the program. Out of the 112, 111 have successfully completed chemical dependency treatment and only one of those offenders had another DWI while they were under supervision.

Commissioner Peterson moved to approve a grant application with the Minnesota Department of Corrections for a Repeat DWI Conditional Release Grant program for fiscal year 1999. Commissioner Hauser seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

County Attorney Appointment

Commissioner Engstrom moved, seconded by Commissioner Hauser to adopt **Resolution No. 98-045** as follows:

Resolution to Fill Vacancy in Office of Washington County Attorney

WHEREAS, a vacancy occurred in the Office of the Washington County Attorney due to the unexpected death of Richard M. Arney on January 14, 1998; and

March 17, 1998

WHEREAS, Minn. Stat. § 375.08 provides that when such a vacancy occurs, the County Board shall fill it by appointment; and

WHEREAS, Minn. Stat. § 388.18, subd. 2, provides that in the event a vacancy occurs in the office of the county attorney, the County Board may set the salary for the remainder of the calendar year at an amount less than was set for that year.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) Thomas J. Foley is hereby appointed to the office of the Washington County Attorney and shall give the bond and take the oath required by law and serve the remainder of the term and until a successor qualifies.
- 2) This appointment shall be effective March 31, 1998.
- 3) The Washington County Attorney's annual salary for the remainder of 1998 shall be set by subsequent resolution prior to the effective date of the appointment.

The Board discussed the motion.

Commissioner Engstrom stated that the County has excellent staff in-house who have applied for this job, but feels this is an opportunity to have someone from the outside look at the County Attorney's Office.

Commissioner Hegberg stated he will speak in favor of the motion also. Mr. Foley is a person with experience and background and he could add to the experience of the County staff. He believes it will be good for the office.

Commissioner Abrahamson spoke against the motion. He stated he has nothing against Mr. Foley, he knows he is competent and had spent 16 years as the Ramsey County Attorney. He feels that this job could be handled by inside staff, either Mr. Molstad or Mr. Kuprian. He has supported those people from the start.

Commissioner Hauser feels that the individuals who have applied from within the County Attorney's Office are very important and are needed in their respective jobs. She feels that the County is well served by those two candidates and hopes they will continue to give their full, good attention to the work they do.

Commissioner Peterson stated she is not in support of the motion. She believes that the best relationship between a client and an attorney is trust and at this point she has a great deal of trust with the two people from within the County Attorney's office who have made application for this position. She has nothing against Mr. Foley and in fact has received a number of calls supporting Mr. Foley's appointment.

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The motion to adopt Resolution No. 98-045 to fill the vacancy in the Office of Washington County Attorney with Thomas J. Foley, effective March 31, 1998 was adopted 3-2 with a roll call vote as follows: Commissioner Hegberg, Yes; Commissioner Abrahamson, No; Commissioner Peterson, No; Commissioner Hauser, Yes; and Commissioner Engstrom, Yes.

Mr. Schug asked that each Commissioner verify for the record that they did receive notice of today's meeting and the agenda item with the appointment of County Attorney at least 24 hours before this meeting as set forth in the law: Commissioner Hegberg, District 1, indicated he did receive notification on Thursday, March 12; Commissioner Abrahamson, District 3, indicated he came in Saturday, March 14 and signed a certification; Commissioner Peterson, District 4, indicated it was delivered to her on Friday, March 13; Commissioner Hauser, District 2, indicated she did receive the information in a timely fashion; and Commissioner Engstrom, District 5, indicated he received the information of Friday, March 13.

Legislative Update

Sue Ladwig, Legislative Liaison, presented an update on the following legislative issues: Tax Bills; Bonding Bill; Indigent Care; Mandates; Elected Met Council; SCORE Language; and the Child Welfare Bill.

James Schug, County Administrator, indicated that the Child Welfare Bill was one of the issues he wanted to address. He indicated that Dan Papin, Community Services Director, prepared a letter to each legislator expressing support for the program provisions of the bill, which strengthens the child protection system, but clarifying that it would need to be funded if the County is to implement it. There are significant costs which are estimated at just over a \$1 million for Washington County and \$30 to \$40 million statewide.

Commissioner Peterson moved to send a letter to the Washington County Legislative delegation commending the legislature which is seeking to improve the quality of child protection services around the state through the child welfare legislation, House File No. 2985 and Senate File No. 2682, but requesting that this legislation be fully funded statewide this session or be delayed until money becomes available to pay for it. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Update on Veterans Service Programs

Jon Larson, Veterans Services Officer, updated the Board on misinformation that has been on the Internet concerning health care eligibility reform from the Veterans Administration. There is a new health care enrollment system providing access to a comprehensive package of VA health care services. Plans are to have this new system in place by October 1, 1998. The rumor on the Internet is that if a veteran has not registered at a Veterans Affairs hospital since October 1, 1996, then on October 1, 1998 he or she will lose

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all medical benefits for life. Mr. Larson indicated this is not true and a veteran can now and will be able to at any time in the future enroll for access into the VA health care system. Once the enrollment has taken place, the VA will inform them that they have been accepted into the health care system and will assign them into a priority group. He indicated that veterans do not have to enroll now, they do not have to enroll by October 1, 1998, it can be done anytime. He informed veterans listening that they can contact his office at 430-6895 and also call the VA Medical Center in Minneapolis at 725-2000 for enrollment information.

Commissioner Peterson suggested doing an article on this subject in the Staying in Touch Newsletter and that Mr. Larson do a promo on cable TV informing the public of this matter. She also suggested putting this information on the County's home page.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

The Board Chair presented Commissioners Peterson and Hauser with gavels honoring them for their past service as County Board Chairs.

Commissioner Engstrom asked that a condolence card be sent to Ramsey County Commissioner Susan Haigh whose brother passed away.

Commissioner Engstrom updated the Board on Solid Waste Management Coordinating Board issues. He suggested that the County Board hold a workshop to discuss whether or not the County will stay in that organization. He and Commissioner Hegberg feel this organization is moving in the wrong direction and the County should review whether to continue supporting this group and whether the County is getting value for the taxpayer's dollars that goes into that fund.

Commissioner Hauser reported on the AMC meeting and Legislative Steering Committee meeting she attended last week. She participated in moderating a session on the Community Justice Act which is a proposal from AMC to try and get one funding stream to fund all field services in Court Services.

Commissioner Peterson informed the Board that she attended the Sensible Land Use Coalition and requested a tape entitled "The Future is Now" showing statistics from the state and region. Commissioner Peterson also informed the Board that this Saturday from 2:00 to 4:00 the Swedish Institute is making a presentation on how the Swedish government reduced the size of its government.

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Newly appointed County Attorney Thomas J. Foley thanked the Board for appointing him to this position and looks forward to working with the County Board, the County Administrator and staff.

Commissioner Hegberg updated the Board on a Mental Health Advisory Board meeting he attended last week which discussed housing for the mentally impaired.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Engstrom moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 10:05 a.m.

REGIONAL RAIL AUTHORITY WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Regional Rail Authority met in workshop session with the Public Works Department to discuss recent regional rail activities. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were Jim Schug, Don Wisniewski, Don Theisen, Sandy Cullen, El Tinklenberg, Tracey Schroeder, David Brierley 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 for a progress report on the County's immunization action plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were Jim Schug, Mary McGlothlin, Fred Anderson, Sue Hedlund, Carol Brunfelt and Eileen Weber, citizen of Cottage Grove.

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BOARD WORKSHOP WITH COUNTY ADMINISTRATOR

The Board met in workshop session with the County Administrator to discuss his 1998-1999 performance goals and work plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present was Jim Schug,

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 24, 1998

The Washington County Board of Commissioners met in regular session at 9:05 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Richard Hodsdon, Acting County Attorney; Jack Perkovich, Deputy Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, HELM Manager; Dennis O'Donnell, Senior Land Use Planner; Bob Turrentine, Assistant County Attorney; and Dave Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the March 10, 1998 Board meeting minutes.
2. Adoption of **Resolution No. 98-046** as follows:

Resolution to Set Minimum Salary for County Sheriff for
Term Next Following

WHEREAS, Minnesota Statute § 387.20, Subd. 2, provides that annually the County Board shall set by resolution the salary of the County Sheriff and further provides that at the January meeting prior to the first date on which applicants may file for the office of the County Sheriff, the Board shall set by resolution the minimum salary to be paid to the County Sheriff for the term next following.

NOW, THEREFORE, BE IT RESOLVED that the minimum salary to be paid to the County Sheriff for the term next following shall be \$63,000.

Adoption of **Resolution No. 98-047** as follows:

Resolution to Set Minimum Salary for County Attorney for
Term Next Following

WHEREAS, Minnesota Statute § 388.18, Subd. 2, provides that annually the County Board shall set by resolution the salary of the County Attorney and further provides that at the January meeting prior to the first date on which applicants may file for the office of the County Attorney, the Board shall set by resolution the minimum salary to be paid to the County Attorney for the term next following.

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NOW, THEREFORE, BE IT RESOLVED that the minimum salary to be paid to the County Attorney for the term next following shall be \$65,000.

3. Approval of on/off sale non-intoxicating malt liquor license for Veterans Rest Camp for the period April 1, 1998 to March 31, 1999.
4. Approval of on sale and Sunday intoxicating liquor license for Outing Lodge at Pine Point, Inc. for the period April 1, 1998 to March 31, 1999.
5. Approval of on/off sale and Sunday intoxicating liquor license and off sale non-intoxicating malt liquor license for Meister's Bar & Grill for the period April 1, 1998 to March 31, 1999.
6. Approval to advertise for exterior painting and repair of wood surfaces at the Historic Courthouse.
7. Approval of contract renewal with Donnelly Electric Company for electrical maintenance services for County facilities.
8. Adoption of **Resolution No. 98-048** as follows:

Annual Boat and Water Safety Enforcement Agreement

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

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

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

WHEREAS, the County is eligible to receive \$43,222.00 to assist in the funding of the Sheriff's Duties during the period 1 January 1998 through 31 December 1998.

NOW, THEREFORE BE IT RESOLVED that the County of Washington enter into an agreement with the State of Minnesota, Department of Natural Resources for the following purposes: to receive assistance in the funding of carrying out the Sheriff's Duties under the provisions of M.S. Section 361.01 to M.S. 361.29 during the period 1 January 1998 through 31 December 1998.

March 24, 1998

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

BE IT FINALLY RESOLVED, that a copy of this resolution be attached to the Annual County Boat and Water Safety Agreement covering the period from 1 January 1998 through 31 December 1998.

9. Approval of **Resolution No. 98-049** as follows:

Recognizing the Public Safety Dispatchers in
Washington County in Honor of
National Public Safety Telecommunications Week

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby proclaims the week beginning April 12, 1998 as Public Safety Telecommunications Week in Washington County and extends its appreciation and thanks to the dedicated Public Safety Telecommunications Personnel for the vital contribution they make to the safety and well being of our citizens and public safety providers.

The foregoing Consent Calendar was adopted unanimously.

March 24, 1998

PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT**Comprehensive Plan Amendment and Rezoning Request by Stanley Pond**

The Board Chair presented a brief overview of today's public hearing to consider a request by Stanley Pond to amend the Washington County Comprehensive Plan and Washington County Zoning Ordinance to rezone approximately five acres of land in Denmark Township from A-2 agricultural to commercial industrial-rural. The Board Secretary read the Notice of Public Hearing into the record. The Public Hearing was opened at 9:05 a.m.

Dennis O'Donnell, Senior Land Use Planner, presented a brief overview of the proposed amendment to the County Comprehensive Plan and rezoning request. He reviewed the proposal and zoning ordinance requirements including the following: 1) Compatibility with adjacent land uses; 2) Conformance with the comprehensive plan; 3) Is the request spot zoning; 4) Is there a reasonable economic use of the property in its existing zoning classification; 5) Is the timing proper for the zoning change and ultimate use of the property; are all utilities available to serve the property; 6) Will the proposed development plan create a financial burden on the town or county or have any other negative off-site impacts; and 7) Is the request in the public interest or in only the interest of the property owner. Mr. O'Donnell stated that the Planning Advisory Commission recommended denial of the rezoning request at its meeting on January 27, 1998 and the minutes were made a part of the record. He also noted that Denmark Township approved the rezoning of the entire parcel in 1997.

Bill "Stanley" Pond presented the following documents for the record: 1) Map of Denmark Township prior to construction of bowling alley on area requested to be rezoned - 1975; 2) Current zoning map; 3) Letter to Commissioner Myra Peterson from Jim Fitzpatrick, Chairman, Denmark Township, explaining why they feel this property should be rezoned; 4) Letter from John Bailey, Bailey Nurseries, Inc. indicating they would not be interested in this building as it would not be suitable for their activities; and 5) Letter from Jeffrey R. Buell, Buell's Landscape Center, indicating they would have no interest in this building.

Mr. Pond informed the Board that \$215,000 has been paid in property taxes since 1978. He feels this is rather expensive for land zoned agricultural. He advised the Board that the neighbors have been contacted and not one of them has mentioned any concerns. In the past there were bands outside and parties were held on this property and there were complaints about noise. They plan to use this property as a body shop, it will be monitored by the pollution control agency, and there are County rules and regulations that apply. He does not believe this is spot zoning. This building has been in this location for 20 years. There is general business on two sides of the property to the north and west. They are asking that 4 and one half acres be rezoned, leaving approximately 5 acres along highway 10 which will be left agricultural. He stated this

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has been referred to as a pole building. The building is metal constructed, well insulated, heated and air conditioned. He believes that at the time it was constructed the cost would have been over \$500,000. The Town Board is of the opinion that the building should be fixed and business should go on as usual.

Commissioner Engstrom asked if the Planning Commission received the letters and map that were just presented to this Board when it made its decision? Mr. Pond indicated they did not.

Commissioner Engstrom asked what was paid for the building three years ago? Mr. Pond indicated it was approximately \$180,000 including the 9 acres.

Steve Biscoe, Denmark Town Board, stated he found the map which Mr. Pond referred to earlier and he has also worked on the previous comp plan that is in place for Denmark Township back in the early eighties. This is a map they had previous to that time. They assumed that this area was general business. Their interpretation of what happened is that somebody didn't move the line over far enough, because everything else in that area is general business except for that corner. He stated the Denmark Township Planning Commission, and the Denmark Board of Supervisors approved this, and the Washington County Planning Advisory Commissioner approved this twice before. The last time, the biggest concern the County Planning Commission had was they felt they did not want this split off, the consensus was they would rather see it as one parcel rather than two. They feel this is a good and fair use of the property and should be rezoned to where it had originally been zoned and for some reason the zoning got changed. There is no record to say the zoning had changed other than the line was changed.

Commissioner Hegberg stated he is on the Planning Commission and has heard this item a few times also. He reminded the Board that they did hear this issue on the nine and a half acre property about three or four months ago. The Planning Commission had previously approved recommendation of the property being rezoned as one piece. When this Board heard the request it was concerned about splitting off the property and additional commercialization of the area. The applicant withdrew his request before the Board could take formal action denying this request. The applicant has now requested that four and a half acres of his property be rezoned. The Planning Commission felt this was spot zoning and denied the request. The discussion was that they would rather have the full nine acres as rural business and not allow the applicant to expand on it.

Commissioner Engstrom asked Mr. Biscoe about the 1975 Township map that was presented, what's marked as rural business actually crosses over that section line, why was that if there was nothing there? Mr. Biscoe indicated that was before his time. Apparently that's where the line was drawn and shortly after that is when the bowling alley was built.

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Commissioner Hegberg asked if there were any houses located along 127th Street? Mr. O'Donnell first commented on the Township's map from 1975. He is not sure this line goes all the way over and includes all of the applicant's property. Where the bowling alley is, he believes, is beyond the property that would be within this retail business line.

Mr. O'Donnell displayed an aerial photograph of this area and indicated where the bowling alley is, and pointed out various locations of houses, a farmstead, and commercial businesses.

Commissioner Peterson asked the County Attorney if the Board approves this rezoning of four and a half acres, can it place restrictions on that land to make sure it is absolutely in conformance with the rest of the land to restrict any further business development?

Bob Turrentine, Assistant County Attorney, stated that Mr. Pond owns a nine acre piece of property and he is asking that approximately five acres be rezoned. That five acres will get a conditional use permit. During the conditional use permit process or certificate of compliance process, that five acre piece can be regulated and it could be treated as one parcel such that it couldn't be further subdivided. Then there is an additional four and a half acre piece that at some point in time somebody could purchase it, it could be split, the township would approve the split and it could be purchased and they could come back to the Board and ask that the property be rezoned. Their argument would be there is no economic use of the property, it's so small and its surrounded by commercial property. The County's response to that is that the hardship was self-imposed, it was a decision of Mr. Pond's making to come before this Board asking that only part of his property be rezoned. As a legal matter the County Board, if faced with a rezoning request of this four and a half acre piece at some point down the line, could say there probably isn't a lot of use for this property, but the situation is self-imposed. The Minnesota Supreme Court has recognized that as a legitimate reason for not rezoning the property. The other side of that coin is that the County Board could change and facts could change. Somebody could say it would be reasonable to allow that four and a half acre parcel to be used for commercial purposes. There is a lot of variation in it. Mr. Turrentine pointed out on the aerial map the building, parking lot and the adjacent area that would continue to be zoned for agricultural purposes. In terms of a conditional use permit being issued it would deal with the easterly five acre piece and he suspected there would be some conditions on that conditional use permit limiting the westerly use to agricultural uses or stating there are no other uses for that property simply because under the County's zoning ordinance you can only have one primary use on a parcel.

Commissioner Peterson asked if the conditional use permit could specify that a part of the parking lot be removed? Mr. O'Donnell stated that they would have to provide the required parking for the use and anything above that they could be required to remove.

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Mr. Turrentine indicated that the fact that the County Board may be rezoning four and a half acres of this property is not going to give Mr. Pond any particular rights to use that building or that parking lot and a number of the issues and concerns that the County has had in the past concerning groundwater, pollution, air pollution and noise will be addressed in the conditional use permit process. There is the possibility that conditions may not justify the issuance of conditional use permit for a particular use. Or, the conditions that are needed to make this use consistent with the health, safety and welfare of the community might severely limit the use of the property.

Commissioner Hauser asked what general businesses would be allowed if this property is rezoned? Mr. O'Donnell indicated that any kind of a commercial such as an auto body repair facility, retail sales, an auto dealership, limited manufacturing any number of uses such as that.

Commissioner Hauser asked what types of permits would be required for any of those businesses? Mr. O'Donnell stated that without having the book in front of him at least half of them would require a conditional use permit and other half would require a certificate of compliance from the County.

Commissioner Hauser stated that it does expand the uses. Mr. O'Donnell indicated that it did.

Commissioner Hauser asked that Mr. O'Donnell refresh their memory on what it takes for a conditional use permit? Mr. O'Donnell stated the County needs to find that all the standards contained in the ordinance are met in regard to septic, stormwater management, parking, landscaping and those types of issues. If those issues can be met, the County is on questionable ground in order to turn that down. The County cannot turn it down just because the neighbors are opposed to it. It would need to be turned down on a factual basis and find that factual basis in the ordinance.

Commissioner Engstrom asked is there a political entity who is responsible for protecting the groundwater supply? Whose liability is that if there is a problem? Mr. Turrentine believes there is probably a political responsibility of whoever has jurisdiction, and that would probably be the County and the township. In terms of liability if the groundwater fails, the County, absent some very extraordinary circumstances which he does not believe are here, the County would have no liability in the event of groundwater pollution.

Commissioner Engstrom asked if there were a use that came to the site that was rezoned and the zoning was considered a spot zoning, could those neighbors come back on the County for rezoning that property? Mr. Turrentine indicated that if the County Board decided to rezone this property, some landowners could sue the County and allege that the County improperly rezoned it and their basis for their allegations would be that it depresses their property value, it has some major off-site impacts on their property and it really is spot zoning. If you took an aerial view of the cases, and this is from a legal perspective and what the courts have

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done, you would see this commercial use in an island of a residential neighborhood. Looking at this aerial map, it's questionable if it was spot zoning from a legal point of view. From a policy point of view it's a planner's call whether this is good or bad planning.

The Board Chair asked for further comments from the audience; none were heard. The Board secretary indicated that she did have all the documentary evidence.

Commissioner Hauser moved, seconded by Commissioner Engstrom to close the public hearing and it was adopted unanimously. The public hearing was closed at 10:05 a.m.

Commissioner Hauser moved to deny the request by Stanley Pond to amend the Washington County Comprehensive Plan and Washington County Zoning Ordinance to rezone approximately five acres of land in Denmark Township from A-2 agricultural to commercial industrial-rural. Commissioner Engstrom seconded the motion.

The Board discussed the motion.

Commissioner Hauser stated that by her count seven of the eight issues identified both for the Planning Commission's decision and for the Board's decision, seven of the eight issues were found negative by the Planning Commission. Those are: Whether the request is in conformance with the comprehensive plan, it is not; Is it compatible with surrounding uses, it is not; Is the request spot zoning, it could be; Does the property owner have reasonable economic use of the property in its existing zoning classification, she believes that the answer to that is yes; The timing is not a factor; Will the proposed development plan place a financial burden, it was found not to be a financial burden; Is the request in the public interest or only in the interest of the property owner, she believes it would not be too difficult to find that it's in the interest of the property owner; and the Planning Advisory Commission did recommend on a vote of six to one to deny this particular rezoning request for not only those but other reasons listed in their minutes.

Commissioner Hegberg indicated that when he looks at this property he feels it was previously zoned commercial, the bowling alley was built in 1978. The County's comprehensive plan was designed and made up primarily and finalized in 1997 and at that point this property was in non-compliance with the new comprehensive plan. He believes that property does have some grandfathering rights. It has paid taxes as commercial property since 1978 and taxes are what he would consider substantial in relation to agricultural property taxes. He feels the property has been limited in use and has been sitting vacant for sometime, but it is still there and has not been removed. He does not consider it spot zoning as it is close to Highway 10. It is not a good situation, he would prefer to rezone the whole piece and place limits that nobody could split

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it off, but apparently that is not what is within the realm either. He finds that it is not spot zoning because it has been grandfathered in on the piece of property and is located close to a major highway. Residential use for this property is not likely because it is located close to Highway 10, although there are properties on the other side of the highway to the south, but to the east there is no residential property, it is all agricultural in use. No member of the public has come forward to oppose this rezoning at any of the meetings that he has attended. The building was there prior to the County's comp plan and new zoning ordinance and maybe even before the County's previous one. He is going to speak against the motion for those reasons.

Commissioner Abrahamson agrees with Commissioner Hegberg. He also stated that the Town Board has not changed their opinion on this at all and he respects them and this is what they want. As he understands it, the reason the Planning Commission voted against this was because of the split of the property. They would rather have gone for the whole parcel rather than the split. He will vote against the motion.

Commissioner Hauser stated that taxes are paid on use rather than zoning and those issues should be separated. Any property taxed as commercial property, although it be in an agricultural zone, residential zone whatever zone, is Commissioner Hegberg suggesting that any kind of application for rezoning of that to commercial would be appropriate?

Commissioner Hegberg feels that since taxes dictate the amount that a person pays and commercial taxes is the highest tax that a person pays, almost three times residential and probably seven or eight times agricultural, only a fool would pay commercial taxes unless he had a commercial use. This property has been commercial since 1978, well before the County's comprehensive plan.

Commissioner Hauser asked the County Attorney if that property is no longer used as commercial property, would that continue to pay commercial taxes? Mr. Turrentine stated that it would probably continue to pay commercial taxes unless the landowner went to the Assessor's Office and indicated he was no longer able to use this land for commercial purposes and ask that his taxes be abated or reduce his taxes.

Commissioner Hauser asked Mr. Turrentine if it was the practice of the County to tax out of the use of the property? Mr. Turrentine stated that what the law says that in January of every year the County classifies the property based upon its use in January of every year. If this property was classified as commercial, then a commercial tax rate would be applied to it. The Assessor is required to review property every four years and if a piece of property had a commercial use in year one and didn't have it in year two or year three or year four, the Assessor probably wouldn't realize that it didn't have that commercial use and the property would continue to pay commercial taxes unless or until the property owner went back to the Assessor and informed them that the property wasn't being used for a commercial purpose.

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Commissioner Peterson stated she will not vote for the motion. She has reviewed this matter and has talked to the Planning Commission members who represent her district. One member did support the rezoning for this particular application, the other member did not. They felt very strongly that the whole parcel should have been rezoned and that is the only reason this was denied. She has driven out to that building several times and has looked at the neighborhood. She believes there is more public liability allowing a building to exist in a state of disrepair than rezoning. She feels that by creating a very carefully crafted document the County can make the remaining parcel of land fairly restrictive as to what it may be used for in the future. She feels the Board's concerns about the groundwater have been taken care of by reducing the site and not letting it grow and become larger.

Commissioner Hauser asked Commissioner Peterson how she would make this more restrictive? Commissioner Peterson asked Mr. Turrentine to restate his suggestion.

Mr. Turrentine stated if the rezoning request goes through and Mr. Pond comes in for his certificate of compliance or conditional use permit, that conditional use permit or certificate of compliance will be applied to that entire nine acre parcel and it will be recorded making it very clear that of the nine acres, the easterly five acres will have a particular use, but the remaining four and a half acres can only be used for agricultural purposes. There will be a record so that if future Planning Commissions and future County Boards want to perpetuate the use of the property at four and a half acres for agricultural, they will have a legally justifiable basis of doing it.

The motion to deny the request by Stanley Pond to amend the Washington County Comprehensive Plan and Washington County Zoning Ordinance to rezone approximately five acres of land in Denmark Township from A-2 agricultural to commercial industrial-rural failed 3-2 on a roll call vote as follows: Commissioner Engstrom, Yes; Commissioner Hauser, Yes; Commissioner Peterson, No; Commissioner Abrahamson, No; Commissioner Hegberg, No.

Commissioner Hegberg moved to approve the request by Stanley Pond to amend the Washington County Comprehensive Plan and Washington County Zoning Ordinance to rezone approximately five acres of land in Denmark Township from A-2 agricultural to commercial industrial-rural for the following reasons: The property was previously used as commercial property; The property was and is taxed as commercial property since 1978; The property should be limited to its present building in a conditional use permit so that expansion is not allowed; The property is not considered spot zoning because it is located near commercial property and State Highway 10; Residential use of the property is unlikely as most of the property is currently zoned agricultural or commercial use near by; The four and a half acre property remaining agricultural is self-imposed so that future Boards would have good reason to not allow that four and a half acres rezoned commercial; No member of the public spoke in opposition to this request; It is in the best

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interest of the public, because it has been used as commercial and does pay the appropriate tax. Commissioner Peterson seconded the motion and it was adopted 3-2 with a roll call vote as follows: Commissioner Hegberg, Yes; Commissioner Abrahamson, Yes; Commissioner Peterson, Yes; Commissioner Hauser, No; and Commissioner Engstrom, No.

The County Attorney's Office was directed to prepare a resolution affirming this action and to bring it back later at this Board meeting for adoption.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Commissioner Abrahamson moved to adopt **Resolution No. 98-050** as follows:

National Public Health Week

WHEREAS, promoting health and the quality of life for all Americans through prevention and health promotion is a major goal of our Nation, the State of Minnesota and the Washington County Board of Health; and

WHEREAS, public health programs and services benefit everyone — regardless of race, ethnicity and socioeconomic stratum — and are essential ingredients in a strong, successful health care system; and

WHEREAS, public health activities protect our citizens from infectious diseases, environmental and workplace hazards, chronic diseases, unintentional injuries and violence; and

WHEREAS, educating people about the benefits of adopting health behaviors can empower them to attain good health and prevent needless suffering; and

WHEREAS, citizens serve in a valuable role of providing input and recommendations to address priority public health problems in our community; and

WHEREAS, public health workers in Washington County play a crucial role in assuring that our citizens have the opportunity to be healthy people living in a healthy community in a healthy world;

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners, acting as the Washington County Board of Health, does hereby recognize April 6, 1998, through April 11, 1998, as National Public Health Week.

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners, acting as the Washington County Board of Health, does hereby recognize and give thanks to its members of the Public Health Advisory Committee and to its employees of the Department of Health, Environment and Land Management for their valuable contributions toward promoting the health of Washington County citizens and toward promoting the ongoing health of our Washington County community.

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Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Establishing Salary of the Newly Appointed County Attorney for the Remainder of the Calendar Year

Commissioner Engstrom moved to adopt **Resolution No. 98-051** as follows:

Establishing the Salary of the Newly Appointed County Attorney for
the Remainder of the Calendar Year

WHEREAS, Minnesota Statutes § 375.08 provides that the County Board of Commissioners shall fill by appointment a vacancy in the office of the County Attorney, and

WHEREAS, the Washington County Board of Commissioners by Resolution No. 98-045 appointed Thomas J. Foley to serve the remainder of the term of office of the County Attorney and until a successor qualifies, and

WHEREAS, Minnesota Statutes § 388.18 provides that the County Board of Commissioners shall set by resolution the salary of the County Attorney.

NOW, THEREFORE, BE IT RESOLVED that the annual salary for the newly appointed County Attorney for the remainder of 1998 shall be set at \$96,500 to be prorated for the period beginning at the time Mr. Foley is sworn into office to December 31, 1998.

Commissioner Hegberg seconded the motion. The motion was discussed.

Commissioner Abrahamson asked why the figure of \$96,500 has to be used when he will actually be paid only \$64,500?

James Schug, County Administrator, stated that the main reason is the way the County administers its payroll. His salary starts on the date he is actually sworn into office, and if there were a three to six day delay in his starting date, by putting an annualized salary and making the statement in the resolution that it would be prorated takes care of it if there is a minor adjustment that needs to take place. He also noted that state law refers to an annual salary.

The motion to adopt Resolution No. 98-051 was adopted 4-1 with the vote as follows: Yes, Commissioners Hegberg, Peterson, Hauser and Engstrom; No, Commissioner Abrahamson.

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BOARD CORRESPONDENCE

Board correspondence was received and placed on file including material from the Lower St. Croix Riverway Task Force regarding a meeting scheduled for March 30 to review material for a Preferred Alternative Workshop scheduled for April 17 and 18. If Commissioners are interested in attending they should let staff know so they can be registered.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hauser reported that there has been some success in getting the federal government to enter into the reauthorization act for ISTEA a reference to what is now called the Red Rock Rail corridor, formerly known as the South Washington County corridor. Congressman Luther, with the agreement of Congressman Oberstar, have entered the name of the Red Rock Rail corridor and there may be federal funds available.

Commissioner Peterson informed the Board that she has been on the Minnesota Active Citizenship Committee through AMC and will be attending a policy making forum scheduled for Friday, March 27 in Minneapolis.

Commissioner Hegberg asked that the green corridor referendum item be discussed at the next meeting so that item could be placed on the November ballot.

RECESS TO BOARD WORKSHOP

Commissioner Engstrom moved to recess the County Board meeting. Commissioner Peterson seconded the motion and it was adopted unanimously. The Board meeting recessed at 10:40 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the 1999 budget guidelines. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug,

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Virginia Erdahl, Chris Eitemiller, David Brierley, Mary McGlothlin, Liz Templin, Dan Papin, Judy Honmyhr, Richard Hodsdon, Marie Sunlitis, and Eileen Weber, citizen of Cottage Grove.

COUNTY BOARD RECONVENES

Commissioner Abrahamson moved to reconvene the Washington County Board of Commissioners meeting. Commissioner Peterson seconded the motion and it was adopted unanimously.

COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST BY STANLEY POND

Commissioner Abrahamson moved to adopt **Resolution No. 98-052** as follows:

Resolution Amending the Comprehensive Plan and Approving the Rezoning Request of Stanley Pond

WHEREAS, Stanley Pond is the owner of an approximately 9½ parcel located in Denmark Township and has submitted applications to amend the Washington County Comprehensive Plan and the Washington County Zoning Ordinance to rezone approximately 4½ acres of his parcel land from A-2 agricultural to commercial industrial-rural; and

WHEREAS, the request was referred to the Washington County Planning Advisory Commission, who, after holding public hearings, did not recommend approval of the requests; and

WHEREAS, on March 24, 1998, the Washington County Board of Commissioners, pursuant to a Notice of Intent to Adopt Ordinance and amend the Washington County Comprehensive Plan, conducted a public hearing on the request, and based upon the minutes of the Washington County Planning Advisory Commission and the evidence presented at the March 24, 1998 County Board hearing, the Board makes the following findings of fact with regard to both requests:

1. The property is part of a 9½ acre parcel located on the northeast corner of 127th Street South and Highway 10 in Denmark Township and was granted a special use permit to operate a bowling alley in 1978. This use became non-conforming when the Washington County Comprehensive Plan was amended in 1983. The use has been abandoned.
2. The easterly 4½ acres of the property is improved with a 17,000 square foot building and parking lot actually used as the bowling alley which is a commercial use. Since 1978, the property has been taxed as commercial property. Although the structure and parking lot are in poor condition, the structure and parking lot are capable of generating an economic return and their demolition would amount to economic waste.
3. The landowner is seeking to rezone only the 4½ acre portion of the property that was physically improved and used as the bowling alley, leaving the balance of the property to be guided and zoned as an A-2 agricultural zone. Under the County Zoning Ordinance, the 9½ acre portion can be

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devoted to only one use and all commercial uses for the property will require a permit under the Washington County Zoning Ordinance. As a result of the rezoning, the uses for the remainder of the 9½ acre parcel will be limited, but any hardship suffered by the landowners as a result of these limitations are self-imposed.

4. Properties to the north, east and south are zoned for residential purposes and properties to the west are zoned for general business purposes. Based on its location near a highway and commercial development, residential use would not be a reasonable use for the property. The Denmark Town Board approved the rezoning request. It would be unreasonable to require the applicant to demolish a building and structure that continues to have some viable economic uses.

5. Because of the performance standards contained in the Washington County Zoning Ordinances for the uses permitted with a Conditional Use Permit or uses permitted with a Certificate of Compliance, the potential for groundwater contamination and other sources of contamination, can be dealt with during the permit process.

6. The fact that the majority of the surrounding area is undeveloped, that the rezoning request would not enlarge a long term pre-existing use, that economic waste would occur as a result of the strict enforcement of the Zoning Ordinance, that the parcel will be devoted to only one use and that pollution concerns can be dealt with through the permit issuance process, justifies the Comprehensive Plan Amendment and rezoning request in this case.

NOW, THEREFORE, BE IT RESOLVED, that for the foregoing reasons, the request of Stanley Pond to amend the Comprehensive Plan and Zoning Ordinance to rezone the parcel legally described as:

The east 297 feet of the south 660 feet of the west 660 feet of the Northwest Quarter of the Southeast Quarter (NE¼ of SE¼) Section 6, Township 26, Range 20 West, except the following described property: Beginning at the intersection of the centerline of the town road and the west line of the Southeast Quarter (SE¼) of said Section 6, thence north, bearing assumed, along said line 147.50 feet; thence south a distance of 180.50 feet to the centerline of said town road; thence westerly along said center line to the point of beginning

is granted; and

BE IT FURTHER RESOLVED that the Washington County Zoning Administrator shall cause the Washington County Comprehensive Plan and Washington County Zoning Ordinance to be amended in accordance with this Resolution and those amendments shall take effect from and after their passage and publication according to law.

Commissioner Hegberg seconded the motion and it was adopted 3-2 with a roll call vote as follows: Commissioner Hegberg, Yes; Commissioner Abrahamson, Yes; Commissioner Peterson, Yes; Commissioner Hauser, No; and Commissioner Engstrom, No.

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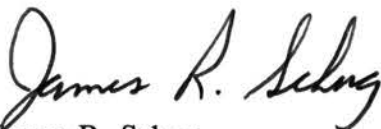
ADJOURNMENT

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 11:30 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss public information with area media. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Dave Brierley, Robert Lockyear, Patricia Raddatz, David Maeda, Richard Hodsdon, Mike Marsnik, Stillwater Gazette, Brent Killacky, Woodbury-South Maplewood Review, Allen Pierce, Lake Elmo Review, and Jeff Peterson, WLKX and WEZU Radio.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 7, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Don Wisniewski, Public Works Director; Jack Perkovich, Deputy Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Marie Sunlitis, Court Administrator; Bill Funari, Court Administration; John Devine, Controller; Thomas Foley, County Attorney; and Dave Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the March 17 and 24, 1998 Board meeting minutes.
2. Approval to appoint Claire Eisinger of Afton to the Washington County Housing and Redevelopment Authority Board of Commissioners to represent Commissioner District 5 effective upon the resignation of HRA Commissioner Dave Engstrom.
3. Approval to appoint Tamara Fast, West Lakeland Township, to the Planning Advisory Commission to fill an unexpired term to December 31, 1998.
4. Approval to appoint Gayle Hill, Woodbury, to the Historic Courthouse Advisory Council, to fill an unexpired term to December 31, 1998.
5. Approval of 3.2 percent malt liquor license for Scandia Softball Association on May 15, 16 and 17, 1998.
6. Adoption of **Resolution No. 98-053** as follows:

Lawful Gambling Exemption for the
 Rotary Club of Forest Lake

WHEREAS, the Rotary Club of Forest Lake has made application to the Gambling Control Board for an exemption from certain requirements

April 7, 1998

contained in Minn. Stat. Chapt. 349 in order to conduct (bingo, raffling, paddlewheels, tip board, pull tabs) at Vannelli's on the Green, 7050 North Scandia Trail, Forest Lake, Forest Lake Township, Washington County on the following date: August 2, 1998; and

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

7. Adoption of **Resolution No. 98-054** as follows:

Application for Cancellation of
Certificate of Forfeiture

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

PART OF LOT 8 OF COUNTY AUDITOR'S PLAT #7 BEG AT PT ON WLY LINE OF SD LOT 8 (ALSO ELY LINE OF FOREST BLVD N) DIST OF 50FT NELY OF SW COR OF SD LOT 8 THN NELY ALONG SD ELY RD LINE 83.9FT M/L TO PT DIST 287.54FT SWLY OF WN COR OF LOT 7 OF SD CO AUDITOR'S PLAT #7 THN SELY DEFL 89DEG33'35" TO RT 117.6FT M/L TO INTERS WITH LINE DRAWN NELY PAR WITH WLY LINE OF SD LOT 8 FROM PT ON SLY LINE OF SD LOT 8 DIST 120FT E OF SW COR THEREOF THN WLY ALONG SD PAR LINE 60.8FT	M/L TO ITS INTERS WITH LINE DRAWN ELY PAR WITH S LINE OF SD LOT 8 FROM PT OF BEG THN WLY ALONG SD PAR LINE 120FT TO PT OF BEG
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to be true, hereby approves this application and recommends that the same be granted.

8. Adoption of **Resolution No. 98-055** as follows:

Application for Cancellation of
Certificate of Forfeiture

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

Lot Eight (8), Nine (9), Ten (10), Eleven (11) Twelve (12), Block Three (3) of Bliss Plat First Division, according to the plat thereof on file and of record in the Registrar of Titles in and for Washington County, Minnesota.

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

April 7, 1998

9. Approval to appoint Robert Streetar, City of Oakdale Economic Development Representative, to the Workforce Council to fill an unexpired term to June 30, 1999.
10. Approval of agreement with the Department of Economic Security's Workforce Preparation Branch to operate the federal Welfare-to-Work program beginning April 1, 1998 through March 31, 2001.
11. Approval of Minnesota (federal) 1998 Welfare-to-Work Local Plan beginning April 1, 1998 through March 31, 2001.
12. Approval to modify the agreement with the Department of Economic Security's Workforce Preparation Branch to extend the operation of the MN New Traditions Grant through June 30, 1998.
13. Approval of Program Year 1998 Local Workforce Service Area Plan for employment and training for submission to the Department of Economic Security.
14. Approval to apply for extension of grant funds from the Minnesota Department of Corrections for salary/fringe benefits of an Assistant Victim/Witness Coordinator.
15. Approval of contracts for Guardian Ad Litem Services with Jean Kubitschek and Guardian Ad Litem Services, Inc.
16. Approval to solicit and accept funds, services, supplies and equipment on behalf of the Metro Area Groundwater Alliance for an upcoming Children's Water Festival.
17. Approval to endorse and sign-on as a supporter of the Minnesota Smoke-Free Coalition's "A Vision for the Future: Reducing and Preventing Tobacco Use in Minnesota".
18. Approval to offer Step E to a qualified candidate for the position of Senior Land Use Specialist.
19. Approval to submit a \$5,000 grant proposal to the Minnesota Join Together Coalition to conduct a community assessment of youth access to alcohol in Washington County.
20. Approval for conversion of position of Special Project Clerk II/Summer Youth Assistant to a permanent position in Community Services.
21. Approval of office lease for Jean K. Kubitschek at the Historic Courthouse.

April 7, 1998

22. Approval to advertise for seasonal materials (sand, plant mixed bituminous, plant bituminous in place and chemical weed control) for maintenance use on County roads in 1998.
23. Approval to accept "On Guard" motor vehicle theft detection device donated to Washington County by Progressive Insurance Company.

The foregoing Consent Calendar was adopted unanimously.

COMMUNITY VOLUNTEER SERVICE

Commissioner Engstrom moved to approve the following Proclamation:

Washington County
Proclamation
National Volunteer Week

WHEREAS, the foundation of a humane and just society is the public's willingness to work together for the common good; and

WHEREAS, experience teaches us that government and the people need to work together to solve our nation's social problems; and

WHEREAS, our country's volunteer force of 89.2 million people is a great treasure; and

WHEREAS, volunteers demonstrate that it is possible to bring the disparate elements of our communities together for a common good through volunteerism; and

WHEREAS, self-sacrificing individuals mobilized to help others can stem the tide of crime, poverty, hunger, homelessness, spouse and child abuse, and other problems that afflict society; and

WHEREAS, the Washington County Board of Commissioners recognizes the dedication, leadership, and coordination role provided by the Community Volunteer Service of the St. Croix Valley Area and other community organizations which have volunteer programs as a key element of their services; and

WHEREAS, it is the duty of all our citizens to honor our dedicated volunteers and to celebrate the volunteer programs which contribute to the value of our communities throughout Washington County.

NOW, THEREFORE BE IT RESOLVED THAT, that the Washington County Board of Commissioners do hereby proclaim April 19-25, 1998, as

National Volunteer Week

in Washington County, and urge their fellow citizens to observe this week by investing their talents and their energy in volunteerism.

April 7, 1998

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

Jon Whitcomb, Board President, Community Volunteer Service, introduced the nominators and award recipients for the following awards:

1998 Individual Awards - Karen Buege - Nominated by Leslie Krona, Family Violence Network; Phyllis Wisniewski - Nominated by Jackey Steiner, Community Volunteer Service

1998 Lifetime Community Involvement Awards - Larry Peterson - Nominated by Jan George, Chapter Manager, the St. Croix Valley Chapter of the American Red Cross; Jerry Beedle - Nominated by Erv Neff, Stillwater

1998 Youth Community Involvement Award - Red Cross Youth Team: Tim Deans, Molly Deans, John Roman, Katelyn Anderson and Lara Cox, Nominated by Jan George, Chapter Manager, the St. Croix Valley Chapter of the American Red Cross

COMMUNITY SERVICES DEPARTMENT

Rick Backman, Community Services Division Manager, presented an update on prepaid medical assistance enrollee population. He indicated that a limited survey was taken of 24 out of 3,600 managed care and prepaid medical assistance (PMAP) enrollees. They found from the survey that enrollees were generally satisfied with health care services; access to dental services remains a problem; and logistics to get to medical care was cited as more of a problem for families than for the older survey group. He further indicated that the number of PMAP enrollees has steadily decreased over the last 18 months. Health care providers across the metro area are utilized. AFDC and non-AFDC families' and children's health care costs account for most PMAP/GAMC costs. Also, persons who are elderly and/or disabled account for most total MA dollars.

GENERAL ADMINISTRATION

Certificate of Appreciation for Charles I. Nordin, New Scandia Town Board

Commissioner Abrahamson moved to approve the following Proclamation:

County of Washington
Certificate of Appreciation
Charles I. Nordin

WHEREAS, Charles I. Nordin has given more than 19 years of his life to public service with the Municipal Government of New Scandia Township;
and

April 7, 1998

WHEREAS, Chuck served the public for five years as the Chair of the New Scandia Township Board of Supervisors; and

WHEREAS, Chuck has dedicated his service to the public in bringing progress and needed community development to the New Scandia Township; and

WHEREAS, Chuck will be remembered for his fairness in resolving Township issues and in being a good listener to both sides of political issues. He provided leadership in the many blacktop road projects during the past 10 years, he contributed his leadership in building the Community Center, Skating Facility, the growth of the Fire Department, and providing his sound advice in redoing the Comprehensive Plan for the New Scandia Township.

WHEREAS, Chuck retired from the Municipal Government effective March 12, 1998, and will continue with his business as a barber in Forest Lake.

NOW, THEREFORE BE IT RESOLVED THAT, The Washington County Board of Commissioners acknowledges with grateful appreciation Chuck's service to the citizens of New Scandia Township in Washington County; and

BE IT FURTHER RESOLVED THAT, The Washington County Board of Commissioners heartily congratulates Charles I. Nordin for his many accomplishments during his tenure as a public servant and wishes him and his family the very best in his future activities.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Brown's Creek Watershed District Loan (Advance)

Commissioner Engstrom moved to adopt **Resolution No. 98-056** as follows:

Brown's Creek Watershed District Loan (Advance)

WHEREAS, the Brown's Creek Watershed District has requested a loan (advance) from Washington County in the amount of \$150,000 for operational funding.

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

WHEREAS, the Washington County Finance Committee recommends that the County loan (advance) the Brown's Creek Watershed District up to \$150,000, per MS 1013D.335(2) and Subd. 17, to repay by December 31, 2000 at the Interest Rates on State Court Judgments and Arbitration Awards (MS 549.09).

WHEREAS, the Washington County Board of Commissioners passed a motion authorizing a loan (advance) to the Brown's Creek Watershed District up to \$150,000 and repay at the Interest Rates on State Court Judgments and Arbitration Awards (MS 549.09).

April 7, 1998

WHEREAS, the Brown's Creek Watershed District, on March 24, 1998, has requested a loan (advance) of \$150,000 to be available April 9, 1998.

NOW, THEREFORE, BE IT RESOLVED, that the County Board Chair and the Administrator be authorized to execute on behalf of the County a loan agreement with the Brown's Creek Watershed District in the amount of \$150,000 at the Interest Rates on State Court Judgments and Arbitration Awards.

BE IT FURTHER RESOLVED, that the Controller be authorized to disburse up to \$150,000 based upon written request from the Brown's Creek Watershed District per the loan (advance) agreement.

Commissioner Peterson seconded the motion and it was adopted unanimously.

Disaster Clean Up in Southern Minnesota

James Schug, County Administrator, indicated that staff from the Washington County Sheriff's Office and the Department of Health, Environment and Land Management - Emergency Services, have assisted as needed in St. Peter and Nicollet County during the past week.

DISCUSSION FROM THE AUDIENCE

Ed Waller, Duluth and former resident of Hugo, discussed Joint Ditch No. 2. He distributed copies of papers related to this ditch. He feels a mistake was made when new County Road 4 was put in. He believes the culvert in that location on the ditch is down stream at a higher elevation and is out of line. This is causing the lake level of Rice Lake to rise and private property is being lost.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hauser stated that there are openings in the South Washington Watershed District and one of those persons is interested in serving again. She would like to take up the reappointment of Mr. Hiniker as well as look at the three candidates who applied for the other vacancy at next week's Board meeting.

Commissioner Hauser reported that the Light Rail Joint Powers Board met last week. They discussed the fact that the NACo Conference will be held in Portland, Oregon in July. They are hoping to set up special times to tour transit opportunities in the City of Portland, light rail as well as proposed commuter lines, and how they would interact with the present or future modes of transportation. The Joint Powers Board has been asked to participate in a transit development day on May 27. The program will be targeted to elected officials, legislators and business people. Transit officials from throughout the country have been invited to attend.

April 7, 1998

Commissioner Peterson thanked Congressman Bill Luther for his success in getting \$13 million in the ISTEA reauthorization bill for the Wakota Bridge. The commuter rail going south from St. Paul to Hastings was also mentioned. Congressman Oberstar also arranged for Chisago County to have \$500,000 to review a rail that would go from Forest Lake to Rush City. She suggested that a letter be sent to the congressional delegation thanking them for their help.

Commissioner Hegberg reported that the Solid Waste amendment, option three, was passed by the Solid Waste Management Coordinating Board.

BOARD CORRESPONDENCE

Board Correspondence was received and placed on file.

OATH OF OFFICE ADMINISTERED TO THOMAS J. FOLEY

The Honorable Smith Eggleston, Tenth Judicial District Judge, administered the Oath of Office to Thomas J. Foley, recently appointed County Attorney. Mr. Foley was officially sworn into office on March 31, 1998. A reception followed the County Board meeting.

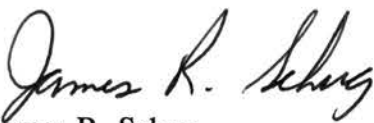
ADJOURNMENT

There being no further business to come before the Board, Commissioner Abrahamson moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 5:35 p.m.

BOARD WORKSHOP WITH THE PUBLIC WORKS DEPARTMENT

The Board meeting was preceded by a workshop with the Public Works Department for an update on a proposed shared salt/sand storage facility with the City of Woodbury. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Don Wisniewski, Jack Perkovich, and Jim Trebil, City of Woodbury.

Attest:


James R. Schug
County Administrator


Dennis C. Hegberg, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 14, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; George Kuprian, Assistant County Attorney; Larry Nybeck, County Surveyor; Richard Stafford, Auditor-Treasurer; Molly O'Rourke, Assistant Auditor-Treasurer; David Maeda, Elections Program Coordinator; Cindy Koosmann, County Recorder; Dan Papin, Community Services Director; Carol Seefeldt, Community Services Supervisor; Don Wisniewski, Public Works Director; Robert Crawford, Workforce Center Manager; Judy Hunter, H.E.L.M. Division Manager; Lowell Johnson, H.E.L.M. Division Manager; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval to appoint Richard Peterson, St. Paul Park, to the Parks and Open Space Commission to fill an unexpired term to December 31, 1999.
2. Approval of temporary on sale liquor license for White Bear Montessori to be held at Withrow Ballroom on April 18, 1998.
3. Adoption of **Resolution No. 98-057** as follows:

Gambling License Application from Scandia Marine Lions

WHEREAS, on or about April 7, 1998, the Scandia-Marine Lions has made an application for Authorization to conduct excluded bingo pursuant to the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved are located at Washington County Fairgrounds, State Highway 5, Lake Elmo, Baytown Township, Washington County; and

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

4. Adoption of **Resolution No. 98-058** as follows:

April 14, 1998

Repurchase of Tax Forfeited Land by
Dell V. Dahn, Former Owner

WHEREAS, Dell V. Dahn 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:

Lots 1 & 2, Block 168
St. Paul Park Division 5
Geocode #12.027.22.44.0004

;and WHEREAS, said applicant has set forth in his application that property was purchased in 1990 by his son Lowell Dahn who continually paid the taxes on property until 1992 where he was involved in a severe automobile accident; That as a result of the substantial injuries incurred in the accident his son has suffered multiple emotional problems which detracted from his responsibility to homestead and pay real estate taxes following conveyance to said applicant; That the major unexpected events in his son's life have caused serious detriment to him personally and financially and this has been the basis for the present condition of the unpaid real estate taxes; That based upon the unfortunate and unexpected circumstances the applicant is requesting a hardship determination in an attempt to bring to date the taxes by repurchasing such property; That the repurchase of said land will promote and best serve the public interest, because all delinquent taxes will be paid and allow the property to be tax generating for the county;

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

NOW, THEREFORE BE IT RESOLVED, that the application of Dell V. Dahn 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.

5. Approval of abatement applications for homestead classification, exempt class, penalties, disaster credits and value changes as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 16.029.21.43.0008	Moore, David	\$1,110.00
R 04.026.20.21.0005	Schwinghamer, Thomas	64.00
R 04.029.20.32.0032	Stark, Joseph	1,052.00
R 19.029.21.14.0070	Bess, Carolyn	958.00
R 21.029.21.24.0013	Stanke, Michael	1,340.00
R 21.030.20.14.0009	Kerschbaum, Tony	184.00
R 22.030.21.23.0003	Louas, Paul	1,352.00
R 31.030.21.41.0027	Moses, Timothy	472.00
R 32.028.21.12.0008	Bradley, Jeffrey	1,110.00
R 14.027.20.24.0005	Cysiewski, Don	174.00
R 14.032.21.23.0036	Hafner, Douglas	928.00

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 19.031.20.44.0005	Kuhn, Gary	\$ 270.00
R 29.029.20.34.0003	Schmidt, Robert	88.00
R 15.028.20.32.0008	Bradshaw, Alan	1,196.00
R 34.029.21.24.0003	Aubrey, Brian	1,728.00
R 31.030.21.21.0116	Helgesen, Herbert	100.00
R 31.030.21.21.0098	Palen, Elmer	640.00
R 31.030.21.21.0117	Watters, Robert	100.00
R 12.027.22.12.0025	Johnson, Crystal	988.00
M 88.088.88.00.0642	Larson, David	638.00
R 28.030.20.13.0026	Leider, Leroy	228.00
R 34.030.20.32.0086	Groth, Douglas	1,136.00
R 26.027.21.21.0011	Masciopinto, Chris	278.00
R 07.027.21.13.0014	Nagel, Thomas	492.00
R 18.029.21.23.0144	Bruyer, Diane	456.00
R 19.028.21.42.0139	Geisler, John	884.00
R 20.028.21.11.0007	Perry, Kimberly	1,400.00
R 21.028.21.34.0047	Vagle, Andrew	414.00
R 22.028.21.44.0061	Coats, Robert	1,696.00
R 27.028.21.13.003	Ryan, Richard	110.00
R 32.029.21.41.0059	Decker, Joann	184.00
R 06.030.21.13.0006	Tanson, Corey	1,310.00
R 30.030.21.22.0056	Kodadek, Susan	1,298.00
R 22.027.21.24.0107	Thompson, Michael	132.00
R 13.030.21.24.0001	Potter, Daniel	406.00
R 13.030.21.24.0003	Potter, Daniel	1,068.00
R 13.030.21.24.0002	Tyler, Mark	616.00
R 02.028.20.34.0031	Jurek, Joanne	712.00
R 07.029.21.11.0198	Jacobson, Michael	750.00
R 19.029.21.34.0044	Burrows, Richard	1,136.00
R 33.029.21.23.0025	Kowalski, Deb	846.00
R 05.029.20.23.0022	Bowman, Kenneth	1,422.00
R 05.029.20.23.0055	Richardson, Thomas	502.00
R 21.030.20.33.0062	Schneider, Margaret	996.00
R 03.028.21.31.0048	Matteson, Joan	306.00
R 04.028.21.41.0139	Felth, Stuart	1,272.00
R 20.028.21.13.0078	Twete, Todd	208.00
R 21.028.21.44.0109	Bosshardt, William	994.00
R 31.028.21.43.0004	Drake, Bruce	1,668.00
R 14.027.20.21.0010	Schwinghamer, Thomas	1,538.00
R 02.032.21.43.0004	Remick, Craig	1,486.00
R 21.029.20.14.0013	Gutierrez, Jon	1,636.00
R 12.027.22.44.0004	Daln, Dell	1,076.57
R 32.027.20.22.0001	Bauer, Steven	696.00
R 07.027.21.44.0010	State of MN	6.00
R 08.027.21.33.0036	State of MN	6.00
R 08.027.21.33.0036	State of MN	6.00
R 07.027.21.44.0010	State of MN	6.00
R 22.031.21.31.0001	Waller, Margaret	60.00
R 22.031.21.32.0001	Waller, Margaret	60.00
R 22.031.21.33.0001	Waller, Margaret	120.00
R 28.030.20.13.0138	Anderson, Scott (David, John)	1,028.07
R 20.027.21.34.0129	Cottage Grove Estates	142.00
R 20.027.21.34.0130	Cottage Grove Estates	142.00
R 20.027.21.34.0131	Cottage Grove Estates	142.00

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 20.027.21.34.0132	Cottage Grove Estates	\$ 142.00
R 20.027.21.34.0133	Cottage Grove Estates	142.00
R 20.027.21.34.0134	Cottage Grove Estates	142.00
R 20.027.21.34.0135	Cottage Grove Estates	142.00
R 20.027.21.34.0136	Cottage Grove Estates	142.00
R 20.027.21.34.0137	Cottage Grove Estates	142.00
R 20.027.21.34.0138	Cottage Grove Estates	142.00
R 20.027.21.34.0139	Cottage Grove Estates	142.00
R 20.027.21.34.0140	Cottage Grove Estates	142.00
R 20.027.21.34.0141	Cottage Grove Estates	142.00
R 20.027.21.34.0123	Cottage Grove Estates	142.00
R 20.027.21.34.0124	Cottage Grove Estates	142.00
R 20.027.21.34.0125	Cottage Grove Estates	142.00
R 20.027.21.34.0126	Cottage Grove Estates	142.00
R 20.027.21.34.0127	Cottage Grove Estates	142.00
R 20.027.21.34.0128	Cottage Grove Estates	142.00
R 05.029.21.44.0038	Malon, Pauline	624.00
R 03.028.21.11.0007	St. Croix Animal Shelter	28,551.65
R 26.032.20.41.0002	Peterson, Todd	386.00
R 32.029.21.11.0047	Zimmerman, Roger	1,024.00

6. Approval of agreement with East Suburban Resources to provide job coach training to local employers through the McKnight Grant ending December 31, 1999.
7. Approval of host county contract with On-Belay to provide chemical health services at Anthony Louis Center, Cottage Grove.
8. Approval to proclaim April as Child Abuse Prevention Month.
9. Approval to accept \$176,400 for adolescents with SED and violent behavior on behalf of the Children's Mental Health Collaborative.
10. Approval to terminate the building inspection contract with the Township of Stillwater effective April 30, 1998.
11. Approval to advertise for signs to be used for traffic regulation on County roads.
12. Approval to advertise for bids for sale for the building and land currently used for the Forest lake License Center.
13. Adoption of **Resolution No. 98-059** as follows:

April 14, 1998

Resolution to Purchase Humphrey Property
14932/14944 North 60th Street, Oak Park Heights, MN

WHEREAS, Washington County is interested in acquiring the property located at 14932/14944 North 60th Street in Oak Park Heights, and whereas the owner agrees 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 14932/14944 North 60th Street, legally described as follows:

See Addendum No. 1 - Legal Description

For the sum of \$130,500.00; in total, upon the following terms and conditions:

1. Conveyance should be by warranty deed pursuant to the terms and conditions of a standard Miller-Davis Purchase Agreement free and clear of all liens, charges and encumbrances;
2. Seller to pay all levied or pending special assessments (if any);
3. Seller to pay abstract expenses;
4. Real Estate taxes shall be pro rated as of the date of closing;
5. Buyer to pay recording fee(s), state deed tax, and conservation fee;
6. Closing is to be on or before June 1, 1998, or as soon as possible after that date. The closing shall be handled through the Washington County Attorney's Office.
7. Ownership of the house shall transfer to Washington County as of the date of closing. However, the seller has the first option to enter into a lease with Washington County to rent his present unit of the duplex for his personal use at a rate of \$625 per month for a 12 month period. This option is to be exercised prior to closing by signing a lease with Washington County. After the 12-month period, the lease rate shall be set at the market rate as determined by the County.
8. The sale is subject to a lease from April 10, 1998 to October 10, 1998 in favor of Kathleen Peterson.
9. Seller shall be obligated to perform all maintenance in order to keep the property in a reasonable repair until he vacates the property, normal wear and tear excepted.
10. The seller shall be obligated to pay all utilities, including fuel oil, propane gas, natural gas, electricity, city water, telephone, city sewer, and garbage hauling, in a timely manner, while he is in possession of the property.

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11. The seller shall remove all personal possessions and debris from both the house and yard prior to vacating the property. The house and yard shall be of reasonable cleanliness at the time the County possesses the property.
12. This sale is contingent upon the seller and renter waiving all relocation benefits and signing a relocation waiver.
13. The sale is subject to a satisfactory environmental inspection by Washington County.
14. The sale includes the refrigerator, stove, washer, and dryer in each of the units, and they shall remain with the property after the seller and renter vacate the property.
15. The rental from Ms. Peterson for the month of the closing shall be prorated between the seller and buyer.

Addendum No. 1
Legal Description of Humphrey Property

The East Half (E½) of Lot 23, all of Lots 24 and 25, Block 5, McMillan and Cooley's Addition to Stillwater, and vacated Wallace Street adjacent to said lots, EXCEPT the North 50 feet thereof; being also described as follows:

All that part of Block Five (5) of McMillan and Cooley's Addition to Stillwater, and vacated Wallace Street in said addition, described as follows: Commencing at a point on the North line of Block Eight (8) of McMillan and Cooley's Addition to Stillwater, Two Hundred (200) feet West of the West line of Hazel Street of said McMillan and Cooley's Addition to Stillwater, said North line of Block Eight (8) being the South line of vacated Wallace Street; thence North and parallel to the West line of Hazel Street One hundred forty-five (145) feet to an iron stake; thence West and parallel to the North line of said Block Eight (8), One hundred (100) feet to an iron stake; thence South and parallel to the East line of said tract One hundred forty-five (145) feet to an iron stake on the North line of said Block Eight (8); thence East along said North line of Block Eight (8), One hundred (100) feet to an iron stake and the place of beginning, according to the plat thereof on file and of record in the office of the Register of Deeds, Washington County, Minnesota, together with an easement for public travel as set forth in that certain document filed September 21, 1960, in Book 233 Deeds, page 25.

14. Approval and execution of settlement and release agreement with Scandia Enterprises for stairway replacement.
15. Approval to advertise for bids for seasonal materials and services for road maintenance.
16. Approval to purchase two (2) GMC, Model C7500 cab and chassis trucks needed for 1998 through the State of Minnesota bid per cooperative purchasing agreement.
17. Approval of the plat of Nicanna Hills, Stillwater Township.

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The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Abrahamson moved to adopt **Resolution No. 98-060** as follows:

Rejection of Bids for the Purchase of a Precinct Count Optical Scan Voting System

WHEREAS, the County did receive enough information from the bid documents to consider a lease purchase agreement;

WHEREAS, the alternative is to purchase the equipment outright. However, the bid specifications were written based on a trade in value of 73 optical scan units. The County owns only six units and the remainder are owned by municipalities participating in this purchase. Since the prices quoted by the bidders are predicated on the trade in of 73 machines (a bulk trade in as opposed to a per unit trade in), the failure of any municipality to provide the trade in would make the prices quoted in the bid responses inaccurate. The courts have long held that deviations in price are never minor and can never be manipulated.

WHEREAS, the apparent low bidder provided a discount for its machines contingent upon purchase of its machines by another, separate governmental agency. The County Attorney's Office says that the law is clear that a contingent discount cannot be considered when calculating the price of the bid.

WHEREAS, given the legal issues that have developed, proceeding with a bid award may result in a greater cost and delay if the bid award is challenged and may deprive the County of discounts it could have otherwise realize if the equipment was rebid.

NOW, THEREFORE BE IT RESOLVED, that the County reject all bids.

Commissioner Peterson seconded the motion and it was adopted unanimously.

SURVEYOR'S OFFICE

Larry Nybeck, County Surveyor, presented a brief update on the status of the digital parcel mapping program. He indicated that in 1990 when this program was first started, the County had 67,000 parcels to map. As of April 1, 1998 the maps are totally done and instead of the 67,000 parcels in 1990, they mapped 81,000 and that rate goes up approximately 2,300 parcels every year as the County grows. These maps are updated monthly. A majority of the cities and townships are using these maps to be more cost effective in doing their job and are updated on CD Rom once a month. They are currently working on the GIS portion of the system and that should be completed by the end of this year. Several items need to be mapped, but the highest priority items are the municipal boundaries, school district boundaries and watershed districts.

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He stated that grant money has been provided through the Metropolitan GIS agreement for some of this mapping, so the County has not had to fund the entire project. In 1989, the revenue received from the maps they sold amounted to \$9,500 a year. In 1997, the revenue was over \$65,000 for the maps they produced.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Commissioner Engstrom moved to adopt **Resolution No. 98-061** as follows:

Amendment to the Joint Powers Agreement of the Solid Waste Management Coordinating Board

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"), renewed in 1995 and 1997; and

WHEREAS, the draft Solid Waste Management Policy Plan, development by the Minnesota Office of Environmental Assistance and the Solid Waste Management Coordinating Board (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 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 on March 25, 1998, the SWMCB approved an Amended and Restated Joint Powers Agreement.

NOW, THEREFORE, BE IT RESOLVED that Washington County approves by resolution the Amended and Restated Joint Powers Agreement.

Commissioner Peterson seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Don Wisniewski, Public Works Director, informed the Board that in February of 1998, he was notified by the Department of Health, Environment and Land Management that United Waste Systems of Minnesota picked up waste at the Government Center and did not deliver it to the RDF in Newport, which is a requirement on all waste hauling contracts with the County. A letter was sent to United Waste Systems of Minnesota informing them of this incident and that they were in breach of their contract with Washington County. A letter in response from United Waste Systems of Minnesota was placed on the record which stated they would not change their process of delivering the waste out of state. It was staff's

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recommendation to terminate the contract with United Waste Systems of Minnesota effective April 17, 1998. He also indicated that all current and future refuse haulers for Washington County will be required to sign a Certificate of Delivery confirming that all waste picked up and billed to the County has been delivered to the RDF in Newport.

Commissioner Engstrom moved to terminate the refuse hauling contract with United Waste Systems of Minnesota effective April 17, 1998. Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Reappointment of County Engineer

Commissioner Peterson moved to adopt **Resolution No. 98-062** as follows:

Reappointment of County Highway Engineer

WHEREAS, Minnesota Statute 163.07 requires each County to appoint and employ a County Highway Engineer; and

WHEREAS, the Washington County Board has appointed and employed Donald C. Wisniewski as its County Highway Engineer; and

WHEREAS, his existing four-year appointment expires on April 30, 1998; and

WHEREAS, it is the recommendation of the County Administrator to reappoint Donald C. Wisniewski to another four-year term.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners does hereby reappoint Donald C. Wisniewski as the Washington County Highway Engineer for a four-year term effective May 1, 1998 through April 30, 2002.

Commissioner Hauser seconded the motion and it was adopted unanimously.

South Washington Watershed District Appointments

Commissioner Engstrom moved to reappoint Christian Hiniker, Woodbury, to the South Washington Watershed District to a three-year term expiring May 1, 2001; and appoint Donald Wodek, Woodbury, to a three-year term expiring May 1, 2001; Commissioner Hauser seconded the motion.

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Commissioner Peterson stated that there is an applicant from Oakdale who has expressed an interest in serving and the Board has not interviewed him yet.

Commissioner Abrahamson stated he could vote for the reappointment, but feels the other appointment should come from another location other than Woodbury.

Commissioner Hauser stated she does represent the City of Oakdale and does not believe they will be ill served if Mr. Wodek is appointed.

Commissioner Peterson moved to table the appointment of Donald Wodek and the reappointment of Christian Hiniker to the South Washington Watershed District until the applicant from Oakdale is interviewed. Commissioner Abrahamson seconded the motion and it was adopted 3-2 with the vote as follows: Yes, Commissioners Hegberg, Abrahamson and Peterson; No, Commissioners Engstrom and Hauser.

1998 Legislative Session Report

Sue Ladwig, Legislative Liaison, presented a report on the actions of the 1998 State Legislature that affected the County. Copies of the 1998 session notes were distributed.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom asked that at next week's Board meeting, the Board consider revising the stop sign situation on County Road 71. He asked that a four-way stop sign be placed at that intersection.

Commissioner Peterson distributed copies of a flyer she received on the Woodwinds Health Campus, which is a new health facility being built in Woodbury.

Commissioner Peterson reported that she and Commissioner Hauser will be attending the Sensible Land Use meeting at the end of this month.

Commissioner Peterson announced that the Minnesota Book Awards will be held this Friday evening at 7:00 p.m. and the foster parent dinner will be held on April 16.

April 14, 1998

Commissioner Abrahamson stated he had a film on the history of the 911 Board he would like shown on local cable channels.

Commissioner Abrahamson reported that he will be attending a meeting in the Bayport Library this evening with the Andersen Window Corporation.

James Schug, County Administrator, announced that the Office of Legislative Auditors has prepared a best practices report on 911 dispatching. Extra copies of this report can be ordered through the Office of Legislative Auditor.

Commissioner Hegberg reported that he visited areas in Hugo that are experiencing flooding problems which included Egg Lake, Otter Lake and the lower end of School/Goggins Lake area.

Commissioner Hegberg asked if video tapes of County Board meetings could be made available to the County libraries.

Commissioner Hegberg noticed on Board correspondence that there are grant funds available for jail issues. He asked that staff look at a grant for moving the work release program out of the jail. Commissioner Hauser suggested a second grant for refurbishing the locks on cells.

Commissioner Hauser reported that she and Commissioner Abrahamson attended a Municipal Board hearing to consider two petitions regarding Forest Lake and Forest Lake Township. Both petitions were withdrawn in favor of entering a process through the Board of Governance and Cooperation. Commissioner Hegberg understood that the question will be put to the voters in an election.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

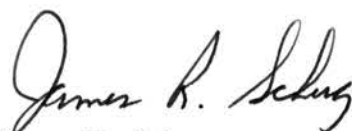
There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Hauser and it was adopted unanimously. The Board meeting adjourned at 10:15 a.m.

April 14, 1998

BOARD WORKSHOP WITH THE COURT SERVICES DEPARTMENT

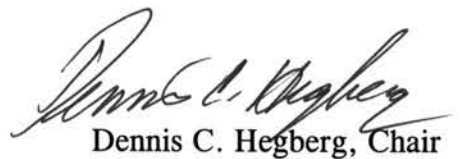
The Board met in workshop session with the Court Services Department to discuss supervising low risk offenders via an automated reporting system. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioner Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Russ Reetz, Ron Wells and Nancy Aderman.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 21, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; George Kuprian, Assistant County Attorney; Don Wisniewski, Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Sue Hedlund, H.E.L.M. Department; Konrad Koosmann, Soil and Water Conservation District; Dan Papin, Community Services Director; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the April 7, 1998 Board meeting minutes.
2. Adoption of **Resolution No. 98-063** as follows:

Lawful Gambling Exemption for American
Heart Association, Minnesota Affiliate

WHEREAS, the American Heart Association, Minnesota Affiliate has made application to the Gambling Control Board for an exemption from certain requirements contained in MINN. STAT. CHAPT. 349 in order to conduct (bingo, raffling, paddlewheels, tip board, pull tabs) at Vannelli's on the Green, 7050 North Shore Trail, Forest Lake, Forest Lake Township, Washington County on the following date: June 15, 1998

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

3. Approval of abatement applications for homestead classifications, value correction and special assessments as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 02.028.20.22.0011	Durand, John & Tracy	\$4,531.95
R 28.030.20.12.0024	Russell, James	312.33
R 28.030.20.12.0019	Sutherland, John	306.19
R 29.030.20.31.0042	Gorski, James	271.00
R 33.030.20.11.0151	Chastain, Sharon	0.00
R 03.028.21.31.0052	Goodreid, James E.	2,688.98
R 21.028.21.31.0069	Millelstaedt Bros. Cont.	393.96

April 21, 1998

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 21.028.21.32.0072	Balentine, Bobby	\$ 393.95
R 21.028.21.42.0006	Warnick, Verona	96.97
R 04.028.21.31.0008	DB Woodbury LLC	10,405.39
R 03.028.21.31.0047	Kauffman, Jeanie	2,688.98
R 21.028.21.32.0064	Kevin Snyder Construction	393.96
R 04.208.21.43.0011	Montpetit, Todd	34.01
R 05.028.21.41.0146	Windt, Troy	3.83
R 07.029.21.41.0001	City of Oakdale	3,278.00
R 21.027.21.12.0005	Land Holding Co.	2,456.21
R 21.027.21.12.0025	Kuldip, Raj & Suman, M.	2,456.21
R 16.027.21.43.0006	Peaceful Grove United	2,456.21
R 17.027.21.12.0010	Dols, Joanne	932.00
R 20.027.21.24.0027	Rivard, Dan	420.00
R 20.027.21.32.0092	Erdman, Timothy	94.00
R 06.030.21.42.0004	Rogosheske, Paul	1,304.00
R 35.031.21.23.0006	Christopherson, Sharon	1,154.00
R 08.029.21.13.0045	Lowry, Susan	408.00
R 31.029.21.32.0172	Park, Dave	188.00
R 16.028.21.33.0026	McCoy, James	184.00
R 20.028.21.42.0025	Peters, Roger	214.00
R 21.027.20.21.0001	Femling, Frank	392.00
R 21.027.20.12.0002	Femling, Frank	282.00
R 21.027.20.24.0002	Femling, Frank	72.00
R 14.032.21.23.0037	Wruck, Susan	328.00
R 08.030.20.11.0004	Briggs, Marianne	1,232.00
R 20.028.21.11.0007	Perry, Kimberly	1,558.00
R 11.029.20.22.0002	Morrison, Andrew	1,258.00
R 10.027.21.43.0203	Kinsey, Don	1,192.00
R 03.030.21.23.0005	Storch, Edward	2,122.00
R 02.028.20.11.0010	Charbonneau, Richard	1,712.00
R 31.030.21.41.0078	Larson, Kurt	1,362.00
R 07.029.21.11.0022	Falde, Cindy	540.00
R 07.029.21.22.0058	Furlong, Daniel	1,018.00
R 18.029.21.23.0164	Reesnes, Alfred	100.00
R 18.029.21.23.0167	Onsager, Lloyd	318.00
R 18.029.21.23.0163	Rogers, A.A.	100.00
R 31.029.21.32.0178	Hauglid, Clayton	224.00
R 33.030.20.34.0074	Carlson, Floyd	636.00
R 02.028.21.24.0042	Surprenant, Jason	42.00
R 04.028.21.32.0063	Plante, Theresa	48.00
R 09.028.21.42.0098	Patterson, Carol	780.00
R 10.028.21.42.0042	Haws, Scott	304.00
R 21.028.21.31.0053	Mickelson, Jackie	218.00
R 21.028.21.32.0007	Grismer, Christine	1,250.00
R 23.028.21.34.0005	Quast, Nancy	484.00
R 07.029.20.21.0007	Molinari, Paul	1,056.00
R 10.032.21.12.0039	Callahan, Kevin	1,110.00
R 35.032.21.44.0004	Herold, Janice	506.00
R 04.027.21.33.0001	LaClair, Barbara	1,042.00
R 15.027.21.33.0018	Lee, Shirley	1,090.00
R 22.027.21.24.0085	Dinkel, John	132.00
R 08.032.21.21.0064	Zupon, Laura	778.00
R 34.031.21.33.0006	Danielson, Craig	1,710.00
R 09.029.21.22.0015	Myran, Richard	1,374.00
R 20.030.21.44.0071	McCarthy, Timothy	1,458.00

April 21, 1998

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 32.030.21.11.0021	Downey, Duane	1,248.00
R 04.029.20.11.0112	Mueller, John	546.00
R 07.029.21.21.0056	Leigh, Thaddeus	872.00
R 32.029.21.41.0072	Kroski, Steve	76.00
R 21.030.20.14.0024	Needham, Patrick	1,540.00
R 02.028.21.34.0031	Dubois, John	234.00
R 02.028.21.32.0172	Ryan, Mary Ann	30.00
R 02.028.21.32.0172	Ryan, Mary Ann	1,180.00
R 17.028.21.23.0089	Nelson, Tera	1,042.00
R 19.032.21.12.0027	Supan, Richard	1,006.00
R 26.031.20.42.0007	Cole, Marcia	368.00
R 30.029.20.41.0013	Seamon, Gregory	1,342.00
R 28.029.20.14.0015	Gortsch, Bruce	1,438.00

4. Approval of the 1998 cooperative agreement with the Washington County Attorney for Title IV-D of the Social Security Act.
5. Approval of amendment no. 6 to the amended agreement dated July 27, 1993 with Lagerquist Elevator Company.
6. Approval and execution of the cooperative agreement for construction and the traffic signal maintenance agreement with the City of Oakdale for the installation of traffic signals on 10th Street at Gershwin Avenue and Greenway Avenue; and authorization to advertise for bids.
7. Adoption of **Resolution No. 98-064** as follows:

Bid Award Concurrence for Road Construction and
Improvements on CSAH 25 with Hardrives, Inc.

WHEREAS, the City of Woodbury and Washington County desire to complete roadway improvements on CSAH 25 (Century Avenue) from Courtley Road to Lake Road in the City of Woodbury; and

WHEREAS, Washington County and the City of Woodbury have entered into a cost reimbursement agreement for the roadway improvements; and

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

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

The foregoing Consent Calendar was adopted unanimously.

April 21, 1998

GENERAL ADMINISTRATION**Surface Use of Sylvan Lake Ordinance**

Commissioner Hegberg moved to adopt the draft of the surface use of Sylvan Lake ordinance, set a public hearing for Tuesday, May 5, 1998, 5:00 p.m. to receive comments on the proposed ordinance, and authorize the publication of notice. Commissioner Peterson seconded the motion and it was adopted unanimously.

National County Government Week

Commissioner Engstrom moved to adopt the following proclamation:

Washington County
Proclamation
National County Government Week
April 19-25, 1998

WHEREAS, America's earliest immigrants placed great faith in the county form of government, which traces its roots to the English shire; and

WHEREAS, when the federal government was formed, the framers of the Constitution gave great weight to the importance of county government and its dual value to both the state and federal government; and

WHEREAS, because communities and their surrounding areas are interdependent, there is a recognized need for collaborative approaches to problem solving; and

WHEREAS, the process of arriving at a community vision should be open and inclusive and reflect the diverse population of the community as recognized by the Washington County Comprehensive Plan for direction through 2015; and

WHEREAS, safe, healthy, drug-free communities are necessary to ensure a high quality of life for its citizens; and

NOW, THEREFORE BE IT RESOLVED, that The Washington County Board of Commissioners hereby proclaims that April 19-25, 1998, is to be observed as National County Government Week;

BE IT FURTHER RESOLVED that, The Washington County Board of Commissioners, community leaders, and citizens need to all work together to improve their community's sustainability.

Commissioner Peterson seconded the motion and it was adopted unanimously.

April 21, 1998

Workshop with County Legislative Delegation

James Schug, County Administrator, informed the Board that a tentative workshop has been scheduled with the Washington County Legislative delegation for May 5, 1998 at 3:30 prior to the County Board meeting.

Forest Lake License Bureau

Mr. Schug advised the Board that the Forest Lake License Center will be moving from its current location on Highway 61 to the Northland Mall this weekend. He has visited the new site and the remodeling turned out well.

PUBLIC WORKS DEPARTMENT**Erosion Concerns Along CSAH 7 Near Square Lake**

Commissioner Peterson moved to adopt **Resolution No. 98-065** as follows:

Minnesota Board of Water & Soil Resources Grant Program
Erosion Control Along Square Lake

WHEREAS, a serious erosion problem has developed on private property near CSAH 7 near Square Lake in Washington County; and

WHEREAS, the Washington Soil and Water Conservation District (SWCD) and Washington County Public Works have reviewed the problem and determined that corrective action needs to be taken in the very near future; and

WHEREAS, the erosion at present is on private land and will extend to public land, a cooperative effort has been agreed to by the property owner, Washington County Public Works and the SWCD; and

WHEREAS, FY 1999 State Cost Share Special Project Funds are presently available for projects concerning erosion control; and

NOW, THEREFORE, BE IT RESOLVED, the Washington County Public Works Department is hereby granted permission to apply for grant monies from the Minnesota Board of Water & Soil Resources (BWSR) under the FY 1999 State Cost Share Special Project funding program; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Washington County Public Works be authorized to enter into a cost share contract with all parties necessary to effect the aforementioned corrective action, if the grant is awarded for this project.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

April 21, 1998

All-Way Stop at the Intersection of Neal Avenue and Hudson Road South in Afton

Commissioner Peterson moved to adopt **Resolution No. 98-066** as follows:

Resolution to Install an All-Way Stop at the
Intersection of Neal Avenue (County Road 71)
and Hudson Road South in Afton

WHEREAS, the Hudson Road South traffic includes a large percentage of heavy commercial vehicles; and

WHEREAS, both approaches to the intersection are high speed approaches (50 mph);

WHEREAS, an accident with a fatality occurred on April 12, 1998 at the intersection of Neal Avenue (County Road 71) and Hudson Road South (I-94 South Frontage Road) in Afton; and

WHEREAS, the City of Afton has formally requested that this intersection be controlled; and

WHEREAS, the existing traffic control requires Neal Avenue to stop and allows the Hudson Road South traffic to proceed without stopping has been in place since November 3, 1997 and area residents still observe vehicles not obeying this new traffic control; and

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners are gravely concerned about the safety of this intersection; and

BE IT FURTHER RESOLVED, that the aforementioned factors must be included in evaluation of proper traffic control measures at the Neal Avenue and Hudson Road intersection; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby emphatically requests the Minnesota Department of Transportation to change the traffic control at the intersection of Neal Avenue (County Road 71) and Hudson Road South to an all-way stop.

Commissioner Hauser seconded the motion and it was adopted unanimously.

Kara Swenson and Karen Lampe, granddaughter and daughter of Mrs. Margaret Benson, who was killed in an automobile accident at this intersection on April 12, 1998, spoke in support of the resolution for a four-way stop.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Commissioner Engstrom moved to adopt the final draft of the Youth Access to Tobacco ordinance, authorize its distribution, and set the public hearing for Tuesday, May 26, 1998 at 9:00 a.m. and publish notice. Commissioner Hauser seconded the motion and it was adopted unanimously.

April 21, 1998

SURVEY OF VOTER ATTITUDES TOWARD OPEN SPACE PROTECTION

Rick Ridder, Ridder/Braden, Inc., presented an overview of findings from a survey of Washington County voters focusing on attitudes towards and public financing options for the protection of open space. The survey was conducted from March 31 - April 6, 1998 and consisted of a random sample of 300 voters in the County. He concluded from the survey that voters understand the importance of protecting open space in preserving their quality of life and are supportive, both generally and financially, of efforts to create a corridor of protected natural land— a Green Corridor— in their community. An executive summary of the survey was distributed.

DISCUSSION FROM THE AUDIENCE

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

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson distributed pictures he took in May Township, 130th Street, showing flooding to a farm in that area. The pictures showed a pasture where eight years ago a person could walk and ride horses and is now completely under water. Fourteen and one half acres is under water and is five and one half to six feet deep. The water has gotten into the foundation of the barn and it is starting to collapse. He asked that staff from Public Works look at the culverts on County Road 58 to see if they are plugged or blocked.

Commissioner Abrahamson asked that Public Works staff to paint the right-turn lane and left-turn lane stripes on South Fourth, Orleans, Churchill Street and Greeley.

Commissioner Hegberg asked that the University of Minnesota present an update on the groundwater study they performed in the northern section of the County. He reported that Egg Lake and Rice Lake have flooding at approximately three feet over the ordinary high.

Konrad Koosmann, Soil and Water Conservation District, updated the Board about the gully on the Josephson property at Square Lake. He noted that a design has been developed and Mr. Josephson is in the process of getting bids and selecting a contractor. He hopes that the project will be completed this summer. He indicated that the plans could be presented to the Board at a future workshop.

Commissioner Hauser suggested a workshop with Soil and Water Conservation to discuss this project as well as others they are working on this spring.

April 21, 1998

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

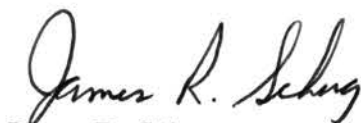
ADJOURNMENT

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

BOARD WORKSHOP WITH COUNTY DEPARTMENT HEADS

The Board met in workshop session with the County Department Heads to discuss proposed County organizational restructuring. The workshop was held at the Katherine Abbott Park, Mahtomedi, MN. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Dan Papin, Don Wisniewski, Jim Frank, Scott Hovet, Cindy Koosmann, Chuck Leifeld, Jim Wells, Mary McGlothlin, Larry Haseman, Tom Foley, Sue Tice, Larry Nybeck, Dick Stafford, and Matt Nelson, AFSCME Council 14 Representative.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 28, 1998

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington Government Center, County Board Room. Present were Commissioners Hegberg, Abrahamson, Peterson and Hauser. Commissioner Engstrom absent. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Susan Tice, Chief Assistant County Attorney; John Devine, Controller; Leo Steiner, Assistant Controller; Al Folie, Accountant; Melinda Kirk, Accountant; Janice Warren, Accounting; Mary McGlothlin, Director of Health, Environment and Land Management; Lowell Johnson, H.E.L.M. Division Manager; Cindy Koosmann, County Recorder; Robert Crawford, Workforce Center; Dan Papin, Community Services Director; Scott Hovet, County Assessor; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the April 14 and 21, 1998 Board meeting minutes.
2. Adoption of **Resolution No. 98-067** as follows:

Gambling License Renewal from the
 Lions Forest Lake Club, to be Used at the
 Old Log Cabin, Forest Lake Township

WHEREAS, on or about April 16, 1998, the Lions Forest Lake Club has made application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

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

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

3. Adoption of **Resolution No. 98-068** as follows:

Gambling License Renewal from the
 Lions Forest Lake Club to be Used at
 Vannelli's on the Green, Forest Lake Township

April 28, 1998

WHEREAS, on or about April 16, 1998, the Lions Forest Lake Club has made application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

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

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

4. Approval of abatement applications for homestead classification, waste management fee corrections, and city special assessments as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 04.029.20.14.0017	Robert Ludwig	\$ 207.42
R 21.030.20.13.0011	Donald Roettger	189.18
R 21.030.20.13.0006	Teske, Donald	55.72
R 21.030.20.13.0006	Teske, Donald	258.06
R 12.027.22.44.0004	Tax of Forfeit Propt	283.81
R 25 Parcels @ 100.0	State of MN	2,500.00
R 25 Parcels @ 62.00	State of MN	950.00
R 08.032.21.11.0086	Diethert, Lynette	250.00
R 19.029.21.24.0014	Kratt, Thomas	30.00
R 19.029.21.24.0015	Kratt, Thomas	878.00
R 29.028.20.42.0001	Meyer, Duane	408.00
R 34.031.20.41.0001	Bridges, Samuel	1,394.00

5. Approval of request to modify the Temporary Food License Fee from \$70.00 (3 day event fee) to \$20.00 (non-profit status fee) per vendor for an event being held by the Hmong American Partnership at the Washington County Fairgrounds.
6. Approval and execution of supplemental agreement no. 1 for reconstruction of CSAH 2 from the west ramps of I-35 and ½ mile west in the City of Forest Lake.
7. Adoption of **Resolution No. 98-069** as follows:

Final Payment to Dresel Contracting, Inc. for
Road Reconstruction on CR 52 in New Scandia Township

WHEREAS, the Washington County Board of Commissioners, on January 14, 1997, signed a contract with Dresel Contracting, Inc. for the road construction on CR 52 in New Scandia Township; and

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

April 28, 1998

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

8. Approval to renew office lease at Historic Courthouse with Loeffel Engstrand Corp.
9. Adoption of **Resolution No. 98-070** as follows:

Conveyance of Unneeded CSAH 27
Right of Way to the City of Birchwood

WHEREAS, Washington County owns right of way for County State Aid Highway 27, south of the highway line of White Bear Lake, on the west 33 feet of Government Lot 1, Section 19, Township 30 North, Range 21 West, Washington County, Minnesota; and

WHEREAS, CSAH 27 ends where it turns westerly into Ramsey County, but the right of way for CSAH 27 extends to the highwater line of White Bear Lake; and

WHEREAS, the City of Birchwood passed a motion requesting that Washington County convey to the City that portion of unneeded CSAH 27 right of way which is located between a line lying 33 feet northerly of the centerline of CSAH 27 and the highwater line of White Bear Lake.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners convey to the City of Birchwood that portion of unneeded County State Aid Highway 27 right of way described as follows:

That part of westerly 33.00 feet of Government Lot 1, Section 19, Township 30 North, Range 21 West, Washington County, Minnesota, lying northerly and easterly of the following described line:

Commencing at the Southwest corner of said Government Lot 1; thence North 89 degrees 09 minutes 22 seconds East, assumed bearing, along the south line of said Government Lot 1, a distance of 32.79 feet to the intersection with a line 33.00 feet east of, measured at a right angle to and parallel with the traveled center line of County State Aid Highway Number 27; thence North 00 degrees 12 minutes 24 seconds, West, along said parallel line, a distance of 241.11 feet; thence northerly along a tangential curve concave to the west, said curve is 33.00 feet easterly of and concentric with said traveled center line, has a radius of 188.25 feet and a central angle of 01 degree 23 minutes 25 seconds, a distance of 4.57 feet to the east line of the westerly 33.00 feet of said Government Lot 1 and the point of beginning of the line to be described; thence northwesterly, continuing along said curve, radius 188.25 feet, central angle 33 degrees 08 minutes 28 seconds, a distance of 108.89 feet to the west line of said Government Lot 1 and said line there terminating.

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

April 28, 1998

10. Awards were received for sand supply as follows:

J.L. Shiely (Camas Minnesota, Inc.)	\$2.05 per ton
M.J. Raleigh Trucking	\$1.85 per ton

Adoption of **Resolution No. 98-071** as follows:

Award of Contract for Seasonal Materials— Sand Material Supply
to Camas Minnesota, Inc. and M.J. Raleigh

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

WHEREAS, bids were opened on April 20, 1998 with Camas Minnesota, Inc. and M.J. Raleigh being the multiple bidders; and

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

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

BE IT FURTHER RESOLVED, that the contract between the County and CAMAS Minnesota, Inc. and M.J. Raleigh be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon contract execution by the vendors and approval as to form by the Washington County Attorney's office.

Bids were received for plant mixed bituminous as follows:

Bidder		Total Bid/Ton		
		MC 800 w/oil	AC-1 Mix w/oil	AC-1 Mix + Sand
Commercial Asphalt	@ Scandia Pit	No Bid	\$20.30	No Bid
	@ Red Rock Pit	No Bid	\$22.00	No Bid
River City Asphalt		No Bid	\$21.00	\$30.00
Tower Asphalt		\$28.75	\$20.75	\$21.75
T.A. Schifsky		\$23.50	\$20.50	\$23.50

Adoption of **Resolution No. 98-072** as follows:

April 28, 1998

Award of Contract for Seasonal Materials Supply
Plant Mixed Bituminous — to T.A.Schifsky & Sons, Inc., River City
Asphalt, Inc., Tower Asphalt, Inc. and Commercial Asphalt Company

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

WHEREAS, bids were opened on April 20, 1998 with T.A. Schifsky & Sons, Inc., River City Asphalt, Inc., Tower Asphalt, Inc. and Commercial Asphalt Company being multiple bidders; and

NOW, THEREFORE BE IT RESOLVED, that a contract for the Plant Mixed Bituminous Material Supply be awarded to T.A. Schifsky & Sons, Inc., River City Asphalt, Inc., Tower Asphalt, Inc. and Commercial Asphalt Company.

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specification as stipulated by Washington County as agreed to by T.A. Schifsky & Sons, Inc., River City Asphalt, Inc. Tower, Asphalt, Inc. and Commercial Asphalt.

BE IT FURTHER RESOLVED, that the contract between the County and T.A. Schifsky & Sons, Inc., River City Asphalt, Inc., Tower Asphalt, Inc. and Commercial Asphalt Company be executed through the signature of the Chairman of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon contract execution by the vendors and approval as to form by the Washington County Attorney's office.

11. Approval of the plat of Nielson Lake Estates, New Scandia Township.
12. Approval for the County Board Chair and County Administrator to execute the contract for extra funds from the Department of Natural Resources (DNR) to assist in enforcement of BWI Laws.
13. Approval for the County Board Chair and County Administrator to execute the 1998 law enforcement contracts with the following communities: Afton, Lakeland, St. Croix Beach, St. Mary's Point, Lakeland Shores, Mahtomedi, Dellwood, Willernie, Hugo, Lake Elmo, Forest Lake Township and Grant.

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

ACCOUNTING DEPARTMENT

John Devine, County Controller, presented the County Board Chair with a Certificate of Achievement for Excellence in Financial Reporting for the County's Comprehensive Annual Financial Report for the fiscal year ended December 31, 1996.

April 28, 1998

GENERAL ADMINISTRATION**Housing and Redevelopment Conduit Financing for Lakeview Hospital Addition**

Commissioner Abrahamson moved to adopt **Resolution No. 98-073** as follows:

Resolution Required by Section 147(f) of the Internal Revenue Code Giving
Approval to a Project on Behalf of Lakeview Memorial Hospital Association, Inc.
and Approving the Issuance of Revenue Bonds or Notes by the Washington
County Housing and Redevelopment Authority Therefor

WHEREAS, under Section 469.152 through 469.1651 of Minnesota Statutes (the "Act"), the Washington County Housing and Redevelopment Authority ("Authority") is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue producing enterprise, whether or not operated for profit, engaged in providing health care services, including hospitals and related medical facilities; and

WHEREAS, representatives of Lakeview Memorial Hospital Association, Inc., a Minnesota nonprofit corporation described in Section 501(c) (3) of the Internal Revenue Code (the "Corporation"), have indicated an interest and desire to acquire a Siemens 1.5 Tesla MRI system ("MRI"), construct an approximately 2,400 square foot addition to the Lakeview Hospital ("Hospital") to house the MRI, and renovate and remodel an approximately 4,600 square foot area of the Hospital's radiology department and adjacent lobby and an approximately 11,000 square foot area of the Hospital's inpatient nursing rooms and facilities, all located at 927 West Churchill Street, Stillwater, Minnesota (collectively, the "Project"); and

WHEREAS, the Corporation has proposed that the Authority issue one or more series of its notes or bonds (the "Bonds"), for the purpose of financing the Project, including certain incidental expenses thereto, in an approximate principal amount of \$4,600,000, and the proposal calls for the proceeds realized upon the sale of the Bonds to be applied by the Corporation pursuant to a revenue agreement wherein the Corporation will be obligated to acquire, construct, rehabilitate and equip the Project and to make payments under the revenue agreement at the times and in amounts sufficient to provide for the prompt payment of principal, premium, if any, and interest on the Bonds and all costs and expenses of the Authority incident to the issuance and sale of the Bonds; and

WHEREAS, the undertaking of the proposed Project and the issuance of the Bonds to finance the cost thereof will further promote the public purposes and legislative objectives of the Act by encouraging the location and retention of revenue-producing enterprises within the County, by enabling the provision of necessary health care facilities, so that adequate health care services are available to residents of the State at a reasonable cost, and providing additional or retaining existing employment opportunities for residents of the County and surrounding area; and

WHEREAS, the County Board of Commissioners (the "County Board") has been advised that a public hearing on the proposal to issue the Bonds has been conducted by the Authority, preceded by notice thereof as required by the Act and the Internal Revenue Code of 1986, as amended (the "Code"), and at such public hearing all parties were given an opportunity to express their views with respect to the proposed undertaking and financing of the Project; and

April 28, 1998

WHEREAS, the County Board has been requested to approve the Project and the issuance of the Bonds for purposes of Section 147(f) of the Code; and

WHEREAS, the full faith and credit of the County will not be pledged to or responsible for the Project or the payment of the principal of, premium, if any, and interest on the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the Washington County Board of Commissioners as follows:

1. The undertaking of the Project and the issuance by the Authority of its Bonds pursuant to the Act in an approximate aggregate principal amount of \$4,600,000, or such other amount approved by the Authority not exceeding such sum by more than 10%, to finance the costs thereof, all as referred to above, is hereby approved by the County Board for purposes of Section 147(f) of the Internal Revenue Code of 1986 as amended.
2. In no event shall the Bonds ever be payable from or charged upon any funds of the County, and no holder of the Bonds shall ever have the right to compel the exercise of the tax in power of the County to pay the Bonds or the interest thereon, nor to enforce the payment thereof against any property of the County. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the County, nor do the Bonds constitute an indebtedness of the County within the meaning of any constitutional, statutory or charter limitation.
3. The Chairman of the County Board and the County Administrator shall execute and deliver such certificates and other documents as may be necessary on the date of delivery of the Bonds as may be reasonably necessary or appropriate for the undertaking of the Project and the issuance of the Bonds.

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

DISCUSSION FROM THE AUDIENCE

Mayor David Schaaf, City of Oak Park Heights, requested technical assistance from the County Public Works Department and the Office of Administration related to finding new alternatives for a St. Croix River crossing.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Abrahamson reported that he has had telephone calls regarding the headline in the April 25, 1998 Pioneer Press paper stating that the County Board named a Housing and Redevelopment Authority director. He wanted the public to know that this County Board has nothing to do with the appointment of an HRA director. The HRA Board is a separate board and they make that appointment.

Commissioner Peterson requested that a letter be sent to the St. Paul Pioneer Press pointing out this inaccuracy and request a retraction.

April 28, 1998

Commissioner Hegberg stated he will be distributing information to the Board on the Sylvan Lake matter which will be heard at public hearing next week.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT


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

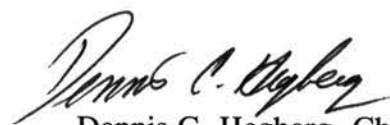
BOARD WORKSHOP WITH THE DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT

The Board met in workshop session with the Department of Health, Environment and Land Management to review the Planning Advisory Commission recommendations on the shoreland management ordinance. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Hauser. Also present were James Schug, Mary McGlothlin, Dennis O'Donnell, Lowell Johnson, Sue Tice, Rick Vanzwol, citizen of Grant; Eileen Weber, citizen of Cottage Grove, and Mike Marsnik, Stillwater Gazette.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss technology vision and strategic planning. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Hauser. Also present were James Schug, Jane Harper, Eileen Weber, citizen of Cottage Grove, and Mike Marsnik, Stillwater Gazette.

Attest: 
James R. Schug
County Administrator


Dennis C. Hegberg, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 5, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Bob Crawford, Workforce Center Manager; Don Wisniewski, Public Works Director; Mary McGlothlin, Director of Health, Environment and Land Management; Robert Lockyear, Administrative Services Director; and Dave Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of abatement applications for homestead classification, value and penalties as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 07.032.21.44.0014	O'Malley, Mary	\$ 211.37
R 24.029.21.13.0005	Herfeld Partnership	18.00
R 22.027.20.33.0001	Wash. Co. Parks	2,454.00
R 10.029.20.13.0003	City of Bayport	290.00
R 24.030.21.44.0002	Ramsden, Barbara & Bruce	376.00
R 23.029.21.11.0001	Novak, Robert & Carol	846.00
R 12.027.22.34.0002	Stoehr, Sylvia & Lawrence	328.00
R 12.027.22.34.0003	Stoehr, Lawrence & Sylvia	18.00
R 07.029.21.23.0084	Merrigan, Steve	402.00
R 07.029.21.23.0085	Merrigan, Steve	24.00
R 07.029.21.23.0087	Merrigan, Steve	30.00
R 08.029.21.23.0094	Dufrene, Daniel	1,036.00
R 20.029.21.44.0069	Nelson, Robert	300.00
R 29.029.21.13.0025	Urbaniak, Danel	952.00
R 31.029.21.43.0068	Cahanes, Timothy	862.00
R 07.028.21.11.0088	Buoy, pamela	820.00
R 07.028.21.22.0038	Connell, Trach Donald	1,028.00
R 09.028.21.14.0010	Klein, Carl	1,084.00
R 20.028.21.41.0038	Meuers, Daniel	1,400.00
R 21.028.21.31.0045	Girard, Laurie	240.00
R 21.028.21.32.0024	Towlerton, Timothy	1,250.00
R 21.028.21.32.0058	Larsson, Gustav	230.00
R 23.028.21.31.0018	Boulger, John	1,402.00
R 03.032.21.33.0007	Matustik, Raymond	1,142.00
R 07.029.20.12.0006	Spilseth, Paul	942.00
R 28.029.20.12.0003	Jeffers, Greg	424.00
R 29.029.21.22.0143	Hammond, Dianne	578.00
R 29.029.21.22.0143	Hammond, Diane	562.00
R 29.029.21.22.0143	Hammond, Diane	286.80

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2. Adoption of **Resolution No. 98-074** as follows:

Authorization to Conduct Excluded Bingo Application
from Scandia-Marine Lions

WHEREAS, on or about April 22, 1998, the Scandia-Marine Lions has made an application for authorization to conduct excluded bingo pursuant to the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved is located at the Scandia Community Center, 14727 209th Street North, New Scandia Township, Washington County; and

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

3. Approval to order reappraisal of tax-forfeited parcel #57950-3424 or geocode 07.029.21.24.0091 remaining unsold after last public auction and withdrawing such parcel from remaining sale list; and, authorization for the Auditor-Treasurer to offer parcel #57950-3424 or geocode 07.029.21.24.0091 to adjoining owners at a private sale.
4. Approval of agreement with Twin Cities Tree Trust to provide services for the 1998 Summer Youth Program.
5. Approval to submit an ASSIST grant application to the Minnesota Department of Health for \$11,000 to reduce smoking rates and exposure to secondhand smoke in Washington County for the period October 1, 1998 through September 30, 1999.
6. Approval to buy back from Boyer Ford Truck, Inc. one 5 yard single axle truck, unit #88-671 used as a trade-in for the purchase of a new 1998 5 yard single axle truck for Public Works; and approval to advertise for the sale of one motor grader, unit #90-724.
7. Approval to appoint Marguerite Rheinberger, Stillwater, to the Mental Health Advisory Council to a first term expiring December 31, 2000.

The foregoing Consent Calendar was adopted unanimously.

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COMMUNITY SERVICES DEPARTMENT

Commissioner Abrahamson moved to approve an agreement between Rivertown Car Care, Stillwater, St. Croix Valley Christians in Action Car Care, Lake Elmo, and Community Services Department/Workforce Center Division to provide car care service one Saturday per month beginning January 1, 1998 through December 31, 1998, for MFIP-S customers. Commissioner Engstrom seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Bid Award for County Road Preservation Projects

Bids were received for 1998 bituminous overlay projects as follows:

	<u>Alt A</u>	<u>Alt B</u>
Hardrives, Inc.	\$1,757,319.96	\$1,720,610.18
Tower Asphalt	\$1,764,768.55	\$1,728,312.30
Valley Paving Inc.	\$1,800,625.57	\$1,763,866.05

Commissioner Peterson moved to adopt **Resolution No. 98-075** as follows:

Award of Contract for 1998 Bituminous Overlays
Road Preservation Projects to Hardrives, Inc.

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

WHEREAS, bids were opened on April 20, 1998, with Hardrives, Inc. being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the County and Hardrives, Inc. be executed through the 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.

Commissioner Hauser seconded the motion and it was adopted unanimously.

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Hardwood Creek Trail Project

Don Wisniewski, Public Works Director, presented an overview of options for the Board to consider regarding the Hardwood Creek trail project. He indicated this is a trail project from Hugo to the north County line and connects with the trail that goes into Chisago County all the way to North Branch. This corridor is a candidate for a future commuter rail line, so no improvements have been made. The City of Forest Lake has requested that the County at least do the northern portion of the trail from Broadway to the north County line which would connect to the completed portion in Chisago County. The four options are: 1) Do nothing; 2) Proceed with the trail from Chisago to Broadway, put in a culvert at Judicial Ditch No. 1 drainage crossing and construct a gravel surface; 3) Proceed with the trail from Chisago to Broadway, put in a culvert at Judicial Ditch No. 1 drainage crossing and pave it; and 4) Proceed with the entire project. Mr. Wisniewski stated if the County does the two middle alternatives the County would not be eligible for federal funds and County bond fund match and the dollar amounts are \$65,000 and \$93,000.

Commissioner Abrahamson moved to proceed with the construction of a trail from Chisago County to Broadway in Forest Lake, that a culvert be placed at the Judicial Ditch No. 1 drainage crossing and that the trail be a paved surface. Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

James Schug, County Administrator, stated that the Board has been informed by the Association of Minnesota Counties (AMC) that there are federal discussions to reduce Title XX funding and some other federal funds Counties used to deliver social services and help offset administrative costs of providing medical assistance and child support services. AMC has encouraged Board members to contact legislators to express their concern about this. He advised the Board that Dan Papin, Community Services Director, will prepare fact sheets on this issue and will distribute it to the Board for its use in contacting legislators.

Commissioner Hegberg asked that Mr. Papin prepare letters to the federal legislative delegation, and copy the State legislative delegation, concerning this reduction in funding for the Board Chair's signature.

DISCUSSION FROM THE AUDIENCE

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

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COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Engstrom announced that he will be resigning as a County Commissioner for District 5 effective June 8, 1998. He stated he has accepted the Executive Director position with the Washington County Housing and Redevelopment Authority. The Board congratulated him on his new position and thanked him for serving as County Commissioner for the past five years.

Commissioner Peterson asked that the reappointment of Christian Hiniker, South Washington Watershed District, be placed on next week's agenda.

Commissioner Peterson announced that on Sunday, May 17 from 11:00 to 3:00 p.m. the Newport Heritage Preservation Commission and the Cottage Grove Advisory Committee on Historic Preservation will hold their first annual tour of historic homes in South Washington County.

Commissioner Hegberg announced that this Friday, May 8, may be the last meeting of the Judicial Ditch 1. He also announced that he met with the Rice Creek Watershed this morning in Hugo concerning the flooding in the Rice Creek area and water problems they are having. County Road 4 has a culvert that may need additional work.

Commissioner Hegberg also mentioned that there is a resignation on the Carnelian-Marine Watershed District. He understands there are applicants and interviews will need to be scheduled.

Commissioner Peterson announced that the Solid Waste Advisory Committee District 4 representative, Mark Wittenberg of Cottage Grove, passed away this weekend.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

PUBLIC HEARING - SURFACE USE OF SYLVAN LAKE ORDINANCE

The Board Chair presented an overview of today's public hearing to consider adoption of an ordinance regulating the surface use of Sylvan Lake and repealing Ordinance No. 12.

The Secretary to the Board read into the record the notice of intent to adopt said ordinance. The Board Chair declared the public hearing open at 5:20 p.m.

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James Schug, County Administrator, presented an overview of actions being considered at tonight's public hearing. The first is a repeal of Washington County Ordinance No. 12 (Exhibit 1) which currently regulates surface speed use of Sylvan Lake and basically contains two provisions: 1) The entire surface of the lake is considered as a restricted speed zone area; 2) Prohibition of any motorized water craft operating at a speed in excess of 5 mph in the restricted speed zone. In 1996 the County Board was approached by a citizen asking that this ordinance be repealed and that a higher surface speed be permitted on the lake. This matter was referred back to the two townships, Forest Lake and New Scandia Townships, with a request that they develop a joint proposal to bring back to the County Board for consideration as a replacement ordinance for Ordinance No. 12. Correspondence has recently been received from both New Scandia Township (Exhibit 2) and Forest Lake Township (Exhibit 3) outlining their proposals. The New Scandia proposal recommends that a speed limit of 15-20 mph be established during the hours of 12:00 noon to 6:00 p.m. with a 100 foot setback from the shoreline and that personal water craft be prohibited. The Forest Lake Township proposal recommends that the County Board compromise on a speed limit between 15 and 40 mph, that this activity be limited to the hours of 12:00 noon to 6:00 p.m. with a distance of 100 feet from the shoreline and that personal water craft be prohibited.

After notification was received from the two townships, a notice of public hearing (Exhibit 5) was published on April 22 in the County legal newspaper and the draft ordinance (Exhibit 4) was mailed to area property owners (Exhibit 6). The draft ordinance establishes a 40 mph maximum speed limit every day during the week during the hours of 12:00 noon and 6:00 p.m.; further, from 6:00 p.m. to 12:00 noon of the following day, no motor boat should be operated in excess of 5 mph; no personal water craft will be permitted to operate on Sylvan Lake at any time; and the higher speed limit would be prohibited from 100 feet of the shore.

Mr. Schug indicated that any action that the County Board takes on the ordinance also has to be approved by the Commissioner of the Department of Natural Resources (DNR). The DNR requires that certain water surface use rules be followed (Exhibit 7) including a worksheet concerning the water surface of Sylvan Lake (Exhibit 8). Also the following items will be needed: A statement is required explaining why this proposed ordinance is needed and how it will resolve problems; A copy of the proposed ordinance which is adopted; and also an account of the public hearing and any citizen comments from persons attending the public hearing.

Mark Doneux, Water Resource Specialist of the Soil and Water Conservation District, presented information required in the worksheet (Exhibit 7) about the physical characteristics, ownership and water craft use on Sylvan Lake. He indicated that most of the information he refers to was obtained from Minnesota DNR records (Exhibit 9). This information included the following: Lake area—86 acres; Shoreline length—2.4 miles; Maximum fetch—1.3 miles; Maximum depth of Sylvan Lake—34 feet; Types of soils; Plants; Fish survey; Water clarity—overall average in the last 20 years has been 12.9 feet; Lake

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levels; Natural and artificial obstructions; Existing development—approximately 50 properties (Exhibit 10) and no public access points; and Recreational uses.

Mr. Schug indicated that the only other question that would need to be answered on the questionnaire is a history of accidents or incidents that have occurred on the surface water. He stated that Sheriff Jim Frank informed him that since 1996 there have been three complaints to the Sheriff's office. One had to do with an illegal launching of a water craft off of Keewahtin Avenue. There was a complaint of waterskiing on the lake in July of 1997 and another complaint concerning speed of an aluminum boat in July of 1997.

Robert Olson, Extension Educator, University of Minnesota Extension, presented general impacts of the watershed on lakes (Exhibit 11). Items included in the presentation were: Pollutants in surface water; Sediment; Sediment-induced turbidity; Nutrients...phosphorus; Nutrients...nitrogen; Fecal bacteria; Oxygen-demanding pollutants; Toxic chemicals; Examples of a healthy littoral zone and an unhealthy shoreline.

Dennis Seefeldt, Chair, New Scandia Town Board, referred to his letter to Commissioner Hegberg dated May 1, 1997 and marked as Exhibit 2. At the February 17, 1998 Town Board meeting the following motion was adopted 4-1: Recommend to the Washington County Board of Commissioners that the speed limit be changed to 15-20 miles per hour during the hours of 12:00 noon to 6:00 p.m. with a 100 foot setback from the shoreline and that personal water craft be prohibited. He stated that since this recommendation was made he has learned that the County only has three options for speed limits, 5, 15 or 40 mph. He indicated that the 15 mph is acceptable to the New Scandia Town Board and is in the range passed by the Forest Lake Town Board.

Richard Tschida, Chair, Forest Lake Town Board, stated it is their position that there are two sides to this issue. One is that the original landowners had not been given all of their rights through the last number of years and that the subsequent landowners were given a certain set of rules that they felt they bought into. On April 13, 1998 they recommended that the Washington County Board of Commissioners compromise on a speed limit between 15 mph and 40 mph; that activity on the lake be limited to the hours of 12:00 p.m. to 6:00 p.m. a distance of 100 feet from the shoreline and that personal water craft be banned from the lake. Mr. Tschida stated that DNR rules of 5, 15 and 40 mph were in place and that if there was a variance to that speed limit, the variance would be an issue that would be directed by the County Commissioners. They found that this is a lake of similar size to others in Washington County that do not have restrictions on them. They recommend that the County Board come to a compromise and leave it to the Board's discretion if a variance is required in the speed that is currently being projected for this ordinance, 25-30 mph for example, something that would allow water activity to take place, not infringing upon people and in a time frame that was acceptable.

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Richard McNamara, Forest Lake Town Board Supervisor, and a member of the Forest Lake Water Management Organization WMO, indicated that the Town Board voted unanimously to support the position of speeds up to 40 mph and support the residents on the lake to be a community. He stated there are two people on the Forest Lake WMO, himself and one other person, who were directed by the Town Board of Forest Lake to pass a message through to the Forest Lake WMO, so any direction coming out of that organization does not have the sentiments of the Town of Forest Lake. There were no resolutions that were sent to the County Board for consideration.

Robert Rancourt, Attorney represented certain property owners on Sylvan Lake. The property owners who he represents are requesting that no speed limits or restrictions be placed on the lake. They are seeking to ban personal water craft and they are seeking to have restrictions, as far as the use of ski boats or power boats, to allow for waterskiing and knee boarding from noon to 6:00 every day of the week with a hundred foot setback from the shore. Lakes of similar size to Sylvan Lake, such as Edith Lake which is 75 acres, Little Carnelian which is 85 acres, Silver Lake which is about 50 acres, North Twin Lake about 61 acres, and there are many more, have no restrictions as to speed. Sylvan Lake is designated a recreational development lake which means it is allowed certain recreational uses. Mr. Rancourt presented the following information which was marked as Exhibit 12: Effect of waterskiing on Sylvan Lake by John H. Dainsberg, B.S., Aquatic Biology; Current Fish Population on Sylvan Lake, report from MN DNR; Safety Issues; and a copy of a report by Robert J.F. Merila, Professional Wetland Scientist. Mr. Rancourt stated he does not believe there has been anything presented by staff which would indicate that there would be any environmental problems or any other issues in that regard. He has not heard anything from staff that would indicate a safety problem on this lake by allowing water craft use during that period of time. He would request that the County Board adopt the requests by the property owners. He placed on file four letters from individuals who could not be here this evening: Kevin Nickelson, Scandia Township Board member; Greg Underdahl, property owner; Steven & Jean Nekowitsck, property owner; and Russell H. Ferry.

Frances Bear, 10050 204th Street N., Forest Lake - Ms. Bear stated she attended a meeting in Forest Lake two years ago and a fellow stood up and said "the kids have to have some fun". She wants to know how much fun do the kids have to have? These kids have about 50 toys to play with. She likes to go out on her paddle boat and fish and she doesn't want some joker coming by with his personal water craft and making all these waves—she wants to fish. That is what this lake is for, to fish. If they want to do more, let them go over to Forest Lake, it's just across the highway or let them go to Marine Lake. She doesn't want any 40 mph speed limit, she only wants peace and quiet.

A female from the audience spoke for Tim and Judy Rahey, who couldn't stay. They asked her to ask the County how can the County Sheriff enforce either a 15 mph or 40 mph speed limit? The Raheys indicated to her that it was a noisy weekend in front of their place this past weekend.

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Commissioner Engstrom asked how the Sheriff's Office gets boats on the lake for enforcement? Commissioner Hegberg stated there is no public access to the lake, nor is there an exit to the lake. At this point in time there's no way to enforce the 5 mph any more than the 40 mph except if a person calls and they have the Sheriff come out.

Mike Moszer, 20340 Keats Avenue N., - Mr. Moszer stated this has been a quiet lake. In 1975 the speed limit was put into place by some people who now want it reversed. In the narrow spot, if two boats meet, there are going to be problems. He skis, but he would never ski on Sylvan Lake, it's too small. He would like to see it left the way it is.

Sergeant Gary Swanson, Supervisor of the Water Parks and Trails Unit for the Sheriff's Office, stated the dilemma they face is that in order to qualify for a patrol boat, the boat has to be equipped with red and blue lights, siren, radio and necessary emergency equipment that needs to be on there to take care of emergencies on the water. There is a boat that is capable of being put into Sylvan Lake, but it is not a patrol boat. It would be a boat used for an emergency, such as a drowning. The patrol boat they use to patrol the lakes in Washington County is not small enough to be put in other than at an improved landing. He was up there last night and did look at a persons property who would allow the use of his property to put the patrol boat in, but there was no way they could get the patrol boat in without doing major damage to his property. As it stands right now, they have no way of putting equipment on that lake that could be used to patrol it. There is equipment to take care of an emergency, but not on a regular basis to patrol a lake. The Sheriff asked that he reiterate that the Sheriff's Department does not have a position in this matter, but will do what the County Board requests after the decision is made as far as making an attempt to take care of enforcement up there. A certain amount of enforcement can be done from the shore. People who live on the lake will probably recognize who is out there committing violations of the ordinance.

Commissioner Hegberg asked if there are other lakes in Washington County with similar circumstances? Sergeant Swanson stated there are. What they do on the other lakes is if they get a complaint they try to handle it from shore.

Commissioner Peterson asked if a speed gun from the squad car be used for enforcement? Sergeant Swanson stated would be highly unlikely.

Peggy Huerstel, 10234 204th Street N., Forest Lake - Ms. Huerstel stated that some environmentalists have mentioned that Sylvan Lake needs to be preserved in its pristine state. In allowing waterskiing on Sylvan Lake from noon to 6:00 p.m. all citizens are allowed to use the lake at sometime during the day. She believes the activity will aerate the water and benefit the fish population. She stated that the balance of nature should be respected and at the same time allow this reasonable usage of Sylvan Lake.

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Trevor Huerstel, 10234 204th Street N., Forest Lake - Mr. Huerstel stated he didn't know waterskiing was going to destroy so much and be such a problem. If it's this much of a problem, maybe the whole State should reevaluate the situation because it's destroying the ecosystem. He believes there are things running into the lake that shouldn't be, including manure. The opposite side wants a good clean lake and so does he. He stated people are dumping leaves into the lake. The other concern is noise. There is noise on the lake if a person goes speed boating. He stated that people who live by CR 97 have a problem with noise from the cars. They are just asking from noon to 6:00 p.m. There's not going to be any noise, it's not going to be every day, and it's not going to be abused. He stated the County Board asked them to go to the townships and see what they recommend. They did that. The townships agreed with them to a point. He feels a compromise should be made.

Blake Huerstel, 10234 204th Street N., Forest Lake - Mr. Huerstel stated just because there's going to be waterskiing from noon to 6:00 p.m. doesn't mean people cannot fish. This would be 100 feet from shore and it's not going to stop anybody from doing anything.

Greg Gellerman, 10230 209th Street N., Forest Lake - Mr. Gellerman stated they have deeded lake access and have lived there for 13 years. They moved to this area for the following reasons: Nature; clear, clean water; great fishing; flora and an outstanding variety of birds, waterfowl and animals; and the 5 mph speed limit. They are waterskiers, but are there is public access on Forest Lake which is just two miles away. There are other varieties of recreation that other lakes do not have, such as peaceful canoeing, undisturbed fishing, safe swimming, quiet paddle boating, bird watching and listening. They are concerned about the safety on this lake and feel this lake is too small for waterskiing. There are four small areas that are deeper, but people place their floating docks in those areas.

Commissioner Engstrom left the meeting at 7:00 p.m.

Marie Forsell, 20572 Manning Trail N., Scandia - Ms. Forsell stated she has lived on this lake 33 years. She asked how many lakes need to be recreational, does this particular lake need to be designated recreational? Nobody has mentioned the accidents related to this problem before 1976, before it became restricted. Are there any? She has been in the middle section where the small half and the big half get together and has been able to stand on the sandbar just below her knees. If a person hits that with a waterskiing boat there could be a big accident. She is concerned about public access. If it were just the people on the lake driving 15 mph it wouldn't be so bad. If the speed limit is raised, would there need to be a public access, where would it be? How would this be policed, is everybody going to follow the rules?

Jim Demko, 20571 Keewahtin, Forest Lake - Mr. Demko stated he is representing his mother who has owned this property since 1952. This ordinance was enacted in 1975 and prior to that there were meetings

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with all the neighbors around there regarding the speed of that lake. The meeting took place at Mr. McCullough's house and those who were concerned showed up. They discussed the speed of the lake.

The DNR said you people decide what you want and they will put up a sign. There was a hand vote, and the vote was on the same issues as it is now, the speed of the lake, should there be waterskiing and surfboarding, is the lake too small, are they going to wreck the shoreline. The vote was taken to drop it to 5 mph, which was 23 years ago and up until the last year or two there has not been an issue brought forward to Forest Lake, Scandia or Washington County to take that 5 mph speed limit off. His mother's property is on the very lowest part of the lake. If speed boats start going faster the waves are going to tear up the shoreline worse. If they start losing property, who's going to pay for that? He stated they do not want the speed limit raised. It is too small for waterskiing.

Wayne Schmidt, 20769 Keewahtin Avenue N., Forest Lake - Mr. Schmidt stated he has lived on the lake for 30 some years. He was at the meeting in 1976. They did vote on it and some things were said that were not brought to the County as the people wanted it. He would like to hear from the town board elected officials and hear what they came up with. He would like to see something for everybody, for fisherman, for kids to do a little something.

Susan Schirmer, 20650 Keewahtin Avenue, Forest Lake - Ms. Schirmer stated her family has lived in the area since 1990 and they have 33 feet of lakeshore along Keewahtin Avenue, and their house is up on the hill across the road. They purchased their property with the knowledge of the 5 mph speed limit and that was one of the things that convinced them to move there. They like kayaking, swimming and fishing and are not interested in noisy, fast sports. She feels that enforcement is an issue. She cannot tell the difference in speed between 15 and 40 mph. The Sheriff indicated they wouldn't be able to use a speed gun to tell either. She stated you can tell when somebody is going over 5 mph because they make a wave. She stated there is a large majority of people who live on the lake that do not want it changed. They like to swim and the only place they can swim is in the middle of the lake. There are too many weeds in front of their property to be able to swim off the shore. With the limited amount of open and deep water, they will be in conflict with speed boaters during the prime swimming hours which is noon to six.

Becky Schirmer -20650 Keewahtin Avenue, Forest Lake - Ms. Schirmer stated she, her parents and sister live across the road from Sylvan Lake. They have a private lake access and own a dock and a row boat. She and her sister Renee are thirteen years old and they thought it was important to explain their opinion on raising the speed limit. At earlier meetings, some people made it seem like kids were missing out on something by not being able to go knee boarding or waterskiing. She does not believe this is true. They know there are a lot of kids who like it just the way it is.

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Renee Schirmer 20650 Keewahtin Avenue, Forest Lake - Ms. Schirmer stated that Sylvan Lake is special because it is clean and clear. They like to be able to swim off their boat in the middle of the lake. They do not think this will be safe if people are waterskiing around them. They also worry that speed boats will damage the lily pads and scare away the loons. Going fast is not important to them, but protecting their lake is very important. They want Sylvan Lake to be this beautiful when they bring their kids to swim.

Anne Tousignant, 10060 204th Street N., Forest Lake - Ms. Tousignant stated she is a concerned homeowner who does not want the speed to be raised. She has a lot of the same feelings that people who spoke before her do. They purchased their property because of the 5 mph speed limit. They don't like waterskiing. They like to kayak, windsurf, float on air mattresses and swim. She asked why are we here? The majority of the homeowners on the lake do not want an increase in the speed. If waterskiing is allowed, that will be the only activity that will be able to take place on the lake. If you don't agree, she asked them to go swimming with them between noon and 6:00 out in the center of the lake, or canoe over to their neighbors across the lake for coffee while there is somebody out there waterskiing. It will be nearly impossible. She believes that the speed limit should be kept the same.

Sandy Moszer, 20340 Keats Avenue N., Forest Lake - Ms. Moszer stated she has lived there for 20 years. They fall within the 1,000 feet of the lake and she understands they have the same rights to comment as anyone else who is a lakeshore owner. Manure has been mentioned again. It does not run down the hill and enter the lake. The lake has improved in clarity as shown by the chart in the past 20 years. She does not think manure is an issue at all. She is concerned about the safety and patrolling of the lake. Who would enforce the limits? There have been people coming down the road looking in their area for a public access. She believes that would increase if they see more activity on the lake. She is concerned about the loon population. Any noise on the lake echos. If the speed limit is raised they will experience a lot of the noise from the lake. She feels it will have a negative affect on their property values in the neighborhood.

Brad Dahl, 10085 Scandia Trail N., Forest Lake - Mr. Dahl stated he lives on the lake and that the 5 mph speed limit is what persuaded him to buy on the lake. Swimming is the big one for him. It is a very weedy lake and the only place for swimming and not be in interference with the weeds is out in the middle of the lake. When he comes home from work at 3:00 p.m. he likes to sit out on his inner tube and relax. People who have bought property on the lake after the 5 mph speed limit he compares to buying a house next to an airport or pig farm and saying the airport is noisy or the pigs stink and we should get rid of them. It was there, they were fully aware of it, you should live with it. The 86 acres of total surface space—if you take away the 100 feet, how much more space is there to water-ski? He likes the peace and quiet, that's why he bought on the lake.

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Solveig Huerster, 10234 - 204th Street N. - Ms. Huerster stated she lives on the lake. They purchased their property in March, 1953. At that time a person could use the lake. They didn't have a boat and the children would have to swim on shore. The only time there was waterskiing was once a year when they had the family reunion and a relative bought his boat. There were two men on the lake who liked to fish. They just about fished out the lake. They used nets instead of their poles and reels. They were the two men who complained of the waterskiing or the boating. There wasn't hardly any boating on the lake. At the meeting at McCullough's home each of the lakeshore property owners were there. There was a discussion and then it came to a unanimous vote, even these two men agreed, that they would water-ski—first they went to the County Commissioners and they told us to have a meeting and come up with a solution and return to them. The vote at the meeting was unanimous to have waterskiing from 12 noon to 4:00. This was brought back to the County Board saying what they wanted. They barely got it out of their mouths and they said "I make a motion for 5 mph" "I second it" and it passed. They were disappointed. As to the noise. She hears Highway 97, she hears 202nd Street, should she complain and tell them they should go 5 mph? There are not many boats on this lake, it's private owners. There isn't going to be that much waterskiing on it. People are going to cooperate. A lot of people work, they are not going to be able to water-ski the whole time. It's going to be cooperation. They are for the environment too. She feels they should have something for the young people that is good clean fun. As a property owner paying taxes for this many years, she stated she is paying lakeshore property tax and she can't do what she wants on the lake. She does not think that is fair. If the Board doesn't raise the speed limit and they can't water-ski, is the Board going to lower their taxes? She is for allowing the waterskiing during those certain times and not allow the personal watercraft.

Commissioner Peterson left the meeting at 7:25 p.m.

Karen Thiry, 20815 Keewahtin, Forest Lake - Ms. Thiry stated she has lived at that address for 32 years. There was a lot more that went on in 1975 and 1976 than just a meeting of the neighbors. The County did a survey and they got 27 replies out of 36. At that time 3 people said there would be no problems, 10 people said there are problems and 13 people said there was a potential for problems. This was a very involved survey that was done by the County before they made their decision. She has the original sign-in sheet of people who did attend the Washington County Board hearing and the people here who say their rights were taken away attended that meeting. The idea of a compromise is very nice, except that from 12:00 to 6:00 nobody can do anything else on the lake. She lives on the north end of the lake and one boat going down the middle is going to disturb any activity on that part of the lake. If they are going 40 mph they can't turn around without going closer than 100 feet to the shore. The lake is as nice as it is now because it's been restricted for 22 years. This lake has just those four deep spots and cannot be compared to other lakes. It's been saved for 22 years. She can't see changing it, it will ruin the lake.

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Gail Liebersbach, 9980 - 206th Street N. - Ms. Liebersbach stated that she and her husband Bob just purchased their home last July. They live directly across from the lake, the road runs between their home and the lake and they have an outlot that they share on the lake. She remembers the day they looked at their house, standing in the yard listening to the loon for over an hour and that is why they bought the property because of the quiet and beauty. The lake is not that deep. They go out many times a week in their canoe and there are already people going way over 5 mph. They enjoy the quiet. She believes that boats pulling waterskiers in three feet of water are going to damage vegetation.

The Board took a five minute break.

Roger Hansen, 10159 - 209th Street N. - Mr. Hansen stated he lives on the north side of the lake and his father-in-law also owns a cabin on Keewahtin. He has lived on the lake since October, 1978. They bought the property knowing that the speed limit was 5 mph. They knew the lakeshore wasn't of value compared to Forest Lake because of the speed limit. He thinks right now the value is probably higher than Forest Lake. They have three boys that grew up on the lake and they are presently 24, 22 and 20 years old and they have lived with the speed limit as it is. He's listened to other people about swimming and he's not going to repeat it. He is in favor of keeping the speed limit the same. He saw a jet ski on the lake on April 6 and has noticed boats on the lake aren't respecting the 5 mph speed limit.

Roger LaVoi, 20506 - Kirby Avenue North - Mr. LaVoi stated that one of the things that concerned him about this ordinance was Section 5 talking about public access and it was to be used for enforcement, putting up buoys, putting up signs. He is concerned about the public access and would like that part stricken from the ordinance. He stated that a lot of people are using the lake for swimming and paddle boats. He thinks it might be worthwhile to have less than half of each day set aside for speed boat usage. He suggested two hours a day or set aside one half day per week. He feels half of the day light hours is too much to allocate to speed boat usage. The Scandia Council mentioned a 15 mph speed and a 100 foot distance from the shore. He feels if this is upped to 40 mph at least 200 feet would be needed from the shore because of erosion. He enjoys the wildlife. He stated that people have talked about compromise. He is willing to compromise on certain things. His view would be that if you have to change anything at all, just take Ordinance No. 12 and up the speed to 15 mph for the kids to be able to go behind on inner tubes. He believes 40 mph is out of the question. He thinks it would be worthwhile if the Board came to the lake and saw the size of the lake before it votes. It is too small a lake for waterskiing, and it would be best if folks went to Forest Lake for that activity.

Commissioner Abrahamson asked Mr. LaVoi who owned the property immediately north of his place? Mr. LaVoi indicated that Cherly Barott does, why? Commissioner Abrahamson asked who owns the piece in between? Karen Thiry, from the audience, indicated that it was Scandia Township.

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Commissioner Abrahamson stated the reason he's asking is because the Surveyor's map shows a forfeited land, is that correct? Mr. LaVoi indicated that he didn't know. Ms. Thiry stated that when they plotted out the plat for the new development off the lake, the developer had to give New Scandia Township either a ballfield or an access. The developer chose the access and New Scandia only uses it as a turn around area for their road equipment. They had no plans to develop it at the last meeting. She asked that question at their last meeting. She was not sure if that is the particular strip, but New Scandia Township does have some sort of outlot somewhere.

Bob Kelley, 10271 209th Street - Mr. Kelley stated he lives on the lake with 220 feet of shoreline. He has lived on the lake for three years. He bought the house from a local businessman who made it clear that there was a 5 mph speed limit on the lake and there was a movement underway to get that changed. He stated he has two children and a couple of kids across the street who like to have him pull them around on a tube. He does not think doing that is going to harm the lake. He indicated that the fellow he bought the home from stated he lost several prospective buyers because of the speed limit. He stated the loons have been here all along—before there was no speed limit, through the time there is a speed limit and they are still here. There isn't a public access on the lake. He does not believe there will be people dumping their boats on the lake. He's not in favor of jet skies and he's not in favor of the 40 mph speed limit. He thinks 15 mph for a limited amount of time during the day is fine, that's a good compromise.

Renee Patterson, 20590 Kirby Avenue N., Scandia - Ms. Patterson indicated she is a lakeshore owner and part of the vast majority that is against any alteration of the current speed limit. She had lived on Forest Lake for ten years. They chose to move off of Forest Lake because of the noise and abuse of the speed boats. They found this lot on Sylvan Lake, it was quiet, 5 mph and thought it was perfect. Based on the current tax level of her property, she does not believe her property value has been devalued because of the speed limit. She placed a letter on the record from her neighbors Dan and Judy Sperry who also just purchased on Sylvan Lake because of the 5 mph speed limit. She hopes the Board will heed to the vast majority who like the lake the way it is, who enjoy the lake and vote against any alterations.

Brian Patterson, 20590 Kirby Avenue N., Scandia - Mr. Patterson is against the waterskiing. He has one question to ask the Board—has the Board ever ruled against the majority of the people on any issue? Several Board members indicated probably.

Bill Saxton, 10260 209th Street, Forest Lake - Mr. Saxton indicated he has easement access and lives across the street from the lake. He's in favor of a compromise. He is totally against boats running at 40 mph across that lake. He owns a boat that is way to big for this lake, it will do 45 mph. There is no access for it the lake's too small. He is in favor of some sort of compromise to allow people to pull their kids behind their pontoons on a knee board or on a tube. Allow boats to accidently run across the lake at perhaps over 5 mph

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without a neighbor getting totally upset on the pier and running their boat toward you and getting crazy. He does not think 5 mph is reasonable for this lake. He does not think 40 mph is either. The problem is that the DNR rules state a 5, 15 or 40 mph with nothing in between. He suggested getting some type of a variance for something between 15 and 40 mph. He believes the lake should be unrestricted. The lake's size and the fact that there is no public landing will govern what types of boats go on that lake.

John Demko, representing his mother who lives at 200571 Keewahtin Avenue, stated he was concerned about safety. They have been on that property for forty some years. There has been a tradition on that lake of swimming out in the middle because there are so many weeds on the shore. He is concerned for the people getting out into the middle to swim and others running around with ski boats. The prime time for swimming is between the hours of 12:00 and 6:00. The weed line in that lake sometimes extends anywhere from 100 to 150 feet from the shoreline, so the area that the boats will be able to use has shrunk and everybody will be out in the middle.

Walt Miller, 10311 209th Street N., Forest Lake - Mr. Miller stated he lives on the lake and has lived there for over 25 years. He believes the DNR was right to recommend the speed limit. He believes the County was right to pass the ordinance and have the 5 mph speed limit. The lake is simply too small, too shallow and a 100 foot setback is not nearly enough. There is no public access, so the people who live on the lake or have access to it are overwhelmingly in favor of keeping the speed limit. It is hard to find a reason not to do that. He asked the Board to please leave the ordinance alone.

Commissioner Abrahamson asked Mr. Miller how he gets access? Mr. Miller pointed out how he gets access to the lake on the map through an easement, which wasn't shown on the map.

Greg Bosma, 20749 Keewahtin Avenue N. - Mr. Bosma stated he has lived at this lake for 12 years. During that time most of the people have gotten along. He's been on the lake, pulled his kid at 5, 10 mph on the inner tube, nobodies complained about that. He would like to see some kind of reasonable settlement. Five mph is so unreasonable and 40 is unreasonable too. A compromise needs to be reached. A lot of the people who want the 5 mph barely use the lake. Reaching the other side of the lake for fishing at 5 mph takes a long time and is frustrating to go that slow. A slight raise in the speed limit to be reasonable is all he would like to see. This water belongs to the public, everybody has a right to use this water. He asked the County Commissioners to have a reasonable look at this and come up with some solution that all these people here would be happy with.

Jesse Bosma, 20749 Keewahtin Avenue N. - Mr. Bosma stated this is stupid how everybody is whining. It's no big deal and everybody should compromise.

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Bill Wittrock, 20703 Keewahtin Avenue, Forest Lake - Mr. Wittrock stated he was a lakeshore owner. He indicated that in 1996 when they were before the Board, the Board sent them back to the township. They made it known at that time if this matter did come back to the County there would be an organized opposition raising the speed limit. He distributed a packet of information to the Board which was marked as Exhibit 13 and contained an outline of testimony to be presented as follows:

- 1) Outline of testimony with comment cards;
 - 2) Petitions and map with property locations (Exhibits 13A, B and C);
 - 3) Position of local governments and others (Exhibit 13D);
 - 4) Ordinance history (Exhibit 13E):
 - May 6 letter
 - 1975 County questionnaire, presentation of County results
 - July 8, 1975 hearing
 - August 7, 1975 continuation of hearing
 - May 4, 1976 County Ordinance
 - 5) Lake history:
 - Surface area and bathometric map, calculate the surface area with less than 5 feet, 10 feet and 15 feet (Exhibit 13F)
 - Lake Ecology Macrophytes, zooplanktin and phytoplanktin (Exhibit 13I)
 - Hydrology - Lake level data, stable isotope study (Exhibit 13J)
 - Water quality information, show comparable lakes in area and establish the value of the lakes quality (Exhibit 13H)
 - Outline the literature and the points indicating damage from boating (Exhibit 13J)
 - 6) Safety issue (Exhibit 13G)
 - 7) Noise is a protected natural resource (Exhibit 13L)
 - 8) Enforcement (Exhibit 13M)
 - 9) County requirements to create or amend the ordinance (Exhibit 13N)
 - 10) Liability of the County (Exhibit 13O)
 - 11) Conclusion
- Additional Briefed Items:
- | | |
|--------------------------|----------------|
| Response to Dainsberg | } |
| Response to Rancort | }(Exhibit 13K) |
| Comment on DNR Zapetillo | } |
| Comment on Merrila | } |

Melody Gellerman, 10230 209th Street N, Forest Lake - Ms. Gellerman stated they have lake access and addressed the following items mentioned in Exhibit 13 and marked as follows: 13A— Petition of residents of Sylvan Lake who do not wish an increase in speed limit on the lake and keep the current ordinance at 5 mph; 13B— Chart of calibration of numbers for and against raising the speed limit with totals for lakeshore owners, lake access owners and neighbors [For raising speed limit - 21 Against raising speed limit - 55]; 13C— Copy of letters given to her that the Board may or may not have received supporting the petition. Ms. Gellerman asked that as the Board considers this decision that it vote in a democratic process of majority rules and also respect the voices reflecting democracy and its definition of rule by majority. She asked that the ordinance not be changed and leave the speed limit of Sylvan Lake at 5 mph.

Commissioner Abrahamson asked if this information was made available to the Forest Lake and Scandia Town Boards? Ms. Gellerman indicated they were not told about the meeting in Forest Lake Township in

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time to make this presentation. She indicated that New Scandia Township was offered a majority of the information, but additional items have been added.

Marion Gordon, 10040 204th Street, Forest Lake Township - Ms. Gordon stated she and her family do have property on Sylvan Lake. She discussed the sequence of events in the current proposed speed limit increase including position of local governments, DNR and the Forest Lake Watershed Management Organization which is a part of Exhibit 13 and was marked as 13D. Ms. Gordon stated they purchased their home approximately two years ago. They were moved by the peace and beauty of the lake. They were informed before they purchased their home that there was a 5 mph speed limit. That was important to them because her husband is a shift worker at 3M and he has to work that third shift and needs to sleep during the day. She feels it is time for a lake association to be formed.

Bill Wittrock indicated he would discuss the next few issues of Exhibit 13. The first item discussed was the Ordinance History and was marked 13E and contained the following: May 6 letter from the County presenting the 1975 County questionnaire and results; July 8, 1975 hearing notice; August 7, 1975 continuation of hearing; and May 4, 1976 County Ordinance.

Mr. Wittrock continued with the Lake History portion of Exhibit 13 which contained the 1924 Plat map of Sylvan Lake and a bathometric map which were both marked as 13F. He contended that this map shows there is a predominance of shallow waters in the lake or 67% of the water surface that is available outside of the proposed 100 feet setback is five feet deep or less.

Mr. Wittrock next discussed the safety issues and referred to documents marked as 13G which included water surface use rules and statutes, physical characteristics of Sylvan Lake, crowding potential; bathomatic maps, natural and artificial obstructions and hazards, 1976 County questionnaire summary, analysis of lake with regards to high speed use, and safe skiing guidelines. Also included with this information was a DNR letter regarding waterskiing, AWSA Safe Waterskiing, and United States Coast Guard Safe Boating Standards. He believes that safety is the first priority in water surface usage and it will determine what is the most general public use. He feels that high speed uses such as waterskiing and knee boarding are not safe or compatible with other users on Sylvan Lake so there is no need for raising the speed above the current limits.

The Board recessed for five minutes.

Curt Sparks, 20930 Keewahtin Avenue, Forest Lake - Mr. Sparks indicated he has owned that property since 1975 and was here when the original ordinance went into effect. He discussed water quality and stated he has worked in that field for 25 years. He has worked with the Pollution Control Agency for 18 years during which time he was responsible for the lakes program. He is a member of the Forest Lake WMO and has

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been since the beginning. Mr. Sparks stated he will be discussing another lake in the Watershed and he will be drawing parallels between lakes and how lakes work. He discussed Shields Lake which was included in the documentation of Exhibit 13 and was marked as Exhibit 13H.

Ryan Brandt, lives on Duck Weed Bay, North Center Lake, and stated that Sylvan Lake is a gem after living on a lake that has been impacted over the years. He is a biologist and presented information on lake ecology, macrophytes, zooplankton and phytoplankton. This information was marked at Exhibit 13I. He provided the following conclusions: 1) Studies have proven high-speed boats damage aquatic plants. Increasing the speed limit on Sylvan Lake would destroy shallow aquatic plant beds. 2) The loss of aquatic plants resulting from the increased speed limit would destabilize the ecology of Sylvan Lake. 3) The increased speed limit would shift the lake from a clear, clean, plant dominated lake to a turbid, algae dominated lake. 4) The loss of aquatic plants would lead to increased algae populations, increased rough fish populations, and a corresponding loss of game fish and wildlife habitat.

Mr. Sparks presented data on Sylvan Lake and referred to secci disk information provided by Mark Doneux, Soil and Water Conservation District. He stated that in 1985, Sylvan Lake had an algae bloom for the first time in recorded history. The secci disk reading averaged about 8 feet. After investigation, they found out that the DNR had issued an aquatic plant management permit to a number of shoreline owners who wanted swimming beaches. He felt that killed off enough plants, which released nutrients into the water and caused an algae bloom which lasted for approximately five weeks. He believes this lake is sensitive and is a very unique lake. High speed boats cannot be allowed to travel in waters that are less than 15 feet deep because two things will happen: 1) A multitude of different studies have been done, and are included in Exhibit 13, and they show that the turbulence from motor boats stirs up the bottom in less than 15 feet of water; 2) It damages the plants that are sitting on the top of the water and chops them up. He talked to Bruce Carlson who manages the weed harvesting program on Forest Lake who indicated that during the weekends motor boat traffic on the lake does so much damage to the weeds that they could go along the shoreline and harvest weeds off the shore rather than run their machines in the lake. During the weekends, the secci disk readings are at least a foot and a half worse than they are during the week.

Mr. Sparks referred to a study conducted by the Forest Lake WMO in 1987 regarding an isotopic study of the sources of water into the lakes in the Forest Lake area, marked Exhibit 13J. He stated that the study showed that the cleanest water going into Forest Lake was essentially coming from Sylvan Lake. He also indicated they have provided responses to a number of documents that have been submitted to the Board. These responses are marked Exhibit 13K and include responses to Dainsberg, Rancort, Comment on DNR Zapetillo, and Comment on Merrila.

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Mr. Sparks asked that the Board read the briefs provided on noise a protected natural resource (13L); Enforcement (13M); County requirements to create or amend the ordinance (13N); and liability of the County (13O).

Dick Tousignant, 10060 204th Street N., - Mr. Tousignant indicated he lives on the south shore of the lake. He summarized for the group that just spoke and stated they want to keep the speed limit like it is. He stated that in 1975 there was a problem in surface use on Sylvan Lake. After careful consideration and mutual agreement of the parties involved the problem was fixed with a 5 mph ordinance. He stated that nothing has changed since then to justify the undoing of an ordinance that works. Since 1975 many new and year-round residences have been added, added to and or bought and sold within the lake area, all of them with the full knowledge of the 5 mph ordinance. He asked if Sylvan Lake is such an undesirable place to live, why are people moving into the lake area? They are concerned about the safety of high speed boat use on this particular lake; the adverse effect on water quality and clarity due to the loss of aquatic vegetation; bullying of other recreational uses off of the lake; noise pollution; adverse effect on the wildlife and fish habitat; adverse effect on shoreline; the wishes of the majority of the lake residents as voiced by the petitions and other means; the ability to enforce the speed limit; and the liability of Washington County and local governments. He feels even a modest increase to 15 mph will have adverse effects on Sylvan Lake. He stated Ordinance No. 12 was adopted more than 20 years ago for the same concerns that have been outlined today. He asked that the County Board deny this ordinance and ask that the issue not be brought up again until there is some substantial new evidence to show that their safety will not be jeopardized and that Sylvan Lake will not sustain unrepairable damage.

Julie Sparks, 20930 Keewahtin Avenue, Forest Lake - Ms. Sparks reiterated there is no need to change the speed limit or the ordinance that has protected the lake for 20 some years. She stated that on Keewahtin Avenue there is approximately 800 feet of uncontrolled access to the lake. She has seen people drop their canoes in and fishing boats to be launched off of trailers. She also mentioned that her neighbors Betty and Roger Smith could not make the meeting and she dropped off their letter which stated they were opposed to raising the speed limit.

Dale Jacobson, 10307 209th Street N. - Mr. Jacobson stated he was for the compromise. He does not own a motorized boat on the lake. He believes each person has to utilize the lake in a way they want to. He swims with his kids in the middle of the lake all the time and he would have no problem with somebody coming by waterskiing when they are out there.

Eugene Huerstel, 10234 204th Street N., Forest Lake - Mr. Huerstel indicated he has lived on the lake since 1960. They owned a small boat when he was a child and he had a lot of fun with it. They had people come over with a larger size boat and they had fun, it's a great sport. They mainly used the one part of the lake

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and stayed on their side. He stated a problem arose among two fishermen and another speed boat as theirs was not running. He feels everyone on the lake was punished and that the lake is not too small for waterskiing. If it were too small there wouldn't be waterskiing on any other lake such as Sand Lake which is only 60 acres and has no restrictions. He stated that his parents did not receive the survey back in 1975 and seven or eight other families who were for waterskiing did not receive it either. He believes a unanimous vote was reached at the meeting held at McCullough's which allowed a time for fishermen and a time for waterskiers. He stated that Commissioner Dennis Hegberg, Kevin Nicholson and he went out on Sylvan Lake in February and took the depth of the lake and the narrows. He indicated that there is seven feet on the east side and it went all the way across the lake. There are no stumps or barriers in the narrowest part. He discussed the petitions that were presented. When he has talked to people he hasn't given them horror stories. He believes that's what is going on with the petitions. He feels everyone should be able to use the lake. He has tried to compromise. He stated they have talked about having a watch patrol for the lake. He stated this is not an environmental lake, it is a recreational development lake. If the speed limit is set at 15 mph there will be bigger wakes, it also puts more pollution into the lake. They do not need to have a 40 mph speed limit, they are willing to go down to 30 and try to work with the County and so forth. A local government, the County, can ask for a variance.

Bill Kresow stated he has been a property owner on Lake Sylvan since 1970. He supports the compromise ordinance that would allow waterskiing.

Commissioner Hegberg stated that because the depth map was made in 1968 he called the DNR and asked them to check the elevations. The person from the DNR indicated that because the lake didn't have a public access the DNR would not want to go out and redo it. That is why he asked Mr. Doneux to check the section in between because of the information that was given as to the old history.

The Board Chair indicated that everyone who wished to give oral testimony has done so.

Commissioner Abrahamson moved to close the public hearing for oral testimony and that the record be kept open for written testimony to Monday, May 11, 1998 at 4:30 p.m. Commissioner Hauser seconded the motion and it was adopted unanimously; Commissioners Engstrom and Peterson absent.

The Board Chair stated this matter will be discussed by the County Board at next week's meeting.

Commissioner Abrahamson asked that the information that was presented after Commissioners Engstrom and Peterson left be provided to them as soon as possible.

The Board Chair thanked everyone in the audience for the respect they showed one another and that it was very much appreciated.

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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 Engstrom and Peterson absent. The Board meeting adjourned at 9:50 p.m.

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 the Woodbury Library. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Susan Tice, Jim Wells, Alice Engleman, Kathleen Schuller, Richard Stafford, Don Wisniewski, the following Library Board members: Larry Steltzner, Donald Wujcik, Adela Peskorz, JoAnn Bailey, Karin McGinnis; Eileen Weber, Citizen of Cottage Grove and Mike Marsnik, Stillwater Gazette.

BOARD WORKSHOP WITH COUNTY LEGISLATIVE DELEGATION

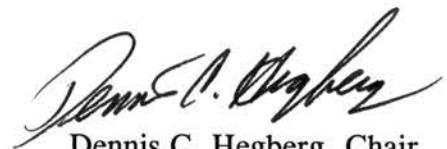
The Board meeting was preceded by a workshop session with the Washington County Legislative delegation for a 1998 legislative wrap up. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Richard Stafford, Senator Len Price, Senator Jane Krentz, Representative Nora Slawik, Representative Ray Vanderveer and Eileen Weber, Citizen from Cottage Grove.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 12, 1998

The Washington County Board of Commissioners met in regular session at 9:10 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Hunter, HELM Division Manager; Lowell Johnson, HELM Division Manager; Dennis O'Donnell, Senior Land Use Specialist; Robert Crawford, Workforce Center Manager; Judy Honmyhr, Human Resources Director; Dan Papin, Community Services Director; Char Farnum, Community Services Division Manager; Don Wisniewski, Public Works Director; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the April 28, 1998 Board meeting minutes.
2. Approval for the County Board Chair to sign County response to State Auditor's findings and recommendations contained in the draft report on the internal control structure and compliance for the year ended December 31, 1997.
3. Approval to reappoint Christian Hiniker, Woodbury, to the South Washington Watershed District to a second term expiring May 1, 2001.
4. Approval of submission of a grant proposal to the Minnesota Department of Economic Security for Emergency Shelter, Transitional Housing and Emergency Services.
5. Approval of purchase of service agreements with East Communities Family Services, Forest Lake Youth Service Bureau, White Bear Lake Community Counseling Center and Youth Service Bureau, Inc.
6. Approval of banding and grading of the revised job description of Probation Aide in the Court Services Department at B25-1.

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7. Approval of banding and grading of the new job description of Call Taker in the Sheriff's Department at B23-2; and approval of the job description.
8. Adoption of **Resolution No. 98-076** as follows:

Acquire Right of Way on County State Aid Highway 39

BE IT RESOLVED that Washington County proceed to improve and reconstruct County State Aid Highway 39 from Broadway and Summit Avenues to Grange Boulevard in the Cities of St. Paul Park and Cottage Grove.

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.

9. Approval of license to use real property with the City of Stillwater for a household hazardous waste collection event on May 16, 1998.

The foregoing Consent Calendar was adopted unanimously.

COMMUNITY SERVICES DEPARTMENT

Commissioner Peterson moved to accept the Community Services Department's 1997 Annual Report. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Lowell Johnson, HELM Division Manager, presented an overview of the final draft Shoreland Management Ordinance. He advised the Board of changes made to the ordinance as a result of the workshop held April 28, 1998 as follows: 1) Buffer Strips - A minimal requirement of 50 feet around natural environment lakes; 2) Additional natural environmental lakes to include Manning Lake in May Township and Goggins Lake in May Township; 3) Inclusion of access lots as part of the ordinance; 4) Density around natural development lakes will be subject to the underlying density provisions of the zoning around that particular lake unless they develop with open space development; and 5) Open space design will be allowed as a conditional use permit in these shoreland districts. The bonus was increased from 75% to 100% and reduced the required amount of open space from 60% to 50%.

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Commissioner Abrahamson asked who sets the high water mark? Mr. Johnson stated that the DNR does. Dennis O'Donnell, Senior Land Use Specialist, stated the DNR sets the ordinary high water mark on some lakes, and on other lakes there is no ordinary high water established.

Commissioner Abrahamson stated he does have some problems with the ordinary high water mark. In many cases the ordinary high water is flooding. Mr. Johnson stated that in the Zoning Ordinance it has been indicated that if there are records showing a higher level the County could use that.

Commissioner Hegberg stated that the Zoning Ordinance was changed so there are now two definitions. One looks at the 100 year flood level and the other is a definition of highest known water level the County has documented in the last couple of years to move that above the 100 year flood level because in some lakes the water levels have been going up. He believes the County is being more conservative than it has in the past.

Commissioner Abrahamson moved to approve the final draft of the Shoreland Management Ordinance and authorize its distribution to townships and interested persons; that this matter be set for public hearing on June 2, 1998 at 5:30 p.m.; and authorize the publication of the public hearing notice. Commissioner Hauser seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Susan Tice, Chief Assistant County Attorney, reminded the Board and members of the audience that the public testimony portion of the public hearing regarding a proposed ordinance regulating the surface use of Sylvan Lake was closed last Tuesday, May 5. The record was kept open until Monday, May 11 at 4:30 p.m for further written submissions and that record is now closed.

James Schug, County Administrator, indicated that a number of documents were received, and all but two of the items submitted prior to 4:30 last evening were copied to the County Board members. Those two documents were received from Eugene Huerstel dealing with an analysis of pollution from marine engines and the effects on the environment and the other document submitted by Mr. Huerstel contained various documents, letters and reports.

Commissioner Engstrom moved that no change be made to the current Ordinance No. 12 regulating the surface use of Sylvan Lake, and that the speed limit remain at 5 mph. Commissioner Hauser seconded the motion.

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Commissioner Hegberg stated that after hearing the evidence and reading the material submitted, he didn't find that there was evidence or concern for the use of the water by boats polluting the lake. The issue on use of the lake also has to be considered. The minority of the people on the lake want to use it for waterskiing and other recreational activities. He would be opposed to leaving the ordinance as it is.

Commissioner Abrahamson moved to amend the motion to adopt an ordinance allowing a speed limit of 15 mph on Sylvan Lake; that no time regulations are in place; and that no personal water craft be allowed. Commissioner Engstrom seconded the amended motion.

Commissioner Engstrom withdrew his motion that no change be made to the current Ordinance No. 12 regulating the surface use of Sylvan Lake, and that the speed limit remain at 5 mph. Commissioner Hauser withdrew her second.

Commissioner Abrahamson restated his motion to adopt an ordinance allowing a speed limit of 15 mph on Sylvan Lake; that no time regulations are in place; and that no personal water craft be allowed. Commissioner Engstrom seconded the motion and it was adopted 4-1 with a roll call vote as follows: Commissioner Hegberg, No; Commissioner Abrahamson, Yes; Commissioner Peterson, Yes; Commissioner Hauser, Yes; and Commissioner Engstrom, Yes.

Commissioners Hauser, Peterson and Abrahamson, encouraged the property owners on Sylvan Lake to form some sort of lake association to work out future problems and establish rules and regulations.

The County Attorney's Office was directed to prepare a resolution repealing Ordinance No. 12 and adopting a new ordinance regulating the surface use of Sylvan Lake in Forest Lake and New Scandia Townships for next week's Board meeting.

DISCUSSION FROM THE AUDIENCE

Nato Quitevis, ambassador member of the American Water Ski Association, discussed lake organizations to manage lakes. He lives on Lake Owasso which was in a pilot project with the Ramsey County Sheriff's office regarding a lake watch association. The lake watch association was established in 1996. In the first year the Ramsey County Sheriff's Office issued 133 citations and the lake watch association did 650 hours of PR patrolling and the Ramsey County Sheriff's Office issued 460 warning letters. The second year the Ramsey County Sheriff issued eight or nine citations and the lake watch

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association issued no letters and patrolled 100 less hours. By having a lake watch association that manages the lake the abusers and abuse of the lake can be lessened. He stated that the 15 mph limit that was put on Sylvan Lake is the maximum wake displacement, but it's a start. He encouraged everybody on that lake to get together and it can be a lot of fun.

Eugene Huerstel stated he has lived on the south side of Sylvan Lake since 1960. He appreciates that the Board allowed them to go back to the townships and to go through them and go through the process of coming back before the Board and at least listening to them. He feels that 15 mph is going to make the boats create quite a wake. He stated that maybe they could work something out with the opposition. They have been willing to work with them. They do want to go with State regulations so that when it does go before the Department of Natural Resources that it can be approved.

Bill Wittrock, 20703 Keewahtin, thanked the Board for its time. He pointed out that the petitions and surveys of people on the lake were all encompassing. He reiterated that the vast majority of the property owners maintain that 5 mph is a workable solution and there have been no problems on the lake since that was put in 20 years ago. He stated there are maybe 15 people on the lake who have been working to try and get the motion established to a higher speed. Of those 15 people, some want to go faster, some want to go slower. He stated they are in the process of working to set up a lake association. They have a draft of the bylaws and will be contacting the residents on the lake to see if they want to form an association. He believes there are issues that will need to be resolved as this motion is reviewed. He believes the maximum plowing that will happen at 15 mph needs to be looked at and what that means to the shorelines. He asked that enforcement be looked at. How will ordinary citizens on the shore know what 15 mph is and what would be appropriate or inappropriate actions? If 15 mph is simply put on the table to compromise between the neighbors, he believes there are some unforeseen, unanticipated consequences to 15 mph. He stated that they are prepared to petition for an Environmental Assessment Worksheet and that specific worksheet would resolve questions of the environment on shoreland erosion, noise, and other issues. He reiterated what was said at the public hearing, the majority feels they were forced into this situation of presenting all the information in case there was an appeal that would have to be done so that all information is on record. He thanked the Board for its time and wants to make sure those points raised today are communicated to the DNR for review.

Brad Dahl, 10085 Scandia Trail, stated he does live on the lake. He asked the Board if they are going to put the buoys out for the 100 foot setbacks off the shoreline? How do they plan on enforcing the 15 mph speed limit? There are people who do speed on the lake right now.

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Commissioner Hauser stated the Board will not comment on the specific issues of where the boats are and who does what. She stated that the most effective regulation on the lake is by the citizens themselves. She assumes that everyone will come together and take up all the issues, including the water quality and some of the other educational opportunities regarding how to treat the lake shore. The citizens around the lake are the most interested and invested in it and need to work together. She suggested that energy is put into developing a good, strong lake association and conduct educational workshops on water quality and other sorts of issues.

James Schug, County Administrator, reminded the Board that staff will bring back the ordinance as directed today with a resolution adopting it. This will then need to go the Department of Natural Resources for approval. He also clarified that the information provided this morning by the citizens who are testifying will not be part of that finding or the information that is submitted to the DNR. That will be limited to the facts that were brought out in the public hearing and in the written testimony that was submitted before 4:30 p.m. last evening.

Mrs. Huerstel stated she has been a land owner on Sylvan Lake for over 45 years. She feels with this new ordinance there won't be a problem. She believes everyone will work together. She stated in the winter time when there is snow and ice on the lake the snowmobiles make a lot of noise. She feels they make more noise than a boat waterskiing, and no one says anything about that.

Karen Thiry, 20815 Keewahtin Avenue asked if a person can water-ski at 15 mph? She feels that it hasn't satisfied the family that wants to water-ski and it's going to create a wake for the people who don't want a wake.

COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hauser reported that in the matter of transit they are trying to work with Ramsey County to see if changes can be made in federal appropriations for the commuter rail Red Rock Corridor.

Commissioner Peterson stated that a letter was received from MN/DOT allowing a four-way stop at Neal Avenue. They will also be investigating the other intersections along that frontage road.

Commissioner Peterson updated the Board on ISTEA reauthorization and that it is close to passing, but there are problems. The President opposed the \$9 million earmarked in the House bill.

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Commissioner Peterson announced the following meetings: Civic Ecology, Storm Water as an Urban Framework, May 20 in Minneapolis; Tour deSprawl on Sunday, May 17 in Minneapolis; and, Reconnecting Communities to the Mississippi, May 18.

Commissioner Abrahamson updated the Board on a meeting he attended last Thursday with the Andersen Window Corporation on the XL series. He will distribute information to the Board after the next meeting.

James Schug notified the Board that three applicants have applied for the vacancy on the Carnelian-Marine Watershed District Board of Managers. He suggested scheduling these interviews for June 2, 1998 prior to the County Board meeting. The other term held by John Bower will also expire in June. Mr. Bower has expressed an interest in being reappointed to that position. If the Board agrees, that reappointment can be placed on next week's Consent Calendar for approval. It was Board consensus that Mr. Bower's reappointment be placed on next week's Consent Calendar for approval and that the three applicants be scheduled for interviews on June 2 prior to 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 Peterson and it was adopted unanimously. The Board meeting adjourned at 10:30 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

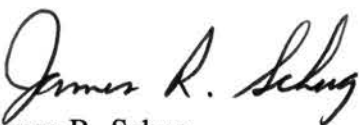
The Board met in workshop session with the Office of Administration to discuss language to include in the public opinion survey regarding the open space funding referendum. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Susan Tice, Jane Harper, Mike Marsnik, Stillwater Gazette and Eileen Weber, citizen of Cottage Grove.

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BOARD WORKSHOP WITH THE SHERIFF'S OFFICE

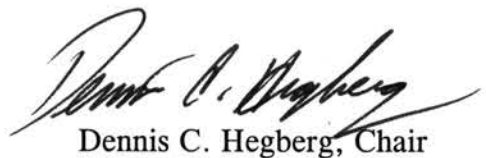
The Board met in workshop session with the Sheriff's Office to discuss communication center issues. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Virginia Erdahl, Susan Tice, Jim Frank, Steve Pott, Don McGlothlin, Matt Nelson, AFSCME Council 14, Jeneen Johnson, and Eileen Weber, citizen of Cottage Grove.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 19, 1998

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 Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Susan Tice, Chief Assistant County Attorney; Richard Stafford, Auditor-Treasurer; Molly O'Rourke, Assistant Auditor-Treasurer; David Maeda, Auditor-Treasurer's Office; Mary McGlothlin, Director of Health, Environment and Land Management; Judy Hunter, HELM Division Manager; Lowell Johnson, HELM Division Manager; Stuart Glaser, Emergency Services Manager; Don Wisniewski, Public Works Director; Marvin Erickson, Facilities Manager; Judy Honmyhr, Human Resources Director; Dan Papin, Community Services Director; Cindy Koosmann, County Recorder; Russ Reetz, Court Services Director; and David Brierley, Public Information Specialist.

James Schug, County Administrator, introduced the new Information Services Director, Raoul Schander.

CONSENT CALENDAR

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

1. Approval to reappoint John Bower, May Township, to the Carnelian-Marine Watershed District to a second term expiring June 21, 2001.
2. Adoption of **Resolution No. 98-077** as follows:

Resolution Adopting an Ordinance Regulating
the Surface Use of Sylvan Lake

WHEREAS, the Washington County Board of Commissioners has the authority to regulate the speed of water craft and regulate the surface use of Sylvan Lake pursuant to Minn. Stat. 86B.05, subd. 5(7); and

WHEREAS, Washington County currently regulates the surface use of Sylvan Lake through Ordinance No. 12; and

WHEREAS, pursuant to Minn. Stat. 375.51, a public hearing was held where sworn and documentary evidence was presented. The record was kept open until 4:30 p.m. on May 11, 1998 for the submission of further written comments; and

WHEREAS, through said public hearing process, the Washington County Board acquired the relevant information required by Minn. Rules 6110.3600; and

May 19, 1998

WHEREAS, Sylvan Lake is approximately 86 acres with an approximate shoreline of 2.4 miles, and maximum depth of 34 feet, and average summer water clarity of approximately 13 feet (1978-1997). There are approximately 50 properties with riparian access to Sylvan Lake, no public access or marinas, and no state or public ownership of shore land. The Department of Natural Resources has designated Sylvan Lake a recreational development lake. There have been only 3 recent incident complaints made to the Washington County Sheriff's Office regarding Sylvan Lake usage; and

WHEREAS, Sylvan Lake is located within the boundaries of the townships of New Scandia and Forest Lake. The New Scandia Township Board recommended that the speed limit on Sylvan Lake be changed to 15 to 20 m.p.h. during the hours of 12 noon and 6:00 p.m. with a 100 foot setback from the shoreline and that personal water craft be prohibited. The Forest Lake Township Board recommended that the speed limit on Sylvan Lake be changed to 15 to 40 m.p.h. during the hours of 12 noon and 6:00 p.m. with a 100 foot setback, and that personal water craft be prohibited; and

WHEREAS, the current ordinance sets the speed limit for Sylvan Lake at 5 m.p.h.; and

WHEREAS, pursuant to Minn. Rules 6110.3200, it is the goal of the Washington County Board in managing the water surface of Sylvan Lake to enhance its recreational use, safety, and enjoyment while preserving the water as a natural resource that needs protection; and

WHEREAS, the Washington County Board has determined that a 15 m.p.h. speed limit on Sylvan Lake and a prohibition of personal water craft, as that term is defined in Minn. Stat. § 86B.005, subd. 14a, on Sylvan Lake will accommodate all compatible recreational uses, minimize conflicts between users in a way that provides for maximum use, safety and enjoyment and is in conformity with the standards set in Minn. Rules part 6110.3700.

NOW, THEREFORE, BE IT RESOLVED, by the Washington County Board of Commissioners that upon all the testimony and evidence received at the public hearing, and for reasons set forth therein, the existing Washington County Ordinance No. 12 is hereby repealed and the proposed Ordinance Regulating the Surface Use of Sylvan Lake be and hereby is adopted as Washington County Ordinance No. 132.

BE IT FURTHER RESOLVED, that the purpose of this Ordinance is to manage the surface water of Sylvan Lake to enhance its recreational use, safety, and enjoyment while preserving the water as a natural resource that needs protection.

BE IT ALSO RESOLVED that pursuant to statute and rule, this Ordinance shall be submitted to the Commissioner of Natural Resources for approval.

ORDINANCE

State of Minnesota
County of Washington
Ordinance No. 132

AN ORDINANCE REGULATING THE SURFACE USE OF SYLVAN LAKE

Be it ordained and enacted by the Washington County Board of Commissioners, State of Minnesota, this ordinance following, by this act, hereby replaces and nullifies Washington County Ordinance No. 12, which, upon enactment, shall become Washington County Ordinance No. 132.

May 19, 1998

Section 1: PURPOSE, INTENT AND APPLICATION: As authorized by Minnesota Statutes 86B.205 AND Minnesota Rules 6110.300 - 6100.3800 as now in effect and as may hereafter be amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of the waters of Sylvan Lake in Forest Lake Township and New Scandia Township, Minnesota, said bodies of water being located entirely within the boundaries of Washington County, Minnesota, to promote its fullest use and enjoyment by the public in general and the citizens of Washington County in particular; to insure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety and welfare of the citizens of Washington County, Minnesota.

Section 2: SURFACE ZONING OF SYLVAN LAKE BY RESTRICTING SPEEDS DURING CERTAIN HOURS:

- (a) Except as set forth in Section 2.(b) of this Ordinance No. 132 on each and every day of the week no motor boat shall be operated in excess of 15 m.p.h.
- (b) No personal watercraft as that term is described by Minnesota Statute §86B.005, Subd. 14a. shall be permitted to operate on Sylvan Lake at any time.

Section 3: ENFORCEMENT: The enforcement of this Ordinance shall be the primary responsibility of the Washington County Sheriff's Department. Other licensed peace officers, including Conservation Officers of the Department of Natural Resources of the State of Minnesota, are also authorized to enforce this ordinance.

Section 4: EXEMPTIONS: All authorized Resource Management, Emergency, and Enforcement Personnel, while acting in the performance of their assigned duties, are exempt from the foregoing restrictions.

Section 5: NOTIFICATION: It shall be the responsibility of Washington County to provide for adequate notification of the public, which shall include placement of a sign at each public watercraft launching facility outlining essential elements of the ordinance, as well as the placement of necessary buoys and signs.

Section 6: PENALTIES: Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Seven-hundred Dollars (\$700.00), or by imprisonment of not more than ninety (90) days, or both.

Section 7: EFFECTIVE DATE: This Ordinance shall be in effect from and after the date of its passage and publication.

Passed by the County Board of Commissioners of Washington County, Minnesota on this 19th day of May, 1998.

- 3. Approval for the County Administrator to sign a letter waiving intellectual property rights of Washington County to the MCD(cities and townships)/County Jurisdictional Boundary dataset compiled for the seven county area by the Metropolitan Council.
- 4. Approval of annual on sale and Sunday liquor license for W.R.M. Inc. dba Vannelli's on the Green for the period of April 1, 1998 to March 31, 1999.

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5. Approval of contract with Ramsey Action Programs, Inc. to provide for emergent unmet basic needs to Washington County residents.
6. Approval of agreement with the Department of Economic Security Workforce Preparation Branch to receive a supplemental allocation for the Minnesota Youth Program for 1998.
7. Approval for the County Board Chair and County Administrator to sign an amendment to the Community Alert Network (CAN) services agreement.
8. Adoption of **Resolution No. 98-078** as follows:

Resolution Exchanging Deeds and Settling Claims Among
Washington County, New Scandia Township and Marlene Anderson

WHEREAS, on behalf of New Scandia Township, Washington County acquired property from Lorne and Marlene Anderson to construct a community drainfield for the 201 project. Because the property was acquired using state and federal funds, the property is encumbered by state and federal liens. The drainfield as constructed encroaches on property owned by the Andersons. In addition, Washington County was involved in the construction of a private septic system on the Anderson property, which the Andersons claim was improperly designed or constructed; and

WHEREAS, Lorne Anderson is deceased and title to the property is now in the name of Marlene Anderson as a single person; and

WHEREAS, New Scandia Township has agreed to convey the property originally acquired by them to Marlene Anderson in exchange for a deed to the property in which the community drainfield is actually located. By a letter dated April 20, 1993, Washington County has received the consent of the EPA and the MPCA for this exchange; and

WHEREAS, without admitting any fault or liability and to settle any claims that Marlene Anderson has against the County or New Scandia Township, Washington County agrees to pay to Marlene Anderson the sum of \$1,088 in full, complete and final satisfaction of any claims now existing or in the future arising out of the acquisition of her property and construction of the 201 community drainfield, the design and construction of the private septic system and the exchange of deeds.

NOW THEREFORE BE IT RESOLVED, that upon receipt of the executed deeds in recordable form from New Scandia Township to Marlene Anderson, describing the land originally acquired and from Marlene Anderson to New Scandia Township describing the land upon which the community drainfield is actually constructed and upon the execution of a release and satisfaction of claims, Washington County agrees to record, at its expense, the two deeds and to pay to Marlene Anderson the sum of \$1,088.

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9. Approval of a license to use real property with New Scandia Township, Forest Lake Township and South Washington School District to conduct household hazardous waste collection events.
10. Approval to add a new position of Case Manager in the Workforce Center as part of Welfare-to-Work.
11. Approval for a special project Clerk I in the Auditor-Treasurer's Office through December 31, 1998.
12. Approval and execution of the limited use permit with the State of Minnesota Department of Transportation for the Hardwood Creek Trail.
13. Adoption of **Resolution No. 98-079** as follows:

Minnesota Department of Transportation Traffic Signal
Agreement No. 77491 on Trunk Highway No. 5 and CSAH No. 14

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 a new traffic control signal with street lights, emergency vehicle pre-emption and signing on Trunk Highway No. 5 (Stillwater Boulevard North) at County State Aid Highway No. 14 (Manning Avenue North) in accordance with the terms and conditions set forth and contained in Agreement No. 77491, a copy of which was before the Board.

IT IS FURTHER RESOLVED, that the Chairman of the Board and County Administrator are authorized to execute the Agreement.

14. Adoption of **Resolution No. 98-080** as follows:

Rejection of Bids Received for Sign Purchase

WHEREAS, in order to facilitate the purchase of signs for normal road traffic regulation and information on County roads, the County solicited bids for the project; and

WHEREAS, bids were opened on May 5, 1998, with bids being received from Newman Signs and Earl F. Anderson, Inc.; and

WHEREAS, the bid received from the low bidder, Newman Signs, was requested to be removed from consideration by the vendor due to misinterpretation of the bid request and a calculation error, leaving only one bidder. Two other potential bidders, that have previously provided sign materials to the County did not bid due to time constraints imposed by the bid specs.

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NOW, THEREFORE BE IT RESOLVED, that the bids received from Newman Signs and Earl F. Anderson, Inc. made on May 5, 1998, be rejected due to bid request information clarity and time constraints imposed by the project specifications.

BE IT FURTHER RESOLVED, that the Washington County Department of Public Works is authorized to rebid the project at a later date with the provision that bid specifications be modified to clarify bid request information and change delivery aspects required.

15. Approval of the plat of Bonneyview Two in New Scandia Township.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Abrahamson moved to approve abatement applications for homestead classification, value, general class changes, special assessments, waste management fees and penalties as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 05.030.21.23.0006	Zerwas, Eugene & Theresa	\$1,092.00
R 21.029.21.22.0010	O'Malley, Patrick & Jody	386.00
M 88.088.88.00.0605	Lee, Dora	54.00
R 11.028.20.44.0045	Trudeau, Daniel	518.00
R 17.029.21.44.0005	Pohl, Robert	1,038.00
R 11.028.21.23.0055	Pfeiffer, Stephen	340.00
R 16.028.21.24.0070	Hicks, Gregory	858.00
R 21.028.21.32.0060	Deshler, Joseph	276.00
R 04.030.21.11.0004	Dresen, James	2,098.00
R 07.029.20.41.0009	Liniewicz, Philip	1,326.00
R 24.032.21.21.0036	Lang, Robert	768.00
R 22.029.20.42.0014	Morrissey, Lawrence	1,136.00
R 09.027.21.34.0058	Strachota, Linda	134.00
R 03.029.20.22.0006	MN Dept of Transportation	1,378.00
R 06.029.20.14.0007	MN Dept of Transportation	560.00
R 34.030.20.34.0007	MN Dept of Transportation	872.00
R 34.030.20.34.0079	MN Dept of Transportation	10.00
R 34.030.20.43.0011	MN Dept of Transportation	4,144.00
R 32.029.21.11.0033	Authentic Homes	1,832.00
R 33.030.20.12.0047	Bader, Thomas	686.00
R 33.030.20.33.0009	MN Dept of Transportation	128.00
R 08.028.21.31.0002	Woodbury Lutheran Church	2,716.00
R 05.030.21.23.0007	J & M Invest	916.00
R 05.030.21.23.0008	J & M Invest	664.00
R 05.030.21.23.0009	J & M Invest	664.00
R 05.030.21.23.0010	J & M Invest	832.00
R 05.030.21.31.0008	J & M Invest	250.00
R 05.030.21.31.0009	J & M Invest	246.00

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 05.030.21.31.0011	J & M Invest	332.00
R 05.030.21.32.0003	J & M Invest	4,464.00
R 05.030.21.32.0005	J & M Invest	496.00
R 05.030.21.32.0006	J & M Invest	582.00
R 05.030.21.33.0001	J & M Invest	582.00
R 05.030.21.33.0002	J & M Invest	414.00
R 05.030.21.33.0003	J & M Invest	414.00
R 05.030.21.33.0004	J & M Invest	414.00
R 05.030.21.33.0005	J & M Invest	414.00
R 05.030.21.33.0006	J & M Invest	414.00
R 05.030.21.33.0010	J & M Invest	414.00
R 05.030.21.33.0012	J & M Invest	414.00
R 05.030.21.34.0009	J & M Invest	164.00
R 05.030.21.34.0010	J & M Invest	164.00
R 05.030.21.34.0011	J & M Invest	164.00
R 05.030.21.34.0012	J & M Invest	246.00
R 05.030.21.34.0013	J & M Invest	332.00
R 05.030.21.34.0016	J & M Invest	332.00
R 05.030.21.23.0006	J & M Invest	478.00
R 05.030.21.23.0008	J & M Invest	346.00
R 05.030.21.23.0009	J & M Invest	346.00
R 05.030.21.23.0010	J & M Invest	346.00
R 05.030.21.31.0008	J & M Invest	130.00
R 05.030.21.31.0009	J & M Invest	130.00
R 05.030.21.31.0011	J & M Invest	172.00
R 05.030.21.32.0003	J & M Invest	2,322.00
R 05.030.21.32.0005	J & M Invest	260.00
R 05.030.21.32.0006	J & M Invest	302.00
R 05.030.21.33.0001	J & M Invest	302.00
R 05.030.21.33.0002	J & M Invest	216.00
R 05.030.21.33.0003	J & M Invest	216.00
R 05.030.21.33.0004	J & M Invest	216.00
R 05.030.21.33.0005	J & M Invest	216.00
R 05.030.21.33.0006	J & M Invest	216.00
R 05.030.21.33.0010	J & M Invest	216.00
R 05.030.21.33.0012	J & M Invest	216.00
R 05.030.21.34.0009	J & M Invest	86.00
R 05.030.21.34.0010	J & M Invest	86.00
R 05.030.21.34.0011	J & M Invest	86.00
R 05.030.21.34.0012	J & M Invest	130.00
R 05.030.21.34.0013	J & M Invest	172.00
R 05.030.21.34.0016	J & M Invest	172.00
R 21.028.21.34.0051	Praska, Stephen	31.71
R 32.028.20.11.0005	Nolz, Thomas	28.39
R 33.031.20.13.0002	Dunlap, Scott	234.00
R 17.029.21.14.0004	Imation Corp	750.00
R 14.028.20.24.0019	Tax Forfeit Land	553.06
R 26 Parcels		3,106.00
R 19.027.21.33.0001	Sandkamp, Alen (etal)	38.00
R 09.030.20.32.0003	Stillwater Twp	4.00
R 09.030.20.32.0003	Stillwater Twp	6.00
R 09.030.20.32.0003	Stillwater Twp	5.78
R 08.030.20.41.0003	Stillwater Twp	4.00
R 08.030.20.41.0003	Stillwater Twp	6.00

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<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 08.030.20.41.0003	Stillwater Twp	5.78
R 08.030.20.14.0003	Stillwater Twp	4.00
R 08.030.20.14.0003	Stillwater Twp	6.00
R 08.030.20.14.0003	Stillwater Twp	5.78
R 08.030.20.13.0002	Stillwater Twp	144.00
R 08.030.20.13.0002	Stillwater Twp	136.00
R 08.030.20.13.0002	Stillwater Twp	143.32
R 20.030.21.34.0004	Wildwood Church	62.00
R 07.032.21.44.0022	JWSA Assoc.	100.00
R 30.029.21.33.0020	Oakdale Leased Housing	100.00
R 06.028.21.12.0001	Woodbury Leased Housing	200.00
R 32.030.20.24.0002	Orleans Homes	200.00
R 32.030.20.24.0008	Orleans Homes	200.00
R 32.030.20.24.0007	Cottages Phase III	300.00
R 08.027.21.42.0004	Cottage Grove Invest II	400.00
R 18.029.21.12.0010	Grandad Lakes LMTD	400.00
R 29.030.21.13.0069	Briarcliff of Mahtomedi	400.00
R 27.027.21.43.0001	MN Mining & MFG Co	500.00
R 17.027.21.21.0039	Grove Rainbow LP	600.00

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

PUBLIC WORKS DEPARTMENT

Seasonal Material Bid Awards

Bids were received for cracksealant material as follows:

Daffinson	\$ 79,963.43
Astech Corporation	92,493.00
Allied Blacktop	94,106.25
Bergman Companies, Inc. of Wisconsin	102,387.60

Commissioner Peterson moved to adopt **Resolution No. 98-081** as follows:

Award of Contract for Seasonal Materials - Cracksealant
to Daffinson, Inc.

WHEREAS, in order to complete road maintenance functions seasonal materials and services are required, the County solicited bids for this project; and

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WHEREAS, bids were opened on May 11, 1998, with Daffinson, Inc. being the lowest responsible bidder; and

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

Commissioner Hauser seconded the motion and it was adopted unanimously.

Bids were received for sealcoat as follows:

Allied Blacktop	\$303,672.40
Astech Corporation	338,631.20

Commissioner Peterson moved to adopt **Resolution No. 98-082** as follows:

Award of Contract for Seasonal Materials - Sealcoat
to Allied Blacktop Company

WHEREAS, in order to complete road maintenance functions seasonal materials and services are required, the County solicited bids for this project; and

WHEREAS, bids were opened on May 11, 1998, with Allied Blacktop Company being the lowest responsible bidder; and

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

Commissioner Hauser seconded the motion and it was adopted unanimously.

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Bids were received for plant mixed bituminous inplace as follows:

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>	<u>Zone 4</u>	<u>Zone 5</u>
Tower Asphalt, Inc. (Per ton)	\$58.00	\$58.00	\$58.00	\$58.00	\$58.00

Commissioner Peterson moved to adopt **Resolution No. 98-083** as follows:

Award of Contract for Seasonal Materials - Plant
Mixed Bituminous Inplace to Tower Asphalt

WHEREAS, in order to complete road maintenance functions, seasonal materials and services are required, the County solicited bids for this project; and

WHEREAS, bids were opened on May 11, 1998, with Tower Asphalt, Inc. being the only 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 Chairman of the Washington County Board of Commissioners and Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

Commissioner Hauser seconded the motion and it was adopted unanimously.

Bids were received for chemical weed control as follows:

Mattson's Lawn & Garden, Inc.	\$73.50 per hour
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Commissioner Peterson moved to adopt **Resolution No. 98-084** as follows:

Award of Contract for Seasonal Materials - Chemical
Weed Control to Mattson Lawn & Garden, Inc.

WHEREAS, in order to complete road maintenance functions, seasonal materials and services are required, the County solicited bids for this project; and

WHEREAS, bids were opened on May 11, 1998, with Mattson Lawn & Garden, Inc. being the only bidder; and

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

Commissioner Hauser seconded the motion and it was adopted unanimously.

Contact Station Building at St. Croix Bluffs Regional Park

Don Wisniewski, Public Works Director, informed the Board that bids were received for the construction of a contact station at St. Croix Bluffs Regional Park. The estimated cost for the construction of the contact station was \$228,000 including the contingency fund (\$200,000 base and \$28,000 contingency). The low bid received was from Loeffel Engstrand at \$242,000 with other bids up to \$297,500. Mr. Wisniewski indicated that his first thought was to reject the bids and readvertise in August which would allow staff to work with the architect to reduce the cost of the building. Suggested changes would be: 1) Architectural concrete block veneer, in lieu of limestone; 2) Simplified exterior wood columns (wood posts, in lieu of decorative wood columns and limestone bases); 3) Deletion of two decorative interior wood trusses in lobby; and 4) Deletion of underfloor duct drainage system and sump.

Mr. Wisniewski outlined another option for the Board to consider. This option is to approve the low bid which is approximately \$42,000 over the base bid and ask that an additional \$30,000 come from contingency. This means that an additional \$70,000 would be needed if the low bid was accepted. He stated there is money available in the park permit fund.

Commissioner Abrahamson stated that the County has invested \$6 million in this valuable piece of property. In looking forward 20 to 30 years this building is going to represent the Washington County park system and he believes that this building as proposed is the one he wants.

Commissioner Abrahamson moved to direct staff to accept the low bid of Loeffel Engstrand for construction of a contact station building at the St. Croix Bluffs Regional Park and that a resolution be brought back at next week's Board meeting reflecting this motion. Commissioner Engstrom seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Abrahamson, Peterson, Hauser and Engstrom; No, Commissioner Hegberg.

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Advertise for Bids for Repair of the Parking Structure Adjacent to the Law Enforcement Center

Mr. Wisniewski reviewed his request to advertise for bids for repair of the parking structure adjacent to the Law Enforcement Center. He stated that since the parking structure was built in 1992 only preventative maintenance has been provided. The firm of Palanisami & Associates, Inc. was hired to investigate, report all deficiencies, develop a plan to correct problem areas and provide an estimate of costs. Twelve projects are being recommended and the estimated cost of the 1998 projects will be within the current budget appropriation of \$176,000. The total cost will be \$275,000 over the next few years.

Commissioner Peterson stated that there has been concern about this parking structure since it was built. She asked if the County has ever tried to go back to the contractor or architect about this project? Mr. Wisniewski stated that as far as they can tell the parking structure was built according to the plans and the installations were proper. They have never gone back to the contractor.

Commissioner Peterson asked how much would it cost to tear down the parking structure and would there be enough surface parking space? Mr. Wisniewski indicated he wouldn't have any idea what it would cost to tear it down. He stated there was not enough surface parking.

Commissioner Hegberg reminded the Board that the City of Stillwater required the County to have so many parking spaces because of the size of the building.

Commissioner Abrahamson stated that is why it is important to continue to look at the outer boundaries of the campus and buy the surrounding properties on a willing seller basis. He feels that should have been done years ago.

Commissioner Hauser asked if it would be better to look at other alternatives such as enclosing the parking structure and heating it or other types of things that can be done to the structure to minimize the yearly maintenance or erosion of the building itself. Mr. Wisniewski stated that the parking structure was designed to accommodate two more parking levels, so adding a roof would be very expensive.

Commissioner Hauser suggested that the County not plan on adding two more levels to the parking structure and begin acquiring the land around the campus for parking. Mr. Wisniewski stated they would look at the possibility of adding a roof.

Commissioner Peterson moved to advertise for bids for the repair of the Washington County parking structure adjacent to the Law Enforcement Center. Commissioner Hauser seconded the motion and it was adopted unanimously.

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Commissioner Hauser asked that staff go back, with the aid of the Attorney's office, and see if the County can get any redress from the contractor or architect for the design of the parking structure.

GENERAL ADMINISTRATION

County Organizational Structure

James Schug, County Administrator, presented two proposals for the Board to consider in the reorganization of the County structure. The Board held a workshop on April 21, 1998 and indicated its intent to move forward with the reorganization. He indicated that one item needed further discussion and that was whether or not the treasury function should be maintained as a separate department or be included as a division in the newly created Financial Services Department. He also informed the Board the this question was brought to the Internal Audit Committee for the two lay members to consider. He noted that the two lay members split on their recommendations. One was in favor of keeping two separate departments and the other felt the treasury function could be combined in the financial services department. Mr. Schug pointed out that his recommendation is for Proposal No. 1 which would eliminate the need to have a small department of only five to seven people.

Commissioner Peterson moved to approve Organizational Structure Proposal No. 2 keeping the treasury function separate. Commissioner Abrahamson seconded the motion.

Richard Stafford, Auditor-Treasurer, suggested an alternate plan. He believes this plan will address his concerns of financial checks and balances and the security of the County funds. He suggested that the treasury function be placed in the general services operations which includes the license centers, elections and vital statistics. He asked that this be done for a couple of years until the financial management system is up and running the way it should.

Commissioner Hauser suggested that the Board adopt Proposal No. 1, but retain the treasury function in general services for one year until the new system is put in place and at the end of that first year, if it is appropriate, phase the treasury portion out.

Commissioner Engstrom asked would that be one year from today's date? Commissioner Hegberg stated he thought it would be one year from the date that the system is installed, or January of 2000 when the issue would be revisited.

Mr. Schug stated that Mr. Stafford had brought this proposal of combining the treasury function with vital statistics. The reason this wasn't put into a diagram is that the rest of the proposals went through a

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considerably lengthy process— review by department heads and a County Board retreat— it didn't seem appropriate to throw in a third option that didn't have a chance to be reviewed. He asked that instead of putting a date certain on the conversion, he asked that there be a date certain to come back to the Board with another report and recommendation. One of his arguments in favor of going with Proposal No. 1 is that they are currently in design of the FMS. It would be helpful if they knew what structure was going to be used so the software would fit the structure. If the County goes with Proposal 1 with the treasury in the general services area, it may affect the way that the software system is designed. He suggested coming back in a year and communicate whether it's working or not.

Commissioner Peterson withdrew her motion to approve Organizational Structure Proposal No. 2 keeping the treasury function separate. Commissioner Abrahamson withdrew his second.

Commissioner Hauser moved to approve Organizational Structure Proposal 1A which would place the treasury function in with the License Centers, Elections and Vital Statistics Department and that Administration will come back at the end of 1999 with a report on how the Financial Management System is taking shape and how the separate treasury function is working or not working and make a recommendation as to whether or not it should remain the same or be absorbed into the Financial Services Department. Commissioner Engstrom seconded the motion and it was adopted unanimously.

Accept Resignation of and Creating a Vacancy in the Office of County Commissioner and Setting a Special Election to Fill the Vacancy

Commissioner Engstrom removed himself from this discussion.

Commissioner Hauser moved to adopt **Resolution No. 98-085** as follows:

Resolution Accepting Resignation of and Creating a Vacancy
in the Office of Washington County Commissioner and
Setting a Special Election to Fill the Vacancy

WHEREAS, Dave Engstrom holds the office of Washington County Commissioner, representing District 5; and

WHEREAS, Dave Engstrom has submitted his resignation of the office to be effective June 9, 1998; and

WHEREAS, Minn Stat. § 351.01 requires his resignation to be accepted by resolution of the Board of County Commissioners; and

WHEREAS, Minn. Stat. §351.01, subd. 3(6) allows a resignation to be made expressly at stated future date and makes such resignation effective at 12:01 a.m. on the stated date; and

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WHEREAS, said resignation creates a vacancy in the District 5 County Commissioner's Office at 12:01 a.m. on June 9, 1998; and

WHEREAS, Minn. Stat. §375.101 requires that the vacancy in the office of County Commissioner be filled at a special election not less than thirty (30) nor more than sixty (60) days after the vacancy occurs; and

WHEREAS, Minn. Stat. §375.20 requires the County Board to act by resolution to set a special election and special primary election within the time frame set forth in Section 375.101 in order to fill the remainder of the term of the office; and

WHEREAS, Minn. Stat. §351.055 allows the Board to begin procedures leading to a special election when a future vacancy becomes certain to occur; and

WHEREAS, upon adoption of this resolution by the County Board, Minn. Stat. §375.20 requires the County Auditor to post and publish notice of the election as required by Sections 204D.22 subds. 2 and 3 and to conduct the election and canvass the returns in the manner prescribed by Sections 204D.20 to 204D.27, as far as practicable.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The resignation of Commissioner Dave Engstrom is hereby accepted to be effective at 12:01 a.m. on June 9, 1998.
2. That on June 9, 1998, a vacancy occurs in the Office of Washington County Commissioner for District 5.
3. That a special primary election to fill the vacancy for the remainder of the term shall be held on June 30, 1998.
4. That a special election to fill the vacancy for the remainder of the term be held on July 14, 1998.
5. That any procedures leading to this special election may begin upon passage of this resolution.
6. That the Washington County Auditor implement the requirements of Minn. Stat. §375.20 for holding a special election.

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

DISCUSSION FOR THE AUDIENCE

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

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COMMISSIONER REPORTS - COMMENTS - QUESTIONS

Commissioner Hauser announced that there will be a transit day on May 27 co-sponsored by Met Council, other transit groups and the Joint Powers Board to look at transit alternatives.

Commissioner Peterson stated she met with the Social Justice Committees from the South Washington County Churches last evening and discussed welfare reform and the start of the Sister-to-Sister Program in that area.

Commissioner Peterson informed the Board that Senator Wellstone wrote a letter to the Senate in support of the Wakota Bridge Project asking for \$20 million, which is more than the House has allowed.

Commissioner Abrahamson announced that he has a meeting tonight with Jon Michels from the Brown's Creek Watershed District.

Commissioner Hegberg stated he attended a graduation ceremony for the Washington County Reserve Deputy Sheriff's Academy and read the graduates names into the record as follows: May 14, 1998: Erick F. Boder, Paul M. Christenson, Thomas E. Crotty, Timothy J. Donohoo, Stacy K. Fenlon, Sean P. Gillespie, Roberta C. Jones-Doering, Jeffrey L. Koesling, Richard S. Lang, Celena L. Longbehn, Christopher D. Majeski, Patrick J. Mayer, Michael B. Robertson, Shirley J. Sova, Brian J. St. Arnaud, Dale J. Werth, and Kristofer L. Witschen. December 1997: Brad M. Akey, Stanley J. Brank, Joni M. Fesler, Mark L. Gjertson, Jr., Gary R. Glaeser, Michael P. Glennon, John E. Harris, Eric L. Kurzhal, James J. Martin, Mark B. Olien, Christopehr B. Tveit, Michael G. Tveit and David D. Wulfing.

Commissioner Abrahamson mentioned that he attended the Memorial Service at the Law Enforcement Center last Friday honoring the police officers who have died in service. He thanked the 9th Grade Eagle Band from the Stillwater High School who performed and did a wonderful job. He also thanked the color guard from St. Paul Park and the Veterans of Foreign War Post in Stillwater who also were involved in the ceremony.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

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ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Abrahamson and it was adopted unanimously. The Board meeting adjourned at 10:25 a.m.

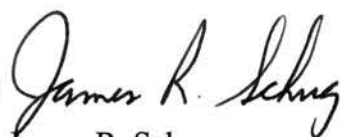
BOARD WORKSHOP WITH THE DEPARTMENT OF HEALTH, ENVIRONMENT AND LAND MANAGEMENT

The Board met in workshop session with the Department of Health, Environment and Land Management in the Law Enforcement Center to review emergency management plans and procedures guiding county government response to disasters. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Also present were James Schug, Mary McGlothlin, Lowell Johnson, Stuart Glaser, Dave Brierley, Leo Steiner, Jim Frank Steve Pott, Don McGlothlin, Dan Papin, Don Wisniewski, Roger Coomer, Mike Marsnik, Stillwater Gazette, Eileen Weber, citizen of Cottage Grove and Marv Erickson.

BOARD WORKSHOP WITH COMMUNITY SERVICES AND H.E.L.M. DEPARTMENT

The Board met in workshop session with the Community Services and H.E.L.M. Departments to discuss the Health Care Study on county-based purchasing vs. State-based purchasing on prepaid medical assistance program. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hauser, Abrahamson, Peterson and Hegberg. Also present were James Schug, Dan Papin, Rick Backman, Doug Karsky, Mary McGlothlin, Linda Stein, Beth Clendenen, Mike Marsnik, Stillwater Gazette and Eileen Weber, citizen of Cottage Grove.

Attest:


James R. Schug

County Administrator

Dennis C. Hegberg, Chair
County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 26, 1998

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 Hegberg, Abrahamson, Peterson and Engstrom. Commissioner Hauser absent. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Judy Honmyhr, Human Resources Director; Mary McGlothlin, Director of Public Health and Environment; Sue Hedlund, Department of Public Health and Environment; Don Wisniewski, Public Works Director; Dan Papin, Community Services Director; and Dave Brierley, Public Information Specialist.

The Board Chair asked for a moment of silence in honor of Memorial Day.

CONSENT CALENDAR

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

1. Approval of abatement applications for homestead classification, value and penalties as follows:

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 28.031.21.22.0004	Zerwas, Eugene	\$1,092.00
R 24.032.20.44.0002	Warmington, Jay	868.00
R 24.032.20.44.0001	Warmington, Jay	662.00
R 31.029.21.14.0073	Prell, Michael	870.00
R 29.030.21.22.0064	Bieniek, Richard	776.00
R 10.029.20.11.0068	Emert, Donald	120.00
R 18.029.21.21.0030	Larkin, Sara	852.00
R 20.030.20.23.0031	Ballandby, Rebecca	1,532.00
R 10.029.20.13.0003	City of Bayport	310.00
R 77.077.77.00.0042	Forest Lake State Bank	5,920.00
R 16.032.21.13.0047	Bayview LCC	2,866.00
R 16.032.21.13.0039	Bayview LCC	3,000.00
R 05.028.21.41.0099	Notaro, Ronald	27.82
R 08.028.21.33.0109	Blechinger, Ronald J	1,181.94
R 08.028.21.33.0109	Blechinger, Ronald J	1,176.00
R 08.028.21.33.0109	Blechinger, Ronald J	948.00

2. Approval of appointments to the Workforce Council for two year terms expiring June 30, 2000 as follows: Sara R. Shore - Interim Personnel, Woodbury; Molly M. Wellik, State Farm Insurance, Woodbury; Jerry P. Turnquist - Oak Park Heights City Council, Stillwater; Pastor Christopher J. Icenogle - Bethany Covenant Church, Stillwater; and Pat Ueland, Job Service/Reemployment Insurance, Anoka, Dakota and Washington Counties.

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- 3. Approval to convert .5 Special Project in the Recorder’s Office to full time and continue the special project contract through December 31, 1998.
- 4. Approval and execution of construction and maintenance agreement with New Scandia Township for a park and car pool lot.
- 5. Approval and execution of Supplemental Agreement No. 1 to the signal maintenance agreement with the City of Mahtomedi for the signal at CSAH 12 and CSAH 36.
- 6. Bids were received for construction of a contact station at St. Croix Bluffs Regional Park as follows:

Loeffel Engstrand	\$242,000
Graus Construction	\$252,000
Sheehy Construction	\$269,300
George Siegfried Construction	\$274,000
Lund Martin Construction	\$293,500

Adoption of **Resolution No. 98-086** as follows:

Award of Contract for Contact Station at St. Croix Bluffs
Regional Park to Loeffel Engstrand Corporation

WHEREAS, in order to complete construction of a Contact Station at the St. Croix Bluffs Regional Park, the County solicited bids for this project; and

WHEREAS, bids were opened on April 28, 1998, with Loeffel Engstrand Corporation being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the County and Loeffel Engstrand Corporation 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.

- 7. Approval to advertise for snow removal vendors for the Government Center parking lots and the County parking structure.

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8. Adoption of **Resolution No. 98-087** as follows:

Limited Use Permit for Bikeway Improvements

WHEREAS, Washington County wishes to construct, maintain and operate bikeway improvement along Trunk Highways 97 and 8 at Trunk Highway 61 for SP 82-590-01 (Hardwood Creek Trail); and

WHEREAS, the Minnesota Department of Transportation grants the Limited Use Permit to Washington County for the construction, operation and maintenance of said bikeway; and

BE IT RESOLVED, that the County of Washington enter into the Limited Use Permit with the State of Minnesota, Department of Transportation for the aforementioned activities; and

BE IT FURTHER RESOLVED, that the Chairman of the Washington County Board of Commissioners and the County Administrator be and are hereby authorized to execute such agreement, and thereby assume for on behalf of the County all of the contractual obligations contained therein.

9. Adoption of **Resolution No. 98-088** as follows:

Minnesota Department of Transportation Road Construction
Agreement No. 77443 - Intersection Modifications to T.H. 5
and CSAH 14 in Lake Elmo

IT IS RESOLVED that the County of Washington enter into MN/DOT Agreement No. 77443 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the County to the State of the County's share of the costs of the turn lane bituminous milling and surfacing construction and other associated construction to be performed adjacent to Trunk Highway No. 5 upon, along and adjacent to County State Aid Highways No. 14 and No. 15 from Engineer Station 11 + 21 (1900 feet south of Trunk Highway No. 5) to Engineer Station 30 + 24 (Trunk Highway No. 5) under State Project No. 8214-120.

IT IS FURTHER RESOLVED that the Chairman of the Washington County Board of Commissioners and the County Administrator are authorized to execute the Agreement.

10. Approval of lease with James Robert Humphrey, Sr. for a duplex and property at 14932/14942 North 60th Street, Oak Park Heights, by the signature of the County Board Chair and County Administrator.
11. Approval for County Administrator and County Board Chair to accept and execute universal hiring grant agreement between the U.S. Department of Justice and Washington County in conjunction with Forest Lake Township to hire one Deputy for a three year period.

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

Commissioner Hauser arrived at 9:05 a.m.

PUBLIC HEARING - HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Youth Access to Tobacco Ordinance

The Board Chair presented an overview of today's public hearing to consider adoption of an ordinance regulating youth access to tobacco. The Secretary to the Board read into the record the notice of intent to adopt said ordinance. The Board Chair declared the public hearing open at 9:10 a.m.

Sue Hedlund, Program Manager, Health, Environment and Land Management Department, presented a brief review of the proposed Youth Access to Tobacco Ordinance process and provisions of the final draft of this ordinance. Ms. Hedlund stated that in 1997 the State Legislature passed a law, Chapter 227 Youth Access to Tobacco, which set the statewide uniform floor provisions for the regulation of the sale, possession and use of tobacco. The purpose of the legislation was to reduce the illegal sale, possession and use of such items by minors. She indicated that minimum requirements were set out by the law and she presented those as follows: 1) Requirement that local governments license all tobacco retail outlets and designate a licensing authority; 2) Requirement of graduated penalties against the license holders for the illegal sale of tobacco to minors; 3) Requirement that unannounced compliance checks be performed once every year; 4) Ban on self-service displays of single packs of cigarettes and smokeless tobacco, except in places where 90% of their revenues are from cigarette sales; 5) Ban on vending machines except in facilities that cannot be entered by minors; 6) Requirement of a 90 day suspension or delay of a driver's license of a minor who is found to be using a driver's license to purchase tobacco or of an adult who is providing their license to a minor for them to purchase tobacco; 7) A \$50 administrative fine for clerks who illegally sell tobacco to minors; 8) Requirement that counties or cities have alternative penalties for minors who are found to have purchased, used or possessed tobacco illegally; 9) The State law also allows local governments to have more restrictive regulations than the State law lays out; and 10) If cities or townships do not enact an ordinance, the county is responsible to do so.

Ms. Hedlund stated they contacted all cities and townships in the County to determine their intentions of developing a local ordinance. They also asked them for the number of tobacco vendors that they had located in their jurisdiction. The following cities or townships would not be developing their own local ordinance: Forest Lake Township, New Scandia Township, Marine-on-St. Croix, May Township, Grant, Willernie, Mahtomedi, Lake Elmo, Baytown Township, West Lakeland Township, Lakeland Shores, St. Mary's Point, and Grey Cloud Island Township. She indicated that 33 vendors would be affected by this ordinance.

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Ms. Hedlund indicated that the County Board held a workshop on this proposed ordinance on February 10, 1998 and provided direction to the department on the more restrictive provisions to include in the draft of the ordinance. On March 17, 1998, the Public Health Advisory Committee met and passed a resolution recommending to the County Board to include the more restrictive provision of prohibiting tobacco sales by a minor in the ordinance. At the County Board's April 21, 1998 meeting, the Board approved the inclusion of that prohibition of sales by a minor and authorized distribution of the final draft of the ordinance and set today's public hearing date. The legal notice of the hearing was published and notices were sent directly to all tobacco vendors in the affected areas and those located by contacting the cities and townships about who was selling tobacco in their areas. Notices were also sent to all cities and townships.

Ms. Hedlund stated that the proposed ordinance does comply with all the state requirements and meets those minimums; It establishes H.E.L.M. as the licensing authority for the County; it also establishes the licensing process which includes the application and basis of denial. The proposed ordinance also includes the following provisions that are more restrictive than the State law: 1) Ban on all self-service of tobacco—all sales of tobacco will need to be clerked assisted; 2) Ban on all vending machines, not just in the areas where minors are allowed, which will affect 11 vendors; 3) Requirement of two compliance checks per year; 4) Increases the vendor penalties; 5) Requires the sellers of tobacco to be at least 18 years old; 6) Provision to address the minors who attempt to purchase tobacco using false I.D. or have possession or use of tobacco; and 7) Provision allowing the County to fine others who provide cigarettes to minors. Ms. Hedlund stated the effective date of this ordinance would be July 1, 1998 and vendors would have 45 days from that date to be in compliance.

Ms. Hedlund stated that in the public notice there was a request for written comments. She indicated that no written comments were received as of this date.

Commissioner Hegberg asked if the cities have similar ordinances for minors who are caught smoking? Ms. Hedlund stated they would follow the County's diversion program and are referred to the County Attorney's office.

The Board Chair asked for comments from the audience.

Eileen Weber, Cottage Grove, stated she is a member of the County's Public Health Advisory Committee and authored the resolution that the advisory committee passed pertaining to this ordinance. The resolution called for a ban on anyone under 18 handling tobacco sales. She encourages the Board to adopt this ordinance as proposed including the language that the Public Health Advisory Committee recommended.

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

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Commissioner Abrahamson asked about the figure used in the Public Health Advisory Committee resolution that is costs \$277 for every taxpayer in Washington County in smoking related diseases and if staff could back that figure up. Ms. Hedlund stated that is the number that the Minnesota Department of Health has provided to Washington County as well as the other counties in Minnesota in determining cost of smoking related diseases.

Commissioner Engstrom moved to close the public hearing. Commissioner Hauser seconded the motion and it was adopted unanimously. The public hearing was closed at 9:24 a.m.

Commissioner Peterson moved to approve the Youth Access to Tobacco Ordinance. Commissioner Engstrom seconded the motion and it was adopted unanimously.

The resolution to adopt the Youth Access to Tobacco Ordinance will be brought back at next week's Board meeting.

HEALTH, ENVIRONMENT AND LAND MANAGEMENT DEPARTMENT

Report of 1998 Violence Prevention Mini-Grant Projects

Cathy Mackiewicz, Community Health Specialist, presented a summary of the following 1998 violence prevention mini-grant projects: Child Abuse Council (county wide); Tri County Youth and Family Partnership (Forest Lake); Southeast Area YMCA (South Washington County); Stillwater Area High School Mentoring Program (Stillwater); The Violence Prevention and Peaceful Alternatives Collaboration (South Washington County); and Kids First (South Washington County).

PUBLIC WORKS DEPARTMENT

Fishing Pier at Square Lake Park

Commissioner Abrahamson moved to authorize the use of \$5,000 in stewardship funds as Washington County's contribution towards the installation of a fishing pier at Square Lake Park and adopted the following resolution:

Resolution No. 98-089

Minnesota Department of Natural Resources Grant
Fishing Pier Construction & Maintenance at Square Lake Park

May 26, 1998

WHEREAS, Washington County and the Minnesota Department of Natural Resources (DNR) have determined that a Fishing Pier site on Square Lake Park is of high priority under the State public water access program; and

WHEREAS, the DNR and Washington County desire to cooperate in the installation and maintenance of a Fishing Pier on Square Lake; and

NOW, THEREFORE BE IT RESOLVED, that the State provide the Fishing Pier structure and the County shall cause the Pier to be constructed by their own forces. Future maintenance shall be completed by the County, with State participation limited to legislative approved funding and allocated to this project.

BE IT FURTHER RESOLVED, that the Fishing Pier/Shore Fishing Agreement be executed through the signatures of the Chairman of the Washington County Board of Commissioners and the County Administrator without further action of the County Board conditioned upon the compliance with all specification requirements and approval as to form by the Washington County Attorney's office.

Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Certificate of Recognition for Judge Smith F. Eggleston

Commissioner Engstrom moved to adopt the following Proclamation:

Certificate of Recognition Judge Smith F. Eggleston

WHEREAS, Judge Smith F. Eggleston served as a Washington County District Court Judge for 11 years; and

WHEREAS, Judge Eggleston ("Smitty") has gained the highest respect of his peers for his enforcement of the laws of Minnesota and the United States; and

WHEREAS, Judge Eggleston was appointed to the bench by Governor Rudy Perpich on July 1, 1987; and

WHEREAS, Judge Eggleston formerly served as a Public Defender and has always held the rights of the individual at the utmost level of respect and often voluntarily helped citizens in need by solving their legal problems; and

WHEREAS, Judge Eggleston will officially retire on May 29, 1998, from the Washington County Judicial System, but he will continue to be involved in community activities, enjoy traveling, and remaining a friend of the many people he knew and worked with in Washington County Government.

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NOW, THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners acknowledges with grateful appreciation Judge Eggleston's service to the citizens of Washington County; and

BE IT FURTHER RESOLVED THAT, the Washington County Board of Commissioners heartily congratulates Judge Eggleston for his judicial expertise and hereby declares Friday, May 29, 1998, as "Judge Smith F. Eggleston Day" in Washington County.

Commissioner Peterson seconded the motion and it was adopted unanimously.

AMC Policy Committee Recommendations

James Schug, County Administrator, advised the Board that the Commissioners' terms on AMC District X Policy Committees will be expiring shortly. AMC has requested that Commissioners be appointed by June 16, 1998.

Commissioner Peterson moved to approve appointments to the AMC District X Policy Committees as follows: General Government - Mary Hauser; Transportation and Agriculture - Myra Peterson; Human Services - Dennis Hegberg; and Environment and Natural Resources - Dennis Hegberg (pending the election of a new County Commissioner from District 5) replacing Commissioner Dave Engstrom. 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 Engstrom mentioned he has received as many phone calls now that the stop sign has been placed at Neal Avenue and County Road 71 as he did before. These calls are thanking the County Board for getting that four-way stop sign up.

Commissioner Hauser announced that the Metropolitan Transit Day is scheduled for tomorrow. She also mentioned that the Joint Powers Board will be meeting to see if appropriations for the Red Rock Corridor can be advanced in the southern part of the County.

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Commissioner Peterson stated that the Federal ISTEA bill passed last Friday. She stated that the last she heard the Wakota Bridge project received \$13.3 million. She received a phone call from Senator Rod Grams indicating that the amount was increased by one million dollars to \$14.3. Commissioner Peterson thanked the federal legislative delegation for their support on this project.

Commissioner Abrahamson informed the Board that he met with the Brown's Creek Watershed District Secretary, Jon Michels last week. They asked for a Board workshop in the near future. They also discussed numerous other problems, but it sounded like they were getting in there and meeting with other councils.

Commissioner Abrahamson reported on the Memorial Day observance he attended on Monday. He asked the viewing audience that if there are any Vietnam Veterans who would like to serve as Honor Guards to join a service organization whether it be the VFW or American Legion Posts. The current Honor Guards are getting older and there are fewer of them. He hopes that some of the younger veterans will become part of the service organizations.

Commissioner Hegberg reported on an assessment committee of the Regional Solid Waste Coordinating Board. He stated that one of the items discussed was the new joint powers agreement and that Scott County declined to sign the joint powers agreement. The committee was concerned that they might have to start subsidizing garbage units.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

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

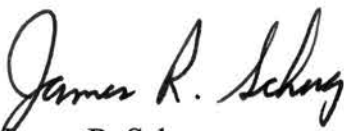
BOARD WORKSHOP WITH THE HUMAN RESOURCES DEPARTMENT

The Board met in workshop session with the Human Resources Department to discuss revisions to the County Rules and Regulations. No business was transacted and the public was welcome to attend. Present

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for the workshop session were Commissioners Engstrom, Hauser, Abrahamson, Hegberg and Peterson. Also present were James Schug, Virginia Erdahl, Judy Honmyhr, Susan Tice, Richard Hodsdon, Raul Schander, and Eileen Weber, citizen of Cottage Grove.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 2, 1998

The Washington County Board of Commissioners met in regular session at 4:45 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Abrahamson, Peterson, Hauser and Engstrom. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Mary McGlothlin, Public Health and Environment Director; Lowell Johnson, Public Health and Environment Division Manager; Dennis O'Donnell, Senior Land Use Specialist; Stuart Glaser, Emergency Services Manager; Don Wisniewski, Public Works Director; Sandra Cullen, Transportation Engineer; Robert Lockyear, Administrative Services Director; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval of the May 5 and 12, 1998 Board meeting minutes.
2. Approval of three day on sale 3.2 percent malt liquor license for Great Northern Shindig - NSGRA Annual Rodeo, Washington County Fairgrounds, on July 10, 11 & 12, 1998.
3. Approval to waive 30 day notice clause in Washington County's cooperative purchasing agreement with Hennepin County in order to jointly purchase fall election ballots.
4. Adoption of **Resolution No. 98-090** as follows:

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

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

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

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

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

5. Adoption of **Resolution No. 98-091** as follows:

Establish No Parking Zones and Install
Appropriate Signing on CSAH 3

WHEREAS, the design for the reconstruction of CSAH 3, S.A.P. 82-603-05, included areas with shoulders that are not wide enough to allow parking without the parked vehicles encroaching on the driving lanes; and

WHEREAS, these areas are in the following locations: from 1000 feet south of 205th Street North to 209th Street North, from 350 feet north of CR 52 (Oakhill Road) to Trunk Highway 97, and from 350 feet north of Trunk Highway 97 to the south junction of Olinda Lane North.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the County Engineer to designate these areas as no parking zones and to erect and maintain the appropriate signs.

6. Approval to accept grant for \$24,898 from the U.S. Department of Justice for COPS More '96 grant award renewal.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC HEALTH AND ENVIRONMENT DEPARTMENT

Youth Access to Tobacco Ordinance

Commissioner Engstrom moved to adopt **Resolution No. 98-092** as follows:

Enacting an Ordinance Licensing and Regulating the Retail
Sale of Tobacco and Tobacco Products and Devices
Ordinance No. 133

WHEREAS, Minn. Stat. § 461.12 permits the County Board to license and regulate the retail sale of tobacco in the unorganized territory of the County and in those towns or cities that do not license and regulate retail tobacco sales; and

WHEREAS, Minn. Stat. § 461.12 authorizes the County Board to establish license fees for sales and recover the estimated cost of enforcing the tobacco regulations; and

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WHEREAS, the Washington County Board of Commissioners conducted a workshop to discuss the easy access to youth to tobacco and tobacco products and the prevalence of smoking among youth; and

WHEREAS, the Washington County Board of Commissioners conducted a public hearing on the Tobacco Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that based on the recommendations of the Department of Public Health and the evidence received at the public hearing and for the reasons set forth therein, the proposed Tobacco Ordinance as presented by the Washington County Department of Public Health be and hereby is adopted as the Washington County Tobacco Ordinance, Ordinance No. 133.

BE IT FURTHER RESOLVED that this Ordinance is intended to regulate the sale, possession and use of tobacco products and tobacco related devices within the unorganized areas of Washington County and in those towns and cities of Washington County that do not license and regulate retail tobacco sales.

BE IT FURTHER RESOLVED that this Ordinance is also intended to enforce and further existing laws; to protect minors against the serious effects associated with the use of tobacco and to further the official public policy of the State of Minnesota in regards to preventing people from starting to smoke at a young age.

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 Department of Health and the Washington County Department of Administration.

BE IT ALSO RESOLVED that this Ordinance shall be in full force and effect from and after its passage and publication according to law.

Commissioner Hauser seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Certificate of Recognition for Commissioner Dave Engstrom

The Board Chair presented a Certificate of Recognition to Commissioner Dave Engstrom and read it into the record as follows:

Washington County
Certificate of Recognition
Commissioner Dave Engstrom

WHEREAS, Commissioner Dave Engstrom has continually dedicated his life to public service; and

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WHEREAS, Commissioner Engstrom has served for 5-1/2 years as Commissioner of Washington County District 5 and presided as Board Chair in 1996; and

WHEREAS, Commissioner Engstrom as Board Chair led the County's efforts to acquire the St. Croix Bluffs Regional Park and has been very supportive of the County Parks system in general as a part of his open space preservation objectives; and

WHEREAS, Commissioner Engstrom was very active in the development of the County's 2015 Comprehensive Plan and has worked extensively with the County's Welfare-to-Work programs; and

WHEREAS, Commissioner Engstrom will be leaving elected office effective June 8, 1998, to pursue his new public service as Executive Director of the Washington County Housing and Redevelopment Authority; and

NOW, THEREFORE BE IT RESOLVED THAT, The Washington County Board of Commissioners acknowledges with grateful appreciation his service to the citizens of Washington County; and

BE IT FURTHER RESOLVED THAT, The Washington County Board of Commissioners heartily congratulates Commissioner Engstrom for his active leadership in Washington County government and wishes him the very best in his new community position.

Commissioner Hegberg also noted that a tree will be dedicated in Commissioner Engstrom's honor at the St. Croix Bluffs Regional Park.

Commissioner Engstrom thanked the Board members and County staff. He stated that nothing the County Board does can be accomplished without a great staff and the Board has a great staff.

Jim Schug, County Administrator, stated for the viewing audience that the Board meeting was preceded by a reception for Commissioner Engstrom.

County Comments on Proposed Cottage Grove Tax Increment Financing District

Commissioner Peterson moved to approve the County comments on the City of Cottage Grove and the Cottage Grove Economic Development Authority's proposed modification of Development District No. 1 and proposed adoption of the Tax Increment Financing Plan for Tax Increment Financing District No. 1-9. Commissioner Abrahamson seconded the motion and it was adopted unanimously.

PUBLIC WORKS DEPARTMENT

Commissioner Engstrom moved to adopt **Resolution No. 98-093** as follows:

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County Road 12 Access

WHEREAS, Washington County acquired access controlled right of way in 1973 on CSAH 12 adjacent to the development known as Liberty on the Lake; and

WHEREAS, Westwood Professional Services, on behalf of the Charles Cudd Company and Contractor Property Development Company has requested access to an access controlled right of way on CSAH 12 from a street to be known as Rutherford Road, to be located approximately 960 feet east of the CSAH 12/CSAH 15 intersection; and

WHEREAS, the City of Stillwater has requested that excess right of way on CSAH 12 adjacent to the Liberty on the Lake subdivision be conveyed to the City.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the County Engineer to issue access permits in said access controlled right of way and to release said excess right of way to the City of Stillwater in accordance with Minnesota Statute 465.035.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that no permit shall be issued unless a plan, acceptable to the County Engineer, is submitted for providing safe and efficient access to the property located at 12360 75th Street North.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Chairman of the County Board and the County Administrator are hereby authorized to execute all documents necessary to implement this resolution.

Commissioner Hauser seconded the motion and it was adopted unanimously.

PUBLIC HEALTH AND ENVIRONMENT DEPARTMENT

Stuart Glaser, Emergency Services Manager, updated the Board on damages sustained to several locations in Washington County by a severe thunderstorm which occurred on May 30, 1998. Areas impacted included the Cities of Woodbury, Afton, Cottage Grove, Newport, St. Paul Park and the Townships of Grey Cloud Island and Denmark.

DISCUSSION FROM THE AUDIENCE

Mark W. Gehan, attorney representing Dan Dahlin, requested that the Board consider amending the Youth Access to Tobacco Ordinance they just adopted. He feels this ordinance will do his client substantial injury. His client has machines placed in licensed restaurants and bars and patrons need to obtain authorization to

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use those machines, insert money and receive cigarettes. He feels these machines do not fall within the County's ordinance. They were hoping the Board would consider an amendment to the ordinance which would permit the exclusion of their type of vending machine. They are hoping to work with the County Attorney in an effort to try and work out a proposed amendment of the ordinance that they could bring back to the Board as soon as possible. They would like to bring back an amendment that would make it clear that devices, such as those of his client, do not violate the ordinance, and as a matter of policy he believes they would be preferred.

Bob Novak, owner of Lake Elmo Oil, stated this company has been in operation in this County in excess of 70 years. He stated they did receive notification on the ordinance. He is concerned about the 18 year old limit. He has young clerks working for him who are under 18. He could lose six clerks with this ordinance. He cannot afford to lose one clerk in this labor intensive market. He asked that the Board consider reopening the ordinance and amending this 18 year old provision.

Bob Krogman, Minnesota Petroleum Marketers Association - Mr. Krogman stated this is a statewide trade association of people who operate convenient stores, service stations, deliver heating oil, and bulk fuels to farmers. He stated there are eight or ten different companies that have convenience stores in Washington County. The areas in Washington County covered by the ordinance, about 21 of them, exceed the cities, he believes about eight or nine, that are covered by their own ordinances which preclude the County ordinance. The problem mentioned by Mr. Novak becomes more wide spread. There could be several, perhaps, 50, 60 or 100 young people who would be laid off because you can't operate a convenience store where a person comes in, gets gas, a jug of milk and the 17 year old can wait on them. Another person comes in gets gas, a jug of milk and a pack of cigarettes and the 17 year old can't wait on him. They feel that if there is a prohibition on anyone under 18 selling cigarettes there will be a lot of younger folks who will have to be laid off.

Eileen Weber, citizen of Cottage Grove and member of the Public Health Advisory Committee, urged the Board not to amend this ordinance. This is a model ordinance. The prohibition on minors selling was overwhelmingly adopted by the Public Health Advisory Committee. It is a good ordinance. It makes no sense to tell kids they can't handle cigarettes on a street corner, but they can handle them in a convenience store. She asked the Board not to change the ordinance they just adopted.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

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PUBLIC HEARING - PUBLIC HEALTH AND ENVIRONMENT DEPARTMENT**Washington County Shoreland Management Ordinance**

The Board Chair presented an overview of today's public hearing to receive comments and consider adoption of the proposed Washington County Shoreland Management Ordinance. The Board Chair advised the audience that because the City of Woodbury is conducting an election today, the Board is required by law to adjourn at 6:00 p.m. sharp. Since it is unlikely that all public comments will be completed by 6:00 p.m. the Board will continue the public hearing to a future stated date.

The Board Secretary read into the record the notice of intent to adopt the Shoreland Management Ordinance.

Dennis O'Donnell, Senior Land Use Planner, provided a brief overview of the proposed Shoreland Management Ordinance. He indicated that the Washington County Planning Advisory Commission recommended this ordinance at its meeting of March 24, 1998. He reviewed the significant changes to the ordinance as follows: 1) Protected Waters Inventory List - Natural Environment Lakes: Section 5.3 added two lakes to this list, Goggins Lake and Manning Lake; 2) Density Around Natural Development Lakes: The housing density around natural environment lakes has been changed from 2 ½ acre minimum lot sizes to that of the underlying zoning district. As an option to obtain higher density around these lakes, a 100% density bonus is allowed if the property were to be developed as an open space design or cluster type subdivision; 3) Buffer Strips: Section 9.4 was added which requests a 50' buffer strip around natural environment lakes and Type 3, 4 and 5 wetlands; and 4) Open Space Design in Shoreland Areas: Standards for open space design type developments have been amended. The standards proposed in this ordinance coincide with the Comprehensive Plan and the recently adopted Zoning Ordinance. Mr. O'Donnell stated that once the County Board has heard public testimony and approves the ordinance, the ordinance must be submitted to the Minnesota Department of Natural Resources for approval.

The Board Chair declared the public hearing open at 5:45 p.m.

Dave Zellmer, Brussels Belgium - He has been planning a minor subdivision on Manning Lake. He arrived here a week ago and discovered there was a meeting about changing the classification. He raised a couple of issues. The first issue is that he has no contention with the density change, he agrees that natural environment lakes should have the same zoning density as surrounding area, and that's the type of zoning he went with on his land. He is concerned about the 200 foot setback. His land is heavily wooded and with a 200 foot setback, on virtually level property, you would not be able to see the lake. He feels it will be difficult to sell parcels as a valuable lakeshore property if the owner cannot see the lake. He agrees with the idea of a buffer strip. At various meetings he has attended on this subject he has asked for input on how to

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be able to develop a definition of maintaining vegetation along the lakeshore. What he reads here—he doesn't mind the 50 foot, but he's not sure the 50 foot access corridor, if you read the definition which says "intensive vegetation clearing" is the only or the best answer. He has an example of where people have done selective clearing of "windows" through the vegetation which he believes increases the value because a person can see the lake. He would like to have the opportunity to suggest alternatives to a 50 foot wide corridor such as 100 foot width, that there is selected 50% intensive vegetation and clearing which allows an owner to be able to find the views that do not impact the trees so heavily and yet allow a continuation of a buffer strip. He is also concerned about the depth of a 200 foot setback. He would like to see flexibility put into the regulations. His specific concern is he has a minor subdivision in place which was based on planning that he had been going through, not only for his own subdivision, but for Breezy T's subdivision which took place over the past two years. He has contributed to the expense of that road, he agreed to the deflection of that road away from his property line in order to provide a bigger buffer between the road and Manning Lake in the understanding that he would be able to develop his land under the current regulations. Now, just as his subdivision is in place, he's not able to go ahead and proceed with being able to market this land and being able to use it himself without an impact. He will not be here this next week. He's hoping there will be a time he can put these comments in writing. He asked for a grant of leniency to submit his comments. He has to travel back to Brussels over the next two days, so a week from now is not sufficient for his purposes to be able to get all his comments in.

Commissioner Hegberg asked Mr. Zellmer if his comments would be specifically for the environmental lakes. Mr. Zellmer stated for the environmental lakes and the way it is set up, but he has a couple of other points for consideration. He has read through the regulations from front to back and has a few corrections. He is concerned in a couple of cases that there has been a piling on of restriction over restriction, possibly intended to meet the same purpose, but they are getting more refined. There are wetland delineation setbacks, there is an older 200 foot setback and it may be making it so difficult to accomplish what is intended in terms of balancing economic value and environmental goals.

Jeffrey Sovereign, Landfall - Mr. Sovereign stated about two or three weeks ago he attended a workshop and noticed there is an attitude regarding environmental lakes. He didn't feel there was a responsibility to make these environmental lakes as environmentally pleasing and satisfying to people who would want to live on those lakes. He feels there are areas that can be improved. He feels the buffer zone should be increased 100 to 150 feet. He believes it would be best to have the least amount of houses on those lakes. He feels five to ten acre lots would be better. The less houses there are on the lake the less chance there is of some of the residents making environmental mistakes into those lakes. He feels this could be improved and urged the Board to look at this very carefully.

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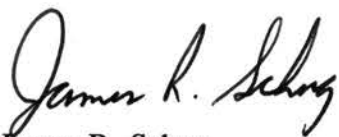
Commissioner Abrahamson moved to set the continuation of the public hearing to receive comments on the Shoreland Management Ordinance to June 16, 1998 at 7:00 p.m. Commissioner Engstrom seconded the motion and it was adopted unanimously.

James Schug, County Administrator, reminded the audience that written comments on the Shoreland Management Ordinance will also be accepted.

ADJOURNMENT

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

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 9, 1998

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 Hegberg, Abrahamson, Peterson and Hauser. Absent none. Commissioner District 5 vacant. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Virginia Erdahl, Deputy Administrator; Susan Tice, Chief Assistant County Attorney; Judy Honmyhr, Human Resources Director; Julie Sorrem, Risk Manager; Dave Engstrom, Executive Director, Housing and Redevelopment Authority; Peter Cooper, HRA Bond Counsel; Richard Stafford, Auditor-Treasurer; Molly O'Rourke, Assistant Auditor-Treasurer; Lowell Johnson, Public Health and Environment Division Manager; Stuart Glaser, Emergency Services Manager; Dan Papin, Community Services Director; Cindy Koosmann, County Recorder; and David Brierley, Public Information Specialist.

CONSENT CALENDAR

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

1. Approval to amend Policy #1201 contract guidelines to allow departments to use a purchase order with an addendum (copy attached) for purchase of service contracts of less than \$10,000.
2. Approval of an exemption from the County's policy for adding special project positions for those positions relating to the implementation of the County's Financial Management System; and authorization to pay exempt employees at straight time for overtime hours related to the implementation of the Financial Management System as determined by the appropriate department head and FMS project manager.
3. Approval of designation of voting delegate for the 1998 National Association of Counties Annual Conference and election as follows: County Board Chairman, Dennis Hegberg be named as the designated delegate, Mary Hauser, Vice-chair as the first alternate, and Myra Peterson, Commissioner, as the second alternate.
4. Approval of on sale 3.2 percent malt liquor license for Greeder-Hinds-Comfort Post No. 323 to be used on July 29, 30, 31 and August 1, 1998 at the Washington County Fairgrounds.
5. Approval of abatement applications for homestead classification, value and penalties as follows:

June 9, 1998

<u>Parcel #</u>	<u>Name</u>	<u>Amount</u>
R 20.029.21.13.0012	Blossom, Warren & Barbara	\$ 178.17
R 21.028.21.34.0051	Praska, Stephen	338.00
R 28.030.20.12.0078	Billig, Thomas	1,512.00
R 33.030.20.33.0006	MN Dept. Transp.	48,660.00
R 33.030.20.33.0010	MN Dept. Transp.	13,870.00

6. Adoption of **Resolution No. 98-094** as follows:

Resolution Delegating Authority to the Director
of Community Services to Execute Certain Amendments to Existing Contracts

WHEREAS, the County has entered into Community Service contracts with twelve (12) vendors in order to provide home and community based services for persons with developmental disabilities; and

WHEREAS, the Washington County Department of Community Services oversees these contracts; and

WHEREAS, amendments are often needed to these contracts in order to change the rates vendors charge for their services and/or to add clients to the contract; and

WHEREAS, it would expedite matters if the Director of Community Services was given authority to approve amendments changing the rates and adding or subtracting persons covered by the contract.

THEREFORE BE IT RESOLVED that the Director of Community Services is delegated the authority to execute those amendments to contracts for home and community based services for persons with developmental disabilities which change the rates vendors charge for services under existing contracts to add or subtract persons provided services under existing contracts.

BE IT FURTHER RESOLVED that any new agreements with vendors or the renewal of existing contracts shall be executed by the County Board pursuant to the strictures of the Washington County Contract Guidelines.

7. Approval of revised County Personnel Rules and Regulations - all Sections (1 through 25) except for Section 5 (Compensation) which is being held for further discussion.
8. Approval for the County Board Chair and County Administrator to sign the agreement stipulation with American Family and Sparks.
9. Adoption of **Resolution No. 98-095** as follows:

June 9, 1998

Establishing License Application Fee for Sale
of Tobacco, Tobacco Products or Tobacco Related Devices

WHEREAS, the Washington County Board of Commissioners (Board of Health) is required, by state law, to adopt and enforce an ordinance related to Youth Access to Tobacco in incorporated and unincorporated areas not adopting their own ordinances; and

WHEREAS, the Washington County Board of Commissioners (Board of Health) approved, after public hearing, their Youth Access to Tobacco ordinance on June 2, 1998; and

WHEREAS, the ordinance requires that no license [for sale of tobacco, tobacco products or tobacco related devices] shall be issued until the appropriate license fee is paid in full; and

WHEREAS, the ordinance requires that the license fee be established by the Washington County Board of Commissioners (Board of Health) on an annual basis.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners (Board of Health) hereby establishes the 1998 application fee as required under the Youth Access to Tobacco Ordinance at \$250.00

10. Adoption of **Resolution No. 98-096** as follows:

Authorize Ramsey County Budgeting and Accounting to Appropriate Funds from the Resource Recovery Project Board Fund Balance Designated for Working Capital to the Project Board 1998 Budget

WHEREAS, the Ramsey/Washington County Resource Recovery Project (The Project) has \$600,000 designated for self insurance tort liability; and

WHEREAS, The Project wishes to increase its protection by purchasing tort liability insurance through the Minnesota Counties Insurance Trust; and

WHEREAS, the premium for insurance to protect The Project according to State tort liability limits of \$750,000 per occurrence will cost The Project \$9,448.00 for 1998; and

WHEREAS, the 1998 budget amount for this insurance is only \$500.00; and

WHEREAS, there is currently not a surplus within the 1998 Project Board budget to finance the \$8,948.00; and

WHEREAS, the Project Board wishes to use a portion of its fund balance to cover this insurance premium

NOW, THEREFORE BE IT RESOLVED, that Washington County Board of Commissioners authorizes Ramsey County Budgeting and Accounting to appropriate \$8,948.00 from the Resource Recovery Project Board Fund Balance Designated for Working Capital to the Project Board 1998 budget for the purpose of purchasing tort liability insurance.

June 9, 1998

12. Adoption of **Resolution No. 98-097** as follows:

Rejection of Bids received for Historic Courthouse Repairs

WHEREAS, in order to facilitate repairs and painting needed for the exterior of the Historic Courthouse, the County solicited bids for the project; and

WHEREAS, bids were opened on May 11, 1998, with bids being received from Swanson/Youngdale, Inc. and Renfro Painting; and

WHEREAS, the bids received were both in excess of the project budget; and

NOW, THEREFORE BE IT RESOLVED, that the bids from Swanson/Youngdale, Inc. and Renfro Painting made on May 11, 1998, be rejected due to being in excess of the project budget.

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

13. Adoption of **Resolution No. 98-098** as follows:

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; and

NOW, THEREFORE BE IT RESOLVED, that any state grants and aids for the described trail 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 Chairman of the Washington County Board of Commissioners and the Washington County Administrator per the guidelines of Minnesota Statutes, Section 84-43.

14. Approval of the plat of Glenfiddich, New Scandia Township.

The foregoing Consent Calendar was adopted unanimously.

AUDITOR-TREASURER'S OFFICE

Commissioner Abrahamson moved to appoint Commissioner Peterson and Commissioner Hegberg to the Canvass Board for the special primary and general elections for the District 5 Washington County Commissioner vacancy for 10:00 a.m. on July 1, and July 15, 1998. Commissioner Hauser seconded the motion and it was adopted unanimously.

June 9, 1998

PUBLIC HEALTH AND ENVIRONMENT DEPARTMENT

Commissioner Peterson moved to adopt **Resolution No. 98-099** as follows:

Requesting a Presidential Declaration of a Major Disaster

WHEREAS, the County of Washington has sustained severe losses of a major proportion caused by a severe thunderstorm and high winds in the Cities of Afton, St. Paul Park, Newport, Cottage Grove and Woodbury and the Townships of Denmark and Grey Cloud Island; and

WHEREAS, Washington County is a public entity within the State of Minnesota; and

WHEREAS, substantial damage has occurred to public and private property, including widespread prolonged power outages, structural damage, business interruptions, and damage to the natural environment;

WHEREAS, the cost of recovery from this disaster is beyond the resources available within the county, and state and federal resources are necessary.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners, for and on behalf of the citizens of Washington County, request the Governor of the State of Minnesota to petition the President of the United States to declare the County of Washington, Minnesota, to be a major disaster area through appropriate channels.

BE IT FURTHER RESOLVED that this request is for:

1. The Public Assistance (Infrastructure Support) and Human Service Programs as offered through P.L. 93-228.
2. The Hazard Mitigation Program, as offered through P.L. 93-288.
3. Other applicable disaster assistance programs.

BE IT FURTHER RESOLVED, that the County Emergency Services Manager is authorized to coordinate the damage survey teams with local government and assist in the administration of the disaster recovery process as needed.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

WASHINGTON COUNTY HOUSING AND REDEVELOPMENT AUTHORITY

Commissioner Hauser moved to adopt **Resolution No. 98-100** as follows:

June 9, 1998

Resolution Required by Section 147 (f) of the Internal Revenue Code
Giving Approval to a Project on Behalf of HealthEast and Approving the
Issuance of Revenue Bonds by the Washington County
Housing and Redevelopment Authority Therefor

WHEREAS, under Section 469.152 through 469.1651 of Minnesota Statutes (the "Act"), the Washington County Housing and Redevelopment Authority ("Authority") is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue producing enterprise, whether or not operated for profit, engaged in providing health care services, including hospitals and related medical facilities; and

WHEREAS, representatives of HealthEast, a Minnesota nonprofit corporation described in Section 501(c) (3) of the Internal Revenue Code (the "Corporation"), have indicated an interest and desire to acquire, construct and install an acute care hospital and related health care facilities including an outpatient diagnostic treatment center, on a 27-acre health care facilities campus located in the City of Woodbury, in Washington County, about 400 feet west of Interstate 494, 400 feet south of the right-of-way of Weir Drive and one-quarter mile north of the Lake Road exit off of Interstate 494.

WHEREAS, the Corporation has proposed that the Authority issue one or more series of its bonds (the "Bonds"), for the purpose of financing the Project, including certain incidental expenses thereto, in an aggregate principal amount not to exceed \$52,000,000, and the proposal calls for the proceeds realized upon the sale of the Bonds to be applied by the Corporation pursuant to a revenue agreement wherein the Corporation will be obligated to acquire, construct and equip the Project and to make payments under the revenue agreement at the times and in amounts sufficient to provide for the prompt payment of principal, premium, if any, and interest on the Bonds and all costs and expenses of the Authority incident to the issuance and sale of the Bonds; and

WHEREAS, the undertaking of the proposed Project and the issuance of the Bonds to finance the cost thereof will further promote the public purposes and legislative objectives of the Act by encouraging the location of revenue-producing enterprises within the County, by enabling the provision of necessary health care facilities, so that adequate health care services are available to residents of the State at a reasonable cost, and providing additional employment opportunities for residents of the County and surrounding area; and

WHEREAS, the County Board of Commissioners (the "County Board") has been advised that a public hearing on the proposal to issue the Bonds has been conducted by the Authority, preceded by notice thereof as required by the Act and the Internal Revenue Code of 1986, as amended (the "Code"), and at such public hearing all parties were given an opportunity to express their views with respect to the proposed undertaking and financing of the Project; and

WHEREAS, the County Board has been requested to approve the Project and the issuance of the Bonds for purposes of Section 147(f) of the Code; and

WHEREAS, the full faith and credit of the County will not be pledged to or responsible for the Project or the payment of the principal of, premium, if any, and interest on the Bonds.

NOW, THEREFORE, BE IT RESOLVED by Washington County Board of Commissioners, as follows:

June 9, 1998

1. The undertaking of the Project and the issuance by the Authority of its Bonds pursuant to the Act in an aggregate principal amount not to exceed \$52,000,000 to finance the costs thereof, all as referred to above, is hereby approved by the County Board for purposes of Section 147(f) of the Internal Revenue Code of 1986 as amended.
2. In no event shall the Bonds ever be payable from or charged upon any funds of the County and no holder of the Bonds shall ever have the right to compel the exercise of the taxing power of the County to pay the Bonds or the interest thereon, nor to enforce the payment thereof against any property of the County. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the County, nor do the Bonds constitute an indebtedness of the County within the meaning of any constitutional, statutory or charter limitation.
3. The Chairman of the County Board and the County Administrator shall execute and deliver such certificates and other documents as may be necessary on the date of delivery of the Bonds as may be reasonably necessary or appropriate for the undertaking of the Project and the issuance of the Bonds.

Commissioner Abrahamson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Carnelian-Marine Watershed District

Commissioner Hegberg moved to appoint Richard Bohrer, New Scandia Township, to the Carnelian-Marine Watershed District Board of Managers to a first term expiring June 21, 2001. 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 Abrahamson requested that resolutions be prepared for next week's Board meeting for the Stillwater Area High School girl's softball team and the boy's track team for winning their State championships.

Commissioner Hegberg announced that Commissioner Abrahamson was awarded the Karl Neumeier Lifetime Achievement Outstanding Civic Leader Award.

Commissioner Peterson mentioned that this weekend is the "Great Grove Get Together" in Cottage Grove, and will run June 12 through June 14.

June 9, 1998

Commissioner Peterson announced that Jamie Lind was named the 1998 "Citizen of the Year" by the Cottage Grove City Council, and requested that the Board send Ms. Lind a letter of commendation.

Commissioner Hauser informed the Board that the Joint Powers Board will formally request the federal legislative delegation to include the Red Rock Corridor in the 1999 federal appropriation of \$2 million dollars. She also announced an upcoming meeting to be held on June 18 which will discuss the St. Paul to Rush City commuter rail project.

Commissioner Hegberg requested that the tobacco ordinance be placed on next week's agenda for discussion and review.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

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


BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss post retirement health benefits. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Abrahamson, Peterson and Hauser. Also present were James Schug, Virginia Erdahl, Sue Tice, Judy Honmyhr, Matt Nelson, AFSCME Representative and Mike Marsnik, Stillwater Gazette.

Attest:


James R. Schug

County Administrator


Dennis C. Hegberg, Chair
County Board