



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

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# Washington County Minute Index

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Administration	01/07/2003		Revision to WACO Data Practices Manual, Policy #1300.	17	5
	01/07/2003		Workshop held to review the inventory of mandates and county core functions.	17	10
	01/21/2003		Metropolitan Mosquito Control update.	17	26
	01/21/2003		Letter from Metropolitan Airport Commission regarding Huntington Meadows Plat placed on file.	17	27
	01/28/2003		Staff comments on Bayport Comp Plan Amendment and positive declaration of an environmental impact statement for the proposed Bayport West Development.	17	29
	02/04/2003		Indirect Cost Allocation Plan contract w/MN Counties Research Foundation.	17	33
	02/04/2003		Workshop held to prepare for joint meeting with District Court Judges.	17	40
	02/11/2003		Establish Reserves and Designations of fund balances for fiscal year ended December 31, 2002.	17	44
	02/11/2003		Workshop w/Courts Planning Advisory Committee scheduled for March 18, 7:00 p.m. to discuss its final report.	17	69
	02/25/2003		Workshop held to discuss Governor's budget proposal and its potential impact on county services and programs.	17	86
	03/11/2003		Workshop w/Administration to discuss the Long-Term Finance Work Group's recommendation on issuing new debt to finance the County's capital needs.	17	98
	03/18/2003		Workshop held with the Courts Planning Advisory Commission to discuss their final report and recommendations on a possible courts expansion project.	17	104
	04/01/2003		Lease agree. w/City of Cottage Grove & Met. Council, involving a tax-forfeited parcel to be used for a park and ride facility.	17	114
	04/01/2003		Release of draft 2003-2007 Capital Improvement Program to communities; and set public hearing on CIP for May 20, 2003.	17	117
	04/01/2003		Workshop held to discuss request by Ramsey County for temporary financial support to keep the North St. Paul Branch Library open.	17	119
	04/08/2003	2003-064	Designating WACO as a hybrid entity and appoint privacy official for HIPAA.	17	126
	04/08/2003		Workshop held to discuss the Public Information Strategic Issue Work Group's findings and recommendations.	17	134
	04/15/2003	2003-071	Support continued operation of the Prairie Island and Monticello Nuclear generating plants owned by Xcel Energy and managed by Nuclear Management Company.	17	140
	04/15/2003		Comm. Peterson asked that a resolution be brought back in the future supporting development of a system for reusing spent nuclear waste, and alternative sources of energy.	17	140
	04/15/2003		Closed Session w/County Administrator to discuss his annual performance evaluation.	17	143
	04/22/2003		Comments on City of Stillwater's modification to development plan for Dev. District No. 1 and TIF plan to estab. TIF District No. 10.	17	145

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Administration	04/22/2003		Report given on closed session held on 4/15/03 to discuss County Administrators annual performance and goal setting.	17	147
	04/22/2003		Julie Ahlman, Community Volunteer Services Board President, presented service awards to the Stillwater Teen Health Fund; Roy Thompson, Verna Stone and Inez Peschel.	17	149
	04/22/2003		Workshop held to discuss the 2002 annual performance measurements.	17	153
	05/13/2003		Workshop held to discuss 2004 budget guidelines.	17	175
	05/20/2003		Public hearing on 2003-2007 CIP and issuance of G.O. Bonds. Continued to June 24, 2003.	17	179
	06/03/2003		Workshop held to discuss the 2003-2007 CIP.	17	201
	06/10/2003		Declare the Board Room Hitachi video camera HV C-11 as surplus equipment.	17	203
	06/10/2003		Information only - status report on 2001 Mission Directed Budget countywide savings.	17	203
	06/10/2003		Joint powers agree. w/Ramsey County for ownership, financing, operations and use of the East Metro Public Safety Training Facility.	17	204
	06/24/2003		2003 budget reductions as presented and decrease Commissioners' budget by \$6,700.	17	230
	06/24/2003		Public hearing held (continued from 5/20/03) to consider 2003-2007 CIP and issuance of G.O. Bonds.	17	231
	06/24/2003		2003-2007 CIP and issuance of G.O. bonds continued to July 8, 2003.	17	234
	06/24/2003		NACo Steering Committee nomination forms available and need to be turned in by June 30 to AMC.	17	234
	07/01/2003		2003 Legislative report presented by MICA representatives.	17	238
	07/08/2003		Continuation of public hearing to consider the 2003-2007 CIP and issuance of G.O. Bonds.	17	253
	07/08/2003	2003-121	Adoption and submittal of the 2003-2007 WACO CIP.	17	254
	07/08/2003	2003-122	Proposal to issue up to \$25,000,000 G.O. CIP bonds approved.	17	255
	07/22/2003		Transfer of a commemorative Sesquicentennial marker from the MN Historical Society to WACO.	17	259
	07/22/2003	2003-126	Recognition of the Centennial of the Andersen Corporation during the year 2003.	17	262
	07/22/2003		Budget presentations begin on August 26 and a public meeting to receive comments on September 9 at 4:30 p.m.	17	263
	08/12/2003		Workshop held with Metropolitan Council representatives to discuss issues of regional and county significance.	17	278
	08/26/2003		MN Dept. of Trade and Economic Development has approved the county's 2003-2007 CIP.	17	295
	08/26/2003		Workshop held for introduction of proposed 2004 budget.	17	296
	09/02/2003		2002 Countywide Mission Directed Budget Savings Pool projects.	17	299
	09/02/2003		Dep. Administrator to develop, coordinate and file appeal for salary exemption from the governor's salary cap for the County Administrator.	17	300
	09/02/2003		Workshop held to discuss major impacts of the proposed 2004 budget.	17	305

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Administration	09/09/2003	2003-149	Proposed budget for payable 2004.	17	314
	09/09/2003		Overview of 2004 proposed budget presented.	17	314
	09/09/2003	2003-151	Certifying proposed property tax levy for WACO HRA payable 2004.	17	315
	09/09/2003	2003-150	Certifying proposed property tax levies for WACO Payable 2004.	17	315
	09/16/2003		Budget hearings with: Community Services, ATSE, Recorder, Administration, Financial Services, HRES, Information Services and General Operations.	17	320
	09/23/2003		2004 budget hearings held with Public Health and Environment, Transportation and Physical Development and County Attorney.	17	340
	10/07/2003		2003 AMC Official delegate list.	17	341
	10/14/2003		2004 Budget workshop w/Court Administration, Community Corrections, Sheriff and Library.	17	352
	10/21/2003		Comm. Hegberg delegate, Administrator Schug, alternate, to the MCIT annual meeting, 12/8/03.	17	357
	10/28/2003		County comments on Bayport's proposed TIF District No. 2-1 within proposed Municipal Development District No. 2.	17	369
	10/28/2003		Budget hearings held with Water Conservation District and Water Management Organizations.	17	395
	11/18/2003		Board thanked all employees who contributed in the charitable fund drive this year raising almost \$30,000 by 200 individuals.	17	424
	11/18/2003		MCIT notified county of their 2003 dividend in the amount of \$426,609 which will be deposited in the post retirement health care account	17	424
	11/18/2003		Workshop held to discuss 2004-2008 CIP.	17	425
	12/02/2003		Natural Resources block grant agree. w/MN BWSR.	17	432
	12/02/2003		Set January 27, 2004 for public hearing to approve the final 2004-2008 CIP.	17	432
	12/02/2003		Workshop held to discuss the Cottage Grove Service Center expansion.	17	437
	12/04/2003		Truth-in-Taxation hearing held.	17	439
	12/16/2003		Agreement for regional parcel data sharing and distribution with Metropolitan Council.	17	442
	12/16/2003	2003-206	Adopting WACO Budget for 2004.	17	456
	12/16/2003	2003-208	Certify property tax levies for WACO HRA 2004.	17	457
	12/16/2003	2003-207	Certifying property tax levies for WACO 2004.	17	457
	12/16/2003		County comments on Met Council's 2030 Regional Development Framework.	17	458
	12/23/2003		Agree. w/WACO Conservation District to fund general operations and services to county depts.	17	461
Assessment, Taxes & Elections	01/07/2003		Set public hearing for 1/21/03, detachment and annexation of parcels in Woodbury.	17	8
	01/14/2003	2003-006	Recommending approval to set aside a portion of the annual distribution of net revenue from tax forfeited land sales.	17	16
	01/14/2003		2003 assessment contract fee schedule.	17	17
	01/21/2003	2003-009	Repurchase of tax forfeited property by former owner, Pine Glen Townhomes Assoc.	17	23

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Assessment, Taxes & Elections	01/21/2003		Change public hearing from 1/21/03 to 2/4/03 for detachment and annexation of parcels in Woodbury.	17	24
	01/21/2003		Special elections scheduled for 1/28 and 2/11 for vacancy in House Representative District 52B.	17	27
	01/28/2003		Property tax workshop for newly elected officials scheduled for 1/29/03 at 5:30 p.m.	17	30
	02/04/2003	2003-016	Lawful gambling exemption for Ducks Unlimited-Hastings Chapter #208.	17	34
	02/04/2003	2003-015	Lawful gambling exemption for Mississippi Longtails.	17	34
	02/04/2003		2002 assessment, valuation and classification change list.	17	34
	02/04/2003		Public Hearing held on detachment and annexation in new Woodbury development, Dancing Waters.	17	35
	02/04/2003		Detachment and annexation for Woodbury Development, Dancing Waters, approved. Findings of Fact, Conclusions of Law and Order of Detachment and Annexation to be brought back next week.	17	36
	02/04/2003		Staff to work w/school districts, on behalf of the county, re: boundary issues.	17	39
	02/11/2003		Findings of Fact, Conclusions of Law and Order of Detachment and Annexation re: Laurent Development Company, LLC, Woodbury, Dancing Waters.	17	44
	02/11/2003		Liq. lic., Fireman's Ball, New Scandia on 2/22/03.	17	46
	02/18/2003	2003-030	Lawful gambling exemption, MN Waterfowl Association.	17	73
	02/18/2003		Renew consumption and display permit, New Scandia Township Community Center.	17	73
	02/18/2003		Agree. w/Ramsey County for property tax payment processing by Ramsey County.	17	74
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	03/11/2003		Liq. lic. AJL Enterprises, Inc. 4/1/03 - 3/31/04.	17	87
	03/11/2003		Liq. lic. Afton Alps, Inc., 4/1/03 - 3/31/04.	17	88
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	03/11/2003		New schedule for TIF Administrative Fees.	17	95
	03/11/2003		Workshop held to review pay 2003 taxes, including information related to tax rates, tax capacity and tax impacts.	17	98
	03/18/2003		Liq. Lic. Meister's Bar & Grill, 4/1/03 - 3/31/04.	17	99
	03/25/2003	2003-047	Lawful gambling exemption for Scandia Marine Lions Club.	17	107
	03/25/2003	2003-050	Conveyance of tax forfeited lands for an authorized public use.	17	109
	03/25/2003		Res. No. 2003-051, increase to Survey/Land Management fees.	17	110
	04/01/2003	2003-053	Lawful gambling exemption for Scandia Marine Lions Club.	17	114
	04/01/2003	2003-054	Gambling license premises permit for Scandia Marine Lions Club.	17	114
	04/01/2003		Liq. Lic, the Point, 4/1/03 - 3/31/04.	17	114
	04/01/2003		Workshop held to discuss 2003 assessment report.	17	119

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	04/08/2003		Liq. Lic., Veterans Rest Camp, 4/1/03 - 3/31/04.	17	122
	04/15/2003	2003-068	Lawful gambling exemption for the Hastings Public School Foundation.	17	135
	04/15/2003		One-day liq. lic. from Hastings Public School Foundation to be used at the Carpenter Nature Center.	17	136
	05/06/2003		Liq. Lic, Outing Lodge at Pine Point, 4/1/03 - 3/31/04.	17	156
	05/13/2003	2003-088	Order for hearing-name a previously unnamed creek, June 24, 2003 at 9:00 a.m.	17	171
	05/27/2003	2003-092	Gambling license for Scandia Marine Lions Club.	17	187
	05/27/2003		2002 Annual Report.	17	188
	05/27/2003		Workshop held to discuss operating hours for county license centers.	17	192
	06/03/2003		Res. 2003-095, Community Corrections Supervision Fees.	17	194
	06/03/2003		Res. 2003-096, Community Corrections Child Custody Evaluation and Mediation Fees.	17	195
	06/17/2003	2003-102	Conveyance - TFL for an authorized public use.	17	209
	06/17/2003	2003-103	Gambling license for Caseski Opportunity Fund.	17	210
	06/17/2003	2003-105	Classify parcels as non-conservation and recommend approval of Conveyance of TFL.	17	212
	06/17/2003		Board of Equalization meeting held.	17	217
	06/24/2003		Public hearing held to consider naming a previously unnamed creek "Raleigh Creek".	17	226
	06/24/2003	2003-109	Approving the naming of a previously unnamed creek as Raleigh Creek.	17	227
	07/01/2003		2003 Board of Equalization.	17	237
	07/08/2003	2003-115	Gambling license for the MN Assistance Council for Veterans.	17	247
	07/08/2003		Liq. Lic. for Veterans Rest Camp Association, 4/1/03 through 3/31/04.	17	248
	07/22/2003		One to four-day temporary on-sale liquor license for Greeder-Hinds-Comfort Post (VFW Post #323) to be used at the County fair.	17	259
	07/22/2003	2003-125	Authorize a public sale of tax-forfeited parcels.	17	261
	08/05/2003	2003-131	Approval of private sale to adjoining owners of tax-forfeited lands.	17	269
	08/05/2003		Background check fees for legal nonlicensed or licensed family child care providers and licensing inspections for family child care providers.	17	270
	08/05/2003		Abatement of parcels 21.027.21.21.0001 and 17.027.21.24.0004 owned by US Bank Trust Corporation.	17	270
	09/02/2003		New License center hours of operation.	17	305
	09/09/2003	2003-143	Lawful gambling exemption for 622 education foundation.	17	307
	09/16/2003	2003-152	Set aside portion of the annual distribution of net revenue from tax forfeited land sales.	17	317
	09/23/2003		Res. No. 2003-155, implementation of fee for setting up community work service.	17	321
	09/23/2003		Res. No. 2003-156, adoption of 2004 fees for environmental programs.	17	322
	10/07/2003	2003-165	Premises permit from Hastings Lions Club.	17	341



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Assessment, Taxes & Elections	10/07/2003		Set public hearing for 10/21/03, application by Big Marine Lake Store for new off-sale liquor license.	17	347
	10/21/2003		Public hearing held to consider an off-sale liquor license application for the Big Marine Lake Store.	17	356
	10/21/2003	2003-177	Granting off-sale liquor license to Big Marine Lake Store.	17	357
	11/04/2003	2003-183	Lawful gambling exemption for Scandia Women's Softball Association.	17	397
	11/04/2003		Set Truth-in-Taxation public hearing for 7:00 p.m. on 12/4/03 and continuation for 7:00 p.m., December 16, 2003.	17	398
	11/18/2003		1 FTE Special Project Real Estate Taxpayer Services Tech. through 7/2004.	17	405
	11/18/2003		Public hearing set for January 27, 2004, 9:00 a.m., to consider a petition to name a previously unnamed lake and a previously unnamed creek.	17	418
	11/18/2003		Workshop held to discuss proposed 2004 property taxes.	17	426
	11/25/2003		Workshop held to review the Federal Help America Vote Act.	17	430
Attorney	06/24/2003		Contract w/Tibebu Shitaye, complete development of the County Attorney's Office Law Enforcement Network System.	17	225
	08/12/2003		Extension of grant funds from the MN Center for Crime Victim Services for salary/fringe benefits of an Assistant Victim/Witness Coord. for 7/1/03 - 6/30/04.	17	275
	12/02/2003		Executive (closed) session w/HRES to discuss negotiation strategy.	17	431
Central Services	01/21/2003		Donate furniture from MN Extension to WASH. Conservation District.	17	23
	07/22/2003		Ratify sale of boat not bid on at auction for \$7,250.	17	259
Commissioners	01/07/2003	2003-001	Award of 2003 newspaper publication bids.	16	3
	01/07/2003		Oath of office administered to all five commissioners, county attorney and county sheriff.	17	1
	01/07/2003		Choc Junker addressed the Board on salaries and an article in the paper re: removal of benefits from a child.	17	2
	01/07/2003		Commissioner Hegberg elected chair, Commissioner Stafford elected Vice Chair for 2003.	17	2
	01/07/2003		Meeting dates set for 2003, first four Tuesdays, 9:00 a.m., Chair authorized to call an evening meeting if necessary.	17	2
	01/07/2003		Memorial Day appropriations - \$100.	17	3
	01/07/2003		Workshop w/Administration to review inventory of mandates and county core functions.	17	10
	01/07/2003		Workshop w/Administration to discuss strategies for the 2003 MN legislative session.	17	11
	01/07/2003		Workshop w/Administration to discuss commissioner committee assignments, appointments to joint powers boards, appointments to advisory boards committees and commissions and county board meeting organization.	17	11
	01/14/2003		Commissioner committee assignments for 2003.	17	13
	01/14/2003		Amend Policy #1111, guidelines for advisory committees, boards and commissions.	17	16
	01/14/2003		Workshop w/Financial Services to discuss collection efforts for 2002.	17	21

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Commissioners	01/14/2003		Commissioner Pulkrabek appointed by Gov. Pawlenty as Chair of the nominating/selection committee for Metropolitan Council Members.	17	21
	01/14/2003		Workshop w/Library Board to share information and discuss issues of mutual interest.	17	22
	01/14/2003		Workshop w/Transportation & Physical Development to discuss current traffic and pedestrian issues.	17	22
	01/21/2003		Increase totaling \$240 in the Petty Cash and Change Funds, Policy No. 2014, along with minor changes in the allocation of these funds amongst departments.	17	24
	01/21/2003		Commissioners Kriesel and Pulkrabek appointed to Canvass Board on 1/29 and 2/12 for special election for House Rep. District 52B.	17	27
	01/28/2003		Choc Junker addressed the Board on: Aitkin County Commissioners; Questioned whether HSI is a private non-profit organization and the salary of the president of HSI.	17	29
	01/28/2003		Comm. Kriesel requested meeting w/communities to discuss enlargement of watershed districts.	17	31
	01/28/2003		Comm. Peterson asked that a resolution be prepared for next week re: Support the continuation of the express bus from Cottage Grove to Minneapolis.	17	31
	01/28/2003		Workshop w/Sheriff to discuss the current status of the county radio system upgrade and the metro 800 MHz radio system.	17	32
	01/28/2003		Workshop w/Administration to discuss future structure of the WACO Library Board.	17	32
	01/28/2003		Joint meeting of the Ramsey and Washington County Board of Commissioners held to discuss the 800 MHz, solid waste, rail lines and other issues of mutual interest.	17	32
	02/04/2003		Public Hearing held on detachment and annexation of parcels in new Woodbury Development, Dancing Waters.	17	35
	02/04/2003		Workshop w/Administration to prepare for joint meeting with the District Court Judges.	17	40
	02/04/2003		Workshop w/Tenth Judicial District judges to discuss centralization versus decentralization of court activities.	17	41
	02/11/2003		Cancel March 4, 2003 Board meeting.	17	43
	02/11/2003		Choc Junker, Stillwater, addressed the Board on political signs on highways and a current lawsuit re: Swiggum and Otto.	17	43
	02/11/2003		Comm. Stafford requested county populations and size of county boards in regards to the size of the state legislature.	17	70
	02/18/2003		Big Marine Park workshop scheduled for March 18.	17	79
	02/25/2003		Commissioner Stafford requested procedure for replacing member of the Washington Conservation District who resigned.	17	85
	02/25/2003		Workshop w/Administration to review the Governor's budget proposal and its potential impact on county services and programs.	17	86
	03/11/2003		Public hearing held to consider Comprehensive Plan amendment and rezoning application by Vince Turnblad and Steve May.	17	91
	03/11/2003		Res. No. 2003-043, 2020 Comp Plan Amendment and rezoning request, Ordinance No. 164.	17	93



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Commissioners	03/11/2003	2003-045	Workshop w/Public Health and Environment, update on activities related to public health emergency preparedness.	17	97
	03/11/2003		Workshop w/Transportation & Physical Development to discuss the establishment of a fee for Plat Commission review of preliminary plats and increasing the fees charged for land use permits.	17	97
	03/11/2003		Workshop w/Administration to discuss the Long-Term Finance Work Group's recommendation on issuing new debt to finance the county's capital needs.	17	98
	03/11/2003		Workshop w/ATSE to review pay 2003 taxes, including information related to tax rates, tax capacity and tax impacts.	17	98
	03/18/2003		Revised and updated Policy #3001, Acceptable Use Policy for Utilizing Information Technology Systems and Resources.	17	99
	03/18/2003		Commending the Woodbury High School girl's basketball team for winning the 2002-2003 MN State Class 4A girl's basketball tournament.	17	100
	03/18/2003		Sympathy expressed to the family of Lyle Eckberg, a long-time attorney in the Stillwater area on his passing.	17	103
	03/18/2003		Comm. Pulkrabek requested that staff monitor the environmental charge from waste haulers through the end of the year to make sure that charge is fair and accurate.	17	103
	03/18/2003		Workshop w/Courts Planning Advisory Committee to discuss their final report and recommendations on a possible courts expansion project.	17	104
	03/18/2003		Workshop w/Parks and Open Space Commission to discuss the Big Marine Park Reserve acquisition and development program.	17	104
	03/18/2003		Workshop w/HRA to discuss the current structure and relationship between the County and the HRA.	17	104
	03/25/2003	2003-052	Public hearing held to consider Survey/Land Management fee increases.	17	109
	03/25/2003		Support for our armed forces in the conflict with Iraq and urging support for military families in Wash. County.	17	111
	03/25/2003		Comm. Kriesel to send letter to legislative delegation re: state cuts in senior nutrition funding.	17	112
	03/25/2003		Comm. Stafford reported that the demise of the East Metro Communications Board will occur on November 1, 2003, unless additional funding is obtained.	17	112
	04/01/2003		Workshop w/ATSE, 2003 assessment report.	17	119
	04/01/2003		Workshop w/Administration to discuss request by Ramsey County for temporary financial support to keep the North St. Paul Branch Library open.	17	119
	04/08/2003		Choc Junker, Stillwater, addressed the Board on 2003 budget cuts, non-property revenues and Commissioners' salaries.	17	121
	04/08/2003		Revised Policy #5022, Personnel Committee of the Board.	17	122
	04/08/2003		Proclamation - National County Government Week.	17	127
	04/08/2003		Workshop w/MN Department of Human Services to discuss the impact of Governor Pawlenty's proposed budget on human service programs in the county.	17	134

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Commissioners	04/08/2003		Workshop w/Administration to discuss Public Information Strategic Issue Work Group's findings and recommendations.	17	134
	04/15/2003		Public hearing held to consider adoption of a Public Health Nuisance Ordinance.	17	137
	04/15/2003		Workshop Closed Session w/Administrator, annual performance evaluation.	17	143
	04/22/2003		Appt. Melinda Elledge, Mental Health Adv., Legal Rep. 1st term to 12/31/05.	17	145
	04/22/2003		Public hearing held to receive comments on the CDBG and HOME Investment Partnership Program for 2003. Written comment period to remain open to 4/25/03.	17	148
	04/22/2003		Comm. Peterson announced that Dick Danzl passed away this past weekend. He and his wife were foster parents to over 3,000 kids in their Cottage Grove home.	17	152
	04/22/2003		Workshop w/HSI Board of Directors to discuss policy issues of mutual concern and interest.	17	153
	04/22/2003		Workshop w/Administration to discuss the 2002 annual performance measurements.	17	153
	05/06/2003		David Junker - asked about the environmental waste fee and funding for Big Marine Park acquisition.	17	155
	05/06/2003		Combine policies #1110, 1111 and 1112 regarding advisory committees, boards and commissions.	17	155
	05/06/2003		Change to Building Security Policy #1018 and adoption of a new County Identification Badge Policy #1030.	17	155
	05/06/2003		Modification to sections 5, 6, 8, 10, 11, 12, 16, 17, 18 and 25 of the County Personnel Rules and Regulations.	17	158
	05/06/2003		Continuation of CDBG projects for 2003.	17	159
	05/06/2003		County Board Advisory Volunteers day.	17	165
	05/06/2003		Workshop w/Transportation and Physical Development to discuss future space needs.	17	168
	05/06/2003		Workshop w/Community Services to discuss proposed development of a Community-Based Crisis Service for adults with serious and persistent mental illness and children with serious emotional disturbance.	17	168
	05/13/2003		Workshop w/County Judges to discuss the draft five year CIP and plans for a courts addition in 2007.	17	175
	05/13/2003		Workshop w/Administration to discuss the 2004 budget guidelines.	17	175
	05/20/2003		Public hearing held on 2003-2007 CIP and issuance of G.O. Bonds. Continued to June 24, 2003.	17	179
	05/20/2003		Comm. Peterson commended MICA Ex. Director Keith Carlson for his work on behalf of counties at the legislature this year.	17	185
	05/20/2003		Commissioner's Service Award presented to David Kniefkamp for his 25 years of service on the Youth Service Bureau.	17	185
	05/20/2003		Workshop w/Human Resources to discuss future workforce strategic issues and close of phase I.	17	186
	05/20/2003		Workshop w/I.S. for presentation of the GIS/Property Information Website.	17	186
	05/27/2003		Proclamations of goodwill for the June 11, 2003 marriage in the Kingdom of Tonga.	17	189

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Commissioners	05/27/2003		Workshop w/Public Health and Environment to discuss curbside recycling program improvements and funding.	17	191
	05/27/2003		Workshop w/ATSE to discuss operating hours for county license centers.	17	192
	06/03/2003		Paula MacMullan, Sen. Norm Coleman's St. Paul Office.	17	193
	06/03/2003		Commissioner's Service Award to Len Price.	17	200
	06/03/2003		Comm. Peterson recommended the appointment of Dennis Hana to the South Washington Watershed District.	17	200
	06/03/2003		Workshop to be held to discuss MN Extension cuts on July 8, 2003.	17	200
	06/03/2003		Solid Waste Mgmt. Coord. Board kicking-off new program Green Guardian to educate people on the proper disposal of hazardous waste.	17	200
	06/03/2003		Workshop w/Administration to discuss the 2003-2007 CIP.	17	201
	06/10/2003		Dennis Plan, Cottage Grove, questioned the need for a new courthouse.	17	203
	06/10/2003	2003-100	Recognizing Daniel J. Papin - Master's Degree in Public Affairs.	17	205
	06/10/2003	2003-099	Recognizing Molly F. O'Rourke - Master's Degree in Public Administration.	17	205
	06/10/2003	2003-101	Recognizing Craig Waldron, City Administrator of Oakdale - Doctorate in Public Administration.	17	206
	06/17/2003		Commissioner's Award presented to Thomas Warth for his efforts in the books for Africa campaign.	17	211
	06/17/2003		David Wakudumira, Mayor of Jinja, Uganda, and sister city of Stillwater, addressed the Board.	17	211
	06/17/2003	2003-107	Policy No. 1031 - Possession of Firearms on County Premises and by County Staff.	17	215
	06/17/2003		Comm. Pulkrabek announced he was appointed to chair the Livable Communities Disbursement Committee by Met. Council	17	215
	06/17/2003		The Green Guardian program will kick-off at the Science Museum on June 26, 10:00 a.m.	17	216
	06/24/2003		Public hearing held to consider naming a previously unnamed creek "Raleigh Creek".	17	226
	06/24/2003		Public hearing (continued from 5/20/03) on the 2003-2007 CIP and issuance of G.O. Bonds.	17	231
	06/24/2003		Green Guardian festivities taking place at the Science Museum on 6/26/03 at 10:00 a.m.	17	234
	06/24/2003		Commissioner's Service Award to be presented to Susan Wardell, Child Protection Citizen Review Panel.	17	235
	06/24/2003		Workshop w/Financial Services to discuss the status of contracting out collections activities.	17	235
	07/01/2003		Public hearing held to consider an appeal of a decision by the Planning Advisory Commission, ownership of Outlot C, Bay Lake Reserve.	17	238
	07/01/2003		Request that letter be sent to Parks and Trails re: parcel of property on Grey Cloud Island for sale.	17	245
	07/01/2003		Workshop w/Transportation and Physical Development to discuss the Rivers Edge draft Alternative Urban Area-Wide Review.	17	245
	07/08/2003		Public hearing on 2003-2007 CIP and issuance of G.O. bonds (continued from 6/24/03).	17	253

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Commissioners	07/08/2003		Cancel the July 15, 2003 County Board meeting, NACo Conference.	17	256
	07/08/2003		Workshop w/Public Health and Environment and the University of Minnesota to discuss the University's new program delivery model and implications for the county.	17	257
	07/22/2003		Workshop w/Transportation and Physical Development to discuss current transportation issues involving policy on noise mitigation, construction of six lane facilities and jurisdictional transfers.	17	264
	08/05/2003		Proclaim the week of August 21-24 as Dog Days of August in honor of the St. Croix Valley Kennel Club annual dog show.	17	265
	08/05/2003		Res. No. 2003-132, Environmentally Preferable Purchasing Policy.	17	271
	08/05/2003		Commissioner Kriesel asked that staff send a letter to Mn/DOT urging them to include funds in its \$900 million road repair plan for TH 5.	17	272
	08/05/2003		Workshop w/Public Health and Environment to review changes to the Washington County Hazardous Waste Ordinance.	17	273
	08/12/2003		Commissioner Pulkrabek requested a moment of silence for hockey coach Herb Brooks who was killed in a car accident on Monday, August 11.	17	275
	08/12/2003		Commissioner Kriesel voiced his concern about Mn/DOT's removal of the warning lights on Highway 36 between Washington Ave. and Osgood. He asked staff to take a look at the accident rates or incidents that have taken place between CR 5 and Osgood since those warning lights were installed.	17	277
	08/12/2003		Harvey Stiefel, Grey Cloud Island Township resident, passed away this past Monday.	17	277
	08/12/2003		Workshop w/Metropolitan Council to discuss issues of regional and county significance.	17	278
	08/12/2003		Workshop w/Dept. of Transportation and Physical Development to discuss the Forest Lake Crossings Development.	17	278
	08/19/2003		Comm. Pulkrabek noted that as Chair of the Livable Communities Fund Disbursement Committee, he will not take part in discussion or votes on Washington County's two projects.	17	288
	08/19/2003		Workshop w/Customer Service Strategic Planning work group to discuss its findings.	17	289
	08/26/2003		Public hearing held to consider repeal of WACO Hazardous Waste Management Ordinance No. 119 and adoption of new Hazardous Waste Management Ordinance.	17	292
	08/26/2003		Res. No. 2003-139, adoption of Ordinance No. 166 Hazardous Waste Management.	17	292
	08/26/2003		Workshop w/Public Health & Environment to discuss the county environmental charge and parcel fee for 2004.	17	296
	08/26/2003		Workshop w/Administration, introduction of proposed 2004 budget.	17	296
	08/26/2003		Workshop w/Transportation and Physical Development to discuss restrictions on All-Terrain Vehicle use in county highway rights-of-way.	17	297
	09/02/2003		Public hearing to consider refunding and issuing general obligation bonds for four HRA properties.	17	301

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Commissioners	09/02/2003	2003-148	Workshop w/Administration to discuss major impacts of the proposed 2004 budget.	17	305
	09/02/2003		Workshop w/Community Services to discuss use of 2003 CDBG contingency funds.	17	306
	09/09/2003		Recognition for retiring Human Resources Director Judy Honmyhr.	17	312
	09/09/2003		Comm. Peterson presented with her 10-year anniversary certificate.	17	313
	09/09/2003		Comm. Peterson reported that the Metro Transitways Development Board has made its requests for the next bonding bill.	17	313
	09/16/2003		Recognition to I.S. staff and department techs for containing the virus attack on county computers.	17	319
	09/16/2003		Distinguished budget presentation award for 2003.	17	319
	09/16/2003		Report on revitalization of the Union Depot as a multi-modal station to be brought to the Board when it is finalized	17	320
	09/23/2003		Congressman Mark Kennedy has tentatively agreed to speak at the League of Local Governments meeting on October 29 at the Prom Center.	17	339
	09/23/2003		Workshop w/Transportation and Physical Development to review the Salem Lutheran Church properties for possible county offices.	17	340
	10/07/2003		Dan McElroy, Commissioner of Finance, to speak at the League of Local Governments meeting 10/29.	17	347
	10/14/2003		Discussion on state takeover of the 800 MHz radio system.	17	351
	10/14/2003		Barry Johnson, City of Woodbury Administrator, will be retiring.	17	351
	10/14/2003		800 MHz radio system meeting with local fire and police chiefs and local managers scheduled for 10/29/03.	17	351
	10/14/2003		Workshop w/Community Services to review report: "Addressing Homelessness - A Needs Assessment and Plan for the Seven County Metro Area".	17	352
	10/21/2003		Revise County Policy No. 1005, Code of Ethical Conduct.	17	353
	10/21/2003		Revise County Policies 1024 and 5025, Guidelines Governing Public Purpose Policy Expenditures and Employee Wellness Program.	17	355
	10/21/2003		Public hearing held to consider an off-sale liquor license application for the Big Marine Lake store.	17	356
	10/21/2003		Public hearing held to receive comments on a proposed ordinance banning all-terrain vehicles (ATV) in the right of way of all county roads and county state aid highways.	17	358
	10/28/2003		League of Local Governments meeting to be held on 10/29/03 at the Prom Center. Dan McElroy, Commissioner of Finance, to be primary speaker.	17	394
	10/28/2003		Consensus to hold Truth-in-Taxation meeting at 7:00 p.m. on Dec. 4. Discussion on December Board meetings held.	17	394
	10/28/2003		Workshop w/Transportation and Physical Development to discuss noise mitigation along county highways.	17	395
	10/28/2003		HRA received an award from the Dept. of Economic Development for its participation in the Older Worker Program.	17	395



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Commissioners	11/04/2003	2003-191	Dennis Plan, Cottage Grove, suggested the county program its computers to do immediate property title changes at the counter using the scanning process.	17	397
	11/04/2003		Workshop w/Information Services and Administration to preview the county web site redesign and receive a status report.	17	403
	11/04/2003		Workshop w/Transportation & Physical Development to discuss ATV use of county r-o-w and evaluate options and public comments.	17	403
	11/18/2003		County policy regarding noise mitigation along county highways.	17	406
	11/18/2003		Public hearing held to consider adoption of an ordinance amending Solid Waste Management Ord. No. 163.	17	407
	11/18/2003		Res. No. 2003-188, adopting Ordinance No. 167, amending the Solid Waste Management Ordinance No. 163.	17	412
	11/18/2003		Res. No. 2003-189 adopting Ordinance No. 168, All Terrain Vehicles.	17	422
	11/18/2003		Workshop w/Administration to discuss the draft 2004-2008 CIP.	17	425
	11/18/2003		Workshop w/Administration, review legislative issues for the 2004 legislative agenda.	17	425
	11/18/2003		Workshop w/Community Services to review 2003 CDBG and HOME applications.	17	425
	11/18/2003		Workshop w/ATSE to discuss the proposed 2004 property taxes.	17	426
	11/25/2003		Workshop w/Community Services to discuss possible redesignation of Local Area Agency on Aging boundaries.	17	429
	11/25/2003		Workshop w/ATSE to review the Federal Help America Vote Act.	17	430
	12/02/2003		Commending City of Forest Lake Chief David Schwartz on his retirement.	17	432
	12/02/2003		Workshop w/Administration to discuss the Cottage Grove Service Center expansion.	17	437
	12/02/2003		Workshop w/Transportation & Physical Development held to discuss Big Marine Park Reserve.	17	437
	12/02/2003		Workshop w/Transportation & Physical Development to review plans for additional parking at the Government Center.	17	437
	12/16/2003		Choc Junker addressed the Board on use of eminent domain for the Shady Birch Resort.	17	441
	12/16/2003		Increase mileage reimbursement to 37.5 cents per mile.	17	442
	12/16/2003		Policy statements for Park funds: Fund 211, Fund 213 and Fund 214.	17	442
	12/16/2003		Revisions to Budget Policy No. 1401.	17	442
	12/16/2003		New county Respirator Policy and revision to Blood-borne Pathogen Occupational exposure control plan.	17	443
	12/16/2003		Joint workshop w/HRA Board to be held in early 2004.	17	458
	12/16/2003		Workshop w/Transportation and Physical Development held for an update on the Boutwell Area Transportation Study.	17	459
	12/23/2003		Choc Junker questioned the Commissioners salaries and the Shady Birch Resort eminent domain issue.	17	461
	12/23/2003		Staff to prepare a resolution for next Board meeting re: Commending City of Woodbury for being proclaimed as one of the finest cities in America by the "Money Magazine".	17	464

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Commissioners	12/23/2003		Workshop w/Administration to discuss Commissioner committee assignments for 2004.	17	464
Community Corrections	02/04/2003		Reappt. Janet Wuorenma, Community Corrections, 2nd term to 12/31/04.	17	33
	02/04/2003		Agreements w/East Communities Family Services, White Bear Lake Community Counseling Center, Forest Lake Youth Service Bureau and Youth Service Bureau, Inc.	17	34
	02/04/2003		Agree. w/Dakota County Community Corrections, juvenile detention, 1/1/03 - 12/31/03.	17	34
	02/25/2003		Renew Joint Powers Agree. w/State of MN, Sentence-to-Services program.	17	81
	02/25/2003		Contract w/Lynn Van Blarcum for Multi Systemic Therapy, juvenile placement alternative intensive in-home therapy program.	17	82
	03/18/2003		Reappt. Holly Ryan Moore, Community Corrections Advisory, 4th and final term to 12/31/04.	17	99
	04/22/2003		Apply for remote electronic alcohol monitoring grant from MN Dept. of Corrections.	17	145
	05/27/2003		Adult supervision and child custody evaluation fees approved and to be brought back in resolution form next week.	17	188
	06/03/2003	2003-095	Community Corrections Supervision Fees.	17	194
	06/03/2003	2003-096	Community Corrections Child Custody Evaluation and Mediation Fees.	17	195
	06/10/2003		Agree. w/Tubman Family Alliance for services provided to victim/families of domestic abuse.	17	203
	07/08/2003		Renew grant agree. w/MN Dept. of Corrections, Community and Juvenile Services Division for intensive supervised release.	17	248
	07/08/2003	2003-116	Probation and Parole Officers' Week, 7/13-7/19/03.	17	248
	08/26/2003		Grant amendment, increasing funding level for intensive supervised release, additional restorative justice funding and new REAM grant.	17	291
	09/23/2003	2003-155	Implementation of fee for setting up community work service.	17	321
	10/07/2003		Appt. Melissa Lehman, Community Corrections Advisory Board, educational representative.	17	342
	10/07/2003		Appt. Cindy Rupp, Community Corrections Advisory Board, Community Services Rep.	17	342
Community Services	01/07/2003		Reappt. Corinne White, Mental Health Advisory, 2nd and final term to 12/31/05.	17	4
	01/07/2003		Reappt. Rosemary Armstrong, CDBG, 1st full term to 12/31/05.	17	4
	01/07/2003		Reappt. Susan Tulashie, CDBG, 1st full term to 12/31/05.	17	4
	01/07/2003		Reappt. Elizabeth Semotink, Mental Health Advisory, 1st full term to 12/31/05.	17	4
	01/07/2003		Appt. Austin Johnson, Consumer Rep. to the Mental Health Advisory, 1st term to 12/31/05.	17	5
	01/07/2003		Confirm appt. of Jim Frank, County Sheriff, to the Mental Health Advisory, 2nd and final term to 12/31/05.	17	5
	01/07/2003		Confirm appt. of Marge Hooley, Education Rep. Mental Health Advisory, 2nd and final term to 12/31/05.	17	5
	01/07/2003		Confirm appt. of Barb Troolin, School Dist. Rep. to Community Services Advisory, 2nd and final term to 12/31/05.	17	5

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Community Services	01/07/2003	2003-002	CDBG grant subgrantee agreement w/City of Landfall.	17	5
	01/07/2003		Confirm appt. of Rob McDonough, Chemical Health Rep. to the Community Services Advisory, 2nd and final term to 12/31/05.	17	5
	01/14/2003		Reappt. Jeffrey Feist, CDBG, 1st full term to 12/31/05.	17	15
	01/14/2003		Grant from the Dept. of Human Services, Chemical Health Division, for a mentor program.	17	17
	01/14/2003		2003 contract w/Rule 23 Limited Partnership of Duluth III, residential services at Hamilton House in Lake Elmo.	17	17
	01/14/2003		Contract w/Mental Health System, PC, day treatment services for individuals w/mental illness.	17	17
	01/14/2003		Designate Tammy Kincaid, as child protection staff to sign notifications of intent to interview children on school property.	17	17
	01/14/2003		2002-2004 contract w/Totems, Inc. for professional home based mental health, therapeutic support to foster care, family community support and parenting assessment services.	17	17
	01/14/2003		2003-2004 contract w/partners in Community Supports for consumer directed community support services.	17	18
	01/14/2003		2003-2004 contract w/ORION ISO, Inc. for consumer directed community support services.	17	18
	01/14/2003		2003 contract w/WACO HRA, housing subsidies for individuals with a serious and persistent mental illness under the Bridges II Program.	17	18
	01/14/2003		2003 contract w/Stivland, Inc. (dba Harbor Shelter and Counseling Center) to provide child shelter and short term treatment services.	17	18
	01/14/2003		2003 contract w/Family Means for respite care services.	17	18
	01/14/2003		2003-2004 contract w/Hope House of St. Croix Valley for corporate adult foster care services.	17	18
	01/14/2003		2003-2004 contract w/Family Means for caregiver training and education waiver services.	17	18
	01/21/2003		Report on trends in various state and federal income maintenance and medical assistance programs.	17	26
	01/21/2003		Contract w/WACO HRA for a housing coordinator position.	17	26
	01/28/2003		2003-2004 contract w/MDM Rubicon, Inc. for adult foster care services.	17	29
	01/28/2003		Needs determination to de-certify two intermediate care facilities for the mentally retarded (Lake Elmo and Stillwater) and convert these services to Title XIX Waiver.	17	30
	02/04/2003	2003-017	CDBG subgrantee agree. w/City of Willernie.	17	34
	02/11/2003		2003 contract w/Community Volunteer Services for medical related transportation services.	17	46
	02/11/2003		2003-2004 contract w/Family and Adolescent Therapeutic Services, Inc. professional home based mental health and therapeutic support to foster care services.	17	46
	02/11/2003		Dislocated Workers Program contract w/Wilder Forest employees.	17	46



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Community Services	02/11/2003		2003-2004 adult foster care contract w/REM MN Community Services.	17	46
	02/11/2003		2003 cooperative agree. w/Community Services, County Attorney, Court Administrator and Sheriff to administer the Child Support Enforcement Program.	17	46
	02/11/2003		Appt. John Nicholson, Community Services Advisory, 1st term to 12/31/05.	17	63
	02/18/2003		2003 contract w/Human Services, Inc. mental health services, chemical health services, transportation services and resources for elder care services.	17	74
	02/18/2003		Support in receiving Bush funding benefiting child care providers.	17	74
	02/25/2003		2003-2004 contract w/Metro Social Services, Inc. adult foster care, homemaker, independent living skills and personal care attendant services.	17	82
	02/25/2003		Child Protection Citizen Review Panel update.	17	83
	03/11/2003		Public hearing set for March 27, 2003 and public comment period through April 25, 2003 on the CDBG and HOME Investment Partnership Program funds and proposed activities for 2003.	17	88
	03/11/2003		Table the 2003-2005 contract with Store to Door, Inc. for one week.	17	90
	03/11/2003		Child support services update.	17	96
	03/11/2003		Re-basing of the MR/RC home and community based services.	17	96
	03/18/2003		Appt. Greg Orth, Community Services Advisory, 1st term to 12/31/05.	17	99
	03/18/2003		2003-2005 contract w/Store to Door, Inc. for grocery shopping and prescription delivery services for eligible clients.	17	101
	04/01/2003		Appt. Thomas Iago, Community Services Adv., to a 1st term expiring 12/31/05.	17	113
	04/08/2003		Appt. Hanah Keane-Rudolph, Mental Health Advisory Council, Family Member/Consumer, 1st term to 12/31/05.	17	121
	04/08/2003		Tree Trust contract for summer 2003 youth employment program.	17	122
	04/08/2003		Set public hearing for April 22, 2003 regarding proposed use of 2003 CDBG and HOME Investment Partnership Program funds for 2003.	17	125
	04/08/2003		Workshop held w/MN Dept. of Human Services to discuss impact of Governor Pawlenty's budget cuts.	17	134
	04/15/2003		Appt. Marc Hugunin, CDBG Citizen Advisory, private sector, partial term to 12/31/04.	17	135
	04/22/2003		2003 agree. w/American Red Cross, St. Paul Chapter, emergency social services and crisis response services for WACO.	17	145
	04/22/2003		2003 contract w/HSI designated service agency for Children's Mental Health Collaborative.	17	146
	04/22/2003		Public hearing held on the CDBG and HOME Investment Partnership Program for 2003. Written comment to remain open until 4/25/03. Final action to be taken on May 6, 2003.	17	148
	04/22/2003		Workshop w/HSI Board of Directors held to discuss policy issues of mutual concern and interest.	17	153
	05/06/2003	2003-079	2003 Annual Action Plan for CDBG and HOME Investment Partnership Programs.	17	159
	05/06/2003		Workshop held to discuss proposed development of a Community-Based crisis services for adults and children with serious emotional disturbance.	17	168

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Community Services	05/13/2003	2003-093	Appt. John Baird, Community Services Advisory, Adults and Seniors Rep., 1st term to 12/31/05.	17	169
	05/13/2003		2003-2005 contract w/Family Focus, Inc., professional home-based mental health services.	17	169
	05/13/2003		2003-2005 contract w/Generations, Inc. professional home based mental health services.	17	169
	05/13/2003		Information privacy agree. w/MN Dept. of Human Services for HIPPA.	17	170
	05/13/2003		Amend 2003-2005 contract w/Elder Haven Homes, assisted living plus services.	17	170
	05/13/2003		Amend 2003 contract w/County Attorney, Court Administrator & Sheriff, administer child support enforcement program.	17	170
	05/13/2003		Comm. Stafford asked staff to research the need for an ordinance to prohibit peddlers/solicitors.	17	174
	05/20/2003		2003-2005 contract w/Birchwood Arbors LLC, assisted living plus services.	17	178
	05/20/2003		Revise CSS Plan.	17	178
	05/27/2003		CDBG subgrantee agreement w/City of Woodbury.	17	188
	06/03/2003		Contract w/Presbyterian Homes, assisted living plus services and Medicare certified home health services.	17	196
	06/03/2003		2003-2005 contract w/Woodbury Personal Assisted Living Unit, assisted living plus services and Medicare certified home health services.	17	197
	06/03/2003		2003-2005 contract w/WACO Assoc. for Senior Citizens, dba Croixdale Residence and Apartments, basic health related services.	17	197
	06/10/2003		2003-2005 contract w/Comfort Keepers services for disabled individuals and traumatic brain injury eligible clients.	17	203
	06/17/2003		2002 Services to Children report.	17	214
	06/24/2003		Continue three special project positions through 12/31/03.	17	225
	06/24/2003		Update on the development of performance-based funding for the MN Family Investment Program.	17	229
	07/01/2003		Child Care Resource and Referral Program.	17	237
	07/01/2003		Appt. Kevin Flood, Mental Health Advisory Council consumer rep. to fill unexpired term to 12/31/04.	17	237
	07/01/2003		Auth. a county emergency Assistance Program and approval of interim policies and procedures.	17	243
	07/08/2003		2003 contract w/Therapeutic Services Agency.	17	248
	07/08/2003		Amend. contract #1875 w/ESR, employment case management services for Dislocated Worker Program.	17	249
	07/08/2003		Amend. contract #2049 w/ESR for job seeking assistance services to recipients of MFIP benefits.	17	249
	07/08/2003	2003-117	HOME Investment Partnership Program Subgrantee agree. w/Two Rivers Community Land Trust.	17	249
	08/05/2003		2003 contract w/Parchem, Inc. to provide corporate adult foster care.	17	266
	08/05/2003		MN Family Investment Program consolidated fund allocation for the interim period 7/1/03 - 12/31/03.	17	266
	08/05/2003		Amend the child care fund plan defining provider payment good cause.	17	266

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Community Services	08/05/2003	2003-127	CDBG grant program subgrantee agree. w/City of Lake St. Croix Beach.	17	267
	08/05/2003	2003-128	Amendment to City of Lake Elmo 2001 CDBG grant activities.	17	267
	08/05/2003	2003-129	CDBG grant funding agree. with HUD and designation of a labor standards officer.	17	268
	08/05/2003		Background check fees for legal nonlicensed or licensed family child care providers and fees for licensing inspections for family child care providers.	17	270
	08/05/2003		Revisions to the Crisis Shelter/Utility Aid Program Policies.	17	271
	08/19/2003	2003-135	CDBG program subgrantee agree. w/City of Stillwater.	17	279
	08/19/2003		Set public hearing for 9/4/03, public comments on housing, community and economic development needs outlined in CDBG and HOME program.	17	280
	08/19/2003	2003-136	CDBG program subgrantee agree. w/City of Oak Park Heights.	17	280
	08/19/2003		Fraud Prevention Investigation Plan grant application.	17	280
	08/19/2003		Amend CDBG Citizen Advisory Committee by-laws.	17	280
	08/19/2003		Contract w/Johnson Day Care and Respite Foster Care for adult day care and respite care services.	17	281
	09/02/2003		Appt. to Child Protection Citizen Review Panel for two year terms: Danielle Horan, Ken and Heidi Nakatani, Meghan Anderson, Judy Behr, and Sheri Riemers.	17	300
	09/02/2003		Amend. to MN State operated Community Services agree. in order to reduce rates by 1% in accordance with state legislation.	17	300
	09/02/2003		Workshop held to discuss use of 2003 CDBG contingency funds.	17	306
	09/09/2003		Receipt of donation in the amount of \$75 for family assistance.	17	308
	09/09/2003	2003-144	CDBG program subgrantee agree. w/City of Mahtomedi.	17	308
	09/09/2003		Amend. to reduce agree. w/HSI in order to reduce Medical Assistance waiver rates by 1%.	17	308
	09/23/2003		Appoint Randall LaFoy, to Community Services Advisory Committee, 1st term, 12/31/05.	17	321
	10/07/2003		Appt. Lynn Patzner, Mental Health Advisory Council, partial term, 12/31/04.	17	341
	10/07/2003		Needs determination for day training and habilitation services, to raise licensed capacity for East Suburban Resources, Stillwater, Cottage Grove and Forest Lake sites.	17	342
	10/07/2003	2003-166	CDBG funding of metro-wide fair housing activities.	17	342
	10/07/2003		Bush funding to benefit county child care providers.	17	342
	10/07/2003		Certificates of recognition for 2003 Family Child Care Providers of the year.	17	346
	10/14/2003	2003-172	Director auth. county rep. to approve WACO's Consumer Directed Consumer Support Plan, Procedures and Guidelines for persons with developmental disabilities.	17	349
	10/14/2003		WACO Biennial Service Agreements for MN Family Investment Program and the Children and Community Services Act; Approval of revised WACO Crisis Shelter/Utility Aid Program	17	350

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Community Services	10/14/2003		Workshop held to discuss report "Addressing Homelessness - A Needs Assessment and Plan for the Seven County Metro Area."	17	352
	10/21/2003	2003-173	CDBG program subgrantee agreement w/South WACO Housing Coalition.	17	353
	10/21/2003	2003-174	HOME Investment Partnership Program subgrantee agree. w/Twin Cities Habitat for Humanity.	17	354
	10/28/2003		2003 contract w/Helena Family Support, Inc. professional home based mental health services, family community support services, and therapeutic support to foster care services.	17	369
	10/28/2003		Child foster care daily basic maintenance, initial clothing allowance and difficulty of care rate for 2004.	17	369
	10/28/2003		2003-2005 contract w/Woodbury Villa, Inc., assisted living plus services.	17	369
	11/04/2003		Needs determination for a new day training and habilitation service for persons with mental retardation or related conditions.	17	398
	11/18/2003		2003-2005 contract w/South Metro Human Services Inc. for adult foster care.	17	405
	11/18/2003		Workshop held to review 2003 CDBG and HOME applications.	17	425
	11/25/2003	2003-190	Amend. allocation of 2003 competitive CDBG and HOME Partnership Program Funds.	17	427
	11/25/2003		Commissioner Stafford suggested that future applications not be approved until the rules are modified regarding ownership of property.	17	428
	11/25/2003		Workshop held to discuss possible redesignation of Local Area Agency on Aging boundaries.	17	429
	12/16/2003	2003-194	Cooperative funding agree. w/MN Housing Finance Agency.	17	442
	12/16/2003		County plan for administration of the Child Care Assistance Program for 1/1/04 - 12/31/05.	17	451
Court Administration	02/04/2003		Joint meeting held with Tenth Judicial District Judges to discuss centralization versus decentralization of court activities.	17	40
	04/22/2003		Sell ticketwriter printers to municipality police depts. who have requested to purchase.	17	146
	05/13/2003		Workshop held to discuss the draft five year CIP and plans for a courts addition in 2007.	17	175
	08/05/2003		Ratify addition of a .5 full-time equivalent position to the Law Library.	17	265
Court Services	01/07/2003		Confirm appt. of Mark Kuppe, Social Srv. Agency Rep. to Community Corrections Advisory, to 12/31/04.	17	4
	01/07/2003		Confirm appt., Corey Mabis, Probation Officer Rep. to Community Corrections Advisory to 12/31/04.	17	4
	01/07/2003		Confirm appt. of Doug Johnson, Cty. Attorney Rep. to 12/31/04.	17	5
	01/21/2003		Change the name of Court Services to Community Corrections.	17	24
Financial Services	01/14/2003		Workshop held to discuss collection efforts for 2002.	17	21
	06/03/2003		Create new fund pursuant to MN Citizens' Personal Protection Act of 2003.	17	197
	06/24/2003		Workshop held to discuss status of contracting out collections activities.	17	235

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Financial Services	07/22/2003		Contracts w/Springer Collections and Central Portfolio Control to assist w/recovering the county's outstanding debt.	17	260
	08/19/2003		Res. No. 2003-137, \$12,815,000 multifamily housing mortgage revenue bond (Valley Creek Apartments Project) Series 1987.	17	281
	08/19/2003		Res. No. 2003-138, \$10,100,000 multifamily housing mortgage revenue bond (Valley Creek Apartment Project - Phase II) Series 1989.	17	283
	08/26/2003		Contract with US Bank for custodial services for county investments.	17	294
	08/26/2003		Receipt of 17th consecutive Certificate of Achievement in Financial Reporting for the 2001 from GFOA.	17	295
	08/26/2003		Distribution of 2002 audited Comprehensive Annual Financial Report (CAFR).	17	295
	09/02/2003		Res. No. 2003-142, pledge of G.O. of WACO to WACO HRA governmental housing revenue bonds (WACO G.O. Pooled Refunding Project) Series 2003 to be issued in an aggregate principal amount not to exceed \$10,700,000.	17	302
	09/23/2003	2003-163	Issuance and sale of \$25,000,000 G.O. capital improvement bonds, Series 2003A.	17	330
	09/23/2003	2003-164	Issuance and sale of \$14,100,000 G.O. Jail Bonds, Series 2003B.	17	335
	10/14/2003		Contract w/US Bank for banking services.	17	350
	10/28/2003	2003-180	G.O. Capital Improvement Plan bonds, Series 2003A.	17	372
	10/28/2003	2003-181	G.O. Jail Refunding Bonds, Series 2003B. (Amended by Res. No. 2003-184).	17	382
	11/04/2003	2003-184	Amending Res. No. 2003-181, re: G.O. Jail Refunding Bonds, Series 2003B.	17	398
	11/04/2003		Opening of three new funds: 1) 317 for LEC bonds, 2003B; 2) 440 for Capital projects, 2003A; and 3) 340, monitor repayment of 2003A bonds.	17	401
	11/04/2003		Allocate interest earnings to the county Library fund #230.	17	401
HRA	01/07/2003		Reappt. Harry Melander, HRA Board, 2nd & final term to 12/31/05.	17	3
	01/07/2003		Reappt. Francis Rheinberger, HRA Board, 2nd and final term to 12/31/05.	17	4
	01/14/2003		Appt. Janet Wuorenma, HRA, partial term to 12/31/03.	17	15
	02/18/2003		Response to Office of the State Auditor regarding Carnelian Marine TIF District.	17	76
	03/18/2003		Workshop held to discuss the current structure and the HRA relationship with the county.	17	104
	04/01/2003		Appt. Anthony Schwartz, HRA Board, 1st term expiring 12/31/05.	17	118
	05/12/2003		Appt. Theodore Thompson, HRA Board, fill unexpired term to 12/31/04.	17	169
	05/20/2003	2003-090	2004 qualified allocation plan for housing tax credits.	17	178
	08/19/2003	2003-137	\$12,815,000 multifamily housing mortgage revenue bond (Valley Creek Apartments Project) Series 1987.	17	281
	08/19/2003	2003-138	\$10,100,000 multifamily housing mortgage revenue bond (Valley Creek Apartment Project - Phase II) Series 1989.	17	283
	08/19/2003		Set public hearing for 9/2/03, 9:00 a.m. to consider comments re: issuance by WACO HRA its Governmental Housing Revenue bonds Series 2003 in an aggregate principal amount not to exceed \$10,700,000.	17	287



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
HRA	09/02/2003		Public hearing held to consider refunding and issuing general obligation bonds for four properties.	17	301
	09/02/2003	2003-142	Pledge of G.O. of WACO to WACO HRA governmental housing revenue bonds (Pooled Refunding Project) Series 2003 to be issued in an aggregate principal amount not to exceed \$10,700,000.	17	302
	11/25/2003		Information only - HRA sold bonds w/county G.O. backing resulting in a savings to them of \$2 million.	17	428
Human Resources	01/14/2003		Reappt. Duane Elvin, Personnel Board of Appeals, to 12/31/05.	17	16
	01/14/2003		Banding/grading recommendations: Fleet Technician B24-3 (new job combined job description) and eliminating the classifications of Mechanic, B23-3 and Welder Mechanic B23-2; Service Rep. A12-1 to B21-1; and Sr. Service Representative from B21-1 to B23-1.	17	18
	04/22/2003		John Bower, MCIT, presented an update.	17	150
	05/06/2003		Modifications of sections 5, 6, 8, 10, 11, 12, 16, 17, 18 and 25 of the County Personnel Rules and Regulations.	17	158
	05/20/2003		Executive (Closed) Session to discuss negotiation strategy for 2004.	17	185
	05/20/2003		Workshop held to discuss future workforce strategic issues, close of phase I.	17	186
	06/24/2003		Offer limited retirement incentive program to employees meeting eligibility requirement as presented.	17	230
	07/22/2003		Modify Section 19 (Reimbursement of Travel and Related Expenses) of the County Personnel Rules and Regulations.	17	260
	08/12/2003		Executive (Closed) Session held for the purposes of determining negotiation strategy for 2004.	17	277
	09/09/2003		Renew agree. w/Frank Madden & Associates for labor relations consultant services through 9/30/05.	17	308
	10/21/2003		Revision to County Policies 1025 and 5025.	17	355
	10/28/2003		Amend Flexible Benefits Plan.	17	370
	12/02/2003		Executive (closed) session for negotiation strategy.	17	431
	12/16/2003	2003-202	2004 Salary for County Sheriff.	17	454
	12/16/2003		Ratify 2004 meet and confer agreements with non-union employee groups.	17	454
	12/16/2003	2003-205	Establishing County Commissioners' salaries and expenses for 2004.	17	455
	12/16/2003	2003-204	2004 salary for County Administrator.	17	455
	12/16/2003	2003-203	2004 salary for the County Attorney.	17	455
	12/23/2003		Ratify the 2004-2006 agreements with AFSCME Council 14.	17	463
Information Services	12/23/2003		Introduction of new HR Director, Kay McAloney.	17	463
	03/18/2003		Revised and updated Policy #3001, Acceptable Use Policy for Utilizing Information Technology Systems and Resources.	17	99
	04/22/2003		Award the purchase, installation and configuration of a new iSeries Server (AS/400) to the Kalos Group, Inc.	17	146
	04/22/2003		Award bid for purchase of core network infrastructure hardware to Insight Public Sector.	17	146
	04/22/2003		Revenue contract w/Old Republic National Title who will receive a nightly download of abstracts and Torrens scanned by the Recorder.	17	149

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Information Services	05/20/2003		Workshop held for presentation of the GIS/Property Information Website.	17	186
	06/10/2003		Amend. No. 2 w/Kalos Group, Inc. software upgrade to IBM WebSphere Development Studio for the new iSeries.	17	204
	06/17/2003		Contract w/Computer Associates for software upgrade charges and 3-year maintenance costs for the Advantage 2E product.	17	210
	06/17/2003		Sell the county's old IBM 720 AS/400 to QualTech Intl., in the amount of \$1,100.	17	210
	08/05/2003		Sale of computer equipment to QualTech Intl.	17	268
	11/04/2003		Workshop w/Administration to preview county web site redesign and receive a status report.	17	403
	12/23/2003		Amend software license agree. w/SSA Global Technologies, Inc.	17	461
Internal Audit	01/14/2003		Reappt. Joseph Rheinberger, Internal Audit Advisory, 4th and final term to 12/31/04.	17	15
	08/26/2003		Letter in response to State Auditor's findings and recommendations in compliance audit for year ended 12/31/02.	17	291
Legislation	01/07/2003		2003 Legislative Agenda.	17	9
	01/07/2003		Workshop held to discuss strategies for the 2003 MN legislative session.	17	11
	01/14/2003		Amendment #1 w/John Kaul dba Capitol Gains, legislative liaison services.	17	17
	01/14/2003		Distribution of Gov. Pawlenty's emergency supplemental budget.	17	20
	01/21/2003		Legislative update: Senate proposal to transfer short-term offenders from state prisons to county prisons.	17	27
	01/28/2003		Legislative update: Senate passed a bill shifting short-term state prisoners to county jails; House bill does not include that provision but reduced funding in Community Corrections.	17	30
	02/04/2003		Legislative update: local homebuyer protection bill; park bonding; transfer of short-term prisoners from state to local jurisdiction; ATV use; Core Services; Welfare reform; and Governor's budget proposal.	17	39
	02/11/2003	2003-025	Continuation of the established express bus routes 363 and 365 from Cottage Grove to Minneapolis.	17	64
	02/11/2003		Legislative update: WIC; Community Health Service Block Grant; SCORE grants; Freeze county property taxes.	17	69
	02/11/2003		Resolution to be prepared regarding budget cuts.	17	70
	02/18/2003	2003-034	Support for protection of county property taxpayers.	17	77
	02/18/2003		Legislative update: Delay in state takeover of county courts; Notification to people selling property in the Baytown well advisory; Community corrections notified that out of home placement money already received and spent will not be unallotted; Prison inmates with less than six months to serve may be returned to county jails; Parks bonding bill.	17	79
	02/25/2003		Legislative update: Short-term offenders; Health and Human Services; shifting costs from state to county, payments for residential facilities; Baytown Special Well Advisory area notification.	17	84
	03/11/2003	2003-042	Support HF 712 and SF 738, JD#2.	17	91

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Legislation	03/11/2003		Legislative update: Baytown Well Advisory legislation; Mtg. w/legislative delegation to discuss list of potential impacts of budget cuts.	17	96
	03/18/2003		Update on the county's special legislation regarding the Baytown Well Advisory.	17	102
	03/18/2003	2003-046	Support of Senate File 850, ATV use.	17	102
	03/18/2003		Update given on the following items: Transfer of short-term offenders to county jails; Human Service Commissioner Kevin Goodno to attend workshop on April 8.	17	103
	03/18/2003		Staff auth. to contact legislative delegation re: SF 330 freeze on tax levied next year.	17	103
	03/25/2003		Legislative update.	17	111
	04/01/2003		Update presented on appraisal reviews; Election equipment reimbursement grant language; ATV bill; and waiver of weight restrictions on certain vehicles.	17	117
	04/08/2003	2003-066	Support the repeal of maintenance of effort for libraries.	17	130
	04/08/2003		Legislative update: Comprehensive mandate relief bill; State short-term offenders; Exemption of garbage trucks on weight restricted roads.	17	130
	04/08/2003	2003-067	Opposing passage of legislation which would institute a reverse referendum on tax levy increases.	17	131
	04/08/2003		Support proposed bill by Dakota County to amend the MN Constitution that would limit the authority of the state legislature to enact unfunded mandates upon local government.	17	132
	04/15/2003		Legislative update: Disclosure requirement for persons selling property in Baytown well advisory area.	17	140
	04/22/2003		Senate passed the county's property disclosure bill for the Baytown Township well advisory area.	17	150
	04/22/2003	2003-074	Support HF 712 and SF 738, maintenance and repair of Judicial Ditch #2 no later than 7/1/04.	17	150
	05/06/2003	2003-085	Opposition to H.F. 627 which abolishes Met. County Regional Railroad Authorities.	17	165
	05/06/2003		Senator Brian LeClair addressed the Board on his amendment to the Health and Human Services budget bill that would remove a provision calling for counties to begin paying 4% of the medical assistance costs. Amendment failed.	17	166
	05/06/2003		Update of legislative issues: House tax bill; Movement on the ATV limits; and Transportation issues.	17	166
	05/13/2003		Update given.	17	174
	05/20/2003		Update presented.	17	184
	05/27/2003		Update given.	17	190
	06/03/2003		Legislative update on 2003 session.	17	198
	06/03/2003		Legislative update on Health and Human Services bill.	17	199
	06/17/2003	2003-106	Special Legislation - Disclosure within Designated Special Well Construction Area in the County, Law 2003, Chapter 128, Article 1, Section 170.	17	213
	08/12/2003		Contract w/John Kaul, d.b.a. Capitol Gains for legislative liaison services.	17	275
	11/18/2003		Workshop held to discuss issues for the 2004 legislative agenda.	17	425
	12/23/2003		2004 Legislative Agenda.	17	461



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Library	01/07/2003		Reappt. Brian Zeller, Library Board, 2nd and final term, 12/31/05.	17	4
	01/14/2003		Workshop held to discuss issues of mutual interest.	17	22
	01/28/2003		Workshop held to discuss future structure of the WACO Library Board.	17	32
	02/04/2003		Appt. Comm. Dennis Hegberg, District 1, and James Schug, At Large, to the Library Board.	17	33
	03/25/2003		Appt. Steven Alfveby, Library Board, 1st term to 12/31/05.	17	107
	03/25/2003		Appt. Sharon Baker, Library Board, 1st term to 12/31/05.	17	107
	04/08/2003	2003-065	Delegation of responsibility for supervising the WACO Library Director to the WACO Administrator.	17	128
	06/03/2003	2003-094	Appreciation to James L. Wells, Library Director, in recognition of his service to WACO government.	17	193
	09/02/2003		Introduction of new Library Director, Patricia Conley.	17	305
	11/18/2003		.74 FTE in the Library Clerk classification.	17	405
Public Health & Environment	01/07/2003		Reappt. Elizabeth Sandstrom, Public Health Advisory, 3rd and final term to 12/31/04.	17	3
	01/07/2003		Reappt. Sheila Colbert, Public Health Advisory, 2nd term to 12/31/04.	17	4
	01/07/2003		Special project Emergency Services Specialist from 1/1/03 - 12/31/03.	17	5
	01/14/2003		Reappt. Richard Heulsmann, Public Health Advisory, to 3rd and final term to 12/31/04.	17	15
	01/14/2003		Appt. Gerald Johnson, Public Health Advisory, 1st term to 12/31/04.	17	15
	01/14/2003		Reappt. Kathleen Klein, Public Health Advisory, 1st full term to 12/31/04.	17	15
	01/14/2003		Reappt. Barbara Leonard, Public Health Advisory, 3rd and final term to 12/31/04.	17	16
	01/14/2003		Reappt. Kelly Findlay, Public Health Advisory, 3rd and final term to 12/31/04.	17	16
	01/14/2003		Reappt. Lisa Ring, Public Health Advisory, 3rd and final term to 12/31/04.	17	16
	01/14/2003		Reappt. Jennifer Osborne, Public Health Advisory, 3rd and final term to 12/31/04.	17	16
	01/14/2003		Reappt. Brenda Whalen, Noxious Weed Appeal, 2nd term to 12/31/04.	17	16
	01/14/2003		Reappt. Damon Dolton, MN Extension Committee, 1st full term to 12/31/05.	17	16
	01/14/2003		Reappt. Gene Smallidge, Noxious Weed Appeal, 2nd term to 12/31/04.	17	16
	01/14/2003		Reappt. Myron Tank, MN Extension Committee, 2nd term to 12/31/05.	17	16
	01/14/2003		Reappt. Marguerite Rheinberger, Public Health Advisory, 3rd and final term to 12/31/04.	17	16
	01/14/2003		Reappt. Julie Schmidt, Public Health Advisory, 3rd and final term to 12/31/04.	17	16
	01/14/2003		Agree. for emergency notification services w/Dialogic Communications Corporation.	17	18
	01/21/2003		Agree. w/Heritage Environmental for household hazardous waste management services.	17	24
	02/11/2003		Agree. w/BARR Engineering, groundwater sampling and modeling for portions of the Cottage Grove Area Nitrate Study.	17	46
	02/11/2003		Reappt. Joseph Rheinberger, Public Health Advisory, 3rd and final term, 12/31/04.	17	63

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Public Health & Environment	02/11/2003		Appt. Siosaia Unga, Public Health Advisory, 1st term, to 12/31/04.	17	63
	03/11/2003		Reappt. Doreen Feist, Public Health Advisory, 3rd and final term to 12/31/04.	17	87
	03/11/2003		Workshop for update on activities related to public health emergency preparedness.	17	97
	03/18/2003		Draft language of the proposed Public Health Nuisance Ordinance.	17	101
	03/18/2003		Public hearing set for April 15, at 9:00 a.m. to consider the Public Health Nuisance Ordinance.	17	102
	04/01/2003		Amend the Project Impact Award agree. w/MN Dept. of Public Safety to extend the grant agree. performance period.	17	114
	04/08/2003	2003-063	Unallotted SCORE funds.	17	125
	04/08/2003		Delay curbside recycling grant application process until June 2003, schedule workshop on curbside recycling for May 27, 2003.	17	126
	04/08/2003		Request by West Lakeland Township to waive the county environmental charge for costs incurred during clean-up days referred to PH&E to initiate the administrative appeal process.	17	133
	04/15/2003		Agree. w/MN Dept. of Public Safety for training funds related to community emergency preparedness and weapons of mass destruction in the amount of \$179,946.	17	136
	04/15/2003		Renew contracts w/cities & township for ISTS permitting and inspection.	17	136
	04/15/2003		Agree. w/MN Dept. of Public Safety to receive funding for equipment related to community emergency preparedness and weapons of mass destruction in the amount of \$114,395.	17	136
	04/15/2003		Agree. w/MN Dept. of Public Safety to receive funding for equipment related to community emergency preparedness and weapons of mass destruction in the amount of \$74,289.	17	136
	04/15/2003		Public hearing held to consider adoption of a Public Health Nuisance Ordinance.	17	137
	04/15/2003		Action on proposed Public Health Nuisance Ordinance tabled to May 6.	17	139
	05/06/2003		Agree. w/MN Dept. of Public Safety, funding for Emergency Operations Plan related to community emergency preparedness and anti-terrorism planning.	17	156
	05/06/2003		Licensing agreements for collection of household hazardous waste w/Cities of Cottage Grove, Forest Lake, Hugo, Lake St. Croix Beach, Stillwater and New Scandia Township.	17	156
	05/06/2003	2003-080	Ordinance No. 165, Public Health Nuisance Ordinance.	17	160
	05/06/2003		Procedure for recouping costs for abatement of Public Health Nuisances.	17	160
	05/27/2003		Contract w/City of Afton for individual sewage treatment system permitting and inspection.	17	188
	05/27/2003		Workshop held to discuss curbside recycling program improvements and funding.	17	191
	06/17/2003		Contract w/Sunrise Health Services, Inc., home health care services to eligible residents.	17	210
	06/17/2003		Letter sent to Valley Branch and South Washington Watershed Districts to solicit continued support for the aquifer sustainability and groundwater/surface water interaction in the Afton and Woodbury area.	17	213

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Public Health & Environment	06/17/2003		Update on LCMR grant proposal addressing aquifer sustainability and groundwater/surface water interaction in the Afton/Woodbury area.	17	213
	06/17/2003		Update on the trichloroethylene contamination in the Franconia Aquifer.	17	214
	06/24/2003	2003-110	Develop a countywide hazard mitigation plan.	17	227
	07/01/2003		Agree. w/Chisago County for reciprocal use of their respective household hazardous waste facilities.	17	238
	07/08/2003		Workshop held w/the University of Minnesota to discuss the University's new program delivery model and implications for the county.	17	257
	07/22/2003	2003-123	Agree. w/Olsen Thielen & Co. for financial audit services.	17	260
	08/05/2003	2003-130	Radiological Emergency Preparedness grant.	17	268
	08/05/2003		Sell to Olmsted County equipment from the Household Hazardous Waste Facility.	17	269
	08/05/2003	2003-132	Environmentally Preferable Purchasing Policy.	17	271
	08/05/2003		Board workshop held to review changes to the WACO Hazardous Waste Ordinance.	17	273
	08/12/2003		Notice of public hearing for 8/26/03 on proposed changes to the county's hazardous waste management ordinance #119.	17	275
	08/12/2003	2003-134	Grant agree. w/Division of Traffic Safety in the MN Dept. of Public Safety for the project Safe Communities.	17	276
	08/19/2003		Agree. w/MN Dept. of Public Safety, Division of Homeland Security and Emergency Management for an Emergency Management Performance Grant.	17	285
	08/26/2003		Public hearing held to consider repeal of WACO Hazardous Waste Management Ordinance No. 119 and adoption of new Hazardous Waste Management Ordinance.	17	292
	08/26/2003	2003-139	Adoption of Ordinance No. 166, Hazardous Waste Management.	17	293
	08/26/2003		Workshop held to discuss the county environmental charge and parcel fee for 2004.	17	296
	09/09/2003		Agree. w/City of Woodbury for distribution of curbside recycling funds.	17	309
	09/09/2003		Submit \$100,000 proposal to MN Dept. of Health for a suicide prevention grant.	17	312
	09/16/2003		Agree. w/City of Birchwood, curbside recycling funds.	17	318
	09/23/2003	2003-156	Adoption of 2004 fees for environmental programs.	17	322
	09/23/2003		Agreements w/Cities of Lake Elmo and Stillwater, distribution of curbside recycling funds.	17	322
	09/23/2003	2003-157	Contract w/Dept. of Natural Resources for LCMR grant.	17	323
	09/23/2003	2003-158	Pre-disaster mitigation grant program w/MN Dept. of Public Safety, Division of Homeland Security & Emergency Management.	17	323
	09/23/2003		Forest Lake License Center office paper reduction demonstration project.	17	329
	09/23/2003	2003-162	Resource Recovery 2004 Project budget.	17	329
	10/07/2003	2003-167	WACO Board o Health Designation of agent.	17	343

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Public Health & Environment	10/07/2003		Master grant contract for all grants with the MN Dept. of Health.	17	343
	10/07/2003	2003-168	Auth. to apply for clean water partnership grant.	17	344
	10/07/2003		Agree. w/City of Forest Lake for distribution of curbside recycling funds.	17	344
	10/14/2003		Agree. w/city of Cottage Grove, distribution of curbside recycling funds.	17	350
	10/28/2003		Public hearing set for November 18, 9:00 a.m. to consider amendments to Solid Waste Management Ordinance No. 163.	17	392
	10/28/2003		Sunset the Public Health Advisory Committee effective 12/31/03.	17	392
	10/28/2003		New Public Health Emergency Preparedness Advisory Committee, auth. to solicit committee members for appointment effective 1/1/04.	17	392
	11/04/2003	2003-185	MN BWSR challenge grant for integrating groundwater and surface water in So. WACO.	17	399
	11/18/2003		Agree. w/City of Oakdale for distribution of curbside recycling funds.	17	405
	11/18/2003		Public hearing held to consider adoption of an ordinance amending Solid Waste Management Ord. No. 163.	17	407
	11/18/2003	2003-188	Washington County Ordinance No. 167, amendments to Solid Waste Management Ordinance #163.	17	412
	12/02/2003		Addendum to final project agree. w/Andersen Corp. Environmental XL Project.	17	433
	12/02/2003	2003-193	Rescind prior notice of withdrawal from EMS Radio Communications Board JPA.	17	434
	12/16/2003		Washington County Groundwater Plan.	17	451
	12/16/2003	2003-200	Financial management agree. w/Hennepin County for the Met. Counties Energy Task Force.	17	452
Recorder	01/21/2003		Plat of Huntington Meadows, Baytown Township.	17	24
	02/04/2003		Plat of Starview Acres, West Lake Township.	17	35
	03/25/2003		Plat of Vincent Lange Addition, Baytown Township.	17	108
	06/10/2003		1 FTE Special Project Real Estate/Taxpayer Services Tech., July 1 - December 31, 2003.	17	204
	08/05/2003		Updated Satellite Office Agreement with the Office of the Secretary of State for Uniform Commercial Code filing and retrieval.	17	269
	08/05/2003		Plat of Galway, West Lakeland Township.	17	269
	08/19/2003		Plat of South Scandia Settlement, New Scandia Township.	17	285
	10/07/2003		Plat of St. Croix Knoll Second Addition, Denmark Township.	17	345
	10/07/2003		Plat of Fieldcrest Second Addition, Denmark Township.	17	345
	11/18/2003		Plat of Manning Overlook, New Scandia Township.	17	406
Regional Rail Authority	01/07/2003		RRA officers elected, Revised workers' compensation resolution.	17	10
	04/15/2003		RRA met to discuss Red Rock Corridor funding. RRA-2003-002 and RRA-2003-003.	17	142
	08/19/2003		Regional Rail Authority met and discussed Forest Lake Express Bus Funding Resolution No. RRA-2003-004.	17	288
	12/16/2003		RRA met and discussed various issues.	17	459

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Sheriff	01/07/2003		Dispose of old jail mattresses by donating them to the Salvation Army for use in their shelters.	17	6
	01/07/2003		Change Order #4 to service agree. w/Motorola for radio service, extended through 2003.	17	6
	01/07/2003		Grant contract w/MN Dept. of Public Safety, Alcohol & Gambling Enforcement Div. supplemental funding for alcohol compliance checks for underage drinking.	17	6
	01/07/2003		Transfer ownership of Officer K-9 Puzzle to handler, Sgt. Ryan Meverden.	17	6
	01/07/2003		Contract w/Dakota County, boarding of inmates at WACO jail.	17	6
	01/28/2003		Workshop held to discuss current status of the county radio system upgrade and the metro 800 MHz radio system.	17	32
	02/11/2003	2003-021	East Metro Narcotics Task Force grant.	17	46
	02/11/2003	2003-020	Annual snowmobile safety enforcement agreement.	17	46
	03/11/2003		Contract w/Capitol Communications to furnish and install microwave equipment for radio upgrade project.	17	88
	03/11/2003		Contract w/Capitol Communications to furnish and install VHF simulcast and base station equipment for radio upgrade project.	17	88
	04/08/2003	2003-058	Annual county boat and water safety grant agreement. (Replaced by Res. No. 2003-091).	17	122
	04/08/2003	2003-057	National Public Safety Telecommunications Week 4/13 - 4/20/03.	17	122
	04/22/2003		Contract w/MN-Oak Park Heights MN Correctional Facility, to house county inmates/detainees at the Oak Park Heights Correctional Facility.	17	146
	04/22/2003		Modification of intergovernmental agree. w/U.S. Marshals Service for jail bed rental.	17	146
	04/22/2003		Contract w/MN DNR, funds to assist in the enforcement of BWI and other boating safety laws.	17	146
	05/20/2003		Introduction of Explorer Post members.	17	177
	05/20/2003	2003-091	Annual boat and water safety grant agreement (replaces Res. No. 2003-058)	17	178
	06/24/2003		Renew Juvenile Detention Services subsidy grant from the MN Dept. of Corrections, 7/1/03 - 6/30/04.	17	226
	07/08/2003	2003-118	Grant agree. w/MN Dept. of Public Safety, safe and sober project.	17	249
	08/19/2003		Status report of the current radio system and the Metro 800 MHZ Radio System and grant opportunities.	17	285
	08/19/2003		Donation of \$2,203 to purchase wireless alarm equipment for monitoring construction sites.	17	285
	11/18/2003		Amendment to management operating agree. w/Aramark Correctional Services, Inc.	17	406
	11/18/2003		Service agree. w/Motorola, Inc. for radio system maintenance in 2004.	17	406
	11/25/2003		Amendment No. 1 extending agree. w/Office of Drug Policy and Violence Prevention, Dept. of Public Safety for the East Metro Coordinated Narcotics Task Force.	17	427
	11/25/2003		Dispose of old jail mattresses by donating them to the Salvation Army.	17	427
	12/16/2003		MN Sheriff's Association presented award to: Deputy Keith Anderson, Reserve Deputy Gary Glaeser and Deputy Dan Harjes.	17	450



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Societies	01/07/2003		Operations grant to Agriculture Society for 2003.	17	5
	01/14/2003		Agreement w/Wash. Conservation District to fund general operations and allocate \$48,000 of BWSR grant for the Wetland Conservation Act.	17	20
	01/21/2003		Operations grant to the WACO Historical Society.	17	25
	02/25/2003		Amend. Contract #2137 with the Washington Conservation District-- reduced by \$48,000 and eliminate the county's compensation for the Wetland Conservation Act.	17	81
Transportation-Facilities	01/07/2003		Reappt. Alice Robinson, Historic Courthouse Advisory, 2nd term to 12/31/04.	17	4
	01/07/2003		Reappt. John DeCurtins, Historic Courthouse Advisory, 2nd term to 12/31/04.	17	4
	01/07/2003		Dennis Larson, Comfort Lake-Forest Lake Watershed presented final payment on the startup loan and presented an update on projects.	17	8
	01/14/2003	2003-008	Final payment to building restoration corporation for exterior masonry repairs at the Government Center.	17	19
	01/21/2003	2003-013	Space lease amendment for the Forest Lake District Courts.	17	25
	01/21/2003		Lease amendment no. 1 to lease no. 160, space use to house the Forest Lake License Center.	17	26
	01/28/2003	2003-014	Final payment to Nieman Roofing Company for north shop reroofing.	17	30
	02/04/2003		Lease agree. pole barn use at 7219 Manning Trail.	17	35
	02/04/2003	2003-018	Final payment to Parkos Construction Co., Inc. for Law Enforcement Center HVAC Retrofit.	17	35
	02/18/2003		Amendment No. 1 w/William J. Office Furniture for technical services involving modular furniture during 2003.	17	74
	03/11/2003	2003-038	Final payment to Tech Logic, Corporation for book return system at the R.H. Stafford Library.	17	88
	04/01/2003		Appt. Manley Ellertson, Historic Courthouse Adv., to fill an unexpired term to 12/31/03.	17	113
	04/01/2003		Reappt. Alice Smith, Historic Courthouse Adv., to a 3rd term expiring 12/31/04.	17	113
	04/01/2003		Appt. Gloria Knoblauch, Historic Courthouse Adv., 1st term to 12/31/04.	17	113
	04/01/2003		2002 Historic Courthouse annual report.	17	117
	04/15/2003	2003-069	Bid award for chimney and masonry repairs at the Historic Courthouse to Advanced Masonry Restoration.	17	136
	04/22/2003	2003-072	Space lease amendment for the Dept. of Economic Security.	17	146
	04/22/2003		Waive tent rental fee for the WACO Historical Society for the Hay Lake School event on 7/12/03.	17	146
	05/06/2003		Workshop held to discuss future space needs.	17	168
	07/22/2003		Appt. Sara Minehart, Historic Courthouse Advisory Council, 1st term expiring December 31, 2004.	17	259
	08/05/2003		Rental fee increase for private/non-profit rentals for 2005/2006.	17	269
	09/23/2003		Contract w/Peterson Stucco Company, repairs to exterior walls of the T&PD North Shop Maintenance Building.	17	326

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Facilities	09/23/2003		Workshop held to review Salem Lutheran Church properties for possible county offices.	17	340
	11/04/2003		Reject all bids for the south maintenance shop in Woodbury and auth. staff to rebid this project.	17	400
	11/04/2003		Agree. w/Woodbury for extension of water and sewer services to the south shop property line.	17	400
	11/18/2003		Staff to review maintenance contract w/Black Creek Integrated System for the LEC to determine if a better longer-term agreement can be reached.	17	419
	11/18/2003		Contract w/Black Creek Integrated Systems Corp., upgrade to the security system software in the LEC.	17	419
	12/02/2003		Workshop held to review plans for additional parking at the Govt. Center.	17	437
	12/16/2003		Contract with Comfort Systems, USA for upgrading the automatic logic controls for the energy management system at the Law Enforcement Center.	17	443
	12/16/2003	2003-195	Final payment to Jorgenson Construction, Inc. for Woodbury service center remodeling.	17	443
	12/16/2003	2003-196	Bid award for reroofing the south maintenance shop to G & S Roofing.	17	443
	12/16/2003	2003-197	Auth. eminent domain proceeding for priority acquisitions at WACO Govt. Center parking lot.	17	444
	12/16/2003		One-year maintenance contract with Black Creek Integrated System Corporation for the LEC security system.	17	444
	12/16/2003	2003-199	Purchase Schaar Property, 14884 60th Street. N., Stillwater for WACO Govt. parking lot.	17	448
	12/23/2003		Operations grant to the WACO Historical Society.	17	462
	12/23/2003		Amend. No. 1 to bldg. custodial maintenance contract w/Linn Building Maintenance for 2004.	17	462
	12/23/2003		Grant agree. w/MN Historical Society for WACO Historic Courthouse chimney restoration project.	17	462
Transportation-General	01/21/2003		Reappt. Pamela Skinner, Ramsey-Washington Metro Watershed, to term expiring 2/23/06.	17	23
	01/21/2003	2003-012	Bid award for carpet needs for 2003 to Hiller Commercial Floors.	17	25
	01/21/2003		Revised amendment no. 1 to MN/DOT agree. no. 81480P, cooperative partnership agree. extending it to March 19, 2004.	17	26
	01/28/2003		Revised cooperative construction agreement w/Rice Creek Watershed District, City of Hugo and City of Forest Lake for culvert replacement on Judicial Ditch No. 2.	17	30
	02/25/2003		Appt. Gerald Johnson to the Brown's Creek Watershed District, to 10/21/06.	17	81
	04/01/2003		Reappt. Donald L. Pereira to the South Wash. Watershed District, to 5/1/06.	17	113
	04/08/2003	2003-061	Easement agree. w/Middle St. Croix Water Management Organization.	17	124
	05/06/2003		Application and storm water pollution prevention plan for the MPCA's general storm water permit for small municipal separate storm sewer systems.	17	162
	05/13/2003		Comm. Peterson reported that South Washington Watershed District presented a petition for a boundary change to include the East Mississippi WMO.	17	174

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-General	05/27/2003		Appt. Steven Kronmiller, Carnelian-Marine Watershed to 1st term expiring June 21, 2006; and Appt. Victoria Dupre, Carnelian-Marine Watershed to fill an unexpired term to 6/21/05.	17	189
	08/05/2003		Reappt. Dennis Larson to Comfort Lake-Forest Lake Watershed District, to a term expiring 9/22/06.	17	265
	08/05/2003		Appt. Dennis Hanna, Grey Cloud Island Township, to the South Washington Watershed District.	17	272
	08/12/2003		Workshop held to discuss the Forest Lake Crossings Development.	17	278
	09/23/2003		Reappoint Dale Borash, Valley Branch Watershed District to 11/13/06.	17	321
	10/07/2003		Appt. Edward Gordon, Brown's Creek Watershed District, 10/21/06.	17	341
	10/21/2003	2003-175	Xcel Energy release and waiver agreement.	17	355
	12/16/2003		Reappt. James Leroux to Rice Creek Watershed, to 1/17/07.	17	442
	12/16/2003		Budget amendment, use of \$94,613.05 in fund balance to pay an invoice for the CR 64 project completed in 1993.	17	444
Transportation-Parks	01/07/2003		Reappt. Kenneth Heuer, Parks and Open Space, 1st full term to 12/31/05.	17	4
	01/07/2003		Reappt. Paul Poncin, Parks & Open Space, 1st full term to 12/31/05.	17	4
	01/07/2003		Reappt. Karen Rheinberger, Parks & Open Space, 2nd term to 12/31/05.	17	4
	01/14/2003		St. Croix Bluffs Regional Park Master Plan amendment and auth. to forward to the Metropolitan Council for review and approval.	17	20
	01/28/2003		Agree. and easement w/3M Corporation for reconstruction of a portion of 3M's existing pipeline through Cottage Grove Ravine Regional park and construction of a paved trail from south of 85th St. S. to the shelter in CGRRP.	17	30
	02/11/2003	2003-024	Timber sale contract w/MN DNR.	17	63
	02/11/2003		2002 MN recreation and Park Association Jack Niles Award.	17	65
	02/18/2003	2003-032	Honoring John Elholm, recipient of the 2002 Jack Niles Award.	17	75
	02/25/2003	2003-035	Support of Point Douglas Trail as a high priority project during re-authorization of TEA-21.	17	82
	02/25/2003	2003-036	Purchase Richardson property, Big Marine Regional Park Reserve.	17	82
	03/18/2003		Met Council grant agree. no. SG-02-184, \$500,000 for recreation and open space acquisition within the Big Marine Park Reserve.	17	99
	03/18/2003		Workshop held with the Parks and Open Space Commission to discuss the Big Marine Park Reserve acquisition and development program.	17	104
	04/01/2003	2003-055	Bid award for parks play equipment for the destination play area at Lake Elmo Park Reserve to Flanagan Sales, Inc.	17	115
	04/01/2003	2003-056	Bid award for parks play equipment for the north picnic shelter at Lake Elmo Park Reserve to Flanagan Sales, Inc.	17	116
	04/01/2003		2002 Parks annual report; Success of 2002 campfire and special programs; and Results of survey of park users.	17	117
	04/08/2003	2003-060	Waiver of acquisition for the Brent Reibel property in the Big Marine Park Reserve and auth. for chair to notify Mr. Reibel by letter.	17	123



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Parks	04/22/2003		Auth. to begin work on a master plan for the Hardwood Creek Regional Trail.	17	146
	05/13/2003	2003-087	MN Trail Assistance program grant request.	17	170
	05/27/2003		Use of five vehicle park permits for free drawings during the WACO fair, 7/30 - 8/3/03.	17	188
	06/17/2003		Agree. and easement w/Met Council for construction of a sewer interceptor through Cottage Grove Ravine Regional Park and construction of a paved trail from 80th Street south to 90th Street.	17	212
	07/08/2003	2003-120	Waiver of acquisition of the Brent Reibel property located in the Big Marine Park Reserve.	17	252
	08/12/2003		Supplemental contract w/MN DNR to repair snowmobile stud damage on the Hardwood Creek Trail.	17	276
	08/19/2003		2004 fees and charges for park related items.	17	285
	09/02/2003		Grant agree. w/Met Council for acquisition of land within the Big Marine Park.	17	301
	09/09/2003	2003-145	Bid award for bituminous overlays on CSAH 19 and 36 to Tower Asphalt, Inc.	17	309
	09/16/2003		Agree. w/WACO Conservation District, repair erosion damage in Pine Point Park.	17	319
	09/23/2003		Agree. w/Chisago County to repair snowmobile and stud damage to Hardwood Creek/Sunrise Prairie Trail.	17	323
	10/07/2003	2003-170	Purchase Buschman property, Big Marine Regional Park Reserve.	17	345
	10/07/2003	2003-169	Award of bid for resurfacing county trails to Road Surfacing Technologies.	17	345
	10/07/2003	2003-171	Purchase Giebler & Francis property, Big Marine Regional Park Reserve.	17	346
	10/21/2003	2003-176	Award of parks farm land leases for 2004.	17	355
	10/28/2003	2003-179	Multiple bid award/rejection of bids for the sale of and demolition of buildings on park land.	17	370
	11/18/2003	2003-186	Federal trail assistance grant for county sponsored Star Trail Association.	17	406
	12/02/2003		Licenses w/WACO Star Trail Assoc. to operate snowmobiles within county right of way.	17	433
	12/02/2003		Workshop held to discuss the Big Marine Park Reserve.	17	437
	12/16/2003		Policy statements for park funds: Fund 211, Fund 213 and Fund 214.	17	442
	12/16/2003	2003-198	Auth. eminent domain proceeding for priority acquisitions at Big Marine Park Reserve.	17	446
Transportation-Roads	01/07/2003	2003-003	90 Minute parking zone located on CSAH 17 at 3537 Lake Elmo Ave. to a point approximately 150 feet north.	17	6
	01/07/2003	2003-005	No parking zone on west side of CSAH 5 between McKusick Road North and West Maple Street.	17	7
	01/07/2003	2003-004	Install 20 mph school speed zone on CSAH 23, approx. 300 feet north and 300 feet south of the intersection w/Willard Street.	17	7
	01/14/2003	2003-007	Parking restrictions on CSAH 23, St. Croix Catholic School loading and unloading of students.	17	18
	01/14/2003		Workshop held to discuss current traffic and pedestrian issues.	17	22
	01/21/2003	2003-011	Final payment to Dresel Contracting, Inc. for road construction on CSAH 3 in Scandia.	17	24

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Roads	01/21/2003	2003-010	Final payment to Dresel Contracting, Inc. for road construction on CSAH 15 in May Township.	17	24
	02/04/2003		Distribution of EA/EAW for Anoka CSAH 14/WACO CSAH 8 and designate RUG contact for the EAW as Donald Theisen.	17	36
	02/04/2003	2003-019	Purchase of Tinucci Property for reconstruction of CSAH 38.	17	37
	02/04/2003		Tri-City coalition participation involving I-35E interchange and Anoka CSAH 14.	17	37
	02/11/2003	2003-022	Auth. eminent domain proceedings for CSAH 13.	17	47
	02/11/2003	2003-023	Partnership agreement with State of Minnesota.	17	61
	02/11/2003		2002 MN County Maintenance Work Zone Safety Award.	17	65
	02/11/2003	2003-026	Support of Broadway Avenue Interchange and Roadway improvements.	17	65
	02/11/2003	2003-027	Support of Main Street interchange and roadway improvements.	17	66
	02/11/2003	2003-028	Support of the Red Rock Corridor transit way improvements.	17	67
	02/11/2003	2003-029	Support of the Rush Line corridor transitway improvements.	17	68
	02/18/2003	2003-031	Honoring Greg Felt, Operations for achieving excellence in work zone safety.	17	74
	02/18/2003		Construction & maintenance agree. w/City of Woodbury for CSAH 13 and Pinehurst Drive traffic control signal.	17	74
	02/18/2003		Township road fuel tax receipt allotments.	17	74
	02/18/2003	2003-033	Honoring Wayne Sandberg, traffic engineer for achieving excellence in work zone safety.	17	76
	02/25/2003	2003-037	Traffic signal and lighting agree. w/MNDOT and Ramsey County, CSAH 15, TH 244, TH 120, CSAH 27.	17	83
	03/11/2003	2003-039	Final payment to Tower Asphalt Co., Inc. for 2002 overlay projects.	17	88
	03/11/2003		Contract w/SRF Consulting Group, Inc. for environmental and preliminary design services for reconstruction of recently transferred TH 120 from I-494 to Woodbine Ave, City of Woodbury.	17	89
	03/11/2003	2003-041	Modify no parking zone on the west side of CSAH 5 between McKusick Road North and West Maple Street.	17	89
	03/11/2003	2003-040	Support appointment of Donn Wiski as a citizen representative and continue as TAB Chairperson.	17	89
	03/18/2003	2003-044	Bid award for CSAH 20 road construction to Tower Asphalt, Inc.	17	100
	03/25/2003	2003-048	MN/DOT Agency Agree. w/WACO or distribution of federal aid funds.	17	108
	03/25/2003	2003-049	Final payment to Tower Asphalt, Inc. for turn lane construction at 80th Street and CSAH 15.	17	108
	04/08/2003	2003-059	Establish a no parking zone on CSAH 6 between 694 and Hadley Ave. N.	17	123
	04/08/2003	2003-062	Bid award for CSAH 13 and Pinehurst road signal construction to Peoples Electric Company.	17	124
	04/15/2003	2003-070	Award of contracts for seasonal materials sand and plant mixed bituminous material supply.	17	137
	04/22/2003	2003-073	Coop. agree. #84408M w/MN DOT and the City of Hugo for traffic signal maintenance at CSAH 8 and TH 61.	17	147
	05/06/2003	2003-075	Bid award for 2003 chemical weed control services to Central Applicators.	17	156

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Roads	05/06/2003		Terminate road and bridge maintenance agree. w/West Lakeland Township.	17	156
	05/06/2003	2003-077	Award of contract for 2003 plant mixed bituminous surface in place to Tower Asphalt, Inc.	17	157
	05/06/2003	2003-076	Request speed studies in Cottage Grove, Forest Lake and Lake Elmo.	17	157
	05/06/2003	2003-078	MN/DOT grant for bridge funding, new bridge 82J09.	17	158
	05/06/2003	2003-081	Variance to the policies for cost participation with the City of Cottage Grove for reconstruction of a section of CSAH 22.	17	162
	05/06/2003		Review of completed 2002 construction projects; and preview of 2003 planned projects.	17	162
	05/06/2003	2003-083	Establishing CSAH 18.	17	163
	05/06/2003	2003-082	Acquire right of way on CSAH 22.	17	163
	05/06/2003	2003-084	Establishing CSAH 38.	17	164
	05/13/2003	2003-086	Bid award for CSAH 13, Hinton Ave. S., road construction to Tower Asphalt.	17	170
	05/13/2003		Proposal to construct monument style advertising structures in County Parks and along bike trails on county highway right of way.	17	172
	06/03/2003	2003-097	Final payment on CSAH 13 road construction to Tower Asphalt, Inc.	17	197
	06/03/2003	2003-098	MN Trail Assistance Program, Star Trail Association.	17	197
	06/03/2003		Contract w/Short, Elliot, Hendrickson, Inc., corridor optimization plan for signal timing on CSAH 13 and 16 in Woodbury.	17	197
	06/03/2003		Amend. No. 1, cooperative construction agree. w/City of Cottage Grove, CSAH 13, Hinton Ave.	17	198
	06/03/2003		License No. 5421-W (CSAH 15) and 5422 (CSAH 7) w/Wisconsin Central Ltd. use of railroad right-of-way for roadway purposes.	17	198
	06/10/2003		Supplemental Agree. No. 1, road construction on Military Road (CSAH 20).	17	204
	06/17/2003	2003-104	No parking anytime on CSAH (Fair Falls Road) in Stillwater Township.	17	210
	06/24/2003	2003-108	Issuance of driveway permit in an access controlled right-of-way on CR 15A in New Scandia Township.	17	226
	06/24/2003	2003-111	CSAH 8 preferred alternative and cost sharing concept for railroad abandonment.	17	229
	07/01/2003	2003-112	Final payment to Shafer Contracting Co., Inc. for CSAH 19 road construction.	17	237
	07/01/2003		Supplemental Agree. No. 1 and 2 to contract 2196 w/SRF Consulting Group, Inc., design services for reconstructing 120 from I-494 to Woodbine Ave. in Woodbury.	17	238
	07/01/2003	2003-113	Endorse Trunk Highway 97 and surrounding area study.	17	243
	07/01/2003	2003-114	Endorse Concept F for Trunk Highway 36 Partnership Study.	17	244
	07/01/2003		Workshop held to discuss the Rivers Edge draft Alternative Urban Area-Wide Review.	17	245
	07/22/2003	2003-124	Maintenance and cooperative agreements with the City of Oakdale for traffic signal at Hadley Avenue and 15th Street N.	17	260
	07/22/2003		Workshop held to discuss current transportation issues involving policy on noise mitigation, construction of six lane facilities and jurisdictional transfers.	17	264

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Roads	08/05/2003		Schedule to consider WACO restrictions on All-Terrain Vehicle (ATV) use in County Highway right of way.	17	269
	08/05/2003		Request by the City of St. Mary's Point to terminate the highway maintenance service contract effective August 31, 2003.	17	269
	08/12/2003		Supplemental Agree. No. 2 and Supplemental Agree. No. 1, w/Tower Asphalt, for road construction on Military Road (CSAH 20).	17	276
	08/12/2003	2003-133	Joint Powers agree. w/Mn/DOT and the City of Stillwater for the Boutwell Area Transportation Study.	17	276
	08/19/2003		Agree. w/Ramsey County for environmental and preliminary design services for reconstruction of TH 120 from I-494 to Woodbine Ave. in Woodbury.	17	285
	08/26/2003		Workshop held to discuss restrictions on All-Terrain Vehicle use in county highway rights-of-way.	17	297
	09/02/2003	2003-140	MN Agency Agree. No. 85615.	17	300
	09/02/2003	2003-141	Final payment to Collins Electrical Construction for CSAH 16 Traffic Signal construction.	17	300
	09/09/2003	2003-146	Auth. eminent domain proceedings for CSAH 22.	17	309
	09/09/2003	2003-147	Agree. w/Mn/DOT, cities of Lake Elmo and Grant for a traffic signal at the intersection of TH 36 and CSAH 17.	17	311
	09/16/2003	2003-153	Award of bid for 17,950 lb. GVW cab and chassis truck to Chesley Truck Sales.	17	318
	09/16/2003	2003-154	Award of bid for sign truck platform and equipment to Crysteel Truck Equipment.	17	319
	09/16/2003		Agree. No. 1 for bituminous overlay on Hilton Trail in the amount of \$89,400.50.	17	319
	09/23/2003	2003-160	Quit claim deed to convey property to Tinucci Brothers Restaurant Holdings, LLC.	17	324
	09/23/2003		Agree. w/City of Hugo for installation of traffic signal and road construction at CSAH 8 and TH 61.	17	324
	09/23/2003	2003-159	Amend agree. w/Tinucci Brothers Restaurant Holdings, LLC real estate exchange and purchase for reconstruction of CSAH 38.	17	324
	09/23/2003	2003-161	Establishing new temporary segment of CSAH 38 in the City of Newport and vacating a section of old CSAH 38.	17	325
	09/23/2003		Denial of appeal by Jennings State Bank to allow a center median opening on CSAH 5 to operate as a left in only; Staff to work with Jennings State Bank on development of right in/right out access.	17	327
	10/07/2003		Supplemental Agree. No. 8, road construction on CSAH 13 and 4th St. N., Oakdale.	17	345
	10/07/2003		Contract w/EnDiSys Corporation, plural component paint machine.	17	345
	10/07/2003		Frontage road north of Highway 36 between Osgood Avenue North and Oxborro Avenue North will be closed beginning October 17.	17	347
	10/21/2003		Public hearing held to consider a ban on ATVs in the county r-o-w and CSAH.	17	358
	10/21/2003		Public hearing on banning ATV use in county r-o-w to remain open for written comment until 5:00 p.m. on October 28, 2003.	17	368
	10/28/2003	2003-178	Final payment to Union Pacific Railroad for railroad crossing signals at CSAH 13 and mile post 8.51 in Oakdale.	17	370

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Roads	10/28/2003	2003-182	CSAH 8 authorization to pursue a railroad crossing.	17	392
	10/28/2003		Workshop held to discuss noise mitigation along county highways.	17	395
	11/04/2003		Agreement to transfer CR 68 to City of Grant.	17	402
	11/04/2003		Workshop held to discuss ATV use of county r-o-w and evaluate options and public comments.	17	403
	11/18/2003		Policy regarding noise mitigation along county highways.	17	406
	11/18/2003	2003-187	Request funding from MN/Dot through the municipal agreement program for the CSAH 18 and I-94 north ramps.	17	407
	11/18/2003		The Board discussed the proposed ATV Ordinance.	17	419
	11/18/2003	2003-189	Adoption of Ordinance No. 168, All Terrain Vehicle Ordinance.	17	422
	12/02/2003		Supplemental Agree. No. 3 w/TKDA, Inc. for environmental and design Services for reconstruction of Anoka CSAH 14 and WACO CSAH 8; and amendment no. 1 W. Anoka County and Amendment NO. 1 with the City of Hugo.	17	433
	12/02/2003	2003-192	Highway easement to City of Oakdale for construction of Henslow Avenue.	17	433
	12/16/2003		Amend. No. 1 w/MN DOT, traffic study in the areas of CSAH 12, CSAH 15 and TH 96.	17	450
	12/16/2003	2003-201	Bid award for CSAH 13 (Hinton Avenue/Tower Drive) road construction to Tower Asphalt, Inc.	17	453
	12/16/2003		Workshop held for update on Boutwell Area Transportation Study.	17	459
	12/23/2003	2003-209	Final payment, Peoples Electric, CSAH 13 Radio Drive and Pinehurst Road signal construction.	17	461
	12/23/2003	2003-210	Final payment, Arnt Construction Co., Inc., CR 61 reconstruction.	17	462
	12/23/2003		Coop. agree. w/City of Forest Lake for environmental & preliminary design services for proposed reconstruction of CSAH 2.	17	463
Transportation-Surveyor	01/07/2003		Reappt. Steven DeLapp, Planning Advisory Commission, 3rd and final term to 12/31/05.	17	4
	01/14/2003		Reappt. Harry Melander, Board of Adjustment & Appeals, 3rd and final term to 12/31/05.	17	15
	01/14/2003		Reappt. Robert Mann, Planning Advisory Commission, 2nd term to 12/31/05.	17	15
	01/14/2003		Reappt. Milton Knoll, Jr. Planning Advisory Commission, 1st full term to 12/31/05.	17	15
	01/14/2003		Reappt. Abigail Grenfell, Board of Adjustment & Appeals, 3rd and final term to 12/31/05.	17	15
	01/14/2003		Reappt. Tamara Fast, Planning Advisory Commission, 2nd term to 12/31/05.	17	16
	01/14/2003		Reappt. Randall Samuelson, Planning Advisory Commission, 2nd term to 12/31/05.	17	16
	01/14/2003		Appt. Dennis O'Donnell, Sr. Planner, as county's representative to the Lower St. Croix Partnership Team and Sergeant Jerry Cusick from the Sheriff's Office as an alternate.	17	18
	02/11/2003		Set public hearing for Comp. Plan/Rezoning application for March 11, 2003, 9:00 a.m.	17	63



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Surveyor	03/11/2003		Public hearing held to consider Comp Plan amendment and rezoning application by Vince Turnblad and Steve May, New Scandia Township.	17	91
	03/11/2003	2003-043	Ord. No. 164 amend. WACO Comp. Plan and Rezoning request by Vince Turnblad and Steve May.	17	93
	03/11/2003		Workshop held to discuss establishment of a fee for Plat Commission review of preliminary plats and increasing the fees charged for land use permits.	17	97
	03/25/2003		Public hearing held to consider Survey/Land Management fee increases.	17	109
	03/25/2003	2003-051	Increase to Survey/Land Management fees.	17	110
	05/13/2003		Update on flood insurance rate maps.	17	172
	05/13/2003	2003-089	Proclamation of appreciation for retiring employee Larry Nybeck.	17	173
	05/13/2003		Appt. Michael J. Welling as County Surveyor from 5/15/03 until the end of the selection process for a new County Surveyor.	17	174
	06/03/2003		Set public hearing for June 17, 2003, 9:00 a.m. to consider an appeal of a condition of approval for an open space design development set by the Planning Advisory Commission	17	198
	06/10/2003		Reschedule public hearing from June 17 to July 1, 2003 at 9:00 a.m. to consider a CUP appeal.	17	204
	06/17/2003		Contracts w/Brown's Creek and Carnelian-Marine Watershed Districts for floodplain mapping services.	17	211
	07/01/2003		Appeal of a decision by the Planning Advisory Commission, ownership of Outlot C, Bay Lake Reserve.	17	238
	07/01/2003		Approve appeal of decision made by the Planning Advisory Commission. Resolution with Board's findings to be brought back at next week's meeting.	17	243
	07/08/2003		Grant agree. w/BWSR, studying groundwater and surface water interaction in the northern portion of the county.	17	249
	07/08/2003	2003-119	Modifying the conditional use permit granted to Norman and Carol Dupre by WACO Planning Advisory Commission on May 27, 2003.	17	250
	07/22/2003		Contract w/Valley Branch Watershed District to establish new 100-year floodplain elevations for priority basins.	17	260
	08/19/2003		Apply for grant of \$100,000 to assist county in mapping 100-year floodplain areas and streams.	17	285
	08/26/2003		Appt. Robert Mann to Board of Adjustment & Appeals, unexpired term to 12/31/05.	17	291
	08/26/2003		Appt. Richard Leistico, Planning Advisory Commission, unexpired term to 12/31/03.	17	291
	08/26/2003		Designate County Surveyor/Survey and Land Management Division Manager as the official authorized to sign license agreements for the sale of electronic map data.	17	292
	09/02/2003		Contract w/Rice Creek Watershed District, establish new 100-year floodplain elevations for priority basis throughout WACO.	17	300
	09/09/2003		Appt. Charles Newman, Planning Advisory Commission, fill unexpired term to 12/31/05.	17	307
	12/16/2003		Contract w/Valley Branch Watershed District to establish 100 year flood elevations for Valley Creek and Raleigh Creek.	17	444



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Surveyor	12/23/2003		Appt. Michael J. Welling, County Surveyor, to four-year term.	17	462
Veterans Service	01/14/2003		Appt. Judge Howard Albertson, Veterans Rest Camp Association, to 1st term expiring 12/31/05.	17	16
	02/18/2003		Appt. Donald Drigans to the Veterans Rest Camp Board, 1st term expiring 12/31/05.	17	74
	08/19/2003		2003 operational improvement grant of \$5,600.	17	281
	10/07/2003		The resignation of Howard Albertson from the Veterans Rest Camp Association not accepted by the Board.	17	347
	11/04/2003		Proclamation in honor of Veterans Day, November 11, 2003.	17	402
Workforce Center	01/28/2003		Appt. Janet Robert, Workforce Investment Board, to 1st term, 6/30/04.	17	29
	02/25/2003		Workforce Center's Annual Report.	17	84
	03/25/2003		Receipt of three donations for the Workforce Investment Board.	17	108
	03/25/2003		Workforce Investment Act Title I grant agree., 4/1/03 to 3/31/06.	17	108
	04/22/2003		Workforce Investment Board update presented by Board members.	17	149
	05/06/2003		Appt. Kathy Anderson, WIB, Labor Rep. to first term 6/30/05.	17	155
	05/06/2003		Agree. w/Hennepin County Dept. of Training and Employment Assistance, training for those seeking careers in the health care industry through an H1-B grant.	17	156
	05/20/2003		Modification of Imation/KPG/Eastman Kodak dislocated workers working agreement.	17	178
	05/27/2003		Appt. Keith Smith to the WIB, small business rep. to 1st term expiring 6/30/05.	17	187
	06/03/2003		Appt. Jeanine Swanson, WIB, 1st term expiring 6/30/05.	17	193
	06/10/2003		Fourth amend. to agree. w/Hennepin County for dislocated worker projects.	17	204
	06/17/2003		Agree. w/MN Dept. of Trade and Economic Development, dislocated worker program 7/1/03 - 6/30/06.	17	210
	06/24/2003		Agree. w/Hennepin County Training and Employment Assistance, delivery of employment and training services to laid-off Northwest Airline workers.	17	225
	07/01/2003		Workforce Investment Act annual plan update for 2003.	17	237
	08/12/2003		First amendment of agree. w/Hennepin County Training and Employment Assistance for delivery of employment and training services to laid-off Northwest Airline Workers.	17	275
	09/09/2003		Receipt of donations, \$700, to Workforce Investment Board.	17	308
	09/23/2003		Update given on Workforce Investment Board activities.	17	326
	10/07/2003		Appt. David Videen, WIB, 1st term, 6/30/05.	17	341
	10/07/2003		Modifications to the Workforce Investment Act plan update for 2003.	17	343
	10/07/2003		Receipt of donation from Western Bank of Oakdale, \$1,000, to support ongoing WIB activities.	17	343
	10/28/2003		Agree. w/Inver Hills Community College to utilize training space in the Cottage Grove College Center.	17	370
	11/25/2003		Receipt of a donation from State Farm Companies in the amount of \$500.	17	427

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**JULY 1, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Doug Johnson, County Attorney; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Ann Pung-Terwedo, Senior Planner; Joe Lux, Senior Engineering Technician; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Richard Backman, Community Services Division Manager; Robert Crawford, Workforce Center Division Manager; Susan Pollack, Community Services Supervisor; Mary McGlothlin, Director of Public Health and Environment; Jeff Travis, Program Manager; Cindy Koosmann, Recorder; Edison Vizuite, Financial Services Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the June 17, 2003 Board meeting minutes and the 2003 Board of Equalization meeting held on June 17, 2003.
2. Approval to appoint Kevin Flood, Cottage Grove, as a consumer representative, to the Mental Health Advisory Council to fill an unexpired term to December 31, 2004.
3. Approval of the Workforce Investment Act annual plan update or 2003.
4. Approval of the Child Care Resource and Referral Program to receive \$180,230 in state and federal funds for a one year period beginning July 1, 2003 to June 30, 2004.
5. Adoption of **Resolution No. 2003-112** as follows:

July 1, 2003

Final Payment to Shafer Contracting Co., Inc. for  
CSAH 19 Road Construction

WHEREAS, the Washington County Board of Commissioners, on February 2, 2000, approved a bid award to Shafer Contracting Co., Inc. and signed a contract with Shafer Contracting Co., Inc. for reconstruction of CSAH 19 in Woodbury; and

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

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

6. Approval of Supplemental Agreements No. 1 and 2 to contract 2196 with SRF Consulting Group, Inc. for the environmental and preliminary design services for reconstructing the recently transferred State Trunk Highway 120 (Valley Creek Road and Century Avenue South) from I-494 to Woodbine Avenue in the City of Woodbury, for a cost not to exceed \$56,200.

The foregoing Consent Calendar was adopted unanimously.

#### **PUBLIC HEALTH AND ENVIRONMENT**

Commissioner Hegberg moved to approve an agreement with Chisago County for reciprocal use of their respective household hazardous waste facilities and authorize execution by the Board Chair and the County Administrator. Commissioner Stafford seconded the motion and it was adopted unanimously.

#### **METROPOLITAN INTER-COUNTY ASSOCIATION**

Keith Carlson, Executive Director, Metropolitan Inter-County Association, and Bob Vanasek and Claudia Brewington, MICA Lobbyists, presented a report on the actions of the 2003 State Legislature and the impact on MICA county members.

#### **PUBLIC HEARING – SURVEYOR/LAND MANAGEMENT**

##### **Appeal of a Decision by the Planning Advisory Commission – Ownership of Outlot C, Bay Lake Reserve**

The Board Chair presented an overview of today's public hearing to consider an appeal of a decision made by the Planning Advisory Commission regarding the ownership of Outlot C, Bay Lake Reserve. The Board Secretary read the notice of public hearing into the record.

July 1, 2003

Ann Pung-Terwedo, Senior Planner, presented an overview of the appeal to a condition of an open space design development, Bay Lake Reserve, Baytown Township. The Planning Advisory Commission held a public hearing on May 27, 2003 and approved a conditional use permit for this project. The original property owner, Norman Dupre, proposes to maintain Outlot C as open space with some type of agricultural use. The Planning Advisory Commission had a good deal of discussion regarding Outlot C. They felt if the future owners had ownership of that property they could dictate what type of agricultural use would be allowed on that property. The applicant is appealing the decision requiring that the future homeowners association own Outlot C.

The following items were placed on the record: Letter, Timothy Freeman, LS. FFE Inc., May 2, 2003; Draft, Conditional Use Permit, May 23, 2003; Minutes, Planning Advisory Commission, May 28, 2003; Location Map; Memo, Ann Pung-Terwedo, May 20, 2003; Bay Lake Reserve Narrative, Received May 1, 2003; Plans; Letter, Annette Ilkka, May 27, 2003; Letter, Robert and Judith Lepp, Mitchell and Jeanne Leppicello, May 23, 2003; and Memo, Penny Hounder, Town Clerk, June 23, 2003.

Commissioner Stafford asked if it were possible to develop a PDR for this property, with the County or some other third party, such as the Land Trust, having control of what is planted there to make sure it would not be developed in the future? Ms. Pung-Terwedo indicated that regardless of the ownership of Outlot C there will be a conservation easement placed on that parcel. Through a development of a conservation easement it can be more specifically defined as to what can and cannot be done on that property.

Commissioner Stafford referred to a letter from Timothy Freeman, Dated May 28, 2003, where it states "Staff recommended at the meeting that the potential uses of the parcel be limited to growing trees, shrubs, or other agricultural crops". He feels this means anything, and he is not sure if that is okay or not. He feels it's a little ambiguous. On the map in the packet, he noted that the contour on the north end of Outlot C drops and asked how that would be farmed, or are they just talking about the south half of that Outlot?

Commissioner Stafford asked about the community well, is that going to be treated? Ms. Pung-Terwedo stated that will require a permit from the Department of Health. They probably will need to put in a large carbon filter depending on which aquifer they go into. The filter will be monitored and regulated.

Commissioner Peterson asked in the design of the well, and the joint septic, is there a possibility of other developments adjacent utilizing it? Ms. Pung-Terwedo assumed that the well and the septic would be designed for the development. Commissioner Peterson is looking at adjacent land and is there a possibility of joining with those other properties to have a larger facility to provide more treated water.

July 1, 2003

Commissioner Kriesel asked how Condition No. 4 of the Draft Conditional Use Permit would read if it was overturned? Ms. Pung-Terwedo stated it would read: "Outlots B and C shall be transferred to Norm Dupre and shall be combined with Block 4, Lot 1. Outlots B and C shall not be sold or transferred separately from Block 4, Lot 1."

Mark Vierling, representing Norm and Carol Dupre, stated the Dupres have owned this property for almost 30 years. The proposal was to keep both Outlots B and C with the Dupres combined with their existing property Block 4, Lot 1. Neither of them would ever be allowed to be sold or transferred separate from the homestead parcel. The two outlots would be kept under a conservation easement. There would be deed restrictions in the community interest covenants that would go upon this property to regulate the use of those properties for tree and shrub farming, crop or natural prairie area. He feels the Planning Commission seemed to merge the issues of use with ownership. They believe that is a mistake. They can easily manage and deal with issues of use, they do not have to deprive people of the ownership of their property just to manage the issue of use. The uses that were projected for these outlots were recommended by the county staff and those recommendations were adopted and can easily be lived with. He believes that the minutes of the Planning Commission contain no findings that are adverse to the Dupres, nothing to indicate that they will be inappropriate stewards of the land. The Planning Commission felt that a home association ownership would be better. The County Development Code outlined in the staff report denotes and specifies that as it affects the open space, of which Outlot B and C are part of, individual ownership is allowed. The Dupres within this development and the proposal that has been before the county today have met every requirement of its ordinance and the Development Code. The Dupres are asking to be left as the owners of B and C.

Mr. Vierling addressed questions raised by Commissioner Stafford. The contours on the northern end of Outlot C are there. It is the Dupres' intent to maintain those contours and grades. Outlot C flattens out considerably as it goes to the south. They do wish to access and have crop ability in that area. In regards to Commissioner Peterson's question regarding the joint water use facility, it is in many respects a community system and will be owned by the homeowners association. There may be some issues with regard to the possibility of sharing that in terms of capacity with adjacent properties, but theoretically that is possible. Commissioner Kriesel raised the question of sale—obviously these lots would never be sold separate and would always be maintained in ownership with the Dupre primary homestead, which is Block 4 Lot 1. They can and will work with county staff as it affects crop use. If there are particular types of crops that the county staff is concerned about, they have the ability to deal with those issues.

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

Commissioner Pulkrabek moved to close the public hearing. Commissioner Peterson seconded the motion and it was adopted unanimously. The public hearing was closed at 10:15 a.m.



July 1, 2003

Commissioner Pulkrabek stated he supports overturning the Planning Commission's decision for the following four reasons: 1) This land, if it continues to be privately held, cannot be developed or subdivided and will remain open space; 2) The property is currently being used for an agricultural purpose now, so the developer and eventual residents already know what's there, what has been there and what will be there; 3) He doesn't understand the Planning Commission's thinking to say they believe there might be a problem or conflict down the road with an agricultural purpose if it's privately held, but then in their own conditional use permit in No. 7 they leave the door open for crop production for some other entity to come in; and 4) There will eventually be 28 homes in this association, and he doesn't see how they would have the financial resources to maintain Outlot C even if they wanted to if it wasn't agricultural.

Commissioner Kriesel stated when he first looked at the desire of the developer to maintain ownership of Outlot C, he did have a concern, which is stated in Section 9.3 of the Washington County Code where it talks about the impact of the proposed use on the health, safety and general welfare of the occupants of the surrounding land. He hasn't seen any development in Washington County where the owner has retained an outlot or open space for agricultural purposes. He is concerned about what other property owners have faced that are adjacent to the fairgrounds for example. On the other hand, the ability to retain ownership and use it for agricultural purposes or planting trees is provided for in the Development Code. He would hope that the potential owners of those lots adjacent to Outlot C would be made aware of the uses of that open space. Are there any restrictions such as setbacks or certain types of agricultural uses, on a permanent conservation easement? Ms. Pung-Terwedo stated the county can look into what conditions can be put on crop production, depending how they want to go with that conservation easement.

Commissioner Kriesel noted that Baytown Township approved the use of Outlot C as the applicant has requested. He believes that as long as there is some protection for future homeowners, or at least are aware of potential uses, that he does not have any problem with overturning the Planning Commission.

Commissioner Peterson concurred with everything that has been said. She added that as Mr. Dupre has been a farmer, he knows that noxious weeds exist and has kept them under control. She would rather have someone be in control of the land that really understands noxious weeds.

Commissioner Stafford asked if the conservation easement is permanent? If they were to sell the land, that easement is always in effect? Ms. Pung-Terwedo indicated that is correct. The easement is filed with the plat at the time of recording.

Commissioner Stafford stated he has great faith in the Planning Commission, they do good work. He thinks they failed the test of finding a reason for the health, safety or general welfare of the adjoining property in order to do this. The only remaining concern he has is the northern end of Outlot C looks



July 1, 2003

like a 50-foot drop in a narrow space and would at some point worry about erosion. As long as they know that's under control and there will be some oversight to that, he has no trouble supporting their appeal.

Commissioner Peterson also believes that dealing with the potential community water system would be easier with private ownership than multiple agencies.

Commissioner Hegberg stated he agrees with what has been said and it would be better off in private ownership.

Commissioner Kriesel stated that the Planning Commission's concern is they felt there would be a conflict between a private property owner conducting an agricultural use adjacent to a residential area. He still has that concern. He is hoping that the language in the permanent conservation easement and the conditional use permit itself can avoid any conflicts.

Commissioner Kriesel would like an additional condition restricting cultivated row crops that create dust and noise.

Commissioner Hegberg stated he is concerned about restricting the use of the land for the future. Commissioner Peterson agreed.

Commissioner Stafford asked if the appeal could be approved today, pending approval of the conservation agreement? Commissioners Hegberg and Peterson indicated that the plat would come back to the Board.

Ms. Ann Pung-Terwedo reminded the Board that they are only looking at one issue today, and that is ownership of Outlot C. Based on the Board's findings today regarding this matter, they will prepare a resolution for the Board at the next meeting with many of the comments the Board has made today.

Commissioner Kriesel would like the Board's concerns about the plowing, noise and dust associated with that contained in the resolution. Commissioner Peterson asked that it also include the community well.

Commissioner Pulkabek supports overturning the Planning Commission's decision, but he does not have as much of a comfort level as far as getting into micromanaging what can and cannot be done in the way of agricultural options on this parcel. He would rather leave it with overturning the Planning Commission without restrictions.

July 1, 2003

Commissioner Kriesel moved to approve the appeal of a decision made by the Planning Advisory Commission and that Outlot B and Outlot C will remain with Norman and Carol Dupre; and that a resolution be brought back with the Board findings at its next meeting. Commissioner Peterson seconded the motion and it was adopted unanimously.

Commissioner Pulkrabek left the meeting at 10:30 a.m.

### **COMMUNITY SERVICES**

Commissioner Peterson moved to authorize a county Emergency Assistance Program and approval of interim policies and procedures as presented. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

### **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

#### **Trunk Highway 97 and Surrounding Area Study**

Commissioner Hegberg moved to adopt **Resolution No. 2003-113** as follows:

#### Endorse Trunk Highway 97 and Surrounding Area Study

WHEREAS, the Minnesota Department of Transportation, City of Forest Lake, New Scandia Township, Columbus Township, Anoka County and Washington County commissioned URS Corporation to perform a Corridor Transportation Study on the Trunk Highway 97 area, including Washington County State Aid Highway 2 between I-35 and Trunk Highway 61, CSAH 34, and County Road 83; and

WHEREAS, the results of that study, summarized in the attached Executive Summary, have been discussed in workshop settings with the various jurisdictions that commissioned the study and found to be acceptable; and

WHEREAS, the study has been formally accepted by the City of Forest Lake and is expected to be accepted soon by the other agencies; and

WHEREAS, the Washington County Director of Transportation and Physical Development and the County Engineer have reviewed the study report and recommend its approval.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Washington County Board of Commissioners hereby endorses the findings and recommendations of the Trunk Highway 97 Surrounding Area Study.

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

July 1, 2003

Commissioner Pulkrabek returned at 10:45 a.m.

### **Trunk Highway 36 Partnership Study**

Commissioner Kriesel moved to adopt **Resolution No. 2003-114** as follows:

Endorse Concept F for Trunk Highway 36 Partnership Study

WHEREAS, the Trunk Highway Partnership Study was commissioned jointly by the Minnesota Department of Transportation, the Cities of Oak Park Heights and Stillwater and Washington County; and

WHEREAS, the results of that study are contained in the Trunk Highway 36 Partnership Study Final Report and summarized in the Executive Summary; and

WHEREAS, the Cities of Oak Park Heights and Stillwater have supported this study and Concept F, a grade-separated design with two "buttonhook" interchanges; and

WHEREAS, the Director of Transportation and Physical Development and the County Engineer approve of the study report and support the development of Concept F.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby accepts the findings of the Trunk Highway 36 Partnership Study and supports Concept F as an acceptable design concept for Trunk Highway 36.

Commissioner Peterson seconded the motion and it was adopted unanimously.

### **GENERAL ADMINISTRATION**

Jim Schug, County Administrator, reminded the Board that the continuation of the public hearing to consider the Capital Improvement Program and the discussion of possible issuance of bonds will be held at next week's Board meeting.

### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Stafford reported on the kick-off of the Green Guardian web site. He indicated there was a great turnout at the Science Museum and the kids seemed to love the mascot.

Commissioner Peterson asked that the Board send a sympathy card to Oakdale City Councilmember Ted Bearth's family whose son was killed in a motorcycle accident out of state.

July 1, 2003

Commissioner Peterson requested that the Board send a letter to Parks and Trails Dorian Grilley, regarding a parcel of property between county owned property on Grey Cloud Island that is for sale. This is not a high priority for Washington County, but she thinks if Parks and Trails could purchase it and hold it until the county could purchase it, that would be a good addition.

Commissioner Pulkrabek reported on the Resource Recovery Project budget meeting he attended last week. They passed the budget and recommended its approval by the full Board.

Commissioner Pulkrabek mentioned he received a comparison of counties' debt per capita for the seven county metropolitan area and St. Louis County, and that Washington County was the lowest.

Commissioner Kriesel indicated he received a call from a constituent about an issue that was going on when he was the Administrator for the City of Stillwater. He asked that staff meet with the City of Stillwater to look at the intersection of Boutwell and County Road 12 and the turning function of that intersection. There have been three accidents over the last four years where cars have gone off the road and down into the caller's property.

Commissioner Kriesel asked with the legislation that was passed on county right-of-way and the use of ATV's, is there a county ordinance that has to be adopted? Mr. Schug indicated that staff is working on that process.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 11:18 a.m.

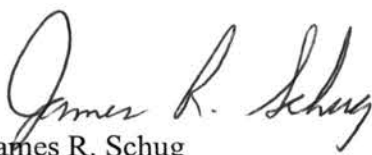
#### **BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development to discuss the Rivers Edge Draft Alternative Urban Area-Wide Review (AUAR). No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Mike Rogers, Joe Lux, Dennis O'Donnell, Ann Pung-Terwedo, Mike Welling, Jeff

July 1, 2003

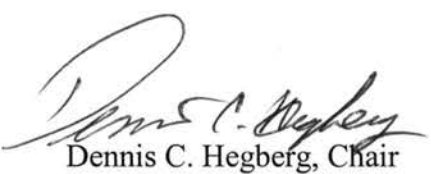
Roos, St. Paul Park Engineer, Don Patton, DR Horton Homes, Allan Klugman, Westwood Professional Services, Colin Roetman, Project Manager, DR Horton and Judy Spooner, Washington County Bulletin.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**JULY 8, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, County Engineer; Jim Luger, Parks Director; Ann Pung-Terwedo, Senior Planner; Edison Vizuite, Financial Services Director; Tom Adkins, Community Services Director; Kevin Corbid, Assessment, Taxpayer Services and Elections Director; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Robert Crawford, Workforce Center Division Manager; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the June 24, 2003 Board meeting minutes.
2. Adoption of **Resolution No. 2003-115** as follows:

Gambling License for the Minnesota Assistance  
Council for Veterans

WHEREAS, on June 20, 2003, the Minnesota Assistance Council for Veterans has made application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved is the Veterans Rest Camp, 11300 180<sup>th</sup> St. N., Marine on St. Croix, MN 55047 Washington County, on August 14, 2003; and

THEREFORE, BE IT FURTHER RESOLVED THAT, the Washington County Board of Commissioners does hereby resolve to approve the granting of a Premises Permit for the above described location subject to the terms of Washington County.



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3. Approval of a 3.2 percent malt liquor license for Veterans Rest Camp Association for the period April 1, 2003 through March 31, 2004.
4. Approval to renew grant agreement with the State of Minnesota, Department of Corrections, Community and Juvenile Services Division for Intensive Supervised Release for Fiscal Year 2004-2005 for Intensive Supervised Release.
5. Adoption of **Resolution No. 2003-116** as follows:

Probation and Parole Officers Week  
July 13 – 19, 2003

WHEREAS, Washington County probation and parole officers are an essential part of the criminal justice system; and

WHEREAS, Washington County probation and parole officers uphold the law with dignity, while recognizing the right of the public to be safeguarded from criminal activity; and

WHEREAS, Washington County probation and parole officers are trained professionals who work in partnership with community agencies and groups; and

WHEREAS, Washington County probation and parole officers promote prevention, intervention, and advocacy; and

WHEREAS, Washington County probation and parole officers provide services, support, and protection for victims of crime; and

WHEREAS, Washington County probation officers advocate community and restorative justice; and

WHEREAS, all Community Corrections staff play a vital role in supporting the work of probation and parole officers; and

WHEREAS, Washington County probation and parole officers provide a cost effective service.

NOW THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners does hereby proclaim July 13-19, 2003 as Probation and Parole Officer Week and encourages all citizens to honor these probation and parole officers and to recognize their achievements.

6. Approval of the 2003 contract with Therapeutic Services Agency, Inc. for Professional Home Based Mental Health, Therapeutic Support to Foster Care, Family Community Support and Parenting Assessment Services.

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7. Approval of amendment to contract #2049 with East Suburban Resources for job seeking assistance services to recipients of Minnesota Family Investment Program benefits who have experienced persistent difficulty obtaining employment.
8. Approval of amendment to contract #1875 with East Suburban Resources to provide employment case management services for the Dislocated Worker Program through December 31, 2003.
9. Adoption of **Resolution No. 2003-117** as follows:

Approving HOME Investment Partnership Program Subgrantee  
Agreement with Two Rivers Community Land Trust

WHEREAS, Two Rivers Community Land Trust has applied for, and the County Board approved, HOME Investment Partnership Program funds of \$104,000 for demolition of the fire station at 6279 50<sup>th</sup> Street North, Oakdale, MN 55128, site improvements at this location and project support for implementation of the Oakdale Redevelopment project; and

WHEREAS, the purpose of the HOME Investment Partnership Program is to fund affordable housing activities for low-income persons; and

WHEREAS, the Oakdale Redevelopment project will result in construction of three single-family community land trust housing units; and

WHEREAS, these housing units will be sold, at affordable prices, to eligible low-income families; and

WHEREAS, the Oakdale Redevelopment project meets all U.S. Department of Housing and Urban Development environmental requirements under 24 CFR part 58.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the HOME Investment Partnership Program Subgrantee Agreement with Two Rivers Community Land Trust for the Oakdale Redevelopment project.

BE IT FURTHER RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign the HOME Investment Partnership Program Subrecipient Agreement.

10. Approval to execute an extension to a grant agreement with the Board of Water and Soil Resources on behalf of the County for the purpose of studying groundwater and surface water interaction in the northern portion of Washington County.
11. Adoption of **Resolution No. 2003-118** as follows:

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Grant Agreement with the Minnesota Department of Public  
Safety for the Project Safe and Sober

BE IT RESOLVED, that the Washington County Board of Commissioners, authorizes the Washington County Sheriff's Office, to enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled: Safe and Sober Communities, during the period of October 1, 2003 through September 30, 2004.

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

12. Adoption of **Resolution No. 2003-119**, as follows:

Modifying the Conditional Use Permit Granted to  
Norman and Carol Dupre by the Washington County  
Planning Advisory Commission on May 27, 2003

WHEREAS, MINN. STAT. CHAPT. 394 authorizes Washington County to carry on planning and zoning activities in the unincorporated areas of the County; and

WHEREAS, the Washington County Comprehensive Plan 2015 was adopted by the Washington County Board of Commissioners on April 22, 1997 and became effective October 1, 1997 as Washington County Ordinance 124; and

WHEREAS, in order to implement their Comprehensive Plans, MINN. STAT § 473.865 requires counties to adopt the official controls described in their Comprehensive Plan; and

WHEREAS, the Washington County Development Code was adopted by the Washington County Board of Commissioners and became effective on October 20, 1997 as Washington County Ordinance 127; and

WHEREAS, Washington County has declared through its Comprehensive Plan 2015 its support for and encouragement of open space design developments/cluster housing in order to preserve open space, natural features and agricultural lands; and

WHEREAS, Washington County has adopted the Washington County Development Code which provides for a property owner to subdivide parcels into lots smaller than conventional subdivisions, subject to compliance with certain design standards and open space requirements; and

WHEREAS, the Washington County Development Code specifies that designated open space in a development may be owned and managed by one or a combination of the following: (A) Homeowner's association; (B) nonprofit organization; (C) the County or another governmental body empowered to hold interest in real property; or (D) an individual who will use the land for open space purposes, as provided by the permanent conservation restrictions; and

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WHEREAS, at the regularly scheduled meeting on May 27, 2003, the Washington County Planning Advisory Commission reviewed the application by Norman and Carol Dupre for a conditional use permit for an open space design development, to be known as Bay Lake Reserve; and

WHEREAS, the plans submitted by the Dupres included Norman Dupre maintaining ownership of Outlots B and C on the conditions that Outlot C be used only for the growing of trees, shrubs, crop production or natural prairie area and also on the condition that Outlots B and C be combined with Norman Dupre's residential property known as Block 4, Lot 1 and that the outlots not be sold or transferred separately from Block 4, Lot 1; and

WHEREAS, the Baytown Town Board approved the plans as submitted by the Dupres; and

WHEREAS, the Planning Advisory Commission granted the Conditional Use Permit only after requiring that Outlot C be owned and maintained in common by the homeowner's association; and

WHEREAS, the Planning Advisory Commission indicated their concern over private ownership for Outlot C, stating that there is the potential for future conflicts between the agricultural uses of Outlot C and the surrounding residents and also discussed possible waste and dust from the agricultural uses; and

WHEREAS, Timothy J. Freeman, Thomas M. Wiener and Norman Dupre, property owner, appealed the decision of the Washington County Planning Commission to the Washington County Board as provided in the Washington County Development Code, Chapter One, Section 9.11; and

WHEREAS, the Washington County Board held a public hearing on July 1, 2003 to consider the appeal; and

WHEREAS, the Washington County Board made the following findings after consideration of the appeal:

- The original proposal for Bay Lake Reserve will ensure that Outlot C will not be able to be developed and/or subdivided, but will remain as open space.
- Sole ownership of Outlot C may result in more efficient use and control of the land than multiple ownership.
- Norman Dupre is an experienced farmer, with both the knowledge and interest in properly maintaining Outlot C, including the control of noxious weeds.
- The Washington County Development Code requires that a developer who wishes to utilize an open space development option must obtain a permanent conservation easement for the open space which will run with the land.
- The Washington County Development code, Chapter Two, Section 4.6 allows an individual to own and manage the property and who will use the land for open space purposes as provided by a permanent conservation easement; and

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WHEREAS, the decision of the Washington County Planning Advisory Commission to grant the conditional use permit with the added requirement that Outlot C be owned and maintained by the homeowner's association is not supported by the findings of the Commission.

NOW, THEREFORE, BE IT RESOLVED, that the granting of the Conditional Use Permit for the Bay Lake Reserve approved by the Washington County Planning Advisory Commission on May 27, 2003 is **AFFIRMED** and is **MODIFIED** as follows:

1. That item number three of the Conditional Use Permit is modified to read: "Norman Dupre shall transfer fee simple title of Outlots A, D, E, F, G, H and J to the Homeowner's Association. Said lots shall be owned and maintained in common by the Homeowner's Association."
2. That item number four of the Conditional Use Permit is modified to read: "Norman Dupre shall retain ownership of Outlots B and C, which shall be combined with Block 4, Lot 1. Outlot B and C shall not be sold or transferred separately from Block 4, Lot 1."

13. Adoption of **Resolution No. 2003-120** as follows:

Waiver of Acquisition

WHEREAS, Mr. Brent Reibel has reapplied for a modification of the original permit issued on April 8, 2003, to construct a house on property he owns lying within the official boundary of Big Marine Park Reserve; and

WHEREAS, Mr. Reibel has been granted a permit to construct a house on his property with additional changes by the Board of Adjustment and Appeals; and

WHEREAS, Washington County has six months in which to purchase the property or allow Mr. Reibel to construct said house; and

WHEREAS, Washington County has established acquisition priorities in order to open Big Marine Park Reserve to the public in 2005; and

WHEREAS, at this time, Mr. Reibel's property is not a critical parcel to the opening of Big Marine Park Reserve for public use; and

WHEREAS, Washington County does not have funding available at this time for the purchase of Mr. Reibel's property; and

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board Chairman prepare a letter waiving the County's right to acquire Mr. Reibel's property for park purposes which will in effect allow Mr. Reibel to proceed with constructing a house on the property, assuming all other legal requirements are met.

The foregoing Consent Calendar was adopted unanimously.



July 8, 2003

**PUBLIC HEARING (CONTINUED FROM JUNE 24, 2003)****2003-2007 Capital Improvement Plan and Issuance of General Obligation Bonds**

The Board Chair presented a brief overview of today's public hearing, continued from June 24, 2003, to discuss the 2003-2007 Capital Improvement Plan and issuance of general obligation bonds.

Molly O'Rourke, Deputy Administrator, answered questions raised at the last hearing. The first item is a debt per capita chart that was requested by Commissioner Pulkrabek. This shows where Washington County is in comparison with other metro and MICA counties in terms of debt per capita. This chart does include the debt for the Law Enforcement Center. She then showed a chart that shows what will happen if the first bonds are issued for \$25 million. The current debt per capita is \$148 per person, which is the lowest of the county comparisons. With the addition of \$25 million in debt, that adds an additional \$121 per capita, making a total of \$269 per capita, which is still lower than several other counties.

Ms. O'Rourke stated that the Board had asked about the ability to modify projects funded with bonds. The five-year CIP is a planning document. At any time that the county determines its needs have changed, they can modify that document as well as the use of the bond proceeds. The process is as bonds are issued a project list will be approved and sent to the state for approval. If priorities have changed, the County Board can make a modification in the projects proposed and submit that to the state. Even with the projects proposed for the 2007 and 2009 issuance, a vote today for this proposal only gives an indication as to what the Board might do at that time, but the Board will still have to approve the CIP before bonds are issued and give the final authorization to issue bonds.

Ms. O'Rourke indicated that the last issue raised at the prior hearing was how to deal with the spike in debt service payments. She displayed an option that looks at increasing the debt service payment to 4% per year, instead of the 3.5%, which minimizes the spike in that proposal. There are also alternative ways to eliminate that spike. The Board could use capital appreciation bonds in the 2007 issuance. This would delay the interest and principal payments until the end of the bond. There is some unreserved unrestricted fund balance in debt service that could be allocated to minimize the spike. A third option would be to extend the life of the bonds. The Board does not need to decide which option to go with today. This is just information to assure the Board, if it is concerned about the spike, there are ways to mitigate it so there would be a slow but steady increase to the debt service.

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



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Commissioner Pulkrabek moved to close the public hearing on the 2003-2007 Capital Improvement Plan. Commissioner Peterson seconded the motion and it was adopted unanimously. The public hearing was closed at 9:26 a.m.

Commissioner Kriesel moved to adopt **Resolution No. 2003-121** as follows:

Adoption and Submittal of the 2003-2007  
Washington County Capital Improvement Plan

WHEREAS, Minnesota Statute Section 373.40 Subd. 3 authorizes the County to adopt a capital improvement plan after a public hearing; and

WHEREAS, the Washington County Board of Commissioners has considered the Washington County Capital Improvement Plan covering five-year period 2003-2007; and

WHEREAS, the Plan sets 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, the Washington County Board of Commissioners intends to issue new debt to finance certain portions included in the Capital Improvement Plan; and

WHEREAS, in preparing the Capital Improvement Plan, the County Board of Commissioners has considered the following 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 public hearings on May 20, 2003, June 24, 2003, and July 8, 2003, for the purpose of receiving comments on the proposed 2003-2007 Washington County Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners adopts the 2003-2007 Washington County Capital Improvement Plan.

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

Commissioner Pulkrabek seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Pulkrabek, Kriesel, Hegberg and Stafford; No, Commissioner Peterson.

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Commissioner Peterson moved to close the public hearing on the proposed issuance of up to \$25,000,000 in general obligation bonds to finance certain portions of the CIP. Commissioner Kriesel seconded the motion and it was adopted unanimously.

Commissioner Stafford moved to adopt **Resolution No. 2003-122** as follows:

Resolution Approving a Proposal That Washington County Issue up to \$25,000,000 General  
Obligation Capital Improvement Bonds Pursuant to Minnesota Statutes,  
Section 373.40

WHEREAS, pursuant to Minnesota Statutes, Section 373.40, Subd. 2, Washington County (the "County") is authorized to issue general obligation bonds for the purpose of financing capital improvements under an approved capital improvement plan without being subject to the election requirements of Sections 375.18 or 475.58;

WHEREAS, on July 8, 2003, at a public hearing, the Washington County Board of Commissioners approved the Washington County Capital Improvement Plan for the period 2003-2007; and

WHEREAS, the Washington County Board of Commissioners intends to issue new debt to finance certain projects included in the 2003-2007 Capital Improvement Plan; and

WHEREAS, it is in the best interest of the County at this time to issue up to \$25,000,000 of its General Obligation Capital Improvement Bonds (the "Bonds") for the purpose of financing certain capital improvement projects identified in the Capital Improvement Plan of the County; and

WHEREAS, pursuant to Minnesota Statutes, Section 373.40, public hearings were held on May 20, 2003 and continued on June 24, 2003 and July 8, 2003, on the issuance of Capital Improvement Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washington County that: The Board of Commissioners of Washington County hereby gives approval to the issuance of up to \$25,000,000 in general obligation bonds, and authorizes Kennedy & Graven, Chartered, bond counsel, and Springsted, financial advisor, to prepare the necessary documentation for the authorization, sale and issuance of the Bonds.

Commissioner Pulkrabek seconded the motion and a roll call vote was taken as follows: Commissioner Pulkrabek, Yes; Commissioner Kriesel, Yes; Commissioner Hegberg, Yes; Commissioner Peterson, Yes; and Commissioner Stafford, Yes. Motion passed 5-0.

### GENERAL ADMINISTRATION

Jim Schug advised the Board that two Commissioners will be attending the National Association of Counties Conference in Milwaukee, Wisconsin next week. He would recommend that next Tuesday's Board meeting be canceled. He advised the Board that there will be a discussion of the 800 Megahertz Radio System next week with Sheriff Jim Frank, Chief Deputy Sheriff Pott and any Commissioners who are available to attend.

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Commissioner Pulkrabek moved to cancel the July 15, 2003 County Board meeting. Commissioner Stafford seconded the motion and it was adopted unanimously.

Mr. Schug advised the Board that Washington County was recently featured in a national publication of the 3M Corporation called "3M Initiatives for Local Government". It was a front page article acknowledging the work that the safety crews are doing in construction projects.

### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Pulkrabek reported on an article that ran in the Sunday Pioneer Press dealing with a survey conducted by Anoka County. The survey asked if people would prefer to reduce services to keep their taxes low or increase county services and have higher taxes. The result of 2,700 returned surveys was overwhelmingly to reduce services at the county level to keep their taxes low.

Commissioner Pulkrabek indicated that on the 4<sup>th</sup> of July he went on patrol with the Sheriff's water patrol. He thanked the Sheriff's Office for allowing him to come along.

Commissioner Kriesel commended Tom Bradley, Superintendent of the St. Croix National Scenic Riverway. Two months ago he received a call from a resident who lives adjacent to CR 21 where people were having parties and leaving trash. A meeting was held with the residents, Washington County representatives, Sheriff's Department, himself and the people from the National Scenic Riverway who owns this land. Through that effort it really eliminated the issue.

Commissioner Stafford reported that South Washington Cable is now airing the Commissioners' interviews. He liked the way it was put together.

Commissioner Peterson reported that she met with Judge Schurrer this week and two police chiefs last week and the mayor and city council person from Cottage Grove. There is a strong feeling that the Court in Cottage Grove should stay there. Costs are being developed. Judge Schurrer believes that the county could offer transportation to those who need transit services to Stillwater for court. She has interesting material about the transit dependent people in the county, and how a preponderance live in south Washington County. She will share those with the Board. She has asked the Community Services Director to pull together materials about where the MFIP clients live and where the needs are.

Commissioner Peterson announced that two fundraisers will be held this weekend, one for Family Means and one for the Youth Services Bureaus. Both will be conducting garden tours throughout Washington County.

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Commissioner Hegberg indicated that he has received calls about the northern courts center being closed. The state is now taking that over and they are not going to be funding the staff as the county has funded in the past. He also reported that he has had a number of calls on flooding.

#### **BOARD CORRESPONDENCE**

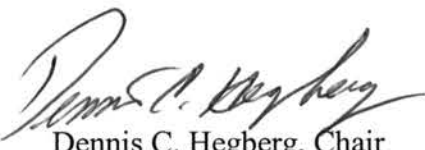
Board correspondence was received and placed on file.

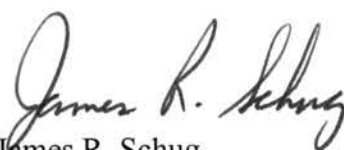
#### **ADJOURNMENT**

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

#### **BOARD WORKSHOP WITH PUBLIC HEALTH AND ENVIRONMENT**

The Board met in workshop session with the Department of Public Health and Environment and the University of Minnesota to discuss the University's new program delivery model and implications for the county. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Mary McGlothlin, Sue Hedlund, Pat Morreim, Bob Olson, Lowell Johnson, Anne Stevenson, Rod Hamer, University of Minnesota, Judy Spooner, Washington County Bulletin, and the following members from the Minnesota Extension Committee: Joyce Welander, Marguerite Rheinberger, Myron Tank, and Don Scheel.

  
Dennis C. Hegberg, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
JULY 22, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Mary McGlothlin, Director of Public Health and Environment; Judy Hunter, Senior Program Manager; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Tina Olson, Assessment, Taxpayer Services and Elections; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Ann Pung-Terwedo; Senior Planner; Nancy Brase, Administrative Services Manager; Robert Lockyear, Director of Administrative Services; Cindy Koosmann, Recorder; Judy Honmyhr, Director of Human Resources, Employee Safety and Risk Management; Jeneen Johnson, Human Resources, Employee Safety and Risk Management Deputy Director; Mary McCarthy, Director of Information Services; Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the July 1, 2003 Board meeting minutes.
2. Approval to appoint Sara Minehart, Woodbury, to the Historic Courthouse Advisory Council to a first term expiring December 31, 2004.
3. Approval to ratify sale of boat not bid on at auction for \$7,250.
4. Approval of the transfer of a commemorative Sesquicentennial marker from the Minnesota Historical Society to Washington County.
5. Approval of a one to four day temporary on-sale liquor license for Greeder-Hinds-Comfort Post (VFW Post #323) to be used at the Washington County Fair.



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6. Approval of contracts with Springer Collections and Central Portfolio Control to assist with recovering the county's outstanding debt.
7. Approval to modify Section 19 (Reimbursement of Travel and Related Expenses) of the County Personnel Rules and Regulations.
8. Adoption of **Resolution No. 2003-123** as follows:

Approval and Execution of an Agreement with  
Olsen Thielen & Co. for Financial Audit Services

WHEREAS, Ramsey County and Washington County are each implementing a County Environmental Charge, and, in order to assure compliance with the Solid Waste Ordinance provisions that relate to that charge, desire the services of a professional financial audit firm to conduct Agreed Upon Procedures Engagements; and

WHEREAS, Ramsey County and Washington County have cooperated in the procurement of such services; and

WHEREAS, Ramsey County issued a Request for Proposals ("RFP") for such services for the Counties; and

WHEREAS, the proposal submitted by the Contractor complies with the requirements set forth in the RFP for Agreed Upon Procedures Engagements and is within the Counties' respective budgets.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners authorize the approval and execution of an agreement with Olsen Thielen & Co., condition upon approval by the County Attorney's Office, for financial audit services with the Department of Public Health and Environment, with a contract term of July 2003 through December 31, 2007, in an amount not to exceed \$30,000 for the period of July 1, 2003 through June 30, 2004.

9. Approval of contract with Valley Branch Watershed District to establish new 100-year floodplain elevations for priority basins (water bodies with known flooding problems).
10. Adoption of **Resolution No. 2003-124** as follows:

Approval and Execution of Maintenance Agreement and Cooperative  
Agreement for Construction with the City of Oakdale for a  
Traffic Signal at the Intersection of Hadley Avenue and 15<sup>th</sup> Street North

WHEREAS, the City of Oakdale is constructing a traffic control signal at the intersection of Hadley Avenue and 15<sup>th</sup> Street; and

WHEREAS, this traffic signal system is located at the intersection of two city streets, and is owned and operated by the City of Oakdale; and



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WHEREAS, the City of Oakdale wishes to have the County provide a traffic signal controller and cabinet to operate the system; and

WHEREAS, the City of Oakdale wishes to use the County's traffic signal maintenance staff and contract (City of Saint Paul) to perform routine and emergency maintenance on the system; and

WHEREAS, Washington County has the ability to provide a traffic signal controller and cabinet and has the ability to maintain a traffic signal system through staff expertise and a maintenance contract; and

WHEREAS, the City will reimburse the County for the costs of the traffic signal controller and cabinet and for the cost of this maintenance; and

WHEREAS, it is in the best interest of the citizens of Washington County for governments to work together to provide cost effective services; and

WHEREAS, both the City and the County agree this is currently the most cost effective way to construct and maintain this traffic signal system.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves and executes the Maintenance Agreement and the Cooperative Agreement for construction, whereby Washington County will provide a traffic signal controller and cabinet and will maintain the traffic control signal system located at the intersection of Hadley Avenue and 15<sup>th</sup> Street in the City of Oakdale, on a costs reimbursable basis.

The foregoing Consent Calendar was adopted unanimously.

#### **ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

Commissioner Stafford moved to adopt **Resolution No. 2003-125** as follows:

##### **Authorize a Public Sale of Tax-Forfeited Parcels**

BE IT RESOLVED, that the basic sale price of each parcel appearing on the list of tax-forfeited land 1-2003 be approved and authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at 9:30 a.m. Friday, August 29, 2003 by the County Auditor-Treasurer in the County Board Room, Washington County Government Center for not less than the basic sale price.

BE IT FURTHER RESOLVED, that the terms of sale shall be for cash only, and that all sales shall be for full payment.

Commissioner Stafford seconded the motion and it was adopted unanimously.

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**GENERAL ADMINISTRATION****Recognition of the 2003 Centennial of the Andersen Corporation**

Commissioner Kriesel presented Susan M. Roeder, Community Relations Manager, and Stacy A. Einck, Centennial Project Manager of the Andersen Corporation, the following resolution recognizing the 2003 Centennial of the Andersen Corporation:

Commissioner Kriesel moved to adopt **Resolution No. 2003-126** as follows:

Resolution in Recognition of the  
Centennial of the Andersen Corporation  
During the Year 2003

WHEREAS, the year 2003 marks the observance of the Centennial of the Andersen Corporation located in Bayport, Minnesota, as a leader in the window industry in the United States of America; and

WHEREAS, the Andersen Corporation was incorporated on July 25, 1903, in Hudson, Wisconsin, as the Andersen Lumber Company by its founder and first president Hans J. Andersen as a family-owned and operated lumber yard business; and

WHEREAS, the company relocated to Bayport in Washington County in 1913 and the company's name was changed to Andersen Corporation in 1937; and

WHEREAS, the Andersen Corporation has received industry-wide recognition for product innovation since its founding in 1903, such as developing mass production technology in 1904 to become the first company in the industry with an assembly-line to produce standardized window units, and has thereafter continued the expansion of its innovative product line, receiving over 115 U. S. patents since 1926, and the Andersen Corporation has long been an advocate of sound ecological production practices; and

WHEREAS, the Andersen Corporation has continually increased its community involvement, developed numerous foundations for the benefit of the community, and practiced a strong commitment to its employees through health programs and profit-sharing incentives, and has fostered a spirit of employee participation and creativity in their communities through support of Habitat for Humanity for over ten years, and in 2003 the Andersen Corporation adopted the Centennial project of "100 Years/100 Homes" to build affordable housing over a five-year period in locations where its employees live and work; and

NOW, THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners commends the Andersen Corporation and its employees for its many accomplishments and innovative products over the past 100 years and for its exemplary support of the community; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners congratulates the Andersen Corporation during this Centennial year and extends its best wishes for continued success in the future and hereby declares Friday, July 25, 2003, as "Andersen Corporation Day in Washington County."

Commissioner Peterson seconded the motion and it was adopted unanimously.

July 22, 2003

**Upcoming Meetings**

Mr. Schug advised the Board that departments have submitted their proposed 2004 budgets and Administration will begin meeting with individual departments in the next few weeks. Department budget presentations to the County Board will begin on August 26 and a public meeting to receive comments of the proposed 2004 budget will be held on September 9 at 4:30 p.m. This information will be featured in an upcoming issue of the Staying in Touch newsletter.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Stafford reported that the Green Guardian will be at the Washington County Fair next Thursday at 3:00 p.m. The Green Guardian is the Solid Waste Management mascot on how waste should be disposed of properly.

Commissioner Stafford announced that Marvin Hegberg, former Cottonwood County Treasurer, and Commissioner Hegberg's uncle, passed away. He was one of those rare individuals who had the capacity to find something good in everybody. He was a kind and gentle man.

Commissioner Peterson reported that she will be meeting with the St. Paul Chamber president to discuss rail issues and seeking their support.

Commissioner Peterson reported that the South Washington County Garden tour was held a week ago. The Youth Service Bureau made shy of \$10,000. She was not sure how the Family Means garden tour went.

Commissioner Peterson announced that Marie Wing passed away. She was one of the original starters of the South Washington County food shelf.

Commissioner Pulkrabek announced that he has been appointed Chair to the nominating committee for the Metropolitan Council. He chaired the last nominating committee, which appointed 16 members. Due to redistricting there are two seats that are open. The meeting will be held on August 11.

Commissioner Kriesel invited everyone to participate in the Lumberjack Day Celebration starting Wednesday with an amateur talent show supported by the Historic Courthouse Advisory Council.

Commissioner Hegberg reported on the National Association of Counties conference he attended last week. Colleen Landkamer, Blue Earth County Commissioner, was elected second vice president, which means she will become the president of NACo and Minnesota's second president in the last ten years.

July 22, 2003

Commissioner Peterson recommended that a letter of congratulations be sent to Commissioner Landkamer.

Commissioner Hegberg remembered his Uncle Marvin. He was in the 82<sup>nd</sup> Airborne during World War II, a bush pilot and also a crop duster. He shared his love of airplanes with Commissioner Stafford. He was active in Windom organizations and also the Auditor-Treasurer state organizations. He admired Abraham Lincoln and memorized a number of his speeches.

### **BOARD CORRESPONDENCE**

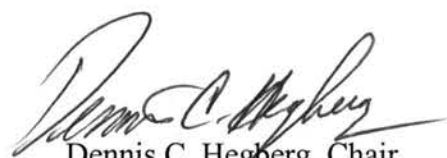
Board Correspondence was received and placed on file.

### **ADJOURNMENT**

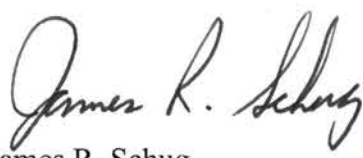
There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Pulkrabek and it was adopted unanimously. The Board meeting adjourned at 9:26 a.m.

### **BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development to discuss current transportation issues involving policy on noise mitigation, construction of six lane facilities and jurisdictional transfers. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Wayne Sandberg, Sandy Cullen, Chris Manthey, Rick Vanzwol, City of Grant, Sharon Schwarze, City of Grant, Judy Spooner, Washington County Bulletin and Doug Peters, Pioneer Press.

  
Dennis C. Hegberg, Chair  
County Board

Attest:

  
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 5, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Jim Luger, Parks Director; Carolyn Phelps, Historic Courthouse Coordinator; Marv Erickson, Facilities Manager; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections Supervisor; Linda Dyer, Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Suzanne Pollack Community Services Supervisor; Martina Johntz, Community Services; Mary McGlothlin, Director of Public Health and Environment; Jeff Travis, Program Manager; Mary McCarthy, Information Services Director; Barb Fritsche, Information Services Supervisor; Lowell Johnson, Deputy Director of Public Health and Environment; Judy Hunter, Senior Program Manager; Cindy Koosmann, County Recorder; Jennifer Wagenius, Deputy Recorder; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the July 8 and 22, 2003 Board meeting minutes.
2. Approval to reappoint Dennis Larson to the Comfort Lake-Forest Lake Watershed District Board of Managers to a three-year term expiring September 22, 2006.
3. Approval to ratify the addition of a .5 full-time equivalent position to the Law Library, which was approved by the Law Library Board in May 1997.
4. Approval of the following proclamation:



August 5, 2003

Washington County Proclamation  
"Dog Days of August"

WHEREAS, The St. Croix Valley Kennel Club was founded in 1969 by a group of individuals who committed their time and effort to achieve approval from the American Kennel Club (AKC) to conduct All-Breed Dog Shows and Obedience Trials. In 1995, the St. Croix Valley Kennel Club became a member of the American Kennel Club; and

WHEREAS, The St. Croix Valley Kennel Club conducted early shows in gymnasiums, auditoriums, and tented outdoor show sites. The Club formed a long-term relationship with the Washington County Agricultural Society and now conducts its shows at the Washington County Fairgrounds in two pavilion-type structures. The Club's well-maintained grassy outside show rings are the only dedicated dog show facility in the five-state area; and

WHEREAS, The St. Croix Valley Kennel Club strives to be forward thinking and innovative. In August 1994, the Club offered one of the very first licensed AKC Agility Trials in the United States, as well as demonstrations in Lure Coursing; and

WHEREAS, The St. Croix Valley Kennel Club is a 501c(3) nonprofit organization and is continually expanding its educational efforts. Since 1989, the Club has featured an Information Booth at its shows and has provided a variety of dog education publications at no charge; and

WHEREAS, The St. Croix Valley Kennel Club has actively supported the Washington County 4-H Dog Project for more than 20 years, with many of its members serving as trainers for the students. Each year, approximately 100 boys and girls, ages 9-19, take part in the program, and participants regularly reach the 4-H State Final Competition; and

WHEREAS, The St. Croix Valley Kennel Club invites the public to attend the St. Croix Valley Dog Shows on August 23 and 24, 2003, at the Washington County Fairgrounds in Lake Elmo, Minnesota. Nearly 3,000 dogs from the United States and Canada attended last year's event and competed in conformation, obedience, and agility. Admission and parking are free, and families will have the opportunity to see approximately 150 breeds and talk with the owners;

NOW, THEREFORE, BE IT RESOLVED THAT, The Washington County Board of Commissioners heartily congratulates the St. Croix Valley Kennel Club on its accomplishments and declares August 21 through August 24, 2003, as the "Dog Days of August" in Washington County.

5. Approval of 2003 contract with Parchem, Inc. to provide corporate adult foster care.
6. Approval of Minnesota Family Investment Program consolidated fund allocation for the interim period of July 1, 2003 through December 31, 2003.
7. Approval of an amendment to the child care fund plan that defines provider payment good cause as required under recent revisions to statute.



August 5, 2003

8. Adoption of **Resolution No. 2003-127** as follows:

Resolution Approving Community Development Block Grant Program  
Subgrantee Agreement with the City of Lake St. Croix Beach

WHEREAS, the City of Lake St. Croix Beach has applied for, and the County Board approved, CDBG funds of \$18,385.53 for accessibility improvements to the Lake St. Croix Beach City Hall; and

WHEREAS, the purpose of the Community Development Block Grant Program is to fund activities which benefit low and moderate income persons, including handicapped persons; and

WHEREAS, the City Hall Accessibility project will result in installation of a handicap accessible restroom on the main floor of city hall; and

WHEREAS, the City Hall Accessibility project meets all U.S. Department of Housing and Urban Development environmental requirements under 24 CFR part 58.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Community Development Block Grant Subgrantee Agreement with the City of Lake St. Croix Beach for the City Hall Handicap Accessibility project.

BE IT FURTHER RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign the Community Development Block Grant Subrecipient Agreement.

9. Approval of **Resolution No. 2003-128** as follows:

Approving Amendment to City of Lake Elmo 2001  
Community Development Block Grant Activities

WHEREAS, the City of Lake Elmo has applied for, and the County Board approved, CDBG funds of \$89,365.91 for four projects: Community Facilities and Public Services Programming, City Zoning Code Update, Residential Design Study, and Cimarron Neighborhood Study; and

WHEREAS, the City Zoning Code Update and Residential Design Study projects have experienced unexpected cost overruns; and

WHEREAS, the city has requested transfer of funds from the Cimarron Neighborhood Study to offset a portion of these costs; and

WHEREAS, the CDBG Citizen Advisory Committee recommends reducing funding for the Cimarron Neighborhood Study from \$20,000 to \$10,000 and transferring \$10,000 to cover cost overruns for other projects.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves amendment to the City of Lake Elmo's CDBG projects, reducing funding to the Cimarron Study by \$10,000 and increasing funding by \$5,000 each to the City Zoning Code and Residential Design Study projects.

August 5, 2003

10. Adoption of **Resolution No. 2003-129** as follows:

Resolution Authorizing Execution of the Community  
Development Block Grant Funding Agreement and  
Designation of a Labor Standards Officer

WHEREAS, Washington County is an entitlement community for the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program; and

WHEREAS, Washington County has submitted to HUD an Annual Action Plan detailing the proposed uses of 2003 Community Development Block Grant funds; and

WHEREAS, HUD has approved the Annual Action Plan and proposed CDBG projects for 2003; and

WHEREAS, HUD requires the designation of a Labor Standards Officer for the administration and enforcement of Federal labor standards requirements under the CDBG Program.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves execution of the FY2003 CDBG Funding Agreement with the U.S. Department of Housing and Urban Development and authorizes the County Board Chair and County Administrator to execute and sign the Funding Agreement.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners designates Martina Johntz as the Labor Standards Officer for the CDBG Program.

11. Approval of sale of computer equipment to QualTech Intl.
12. Adoption of **Resolution No. 2003-130** as follows:

Radiological Emergency Preparedness Grant

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

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

WHEREAS, Dennis Hegberg, Board Chair, and Jim Schug, County Administrator, are authorized to execute the terms of the contract and thereby act on behalf of Washington County for all contractual obligations contained therein.

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

August 5, 2003

13. Approval to sell to Olmsted County equipment from the Household Hazardous Waste Facility.
14. Approval and execution of updated Satellite Office Agreement with the Office of the Secretary of State for Uniform Commercial Code filing and retrieval.
15. Approval of Plat of Galway, West Lakeland Township.
16. Approval of request by the City of St. Mary's Point to terminate the highway maintenance service contract effective August 31, 2003.
17. Approval of rental fee increase for private/non-profit rentals for 2005/2006.

The foregoing Consent Calendar was adopted unanimously.

#### **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Commissioner Stafford moved to approve the following schedule to consider Washington County restrictions on All-Terrain Vehicle (ATV) use in County Highway right of way:

- |  |                            |
|--|----------------------------|
| • County Board Workshop to Discuss Issue     | August 26, 2003            |
| • Public Information Open House              | September 24, 2003 evening |
| • Public Hearing                             | October 21, 2003           |
| • Continuation of Public Hearing (if needed) | November 4, 2003           |
| • County Board Decision                      | November 18, 2003          |

Commissioner Peterson seconded the motion and it was adopted unanimously.

#### **ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

##### **Private Sale to Adjoining Owners of Tax-Forfeited Lands**

Commissioner Peterson moved to adopt **Resolution No. 2003-131** as follows:

Recommending Approval of Private Sale to  
Adjoining Owners of Tax-Forfeited Lands

BE IT HEREBY RESOLVED, that the basic sale price for each parcel appearing on the list of tax-forfeited land 2-2003 be approved and authorization to conduct a private sale to adjoining landowners by the Department of Assessment, Taxpayer Services and Elections be granted, pursuant to M.S. 282.01; that the method of sale of sealed bids be approved, and that the conditions recommended by the local municipalities be imposed.

August 5, 2003

BE IT FURTHER RESOLVED, that the terms of sale shall be for cash only, and that all sales shall be for full payment.  
See attached list of parcels:

PID#	Municipality	Appraised Value	Legal Description
09.027.21.12.0002	Cottage Grove	\$100.00	Pt NE ¼
08.032.21.21.0001	Forest Lake	\$800.00	Pt Blk B.J.W. Houle's Addn
11.032.21.14.0004	Forest Lake	\$100.00	Outlot A North Oak's Ridges
11.032.21.14.0005	Forest Lake	\$100.00	Outlot B North Oak's Ridges
11.032.21.14.0006	Forest Lake	\$300.00	Outlot C North Oak's Ridges
11.032.21.14.0007	Forest Lake	\$300.00	Outlot C North Oak's Ridges
30.028.20.12.0001	Afton	\$100.00	Pt NE ¼
02.030.21.21.0007	Grant	\$100.00	Lt 3 Blk 1 Withrow
03.031.21.24.0003	Hugo	\$2,000.00	Pt SE ¼ NW ¼
30.031.21.32.0001	Hugo	\$500.00	Pt NW ¼ SW ¼
21.029.21.33.0002	Lake Elmo	\$200.00	Pt SW ¼ SW ¼
02.028.20.43.0015	Lakeland	\$200.00	Pt Lt 4
32.030.21.24.0003	Mahtomedi	\$2,000.00	Outlot A, Bevin Acre Lots
03.032.20.12.0009	New Scandia	\$500.00	Outlot C, Scandia Ranchettes
03.032.20.13.0003	New Scandia	\$400.00	Outlot D, Scandia Ranchettes
36.028.22.23.0002	Newport	\$1,000.00	Pt SW ¼ NW ¼
36.028.22.13.0039	Newport	\$100.00	Pt Blk N Newport Villas
01.027.22.23.0014	Newport	\$200.00	Lt 1 Blk 5 Div #1 St. Paul Park
01.027.22.23.0020	Newport	\$100.00	Lt 3 Blk 5 Div #1 St. Paul Park
07.029.21.24.0110	Oakdale	\$2,000.00	Lt 16 Blk 7 McLean's Addn N. St. Paul
17.209.21.21.0007	Oakdale	\$500.00	Outlot B Sun Meadows 4 <sup>th</sup> Addn
20.029.21.23.0005	Oakdale	\$500.00	Pt SW ¼ NW ¼
31.029.21.23.0075	Oakdale	\$500.00	Lt 11 Blk 7 Lake Park Addn
21.030.20.44.0020	Stillwater	\$100.00	Pt Lt 41 Blk 7 Carli & Schulenberg's Addn
29.030.20.41.0082	Stillwater	\$100.00	Pt Lt 4 Blk 1 Sinclair's Addn
21.030.20.13.0061	Stillwater	\$100.00	Lt 4 Blk 54 Carli & Schulenberg's Addn
28.030.20.42.0012	Stillwater	\$100.00	Lt 14 Cty Aud. Plat #2
33.030.20.11.0145	Stillwater	\$100.00	Lt 26 Blk 16 Churchill Nelson Slaughter Addn
03.028.21.43.0007	Woodbury	\$100.00	Tract A RLS #97
09.028.21.44.0070	Woodbury	\$100.00	Lt 19 Blk 2 Clapp Thomsen Interlachen Woods

Commissioner Stafford seconded the motion and it was adopted unanimously.

### **Abatement of Certain Parcels**

Commissioner Stafford moved to approve the abatement of parcels 21.027.21.21.0001 and 17.027.21.24.0004 owned by US Bank Trust Corporation. Commissioner Peterson seconded the motion and it was adopted unanimously.

### **COMMUNITY SERVICES**

#### **Child Care Provider Background Check and Licensing Inspection Fees**

Commissioner Peterson moved to approve background check fees for legal nonlicensed or licensed family child care providers in the amount of \$100 and fees for licensing inspections for family child care providers in the amount of \$150. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

August 5, 2003

**Crisis Shelter/Utility and Program Policies**

Commissioner Pulkrabek moved to approve revisions to the Crisis Shelter/Utility Aid Program Policies as presented. Commissioner Stafford seconded the motion and it was adopted 4-0 with the vote as follows: Yes, Commissioners Pulkrabek, Kriesel, Hegberg and Stafford; Abstaining, Commissioner Peterson.

Commissioner Peterson felt the metropolitan counties need to discuss this matter further and have policies that are more consistent with one another.

**PUBLIC HEALTH AND ENVIRONMENT**

Commissioner Stafford moved to adopt **Resolution No. 2003-132** as follows:

Environmentally Preferable Purchasing Policy

WHEREAS, the Washington County Board of Commissioners adopted in February 1999 the Washington County Solid Waste Management Master Plan and the Solid Waste Management Coordinating Board's Regional Solid Waste Management Master Plan respectively; and

WHEREAS, these plans call for the county to act as a leader in procuring environmentally preferable products; and include an outcome which states that Washington County "will reduce waste generated from its operations by adopting an Environmentally Preferable Purchasing Policy"; and

WHEREAS, the President of the United States and the Governor of Minnesota have issued Executive Orders on environmentally preferable purchasing, leading to the adoption of environmental standards for purchasing decisions made by federal, state and local government; and

WHEREAS, Minnesota Statutes Section 16B.122 provides direction to local government on the purchase of products that lead to waste and toxicity reduction, that are recyclable, and/or that contain recycled material; and

WHEREAS, the Solid Waste Management Coordinating Board has published the "Environmentally Preferable Purchasing Guide" as a tool to help counties and other local governments to include environmental considerations in purchasing decision.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners is committed to environmentally preferable purchasing and directs the Departments of Administration, Public Health and Environment, and Transportation and Physical Development, in coordination with other departments when appropriate, to establish standards, criteria, and/or procedures for the county's environmentally preferable purchasing decisions; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners directs county departments to consider environmental factors in making purchasing decisions, including, but not limited to, toxicity or hazardous character, air quality, workplace safety, energy and water consumption, post-consumer recycled content, compliance with applicable regulations, and material life-cycle issues such as recyclability or disposal requirements; and



August 5, 2003

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners directs the Department of Public Health and Environment to provide leadership to municipalities, school districts and other public entities in Washington County, where appropriate, to incorporate environmentally preferable purchasing principles in making purchasing decisions.

Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **South Washington Watershed District Board Manager Appointment**

Commissioner Peterson moved to appoint Dennis Hanna, Grey Cloud Island Township, to the South Washington Watershed District Board of Managers to a first term expiring May 1, 2006. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

## **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reported that Marty Ventrone passed away recently. He was a member of the VFW in South Washington County and a great civic leader. She will me meeting with the MELSA Executive Director today to discuss plans for the new year and budget. There will be a summit on civic leadership on Wednesday, September 24. She feels if the Board members have an opportunity to attend this meeting they should. It's working with the Sensible Land Use Coalition. She also attended the transportation AMC meeting last Friday. The county commissioners supported the county engineers and will be suggesting to the Legislators a 26 or 28 cent increase in the gas tax.

Commissioner Pulkrabek reminded the audience that tonight is National Night Out. He indicated that the City of Oakdale cancelled their event due to budget cuts. He supports this event and urged people to go out and support it also. He also reported that he attended the county fair on Sunday. He viewed 4-H displays, the Sheriff's booth as well as the county's booth and the watershed districts.

Commissioner Kriesel informed the Board that he and Commissioner Peterson received a letter from Anita Craggs praising the county staff for the help they provided her. She thanked Kathy Luckmann from the Department of Public Health and Environment and Jane Eder of the VA office. He mentioned the proclamation that was adopted this morning proclaiming August 21-24 as Dog Days in August. The St. Croix Valley Kennel Club will be holding a dog show during those days and he urged all dog lovers to attend. Parking and admission are free. He also asked staff to send a letter to the Minnesota Department of Transportation urging them to include funds in its \$900 million road repair plan for TH 5, which has been determined to be one of the most dangerous stretches of roads in the state.



August 5, 2003

Commissioner Hegberg reported on the Library Board meeting he attended where they discussed the development of a policy and presented options on small libraries versus large libraries. He has received concerns from individuals regarding Extension cuts. The 4-H people will still be housed in the Government Center as well as the Master Gardener that the county contracts for. The regional office of Extension will go to wherever those regional offices are located. The 4-H people will not be out of the regional offices. He will be touring with the Tri-City Group on Thursday to discuss the freeway or Rush Line Corridor areas that they are looking at getting additional funds for.

#### **BOARD CORRESPONDENCE**

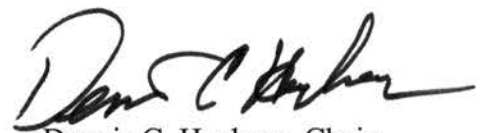
Board correspondence was received and placed on file.

#### **ADJOURNMENT**

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

#### **BOARD WORKSHOP WITH PUBLIC HEALTH AND ENVIRONMENT**

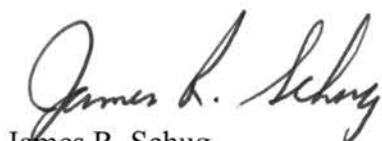
The Board met in workshop session with the Department of Public Health and Environment to review changes to the Washington County Hazardous Waste Ordinance. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Mary McGlothlin, Jeff Travis, Judy Hunter, Nate Arthur and Judy Spooner, Washington County Bulletin.



Dennis C. Hegberg, Chair

County Board

Attest:



James R. Schug

County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 12, 2003**

The Washington County Board of Commissioners met in regular session at 10:15 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Hegberg and Peterson. Commissioner Stafford absent. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Susan Harris, First Assistant County Attorney; Dan Papin, Community Services Director; Mary McGlothlin, Director of Public Health and Environment; Sue Hedlund, Program Manager; Cathy Mackiewicz, Sr. Community Health Specialist; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Jim Luger, Parks Director; Marv Erickson, Facilities Manager; Tom Adkins, Community Corrections Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

Commissioner Pulkrabek requested a moment of silence for hockey coach Herb Brooks who was killed in a car accident on Monday, August 11.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of contract with John Kaul, d.b.a. Capitol Gains, for legislative liaison services.
2. Approval of first amendment of the agreement with Hennepin County Training and Employment Assistance for the delivery of employment and training services to laid-off Northwest Airline Workers.
3. Approval to apply for extension of grant funds from the Minnesota Center for Crime Victim Services for salary/fringe benefits of an Assistant Victim/Witness Coordinator for the period July 1, 2003 through June 30, 2004.
4. Approval to publish a notice of public hearing for August 26, 2003 on proposed changes to the county's hazardous waste management ordinance #119.

August 12, 2003

5. Approval of supplemental contract with the Minnesota Department of Natural Resources amending the specification for the type of surface to be installed to repair snowmobile stud damage on the Hardwood Creek Trail adding \$10,000 in state (DNR) funding to the project.
6. Adoption of **Resolution No. 2003-133** as follows:

Joint Powers Agreement with the Minnesota Department  
of Transportation and the City of Stillwater  
Boutwell Area Transportation Study

WHEREAS, the City of Stillwater, the County of Washington and the State of Minnesota are in need of a traffic study in the areas of County State Aid Highway (CSAH) 12, CSAH 15 and Trunk Highway (TH) 96, hereinafter referred to as the Boutwell Area Study, located in the City of Stillwater and Stillwater Township; and

WHEREAS, the study will include traffic analysis, identified traffic impacts, mitigating actions, and recommended traffic control, roadway system improvements, and design guidelines; and

WHEREAS, the City of Stillwater will be the lead agency and has selected the consulting engineering firm of SRF Consulting Group, Inc., hereinafter referred to as SRF, to perform these services; and

WHEREAS, a cooperative effort between the City, County and the State and the County is the appropriate method to facilitate the traffic study; and

WHEREAS, this Agreement is made pursuant to statutory authority contained in Minnesota Statute 162.17 sub 1.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Joint Powers Agreement with the Minnesota Department of Transportation and the City of Stillwater to participate in the Boutwell Area Transportation Study, in conformance with the terms set forth in Mn/DOT Agreement No. 84067.

7. Approval of supplemental agreement No. 2 and supplemental agreement No. 1 both with Tower Asphalt, for road construction on Military Road (CSAH 20) for a total of \$76,833.42.

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

#### **PUBLIC HEALTH AND ENVIRONMENT**

Commissioner Peterson moved to adopt **Resolution No. 2003-134** as follows:

Authorize Execution of a Grant Agreement with the  
Division of Traffic Safety in the Minnesota Department  
of Public Safety for the Project "Safe Communities"

August 12, 2003

BE IT RESOLVED that the Washington County Department of Public Health and Environment enter into a grant agreement with the Division of Traffic Safety in the Minnesota Department of Public Safety for the project entitled "Safe Communities" during the period from October 1, 2003, through September 30, 2004.

BE IT FURTHER RESOLVED, that Mary McGlothlin, Director of Public Health and Environment, is hereby authorized to execute such grant agreements as are necessary to implement the project on behalf of the Washington County Department of Public Health and Environment.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

#### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Kriesel stated his concerns that the Minnesota Department of Transportation did not notify the cities of Oak Park Heights or Stillwater about the removal of warning lights on Highway 36 leading up to Washington Avenue, Oak Green and Greeley, and Osgood and 4<sup>th</sup>. The response from Mn/DOT was that these warning lights no longer met the criteria that are used to establish whether or not a warning light is to be used. He asked that the county Transportation department take a look at the accident rates or incidents that have taken place between County Road 5 and Osgood since those warning lights were installed.

Commissioner Peterson announced that Harvey Stiefel, Grey Cloud Island Township, passed away this past Monday. Mr. Stiefel was involved in the county planning commission and was involved in other county and township activities. He will be missed.

Commissioner Hegberg reported that he toured the overpasses and improvements on 35E that are taking place in Anoka County, but do affect Washington County.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **EXECUTIVE (CLOSED SESSION) WITH HUMAN RESOURCES**

Commissioner Peterson moved to go into Executive (Closed Session) for the purposes of determining negotiation strategy for 2004. Commissioner Pulkrabek seconded the motion and it was adopted unanimously; Commissioner Stafford absent. The Executive Session convened at 10:35 a.m. Present were Commissioners Kriesel, Hegberg and Peterson. Commissioner Pulkrabek left the meeting at 10:35 a.m. Also present were Jim Schug, Molly O'Rourke, Judy Honmyhr, Frank Madden, and Patricia A. Raddatz.

August 12, 2003

**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; Commissioners Pulkrabek and Stafford absent. The Board meeting adjourned at 11:50 a.m.

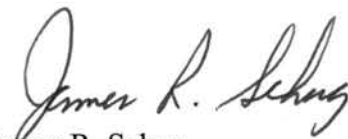
**BOARD WORKSHOP WITH REPRESENTATIVES OF THE METROPOLITAN COUNCIL**

The Board meeting was preceded by a workshop with representatives of the Metropolitan Council to discuss issues of regional and county significance. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg and Peterson. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Don Theisen, Jim Luger, Mary McCarthy, Jane Harper, Jeff Travis, Cindy Koosmann, Metropolitan Council President Peter Bell, Tom Weaver, Metropolitan Council Regional Administrator, Chuck Dillerud, Acting Administrator for the City of Lake Elmo, Judy Spooner, Washington County Bulletin, Marc Hugunin, city of Grant; and Richard Witte, citizen of Stillwater.

**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board meeting was followed by a workshop with the Department of Transportation and Physical Development to discuss the Forest Lake Crossings Development concept plan which includes a new Forest Lake Library, North Service Center and transit center. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Hegberg and Peterson. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Don Theisen, Carla Prakash, Kevin Corbid, Robert Lockyear, Mike Rogers, Sandy Cullen, Scott Johnson, Cottage Grove, Ray Daninger, City of Forest Lake Mayor, Chip Robinson, City of Forest Lake Administrator, Dave Borglind, City of Forest Lake Planner, Bill Sanders, Sanders, Wacker, Bergly, Inc., Chip Leonard, TKDA, and Mark Fabel, McGough Development.

  
Dennis C. Hegberg, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 19, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Jim Frank, Sheriff; Steve Pott, Chief Deputy; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Cindy Koosmann, Recorder; Jennifer Wagenius, Deputy Recorder; Don Wisniewski, Director of Transportation and Physical Development; Jim Luger, Parks Director; Mike Rogers, RRA Planner, Ann Pung-Terwedo, Senior Planner; Kevin Corbid, Assessment, Taxpayer Services and Elections Director; Edison Vizuite, Financial Services Director; Mary McCarthy, Information Services Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

The Board Chair asked for comments from the public, none were heard.

**CONSENT CALENDAR**

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

1. Adoption of **Resolution No. 2003-135** as follows:

Resolution Approving Community Development Block Grant Program  
 Subgrantee Agreement with the City of Stillwater

WHEREAS, the City of Stillwater has applied for, and the County Board approved, CDBG funds of \$187,309.26 for the North Hill Public Improvements project; and

WHEREAS, the purpose of the Community Development Block Grant Program is to fund activities which benefit low and moderate income persons; and

WHEREAS, the purpose of this project is to provide grants to very low, low and moderate income households in the North Hill neighborhood in order to connect to new city water and sewer lines; and

WHEREAS, the North Hill Public Improvements project meets all U.S. Department of Housing and Urban Development environmental requirements under 24 CFR part 58.



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NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Community Development Block Grant Subgrantee Agreement with the City of Stillwater for the North Hill Public Improvements project.

BE IT FURTHER RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign the Community Development Block Grant Subrecipient Agreement.

2. Adoption of **Resolution No. 2003-136** as follows:

Resolution Approving Community Development Block Grant Program  
Subgrantee Agreement with the City of Oak Park Heights

WHEREAS, the City of Oak Park Heights has applied for, and the County Board approved, CDBG funds of \$12,286.34 for the Raymie Johnson Playground project; and

WHEREAS, the purpose of the Community Development Block Grant Program is to fund activities which benefit low and moderate income persons; and

WHEREAS, the purpose of this project is to provide new playground equipment for low income children living in Raymie Johnson Section 8 housing; and

WHEREAS, the Raymie Johnson Playground project meets all U.S. Department of Housing and Urban Development environmental requirements under 24 CFR part 58.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Community Development Block Grant Subgrantee Agreement with the City of Oak Park Heights for the Raymie Johnson Playground project.

BE IT FURTHER RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign the Community Development Block Grant Subrecipient Agreement.

3. Approval to amend the Community Development Block Grant Citizen Advisory Committee by-laws.
4. Approval to set public hearing date for September 4, 2003 to take public comments on meeting the housing, community and economic development needs outlined in the CDBG and HOME program Consolidated Plan and Annual Action Plan.
5. Approval of Fraud Prevention Investigation Plan and grant application for the time period of July 1, 2003 through June 30, 2005.

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6. Approval of the July 1, 2003 through December 31, 2005 contract with Johnson Day Care and Respite Foster Care for adult day care and respite care services for alternative care, elderly waiver, community alternative for disabled individuals and traumatic brain injury eligible clients.
7. Approval to accept 2003 operational improvement grant of \$5,600 for the Veterans Service Office.
8. Adoption of **Resolution No. 2003-137** as follows:

Resolution With Respect to the Washington County Housing and  
Redevelopment Authority \$12,815,000 Multifamily Housing Mortgage  
Revenue Bond (Valley Creek Apartments Project) Series 1987 (The  
"Bond"); Approving an Extension of the Scheduled Maturity Date of the  
Bond; and Authorizing the Execution and Delivery of Documents Relating Thereto

WHEREAS, the Washington County Housing and Redevelopment Authority (the "Issuer" or the "Authority") has previously issued its \$12,815,000 Multifamily Housing Mortgage Revenue Bond (Valley Creek Apartments Project), Series 1987 (the "Bond"), pursuant to and in accordance with a Lender Loan Agreement (the "Lender Loan Agreement") by and between the Issuer and Capital Realty Investors Tax Exempt Fund Limited Partnership (the "Original Bondholder"), dated as of March 1, 1987; and

WHEREAS, the Issuer loaned the proceeds of the Bond to Valley Creek Apartments Limited Partnership, a Minnesota limited partnership (the "Original Owner"), pursuant to a Loan Agreement (the "Loan Agreement") dated as of March 1, 1987, to provide financing for a multifamily rental residential development (the "Project"); and

WHEREAS, the Project was conveyed by the Original Owner to CRICO of Valley Creek I Limited Partnership (the "Current Owner") in 1991 with the Current Owner assuming the existing indebtedness on the Project; and

WHEREAS, the Original Bondholder in 1996 undertook a restructuring transaction in connection with which, inter alia, the maturity date of the Bond was changed from December 1, 2008 to December 31, 2003; and

WHEREAS, all of the general partner and limited partner interests in the Current Owner were transferred to ERP-QRS CPRT II Inc. and ERP Operating Limited Partnership, affiliates of Equity Residential Property Trust, in 1997; and

WHEREAS, in connection with such transfer of partnership interests in the Current Owner, beneficial ownership of the Bond was transferred to an affiliate of Merrill Lynch Portfolio Management, Inc. (the "Current Bondowner"); and

WHEREAS, the Current Owner has requested that the Issuer agree to extend the maturity of the Bond from December 31, 2003, to a date which would be the latest maturity date permitted by Section 147(b) of the Internal Revenue Code of 1986 (the "Code") to retain the character of the Bond as a qualified private activity bond, subject to the approval and consent of the Current Bondowner and any other necessary persons (including but not limited to any providers of credit enhancement or liquidity support in respect of the Bond); and

WHEREAS, in accordance with Section 147(f) of the Code, following duly published notice a public hearing relating to the requested extension of maturity of the Bond has been conducted by the Board of Commissioners of the Authority; and

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WHEREAS, under Section 147(f) of the Code, in order to maintain the excludability of interest on the Bond from the income of the holders thereof, the requested extension of maturity of the Bond must be approved by the "applicable elected representative" (as such term is defined in Section 147(f)(2)(E) of the Code); and

WHEREAS, this County Board of Commissioners is the applicable elected representative for purposes of Section 147(f) of the Code with respect to the Authority and the Bond; and

WHEREAS, the Current Owner has paid an application fee to the Issuer and has agreed to pay or cause to be paid the administrative fee required by the Issuer and any counsel fees and financial advisor fees incurred by the Issuer in connection with such extension of maturity and related transactions; and

WHEREAS, in connection with such maturity extension it may be necessary or appropriate to amend the Lender Loan Agreement, the Loan Agreement and other documents, relating to the Bond; and

WHEREAS, it appears that it is necessary and appropriate for this Board to delegate to the County Administrator the power and authority to make any further, final decisions concerning the exact, final extended maturity date of the Bond.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF WASHINGTON COUNTY:

1. That, subject to the approval and consent of the Current Bondowner and any other necessary persons (including but not limited to any providers of credit enhancement or liquidity support in respect of the Bond), the favorable report of the Executive Director of the Authority as set forth in paragraph number 2 of Resolution No. 03-16 adopted by the Authority on July 15, 2003, and payment by the Current Owner of the administrative fee of the Authority as determined by the Executive Director of the Authority and any counsel fees and financial advisor fees incurred by the Authority, the final maturity date of the Bond shall be changed from December 1, 2003, to a date determined by the Executive Director of the Authority and approved by the County Administrator, which date shall be not later than the latest maturity date permitted by Section 147(b) of the Code to retain the character of the Bond as a qualified private activity bond; and all provisions relating to the Bond shall be otherwise subject to and as provided for in the Lender Loan Agreement as amended.

The Bond shall be a special limited obligation of the Authority, payable as to principal, premium, if any, and interest, and the obligations of the Authority under the Lender Loan Agreement shall be paid and satisfied, solely from the Trust Estate pledged therefore under the Lender Loan Agreement. Neither the County of Washington, the State of Minnesota nor any political subdivision or body corporate and politic of the State of Minnesota shall in any event be liable on the Bond and the Bond shall not constitute a debt of the State of Minnesota or the County of Washington nor shall this Resolution be construed as a guarantee by the State of Minnesota or the County of Washington of the Bond or any other debts of the Authority.

2. That the members, officers, agents and employees of this County Board are hereby authorized and directed to do all such acts and showings and to execute or accept all such documents as may be necessary to carry out and comply with the provisions of this Resolution, and the documents approved hereby, and all of the acts and doings of the members, officers, agents and employees of this County Board which are in conformity with the intent and purposes of this Resolution, whether heretofore or hereafter taken or done, shall be and are hereby ratified, confirmed and approved. Without limiting the generality of the foregoing, the officers and members of this County Board and the County Administrator are hereby also authorized and directed to execute, acknowledge

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and deliver such certificates, agreements and documents which, in the opinion of McGrann Shea Anderson Carnival Straughn & Lamb, Chartered, bond counsel, are necessary to the furtherance of this Resolution. Such execution, acknowledgment, acceptance and delivery of such certificates, agreements and documents and the consummation of such further acts or showings shall constitute conclusive evidence of approval by such officers or member(s) (or by the County Administrator) and of this Board's approval of any and all such certificates, agreements, and documents and such acts and showings.

9. Adoption of **Resolution No. 2003-138** as follows:

Resolution with Respect to the Washington County Housing and  
Redevelopment Authority \$10,100,000 Multifamily Housing Mortgage  
Revenue Bond (Valley Creek Apartments Project – Phase II) Series 1989  
(The "Bond"); Approving an Extension of the Scheduled Maturity Date of the  
Bond; and Authorizing the Execution and Delivery of Documents Relating Thereto

WHEREAS, the Washington County Housing and Redevelopment Authority (the "Issuer" or the "Authority") has previously issued its \$10,100,000 Multifamily Housing Mortgage Revenue Bond (Valley Creek Apartments Project – Phase II), Series 1989 (the "Bond"), pursuant to and in accordance with a Lender Loan Agreement (the "Lender Loan Agreement") by and between the Issuer and Capital Realty Investors Tax Exempt Fund III Limited Partnership (the "Original Bondholder"), dated as of February 1, 1989; and

WHEREAS, the Issuer loaned the proceeds of the Bond to Valley Creek Apartments II Limited Partnership, a Minnesota limited partnership (the "Original Owner"), pursuant to a Loan Agreement (the "Loan Agreement") dated as of February 1, 1989, to provide financing for a multifamily rental residential development (the "Project"); and

WHEREAS, the Project was conveyed by the Original Owner to CRICO of Valley Creek II Limited Partnership (the "Current Owner") in 1993 with the Current Owner assuming the existing indebtedness on the Project; and

WHEREAS, the Original Bondholder in 1996 undertook a restructuring transaction in connection with which, inter alia, the maturity date of the Bond was changed from December 1, 2008 to December 31, 2003; and

WHEREAS, all of the general partner and limited partner interests in the Current Owner were transferred to ERP-QRS CPRT II Inc. and ERP Operating Limited Partnership, affiliates of Equity Residential Property Trust, in 1997; and

WHEREAS, in connection with such transfer of partnership interests in the Current Owner, beneficial ownership of the Bond was transferred to an affiliate of Merrill Lynch Portfolio Management, Inc. (the "Current Bondowner"); and

WHEREAS, the Current Owner has requested that the Issuer agree to extend the maturity of the Bond from December 31, 2003, to a date which would be the latest maturity date permitted by Section 147(b) of the Internal Revenue Code of 1986 (the "Code") to retain the character of the Bond as a qualified private activity bond, subject to the approval and consent of the Current Bondowner and any other necessary persons (including but not limited to any providers of credit enhancement or liquidity support in respect of the Bond); and

WHEREAS, in accordance with Section 147(f) of the Code, following duly published notice a public hearing relating to the requested extension of maturity of the Bond has been conducted by the Board of Commissioners of the Authority; and



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WHEREAS, under Section 147(f) of the Code, in order to maintain the excludability of interest on the Bond from the income of the holders thereof, the requested extension of maturity of the Bond must be approved by the "applicable elected representative"(as such term is defined in Section 147(f)(2)(E) of the Code); and

WHEREAS, this County Board of Commissioners is the applicable elected representative for purposes of Section 147(f) of the Code with respect to the Authority and the Bond; and

WHEREAS, the Current Owner has paid an application fee to the Issuer and has agreed to pay or cause to be paid the administrative fee required by the Issuer and any counsel fees and financial advisor fees incurred by the Issuer in connection with such extension of maturity and related transactions; and

WHEREAS, in connection with such maturity extension it may be necessary or appropriate to amend the Lender Loan Agreement, the Loan Agreement and other documents, relating to the Bond; and

WHEREAS, it appears that it is necessary and appropriate for this Board to delegate to the County Administrator the power and authority to make any further, final decisions concerning the exact, final extended maturity date of the Bond.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF WASHINGTON COUNTY:

1. That, subject to the approval and consent of the Current Bondowner and any other necessary persons (including but not limited to any providers of credit enhancement or liquidity support in respect of the Bond), the favorable report of the Executive Director of the Authority as set forth in paragraph number 2 of Resolution No. 03-17 adopted by the Authority on July 15, 2003, and payment by the Current Owner of the administrative fee of the Authority as determined by the Executive Director of the Authority and any counsel fees and financial advisor fees incurred by the Authority, the final maturity date of the Bond shall be changed from December 1, 2003, to a date determined by the Executive Director of the Authority and approved by the County Administrator, which date shall be not later than the latest maturity date permitted by Section 147(b) of the Code to retain the character of the Bond as a qualified private activity bond; and all provisions relating to the Bond shall be otherwise subject to and as provided for in the Lender Loan Agreement as amended.

The Bond shall be a special limited obligation of the Authority, payable as to principal, premium, if any, and interest, and the obligations of the Authority under the Lender Loan Agreement shall be paid and satisfied, solely from the Trust Estate pledged therefore under the Lender Loan Agreement. Neither the County of Washington, the State of Minnesota nor any political subdivision or body corporate and politic of the State of Minnesota shall in any event be liable on the Bond and the Bond shall not constitute a debt of the State of Minnesota or the County of Washington nor shall this Resolution be construed as a guarantee by the State of Minnesota or the County of Washington of the Bond or any other debts of the Authority.

2. That the members, officers, agents and employees of this County Board are hereby authorized and directed to do all such acts and showings and to execute or accept all such documents as may be necessary to carry out and comply with the provisions of this Resolution, and the documents approved hereby, and all of the acts and doings of the members, officers, agents and employees of the this County Board which are in conformity with the intent and purposes of this Resolution, whether heretofore or hereafter taken or done, shall be and are hereby ratified, confirmed and approved. Without limiting the generality of the foregoing, the officers and members of this County Board and the County Administrator are hereby also authorized and directed to execute,



August 19, 2003

acknowledge and deliver such certificates, agreements and documents which, in the opinion of McGrann Shea Anderson Carnival Straughn & Lamb, Chartered, bond counsel, are necessary to the furtherance of this Resolution. Such execution, acknowledgment, acceptance and delivery of such certificates, agreements and documents and the consummation of such further acts or showings shall constitute conclusive evidence of approval by such officers or member(s) (or by the County Administrator) and of this Board's approval of any and all such certificates, agreements, and documents and such acts and showings.

10. Approval for County Board Chair and County Administrator to execute the agreement to enter into the Emergency Management Performance Grant with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management.
11. Approval of the Plat of South Scandia Settlement located in New Scandia Township.
12. Approval to accept a donation in the amount of \$2,230 from a resident of Washington County to purchase wireless alarm equipment for monitoring construction sites.
13. Approval to apply for a cooperating technical partners grant of \$100,000 to provide additional funding to assist the county in mapping 100-year floodplain areas and streams in Washington County.
14. Approval of proposed changes to 2004 fees and charges for park related items as follows:
  - Annual park vehicle permit fee from \$20.00 to \$25.00
  - Modern camping (sewer, water, electric) from \$19.00 to \$20.00
  - Modern camping (water, electric) from \$17.00 to \$18.00
  - Modern camping (electric) from \$15.00 to \$16.00
  - Non-electric (primitive) from \$10.00 to \$12.00
  - Reservations from \$4.00 to \$5.00
15. Approval of agreement with Ramsey County for the environmental and preliminary design services for reconstruction of TH 120 from I-494 to Woodbine Avenue in Woodbury.

The foregoing Consent Calendar was adopted unanimously.

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

Chief Deputy Steve Pott presented a status report of the current radio system and the Metro 800 MHz Radio System and grant opportunities. He indicated that the Sheriff's Office provides most of the 24 hour dispatching service for most of the county with the exception of Cottage Grove. The cities of Woodbury, Oakdale, Oak Park Heights, Stillwater and Forest Lake have daytime dispatching that handle

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more administrative type calls than emergency calls. In 1997 the county was required by statute to submit a plan to the Metro Radio Board indicating how the county would incorporate the 800 MHz into its radio needs, or if the county was going to do it. As part of the study, the county identified four areas of concern with its current radio system. One was the marginally adequate signal coverage. There were concerns that there were not enough channels for all the users. Another area identified was the fire department paging. The coverage continues to get worse because of all the radio waves out there, there's a lot more noise and it's difficult to get fire paging accomplished. To address these concerns, the County Board appropriated \$1 million. With that money, they installed a digital microwave network that connected the significant radio sites, it took care of the telephone line problem, the redundancy was improved and it will improve the fire-paging network. They have applied for additional channels for police, fire and EMS that will help take care of the channel contention problem. They expect to be licensed on those in the next few months.

Chief Deputy Pott stated that the goal of the Metro Radio Board is to get 100% participation of public safety and public service entities within the metro area. Washington County's project has been identified as about a \$12 million project, which would include building the infrastructure as well as buying mobiles and portables for all of the users that currently have radio communications. In 1997 there were about 1,100 throughout the county. He expects that the current number is about 1,200. The Metro Radio Board has said that they are hoping to fund about 50% of the cost of the infrastructure system. About \$3 million of the \$12 million will be for mobiles and portables. About 25% of the \$12 million cannot be funded through the bonding authority that the Metro Radio Board has. So, 50 percent of \$9 million is what the county can expect as the best case from the radio board. Recently, the Office of Homeland Security and Emergency Management announced the 2003 Part 2 WMD grants. They designated \$7.5 million for radio equipment for the 800 MHz system in the metro area. Washington County was granted, preliminarily, \$603,400. This money was designated to be used for mobiles and portables. The amount of those grant awards have been announced recently. The final grant applicant process has to be in place by the end of September.

Chief Deputy Pott indicated that the State Patrol and Mn/DOT are currently using the system in Washington County. They are experiencing some loading and coverage problems, but those are being addressed by putting an additional site at the Oakdale Mn/DOT building. They are also adding two radio channels to all of the radio sites within the county. The big issue with the cost of the system is ongoing maintenance. There is disagreement about how much it will actually cost. In the industry the feeling is that the ongoing cost of operating a system is about 10 to 15% of the initial cost of the system. That would be about \$1.2 million per year to maintain the system, or \$1,000 per year per radio to keep the system on the air.

Chief Deputy Pott asked for direction from the Board on whether it is interested in taking the lead and building the system, purchasing the entire system and leasing it to the cities; or, purchasing the system,

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as the county has done historically, and maintaining the system but requiring the local municipalities to buy their mobiles and portables and maintain them on their own. He feels that the municipalities should be given an opportunity to address this issue and get it into their five-year plan.

Commissioner Stafford believes there are several options for local government participation: 1) They can buy them, which may mean a lack of continuity of equipment; 2) The county could buy them and maintain them; 3) Or, the local government could buy it and the county maintains it. He feels the communities should be involved in these discussions. Is there a plan to sit down with all the local governments and discuss this issue?

Chief Deputy Pott indicated he has had conversations with police chiefs and fire chiefs about what they would like to see. He feels discussion should now move to the next level with discussion between the administrators and city council and board members.

Jim Schug, County Administrator, stated he has had discussion with the Chief Deputy about the county hosting a meeting and inviting all of the local units of government and asking for a representative, either their city administrator or a Councilmember, to attend to begin the discussion about methods for purchasing, financing and maintaining the equipment. They have learned in the current radio system with local units of government that it is not enough to set it up, there has to be a method to replace the equipment as it fails and build a technology fund that is there when the equipment needs to be updated.

Commissioner Peterson suggested that a member from the Metro Radio Board be brought to the meeting with local governments and maybe someone to demonstrate the 800 MHz system to give the council members an appreciation of the how the overall system works.

It was the consensus of the Board to invite the local units of government in to begin a discussion of the 800 MHz system and provide options for them to consider.

## **GENERAL ADMINISTRATION**

### **Housing and Redevelopment Authority Public Hearing**

Commissioner Stafford moved to set a public hearing for September 2, 2003 at 9:00 a.m. to consider comments regarding the issuance by the Washington County Housing and Redevelopment Authority of its Governmental Housing Revenue Bonds Series 2003 in an aggregate principal amount not to exceed \$10,700,000 backed by the full faith and credit of Washington County. Commissioner Peterson seconded the motion and it was adopted unanimously.

August 19, 2003

**Meeting with School District 834**

Mr. Schug reminded the Board that there will be a meeting with Independent School District 834 on Thursday, August 21 at 7:00 p.m. to discuss issues of interest to both the school district and the county. Commissioners Hegberg and Kriesel indicated that they would be attending.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Stafford indicated that until a few days ago he believed the Energy Task Force had accomplished many things and he was going to suggest that this group could cut back for a couple of years in light of the budget crunch. Then along comes the power outage out east and plays up everything this group has been talking about. He now believes this group needs to stay together.

Commissioner Pulkrabek reported that he attended his first meeting of the Livable Communities Fund Disbursement Committee that he is chairing. There are two projects from Washington County. According to bylaws and guidelines regarding conflict of interest, he will not be able to discuss or vote on those two projects.

**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 Stafford and it was adopted unanimously. The Board meeting adjourned at 10:05 a.m.

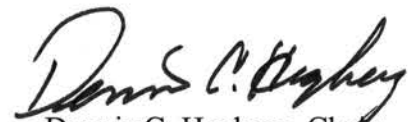
**WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY**

The Washington County Regional Railroad Authority met in regular session at 10:05 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. RRA Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Don Wisniewski, Director of Transportation and Physical Development; Mike Rogers, RRA Planner; and Bev Hagen, Public Information Coordinator. Official Proceedings of the Regional Railroad Authority are available in the Office of Administration.

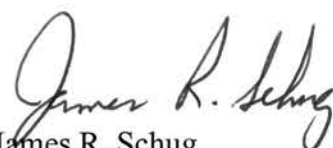
August 19, 2003

**BOARD WORKSHOP - CUSTOMER SERVICE STRATEGIC PLANNING WORK GROUP**

The Board met in workshop session with the Customer Service Strategic Planning Work Group to discuss the findings of the group. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Nancy Brase, Kevin Corbid, Cindy Koosmann, Kathy Trombly-Ferrin, Judy Honmyhr, Amy Worwa, Sue Fredricksen, Kim Nhon, and Judy Spooner, Washington County Bulletin.

  
Dennis C. Hegberg, Chair  
County Board

Attest:

  
James R. Schug  
County Administrator



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 26, 2003**

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 Kriesel, Hegberg, Peterson and Stafford. Commissioner Pulkrabek absent. Board Chair Hegberg presided. Also present were James Schug, County Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Mary McGlothlin, Director of Public Health and Environment; Judy Hunter, Senior Program Manager; Jeff Travis, Program Manager; Nathan Arthur, Senior Environmental Specialist; Edison Vizuite, Financial Services Director; Kathy Trombly-Ferrin, Supervisor; Tonya Weinert, Accountant; Michael Welling, County Surveyor; Tom Adkins, Community Corrections Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the August 5 and 12, 2003 Board meeting minutes.
2. Approval to authorize the County Board Chair to sign a letter in response to State Auditor's findings and recommendations contained in the draft report on the internal control structure and compliance audit for the year ended December 31, 2002.
3. Approval to appoint Robert Mann, St. Paul Park, to the Board of Adjustment and Appeals to fill an unexpired term to December 31, 2005; and approval to appoint Richard Leistico, New Scandia Township, to the Planning Advisory Commission to fill an unexpired term to December 31, 2003.
4. Approval of grant amendment increasing funding level for Intensive Supervised Release, approval of additional Restorative Justice funding, and approval of new REAM Grant.

August 26, 2003

5. Approval to designate the County Surveyor/Survey and Land Management Division Manager as the official authorized to sign license agreements for the sale of electronic map data.

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

## **PUBLIC HEARING – PUBLIC HEALTH AND ENVIRONMENT**

### **Hazardous Waste Management Ordinance**

The Board Chair presented an overview of today's public hearing to repeal Washington County Hazardous Waste Management Ordinance No. 119 and adopt new Hazardous Waste Management Ordinance No. 166. The Secretary to the Board indicated that the notice of public hearing was published and a record of publication is on file.

Jeff Travis, Program Manager, informed the Board that the county has had a hazardous waste ordinance since 1984. It has been revised five times, the last time being 1995. Hazardous waste from businesses is regulated, household hazardous waste is not. Hazardous waste ordinances are coordinated with other metro counties and the Solid Waste Management Coordinating Board to maintain consistency. The ordinance is designed to prevent pollution and require clean up if releases occur. It is also an important component of the Groundwater Plan to protect the county's groundwater resources. The major changes in the proposed ordinance are: Collection services regulated as generators; New zoning or permit requirement; Expand facility definition to include recycling and processing facilities; and New definition of public health hazard. Mr. Travis indicated that this ordinance was reviewed by the following entities: Public Health Advisory Committee, Minnesota Pollution Control Agency; Licensed Hazardous Waste generators and facilities; Cities and Townships; other metro counties; and, the Washington County Attorney's office.

Commissioner Kriesel asked for clarification on Page 10, Section 6.13 regarding license fees. It reads "License Fees for initial licenses are due within thirty days of the billing date". Then it says "All License fees must be received at least thirty days prior". Does that mean all license fees for renewals? Mr. Travis indicated that section would be cleaned up.

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

Commissioner Peterson moved to close the public hearing. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Stafford moved to adopt **Resolution No. 2003-139** as follows:

August 26, 2003

Adoption of Ordinance No. 166 Hazardous Waste Management

WHEREAS, Minnesota Statutes Chaps. 145A and 473 authorizes the County to regulate hazardous waste activities in the county; and

WHEREAS, Washington County first adopted an ordinance regulating hazardous waste since 1984; and

WHEREAS, the most recent version of this ordinance is Washington County Ordinance No. 119, Hazardous Waste Management, adopted by the County Board on November 7, 1995; and

WHEREAS, the Washington County Board of Commissioners determines it is in the best interests of the county to update the hazardous waste ordinance; and

WHEREAS, a workshop with the Department of Public Health and Environment was held by the County Board on August 5, 2003 to review proposed changes to the Ordinance; and

WHEREAS, an officially noticed Public Hearing was held by the County Board on August 26, 2003 to receive comments from the community or other interested parties and to consider the proposed changes; and

WHEREAS, the Washington County Public Health Advisory Committee, the Minnesota Pollution Control Agency, licensed hazardous waste generators and facilities, cities and townships in Washington County, and other metropolitan counties were notified of the revisions and asked to provide comments or state their concerns.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby adopts Washington County Hazardous Waste Management Ordinance No. 166 to take effect upon the passage of this resolution and its publication according to law.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Washington County Ordinance No. 119 is hereby repealed, said repeal to take effect on the date Washington County Ordinance No. 166 becomes effective.

**WASHINGTON COUNTY, MINNESOTA  
ORDINANCE #166**

Repeal of Hazardous Waste Management Ordinance #119 and Adoption of New Hazardous Waste Management Ordinance #166

An ordinance establishing standards to protect the health, safety and general welfare of the people of Washington County relating to hazardous waste management: Repeals Washington County Hazardous Waste Management Ordinance #119, adopted on November 7, 1995, and adopts new Hazardous Waste Management Ordinance #166.

The Washington County Hazardous Waste Management Ordinance is being revised in accordance with Minnesota Statute 473.811, subd. 5b. The ordinance establishes the standards relating to (1) the identification of hazardous waste, (2) the labeling and classification of hazardous waste, (3) the collection, storage, transportation, processing, and disposal of hazardous waste, and (4) other matters necessary for the public health,

August 26, 2003

welfare and safety. In addition the ordinance sets forth the requirement for permits or licenses for the generation, collection, processing, and disposal of hazardous waste, establishes the prohibitions when dealing with hazardous waste and establishes the penalties for violation of the ordinance.

This ordinance shall be in full force and effect from and after its passage and publication according to law. The full text of the ordinance is on file at the offices of the Auditor-Treasurer, Administrator of Washington County and the Washington County Department of Public Health and Environment and is available for inspection by any person during regular office hours.

Entered by the Board of County Commissioners of Washington County, Minnesota, this 26<sup>th</sup> day of August, 2003.

\_\_\_\_\_  
Dennis C. Hegberg, Chairman  
Board of Commissioners

Attest:

Approved as to form:

\_\_\_\_\_  
James R. Schug  
County Administrator

\_\_\_\_\_  
George Kuprian  
Assistant County Attorney

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

## **FINANCIAL SERVICES**

### **Custodial Services Contract**

Edison Vizuite, Financial Services Director, reviewed the proposed contract with USBank for custodial services for the county's investments. This is a service to safeguard the assets of large corporations and municipalities. The county is maintaining assets between \$40 million and \$100 million a year and those assets need protection.

Commissioner Stafford stated that he has had a history of opposing arrangements where people in custody of the county's investment funds would also be the same ones that provide the county's full service banking. He knows, from the Finance Committee, that there will be another issue coming up involving USBank. Mr. Vizuite indicated that these institutions are so large and there are clear divisions between the different types of services they provide.

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George Kuprian, Assistant County Attorney, stated he is currently reviewing the banking services agreement. It does have a provision in there that the bank can put a possessory lien on money the county has in any account. He took that provision out and he's not sure how the bank's going to react to that.

Commissioner Stafford stated he would vote for this because he has no problem with what they are doing. He's not sure how he will react if USBank appears in another contract for other services.

Commissioner Pulkrabek arrived at 9:30 a.m.

Commissioner Peterson moved to approve an agreement between Washington County and USBank for Custodial Services. Commissioner Hegberg seconded the motion and it was adopted unanimously.

### **Financial Report**

Mr. Vizuite presented the Board Chair with its 17<sup>th</sup> consecutive Certificate of Achievement in Financial Reporting for the year 2001 issued by the Government Finance Officers Association of the US and Canada. This award signifies that the county has met governmental accounting and financial standards required by the association.

Mr. Vizuite presented the 2002 audited Comprehensive Annual Financial Report. The audit for 2002 was performed applying the new accounting standards promulgated under the Government Accounting Standards Board (GASB).

James Schug, County Administrator, noted that on the Consent Calendar the Board approved a response to the State Auditor's annual audit of Washington County for 2002. The County had an audit with no findings, which is a clean audit, and there was only one minor management practice regarding how the books are handled at the end of the year before they are finally closed.

### **GENERAL ADMINISTRATION**

Mr. Schug reported that the Minnesota Department of Trade and Economic Development has approved the county's 2003-2007 Capital Improvement Plan.

Mr. Schug informed the Board that the Community Services Department has sent notice out to all local communities about the availability of new Community Development Block Grant funds and also the HOME Investment Partnership.



August 26, 2003

Mr. Schug announced that there would be three workshops following the Board meeting. The first one is a presentation and overview of the 2004 recommended budget and it will be televised. More detailed workshops of departmental presentations will be held during the coming weeks.

#### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson announced that she will be meeting with Congresswoman Betty McCollum regarding the post office site. Also, Sensible Land Use Planning will be meeting on August 27 and Bill Hargis, City of Woodbury Mayor, will be part of the panel discussing the high cost of no growth. On September 24 they will have a special program with the Lincoln Land Institute.

Commissioner Kriesel reported on the meeting he and Commissioner Hegberg attended last week with Independent School District 834 school board. There was a good exchange of information and ideas about shared services especially with the library in Marine, and school boundary issues. Commissioner Hegberg indicated they also talked about the issuance of debt.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

There being no further business to come before the Board, Chair Hegberg adjourned the Board meeting at 9:55 a.m.

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

The Board met in workshop session with the Office of Administration for an introduction of the proposed 2004 budget. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Sue Kuss, Kevin Corbid, Judy Honmyhr, Pat Singel, Tom Adkins, Aaron Sorenson, Lake Elmo Review and Judy Spooner, Washington County Bulletin.

#### **BOARD WORKSHOP WITH PUBLIC HEALTH AND ENVIRONMENT**

The Board met in workshop session with the Department of Public Health and Environment to discuss the county environmental charge and parcel fee for 2004. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Mary McGlothlin, Jeff Travis, Judy Hunter, Kevin Corbid and Judy Spooner, Washington County Bulletin

August 26, 2003

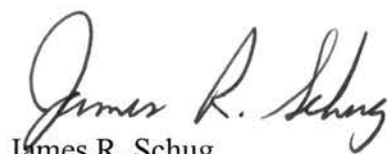
**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development to discuss restrictions on All-Terrain Vehicle use in county highway rights-of-way. Present for the workshop session were Commissioners Pulkrabek, Hegberg, Peterson and Stafford. Also present were Jim Schug, Don Wisniewski, Don Theisen, Joe Lux, Wayne Sandberg and Judy Spooner, Washington County Bulletin.



Dennis C. Hegberg, Chair  
County Board

Attest:



James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**SEPTEMBER 2, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Judy Honmyhr, Director of Human Resources, Employee Safety and Risk Management; Don Wisniewski, Director of Transportation and Physical Development; Ann Pung-Terwedo, Senior Planner; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Richard Backman, Division Manager; Barbara Dacy, Housing and Redevelopment Authority Executive Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Mary McCarthy, Information Services Director; Edison Vizuete, Financial Services Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the August 19 and 26, 2003 Board meeting minutes.
2. Approval of projects recommended by the County Administrator for funding through the 2002 Countywide Mission Directed Budget Savings Pool: Metal detector for court - \$5,400; Emergency warning system for county buildings - \$9,400; Law Enforcement Center forensic engineering study of exterior brick - \$30,000; Organizational telecommunications assessment - \$40,000; CITRIX solution for remote database/network access - \$30,000; Back-up Internet Provider Service - \$15,000; Replacement of countywide shared file server - \$12,000; Replacement of three routers for remote site network traffic control - \$30,000; Arc tools archiving software for JDEwards - \$8,600; Website design software - \$4,000; After-hours Government Center security - \$5,000; and Replacement server for Transportation & Physical Development functions - \$8,000.

September 2, 2003

3. Approval to authorize the Deputy County Administrator to develop, coordinate and file an appeal for a salary exemption from the governor's salary cap for the County Administrator.
4. Approval to appoint six citizen members to the Washington County Child Protection Citizen Review Panel for two year terms as follows: Danielle Horan, Oakdale; Ken and Heidi Nakatani, Woodbury; Meghan Anderson, Stillwater; Judy Behr, Afton; and Sheri Riemers, Scandia.
5. Approval of amendment to the Minnesota State operated Community Services agreement in order to reduce rates by 1% in accordance with state legislation.
6. Approval of contract with Rice Creek Watershed District to establish new 100-year floodplain elevations for priority basis throughout Washington County.
7. Adoption of **Resolution No. 2003-140** as follows:

Approval of Minnesota Agency Agreement No. 85615

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the County of Washington to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the County Board Chairman, Dennis C. Hegberg and the County Administrator, James R. Schug, are hereby authorized and directed for and on behalf of the County of Washington to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 85615", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

8. Adoption of **Resolution No. 2003-141** as follows:

Final Payment to Collins Electrical Construction  
for CSAH 16 Traffic Signal Construction

WHEREAS, the Washington County Board of Commissioners, on April 23, 2002 approved a bid award to Collins Electrical Construction for reconstruction of a traffic signal at CSAH 16 and Interlachen Dr. in Woodbury; and

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

NOW, THEREFORE BE IT RESOLVED, that Collins Electrical Construction 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.

September 2, 2003

The foregoing Consent Calendar was adopted unanimously.

#### **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Commissioner Hegberg moved to approve and authorize execution of grant agreement SG-03-82 with the Metropolitan Council in the amount of \$477,000 for acquisition of land within the Big Marine Park Reserve. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Pulkrabek abstained.

#### **PUBLIC HEARING – WASHINGTON COUNTY HOUSING AND REDEVELOPMENT AUTHORITY**

The Board Chair presented an overview of today's public hearing to consider refunding and issuing general obligation bonds for four Housing and Redevelopment Authority properties. The Board Secretary read the notice of public hearing into the record.

Barbara Dacy, Executive Director, stated that the HRA Board of Commissioners requests the County Board to consider refunding and issuing general obligation bonds for four HRA properties. Two of the properties in question, Oakhill Cottages and Raymie Johnson Estates, are currently part of a general obligation issue. Two other properties are proposed to be included from the 1996 Bond Pool, Pioneer Apartments and Brick Pond. The reasons for this consideration are: 1) Interest rates that are two to three percent below the rates originally issued eight to ten years ago; 2) The savings achieved will be part of a larger opportunity for the HRA to create financial resources to accomplish its five year goals; and 3) Brick Pond and Pioneer Apartments are coming from another bond pool, that bond pool also contains the financing for the Whispering Oaks Manufactured Home Park. The HRA is beginning a process to evaluate the future use of that housing community and it would be prudent for the HRA to have that financed separately to provide the HRA with the flexibility it needs to make a decision about the future use of that development.

Ms. Dacy indicated that HRA staff met with the County Finance Committee on August 12. The Finance Committee endorsed the proposal, but asked that \$100,000 of the levy be allocated to insure that the properties would cash flow on an annual basis. HRA staff also met with county staff last week on a number of technical aspects of this issue. All of their concerns were addressed. She is requesting that the County Board pass a resolution today authorizing the General Obligation issuance. She earlier mentioned this would allow the HRA to accomplish its five-year goal. The Whispering Oaks redevelopment does represent a significant opportunity for the Authority to create new and affordable housing for that particular part of the county. In addition to the Whispering Oaks site, the Authority would also like to evaluate the creation of a land acquisition program to develop additional senior developments as well as other affordable developments across the county.



September 2, 2003

James Schug, County Administrator, stated that staff met with representatives from the HRA last week. A number of questions they had have been addressed. This matter was also before the Finance Committee on August 12 and they recommended that the Board pledge its General Obligation for the preferred alternative. Kathy Aho, Springsted, Inc. is present to answer any questions the Board may have.

The Board Chair asked for comments from the audience; none were heard. The Board Secretary indicated that the record contains all documentary evidence.

Commissioner Peterson moved to close the public hearing. Commissioner Kriesel seconded the motion and it was adopted unanimously. The public hearing was closed at 9:20 a.m.

Commissioner Stafford moved to adopt **Resolution No. 2003-142** as follows:

RESOLUTION APPROVING THE PLEDGE OF THE GENERAL OBLIGATION OF WASHINGTON COUNTY TO WASHINGTON COUNTY HOUSING AND REDEVELOPMENT AUTHORITY GOVERNMENTAL HOUSING REVENUE BONDS (WASHINGTON COUNTY GENERAL OBLIGATION – POOLED REFUNDING PROJECT) SERIES 2003 TO BE ISSUED IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,700,000

WHEREAS, pursuant to Minnesota Statutes, Section 469.017, the Washington County Housing and Redevelopment Authority (the "Authority") is authorized to undertake housing development projects for the purpose of providing housing for low and moderate income persons and families; and

WHEREAS, pursuant to Minnesota Statutes, Section 469.034, subd. 2, the Authority is authorized to issue bonds backed by the full faith and credit of Washington County (the "County") to finance or refinance a qualified housing development project following (a) a determination by the Authority that pledged revenues will equal or exceed 110% of the principal and interest due on such bonds for each year, and (b) approval by the County of the principal amount of the Bonds following a public hearing; and

WHEREAS, the Authority previously issued its revenue bonds to finance certain housing development projects owned by the Authority and located in Washington County, as follows: \$550,000 Taxable Governmental Housing Revenue Refunding Bonds (Washington County General Obligation – Scandia I Apartments Project), Series 1994A, issued to refinance a housing development project commonly known as "Scandia I;" \$1,610,602.20 Governmental Housing Revenue Bonds (Washington County General Obligation – Scandia II Apartments Project), Series 1994B, issued to finance a housing development project commonly known as "Scandia II;" \$6,405,000 Governmental Housing Revenue Refunding Bonds (Washington County General Obligation – Raymie Johnson Apartments Project), Series 1994C, issued to refinance a housing development project commonly known as "Raymie Johnson Estates;" and \$5,615,000 Governmental Purpose Revenue Bonds, Series 1996A (sometimes hereinafter referred to as the "1996 Pool"), issued to refinance housing development projects commonly known as "Brick Pond Apartments," "Pioneer Park Apartments" and "Whispering Oaks," and to finance or refinance certain other governmental purposes including but not limited to the Authority's office building located at 321 Broadway Avenue in the City of St. Paul Park (such governmental purposes financed by the 1996 Pool are sometimes hereinafter

September 2, 2003

referred to as the "Governmental Purposes") (all of the foregoing bond issues and bonds, except for the principal portion of the 1996 Pool reasonably allocable to the housing development project described above as "Whispering Oaks" and to the Governmental Purposes, are sometimes referred to collectively in this Resolution as the "Prior Bonds," and all of such housing development projects, except Whispering Oaks, are sometimes referred to collectively in this Resolution as the "Projects"); and

WHEREAS, the Authority has determined that it is in the best interest of the public health, safety and welfare that it issue its Governmental Housing Revenue Bonds (Washington County General Obligation – Pooled Refunding Project) Series 2003, in one or more series (the "Series 2003 Bonds") to refund the Prior Bonds; and

WHEREAS, the Authority has proposed to pledge the general obligation of the County as additional security for the Series 2003 Bonds, which Series 2003 Bonds are to be issued by the Authority in an aggregate principal amount not to exceed \$10,700,000 and are payable from certain pledged revenues of the Projects; and

WHEREAS, the Authority as a condition precedent to the issuance of the Series 2003 Bonds must find that the pledged revenues, including pledged revenues from the Projects, will equal or exceed 110 percent of the principal and interest due on such bonds for each year; and

WHEREAS, each of the Projects is or will be a "qualified housing development project," which is defined under Minnesota Statutes, Section 469.034, subd. 2, as a housing development project providing housing either for the elderly or for individuals and families with incomes not greater than 80% of the median income for the standard metropolitan statistical area in which the project is located, with certain limited exceptions defined in Minnesota Statutes, Section 469.034, subd. 2(e); and

WHEREAS, the maximum amount of bonds issued and outstanding under Minnesota Statutes, Section 469.034, subd. 2, to which the County's general obligation is pledged, including the outstanding general obligation bonds of all cities in the County issued under Minnesota Statutes, Section 469.034, subd. 2, when added to the proposed not-to-exceed aggregate principal amount of the Series 2003 Bonds, does not exceed the greater of (a) one-half of one percent of the taxable market value of the County, or (b) \$3,000,000, as required by Minnesota Statutes, Section 469.034, subd. 2(c); and

WHEREAS, on the date hereof, the County Board of Commissioners has conducted a public hearing following publication of notice pursuant to Minnesota Statutes, Section 469.034, subd. 2; and

WHEREAS, it appears that it is necessary and appropriate for this Board to delegate to the County Administrator and certain officers designated herein the power and authority to make any further, final decisions concerning certain terms and conditions of the Series 2003 Bonds and documents related thereto.

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHINGTON COUNTY AS FOLLOWS:

1. That pursuant to Minnesota Statutes, Section 469.034, subd. 2, the County hereby approves the issuance by the Authority of, and the pledge of the general obligation of the County as additional security for, up to \$10,700,000 aggregate principal amount of the Series 2003 Bonds to be issued in one or more series.

2. That such approval is subject to final determination by the Authority to be made in the Authority's resolution approving the sale of the Series 2003 Bonds that (a) the projected revenues pledged to the payment of the Series 2003 Bonds will equal or exceed 110% of the principal and interest due on the Series 2003 Bonds for each year of their

September 2, 2003

term; (b) each of the Projects is or will be a qualified housing development project as defined in Minnesota Statutes, Section 469.034, subd. 2(a); and (c) the maximum amount of bonds issued and outstanding under Minnesota Statutes, Section 469.034, subd. 2, to which the County's general obligation is pledged, including the outstanding general obligation bonds of all cities in the County issued under Minnesota Statutes, Section 469.034, subd. 2, when added to the proposed not-to-exceed aggregate principal amount of the Series 2003 Bonds, does not exceed the greater of (i) one-half of one percent of the taxable market value of the County, or (ii) \$3,000,000, as required by Minnesota Statutes, Section 469.034, subd. 2(c).

3. That the County hereby approves the use of the proceeds of the Series 2003 Bonds to refund the Prior Bonds, for the purpose of refinancing the Projects.

4. That the Chair and County Administrator are hereby authorized and directed to execute and deliver the following documents relating to the Series 2003 Bonds in the name of and on behalf of the County (collectively, the "Agreements"):

(a) a Custodial Agreement by and among the Authority, the County and U.S. Bank National Association, as Custodian, providing for deposit and application of revenues of the Projects, and for execution and delivery by the Authority of a mortgage encumbering the Projects in favor of the County upon the occurrence of an Event of Default under the Custodial Agreement;

(b) an Indenture of Trust between the Authority and U.S. Bank National Association, as Trustee, with an Acceptance by the County; and

(c) a Continuing Disclosure Agreement among the Authority, the County and the Trustee as dissemination agent.

The form and terms of the Agreements shall be subject to the review and approval of the County Administrator (upon the advice of the County Attorney) and may vary from the terms presented to this County Board so long as any variance is not materially adverse to the interests of the County as determined in the sole discretion of the County Administrator. The execution and delivery of the Agreements by the Chair and the County Administrator shall be conclusive evidence of the determination of the County Administrator that the Agreements conform to the terms presented to this County Board or that any variance therefrom is not materially adverse to the interests of the County, and of this County Board's approval of the Agreements, and shall be binding upon the County.

5. That, after review and approval by the County Administrator that the documents conform to the terms presented to this County Board or that any variance is not materially adverse to the interests of the County, the Chair, County Administrator and Deputy Administrator or any two of them are further authorized and directed to execute and deliver in the name and on behalf of the County such other agreements, certificates, documents, and proceedings and records of the County as may be necessary or appropriate or required in connection with the issuance of the Series 2003 Bonds and other transactions or matters related thereto.

6. That the County approves the use of the Preliminary Official Statement and Official Statement in connection with the marketing of the Series 2003 Bonds, and consents to references to the County and the inclusion of financial statements and other data and information concerning the County therein.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

September 2, 2003

**ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

Kevin Corbid, Director of Assessment, Taxpayer Services and Elections, informed the Board and viewing audience that the County License Centers have new hours of operation beginning today as follows: Monday and Wednesday, 9:00 a.m. to 6:00 p.m.; Tuesday, Thursday and Friday, 9:00 a.m. to 5:00 p.m.; and Saturday, 8:00 a.m. to 12 noon.

**GENERAL ADMINISTRATION****Introduction of New County Library Director**

Mr. Schug introduced the new County Library Director Patricia Conley. Ms. Conley has worked extensively with local government through the Association of Minnesota Counties, the Minnesota Legislature, the Minnesota Department of Health and she is a librarian by profession.

Ms. Conley stated she is excited to be with Washington County and looks forward to meeting often with the County Board.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Hegberg reported on the Mosquito Control meeting he attended last week. They discussed the budget for next year, which is increasing double digit.

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

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss major impacts of the proposed 2004 Washington County Budget. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Mary McGlothlin, Tom

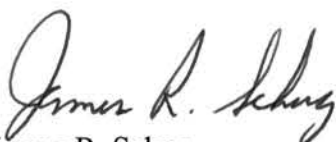
September 2, 2003

Adkins, Kevin Corbid, Dan Papin, Rick Backman, Patrick Singel, Kristin Tuenge, Barb McGinnis, Michelle Kemper, Judy Spooner, Washington County Bulletin, and Aaron Sorenson, Lake Elmo Review.

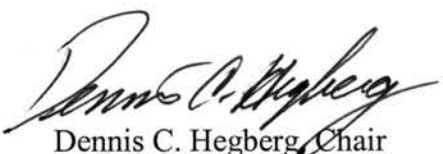
**BOARD WORKSHOP WITH COMMUNITY SERVICES**

The Board met in workshop session with the Community Services Department to discuss use of 2003 Community Development Block Grant contingency funds. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Patrick Singel, Martina Johntz, Mary Farmer-Kubler, Judy Spooner, Washington County Bulletin, and Aaron Sorenson, Lake Elmo Review.

Attest:

  
James R. Schug

County Administrator

  
Dennis C. Hegberg, Chair  
County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 9, 2003**

The Washington County Board of Commissioners met in regular session at 5:30 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Sue Harris, First Assistant County Attorney; Lowell Johnson, Deputy Director of Public Health and Environment; Sue Hedlund, Program Manager; Jean Streeter, Senior Community Health Specialist; Jim Frank, Sheriff; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Cindy Rupp, Community Services Division Manager; Chris Volkers, Court Administrator; Tom Adkins, Community Corrections Director; Edison Vizuete, Financial Services Director; Judy Honmyhr, Director of Human Resources, Employee Safety and Risk Management; Barb Fritsche, Information Services Supervisor; Cindy Koosmann, Recorder; Don Wisniewski, Director of Transportation and Physical Development; Sue Kuss, Budget/Financial Analyst; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval to appoint Charles Newman, West Lakeland Township, to the Planning Advisory Commission to fill an unexpired term to December 31, 2005.
2. Adoption of **Resolution No. 2003-143** as follows:

Lawful Gambling Exemption for  
622 Education Foundation

WHEREAS, 622 Education Foundation has made application to the Gambling Control Board for the exemption from certain requirements contained in M.S. 349.166 sub 2 in order to conduct (Raffles) at Withrow Ballroom, 12169 Keystone Ave., (May Township) Stillwater, MN 55082 on September 19, 2003.

September 9, 2003

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners does not oppose issuance of exemption consistent with the application.

3. Approval of amendment to reduce the agreement with Human Services in order to reduce Medical Assistance waiver rates by 1% effective July 1, 2003.
4. Adoption of **Resolution No. 2003-144** as follows:

Approving Community Development Block Grant Program  
Subgrantee Agreement with the City of Mahtomedi

WHEREAS, the City of Mahtomedi has applied for, and the County Board approved, CDBG funds of \$133,335.92 for rehabilitation of Lincoln Place; and

WHEREAS, the purpose of the Community Development Block Grant Program is to fund activities which benefit low and moderate income persons; and

WHEREAS, Lincoln Place is a 48 unit complex serving predominantly very low and low income households; and

WHEREAS, rehabilitation of Lincoln Place will preserve and improve 48 units of affordable housing; and

WHEREAS, the Lincoln Place project meets all U.S. Department of Housing and Urban Development environmental requirements under 24 CFR part 58.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Community Development Block Grant Subgrantee Agreement with the City of Mahtomedi for the Lincoln Place Rehabilitation project.

BE IT FURTHER RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign the Community Development Block Grant Subrecipient Agreement.

5. Approval of receipt of a donation in the amount of \$75 to Community Services, Economic Assistance Division, from Carol Patt of Mahtomedi to be used for family assistance.
6. Approval of the receipt of donations from Mainstreet Bank, \$200 and Imation, \$500, to Washington County Workforce Investment Board to support a business picnic and other Workforce Investment Board activities.
7. Approval to renew service agreement with Frank Madden & Associates for labor relations consultant services through September 30, 2005.

September 9, 2003

8. Approval and execution by the Board Chair and Administrator of an agreement with the City of Woodbury for distribution of curbside recycling funds.

9. Bids were received for bituminous overlays on CSAH 19 and 36 as follows:

Tower Asphalt, Inc.	\$326,953.00
Hardrives, Inc.	339,740.00

Adoption of **Resolution No. 2003-145** as follows:

Bid Award for Bituminous Overlays on CSAH 19 & 36 to  
Tower Asphalt, Inc.

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

WHEREAS, bids were opened on August 26, 2003, with Tower Asphalt, Inc. being the lowest responsible bidder; and

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

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

10. Adoption of **Resolution No. 2003-146** as follows:

Resolution Authorizing Eminent Domain Proceedings For CSAH 22

WHEREAS, Washington County proposes to improve County State Aid Highway 22 from State Trunk Highway (TH) 61 to approximately 800 meters to the east along the new road alignment in the City of Cottage Grove; and

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

WHEREAS, the acquisition of all right of way and easements over certain lands are necessary to provide for said construction; and

WHEREAS, Washington County has authority to acquire right of way and easements for highway purposes by eminent domain pursuant to Minnesota law; and

September 9, 2003

WHEREAS, Washington County has the right to acquire right of way and easements prior to the filing of an award by the court appointed commissioners pursuant to Minnesota law; and

WHEREAS, Washington County is unable to begin construction on the lands described herein until it has acquired title and possession to the necessary right of way and easements; and

WHEREAS, waiting until the commissioners file their award would delay the completion of the project, thus increasing the inconvenience to the traveling public; and

WHEREAS, Washington County has been unable to successfully negotiate the acquisition of the following required right of way and easements:

SEE EXHIBIT A

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby authorizes the acquisition of said property interests by eminent domain and to take title and possession of that land prior to the filing of an award by the court appointed commissioners.

BE IT FURTHER RESOLVED that the Washington County Attorney's Office is authorized to commence the necessary proceedings to acquire title and possession and to prosecute said action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or Order of the Court.

EXHIBIT A

**CONDEMNATION LIST - COUNTY STATE AID HIGHWAY 22**

**Fee Owner:** David M. Bigham  
6044 South 70<sup>th</sup> Street South  
Cottage Grove, MN 55016

**Contract Holder:** David F. Bigham  
1709 Howard Drive  
Independence, MO. 64050

Barbara Joan Bigham  
1141 Portland Avenue South  
St. Paul Park, MN 55016

**Acquisition** Total purchase of property (fee simple)  
Appraised Value = \$119,000.00 as of May 21, 2003  
Appraised by John Z. Dahl,  
Certified General Real Property Appraiser, License  
Number 4001146  
McKenzie Metro Appraisal

**Legal Description :**

All that part of the South 10 acres of the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 27; Range 21, lying West of the public highway running Northwesterly and Southeasterly across said Southwest

September 9, 2003

1/4 of the Southwest 1/4 of Said Section 6, except the East 666 feet thereof and except that part taken by County Highway Right of way Plat No. 30 recorded as Document no. 412523, according to the United States Government Survey thereof, Washington County, Minnesota:

**Judgments:**

Document Number 3361951

Grantor: Washington County  
Department of Community Services  
Child Support Unit  
14949 62<sup>nd</sup> Street North  
Stillwater, Minnesota 556082

Grantee: David Michael Bigham

Document Number 3361952

Grantor: Washington County  
Department of Community Services  
Child Support Unit  
14949 62<sup>nd</sup> Street North  
Stillwater, Minnesota 556082

Grantee: David Michael Bigham

Document Number 3361953

Grantor: Washington County  
Department of Community Services  
Child Support Unit  
14949 62<sup>nd</sup> Street North  
Stillwater, Minnesota 556082

Grantee: David Michael Bigham

Document Number 3364422

Grantor: Ramsey County  
Ramsey County Attorney  
50 West Kellogg Boulevard, Suite 415  
St. Paul, Minnesota 55102

Grantee: David Michael Bigham  
(Document unavailable at this time because  
of being imaged.)

**Tax Collector:**

Washington County  
Department of Assessment & Taxation  
14949 62<sup>nd</sup> Street North  
Stillwater, Minnesota 556082

11. Adoption of **Resolution No. 2003-147** as follows:



September 9, 2003

Maintenance Agreement with the Minnesota Department of Transportation, the City of Lake Elmo and the City of Grant for a Traffic Signal at the Intersection of TH 36 and CSAH 17 (Lake Elmo Avenue)

WHEREAS, the Minnesota Department of Transportation is constructing a traffic control signal at the intersection of Trunk Highway 36 and County State Aid Highway 17; and

WHEREAS, this traffic signal system is located at the intersection of a Trunk Highway and a County State Aid Highway, and is located in the Cities of Lake Elmo and Grant; and

WHEREAS, the County's Cost Participation Policy requires the Cities to assume the responsibility for all costs associated with the provision of power to the intersection; and

WHEREAS, this agreement provides the State will be responsible for major maintenance, the County will be responsible for minor maintenance and the Cities will be responsible for electrical costs and luminaire maintenance, which the County will perform and invoice the Cities on an annual basis; and

WHEREAS, the City responsibility will be split on a 50% Lake Elmo responsibility and a 50% Grant responsibility basis.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves and executes the Maintenance Agreement for the Traffic Control Signal at the intersection of Trunk Highway 36 & County State Aid Highway 17.

The foregoing Consent Calendar was adopted unanimously.

#### **PUBLIC HEALTH AND ENVIRONMENT**

Commissioner Peterson moved to approve the submittal of a \$100,000 proposal to the Minnesota Department of Health for a Suicide Prevention Grant. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

#### **GENERAL ADMINISTRATION**

##### **Recognition for Judy Honmyhr**

Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford moved to adopt **Resolution No. 2003-148** as follows:

September 9, 2003

Resolution of Appreciation to Judy Honmyhr, Director  
Department of Human Resources, Employee Safety & Risk Management  
in recognition of her service to Washington County Government

WHEREAS, Judy Honmyhr is retiring as the Director of Human Resources, Employee Safety & Risk Management effective September 12, 2003; and

WHEREAS, Judy Honmyhr joined Washington County on February 2, 1975, and has served Washington County employees and its citizens since 1982, as the county's only Personnel Director and later as the Director of Human Resources, Employee Safety & Risk Management; and

WHEREAS, Judy Honmyhr has been instrumental in the development of the county's personnel system since the county's personnel administration plan was accepted by the state in 1982 and she has advocated continual refinements to county personnel policies to meet the needs of the growing number of employees necessary to provide quality services and programs for county citizens; and

WHEREAS, Judy Honmyhr has always provided sound professional leadership in the areas of human resources, employee safety and risk management as essential components for developing positive employee relations, providing employee training, promoting a safe workplace environment, negotiating on union issues and interacting with diverse departments that help fulfill the mission of county government.

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

BE IT FURTHER RESOLVED, that The Washington County Board of Commissioners heartily commends Judy Honmyhr for her dedication and leadership in county services and hereby proclaims Friday, September 12, as "Judy Honmyhr Day in Washington County," and extends its best wishes to her for a happy and healthy retirement.

Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford seconded the motion and it was adopted unanimously.

#### **TEN YEAR ANNIVERSARY CERTIFICATE**

The Board Chair presented Commissioner Peterson with her 10-year Anniversary Certificate.

#### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reported that the Metro Transitways Development Board has requested the following items for the bonding bill: \$127 million for the North Star Corridor; \$20-\$25 million for Cedar Transitway; \$2.5 million for the Union Depot; \$5.25 million for Central Corridor; \$1 million for Red Rock Corridor; \$1 million for Rush Line Corridor; and zero for the Southwest Corridor.

September 9, 2003

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**PROPOSED 2004 BUDGET**

Molly O'Rourke, Deputy Administrator, presented an overview of the 2004 proposed budget.

The Board Chair asked for comments on the proposed budget; none were heard.

**Action on Proposed 2004 Budget**

Commissioner Pulkrabek moved to adopt **Resolution No. 2003-149** as follows:

Resolution Adopting the Washington County  
Proposed Budget for Payable 2004

<u>OPERATING FUNDS</u>	<u>EXPENDITURES</u>	<u>REVENUE OTHER THAN LEVY</u>	<u>FUND BALANCE INC/(DEC)</u>	<u>GROSS LEVY</u>	<u>State AIDS</u>	<u>CERTIFIED LEVY</u>
General Government	\$76,151,753	\$37,478,100	\$283,100	\$38,956,753	\$4,446,117	\$34,510,636
Social Services	29,423,300	16,609,200	0	12,814,100	1,482,039	11,332,061
Public Works - Road & Bridge	16,881,300	11,704,100	(451,000)	4,726,200	564,586	4,161,614
Public Works - Parks	2,034,300	1,489,600	210,100	754,800	70,573	684,227
Regional Rail Authority	692,300	55,800	(419,500)	217,000	0	217,000
Library	4,834,500	169,200	0	4,665,300	494,013	4,171,287
Debt Service - County Wide	7,161,901	0	0	7,161,901	0	7,161,901
Debt Service - Library District	715,499	0	0	715,499	0	715,499
<b>Subtotal:</b>	<b>\$137,894,853</b>	<b>\$67,506,000</b>	<b>(\$377,300)</b>	<b>\$70,011,553</b>	<b>\$7,057,328</b>	<b>\$62,954,225</b>
<b><u>CAPITAL FUNDS</u></b>						
CIP Projects Fund	105,400	375,000	375,000	105,400	0	105,400
Capital Repair	783,700	816,000	32,300	0	0	0
Historic Courthouse	15,000	19,200	4,200	0	0	0
<b>Subtotal:</b>	<b>904,100</b>	<b>1,210,200</b>	<b>411,500</b>	<b>105,400</b>	<b>0</b>	<b>105,400</b>
<b>Total 2004 Budget:</b>	<b><u>\$138,798,953</u></b>	<b><u>\$68,716,200</u></b>	<b><u>\$34,200</u></b>	<b><u>\$70,116,953</u></b>	<b><u>\$7,057,328</u></b>	<b><u>\$63,056,625</u></b>
<b><u>OTHER LEVY PAYMENT</u></b>						
Less Regional Rail - a separate taxing authority				(217,000)	0	(217,000)
HRA Landfall				200,000	0	200,000
Total Washington County 2004 Levy (Operating plus HRA Landfall minus RRA):				<u>\$70,099,953</u>	<u>\$7,057,328</u>	<u>\$63,042,625</u>

Commissioner Stafford seconded the motion and it was adopted unanimously.

September 9, 2003

**Resolution Certifying Proposed Property Tax Levies for Washington County Payable 2004**

Commissioner Pulkrabek moved to adopt **Resolution No. 2003-150** as follows:

## Resolution Certifying Proposed Property Tax Levies For Washington County Payable 2004

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following proposed tax levies for payable 2004:

Washington County	\$63,042,625
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Includes Washington County Special Levy for the Housing & Redevelopment Authority for Landfall of \$200,000

Regional Rail Authority	\$217,000
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Commissioner Peterson seconded the motion and it was adopted unanimously.

**Resolution Certifying Proposed Property Tax Levy for Washington County Housing and Redevelopment Authority Payable 2004**

Commissioner Kriesel moved to adopt **Resolution No. 2004-151** as follows:

# Resolution Certifying Proposed Property Tax Levy for Washington County Payable 2004

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following proposed tax levy for payable 2004:


Washington County Housing and Redevelopment Authority	\$2,312,486
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Commissioner Peterson seconded the motion and it was adopted unanimously.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Pulkabek and it was adopted unanimously. The Board meeting adjourned at 6:35 p.m.

Attest:

  
James R. Schug  
County Administrator

  
Dennis C. Hegberg, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**SEPTEMBER 16, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Mary McGlothlin, Director of Public Health and Environment; Jim Frank, County Sheriff; Sue Kuss, Budget/Financial Analyst; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Cindy Koosmann, Recorder; Jeneen Johnson, Acting Director of Human Resources, Employee Safety and Risk Management; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Rick Backman, Community Services Division Manager; Jon Larson, Veterans Service Officer; Tom Adkins, Community Corrections Director; Nancy Brase, Administrative Service Manager; Mary McCarthy, Information Services Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the September 2 and 9, 2003 Board meeting minutes.
2. Adoption of **Resolution No. 2003-152** as follows:

Resolution Recommending Approval to Set Aside a Portion of the  
Annual Distribution of Net Revenue from Tax Forfeited Land Sales

WHEREAS, Minnesota Statute Chapter 282 gives the county board the authority to manage tax forfeited property that is located within Washington County, and

WHEREAS, the county auditor is to distribute the net revenue in the county's forfeited tax sale fund to the local taxing districts after payment of county administrative expenses, according to one of two prescribed apportionment plans, and



September 16, 2003

WHEREAS, Minnesota Statutes Chapter 282.08 subdivision 4(ii) allows the county board to set aside up to 20% of net proceeds for the acquisition and maintenance of county parks or recreational areas, and

WHEREAS, the Washington County Parks system consists of a 4,217 acre County park system and a 182 mile system of bicycle/pedestrian trails and serves over 1,100,000 visitors annually.

THEREFORE, BE IT RESOLVED, that the County Board of Commissioners, directs the Department of Assessment, Taxpayer Services and Elections to annually set aside 20% of the net proceeds from the tax forfeited sale fund for acquisition and maintenance of county parks and recreational areas.

3. Approval of agreement with the City of Birchwood for distribution of curbside recycling funds.
4. Bids were received for a 17,950 lb. GVW cab and chassis as follows:

Chesley Truck Sales	\$32,100.00
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Adoption of **Resolution No. 2003-153** as follows:

Award of Bid for 17,950 lb. GVW Cab & Chassis Truck to  
Chesley Truck Sales

WHEREAS, in order to purchase truck equipment for road signing activities on county roads, the county solicited bids for this equipment; and

WHEREAS, bids were opened on September 2, 2003 with Chesley Truck Sales being the only responsible bidder for the supply and delivery of one 17,950 lb. GVW tilt Cab and Chassis truck.

NOW THEREFORE BE IT RESOLVED, that a contract for the 17,950 lb. GVW Cab & Chassis be awarded to Chesley Truck Sales; and

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specifications as stipulated by Washington County and as agreed to by Chesley Truck Sales; and

BE IT FURTHER RESOLVED, that the contract between the county and Chesley Truck Sales be executed through the signature of the Chairman of the Washington County Board of Commissioners and 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 a sign truck platform and equipment as follows:

Crysteel Truck Equipment	\$38,525.00
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September 16, 2003

Adoption of **Resolution No. 2003-154** as follows:

Award of Bid for Sign Truck Platform and Equipment to  
Crysteel Truck Equipment

WHEREAS, in order to purchase sign truck equipment for road signing activities on county roads, the county solicited bids for this equipment; and

WHEREAS, bids were opened on September 2, 2003 with Crysteel Truck Equipment being the only responsible bidder for the supply and installation of a sign truck aluminum platform, power box, post puller and strobe system.

NOW, THEREFORE BE IT RESOLVED, that a contract for the aluminum platform, power box, post puller and strobe system be awarded to Crysteel Truck Equipment; and

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specifications as stipulated by Washington County and as agreed to by Crysteel Truck Equipment; and

BE IT FURTHER RESOLVED, that the contract between the county and Crysteel Truck Equipment be executed through the signature of the Chairman of the Washington County Board of Commissioners and 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.

5. Approval of cooperative agreement with the Washington County Conservation District to repair erosion damage in Pine Point Park.
6. Approval of supplemental agreement No. 1 for bituminous overlay on Hilton Trail (CSAH 36) in the amount of \$89,400.50.

The foregoing Consent Calendar was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **Recognition to the Information Services Staff**

The County Board recognized the entire Information Services staff and department I.S. techs for the outstanding job they did in containing the virus attack on the county computer system last Thursday.

### **Distinguished Budget Presentation Award for 2003**

Molly O'Rourke, Deputy Administrator, presented the Board Chair with the Distinguished Budget Presentation Award from the Government Finance Officers Association for the 2003 budget document. Ms. O'Rourke thanked the Board, the Department Heads, Sue Kuss and Marilyn Akey.

September 16, 2003

Mr. Schug announced that the City of Cottage Grove will be holding an emergency response disaster drill on October 4. A number of county department staff will be participating.

#### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Stafford announced that the Metro Economic Development Partnership would not be meeting again for the near future because of declining membership and poor economic times.

Commissioner Peterson informed the Board that a report on revitalization of the Union Depot in St. Paul as multi-modal station has been approved in draft form. The final document should be ready in November. She suggested that there be a presentation of the report to the County Board at that time.

Commissioner Hegberg announced that he attended the Hugo Council meeting which discussed negotiations with two railroads and their alignment with CR 8. The City Council also presented an award to Peder Pederson for his mentoring work with the Stillwater Prison for 28 years.

#### **BOARD CORRESPONDENCE**

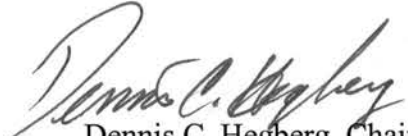
Board correspondence was received and placed on file.

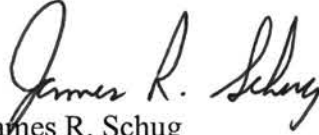
#### **ADJOURNMENT**

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

#### **2004 BUDGET HEARINGS**

The Board meeting was followed by budget hearings with the following departments: Community Services, Assessment, Taxpayer Services and Elections, Recorder, Administration, Financial Services, Human Resources, Employee Safety and Risk Management, Information Services and General Operations.

  
Dennis C. Hegberg, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 23, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Susan Harris, First Assistant County Attorney; Doug Johnson, County Attorney; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Jim Frank, Sheriff; Jeneen Johnson, Acting Director of Human Resources, Employee Safety and Risk Management; Mary McGlothlin, Director of Public Health and Environment; Mary McCarthy, Information Services Director; Tom Adkins, Director of Community Corrections; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Edison Vizuite, Financial Services Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the September 16, 2003 Board meeting minutes.
2. Approval to reappoint Dale Borash, West Lakeland Township, to the Valley Branch Watershed District Board of Managers to a three-year term expiring November 13, 2006.
3. Approval to appoint Randall LaFoy, Birchwood, to the Community Services Advisory Committee, to a first term expiring December 31, 2005.
4. Adoption of **Resolution No. 2003-155** as follows:

Implementation of a Fee for Setting Up Community Work Service

WHEREAS, M.S. 244.18 authorizes counties to establish "local correctional fees"; and

September 23, 2003

WHEREAS, Washington County Community Corrections established supervision fees for local correctional services effective July 1, 2003; and

WHEREAS, the Community Corrections Director recommends that the fee structure be revised to include a fee for setting up community work service.

NOW, THEREFORE, BE IT RESOLVED, that effective October 1, 2003, the Washington County Board revised the Community Corrections adult supervision fee structure to include a fee of \$25.00 to set up community work service for offenders who are not being charged a supervision fee. This fee will be charged each time a defendant is set up on a worksite.

BE IT FURTHER RESOLVED, that the fee for community work service and Sentence to Service may be waived in exchange for an additional five hours of work service beyond the amount ordered by the court.

5. Adoption of **Resolution No. 2003-156** as follows:

Adoption of 2004 Fees for Environmental Programs

WHEREAS, Washington County, through its ordinances for the environmental protection of the County through various regulation and inspection programs which involve the issuance of licenses and permits in the areas of solid waste, hazardous waste, on-site waste water treatment (on-site septic); food, beverage and lodging establishments, manufactured home parks/recreational camping area, and public swimming pools; and

WHEREAS, the County also provides Water Testing Services for Washington County citizens; and

WHEREAS, Washington County is authorized to recover the cost of its regulatory activity through the imposition of user fees; and

WHEREAS, the Department of Public Health and Environment annually reviews the cost of service it provides; and

WHEREAS, the Department of Public Health has completed its review of the projected costs associated with its regulatory activity.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby adopts the attached 2004 schedule of fees for the following licenses, permits and activities: Hazardous Waste Generators, Solid Waste Facilities, Hazardous Waste Facilities, Food/Beverage/Lodging Establishments, Manufactured Home Parks/Recreational Camping Areas, Public Swimming Pools/Spas, On-Site Septic, and Private Well Water Testing.

BE IT FURTHER RESOLVED, that the aforementioned fee schedules shall become effective for licenses, permits and activities issued on or after January 1, 2004.

6. Approval and execution by Board Chair and Administrator of agreements with the cities of Lake Elmo and Stillwater for distribution of curbside recycling funds.



September 23, 2003

7. Adoption of **Resolution No. 2003-157** as follows:

Contract Between the State of Minnesota Department of  
Natural Resources and the County of Washington

WHEREAS, funding in the amount of \$125,000 for Intercommunity Groundwater Protection in the Woodbury and Afton, MN area was recommended by the Legislative Commission on Minnesota Resources (LCMR) from the Environmental and Natural Resources Trust fund under Minnesota Laws 2003, Article 1, Chapter 128, Section 9, subdivision 07c; and

WHEREAS, the Department of Natural Resources (DNR) is designated to administer LCMR grants; and

WHEREAS, the county has submitted and gained approval from the LCMR for the required Work Program.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners approves an agreement between Washington County and the Department of Natural Resources for the DNR to administer the LCMR Grant subject to certain legal restrictions and requirements, and agrees to the term herein.

8. Adoption of **Resolution No. 2003-158** as follows:

Pre-Disaster Mitigation Grant Program with the Minnesota Department of Public Safety, Division of Homeland Security & Emergency Management

WHEREAS, the Pre-Disaster Mitigation (PDM) 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 Homeland Security and Emergency Management; and

WHEREAS, Washington County has properly applied in good faith for the Pre-Disaster Mitigation Grant Program 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.

NOW, THEREFORE BE IT RESOLVED that Washington County fully agrees to the terms of the Pre-Disaster Mitigation Grant Contract and with the passage of this resolution, officially requests the Division of Homeland Security and Emergency Management to enforce the contract in accordance with the applicable rules and regulations.

9. Approval of cooperative agreement with Chisago County to repair snowmobile and stud damage to the Hardwood Creek/Sunrise Prairie Trail.

September 23, 2003

10. Approval of a cooperative agreement with the City of Hugo for installation of a traffic signal and road construction at CSAH 8 and TH 61.
11. Adoption of **Resolution No. 2003-159** as follows:

Amend Washington County/Tinucci Brothers Restaurant Holdings, LLC Real Estate Exchange and Purchase Agreement for Reconstruction of CSAH 38

WHEREAS, Washington County executed a real estate exchange and purchase agreement on February 4, 2003 with the Tinucci Brothers Restaurant Holdings, LLC; and

WHEREAS, the Tinucci's have requested a change in the agreement to only remove a portion of the 4<sup>th</sup> Avenue bituminous and curbing according to their plan for the reconstruction of their parking lots; and

WHEREAS, the change is mutually acceptable to Washington County and Mn/DOT, who is in charge of the construction contract.

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 the amendment to the purchase agreement according to the attached request.

Adoption of **Resolution No. 2003-160** as follows:

Execute Quit Claim Deed to Convey Property to Tinucci Brothers Restaurant Holdings, LLC

WHEREAS, Washington County executed a real estate exchange and purchase agreement on February 4, 2003 with the Tinucci Brothers Restaurant Holdings, LLC (Resolution No. 2003-019); and

WHEREAS, the noted agreement includes clauses for Washington County to convey property to Tinucci Brothers Restaurant Holdings, LLC.

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 the Quit Claim Deed to convey the property described as follows:

Parcel A:

That part of the vacated 4<sup>th</sup> Avenue (CSAH 38) right of way that lies easterly of Lots 1, 14, 15, 16, 17, 18, 19 and 20, Block 1, Red Rock Villas plat, Washington County, Minnesota and southerly of Washington County Highway Right of Way Plat No. 140.

And

Parcel B:

Parcel No. 18 of Washington County Highway Right of Way Plat No. 140 – CSAH 38.

In completion of the purchase authorized in Resolution 2003-019.

September 23, 2003

12. Adoption of **Resolution No. 2003-161** as follows:

Resolution Establishing a New Temporary Segment of County  
State Aid Highway (CSAH) 38 in the City of Newport and Vacating  
a Section of Old CSAH 38

WHEREAS, the reconstruction of TH 61 and the Wakota Bridge has necessitated and will continue to require changes to the local and arterial street system in the area; and

WHEREAS, jurisdictional transfer agreements with the cities of Newport and St. Paul Park have been entered into by the County; and

WHEREAS, jurisdictional transfers of roads in the area are scheduled to take place in stages together with redesignations of the roads; and

WHEREAS, a new road segment (7<sup>th</sup> Avenue ) located in Newport was opened for traffic on September 3, 2003; and

WHEREAS, through a jurisdictional transfer, the aforementioned section of 7<sup>th</sup> Avenue will eventually be designated as CSAH 38 and will run from 21<sup>st</sup> Street to the new Glen Road interchange; and

WHEREAS, a temporary connection to 4<sup>th</sup> Avenue (existing CSAH 38) from 21<sup>st</sup> Street along the new 7<sup>th</sup> Avenue and 17<sup>th</sup> Street is necessary until 4<sup>th</sup> Avenue is turned back to the City; and

WHEREAS, the CSAH designation change and road vacation must occur now in order to facilitate the land exchange agreed to in the Washington County/Tinucci Brothers Restaurant Holdings, LLC Real Estate Exchange and Purchase Agreement dated February 4, 2003; and

WHEREAS, the Washington County Board of Commissioners determines that the road hereinafter described should be designated as a County State Aid Highway under the provisions of Minnesota law.

NOW, THEREFORE, BE IT RESOLVED, by the Washington County Board of Commissioners that the road beginning at the intersection of 21<sup>st</sup> Street and that public road known as 7<sup>th</sup> Avenue, Section 26, Township 28 North, Range 22 West, in Newport, Minnesota, and thence generally southeasterly along 7<sup>th</sup> Avenue to the intersection of 17<sup>th</sup> Street and 7<sup>th</sup> Avenue, and thence westerly along 17<sup>th</sup> street to the intersection of 4<sup>th</sup> Avenue and 17<sup>th</sup> Street and thence southerly along 4<sup>th</sup> Avenue to the north city limits of St. Paul Park, a distance of 1.86 miles in total be, and hereby established, located, and designated County State Aid Highway 38 of said Washington County, subject to the approval of the commissioner of Transportation of the State of Minnesota. This section shall replace the existing section of CSAH 38 starting at the intersection of 21<sup>st</sup> Street and that public road known as 7<sup>th</sup> Avenue (formally was 4<sup>th</sup> Avenue) and continuing southerly along 4<sup>th</sup> Avenue to the north city limits of St. Paul Park, a distance of 1.79 miles in total.

BE IT FURTHER RESOLVED, that the part of 4<sup>th</sup> Avenue (formally CSAH 38) right of way that lies easterly of Lots 1, 14, 15, 16, 17, 18, 19 and 20 all of Block 1, Red Rock Villas plat, Washington County, Minnesota and southerly of Washington County Highway Right of Way Plat No. 140 be vacated to the adjacent land owner as agreed to in the

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Washington County/Tinucci Brothers Restaurant Holdings, LLC Real Estate Exchange and Purchase Agreement dated February 4, 2003.

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for her consideration, and that upon her approval of the designation of said road or portion thereof, that same be constructed, improved, and maintained as a County State Aid Highway of Washington County to be numbered and known as County State Aid Highway 38.

13. Approval of contract with Peterson Stucco Company in the amount of \$33,700 for repairs to the exterior walls of the Transportation and Physical Development North Shop Maintenance Building.

The foregoing Consent Calendar was adopted unanimously.

#### **COMMUNITY SERVICES – WORKFORCE CENTER DIVISION**

##### **Workforce Investment Board Update**

Jane Klein, Chair, and David Strafacci, member of the Workforce Investment Board (WIB), reviewed recent activities including a picnic at the new Workforce Center building. They've met with new businesses in the county including the new Culvers in Forest Lake. Grants were received for the WIB's activities to allow members to attend national conventions. The customer celebration was recently held and they've noticed a shift in unemployment to business executives and professionals. They are actively recruiting new members.

The Commissioners suggested contacting the local Chambers of Commerce throughout the county. Ms. Klein indicated that is part of their strategic plan. They will be meeting with Chambers, city administrators as well as the rotaries to branch into those areas.

Ms. Klein also indicated that they are currently working on their annual report, which will focus on outcomes: What is their success rate; how many are served; where are they being served; and what is the success rate of those they are serving.

Commissioner Peterson suggested meeting with various city Economic Development Authorities in the County. Ms. Klein indicated they have met with one or two EDA's. Their focus is to get the word out to these groups.

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**TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Don Theisen, County Engineer, presented the request by Jennings State Bank to allow access to County State Aid Highway 5 for a new bank. A recent traffic count showed approximately 19,000 cars a day and the speed is 45 mph. The request includes a center median opening to operate as a left in only; a right in/right out access using only the existing shoulder area for a right turn lane; and a right out only access point south of the above access points. The county approved one right in/right out access with a proper turn lane. Jennings State Bank is appealing the decision of Transportation staff.

Mr. Theisen acknowledged a letter addressed to the Board this morning regarding what has been approved in the past. This development has been in the planning stages for several years. Last February he sent and signed a letter after their last meeting clarifying the position of the county. Their position was and is one right in and one right out access with proper turn lane located anywhere on the site.

David Jennings, Jennings State Bank, referred to a letter dated September 8. A letter dated yesterday, September 22, supplemented that letter. They are requesting a left in median cut, a right in/right out for the north access with a right turn lane using the existing shoulder and a south access point with a right out only. During their discussions with the county they had not been under the impression that the south access point was in question. They purchased the site based on this configuration and relied upon it. Denial of the south access point would make the site unusable. Mr. Jennings indicated that US Bank and Kinder Care both have median access that provide left in and left out access from their sites near their bank site. There have not been significant problems as a result of that. They are requesting equitable treatment. The median cut also will prevent u-turns in the vicinity of Stillwater Boulevard and Orleans Street. A car turning right on to Stillwater Boulevard from the north or south access point is still a single car turning right. He finds it difficult to understand how it would make a difference from which point traffic would turn, whether it's from the north access or south access. He does not believe that would affect safety. There is clear unobstructed vision at both sites. The main access to the bank is clearly marked by a 20-foot pylon sign. There will be a deceleration lane. The right turn lane expansion will be a considerable cost to them. They are requesting that the existing shoulder be used as the turn lane similar to other sites along Highway 5. Their bank is making a substantial investment in this facility and it will result in a substantial taxpaying property on the county's roles. They feel the request is safe and is based on common sense and other practices in the area that were not denied.

Commissioner Kriesel indicated he had initial concerns about this proposal. He has reviewed this request and compared it to other access points along County Road 5. When he asked staff about accidents along this area there didn't appear to be many accidents and were less than what he would have anticipated. He does not see this location being any more severe or more of a traffic problem than the US Bank location. He would support a left turn cut in the median, but would not support a right out access at that point, only a right out access south of that point. He also supports an adequate right turn lane on 5.



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Commissioner Peterson moved to deny the appeal by Jennings State Bank to permit a center median opening to operate as a left in only; a right in/right out access using only the existing shoulder area for a right turn lane; and a right out only access point south of the above access points. Commissioner Stafford seconded the motion.

Commissioner Peterson believes the county has established criteria for 7,500 cars a day and that there are 19,000 cars a day at this location. Safety criteria are based on facts, not arbitrary rules and regulations. She believes there are more than enough left hand cuts in that road and they should stay with the right in right out.

Commissioner Stafford stated that the example of US Bank is an example of a bad decision someone else made. He cannot see a median cut without signalization. He is also concerned about the southbound 5, there is no way to stop people from making left turns at that cut. He asked if the question had been raised about a right turn in on the north side and a right turn out on the south side. He is against the cut in the median.

Mr. Theisen stated that when motorists are not familiar with a right in and right out only operation, or a non-typical median opening, safety decreases. Anytime there is an opening in the curve people view that as a way to get in and out.

Commissioner Pulkrabek stated he is okay with granting their request. He believes there can be more creativity in designing the right out only access.

Mr. Jennings stated the bank is prepared to accept the right in at the north and right out in the south if that would improve the situation. They previously expressed they do desire to have right out at the north access for the convenience of their customers, but if it does present a significant safety issue with respect to the median cut, they are prepared to have a right in and right out. But the right in at the north and right out in the south is critical for the use of this site.

Commissioner Hegberg believes a right in/right out situation could be worked out. He moved to table this matter and asked that the two parties try to work out a solution. The motion died for a lack of a second.

Commissioner Hegberg suggested amending the motion to deny the appeal of Jennings State Bank to allow a center median opening to operate as a left in only and authorized staff to work with Jennings State Bank for the development of a right in/right out access with the creation of a right turn lane.

Commissioners Peterson and Stafford accepted the amended motion as suggested.

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The new motion reads as follows:

Commissioner Peterson moved to deny the appeal by Jennings State Bank to allow a center median opening on County State Aid Highway 5 to operate as a left in only; and directed staff to work with Jennings State Bank for the development of a right in/right out access with a creation of a right turn lane and a right out only access point south of the above access points. Commissioner Stafford seconded the motion and it was adopted 3-2 with the vote as follows: Yes, Commissioners Hegberg, Peterson and Stafford; No, Commissioners Pulkrabek and Kriesel.

## **PUBLIC HEALTH AND ENVIRONMENT**

### **Forest Lake License Center Office Paper Reduction Demonstration Project**

Judy Hunter, Senior Program Manager, reported on findings from the Forest Lake License Center office paper reduction demonstration project. This demonstration project was sponsored by a grant through the Solid Waste Management Coordinating Board. The License Center received consultation services from the Management Analysis Division of the State Department of Administration. The project was successful in reducing office paper waste by: Installing a duplexing printer, sending multi-page reports electronically and utilizing print-on-demand forms and informational materials. Hundred of pieces of paper each month are being saved and paper costs have been lowered by 40%. Erin Pearson, Forest Lake License Center Supervisory, answered Commissioner questions regarding the demonstration project.

### **Resource Recovery Project's 2004 Operating Budget**

Commissioner Pulkrabek moved to adopt **Resolution No. 2003-162** as follows:

#### Resource Recovery 2004 Project Budget

WHEREAS, the Joint Powers Agreement for Resource Recovery provides that authority for approval of Resource Recovery Project budgets remains with the respective County Boards; and

WHEREAS, the Ramsey/Washington County Resource Recovery Project Board has prepared and recommended a proposed Project budget for 2004, with that recommendation found in Resolution No. 03RR-4; and

WHEREAS, Washington County, in order to accomplish environmental goals has contracted with waste haulers to assure the delivery of waste to NRG in 2004 at a reduced tipping fee of an estimated \$38.00 per ton, relying upon the use of state funds; and

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

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WHEREAS, there is a projected processing payment from the State of Minnesota to help finance processing facilities up to \$5.00 per ton.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners hereby approves the 2004 Resource Recovery Project Budget:

**Appropriations**

Administration	\$ 608,206
Service Fee	<u>15,727,993</u>
	\$16,424,199

**Financing Sources**

Washington County Participation	\$ 4,098,384
Ramsey County Participation	11,080,815
Interest Income	45,000
State of Minnesota	<u>1,200,000</u>
	\$16,424,119

Commissioner Stafford seconded the motion and it was adopted unanimously.

**GENERAL ADMINISTRATION**

**Issuance and Sale of G.O. Capital Improvement Bonds Series 2003A and Issuance and Sale of G.O. Jail Bonds, Series 2003B**

Commissioner Stafford moved to adopt **Resolution No .2003-163** as follows:

Resolution Providing for the Issuance and Sale of \$25,000,000 General Obligation Capital Improvement Bonds, Series 2003A

BE IT RESOLVED, By the Board of Commissioners (the "County Board") of Washington County, Minnesota, a county and political subdivision of the State of Minnesota (the "County"), as follows:

1. It is hereby determined that:

(a) The County has duly adopted a Capital Improvements Plan for the years 2003-2007 (the "CIP Plan"), in accordance with Minnesota Statutes, Section 373.40, as amended (the "Act"). The CIP Plan identifies various capital improvement projects (the "Projects"), including, but not limited to, those Projects listed in (b) below that are proposed to be financed with the proceeds of general obligation indebtedness of the County issued under the provisions of the Act.

(b) The following Projects have been duly ordered by the County pursuant to the provisions of the Act;

<u>Project Designation &amp; Description</u>	<u>Estimated Project Cost</u>
Design Work for reconstruction of CSAH 2 Broadway Avenue interchange at I-35	\$ 500,000
Government Center Parking Addition	1,600,000
Law Enforcement Center-2nd Story Addition	5,300,000
North Service Center Library Construction	5,200,000
Acquisition of North & South Service Center Land	1,000,000

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Design and Construction of Two Service Centers	7,600,000
Design and Construction for District Court Expansion	1,800,000
Park Land Acquisition	2,000,000

(c) It is necessary and expedient to the sound financial management of the affairs of the County to issue \$25,000,000 General Obligation Capital Improvement Bonds, Series 2003A (the "Bonds") pursuant to the Act to provide financing for the Improvements.

(d) Pursuant to Subdivision 2(b) of the Act, before issuance of any bonds pursuant to the Act, the County is required to hold a public hearing to obtain public comment on the proposed issuance of the Bonds. A notice of the public hearing must be published in the official newspaper of the County or in a newspaper of general circulation in the County, at least fourteen (14) days but not more than twenty-eight (28) days prior to the date of the public hearing. The County held a public hearing for the Bonds on July 8, 2003 after proper notice was given for such hearing. All actions taken by employees of the County with respect to the publication of a notice of public hearing in accordance with the requirements of the Act are hereby ratified

(e) Whereas, pursuant to Subdivision 2(c) of the Act, the County must hold a special election prior to the issuance of the Bonds and seek the approval of the voters of the County if a petition requesting a vote on the issuance is signed by voters equal to five percent (5%) of the votes cast in the last general election and such petition is filed with the County Auditor within thirty (30) days from the date of the public hearing on July 8, 2003. The County Auditor did not receive any such petition within thirty (30) days of the public hearing on July 8, 2003 and, therefore, the County is not required to hold a special election is required to be held on the issuance and sale of the Bonds.

2. To provide financing for the Improvements, the County will issue and sell Bonds in the amount of \$25,000,000. The Bonds will be issued, sold and delivered in accordance with the following Terms of Proposal prepared by Springsted Incorporated as the financial advisor for the County:

(The remainder of this page is intentionally left blank.)

THE COUNTY HAS AUTHORIZED SPRINGSTED INCORPORATED TO NEGOTIATE THIS ISSUE ON ITS BEHALF. PROPOSALS WILL BE RECEIVED ON THE FOLLOWING BASIS:

#### TERMS OF PROPOSAL

\$25,000,000

WASHINGTON COUNTY, MINNESOTA  
GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS,  
SERIES 2003A

(BOOK ENTRY ONLY)

Proposals for the Bonds will be received on Monday, October 27, 2003, until 11:00 A.M., Central Time, at the offices of Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota, after which time they will be opened and tabulated. Consideration for award of the Bonds will be by the Board of Commissioners at 9:00 A.M., Central Time, of the next day, Tuesday, October 28, 2003.

#### SUBMISSION OF PROPOSALS

Springsted will assume no liability for the inability of the bidder to reach Springsted prior to the time of sale specified above. All bidders are advised that each Proposal shall be deemed to constitute a contract between the bidder and the County to purchase the Bonds regardless of the manner in which the Proposal is submitted.

(a) Sealed Bidding. Proposals may be submitted in a sealed envelope or by fax (651) 223-3046 to Springsted. Signed Proposals, without final price or coupons, may be submitted to Springsted prior to the time of sale. The bidder shall be responsible for submitting to Springsted the final Proposal price and coupons, by telephone (651) 223-3000 or fax (651) 223-3046 for inclusion in the submitted Proposal.

OR

(b) Electronic Bidding. Notice is hereby given that electronic proposals will be received via PARITY®. For purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all Bids submitted to PARITY®. *Each bidder shall be solely responsible for making necessary arrangements to access PARITY® for purposes of submitting its electronic Bid in a timely manner and in compliance with the requirements of the Terms of Proposal.* Neither the County, its agents nor PARITY® shall have any duty or obligation to undertake registration to bid for any prospective bidder or to provide or ensure electronic access to any qualified prospective bidder, and neither the County, its agents nor PARITY® shall be responsible for a bidder's failure to register to bid or for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by the services of PARITY®. The County is using the services of PARITY® solely as a communication mechanism to conduct the electronic bidding for the Bonds, and PARITY® is not an agent of the County.

If any provisions of this Terms of Proposal conflict with information provided by PARITY®, this Terms of Proposal shall control. Further information about PARITY®, including any fee charged, may be obtained from:

PARITY®, 40 West 23<sup>rd</sup> Street, 5<sup>th</sup> Floor, New York County, New York 10010, Customer Support, (212) 404-8102.

DETAILS OF THE BONDS

The Bonds will be dated November 1, 2003, as the date of original issue, and will bear interest payable on February 1 and August 1 of each year, commencing August 1, 2004. Interest will be computed on the basis of a 360-day year of twelve 30-day months.

The Bonds will mature February 1 in the years and amounts as follows:

Year	Amount	Year	Amount
2005	\$245,000	2015	\$ 750,000
2006	175,000	2016	1,155,000
2007	300,000	2017	1,590,000
2008	900,000	2018	1,995,000
2009	0	2019	2,385,000
2010	0	2020	2,665,000
2011	0	2021	2,515,000
2012	195,000	2022	3,200,000
2013	295,000	2023	3,210,000
2014	395,000	2024	3,030,000

Proposals for the Bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds. All term bonds shall be subject to mandatory sinking fund redemption and must conform to the maturity schedule set forth above at a price of par plus accrued interest to the date of redemption. In order to designate term bonds, the proposal must specify "Years of Term Maturities" in the spaces provided on the Proposal Form.



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### BOOK ENTRY SYSTEM

The Bonds will be issued by means of a book entry system with no physical distribution of Bonds made to the public. The Bonds will be issued in fully registered form and one Bond, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository of the Bonds. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The purchaser, as a condition of delivery of the Bonds, will be required to deposit the Bonds with DTC.

### REGISTRAR

The County will name the registrar that shall be subject to applicable SEC regulations. The County will pay for the services of the registrar.

### OPTIONAL REDEMPTION

The County may elect on February 1, 2013, and on any day thereafter, to prepay Bonds due on or after February 1, 2014. Redemption may be in whole or in part and if in part at the option of the County and in such manner as the County shall determine. If less than all Bonds of a maturity are called for redemption, the County will notify DTC of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

### SECURITY AND PURPOSE

The Bonds will be general obligations of the County for which the County will pledge its full faith and credit and power to levy direct general ad valorem taxes. The proceeds will be used to finance various improvement projects listed in the County's Capital Improvement Plan 2003-2007.

### TYPE OF PROPOSALS

Proposals shall be for not less than \$24,750,000 and accrued interest on the total principal amount of the Bonds. Proposals shall be accompanied by a Good Faith Deposit ("Deposit") in the form of a certified or cashier's check or a Financial Surety Bond in the amount of \$250,000, payable to the order of the County. If a check is used, it must accompany the proposal. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Minnesota, and preapproved by the County. Such bond must be submitted to Springsted Incorporated prior to the opening of the proposals. The Financial Surety Bond must identify each underwriter whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to an underwriter using a Financial Surety Bond, then that purchaser is required to submit its Deposit to Springsted Incorporated in the form of a certified or cashier's check or wire transfer as instructed by Springsted Incorporated not later than 3:30 P.M., Central Time, on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the County to satisfy the Deposit requirement. The Deposit received from the purchaser, the amount of which will be deducted at settlement and no interest will accrue to the purchaser, will be deposited by the County. In the event the purchaser fails to comply with the accepted proposal, said amount will be retained by the County. No proposal can be withdrawn or amended after the time set for receiving proposals unless the meeting of the County scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made. Rates shall be in integral multiples of 5/100 or 1/8 of 1%. Rates must be in level or ascending order. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity. No conditional proposals will be accepted.

### AWARD

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The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The County's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling.

The County will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and, (iii) reject any proposal that the County determines to have failed to comply with the terms herein.

#### BOND INSURANCE AT PURCHASER'S OPTION

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefore at the option of the underwriter, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the County has requested and received a rating on the Bonds from a rating agency, the County will pay that rating fee. Any other rating agency fees shall be the responsibility of the purchaser.

Failure of the municipal bond insurer to issue the policy after Bonds have been awarded to the purchaser shall not constitute cause for failure or refusal by the purchaser to accept delivery on the Bonds.

#### CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the purchaser.

#### SETTLEMENT

Within 40 days following the date of their award, the Bonds will be delivered without cost to the purchaser through DTC in New York, New York. Delivery will be subject to receipt by the purchaser of an approving legal opinion of Kennedy & Graven, Chartered of Minneapolis, Minnesota, and of customary closing papers, including a no-litigation certificate. On the date of settlement, payment for the Bonds shall be made in federal, or equivalent, funds that shall be received at the offices of the County or its designee not later than 12:00 Noon, Central Time. Unless compliance with the terms of payment for the Bonds has been made impossible by action of the County, or its agents, the purchaser shall be liable to the County for any loss suffered by the County by reason of the purchaser's non-compliance with said terms for payment.

#### CONTINUING DISCLOSURE

In accordance with SEC Rule 15c2-12(b)(5), the County will undertake, pursuant to the resolution awarding sale of the Bonds, to provide annual reports and notices of certain events. A description of this undertaking is set forth in the Official Statement. The purchaser's obligation to purchase the Bonds will be conditioned upon receiving evidence of this undertaking at or prior to delivery of the Bonds.

#### OFFICIAL STATEMENT

The County has authorized the preparation of an Official Statement containing pertinent information relative to the Bonds, and said Official Statement will serve as a nearly final Official Statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. For copies of the Official Statement or for any additional information prior to sale, any prospective purchaser is referred to the Financial Advisor to the County, Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota 55101, telephone (651) 223-3000.

The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by

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law, shall constitute a "Final Official Statement" of the County with respect to the Bonds, as that term is defined in Rule 15c2-12. By awarding the Bonds to any underwriter or underwriting syndicate submitting a proposal therefore, the County agrees that, no more than seven business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded 250 copies of the Official Statement and the addendum or addenda described above. The County designates the senior managing underwriter of the syndicate to which the Bonds are awarded as its agent for purposes of distributing copies of the Final Official Statement to each Participating Underwriter. Any underwriter delivering a proposal with respect to the Bonds agrees thereby that if its proposal is accepted by the County (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all Participating Underwriters of the Bonds for purposes of assuring the receipt by each such Participating Underwriter of the Final Official Statement.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

Commissioner Peterson moved to adopt **Resolution No. 2003-164** as follows:

Resolution Providing for the Issuance and Sale of \$14,100,000 General  
Obligation Jail Bonds, Series 2003B

BE IT RESOLVED By the Board of Commissioners (the "County Board") of Washington County, Minnesota, a county and political subdivision of the State of Minnesota (the "County"), as follows:

1. It is hereby determined that:

(a) the County is authorized by Minnesota Statutes, Section 641.23, as amended (the "Jail Act"), to finance the construction and equipping of a County jail (the "Project") through the issuance of general obligation bonds in accordance with Minnesota Statutes, Chapter 475, as amended (the "Bond Act" and together with the Jail Act, the "Act").

(b) The County is further authorized by the Act to issue its general obligation bonds without voter approval if the principal of and interest which are due and payable on such general obligation bonds in any year does not exceed .09671 percent of the market value of taxable property within the County, as last determined before the Bonds are issued.

(c) It is in the best financial interests of the County (i) that General Obligation Jail Refunding Bonds, Series 2003B in an amount not to exceed \$14,100,000 (the "Bonds") be issued and sold to finance the execution of the prepayment option of the County under the Lease Agreement, dated as of June 1, 1991, between the County and the Washington County Housing and Redevelopment Authority (the "HRA"), as amended by the First Supplemental Lease Agreement, dated as of April 1, 1993, between the County and the HRA (collectively, the "Lease") that were originally entered into by the County and the HRA as part of the financing of the Washington County Jail (the "Project"), and (iii) that the principal of and interest on the Bonds is presently estimated to not exceed .09671 percent of the market value of taxable property in the County.

(d) It is necessary and expedient to the sound financial management of the affairs of the County to issue the Bonds to provide for the prepayment of the Lease and the transfer of the Project from the HRA to the County.

2. To provide financing for the Project, the County will therefore issue and sell the Bonds in the amount of \$14,100,000. The Bonds will be issued, sold and delivered in accordance with the terms of the following Terms of Proposal prepared by Springsted Incorporated, as financial advisor for the County:



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THE COUNTY HAS AUTHORIZED SPRINGSTED INCORPORATED TO NEGOTIATE THIS ISSUE ON ITS BEHALF. PROPOSALS WILL BE RECEIVED ON THE FOLLOWING BASIS:

TERMS OF PROPOSAL  
\$14,100,000\*

WASHINGTON COUNTY, MINNESOTA  
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2003B  
(BOOK ENTRY ONLY)

Proposals for the Bonds will be received on Monday, October 27, 2003, until 11:00 A.M., Central Time, at the offices of Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota, after which time they will be opened and tabulated. Consideration for award of the Bonds will be by the Board of Commissioners at 9:00 A.M., Central Time, of the next day, Tuesday, October 28, 2003.

SUBMISSION OF PROPOSALS

Springsted will assume no liability for the inability of the bidder to reach Springsted prior to the time of sale specified above. All bidders are advised that each Proposal shall be deemed to constitute a contract between the bidder and the County to purchase the Bonds regardless of the manner in which the Proposal is submitted.

(a) Sealed Bidding. Proposals may be submitted in a sealed envelope or by fax (651) 223-3046 to Springsted. Signed Proposals, without final price or coupons, may be submitted to Springsted prior to the time of sale. The bidder shall be responsible for submitting to Springsted the final Proposal price and coupons, by telephone (651) 223-3000 or fax (651) 223-3046 for inclusion in the submitted Proposal.

OR

(b) Electronic Bidding. Notice is hereby given that electronic proposals will be received via PARITY®. For purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all Bids submitted to PARITY®. *Each bidder shall be solely responsible for making necessary arrangements to access PARITY® for purposes of submitting its electronic Bid in a timely manner and in compliance with the requirements of the Terms of Proposal.* Neither the County, its agents nor PARITY® shall have any duty or obligation to undertake registration to bid for any prospective bidder or to provide or ensure electronic access to any qualified prospective bidder, and neither the County, its agents nor PARITY® shall be responsible for a bidder's failure to register to bid or for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by the services of PARITY®. The County is using the services of PARITY® solely as a communication mechanism to conduct the electronic bidding for the Bonds, and PARITY® is not an agent of the County.

If any provisions of this Terms of Proposal conflict with information provided by PARITY®, this Terms of Proposal shall control. Further information about PARITY®, including any fee charged, may be obtained from:

PARITY®, 40 West 23<sup>rd</sup> Street, 5<sup>th</sup> Floor, New York City, New York 10010, Customer Support, (212) 404-8102.

DETAILS OF THE BONDS

The Bonds will be dated November 1, 2003, as the date of original issue, and will bear interest payable February 1 and August 1 of each year, commencing August 1, 2004. Interest will be computed on the basis of a 360-day year of twelve 30-day months.

The Bonds will mature February 1 in the years and amounts as follows:

September 23, 2003

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2005	\$3,360,000	2007	\$3,575,000
2006	3,510,000	2008	3,655,000

\* *The County reserves the right, after proposals are opened and prior to award, to increase or reduce the principal amount of the Bonds offered for sale. Any such increase or reduction will be made in multiples of \$5,000 in any of the maturities. In the event the principal amount of the Bonds is increased or reduced, any premium offered or any discount taken by the successful bidder will be increased or reduced by a percentage equal to the percentage by which the principal amount of the Bonds is increased or reduced.*

BOOK ENTRY SYSTEM

The Bonds will be issued by means of a book entry system with no physical distribution of Bonds made to the public. The Bonds will be issued in fully registered form and one Bond, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository of the Bonds. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The purchaser, as a condition of delivery of the Bonds, will be required to deposit the Bonds with DTC.

REGISTRAR

The County will name the registrar that shall be subject to applicable SEC regulations. The County will pay for the services of the registrar.

OPTIONAL REDEMPTION

The Bonds will not be subject to payment in advance of their respective stated maturity dates.

SECURITY AND PURPOSE

The Bonds will be general obligations of the County for which the County will pledge its full faith and credit and power to levy direct general ad valorem taxes. The proceeds will be used to refund the February 1, 2005 through February 1, 2008 maturities of the Washington County Housing and Redevelopment Authority's Jail Facility Lease Revenue Bonds (Washington County Unlimited Tax Lease Obligations), Series 1993, dated April 1, 1993.

TYPE OF PROPOSALS

Proposals shall be for not less than \$13,973,100 and accrued interest on the total principal amount of the Bonds. Proposals shall be accompanied by a Good Faith Deposit ("Deposit") in the form of a certified or cashier's check or a Financial Surety Bond in the amount of \$141,000, payable to the order of the County. If a check is used, it must accompany the proposal. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Minnesota, and preapproved by the County. Such bond must be submitted to Springsted Incorporated prior to the opening of the proposals. The Financial Surety Bond must identify each underwriter whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to an underwriter using a Financial Surety Bond, then that purchaser is required to submit its Deposit to Springsted Incorporated in the form of a certified or cashier's check or wire transfer as instructed by Springsted Incorporated not later than 3:30 P.M., Central Time, on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the County to satisfy the Deposit requirement. The Deposit received from the purchaser, the amount of which will be deducted at settlement and no



September 23, 2003

interest will accrue to the purchaser, will be deposited by the County. In the event the purchaser fails to comply with the accepted proposal, said amount will be retained by the County. No proposal can be withdrawn or amended after the time set for receiving proposals unless the meeting of the County scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made. Rates shall be in integral multiples of 5/100 or 1/8 of 1%. Rates must be in level or ascending order. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity. No conditional proposals will be accepted.

#### AWARD

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The County's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling.

The County will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and, (iii) reject any proposal that the County determines to have failed to comply with the terms herein.

#### BOND INSURANCE AT PURCHASER'S OPTION

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefore at the option of the underwriter, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the County has requested and received a rating on the Bonds from a rating agency, the County will pay that rating fee. Any other rating agency fees shall be the responsibility of the purchaser.

Failure of the municipal bond insurer to issue the policy after Bonds have been awarded to the purchaser shall not constitute cause for failure or refusal by the purchaser to accept delivery on the Bonds.

#### CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the purchaser.

#### SETTLEMENT

Within 40 days following the date of their award, the Bonds will be delivered without cost to the purchaser through DTC in New York, New York. Delivery will be subject to receipt by the purchaser of an approving legal opinion of Kennedy & Graven, Chartered of Minneapolis, Minnesota, and of customary closing papers, including a no-litigation certificate. On the date of settlement, payment for the Bonds shall be made in federal, or equivalent, funds that shall be received at the offices of the County or its designee not later than 12:00 Noon, Central Time. Unless compliance with the terms of payment for the Bonds has been made impossible by action of the County, or its agents, the purchaser shall be liable to the County for any loss suffered by the County by reason of the purchaser's non-compliance with said terms for payment.

#### CONTINUING DISCLOSURE

In accordance with SEC Rule 15c2-12(b)(5), the County will undertake, pursuant to the resolution awarding sale of the Bonds, to provide annual reports and notices of certain events. A description of this undertaking is set forth in the Official Statement. The purchaser's obligation to purchase the Bonds will be conditioned upon receiving evidence of this undertaking at or prior to delivery of the Bonds.

#### OFFICIAL STATEMENT

September 23, 2003

The County has authorized the preparation of an Official Statement containing pertinent information relative to the Bonds, and said Official Statement will serve as a nearly final Official Statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. For copies of the Official Statement or for any additional information prior to sale, any prospective purchaser is referred to the Financial Advisor to the County, Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota 55101, telephone (651) 223-3000.

The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by law, shall constitute a "Final Official Statement" of the County with respect to the Bonds, as that term is defined in Rule 15c2-12. By awarding the Bonds to any underwriter or underwriting syndicate submitting a proposal therefore, the County agrees that, no more than seven business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded 250 copies of the Official Statement and the addendum or addenda described above. The County designates the senior managing underwriter of the syndicate to which the Bonds are awarded as its agent for purposes of distributing copies of the Final Official Statement to each Participating Underwriter. Any underwriter delivering a proposal with respect to the Bonds agrees thereby that if its proposal is accepted by the County (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all Participating Underwriters of the Bonds for purposes of assuring the receipt by each such Participating Underwriter of the Final Official Statement.

Dated September 23, 2003

BY ORDER OF THE BOARD OF COMMISSIONERS

/s/ James R. Schug  
Administrator/Secretary of the Board

3. Springsted Incorporated is authorized and directed to negotiate the sale of the Bonds in accordance with the foregoing Terms of Proposal. The County Board will meet at 9:00 A.M. on Tuesday, October 28, 2003, to consider proposals on the Bonds and take any other appropriate action with respect to the Bonds.

Commissioner Stafford seconded the motion and it was adopted unanimously.

### **League of Local Governments Meeting**

Jim Schug, County Administrator, announced that Congressman Mark Kennedy has tentatively agreed to speak at the League of Local Governments meeting on October 29 at the Prom Center. He will be speaking about transportation funding.

### **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 Kriesel and it was adopted unanimously. The Board meeting adjourned at 10:35 a.m.

September 23, 2003

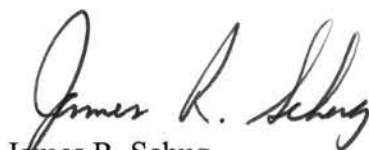
**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board meeting was preceded by a workshop with the Department of Transportation and Physical Development to review the Salem Lutheran Church properties for possible county offices. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Don Theisen, Marv Erickson, Tanya Weinert, Kevin Corbid, Cindy Koosmann, Jennifer Wagenius, Sue Fennern, Jim Frank, Dan Papin, Bob Lockyear, Edison Vizuete and Bev Hagen.

**2004 BUDGET HEARINGS**

The Board meeting was followed by 2004 budget hearings with the following departments: Public Health and Environment, Transportation and Physical Development and County Attorney.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**OCTOBER 7, 2003**

The Washington County Board of Commissioner met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Don Theisen, County Engineer; Jim Luger, Parks Director; Mary McGlothlin, Director of Public Health and Environment; Jeff Travis, Program Manager; Patrick Singel, Community Services Deputy Director; Rick Backman, Community Services Division Manager; Suzanne Pollock, Community Services Supervisor; Martina Johntz, Planner; Cindy Koosmann, Recorder; Jennifer Wagenius, Deputy Recorder; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval to appoint David Videen to the Workforce Investment Board as a Small Business Representative to a first term expiring June 30, 2005.
2. Approval to appoint Lynn Patzner, Forest Lake, to the Mental Health Advisory Council to fill an unexpired term to December 31, 2004.
3. Approval to appoint Edward Gordon, Stillwater, to the Brown's Creek Watershed District to a three-year term expiring October 21, 2006.
4. Approval to designate the 2003 Association of Minnesota Counties official delegate list as follows: Commissioners Hegberg, Pulkrabek, Kriesel, Peterson and Stafford; James Schug, County Administrator, Molly O'Rourke, Deputy Administrator and Dan Papin, Community Services Director
5. Adoption of **Resolution No. 2003-165** , as follows:

October 7, 2003

## Premises Permit from Hastings Lions Club

WHEREAS, on September 29, 2003, the Hastings Lions Club has made application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

WHEREAS, the premises involved is County Point, located at Hwys. # 61 and 10, Denmark Township (mailing address is Hastings) MN; and

THEREFORE, BE IT FURTHER RESOLVED that the Washington County Board of Commissioners does hereby resolve to approve the granting of a Premises Permit for the above described location subject to the terms of Washington County.

6. Approval to appoint Melissa Lehman to the Community Corrections Advisory Board as an educational representative.
7. Approval to appoint Cindy Rupp to the Community Corrections Advisory Board as a Community Services Representative.
8. Approval of a needs determination for day training and habilitation services for persons with mental retardation or related conditions to raise licensed capacity for East Suburban Resources, Stillwater, Cottage Grove and Forest Lake sites.
9. Approval to receive Bush funding to benefit Washington County child care providers.
10. Adoption of **Resolution No. 2003-166** as follows:

Approving Community Development Block Grant Funding  
of Metro-Wide Fair Housing Activities

WHEREAS, Washington County has been an active participant in the metro-area Fair Housing Implementation Council (FHIC) since 1999; and

WHEREAS, other members of the FHIC include the counties of Anoka, Dakota, Hennepin and Ramsey, the Minnesota Housing Finance Agency (on behalf of Carver and Scott counties) and the cities of Minneapolis and St. Paul; and

WHEREAS, the purpose of the FHIC is to assess fair housing issues within the metro-area and identify activities to address impediments to fair housing; and

WHEREAS, four issues have been identified for action during the 2003 - 2004 program years; and

WHEREAS, the FHIC has requested a financial contribution from participating jurisdictions to fund these fair housing activities; and



October 7, 2003

WHEREAS, activities to address fair housing concerns are an eligible use of CDBG administration funds; and

WHEREAS, the Minnesota Housing Finance Agency has agreed to be the fiscal agent for the Fair Housing Implementation Council.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves allocation of \$6,750.00 in 2003 Community Development Block Grant contingency funds to the Fair Housing Implementation Council.

11. Approval of receipt of one donation from Western Bank of Oakdale in the amount of \$1,000 to support ongoing Workforce Investment Board activities.
12. Approval of modifications to the Workforce Investment Act plan update for 2003.
13. Adoption of **Resolution No. 2003-167** as follows:

Washington County Board of Health Designation of Agent

WHEREAS, Minnesota Statutes 145A.04, Subd. 2 requires that "a board of health must appoint, employ or contract with a person or persons to act on its behalf"; and

WHEREAS, Minnesota Statutes 145A.04, Subd. 2 further requires that "the Board shall notify the commissioner (of health) of the agent's name, address and phone number where the agent may be reached between board meetings and submit a copy of the resolution authorizing the agent to act on the board's behalf"; and

WHEREAS, the Washington County Board of Health (Board of Commissioners) has entered into the Master Grant Contract for all grants with the Minnesota Department of Health for the period from January 1, 2004 to December 31, 2008.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Health (County Commissioners) hereby designates Mary McGlothlin, Director of the Department of Public Health and Environment, 14949 62<sup>nd</sup> St. N., P. O. Box 6, Stillwater, MN 55082-0006, (651) 430-6655, as its duly appointed agent and gives to her the duties and authorities described in Minnesota Statute Chapter 145A.

BE IT FURTHER RESOLVED, that the Board's designated agent has authority to enter into any "Grant Project Agreements for Community Health Board" issued by the Minnesota Department of Health subsequent to the signing the Master Grant Contract until the expiration of the Master Grant Contract on December 31, 2008.

14. Approval for the County Board Chair and the County Administrator to sign on behalf of Washington County, the Master Grant Contract for all grants with the Minnesota Department of Health.

October 7, 2003

15. Adoption of **Resolution No. 2003-168** as follows:

Authorization to Apply for Clean Water Partnership Grant

WHEREAS, funds are available from the Minnesota Pollution Control Agency's (MPCA) Clean Water Partnership Grant program to assist Washington County in improving drinking water quality in domestic wells that have elevated nitrate-nitrogen levels in drinking water in the southern portion of Washington County through the promotion, implementation, and maintenance of appropriate Best Management Practices for both rural and urban communities; and

WHEREAS, nitrate contamination is impacting domestic and municipal water supplies in this area; and

WHEREAS, the proposed Phase II Cottage Grove Area Nitrate study will assist Washington County in protecting drinking water in domestic and municipal wells and increase public awareness concerning the linkage between land use practices, surface water and groundwater quality, and public health; and

WHEREAS, the grant requires a 1:1 in-kind and/or cash match; and

WHEREAS, no additional levy or program changes will be necessary to achieve this match; and

WHEREAS, the Public Health and Environment Department will be working in partnership with the Minnesota Department of Health, the Minnesota Department of Agriculture, Minnesota Extension, the South Washington Watershed District, the Washington Conservation District, and the City of Cottage Grove to complete the proposed investigation.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Department of Public Health and Environment to apply for the MPCA's Clean Water Partnership.

BE IT FURTHER RESOLVED, the total project cost of the Phase II Cottage Grove Area Nitrate Study will not exceed \$160,000 and that Washington County and project partners will provide fifty percent (50%) (up to \$80,000) of total project costs.

BE IT FURTHER RESOLVED, that Washington County matching funds will be contributed to the project without additional County levy or program changes to the approved 2004 budget.

BE IT FURTHER RESOLVED, that submittal of an application does not obligate Washington County to accept a grant if so offered.

BE IT FURTHER RESOLVED, that the Department of Public Health and Environment will come before the County Board with a resolution to accept the grant if awarded.

16. Approval and execution by Board Chair and County Administrator of agreement with the City of Forest Lake for distribution of curbside recycling funds.

October 7, 2003

17. Approval for plat of Fieldcrest Second Addition located in Denmark Township.
18. Approval for Plat of St. Croix Knoll Second Addition located in Denmark Township.
19. Approval and execution of supplemental agreement no. 8 for road construction project on CSAH 13 and 4<sup>th</sup> Street North in the City of Oakdale.
20. Approval of contract and bond with EnDiSys Corporation for a plural component paint machine in the amount of \$63,000.
21. Bids were received for resurfacing county trails as follows:

Road Surface Technologies, Inc.	\$159,709.76
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Adoption of **Resolution No. 2003-169** as follows:

Award of Bid for Resurfacing County Trails to  
Road Surfacing Technologies

WHEREAS, in order to complete resurfacing maintenance on Hardwood Creek Trail and Chisago County trails the county solicited bids for this project; and

WHEREAS, bids were opened on September 22, 2003 with Road Surfacing Technologies being the only responsible bidder for the supply and installation of Liquid Road MN Resurfacing; and

NOW, THEREFORE BE IT RESOLVED, that a contract for the Liquid Road MN Resurfacing be awarded to Road Surfacing Technologies contingent upon concurrence in the bid award by Chisago County; and

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specifications as stipulated by Washington County and as agreed to by Road Surfacing Technologies; and

BE IT FURTHER RESOLVED, that the contract between the county and Road Surfacing Technologies be executed through the signature of the Chairman of the Washington County Board of Commissioners and 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.

22. Adoption of **Resolution No. 2003-170** as follows:

October 7, 2003

Purchase Buschman Property  
Big Marine Regional Park Reserve

WHEREAS, Washington County is interested in acquiring the property described herein in May Township, for inclusion into the Big Marine Regional Park Reserve and whereas the owners agree to sell the property to the County.

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:

Lot 15, Oak Lane, Washington County, Minnesota

For the sum of \$262,500 in total, upon the terms and conditions as set forth in the Purchase Agreement.

23. Adoption of **Resolution No. 2003-171** as follows:

Purchase Giebler & Francis Property  
Big Marine Regional Park Reserve

WHEREAS, Washington County is interested in acquiring the property described herein in May Township, for inclusion into the Big Marine Regional Park Reserve and whereas the owners agree to sell the property to the County.

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:

Lots 2 and 13, Oak Lane, Washington County, Minnesota

For the sum of \$250,000.00, in total, upon the terms and conditions as set forth in the Purchase Agreement.

The foregoing Consent Calendar was adopted unanimously.

**COMMUNITY SERVICES DEPARTMENT**

Chairman Hegberg presented Certificates of Recognition to the following 2003 Family Child Care Providers of the Year: Gloria Deziel, Woodbury, licensed provider; Debbie Wohlwend, Oakdale, licensed family child care provider; Samson Den Lepcha, St. Croix Academy, Stillwater, Pre-School Caregiver; Carol Roof, Padea Child Care Center, Oakdale, Pre-School teacher; and Kim Johnson, Stonebridge Adventure Club, Stillwater, School Age Caregiver.

The Board congratulated all the award winners for their dedicated commitment to children.

October 7, 2003

**ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

Commissioner Kriesel moved to set a public hearing for October 21, 2003 on an application for a new off-sale liquor license for the Big Marine Lake Store, New Scandia Township. Commissioner Peterson seconded the motion and it was adopted unanimously.

**GENERAL ADMINISTRATION****Closure of Frontage Road**

Molly O'Rourke, Deputy Administrator, announced that the frontage road north of Highway 36 between Osgood Avenue North and Oxboro Avenue North will be closed beginning October 17. Traffic coming to the Government Center will need to use 62<sup>nd</sup> Street North. Press releases will be sent to newspapers advising customers of this closure.

**League of Local Governments Meeting**

Ms. O'Rourke announced that Dan McElroy, Commissioner of Finance, has agreed to speak at the League of Local Governments meeting on October 29. His focus will be on cooperative ventures among local governments.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS****Veterans Rest Camp Association**

Commissioner Pulkrabek moved to not accept the resignation of Howard Albertson from the Veterans Rest Camp Association. Commissioner Kriesel seconded the motion and it was adopted unanimously.

Commissioner Stafford announced that he will be co-chairing a public hearing at the Solid Waste Management Coordinating Board on Wednesday, October 8 and will not be attending the MICA Legislative conference.

Commissioner Peterson reported on the emergency response disaster drill she participated in on Saturday, October 4 in Cottage Grove. The situation was a train derailment involving a school bus. Many local units of government participated.

Commissioner Peterson announced that she and Commissioner Hegberg attended a fundraiser for Congressman Oberstar on Monday, October 6 at the Union Depot in St. Paul.



October 7, 2003

Commissioner Hegberg announced that he and Commissioners Stafford and Pulkrabek met with a citizens group this past Saturday to discuss county functions and what Commissioners do.


#### **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 Kriesel and it was adopted unanimously. The Board meeting adjourned at 9:45 a.m.

Attest:

  
Molly F. O'Rourke

Deputy Administrator

  
Dennis C. Hegberg, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
OCTOBER 14, 2003**

The Washington County Board of Commissioners met in regular session at 9:45 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Edison Vizuete, Financial Services Director; Kathy Trombly-Ferrin; Financial Services Supervisor; Dan Papin, Community Services Director; Richard Backman, Community Services Division Manager; Jeff Travis, Public Health and Environment; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Jeneen Johnson, Acting Director of Human Resources, Employee Safety and Risk Management; Cindy Koosmann, Recorder; and Dave Brierley, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the September 23 and October 7, 2003 Board meeting minutes.
2. Adoption of **Resolution No. 2003-172** as follows:

Designating the Community Services Director as Authorized  
County Representative to Approve Washington County's  
Consumer Directed Consumer Support Plan, Procedures, and  
Guidelines for Persons with Developmental Disabilities

WHEREAS, Washington County is a governmental entity given authority by the Minnesota Department of Human Services (DHS) to implement Consumer Directed Consumer Support Plan (CDCS) Services; and

WHEREAS, CDCS's genesis is through an amendment to the State's Home and Community-Based Services Waiver Plan for Persons with Mental Retardation or Related Conditions (MR/RC Waiver) with approval by the Health Care Financing Administration (HCFA); and

October 14, 2003

WHEREAS, Washington County has entered into a Memorandum of Understanding with the Minnesota Department of Human Services under the auspices of DHS Bulletin #98-56-15 to provide CDCS services through the MR/RC Waiver; and

WHEREAS, CDCS is a service option available through the MR/RC waiver plan which uses community members and services to provide support, care, and assistance to persons with developmental disabilities; and

WHEREAS, CDCS supports are designed to build, strengthen, or maintain informal networks of community support; and

WHEREAS, in order to comply with the Memorandum of Understanding the Minnesota Department of Human Services, Washington County has established written policies and procedures that implement CDCS services; and

WHEREAS, one of the requirements of implementation of CDCS services is the designation of a local responsible authority; and

WHEREAS, on October 14, 2003, the Board of County Commissioners considered designating the Community Services Director as the local responsible authority for the local implementation of CDCS procedures,

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby designates the Washington County Community Services Director as the local authority for CDCS Services and delegates to him or her such authority within the parameters of State Statute, State rules and agreements between the County and State required to implement CDCS services.

BE IT FURTHER RESOLVED, that those duties to be delegated in order to further the County's participation in the program shall be identified according to the authority granted in the foregoing paragraph and shall be set forth in the County's CDCS plan.

3. Approval to submit the required preliminary Washington County Biennial Service Agreements for the Minnesota Family Investment Program and the Children and Community Services Act which will be effective from January 1, 2004 to December 31, 2005; and approval of the revised Washington County Crisis Shelter/Utility Aid Program.
4. Approval and execution by the Board Chair and Administrator of agreement with the City of Cottage Grove for distribution of curbside recycling funds.

The foregoing Consent Calendar was adopted unanimously.

### **FINANCIAL SERVICES**

Edison Vizquete, Financial Services Director, presented an overview of the Request for Proposals (RFP) received for banking services. Services included in the RFP were banking services, purchasing card and

October 14, 2003

merchant card. A committee reviewed four RFP's that were received from the following banks: US Bank, Wells Fargo, Anchor Bank and Western Bank. After reviewing the criteria and rating the four banks, US Bank was determined to offer the lowest prices. Annual costs for banking operations will be approximately \$25,000, the purchasing card program will be at no cost, and the merchant card fees will average 2.11% per transaction.

Commissioner Stafford advised the Board that he belongs to an investment club that has holdings in US Bank. He will not be supporting the contract because he is uncomfortable with the primary banker also holding the investment paper. He stated this is a matter of principal and has nothing to do with the credibility of either US Bank or Wells Fargo.

Commissioner Peterson moved to approve a contract with US Bank for banking services for three years effective January 1, 2004 through December 31, 2006. Commissioner Pulkrabek seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Pulkrabek, Kriesel, Hegberg and Peterson. No, Commissioner Stafford.

## **GENERAL ADMINISTRATION**

### **Extend Sunset of the Metro Radio Board**

Commissioner Stafford distributed a letter from David S. McCauley, Chairman, Metro Radio Board. It refers to a meeting of the State Public Safety Radio System Planning Committee where Commissioner of Public Safety, Rich Stanek, stated he is against extending the sunset date for the Metro Radio Board. They will also be taking over the implementation of the 800 MHz radio system. Commissioner Stafford is against this proposal because it has a substantial financial impact on Washington County, \$12 million to put the system in place, yet the county wouldn't have anything to say on how that money is managed. He asked for the County Board's input on this matter. It was the consensus of the County Board that the Metro Radio Board be allowed to continue until all metro counties have installed the 800 MHz radio system, or that the metro counties have an input into how the money will be spent for the 800 MHz radio system.

Jim Schug, County Administrator, informed the Board that a meeting has been scheduled with the, fire and police chiefs and local city managers to discuss the 800 MHz radio system on October 29. The Commissioners are invited to attend this meeting also.

## **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Stafford reported that Barry Johnson, City of Woodbury Administrator, has announced his retirement. He will be pursuing other interests.

October 14, 2003

Commissioner Peterson presented updates on the MICA meeting she attended last week in St. Cloud and the AMC District X meeting held last evening. She announced that the Metro Transitways Development Board will be hosting a tour of the Hiawatha Corridor on November 5 at 9:00 a.m. The group will be able to ride on the portion of the corridor that is finished. She encouraged all Commissioners to attend and to car pool if possible. Commissioner Peterson also indicated she would be attending the Transportation Alliance meetings on October 23 at the Blaine City Hall and also the one in Woodbury the following week. She encouraged the Commissioners to attend one of those meetings.

Commissioner Hegberg reported on the breakfast reception held this morning for employees with 20, 25 and 30 years employment with the county. It was well attended.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The meeting adjourned at 10:35 a.m.

#### **2004 BUDGET WORKSHOP**

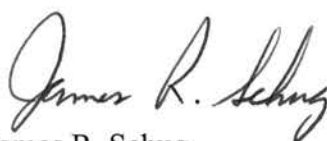
The Board meeting was followed by budget hearings with the following departments: Court Administration, Community Corrections, Sheriff and Library.

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

The Board met in workshop session with the Department of Community Services to discuss a report "Addressing Homelessness – A Needs Assessment and Plan for the Seven County Metro Area." No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Patrick Singel, Richard Backman, Tina O'Malley, Christy Snow, Director of Metro-wide Engagement on Shelters and Housing, and Andy McMahon, Corporation for Supportive Housing.



Dennis C. Hegberg, Chair  
County Board

Attest: 

James R. Schug

County Administrator



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
OCTOBER 21, 2003**

The Washington County Board of Commissioners met in regular session at 5:00 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Stafford and Peterson. Commissioner Hegberg absent. Vice Chair Stafford presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Jim Luger, Parks Director; Wayne Sandberg, Transportation Engineer; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Sue Hedlund, Program Manager; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the October 14, 2003 Board meeting minutes.
2. Approval of revision to County Policy No. 1005, Code of Ethical Conduct.
3. Adoption of **Resolution No. 2003-173** as follows:

Resolution Approving Community Development Block Grant  
Program Subgrantee Agreement with the South Washington  
County Housing Coalition

WHEREAS, the South Washington County Housing Coalition has applied for, and the County Board approved, CDBG funds of \$64,100.00 for the Newport Bluestem Lane Development; and

WHEREAS, the South Washington County Housing Coalition and Twin Cities Habitat for Humanity are collaborating to produce sixteen new units of affordable, homeowner housing; and

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WHEREAS, the purpose of the Community Development Block Grant Program is to fund activities which benefit low and moderate income persons; and

WHEREAS, homes in the Bluestem Lane Development will be sold to households earning at or below fifty percent of the state median income; and

WHEREAS, CDBG funds will be utilized for development fees, park dedication fees, platting and surveying services, and project support; and

WHEREAS, the Newport Bluestem Lane Development meets all U.S. Department of Housing and Urban Development environmental requirements under 24 CFR part 58.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Community Development Block Grant Subgrantee Agreement with the South Washington County Housing Coalition for the Newport Bluestem Lane Development.

BE IT FURTHER RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign the Community Development Block Grant Subrecipient Agreement.

4. Adoption of **Resolution No. 2003-174** as follows:

Resolution Approving HOME Investment Partnership Program  
Subgrantee Agreement with Twin Cities Habitat for Humanity

WHEREAS, Twin Cities Habitat for Humanity has applied for, and the County Board approved, HOME funds of \$235,313.00 for the Newport Bluestem Lane Development; and

WHEREAS, Twin Cities Habitat for Humanity and the South Washington County Housing Coalition are collaborating to produce sixteen new units of affordable, homeowner housing; and

WHEREAS, the purpose of the HOME Investment Partnership Program is to fund housing activities which benefit low income persons; and

WHEREAS, homes in the Bluestem Lane Development will be sold to households earning at or below fifty percent of the state median income; and

WHEREAS, HOME funds will be utilized for construction of sewer, water and storm sewer systems, road construction and municipal development fees; and

WHEREAS, the Newport Bluestem Lane Development meets all U.S. Department of Housing and Urban Development environmental requirements under 24 CFR part 58.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the HOME Investment Partnership Program Subgrantee Agreement with Twin Cities Habitat for Humanity for the Newport Bluestem Lane Development.

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BE IT FURTHER RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign the HOME Investment Partnership Program Subgrantee Agreement.

5. Approval of revisions to County Policies No. 1024 and 5025, Guidelines Governing Public Purpose Policy Expenditures and the Employee Wellness Program.
6. Adoption of **Resolution No. 2003-175** as follows:

Xcel Energy Release and Waiver Agreement

WHEREAS, Xcel Energy owns property abutting property owned by Washington County on the west side of CSAH 21 (Stagecoach Trail North) in Oak Park Heights; and

WHEREAS, the abutted property has been used for disposal of slag material generated by the NSP King Plant; and

WHEREAS, the County and Xcel Energy (Northern States Power Company at the time) entered into an agreement in 1995 to allow slag mining on the site; and

WHEREAS, as part of the agreement a wetland area would be created after the slag mining was completed and each agency would bank their share of wetland credits; and

WHEREAS, Washington County will use its share of wetland credits as mitigation for future projects impacting wetlands; and

WHEREAS, Washington County has requested and Xcel Energy has agreed to release survey information compiled by Xcel Energy and a release waiver has been required by Xcel Energy for the release of this information; and

THEREFORE BE IT RESOLVED, that Washington County approves the release and waiver agreement from Xcel Energy; and

BE IT FURTHER RESOLVED, that the Xcel Energy release and waiver agreement be executed by the Chair of the Washington County Board of Commissioners and Washington County Administrator conditioned upon approval as to form by the Washington County Attorney's office.

7. Bids were received for lease of agricultural land within county parks as follows:

<u>Bidder</u>	<u>Pine Point</u>	<u>Cottage Grove</u>	<u>St Croix Bluffs</u>	<u>Lake Elmo</u>	<u>Big Marine</u>
Anderson, Donald				\$70.25	
Berward, Ken	\$45.00				
Herman, Gordon				\$73.46	
Herman, Steve			\$121.00		
Lepinski, Jerry					\$60.00
Mayer, Craig			\$ 82.50		
See, John				\$76.30	
Swanson, Gary			\$ 96.00		
Tank, Gordon & Myron		\$50.00	\$122.00	\$90.00	

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Adoption of **Resolution No. 2003-176** as follows:

Award of Parks Farm Land Leases for 2004

WHEREAS, in order to facilitate the leasing of agricultural land in County parks, the County solicited bids for the use of this land; and

WHEREAS, bids were opened on October 13, 2003 with highest bidders being Ken Berwald for Pine Point Park, Gordon & Myron Tank for St. Croix Bluffs Regional Park, Jerry Lepinski for Big Marine Park Reserve, Gordon & Myron Tank for Lake Elmo Park Reserve and Cottage Grove Ravine Regional Park; and

NOW, THEREFORE, BE IT RESOLVED, that the bids of Ken Berwald, Jerry Lepinski and Gordon & Myron Tank be accepted and the County enter into a lease agreement with these bidders for the respective parcels of land noted previously in this resolution under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the leases between the County and Ken Berwald, Jerry Lipinski and Gordon & Myron Tank be executed through the signatures of the Chair of the Washington County Board of Commissioners and County Administrator without further action of the County Board and conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's office.

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

**PUBLIC HEARING - ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

**Off-Sale Liquor License Application**

The Board Chair reviewed the procedures for a public hearing to consider an off-sale liquor license application for the Big Marine Lake Store.

Kevin Corbid, Director of Assessment, Taxpayer Services and Elections, reviewed the statutory requirements that need to be met before a license can be granted. One requirement is that the location of the premise cannot be located within a mile of any city that has a municipal liquor store. That is not a problem in this case. The department has notified cities within three miles of the proposed premise including Forest Lake, Hugo and May Township. The New Scandia Town Board resolution is before the County Board. The Sheriff's Office has reviewed the application as required. Finally, the statute requires the Board to consider testimony, exhibits and shall base its decision upon the nature of the business, its impact upon any municipality, the character and reputation of the applicant and the propriety of the location.

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Patrick Reicherts, applicant, 11133 189<sup>th</sup> Street North, Marine, displayed a picture of the addition they are proposing. They have received approval from the transportation department for entrances and exits to make it safe for the community.

The Board Chair asked for comments from the audience; none were heard. The Board Chair closed the public hearing and asked for comments from the County Board.

Commissioner Kriesel moved to adopt **Resolution No. 2003-177** as follows:

Granting Off-Sale Liquor License to  
Big Marine Lake Store

WHEREAS, Big Marine Lake Store located in New Scandia Township has applied to the County for an off-sale liquor license; and

WHEREAS, on October 21, 2003, the Washington County Board of Commissioners held a public hearing on the application as required by MINN. STAT. § 340A.405, subd. 2; and

WHEREAS, notice of the hearing was given to all interested parties and to the cities of Hugo and Forest Lake which are located within 3 miles of the premises proposed to be licensed; and

WHEREAS, the Big Marine Lake Store is not located within one mile of the boundary of any statutory or home rule city that has established a municipal liquor store before August 1, 1991; and

WHEREAS, the premises described in the application shall be an exclusive liquor store; and

WHEREAS, the Washington County Attorney's Office and the Washington County Sheriff's Office have reviewed and approved the application; and

WHEREAS, the Town Board of New Scandia has passed a resolution supporting the approval of the license application.

NOW, THEREFORE, BE IT RESOLVED, that an off-sale liquor license be issued to the Big Marine Lake Store.

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

### GENERAL ADMINISTRATION

Commissioner Pulkrabek moved to appoint Commissioner Hegberg as delegate and James Schug as alternate for the Minnesota Counties Insurance Trust annual meeting to be held on December 8, 2003. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.



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Mr. Schug announced that the Association of Minnesota Counties annual conference will be held on December 8-10, 2003 at the Hyatt Regency in Minneapolis. If any members are interested in attending they should contact staff to make those arrangements.

#### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reminded the Board of two Transportation Alliance meetings that will be held, one in Blaine on October 23, from 11:00 to 2:00 and one in Woodbury on October 27 from 11:00 to 2:00. She encouraged Board members to attend one of these meetings.

Commissioner Peterson announced that John Jansen's wife passed away recently. Mr. Jansen is a former Washington County Attorney and Councilmember from Lake St. Croix Beach.

Commissioner Peterson announced that the Hiawatha light rail tour, scheduled for November 5, has been cancelled.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

The Board recessed until 5:30 p.m.

#### **PUBLIC HEARING – TRANSPORTATION AND PHYSICAL DEVELOPMENT**

##### **Proposed County Ordinance to Ban All-Terrain Vehicles in the Right of Way of All County Roads and County State Aid Highways**

The Board Chair presented an overview of today's public hearing to consider an ordinance banning all-terrain vehicles (ATV) in the right of way of all county roads and county state aid highways.

Don Theisen, County Engineer, presented an overview of the proposed ordinance. He outlined where AVTs are currently allowed to travel and when. The proposed ordinance will not change what is allowed on a trunk highway, a city street or a township road. It will not change what is allowed on private property and will not change how AVTs are operated on frozen lakes. The proposed ordinance will continue to allow use of AVTs for agricultural purposes and maintenance of permitted driveways out to the county highways. The proposed ordinance essentially closes the use of the ditches year round.

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Mr. Theisen indicated that the State Legislature was asked by people on both sides of this issue to address ATV use in Minnesota. Included in the new laws that were past last year was the ability of counties to close ATV ditch riding after a public hearing. Washington County supported this legislation. He displayed pictures of damage that has occurred to many county roads and private driveways. Mr. Theisen stated there is more to this than just the damage. Since 1995, 27% of the tickets issued to ATVs have been for operating on the road or failing to stop at crossings. In response to this damage, safety concerns expressed by property owners, the developing safety issues along the roads, environmental issues and public cost, staff has prepared the proposed ordinance that is before the Board.

Ron Tetu, 19159 Layton Avenue North, Marine on St. Croix – Supports the ordinance banning ATVs from the right of way of all county roads and county state aide highways. He feels the majority of the riders are children who operate them as toys and in many cases are in violation of existing laws and local ordinances. He believes they see nothing wrong with an ATV causing significant damage to the earth resulting in erosion and drainage problems. He asked why should the citizens of Washington County continue to endure the expense and frustration to provide the ATV operators with a playground. He believes there should be designated trails where ATVs can operate.

Hollis Stauber, 13635 30<sup>th</sup> Street North, Stillwater – Safety issues at night concern her. ATV headlamps disorient road drivers because they come from the wrong side of traffic, bounce and blind drivers. Soil conservation is a concern because soil is compacted and creates a place for invasive weeds. Drainage falls to low-lying areas where mosquitoes and mud collects. Pollution issues including noise, air and visual. The citizens have worked hard to keep the county rural and beautiful.

Bill Howard, 2959 Janley Avenue North, Lake Elmo – Everyone pays taxes, they are just trying to have a little fun. They don't have money to go up north all the time to ride, so they ride the ditches. They try to be responsible and teach the kids what not to do and what to do. He works for Anoka County Highway department and it's really not that bad. Depth of wires in ditches varies from six inches to four feet. He plows driveways with his four-wheeler for senior citizens in his neighborhood. If the county bans it, then the city will want to ban it. He's against the ordinance. It's already banned in the summer so there's only a little time to ride as it is. You can't ride on the snowmobile trails because it wrecks it for them.

Jim Malmquist, 14670 Scandia Trail, Scandia – He spoke in favor of some regulation of the use of ATVs. He lives on a state highway with a wide right of way with heavy ATV use. It is also a place to get some "air" over his driveway. It is increasing every year. He displayed pictures of the damage to the right of way. Noise and safety are also a concern. He has owned a four-wheeler for ten years. He uses it to plow and haul wood. He uses it on his own property. He believes there needs to be a careful look at the explosion of use of the ATVs in right of ways.

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Edward Shamble, 4860 Normandale Court North, Stillwater – There are 5,167 registered ATVs in Washington County, each pays \$10 per year in registration fees totaling \$51,670. There are 600 miles of trail/ditch in the county. He feels the repair costs for damage seem expensive. He asked were proper business process and engineering skills applied to the problem of ATVs? He does not feel there were. Was a failure analysis performed on the ditches shown, why was there no re-growth on those certain areas? He believes more analysis needs to be done. There should be better marking on not where to travel. Better enforcement would help. He suggested getting funding from the state for repair and enforcement issues. He suggested asking for accountability of what the registration fees pay. He also suggested increasing the fee for county users, charging more to ride in Washington County. The repairs should be made in April, not August at the peak of ATV use.

Bruce Schmidt, 3063 Lake Elmo Avenue North, Lake Elmo – His mother lives on Manning Avenue. He hears the noise these machines make. The mud in the ditches is an unsightly mess. He believes they are dangerous. During the summer when it was dry, there was so much dust blowing across the road, and the ATVs were going 60 mph, the ATVs couldn't be seen. He has seen the ATVs go as high as five feet in the air over driveways.

Dave Jones, 13241 30<sup>th</sup> Street North, West Lakeland Township – He has lived at this address for 40 years. He asked the Board where the ownership lies on lands that have been dedicated as township roads, as opposed to county highways? George Kuprian, Assistant County Attorney, stated this ordinance does not apply to township roads. The township has jurisdiction of their roads.

Mr. Jones asked at what point did the county assume or take the right to establish recreational operation within the easement that was granted to the county on county roads? Mr. Kuprian stated the county doesn't establish recreation, it's governed by state statute. He indicated this ordinance is intended to prohibit use in the county road right of ways. The county has regulatory jurisdiction over its right of ways be it easement or be it fee.

Ryan Champion, 6136 147<sup>th</sup> Street, Hugo – He stated it's a ditch, who cares. The ditch wouldn't be there if the county didn't make the road. Maybe there needs to be more enforcement to prevent road erosion. The money from registration should be used to repair the ditches. How much money is spent cutting the grass in the ditch? ATVs could be free ditch maintenance.

Jody Stoltz, 924 Everett Street North, Stillwater – She has three boys who have been raised on wheelers since they could walk. They are four blocks from ditch access. She hates to think she would have to trailer the wheelers whenever she wants to ride them. They are courteous on the trails. When she rides on 36 she sees more than just wheelers riding the trails when they are muddy. She can't say it's just the wheelers out there abusing the trails. She hates to think because there is abuse out there the trails will be shut down permanently. She believes there should be another solution.

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Gene Smallidge, 10992 Point Douglas Drive, Cottage Grove – He farms 660 acres. He sees the four-wheelers as an increasing problem. He believes legislation at all levels, state, county and municipal is long over due. He encourages the Board to adopt this ordinance. His family owns two ATV vehicles that they use on private property. Mr. Smallidge displayed photographs that were taken in the vicinity of his farming operation. They were taken on April 6 of the past year. He feels once the vehicles are given access to the public roadways, it immediately gives them access to everybody's private property within the state. He has pictures where they have chosen to leave the ditches and go into the adjoining farmland creating problems with standing water and the farmer's ability to do tillage to that field in a timely manner.

Barry Tungseth, 6434 St. Croix Trail South, Denmark Township – He has had his driveway damaged and has replaced the apron twice. He has seen increasing traffic as more and more people move out into the community. Washington County is fast becoming a playground for the east metro area. He would support a trail system. He believes what has to be done is analyze where the trails would go, maintenance factors and determine the money involved. If a trail system is designated, it should be properly constructed, proper funding should be there and they should know all of this before it's even started. He believes if a trail is designated, every homeowner on that trail system should be appeased and agreeable to the trail system. He is in favor of the new ordinance. Let the ATV groups get together and put a proposal forward and work on a designated trail system.

Dustin Young, 2964 109<sup>th</sup> Avenue NW, Minneapolis – Represents the Washington-Ramsey County Wheelers ATV Club and the All-Terrain Vehicle Association of Minnesota. He feels that closing all of the county road ditches is an over reaction. He admits there is some damage out there and it may be appropriate to close certain areas. Their group has met with transportation staff last winter and spring and the club is willing to put some of these ditches into a grant proposal and build designated trails similar to the snowmobile trails in the county. They would like to see the possibility of that occurring. Both organizations also supported the funding issue of taking designated ATV money from the state to help support local enforcement, \$225,000 was put aside for various counties and townships. He asked if this is aesthetic damage or functional damage? Is there a drainage problem or is there some dead grass and dirt? Grass maybe isn't the best thing to use for repairing areas where ATVs are going to be used.

Don Wies, 7610 132<sup>nd</sup> Street N., Hugo – He sees this as a tourism opportunity for the county. If the local and state ATV organizations maintain the trails some of the benefits would be to educate the younger riders. He believes a lot of these atrocities on the trails are a younger crowd feeling their youth and out there tearing it up. He thinks they need to be accountable for their actions. Being part of an all-terrain vehicle club, volunteering to maintain the trails, fund raising for local charities, there are many benefits that a club provides to a community. He suggested meeting some of the property owners that have issues and address those issues with them, taking care of it so the county never really gets a call.



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Mark Wendt, 142 Boutwell Court, Stillwater – He encouraged the County Board to listen carefully to the recommendations that the county engineer has made. This is a real and growing problem statewide. It is no coincidence that the words ATV and damage are used together frequently. He asked that the County Board listen to the rural residents that are experiencing damage to their driveways and property as a result of ATV users. He feels this negatively affects their property value through no fault of their own. There is no up side to continued use of road side ditches and in the worst case having Washington County ditches become a destination for ATV enthusiasts from the east metro area leaving the residents and county to repair the damage caused. There needs to be an ATV trail system, but the ditches are not the right place.

Charles Aman, 12261 196<sup>th</sup> Street, Marine – He's against this ordinance and would like to retain the right to ride an ATV in the ditches of Washington County. This is another right that he does not want to give up. If this is applied to ATVs he fears it will soon be applied to snowmobiles. He asked the Board not to push this ordinance through.

Mark Schmidt, 2951 Neal Avenue South, Afton – He has a son that rides and feels it has been very beneficial to his upbringing in the community, especially to keep him off of drugs and other criminal activities. He thinks it is a small price to pay to have a few ditches being torn up a little bit. There is funding out there through the state to repair the ditches and provide these trails. He's a property owner and can understand torn up grass is not very pleasant looking. He does not believe replacing it with grass is appropriate. More of a gravel base to repair those ditches, especially the ones that are mainly traveled like Manning Avenue. He believes there are dirt bikes out there that do not have mufflers on, that has to be addressed by law enforcement. Funding should be supplied by the county to stop the noise pollution.

Nedra Merey, 2929 Marine Circle, Stillwater – She is in opposition to this proposal. The director of the DNR trail system was on public radio this morning. He indicated it is a Minnesota sport and that the DNR and the State of Minnesota have not been cognizant for the need of trails and it was time they stepped up to the plate. She believes the same thing should happen in Washington County. She and her husband have lived in Washington County for 20 years and are family ATV trail riders. They wear all the safety equipment and require that of their family members. They have taken safety courses and they understand how important it is to operate their machines and understand the environment around them. The ditch riders who create ruts and create problems are not the normal ATV rider. She has ridden many county systems where ATV clubs have worked hand-in-hand with counties to develop adequate and reasonable trails, some utilize the ditch system. She believes that Washington County needs to realize that recreation is an important asset to maintain the reasonable productive nature of the residents.



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Peter Weber, 20045 Orwell Avenue North, Marine on St. Croix – The first guy who spoke talked about noise pollution. He lives in the country and farmers plow at all hours of the night he does not complain. He has ditch riders who ride snowmobiles, dirt bikes, horses – it's a ditch. There are also gravel pits in his area, trucks are going by him continually, he does not complain about them. They have a right to make a living. People have a right to ride their ATVs. He believes closing the entire system down is ridiculous.

Matt Norton, 2600 Harriet Avenue South, Minneapolis – He does forestry and wildlife advocacy for the Minnesota Center for Environmental Advocacy. He displayed a map showing ATV damage on Chippewa National Forest trails. He has worked on the ATV motorized recreation issue for most of the last two years. He has worked to get counties the authority to decide what could be done in the ditches. He rides an ATV and they are an incredibly useful tool. His main message addresses the environmental and quality of life effects of ATVs. The environmental effects are many and are summarized in a DNR document. The Board has heard many times tonight that "it is just a ditch". Ditches are intended to collect rain water runoff and allow that to infiltrate down into the soil. A problem that develops with compaction and rutting in the ditches is instead of going down it goes across. When it goes across it carries a lot of sediment with it. If the sediment gets into wetlands, streams or lakes it carries a lot of phosphorus and other pollutants into that water body. ATVs transport the seeds of noxious invasive weed species. Controlling the spread of these noxious invasive weed species costs this country hundreds of millions of dollars a year. An example in Montana showed that riding an ATV just a few feet through a contaminated area with spotted nap weed, that ATV picked up more than 2,000 weed seeds and after riding for more than 25 miles it still had 200 weed seeds on it. For tens of miles it's spreading those noxious weed species along the route that it travels. Ditch riding can cause source of infection along county ditches. This will be a problem not only for the environment, but for neighboring landowners. These are expensive toys, costing \$5,500 up to more than \$8,000. The idea that people can't go up north or other places to ride them, it may be more a factor of time than money. The question about where the state money goes, \$50,000, is a good question. That money is going to the DNR to do all of the different projects they do around the state to try to get trails. The legislation directed the DNR to go through every state forest and evaluate the network of renegade trails out there and determine which ones should be designated and which ones shouldn't. There will be more miles of trail, on top of the 953 miles of designated trail miles, when this is accomplished. It's just not dirt and weed, it's not just a ditch, it's not useless land. Dirt bikes are not allowed in the ditches, it's already existing law. ATVs do a majority of the damage and he thinks it would be a good idea to take a more restrictive approach first with the ordinance, rather than go back. The Sioux Line Trail depicted on the map displayed is a designated ATV trail, in the winter time it's snowmobile. He rode this in March. Every red dot shown on the map is a spot where the ATVs went off of the designated trail. In thirty miles of riding he found 66 spots where the ATV refused to stay on the trail and cut off and made a renegade trail off into wetlands and into the woods. They do not stay on the places provided. He feels it is a myth that if you give them a trail to ride that will solve the problem. The state is already incapable of meeting the

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enforcement needs for having this supposedly controllable system of trails. The second set of dots in yellow are locations where ATVs have refused to stay off of clearly posted non-motorized areas.

*(A woman from the audience asked)* An ATV going three feet can carry seed and cause infection, is that by carrying it with tires? Mr. Norton stated it gets into the grill and the undercarriage. *(The woman asked)* On a walking trail wouldn't that do the same thing in tennis shoes or animals, birds, county mowers? *(The woman asked)* When he stated that people don't stay on the trails, that was not an issue. There wasn't a complaint about people going in and out of the ditches. The complaint tonight was just ditches.

The Board Chair stated this was not going to be a debate. If you have a question ask that.

*(Another woman asked)* Was he implying that the price of the ATV correlates to the income of the owner? Mr. Norton stated that the DNR report has good information about the age, sex, education level, income level of the people who ride. He is saying that if people have the money available to buy an \$8,000 or \$6,000 machine, then the \$50 in gas it takes to travel is not likely to be a stopper. *(She asked a follow-up question)* Was it his contention that the recreation opportunities provided that are distant from peoples houses are appropriate? In other words there will be restrictions to ATV use to only places where people who can afford to get to them can go? Mr. Norton stated that with boats and things like that many people who do not make hundreds of thousands of dollars a year do manage to get a boat, and when they do they have to trailer it somewhere. He is not convinced that the need to trailer something is going to be a complete stopper to people recreating in a certain way.

Mr. Norton answered the seed question. The vehicle does pick up more seeds. Two thousand spotted nap weed seeds are not picked up from walking a couple of feet through it. The second thing is a person typically doesn't travel the distance walking that an ATV does. The typical distance that an ATV rider travels in a half days worth of riding is upwards of 30 to 40 miles. Even the most hard working hiker probably will not cover more than 10 or 11 miles.

*(A woman asked)* If it's true that he is so concerned about infecting areas, could he explain why he would ride an ATV and infect areas himself? Mr. North stated he does not believe he did. He stays on the trail, all the dots on the display he did not go on a renegade trail. He does not follow it unless he follows it on foot. He can identify some of the noxious weeds and he stays on the trail and does not ride through infected areas. *(She asked)* If Washington County puts in a trail system there would be a lesser chance of infecting the ditches? Mr. Norton stated he is not saying that. The fact that he stays on the trail, that doesn't mean that other people don't go off the trail. That is what many people have seen.

Dan Collins, 244 W. County Road F, Shoreview – He stated he is here as a Regional Manager of the Trails and Waterways Unit of the DNR. He believes this is a contentious issue. He believes that some

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Washington County landowners have some issues with misbehaving individuals. He also knows that the state is riding on a wave of interest in all-terrain vehicles. There are almost 200,000 registered ATVs, which means one person in 20 across the state has one. The problem they face is the question if not here, where. He suggested that the surfaces should be hardened, grass will not work. Power poles could be set back sufficiently so a danger wouldn't be created. He feels ATVs should be accommodated in ditches. The DNR is waiting for proposals that are locally initiated within the grant and aide system to help provide facilities. This program provides 65% of all development costs and 90% of all maintenance costs associated with the facilities that are developed. He believes this activity should not be banned. The county needs to work with the activity. The county shouldn't ignore the sensitive resources that ATVs are tempted to go to in absence of other more lawful opportunities. He also encouraged the ATV groups to come to a consensus so that a club proposal can be brought to the county to start the flow of money into the county.

Chris Hoffman, 4640 McDonald Drive, Stillwater – He indicated that some of the slides the Board saw were a half a mile from the end of his driveway and they don't bother him one bit. He's a cabin owner in Wisconsin, and Minnesota has a lot to learn from the way they run trails in Wisconsin. He suggested hiring some smart landscape guys to look at the ditches and where people slow down and speed up and put speed limits in the problem areas. He owns three ATVs. He believes reasonable people can come to some conclusions about how to mitigate the growing issue of people liking to recreate. If this is truly the playground for the east metro, then he thinks the ditches of Washington County should be for residents of Washington County. Or, have a trail pass system like Wisconsin. He is all for charging Ramsey County residents \$50 or more a year if they want to ride in Washington County.

Jeanette Foster, 20887 Juno Avenue, Forest Lake – Her son received a four wheeler at age 16. He and his friends became a pack of kids that didn't do drugs, smoke, do alcohol or vandalize. They also became 2003 graduates of Forest Lake High. If the County takes away all the places for the kids to ride, they will find other things to do. They may end up paying for incarceration instead of the ditches.

Paul Michaud, 21271 Inverson Avenue North, Forest Lake – He is opposed to this ordinance. He enjoys getting out on his ATV. He is not with Greenpeace, that was ridiculous. If you flush your toilet there is bacteria eight feet all the way around the toilet. He hasn't flushed his in six months. As a group they need to get together, stay together, they can make this work. They need to come up with regulations. If they're violated there are laws that regulate that. This could be a revenue maker. There are laws that govern activity here. Underage kids should not be driving ATVs. If the law enforcement would stand by it, they should be issuing tickets. He uses Highway 97 and comes down 15, it's a very nice ride. He wants to see this preserved in the future. They ride with good etiquette, he suggests that the next guy does the same. The pictures shown were worse case scenarios. He does not believe that was fair. The pictures of the farm, all the tracks were right on top of each other, no one was tearing up anything other than the trail to get through that area.

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Jody Rooney, 12548 Keller Avenue North, Hugo – She is past president of the Minnesota Horse Council and past president of the Grant Trail Rangers. She has been involved in trail issues for quite some time. Use of the ditches is an issue that is taking place all over the state and it needs to be addressed. She apologizes for all trail users that misuse property because there's nothing worse for any trail user then to sit and look at damage caused by an ill-mannered trail user. The damage in the ditches is usually through poor design of the ditches for their use, misuse by folks or through slum-lord management by the managing agency. That is usually caused through inadequate maintenance funding for the purposes of the ditches so problems are not addressed quickly. She believes adopting the ordinance at this time is probably ill advised. She is not convinced the county has looked at innovative fixes for these problems. The county has not addressed this from a trail issue. The county does have a precedence for working with other trail users. She feels that passing this ordinance would create a safety problem for the state and township roads least equipped to handle additional traffic. She proposed that the ordinance be modified. Section 1.04, item one, last portion would read: "It shall be unlawful for any person to operate an All Terrain Vehicle in a County Public Road Right of Way except on designated trails". She asked that the implementation of this ordinance be delayed until July, 2005 and that during the interim county staff be directed to work with the public and other trail user groups to develop a trail system for ATVs in the county.

Tim McNulty, 1633 Orwell Avenue North, West Lakeland – He own six ATVs. He has lived there for 20 years. His kids have never been caught for driving on the roads, they know the rules. The points made previously are good ones. He would expect that the engineers would look into proper erosion control, not using grass seed and expecting that to grow. There is money from the DNR for this. He would like answers to the following questions: What is the cost of ditch maintenance? What was the extent of the work done? What was the expectation of the people who made the repairs? What would the county feel acceptable per mile to spend? He believes a partnership with the local ATV clubs could help solve problems like this. He believes there should be a compromise.

Jeff Anderson, 14020 236<sup>th</sup> Street, Scandia – A lot of the things he was going to say have been covered. It seems everything they do, there is some group that wants to shut it down. There are a rising number of users. If areas are shut down, it will have more of an adverse effect on the other areas because everybody goes there. He's opposed to this ordinance. He believes issues need to be addressed. Looking at different material to use in the ditches would be good. He feels that 80 to 90% of the ditches it is hard to tell anything was even there. He thinks people who ride need to educate their kids.

Don Bohn, 9522 Jewell Lane, Forest Lake – They enjoy motorized outdoor recreation very much. They own two snowmobiles and three ATVs. He has a severe ankle injury, he relies on motorized transportation to experience the great outdoors on land. He and his wife are against the ban on ATV ditch riding in Washington County. To say that environmental damage occurs from ditch riding is an exaggeration for several reasons: 1) Ditches are manmade and therefore not natural; 2) Ditches are



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designed for one purpose, to drain runoff from rain and snow melt; 3) If a rut occurs from an ATV it's just part of the ditch. It does not deter from its designed function. Banning ATVs from all public ditches is another example of extreme environmentalism gone amuck. If isolated damage from renegade ATV riders occurs, then take care of the isolated problems by law enforcement, ticketing the renegades or posting close those affected areas. Do not prevent the 99% of the riders who would like to enjoy the outdoors through the recreational mode of their choice without doing any environmental damage. They urge the Board to keep open ditch riding for all ATVs in Washington County.

The Board Chair stated that everyone who filled out a card has been heard from. He asked the Board Secretary if she has all the documentary evidence. She indicated she did.

The Board Chair closed the public testimony portion of the public hearing, but kept the record open for written comments until 5:00 p.m. on October 28, 2003. He now opened the matter for discussion and comments from the Board.

Commissioner Peterson stated the thing she has heard tonight is that there is a need for trails to be developed within the county. She is not convinced the trail is necessarily going to be along the road. There is inadequate funding for transportation in the State of Minnesota. The metropolitan area alone is billions of dollars short. When people say "it's only going to cost a little to maintain", she reports they are billions of dollars short for the next ten years in the metropolitan area. Everyone is experiencing delay in getting to work. Everyone is experiencing congestion. The principal gas tax dollar is to be used for transportation. She believes if the group is serious about developing a trail system, then they will have to look at registration fees to pay for and maintain those trails. An acre of land in a city she knows best within the last ten years has gone from \$3,000 an acre to \$80,000 an acre. That isn't in a high development area. In Woodbury it is significantly higher than that. As trails are developed, you need to be able to pay for that right of way. The right of way is going to cost money, it is going to cost money to design and build trails that will accommodate the vehicles. It is also going to cost money to maintain them. They will have to be prepared for neighbors not liking the noise. There is going to have to be policing, and policing costs money also. Everyone is aware of the shortfall experienced in the State of Minnesota. The County has cut about \$3 million in HACA, the cities have had cuts in HACA. This is not a time when there is a surplus of money. There is a need for trails, but she is also looking at the ATV clubs and they will have to develop those trails. She asked the audience to get together to come up with the funding and resources to pay for trails.

Commissioner Pulkrabek asked staff to get more information before they discuss this issue again. There has been a lot of talk about the designated trail system. He would like more information on which counties have them, how they are working and the attributes and detriments of those trails. Also, if the county instead of closing all the county right of way and easements, if it went with closing specific routes, which ones would they look at doing, the timeline and how that would be done. He also would



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like more information about the enforcement history—how many ATV riders have been tagged in Washington County in the last five years and what the primary violations have been and where they have occurred. He thanked everyone for coming out.

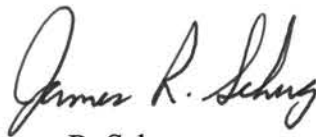
Commissioner Kriesel stated he agreed with Commissioner Pulkrabek about getting more information. He was most interested in are there county roads that would be more amenable to ATV use and some that would not be. He criticized the State of Minnesota for collecting all the money for ATV registration and the county does not get a lot of money for specifically repairing ATV trails. Many residents talked about a solution. He thinks the burden will be on the ATV users and the associations to come up with the solution. If the money is not there and the ditches are getting damaged, the county solution will be to ban it.

Commissioner Stafford stated he heard talk about remedies aimed at minimizing ditch damage. He heard people say closing access even in one area creates compression in another. He heard people talk about looking at different ditch design issues. Money from the DNR has been discussed. He heard talk about developing tourism. He hasn't seen how that ties into a Washington County tax base, but people believe ATVs will bring more business to the community. There were questions about who will pay for this—enforcement, maintenance and liability. The county needs to take a long look at liability. If ditches aren't kept in repair and an ATV operator gets into an accident and is seriously hurt, whom will they sue? He's heard about maintenance, self-policing, not staying on designated trails. He will not get into a big debate on environmentalism, everyone is an environmentalist from one degree to another, but this state is wrestling about milfoil, purple loosestrife, zebra mussel, noxious weeds, erosion problems—he does not think bringing up the issue about seeds is a bizarre comment, it's a fact of life. They are fighting this in Washington County every year. Just to give the audience an idea what this county will be faced with as they look for a solution for this: Estimated 2004 costs for infrastructure maintenance, a traffic signal, \$212,000; One mile of bike trail, \$56,000; One mile of two lane rural road, \$788,000 a mile. He thanked the audience for their input.

Commissioner Pulkrabek moved to keep the public hearing open for written comment until Tuesday, October 28, 2003 at 5:00 p.m. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

There being no further business to come before the Board, the meeting was adjourned at 7:35 p.m.

  
R.H. Stafford, Vice Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**OCTOBER 28, 2003**

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 Kriesel, Hegberg, Peterson and Stafford. Commissioner Pulkrabek absent. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Edison Vizuite, Financial Services Director; Kathy Trombly-Ferrin, Supervisor; Tonya Weinert, Accountant; Mary McGlothlin, Director of Public Health and Environment; Judy Hunter, Senior Program Manager; Lowell Johnson, Public Health and Environment Deputy Director; Cindy Weckwerth, Program Manager; Don Theisen, County Engineer; Sandy Cullen, Transportation Manager; Jim Luger, Parks Director; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Richard Backman, Community Services Division Manager; Robert Crawford, Workforce Center Division Manager; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Tom Adkins, Community Corrections Director; Cindy Koosmann, Recorder; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of county comments on the City of Bayport's proposed establishment of Tax Increment Financing (TIF) District No. 2-1, within the proposed Municipal Development District No. 2.
2. Approval of the 2003-2005 contract with Woodbury Villa, Inc. for assisted living plus services.
3. Information only – Child foster care daily basic maintenance, initial clothing allowance and difficulty of care rate for 2004.
4. Approval of the 2003 contract with Helena Family Support, Inc. for professional home based mental health services, family community support services, and therapeutic support to foster care services.

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5. Approval of an occupancy agreement between the Workforce Center Division and Inver Hills Community College to utilize training space in the Cottage Grove College Center.
6. Approval to amend the Flexible Benefits Plan.
7. Adoption of **Resolution No. 2003-178** as follows:

Final Payment to Union Pacific Railroad for Railroad  
Crossing Signals at CSAH 13 and Mile Post 8.51 in Oakdale

WHEREAS, the Washington County Board of Commissioners on February 26, 2002 approved a construction contract with Union Pacific Railroad and signed the contract on March 5, 2002 for the construction of a rail road crossing signal located on CSAH 13 (Ideal Ave.) at Mile Post 8.51 in the Altoona Subdivision in the City of Oakdale; and

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

NOW, THEREFORE, BE IT RESOLVED, that Union Pacific Railroad 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. Bids were received for sale of houses and structures on park land as follows:

	House 18339	House 18329	House 11245	House 17655	Barn 18339	Shed 18339	Windmill 18339	Granary 18339
Bidder	Manning	Manning	Lomond	Libson	Manning	Manning	Manning	Manning
<u>Sale &amp; Removal</u>								
Boesel, Tom				\$ 100				
Farver, Cory							\$ 558	
Gruett, Jeffrey							200	
Leikam, Dave							1,010	
Malon, Teresa					\$501		2,001	
Otting House Mvr			\$1,200	\$1,200				
<u>Demolish</u>								
Anderson, Ray	\$ 7,200	\$11,700	\$7,200	\$ 6,500	\$ 8,900	\$1,000	\$1,000	\$2,500
Bear Demolition	10,269	14,435	8,824	10,074	12,834	2,960	400	2,950
F.M. Frattalone	12,100	21,550	11,500	11,150	13,100	5,400	1,690	4,800
Lodahl Demol.	9,450	22,415	13,300	11,150	22,450	1,150	600	3,200
Nickelson, Trent		101						
Semple Exav.	5,640	11,275	4,375	4,425	6,295	2,000	150	2,300
Veit Company	7,473	14,575	7,736	8,180	8,526	2,500	2,500	4,544

Adoption of **Resolution No. 2003-179** as follows:

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Multiple Bid Award/Rejection of Bids for the Sale of and  
Demolition of Buildings on Park Land

WHEREAS, bids were requested for the removal of buildings and structures located on property within the Big Marine Regional Park to continue development of the park; and

WHEREAS, bids were opened on October 13, 2003 for houses at 18339 Manning, 18329 Manning, 11245 Lomond, 17655 Lisbon and a barn, two story shed, windmill and granary at 18339 Manning; and

WHEREAS, the highest responsible bidder for the house at 17655 Lisbon and 11245 Lomond is Otting House Movers; and

WHEREAS, the lowest responsible bidder for the demolition of the house at 18339 Manning was Semple Excavating and for the house at 18329 Manning was Trent Nickelson; and

WHEREAS, the bid received for the barn and windmill at 18339 Manning from Teresa Malon was not submitted with a bid bond as required by the specification; and

WHEREAS, the demolition bids for the barn, two story shed and granary at 18339 Manning received from Ray Anderson, Bear Demolition, F.M. Frattalone, Lodahl Demolition, Semple Excavating and Veit Companies are in excess of the available budget; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Otting House Movers for the house at 17655 Lisbon, 11245 Lomond and the bid of Dave Leikam for the windmill at 18339 Manning be accepted and the County enter into a bill of sale with Otting House Movers and Dave Leikem under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the bid of Semple Excavating for demolition of the house at 18339 Manning and Trent Nickelson for the demolition of the house at 18329 Manning be accepted and the County enter into a contract with Semple Excavating and Trent Nickelson under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the bid of Teresa Malon for the barn and windmill at 18339 Manning be rejected due to non conformance with the bid specification and bids of Ray Anderson, Bear Demolition, F.M. Frattalone, Lodahl Demolition, Semple Excavating and Veit Companies be rejected due to budgetary constraints; and

BE IT FURTHER RESOLVED, that the bill of sale for the houses at 11245 Lomond, 17665 Lisbon between the County and Otting House Movers, the windmill at 18339 Manning with Dave Leikem and the contract for the demolition of the house at 18339 Manning with Semple Excavating and the house at 18329 Manning with Trent Nickelson 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.

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**FINANCIAL SERVICES****General Obligation Capital Improvement Plan Bonds, Series 2003A**

Commissioner Stafford moved to adopt **Resolution No. 2003-180** as follows:

A RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS, SERIES 2003A; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

BE IT RESOLVED By the Board of Commissioners (the "County Board") of Washington County, Minnesota, a county and political subdivision of the State of Minnesota (the "County"), as follows:

Section 1. Sale of Bonds.

1.01. It is hereby determined that:

(a) The County is authorized by Minnesota Statutes, Section 373.40, as amended, and Minnesota Statutes, Chapter 475, as amended (collectively, the "Act"), to issue and sell the Bonds (as described below) to finance certain capital improvements in the County.

(b) The County has duly adopted a Capital Improvements Plan for the years 2003-2007 (the "CIP Plan"), in accordance with Section 373.40 of the Act. The CIP Plan identifies various capital improvement projects (the "Projects"), including, but not limited to, those Projects listed in (b) below, that are proposed to be financed with the proceeds of general obligation indebtedness of the County issued under the provisions of the Act.

(b) The following Projects have been duly ordered by the County pursuant to the provisions of Section 373.40 of the Act;

<u>Project Designation &amp; Description</u>	<u>Estimated Project Cost</u>
Design Work for reconstruction of CSAH 2 Broadway Avenue interchange at I-35	\$ 500,000
Government Center-Southwest Parking Addition	1,600,000
Law Enforcement Center-2nd Story Addition	5,300,000
North Service Center Library Construction	5,200,000
Acquisition of North Service Center Land	1,000,000
Design and Construction of Two Service Centers	7,600,000
Design and Construction for District Court Expansion	1,800,000
<u>Park Land Acquisition</u>	<u>2,000,000</u>
<u>Total Project Costs</u>	<u>\$25,000,000</u>

(c) It is necessary and expedient to the sound financial management of the affairs of the County to issue General Obligation Capital Improvement Plan Bonds, Series 2003A (the "Bonds") in the original aggregate principal amount of \$25,000,000, pursuant to the Act to provide financing for the Projects.

(d) Pursuant to Subdivision 2(b) of the Act, before issuance of any bonds pursuant to the Act, the County is required to hold a public hearing to obtain public comment on the proposed issuance of the Bonds. A notice of the public hearing must be published in the official newspaper of the County or in a newspaper of general circulation in the County, at least fourteen (14) days but not more than twenty-eight (28) days prior to the date of the public hearing. The County held a public hearing for the Bonds on July 8, 2003 after proper notice was given for



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such hearing. All actions taken by employees of the County with respect to the publication of a notice of public hearing in accordance with the requirements of the Act are hereby ratified.

(e) Whereas, pursuant to Subdivision 2(c) of the Act, the County must hold a special election prior to the issuance of the Bonds and seek the approval of the voters of the County if a petition requesting a vote on the issuance is signed by voters equal to five percent (5%) of the votes cast in the last general election and such petition is filed with the County Auditor/Treasurer within thirty (30) days from the date of the public hearing on July 8, 2003. The County Auditor/Treasurer did not receive any such petition within thirty (30) days of the public hearing on July 8, 2003 and, therefore, the County is not required to hold a special election is required to be held on the issuance and sale of the Bonds.

1.02. (a) Pursuant to the terms of a resolution of the County Board, adopted on September 23, 2003 (the "Preliminary Resolution"), Springsted Incorporated was authorized to negotiate the sale of the Bonds, in accordance with the Terms of Proposal set forth in the Preliminary Resolution. The proposal of U.S. Bancorp Piper Jaffray Inc. of Minneapolis, Minnesota (the "Purchaser") to purchase the Bonds is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$24,877,407.90 plus accrued interest to date of delivery, for Bonds bearing interest as follows:

<u>Year of</u> <u>Maturity</u>	<u>Interest</u> <u>Rate</u>	<u>Bond</u> <u>Yield</u>	<u>Year of</u> <u>Maturity</u>	<u>Interest</u> <u>Rate</u>	<u>Bond</u> <u>Yield</u>
2005	2.000%	1.200%	2017	4.000%	4.140%
2006	2.000	1.550	2018	4.125	4.240
2007	2.500	2.000	2019	4.250	4.340
2008	2.750	2.350	2020	4.625	4.520
2012	3.750	3.580	2021	4.625	4.600
2013	4.000	3.710	2022	4.750	4.680
2014	4.000	3.830	2023	4.750	4.749
2016	4.000	4.040	2024	4.750	4.749

True interest cost: 4.5198%

(b) Term Bonds; Mandatory Redemption. The Bonds maturing on February 1, 2016, are subject to mandatory sinking fund redemption on February 1 of the following years in the following principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2015	\$ 750,000
2016	1,155,000*

\* Maturity

1.03. The County Auditor/Treasurer is directed to deposit the good faith check of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith checks of the unsuccessful proposers forthwith. (The proposals of all proposers are set forth in EXHIBIT A to this Resolution.) The Chair and County Administrator are directed to execute a contract with the Purchaser on behalf of the County.

1.04. The County will forthwith issue and sell the Bonds pursuant to the Act, in the original aggregate principal amount of \$25,000,000, originally dated November 1, 2003, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on February 1 in the years and principal amounts as follows:

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<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>
2005	\$245,000	2016	\$1,905,000
2006	175,000	2017	1,590,000
2007	300,000	2018	1,995,000
2008	900,000	2019	2,385,000
2009	0	2020	2,665,000
2010	0	2021	2,515,000
2011	0	2022	3,200,000
2012	195,000	2023	3,210,000
2013	295,000	2024	3,030,000
2014	395,000		

1.05. Optional Redemption. The County may elect on February 1, 2013, and on any day thereafter, to prepay Bonds due on or after February 1, 2014, at a price of par plus accrued interest. Redemption of the Bonds may be in whole or in part and, if in part, at the option of the County and in such manner as the County shall determine. If less than all Bonds of a maturity are called for redemption, the County shall notify DTC (as defined in Section 7 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed.

## Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest on the Bonds and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar (as described below in this Section 2).

2.02. Dates; Interest Payment Dates. Each Bond shall be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. Interest on the Bonds is payable on February 1 and August 1 of each year, commencing August 1, 2004, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

2.03. Registration. The County will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the County and the Registrar with respect thereto are as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth (15th) day of the month preceding each interest payment date and until that interest payment date.

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(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of as directed by the County.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The County and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the County and the Registrar must be named as obligees. Bonds so surrendered to the Registrar shall be cancelled by the Registrar and evidence of such cancellation shall be given to the County. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed shall be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, shall not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption shall cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The County appoints U.S. Bank National Association, Saint Paul, Minnesota, as the initial Registrar. The Chair and the County Administrator are authorized to execute and deliver, on behalf of the County, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The County agrees to pay the reasonable and customary charges of the Registrar for the services performed. The County reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register



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to the successor Registrar. On or before each principal or interest due date, without further order of this Board, the County Administrator shall transmit to the Registrar money sufficient for the payment of all principal of and interest then due on the Bonds.

2.05. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the County Administrator and executed on behalf of the County by the signatures of the Chair and the County Administrator, provided that all signatures may be printed, engraved, or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of any Bond, that signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond shall not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed, and authenticated, the County Administrator shall deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The County may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in Section 3 of this resolution with such changes as may be necessary to reflect more than one maturity in a single temporary bond. Upon the execution and delivery of definitive Bonds the temporary Bonds shall be exchanged therefore and cancelled.

### Section 3. Form of Bond.

3.01. The Bonds will be printed or typewritten in substantially the following form:

No. R-_____				\$_____
UNITED STATES OF AMERICA STATE OF MINNESOTA COUNTY OF WASHINGTON				
GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BOND SERIES 2003A				
Interest Rate	Maturity Date	Date of Original Issue	CUSIP	
		November 1, 2003		
Registered Owner: Cede & Co.				
Principal Amount: _____ Dollars (\$_____)				

Washington County, Minnesota, a duly organized and existing county and political subdivision of the State of Minnesota (the "County"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable February 1 and August 1 in each year, commencing August 1, 2004, to the person in whose name this Bond is registered at the close of business on the fifteenth (15th) day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by U.S. Bank National Association, Saint Paul,

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Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the County have been and are hereby irrevocably pledged.

The County may elect on February 1, 2013, and on any day thereafter to prepay Bonds due on or after February 1, 2014. Redemption may be in whole or in part and, if in part, at the option of the County and in such manner as the County shall determine. If less than all Bonds of a maturity are called for redemption, the County shall notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments of Bonds shall be at a price of par plus accrued interest.

This Bond is one of an issue in the aggregate principal amount of \$25,000,000 all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all authorized to be issued pursuant to a resolution adopted by the Board of Commissioners of the County (the "County Board") on September 23, 2003, and the sale of which was awarded at a meeting of the County Board on October 28, 2003 (collectively, the "Resolution"), for the purpose of providing money to aid in financing the cost of capital improvements in the County pursuant to a capital improvement plan for the years 2003-2007 duly adopted by the County under Minnesota Statutes, Section 373.40, as amended, and pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapter 475, as amended, (collectively, the "Act") and the principal hereof and interest hereon are payable primarily from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the County are irrevocably pledged for payment of this Bond and the County Board has obligated itself to levy additional ad valorem taxes on all taxable property in the County in the event of any deficiency, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the County at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the County will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The County and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the County nor the Bond Registrar will be affected by any notice to the contrary.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota, including the Act, to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the County to exceed any constitutional or statutory limitation of indebtedness.



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IN WITNESS WHEREOF, Washington County, Minnesota, by its County Board, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Chair and County Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: November 1, 2003

WASHINGTON COUNTY, MINNESOTA

(facsimile)

County Administrator

(facsimile)

Chair

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

U.S. BANK NATIONAL ASSOCIATION

By \_\_\_\_\_  
Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

TEN ENT -- as tenants by entireties

JT TEN -- as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT

\_\_\_\_\_  
(Cust) Custodian (Minor)  
under Uniform Gifts or Transfers to Minors Act, State of \_\_\_\_\_

Additional abbreviations may also be used though not in the above list.

\_\_\_\_\_  
ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:  
  
\_\_\_\_\_

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NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Bond Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: \_\_\_\_\_

\_\_\_\_\_  
(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

\_\_\_\_\_

\_\_\_\_\_

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Officer of the Registrar</u>
November __, 2003	Cede & Co. Federal ID #13-2555119	_____

3.02. The County Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which shall be complete except as to dating thereof and cause the opinion to be printed on or accompany each Bond.

Section 4. Payment; Security; Pledges and Covenants.

4.01. The Bonds shall be payable from the General Obligation Capital Improvement Plan Bonds, Series 2003A Debt Service Fund (the "Debt Service Fund") hereby created, and the proceeds of the ad valorem taxes hereinafter levied described in the resolution authorizing the sale of the Bonds, are hereby pledged to the Debt Service Fund. If a payment of principal or interest on the Bonds becomes due when there is not sufficient money in the Debt Service Fund to pay the same, the County Auditor/Treasurer will pay such principal or interest from the general fund of the County, and the general fund will be reimbursed for those advances out of the proceeds of the taxes levied by this Resolution, when collected. There is appropriated to the Debt Service Fund (i) capitalized interest financed from Bond proceeds, if any, (ii) any amount over the minimum purchase price of the Bonds paid by the Purchaser, if any, and (iii) the accrued interest paid by the Purchaser upon closing and delivery of the Bonds.

4.02. For the purpose of paying the principal of and interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the County, to be spread upon the tax rolls and collected with and as part of other general taxes of the County. The tax will be

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credited to the Debt Service Fund above provided and is in the years and amounts set forth in EXHIBIT B to this Resolution.

4.03. It is determined that the estimated collection of the foregoing taxes will produce, along with funds of the County irrevocably pledged to the payment of the Bonds, at least five percent (5%) in excess of the amount needed to meet when due, the principal and interest payments on the Bonds. The tax levy provided in this Resolution shall be irrevocable until all of the Bonds are paid, provided that the County Board may annually, at the time the County makes its tax levies, certify to the County Auditor/Treasurer the amount available in the Debt Service Fund to pay principal of and interest on the Bonds due during the ensuing year, and the County Auditor/Treasurer will thereupon reduce the levy collectible during such year by the amount so certified.

4.04. The County Administrator is authorized and directed to file a certified copy of this Resolution in the County Auditor/Treasurer's office and to supply the certificate required by Minnesota Statutes, Section 475.63, as amended.

Section 5.     Authentication of Transcript.

5.01. The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to Kennedy & Graven, Chartered, as bond counsel for the County, certified copies of proceedings and records of the County relating to the Bonds and to the financial condition and affairs of the County, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the County as to the facts stated therein.

5.02. The Chair and County Administrator are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

Section 6.     Tax Covenants.

6.01. The County covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become includable in gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

6.02. The County will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including, without limitation, requirements relating to temporary periods for investments and limitations on gross proceeds invested at a yield greater than the yield on the Bonds.

6.03. The County further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be deemed to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. The County will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this Section 6.

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Section 7. Book-Entry System; Limited Obligation of County.

7.01. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 of this Resolution. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the County, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository ("Participants") or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any

other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The County, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent shall pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the County's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this Resolution. Upon delivery by DTC to the County Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." shall refer to such new nominee of DTC; and upon receipt of such a notice, the County Administrator shall promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. The form of Blanket Issuer Letter of Representations proposed to be submitted to DTC, which is on file with the County Administrator (the "Representation Letter"), is hereby approved, and the County Administrator is authorized to execute and deliver the Representation Letter in substantially the form on file, with such changes therein not inconsistent with law as the County Administrator and Kennedy & Graven, Chartered, as bond counsel for the County, may approve, which approval shall be conclusively evidenced by the execution thereof. Any Paying Agent or Registrar subsequently appointed by the County with respect to the Bonds shall agree to take all action necessary for all representations of the County in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. In the event the County, by resolution of the County Board, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the County will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the County will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the County shall issue and the Registrar shall authenticate Bond certificates in accordance with this Resolution and the provisions hereof shall apply to the transfer, exchange and method of payment thereof.



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7.05. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond shall be made and given, respectively, in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter. Section 8. Continuing Disclosure.

8.01. The County hereby covenants and agrees that it shall comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the County to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Section 8.

8.02. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Chair and County Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

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

#### **General Obligation Jail Refunding Bonds, Series 2003B**

Commissioner Kriesel moved to adopt **Resolution No. 2003-181** as follows:

#### **A RESOLUTION AWARDED THE SALE OF GENERAL OBLIGATION JAIL REFUNDING BONDS, SERIES 2003B; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT**

BE IT RESOLVED By the Board of Commissioners (the "County Board") of Washington County, Minnesota, a county and political subdivision of the State of Minnesota (the "County"), as follows:

##### **Section 1. Sale of Bonds.**

1.01. It is hereby determined that:

(a) the County is authorized by Minnesota Statutes, Section 641.23, as amended, and Minnesota Statutes, Chapter 475, as amended (collectively, the "Act"), and Section 475.67, Subdivision 3, of the Act to issue and sell its general obligation bonds to refund obligations and the interest thereon before the due date of the obligations, if consistent with covenants made with the holders thereof, when determined by the County Board to be necessary or desirable for the reduction of debt service cost to the County or for the extension or adjustment of maturities in relation to the resources available for their payment;

(b) it is necessary and desirable to reduce debt service costs associated with the jail of the County and that the County issue its General Obligation Jail Refunding Bonds, Series 2003B (the "Bonds"), in the original aggregate principal amount of \$13,720,000, to refund the obligation of the County represented by the Lease Agreement, dated as of July 1, 1991, between the County and the Washington County Housing and Redevelopment Authority (the "Authority"), as amended by the First Supplemental Lease Agreement, dated as of April 1, 1993, between the County and the Authority (collectively, the "Lease");



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(c) the County entered into the Lease, pursuant to which the County acquired jail and correctional facilities (the "Facilities") on certain land (the "Site") leased to the Authority by the County pursuant to a Ground Lease Agreement, dated as of July 1, 1991 (the "Ground Lease");

(d) the Authority previously issued its Jail Facility Revenue Bonds (Washington County Unlimited Tax Lease Obligation), Series 1991 (the "Series 1991 Bonds"), in the original aggregate principal amount of \$35,000,000, which were secured by lease payments under the Lease, and the proceeds of which were used to construct the Facilities;

(e) the Authority then issued its Jail Facility Revenue Refunding Bonds (Washington County Unlimited Tax Lease Obligations), Series 1993 (the "Series 1993 Bonds"), in the original aggregate principal amount of \$39,895,000, the proceeds of which were used to advance refund the Series 1991 Bonds; (f) the County intends to refund the obligation represented by the Lease, by exercising its option to purchase the Site and Facilities under Article X of the Lease;

(g) the County is authorized by Minnesota Statutes, Section 641.23, as amended, to issue its general obligation bonds for a county jail facility without election if the principal amount of all bonds issued for such purpose and the interest thereon due in any year does not exceed an amount equal to .09671 percent of taxable market value of property within the County, as determined before the bonds are issued; and

(h) the principal of and interest payable on the Bonds in any year will not exceed the above-referenced percentage of taxable market value in the County.

1.02. Pursuant to the terms of a resolution of the County Board, adopted on September 23, 2003 (the "Preliminary Resolution"), Springsted Incorporated was authorized to negotiate the sale of the Bonds in accordance with the Terms of Proposal set forth in the Preliminary Resolution. The proposal of Advest, Inc. of New York, New York (the "Purchaser") to purchase the Bonds is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$13,971,910.25 plus accrued interest to date of delivery, for Bonds bearing interest as follows:

<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Bond Yield</u>	<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Bond Yield</u>
2005	2.00%	1.15%	2007	2.50%	1.90%
2006	2.50	1.48	2008	3.00	2.28

True interest cost: 1.9560%

1.02. The County Auditor/Treasurer is directed to deposit the good faith check of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith checks of the unsuccessful proposers forthwith. (The proposals of all proposers are set forth in EXHIBIT A to this Resolution.) The Chair and County Administrator are directed to execute a contract with the Purchaser on behalf of the County.

1.03 The County will forthwith issue and sell the Bonds pursuant to the Act, in the original aggregate principal amount of \$13,720,000, originally dated November 1, 2003, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on February 1 in the years and principal amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2005	\$3,260,000	2007	\$3,505,000
2006	3,405,000	2008	3,550,000

1.04. No Optional Redemption. The County may not elect to redeem and prepay the Bonds in advance of their maturity dates.

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Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar (as described below in this Section 2).

2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing August 1, 2004, to the registered owners of record as of the close of business on the fifteenth (15<sup>th</sup>) day of the immediately preceding month, whether or not that day is a business day.

2.03. Registration. The County will appoint, and will maintain, a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the County and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the County.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The County and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

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(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the County and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the County. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

2.04. Appointment of Initial Registrar. The County appoints U.S. Bank National Association, Saint Paul, Minnesota, as the initial Registrar. The Chair and the County Administrator are authorized to execute and deliver, on behalf of the County, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The County agrees to pay the reasonable and customary charges of the Registrar for the services performed. The County reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the County Auditor/Treasurer must transmit to the Registrar money sufficient for the payment of all principal of and interest then due on the Bonds.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the County Administrator and executed on behalf of the County by the signatures of the Chair and the County Administrator, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of any Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the County Administrator will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The County may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in Section 3 of this Resolution with such changes as may be necessary to reflect more than one maturity in a single temporary Bond. Upon the execution and delivery of definitive Bonds the temporary Bonds will be exchanged therefore and cancelled.

### Section 3. Form of Bond.

3.01. The Bonds will be printed or typewritten in substantially the following form:

No. R-\_\_\_

\$\_\_\_\_\_



October 28, 2003

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF WASHINGTON

GENERAL OBLIGATION JAIL REFUNDING BOND  
SERIES 2003B

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
		November 1, 2003	

Registered Owner: Cede & Co.

Principal Amount: \_\_\_\_\_ Dollars (\$\_\_\_\_\_)

Washington County, Minnesota, a county and political subdivision of the State of Minnesota (the "County"), acknowledges itself to be indebted and for value received promises to pay to the Registered Owner specified above or registered assigns, the principal amounts specified above, on the maturity date specified above without option of prior payment, with interest thereon from the date hereof at the annual rate specified above, payable February 1 and August 1 in each year, commencing August 1, 2004, to the person in whose name this Bond is registered at the close of business on the fifteenth (15th) day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by U.S. Bank National Association, Saint Paul, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the County have been and are hereby irrevocably pledged.

This Bond is one of an issue in the original aggregate principal amount of \$13,720,000 all of like original issue date and tenor, except as to number, maturity date, and interest rate, all authorized to be issued pursuant to a resolution adopted by the Board of Commissioners of the County (the "County Board") on September 23, 2003, and the sale of which was awarded at a meeting of the County Board on October 28, 2003 (collectively, the "Resolution"), for the purpose of providing money to refund the outstanding principal amount of certain obligations of the County, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Section 641.23, as amended, and Minnesota Statutes, Chapter 475, as amended (collectively, the "Act"), and the principal hereof and interest hereon are payable primarily from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the County are irrevocably pledged for payment of this Bond and the Board of Commissioners has obligated itself to levy additional ad valorem taxes on all taxable property in the County in the event of any deficiency in taxes pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the County at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owners' attorney, and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the County will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

October 28, 2003

The County and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the County nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the County to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, Washington County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Chair and County Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: November 1, 2003

WASHINGTON COUNTY, MINNESOTA

\_\_\_\_\_  
(Facsimile)  
County Administrator

\_\_\_\_\_  
(Facsimile)  
Chair

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

U.S. BANK NATIONAL ASSOCIATION

By \_\_\_\_\_  
Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

UNIF GIFT MIN ACT  
\_\_\_\_\_  
Custodian \_\_\_\_\_

TEN ENT -- as tenants by entireties

(Cust) \_\_\_\_\_ (Minor) \_\_\_\_\_  
under Uniform Gifts or Transfers to  
Minors Act, State of \_\_\_\_\_

JT TEN -- as joint tenants with right of  
survivorship and not as tenants in  
common

Additional abbreviations may also be used though not in the above list.

\_\_\_\_\_



October 28, 2003

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

\_\_\_\_\_

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Bond Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

\_\_\_\_\_

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Officer of the Registrar</u>
November __, 2003	Cede & Co. Federal ID #13-2555119	_____

October 28, 2003

3.02. The County Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or accompany each Bond.

Section 4. Payment; Security; Pledges and Covenants.

4.01. The Bonds shall be payable from the General Obligation Jail Refunding Bonds, Series 2003B Debt Service Fund (the "Debt Service Fund") hereby created, and the proceeds of the ad valorem taxes hereinafter levied described in the resolution authorizing the sale of the Bonds, are hereby pledged to the Debt Service Fund. If a payment of principal or interest on the Bonds becomes due when there is not sufficient money in the Debt Service Fund to pay the same, the County Auditor/Treasurer will pay such principal or interest from the general fund of the County, and the general fund will be reimbursed for those advances out of the proceeds of the taxes levied by this Resolution, when collected. There is appropriated to the Debt Service Fund (i) capitalized interest financed from Bond proceeds, if any, (ii) any amount over the minimum purchase price of the Bonds paid by the Purchaser, if any, and (iii) the accrued interest paid by the Purchaser upon closing and delivery of the Bonds.

4.02. For the purpose of paying the principal of and interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the County, to be spread upon the tax rolls and collected with and as part of other general taxes of the County. The tax will be credited to the Debt Service Fund above provided and is in the years and amounts set forth in EXHIBIT B to this Resolution.

4.03. It is determined that the estimated collection of the foregoing taxes will produce, along with funds of the County irrevocably pledged to the payment of the Bonds, at least five percent (5%) in excess of the amount needed to meet when due, the principal and interest payments on the Bonds. The tax levy provided in this Resolution shall be irrevocable until all of the Bonds are paid, provided that the County Board may annually, at the time the County makes its tax levies, certify to the County Auditor/Treasurer the amount available in the Debt Service Fund to pay principal of and interest on the Bonds due during the ensuing year, and the County Auditor/Treasurer will thereupon reduce the levy collectible during such year by the amount so certified.

4.04. The County Administrator is authorized and directed to file a certified copy of this Resolution in the County Auditor/Treasurer's office and to supply the certificate required by Minnesota Statutes, Section 475.63, as amended.

Section 5. Refunding; Findings; Redemption of Refunded Bonds.

5.01. The Lease is prepayable on any date, and the Series 1993 Bonds are callable on February 1, 2003 or any day thereafter, at a price of par plus accrued interest. It is hereby found and determined that the issuance of the Bonds is consistent with covenants made with the Authority under the Lease and with the holders of the Series 1993 Bonds and is necessary and desirable for the reduction of debt service cost to the County.

5.02. It is hereby found and determined that the proceeds of the Bonds will be sufficient, along with funds of the County on hand and pledged to the payment of the Series 1993 Bonds, to prepay the principal of and accrued interest on the Lease and the Series 1993 Bonds.

5.03. The County hereby exercises its option to terminate the Lease and have title to the Site and Facilities be transferred to the County, and requests the Authority to redeem and prepay outstanding Series 1993 Bonds. The County requests the Authority to redeem and prepay the Series 1993 Bonds in accordance with their terms and in accordance with the terms and conditions set forth in substantially the form of Notice of Call for Redemption attached hereto as Exhibit C which terms and conditions are hereby approved and incorporated herein by reference. The County requests that the Authority authorize and direct the Registrar for the Series 1993 Bonds to send a copy of the Notice of Redemption to each registered holder of the Series 1993 Bonds.

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5.04. When all Bonds and all interest thereon, have been discharged as provided in this section, all pledges, covenants and other rights granted by this Resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the County for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The County may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

Section 6. Authentication of Transcript.

6.01. The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to Kennedy & Graven, Chartered, as bond counsel for the County, certified copies of proceedings and records of the County relating to the Bonds and to the financial condition and affairs of the County, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the County as to the facts stated therein.

6.02. The Chair and County Administrator are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

Section 7. Tax Covenants.

7.01. The County covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

7.02. The County will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including, without limitation, requirements relating to temporary periods for investments and limitations on gross proceeds invested at a yield greater than the yield on the Bonds.

7.03. The County further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be deemed to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

7.04. The County will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this Section 7.

Section 8. Book-Entry System; Limited Obligation of County.

8.01. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.03 of this Resolution. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.



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8.02. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the County, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the "Participants") or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The County, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the County's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this Resolution. Upon delivery by DTC to the County Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the County Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

8.03. The County has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the County with respect to the Bonds will agree to take all action necessary for all representations of the County in the Representation letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

8.04. In the event the County, by resolution of the County Board, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the County will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the County will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the County will issue and the Registrar will authenticate Bond certificates in accordance with this Resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

8.05. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements as set forth in the Representation Letter.

#### Section 9. Continuing Disclosure.

9.01. The County hereby covenants and agrees that it shall comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the County to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Section 8.

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9.02. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Chair and County Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

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

## **PUBLIC HEALTH AND ENVIRONMENT**

### **Set Public Hearing on Amendments to the Solid Waste Management Ordinance**

Commissioner Stafford moved to set a public hearing for Tuesday, November 18, 2003 at 9:00 a.m. for amendments to Solid Waste Management Ordinance No. 163. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

### **Sunset Public Health Advisory Committee and Create New Committee**

Commissioner Peterson moved to sunset the Public Health Advisory Committee effective December 31, 2003 and approved a new Public Health Emergency Preparedness Advisory Committee and authorization to solicit committee members for appointment effective January 1, 2004. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Sandy Cullen, Transportation Manager, presented an overview of the CSAH 14/8 project from I-35 to TH 61. The preferred alignment, which the County Board approved on June 24, required abandonment of the Burlington Northern Santa Fe railroad line between 145<sup>th</sup> Street and 140<sup>th</sup> Street in order to connect the new CSAH 8 alignment to TH 61. Minnesota Commercial Railroad, who currently leases the track, is not willing to petition for track abandonment. The only way for the new alignment to be built along 142<sup>nd</sup>/143<sup>rd</sup> Street is with an at-grade railroad crossing. At their meeting of October 6, 2003, the City of Hugo requested the County Board to continue project development with a railroad crossing. The City of Hugo will pay for all the hearing costs associated for the new crossing.

Marvin Lavalley, stated he owns the farm that the proposed alignment will be going through. That farm has been in his family since 1865. When the siting process took place it was suppose to be the cheapest route and the railroad was a slam dunk. He feels getting the railroad to agree to this will be a long and expensive project. He questioned the benefits of using the 142<sup>nd</sup> alternative: It causes a severe impact to the Catholic Church, a frontage road will have to be built because the Catholic Church is going to lose access; It comes out into Mueller Manor which was built with Housing and Redevelopment Authority



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funds for senior citizens and it's a T-intersection. Those are the supposed benefits of 142<sup>nd</sup>. The 145<sup>th</sup> option is out because of the cost and relocation involved. The most dangerous intersection in Hugo, 147<sup>th</sup>, needs a signal today. The City of Hugo has applied for an intersection and they have said they will build 147<sup>th</sup> no matter what in the future. So there will be relocation in that process. He asked if the City will ever have to build 142<sup>nd</sup> Street in the future? Absolutely not. That road is not needed as a city street, there will never be a crossing there. He does not understand why they are doing it this way. It isn't about his farm. If he thought this was a good route he wouldn't even be here today. If the Rush Line Corridor comes along, what crossing will they close, because you can only have one crossing per mile? It makes more sense to put the road in along 147<sup>th</sup> and there is no railroad issue at all. He thinks the County Board is getting themselves into a money hole that is never going to stop. He feels an analysis should be made as to what the real costs of 142<sup>nd</sup> are as compared to 147<sup>th</sup>.

Don Theisen, County Engineer, stated that the requested action today does not lock the county in to building the preferred alignment. All it does is allow the county to proceed to determine what is the final answer to the crossing issue.

Commissioner Peterson moved to adopt **Resolution No. 2003-182** as follows:

#### CSAH 8 Authorization to Pursue a Railroad Crossing

WHEREAS, the Cities of Lino Lakes and Hugo, and the Counties of Anoka and Washington are cooperatively working on developing the CSAH 14/CSAH 8 road project, from I-35E to TH 61; and

WHEREAS, there were three feasible alternative alignments within the City of Hugo evaluated in the Environmental Assessment (EA) completed for the project; and

WHEREAS, the City of Hugo at their May 5, 2003 council meeting selected to build the new four-lane divided highway along a new alignment to connect with TH 61 in the vicinity of 142<sup>nd</sup>/143<sup>rd</sup> Street; and

WHEREAS, on June 24, 2003, the Board supported the City of Hugo's decision to build the new four-lane divided highway along the new preferred alignment based on the understanding that the Burlington Northern Santa Fe railroad line between 145<sup>th</sup> Street and 140<sup>th</sup> Street would be abandoned; and

WHEREAS, further negotiations with the Minnesota Commercial Railroad (leaser of the BNSF track) have revealed that they are not willing to petition for track abandonment; and

WHEREAS, at their meeting on October 6, the City of Hugo requested the County Board continue project development with a railroad crossing; and

WHEREAS, a new at-grade railroad crossing involves a process that initiates with a request for a crossing from Mn/DOT; and

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WHEREAS, if a new crossing is approved, the County Board will review any conditions placed on the crossing prior to our final county approval of the alignment; and

WHEREAS, the approval of a railroad crossing needs to be completed by March 2004 in order for this project to proceed in a timely manner.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board authorizes staff to pursue a railroad crossing for the preferred alternative for the Washington County State Aid Highway 8 project.

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

## **GENERAL ADMINISTRATION**

### **League of Local Governments**

Jim Schug, County Administrator, announced that the League of Local Governments meeting will be held on Wednesday, October 29 at 6:00 at the Prom Center in Oakdale. Dan McElroy, Commissioner of Finance will be the primary speaker. He will discuss issues of funding reductions and look at different service models for counties and cities.

### **Truth-in-Taxation Hearing**

Mr. Schug stated that the Truth-in-Taxation hearing will be held on December 4, 2003. Due to recent changes in legislation, hearings can be held anytime after 5:00 p.m. Past meetings have been held at 7:00 p.m. He asked if the Board would like to change the time of the meeting. It was Board consensus to keep the hearing at 7:00 p.m.

Mr. Schug informed the Board that there will be a workshop for a final pre-truth-in-taxation proposed budget on November 18 to address any recommended changes with the proposed levy

Commissioner Peterson stated she will be attending the AMC Conference in Minneapolis on December 8-10. She wonders if there will be more members attending and whether or not there will be a County Board meeting. Commissioner Hegberg stated he will be attending also.

Mr. Schug stated they are looking at possibly canceling the December 2 Board meeting, which is two days prior to the Truth-in-Taxation hearing, and hold that Board meeting right before the Truth-in-Taxation hearing on December 4. Depending on the schedule, it may not be necessary to meet on December 9. He will keep the Board posted.

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**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Kriesel announced that the Washington County Housing and Redevelopment Authority recently received an award from the Department of Economic Development for its participation in the Older Worker Program.

Commissioners Kriesel and Stafford will be attending the Workforce Center Open house this afternoon.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

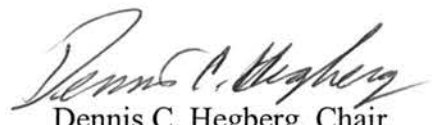
There being no further business to come before the Board, Commissioner Stafford moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously; Commissioner Pulkrabek absent.


**2004 BUDGET HEARINGS**

The Board meeting was followed by budget hearings with the following organizations: Water Conservation District and Water Management Organizations.

**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development to discuss noise mitigation along county highways. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Hegberg, Peterson and Stafford. Also present were James Schug, Molly O'Rourke, Don Theisen, Sandy Cullen and Judy Spooner, Washington County Bulletin.

  
Dennis C. Hegberg, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

# OFFICIAL PROCEEDINGS OF THE COUNTY BOARD

## WASHINGTON COUNTY, MINNESOTA

NOVEMBER 4, 2003

The Washington County Board of Commissioner met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkcrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Edison Vizuete, Financial Services Director; Kathy Trombly-Ferrin, Financial Services Supervisor; Tonya Weinert, Accountant; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Kevin Corbid, Assessment, Taxpayer Services and Elections Director; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Richard Backman, Community Services Division Manager; Doug Karsky, Community Services Supervisor; Jon Larson, Veterans Service Officer; Judy Hunter, Public Health and Environment; Cindy Weckwerth, Program Manager; Jeneen Johnson, Acting Human Resources, Employee Safety and Risk Management Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

### COMMENTS FROM THE PUBLIC

Dennis Plan, Cottage Grove, suggested that the county could save tax dollars and create a more helpful service by programming the county computers to do immediate property title changes at the counter using the scanning process. He feels the current policy requires a lot of time consuming document processing and it allows a third party to charge hundreds and thousands of dollars to handle documents and to cloud the title forcing the family to have their privacy invaded by the process known as probate court. He feels that is a waste of tax dollars.

### CONSENT CALENDAR

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

1. Approval of the October 21 and 28, 2003 Board meeting minutes.
2. Adoption of **Resolution No. 2003-183** as follows:

Lawful Gambling Exemption for  
Scandia Women's Softball Association

WHEREAS, Scandia Women's Softball Association has made application to the Gambling Control Board for the exemption from certain

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requirements contained in M.S. 349.166 sub 2 in order to conduct Bingo at Scandia Community Center, 14727 209<sup>th</sup> St. N., New Scandia, MN 55073 on November 21, 2003.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners does not oppose issuance of exemption consistent with the application.

3. Approval to set the Truth-in-Taxation public hearing for 7:00 p.m. on Thursday, December 4, 2003; and set a continuation hearing for 7:00 p.m. on Tuesday, December 16, 2003.
4. Approval of needs determination for a new day training and habilitation service for persons with mental retardation or related conditions.
5. Adoption of **Resolution No. 2003-184** as follows:

A Resolution Amending Resolution 2003-181 Regarding the Award  
of the Sale of General Obligation Jail Refunding Bonds, Series 2003B

BE IT RESOLVED By the Board of Commissioners of Washington County, Minnesota, a county and political subdivision of the State of Minnesota (the "County"), as follows:

Section 1. Background.

1.01 The County is authorized by Minnesota Statutes, Section 641.23, as amended, Chapter 475, as amended, (the "Act") and Section 475.67, Subdivision 3, as amended, of the Act to issue and sell its general obligation bonds to refund obligations and the interest thereon before the due date of the obligations, if consistent with covenants made with the holders thereof, when determined by the Board of Commissioners to be necessary or desirable for the reduction of debt service cost to the County or for the extension or adjustment of maturities in relation to the resources available for their payment.

1.02 In order to reduce debt service costs associated with financing the Jail for the County, the County authorized issuance of its General Obligation Jail Refunding Bonds, Series 2003B (the "Bonds"), in the original aggregate principal amount of \$13,720,000, to prepay the County's obligation under that certain Lease Agreement, dated as of July 1, 1991, between the County and the Washington County Housing and Redevelopment Authority (the "Authority"), as amended by the First Supplemental Lease Agreement, dated as of April 1, 1993, between the County and the Authority (collectively, the "Lease").

1.03 The sale of the Bonds was authorized by Resolution No. 2003-181 (the "Bond Resolution"), adopted by the County Board on October 28, 2003.

1.04 The Bond Resolution contains an inconsistent statement with regard to the application of any premium paid for purchase of the Bonds over the minimum purchase price.

Section 2. Amendment to Section 4.01 of the Bond Resolution.

2.01. Section 4.01 of the Bond Resolution is hereby deleted in its entirety and the following language shall be substituted therefore:

The Bonds shall be payable from the General Obligation Jail Refunding Bonds, Series 2003B Debt Service Fund (the "Debt Service Fund") hereby created, and the proceeds of the ad valorem taxes hereinafter levied described in the resolution authorizing the sale of the Bonds, are hereby



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pledged to the Debt Service Fund. If a payment of principal or interest on the Bonds becomes due when there is not sufficient money in the Debt Service Fund to pay the same, the County Auditor/Treasurer will pay such principal or interest from the general fund of the County, and the general fund will be reimbursed for those advances out of the proceeds of the taxes levied by this Resolution, when collected. There is appropriated to the Debt Service Fund (i) capitalized interest financed from Bond proceeds, if any, and (ii) the accrued interest paid by the Purchaser upon closing and delivery of the Bonds. Any amount over the minimum purchase price of the Bonds paid by the Purchaser shall be applied by the County (i) to reduce the original aggregate principal amount of the Bonds required to prepay the Lease or (ii) if directed in a writing signed by the County Administrator, for deposit in the Debt Service Fund.

2.02 All other terms of the Bond Resolution are hereby reaffirmed.

6. Adoption of **Resolution No. 2003-185** as follows:

Authorization to Accept Minnesota Board of Water and Soil  
Resources Challenge Grant for Integrating Groundwater and  
Surface Water in Southern Washington County

WHEREAS, funds are available from the Minnesota Board of Water and Soil Resources (BWSR) Challenge Grant program to assist Washington County to integrate groundwater and surface water management and protect local aquifers; and

WHEREAS, Washington County, Watershed Districts and Local Governmental Units currently lack key regional groundwater information to enable protection of groundwater resources as it relates to land use; and

WHEREAS, groundwater components factor into virtually all of the costly water resource projects undertaken in southern Washington County; and

WHEREAS, groundwater dependent natural resources are known or thought to exist in south Washington County; and

WHEREAS, the grant requires a 1:1 in-kind and/or cash match; and

WHEREAS, no additional levy or program changes will be necessary to achieve this match; and

WHEREAS, the Department of Public Health and Environment will be working in partnership with the following organizations for administrative and or matching funds/in-kind time; the Washington Conservation District, the South Washington Watershed District, the Valley Branch Watershed District, the Ramsey Washington Metro Watershed District, and the Middle Saint Croix Water Management Organization; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorize the Department of Public Health and Environment to accept the BWSR Challenge Grant and to sign the grant agreement and all other documents on behalf of the County, subject to approval by the County Attorney's Office as to form and execution.

BE IT FURTHER RESOLVED, the total project cost of the grant, Integrating Groundwater and Surface Water Management in Southern Washington County, will not exceed \$120,900, and that the project partners will provide the fifty percent match of \$60,450.

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BE IT FURTHER RESOLVED, that Washington County, through the Department of Public Health and Environment will serve as the fiscal agent for the grant.

7. Approval of agreement with the City of Woodbury for extension of water and sewer services to the South Shop property line.

The foregoing Consent Calendar was adopted unanimously.

## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Reroofing Bids for South Maintenance Shop in Woodbury**

Don Wisniewski, Director of Transportation and Physical Development, presented an overview of the bids received for reroofing of the south maintenance shop in Woodbury. Staff had recommended that an award be made to Nieman Roofing. A question arose related to the numbers submitted at the bid opening. The specifications called for a base bid and three alternatives, which covered various construction techniques and the thickness of the membrane. Alternatives two and three were chosen. When those two alternatives are added together Nieman Roofing was the low bid and G & S roofing, represented by Mr. Miller this morning, was second lowest, within a few hundred dollars of each other. The bid specifications also asked for unit prices, so if there was water damage after the roof is torn off that adjustment could be made to the actual cost by using those unit bids. Nieman Roofing submitted a cost per square rather than per square foot, so their prices were very high, off by a factor of 100. Mr. Wisniewski stated that Nieman Roofing did submit a letter indicating they had made a mistake on their bid for the unit pricing using per square instead of per square foot. The basis of the bid is the base bid and the alternatives, not the unit prices because they do not know how many square feet of roof would have to be altered. In discussion with the County Attorney's Office, the actual award is based on the alternates not on the unit prices. He believes Mr. Miller will argue that their prices were lower and consideration should be given to the fact that they did not make an error and that perhaps the bid should be awarded to G & S Roofing.

Norm Miller, G & S Roofing, stated they submitted a price based on what they saw, what the conditions were and what they felt would be a fair price for everyone. He was not aware that a bid can be changed after the fact. He has seen it done where someone has made a mistake and they are required to document what the mistake was, provide written information, copies of their bid documents and been allowed to pull their bid. In this case, he thinks it is clear that they should be awarded the contract. They bid this in good faith, they looked at the 6,000 square feet of wet insulation as a hard number, as part of the base bid.

Commissioner Kriesel asked the County Attorney if Nieman Roofing complied with the bidding procedures? George Kuprian, Assistant County Attorney, stated that since that unit price was never part

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of the bid evaluation process, there never was any waiver. As he understands it, the bid was already awarded, contingent upon County Board approval, before that letter came out. It is fine, because it wasn't part of the evaluation process. It is a contingency, if it never happens then it would never come up so it cannot be considered.

Commissioner Pulkrabek moved to award the bid for reroofing of the south maintenance shop in Woodbury to G & S Roofing the second lowest bidder. Commissioner Kriesel seconded the motion.

Commissioner Stafford stated because it is so clouded, he would suggest a rebid on this project.

Mr. Kuprian stated if in fact the unit price was not part of the evaluation and the Board does award the second highest bidder, he feels the county could be in for a legal challenge from the lowest bidder.

Commissioner Pulkrabek and Commissioner Kriesel withdrew their motion and second.

Commissioner Stafford moved to reject all bids for the south maintenance shop in Woodbury and authorized staff to rebid this project. Commissioner Peterson seconded the motion and it was adopted unanimously.

## **FINANCIAL SERVICES**

### **Allocate Interest Earnings to the County Library Fund #230**

Commissioner Peterson moved to approve allocation of interest earnings to the County Library Fund #230 beginning in year 2003. Commissioner Stafford seconded the motion and it was adopted unanimously.

### **Opening of Three New Funds for the 2003A and 2003B Bond Series**

Commissioner Kriesel moved to open three new funds to handle the finances regarding the 2003A and 2003B bond series as follows: 1) Fund 317 will record and monitor the repayment of the LEC bonds now referred to as the 2003B bonds; 2) Fund 440 will record revenues and expenditures of the capital projects financed by the proceeds of the \$25 million 2003A bonds; and 3) Fund 340 will record and monitor the repayment of the 2003A bonds. Commissioner Peterson seconded the motion and it was adopted unanimously.

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**TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Commissioner Peterson moved to approve an agreement for the transfer of County Road 68 to the City of Grant. Commissioner Hegberg seconded the motion and it was adopted unanimously.

**GENERAL ADMINISTRATION**

The County Board watched a short videotape that recognized veterans in honor of Veterans Day, November 11. Jon Larson introduced members of the County's local Posts and Barracks: Leonard and Lucille Feely, Lake Elmo VFW Post #5725; Marvel Hansen, DAV (Disabled American Veterans) Chapter #17; and Walter Sabinske, Chairman, United Veterans Council of Washington County and St. Paul Park American Legion Post #98.

Commissioner Hegberg moved to adopt the following proclamation:

Washington County Proclamation  
Veterans Day November 11, 2003

WHEREAS: Citizens from throughout Washington County have served in the Armed Forces of the United States of America during military conflicts and in peacetime; and

WHEREAS: Minnesotans are currently serving at home and abroad to maintain peace and are in harm's way in the conflicts in Iraq and Afghanistan with two Minnesotans killed and six wounded; and

WHEREAS: Armistice Day was declared a national holiday in 1938 to observe the end of fighting in World War I; and,

WHEREAS: President Dwight D. Eisenhower signed legislation in 1954 proclaiming November 11 as Veterans Day in recognition of service personnel who have served the United States in all wars; and

WHEREAS: Washington County's Veterans Service Office currently provides services for over 17,700 veterans; and

WHEREAS: Communities throughout Washington County will be observing Veterans Day this November 11 and Washington County offices will be closed on Veterans Day to honor past and present service personnel; and

NOW, THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners honors the sacrifices made by citizens of Washington County who have served our country; and

BE IT FURTHER RESOLVED THAT, the Washington County Board of Commissioners hereby proclaims Tuesday, November 11, 2003, as Veterans Day throughout Washington County in observance of this national holiday and in appreciation of the service given by all Veterans in the county.

Commissioners Stafford and Kriesel seconded the motion and it was adopted unanimously

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**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson announced that last Friday the Transportation Alliance selected a new Executive Director, Rick Kruger.

**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 Pulkrabek and it was adopted unanimously. The Board meeting adjourned at 10:20 a.m.

**BOARD WORKSHOP WITH INFORMATION SERVICES AND ADMINISTRATION**

The Board met in workshop session with the Department of Information Services and the Office of Administration to preview the web site redesign and receive a status report. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Mary McCarthy, Bernadette Lantz, Robert Lockyear, Kris Schulze, Steve Gransee, and Judy Spooner, Washington County Bulletin.

**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

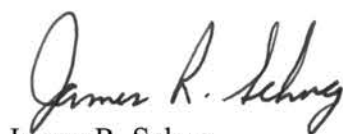
The Board met in workshop session with the Department of Transportation and Physical Development to discuss ATV use of county rights of way, and evaluate options and public comments. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Don Wisniewski, Don Theisen, Wayne Sandberg, Sergeant Brent Olson, Larry Keller, Stillwater resident, and Judy Spooner, Washington County Bulletin.



Dennis C. Hegberg, Chair

County Board

Attest:



James R. Schug

County Administrator



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**NOVEMBER 18, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Mary McGlothlin, Director of Public Health and Environment; Judy Hunter, Senior Program Manager; Lowell Johnson, Public Health Deputy Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Wayne Sandberg, Transportation Engineer; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Jeneen Johnson, Acting Director of Human Resources, Employee Safety and Risk Management; Cindy Koosmann, Recorder; Jennifer Wagenius, Deputy Recorder; Tom Adkins, Community Corrections Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the November 4, 2003 Board meeting minutes.
2. Approval of 2003-2005 contract with South Metro Human Services Inc. for adult foster care.
3. Approval of a 1.0 F.T.E. Special Project Real Estate Taxpayer Services Technician position in Assessment, Taxpayer Services and Elections through July 2004.
4. Approval of a .74 F.T.E. in the Library Clerk classification.
5. Approval and execution by Board Chair and Administrator of agreement with the city of Oakdale for distribution of curbside recycling funds.

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6. Approval of Plat of Manning Overlook, New Scandia Township.
7. Approval of service agreement with Motorola, Inc. for radio system maintenance in 2004.
8. Approval of amendment to Management Operating agreement with Aramark Correctional Services, Inc. extending the agreement through October 21, 2004.
9. Approval of county policy regarding noise mitigation along county highways.
10. Adoption of **Resolution No. 2003-186** as follows:

Federal Trail Assistance Grant for County Sponsored  
Star Trail Association

WHEREAS, Washington County Star Trail Association develops and maintains a snowmobile trail system in Washington County during the snowmobiling season; and

WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> Century provides for a federal program to provide financial assistance for the development and maintenance of recreational trails and trail-related projects;

WHEREAS, the Minnesota Department of Natural Resources (DNR) has been designated by the Governor to oversee the distribution of these funds; and

WHEREAS, the Washington County Star Trail Association has completed a request to participate in this program for the replacement of trail grooming equipment; and

WHEREAS, Washington County is acting as sponsor for the Washington County Star Trail Association; and

WHEREAS, any grant monies provided through the DNR must be distributed to a governmental agency acting as sponsor to a local snowmobile club; and

WHEREAS, as a condition of the grant being provided by the DNR matching funds must be available for the intended purpose of the grant; and

WHEREAS, the Washington County Star Trail Association has promised to give to Washington County as a gift, \$20,461.00 for purposes of funding the matching requirement; and

NOW, THEREFORE BE IT RESOLVED, that Washington County acting as sponsor for the Washington County Star Trail Association accepts the grant on behalf of the Washington County Star Trail Association.

BE IT FURTHER RESOLVED, that James R. Schug, County Administrator, 14949 62<sup>nd</sup> Street North, Stillwater, MN 55082, shall act as fiscal agent in distributing the grant money.

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BE IT FURTHER RESOLVED, that as a condition of the grant Washington County shall provide \$20,461.00 in matching funds to the Washington County Star Trail Association.

BE IT FURTHER RESOLVED, that as a condition precedent to providing the aforementioned \$20,461.00 in matching funds the Washington County Star Trail Association shall give to Washington County a gift of \$20,461.00.

11. Adoption of **Resolution No. 2003-187** as follows:

Request Funding from the Minnesota Department of  
Transportation Through the Municipal Agreement Program  
for the CSAH 19 & I-94 North Ramps

WHEREAS, Washington County wishes to install a traffic signal system on County State Highway (CSAH) 19 at the intersection of I-94 North Freeway Ramps; and

WHEREAS, the project will be of mutual benefit to both the Minnesota Department of Transportation and Washington County; and

WHEREAS, Washington County is committed to providing the local share of the costs if the project is selected as part of the FY 2005 Municipal Agreement Program; and

WHEREAS, Washington County is committed to completing the project if selected and funding is provided as part of the FY 2005 Municipal Agreement Program; and

NOW, THEREFORE, BE IT RESOLVED, that Washington County is requesting funding from the Minnesota Department of Transportation for the installation of a traffic signal system on County State Aid Highway (CSAH) 19 & I-94 North Freeway Ramps and is committed to completing such project and providing the local share of funding.

The foregoing Consent Calendar was adopted unanimously.

**PUBLIC HEARING – PUBLIC HEALTH AND ENVIRONMENT**

**Amendment to the Solid Waste Management Ordinance No. 163**

The Board Chair presented an overview of today's public hearing to consider adoption of an ordinance amending Solid Waste Management Ordinance No. 163. The Board Secretary noted that the notice of public hearing was published and a copy of the notice is on file.

Judy Hunter, Senior Program Manager, reviewed proposed amendments to the rates for the Solid Waste Management Service charge in Ordinance No. 163. She reminded the Board that these rates are reviewed annually and set upon the department budget needs. In 2004 the county needs to raise \$5,925,000 that includes a contingency amount of \$119,400. The Resource Recovery Project budget

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will increase \$600,000, which is a 4% increase to the current county environmental charge that is 34.2%. The County Board had directed staff to look at replacing the \$3 per parcel charge. This will mean an additional 1.4% increase in the county environmental charge making a total of 39.6% which was rounded down to 39.5%.

Ms. Hunter explained that the Resource Recovery Board each year develops a budget estimated on many different factors, but the most two prominent factors that impact the county's budget will be the tip fee at the Resource Recovery Facility. Ramsey and Washington Counties have entered into a four and a half year long-term agreement with haulers, the tip fee for 2004 remains at \$38. That means more of a charge to the county to make up the difference. There is also a fuel index fee. It is projected that will go up substantially next year. Normally a 15% increase is budgeted, but this year it went up 18%. With the waste delivery agreements, they are projecting increase waste delivery each year to the Resource Recovery Facility. So as the waste goes up the county's portion of the cost goes up.

Marge Strand, Forest Lake Sanitation, thanked the Board and staff for receiving their calls and answering their questions and being available to them. She and her husband run a small residential and commercial collection operation in northern Washington County. Prior to that they were landfill owners in Chisago County that they operated for 20 years. They have concerns about the collection method to receive disposal fees. It has created a maze of loopholes for haulers to navigate. Their lives are more complicated by formulas to figure, forms to fill out, phone calls to answer and complaints to rectify. They feel the county has taken a verifiable, collectible, predictable tax off the tax rolls and complicated it with formulas, forms, complaints and adjustments. If there was a problem with the commercial side of revenue not being there to support what is happening down at the plant, then look at some other method of calculating taxable amounts on the commercial side. She would like to see this tax returned to the property tax altogether. There you wouldn't have a cost of collection, a cost of verification, there wouldn't be loopholes for some bigger companies to jump through.

Cameron Strand, Forest Lake Sanitation, 6320 East Viking Boulevard, Wyoming, resides at 9567 North Shore Trail. Mr. Strand strongly feels that if the full amount cannot be left off the tax roll, the county should leave a portion. A certain percentage of the people out there do not have service. If the tax is alleviated entirely the county will loose that portion of people that are participating in the plant. They had a particular stop in their area and a competitor came in and gave a bid that was below their cost. Their cost on this particular stop was \$150 a month. The competitor came in with a bid of \$198. At \$150 there is a 34.2% on the CEC, 17% on the state tax for a total of 51%. At 51% there is an additional \$75, or \$76 on the \$150 bill. In the competitor's bid it was not included. They were doing it for \$25 less than what they were supposed to be remitting to the county. He believes the county staff people will have to check some of this stuff that is going on out there. He said a fellow hauler from Ramsey County indicated there are a number of manipulations out there. He feels the County Board should look

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at that more closely. The ordinance says that a the county environmental charge must be charged on the tipping and on the collection, and he does not believe that is being done.

Richard Krawczewski, Red Arrow Waste Disposal in St. Paul, 44 East Acker Street, stated there are companies in Ramsey County who are bidding jobs at just the cost of dumping trash. They are not charging anything for the hauling or the truck and that is suppose to be part of the price. He is sure they are doing it here in Washington County. He feels the county is losing a lot of tax. With this formula it will go on forever. He believes it should be back on the property tax.

Mike Maroney, Maroney's Sanitation, 9209 Lansing Avenue North, Stillwater. Mr. Maroney understands that the decision has been made to put it on the garbage haulers to collect the fee. He wanted to make the Board aware that this has really increased the cost to the consumer because they have seen a huge increase in overhead to collect this fee. With the proposed increase, they are looking at 49.25% of the bills that go out to their residents will be in either county or state fees. In Ramsey County, 70% of the bill for commercials is in taxes and fees.

Paul Savre, Vice President for Operations for All Star Disposal, Inc., 7845 Void Court East, Inver Grove Heights. Mr. Savre stated they are a large container hauler company. He knows for a fact there are companies that are manipulating addresses, especially for companies they are doing business with whose billing is outside of Ramsey and Washington County who simply aren't charging the tax. He knows this because his company is losing business to them. There has to be a better way of doing this. The old system seemed to work well. The computer system he had to buy has cost him a small fortune, and now he will have to update it again when these changes are made. He feels the old way was better.

Marge Strand read from a report that was prepared for the Ramsey-Washington Resource Recovery Project by an independent engineer to look at the costs in Newport. Based on the information the cost of processing per ton goes down the more volume that is brought into the plant. It was estimated in this report dated September of 1998, they estimated the cost per ton at \$55 a ton when there were 281,000 tons brought to the plant. But if there were 420,000 tons per year the cost went down to \$47.40 a ton. If the county is looking at volume, the prices shouldn't go up because the haulers bring more volume to the plant.

The Board Chair asked for further comments. None were heard. The Board Secretary indicated she had received all documentary evidence.

Commissioner Peterson moved to close the public hearing. Commissioner Kriesel seconded the motion and it was adopted unanimously. The public hearing was closed at 9:33 a.m.



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Commissioner Peterson has heard that Anoka County has a different fee for collection of garbage. What are they doing? Ms. Hunter stated that Anoka County has a property-based fee. Washington County's property based fee, the commercial fee, was modeled after Anoka County. They have a parcel-based service charge. Commercial businesses are charged on building value.

Commissioner Hegberg asked what the tax is in Ramsey County on commercial, is it approximately 70%? Ms. Hunter stated that the state tax for commercial is 17%, the current county environmental tax is 56%. They are moving toward 53% for 2004.

Commissioner Stafford asked if the 39.5% fee included approximately \$120,000 for contingency? Ms. Hunter stated that is for uncollectible and contingency both.

Commissioner Kriesel stated that Ms. Cameron had indicated from the 1998 report that if the county processed 281,000 tons it would equate to \$55 a ton and at 420,000 it would be \$47.40 a ton. The tonnage cost is going up primarily because of the fuel factor? Ms. Hunter indicated that was part of it. That report did an independent look in 1997 and 1998 at what it costs NRG to operate the facility. His finding might be that the cost for NRG might have gone down, she is not sure if that included Xcel's cost to actually burn the RDF. The fact is the county has a service delivery agreement with NRG, so the county's costs are not subject to NRG's costs and whether it costs them less to process one ton or 400 thousand tons. The Service delivery agreement requires certain payments over the course of the 20 years. One of the major factors is that fuel index that's changed. The service agreement has been amended several times over the past 20 years, they currently have not amended the fuel index in the last couple years. Staff is starting to look at options for the Board after 2007. The counties are obligated to pay according to a formula that includes fuel index and includes increased costs for more tons that come to the facility.

Commissioner Kriesel stated he was for the fee when it started last year. As a citizen of Stillwater he was being charged \$43 a year and he had a 30-gallon container, was good at recycling. He thought it was unfair that he pays the same amount that other people that might have a 60-gallon or 90 gallon container, weren't recycling and producing more garbage. Hearing from Mr. Maroney and the Strands about the problems associated with having to spend \$8 thousand to \$15 thousand on software to implement the charge and also the loopholes that exist, he is concerned about those items. He will not vote against this, but he does believe a way needs to be found to eliminate those loopholes.

Commissioner Stafford moved to approve the amendments to the Solid Waste Management Ordinance No. 163 that would raise the fee to 39.5% and keep the \$3 on the tax statement. Commissioner Peterson seconded the motion.

The Board discussed this motion.

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Commissioner Stafford agrees that \$42 on the tax statement is not fair because it doesn't have any reference to the amount of waste that a person generates. The actual cost of disposing per ton at the Resource Recovery Plant is \$65. The haulers pay \$38 and the rest is a subsidy that comes from that fee that is charged on the hauler's bill. This is the only way to get haulers to haul to the plant rather than haul it to a landfill. There are 105 landfills in Minnesota that are closed and contaminated with an estimated bill of \$500 million to clean them up. There is one in Washington County called Lake Jane which has to be maintained in perpetuity. There is no way to clean that site up except to dig it up and haul it somewhere else. The reason he would like to leave the \$3 on the property taxes is because there is an uncertain outcome and an uncertain source of revenue. Staff is looking at curbside pickup of hazardous material. They are not sure how much that will cost. There is a Resource Recovery contract coming up in 2007 and negotiation for that could cost some money. There are witnesses here testifying about enforcement problems. The money could be used for research and development. Three dollars on the tax bill will raise about \$200,000 a year. He believes over a given period of time there will be enough money to do tangible, meaningful things with the future of waste. That's why he is supporting the 39.5% fee and the \$3 on the property tax.

Commissioner Peterson agreed with the comments made by Commissioner Stafford. She underscored his comments on household hazardous waste. She is concerned about how that is being disposed of and would rather have some dollars in place to do a better job with the waste.

Commissioner Pulkrabek stated he would support the resolution approving the adoption of the amended ordinance as is. He would like to see the \$3 charge removed. He supported going from the old system to the volume-based system with the understanding that this was going to be completely taken off.

Commissioner Kriesel stated he cannot go along with the \$3 unless the percentage fee is reduced. He is concerned about the total cost of the whole program.

Commissioner Hegberg stated he was in Commissioner Pulkrabek's camp when this was first proposed. He felt it would be taken off the tax statement and placed on garbage where it belonged. In talking to Mr. Strand and some others some people don't have their waste picked up and take it to their employment or other places. He does not know if he wants to raise the \$3 to do hazardous waste, he is not sure it can be collected at the curbside, though that would be important. The waste that is coming in that is more of a concern is the electronic equipment. If the \$3 were left on and lowered the fee, what would that percentage be lowered by? Ms. Hunter indicated that was 1.4%, so you would have to take 39.5% and subtract 1.4%, which gives you a percentage of 38.1%.

Commissioner Stafford suggested that keeping the \$3 on and lowering the fee means that the \$3 will be used to subsidize the tipping fee and ignoring the needs for the other items that were given. He asked if

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there would be a friendly amendment to leave the fee at 39.5% and have the tax statement at \$2. It will still raise \$140,000 a year, with the \$120,000 in contingency would equal about \$260,000 a year to work with. Commissioner Peterson indicated she liked what was on the table better.

The motion to approve the amendments to the Solid Waste Management Ordinance No. 163 that would raise the fee to 39.5% and keep the \$3 on the tax statement was adopted 3-2 with the vote as follows:

Yes: Commissioners Hegberg, Peterson and Stafford; No, Commissioners Pulkrabek and Kriesel.

**Resolution No. 2003-188**

Washington County Ordinance #167  
Amendments to Solid Waste Management Ordinance #163

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

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

WHEREAS, in order to discharge the mandate imposed upon counties by the Minnesota Waste Management Act to manage mixed municipal solid waste in a more environmentally sound manner than land disposal, Washington County provides or contracts with others to provide various solid waste management services for residents; and

WHEREAS, the Washington County Board of Commissioners adopted the Washington County Solid Waste Management Ordinance #163 on November 19, 2002; and

WHEREAS, 1984 Minnesota Laws, Chapter 644, Section 80, Minnesota Statutes Sc 400.08 and SC473.811 Subd 3a, authorize Washington County to establish and collect a service charge for the solid waste management services provided by the County or others under contract with Washington County.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners adopts the attached amendments to the Washington County Solid Waste Management Ordinance to be effective January 1, 2004, said amendments establish the rates and charges for the solid waste management service charge and the method of collection.

**WASHINGTON COUNTY  
ORDINANCE #167**

**AN ORDINANCE AMENDING THE  
WASHINGTON COUNTY  
SOLID WASTE MANAGEMENT ORDINANCE #163**

November 18, 2003

The Board of Commissioners of Washington County ordains:

#### SUBSECTION 1:

The Washington County Solid Waste Management Ordinance #163 is hereby amended by replacing with, an amended Section 14.

### 13.0 Service Charge

13.01 Purpose and Authority: Pursuant to Laws 1984, Chapter 644, Section 80, and Minn. Stat. Sections 400.08 473.811, Subd. 3A, the County hereby imposes on all generators, owners, lessees or occupants of property, including properties owned, leased or used by the State or a political subdivision of the State a service charge. The intent of the service charge is to provide for solid waste management services by the County or by those under contract with the County.

#### 13.02 Service Charge Components

The service charge shall be comprised of the Property Based Waste Management Service Charge as set forth in Section 13 of this ordinance and the County Environmental Charge as set forth in Section 14 of this ordinance.

#### 13.1 Property Based Waste Management Service Charge

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

13.1.3 Residential Property is any property which is a single family residence, personal property mobile home, residential apartment building or any property classified as residential by the County Assessor.

13.1.4 Non-Residential Property is all improved real property in Washington County classified by the County Assessor as commercial, industrial, institutional, utility, tax exempt or other non-residential property.

13.2 Rates and Charges: Rates and charges imposed may take into account the character, kind and quality of the service and of the solid waste; the method of disposition including but not limited to activities such as recycling, composting, co-composting, resource recovery, the number of people served at each place of collection, and all other factors that enter into the cost of service, including but not limited to depreciation and payment of principal and interest on money borrowed by the County for the acquisition or betterment of solid waste facilities, the establishment of a reserve fund for payments of a fee to the Facility vendor for services to be provided at the Facility, and administrative costs associated with providing waste management services to County residents; and specifically may take into account as an additional cost of service, the amount of waste estimated to be generated by different classifications of solid waste generators, as determined by the County.

13.2.1 The rate of the solid waste management service charge for Residential Property shall be as follows:

- 1) \$3.00 per improved parcel for personal property mobile homes
- 2) \$3.00 per improved parcel for single family residence with a building value over \$20,000
- 3) \$3.00 per improved parcel for buildings with 2 or 3 dwelling units and a building value over \$20,000
- 4) \$3.00 per dwelling unit for residential apartment buildings with 4 or more units and a building value over \$20,000.

13.2.2 The rate of the solid waste management service charge for non-residential property shall be as follows:



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Category I Non-Residential Property	The solid waste management service charge shall be \$ 0 for each parcel with an estimated building value, as determined by the County Assessor, of \$20,000 but less than \$100,000.
Category II Non-Residential Property	The solid waste management service charge shall be \$ 0 for each parcel with an estimated building value, as determined by the County Assessor, of \$100,000 but less than \$250,000.
Category III Non-Residential Property	The solid waste management service charge shall be \$ 0 for each parcel with an estimated building value, as determined by the County Assessor, of \$250,000 but less than \$500,000.
Category IV Non-Residential Property	The solid waste management service charge shall be \$ 0 for each parcel with an estimated building value, as determined by the County Assessor of \$500,000 but less than \$1,000,000.
Category V Non-Residential Property	The solid waste management service charge shall be \$ 0 for each parcel with an estimated building value, as determined by the County Assessor, of \$1,000,000 or more.

- 13.3 Service charges under Section 13 shall be billed directly to every owner of property through the County property tax statements as a separate item and shall be due, payable and collected in the same manner as property taxes subject to the same penalties and interest as overdue real property taxes. In such instances, no charge shall become payable in any year unless first certified by the County Board to the County Auditor in the year prior to its being payable.

13.4 Unpaid Charges.

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

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

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

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

- 13.5.2 Administrative Appeal



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- 13.5.3 A person assessed a service charge pursuant to Section 13 of this ordinance may appeal the amount of the charge before one year from date billed to the Department by requesting in writing an adjustment to the charge. If the Department denies the request for adjustment, the person may appeal the decision to the County Board.

#### **14.0 County Environmental Charge**

- 14.1 Purpose and Authority: Pursuant to Laws 1984, Chapter 644, Section 80, and Minn. Stat. Sections 400.08 473.811, Subd. 3A, the County hereby imposes on all generators, owners, lessees or occupants of property, including properties owned, leased or used by the State or a political subdivision of the State a service charge. The intent of the service charge is to provide for solid waste management services by the County or by those under contract with the County.
- 14.2 Definitions: For the purpose of this section, the terms used herein shall have the following meaning unless the context clearly indicates otherwise. Incorporated herein by reference are definitions from Solid Waste Ordinance #114 and Minn. Stat. 297H.01 unless the term is herein defined in which case to the extent there are any inconsistencies in definition, the definition in this section shall supercede any other.
- 14.2.1 Generator: Means any person who generates mixed municipal solid waste in Washington County.
- 14.2.2 Residential Generator: Means a Generator in a residential building including but not limited to a single family home, a duplex, a condominium, a townhouse, a cooperative housing unit, or a residential building on perma-lease.
- 14.2.3 Non-residential Generator: Means a Generator who does not qualify as a Residential Generator.
- 14.2.4 Hauler: Means any person, firm, corporation, association, partnership, or other entity, that collects or transports mixed municipal solid waste that is generated in the counties. \_
- 14.2.5 Self-hauler: Means a person, who transports mixed municipal solid waste generated by that person or another person without compensation.
- 14.2.6 Waste Management Services: Means collection, transportation, processing, or disposal of Mixed Municipal Solid Waste generated in the County, including but not limited to regular scheduled service, on-call service, one-time service, rental and other use of equipment such as waste containers, compactors, compactor boxes, and the like, and any other services that involves or facilitates the collection, transportation, processing or disposal of waste materials as Mixed Municipal Solid Waste. It does not include the sale of equipment used for the collection, transportation, processing or disposal of Mixed Municipal Solid Waste. It does not include collection, transportation, or management of recyclable materials, yard waste, food waste, source separated compostable materials, problem materials, or other waste materials when these materials are segregated by the Generator for the purposed of recycling or composting and are delivered to a Recycling Facility or Compost Facility, or the sale, rental or other use of equipment necessary to facilitate collection or transportation of these materials.
- 14.3 Rates and Charges
- 14.3.1 Rates and Charges imposed may take into account the character, kind and quality of the service and of the solid waste; the method of disposition including but not limited to activities such as recycling, composting, co-composting, resource recovery, the number of people served at each place of collection, and all other factors that enter into the cost of service, including but not limited to depreciation and payment of principal and interest on money borrowed by the County for the acquisition or betterment of solid waste facilities, the establishment of a reserve fund for payments of a fee to the Facility vendor for services to be provided at the Facility, and administrative costs associated with providing waste management services to County residents; and specifically may take into account as an additional cost of service, the amount of waste estimated to be generated by solid waste generators, as determined by the County.

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- 14.3.2 All Generators of mixed municipal solid waste shall pay the County Environmental Charge at a rate established herein by the County Board. The Charge shall be applied to all Waste Management Services except the charge shall not be applied to services related to materials source separated by the Generator for recycling or composting.
- 14.3.3 The Rate of the County Environmental Charge shall be 39.5% of the total charges for Waste Management Services for residential and non-residential mixed municipal solid waste generated in the County.
- 14.3.4 The Charge shall be placed on all Waste Management Services provided on or after January 1, 2004. -
- 14.4 Billing and Collection
- 14.4.1 As a condition of its license, each Hauler shall bill and collect the County Environmental Charge from County Residential and Nonresidential Generators to whom they provide Waste Management Services, according to the rates established herein under Subsection 14.3 and in the manner described in Subsection 14.5. The Charge collected by Haulers must be remitted to the County.
- 14.4.2 In the event a municipality contracts or otherwise arranges for Waste Management Services on behalf of Residential Generators and elects to bill and collect the Charge, then a Hauler is not required to bill and collect the Charge from Residential Generators in that municipality.
- 14.4.3 The County may at its own discretion directly bill the Generator or use any other manner of billing or collection allowed by law
- 14.4.4 County Environmental Charge shall be a separate line item on each Waste Management Services bill or invoice.
- 14.4.5 All Haulers and Disposal Facilities shall make a reasonable effort to collect the County Environmental Charge.
- 14.4.6 As a condition of licensure any Person operating a solid waste transfer station, processing facility, or disposal facility and receiving mixed municipal solid waste shall bill for, collect, and remit to the Department, the County Environmental Charge from non-licensed Generators.
- 14.4.7 Licensed Self Haulers shall pay the Charge directly to the County, if not otherwise paid to a Hauler or a Transfer Station. The Charge shall be based on the status as a Residential or Non-Residential Generator, and the disposal portion of incurred costs of Waste Management Services., regardless of the location of the facility at which the waste is deposited.
- 14.5 Remittance
- 14.5.1 All County Environmental Charges collected shall be remitted to the Department of Public Health and Environment with a completed County Environmental Charge Report in accordance with Department procedures.
- 14.5.2 Licensed solid waste haulers, solid waste transfer facilities, and waste disposal facilities, shall maintain a record of all Waste Management Services provided in Washington County. The amount of County Environmental Charge collected and uncollected shall be recorded, but the record of each shall be kept separately.
- 14.5.3 In the event a Generator does not remit to the Hauler or Disposal Facility the full amount of a statement or invoice when the statement or invoice includes the Charge, the Hauler or Disposal Facility shall divide on a pro rata basis the amount actually received from the Generator and shall remit the pro rata share to the County.

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14.5.4 A late payment penalty shall be imposed on a Hauler or Disposal Facility for Charges collected from the Generator and not remitted to the County on or before the due date established by the County. The penalty shall be \$15 per incident of lateness plus 1.5% of the late remittance amount for each month past due.

#### 14.6 Examination of Records

14.6.1 The Department or its agent shall have the right to examine records, including access to electronic or computer records, of all Haulers and Disposal Facilities who operate in Washington County. The term record shall include, but is not limited to, all accounts of a Hauler and Disposal Facility. The Department or its agent shall be allowed access at all reasonable times to inspect and copy at a reasonable cost, all business records related to Waste Management Services provided to the extent necessary to ensure that all Charges required to be collected or paid have been remitted to the Department. Such records shall be maintained by the Hauler or Disposal Facility for no less than six (6) years.

#### 14.7 Joint Statements.

14.7.1 Each Hauler is required to provide Generators a notification of the Charge through a letter jointly developed with the County. This notification shall be provided prior to April 1, 2003, and annually thereafter prior to the effective date of any change in the Charge. Notification shall be provided to Generators at the time they receive the first invoice on which the Charge is billed, if the Generator would not have otherwise received notification from the Hauler.

#### 14.8 Unpaid Charges.

14.8.1 Taxable Properties: On or before October 15 in each year, the County Board may certify to the County Auditor all unpaid outstanding Charges as reported by the Department, by Haulers and Disposal Facilities and a statement of the description of the lands which were serviced and against the Charges arose. It shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments with interest provided for in Section 297.03 subd.1 upon the tax rolls of the County of the taxes of the year in which the assessment is filed.

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

14.8.2 Civil Action. In addition to each and every other remedy available to the County, unpaid Solid Waste Management Charges, penalties, and interest may be recovered in a civil action against a property owner, lessee, or occupant.

14.8.3 Tax-Exempt Properties. Unpaid Charges may be collected as otherwise provided in this Section.

14.9 Imposition. The Charge is imposed on the sales price of Waste Management Services as incurred by the Generator. If the sales price billed to the Generator does not represent the fair market value of the Waste Management Services provided by the Hauler or Disposal Facility, the Charge shall be calculated on the fair market value of those Waste Management Services. Any sales tax or other tax or charge imposed by a unit of government is not subject to the Charge.

#### 14.10 Enforcement

14.10.1 Failure of a Hauler or Disposal Facility to bill or remit the Charge collected shall result in being subject to the Enforcement provisions under Section 12 of the Solid Waste Management Ordinance #114.

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14.10.2 Civil Action. In addition to each and every other remedy available the County may take any other civil action against a Hauler or Disposal Facility to collect unremitted Solid Waste Management Charges.

14.10.3 Administrative Appeal. A person assessed a service charge pursuant to Section 14 of this Ordinance may appeal the amount of the charge billed before one year from the date billed to the Department by requesting in writing an adjustment to the charge. If the Department denies the request for adjustment, the person may appeal the decision to the County Board.

## **SUBSECTION 2**

The Director of the Washington County Department of Public Health and Environment is hereby directed to change the Washington County Solid Waste Management Ordinance #163 in accordance with the foregoing instrument.

## **SUBSECTION 3**

Effective Date. This Ordinance shall be and is hereby declared to be in full force and effect on January 1, 2004.

Passed by the Board of County Commissioners of Washington County, Minnesota, this 18<sup>th</sup> day of November, 2003.

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Dennis Hegberg, Chair  
Board of County Commissioners

Attest:

Approved as to form and legality:

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James R. Schug  
Washington County Administrator

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George Kuprian  
Assistant Washington County Attorney

Ordinance prepared by:

Washington County  
Department of Public Health and Environment  
14949 62<sup>nd</sup> Street North  
PO Box 6  
Stillwater, MN 55082-0006

## **ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

Commissioner Peterson moved to set a public hearing to consider a petition to name a previously unnamed lake and a previously unnamed creek in Washington County for January 27, 2004 at 9:00 a.m. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.



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## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Black Creek Integrated Systems Corporation Contracts**

Commissioner Stafford moved to approve a contract with Black Creek Integrated Systems Corporation for an upgrade to the security system software in the Law Enforcement Center. Commissioner Kriesel seconded the motion and it was adopted unanimously.

Commissioner Peterson requested that staff review the contract for maintenance with Black Creek Integrated Systems Corporation for the Law Enforcement Center security system to determine if the county would receive a better price if it were a longer-term agreement.

### **Ordinance Banning All-Terrain Vehicles**

The Board Chair reviewed the procedures to be followed in the consideration of the proposed ATV Ordinance.

Don Theisen, County Engineer, reviewed changes to the ordinance since the public hearing was held on October 21, 2003. There was one change in the ordinance in Section 1.05 Violation. Staff worked with the County Attorney and Courts Administration to come up with a process that wouldn't cause a problem in court and at the same time would have some teeth and allow the Sheriff to do their job and the County Attorney to be able to enforce the ordinance. The first offense would be a petty misdemeanor punished by a fine of \$120. After that, a second offense, or subsequent offenses, would be guilty of a misdemeanor.

Mr. Theisen noted that staff is recommending a two year study be approved to track the enforcement efforts, compliance issues, effectiveness of the Ordinance in reducing damage and cost/revenue data in making repairs and providing enforcement.

Commissioner Peterson suggested at the workshop that individuals with a handicapped permit be allowed to transfer that to an ATV. She did hear a compelling argument to allow people with limited mobility the use of ATVs to traverse from place to place in hauling things and may have to use a county ditch. Mr. Theisen stated there isn't a mechanism for that. They have not seen that activity. As with any ordinance or law that is enforced there is a certain amount of judgment on the part of law enforcement to judge on a case-by-case basis. If this becomes an issue, they will flush that out in the next two years.

Commissioner Hegberg announced that agricultural uses will still be allowed to repair fences or transporting other agricultural items. ATV users can still ride on the trails along the Burlington



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Northern track that the county owns, it does not ban that use. Sergeant Jerry Cusick stated that ATVs are currently banned from Hardwood Creek Trail. They are only open for snowmobiles. ATV or off highway motorcycles cannot use that. The Hardwood Creek Trail does border public road right of way of US 61 and they can currently use that ditch bottom.

Commissioner Kriesel stated the Board received a proposed amendment from one of the residents and ATV user and he sees that staff has included some of the wording and added the phrase "when performing or exercising official duties or powers." He believes that was an addition to what was originally proposed. Mr. Theisen indicated that is correct. There was concern that if an enforcement officer on his own recreational time was using an ATV they would be exempt. This clarifies that they must be on official duty.

Commissioner Kriesel stated that the same resident suggested that language be added "except as provided in Section 1.04.1 of this ordinance, nothing in this ordinance shall prohibit the use of ATVs in the county public road right of way to travel between two areas where ATV use is authorized." There is already a section in there that allows the ATV user to cross a county public right of way. The individual he talked to was concerned about using them for deer hunting and if they had to traverse from one parcel of land to another they would not be able to go to those two parcels of land if it was on a county road. He was concerned about that. Mr. Theisen stated that is correct. The difficulty with this proposed language is that ATV use is permitted on Highway 97 and Highway 36, so an argument could be made with that language that they can go up Manning Avenue the entire way because they are trying to get to spots where it is allowed.

Commissioner Peterson asked how much hunting is actually done in the county? Mr. Theisen stated he couldn't even give a guess. Sergeant Cusick stated there isn't much ATV use in hunting in this county. He believes up north there would be a lot of that because of State forestland. He feels what Commissioner Kriesel is referring to would be a rare circumstance. Parcels in this county are quite small for the most part.

Commissioner Kriesel asked Mr. Theisen to convince him one more time why ATVs cannot be allowed to operate from December 1 to the end of March. Snowmobiles are currently allowed to use the ditches yet it's being taken away from ATV users. Mr. Theisen stated that snowmobiles just cannot operate without snow underneath them so they are not out there unless there is snow cover. This week the weather is such that there will be people out on golf courses at the end of November. Unless the weather changes dramatically by December 1, the ditches right now are at their most susceptibility to damage. Using a golf course analogy, anybody that goes out on a golf course after a night of heavy rain

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know it's cart path only with a golf cart and that has smooth tires. After a heavy rain one ATV down the ditch causes considerable damage. The problem with an arbitrary date is there will be times when there will not be snow cover nor frozen ground and there will be damage.

Commissioner Hegberg stated as he looked at his e-mails and phone calls, definitely the landowners and individuals on the county roads indicated they would like them banned totally.

Commissioner Peterson believes that the two-year study will give the county the opportunity to review the condition of the ditches to make a determination if the damage is totally ATV or is there are other motorized vehicles using it. She is also talking about dirt bikes. Mr. Theisen stated that dirt bikes are banned from the ditches currently.

Commissioner Kriesel stated that the ATV users need to get together and work with the county to get grant money for trails such as the snowmobilers have. He believes this is more of a State problem and shouldn't be pushed on to the counties.

Commissioner Peterson indicated she would still like to explore the possibility of developing a recreational park that allows ATVs, dirt bikes and other vehicles for sport. She feels that makes the most sense.

Commissioner Stafford moved to approve the Ordinance to ban All-Terrain Vehicles (ATVs) in the right of way of all county roads and county state aid highways as presented and approved a two year study to determine the effectiveness and effects of the Ordinance with a report to the County Board in March 2006. Commissioner Peterson seconded the motion.

Commissioner Pulkrabek stated he will not be supporting the ordinance. He believes there are 6,100 ATV owners in Washington County, about 4,000 use Washington County as their primary riding area. He is against the Ordinance for the following reasons: 1) He does not believe that most people can differentiate between the jurisdictions on roads; 2) He does not believe that the majority of ATV riders are going to honor this ordinance; 3) He does not see that the Sheriff's Department will be able to enforce this ordinance; 4) He does not believe it is effective or good government to have ordinances or laws on the books that it is known in advance will not be enforced or enforced to the degree they should be; 5) He believes that people who live on county roads and expect the county to enforce this strictly will be upset when their expectation is not met. The county will not only be getting calls from ATV owners who are upset they cannot ride, the county will also get calls from landowners asking why the county is not enforcing this ordinance. He believes this is an over reaction and is not feasible at a grassroots level.

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The motion to approve the Ordinance to ban All-Terrain Vehicles (ATVs) in the right of way of all county roads and county state aid highways as presented and approval of a two year study to determine the effectiveness and effects of the Ordinance with a report to the County Board in March 2006 was adopted 4-1 with the vote as follows: Yes, Commissioners Kriesel, Hegberg, Peterson and Stafford; No, Commissioner Pulkrabek.

**Resolution No. 2003-189**

Resolution Adopting the  
Washington County All Terrain Vehicle Ordinance

WHEREAS, MINN. STAT. § 84.92 allows Washington County to regulate the operation of all terrain vehicles (ATV's) in County public road right of ways; and

WHEREAS, Washington County is experiencing considerable damage in its public right of ways because of the operation of ATV's in its road right of ways, including but not limited to rutting, loss of vegetation and soil erosion; and

WHEREAS, on September 24, 2003, the Washington County Board of Commissioners held a public open house to solicit comments on the proposed ordinance and a County Board workshop on November 4, 2003 to hear further comments on the proposed ordinance; and

WHEREAS, on October 21, 2003, the Washington County Board of Commissioners conducted a public hearing to consider enacting an ordinance regulating the operation of ATV's in the County's public road right of ways and continued said hearing to November 18, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby adopts the Washington County Ordinance for the Management of All Terrain Vehicles in Washington County Rights of Way No. 168 as attached hereto.

BE IT FURTHER RESOLVED that the Ordinance shall become effective on January 1, 2004.

**WASHINGTON COUNTY  
ORDINANCE NO. 168**

Management of All Terrain Vehicles  
in Washington County Rights of Way

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Washington County Right of Way Ordinance  
for the Management of All Terrain Vehicles in the Public Right of Way

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Washington County Ordinance  
For the Management of All Terrain Vehicles in the  
Public Right of-Way of Roads  
Under the County's Jurisdiction

An ordinance to administer and regulate use of all terrain vehicles in the public right-of-way in the public interest, pursuant to the powers granted under Minnesota Statutes 84.92 through 84.928.

Sec. 1.01. Findings, Purpose, and Intent.

To provide for health, safety and welfare of its citizens, and to ensure the integrity of its roads and streets and the appropriate use of the rights of way, the County strives to keep its public right of way in a state of good repair.

Accordingly, the County hereby enacts this ordinance relating to the use of its public right of way by all terrain vehicles.

This ordinance shall be interpreted consistently with Minnesota Statutes Sections 84.82 through 84.928 and the other laws governing applicable rights of the County and users of the right of way. This ordinance shall not be interpreted to limit the regulatory and police powers of the County to adopt and enforce general ordinances necessary to protect the health, safety, and welfare of the public.

Sec. 1.03. Definitions.

The following definitions apply in this ordinance. Defined terms remain defined terms whether or not capitalized.

1. "ATV" or "All Terrain Vehicle" shall mean a motorized flotation-tired vehicle of not less than three, but not more than six, low-pressure tires that is limited in engine displacement to less than 800 cubic centimeters and total dry weight less than 900 pounds.
2. "County" means the County of Washington, Minnesota.
3. "Public Road Right of Way" shall have the meaning given to it by Minnesota Statute 84.92, Subdivision 6a.
4. "County Public Road Right of Way" shall be public road right of way for which Washington County is the road authority, as defined in Minnesota Statute 160.02, Subdivision 25.

Sec. 1.04. Prohibitions.

1. Except as provided for in Minnesota Statute 84.928, Subdivision 1 (e) and in Sections 1.04.2, 1.04.3, and 1.04.4 of this ordinance, it shall be unlawful for any person to operate an All Terrain Vehicle in any County Public Road Right of Way.
2. This ordinance shall not apply to any agent or employee of any road authority, law enforcement or public safety agency, or any agent or employee of the Minnesota Department of Natural Resources when performing or exercising official duties or powers.
3. Nothing in this ordinance shall prohibit the agricultural use of ATVs in rights of way, as defined in Minnesota Statute 84.92, Subd. 1d, or the use of ATVs to maintain permitted accesses over Public Road Rights of Way.

Nothing in this ordinance is intended to prohibit the crossing of a County Public

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4. Road Right of Way, which is otherwise allowed by Minnesota Statute 84.928, Subdivision 1a, (1) through (5).

#### Section 1.05 Violation.

1. Anyone violating this ordinance shall be guilty as follows:
  - A) For the first offense, the person shall be guilty of a petty misdemeanor and shall be punished by a fine of \$120.00.
  - B) For a second offense, and for all subsequent offenses, the person shall be guilty of a misdemeanor and shall be punished according to law.

#### Section 1.06 General Provisions.

1. Severability: If any provision of this ordinance or the application thereof is held invalid, said invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application and for this purpose, the provisions of the ordinance are severable.
2. Enforceability: Sheriff's deputies, State Troopers, Conservation officers, and any other peace officers are empowered to enforce this ordinance.
3. Effective Date: This ordinance shall be effective on January 1, 2004, after passage by the County Board and publication according to law.

### **GENERAL ADMINISTRATION**

Jim Schug, County Administrator, announced that the Minnesota Counties Insurance Trust notified the county of their 2003 dividend, and the county has received a check in the amount of \$426,609. That will be deposited in the post retirement health care account.

### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson updated the Board on the AMC Transportation Policy Committee. They approved of a state statute to allow local road authorities to establish a 10-ton route designation. They decided not to take a position on toll roads. The question on whether AMC should oppose any unfunded mandates or duplicated regulation in the handling of salt and sand storage will be covered under mandates and general government. Question of whether AMC should develop a position on speed limits, school zones and 65 mph on rural roads. Question of whether AMC should support increasing the administrative account for the office of state aid from the current 1.5 to 2% was approved.

Commissioner Hegberg thanked all county employees who contributed to the charitable fund this year. The county raised almost \$30,000 and almost 200 individuals participated.

Commissioner Hegberg announced that the MCIT dividend is down from previous years because of the increased costs and claims.



November 18, 2003

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Pulkrabek moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously. The Board meeting adjourned at 10:51 a.m.

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to review legislative issues for the County's 2004 legislative agenda. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, John Kaul, Bob Lockyear, Don Wisniewski, Don Theisen, Jim Luger, Kevin Corbid, Doug Johnson, Dan Papin, Patrick Singel, Mary McGlothlin and Judy Spooner, Washington County Bulletin.

**BOARD WORKSHOP WITH COMMUNITY SERVICES**

The Board met in workshop session with the Department of Community Services to review 2003 Community Development Block Grant and HOME Applications. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Richard Backman, Patrick Singel and Martina Johntz.

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

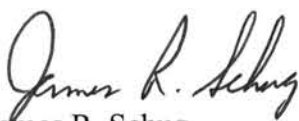
The Board met in workshop session with the Office of Administration to discuss the draft 2004-2008 Capital Improvement Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Jim Luger, Marv Erickson, Don Wisniewski, Kevin Corbid, Sue Kuss and Judy Spooner, Washington County Bulletin.

November 18, 2003

**BOARD WORKSHOP WITH ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

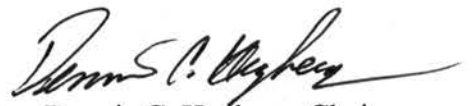
The Board met in workshop session with the Department of Assessment, Taxpayer Services and Elections to discuss the proposed 2004 property taxes. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Sue Kuss, Kevin Corbid, Joanne Helm, Steve Gransee, and Bogdan Filipescu.

Attest:



James R. Schug

County Administrator



Dennis C. Hegberg, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**NOVEMBER 25, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Dan Papin, Community Services Director; Martina Johntz, Community Services; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Jeneen Johnson, Acting Human Resources Director; Lowell Johnson, Public Health and Environment Deputy Director; Judy Hunter, Senior Program Manager; Mary McCarthy, Information Services Director; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FOR THE PUBLIC**

The Board Chair asked for comments; none were heard.

**CONSENT CALENDAR**

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

1. Approval of the receipt of one donation in the amount of \$500 from State Farm Companies Foundation through the Good Neighbor Grant Program to support Workforce Investment Board activities.
2. Approval to dispose of old jail mattresses by donating them to the Salvation Army for use in their shelters.
3. Approval of amendment No. 1 extending the agreement with the Office of Drug Policy and Violence Prevention, Department of Public Safety, State of Minnesota for the East Metro Coordinated Narcotics Task Force through June 30, 2004.

The foregoing Consent Calendar was adopted unanimously.

**COMMUNITY SERVICES**

Commissioner Stafford moved to adopt **Resolution No. 2003-190** as follows:

November 25, 2003

Approving Allocation of 2003 Competitive Community Development  
Block Grant and HOME Investment Partnership Program Funds

WHEREAS, Washington County is an Entitlement Community for the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program; and

WHEREAS, Washington County is entitled to HOME Investment Partnership Program (HOME) funding through its participation with Anoka, Dakota and suburban Ramsey Counties in the Dakota County Consortium; and

WHEREAS, a portion of CDBG and HOME funding is available competitively to governmental organizations, nonprofits and developers for projects which address the priorities identified in the Washington County Consolidated Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves allocation of 2003 competitive Community Development Block Grant funds in the amount of \$97,200 to the City of Woodbury/Woodbury Community Land Trust for the City Walk project.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners approves allocation of 2003 competitive HOME Investment Partnership program funds in the amount of \$60,000 to Two Rivers Community Land Trust for Townhome Acquisition and project support.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Stafford stated that at last week's workshop regarding Community Development Block Grant applications the Board expressed concern about the ownership of property. If the current owner dies there are rules that the property can remain with the surviving spouse, children or another member of the household who has lived there for at least a year. He believes it is conceivable that somebody who is not in financial need can still maintain occupancy of the home. The Board felt that was counter to the intent of providing low-income housing. He approved the above resolution, but suggested that it be made clear to future applicants that this Board will not support another application in the future until the rules are modified. Commissioner Hegberg expressed support for change in the rules.

Commissioner Peterson suggested that the Board meet with the individuals from the local agency who wrote these rules to discuss this matter further.

**GENERAL ADMINISTRATION**

Molly O'Rourke, Deputy Administrator, advised the Board that the Housing and Redevelopment Authority did sell bonds with the county's general obligation backing. As a result of the county's

November 25, 2003

Backing, the interest rate they received on those bonds was 3.92%, which is very low in today's market. This results in a \$2 million savings for the HRA.

Ms. O'Rourke reminded the Board that in addition to next week's Board meeting, there will be a Truth-in-Taxation hearing on Thursday evening, December 4, at 7:00 p.m.

#### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Stafford indicated he would be attending the light rail demonstration next week. Commissioners Peterson and Hegberg indicated they would also be attending.

Commissioner Peterson wished everyone a happy Thanksgiving. The P.L.A.C.E. program in Cottage Grove will be holding its Thanksgiving dinner on Wednesday, December 26, from 11:00 to 1:00. All the Commissioners are invited. Today there will be an open house in Cottage Grove for the remodeled Community Services Department from 1:00 to 3:00.

Commissioner Hegberg reported on a meeting he attended last Saturday regarding the mentally handicapped and physically disabled. He would like more Community Development Block Grants to address housing for this special needs group. Transportation would be another area to look at for this group, but he was not sure those grants could be used for that.

#### **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 COMMUNITY SERVICES**

The Board met in workshop session with the Department of Community Services to discuss possible re-designation of Local Area Agency on Aging boundaries. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Molly O'Rourke, Dan Papin, Marcia Wielinski, Patrick Singel, Robert Butler, Executive Director of Human Services Inc., Aaron Sorenson, Lake Elmo/Oakdale Review and Judy Spooner, Washington County Bulletin.




November 25, 2003

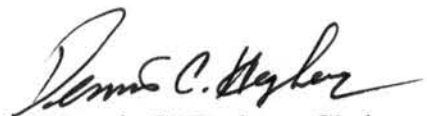
**BOARD WORKSHOP WITH ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

The Board met in workshop session with the Department of Assessment, Taxpayer Services and Elections to review the Federal Help America Vote Act (HAVA). No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Molly O'Rourke, Kevin Corbid, Steve Gransee, Carol Peterson, Kevin Boyle, Judy Wertheimer, Aaron Sorenson, Lake Elmo/Oakdale Review and Judy Spooner, Washington County Bulletin.

Attest:

  
Molly F. O'Rourke

Deputy Administrator



Dennis C. Hegberg, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**DECEMBER 2, 2003**

The Washington County Board of Commissioners met in regular session at 8:30 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners, Kriesel, Hegberg, Peterson and Stafford. Absent: Commissioner Pulkrabek. Board Chair Hegberg presided. Also present were James Schug, County Administrator and Molly O'Rourke, Deputy Administrator.

**RECESS TO EXECUTIVE (CLOSED) SESSION**

Commissioner Peterson moved to recess into executive session with the Department of Human Resources, Employee Safety and Risk Management for negotiation strategy for 2003, 2004 and 2005 bargaining agreements. Present for the executive session were Commissioners Hegberg, Peterson, Kriesel, and Stafford. Absent: Commissioner Pulkrabek. Also present were James Schug, Molly O'Rourke, Jeneen Johnson, Frank Madden and Marilyn Akey.

**WASHINGTON COUNTY BOARD OF COMMISSIONERS RECONVENES**

The Washington County Board of Commissioners reconvened at 9:15 a.m. Present were Commissioners Hegberg, Peterson, Kriesel and Stafford. Absent, Commissioner Pulkrabek. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Dan Papin, Community Services Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Don Wisniewski, Director of Transportation and Physical Development; Cindy Koosmann, County Recorder; Lowell Johnson, Public Health Deputy Director; Pat Conley, Library Director; Mary McCarthy, Information Services Director; Sue Kuss, Budget/Financial Analyst; Wayne Sandberg, Transportation Engineer; Craig Hinzman, Land Surveyor; and Bev Hagen, Public Information Coordinator.

Board Chair Hegberg reported that the County Board had met in closed session to discuss contract negotiations with the AFSCME and LELS Bargaining Units.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

The Board Chair asked for comments; none were heard.

**CONSENT CALENDAR**

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

December 2, 2003

1. Approval of the November 18, 2003 Board meeting minutes.
2. Approval to establish January 27, 2004 as the date for the public hearing to approve the final 2004-2008 Capital Improvement Program.
3. Adoption of **Resolution No. 2003-191** as follows:

Resolution Commending Chief David Schwartz  
Upon His Retirement as Director of Public Safety and Chief of Police  
for the City of Forest Lake

WHEREAS, Chief David Schwartz has announced his intention to retire as the Director of Public Safety and Chief of Police for the City of Forest Lake, Minnesota, as of December 31, 2003; and

WHEREAS, Chief Schwartz was hired in 1969 as one of the original six part-time police officers to serve and protect the citizens of City of Forest Lake and was appointed Chief of Police in 1979; and

WHEREAS, Chief Schwartz was named the Emergency Manager for the City of Forest Lake in 1986 and advanced the city's use of technology for public safety and law enforcement purposes by adopting an automated records management system for the Forest Lake Police Department; and

WHEREAS, Chief Schwartz was named the Director of Public Safety in addition to Chief of Police for the City of Forest Lake and was given leadership of the city functions of police, emergency management and fire inspection; and

WHEREAS, Chief Schwartz augmented his exemplary service to the citizens of Forest Lake by his community involvement, served as treasurer in the MN Chiefs of Police Education Foundation, and exhibited professional growth by receiving a Masters of Arts degree in Police Leadership, Administration, and Education from the University of St. Thomas; and

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners heartily commends Chief David Schwartz for his dedication during 34 years of public safety, law enforcement and public service on behalf of the citizens of the City of Forest Lake; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners extends our best wishes to Chief Schwarz and his family for an enjoyable retirement and hereby proclaims Friday, December 12, 2003, as "Chief David Schwartz Day in Washington County."

4. Approval for County Board Chair and Administrator to execute the Natural Resources Block Grant Agreement with the State of Minnesota Board of Water and Soil Resources.

December 2, 2003

5. Approval of addendum to final project agreement for the Andersen Corporation Environmental XL Project and delegate execution to the Board Chair and Administrator.
6. Approval and execution of licenses with the Washington County Star Trail Association to operate snowmobiles within county right of way
7. Approval of Supplemental Agreement No. 3 with TKDA, Inc. for the Environmental and Design Services for reconstruction of Anoka CSAH 14 and Washington County CSAH 8 for a cost not to exceed \$104,247 and approval of Amendment No. 1 with Anoka County and approval of Amendment No. 1 with the City of Hugo.

The foregoing Consent Calendar was adopted unanimously. Commissioner Pulkrabek absent.

Commissioner Kriesel recognized the resolution passed commending Chief David Schwarz of the City of Forest Lake. Commissioner Peterson added that Chief Schwarz has been an excellent participant in the Washington County law enforcement community.

## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Highway Easement to City of Oakdale for Henslow Avenue**

Wayne Sandberg, Transportation Engineer, gave an overview of an easement approval request for the construction of Henslow Avenue in the City of Oakdale. The Oakdale Library was built upon land provided by the City of Oakdale. One of the conditions was that there would be an access easement across the library site to serve commercial property to the west with any future development plans. This new street will provide a way for residents of the area to access both the Oakdale Library and Skyview School without having to use CSAH 10.

Commissioner Peterson moved to adopt **Resolution No. 2003-192** as follows:

#### Highway Easement to City of Oakdale for the Construction of Henslow Avenue

WHEREAS, the County and the City of Oakdale regularly work together on finding solutions to transportation issues; and

WHEREAS, a city street connection between neighborhoods and businesses near Helmo Avenue, to the County Library and Skyview School would be beneficial to both the City and the County Transportation Systems; and

WHEREAS, granting a highway easement across the current county Library property would create such a connection; and

December 2, 2003

WHEREAS, the county Library Board has recommended approval of this highway easement.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby approves the attached highway easement pursuant to the regulations therein.

Commissioner Kriesel seconded the motion and it was adopted unanimously. Commissioner Pulkrabek absent.

Commissioner Kriesel questioned the future parking lot area and what accommodations would be made for a pedestrian crosswalk. Mr. Sandberg stated that they have worked with the City of Oakdale and the city would provide a painted crosswalk and sign if it were needed.

County Administrator Schug stated that this issue has been discussed with the Library Board. The new street will be a residential type city street, not a major thoroughfare, and the City of Oakdale will handle the necessary signage making sure it is a safe crossing.

## **PUBLIC HEALTH AND ENVIRONMENT**

### **Emergency Medical Services Radio Communications Board**

Lowell Johnson, Public Health and Environment Deputy Director, gave an overview of two requests being brought before the Board: approval of a resolution to delay withdrawal from the Emergency Medical Services Radio Communications Board Joint Powers Agreement with Ramsey County until December 31, 2004; and approval of and authorization for the Board Chair and County Administrator to sign the third amendment to the Emergency Medical Services Radio Communications Joint Powers Agreement. This resolution and amendment will continue the county's participation in the EMS Joint Powers Agreement through December 31, 2004, and modify the county's contribution to any seatbelt funds received from the Metro Region EMS Committee, less payments for insurance and leases for the radio system equipment. The financial implications will range between \$5,000 and \$7,500.

Commissioner Stafford moved to adopt **Resolution 2003-193** as follows:

#### **Resolution to Rescind Prior Notice of Withdrawal from EMS Radio Communications Board Joint Powers Agreement**

WHEREAS, in 1987, Washington County entered into a Joint Powers Agreement with Dakota County and Ramsey County to operate and finance an Emergency Medical Services ("EMS") Radio Communications System in the east metropolitan area under the authority of the EMS Radio Communications Board; and



December 2, 2003

WHEREAS, the EMS Radio Communications Board has operated the EMS Radio Communications System through an agreement with Regions Hospital for the maintenance and operation of the EMS Radio Communications System at the Medical Resource Control Center, located at Regions Hospital; and

WHEREAS, Dakota County withdrew from the Joint Powers Agreement effective January 1, 2002 for financial reasons and concern over the changes in the use patterns of the Medical Resource Control Center; and

WHEREAS, Article VI of the Joint Powers Agreement provides that the Joint Powers Agreement may be terminated when, in the judgment of the EMS Radio Communications Board, it becomes impractical or uneconomical to continue the EMS Radio Communications System or when a majority of the counties agree, by resolution, to terminate the Joint Powers Agreement; and

WHEREAS, in 2002, both the Washington County Board of Commissioners and the Ramsey County Board of Commissioners took action and gave notice of their intent to withdraw from the Joint Powers Agreement effective January 1, 2004, based on their conclusion that it had become impractical and uneconomical for the counties to continue to operate and finance the EMS Radio Communications System; and

WHEREAS, on October 23, 2003, Regions Hospital announced to the EMS Radio Communications Board its intention to fully finance the operation of the EMS Radio Communications System at the Medical Resource Control Center from November 1, 2003 through December 31, 2004, in order to provide for continued operation of the EMS Radio Communications System by the EMS Radio Communications Board through Calendar year 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby rescinds its prior notice of its intent to withdraw from the Joint Powers Agreement. This rescission is conditioned upon the execution of an amendment to the Joint Powers Agreement by both the Ramsey County Board of Commissioners and the Washington County Board of Commissioners prior to January 1, 2004, that eliminates any further financial obligations of the counties for operation and maintenance of the EMS radio communications system from November 1, 2003, through December 31, 2004, except for the pass-through of any State seat belt funding the counties may receive from the Metro Region EMS Program for 2004; less payments made by the counties for lease and insurance costs for the EMS radio communications system equipment.

BE IT FURTHER RESOLVED, that if both the aforementioned documents are not executed by all the proper parties by December 31, 2003, Washington County shall withdraw from the Joint Powers Agreement effective January 1, 2004, as set forth in its prior notice.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby gives to Ramsey County its notice of intent to terminate the subject Joint Powers Agreement effective January 1, 2005, and directs that this notice be communicated to Ramsey County according to procedure dictated by the Joint Powers Agreement.

December 2, 2003

Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Peterson questioned if Ramsey County had passed anything concerning this. Mr. Johnson replied that Ramsey County had passed a similar resolution and amendment at its meeting two weeks ago.

Commissioner Stafford commented that it is critical to keep this operation running and feels that this is a logical move.

### **GENERAL ADMINISTRATION**

Jim Schug, County Administrator, announced that on Thursday, December 4, at 7:00 p.m. the County Board will hold its Truth-in-Taxation meeting. There will be a presentation of the proposed 2004 budget and time for citizen comments. He added that the County Board would adopt the 2004 budget on December 16. He also noted that county residents have received their parcel specific notices as to what the proposed levy will be.

Commissioner Stafford indicated that notices do not include school referendums.

### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Kriesel stated that he will be meeting with St. Mary's Point City Council to discuss local issues. He will attend the Energy Task Force meeting on Thursday and there will be an open house concerning Highway 18 on Monday, December 8.

Commissioner Stafford will also attend the Energy Task Force this Thursday, and the Radio Board on Friday. He will also ride the LRT tomorrow.

Commissioner Peterson noted she had the Metro Transitways tomorrow, which will be riding the LRT. In the afternoon from 12:00 to 1:30 the South Washington County Housing Coalition will be meeting at the library in Cottage Grove with individuals who are interested in housing. Sunday through Wednesday is the Association of Minnesota Counties convention in Minneapolis. On Wednesday afternoon is the annual Minnesota Transportation Alliance meeting.

Commissioner Hegberg stated he met with Hugo and Forest Lake yesterday concerning the transportation needs of those two communities. The State and Metropolitan Council were there to present options as to what they may be looking at.

December 2, 2003

Commissioner Stafford stated he was concerned about the situation with transportation, particularly busing. He believes the projections for the metropolitan area over the next 10 years are something like a million more people. Commissioner Peterson stated there would be 65,000 more people for Washington County. Commissioner Stafford is concerned that busing is being cut in the county when the population is expanding.

Commissioner Peterson stated that when the Board meets with its legislative delegation on December 11, that transportation must be a priority and that transit is paramount in the legislative process. She feels it is important that they plan for park and rides and continue to ask for transit funding for the suburban riders as well as those in Minneapolis and St. Paul.

### **ADJOURNMENT**

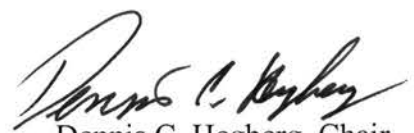
There being no further business to come before the Board, Commissioner Stafford moved to adjourn, seconded by Commissioner Kriesel and it was adopted unanimously. Commissioner Pulkrabek absent. The Board meeting adjourned at 10:55 a.m.

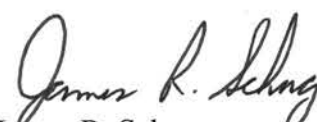
### **BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development to review plans for additional parking at the Government Center and to discuss Big Marine Park Reserve. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Stafford, Kriesel and Peterson. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Jim Luger, Dennis O'Donnell, Ann Pung-Terwedo, John Elholm, Chris Ness, Kenneth Heuer, Pete Dix, Marv Erickson, and Judy Spooner, Washington County Bulletin.

### **BOARD WORKSHOP WITH ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the Cottage Grove Service Center expansion. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Stafford, Kriesel and Peterson. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Jim Luger, Kevin Corbid, Dan Papin, Marv Erickson, and Judy Spooner, Washington County Bulletin.

  
Dennis C. Hegberg, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
TRUTH IN TAXATION PUBLIC HEARING  
DECEMBER 4, 2003**

The Washington County Board of Commissioners convened at 7:00 p.m. in the Washington County Government Center, County Board Room, to conduct a Truth-in-Taxation public hearing for the purposes of review of the proposed 2004 county budget. Present were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Sue Kuss, Budget/Financial Analyst; Cindy Koosmann, Recorder; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Tom Adkins, Community Corrections Director; Mary McGlothlin, Director of Public Health and Environment; Pat Conley, Library Director; Edison Vizuete, Financial Services Director; Jim Frank, County Sheriff; Dan Papin, Community Services Director; Don Wisniewski, Director of Transportation and Physical Development; and Bev Haden, Public Information Coordinator.

Board Chair Hegberg opened the hearing with a welcome to those in attendance.

James Schug, County Administrator, gave a brief overview of the budget process to date.

Molly O'Rourke, Deputy Administrator, presented an overview of the proposed 2004 budget.

The Board Chair opened the meeting for comments from the audience.

John Baird, 5732 Norwich Circle, Oak Park Heights – Mr. Baird commented that he was appointed to the Washington County Community Services Advisory Committee in May of this year. The mission of Community Services is to see that individuals and families will be safe, independent and able to meet their basic needs. He has learned this is an even more challenging mission than he had ever imagined. He has learned that staff and Commissioner have had to make tough decisions in order to establish this budget. Earlier, he mailed an article from the Pioneer Press regarding the economic return society can obtain from dollars spent on early childhood programs. Many of the welfare programs are critical to helping parents do a better job in taking care of their young children. He has found that the welfare budget has been reduced over the whole range of programs by \$6,179,200 or 15%. The reductions in programs most likely to have the greatest bearing on early childhood years are in the range of 20%. This in despite of the Governor's and some legislator's intent to make children a priority. He cannot think of a population more in need of guidance than teen mothers to be who don't have family support they desperately require as they take on a task they are unprepared to handle. What sort of childhood development can the Governor expect from unprepared mothers? Not only was funding reduced, but mandates were maintained or in some instances increased. He urged the county to lobby the legislature about county welfare needs and mandates and he might even try to address the legislators himself.

December 4, 2003

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

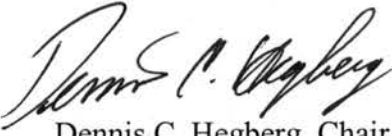
Commissioner Stafford thanked Mr. Baird for coming. He did read the article he sent. He feels Mr. Baird's testimony at the legislature will carry a lot more weight than his, the lobbyist's or department heads. They need to hear from folks like Mr. Baird.

Commissioner Peterson also thanked Mr. Baird for attending and representing not only himself but the Social Service Advisory Committee. She feels he spoke very well and addressed the consensus of the committee when it comes to investing in kids. For the record, the county does participate in social service lobbying jointly with the Metropolitan Inter-County Association as well as the Association of Minnesota Counties.

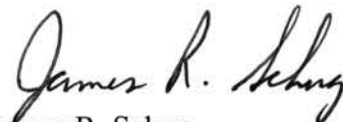
Commissioner Kriesel stated the county is not in a position to increase the tax levy to increase funding for any other programs because it is not allowed to do that.

Board Chair Hegberg thanked the members of the audience for coming tonight. He announced that the final budget will be adopted on December 16, 2003.

The Board adjourned at 8:50 p.m.

  
Dennis C. Hegberg, Chair  
County Board

Attest:

  
James R. Schug  
County Administrator



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 16, 2003**

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 Pulkrabek, Kriesel, Hegberg and Stafford. Commissioner Peterson absent. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Kay McAloney, Director of Human Resources, Employee Safety and Risk Management; Jeneen Johnson, Deputy Director Human Resources, Employee Safety and Risk Management; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Jim Luger, Parks Director; Wayne Sandberg, Transportation Engineer; Mike Rogers, Regional Rail Authority Planner; Marv Erickson, Facilities Manager; Edison Vizuite, Financial Services Director; Cindy Koosmann, Recorder; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Jim Frank, County Sheriff; Mary McGlothlin, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; Judy Hunter, Senior Program Manager; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

David "Choc" Junker, 101 North 4<sup>th</sup> Street, Stillwater – Mr. Junker addressed his concerns about the Shady Birch Resort and the county's intention to use eminent domain on that property. He feels that is one of the least things the county should be worried about. The owners stated the county only wanted to pay half price for it. If the county is going to use eminent domain he believes the owners should be given the right amount of money. He asked the Board to consider the owner's wishes. He does not feel that the county needs another park.

Mr. Junker also asked why the frontage road to the Government Center was closed? Mr. Schug stated that the Minnesota Department of Transportation has control over that road.

**CONSENT CALENDAR**

Commissioner Stafford moved, seconded by Commissioner Pulkrabek to adopt the following Consent Calendar:

1. Approval of the November 25 and December 2, 2003 Board meeting minutes.

December 16, 2003

2. Approval to reappoint James Leroux, Hugo, to the Board of Managers for the Rice Creek Watershed District to a term expiring January 17, 2007.
3. Approval to amend policy #1012, Mileage Reimbursement, to increase mileage for individuals using personal vehicles on County business to 37.5¢ per mile effective pay period beginning January 4, 2004.
4. Approval of the Regional Parcel Data Sharing and Distribution Agreement with Public Parties between Washington County and Metropolitan Council.
5. Approval of revisions to the Budget Policy No. 1401.
6. Approval of policy statements for Park Funds: Fund 211 County Park Funds, Fund 213 Parkland Acquisition and Development Fund, and Fund 214 Regional Park Stewardship Fund.
7. Adoption of **Resolution No. 2003-194** as follows:

Resolution Approving Cooperative Funding Agreement  
with the Minnesota Housing Finance Agency

WHEREAS, Washington County has been an active participant in the metro-area Fair Housing Implementation Council (FHIC) since 1999; and

WHEREAS, members of the FHIC include the counties of Anoka, Dakota, Hennepin, suburban Ramsey and Washington, the Minnesota Housing Finance Agency (on behalf of Carver and Scott counties) and the cities of Minneapolis and St. Paul; and

WHEREAS, the purpose of the FHIC is to assess fair housing issues within the metro-area and identify activities to address impediments to fair housing; and

WHEREAS, four issues have been identified for action during the 2003 - 2004 program years; and

WHEREAS, the Washington County Board of Commissioners has approved a financial contribution of \$6,700 from 2003 Community Development Block Grant contingency funds for these fair housing activities; and

WHEREAS, the Minnesota Housing Finance Agency has agreed to be the fiscal agent for the Fair Housing Implementation Council.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board Chair and the County Administrator are authorized to execute and sign a cooperative funding agreement with the Minnesota Housing Finance Agency.

December 16, 2003

8. Approval of new Washington County Respirator Policy and revision to the Washington County Blood-borne Pathogen Occupational Exposure Control Plan.
9. Approval and execution of contract with Comfort Systems, USA for upgrading the automatic logic controls for the energy management system at the Law Enforcement Center.
10. Adoption of **Resolution No. 2003-195** as follows:

Final Payment to Jorgenson Construction, Inc. for the  
Woodbury Service Center Remodeling

WHEREAS, the Washington County Board of Commissioners, on August 13, 2002 approved the bid award to Jorgenson Construction, Inc. and signed a contract with the same contractor on August 27, 2002 for the remodeling work at the old Woodbury Library/Service Center; and

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

NOW, THEREFORE BE IT RESOLVED, that Jorgenson 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.

11. Bids were received for roofing construction at the Transportation and Physical Development South Maintenance Shop as follows:

G & S Roofing	\$57,281.00
Niewman Roofing	57,500.00
Palmer West Construction	58,500.00
All Weather Roof	61,514.00
John A. Dalsin & Son	65,470.00
McPhillip Brothers	69,000.00
Dalco Roofing	76,175.00

Adoption of **Resolution No. 2003-196** as follows:

Bid Award for Reroofing the South Maintenance Shop  
to G & S Roofing

WHEREAS, in order to complete reroofing the South Maintenance Shop in Woodbury, the county solicited bids for this project; and

WHEREAS, bids were opened on December 1, 2003, with G & S Roofing being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the county and G & S Roofing 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.

12. Approval of budget amendment for the use of \$94,613.05 in fund balance to pay an invoice for the CR 64 project that was completed in 1993.
13. Approval and execution of a one-year maintenance contract with Black Creek Integrated System Corporation for the Law Enforcement Center security system.
14. Approval of a contract with Valley Branch Watershed District to establish 100 year flood elevations for Valley Creek and Raleigh Creek (formerly Eagle Point Creek) in the amount of \$60,000.
15. Adoption of **Resolution No. 2003-197** as follows:

Authorizing Eminent Domain Proceeding for Priority Acquisitions at  
Washington County Government Center Parking Lot

WHEREAS, Washington County proposes to enlarge the parking facilities at the Washington County Government Center located in Stillwater, Minnesota; and

WHEREAS, key properties are necessary to enlarge the parking facilities; and

WHEREAS, the new development necessary for enlarging the parking facilities consists of the construction of a parking lot, landscaping and drainage facilities; and

WHEREAS, the rapid acquisition of these key properties are necessary to provide for the timely construction of said facility; and

WHEREAS, Washington County has authority to use eminent domain for the purpose of acquiring properties for the parking lot expansion; and

WHEREAS, Washington County is unable to begin construction of the parking facilities until it has acquired title and possession of key parcels; and

WHEREAS, Washington County has been unable to successfully negotiate the acquisition of the following properties:

See Exhibits

December 16, 2003

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby authorizes the acquisition of said property interests by eminent domain.

BE IT FURTHER RESOLVED, that the Washington County Attorney's Office is authorized to commence the necessary proceedings to acquire title and possession and to prosecute said action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or Order of the Court.

Exhibit  
Condemnation List  
Priority Acquisition for Washington  
County Government Center Parking Lot

Fee Owner: Donal B. Swenberg Trust  
Donal B. Swenberg Trustee  
14990 60<sup>th</sup> Street North  
Stillwater, Mn 55082

Mortgagee: None

Acquisition: The property is a 1,412 square foot single story rambler on a 14,500 square foot residential lot.

Legal Description of Parcel:

All that part of Lots Twenty-Eight (28), Twenty-Nine (29) and Thirty (30) of Block No. Five (5) of McMillan and Cooley's Addition to Stillwater, according to the plat thereof on file and of record in the Office of the Register of Deeds in and for the County of Washington, State of Minnesota, described as follows:

Beginning at a point on the West line of Hazel Street Sixty (60) feet South of the Southeast corner of said Block No. Five (5); thence West along the South line of what was formerly Wallace Street (now vacated) a distance of One Hundred (100) feet; thence North and parallel to the West line of Hazel Street a distance of One Hundred (100) feet to the West line of said Hazel Street; thence South along the West line of said Hazel Street a distance of One Hundred Forty-Five (145) feet to the point of beginning, containing 0.33 acres, more or less.

Exhibit  
Condemnation List  
Priority Acquisition for Washington  
County Government Center Parking Lot

Fee Owner: David I. Carlsen and Marguerite A. Carlsen  
14904 60<sup>th</sup> Street North  
Stillwater, MN 55082

Mortgagee: None



December 16, 2003

Acquisition: The property is 1,708 square foot single story rambler on a 14,500 square foot residential lot.

Legal Description of Parcel:

All that part of Block 5, McMillan and Cooley's Addition to Stillwater Washington County, Minnesota, described as follows: Commencing at a point on the North line of Block 8 of McMillan and Cooley's Addition to Stillwater, 400 feet West of the West line of Hazel Street of said McMillan and Cooley's Addition, said North line of Block 8 being the South line of vacated Wallace street; being the point of beginning of this description; thence North and parallel to the West line of Hazel Street 145 feet to an iron stake; thence West and parallel to the North line of said Block 8, 100 feet to an iron stake; thence South and parallel to the East line of said tract 145 feet to an iron stake on the North line of said Block 8; thence East along said North line of Block 8, 100 feet to an iron stake and the place of beginning. Together with an easement for public travel as set forth in that certain document filed September 21, 1960 in Book 233 of Deeds, Page 25.

16. Adoption of **Resolution No. 2003-198** as follows:

Authorizing Eminent Domain Proceeding for Priority  
Acquisitions at Big Marine Park Reserve

WHEREAS, Washington County proposed to open Big Marine Park Reserve to the Public by 2006; and

WHEREAS, key properties are necessary to begin development of Big Marine Park Reserve; and

WHEREAS, the new development necessary for public access consists of the construction of new roads, parking lots, trails, utilities, picnic areas and shelters, swim beach and beach building, camp grounds and buildings and other miscellaneous facilities as considered necessary to provide for the safety, security and comfort of the public; and

WHEREAS, the acquisition of these key properties are necessary to provide for the said construction; and

WHEREAS, Washington County has authority to use eminent domain for the purpose of acquiring property for parks; and

WHEREAS, Washington County is unable to begin development of the park until it has acquired title and possession of key parcels; and

WHEREAS, Washington County has been unable to successfully negotiate the acquisition of the following property:

See Exhibit

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby authorizes the acquisition of said property interests by eminent domain.

December 16, 2003

BE IT FURTHER RESOLVED that the Washington County Attorney's Office is authorized to commence the necessary proceedings to acquire title and possession and to prosecute said action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or Order of the Court.

Exhibit  
Condemnation List  
Priority Acquisition for  
Big Marine Park Reserve

Fee Owner: Ken and Marie Albrecht  
17543 Lisbon Avenue North  
Marine on St. Croix, MN 55047

Michael T. Hohlt  
10710 176<sup>th</sup> Street North  
Marine on St. Croix, MN 55047

Mortgagee: Security State Bank of Marine  
120 Judd Street  
P.O. Box 35  
Marine on St. Croix, MN 55047

Acquisition: The acquisition includes a total of 8.56 acres with approximately 1,890 feet of lake shoreline, including wetland. The property is a seasonal resort with a boat launch and small cabins. The owner resides in a home that doubles as the office, with a rental property on the lower level.

Legal Description of Parcel:

All that part of Government Lot 7, Section 5, Township 31 North, Range 20 West, described as follows:

Beginning at the Northeast corner of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 5; thence East a distance of 535 feet; thence Northeasterly and parallel with the southerly line of Lot 1, Paulson's First Division of said Government Lot 7 to the shore line of Big Lake; thence Northwesterly following the shore line of Big Lake to intersect the extended southerly line of said Lot 1 of Paulson's First Division; thence Southwesterly along the southerly line of said Lot 1, Paulson's First Division and extension thereof to the Southwest corner of said Lot 1, being a point 250 feet North of the point of beginning; thence southerly 250 feet to the point of beginning.

And

All that part of Government Lot 6, Section 5, Township 31 North, Range 20 West, lying North and East of the township road which runs over and across said lot.

And

December 16, 2003

Beginning at a point hereinafter called point A located on a line hereinafter called line AB which is 690 ft. North of South par with South line of Government Lot 7, Section 5, Township 31 North, Range 20 West which point is 1,065.5 ft. M/L East of West line of said lot & which point is marked by an iron pipe monument controlling location thereof set on bank above & near shore of Big Marine Lake & being 11.4 ft. Southwesterly from main trunk of divided Birch tree 18.5 ft. Southeasterly from Block Oak Tree approximately 28 inches in diameter at base & 6 ft. Northeasterly from a White Oak Tree approximately 16 inches in diameter at base of said point a deflect to left 21 degrees 44 minutes from said line AB then Northeasterly along said line 301.2 ft. to point hereinafter called point C then Southeasterly along line hereinafter called line BC running along shore of said lake between high & low water marks thereof 222.5 ft. to a point hereinafter called point B on said line AB which point is 473.3 ft. East of said point A then West along said line AB to point of beginning also tract called parcel 2 lying between line BC & low water mark of said lake subject to further provisions hereof as to boundaries said parcel also all riparian & other rights & intersects in said lake & bed thereof which are legally appurtenant to said parcels 1 & 2 subject to said rights of other riparian owners known as parcels 1 & 2 Oak Lane Addition, Town of May.

17. Adoption of **Resolution No. 2003-199** as follows:

Resolution to Purchase Schaar Property  
14884 60<sup>th</sup> Street North, Stillwater, MN  
Washington County Government Center Parking Lot

WHEREAS, Washington County proposes to enlarge the parking facilities at the Washington County Government Center located in Stillwater, Minnesota; and

WHEREAS, key properties are necessary to enlarge the parking facilities; and

WHEREAS, the new development necessary for enlarging the parking facilities consists of the construction of a parking lot, landscaping and drainage facilities; and

WHEREAS, the acquisition of these key properties are necessary to provide for the said construction; and

WHEREAS, Washington County has authority to use eminent domain for the purpose of acquiring properties for the parking lot expansion; and

WHEREAS, Washington County is unable to begin construction of the parking facilities until it has acquired title and possession of key parcels; and

WHEREAS, Washington County has been able to successfully negotiate the acquisition of the following property:

December 16, 2003

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

SEE EXHIBITS

For the sum of \$ 220,000.00; in total, upon the terms and conditions as set forth in the Purchase Agreement.

ADDENDUM A

All that part of lots sixteen (16), Seventeen (17) and Eighteen (18), Block Five (5), and that part of vacated Wallace Street of McMillan and Cooley's Addition to Oak Park, described as follows:

Commencing at a point on the West line of said lot sixteen (16), which is one hundred eighty-five (185) feet South of the Northwest corner of said block (5) of McMillan & Cooley's Addition to Oak Park; thence South along the West line of said Lot Sixteen (16), and the extension thereof, a distance of one hundred forty-five (145) feet to the South line of vacated Wallace Street; thence East along the South line of vacated Wallace Streets distance of One Hundred (100) feet; thence North and parallel with the West line of said lot sixteen (16) and the extension thereof a distance of one hundred forty-five (145) feet to a point; thence West parallel with the North line of said block five (5) for one hundred (100) feet, to the place of beginning, containing .33 acre, more or less.

Together with an easement for roadway over and across the following described land:

Beginning at the Northwest corner of block five (5) of McMillan & Cooley's Addition to Oak Park; thence South one hundred fifty-five (155) feet along the east line of Birch Street to the point of beginning of this description; thence east across block five (5) to the West line of Hazel Street; thence South along the West line of Hazel Street thirty (30) feet; thence West across block five (5) to the east line of Birch Street; thence North thirty (30) feet to point of beginning, said roadway to be used as a means of ingress to and egress from the land hereby conveyed, in common with the parties of the first part, their successors, assigns and tenants, and with all other persons having a like right.

According to the United States Government Survey thereof.

ADDENDUM B: ADDITIONAL TERMS & CONDITIONS

1. Conveyance should be by warranty deed pursuant to the terms and conditions of the 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;

December 16, 2003

6. Sellers shall be obligated to perform all maintenance in order to keep the property in a reasonable repair until possession by Washington County, normal wear and tear;
  7. The sellers shall be obligated to pay all utilities, including fuel oil, propane gas, natural gas, electricity, city water, telephone, city sewer, and garbage hauling, in a timely manner, while they are in possession of the property.
  8. The sellers shall remove all personal possessions and debris from both the house and yard prior to vacating the property.
  9. Relocation rights are available to the seller in conformance with the Uniform Relocation Act. The Seller has indicated that he would desire to waive his relocation benefits in return for a one-time payment of \$7,500.00 over and above the purchase of \$212,500.00. Seller agrees to sign a relocation waiver.
  10. Sellers will terminate life estate encumbering property.
18. Approval and execution of Amendment No. 1 with the Minnesota Department of Transportation to perform a traffic study in the areas of CSAH 12, CSAH 15 and Trunk Highway 96.

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

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

Sheriff Jim Frank announced that the Minnesota Sheriff's Association, at their annual conference held during the first week of December, presented Washington County staff members with the following awards:

Deputy of the Year - Deputy Keith Anderson is a seven-year veteran with the Washington County Sheriff's Office. He has worked in patrol for several years and is back in investigations. He was also a member of the Metro Area Gang Strike Force.

Reserve Officer of the Year - Reserve Deputy Gary Glaeser is a 26 year veteran of the United States Air Force. He was one of the first volunteers when the Reserve program was started six years ago and is its coordinator. He has given thousands of hours of service over the years. He helped out during the tragedy on the St. Croix River on Fourth of July several years ago.

Life Saving Award - Deputy Dan Harjes rescued a boater in the Scandia area whose boat had capsized. The individual weighed over 300 pounds, had burn marks on his arm from an incident the night before, he was intoxicated and uncooperative. He was successfully rescued.



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**COMMUNITY SERVICES**

Rebecca Knighton, Economic Support Supervisor, presented an overview of the proposed Washington County Plan for Administration of the Child Care Assistance Program. This plan establishes local policies and procedures.

Commissioner Kriesel moved to approve the Washington County Plan for Administration of the Child Care Assistance Program for the period of January 1, 2004 through December 31, 2005. Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

**PUBLIC HEALTH AND ENVIRONMENT****Washington County Groundwater Plan**

Craig Leiser, Chairman of the Groundwater Advisory Committee, acknowledged his fellow committee members. He thanked the technical support group as well as staff from the Department of Public Health and Environment. Every question and request for additional information was answered in a prompt and timely fashion with sufficient detail so they could move forward in the process. He believes the end result of the Groundwater Plan leads to a clear assignment of implementation and responsibilities for the fulfillment of the goals they established.

Cindy Weckwerth, Program Manager, reviewed the history and authority for the Groundwater Plan. She described the required content and purpose of the plan, its goals and primary issues including groundwater quality, protecting water from degradation; and groundwater quantity, managing water supplies as the county grows. She reviewed the short, medium and long-range implementation strategies. Implementation strategies for 2003 included: North Washington County Groundwater and Surface Water Interaction; Cottage Grove Nitrate Study Phase I; and the Water Consortium. Examples of 2004 implementation strategies include: South Washington County Groundwater and Surface Water Interaction; Baseline water quality monitoring; Aquifer Sustainability (Woodbury/Afton); Cottage Grove Nitrate Study Phase II; and the Water Consortium.

Ms. Weckwerth described the review process: Two public forums were held; Public hearings; Over 100 copies of the plan were sent out; It has gone through several levels of State review; and was adopted by the Minnesota Board of Water and Soil Resources on October 22, 2003.

Commissioner Stafford asked for updates on the Lake Jane site and the 3M site in Woodbury.

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Craig Leiser requested continued staff support, continued presentation by department staff to all local units of government and water management organizations. He also suggested that the County Board authorize an annual reconvening of the Advisory Committee to review progress, look at revisions if necessary and make a report to the County Board. He also believes the Committee may come to the Board for requests for appropriate legislative controls when and where needed. He asked that the Board continue its support of the Water Consortium.

Commissioner Pulkrabek moved to adopt the Washington County Groundwater Plan. Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

Commissioner Stafford recommended to the Department of Public Health and Environment that the Groundwater Advisory Committee be reconvened periodically for a progress report.

#### **Metropolitan Energy Task Force**

Commissioner Kriesel moved to adopt **Resolution No. 2003-200** as follows:

##### Financial Management Agreement with Hennepin County for the Metropolitan Counties Energy Task Force

WHEREAS, the Board of Commissioners recognizes the importance and potential implications for the County and its citizens in a restructured electric utility environment; and

WHEREAS, the Board seeks to have a voice in policy matters and decisions at the local, state, and federal level; and

WHEREAS, these issues and policies are many and complex; and

WHEREAS, the Metropolitan Counties Energy Task Force has been formed by Anoka, Carver, Dakota, Hennepin, Scott and Washington Counties to jointly consider the issues associated with the potential restructuring of the electric utility industry; and

WHEREAS, the Task Force requires assistance in analyzing financial, legal, and governance issues associated with restructuring and with administrative support for operations of the Task Force; and

WHEREAS, funds in the amount of \$8,827 are included in the recommended budget for 2004 for membership and professional services for the Metropolitan Counties Energy Task Force; and

WHEREAS, the Metropolitan Counties Energy Task Force accepted the invitation and funding for a metropolitan regional role in energy conservation efforts from the Minnesota Department of Commerce; and

WHEREAS, Hennepin County has agreed to administer the professional services contract and Department of Commerce grant dollars, with the approval of the Metropolitan Counties Energy Task Force.

December 16, 2003

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby approves the Agreement for Financial Management Services for participation with other metropolitan counties in the Metropolitan Counties Energy Task Force; and

BE IT FURTHER RESOLVED, that the Chair of the Board of Commissioners is authorized to sign the Agreement for Financial Management Services on behalf of the Board, enabling Washington County to participate in the management of funds available to the Metropolitan Counties Energy Task Force.

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

Commissioner Kriesel suggested that the Chair of the Metropolitan Energy Task Force address the County Board at a workshop early next year.

#### **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Bids were received for construction on CSAH 13 as follows:

<u>Bidder</u>	<u>Base Bid</u>
Tower Asphalt, Inc.	\$2,966,277.13
Park Construction	3,082,683.27
Enebak Construction	3,170,532.79
Arnt Construction	3,195,775.16
Shafer Contracting	3,231,695.18
F.M. Frattalone Excavating	3,384,111.48
SM Hentges & Sons	3,396,043.80
Dresel Contracting	3,433,674.06
Ames Construction Co.	3,439,018.31
Ryan Contracting	3,779,361.30

Commissioner Stafford moved to adopt **Resolution No. 2003-201** as follows:

#### **Bid Award for CSAH 13 (Hinton Avenue/Tower Drive) Road Construction to Tower Asphalt, Inc.**

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

WHEREAS, bids were opened on November 12, 2003, with Tower Asphalt, Inc. being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Tower Asphalt, Inc. be accepted and the County enter into a contract with Tower Asphalt, Inc. under the terms and conditions set forth in the bid specification documents with the condition precedent of the concurrence in the bid award by the City of Woodbury and Cottage Grove; and

December 16, 2003

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

### **HUMAN RESOURCES, EMPLOYEE SAFETY AND RISK MANAGEMENT**

#### **Ratify 2004 Meet and Confer Agreements with Non-Union Employee Groups**

Commissioner Kriesel moved to ratify the 2004 meet and confer agreements with non-union employee groups including: Department Heads, Confidential Supervisors and Confidential Employees effective January 4, 2004 as follows:

1. Duration: January 4, 2004 through January 2, 2005.
2. Wages: Effective January 4, 2004 – 3.0% general adjustment.
3. Health Insurance: 2004: Single, \$433.00/month (\$0 increase from 2003 contribution)  
Family \$589.00/month (\$34 increase from 2003 contribution)

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

### **GENERAL ADMINISTRATION**

#### **2004 Salary for the County Sheriff**

Commissioner Kriesel moved to adopt **Resolution No. 2003-202** as follows:

#### 2004 Salary for the County Sheriff

WHEREAS, Minnesota Statute §387.20 requires the County Board of Commissioners to set by resolution the salary of the County Sheriff.

NOW, THEREFORE, BE IT RESOLVED that the 2004 salary for the Washington County Sheriff shall be as follows, effective January 1, 2004:

Sheriff            \$112,029

BE IT FURTHER RESOLVED, that the 2004 salary for the Chief Deputy shall be as follows, effective January 1, 2004:

Chief Deputy \$100,826

December 16, 2003

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

#### **2004 Salary for the County Attorney**

Commissioner Kriesel moved to adopt **Resolution No. 2003-203** as follows:

##### 2004 Salary for the County Attorney

WHEREAS, Minnesota Statute §388.18 requires the County Board of Commissioners to set by resolution the salary of the County Attorney.

NOW, THEREFORE, BE IT RESOLVED that the 2004 salary for the Washington County Attorney shall be as follows, effective January 1, 2004:

Attorney	\$111,371
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BE IT FURTHER RESOLVED, that the 2004 salaries for the First Assistant Attorney and Executive Assistant shall be as follows, effective January 1, 2004:

First Assistant Attorney	\$100,234
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Executive Assistant	\$ 43,719
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Commissioner Pulkrabek seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

#### **2004 Salary for the County Administrator**

Commissioner Stafford moved to adopt **Resolution No. 2003-204** as follows:

##### 2004 Salary for the County Administrator

WHEREAS, Minnesota Statute §375.06, Subdivision 1 authorizes the County Board of Commissioners to appoint and employ an Administrator upon such terms and conditions as it deems advisable and directs the County Board to set the Administrator's salary.

NOW, THEREFORE, BE IT RESOLVED that the 2004 salary for the Washington County Administrator shall be increased by 3% not to exceed the State statutory amount which is currently \$114,288.

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

#### **2004 Salaries for the County Commissioners**

Commissioner Kriesel moved to adopt **Resolution No. 2003-205** as follows:



December 16, 2003

Resolution Establishing County Commissioners'  
Salaries and Expenses for 2004

WHEREAS, Minnesota Statute 375.055, Subdivision 1, requires the County Board of Commissioners to set salaries, per diem payments, and expense reimbursement for its members prior to January 1 of the effective year.

NOW, THEREFORE, BE IT RESOLVED that the salary rate for Washington County Commissioners be \$45,377 a year for Commissioners and \$46,957 a year for the Chair, effective January 1, 2004.

BE IT FURTHER RESOLVED, that the expense reimbursement for County Commissioners be for actual expenses plus mileage in accordance with County policy with no County per diem payments.

BE IT FURTHER RESOLVED, that each of the County Commissioners receive the same County paid medical insurance premium and flexible medical expense account as received by the elected department heads.

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

**Adoption of Washington County Budget Payable for 2004**

Commissioner Stafford moved to adopt **Resolution No. 2003-206** as follows:

Resolution Adopting the Washington County  
Proposed Budget for Payable 2004

<u>OPERATING FUNDS</u>	<u>EXPENDITURES</u>	<u>REVENUE OTHER THAN LEVY</u>	<u>FUND BALANCE INC/(DEC)</u>	<u>GROSS LEVY</u>	<u>STATE AIDS</u>	<u>CERTIFIED LEVY</u>
General Government	\$76,169,653	\$37,422,100	\$209,200	\$38,956,753	\$4,446,117	\$34,510,636
Social Services	29,423,300	16,609,200	0	12,814,100	1,482,039	11,332,061
Public Works-Road & Bridge	18,281,300	13,104,100	(451,000)	4,726,200	564,586	4,161,614
Public Works - Parks	2,034,3000	1,489,600	210,100	754,800	70,573	684,227
Regional Rail Authority	692,300	55,800	(419,500)	217,000	0	217,000
Library	4,834,500	169,200	0	4,665,300	494,013	4,171,287
Debt Service - County Wide	7,161,901	0	0	7,161,901	0	7,161,901
Debt Service - Library District	715,499	0	0	715,499	0	715,499
Subtotal:	\$139,312,753	\$68,850,000	(\$451,200)	\$70,011,553	\$7,057,328	\$62,954,225
<u>CAPITAL FUNDS</u>						
CIP Projects Fund	105,400	375,000	375,000	105,400	0	105,400
Capital Repair	783,700	816,000	32,300	0	0	0
Historic Courthouse	15,000	19,200	4,200	0	0	0
Subtotal:	904,100	1,210,200	411,500	105,400	0	105,400
Total 2004 Budget:	\$140,216,853	\$70,060,200	(\$39,700)	\$70,116,953	\$7,057,328	\$63,059,625
<u>OTHER LEVY PAYMENT</u>						
Less Regional Rail - a separate taxing authority				(217,000)	0	(217,000)
HRA Landfall				200,000	0	200,000
Total Washington County 2004 Levy (Operating plus HRA Landfall minus RRA)				\$70,099,953	\$7,057,328	\$63,042,625

December 16, 2003

Commissioner Kriesel seconded the motion and it was adopted 3-1 with the vote as follows: Yes, Commissioners Kriesel, Hegberg and Stafford; No, Commissioner Pulkrabek; Commissioner Peterson absent.

Commissioner Pulkrabek stated he feels this is a fiscally conservative and responsible budget. As far as real dollars the county will be spending about \$10 million less from 2003. There will be approximately 50 less employees than 2003. However, the reason he did not support the budget is because currently, Washington County has the lowest tax rate of the 87 counties. With the budget that was adopted, Washington County will move from 87<sup>th</sup> to 86<sup>th</sup>. He feels it is a bad precedent to set not being the lowest. It would only take about \$300,000 of a reduction to maintain the 87<sup>th</sup> ranking.

**Certifying Property Tax Levies for Washington County Payable 2004**

Commissioner Kriesel moved to adopt **Resolution No. 2003-207** as follows:

Resolution Certifying Property Tax Levies for  
Washington County Payable 2004

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following proposed tax levies for payable 2004:

Washington County	\$63,042,625
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Includes Washington County Special Levy for the  
Housing & Redevelopment Authority for Landfall  
of \$200,000

Regional Rail Authority	\$ 217,000
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Commissioner Stafford seconded the motion and it was adopted 3-1 with the vote as follows: Yes, Commissioners Kriesel, Hegberg and Stafford; No, Commissioner Pulkrabek; Commissioner Peterson absent.

**Certifying Property Tax Levies for Washington County HRA Payable 2004**

Commissioner Pulkrabek moved to adopt **Resolution No. 2003-208**, as follows:

Resolution Certifying Property Tax Levy for  
Washington County Payable 2004

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following tax levy for payable 2004:

December 16, 2003

Washington County Housing and Redevelopment Authority

\$2,312,486

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

#### **Future Meeting with the Housing and Redevelopment Authority Board**

James Schug, County Administrator, announced that there will be a joint workshop with the Housing and Redevelopment Authority Board of Commissioners early next year. It was agreed that the two boards would meet on at least an annual basis to discuss the HRA work plan.

#### **Comments on the 2030 Regional Development Framework**

Commissioner Kriesel moved to approve the County comments on the Metropolitan Council's 2030 Regional Development Framework. Commissioner Pulkrabek seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

#### **Commissioner Reports – Comments – Questions**

Commissioner Kriesel reported on an open house he attended last week on County Road 18. County staff together with the various mayors of the five jurisdictions involved also attended. He believes this is a great example of two types of governments working together to come up with an acceptable project.

Commissioner Hegberg addressed the comments made earlier about the property in Big Marine Park. He stated that this park has been almost 15 years in the making. There is a substantial public investment in land so it is now time to do something. There are only a couple of properties remaining. One of these owners wants the maximum value that he can get from his property and the Commissioner believes that the owner feels eminent domain is the way he can get those maximum dollars.

Commissioner Hegberg reported on the annual Association of Minnesota Counties conference held last week. Commissioner Nancy Schouweiler, Dakota County, was elected 2<sup>nd</sup> vice chair of AMC for 2004. He asked that a letter of congratulations be sent to her.

Commissioner Hegberg thanked the legislative delegation who attend the meeting last week. There is some support for legislation the county is looking at passing. After that meeting he attended the Tri-City meeting to discuss the overpasses on I-35 and the necessity of replacing those.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

December 16, 2003

**ADJOURNMENT**

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

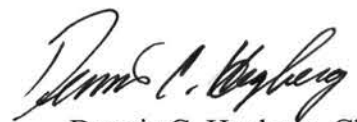
The Board recessed for five minutes.

**WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY CONVENES**

The Washington County Regional Railroad Authority met in regular session at 11:05 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Hegberg and Stafford. Commissioner Peterson absent. RRA Vice Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Don Wisniewski, Director of Transportation and Physical Development; Mike Rogers, RRA Planner; and Bev Hagen, Public Information Coordinator. Official Proceedings of the Regional Railroad Authority are available in the Office of Administration.


**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development for an update on the Boutwell Area Transportation Study. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg and Stafford. Also present were Jim Schug, Molly O'Rourke, Don Wisniewski, Don Theisen, Wayne Sandberg, Joe Lux, and Judy Spooner, Washington County Bulletin.



Dennis C. Hegberg, Chair  
County Board

Attest:



James R. Schug

County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**DECEMBER 23, 2003**

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 Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Absent none. Board Chair Hegberg presided. Also present were Jim Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Wisniewski, Director of Transportation and Physical Development; Don Theisen, County Engineer; Sandy Cullen, Transportation Manager; Jim Luger, Parks Director; Mike Welling, County Surveyor; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Jeneen Johnson, Deputy Human Resources Director; Mary McCarthy, Information Services Director; Konrad Koosmann, Washington Conservation District; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; and Bev Hagen, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

Choc Junker addressed the Board on the Commissioners' salaries and the Shady Birch Resort eminent domain issue.

**CONSENT CALENDAR**

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

1. Approval of an agreement between Washington County and Washington County Conservation District to fund general operations and services to county departments.
2. Approval of the Washington County Legislative Agenda for the 2004 legislative session.
3. Approval to amend Software License Agreement contract with SSA Global Technologies, Inc., extending the software maintenance for Infinium Application Manager, Human Resources/ Payroll, Flex Benefits and Query until December 31, 2004.
4. Adoption of **Resolution No. 2003-209** as follows:

Final Payment to Peoples Electric for CSAH 13,  
Radio Drive & Pinchurst Road Signal Construction



December 23, 2003

WHEREAS, the Washington County Board of Commissioners, on April 8, 2003, approved a bid award to Peoples Electric and signed a contract with said company for construction of a fully actuated traffic control at the intersection of CSAH 13, Radio Drive, and Pinehurst Road in Woodbury; and

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

NOW, THEREFORE BE IT RESOLVED, that Peoples Electric 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.

5. Adoption of **Resolution No. 2003-210** as follows:

Final Payment to Arnt Construction Co., Inc.  
for County Road 61 Reconstruction

WHEREAS, the Washington County Board of Commissioners, on August 21, 2001 approved a bid award to Arnt Construction Co., Inc. and signed a contract with said company for reconstruction of CR 61; and

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

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

6. Approval and execution of operations grant to the Washington County Historical Society in the amount of \$15,600.
7. Approval and execution of Amendment No. 1 to building custodial maintenance contract with Linn Building Maintenance for 2004.
8. Approval and execution of Grant Agreement 2696B-04-WA with the Minnesota Historical Society in the amount of \$20,000 to assist in the Washington County Historic Courthouse chimney restoration project.

The foregoing Consent Calendar was adopted unanimously.

## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Appointment of County Surveyor**

Commissioner Stafford moved to appoint Michael J. Welling as County Surveyor to a four-year term beginning January 1, 2004 and ending December 31, 2007. Commissioner Peterson seconded the motion and it was adopted unanimously.

December 23, 2003

**Reconstruction of CSAH 2 in Forest Lake**

Commissioner Peterson moved to approve a cooperative agreement with the City of Forest Lake for the environmental and preliminary design services for proposed reconstruction of County State Aid Highway 2 (CSAH 2) between 19<sup>th</sup> Street and Trunk Highway 61 (TH 61), including the I-35 interchange and the CSAH 2 and TH 61 intersection in Forest Lake. Commissioner Hegberg seconded the motion and it was adopted unanimously.

**GENERAL ADMINISTRATION****Introduction of New Human Resources Director**

Jim Schug, County Administrator, introduced Kay McAloney, the new Human Resources Director. Ms. McAloney graduated from the University of Minnesota with a Master's Degree in Human Resource Management. She previously was a city Human Resources Director. Ms. McAloney stated she has met with all the department heads, and in her third week with the county she is actually starting to recognize faces in the building.

**Ratification of the 2004-2006 AFSCME Union Contracts**

Commissioner Peterson moved to ratify the 2004-2006 agreements with AFSCME Council 14 as follows:

1. Duration:  
Three year contract effective January 4, 2004 through December 31, 2006;
2. Wages:  
Effective 1/4/04, 3.0% general adjustment  
Effective 1/2/05, 0% general adjustment  
Effective 1/1/06, 2.0% general adjustment  
Eligible employees shall receive step movement based on the contract for 2004-2006;
3. Health Insurance  
2004 "Me too" with other bargaining units.  
\$433.00 (single)  
\$589.00 (family)  
2005 Insurance reopener  
2006 Insurance reopener;  
Deletion of Benefit Cafeteria Plan Language provisions.
4. PTO Plan  
Incorporation of PTO Plan effective May 9, 2004.

December 23, 2003

Commissioner Kriesel seconded the motion and it was adopted unanimously.

#### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Stafford moved that staff prepare a resolution for the next Board meeting congratulating the City of Woodbury for being proclaimed by "Money Magazine" as one of the finest cities in America to live in. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

Commissioner Kriesel, Peterson and Hegberg asked that a reference be made to Washington County and the other fine cities in the county.

The Commissioners wished everyone a Happy Holiday season.

#### **BOARD CORRESPONDENCE**

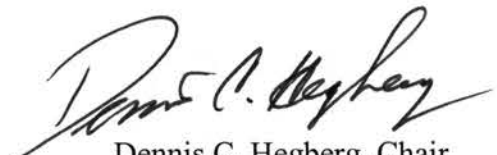
Board correspondence was received and placed on file.


#### **ADJOURNMENT**

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

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

The Board met in workshop session with the Office of Administration to discuss Commissioner committee assignments for 2004. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Hegberg, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Patricia Raddatz and Judy Spooner, Washington County Bulletin.

  
Dennis C. Hegberg, Chair  
County Board

Attest:   
James R. Schug  
County Administrator