



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

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	11/08/2005		Release of the draft 2006-2010 CIP to communities for their review and comment.	19	382
	11/22/2005		Truth-in-Taxation hearing to be held on Thursday, December 1, 7:00 p.m.	19	410
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	12/13/2005	2005-196	Certifying property tax levies for WACO payable 2006.	19	430
	12/13/2005	2005-197	Certifying Property tax levy for WACO HRA.	19	430
	12/13/2005	2005-198	Adopting the WACO budget for payable 2006.	19	431

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Administration	12/13/2005		Workshop held with Trust for Public Land to discuss a possible ballot referendum to raise funds for land protection activities.	19	432
Assessment, Taxes & Elections	07/12/2005		Res. 2005-113, rescinding the Recorder/Registrar and ATSE recording/land records special county fees schedule #1032.	19	263
	07/26/2005	2005-116	Basic sale price of tax forfeited parcel 22.032.21.12.0001 and auth. this parcel for sale to Michael and Robin Eilers adjoining landowners.	19	270
	08/09/2005		Fee changes to Policy #1032.	19	293
	08/09/2005		Denial of repurchase applications by Robert Beale for tax forfeited properties in Oakdale and Lake Elmo.	19	297
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	09/06/2005	2005-138	Classification/Reclassification 38 tax forfeited parcels as non-conservation.	19	313
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	09/13/2005		Liq. Lic. Construction and Landscape Expo, September 22-24, 2005.	19	320
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	09/20/2005		Amend county fee schedule by \$5.50 fee for headsets for personal computers used in the Library.	19	326
	09/20/2005		Workshop held to review the property tax and appraisal information on the county Website.	19	329
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	10/11/2005		2006 fee schedule for the Dept. of Public Health & Environment.	19	348
	10/18/2005	2005-168	Right-of-Entry of National Park Service to five tax forfeited parcels along St. Croix River.	19	361
	10/18/2005		Contract w/School District 833, South WACO Public Schools, for election administration services.	19	365
	10/18/2005		Contract w/City of Woodbury, election administration services.	19	366
	10/18/2005	2005-172	Subdivision of a tax-forfeited parcel in Dellwood.	19	366
	11/01/2005		Comments from Woodbury, May Township and Hugo residents re: Property information listed on the county website.	19	371

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Assessment, Taxes & Elections	11/01/2005		Workshop held to discuss a request by the HRA for conveyance of tax forfeited property in Oakdale; and an update on property information on the county webpage.	19	376
	11/08/2005	2005-176	Classification of five parcels located in New Scandia and May Township as non-conservation.	19	377
	11/08/2005		Remove public access to the property record card and all property photos from the county's Website.	19	381
	11/08/2005		Workshop held to review proposed 2006 property taxes and an ACS/Manatron Tax System Update.	19	385
	11/15/2005		Ratify the Manatron Tax System contract for 2005-2010.	19	387
	11/15/2005		Ratify the Affiliated Computer solutions Tax System contract for 2005-2008.	19	387
	11/22/2005		New liq. lic., James R. Schneider, Prospects, Inc.	19	393
	12/13/2005	2005-184	Classification of parcel 17.030.21.33.0005 as non-conservation land.	19	417
	12/13/2005		Abatement in the amount of \$29,184.40 for Imation taxation parcels.	19	418
	12/13/2005		Res. 2005-185, Community Corrections transfer of supervision fees.	19	418
	12/13/2005	2005-191	Conveyance - Housing and Redevelopment Authority.	19	427
	12/20/2005	2005-199	Personal property left by previous owner at 31.029.21.11.0083 abandoned, authorize removal.	19	433
Attorney	07/12/2005		Grant funding from the MN Office of Justice Programs for the Victim/Witness program.	19	261
	08/09/2005		\$2,000 emergency fund grant from the MN Dept. of Public Safety for crime victims.	19	294
	08/16/2005		Closed session to discuss proposed settlement options of compensation and damages pertaining to re-alignment of CSAH 8.	19	306
	09/06/2005		Special Project .5 FTE for the auto theft prevention program grant, 7/1/05 - 6/30/07.	19	315
	10/11/2005		Auth. for County Attorney to settle the lawsuit concerning the Law Enforcement Center.	19	358
	10/11/2005		Closed session - Update on Law Enforcement Center lawsuit.	19	358
	11/15/2005		Executive Session held to discuss proposed cost of right of way and appraisal review for parking lot expansion.	19	390
	12/13/2005		Res. No. 2005-186, Findings of Fact, conclusion and resolution affirming the WACO Planning and Advisory Commission's issuance of a mining permit to Rumpca Excavating, Inc.	19	419
	12/20/2005		Res. No. 2005-204, Findings of Fact and resolution reversing the decision of the WACO Planning Advisory Commission to deny a CUP for the Open Space Development of Victory Pass and granting a CUP to develop Victory Pass.	19	437
	12/20/2005		Executive session held to discuss purchase agree. w/City of Forest Lake for northern service center/library and transit center/trailhead properties.	19	447
Central Services	09/06/2005		Implement the use of State of Minnesota auction to sell county vehicles and other surplus equipment and to utilize e-bay to sell reusable items no longer needed by county departments.	19	312

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Central Services	11/22/2005		Administration Policy #1808, Capital Assets, recording and disposition of county property.	19	394
Commissioners	07/12/2005		Res. No. 2005-113, rescind Recorder/Registrar and ATSE recording/land records special county fees schedule #1032.	19	263
	07/12/2005		July 19, 2005 Board meeting canceled.	19	267
	07/12/2005		Workshop w/Transportation and Physical Development held to review site and schematic designs for the South Service Center and North Service Center/Library.	19	268
	07/26/2005		Carol Bannister, Friends of the Lake Elmo Library, requested action on the lease for a new branch library in Lake Elmo.	19	269
	07/26/2005		Fran Van Milligan, Woodbury, addressed her concerns about Xcel Energy turning off electricity to the elderly, poor and ill.	19	270
	07/26/2005		Revised Financial Policies. Rescinded by action taken on 8/23/05.	19	276
	07/26/2005		Workshop w/Community Services to discuss new choices for chemical dependency treatment programs in the WACO Jail.	19	277
	07/26/2005		Workshop w/Sheriff to discuss jail bed rental status.	19	277
	08/02/2005		Public Hearing held to receive comments on the draft St. Croix Valley Trail Master Plan.	19	285
	08/02/2005		Citizens ask for groundwater study in the Rice Creek and Judicial Ditch area.	19	291
	08/02/2005		Workshop w/Transportation and Physical Development to discuss the design status of the Government Center campus improvements.	19	292
	08/09/2005		Fee Changes to County Policy #1032.	19	293
	08/09/2005		Workshop w/Library Board to discuss its role and responsibilities under the new governance structure.	19	300
	08/09/2005		Workshop w/Transportation and Physical Development, update on the status of acquisition and proposed development for the Big Marine Park Reserve.	19	300
	08/09/2005		Workshop w/ATSE to discuss the county role in off-year school district and city elections.	19	300
	08/16/2005	2005-128	Open agency funds for the Metro Emergency Services Board and update Fiscal Policy #2703, Fund Definitions. Replaced by Resolution No. 2005-135.	19	301
	08/16/2005		Jay Riggs, Washington Conservation District, would like to meet w/County Board in a workshop setting.	19	306
	08/23/2005		Rescind the policy numbers assigned to the Financial and Budget policy numbers at the 7/26/05 Board meeting and assign corrected numbers.	19	307
	08/23/2005		No Board meeting on 8/30/05; AMC policy meetings to be held on 8/31 and 9/1 in New Ulm.	19	310
	09/06/2005	2005-135	Rescind Resolution No. 2005-128 - Update Policy #2802, opening and closing of funds for the MESB and update fund descriptions Policy #2803, addition of these new funds.		
	09/06/2005		Randy Kopesky, Probation Officer, asked that the Board consider negotiating itself rather than hire a labor relations attorney	19	311
	09/06/2005		Comm. Hegberg reported that the HRA will review a request from some Scandia Senior residents to have their heating bills included in their rent.	19	318

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Commissioners	09/13/2005		Policy #1012, Mileage Reimbursement increase to 48.5 effective 9/11/05.	19	321
	09/13/2005		Comm. Hegberg asked County Attorney's office to review a request to stay an order by the DNR that a dam be placed in JD 2 to raise the water in Rice Lake.	19	323
	09/20/2005		Metropolitan Mosquito Control has hired Morrie Anderson on a six month temporary basis.	19	328
	09/20/2005		Rush Line Corridor awarded additional federal funds for the park and ride facilities in Forest lake.	19	328
	09/20/2005		Workshop w/Library to discuss supervision of Law Library staff by the WACO Library Director.	19	329
	09/20/2005		Workshop w/ATSE to review the property tax and appraisal information on the county Website.	19	329
	09/20/2005		Workshop w/Transportation for a presentation of the service center preliminary architectural designs.	19	329
	09/27/2005		Annual League of Local Governments to be held on Thursday, September 29, Prom Center in Oakdale. Governor Al Quie to be the speaker.	19	336
	09/27/2005		Workshop to be scheduled to discuss all types of energy issues including nuclear, wind, and solar power energy and how the high cost of energy impacts local units of government.	19	336
	09/27/2005		Workshop w/Public Health and Environment to discuss the use of sustainable building design guidelines in county building and remodeling projects.	19	337
	10/04/2005		Comm. Stafford asked that the record show he misspoke on Sept. 27 when he indicated that Stearns County had joined the Met. Energy Task Force. It should have been Sherburne County.	19	345
	10/04/2005		Recognition to Rick and Connie Hill, held fundraiser for Hurricane Katrina victims.	19	345
	10/04/2005		City of Oakdale interested in going w/county services for the administration of elections.	19	345
	10/04/2005		National 4H week, 10/2 - 10/10/05.	19	345
	10/04/2005		Deb Paige, Emergency Services Director, congratulated on receiving the Association of MN Emergency Managers' Metro Regional Director of the Year Award.	19	345
	10/04/2005		Update presented on the League of Local Governments meeting held last week.	19	345
	10/04/2005		Workshop w/ATSE to discuss election equipment options.	19	346
	10/11/2005		Workshop w/Administration to discuss the county's draft 2005/2006 work plan.	19	359
	10/18/2005		Brian Berube, Baytown Township, congratulated Molly Ramsey, St. Croix Academy, Center Caregiver of the Year, and indicated it was well deserved.	19	361
	10/18/2005		October 25, 2005 Board meeting canceled.	19	369
	11/01/2005		Revised Collections Policy.	19	371
	11/01/2005		Change in Petty Cash and Change Funds, decrease by \$450 from courts transfer to the State of MN.	19	371
	11/01/2005		Proclaiming November 13-19, 2005 as American Education Week.	19	374
	11/01/2005		Workshop w/ATSE to discuss a request by the HRA for conveyance of tax forfeited property in Oakdale; and, an update on property information on the county webpage.	19	376



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Commissioners	11/01/2005		Workshop w/Recorders to review the automated Torrens system.	19	376
	11/08/2005		Sylvester Bendel, Ramsey County and former member of the Veterans Rest Camp, discussed the new legislation and how the Camp is not following the law.	19	377
	11/08/2005		Revisions to WACO Rules & Regs., Sections 5 and 16, Policy #5430 General Housekeeping and Acceptable Appliances and Policy #5020 Workers' Comp.	19	378
	11/08/2005		Commissioners Award to Barry Sittlow, St. Paul Park's City Administrator, for his 30th anniversary with the city.	19	384
	11/08/2005		Workshop w/ ATSE to review proposed 2006 property taxes and an ACS/Manatron Tax System Update.	19	385
	11/08/2005		Workshop w/Transportation and Physical Development to discuss Bob Bilotta's response to county conditions and expectations for The Garden in Hugo.	19	385
	11/15/2005		Workshop w/Transportation and Physical Development, update on the L.E. Park Reserve Master Plan amendment.	19	390
	11/15/2005		No County Board meeting on November 29, 5th Tuesday.	19	390
	11/15/2005		Workshop w/Public Health & Environment to discuss development of a replacement household hazardous waste facility.	19	390
	11/22/2005		Change to Admin. Policy No. 1808, Capital Assets, recording and disposition of county property.	19	394
	11/22/2005		Public Hearing on appeal from Planning Advisory Commission's approval of a Mining Conditional Use to Rumpca Excavating, Inc.	19	396
	11/22/2005		Commissioner Hegberg feels the City of Lake Elmo is falling short on funding programs for the 4-H programs.	19	409
	11/22/2005		Preliminary talk concerning an Oakdale Community Center on the Tartan High School site. City may be asking for county interest.	19	409
	11/22/2005		December 6 Board meeting canceled.	19	410
	11/22/2005		Workshop w/Administration to discuss 2006 legislative agenda.	19	410
	11/22/2005		Workshop held w/Transportation & Physical Development for a presentation on design development for the south and north service center projects.	19	411
	12/13/2005		Policy #1012, mileage reimbursement to decrease to 44.5 cents per mile reflected on the payroll due on January 27th 2006.	19	422
	12/13/2005		Public hearing held to consider an appeal by Cary Bartz and David Atkins of WACO Planning Commission's denial of an open space design development/CUP.	19	424
	12/13/2005		Comm. Hegberg met with Hugo to discuss higher CR 8 funding estimates. He also will fly to Wash. DC to meet w/legislative representatives about the proposed budget cuts to social service issues.	19	431
	12/13/2005		Comm. Hegberg reported on meetings held to discuss possible merger of the Marine WMO into the Carnelian-Marine Watershed. He also reported on meetings w/Rice Creek Watershed to discuss Judicial Ditch 2.	19	431
	12/13/2005		Workshop w/Administration and the Trust for Public Lands to discuss a possible ballot referendum to raise funds for land protection activities.	19	432

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Commissioners	12/13/2005		Comm. Pulkrabek asked that a workshop be scheduled to discuss selling the Historic Courthouse to a private entity or a non-profit group.	19	432
	12/13/2005		Comm. Peterson met w/Cottage Grove Planning Commission to discuss the site plan for the South Service Center.	19	432
	12/20/2005		Youth Service Bureau Award presented to Commissioner Peterson.	19	433
	12/20/2005		Public hearing to consider an amendment to the WACO Development Code relating to fairgrounds.	19	441
	12/20/2005		December 27, 2005 Board meeting canceled.	19	446
	12/20/2005		Comm. Stafford displayed pictures of snowmobile damage along roadways in Woodbury.	19	447
	12/20/2005		Comm. Peterson suggested meeting with the Met Council in January next year.	19	447
	12/20/2005		Comm. Hegberg asked that letters be sent to: Governor concerning Rice Lake asking that it be a managed lake level; and, Letter to Met. Council asking them to make their sewer connections as part of the Highway 8 project.	19	447
	12/20/2005		Workshop held w/Transportation and Physical Development to discuss value engineering of the Govt. Center Campus improvements.	19	448
Community Corrections	07/12/2005	2005-112	Probation and parole officers week, 7/17-23/05.	19	262
	09/27/2005		Accept \$43,320 in additional caseload/workload grant and Hire a 1.0 FTE Probation Officer position with these funds.	19	331
	10/11/2005	2005-159	Sale of donated wood, processed into firewood by the STS Program at fair market rates.	19	347
	10/11/2005		Accept \$3,000 donation from the Target Corporation for the WACO School-Based Chemical Health Initiative.	19	348
	12/13/2005	2005-185	Community Corrections transfer of supervision fee.	19	418
Community Services	07/12/2005		Appt. Rashelle Anderson, Willow Haven Rep., to Mental Health Advisory Council, 1st term to 12/31/07.	19	261
	07/26/2005		Reappt. the following to the Child Protection Citizen Review Panel to terms expiring 6/30/07: Cheryl Anderson, Meghan Anderson, Judy Behr, Jennifer Brookins-King, Danielle Horan, Heidi Nakatani, and Ken Nakatani.	19	270
	07/26/2005		Amend. #1 w/Greater Metropolitan Housing Corporation of the Twin Cities to add 2005 CDBG to WACO owner-occupied rehabilitation program.	19	271
	07/26/2005		CDBG agree. w/Oakdale for Oakdale Rehabilitation Project.	19	271
	07/26/2005		Contract w/Blue Plus, a MN Health Maintenance Org. for WACO to provide care coordination services for enrollees of the Blue Plus MN Senior Health Options Program.	19	274
	07/26/2005		Workshop held to discuss new choices for chemical dependency programs in the county jail.	19	277
	08/02/2005		Fraud prevention Investigation Plan grant application.	19	279
	08/02/2005		Declare Monday, August 8, 2005 as Financial Worker and Case Aid Day in WACO.	19	285
	08/09/2005		Appt. Suzanne Hurlburt, Mental Health Advisory, 1st term to 12/31/07.	19	293



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Community Services	08/16/2005		CDBG subgrantee agree. w/Landfall for sidewalk, curb and gutter replacement.	19	301
	08/23/2005		\$15,000 to assist children and adults experiencing a mental health crisis from the Bush Foundation.	19	307
	09/06/2005		Appt. Robert Gag, CDBG, partial term to 12/31/06.	19	312
	09/06/2005		2005 HOME subgrantee agree. w/Twin Cities Habitat for Humanity to build and sell ten affordable owner-occupied units to low income individuals/families at Retreat at Garden Gate in Woodbury.	19	314
	09/06/2005		Agree. w/U.S. Dept. of HUD for the 2005 CDBG program.	19	314
	09/06/2005		County plan for administration of the Child Care Assistance program.	19	315
	09/13/2005		Appt. Marcia Wielinski, Met. Agency on Aging as county board rep.	19	321
	09/20/2005		Needs determination for East Suburban Resources to open new facility in Cottage Grove and increase rates effective 1/1/06.	19	326
	09/27/2005		Info only - Child Foster Care DOC rate for 2006.	19	331
	10/11/2005		Biennial service agree. for the MN Family Investment Program and Children and Community Services Act, 1/1/06 - 12/31/07.	19	348
	10/18/2005		Family Child Care Providers of the Year awards presented.	19	365
	11/15/2005		2006 contract w/HRA, housing subsidies for individuals w/serious and persistent mental illness under the Bridges II Program.	19	387
	11/22/2005		2005 CDBG agree. w/Lee and Rose Warner Nature Center.	19	393
	11/22/2005		Contract w/Media Health Plans, for WACO to provide care coordination services for enrollees of the Medica's Dual Solution through MN Sr. Health Options Program.	19	407
	12/13/2005		Appt. John Swanlund, Consumer Rep. Mental Health Advisory, 1st term to 12/31/08.	19	417
	12/13/2005		Amend 2005 annual action plan for CDBG funds.	19	419
	12/13/2005		2006-2008 agree. w/Comfort Keepers, home and community-based services for alternative care, elderly waiver, community alternative for disabled individuals and traumatic brain injury clients.	19	419
	12/13/2005		2006 agree. w/Dakota County Receiving Center, detoxification and in-patient chemical dependency services to adults.	19	419
	12/13/2005		2006-2008 agreement w/South Metro Human Services, Inc. for adult foster care.	19	419
	12/13/2005		Reauthorize the Child Protection Citizen Review Panel for additional two years to 12/31/07.	19	419
	12/13/2005		Accept a donation of \$2,500 from the MN Jamboree Council of the United Federation of Doll Clubs, Region 5.	19	419
	12/13/2005		Accept \$8,000 from the Medica Foundation Grant via Ramsey County through a contract with HSI.	19	419
	12/13/2005		Adult mental health grant application to support community mental health programs.	19	419
	12/13/2005		2006 agree. w/Stivland, Inc., shelter for male youth.	19	419
	12/20/2005		Amend. #1 to WACO Children and Families Council Interagency agree.	19	434

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Community Services	12/20/2005		2006-2008 contract w/Mental Health Systems, PC day treatment services.	19	434
Court Administration	09/20/2005		Workshop held to discuss supervision of Law Library staff by the WACO Library Director.	19	329
	09/27/2005	2005-153	Delegating WACO Library Director the responsibility for supervising the WACO Law Library.	19	333
	12/20/2005		Agree. w/Court Administration for the operation and management of the WACO Court Self Service Center and transfer of assets and position from the Law Library to the State of Minnesota.	19	445
Financial Services	07/12/2005		2005 Comprehensive Annual finance report.	19	264
	07/12/2005		19th consecutive Achievement for Excellence in Financial Reporting Award for the CAFR 2003.	19	264
	07/12/2005	2005-114	WACO to provide fiscal services for the Metropolitan Emergency Services Board.	19	264
	08/09/2005		RFP for Financial Advisor services.	19	294
	08/16/2005		Res. 2005-128, open agency funds for the Metro Emergency Services Board and update fiscal Policy #2703, Fund Definitions. Replaced by Resolution No. 2005-135.	19	301
	08/23/2005		Rescind the policy numbers assigned to the Financial and budget policy numbers on 7/26/05 and assign corrected numbers.	19	307
	09/06/2005		Resolution No. 2005-135, rescinding Resolution No. 2005-128, amending Policy #2802 and #2803 creation of new funds for the MESB.	19	311
	10/04/2005		Revise Financial and Budget Policy #2501, Payment of County Obligations to include wording on verification of vendors for disbarment and/or suspension.	19	340
	11/01/2005		Decrease Petty Cash & Change funds by \$450, courts transfer to the State of MN.	19	371
	11/01/2005		Revised Collections Policy.	19	371
	12/20/2005		Contract w/Springsted Incorporated, to advise county in bond issuance matters.	19	434
HRA	08/02/2005	2005-121	Redevelopment Project No. 2 and Plan and TIF District No. 2-1 and Plan.	19	280
Human Resources	07/26/2005		Agree. w/Frank Madden and Associates for labor relations consultant services through 12/31/07.	19	271
	08/09/2005		MCIT dividend check received in the amount of \$318,917 to be placed in the Post Retirement Health Care Fund.	19	299
	10/04/2005		Employee recognition for those with 20, 25, 30 and 35 years of service held before Board meeting.	19	339
	10/04/2005		Ratify 2005-2007 bargaining agree. w/Teamsters Local 320, Commander/jail Administrator Unit.	19	340
	10/04/2005		Executive Session held to discuss negotiation strategy for 2006.	19	346
	10/11/2005		Amend and reinstate the Flexible Benefits Plan effective 1/1/06.	19	348
	10/18/2005		2005-2005 bargaining agreement w/Probation Officers (Teamsters Local No. 320).	19	362
	10/18/2005		Ratify Supervisor's Association 2005-2006 bargaining agreement.	19	363
	11/08/2005		Revise WACO Rules and Regs., Sections 5 and 16, Policy #5430 General Housekeeping and Acceptable Appliances and Policy #5020, Workers' Comp.	19	378

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Human Resources	11/22/2005		Dividend check from MCIT in the amount of \$318,971 to be deposited in the post retirement health care account.	19	409
	12/13/2005		Ratify the 2006 agree. w/AFSCME, LELS, Teamsters (Commanders and Probation Officers), 49ers bargaining units; and Supervisor's Association, Confidential, Confidential Supervisors and Dept. Heads meet and confer groups.	19	422
	12/13/2005	2005-192	2006 salary for county Sheriff.	19	428
	12/13/2005	2005-193	2006 salary for the county Attorney.	19	428
	12/13/2005	2005-195	County Commissioner salaries for 2006.	19	429
	12/13/2005	2005-194	2006 salary for the County Administrator.	19	429
Information Technology	07/26/2005		Renew iSeries maintenance agree. for support of the county's IBM hardware and software for 2005-2006.	19	271
	08/02/2005		Long distance telephone service contract w/Qwest.	19	285
	09/27/2005		Contract w/TSG Server and Storage for hardware, installation, and configuration services for the two production iSeries servers.	19	331
	11/01/2005		Tom Kay, new I.T. Director, to start the first part of December, 2005.	19	374
	11/08/2005		Contract amendment to extend project mgmt. services from Midwave through March 31, 2006.	19	378
	11/08/2005		Contract w/Midwave Corp. for network, security, and server support.	19	378
	11/22/2005		Purchase computer hardware from TSG Server & Storage for the county's iSeries Server and the Recorder's Office production server.	19	395
	12/13/2005		Amend software license agree. w/SSA Global Technologies, Inc. for Infinium Application Manager, Human Resources/Payroll, Flex Benefits and Query to 12/31/06.	19	423
	12/20/2005		Amend. #1 w/Imageware Software to extend contract.	19	435
Internal Auditor	09/13/2005		Letter in response to independent auditor's findings and recommendations for year ending 12/31/04.	19	319
Legislative	07/12/2005		Update on the Special Session.	19	267
	08/09/2005		Consensus for staff to work w/other counties in the metro area to determine feasibility of a wheelage tax.	19	298
	08/16/2005		Contract w/John Kaul, Legislative Liaison services.	19	301
	11/22/2005		Workshop held to discuss 2006 legislative agenda.	19	410
	12/13/2005	2005-190	Opposing United States House of Representatives Bill 4241, cuts to Medicaid, Child Support and Foster Care.	19	424
	12/20/2005		Updates given on trip to Wash. DC last week to lobby against cuts to Medicare and Medicaid.	19	446
	12/20/2005		Adopt the 2006 Legislative Agenda as presented.	19	446
Library	07/26/2005		Appt. Paul Ryberg, Library Board, unexpired term to 12/31/05.	19	270
	07/26/2005		Amend Library contract w/Dynix Corporation, 3M BCS Shelf Check Systems including hardware, software, installation and a 15-month warranty/service.	19	271
	07/26/2005	2005-120	Library board duties and responsibilities.	19	273
	07/26/2005		Library Board by-laws w/addition of open meeting law statement.	19	274

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Library	07/26/2005		Update given on the proposed lease for a county branch library in Lake Elmo.	19	275
	08/09/2005		Workshop held to discuss the Library Board's role and responsibilities under the new governance structure.	19	300
	09/20/2005		Amend county fee schedule to include a \$5.50 fee for headsets for personal computers used in the Library.	19	326
	09/27/2005		Accept \$5,980.84 from the Estate of Pearl B. Fisher for the Lakeland Branch Library facilities.	19	332
	10/11/2005		Library holiday schedule for 2006.	19	348
	10/11/2005		Accept donation from Target of \$2,000 and Wal-Mart, \$1,000 for library material.	19	348
	11/08/2005	2005-178	Naming the WACO Library Branch in Lake Elmo The Rosalie E. Wahl Branch.	19	380
	11/08/2005		Discussion on service charge to Stillwater and Bayport Libraries to be continued to a future meeting.	19	382
	11/22/2005		Waive library fee charged to Stillwater and Bayport Public Libraries for 2006; funds to come out of county contingency for 2006.	19	409
	12/20/2005	2005-207	Auth. to apply for \$750,000 in state Library construction grant funds.	19	444
Public Health & Environment	07/12/2005		Letter of support for Wash. Conservation District's application for 2005 MetroEnvironment Partnership Grant, Lower St. Croix Basin Phosphorus Reduction Program.	19	261
	07/12/2005	2005-115	Cost recovery for Public Health Nuisance abatement in Hugo.	19	265
	07/26/2005		Letter of support for the MN Dept. of Transportation application for funds for construction of a detention pond and an infiltration pond as a storm water treatment system for run-off entering Falls Creek on MN 95.	19	271
	07/26/2005		Agree. w/MN Dept. of Public Safety, Division of Homeland Security and Emergency Management, grant.	19	271
	08/02/2005		Agree. w/Washington Conservation District for services related to the Wetland Conservation Act.	19	285
	08/09/2005	2005-126	Reduce the tipping fee for haulers w/All Waste Delivery agreements to \$34.00 per ton.	19	295
	08/09/2005	2005-127	Ramsey/Washington Resource Recovery Project Budget for 2006 and 2007.	19	296
	09/20/2005		MN Dept. of Health presented former Public Health and Environment Director, Mary McGlothlin, with the Commissioner's Award for Distinguished Service.	19	328
	09/27/2005		Appt. Gene Smallidge, Groundwater Advisory Committee, Ag. Rep., 1st term to 12/31/07.	19	331
	09/27/2005		Workshop held to discuss the use of sustainable building design guidelines in county building and remodeling projects.	19	337
	10/11/2005		2006 fee schedules for the Dept. of Public Health & Development.	19	348
	10/11/2005		Agree. for administration of the MN Special Supplemental Nutrition Program for WIC.	19	348
	10/11/2005	2005-166	Certification of Unpaid Environmental Charges.	19	353
	10/11/2005		Update on WACO water consortium activities.	19	353
	10/11/2005	2005-167	Adoption of MN Sustainable Building Guidelines.	19	357

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Public Health & Environment	10/18/2005	2005-173	Designation of the National Incident Management System as the basis for all incident management in WACO.	19	367
	10/18/2005		Deb Paige, Emergency Services Director, named the 2005 Region Director of the Year.	19	368
	11/01/2005	2005-174	Solid waste processing facilities capital assistance application.	19	371
	11/01/2005	2005-175	Identification of market price for purposes of the Solid Waste Management Tax at \$27.70.	19	372
	11/01/2005		Lowell Johnson representative on the State Community Health Services Advisory Committee, Sue Hedlund, Alternative.	19	373
	11/01/2005		Public Health Emergency Preparedness and Response to Bioterrorism project agree. w/MN Dept. of Health.	19	373
	11/01/2005		Cities Readiness Initiative project agree. w/MN Dept. of Health.	19	373
	11/15/2005		Workshop held to discuss development of a replacement household hazardous waste facility.	19	390
	11/22/2005		Comments to the Marine on St. Croix WMO re: Draft Watershed Mgmt. Plan.	19	407
	12/13/2005		Amend JPA w/State of MN, continue recycling services for county offices.	19	423
	12/20/2005		Agree. w/Chisago County for reciprocal use of household hazardous waste facilities.	19	434
Recorder	07/12/2005	2005-113	Rescind county recorder/registrar and ATSE recording/land records special county fees schedule #1032.	19	263
	09/13/2005		Plat of St. Croix Ridge, Denmark Township.	19	320
	10/18/2005		Plat for The Sanctuary, New Scandia Township.	19	365
	11/01/2005		Workshop held to review the automated Torrens system.	19	376
	11/08/2005		Plat of Otchipwe Prairie, Stillwater Township.	19	378
Regional Rail Authority	07/26/2005		RRA minutes from 7/27/04; Updates on RRA activities; and letter of support for City of Hugo federal solicitation project.	19	269
Sheriff	07/12/2005		Renew Juvenile Detention Services Subsidy Grant from the MN Dept. of Corrections.	19	262
	07/26/2005		Workshop held to discuss jail bed rental status.	19	277
	08/02/2005	2005-122	Safe communities coalition grant.	19	285
	08/09/2005	2005-124	Auth. Agree. w/MN Dept. of Public Safety, safe and sober communities project.	19	294
	08/16/2005	2005-129	Auth. Execution of the JPA creating the WACO Narcotics Task Force.	19	302
	09/27/2005		Grant award from the Edward Byrne Memorial Justice Assistance Grant for the City of Oakdale related to expenses with the Mobile Data System Project.	19	332
	10/11/2005		Accept donation of \$2,000 from Kris Lundquist in memory of her father, Bill Lundquist.	19	352
	10/18/2005		Accept donations from 3M and Thrivent Financial for equipment to be used by the Sheriff's Reserve.	19	363
	11/01/2005		Joint powers agree. w/Chisago County for purchase of mobile data system.	19	373
	11/01/2005		Accept grant award from the U.S. Dept. of Justice for Oak-Land Junior High School to hire a full-time School Resource Deputy.	19	374



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Sheriff	11/15/2005		Amend agree. w/Aramark FHC Corrections Services, Inc. to renew term through October 31, 2006.	19	388
	11/15/2005		Transfer ownership of K-9 Jax to handler, Deputy Kirby Livingston.	19	388
	11/22/2005		Two Deputy Sheriff Patrol Officers positions, one full time transport officer and one full time Metro gang strike force.	19	394
	11/22/2005		Accept donation of \$1,000 from the Thrivent For Lutherans.	19	394
	12/20/2005		Change order to services agree. w/Motorola, Inc.	19	434
	12/20/2005		Snowmobile safety enforcement grant agree. for 2005-2007.	19	435
	12/20/2005	2005-200	Criminal gang strike force agree.	19	435
	12/20/2005		JPA w/MN Dept. of Public Safety, Metro Gang Strike Force.	19	435
Societies	10/11/2005		Washington Conservation District's 2006 budget.	19	353
Transportation-Facilities	07/12/2005		Workshop held to review site and schematic designs for the South and North Service Centers.	19	268
	07/26/2005		Update on Oak Park Heights and City of Stillwater County Campus detachment agreement.	19	276
	08/02/2005		Accept contribution from the City of Lake Elmo in the amount of \$30,000 to offset costs of capital improvements to the leased building housing the branch library in Lake Elmo.	19	291
	08/02/2005		Agree. w/Stillwater, Oak Park Heights for development of the campus of the WACO Government Center.	19	291
	08/02/2005		Lease agree. w/Gisela Lee Trust, branch library facility in Lake Elmo.	19	291
	08/02/2005		Workshop held to discuss the design status of the Government Center campus improvements.	19	292
	08/09/2005	2005-125	Acceptance of grant from the Bayport foundation for the Historic Courthouse.	19	295
	08/23/2005	2005-132	Reject bid from Electronic Communication Systems, Inc. for fire alarm system at the Historic Courthouse. Auth. to rebid at a later date.	19	307
	09/20/2005		Workshop held for a presentation of the service center preliminary architectural designs.	19	329
	09/27/2005	2005-151	Space lease for Stillwater License Center at the Valley Ridge Plaza.	19	332
	09/27/2005	2005-150	Acceptance of grant from the Hugh J. Andersen Foundation for repair work at the Historic Courthouse.	19	332
	10/04/2005		Grant from the MN Dept. of Commerce, \$9,200, for Historic Courthouse window reconstruction project.	19	342
	10/04/2005	2005-158	Purchase Hurley-Schmitz property for the Government Center parking lot expansion.	19	342
	10/04/2005		Contract w/Wold Architects and Engineers for professional services for the 2025+ campus improvements to the Government Center and courts.	19	343
	10/11/2005	2005-164	Final payment for Historic Courthouse window replacement project.	19	350
	10/18/2005		Contract w/SRF Consulting Group, Inc., engineering services for the south parking lot expansion final design and the Government Center storm water management plan.	19	368
	11/01/2005		Rental fee increase for private/non-profit rentals for 2007/2008 at the Historic Courthouse.	19	373

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Facilities	11/08/2005		Eminent domain to expand the Govt. Center Campus expansion postponed.	19	378
	11/15/2005		Executive Session held to discuss proposed cost of right of way and appraisal review for parking lot expansion.	19	390
	11/22/2005	2005-181	Space lease amendment w/HSI.	19	394
	11/22/2005		Workshop held for presentation on design development for the south and north service center projects.	19	411
	12/13/2005	2005-187	Final payment for IT computer room AC installation w/Northland Mechanical Contractors.	19	423
	12/13/2005	2005-188	Space lease amend. w/State of MN, Dept. of employment and economic development.	19	423
	12/13/2005	2005-189	Acceptance of a grant from the MN Historical Society.	19	425
	12/20/2005	2005-202	Award for installation of fire alarm system at the Historic Courthouse to Electronic Communication Systems, Inc.	19	435
	12/20/2005	2005-201	Acceptance of grant from the St. Croix Foundation.	19	435
	12/20/2005		Executive Session held to discuss purchase agree. w/Forest Lake for northern service center/library and transit center/trailhead properties.	19	447
	12/20/2005		Workshop held to discuss value engineering of the Govt. Center Campus improvements.	19	448
Transportation-General	07/26/2005		Agree. for wetland banking credits for the CSAH 14/8 project.	19	271
	08/16/2005	2005-130	Multiple contract award of bids for the sale of buildings on county land to Otting House Movers.	19	303
	08/23/2005		Reappoint John T. Lynch, Comfort Lake-Forest Lake Watershed District to 9/22/08.	19	307
	09/27/2005		Reappt. Connie Taillon to the Brown's Creek Watershed District to a 1st full term to 10/21/08.	19	331
	11/01/2005		Reappt. David Bucheck, Lake Elmo and Don Scheel, Afton to the Valley Branch Watershed District to term expiring 11/13/2008.	19	371
	11/15/2005		Don Theisen, Director of Transportation and Physical Development, elected to Board of the Minnesota Public Works Association.	19	389
Transportation-Parks	07/12/2005		Letter praising the St. Croix Bluffs Regional Park placed on Board Correspondence.	19	268
	08/02/2005		Public Hearing held to receive comments on the draft of the St. Croix Valley Trail Master Plan.	19	285
	08/02/2005	2005-123	Adoption of the St. Croix Valley Trail Master Plan.	19	290
	08/02/2005		Use of roundabouts as a design alternative and amend. #2 to the HR Green contract for additional design services for the Radio Drive Safety and Mobility Project.	19	291
	08/09/2005		Workshop held for an update on the status of acquisition and proposed development for the Big Marine Park Reserve.	19	300
	08/23/2005		Amend. No. 3 to WACO Star Trail Snowmobile Association agree. w/DNR.	19	308
	09/06/2005		Letter affirming county's support of the 2006-07 Regional Parks Capital Improvement Program.	19	315
	09/13/2005		Met. Council Grant SG-05-077, Lake Elmo, \$240,000.	19	321

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Parks	09/13/2005		Met. Council Grant Agree. SG-05-080, Big Mark Park Reserve, \$480,000.	19	321
	09/20/2005		Comcast Corporation employees volunteering time and effort to clean up the Lake Elmo Park Reserve in cooperation with Great River Greening.	19	326
	09/27/2005		Amend agree. and restrictive covenant for land to be removed from the Cottage Grove Ravine Regional Park.	19	332
	09/27/2005	2005-154	Appreciation to Comcast Corp.'s employee volunteers for their project support at Lake Elmo Park Reserve.	19	335
	10/04/2005		Met. Council grant agree. No. SG-2005-082, Big Marine Park Reserve.	19	342
	10/11/2005	2005-160	Purchase Melbostad property for Big Marine Park Reserve.	19	348
	10/11/2005	2005-162	St. Croix Valley Regional Trail Final Payment.	19	349
	10/18/2005	2005-171	Award of parks farm land leases for 2006.	19	364
	11/08/2005		Update on Comcast Corp. cleanup of L.E. Park held on 10/1/05.	19	379
	11/08/2005		Workshop held to discuss Bob Bilotta's response to county conditions and expectations for The Garden in Hugo.	19	385
	11/15/2005	2005-180	Mn/DOT act as county's agent in accepting federal aid in connection w/land acquisition for Point Douglas Trail.	19	388
	11/15/2005	2005-179	Purchase from the Trust for Public Land a portion of the Point Douglas Trail and acceptance of federal funds grant.	19	388
	11/15/2005		Workshop held for an update on the Lake Elmo Park Reserve Master Plan amendment.	19	390
	11/22/2005	2005-183	WACO right of Way Plat No. 148, Point Douglas Trail.	19	395
	11/22/2005		Proposed settlement of compensation and damages for Alice Albrecht parcel, Big Marine Park Reserve.	19	395
	12/13/2005		Grant Agree. No. SG-2005-098 w/Met. Council, Big Marine Park Reserve.	19	423
	12/20/2005	2005-203	Multiple contract award of bids for the sale of buildings on county land.	19	437
Transportation-Roads	07/12/2005	2005-111	Stipulation in settlement in condemnation matter pertaining to the Bigham Parcel, CSAH 22 realignment..	19	262
	07/26/2005	2005-117	Agree. w/Cottage Grove, installation and maintenance of street lighting at intersection of CSAH 13 and CR 74.	19	271
	07/26/2005	2005-118	Appt. Director of Transportation and Physical Dev. As fiscal agent for the MN Trail Assistance Program Gant requests.	19	272
	07/26/2005	2005-119	Auth. Eminent domain proceedings for CSAH 16.	19	272
	07/26/2005		Revised renewal of road maintenance agree. w/cities of Lake St. Croix Beach and Lakeland.	19	273
	08/06/2005		Supplemental Agree. No. 7 w/TKDA, Inc. for environmental and design services for Anoka CSAH 14 and WACO CSAH 8.	19	303
	08/16/2005		Supplemental Agree. No. 7 w/TKDA, Inc. for environmental and design services Anoka CSAH 14 and WACO 8.	19	303
	08/16/2005	2005-131	Acceptance of MN/DOT local road improvement fund grant.	19	304
	08/16/2005		Update on the Federal Transportation Bill.	19	304
	08/16/2005		Update on the Wakota Bridge Project.	19	305
	08/16/2005		Closed Session to discuss proposed settlement options of compensation and damages pertaining to the re-alignment of CSAH 8.	19	306



DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Roads	08/23/2005	2005-133	CSAH 14/8 Cooperative Construction Agreement w/Anoka County; Amend. No. 3, Cooperative Design Agree. w/Anoka County; Amend. No. 1, Cooperative Construction Agree. w/City of Hugo; Traffic Control Signal Maintenance Agree. w/City of Hugo; Federal participation in Advance Construction Agree. w/MN/DOT; and Cooperative construction agree. For sanitary sewer line w/Met. Council	19	308
	08/23/2005	2005-134	State of Minnesota agree. w/MN Dept. of Transportation and WACO for federal participation in advance construction.	19	309
	09/06/2005	2005-140	Speed study on CSAH 19 (Woodbury Drive/Keats Ave.) and CSAH 18 (Bailey Road).	19	315
	09/06/2005	2005-139	Final payment for 2005 road maintenance crack filling to Fahrner Asphalt Sealers, Inc.	19	315
	09/13/2005	2005-143	All-way stop installation at the CSAH 38 (Hastings Ave) and CSAH (Glen Road), city of Newport.	19	320
	09/13/2005	2005-144	Bid award for intersection modification at CSAH 12 and CSAH 17 to Jay Bros., Inc.	19	320
	09/13/2005		Letter agree. For longitudinal easement w/BNSF Railway Co. and the MN Commercial Railway Co. and assignment of rights under contract.	19	321
	09/27/2005	2005-152	Commissioner award to Leonard Pratt - CSAH 8/14 project.	19	333
	10/04/2005	2005-156	Auth. Parking restrictions on CSAH 8 after reconstruction.	19	341
	10/04/2005		Partial release of easement for Highway Easement No. 228191, Book 256 of Deeds, Page 141.	19	341
	10/04/2005	2005-157	Coop. Agree. w/Cottage Grove for box culvert installation and roadway reconstruction on CR 74 (65th Street South).	19	342
	10/11/2005		Traffic signal maintenance agree. w/City of Woodbury for signal located at CSAH 19 and Lake Road.	19	349
	10/11/2005	2005-161	Cooperative construction agree. w/City of Woodbury for traffic signal construction on CSAH 19 and Lake Road.	19	349
	10/11/2005	2005-163	Request funding from the MN Dept. of Transportation through the Municipal Agree. Program for the CSAH 19 and I-94 north ramps.	19	350
	10/11/2005	2005-165	Presentation of Commissioners award to members of the CR 18 design review committee.	19	351
	10/18/2005	2005-169	Auth. parking restrictions on CSAH 21.	19	363
	10/18/2005	2005-170	Bid award for signal system at CSAH12/CSAH 15 and CSAH 19/Lake Road to Collins Electric.	19	364
	11/15/2005		Purchase agree. w/Allen F. and Jeredine J. Schneider, property on Division St. Lakeland Shores, CSAH 18 reconstruction project.	19	387
	11/15/2005		Letter requesting congressional support for maintaining funding levels provided in SAFETEA-LU.	19	388
	11/15/2005		Amendment No. 1 to cooperative construction agree. w/City of Woodbury for signal construction on CSAH 19 (Woodbury Drive) and Lake Road.	19	388
	11/22/2005		Amend. No. 1 w/May Township for transfer of CR 58 to May Township.	19	394
	11/22/2005	2005-182	Transfer of excess municipal funds to regular funds.	19	395
	12/20/2005	2005-205	Amend trunk highway 120 turnback agree. from I-494 to Woodbine Ave.	19	440

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Transportation-Surveyor	09/20/2005	2005-149	Negative declaration of need for an Environmental Impact Statement for the Aggregate Industries mining expansion in Grey Cloud Island Township.	19	326
	10/18/2005		Public hearing date set for November 15 for an appeal of a mining Conditional Use Permit granted by the WACO Planning Advisory Commission to Rumpca Excavating, Inc.	19	365
	11/01/2005		Agree. for right of first refusal to purchase property w/the Disabled Veterans Rest Camp and approval of location and legal description for easement across the entrance road.	19	373
	11/08/2005		Reschedule public hearing from 11/15 to 11/22 for an appeal of a Mining Conditional Use Permit by Rumpca Excavating, Inc.	19	378
	11/08/2005	2005-177	Negative declaration of need for an Environmental Impact Statement for joint projects including Audubon and Miller Farms in Baytown Township.	19	379
	11/15/2005		Letter of support for LCMR grant funding for land cover mapping.	19	387
	11/22/2005		Set public hearing for an amendment to WACO Development Code related to fairgrounds and winter storage for 12/20/2005.	19	394
	11/22/2005		Set public hearing for appeal of WACO Planning Advisory Commission denial of open space design development by Bartz and Atkins for 12/13/05.	19	394
	11/22/2005		Public Hearing held on appeal from the Planning Advisory Commission's approval of a Mining CUP, to Rumpca Excavating, Inc.	19	396
	11/22/2005		Affirm WACO Planning Commission's approval of a mining CUP to Rumpca Excavating, Inc. and to deny the appeal. County Attorney directed to prepare findings related to this matter.	19	407
	12/13/2005	2005-186	Findings of Fact, Conclusion and resolution affirming the WACO Planning and Advisory Commission's issuance of a mining permit to Rumpca Excavating, Inc.	19	419
	12/13/2005		Public hearing held to consider an appeal by Cary Bartz and David Atkins of the denial by the WACO Planning Advisory Commission of an open space design development/CUP.	19	425
	12/13/2005		Reverse the WACO Planning Advisory Commission's denial of the Bartz and Atkins open space design and development code, and approve the CUP based on 13 conditions presented by the Planning Commission. County Attorney directed to prepare findings.	19	427
	12/20/2005	2005-204	Findings of Fact and resolution reversing the decision of the WACO Planning Advisory Commission to deny a CUP for the Open Space Development of Victory Pass and granting a CUP to develop Victory Pass.	19	437
	12/20/2005		Public hearing held to consider an amendment to the WACO Development Code relating to fairgrounds.	19	441
	12/20/2005	2005-206	Ordinance No. 172, amending the WACO Development Code, Chapter Two, Part 1, Section 2.2(3) Land uses in an Ag. District; and Chapter Two, Part 3, Section 2 Standards for Uses.	19	442
Workforce Center	08/02/2005		Amend. Contract #2236 w/Tree Trust, summer 2005 youth employment program	19	279
	08/02/2005		Appt. Ernest Pines, 1st term to 6/30/07.	19	279

DEPARTMENT	DATE	Resolution Number	ACTION	BOOK	PAGE
Workforce Center	08/02/2005		Fifth amend to contract #1875 w/East Suburban Resources, training and employment case mgmt. services for Dislocated Workers program.	19	279
	11/22/2005		Agree. w/Hennepin County Human Services Dept., employment and training services to laid off Northwest Airline workers, 4/1/05 to 3/31/06.	19	393
	12/20/2005		Appt. Christine McVey, Workforce Investment Board, 1st term to 6/30/07.	19	433

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**JULY 12, 2005**

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, Peterson, Stafford and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Edison Vizuite, Financial Services Director; Melinda Kirk, Accounting Supervisor; Tonya Weinert, Principal Accountant; Sue Hedlund, Deputy Director of Public Health and Environment; Jeff Travis, Program Manager; Tom Adkins, Community Corrections Director; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Cindy Koosmann, Recorder; Nancy Pollock, Executive Director of the Metropolitan Emergency Services Board; Nancy Brase, Administrative Services Manager; Dave Brierley, Public Information Coordinator; and Steve Nelson, Public Information Coordinator II.

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 Hegberg to adopt the following Consent Calendar:

1. Approval of the June 28, 2005 Board meeting minutes and the Board of Equalization minutes held on June 14 and June 21, 2005.
2. Approval to appoint Rashelle Anderson as the Willow Haven Representative to the Mental Health Advisory Council to a first term expiring December 31, 2007.
3. Approval to accept grant funding from the Minnesota Office of Justice Programs in the amount of \$66,000 for the Victim/Witness program for the period July 1, 2005 through June 30, 2006.
4. Approval of a letter of support for the Washington Conservation District's application for the 2005 MetroEnvironment Partnership Grant entitled Lower St. Croix Basin Phosphorus Reduction Program.

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5. Approval to renew the Juvenile Detention Services Subsidy Grant from the Minnesota Department of Corrections effective July 1, 2005 – June 30, 2007.
6. Adoption of **Resolution No. 2005-111** as follows:

Resolution Approving the Stipulation in Settlement in  
Condemnation Matter Pertaining to the Bigham Parcel

WHEREAS, Washington County is working with the Minnesota Department of Transportation on various road re-alignments as part of the Wakota Bridge Project. County State Aid Highway 22 (CSAH 22) is part of that re-alignment. The CSAH 22 portion of re-alignment has been completed. All right of way was acquired by direct purchase or condemnation proceeding; and

WHEREAS, the Bigham Parcel in Section 6, Township 27 North, Range 21 West was a part of the condemnation process; and

WHEREAS, the owners to the Bigham Parcel, as stated above, have reached an agreement with Washington County as to compensation and damages for their affected parcel; and

WHEREAS, both the owners and Washington County would like to enter in a Stipulation in Settlement and Consent to Final Certificate in this matter.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners approves the Settlement agreed to between the owners of the Bigham Parcel and Washington County.

FURTHER, the Washington County Board of Commissioners approves the Stipulation in Settlement and Consent to Final Certificate as prepared by the Washington County Attorney's Office as full and final settlement for the Bigham Parcel.

7. Adoption of **Resolution No. 2005-112** as follows:

Probation and Parole Officers Week

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 safe-guarded 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 intervene with offenders to change behavior; and

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

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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 to the citizens of Washington County.

NOW THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners does hereby proclaim July 17-23, 2005, as

Probation and Parole Officer Week

And encourages all citizens to honor these probation and parole officers and to recognize their achievements.

The foregoing Consent Calendar was adopted unanimously.

**RECORDER'S OFFICE**

Commissioner Hegberg moved to adopt **Resolution No. 2005-113** as follows:

Resolution to Rescind County Recorder/Registrar  
and Auditor/Taxpayer Services and Election Recording/Land  
Records Special County Fees Schedule #1032

WHEREAS, the 2005 Minnesota Legislature enacted 2005 Minnesota Law Chapter 357 and Chapter 508 which set out county fee restrictions.

WHEREAS, the law requires that no county may charge or collect any fee special or otherwise or however described, other than a fee denominated or prescribed by state law for any service connected the real estate recordable document or recording process whether received by mail, in person, or by electronic delivery, including but not limited to opening mail, handling, transferring, or transporting the instrument, certifying no delinquent taxes, recording approved plats, subdivision splits or combinations which is set out in 357.182 Subdivision (2).

WHEREAS the Minnesota Legislature passed new recording fees for Abstract and Torrens and miscellaneous fees effective July 1, 2005.

NOW, THEREFORE BE IT RESOLVED, that the County Board of Commissioners rescind all special fees in regards to the recording of real estate documents which include;

Mail in Fee per mortgage and deed	\$ 5.00
Fill in Fee per number filled in on applicable documents	\$ 5.00
Attest Copies	\$ 2.50
Dividing Properties (split or plat) per deed or plat	\$50.00
Common Interest Community Plats	\$50.00
Per Parcel Created	\$10.00

NOW, THEREFORE BE IT RESOLVED, that the following fees are adopted in accordance to MN Statute Chapter 357 and Chapter 508.



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Abstract Recording Fees (unlimited pages)	\$46.00
Abstract Plats	\$56.00
Attest copies	\$2.00
Certified copies of documents	\$10.00
Certified copies of plats	\$15.00
Condition of Register	\$50.00
Torrens First Certificate of Title (plus .00067 x market value – assurance fund)	\$37.00
Torrens Memorials	\$46.00
Torrens Transfers	\$46.00
Torrens Residuary	\$40.00
Torrens Exchange Certificate (for each cancelled and new certificate issued)	\$20.00
Torrens Plats	\$56.00
Registered Land Survey	\$56.00
Condominium and Amended Floor Plans	\$56.00

Commissioner Stafford seconded the motion and it was adopted unanimously.

## **FINANCIAL SERVICES**

### **Presentation of the 2004 Comprehensive Annual Financial Report**

Mr. Vizuite presented the County Board with the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended December 31, 2004. The Auditor's opinion was unqualified and had no significant recommendations.

### **Presentation of the CAFR Award for 2003**

Edison Vizuite, Financial Services Director, presented the Board with its 19<sup>th</sup> consecutive Achievement for Excellence in Financial Reporting award for the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended December 31, 2003.

### **Fiscal Services to Newly Formed Metropolitan Emergency Services Board**

Commissioner Stafford moved to adopt **Resolution No. 2005-114** as follows:

Washington County to Provide Fiscal Services  
for the Metropolitan Emergency Services Board

WHEREAS, Washington County has been an active member of the Metropolitan 911 Board and the Metropolitan Radio Board, organizations that recently have merged to form the Metropolitan Emergency Services Board (MESB); and

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WHEREAS, the county will continue to be a member of this newly merged MESB board; and whereas, MESB agreement calls for member counties to periodically provided support services for this organization; and

WHEREAS, the following services are being provided to MESB by members: Anoka County, provides payroll services; Dakota County provides Human Resource Services; Hennepin County provides Legal Services and Metropolitan Council provides Fiscal Services.

WHEREAS, the Fiscal Services provided by the Metropolitan Council shall end on August 31<sup>st</sup>, 2005; and

WHEREAS, Washington County has been requested to take over the fiscal services function starting on September 1<sup>st</sup>, 2005.

THEREFORE BE IT RESOLVED, that Washington County shall assume the duty of providing Fiscal Services for MESB effective September 1<sup>st</sup>, 2005.

BE IT FURTHER RESOLVED, that the services to be provided shall be limited to processing, recording and reporting all MESB financial transactions authorized and funded by the MESB.

BE IT FURTHER RESOLVED, that Washington County will not assume financial obligation for any MESB financial activities that encumber or cause liabilities above MESB appropriations or assets; and that Washington County funds will not be allocated or appropriated to subsidize or assume financial responsibilities of the MESB.

BE IT FURTHER RESOLVED, that Washington County Financial Services is hereby designated as the department responsible for fulfilling the obligation of providing the financial services for MESB.

Commissioner Peterson seconded the motion and it was adopted unanimously.

## **PUBLIC HEALTH AND ENVIRONMENT**

Commissioner Hegberg moved to adopt **Resolution No. 2005-115** as follows:

### **Cost Recovery for Public Health Nuisance Abatement in Hugo**

WHEREAS, on January 20, 2005, the Department of Public Health and Environment (Department) conducted an inspection at 13891 Forest Boulevard North in the City of Hugo, PID #29.031.21.22.0001, (the Site) and observed and documented an accumulation of uncontained putrescible garbage and debris improperly stored in various locations on the grounds and within the unoccupied and unsecured structures; and

WHEREAS, on January 26, 2005, the Department issued a Notice and Abatement Order to parties responsible for the Site pursuant to Washington County Public Health Nuisance Ordinance #165, section 6.6, stating that a Public Health Nuisance exists at the Site as a result of the conditions found on January 20, 2005, and requiring the abatement of the Public Health Nuisance; and



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WHEREAS, the January 26, 2005 Notice stated if the responsible parties failed to abate the Public Health Nuisance in accordance with the Abatement Order, that the Department would take action to abate the Public Health Nuisance pursuant to Washington County Public Health Nuisance Ordinance #165, section 6.10, and that the Department would pursue reimbursement of the costs incurred for the enforcement action pursuant to Washington County Public Health Nuisance Ordinance #165, section 8.1; and

WHEREAS, on February 1, 2005, the Department conducted a follow-up inspection at the Site and found further violations of Washington County Public Health Nuisance Ordinance #165; and

WHEREAS, on February 22, 2005, the Department issued a Notice and Amended Abatement Order to parties responsible for the Site, pursuant to Washington County Public Health Nuisance Ordinance #165, section 6.6, stating that a Public Health Nuisance exists at the Site as a result of the conditions found on January 20, 2005 and February 1, 2005, and requiring the abatement of the Public Health Nuisance; and

WHEREAS, the February 22, 2005 Notice stated if the responsible parties failed to abate the Public Health Nuisance in accordance with the Abatement Order, that the Department would take action to abate the Public Health Nuisance pursuant to Washington County Public Health Nuisance Ordinance #165, section 6.10, and that the Department would pursue reimbursement of the costs incurred for the enforcement action pursuant to Washington County Public Health Nuisance Ordinance #165, section 8.1; and

WHEREAS, on March 10, 2005, the Department conducted an inspection at the Site and observed and documented that the Public Health Nuisance had not been abated by the deadline of March 10, 2005 as stated in the Amended Order; and

WHEREAS, on March 11, 2005, a Washington County Department of Corrections Sentence to Serve Crew conducted abatement activities at the site pursuant to Washington County Public Health Nuisance Ordinance #165, section 6.10, thereby abating the Public Health Nuisance; and

WHEREAS, Washington County has incurred expenses of \$1,831.27 for abatement supplies, waste disposal, and staff time; and

WHEREAS, the Washington County Public Health Nuisance Ordinance #165, section 8.1, provides for the County Board to recover the costs of an enforcement action by assessing the costs against the real property on which the Public Health Nuisance was located.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners authorizes the County Auditor and the Department of Assessment, Taxpayer Services and Elections to recover the county's expenses to abate the Public Health Nuisance, by placing an assessment of \$1,831.27 on the tax roll of the real property at 13891 Forest Boulevard North in the City of Hugo, PID #29.031.21.22.0001, legal description as follows:

All that part of the North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 29, Township 31, Range 21, described as follows: Beginning at the intersection of the South line of said tract and the East line of State Highway 61, as now widened to 111 feet; thence North 11 degrees 51 minutes East, along said Highway line a distance of 501.4 feet to the actual point of beginning of the tract to be **267**

described; thence Easterly and parallel with the South line of said North ½ of NW ¼ a distance of 400 feet; thence Northerly at right angles to last course a distance of 357.26 feet; thence Westerly and parallel with the South line of said North ½ of NW ¼ a distance of 325.23 feet to its intersection with East line of State Highway No. 61, as now widened to 111 feet; thence South 11 degrees 51 minutes West along said Highway line a distance of 365.0 feet to the actual point of beginning, containing 2.97 acres, more or less, according to the United States Government survey thereof.

Commissioner Stafford seconded the motion and it was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **County Web Site Enhancements**

Molly O'Rourke, Deputy Administrator, demonstrated new enhancements to the county web site including: Calendar function for parks, library and county; e-mail subscription service; and interactive forms such as the employment application.

### **Legislative Update**

Jim Schug, County Administrator, presented an update on the special session including: County program aid is still in the tax and funding bills; Funding for the 800 MHz system was adopted several weeks ago and the sales tax exemption on the equipment to be purchased has been extended; There is a cigarette fee of 75 cents a pack; and there is some money in transportation for transit.

### **July 19, 2005 Board Meeting**

Commissioner Hegberg moved to cancel the July 19, 2005 Board meeting. Commissioner Stafford seconded the motion and it was adopted unanimously.

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

Commissioner Hegberg reported on the following issues: There will be a reorganization of MELSA regarding state funds and the committee itself and they are looking for a new administrator for that organization; He addressed Rice Lake and Judicial Ditch 2 and the size and depth of that lake.

Commissioner Pulkrabek indicated that the nominating committee for the District 10 vacancy on the Metropolitan Council has forwarded three names to the Governor to consider for appointment.

Commissioner Kriesel reported that he participated in a video being produced by Richard Glasgow and hosted by Corey Slagle of Transportation regarding the County Road 18 reconstruction.

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Commissioner Peterson presented a letter to the Board from a constituent in her area who wrote thanking the Board for purchasing the St. Croix Bluffs Park. They have enjoyed their camping trips there and plan to make use of it again this summer.

Commissioner Peterson recognized and thanked the probation and parole officers for their hard work.

### **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 Hegberg and it was adopted unanimously. The Board meeting adjourned at 10:15 a.m.

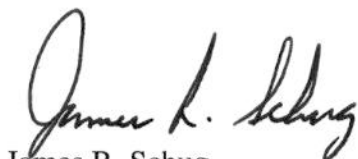
### **BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development to review site and schematic designs for the South Service Center and the North Service Center/Library. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Wayne Sandberg, Jim Luger, Keith Potter, John Elholm, Dan Papin, Pat Conley, Sue Hedlund, Jeff Travis, Steve Nelson, Nancy Remakel, Library Board Chair, Bonita Sindelir, Library Board, Pam Bakken-Anderson, Ankeny Kell Architects, Mark Wentzell, Ankeny Kell Architects, Annette Martin, Kraus Anderson Construction and members of the Friends of the Lake Elmo Library

### **MEETING WITH COUNTY ADMINISTRATOR**

The Board met with the County Administrator to conduct his annual performance review and establish performance goals for the coming year. Present were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg and Jim Schug.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**JULY 26, 2005**

**REGIONAL RAILROAD AUTHORITY CONVENES**

The Washington County Regional Railroad Authority met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Peterson, and Hegberg. Commissioner Stafford absent. RRA Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Transportation and Physical Development Deputy Director; Sandy Cullen, Transportation Manager; Mike Rogers, Planner; Pat Conley, Library Director; Dan Papin, Community Services Director; Lowell Johnson, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; Jeneen Johnson, Human Resources Deputy Director; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Rebecca Ault, Assessment, Taxpayer Services and Elections; Barb Fritsche, Information Technology Supervisor; Jane Harper, Principal Planner; and Steve Nelson, Public Information Coordinator II. Official Proceedings of the Regional Railroad Authority are available in the Office of Administration.

The Board recited the Pledge of Allegiance.

**WASHINGTON COUNTY BOARD OF COMMISSIONERS CONVENES**

The Washington County Board of Commissioners met in regular session at 9:40 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Peterson and Hegberg. Commissioner Stafford absent. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Transportation and Physical Development Deputy Director; Sandy Cullen, Transportation Manager; Mike Rogers, Planner; Pat Conley, Library Director; Dan Papin, Community Services Director; Lowell Johnson, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; Jeneen Johnson, Human Resources Deputy Director; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Rebecca Ault, Assessment, Taxpayer Services and Elections; Barb Fritsche, Information Technology Supervisor; Edison Vizuete, Financial Services Director; Tonya Weinert, Financial Services; Kathy Trombly-Ferrin, Financial Services; Jane Harper, Principal Planner; and Steve Nelson, Public Information Coordinator II.

**COMMENTS FROM THE PUBLIC**

Carol Bannister, Friends of the Lake Elmo Library, presented a history of the library in Lake Elmo and the current proposal by the Lees for a lease of a building for the branch library. She encouraged the County Board to finalize this lease because they have been without a library for the past 26 months.

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Fran Van Milligan, 2477 Wimbledon Drive, Woodbury – Ms. Van Milligan expressed her concerns about the shutoff of her electricity for the past month. She indicated that Xcel Energy believes she owes them money from 1996 and she does not believe that she does. She feels there are many elderly and ill individuals who depend on air conditioning and whose power has been shutoff because of bills that are outstanding. She asked the County Board for any suggestions they may have.

The Board Chair referred Ms. Van Milligan to the Community Services staff that has experience in dealing with Xcel Energy.

### **CONSENT CALENDAR**

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

1. Approval of the July 12, 2005 Board meeting minutes.
2. Approval of reappointments to the Child Protection Citizen Review Panel to terms expiring June 30, 2007 as follows: Cheryl Anderson, Birchwood, 3<sup>rd</sup> term; Meghan Anderson, Stillwater, 2<sup>nd</sup> term; Judy Behr, Afton, 2<sup>nd</sup> term; Jennifer Brookins-King, Woodbury, 3<sup>rd</sup> term; Danielle Horan, Oakdale, 2<sup>nd</sup> term; Heidi Nakatani, Hastings, 2<sup>nd</sup> term; and Ken Nakatani, Hastings, 2<sup>nd</sup> term.
3. Approval to appoint Paul Ryberg, Lake Elmo, to the Washington County Library Board to fill an unexpired term in District 2 to December 31, 2005.
4. Adoption of **Resolution No. 2005-116** as follows:

Approve Basic Sale Price of Tax Forfeited  
Parcel #22.032.21.12.0001 and Authorize This Parcel for Sale to  
Michael and Robin Eilers Adjoining Landowners

WHEREAS, parcel 22.032.21.12.0001, which forfeited to the State of Minnesota on 10/27/1982, is located in the City of Forest Lake, being described as Pt W ¼-NE ¼, S22T32R21; and

WHEREAS, said parcel has more than 150 feet bordering a protected water and is governed by M.S. 282.018; and

WHEREAS, this parcel has no public use to the county; and

WHEREAS, Minnesota Legislature during the 84<sup>th</sup> Regular Legislative Session (2005-2006) approved a private sale to Michael and Robin Eilers, who are the adjoining owners for parcel 22.032.21.12.0001.

THEREFORE, BE IT RESOLVED that Washington County Board of Commissioners establishes the purchase price at the amount of \$2,500;



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FURTHER, BE IT RESOLVED, that Washington County Board of Commissioners directs the Department of Assessment, Taxpayers Services and Elections to sell parcel 22.032.21.12.0001 for not less than \$2,500 plus all other legal fees and costs.

Parcel Identification Number: 22.032.21.12.0001  
 Municipality: Forest Lake  
 Approximate Size: 24 acres  
 Assessed Value: \$2,500.00

5. Approval of the Community Development Block Grant subgrantee agreement with the City of Oakdale for the Oakdale Rehabilitation Project.
6. Approval of Amendment #1 to the contract with the Greater Metropolitan Housing Corporation (GMHC) of the Twin Cities to add 2005 Community Development Block Grant funds to the Washington County owner-occupied rehabilitation program.
7. Approval to renew the service agreement with Frank Madden and Associates for labor relations consultant services through December 31, 2007.
8. Approval to renew iSeries maintenance agreement for support of the county's IBM hardware and software for 2005-2006.
9. Approval to amend the Library contract with Dynix Corporation to provide for purchase and service of three 3M BCS Shelf Check Systems, including hardware, software, installation, and a 15-month warranty/service.
10. Approval of letter of support for the Minnesota Department of Transportation's application for 2005 Transportation Enhancement Funds for construction of a detention pond and an infiltration pond as a storm water treatment system for run-off entering Falls Creek on MN 95.
11. Approval to enter into an agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to receive funding through the FY 2006/2007 REP grant.
12. Approval of purchase of agreement for Wetland Banking Credits for the CSAH 14/8 project.
13. Adoption of **Resolution No. 2005-117** as follows:

Cooperative Agreement with City of Cottage Grove for the  
 Installation and Maintenance of Street Lighting at the  
 Intersection of CSAH 13 and CR 74

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BE IT RESOLVED, that Washington County and the City of Cottage Grove enter into a cooperative agreement to erect and maintain streetlights at the intersection of CSAH 13 (Hinton Avenue South) and CR 74 (65<sup>th</sup> Street South).

BE IT FURTHER RESOLVED, that the agreement between the county and the City of Cottage Grove be executed through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board and approved as to form by the Washington County Attorney's office.

14. Adoption of **Resolution No. 2005-118** as follows:

Appointing the Director of Transportation and Physical Development as Fiscal Agent for Minnesota Trail Assistance Program Grant Requests

WHEREAS, the Washington County Board of Commissioners authorized participation in the Minnesota Trail Assistance Programs via Resolution #2005-092 dated May 24, 2005; and

WHEREAS, the Minnesota Department of Natural Resources requires the county to name a fiscal agent for the program with authority to sign agreements on behalf of the county; and

WHEREAS, the Department of Transportation and Physical Development is the county's overseer of the program.

BE IT RESOLVED that the Director of Transportation and Physical Development Department is hereby authorized to serve as the fiscal agent for the above referenced project and is delegated the authority to execute documents on behalf of the county in furtherance of the above referenced project.

15. Adoption of **Resolution No. 2005-119** as follows:

Authorizing Eminent Domain Proceedings for CSAH 16

WHEREAS, Washington County proposes to improve Washington County State Aid Highway 16 in cooperation with MnDOT as part of the I-494 interchange bridge project; 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

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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 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 required right of way and easements.

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 to 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.

16. Approval of revised renewal of road maintenance agreements with cities of Lake St. Croix Beach and Lakeland.

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

## **WASHINGTON COUNTY LIBRARY**

### **Library Board Duties and Responsibilities**

Commissioner Hegberg moved to adopt **Resolution No. 2005-120** as follows:

#### Washington County Board Duties and Responsibilities

WHEREAS, the governance of the Washington County Library has been given to the Washington County Board of Commissioners pursuant to Minnesota Session Laws 2005, Chapter 13, and

WHEREAS, the Washington County Board of Commissioners has accepted the Governance of the Washington County Library by Resolution 2005-043 passed on March 22, 2005, and

WHEREAS, the Washington County Board of Commissioners is required to appoint a Library Board as advisory to the County Board and to delegate to said board such duties and responsibilities relating to the Library as it deems advisable.



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NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners, under the authority provided in Minnesota Session Laws 2005, Chapter 13, hereby delegates to the Washington County Library Board the following duties and responsibilities:

1. The Library Board shall annually review the proposed operating and capital budgets of the Library Department and shall submit comments thereon to the Washington County Board of Commissioners in sufficient time to permit consideration prior to the adoption of budgets by the County Board.
2. The Library Board shall annually review long-range plans for the Washington County Library and provide a report to the Washington County Board of Commissioners in sufficient time to permit consideration prior to the adoption of the Capital Improvement Plan and budgets by the County Board.
3. The Library Board shall develop policies and procedures for the operation and administration of the Washington County Library to be submitted to the County Board for its approval.
4. The Washington County Library Board is authorized to accept gifts to the Washington County Library on behalf of Washington County.
5. The Library Board shall have sole authority and discretion in maintaining and developing collection of the Library within budget approved by the County Board.
6. The Library Board shall be responsible for the use and scheduling of Library meeting rooms.

Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Stafford absent.

#### **Library Board By-Laws**

Pat Conley, Library Board Director, indicated that the Library Board reviewed and adopted the By-Laws last evening, but raised a question about the open meeting laws. She indicated that it is the opinion of the County Attorney that that language be reinserted in Article IV relating to meetings to indicate that the Library Board will follow the open meeting law.

Commissioner Hegberg moved to adopt the Library Board By-Laws with the addition of the Open Meeting Law statement. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Stafford absent.

#### **COMMUNITY SERVICES**

Dan Papin, Community Services Director, presented an overview of a proposed contract with Blue Plus whereby Washington County will provide care coordination services to enrollees of the Blue Plus Minnesota Senior Health Options Program. Blue Plus will reimburse the county at the current rate of \$90 an hour, the

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same amount that the Department of Human Services has been paying. They will also reimburse the county for the long-term care consultations. 180 Blue Plus enrollees are expected to begin this program. Mr. Papin indicated there is a cancellation clause of 130 days in case this proposal does not work. Staff will also evaluate this project on a regular basis to determine whether or not it is working.

Commissioner Kriesel moved to approve a contract with Blue Plus, a Minnesota Health Maintenance Organization, for Washington County to provide care coordination services for enrollees of the Blue Plus Minnesota Senior Health Options Program. Commissioner Pulkrabek seconded the motion and it was adopted unanimously; Commissioner Stafford absent.

## **GENERAL ADMINISTRATION**

### **Lake Elmo Library Lease Update**

Jim Schug, County Administrator, updated the Board on the proposed Lake Elmo Library lease. The county has been working with the property owners, Mr. and Mrs. Lee, and also with the City of Lake Elmo, to try and explore options for covering the cost of the necessary building improvements. Originally, the county had approximately \$30,000 allocated in the library fund for these improvements. Later, it was determined that the costs would be closer to \$60,000. Staff started to have informal conversations with the City of Lake Elmo who indicated an interest in contributing something to the cost of that remodeling. As plans were developed, more things needed to be done in terms of bringing the building up to code and fire protection. They received the final architectural drawings last week and a contractor estimated that improvements would cost \$117,000. Yesterday they met with the Lees, Lake Elmo Mayor and City Administrator and they feel that by having the building owners do the improvements that they could get it done based on an estimate that they have for approximately \$90,000. If the county were to cover that whole \$90,000 as part of the lease agreement over a five-year period that would result in a per square foot cost of about \$20.50 and that would not include utilities or maintenance. The City has indicated that if the County Board is willing to move forward or develop the lease with the Lees that they would take to their city council a proposal to make a financial contribution that would help buy down costs.

Dean Johnston, Mayor, City of Lake Elmo, addressed the Board as an individual and not on behalf of the council. He believes, and is fully prepared to advocate to the City Council, that Lake Elmo would pick up \$30,000 of the \$90,000 cost for the library repairs. A special meeting of the City Council has been set for Thursday afternoon in order to address this issue. They are concerned about losing the current site that is under consideration. He feels that a library in Lake Elmo is very important to their community. He encouraged the Board to move forward on this issue and the city will move forward as quickly as this week if it will help the process along.

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Commissioner Peterson indicated there had been discussion of a new Lake Elmo City Hall and the library going into the existing city hall. She asked what the time frame was on that proposal. Mayor Johnston indicated there is no schedule. A new city hall was bonded for and the funds have been sitting in the bank for almost a year. The problem they had was finding an appropriate site and that maybe anywhere from immediate to three years depending on how they proceed with the development of the Old Village.

Mr. Schug stated that was an option discussed with the City on a number of occasions. One thing that may come forward, if the county moves in the direction of a lease, would be that in order to recover the investment there would need to be a longer term lease than the 3-year lease under discussion. A long-term lease with the Lees for that facility would mean that the county wouldn't be in a position to take advantage of the space that might become available in the current city hall building.

Mr. Johnston indicated that the City of Lake Elmo places a high priority on getting a library. He knows if the county felt it was necessary to sign a longer lease that the City would find a way to make sure that the old city hall was available upon termination of the lease.

### **Financial Policies**

Jane Harper, Principal Planner, presented revisions to the County Financial Policies.

Commissioner Hegberg suggested a change to Fund Balance, Policy No. 2701 to remove the word "sufficient" from Guidelines A.

Commissioner Peterson suggested a change to Fund Definitions Policy No. 2703, Capital Repair Fund 411, by adding "This fund does not provide revenue for other capital projects such as the Historic Courthouse, transportation facilities and parks."

Commissioner Hegberg moved to approve the revised Financial Policies as amended. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Stafford absent.

### **Oak Park Heights and City of Stillwater Campus Detachment Agreement**

Mr. Schug advised the Board that the detachment agreement of the land south of the Government Center and also around the campus from the City of Oak Park Heights to the City of Stillwater for future campus development was approved by the City of Oak Park Heights two weeks ago and last Tuesday, the City of Stillwater approved the agreement. Staff is working on clarifying and proofing the legal descriptions of the parcels and they expect to bring it to the County Board for approval in the near future.

July 26, 2005

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioners Kriesel and Hegberg reported on the National Association of Counties Conference they attended last week.

**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 Hegberg and it was adopted unanimously; Commissioner Stafford absent. The Board meeting adjourned at 11:15 a.m.


**BOARD WORKSHOP WITH COMMUNITY SERVICES**

The Board met in workshop session with the Department of Community Services to discuss new choices for chemical dependency treatment programs in the Washington County Jail. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Hegberg and Pulkrabek. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Patrick Singel, Mark Kuppe, HSI, Sheri Reese, HSI, Steve Pott, John Haugen, Chuck Yetter, and Yvonne Klinnert, Stillwater Courier.

**BOARD WORKSHOP WITH SHERIFF'S DEPARTMENT**

The Board met in workshop session with the Sheriff's Department to discuss the jail bed rental status. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Hegberg and Pulkrabek. Also present were Jim Schug, Molly O'Rourke, Steve Pott, John Haugen, Chuck Yetter, and Yvonne Klinnert, Stillwater Courier.

  
Myra Peterson, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 2, 2005**

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Absent none. Board Chair Peterson presided. 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; Patrick Singel, Deputy Community Services Director; Robert Crawford, Workforce Center Division Manager; Barb Fritsche, Information Technology; Lowell Johnson, Director of Public Health and Environment; Sue Hedlund, Public Health and Environment Deputy Director; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Planner; Sandy Cullen, Transportation Manager; Cory Slagle, Engineer II; Keith Potter, Facilities Manager; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Tom Adkins, Community Corrections Director; Kay McAloney, Director of Human Resources; Barbara Dacy, Executive Director, Housing and Redevelopment Authority; and Steve Nelson, Public Information Coordinator II.

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

1. Approval to appoint Ernest Pines to the Workforce Investment Board as an Education Representative to a first term expiring June 30, 2007.
2. Approval of the Fraud Prevention Investigation Plan and grant application for the time period July 1, 2005 through June 30, 2007.
3. Approval of amendment to contract #2236 with Tree Trust to provide services for the summer 2005 youth employment program.
4. Approval of fifth amendment to contract #1875 with East Suburban Resources to provide training and employment case management services for the Dislocated Workers Program July 1, 2005 through December 31, 2005.



5. Adoption of **Resolution No. 2005-121** as follows:

A Resolution Creating Redevelopment Project No. 2 and Adopting a Redevelopment Plan Relating Thereto, and Creating Tax Increment Financing District No. 2-1 and Adopting A Tax Increment Financing Plan Relating Thereto

BE IT RESOLVED by the County Board of Commissioners (the "Board") of the County of Washington, Minnesota (the "County"), as follows:

Section 1. Recitals.

1.01. It has been proposed and approved by the Housing and Redevelopment Authority in and for the County of Washington (the "Authority") that the Board approve the creation of Redevelopment Project No. 2 (the "Project Area") and adopt a Redevelopment Plan relating thereto, pursuant to and in accordance with Minnesota Statutes, Sections 469.001 to 469.047 and Laws of Minnesota 1974 chapter 475, inclusive, as amended and supplemented from time to time.

1.02. It has been further proposed and approved by the Authority that the Board approve the creation of Tax Increment Financing District No. 2-1 (the "TIF District") within the Project Area and approve and adopt a Tax Increment Financing Plan (the "TIF Plan") relating thereto pursuant to and in accordance with Minnesota Statutes, Sections 469.174 to 469.179, 469.001 to 469.047 and Laws of Minnesota 1974 chapter 475, inclusive, as amended and supplemented from time to time.

1.03. The Authority has caused to be prepared, and this Board has investigated the facts with respect thereto, a Redevelopment Plan for the Project Area and a TIF Plan for the TIF District defining more precisely the property to be included, the public costs to be incurred and other matters relating thereto.

1.04. The Authority and the Board have performed all actions required by law to be performed prior to the approval and adoption of the Redevelopment Plan and TIF Plan.

1.05. The Board hereby determines that it is necessary and in the best interests of the County and the Authority at this time at this time, to create the Project Area and approve and adopt the Redevelopment Plan relating thereto and to create the TIF District and to approve and adopt the TIF Plan relating thereto.

Section 2. Findings.

2.01. The Board hereby finds, determines and declares that the assistance to be provided through the adoption and implementation of the Redevelopment Plan and TIF Plan (collectively the "Plans") are necessary to assure the development and redevelopment of the Project Area.

2.02. The Board hereby finds, determines and declares that the Plans conform to the general plan for the development and redevelopment of the County as a whole in that they are consistent with the County's comprehensive plan.

2.03. The Board hereby finds, determines and declares that the Plans afford maximum opportunity consistent with the sound needs of the County as a whole for the development and redevelopment of the Project Area by private enterprise and it is contemplated that the development and redevelopment thereof will be carried out pursuant to redevelopment contracts with private developers.

2.04. The Board hereby finds, determines and declares that the approval and adoption of the Plans is intended and, in the judgment of this Board, its effect will be to promote the purposes and objectives specified in this Section 2 and otherwise promote certain public purposes and accomplish certain objectives as specified in the Plans.



August 2, 2005

2.05. The Board hereby finds, determines and declares that the TIF District constitutes a "tax increment financing district" as defined in Minnesota Statutes, Section 469.174, Subd. 9, and further constitutes a "redevelopment district" as defined in Minnesota Statutes, Section 469.174, Subd. 10.

2.06. The Board hereby finds, determines and declares that the proposed development or redevelopment in the TIF District, in the opinion of this Board, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and, therefore, the use of tax increment financing is deemed necessary.

2.07. The Board hereby finds, determines and declares that the Housing and Redevelopment Authority in and for the City of Oakdale, Minnesota has determined that there is a need for the Authority to proceed with the redevelopment of the Whispering Oaks Mobile Home Park and has forwarded its recommendation to the City Council (the "Council") of the City of Oakdale (the "City").

2.08. The Board hereby finds, determines and declares that the Council of the City has conducted a public hearing on the need for redevelopment of the Whispering Oaks Mobile Home Park and the Council has authorized the Authority to proceed with the redevelopment of the Whispering Oaks Mobile Home Park.

2.09. The Board hereby finds, determines and declares that the County made the above findings stated in this Section 2 and has set forth the reasons and supporting facts for each determination in the Plans and Exhibit A to this Resolution.

### Section 3. Approvals and Adoptions.

3.01. The creation of the Project Area and the adoption of the Redevelopment Plan relating thereto are hereby approved by the Board of the County.

3.02. The creation of the TIF District within the Project Area and the adoption of the TIF Plan relating thereto are hereby approved by the Board of the County.

### Section 4. Filing of Plans.

4.01. Upon approval and adoption of the Plans, the Board shall request the Authority to cause said Plans to be filed with the Minnesota Department of Revenue and the Office of the State Auditor.

4.02. The County Auditor is requested to certify the original net tax capacity and the original local tax rate of the TIF District, as described in the TIF Plan, and to certify in each year thereafter the amount by which the original net tax capacity of the TIF District has increased or decreased. The Authority is authorized and directed to forthwith transmit this request to the County Auditor in such form and content as the County Auditor may specify, together with a list of all properties within the TIF District for which building permits have been issued during the 18 months immediately preceding the adoption of this resolution

Adopted by the Board of the County this 2nd day of August, 2005.

### EXHIBIT A TO RESOLUTION NO. 2005-121

he reasons and facts supporting the findings for the TIF Plan for the TIF District pursuant to Minnesota Statutes, Section 469.175, Subdivision 3, are as follows:

#### 1. Finding that the Proposed TIF District is a "redevelopment district" as defined in Minnesota Statutes.

The TIF District consists of a single parcel of land. It has been determined that 70% of this site is occupied by buildings, streets, utilities, paved or gravel parking lots or similar structures as required by Minnesota Statutes, Section 469.174, Subdivision 10. Additionally, the parcel contains a single structure which has been determined to be structurally substandard as also defined in Minnesota Statutes, Section 469.174, Subdivision 10, and further satisfies the requirement that over 50% of buildings, not including outbuildings, must be found "structurally substandard". These findings and the conclusion that the TIF District qualifies under the statutory criteria and formulas for a redevelopment tax increment financing district are further described in a report prepared by LHB Engineers & Architects dated June 10, 2005.

- 2. Finding that the proposed development or redevelopment, in the opinion of the Board, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and, therefore, the use of tax increment financing is deemed necessary.**

County staff has reviewed the estimated redevelopment costs which include acquisition, demolition, relocation, infrastructure improvements, site preparation and environmental remediation and the available methods of financing, and has determined that tax increment assistance is necessary to make the redevelopment project economically feasible.

- 3. Finding that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the Proposed TIF District permitted by the Proposed TIF Plan.**

County staff has determined that without tax increment assistance the project would remain tax exempt and continue to operate as a manufactured home park. This continued operation would, however, require a substantial capital investment in infrastructure resulting in an estimated market value for the existing manufactured home park of \$1,750,000. After deducting the original market value of \$1,275,500 from this estimated market value, County staff has further determined that the increased market value that could reasonably be expected to occur from a project receiving no tax increment assistance would be approximately \$474,500.

County staff has further determined that with tax increment assistance it is possible to construct approximately 151 units of housing with an estimated market value of \$28,250,000. After deducting the original market value of \$1,275,500 from the estimated market value of \$28,250,000, County staff has further determined that the increased market value that could reasonably be expected to occur from a project receiving tax increment assistance would be approximately \$26,974,500.

County staff has further determined that the total amount of tax increment generated from the project using tax increment assistance over the 25 year term of the TIF District approximates \$8,857,815. Assuming the same term and a present value rate of 6.0%, which is assumed to be the bond rate for financial analysis, the present value of \$8,857,815 approximates \$3,374,050. After deducting the present value of the tax increment (\$3,374,050) from the increase in estimated market value occurring as a result of utilizing tax increment assistance (\$26,974,500), the net increase in estimated market values approximates \$23,600,450.

County staff has further determined that the increase in the market value of the site that could reasonably be expected to occur without the use of tax increment financing (\$474,500) is less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the TIF Plan (\$23,600,450). Further information supporting this Finding is attached as Schedule 1.

- 4. Finding that the TIF Plan conforms to the general plan for the development or redevelopment of the county as a whole.**

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The Housing and Redevelopment Authority and the County Board have reviewed the TIF Plan and determined that it conforms to the comprehensive plan of the County.

**5. Finding that the TIF Plan will afford maximum opportunity, consistent with the sound needs of the County as a whole, for the development or redevelopment of the Project Area by private enterprise.**

The redevelopment activities for this TIF District include site acquisition, demolition and removal of structures, site preparation, installation of public improvements, resolution of environmental issues and construction of approximately 151 units of housing in 2007 and 2008. Upon completion of the project, it is anticipated that the County's tax base will increase by approximately \$26,974,500.

**6. Finding that the expenditure of tax increment serves a primarily public purpose.**

The expenditure of tax increment is not intended as a private benefit, and any such benefit is incidental. The principal intent for the tax increment expenditures includes the removal of impediments to the redevelopment described in the Plans. These activities include demolition and removal of existing structures, relocation of existing tenants and replacement of substandard or insufficient infrastructure. Among the public benefits are (i) the development of housing units for the County (ii) the utilization of existing infrastructure including sanitary sewer, water and roads; (iii) the utilization of existing capital improvements including school, parks, community center and an approximate 22 times increase in the County's current market value for this site.

**SCHEDULE 1 TO EXHIBIT A  
RESOLUTION NO. 2005-121**

**EXPECTED DEVELOPMENT WITH AND WITHOUT TIF ASSISTANCE**

**I. DEVELOPMENT WITHOUT TIF ASSISTANCE:**

Estimated Market Value	\$ 1,750,000
Less: Original Market Value	\$ 1,275,500
Increased Market Value	\$ 474,500

Without financial assistance, it is anticipated that the project would remain tax exempt and continue to operate as a manufactured home park. This continued operation would, however, require a substantial capital investment in infrastructure.

**II. DEVELOPMENT WITH TIF ASSISTANCE:**

Estimated Market Value	\$28,250,000
Less: Original Market Value	\$ 1,275,500
Increased Market Value	\$26,974,500

Less: Present Value of the Tax Increment Generated at 6.0% for the term of the tax increment district (see attached Exhibit 1)	\$ 3,374,050
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Net Increased Market Value	\$23,600,450
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With financial assistance, it is anticipated that the project would consist of approximately 151 units of housing to be constructed in 2007 and 2008.



EXHIBIT 1 to SCHEDULE 1									
PRESENT VALUE ANALYSIS									
	ANNUAL					SEMI - ANNUAL			
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Date	Original	Estimated	Captured	Est. T.I.	Less:	Available	Cumulative	Present Value	
	Tax	Tax	Tax	(d) x	Admin	Tax	Avail. Tax	Semi Annual	Cumulative
	Capacity	Capacity	Capacity	0.90384	Fees	Increment	Increment	Balance	Balance
	(see assumptions)		(c) - (b)	- St. Aud. Fee	(e) x	(e) - (f)	Total of (g)	P.V. of (g)	Total of (i)
	2.5% Inflation		(prev. year)	0.000%	0.00%			6.00%	12/01/05
06/01/06	13,735	13,735		0	0	0	0	0	0
12/01/06	13,735	13,735		0	0	0	0	0	0
06/01/07	13,735	13,735	0	0	0	0	0	0	0
12/01/07	13,735	13,735	0	0	0	0	0	0	0
06/01/08	13,735	119,250	0	0	0	0	0	0	0
12/01/08	13,735	119,250	0	0	0	0	0	0	0
1 06/01/09	13,735	301,000	105,515	47,684	0	47,684	47,684	38,772	38,772
12/01/09	13,735	301,000	105,515	47,684	0	47,684	95,369	37,642	76,414
2 06/01/10	13,735	301,000	287,265	129,821	0	129,821	225,190	99,497	175,911
12/01/10	13,735	301,000	287,265	129,821	0	129,821	355,010	96,599	272,510
3 06/01/11	13,735	308,525	287,265	129,821	0	129,821	484,831	93,785	366,295
12/01/11	13,735	308,525	287,265	129,821	0	129,821	614,652	91,054	457,349
4 06/01/12	13,735	316,238	294,790	133,222	0	133,222	747,874	90,717	548,066
12/01/12	13,735	316,238	294,790	133,222	0	133,222	881,095	88,075	636,142
5 06/01/13	13,735	324,144	302,503	136,707	0	136,707	1,017,802	87,747	723,889
12/01/13	13,735	324,144	302,503	136,707	0	136,707	1,154,510	85,191	809,080
6 06/01/14	13,735	332,248	310,409	140,280	0	140,280	1,294,790	84,872	893,952
12/01/14	13,735	332,248	310,409	140,280	0	140,280	1,435,070	82,400	976,352
7 06/01/15	13,735	340,554	318,513	143,942	0	143,942	1,579,012	82,088	1,058,440
12/01/15	13,735	340,554	318,513	143,942	0	143,942	1,722,954	79,697	1,138,137
8 06/01/16	13,735	349,068	326,819	147,696	0	147,696	1,870,650	79,394	1,217,531
12/01/16	13,735	349,068	326,819	147,696	0	147,696	2,018,346	77,081	1,294,613
9 06/01/17	13,735	357,794	335,333	151,544	0	151,544	2,169,890	76,786	1,371,399
12/01/17	13,735	357,794	335,333	151,544	0	151,544	2,321,434	74,549	1,445,948
10 06/01/18	13,735	366,739	344,059	155,487	0	155,487	2,476,921	74,262	1,520,210
12/01/18	13,735	366,739	344,059	155,487	0	155,487	2,632,408	72,099	1,592,308
11 06/01/19	13,735	375,908	353,004	159,530	0	159,530	2,791,938	71,819	1,664,127
12/01/19	13,735	375,908	353,004	159,530	0	159,530	2,951,468	69,727	1,733,854
12 06/01/20	13,735	385,305	362,173	163,673	0	163,673	3,115,141	69,454	1,803,308
12/01/20	13,735	385,305	362,173	163,673	0	163,673	3,278,814	67,431	1,870,739
13 06/01/21	13,735	394,938	371,571	167,920	0	167,920	3,446,734	67,166	1,937,905
12/01/21	13,735	394,938	371,571	167,920	0	167,920	3,614,654	65,210	2,003,114
14 06/01/22	13,735	404,812	381,203	172,273	0	172,273	3,786,928	64,952	2,068,066
12/01/22	13,735	404,812	381,203	172,273	0	172,273	3,959,201	63,060	2,131,126
15 06/01/23	13,735	414,932	391,077	176,735	0	176,735	4,135,936	62,809	2,193,934
12/01/23	13,735	414,932	391,077	176,735	0	176,735	4,312,672	60,979	2,254,914
16 06/01/24	13,735	425,305	401,197	181,309	0	181,309	4,493,981	60,735	2,315,649
12/01/24	13,735	425,305	401,197	181,309	0	181,309	4,675,289	58,966	2,374,616
17 06/01/25	13,735	435,938	411,570	185,997	0	185,997	4,861,286	58,729	2,433,345
12/01/25	13,735	435,938	411,570	185,997	0	185,997	5,047,283	57,019	2,490,363
18 06/01/26	13,735	446,836	422,203	190,802	0	190,802	5,238,085	56,788	2,547,151
12/01/26	13,735	446,836	422,203	190,802	0	190,802	5,428,887	55,134	2,602,285
19 06/01/27	13,735	458,007	433,101	195,727	0	195,727	5,624,614	54,910	2,657,195
12/01/27	13,735	458,007	433,101	195,727	0	195,727	5,820,341	53,311	2,710,506
20 06/01/28	13,735	469,457	444,272	200,775	0	200,775	6,021,117	53,093	2,763,599
12/01/28	13,735	469,457	444,272	200,775	0	200,775	6,221,892	51,546	2,815,145
21 06/01/29	13,735	481,194	455,722	205,950	0	205,950	6,427,842	51,335	2,866,480
12/01/29	13,735	481,194	455,722	205,950	0	205,950	6,633,792	49,840	2,916,319
22 06/01/30	13,735	493,224	467,459	211,254	0	211,254	6,845,046	49,634	2,965,954
12/01/30	13,735	493,224	467,459	211,254	0	211,254	7,056,300	48,189	3,014,142
23 06/01/31	13,735	505,554	479,489	216,690	0	216,690	7,272,991	47,989	3,062,131
12/01/31	13,735	505,554	479,489	216,690	0	216,690	7,489,681	46,591	3,108,722
24 06/01/32	13,735	518,193	491,819	222,263	0	222,263	7,711,944	46,397	3,155,120
12/01/32	13,735	518,193	491,819	222,263	0	222,263	7,934,207	45,046	3,200,166
25 06/01/33	13,735	531,148	504,458	227,975	0	227,975	8,162,182	44,858	3,245,024
12/01/33	13,735	531,148	504,458	227,975	0	227,975	8,390,156	43,551	3,288,575
26 06/01/34	13,735	544,427	517,413	233,829	0	233,829	8,623,986	43,369	3,331,944
12/01/34	13,735	544,427	517,413	233,829	0	233,829	8,857,815	42,106	3,374,050
				8,857,815	0	8,857,815	8,857,815	3,374,050	3,374,050

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6. Approval of long distance telephone service contract with Qwest.
7. Approval of an agreement with the Washington Conservation District for services related to the Wetland Conservation Act.
8. Adoption of **Resolution No. 2005-122** as follows:

Safe Communities Coalition Grant

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 Coalition" during the period from October 1, 2005 through September 30, 2006. Lowell Johnson 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.

The foregoing Consent Calendar was adopted unanimously.

### **COMMUNITY SERVICES**

Patrick Singel, Community Services Deputy Director, advised the Board that Governor Pawlenty declared Wednesday, July 27, 2005 as County Financial Worker and Case Aide Day in Minnesota. Mr. Singel provided a brief overview and recognition of the work of financial workers in Washington County.

Commissioner Hegberg declared that Monday, August 8, 2005 would be Financial Worker and Case Aide Day in Washington County. Commissioner Stafford seconded the motion and it was adopted unanimously.

### **PUBLIC HEARING - TRANSPORTATION AND PHYSICAL DEVELOPMENT**

#### **St. Croix Valley Trail Master Plan**

The County Board Chair presented a brief overview of the procedures to be followed in today's public hearing to receive comments on the draft St. Croix Valley Trail Master Plan. The Board Secretary indicated that the notice of public hearing was published and a copy was made a part of the record.

Jeff Shoenbauer, Brauer and Associates, Ltd. reviewed the draft of the St. Croix Valley Trail plan.

Gregory Fisher, 4504 Parsons Court South, Afton – Mr. Fisher stated his property backs up to the St. Croix Valley Trail and he is concerned about old oak trees located on his property and that care be taken with them when the trail is constructed. He feels that if the trail is too close to them they will be killed. He does not have a problem with the trail, but fifteen years from now he wants the assurances that are made today to still be in effect.

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Dorian Grilley, 214 Park Avenue, Mahtomedi – Mr. Grilley is the Executive Director of the Parks and Trails Council and his comments today are his own and not that of the group. He supports the St. Croix Valley Trail Master Plan. Biking is an opportunity for youth and everyone to be more physically active. He believes the county staff and the consultant have done a good job in balancing the needs of the population and the local land owners. The concept of linking Afton State Park, St. Croix Bluffs Regional Park, the Carpenter Nature Center and Point Douglas Park is a wonderful idea. It also makes sense to continue to develop CR 21 with six foot shoulders.

Paul Mohrbacher, 15220 66<sup>th</sup> Street South, Denmark Township – Mr. Mohrbacher is also concerned about his oak trees. He does not want the trail to extend 30 to 40 feet on to his property with an 8 to 10 foot trail that may do damage to his oak trees. He believes this trail will have a negative effect on his property and property value. He does not believe it is a good idea to connect the parks. He uses all those parks but does not need them connected by a trail. He questioned the steep grades on CR 21 and doesn't see children and young families using that. He uses bike trails along riverbeds, but does not advocate that people's lands are seized to make a trail. He hopes that the people who bought land out here are respected.

Tony Sieben, 15057 87<sup>th</sup> Street, Denmark Township – Mr. Sieben stated sometime ago that trails used by almost anyone are not maintained. He has walked the trails west of Hastings in the morning and there is no patrolling on that trail. That's an urban trail. Denmark Township is rural, has been rural and would like to stay rural. Now it is getting urbanized by the Metropolitan Council. He has one acre in Denmark Township on 87<sup>th</sup> Street and trucks travel on that road from 7:00 in the morning until 6:00 in the evening. 87<sup>th</sup> Street should not be considered in this plan.

Jim Fitzpatrick, 12805 St. Croix Trail South, Denmark Township – Mr. Fitzpatrick is currently the Chair of the Denmark Township Board of Supervisors. They met last night and reaffirmed the resolution of support for the trail and that it include a comment that it does not support any condemnation efforts. The Township would like it maintained that it is a willing seller. He is also here for the Carpenter Nature Center and has been involved with the process from the first day. The Nature Center does stand in favor of the trail. Their Board of Directors has to pass a resolution. They have a draft and have given it to county staff.

Vik Wilson, 906 North 4<sup>th</sup> Street, Stillwater – Mr. Wilson supports the St. Croix Valley Trail Master Plan and other bicycle and recreational opportunities in the county. He understands there are individuals who are worried about their property and trees. He hopes that county staff will remain sensitive to those things and find solutions that take care of those concerns but still carry this trail forward in the future.

John Pontius, 13085 St. Croix Trail South, Hastings – Mr. Pontius stated that he lives on CR 21. He has concerns that have been identified this morning. He is concerned about condemnation. He is also concerned about the word "willing sellers". He does not want the weight of 20,000 bikers on his shoulders because he



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is not willing to be a willing seller. That weighs heavily on his mind. He asked why there isn't an alternative plan for CR 21. There are numerous accidents on that road. As landowners, he believes they should be considered. He is not against a bike trail, but if his property is condemned and if the county insists on going on the river then he is opposed to it.

Floyd Keller, 467 South Fifth, Bayport – Mr. Keller stated that he and his wife are bikers. He supports the trail. They are increasingly biking on trails for safety reasons. They like trails that go somewhere.

John Baird, 5732 Norwich Circle, Oak Park Heights – Mr. Baird stated that he and his wife donated a mile of trail easement through their property for the Gateway Trail. He believes there is no time like the present to establish the trail system and in the best of all worlds all the trails would connect together. He feels that trails and parks system is an essential part of establishing a sense of community. Mr. Baird's written comments were placed on the record.

Ralph Larson, 474 South 5<sup>th</sup> Street, Bayport – Mr. Larson stated he cannot add more to what the proponents for the trail have stated except he is disappointed that it will take so long. He asked that it be accelerated.

Paul Mosby, W 12821 720<sup>th</sup> Avenue, River Falls, WI – Mr. Mosby is an owner of about six acres of heavily wooded property with 450 feet water front. The north part of his property is due east directly across the St. Croix from the Conference Center at St. Croix Bluffs Regional Park. He, as others who have spoken, is here because they care about this area. He has unique concerns. The problem he has with putting a recreational trail on the rail bed is its proximity to the water. He is involved with a public process with the review and amendment of land use and water surface regulations on the Lower St. Croix. He feels that placing this proposed trail close to the water is in direct violation of the Lower St. Croix Cooperative Management Plan for Land Use on the Lower St. Croix. He believes it is also in violation of state and local government regulations. Increasingly over the years in winter months there are a number of snowmobilers and ATV users who come off of the St. Croix, or the proposed trail, and come on to private property. He is concerned about that.

Leonard David, Point Douglas Marina, 2300 Bantus Point Road, Wayzata – Mr. David is one of the owners of the Point Douglas Marina. He has concerns about the proximity of the water and the difficult terrain through their area. He is not opposed to trails or recreation, people staying fit or the community gathering together. It's been stated that Denmark Township and others would not support condemnation. It hasn't been said that condemnation would not be allowed. It's been said at different meetings that they want a 50 foot easement through their property. That would greatly diminish the value of their property. At the Township and informational meetings public input was asked for, but nothing was changed in the master plan. The owners of Point Douglas Marina and others weren't happy with a lot of the trespass they assume will happen if this trail does go through there. He does not believe their property is the best place for the trail. There are people using the rail bed, which is private property, now. They just trespass their property

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and are making footpaths and bike paths up and down the steep slopes. He cannot imagine how bad that would get if another 2,000 people a week are introduced through that area.

Peter Seed, 5009 Lake Avenue, White Bear Lake – Mr. Seed stated that for 30 years he had lived in Grant. He believes that there is a tremendous obligation not only to serve our present desires, but the needs and desires of future generations to come. This is an appeal on behalf of the next generations to move forward with the Master Plan. For thirty years they lived adjacent to the Soo Line Railroad and they did have a hand in persuading the State to acquire the Gateway Trail. Many of the concerns that adjacent property owners here have expressed were expressed at the time that great undertaking began. He wants to appeal to those adjacent property owners to reserve judgment and not over react. The experience they had was that they never had any trespassers. When it came time to sell their property they found out that the value of their property had increased significantly because of the Gateway Trail.

John Augustine, 6837 Thames Road, Woodbury – Mr. Augustine works at the family business, Afton Alps. He echoed the comments that someone made earlier that it is disappointing that despite all the testimony given at other meetings that the Master Plan does not appear to have changed. He stated that as the Master Plan is proposed it is not workable through their property. The consultant also stated today that it would not work because it is right through the heart of their commercial enterprise. It's possible if somebody would have approached them there might be some property that could be used. Now the consultant says that maybe 15 years down the road the situation might change, the business might not be viable and would be turned into housing so they would like to hang on to this dream. He is disturbed that planners seem to want to hang on to this dream that this business would disappear at some point so that this trail could be realized. They are not going to disappear, so the dream that this plan go along Trout Brook will not happen. He believes the trail should stay along CR 21 and then there are areas in the south where that might not work.

Leslie Thomas, 33579 St. Croix Trail South, Afton – Ms. Thomas has two concerns. The first concern is property value. There have been studies that if there is a bike trail across the street or a block away the statistics say the value will increase. However, there's been studies and statistics to the opposite that if there is a bike trail that is right on your property or right adjacent to it property values go down because of traffic and vandalism. Her other concern is that she and her neighbors' homes are very close to the road. The easement allowed for the bike trail is well within the city's right to take that easement, but she does not believe it is right. In some instances her neighbors would walk right out the front door on to the bike trail. She believes adjustments need to be made and suggests not using the full easement; or, reduce the size of the normally required easement for the bike trail in front of the homes that are downtown and close to the road. She also suggested sharing the burden of the bike trail with the neighbors across St. Croix Trail, to adjust the road so that half of the easement would be taken from us and half from the other side of the road.

Jyneen Thatcher, 12999 Keller Avenue, May Township – Ms. Thatcher stated when her and her husband moved into the county 12 years ago, the main reason was because of the county's support of recreational

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facilities, especially the opportunities to bike and ski in the county. Her bike club has worked with the county parks in some of the winter programming over the past several years. She has provided written comments and encourages the Board to adopt the Master Plan.

The Board Chair indicated that she has received three comment cards from individuals who did not wish to speak: Mary Hauser, Birchwood – Supports the plan but feels it is too far in the future; Need to acquire right-of-way on CR 21 where it is less than 100 feet as soon as possible. Helen Myers, Stillwater – Supports the trails for non-motorized uses. Tom Dwight, Mahtomedi – Supports bike trails and indicated they have not been a problem to adjoining property owners.

Commissioner Hegberg moved to close the public hearing. Commissioner Kriesel seconded the motion and it was adopted unanimously. The public hearing was closed at 10:40 a.m.

Commissioner Hegberg stated he supports the trails. Placing trails in the beginning is difficult, but over time it has generally worked out. This is a different public hearing than the hearing for the Gateway Trail and the Forest Lake Trail because in those instances people said that the bikers and walkers were going to break into the houses, take the TV's and go back to the trail and haul them back to the cities. They found over the years that that has not taken place. The values have actually gone up, as Mr. Seed indicated. He will support the plan and recognizes that it will take a number of years to implement it. Hopefully it will be willing sellers but in thirty years there might be one or two spots that would have to be dealt with in a different manner.

Commissioner Stafford indicated he will also support the plan. He supports a linear park system and the ability to bike from one park system to another. He does not agree with staff that time is in the county's favor. He wants to remind folks that in fifteen years there will not be 210,000 people in Washington County there will be 300,000 with vested interest in whatever piece of land they own and it's better to get these things done early on. The problems with the oak trees are real, but there are remedies if the people and staff work together on how those trails are made out. In Woodbury there is a massive, comprehensive and highly successful trail system within the city. It evolved because it was part of a planning process. They have solved some of the vandalism problems, and there wasn't a lot. He agrees with the comment on what it does to the value of homes. He indicated that Woodbury has a volunteer patrol system for their trails. That might be a possibility. He has had complaints from individuals in the same area represented here about the traffic and safety problems they have with bikers now because they are using the roads. He sees the trails as an improvement to the esthetics as well as the safety. To use eminent domain, the county would have to show the courts that it is in the best public interest.

Commissioner Kriesel stated he will support the Master Trail plan as long as it framed in the context of a willing seller approach. He would like to see an alternative defined down by the Carpenter Nature Center so there is no misunderstanding in the future that there is an alternative. Trails and parks are such a highly

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valued component of the reason why we live in Washington County. It's a quality of life issue and there will be greater and greater demand for those recreational areas. There are a lot of details that need to be worked out regarding safety and protection of forestry, but he is confident that the county can adequately build this trail to protect those environmental concerns.

Commissioner Peterson indicated she would also be supporting this trail. The county has looked at this trail, as well as its entire trail systems, as a plan for a spine and that the ribs and connectivity to local parks and neighborhoods will be developed by the communities that adjoin that spine. They will occur as properties develop and as the needs arise. She looks at this as a plan for the future, and some have indicated that they would like that future sooner rather than later, and in some instances that will be done. As roads need to be improved the county will be looking at how a segment of that trail can be built sooner than later. This is a good plan and the process has been very thoughtful. Contrary to what some people have said, she has seen changes in the plan, they may not be monumental but they certainly have been considered and there have been changes made because of the comments.

Commissioner Hegberg moved to adopt **Resolution No. 2005-123** as follows:

#### St. Croix Valley Trail Master Plan

WHEREAS, the Metropolitan Council Parks and Open Space Commission urged Washington County to evaluate the feasibility of a trail from the City of Afton to Point Douglas Park and propose an alignment near the St. Croix River that links parks and natural areas, and

WHEREAS, Washington County's Linear Parks master plan proposes a trail within a search area from the City of Afton to Point Douglas Park, but does not indicate a specific alignment, and

WHEREAS, there are several public parks and natural areas containing portions of a former railroad right-of-way which provide views and access to the Federally and State designated Wild and Scenic St. Croix river, and

WHEREAS, a trail linking these public parks and natural areas along the St. Croix River would benefit the residents and visitors to Washington County and the State of Minnesota, and would be of regional and state-wide significance.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners approves the St. Croix Valley Trail Master Plan and forwards the plan to the Metropolitan Council for review and approval to become part of the Metropolitan Regional Trail System.

Commissioner Stafford seconded the motion and it was adopted unanimously.

The Board took a recess at 10:50 a.m.

The Board reconvened at 11:00 a.m.



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**TRANSPORTATION AND PHYSICAL DEVELOPMENT****Roundabouts as a Design Alternative**

Commissioner Stafford moved to approve the use of roundabouts as a design alternative for intersections on county roads and approved Amendment No. 2 to the HR Green contract for additional design services in the amount of \$109,492 for the Radio Drive Safety and Mobility Project. Commissioner Kriesel seconded the motion and it was adopted unanimously.

**Stillwater, Oak Park Heights and County Agreement**

Commissioner Kriesel moved to approve an agreement between the City of Stillwater, the City of Oak Park Heights and the County of Washington for development of the campus of the Washington County Government Center. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

**Lease Agreement for Library Facility in Lake Elmo**

Commissioner Pulkrabek moved to enter into a lease agreement with the Gisela Lee Trust for the branch library facility in Lake Elmo upon the terms established by the Board conditioned upon the approval of the agreement by the County Attorney. Commissioner Stafford seconded the motion and it was adopted unanimously.

Commissioner Pulkrabek moved to accept the contribution from the City of Lake Elmo as set forth in the Lake Elmo City Council Resolution No. 2005-079 in the amount of \$30,000 to be used to offset the costs for the capital improvements of the leased building that will house the branch library in Lake Elmo. Commissioner Hegberg seconded the motion and it was adopted unanimously.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Hegberg reported on a meeting he attended with a group of citizens regarding Rice Creek and the Judicial Ditch. There have been comments that a groundwater study should be conducted in that area because the lake level has gone down and that the natural water structure is different.

Commissioner Hegberg noted that he will not be at the meeting next Tuesday. He will be attending the national conference related to Public Employee Retirement Association in Alaska.

Commissioner Kriesel reminded the Board and the viewers that the Washington County Fair begins on Wednesday and encouraged everyone to attend. He also invited everyone to downtown Stillwater now that the bridge is closed to see what it was like in the old days when there wasn't a bridge.

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Commissioner Peterson reminded everyone that tonight is National Night Out and to attend their local community celebrations.

### **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 Kriesel and it was adopted unanimously. The Board meeting adjourned at 11:50 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 design status of the Government Center campus improvements. No business was transacted and public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Keith Potter, Chris Volkers, Steve Pott, Wayne Sandberg, Judge Gary Schurrer, Judge Susan Miles, Tom Adkins, Steve Nelson, Doug Johnson, John McNamara and Matt Bickel, Wold Architects and Engineers, Alex Friedrich, Pioneer Press and Yvonne Klinnert, Stillwater Courier.

Attest:

  
James R. Schug

County Administrator



Myra Peterson, Chair  
County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 9, 2005**

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, Peterson and Stafford. Commissioner Hegberg absent. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Jim Luger, Parks Director; Carolyn Phelps, Historic Courthouse Coordinator; Keith Potter, Facilities Manager; Lowell Johnson, Director of Public Health and Environment; Judy Hunter, Senior Program Manager; Jeff Travis, Program Manager; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Rebecca Ault, Assessment, Taxpayer Services and Elections; Edison Vizuite, Financial Services Director; Tonya Weinert, Financial Services; Tom Adkins, Community Corrections Director; Dan Papin, Community Services Director; Cindy Koosmann, County Recorder; Nancy Brase, Administrative Services Manager; and Steve Nelson, Public Information Coordinator II.

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

1. Approval of the July 26, 2005 Board meeting minutes.
2. Approval to appoint Suzanne Hurlburt, Consumer Representative, to the Mental Health Advisory Council to a first term expiring December 31, 2007.

3. Approval of the following fee changes to County Policy #1032:

<u>Fee</u>	
ATV Registration, Renewal, Transfer	\$38.50
ATV Transfer and Renewal	42.50
ATV Renewal Only	36.00
Boat Titling	Ranges from 10 - 17
Disability License Plate Application	
County Fee	8.50
County Highway map	Free
Motor Vehicle Plates, Renewals, & Transfers	
(County Fee)	8.50

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## Motor Vehicle Operator Licenses &amp; Renewal

State Fee	9.50 to 53.50
County Fee	4.50
Passport Adult	97.00
Passport Child	82.00
(no county fee increase – all federal)	
Birth Certificate	16.00
Additional copy	9.00
Uncertified	13.00
Amendment (State Service)	40.00
Verification	9.00
Marriage	
Certificate	9.00
Additional (no change)	2.00
Marriage Application	100.00
Reduced Fee Marriage License	30.00
Verification	9.00
Death Certificate	13.00
Additional copy	6.00
Amendment	40.00
Verification	9.00

(County fee on birth, marriage & death certificates increase from \$8 to \$9; state retains remainder)

4. Approval to accept \$2,000 Emergency Fund Grant from the Minnesota Department of Public Safety for expenses incurred by crime victims that are a direct result of the crime.
5. Approval to issue Request for Proposals for the service of Financial Advisor to the county for the period October 1, 2005 through September 30, 2010.
6. Adoption of **Resolution No. 2005-124** as follows:

Resolution Authorizing Execution of an Agreement with the  
Minnesota Department of Public Safety for the  
Safe and Sober Communities Project

BE IT RESOLVED, that the Washington County Sheriff's Office 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, 2005 through September 30, 2006.

The Sheriff of Washington County is hereby authorized to execute such agreement and amendments as are necessary to implement the project on behalf of the Washington County Sheriff's Office and to be the fiscal agent and administrator.

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

### TRANSPORTATION AND PHYSICAL DEVELOPMENT

Commissioner Kriesel moved to adopt **Resolution No. 2005-125** as follows:

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### Acceptance of a Grant from the Bayport Foundation

WHEREAS, the Bayport Foundation of Andersen Corp. has grant funds available for capital and repair projects; and

WHEREAS, the Historic Courthouse seeks funding for window repairs.

BE IT RESOLVED that Washington County agrees to accept a grant from the Bayport Foundation in the amount of \$5,000 for window repairs and that the county has the institutional, managerial and financial capability to ensure that all aspects of the proposed project will be completed.

NOW BE IT FURTHER RESOLVED, that Carolyn Phelps, Parks Coordinator, Historic Courthouse, is hereby authorized to execute the grant agreement as necessary to implement the project on behalf of Washington County.

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

## **PUBLIC HEALTH AND ENVIRONMENT**

### **Reduction in Tipping Fee**

Commissioner Stafford moved to adopt **Resolution No. 2005-126** as follows:

Reduce the Tipping Fee for Haulers with All  
Waste Delivery Agreements to \$34.00 Per Ton

WHEREAS, Section II.F. of the All Waste Delivery Agreement establishes a \$38 per ton tipping fee for haulers delivering waste to the Ramsey/Washington County Resource Recovery Facility; and

WHEREAS, because of changed circumstances in the solid waste market place, the Ramsey/Washington County Resource Recovery Project Board recommended to the respective County Boards a reduction in the tipping fee for All Waste haulers to \$34 per ton; and

WHEREAS, such reduction in the tipping fee must be accomplished through an amendment to the All Waste Agreement; and

WHEREAS, further adjustment of the tipping fee maybe necessary to address the changing dynamics of the solid waste market place.

NOW, THEREFORE BE IT RESOLVED, The Washington County Board of Commissioners hereby approves a tipping fee for haulers that have entered into All Waste Delivery Agreements at \$34.00 per ton, effective August 15, 2005, through the term of the agreements, subject to the right of the County, in its sole discretion, to further lower the tipping fee or to raise the tipping fee up to the amounts established in Section II-F of the All Waste Delivery Agreements prior to this amendment, through action of the County Board but without the necessity of amending the All Waste Delivery Agreements; and

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BE IT FURTHER RESOLVED, The Washington County Board of Commissioners hereby authorizes the Director of the Washington County Public Health and Environment Department to execute amendments to All Waste Delivery Agreements containing these provisions in a form approved by the County Attorney.

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

**Resource Recovery Project's 2006 and 2007 Operating Budget**

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-127** as follows:

Ramsey/Washington Resource Recovery Project  
Budget for 2006 and 2007

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 2006 and 2007; and

WHEREAS, Ramsey and Washington Counties, in order to accomplish environmental and public health goals, have each contracted with waste haulers to assure the delivery of waste to the Facility through July, 2007, at a reduced tipping fee; and

WHEREAS, the County Board has authorized amending the All Waste Delivery Agreements to reduce the tipping fee to \$34.00 per ton.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners hereby approves the 2006 and 2007 Resource Recovery Project Budget as recommended by the Resource Recovery Project Board as follows:

<u>Appropriations</u>	<u>2006</u>	<u>2007</u>
Administration	\$ 757,492	\$ 681,892
Service Fee	<u>17,800,000</u>	<u>9,200,000</u>
	\$18,557,492	\$ 9,881,892
 <u>Financing Sources</u>	 <u>2006</u>	 <u>2007</u>
Washington County Participation	\$ 4,998,373	\$ 2,655,961
Ramsey County Participation	\$13,514,119	\$ 7,180,931
Interest Income	<u>45,000</u>	<u>45,000</u>
	\$18,557,492	\$ 9,881,892

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

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

Kevin Corbid, Director of Assessment, Taxpayer Services and Elections, presented a brief history of today's request to consider repurchase applications from Robert Beale for tax forfeited property located in Oakdale and Lake Elmo. The previous owner, Cheryl Hilyar, has assigned her repurchase rights to Mr. Beale through an agreement signed on July 21, 2005. The agreement consists of the following items: 1) Ms. Hilyar agrees to assign her rights to repurchase to Mr. Beale; 2) Mr. Beale submits the repurchase applications to the County and includes the payment of past due taxes, penalties, interest, and fees as well as administrative costs incurred by the County; 3) Ms. Hilyar provides to Mr. Beale the roughly \$12,000 she paid to the County (and since refunded back to Ms. Hilyar) at the time the first repurchase application was submitted; 4) Ms. Hilyar agrees to take action to satisfy the federal and state tax liens on the properties; and, 5) Mr. Beale, upon resale of the property, agrees to pay Ms. Hilyar \$100,000 for each property, minus any costs incurred by the County for cleanup of the property and paid by Mr. Beale at the repurchase.

Mr. Corbid indicated that the current conditions of the properties are as follows: Lake Elmo – Currently a vacant lot, the abandoned well has been sealed and septic tanks crushed and filled; Oakdale – Not in as bad of shape as the Lake Elmo property, but there has been a history of city code violations at the property. The County Board has several options to consider including the following: Statute allows the previous owner the right to submit a repurchase application, however, the County Board has discretion on whether or not to approve repurchase; The County Board should consider whether the repurchase application will correct a hardship or injustice that has occurred because of the forfeiture and whether the repurchase will promote and best serve the public interest. The repurchase applications were reviewed by the County's Finance Committee last week and they recommended that the County Board deny the repurchase applications. If that is position the County Board takes today, the department will move forward in preparing the properties for sale or reconveyance to another party. The biggest obstacle to that would be tax liens that currently exist on the two properties of nearly \$500,000.

Commissioner Pulkrabek moved to deny the repurchase applications by Robert Beale for the following tax forfeited properties: 827 Greenway Avenue North, Oakdale and 8961 37<sup>th</sup> Street, Lake Elmo. Commissioner Stafford seconded the motion. The Board discussed this motion.

Robert Beale, applicant, asked the County Board why they are denying the repurchase application and he would like to know what the Board's position is on the takings clause of the Minnesota Constitution, and also the Federal Constitution which states in the Fifth Amendment that no private property will be taken for public use without just compensation. He asked what the county intends to do with the proceeds of the sale of the property, assuming that the liens are taken care of. He believes the properties were assessed at somewhere near \$500,000. He requested if the properties are going to be taken and used for public use, just compensation be provided to the owner.



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Mr. Corbid stated that the process for the tax forfeiture, as it's laid out in Minnesota Statute, is that if a property owner fails to pay their property taxes over a period of years the property goes into a forfeiture status and the title and ownership of the property reverts to the State of Minnesota. The property is currently owned by the State of Minnesota and managed by Washington County. If a property goes to sale and there are proceeds from the sale, Minnesota State Statute outlines how the proceeds are distributed amongst the taxing jurisdictions. If this property goes to sale and repurchase application is not approved, there are no funds to reimburse the local units of government for the back taxes, penalties and fees that it has lost so the sale proceeds are distributed in a manner that compensates those governments for its loss of tax revenue over that period of time. As to the question of denial of the property, Mr. Beale and the attorney for Ms. Hilyar asked the same question when he made them aware of the Finance Committee's recommendation for denial, and the discussion can best be characterized that the Finance Committee looked at the history of both properties, the history they've had with the property since it's been forfeited, and came to the conclusion that the two conditions that needed to be met for a repurchase application to be approved could not be met.

Commissioner Stafford stated that if the Minnesota Statutes on the procedure for handling tax forfeited land were unconstitutional they would have been challenged and turned down a long time ago. Mr. Beale used the term taking for a public use, that's not the case. The county is not taking it for a public use, it is taking it and reselling it at a public auction to get it back on the tax roles, it is not taking it for a road or a park or school. Commissioner Stafford indicated he is not sure that selling it back to the former owner is in the best interest of the public, he's not sure that the power of attorney is appropriate, he is not sure that the Federal tax liens could be resolved and that is enough for him to say that they get this over with. The parties interested still have an option to buy at auction. He does not agree with Mr. Beale's figure on the value of the property. The Board is to consider whether the repurchase will promote and best serve the public. He hopes that Mr. Beale is not suggesting to this Board that allowing the prior owner to continue to own property and treat it in a manner that she has in the past ten or twenty years is in the best public interest.

George Kuprian, Assistant County Attorney, stated that Mr. Beale's argument is basically disingenuous. Commissioner Stafford is correct, the County Board is merely following State statutes.

The motion to deny the repurchase applications by Robert Beale for the following tax forfeited properties: 827 Greenway Avenue North, Oakdale and 8961 37<sup>th</sup> Street, Lake Elmo was adopted unanimously; Commissioner Hegberg absent.

## **GENERAL ADMINISTRATION**

### **County Wheelage Tax**

Jim Schug, County Administrator, advised the Board that Anoka County has recently passed a resolution initiating a wheelage tax of \$5.00 beginning in 2007. Staff is not looking for action today, but there has



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been discussion as to whether or not several counties would be interested in pursuing this as a metropolitan group rather than individual counties. If the County Board is interested, staff could start having discussions with other counties.

It was Board consensus that staff work with other counties in the metropolitan area to determine what they are looking at for a wheelage tax, how it would be implemented and how it would affect each county's budget.

### **Methamphetamine Testimony**

Mr. Schug announced that the National Association of Counties used information pertaining to the impact of the methamphetamine problem and how it affects child protection and child neglect and abuse, provided by Community Services staff, when it testified before the House of Representatives Subcommittee on Criminal Justice, Drug Policy and Human Resources in July.

### **MCIT 2005 Dividend**

Mr. Schug announced that the Minnesota Counties Insurance Trust has issued its 2005 dividend notice. Washington County's portion for Worker's compensation and Property/Casualty was in the amount of \$318,971 which will be placed in the Post Retirement Health Care Fund.

### **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 Kriesel and it was adopted unanimously; Commissioner Hegberg absent.

### **2006 BUDGET HEARINGS**

The Board meeting was followed by 2006 budget hearings with the following departments: Introduction and review of major impacts on proposed 2006 budget; Assessment, Taxpayer Services and Elections; and Recorder's Office.

August 9, 2005

**BOARD WORKSHOP WITH THE COUNTY LIBRARY BOARD**

The Board met in workshop session with the Washington County Library Board to discuss its role and responsibilities under the new governance structure. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, and Stafford. Also present were Jim Schug, Molly O'Rourke, Pat Conley, Sue Johnson, and the following members of the Library Board: Brian Zeller, Nancy Remakel, Bonita Sindelir, Paul Ryberg and Pauline Schottmuller.

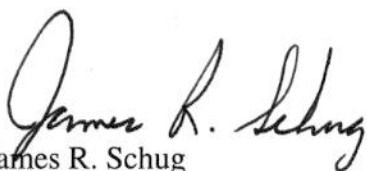
**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development for an update on the status of acquisition and proposed development for Big Marine Park Reserve. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Jim Luger, John Elholm, Peter Mott, Sharon Price, Steve Nelson and Yvonne Klinnert, Stillwater Courier.

**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 county role in off-year school district and city elections. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson and Stafford. Also present were Jim Schug, Molly O'Rourke, Kevin Corbid, Carol Peterson and Yvonne Klinnert, Stillwater Courier.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
AUGUST 16, 2005**

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, Peterson, Stafford and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Sandy Cullen, Transportation Manager; Jim Luger, Parks Director; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Mary Farmer-Kubler, Community Services; Edison Vizuite, Director of Financial Services; Melinda Kirk, Financial Services; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Kay McAloney, Human Resources Director; Steve Pott, Sheriff; Cindy Koosmann, Recorder; and Steve Nelson, Public Information Coordinator II.

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

1. Approval of the August 2 and 9, 2005 Board meeting minutes.
2. Approval of a contract with John Kaul, d.b.a. Capitol Gains, for legislative liaison services.
3. Approval of the Community Development Block Grant subgrantee agreement with the City of Landfall for a sidewalk, curb and gutter replacement project.
4. Adoption of **Resolution No. 2005-128** as follows:

Approval to Open Agency Funds for the Metropolitan  
Emergency Services Board and to update Fiscal Policy #2703  
Fund Definitions to Reflect the Addition of These New Funds

WHEREAS, Washington County has agreed to act as Fiscal Agent for the Metropolitan Emergency Services Board (MESB) providing financial services effective September 1<sup>st</sup>, 2005; and

August 16, 2005

WHEREAS, the county, in order to implement these services, must create additional funds to accommodate the Metropolitan Emergency Services Board's reporting needs for this organization; and

WHEREAS, the existing fiscal policies of Washington County must be updated to reflect the opening of new funds and to define their use; and

WHEREAS, the Financial Services Department is responsible for the implementation and management of new funds under these policies;

THEREFORE BE IT RESOLVED, that the Financial Services Department requests the approval to open the following Agency Funds per fiscal policy #2702 Opening and Closing of Funds:

Fund 770 – MESB Administrative Fund to account for overall administrative activities

Fund 771 – MESB 911 Fund to account for 911 activities

Fund 772 – MESB Radio Fund to account for Radio Board activities

Fund 773 – MESB EMS Fund to account for Emergency Management Services activities

BE IT FURTHER RESOLVED, that the Financial Services Department requests the approval to update Fiscal Policy #2703 Fund Definitions to reflect the addition of these new funds.

5. Adoption of **Resolution No. 2005-129** as follows:

Resolution Authorizing the Execution of the Joint Powers  
Agreement Creating the Washington County Narcotics Task Force

WHEREAS, the Washington County Sheriff's Office has participated with the cities of Stillwater, Oakdale, Woodbury and Cottage Grove Police Departments to create the Washington County Narcotics Task Force; and

WHEREAS, the relationship was contractually created; and

WHEREAS, federal grant guidelines have been changed to require the agencies to operate under a joint powers agreement; and

WHEREAS, the City of Forest Lake wishes to join the Task Force; and

WHEREAS, the Joint Powers Agreement is authorized under MINN. STAT. § 471.59.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners authorizes the Washington County Sheriff's office to participate in the Washington County Narcotics Task Force pursuant to the terms and conditions of the Joint Powers Agreement creating said Task Force.

BE IT FURTHER RESOLVED, that the Washington County Sheriff is authorized to execute the aforesaid Joint Powers Agreement on behalf of Washington County.

August 16, 2005

- 6. Approval of Supplemental Agreement No. 7 to Contract No. 1579 with TKDA, Inc. for the environmental and design services for reconstruction of Anoka CSAH 14 and Washington CSAH 8 for a cost not to exceed \$109,537.
- 7. Bids were received for sale of house in the City of Hugo for the CSAH 14/8 project and in May Township for Big Marine Park Reserve Expansion as follows:

<u>Bidder</u>	<u>4654 Frenchman Road</u>	<u>17543 Lisbon Avenue</u>
<u>Sale and Removal</u>		
Otting House Movers	\$1,100	\$100
<u>Demolish and Removal</u>		
Ray Anderson & Sons	\$8,600	\$8,700

Adoption of **Resolution No. 2005-130** as follows:

Multiple Contract Award of Bids for the Sale of Buildings  
on County Land to Otting House Movers

WHEREAS, bids were requested for the removal of a house located on property within the Big Marine Park Reserve to continue development of the park and house located on property within the CSAH 14/8 project corridor; and

WHEREAS, bids were opened on August 8, 2005 for houses at 4654 Frenchman Road and 17543 Lisbon Avenue; and

WHEREAS, the highest responsible bidder for the house at 4654 Frenchman Road is Otting House Movers in the amount of \$1,100 and the house at 17543 Lisbon Avenue is Otting House Movers in the amount of \$100; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Otting House Movers for the houses at 4654 Frenchman Road and 17543 Lisbon Avenue be accepted under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the Bill of Sale for the houses at 4654 Frenchman Road and 17543 Lisbon Avenue between the county and Otting House Movers be executed through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's office.

The foregoing Consent Calendar was adopted unanimously.

August 16, 2005

**TRANSPORTATION AND PHYSICAL DEVELOPMENT****Grant from the Minnesota Department of Transportation**

Commissioner Hegberg moved to adopt **Resolution No. 2005-131** as follows:

Acceptance of a Minnesota Department of Transportation  
Local Road Improvement Fund Grant

WHEREAS, Washington County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Local Road Improvement Project No. SAP 82-612-12-11; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this local road improvement project is available; and

WHEREAS, the amount of the grant has been determined to be \$208,333.00.

THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners hereby accepts the Minnesota Department of Transportation Local Road Improvement fund grant for the purposes of completing Project No. SAP 82-612-11; and

BE IT FURTHER RESOLVED, that Washington County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, subdivision 5, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the road project, but not required.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

**Update on the Federal Transportation Bill**

Wayne Sandberg, Deputy Director of Transportation and Physical Development, reviewed the SAFETEA-LU (Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Users) Transportation bill recently passed by Congress. This legislation authorized \$286.5 Billion over six years for federal highways, public transit and road safety projects. Minnesota apportionments are a little over \$3 billion and the distribution to the Metro Area will be based on a formula that is currently being studied. High priority projects for Washington County include the following: \$2.4 million for design and right-of-way for the Broadway Avenue interchange project in Forest Lake; \$4 million for acquisition of right-of-way for TH 36 and the Stillwater Bridge; \$9 million for design, construction and acquisition of right-of-way for the St. Croix River Crossing; \$400,000 for Stillwater Bridge Environmental Assessment of the preferred approach to the St. Croix River Crossing; \$400,000 for design of planned improvement to I-94 frontage road in Woodbury; and \$2 million for corridor studies in the Red Rock, Rush Line and Central Corridors.



August 16, 2005

Mr. Sandberg recognized and thanked Senators Mark Dayton and Norm Coleman, Sixth District Representative Mark Kennedy, Second District Representative John Kline and Eighth District Representative James Oberstar. He indicated that Congressman Mark Kennedy will be at the Woodbury City Hall at 10:00, the County Government Center at 11:00 and Hugo City Hall at Noon on Friday, August 19, to announce the apportionments of these projects.

### **Update on the Wakota Bridge Project**

Adam Josephson, Minnesota Department of Transportation, presented an update on the Wakota Bridge project. He indicated that they are past the half way point and are in their fourth year of construction. By the end of this year he noted that most of Highway 61 will be completed, except in the 494 interchange where ramp work still needs to be done. Red Rock Road, Glen Road, 7<sup>th</sup> Avenue, 2<sup>nd</sup> Street, and St. Paul Park Road have been completed. Along 61, the St. Paul Park interchange on the south end is closed right now, but work is progressing well, and the ramps will open up around Halloween. In the north, the section from 494 up to Carver Avenue there is a lot of work going on there. Northbound 61 has been reduced to one lane and they are half way through that, but they expect to be driving on new pavement in that area and reopen two lanes in each direction. Westbound lanes on 494, closer to Woodbury, have been completed, most of the rest of westbound 494 will be completed by this fall. Once the river bridge is open, all the traffic will be moved over to the westbound side and they will begin tearing down the existing Wakota Bridge as well as rebuilding the eastbound pavement.

Mr. Josephson stated there have been some problems with the bridge. As construction commenced through last fall, hairline cracks began to show up. Cracks in concrete are routine, but the frequency in those cracks raised alarm. Modifications were made to the design last fall while construction continued. It reduced the amount of the problem, but they have to retrofit the segments that were already in place before the corrective actions were taken. That is occurring now. The cracks themselves do not cause a safety problem for the bridge, but they were concerned about the long-term serviceability of the bridge. They expect this bridge to last 75 to 100 years. These hairline cracks are avenues for salt and water to get down into the reinforcing steel and cause problems if left on treated.

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

Commissioner Hegberg reported on the conference he attended in Alaska last week. The conference was for Board of Directors throughout the United States that deal with public employee retirement associations. Concerns discussed were health insurance, Social Security and Medicare.

Commissioner Kriesel reported that he attended the meeting of the St. Croix Alliance which is made up of elected officials from the various communities. Deputy Tim Tuthill and Deb Paige from public health gave a presentation on emergency preparedness and it was very well received. He thanked them for attending.

August 16, 2005

Commissioner Peterson announced that she met with Jay Riggs, Director of the Washington Conservation District. He is putting forth a new agenda and he is looking forward to having a workshop with the County Board to explain what he envisions the Conservation District will be doing in Washington County.

Commissioner Peterson reminded the Commissioners that the Association of Minnesota Counties Policy Committee meetings will be held in New Ulm on August 31 and September 1 and they should get their reservations in.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

### **CLOSED SESSION WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in Closed Session at 9:52 a.m. to discuss proposed settlement options of compensation and damages for Parcels 2, 3, 4, 5, 9, 10, 11, 14, 15, 17 & 18 of Washington County Highway Right of Way Plat No. 146 and Parcels, 3, 4, 13, 14, 15 & 19 of Washington County Highway Right of Way Plat No. 147 as it pertains to the re-alignment of County State Aid Highway 8. Present for the Closed Session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Doug Johnson, Don Theisen, Wayne Sandberg, Sandy Cullen, Sharon Price, and Patricia Raddatz.

The Board meeting reconvened at 10:20 a.m.

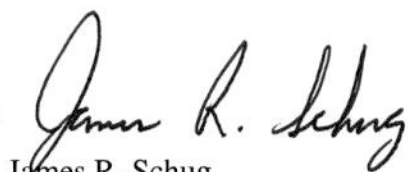
### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Kriesel and it was adopted unanimously. The Board meeting adjourned at 10:25 a.m.

### **2006 BUDGET HEARINGS**

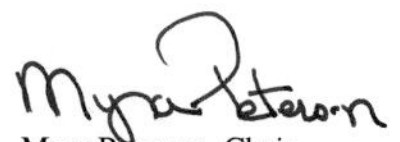
The Board meeting was followed by 2006 Budget hearings with the following departments: Transportation and Physical Development and the County Library.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**AUGUST 23, 2005**

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, Peterson, Stafford and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Sandy Cullen, Transportation Manager; Jim Luger, Parks Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Lowell Johnson, Director of Public Health and Environment; Sue Hedlund, Public Health and Environment Deputy Director; Edison Vizuete, Financial Services Director; Melinda Kirk, Financial Services; and Steve Nelson, Public Information Coordinator II.

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

1. Approval of the August 16, 2005 Board meeting minutes.
2. Approval to rescind the policy numbers assigned to the Financial and Budget policy numbers at the Board meeting of July 26, 2005 and assign corrected numbers.
3. Approval to reappoint John T. Lynch to the Comfort Lake-Forest Lake Watershed District Board of Managers to a three-year term expiring September 22, 2008.
4. Approval of temporary on-sale liquor license for the Scandia Softball Association on September 9, 2005.
5. Approval to accept \$15,000 to assist children and adults experiencing a mental health crisis from the Bush Foundation via Ramsey County.
6. Adoption of **Resolution No. 2005-132** as follows:

August 23, 2005

Rejection of Bid Received for Provision and Installation of  
Fire Alarm System at the Historic Courthouse and  
Authorization to Re-Bid at a Later Date

WHEREAS, in order to select a vendor for provision and installation of fire alarm system at the Historic Courthouse, the county solicited bids for the project; and

WHEREAS, bids were opened on August 9, 2005 with one bid received from Electronic Communication Systems, Inc.; and

WHEREAS, the one bid was in excess of the project budget; and

NOW, THEREFORE, BE IT RESOLVED, that the bid received from Electronic Communication Systems, Inc. made on August 9, 2005 be rejected due to bid amount exceeding project budget.

BE IT FURTHER RESOLVED, that the Washington County Department of Transportation and Physical Development be authorized to re-bid the project at a later date.

7. Approval and execution of Amendment Number 3 to the Washington County Star Trail Snowmobile Association agreement requiring the club certify performance according to the grant agreement with the DNR.

The foregoing Consent Calendar was adopted unanimously.

## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **CSAH14/8 Agreements and Amendments**

Commissioner Hegberg moved to adopt **Resolution No. 2005-133** as follows:

Approval of CSAH 14/8 Cooperative Construction Agreement with Anoka County,  
Amendment No. 3 to Cooperative Design Agreement with Anoka County,  
Amendment No. 1 to Cooperative Construction Agreement with the City of Hugo,  
Traffic Control Signal Maintenance Agreement with the City of Hugo,  
Federal Participation in Advance Construction Agreement with MN/DOT, and  
Cooperative Construction Agreement for Sanitary Sewer Line with Metropolitan Council

WHEREAS, the County is participating in a joint road project on CSAH 14/8 in Lino Lakes and Hugo which involves the expansion of the roadway from two to four lanes and installation of additional traffic signals; and

WHEREAS, a cooperative effort between Washington County, Anoka County, the City of Hugo, MN/DOT, and Metropolitan Council is the most appropriate method to facilitate the construction; and

WHEREAS, the attached Cooperative Agreements and Amendments for the completion of the construction provides the means for the counties, city, MN/DOT and Metropolitan Council to cooperate in this construction activity.

August 23, 2005

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby approve the Cooperative Construction Agreement with Anoka County, Amendment No. 3 to the Cooperative Design Agreement with Anoka County, Amendment No. 1 to the Cooperative Construction Agreement with the City of Hugo, Traffic Control Signal Maintenance Agreement with the City of Hugo, Federal Participation in Advance Construction Agreement with MN/DOT and Cooperative Construction Agreement for Sanitary Sewer Line with Metropolitan Council.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

Commissioner Hegberg moved to adopt **Resolution No. 2005-134** as follows:

Resolution for State of Minnesota Agency Agreement Between Minnesota  
Department of Transportation and Washington County for Federal  
Participation in Advance of Construction

WHEREAS, Agency Agreement No. 84177, which has been executed between Washington County and MN/DOT, appoints MN/DOT as the county's agent to receive and disburse transportation related federal funds; and

WHEREAS, Washington County is proposing a project to reconstruct County State Aid Highway (CSAH) 14 and CSAH 8, between I-35 E and TH 61; and

WHEREAS, the CSAH 14/8 project has been determined to be eligible for the expenditure of federal aid funds and is programmed in the federally approved STIP for the fiscal year 2005; and

WHEREAS, the US Congress has not provided sufficient funding and obligation authority to MN/DOT as this time; and

WHEREAS, Washington County desires to proceed with the construction of the project in advance of the full availability of federal funds and temporarily provide County State Aid and/or local funds in lieu of the federal funds so that the project may proceed; and

WHEREAS, Anoka County and the City of Hugo have agreed to provide to Washington County their share of County State Aid and/or local funds in lieu of the federal funds until such time that funding and obligation authority are available; and

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

BE IT FURTHER RESOLVED, that the Washington County Board Chairperson and the County Administrator are hereby authorized and directed for and on behalf of the county 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. 87771", a copy of which said agreement was before the County Board and which is made a part hereof by reference.



August 23, 2005

Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

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

Commissioner Hegberg reported that the Library Board met to review the budget and discussed the issues of the Stillwater Library.

Commissioner Stafford reported that the Solid Waste Management Coordinating Board is looking at a legal issue concerning the popular logo Green Guardian, which helps people know what to throw. A person who developed a bag of fertilizer and called it the Green Guardian in 2000 is now claiming there is an identity problem and there may be a potential law suit.

Commissioner Kriesel thanked all those who participated in the Relay for Life volunteer teams and raised funds for the American Cancer Society.

Commissioner Peterson reminded the Board that there will not be a Board meeting next week. She also noted that the AMC Policy meetings will be held on August 31 and September 1 in New Ulm, Minnesota.

### **BOARD CORRESPONDENCE**


Board Correspondence was received and placed on file.


### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously. The Board meeting adjourned at 9:28 a.m.

### **2006 BUDGET HEARINGS**

The Board meeting was followed by 2006 Budget Hearings with the following departments: Community Services and Public Health and Environment.

Attest:   
James R. Schug  
County Administrator

  
Myra Peterson, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**SEPTEMBER 6, 2005**

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, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Doug Johnson, County Attorney; Keith Carlson, Executive Director, Metropolitan Inter-County Association; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Rebecca Ault, Assessment, Taxpayer Services and Elections; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Ted Schoenecker, Engineer; Patrick Singel, Deputy Director of Community Services; Tom Adkins, Director of Community Corrections; Cindy Koosmann, Recorder; Steve Pott, County Sheriff; Chris Volkers, Court Administrator; Sue Fennern, Human Resources; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

Randy Kopesky, 16601 2<sup>nd</sup> Street South, Lakeland Shores – Mr. Kopesky stated he is a Probation Officer with Washington County. He advised the Board that this afternoon they are recommending to their members the ratification of the 2005 and 2006 contract. He asked that the Board consider handling negotiations themselves rather than go through a labor relations person. He believes that would save money for the county.

**CONSENT CALENDAR**

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

1. Approval of the August 23, 2005 Board meeting minutes.
2. Adoption of **Resolution No. 2005-135** as follows:

Rescind Resolution No. 2005-128

Approval to Update Policy #2802, Opening and Closing of Funds for the  
 Metropolitan Emergency Services Board and to Update Fund Descriptions  
 Policy #2803 to Reflect the Addition of These New Funds

WHEREAS, Washington County has agreed to act as Fiscal Agent for the Metropolitan Emergency Services Board (MESB) providing financial services effective September 1<sup>st</sup>, 2005; and

September 6, 2005

WHEREAS, the county, in order to implement these services, must create additional funds to accommodate the Metropolitan Emergency Services Board's reporting needs for this organization; and

WHEREAS, the existing financial policies of Washington County must be updated to reflect the opening of new funds and to define their use; and

WHEREAS, the Financial Services Department is responsible for the implementation and management of new funds under these policies.

NOW THEREFORE BE IT RESOLVED, that the Financial Services Department requests the approval to open the following Agency Funds per Policy #2802 Opening and Closing of Funds:

Fund 770 – MESB Administrative Fund to account for overall administrative activities

Fund 771 – MESB 911 Fund to account for 911 activities

Fund 772 – MESB Radio Fund to account for Radio Board activities

Fund 773 – MESB EMS Fund to account for Emergency Management Services activities

BE IT FURTHER RESOLVED, that the Financial Services Department requests the approval to update Policy # 2803 Fund Descriptions to reflect the addition of these new funds.

BE IT FURTHER RESOLVED, that this resolution replaces Resolution No. 2005-128 adopted on August 16, 2005.

3. Approval to appoint Robert Gag, Stillwater, to the Community Development Block Grant Citizen's Advisory Committee to a partial term expiring December 31, 2006.
4. Approval to implement and use the State of Minnesota auction to sell county vehicles and other surplus equipment and to utilize e-bay to sell reusable items no longer needed by county departments.
5. Adoption of **Resolution No. 2005-136** 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

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

September 6, 2005

WHEREAS, the Washington County Parks system consists of a 4,302 acre County park system and a 182 mile system of bicycle/pedestrian trails and serves over 1,300,000 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.

6. Adoption of **Resolution No. 2005-137** as follows:

Lawful Gambling Exemption for the  
Carpenter St. Croix Valley Nature Center

WHEREAS, the Carpenter St. Croix Valley Nature Center 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 a raffle on September 15, 2005. Raffle will be held on the Avalon Charter Boat, sponsor is Carpenter St. Croix Valley Nature Center, 12805 St. Croix Trail, Hastings, MN 55033.

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

7. Adoption of **Resolution No. 2005-138** as follows:

Approving the Classification/Reclassification of the  
Following 38 Tax Forfeited Parcels as Non-Conservation

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, desires to offer for sale or conveyance the following parcels of land that forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels have been reviewed by the designees of the County Board of Commissioners; and

WHEREAS, the Department of Assessments, Taxpayer Services & Elections determines that these parcels may be classified as non-conservation land as provided for Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby certify that the following parcels have been reviewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, and 282.018, and other statutes that require withholding of tax forfeited land from sale or conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby classifies the following parcels as non-conservation.

September 6, 2005

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby requests approval from the Minnesota Department of Natural Resources and the cities and townships in which the parcels are located for private sale of said lands to adjoining owners.

City	Parcel ID Number	Appraised Value
Cottage Grove	20.027.21.23.0054	\$100.00
Cottage Grove	30.027.21.34.0004	\$100.00
Cottage Grove	32.027.21.41.0001	\$100.00
Cottage Grove	15.027.21.23.0052	\$100.00
Forest Lake	08.032.21.21.0001	\$800.00
Forest Lake	12.032.21.21.0007	\$200.00
Forest Lake	18.032.21.11.0001	\$1,900.00
Grant	02.030.21.21.0007	\$100.00
Grant	34.030.21.11.0003	\$100.00
Grey Cloud Island	24.027.22.12.0005	\$700.00
Hugo	03.031.21.24.0003	\$2,000.00
Hugo	20.031.21.13.0002	\$2,000.00
Lakeland	02.028.20.43.0015	\$3,200.00
Lake Elmo	04.029.21.21.0003	\$83,000.00
Lake Elmo	08.029.21.11.0021	\$7,000.00
Lake Elmo	21.029.21.33.0002	\$200.00
Mahtomedi	32.030.21.24.0003	\$3,000.00
Newport	01.027.22.23.0014	\$200.00
Newport	01.027.22.23.0020	\$100.00
Newport	25.028.22.44.0003	\$600.00
Newport	25.028.22.44.0004	\$500.00
Newport	25.028.22.44.0005	\$400.00
Newport	25.028.22.44.0006	\$400.00
Newport	25.028.22.44.0015	\$2,600.00
Newport	36.028.22.23.0002	\$100.00
New Scandia	03.032.20.13.0003	\$400.00
New Scandia	33.032.20.11.0014	\$1,000.00
New Scandia	33.032.20.11.0016	\$500.00
Oakdale	17.029.21.21.0005	\$500.00
Oakdale	19.029.21.33.0007	\$100.00
Stillwater	29.030.20.41.0082	\$100.00
Stillwater	32.030.20.14.0003	\$5,000.00
Woodbury	06.028.21.33.0015	\$100.00
Woodbury	08.028.21.43.0007	\$100.00
Woodbury	09.028.21.44.0070	\$100.00
Woodbury	17.028.21.11.0067	\$1,800.00
Woodbury	17.028.21.44.0089	\$100.00
Woodbury	31.028.21.21.0001	\$100.00

8. Approval of the 2005 HOME Subgrantee Agreement with Twin Cities Habitat for Humanity to build and sell ten affordable owner-occupied units to low income individuals/families at Retreat at Garden Gate in Woodbury.
9. Approval of funding agreement with the U.S. Department of Housing Urban Development for the 2005 Community Development Block Grant Program and authorize the County Board Chair and County Administrator to execute the agreement.



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10. Approval of the Washington County Plan for administration of the Child Care Assistance program for the period of January 1, 2006 through December 31, 2007.
11. Approval of Special Project .5 FTE Assistant County Attorney for the period of July 1, 2005 through June 30, 2007, and acceptance of the Minnesota Department of Public Safety's Auto Theft Prevention Program grant for the period July 1, 2005 through June 30, 2007.
12. Adoption of **Resolution No. 2005-139** as follows:

Final Payment for 2005 Road Maintenance Crack Filling to  
Fahrner Asphalt Sealers, Inc.

WHEREAS, the Washington County Board of Commissioners on April 12, 2005 approved a bid award to Fahrner Asphalt Sealers, Inc. for provision of product, labor and equipment to install crack filling material on various county roads; and

WHEREAS, Fahrner Asphalt Sealers, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

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

13. Approval of letter affirming Washington County's support of the 2006-07 Regional Parks Capital Improvement Program.
14. Adoption of **Resolution No. 2005-140** as follows:

Request to Authorize the Commissioner of Transportation to  
Perform a Speed Study to Determine the Reasonable and Safe  
Speed Limit at the Following Locations:

CITIES OF WOODBURY AND COTTAGE GROVE

County State Aid Highway (CSAH) 19 (Woodbury Drive/Keats Avenue)  
between Trunk Highway 61 and Fox Run Road/Wynstone Drive.

CITIES OF WOODBURY AND AFTON

County State Aid Highway (CSAH) 18 (Bailey Road) between CSAH 20  
(Military Road) and Trunk Highway 95 (Manning Avenue South)

WHEREAS, the authority to determine the safe and reasonable speed on a County Highway resides with the Commissioner of the Minnesota Department of Transportation; and

WHEREAS, changes in traffic volumes and development indicate a need to evaluate posted speed limits along this county highway for the appropriate safe and reasonable posting; and

September 6, 2005

WHEREAS, it is in the best interest of all parties to have reasonable and safe speeds posted on our county highways.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Transportation and Physical Development to request that the Commissioner of the Minnesota Department of Transportation perform a speed survey to determine the reasonable and safe speed limit at the above referenced location.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Director of Transportation and Physical Development is hereby authorized to install and maintain signing consistent with the resulting order.

The foregoing Consent Calendar was adopted unanimously.

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

Keith Carlson, Executive Director, Metropolitan Inter-County Association, Bob Vanasek, Claudia Brewington, and John Tuma, MICA Lobbyists, presented a report on the actions of the 2005 State Legislature and the impact on MICA county members. They also reviewed actions that may occur in the 2006 legislative session.

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

Commissioner Stafford moved to adopt **Resolution No. 2005-141** as follows:

##### **Approving the Sale of the Following Tax-Forfeited Parcel to the City of Cottage Grove for a Public Purpose**

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, desires to offer for sale parcel 06.027.21.44.0003, which has forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, the parcel is classified as non-conservation, and the classification and sale of the parcel has been approved by the Department of Natural Resources and the City of Cottage Grove; and

WHEREAS, the City of Cottage Grove has made the proper application for acquiring this piece of land for a public purpose, as provided for in Minnesota Statutes 282.01; and

WHEREAS, the Board of Commissioners of Washington County has the authority and responsibility to approve or deny such application.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby determines the value of parcel 06.027.21.44.0003 is \$100,000.00; and

September 6, 2005

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby approves the sale of parcel 06.027.21.44.0003 to the City of Cottage Grove for the public purpose described in their application.

Municipality:	City of Cottage Grove
Parcel Identification Number:	06.027.21.44.0003
Authorized Public Purpose:	EDA Development

Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **County Response to Hurricane Katrina**

James Schug, County Administrator, informed the Board that the national associations that the county is involved with, including the National Association of Counties and the National Sheriff's Association are asking all units of government to try and identify resources that might be made available when the time is right, to help out in the Hurricane Katrina disaster. Two specific areas are: 1) Sheriff Pott has had communication about possible resources that might be requested at a later date; and 2) Lowell Johnson, Director of Public Health and Environment has had communication from the Minnesota Department of Health in two areas, provide resources with the resettlement of the evacuees in the Camp Ripley area and for public health nurses. Mr. Schug feels it is too early to provide any direct services because it is not known exactly what is needed and how individuals would be utilized.

Mr. Schug indicated that for individual contributions there are many reputable organizations that are accepting contribution of funds to aid in the disaster relief and every one is encouraged to consider those.

Sheriff Steve Pott advised the Board that they have been asked to provide law enforcement services when requested. The original request was for two person teams in squad cars, which would be self sufficient with food, water, clothing, a tent, and a sleeping bag. What their department can offer when the request comes is not only personnel but the command trailer which is well equipped and is self-sufficient. He believes they can restore some VHF communication for some of the areas. The command trailer is ready to go and can run for weeks on its own and would provide air conditioned shelter for staff and it could be used as a bunk house. He has heard from many of their full time staff that are interested in being deployed and he has also been contacted by some of their volunteers who are willing to go on the county's behalf on their own time.

Sheriff Pott has learned recently that there is an intergovernmental agreement that has to be signed with Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management. It's a boiler plate contract that he feels will pass through the Attorney's office without any problem. He asked if there would be a way for the Board to authorize the County Administrator to sign the agreement pending

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approval of the County Attorney's Office. He feels that would at least make the Sheriff's Office available and it would provide possible reimbursement to the county.

Commissioner Hegberg moved to authorize the County Administrator to sign an intergovernmental agreement with Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, for county Departments to assist with the Hurricane Katrina disaster, contingent on approval from the Washington County Attorney's Office. Commissioner Stafford seconded the motion and it was adopted unanimously.

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

Commissioner Hegberg reported he met with Scandia Senior housing. Some residents want to have their heating bills included in their rent because half of the units are that way now. The Washington County Housing and Redevelopment Authority will be looking at that policy.

Commissioner Peterson reported on the AMC Policy meeting held in New Ulm last week. She is proud to report that the AMC Transportation Committee did stick together, and there still is concern about the billion dollar needs in transportation per year. She also mentioned that the new County Insight Program this month will be on senior services.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

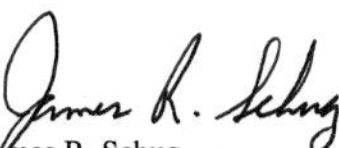
### **ADJOURNMENT**


There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously. The Board meeting adjourned at 10:35 a.m.

### **2006 BUDGET HEARINGS**

The Board meeting was followed by 2006 Budget Hearings with the following departments: Community Corrections, County Attorney and County Sheriff.

Attest:

  
James R. Schug  
County Administrator

  
Myra Peterson, Chair  
County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 13, 2005**

The Washington County Board of Commissioners met in regular session at 5:15 p.m. in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Susan Harris, First Assistant County Attorney; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Tom Adkins, Community Corrections Director; Edison Vizuite, Financial Services Director; Tonya Weinert, Financial Services; Melinda Kirk, Financial Services; Kay McAloney, Human Resources Director; Julie Sorrem, Risk Manager; Pat Conley, Library Director; Lowell Johnson, Director of Public Health and Environment; Sue Hedlund, Deputy Director of Public Health and Environment; Judy Hunter, Sr. Program Manager; Cindy Koosmann, Recorder; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Sharon Price, Property Manager; Sheriff Steve Pott; and Steve Nelson, Public Information Coordinator II.

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

1. Approval to authorize the County Board Chair to sign a letter in response to the independent auditor's findings and recommendations contained in the draft report on the internal control structure and compliance for the year ending December 31, 2004.
2. Adoption of **Resolution No. 2005-142** as follows:

Resolution Supporting the Applications for Approval of a  
New Use of Tax Forfeited Land Located in the City of Stillwater

WHEREAS, the City of Stillwater has acquired in May of 2000, a piece of land for the old public use of open space; and

WHEREAS, the Minnesota Department of Revenue decided in May of 2004 to eliminate open space as an acceptable public use; and

WHEREAS, the City of Stillwater has made the proper Application for the acquisition of a parcel of tax forfeited land for the public use of Storm Water Management/Retention.



September 13, 2005

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby recommends to the Commissioner of Revenue of the State of Minnesota to grant the application of the City of Stillwater.

Municipality: Stillwater  
 New Use: Storm Water Management/Retention  
 Legal Description: Pt Lot 20, Being Pt lying E of 2<sup>nd</sup> Street & E 5 feet lying W of W line of 2<sup>nd</sup> St. County Auditor's Plat No. 3

3. Approval of a temporary on-sale 3.2 malt liquor license for the Greeder-Hinds-Comfort Post 323, Construction and Landscape Expo to be held at the Washington County Fairgrounds on September 22, 23, and 24, 2005.
4. Approval for Plat of St. Croix Ridge, Denmark Township.
5. Adoption of **Resolution No. 2005-143** as follows:

All-Way Stop Installation at the CSAH 38 (Hastings Avenue) and  
 CSAH 38 (Glen Road) Intersection Located in the City of Newport

WHEREAS, the intersection of CSAH 38 (Hastings Avenue) & CSAH 38 (Glen Road) currently operates as a TEE intersection with the Glen Road approach stop controlled; and

WHEREAS, this intersection has experienced increased traffic volumes due to the Wakota Bridge Project, a redesign of the CSAH 38 (Glen Road) and TH 61 Interchange, additional construction and development in the area; and

WHEREAS, a traffic analysis shows that this intersection does meet the criteria set forth in the Minnesota Manual on Uniform Traffic Control Devices for an all way stop.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Transportation and Physical Development to install and maintain the appropriate signs to establish an all-way Stop condition at the intersection of CSAH 38 (Hastings Avenue) & CSAH 38 (Glen Road) located in the City of Newport.

6. Bids were received for intersection modification construction at the intersection of CSAH 12 and CSAH 17 as follows:

<u>Bidder</u>	<u>Base Bid</u>
Jay Bros., Inc.	\$134,080.42
Tower Asphalt	\$147,888.30
Hardrives	\$177,434.51
Dresel Contracting	\$189,743.40

Adoption of **Resolution No. 2005-144** as follows:

Bid Award for Intersection Modification Project at  
 CSAH 12 and CSAH 17 to Jay Bros., Inc.

WHEREAS, in order to complete road construction at the intersection of CSAH 12 and CSAH 17, the county solicited bids for this project; and

September 13, 2005

WHEREAS, bids were opened on August 30, 2005 with Jay Bros., Inc. being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the county and Jay Bros., 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.

7. Approval and execution of the Metropolitan Council Grant Agreement No. SG-05-077 in the amount of \$240,000 for recreation and open space development at Lake Elmo Park Reserve.
8. Approval and execution of the Metropolitan Council Grant Agreement SG-05-080 in the amount of \$480,000 for recreation and open space acquisition within the Big Marine Park Reserve.

The foregoing Consent Calendar was adopted unanimously.

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

Commissioner Hegberg moved to approve a letter agreement for longitudinal easement with the BNSF Railway Company and the Minnesota Commercial Railway Company and assignment of rights under contract for easements related to the CSAH 14/8 project. Commissioner Kriesel seconded the motion and it was adopted unanimously.

#### **GENERAL ADMINISTRATION**

##### **Metropolitan Area Agency on Aging Appointment**

Commissioner Hegberg moved to appoint Marcia Wielinski, Forest Lake, to the Metropolitan Area Agency on Aging as the Washington County Board representative. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

##### **Mileage Reimbursement**

Commissioner Hegberg moved to amend policy #1012, Mileage Reimbursement, to increase mileage for individuals using personal vehicles on county business and establish the new mileage rate at 48.5 cents per mile effective pay period beginning September 11, 2005. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

September 13, 2005

**Overview of Proposed 2006 Budget**

The Board Chair advised the viewing audience that an Open House on the 2006 proposed budget was held prior to the County Board meeting.

Sue Kuss, Budget/Financial Analyst, presented a brief overview of the proposed 2006 Washington County budget.

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

**Proposed 2006 Budget, Levy and HRA Levy**

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-145** as follows:

**Resolution Adopting the Washington County  
Proposed Budget for Payable 2006**

<u>OPERATING FUNDS</u>	<u>EXPENDITURES</u>	<u>REVENUE OTHER THAN LEVY</u>	<u>FUND BALANCE Contrib/(Use)</u>	<u>GROSS LEVY</u>	<u>STATE AIDS</u>	<u>CERTIFIED LEVY</u>
General Government	\$81,769,600	\$39,508,300	(\$468,500)	\$41,792,800	\$4,109,854	\$37,682,946
Social Services	30,682,600	16,727,500	0	13,955,100	1,372,328	12,582,772
Public Works - Road & Bridge	14,997,200	9,580,600	(325,000)	5,091,600	500,702	4,590,898
Public Works - Parks	2,478,900	1,591,900	(54,400)	832,600	81,877	750,723
Regional Rail Authority	3,285,800	3,074,800	22,600	233,600	0	233,600
Library	5,303,100	257,500	9,600	5,055,200	497,122	4,558,078
Debt Service - County Wide	8,287,408	0	(424,200)	7,863,208	0	7,863,208
Debt Service - Library District	738,892	0	0	738,892	0	738,892
Subtotal:	<u>\$147,543,500</u>	<u>\$70,740,600</u>	<u>(\$1,239,900)</u>	<u>\$75,563,000</u>	<u>\$6,561,884</u>	<u>\$69,001,116</u>
<b><u>CAPITAL FUNDS</u></b>						
CIP Projects Fund	1,489,100	991,700	991,700	1,489,100	146,436	1,342,664
Capital Repair	1,218,000	952,300	(265,700)	0	0	0
Historic Courthouse	15,000	23,300	8,300	0	0	0
Subtotal:	<u>\$2,722,100</u>	<u>1,967,300</u>	<u>734,300</u>	<u>1,489,100</u>	<u>146,436</u>	<u>1,342,664</u>
Total 2006 Budget:	<u>\$150,265,600</u>	<u>\$72,707,900</u>	<u>(\$505,600)</u>	<u>\$77,052,100</u>	<u>\$6,708,320</u>	<u>\$70,343,780</u>
<b><u>OTHER LEVY PAYMENT</u></b>						
Less Regional Rail Authority (RRA) - a separate taxing authority				(233,600)	0	(233,600)
HRA Landfall				200,000		200,000
Total Washington County 2006 Levy (Operating plus HRA Landfall minus RRA)				<u>\$77,018,500</u>	<u>\$6,708,320</u>	<u>\$70,310,180</u>

Commissioner Kriesel seconded the motion and it was adopted unanimously.

September 13, 2005

**Certifying Proposed Property Tax Levies for Payable 2006**

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-146** as follows:

Resolution Certifying Proposed Property Tax levies for  
Washington County Payable 2006

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following proposed tax levies for payable 2006:

Washington County	\$70,310,180
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Includes Washington County Special  
Levy for the Housing & Redevelopment  
Authority for Landfall of \$200,000

Regional Rail Authority	\$ 233,600
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Commissioner Stafford seconded the motion and it was adopted unanimously.

**Certifying Proposed Property Tax Levy for Payable 2006**

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-147** as follows:

Resolution Certifying Proposed Property Tax Levy for  
Washington County Payable 2006

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following proposed tax levy for payable 2006:

Washington County Housing and Redevelopment Authority	\$2,598,309
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Commissioner Hegberg seconded the motion and it was adopted unanimously.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Hegberg stated that the DNR has ordered that a dam be placed in Joint Ditch 2 to raise the water in Rice Lake. He asked that the County Attorney's office review this matter to see if the county can request a stay to that order. He believes that the City of Hugo would participate. He has sent a letter to the Rice Creek Watershed District requiring the DNR to follow Minnesota Statute 103E.227 which establishes a process for impounding water in a ditch. He feels that if a landowner was going to drain an area he would have to follow the law and he thinks the DNR should follow the same open and public process.

September 13, 2005

Commissioner Pulkrabek reported that he will sit in on a preliminary meeting to discuss building a community center on the Tartan Campus. Representatives from the state, county, city and School District 622 will attend. On Friday he will attend Mayor Bill Sandberg's prayer breakfast.

Commissioner Kriesel thanked the Department of Transportation and Physical Development and the Sheriff's department for insuring that the opening of school in District 834 was a safe event. With a new two mile walking requirement, parents and citizens groups were concerned about how the children would safely get to school.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

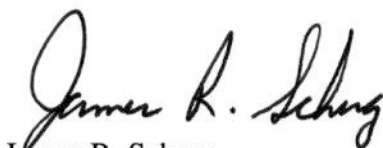
### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Stafford moved to adjourn, seconded by Commissioner Pulkrabek and it was adopted unanimously. The Board meeting adjourned at 5:55 p.m.



Myra Peterson, Chair  
County Board

Attest:



James R. Schug

County Administrator



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 20, 2005**

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, Peterson, Stafford and Hegberg. Commissioner Pulkrabek absent. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Patricia Conley, Library Director; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Mike Welling, Surveyor; Dennis O'Donnell, Senior Planner; Ann Pung-Terwedo, Senior Planner; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Doug Karsky, Community Services Supervisor; Cindy Koosmann, Recorder; Cindy Weckwerth, Public Health and Environment; Kay McAloney, Human Resources Director; Nancy Brase, Administrative Services Manager; and Dave Brierley, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

Pat Erickson and Karen Kilberg, May Township residents, opposed the posting of property information on the county Website. They feel it is an invasion of privacy and is a safety issue as well. They urged the Board to reconsider putting this information out on the Website and feel individuals should have the option as to whether or not they want this information listed.

The Board Chair announced that there would be a workshop related to the information on the county Website at approximately 10:30 this morning.

**CONSENT CALENDAR**

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

1. Approval of the September 6 and 13, 2005 Board meeting minutes.
2. Adoption of **Resolution No. 2005-148** as follows:

Premises Permit Application by the  
Hastings Lions Club

WHEREAS, on September 12, 2005, the Hastings Lions Club has made application pursuant to the statutes of the State of Minnesota authorizing lawful gambling; and

September 20, 2005

WHEREAS, the premises involved is The Point, located at 12378 Pt. Douglas Rd., Denmark Township, 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.

3. Approval of a needs determination for East Suburban Resources (a day training and habilitation service for adults with developmental disabilities) to open a new facility in Cottage Grove and to increase their rates effective January 1, 2006.
4. Approval to amend the county fee schedule to include a \$5.50 fee for headsets for personal computers used in the Library.
5. Information only – Comcast Corporation employees will be volunteering their time and efforts in the Lake Elmo Park Reserve on October 1, 2005 for various clean up and planting activities in cooperation with Great River Greening.

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

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

Dennis O'Donnell, Senior Planner, reviewed the Environmental Assessment Worksheet (EAW) that was prepared for Aggregate Industries proposal to expand its existing limestone quarry on Grey Cloud Island by approximately 116 acres. The proposed expansion is north and northeast of the existing operation and will occur over approximately 20 years. Comments on the EAW were received from the following: Dave Jasper, neighbor; The Washington Conservation District; Metropolitan Council; South Washington Watershed District; and Natural Resources Group, Inc. No commenting agency recommended the preparation of an Environmental Impact Statement. Responses to these letters were prepared by Aggregate Industries. Mr. O'Donnell stated that staff believes that this project does not have a potential for significant environmental effects. Staff recommends that the County Board make a negative declaration on the need for an Environmental Impact Statement.

Commissioner Hegberg moved to adopt **Resolution No. 2005-149** as follows:

Negative Declaration of Need for an Environmental Impact  
Statement for the Aggregate Industries Mining Expansion in  
Grey Cloud Island Township

#### **General Legal Description:**

That part of the Northeast Quarter (NE ¼) lying southeast of the Mississippi River, Section 23, Township 27 North, Range 22 West. That part of the

September 20, 2005

Northeast Quarter of the Southeast Quarter (NE ¼ of SE ¼) lying southeast of the Mississippi River, Section 23, Township 27 North, Range 22 West. The South One-Half of the Northwest Quarter (S ½ of NW ¼), Section 24, Township 27 North, Range 22 West. North One-Half of the Southwest Quarter (N ½ of the SW ¼), Section 24, Township 27 North, Range 22 West. Southwest Quarter of the Northeast Quarter (SW ¼ of the NE ¼), Section 24, Township 27 North, Range 22 West. Northwest Quarter of the Southeast Quarter (NW ¼ of the SE ¼), Section 24, Township 27 North, Range 22 West.

WHEREAS, Washington County Board of Commissioners is the responsible governmental unit (RGU); and

WHEREAS, Minnesota Rules 4410.4300(12) and the Washington County Development Code, Chapter Seven, Mining Regulations requires that an Environmental Assessment Worksheet (EAW) be prepared for the extraction of or mining of sand, gravel, stone or other non-metallic minerals other than peat, which will excavate 40 or more acres of land to a mean depth of 10 feet or more during its existence; and

WHEREAS, the Environmental Assessment Worksheet (EAW) dated June, 2005 and revised August, 2005 has been prepared and circulated to the appropriate public agencies and private citizens pursuant to Minnesota Rule 4410.1700; and

WHEREAS, based on the information contained in the EAW, records and files and comments received and responded to in the EAW, the County Board as the RGU concludes the following:

The type, extent and reversibility of environmental effects are similar to effects associated with other mining operations and the project does not have potential for significant environment effects.

No cumulative potential effects of related or anticipated future projects exist that would pose significant environmental effects.

The anticipated environmental effects are subject to by ongoing regulatory authority, including the Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency, Washington County and Grey Cloud Island Township.

The extent to which environmental effects of the mining operation can be anticipated and controlled as a result of the mining permitting process as required by the Washington County Development Code, Chapter Seven, Mining Regulations, the Grey Cloud Island Town Board and other environmental studies undertaken by public agencies or the project proposer, including other EISes.

WHEREAS, based on the criteria in Minnesota Rule 4410.1770, the project does not have significant environmental effects.

NOW, THEREFORE, BE IT RESOLVED, that the EAW for the Aggregate Resources, Inc. mining operation in Grey Cloud Island Township is adequate and a negative declaration is made on the need for an EIS.

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

**GENERAL ADMINISTRATION****Distinguished Budget Presentation Award for 2005**

Molly O'Rourke, Deputy Administrator, presented the Board Chair with the Distinguished Budget Presentation Award from the Government Finance Officers Association for the 2005 budget document. Ms. O'Rourke thanked the Board, the Department Heads, Sue Kuss and Marilyn Akey.

Commissioner Stafford moved to accept the Distinguished Budget Presentation Award from the Government Finance Officers Association for the 2005 budget document. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

**Minnesota Department of Health**

Jim Schug, County Administrator, announced that Commissioner Dianne Manderlach, Minnesota Department of Health, presented former Public Health and Environment Director Mary McGlothlin with the Commissioner's Award for Distinguished Service. This award acknowledges those who have contributed greatly to Minnesota public health.

**COMMISSIONER REPORTS – COMMENTS - QUESTIONS**

Commissioner Hegberg reported that the Rush Line Corridor has been awarded additional federal funds for park and ride facilities in Forest Lake and other projects along that corridor.

Commissioner Peterson announced that the Union Depot advisory group is meeting to discuss the improvements that will be made using the \$50 million in federal funds recently awarded. They also discussed the importance of an I-94 corridor, either with bus or rail, and to have that come into the multi-modal depot.

Commissioner Peterson announced that the Metropolitan Mosquito Control has hired Morrie Anderson on a six month temporary basis.

Commissioner Peterson urged County Board members to attend a meeting on Monday, September 26 at the Bloomington Marriott from noon to 4:00 p.m. to discuss the ballot question for next year regarding the constitutional amendment to dedicate 100% of the Motor Vehicle Excise Sales Tax revenue to highway and transit.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

September 20, 2005

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously; Commissioner Pulkrabek absent. The Board meeting adjourned at 9:55 a.m.

**2006 BUDGET HEARINGS**

The Board meeting was followed by 2006 Budget hearings with the following departments: General Operations, Court Administration, Administration, Financial Services, Human Resources and Information Technology.

**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 property tax and appraisal information on the county Website. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Kevin Corbid, Steve Gransee, Bruce Munneke, Rollie Huber, Joanne Helm, and Yvonne Klinnert, Stillwater Courier.

**BOARD WORKSHOP WITH THE COUNTY LIBRARY**

The Board met in workshop session with the County Library to discuss supervision of Law Library staff by the Washington County Library Director. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Patricia Conley, Doug Johnson, George Kuprian, Kay McAloney, Shari Thomas and Rose Peterson.

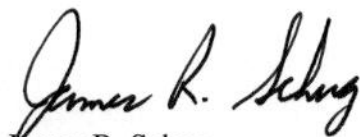
**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development for a presentation of the service center preliminary architectural designs. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Jim Luger, Keith Potter, Tony Rohr, Evans Gould Architects, Mark Wentzell, Ankeny Kell Architects (AKA), Duane Kell, AKA, Pam Anderson, AKA, Rich Jacobson, Kraus-Anderson Construction and Chris Behringer, SHE.



September 20, 2005

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
SEPTEMBER 27, 2005**

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, Peterson, Stafford and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Carolyn Phelps, Historic Courthouse Coordinator; Patricia Conley, Library Director; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Cindy Koosmann, Recorder; Barb Fritsche, Information Technology Supervisor; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; 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 audience; none were heard.

**CONSENT CALENDAR**

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

1. Approval of the September 20, 2005 Board meeting minutes.
2. Approval to reappoint Connie Taillon, Stillwater, to the Brown's Creek Watershed District to a first full term expiring October 21, 2008.
3. Approval to appoint Gene Smallidge, Cottage Grove, to the Groundwater Advisory Committee as an Agricultural Representative to a first term expiring December 31, 2007.
4. Approval to accept \$43,320 in additional Caseload/Workload grant funding from the Department of Corrections for State of Minnesota Fiscal Year 2006-2007; and approval to hire a 1.0 FTE Probation Officer position with these funds.
5. Information only – Child Foster Care daily basic maintenance, initial clothing allowance and difficulty of care (DOC) rate for 2006.
6. Approval to purchase hardware, installation, and configuration services from TSG Server and Storage in the amount of \$36,067.86 for the two production iSeries servers.

September 27, 2005

7. Approval to accept \$5,980.84 from the Estate of Pearl B. Fisher to improve the Lakeland Branch Library facilities and to purchase materials for the Library.
8. Approval to accept a grant award from the Edward Byrne Memorial Justice Assistance Grant for the City of Oakdale and Washington County to be used for expenses associated with the Mobile Data System Project.
9. Approval to amend an agreement and restrictive covenant for land to be removed from the Cottage Grove Ravine Regional Park.
10. Adoption of **Resolution No. 2005-150** as follows:

Acceptance of a Grant from the Hugh J. Andersen Foundation for  
Repair Work at the Historic Courthouse

WHEREAS, the Hugh J. Andersen Foundation has grant funds available for capital and repair projects; and

WHEREAS, the Historic Courthouse seeks funding for window and dome repairs.

BE IT RESOLVED, that Washington County agrees to accept a grant from the Hugh J. Andersen Foundation in the amount of \$10,000 for window and/or dome repairs and that the county has the institutional, managerial and financial capability to ensure that all aspects of the proposed project will be completed.

NOW, BE IT FURTHER RESOLVED, that Carolyn Phelps, Parks Coordinator-Historic Courthouse, is hereby authorized to execute the grant agreement as necessary to implement the project on behalf of Washington County.

11. Adoption of **Resolution No. 2005-151** as follows:

Space Lease for Stillwater License Center at the  
Valley Ridge Plaza

WHEREAS, the County of Washington and SouthMetro Centers V, LLC. propose to enter into a space lease agreement for the use of space for license center purposes within the Valley Ridge Plaza; and

WHEREAS, SouthMetro Centers, V, LLC. has approved and signed said lease on September 15, 2005.

NOW, THEREFORE LET IT BE IT RESOLVED, that the use of space by the county for license center activities within the Valley Ridge Plaza be completed through the acceptance of the terms and conditions set forth in the aforementioned lease; and

September 27, 2005

BE IT FURTHER RESOLVED, that the lease between the County of Washington and SouthMetro Centers V, LLC. be executed through the signatures of the Chairman of the Washington County Board of Commissioners and Washington County Administrator without further action of the County Board conditioned upon compliance with all lease specifications, requirements, and approval as to form by the Washington County Attorney's office.

The foregoing Consent Calendar was adopted unanimously.

### **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Commissioner Hegberg moved to adopt **Resolution No. 2005-152** as follows:

#### Commissioner Award to Leonard Pratt – CSAH 8/14 Project

WHEREAS, Washington County in cooperation with Anoka, proposes to improve Washington County State Aid Highway 8 and Anoka County State Aid Highway 14 from State Highway 61 to Interstate 35E; and

WHEREAS, costs for right of way continue to rise and have become a significant portion of the overall cost of highway projects in Washington County; and

WHEREAS, acquisition of right of way is a necessary component of many highway projects not only to facilitate construction, but also for utilities and drainage; and

WHEREAS, Mr. Leonard Pratt has dedicated significant right of way, at no cost to the county to help facilitate the CSAH 14/8 project in Hugo; and

WHEREAS, Mr. Leonard Pratt has collaborated with the county and the City of Hugo on traffic analysis of the CSAH 8 and Victor Gardens area; and

WHEREAS, Mr. Leonard Pratt has worked with the City of Hugo to provide a connected city street system to augment the county highway system; and

WHEREAS, Mr. Leonard Pratt has cooperatively worked with the county to address impacts to development due to the delay of the project from the original CIP plan.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby presents this Commissioners Award to Mr. Leonard Pratt for his continued commitment to improving transportation in Washington County.

Commissioner Pulkrabek seconded the motion and it as adopted unanimously.

### **COUNTY LIBRARY**

Commissioner Stafford moved to adopt **Resolution No. 2005-153** as follows:

September 27, 2005

Resolution Delegating to the Washington County Library Director the  
Responsibility for Supervising the Washington County Law Library

WHEREAS, pursuant to Minnesota Statutes 1953, sections 140.34 to 140.46 now Minnesota Statutes Chapter 134A, an Order of the District Court dated December 14, 1956, established the Washington County Law Library; and

WHEREAS, Minn. Stat. §134.01 vests the managing and directing authority of the Washington County Law Library in the Washington County Law Library Board (Law Library Board); and

WHEREAS, the Law Library Board seeks to increase the efficiency, comprehensibility and accessibility of the law library to all residents of the county; and

WHEREAS, Washington County (County), through its Board of County Commissioners, has established a county library system as authorized by statute, and is the managing and directing authority for said library system; and

WHEREAS, the Washington County Court Administrator has been responsible for the day to day supervision of the Law Library; and

WHEREAS, the Washington County Court Administrator did become an employee of the State of Minnesota on July 1, 2005; and

WHEREAS, the Law Library Board desires to delegate to the Washington County Library Director (Director) the supervision of the library staff and the supervision of the daily operation of the Law Library.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners authorizes the Director or designee to supervise the law library staff and oversee the operation of the Washington County Law Library, located in the Washington County Government Center in Stillwater, Minnesota.

BE IT FURTHER RESOLVED, that the Director or designee shall be a member of the Law Library Board with full rights, replacing the Washington County Court Administrator.

BE IT FURTHER RESOLVED, that the Law Library Board shall retain the appointment authority for the law librarian.

BE IT FURTHER RESOLVED, that the Law Library Board shall set the annual budget, provide direction on the library collection and control the after hours access authorization.

BE IT FURTHER RESOLVED, that the Director shall supervise the purchase and maintenance of the necessary law library materials, furniture, shelving, equipment, and supplies in a manner consistent with normal Washington County budget and purchasing practices.

BE IT FURTHER RESOLVED, that the Law Library Board shall provide all necessary funding for the operation of the library including library staff salary and benefits, rent, the purchase and maintenance of the law library materials, furniture, shelving, equipment and supplies, the necessary insurance coverage



September 27, 2005

concerning the furnishings and material contained within said law library and all other expenses now incurred for the operation of the library.

BE IT FURTHER RESOLVED, that the Director shall maintain records of law library expenditures and income and shall provide quarterly reports to the Law Library Board.

BE IT FURTHER RESOLVED, that the librarian shall make an annual report to the Law Library Board.

BE IT FURTHER RESOLVED, that the Director is authorized to expend law library funds to provide off premises collections of law materials within the Washington County Library system and to provide a means of electronic access to the collection maintained at the law library, if feasible, after consultation with and approval by the Law Library Board.

BE IT FURTHER RESOLVED, that the law librarian shall coordinate the monthly Continuing Legal Education programs with the Washington County Bar Association.

BE IT FURTHER RESOLVED, that the Self Service Center shall no longer be part of the Law Library, but shall be under the responsibility and supervision of the Court Administrator.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **Commissioners' Award to Comcast Employee Volunteers**

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-154** as follows:

Resolution of Appreciation to Comcast Corporation's Employee Volunteers  
for Their Project Support at Lake Elmo Park Reserve

WHEREAS, more than 600 employees from Comcast Corporation will join with Great River Greening to volunteer their time to perform needed projects at Lake Elmo Park Reserve on Saturday, October 1, 2005; and

WHEREAS, the employee volunteers of Comcast Corporation are taking part locally in the national "Comcast Cares Day" that is a nationwide event to bring thousands of Comcast employees into their communities for volunteer work; and

WHEREAS, during the day of October 1, the volunteers will collect native prairie seed to be used in future prairie restoration projects in Lake Elmo Park Reserve; construct seed cleaning devices to provide clean seeds that germinate more effectively; remove buckthorn trees from along the shoreline of Lake Elmo and provide demonstration plots to measure the effectiveness of buckthorn removal techniques; construct bluebird and wood duck bird houses; build a wildlife viewing blind; and perform general park clean-up; and

September 27, 2005

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners commends the employees of Comcast Corporation for their much-appreciated volunteer work in Lake Elmo Park Reserve that will have long-term benefits and will save the county many taxpayer dollars; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners congratulates Comcast Corporation and its employee volunteers for their public-spirited contributions at Lake Elmo Park Reserve and proclaims Saturday, October 1, 2005, as "Comcast Corporation Employee Volunteer Day" in Washington County.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

### **League of Local Governments Meeting**

Jim Schug, County Administrator, announced that the annual League of Local Governments meeting will be held this Thursday, September 29, at the Prom Center in Oakdale. Approximately 120 elected and appointed representatives from Washington County will be in attendance. The Honorable Governor Al Quie will make a presentation on "Leading Government Through Tough Times".

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

Commissioner Hegberg reported on a meeting he attended yesterday which discussed the 2006 State Constitutional amendment that would designate the Motor Vehicle Excise Sales Tax funds to be used for transit and transportation items and not the general budget.

Commissioner Hegberg thanked the Andersen Foundation and the Pearl B. Fisher Estate for their monetary contributions for repairs at the Historic Courthouse and library materials at the Lakeland Branch Library that was approved on today's Consent Calendar.

Commissioner Stafford discussed the Metropolitan Energy Task Force. He indicated that Ramsey and Stearns Counties have now joined that Task Force. A statewide audit is being conducted on what local governments use in the way of energy. The Task Force will take that information and extrapolate what the metropolitan governments use in the way of energy and then let the energy providers know what types of government they are dealing with.

The Board discussed holding a workshop to discuss all types of energy issues including nuclear, wind, and solar polar energy, and how the high cost of energy has an impact on local units of government.

Commissioner Peterson suggested that energy issues could also be discussed on an upcoming cable program

September 27, 2005

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

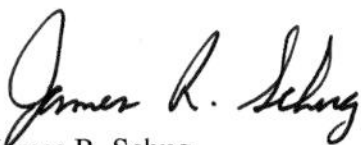
**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Stafford moved to adjourn, seconded by Commissioner Kriesel and it was adopted unanimously. The Board meeting adjourned at 9:45 a.m.

**BOARD WORKSHOP WITH PUBLIC HEALTH AND ENVIRONMENT**

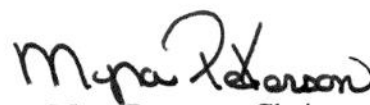
The Board met in workshop session with the Department of Public Health and Environment to discuss the use of sustainable building design guidelines in county building and remodeling projects. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Lowell Johnson, Jeff Travis, Judy Hunter, Cindy Weckwerth, Don Theisen, Keith Potter, Pam Bakken-Anderson, Ankeny Kell Architects, and Yvonne Klinnert, Stillwater Courier.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
OCTOBER 4, 2005**

The Washington County Board of Commissioners met in regular session at 10:20 a.m., in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Don Theisen, Director of Transportation and Physical Development; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Keith Potter, Facilities Manager; Sharon Price, Property Manager; Ann Terwedo, Senior Planner; and Steve Nelson, 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.

**EMPLOYEE RECOGNITION RECEPTION**

Commissioner Peterson announced that the County Board hosted its annual employee recognition reception this morning. The event recognized employees who have worked for the county for 20, 25, 30, and 35 years. She acknowledged the many awards that these individuals had received during their years of service and thanked them for their dedication to Washington County and its citizens. Commissioner Peterson also expressed her gratitude to Maureen Connaughty, from Human Resources, for organizing the event.

**CONSENT CALENDAR**

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

1. Approval of the September 27, 2005, Board meeting minutes.
2. Approval to designate the 2005 Association of Minnesota Counties delegate list as follows: Commissioners Hegberg, Pulkrabek, Kriesel, Peterson, and Stafford; Jim Schug, County Administrator; Molly O'Rourke, Deputy Administrator; and Don Theisen, Director of Transportation and Physical Development.
3. Adoption of **Resolution No. 2005-155** as follows:

Recommending Approval of Conveyance of Tax-Forfeited  
Land for an Authorized Public Use

October 4, 2005

WHEREAS, the Cities of Oakdale, Oak Park Heights, Stillwater, Woodbury, and the Township of New Scandia, have made proper application for acquiring the parcels listed below, as provided for in Minnesota Statutes 282.01; and

WHEREAS, the parcels have been classified as non-conservation, and the classification and conveyance of the parcels have been approved by the Department of Natural Resources and the cities and township; and

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, desires to see these parcels of land, which have forfeited to the State of Minnesota for non-payment of taxes, conveyed to the local municipalities; and

WHEREAS, the municipalities have requested each parcel be conveyed for the public use listed below.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby recommends to the Commissioner of Revenue of the State of Minnesota to grant the applications of the local municipalities for conveyance of the following parcels:

City	Parcel ID Number	Use
Oakdale	06.029.21.34.0052	Ponding
Oak Park Heights	34.030.20.31.0116	Park & Trail
New Scandia	31.032.20.14.0041	Drainage
Stillwater	29.030.20.13.0006	Storm Pond/Flood
Stillwater	29.030.20.13.0007	Storm Pond/Flood
Stillwater	29.030.20.13.0008	Storm Pond/Flood
Stillwater	29.030.20.13.0009	Storm Pond/Flood
Stillwater	34.030.20.24.0021	Storm Drainage/Utility
Woodbury	04.028.21.33.0001	Parkland/Ponding

4. Approval to set the Truth-in-Taxation public hearing for 7:00 p.m., Thursday, December 1, 2005, and to set a continuation hearing for 7:00 p.m., Tuesday, December 20, 2005, if necessary.
5. Approval to revise Financial and Budget Policy #2501, Payment of County Obligations to include wording on verification of vendors for disbarment and/or suspension.
6. Approval to ratify the 2005-2007 bargaining agreement with the Teamsters Local 320 Commander/Jail Administrator Unit as follows:

Duration

Three years, effective January 2, 2005, through January 12, 2008.

Wages

Effective January 2, 2005	0.0%
Effective January 1, 2006	2.0%
Effective January 14, 2007	2.75%



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Health Insurance

2005	Single	\$433.00/month
	Single Plus Children	\$433.00/month
	Single Plus Spouse	\$589.00/month
	Family	\$640.00/month (except that in \$0 office co-pay plan cap is \$619)
2006	Insurance contribution reopener.	
2007	Insurance contribution reopener.	

Other Items

- A. Vacation  
Updated to reflect PTO policy.
- B. Sick Leave  
Updated to reflect PTO policy
- C. Leaves of Absence Language  
Replace "permanent" with "regular."
- D. Probationary Periods  
Updated to reflect PTO policy.
- E. Insurance  
An employee shall be eligible for long term disability insurance coverage the first of the month following thirty (30) days of employment.
- F. Injury on Duty  
Update to reflect policy and practice.
- G. Seniority/Layoff  
Incorporate Memorandum of Agreement regarding special projects.

- 7. Approval of partial release of easement for highway Easement No. 228191 in Book 256 of Deeds, Page 141.
- 8. Adoption of **Resolution No. 2005-156** as follows:

Authorizing Parking Restrictions on CSAH 8 After Reconstruction

SP82-608-07 & SP224-020-01, County State Aid Highway (CSAH) 8 from the west city limits to Trunk Highway (TH) 61, in the City of Hugo, Minnesota

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and

WHEREAS, the City of Hugo requested the parking prohibition described in city's Resolution upon completion of this improvement passed August 15, 2005;

WHEREAS, Washington County staff supports this restriction; and

WHEREAS, Minn. Statute 169.04 (1) allows the county to regulate the standing or parking of vehicles on highways under its jurisdiction; and

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WHEREAS, CSAH 8 is under the jurisdiction of Washington County.

NOW, THEREFORE, BE IT RESOLVED, that the parking of motor vehicles shall be prohibited on both sides of CSAH 8 from west county line to TH 61.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Transportation and Physical Development to install and maintain the appropriate signs to delineate this parking restriction.

9. Approval and execution of Metropolitan Council Grant Agreement No. SG-2005-085 in the amount of \$154,124 for recreation and open space acquisition within the Big Marine Park Reserve.
10. Adoption of **Resolution No. 2005-157** as follows:

Cooperative Agreement with the City of Cottage Grove for  
Box Culvert Installation and Roadway Reconstruction on  
County Road 74 (65<sup>th</sup> Street South)

WHEREAS, the county and city of Cottage Grove desire to complete a sanitary sewer and water improvement project including a pedestrian underpass which will also serve as a storm water culvert under 65<sup>th</sup> Street South, east of Hadley Avenue South; and

WHEREAS, a cooperative effort between the county and city is the most appropriate method to facilitate the construction; and

WHEREAS, the attached cooperative agreement for the completion of the construction provides the means for the county and city to cooperate in this construction activity.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby approve the cooperative agreement between the county and city of Cottage Grove to facilitate the turn lane construction and traffic signal modifications and complete said agreement by the signatures of the County Board Chair and County Administrator.

11. Approval of grant from the Minnesota Department of Commerce in the amount of \$9,200 for Historic Courthouse window reconstruction project.
12. Adoption of **Resolution No. 2005-158** as follows:

Purchase Hurley-Schmitz Property for the  
Government Center Parking Lot Expansion

WHEREAS, Washington county is interested in acquiring the property described herein in the City of Oak Park Heights, as part of the Washington County Government Lot expansion; and

WHEREAS, the owner has agreed to sell the property to the county.

October 4, 2005

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:

All that part of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4 of SW1/4) Section Thirty-four (34), Township Thirty (30) North, Range Twenty (20) West, described as follows:

Commencing at a point on the West line of said SW ¼ where said West line intersects the North line of the present Minnesota Highway 212; thence East along the North line of said Minnesota Trunk Highway 212 a distance of 155 feet to the point of beginning of the land to be described; thence continue East along the North line of said Minnesota Trunk Highway 212 a distance of 105 feet; thence North and parallel to the West line of said SW ¼ a

distance of 166 feet; thence West and parallel to the North line of said Minnesota Trunk Highway 212 a distance of 105 feet; thence South and parallel to the West line of said SW ¼ a distance of 166 feet to the point of beginning.

Together with an easement for driveway purposes over and across the following describe property:

All that part of the SW ¼ of the SW ¼ of the SW ¼ of Section 34, Township North, Range 20 West, described as follows:

Commencing at a point in the West line of said SW ¼ where said West line intersects with the North line of the present Minnesota Trunk Highway 212; thence North on said West line a distance of 166 feet to the point of beginning of the land to be described; thence East and parallel to the North line of Minnesota Trunk Highway 212 a distance of 260 feet; thence North and parallel to the West line of the SE ¼ a distance of 60 feet; thence West and parallel to the North line of said Minnesota Trunk Highway 212 a distance of 260 feet to a point on the West line of said SW ¼; thence South a distance of 60 feet to the point of beginning.

For the sum of \$289,000.00 which includes relocation benefits and additional terms and conditions as set forth in the proposed Purchase Agreement.

The foregoing Consent Calendar was adopted unanimously.

### **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Don Theisen, Director of Transportation and Physical Development, presented an overview of the proposed contract fee breakdown with Wold Architects and Engineers for professional services for the 2025+ campus improvements to the Government Center and courts.

Commissioner Stafford moved to approve the contract. Commissioner Kriesel seconded the motion.

October 4, 2005

Commissioner Stafford mentioned that the 2025+ campus improvements is misleading in its title and asked for some clarification. Mr. Theisen stated that 2025+ refers to what is believed to be the life of the improvements. He explained that construction will start no earlier than the spring of 2007 and will probably be completed in 2010 – depending on the various options as they come back to the County Board. He added that more information will be brought back to the Board in November.

Commissioner Peterson stated that this is a hard vote for her. She believes strongly that there should be courts in Forest Lake and Cottage Grove. Services are needed in the north and the south because that's where the population growth of the county is.

Commissioner Hegberg agreed with Commissioner Peterson but added that he understands the courts dilemma in dealing with security matters. He feels minor offenses and juvenile offenses can be dealt with in Forest Lake and Cottage Grove and he will continue to work with that objective. He believes courts should be at the district level.

Commissioner Peterson added that with the state takeover, it seems that district lines should be erased and that people should be able to go to court closest to their homes.

Commissioner Kriesel stated that the task force put together a few years ago to work on these issues recommended that the courts reside in the county seat. He feels this makes good business sense; it will enhance both the scheduling process and the ability to provide good security, and all records would be in one central place.

Commissioner Pulkrabek stated that he will not be supporting this contract. He fears that once the county starts expending the dollars for this project, it will later just be pouring good money after bad. He feels that the challenge with the courts is more a scheduling problem than a space needs problem and that this could be addressed with better and more creative scheduling. He believes there are space needs, but what is driving this project is the space needs of the court and he doesn't feel these are real and needed at this point.

Commissioner Stafford added that he does feel sometimes that the courts space needs appear to be questionable, but in the long run he's looking at the consistent population projections of the county and the need to develop the campus for the future.

Chairman Peterson asked for all those in favor of approval of the Wold Architects and Engineers contract. Aye: Commissioners Hegberg, Stafford, and Kriesel. Opposed: Commissioners Pulkrabek and Peterson.

October 4, 2005

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Kriesel recognized Rick and Connie Hill who organized a fundraiser this past weekend in Stillwater for victims of Hurricane Katrina. The community garage sale raised \$11,000 which was given to the Salvation Army. He also mentioned that many Stillwater businesses generously participated in the event by donating items.

Commissioner Pulkrabek had the opportunity to talk with Administrator Craig Waldron, City of Oakdale, who reiterated his interest on behalf of the city in going with the county services in the administration of elections.

Commissioner Stafford attended the Comcast volunteer event at Lake Elmo Regional Park on Saturday morning. It was extremely well attended by many volunteers. He mentioned that one volunteer, Master Gardener Vera Wagner, put in 700 hours of volunteer time last year on various projects.

Commissioner Stafford requested a correction to a statement he had made during the September 27 Board meeting. He had indicated that the Energy Task Force had acquired two new members, Stearns and Ramsey Counties, and the minutes reflect this statement. The true statement is that the new members are Sherburne County and Ramsey County and he would like this in the record to be technically correct.

Commissioner Hegberg mentioned that this week is National 4H week and there will be a number of events around the county promoting 4H activities.

Commissioner Peterson announced that last week's League of Local Governments annual event was attended by about 120 people. She thanked former Governor Al Quie for being the keynote speaker and sharing his time and thoughts with the group. She also thanked county employees who assisted with the meeting and legislative liaison, John Kaul, for arranging for the governor to speak.

Commissioner Peterson reminded the commissioners that there is a District 10 meeting at AMC on Monday, October 10 at 3:00 p.m. She feels it would be beneficial to have all the County Board members there.

Commissioner Peterson congratulated Deb Paige, Director of Emergency Services, who recently received the Association of Minnesota Emergency Managers' Metro Regional Director of the Year award.

Commissioner Peterson reminded women in the audience and the women of our organization that October is National Breast Cancer Awareness Month.



October 4, 2005

Commissioner Kriesel motioned to recess the meeting and go into closed session at 10:45 a.m. Commissioner Hegberg seconded the motion and it was approved unanimously.

#### **CLOSED SESSION WITH HUMAN RESOURCES**

The Board met in closed session at 10:50 a.m., to discuss negotiation strategy for 2006. Present for the closed session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Kay McAloney, Frank Madden, and Marilyn Akey.

The Board meeting reconvened at 11:50 a.m.

#### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Stafford; it was approved unanimously. The Board meeting adjourned at 11:52 a.m.

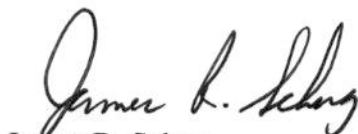
#### **2006 BUDGET HEARING**

The Board meeting was followed by the 2006 budget hearing with the Housing and Redevelopment Authority. Present were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Sue Kuss, Pat Conley, Steve Nelson, Kevin Corbid, Dan Papin, Tom Adkins, Barb Dacy, Rich Geiger, and Jerry Fox.

#### **BOARD WORKSHOP WITH ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**

The Board met in workshop session with the Assessment, Taxpayer Services and Elections Department to discuss election equipment options. Present for the workshop session were Commissioners Hegberg, Pulkrabek, Stafford, Peterson, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Kevin Corbid, Carol Peterson, Maura Shuttleworth, and Judy Wertheimer.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**OCTOBER 11, 2005**

The Washington County Board of Commissioners met in regular session at 9:05 a.m., in the Washington County Government Center, County Board Room. Present were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Don Theisen, Director of Transportation and Physical Development; Dan Papin, Community Services Director; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Judy Hunter, Sr. Program Manager; Cindy Weckwerth, Program Manager; Cindy Koosmann, Recorder; Cory Slagle, Engineer II; Pat Conley, Library Director; Sheriff Steve Pott; Sue Fennern, Human Resources Coordinator; Tom Adkins, Community Corrections Director; County Attorney Doug Johnson; Keith Potter, Facilities Manager; Sue Hedlund, Public Health and Environment Deputy Director; Rick Backman, Social Services Division Manager; Caleb Werth, Planner; Amanda Goebel, Sr. Environmental Specialist; Joanne Helm, Program Manager; Sharon Price, Property Manager; and Steve Nelson, Public Information Coordinator II.

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

1. Adoption of **Resolution No. 2005-159** as follows:

Sale of Donated Wood, Processed into Firewood by the  
Sentence to Service Program, at Fair Market Rates

WHEREAS, the Sentence to Service (STS) program supplies Washington County Parks with wood that has been processed and prepared for sale to campers; and

WHEREAS, the STS program also completes a great deal of work in the many state and municipal parks, as well as private-non/profit agencies and the four scientific nature areas throughout Washington County; and

WHEREAS, much of this work involves removing trees for various reasons, and often the trees are donated to the program as a means of inexpensive removal from the property; and

WHEREAS, the volume of wood cut, split and dried, so it is ready for sale as firewood, exceeds the Parks demand for supplying campers; and

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WHEREAS, the excess wood is offered for sale to the general public;

THEREFORE BE IT RESOLVED, that the Washington County Community Corrections Director is hereby authorized to establish from time to time, the fair market value for wood donated to the Sentence to Service (STS) program and to sell it at that established value.

2. Authorization to accept a \$3,000 donation from the Target Corporation toward the Washington County School-Based Chemical Health Initiative.
3. Approval to submit the required Washington County biennial service agreements for the Minnesota Family Investment Program (MFIP) and the Children and Community Services Act (CCSA), with the effective dates of the agreements from January 1, 2006, to December 31, 2007.
4. Approval to amend and reinstate the Flexible Benefits Plan effective January 1, 2006.
5. Authorization to accept a donation from Target (Woodbury) of \$2,000 to the Washington County Library for reading kits for new parents and newborns; and approval to accept a donation from Wal-Mart, (Woodbury) of \$1,000 to Washington County Library for collection development.
6. Approval of the Washington County Library holiday schedule for 2006.
7. Authorization for Board Chair and County Administrator to sign an agreement for administration of the Minnesota Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program).
8. Authorization to establish 2006 fee schedules for the hazardous waste generators, solid waste facilities, individual sewage treatment systems (ISTS), Food/Beverage/Lodging Program, public pools, manufactured home parks/recreational camping area/youth camps, and private well water testing.
9. Adoption of **Resolution No. 2005-160** as follows:

Purchase Melbostad Property  
Big Marine Park Reserve

WHEREAS, Washington County is interested in acquiring the property described herein in May Township, for inclusion into the Big Marine 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:

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Part of Government Lot 1, Section 8, Township 31 North, Range 20 West, Washington County, Minnesota described as follows:

Commencing at the northwest corner of said Government Lot 1; thence on an azimuth from north of 178 degrees, 44 minutes, 36 seconds oriented to the Washington County Coordinate System, North Zone, along the west line of said Government Lot 1 a distance of 35.00 feet to the point of beginning, said point being on the westerly extension of the existing center line of 165<sup>th</sup> Street North; thence continuing on an azimuth of 178 degrees, 44 minutes, 36 seconds along the west line of said Government Lot 1, a distance of 560.00 feet; thence on an azimuth of 88 degrees, 44 minutes a distance of 300.00 feet; thence on an azimuth of 16 degrees 37 minutes, 27 seconds a distance of 604.95 feet to a point, said point being on the center line of the existing 165<sup>th</sup> Street North; thence on an azimuth of 266 degrees, 53 minutes, 18 seconds along the existing center line of 165<sup>th</sup> Street North and its westerly extension a distance of 486.00 feet to the point of beginning.

For the sum of \$355,000.00 + relocation benefits pursuant to the Uniform Relocation Act.

10. Adoption of **Resolution No. 2005-161** as follows:

Approval of Cooperative Construction Agreement  
With the City of Woodbury for  
Traffic Signal Construction Project: SAP 82-619-169

WHEREAS, the County and City of Woodbury desire to complete traffic signal construction at CSAH 19 (Woodbury Drive) and Lake Road; and

WHEREAS, a cooperative effort between the County and City is the most appropriate method to facilitate the construction; and

WHEREAS, the attached cooperative construction agreement for the completion of the construction provides the means for the County and City to cooperate in this construction activity.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby approve the cooperative agreement between the County and City of Woodbury to facilitate the traffic signal construction and complete said agreement by the signatures of the County Board Chair and County Administrator.

11. Approval of traffic signal maintenance agreement with the City of Woodbury for the signal located at CSAH 19 (Woodbury Drive) and Lake Road in Woodbury.
12. Adoption of **Resolution No. 2005-162** as follows:

St. Croix Valley Regional Trail Final Payment

WHEREAS, the Washington County Board of Commissioners, on May 25, 2004, approved a contract with Brauer and Associates, Ltd., and has executed the contract for the development of the St. Croix Valley trail Master Plan; and

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WHEREAS, Brauer and Associates, Ltd., has satisfactorily completed all work in accordance with the terms and conditions of the contract;

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

13. Approval of **Resolution No. 2005-163** as follows:

Request Funding from the Minnesota Department of Transportation  
Through the Municipal Agreement Program for the  
County State Aid Highway (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 2007 Municipal Agreement Program; and

WHEREAS, Washington County is committed to completing the project if selected and funding is provided as part of the FY 2007 Municipal Agreement Program.

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.

14. Approval of **Resolution No. 2005-164** as follows:

Final Payment for Historic Courthouse  
Window Replacement Project

WHEREAS, the Washington County Board of Commissioners, on February 15, 2005, approved the bid award to Parkos Construction Company, Inc., for the replacement of four windows at the Historic Courthouse, and

WHEREAS, Parkos Construction Company, Inc., has satisfactorily completed all work in accordance with the terms and conditions of the project specifications,

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

The foregoing Consent Calendar was adopted unanimously



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## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

Wayne Sandberg, Deputy Director of Transportation and Physical Development, presented an overview of the County Highway 18 reconstruction project in Lakeland and Lakeland Shores and recognized the time, effort, and commitment of volunteer community members who worked on the Design Review Committee with Washington County staff. These citizens attended numerous meetings, hosted open houses, filmed cable access videos and acted as advocates of the project to their communities.

Commissioner Kriesel moved to adopt **Resolution No. 2005-165** as follows:

Presentation of Commissioners Award to Members of the County  
Highway 18 Design Review Committee for Their Commitment  
Towards Improving Transportation in Washington County

WHEREAS, Project Development works best when the county partners with the local community, and

WHEREAS, the County Highway 18 Design Review Committee was developed to ensure that community considerations were incorporated into the plan and included volunteers from both Lakeland and Lakeland Shores, and

WHEREAS, the Design Review Committee met on a regular basis beginning in March of 2005, to review plan concepts, discuss public comments, develop ideas and address issues, and

WHEREAS, the Design Review Committee developed two cable access programming productions and hosted two open houses to provide residents and concerned citizens with information they needed to make informed comments, and

WHEREAS, the members of the Design Review Committee acted as liaisons and advocates, strengthening the partnership between the County and the Community, and

WHEREAS, the Design Review Committee has been an integral component toward developing and implementing the County Highway 18 Project, which will improve the safety of residents, pedestrians and drivers.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby presents this Commissioners Award to the County Highway 18 Design Review Committee for their commitment to improving Transportation in Washington County. The committee members are as follows: Veronica Anderson, SHE, Inc.; Robert Craggs, Lakeland Mayor; Jeri Ryan, Lakeland City Councilperson; Steve Bowers, Lakeland resident; Richard Glasgow, Lakeland resident; Terri Anderson, Lakeland Shores resident; Cary Schroeder, Lakeland Shores resident; Theresa Shannon, Lakeland Shores City Councilperson; Randy Kopesky, Lakeland Mayor.

Commissioner Stafford seconded the motion and it was adopted unanimously.

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Commissioner Kriesel welcomed those committee members in attendance today and thanked the members for their efforts in partnering with the county's transportation engineers for the successful design and ultimate approval of the County Road 18 project. He also recognized Don Theisen, Wayne Sandberg, and Cory Slagle for their work on this project and gave special recognition to Richard Glasgow, chairperson of the Citizens Design Task Force.

Commissioner Kriesel presented each committee member with a Commissioners Award and a Golden Hard Hat Award.

### **SHERIFF'S OFFICE**

Sheriff Steve Pott asked the Board for approval to accept a \$2,000 donation from Kris Lundquist in memory of her father, Bill Lundquist. He indicated that the donation would be given for the purchase of uniforms and equipment for the Sheriff's mounted patrol unit. The members of this unit are all volunteers with their primary goal as search and rescue. The unit spends approximately 1,300 hours a year representing the Sheriff's Office at various functions, such as the county fair and National Night Out.

Commissioner Stafford moved to accept the donation of \$2,000 from Kris Lundquist in memory of her father, Bill Lundquist. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Hegberg recognized this donation as well as the donations given this morning by Target Corporation and Wal-Mart that were approved on the Consent Calendar.

Commissioner Stafford stated that a lot of people and companies are doing great things for their communities and that the county is appreciative of their efforts.

### **PUBLIC HEALTH AND ENVIRONMENT**

#### **Water Management Organizations**

Amanda Goebel, Senior Environmental Specialist, gave an overview of the county's watershed management organizations' proposed 2006 budgets and priority projects. District members in attendance were: Cliff Aichinger, Ramsey/Washington Watershed District; Matt Moore, South Washington Watershed District; Jack Lavold, South Washington Watershed District; John Jansen, Middle St. Croix Water Management Organization; Rick Vanzwol, Brown's Creek Watershed District; Dave Bucheck, Valley Branch Watershed District; and Craig Leiser, Brown's Creek Watershed District.

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### **Update on Washington County Water Consortium Activities**

Ms. Goebel presented an update on the Washington County Consortium activities. She indicated that this is the 5<sup>th</sup> active year of the consortium. It works on surface water and groundwater issues that cross local governmental boundaries. Recent accomplishments include developing groundwater protection rules for incorporation into watershed rules; hosting an educational display at the county fair; groundwater and surface water studies; and continuing to apply for joint grant projects. Monthly consortium meetings focus on collaboration opportunities, information sharing, working meetings, policy issues and worldwide water issues. In 2006 the water consortium will discuss sharing a water resource educator; municipal separate storm sewer systems collaboration; education and interaction with local government units; and continuing to work together on groundwater and surface water issues.

Ray Wuolo, Barr Engineering, presented a brief summary of feature projects including intercommunity groundwater protection, sustaining growth and natural resources (Woodbury/Afton area), and integrating groundwater and surface water management for southern Washington County.

### **Washington Conservation District's 2006 Budget**

Jay Riggs, District Manager, presented the Washington Conservation District 2006 proposed budget and program services. Washington Conservation Board members in attendance were: Gary Baumann, Tom Armstrong, Rosemary Wallace and Tom Meyer.

### **Unpaid County Environmental Charges**

Judy Hunter, Senior Program Manager, presented a brief overview of today's action requesting that the County Board certify to the County Auditor unpaid outstanding County Environmental Charges (CEC) to be extended as assessment with interest upon the tax rolls of the county. County Ordinance #167 established the environmental charge to require haulers to collect and remit the charge. The county was notified through the hauler that there were some 2003 and 2004 unpaid environmental charges, particularly with the residents of Oak Park Heights. The hauler had billed these individuals in July 2004, December 2004 and July 2005. On September 19, 2005 the Department of Public Health and Environment mailed 357 certified letters to Oak Park Heights residents who had unpaid 2003 and/or 2004 CEC payments. Today, there is an updated list of 110 parcels to which the Department has not received a response or payment.

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-166** as follows:

#### **Certification of Unpaid Environmental Charges**

WHEREAS, the Washington County Board of Commissioners adopted the Washington County Solid Waste Management Ordinance #163 on

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November 19, 2002, and the Washington County Solid Waste Management Ordinance #167 on November 18, 2003; and

WHEREAS, the Washington County Solid Waste Management Ordinance #163 and #167 establish the County Environmental Charge; and

WHEREAS, a solid waste hauler has provided records to the Washington County Department of Public Health and Environment (Department) of generators who have unpaid 2003, 2004 or 2003 and 2004 County Environmental Charges; and

WHEREAS, the solid waste hauler sent bills to generators in July 2004 and December 2004 for a 2003 County Environmental Charge and July 2005 for a 2004 County Environmental Charge; and

WHEREAS, the Department sent certified letters requesting prompt payment to 357 generators with 2003, 2004 or 2003 and 2004 unpaid County Environmental Charges on September 5, 2005; and

WHEREAS, Section 14, subpart 14.81 of the Ordinance #167 provides that 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; and

WHEREAS, the Section 14, subpart 14.81 also provides that 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 279.03 subd. 1 upon the tax rolls of the County of the taxes of the year in which the assessment is filed; and

WHEREAS, the properties that have failed to pay the CEC are identified in Exhibit A which is attached hereto and incorporated herein.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners authorizes the County Auditor and the Department of Assessment, Taxpayer Services and Elections to extend the unpaid County Environmental Charges on the properties set forth in Exhibit A to this resolution as assessments with interest in accordance with County Ordinance #167.

Exhibit A  
Unpaid 2003-2004 County Environmental Charge

GEOCODE	ADDRESS	2003 CEC	2004 CEC	TOTAL CEC
05.029.20.14.0112	13922 56TH ST N	\$31.52	\$44.22	\$75.74
05.029.20.14.0116	13980 56TH ST N	\$31.52	\$44.22	\$75.74
04.029.20.32.0007	14080 54TH ST N-UPPER	\$31.52	\$44.22	\$75.74
04.029.20.32.0031	14089 54TH ST N	\$31.52	\$0.00	\$31.52
04.029.20.32.0010	14124 54TH ST N-UPPER	\$26.26	\$36.50	\$62.76
04.029.20.32.0077	14200 54TH ST N UPR	\$31.52	\$44.22	\$75.74
04.029.20.23.0008	14240 57TH ST N	\$26.26	\$0.00	\$26.26
04.029.20.23.0017	14281 57TH ST N	\$31.52	\$0.00	\$31.52
04.029.20.24.0110	14293 OLDFIELD AVE CT N	\$26.26	\$36.50	\$62.76
04.029.20.24.0061	14358 56TH ST N UPPER	\$0.00	\$30.72	\$30.72



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GEOCODE	ADDRESS	2003 CEC	2004 CEC	TOTAL CEC
04.029.20.24.0008	14372 57TH ST N	\$0.00	\$44.09	\$44.09
04.029.20.24.0060	14372 UPPER 56TH ST N	\$0.00	\$26.10	\$26.10
04.029.20.21.0069	14386 58TH ST N #1	\$26.26	\$0.00	\$26.26
04.029.20.21.0069	14386 58TH ST N #2	\$12.76	\$0.00	\$12.76
04.029.20.21.0069	14386 58TH ST N #4	\$26.26	\$0.00	\$26.26
04.029.20.24.0015	14403 57TH ST N	\$26.26	\$0.00	\$26.26
04.029.20.24.0079	14432 55TH ST N	\$26.26	\$0.00	\$26.26
04.029.20.24.0087	14461 55TH ST N	\$0.00	\$36.50	\$36.50
04.029.20.24.0086	14475 55TH ST N	\$0.00	\$36.50	\$36.50
04.029.20.13.0075	14540 55TH ST N	\$31.52	\$44.22	\$75.74
04.029.20.13.0043	14564 56TH ST N UPR	\$0.00	\$44.22	\$44.22
04.029.20.13.0073	14568 55TH ST N	\$0.00	\$44.22	\$44.22
04.029.20.13.0080	14571 55TH ST N	\$31.52	\$44.22	\$75.74
04.029.20.13.0028	14583 57TH ST N	\$0.00	\$36.50	\$36.50
04.029.20.13.0041	14596 56TH ST N UPR	\$26.26	\$36.50	\$62.76
04.029.20.13.0040	14618 56TH ST N UPR	\$26.26	\$36.50	\$62.76
04.029.20.13.0015	14630 57TH ST N	\$0.00	\$23.04	\$23.04
33.030.20.43.0032	14651 62ND ST N	\$31.52	\$44.22	\$75.74
04.029.20.13.0060	14660 55TH ST N	\$31.52	\$44.22	\$75.74
04.029.20.13.0067	14681 55TH ST N	\$31.52	\$44.22	\$75.74
04.029.20.13.0064	14708 55TH ST N	\$31.52	\$44.22	\$75.74
04.029.20.14.0175	14775 UPPER 56TH ST N	\$0.00	\$36.50	\$36.50
04.029.20.14.0056	14801 56TH ST N	\$0.00	\$36.50	\$36.50
04.029.20.14.0003	14802 55TH ST N-UPPER	\$31.52	\$44.22	\$75.74
04.029.20.11.0099	14806 58TH ST N #4	\$0.00	\$21.96	\$21.96
04.029.20.14.0013	14837 55TH ST N-UPPER	\$26.26	\$36.50	\$62.76
04.029.20.14.0211	14871 58TH ST N #3F	\$0.00	\$36.50	\$36.50
04.029.20.14.0023	14878 56TH ST N	\$31.52	\$44.22	\$75.74
04.029.20.14.0202	14881 58TH ST N #2D	\$26.26	\$0.00	\$26.26
04.029.20.14.0153	14895 57TH ST N	\$22.28	\$30.72	\$53.00
34.030.20.32.0026	15015 65TH ST N	\$31.52	\$0.00	\$31.52
34.030.20.32.0024	15053 65TH ST N	\$0.00	\$44.22	\$44.22
34.030.20.33.0106	15055 60TH ST N	\$26.26	\$0.00	\$26.26
34.030.20.32.0099	15056 63RD ST N	\$0.00	\$36.50	\$36.50
34.030.20.32.0023	15075 65TH ST N	\$0.00	\$44.22	\$44.22
34.030.20.32.0089	15087 63RD ST N UPPER	\$0.00	\$28.26	\$28.26
34.030.20.32.0123	15098 62ND ST N	\$52.51	\$73.00	\$125.51
34.030.20.32.0138	15154 62ND ST N	\$26.26	\$36.50	\$62.76
34.030.20.32.0139	15176 62ND ST N	\$22.28	\$30.72	\$53.00
34.030.20.32.0060	15191 64TH ST N	\$31.52	\$44.22	\$75.74
34.030.20.32.0016	15196 64TH ST N	\$31.52	\$0.00	\$31.52
34.030.20.32.0131	15207 63RD ST N	\$0.00	\$44.22	\$44.22
34.030.20.32.0005	15213 65TH ST N	\$26.26	\$36.50	\$62.76
34.030.20.32.0018	15218 64TH ST N	\$0.00	\$36.50	\$36.50
34.030.20.32.0058	15225 64TH ST N	\$31.52	\$44.22	\$75.74
34.030.20.32.0127	15237 63RD ST N	\$0.00	\$36.50	\$36.50
34.030.20.32.0001	15242 64TH ST N	\$0.00	\$30.72	\$30.72
34.030.20.32.0053	15244 63RD ST N UPPER	\$26.26	\$36.50	\$62.76
34.030.20.31.0129	15263 65TH ST N	\$111.42	\$153.58	\$265.00
34.030.20.34.0074	15269 61ST ST N UPPER	\$31.52	\$44.22	\$75.74
03.029.20.21.0062	15330 58TH ST NO	\$31.52	\$44.22	\$75.74
03.029.20.21.0051	15365 58TH ST NO	\$0.00	\$36.50	\$36.50



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GEOCODE	ADDRESS	2003 CEC	2004 CEC	TOTAL CEC
03.029.20.24.0041	15417 56TH ST NO	\$0.00	\$36.50	\$36.50
03.029.20.21.0010	15451 58TH ST NO	\$31.52	\$44.22	\$75.74
03.029.20.21.0009	15471 58TH ST N	\$31.52	\$44.22	\$75.74
03.029.20.31.0005	5272 STAGECOACH TRL N	\$94.56	\$87.07	\$181.63
04.029.20.32.0055	5336 OJIBWAY N	\$0.00	\$44.22	\$44.22
04.029.20.32.0053	5410 OJIBWAY N	\$26.26	\$44.22	\$70.48
04.029.20.32.0095	5449 OAKGREEN AVE N	\$31.52	\$44.22	\$75.74
04.029.20.23.0050	5491 O'BRIEN AVE N	\$31.52	\$44.22	\$75.74
04.029.20.23.0077	5511 OAKGREEN PL N	\$0.00	\$36.50	\$36.50
05.029.20.14.0125	5557 NOVAK AVE N	\$31.52	\$44.22	\$75.74
03.029.20.24.0042	5598 PENROSE AVE NO	\$0.00	\$36.50	\$36.50
04.029.20.13.0077	5617 OMAHA AVE N	\$0.00	\$36.50	\$36.50
05.029.20.23.0055	5620 NEWGATE CI N	\$31.52	\$0.00	\$31.52
04.029.20.14.0030	5627 56TH ST CIRCLE N	\$0.00	\$44.22	\$44.22
03.029.20.13.0022	5636 PERKINS AVE NO	\$0.00	\$36.50	\$36.50
05.029.20.23.0075	5640 NEWELL CI N	\$26.26	\$36.50	\$62.76
04.029.20.14.0036	5652 OZARK AVE N	\$0.00	\$30.72	\$30.72
03.029.20.13.0016	5662 STAGECOACH TRL NO	\$0.00	\$26.26	\$26.26
05.029.20.14.0106	5672 NOVAK AVE N	\$31.52	\$44.22	\$75.74
05.029.20.14.0107	5676 NOVAK AVE N	\$26.26	\$36.50	\$62.76
04.029.20.24.0031	5685 OLDFIELD AVE N	\$31.52	\$0.00	\$31.52
03.029.20.24.0020	5703 PELLER AVE NO	\$26.26	\$0.00	\$26.26
05.029.20.23.0045	5730 NEWGATE CI N	\$26.26	\$36.50	\$62.76
05.029.20.11.0027	5754 OAKGREEN AVE N	\$22.28	\$30.72	\$53.00
05.029.20.11.0024	5762/5764 OAKGREEN AVE N	\$52.51	\$73.00	\$125.51
04.029.20.22.0010	5769 OAKGREEN AVE N	\$0.00	\$30.72	\$30.72
04.029.20.21.0078	5804 OLENE AVE N	\$26.26	\$36.50	\$62.76
04.029.20.21.0065	5857 OLINDA AVE NO	\$0.00	\$36.50	\$36.50
04.029.20.11.0061	5861 OXBORO AVE N	\$0.00	\$88.45	\$88.45
04.029.20.11.0060	5863 OXBORO AVE N	\$0.00	\$44.22	\$44.22
04.029.20.11.0059	5871 OXBORO AVE N	\$31.52	\$132.67	\$164.19
04.029.20.21.0052	5872 OLENE AVE N	\$26.26	\$36.50	\$62.76
04.029.20.11.0058	5873 OXBORO AVE N	\$26.26	\$36.50	\$62.76
04.029.20.11.0057	5881 OXBORO AVE N	\$31.52	\$44.22	\$75.74
04.029.20.11.0056	5883 OXBORO AVE N	\$0.00	\$44.22	\$44.22
04.029.20.11.0075	5902 OXBORO AVE N	\$0.00	\$36.50	\$36.50
04.029.20.11.0076	5910 OXBORO	\$26.26	\$18.43	\$44.69
04.029.20.11.0077	5912 OXBORO AVE N	\$31.52	\$44.22	\$75.74
34.030.20.34.0067	6202 PEABODY AVE N	\$31.52	\$0.00	\$31.52
33.030.20.43.0030	6208 OSGOOD AVE N	\$26.26	\$36.50	\$62.76
34.030.20.33.0005	6216 LOOKOUT TRL N	\$31.52	\$36.50	\$68.08
34.030.20.32.0077	6337 PARIS AVE N	\$26.26	\$0.00	\$26.26
34.030.20.32.0057	6350 PEACAN AVE N	\$31.52	\$18.43	\$49.95
34.030.20.32.0063	6367 PARIS AVE N	\$26.26	\$36.50	\$62.76
34.030.20.31.0131	6395 PEACAN AVE N	\$0.00	\$31.82	\$31.82
34.030.20.31.0136	6400 LOOKOUT TRL N	\$26.26	\$36.50	\$62.76
34.030.20.32.0012	6435 PARIS AVE N	\$26.26	\$36.50	\$62.76
34.030.20.31.0117	6447 ST CROIX TRL N	\$0.00	\$36.50	\$36.50

Commissioner Stafford seconded the motion and it was adopted unanimously.

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**Minnesota Sustainable Building Guidelines in County Building Projects**

Commissioner Stafford moved to adopt **Resolution No. 2005-167** as follows:

Adoption of Minnesota Sustainable Building Guidelines

WHEREAS, sustainable building design is a mainstream approach that reduces energy expenditures, enhances the health, well-being and productivity of a building's occupants, and improves the quality of the natural environment; and

WHEREAS, the State of Minnesota has developed the Sustainable Building Guidelines to be used in all new state building projects funded by state bonds, and issued version 1.1 of the Guidelines on July 1, 2004; and

WHEREAS, on August 25, 2004, the regional Solid Waste Management Coordinating Board strongly recommended that member counties adopt the Minnesota Sustainable Building Guidelines; and

WHEREAS, on November 23, 2004, the Washington County Board of Commissioners adopted 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 Washington County to: (a) incorporate sustainable building guidelines into its building procedures for future building and remodeling projects and will encourage other public entities to do the same, and (b) incorporate sustainable building principles into planning, designing, and construction contracts for government sponsored buildings, including assessing the potential for reduction, reuse and recycling and/or processing of materials in county deconstruction and remodeling projects and will encourage other public entities to do the same; and

WHEREAS, many aspects of the Guidelines can be implemented at no extra cost through integration in the County's planning process for buildings, and all cost related decisions can be evaluated on a project by project basis with no predetermined obligation.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners hereby adopts the Minnesota Sustainable Building Guidelines for voluntary use in all current and future County building and renovation projects, where practical and fiscally feasible; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners directs the Department of Transportation and Physical Development to utilize the Minnesota Sustainable Design Guidelines in the design and development of the North and South Service Centers within established budgets; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners directs the Departments of Transportation and Physical Development and Public Health and Environment to evaluate options for innovative energy generation at the North and South Service Centers, and to develop strategies for utilizing the Centers to communicate with and educate the public and other local government units about sustainable building design.

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Commissioner Peterson seconded the motion and it was adopted unanimously.

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

Commissioner Hegberg reported that he met with the City of Forest Lake yesterday to discuss the north service center and wetland issues affecting that site.

Commissioner Peterson reported that she attended the AMC Region X meeting yesterday to discuss transportation issues and support for the previous AMC position on transportation.

The Board recessed into Closed Session at 10:57 a.m.

### **CLOSED SESSION WITH COUNTY ATTORNEY'S OFFICE**

The Board met in closed executive session at 11:05 a.m. to receive an update on the Law Enforcement Center lawsuit. Present for the closed session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Doug Johnson, George Kuprian, Don Theisen and Marilyn Akey.

Commissioner Hegberg moved to reconvene the Board meeting at 11:15 a.m. Commissioner Stafford seconded the motion and it was approved unanimously.

County Attorney Doug Johnson requested that the County Board authorize him to settle the lawsuit filed concerning the construction defects in the Law Enforcement Center.

Commissioner Hegberg moved to authorize the County Attorney to settle the lawsuit concerning the construction defects in the Law Enforcement Center. Commissioner Kriesel seconded the motion and it was approved unanimously.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.


### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Pulkrabek and it was adopted unanimously. The Board meeting adjourned at 11:15 a.m.

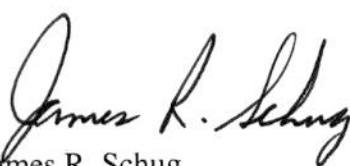
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**BOARD WORKSHOP WITH ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the county's draft 2005/2006 work plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Peterson, Hegberg, Stafford, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Steve Nelson, Kay McAloney, and Tom Adkins.

  
Myra Peterson, Chair  
County Board

Attest:

  
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
OCTOBER 18, 2005**

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, Peterson, Stafford and Hegberg. Absent none. Board Chair Peterson presided. Also present were Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Doug Johnson, County Attorney; Lowell Johnson, Director of Public Health and Environment; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Suzanne Pollack, Community Services Supervisor; Cindy Koosmann, Recorder; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Carol Peterson, Administrative Support Manager; Sheriff Steve Pott; Kay McAloney, Human Resources Director; Don Theisen, Director of Transportation and Physical Development; Ann Pung-Terwedo, Senior Planner; Nancy Brase, Administrative Services Manager; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

Brian Berube, 4290 McDonald Drive North, Baytown Township, praised Molly Ramsey, St. Croix Academy, Center Caregiver of the year. She has taught his daughter for the past three years and cannot think of anyone better suited to be honored here today. He and his wife have the highest regard for Ms. Ramsey.

**CONSENT CALENDAR**

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

1. Approval of the October 4, 2005 Board meeting minutes.
2. Adoption of **Resolution No. 2005-168** as follows:

Right-of-Entry of the National Park Service to Five  
Tax Forfeited Parcels Located Along St. Croix River in the  
Area of New Scandia and May Townships

WHEREAS, the County Board of Commissioners of the County of Washington, State of Minnesota, desires to offer for sale or conveyance the following parcels of land that forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels have been reviewed by the designees of the County Board of Commissioners and there is no interest for their acquisition by the Department of Transportation and Physical Development; and



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WHEREAS, the National Park Service expressed interest in acquiring said parcels through special legislation to be enacted by the next Minnesota Legislature; and

WHEREAS, the National Park Service submitted the proper application to the Board of Commissioners of Washington County for a temporary right-of-entry to said parcels.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby grants to the National Park Service a temporary right-of-entry to said parcels.

18.032.19.11.0001 (New Scandia)

18.032.19.14.0001 (New Scandia)

29.031.19.22.0001 (May)

20.031.19.22.0001 (May)

17.031.19.32.0001 (May)

3. Approval to ratify the 2005-2006 bargaining agreement with the Probation Officers and Supervisor's Association as follows:

Teamsters Local No. 320 (Probation Officers)

1. Duration:

Two years, effective January 2, 2005 through January 13, 2007.

2. Wages:

Effective January 2, 2005	0.0%
Effective January 1, 2006	2.0%

3. Health Insurance:

2005	Single	\$433.00/month
	Single Plus Children	\$433/month
	Single Plus Spouse	\$589/month
	Family	\$640/month (except that in \$0 office co-pay plan cap is \$619)

2006 Insurance contribution reopener

4. Other Items:

- A. Paid Time Off

Participation in the County's Paid Time Off program will be optional for existing bargaining unit members and mandatory for employees hired after County Board ratification of the Agreement.

- B. Sick Leave

Updated to reflect PTO policy.

- C. Insurance

An employee shall be eligible for long term disability insurance coverage the first of the month following thirty (30) days of employment.

- D. Definitions

Change Intensive Supervision to include the following new language "Specialized Sex Offender Supervision case load or Pre-Trial Conditional Release Program."

October 18, 2005

Association of Supervisors

1. Duration:  
Two years, effective January 2, 2005 through January 13, 2007.
2. Wages:

Effective January 2, 2005	0.0%
Effective January 1, 2006	2.0%
3. Health Insurance:

2005	Single	\$433.00/month
	Single Plus Children	\$433/month
	Single Plus Spouse	\$589/month
	Family	\$640/month (except that in \$0 office co-pay plan cap is \$619)
2006	Insurance contribution reopener	
4. Other Items:
  - A. Vacation  
Delete obsolete language.
  - B. Leave of Absence  
Change language to "salary level" instead of "salary step." Change language so notice is no longer needed for funeral leave.
  - C. Insurance  
An employee shall be eligible for long term disability insurance coverage the first of the month following thirty (30) days of employment.
4. Approval to accept donations made by 3M and Thrivent Financial in recognition of employees, retirees, and members of the volunteer service. The donations would be used to purchase rain gear and other equipment for the Sheriff's Reserve.
5. Adoption of **Resolution No. 2005-169** as follows:

Authorizing Parking Restrictions on CSAH 21

WHEREAS, the County has been working together with the City of Afton to improve safety for motorists and pedestrians; and

WHEREAS, any improvements will not provide adequate width for angled parking on both sides of the street; and

WHEREAS, the City of Afton requested the parking prohibition described in City's Resolution (copy attached) for safety. Passed on October 4, 2005; and

WHEREAS, Washington County staff supports this restriction; and

WHEREAS, Minn. Statute 169.04 (1) allows the county to regulate the standing or parking of vehicles on highways under its jurisdiction; and

WHEREAS, CSAH 21 is under the jurisdiction of Washington County.

October 18, 2005

NOW, THEREFORE, BE IT RESOLVED, that the angled parking of motor vehicles shall be prohibited on both sides of CSAH 21 from Stagecoach Trail South to River Road South.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Transportation and Physical Development to install and maintain the appropriate signs to delineate this parking restriction.

6. Bids were received for traffic signal systems installation at the intersection of CSAH 12 and CSAH 15 and at the intersection of CSAH 19 and Lake Road as follows:

Collins Electric	\$223,544.15
Egan Companies	\$259,877.75
Honda Electric	\$332,066.60

Adoption of **Resolution No. 2005-170** as follows:

Bid Award for Signal System Installation at the Intersections of  
CSAH 12/CSAH 15 and CSAH 19/Lake Road to Collins Electric

WHEREAS, in order to complete signal installation at the intersection of CSAH 12 (75<sup>th</sup> Street North) and CSAH 15 (Manning Avenue) in the cities of Grant, Stillwater and Stillwater Township and at the intersection of CSAH 19 (Woodbury Drive) and Lake Road in the City of Woodbury, the county solicited bids for this project; and

WHEREAS, bids were opened on October 14, 2005 with Collins Electric being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Collins Electric be accepted and the county enter into a contract with Collins Electric under the terms and conditions set forth in the bid specification documents.

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

7. Bids were received for lease of agricultural land within county parks for 2006 as follows:

Bidder	Cottage Grove <u>22.3 acres</u>	Lake Elmo <u>278.9 acres</u>	St. Croix Bluffs <u>143.4 acres</u>	Big Marine <u>61.1 acres</u>
Donald Anderson		\$80.00		\$30.00
Gordon & Terry Herman		\$104.20		\$51.50
Steve Herman	\$80.00		\$128.00	
Craig Meyer	\$85.00			
John See		\$95.25		
Gordon & Myron Tank	\$88.20	\$105.25	\$128.40	

Adoption of **Resolution No. 2005-171** as follows:

October 18, 2005

### Award of Parks Farm Land Leases for 2006

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 10, 2005 with highest bidders being Gordon and Terry Herman for Big Marine Park Reserve and Gordon and Myron Tank for Cottage Grove Ravine Regional Park, Lake Elmo Park Reserve, and St. Croix Bluffs Regional Park; and

NOW, THEREFORE, BE IT RESOLVED, that the bids of Gordon and Terry Herman and Gordon and 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 lease between the county and Gordon and Terry Herman and Gordon and 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.

8. Approval to set public hearing date for an appeal of a Mining Conditional Use Permit granted by the Washington County Planning Advisory Commission to Rumpca Excavating, Inc. for November 15, 2005.
9. Approval of a plat for The Sanctuary located in New Scandia Township.

The foregoing Consent Calendar was adopted unanimously.

### **COMMUNITY SERVICES**

Board Chair Peterson presented Family Child Care Provider of the Year, Center Caregiver of the Year and a School Age Caregiver of the Year certificates of recognition to the following individuals: Karen Hakari, Woodbury and Gayle Rutten, Stillwater, Family Child Care Providers of the Year for 2005; Molly Ramsey, St. Croix Academy, Center Caregiver of the Year for 2005; and Jean Jannetto, Newport Elementary, School Age Caregiver of the Year for 2005.

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

#### **School District 833 Election Administration Services**

Commissioner Peterson moved to approve a contract between Washington County Elections and School District 833, South Washington County Public Schools to provide election administration services. Commissioner Stafford seconded the motion and it was adopted unanimously.

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**City of Woodbury Election Administration Services**

Commissioner Stafford moved to approve a contract between Washington County Elections and the City of Woodbury to provide election administration services. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

**Tax-Forfeited Parcel in the City of Dellwood**

Commissioner Hegberg moved to adopt **Resolution No. 2005-172** as follows:

Subdivision of a Tax-Forfeited Parcel in Dellwood

WHEREAS, parcel 17.030.21.33.0005 located in the City of Dellwood, forfeited to the State of Minnesota for non-payment of taxes on September 30<sup>th</sup> 1999; and

WHEREAS, M.S. §282.01, Subdivision 3, allows the County Board to subdivide a tract of forfeited land if it deems this to be advantageous for the purpose of sale or conveyance; and

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, desires to offer for sale or conveyance the following pieces of tax forfeited land.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby certify that the following parcel has been reviewed and comply with the requirements of Minnesota Statutes, 282.01, Subdivision 3; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Department of Assessment, Taxpayer Services & Elections to subdivide tax-forfeited parcel 17.030.21.33.0005, into two pieces with the legal descriptions as in Attachments A & B.

Attachment A

That part of the abandoned railroad right of way of the Burlington Northern Railroad Company (as successor to the Northern Pacific Railway Company) located within Government Lot 1 of Section 17 and Government Lot 3 of Section 18, Township 30 North, Range 21 West of the 4<sup>th</sup> Principal Meridian and lying between the following two described lines:

“Line A”

Beginning at the intersection of the northeasterly right of way line of said railroad with the west line of said Government Lot 1 of Section 17; thence southwesterly, at right angles to (radial if curved) said railroad right of way line, to the intersection with the southwesterly right of way line of said railroad and said “Line A” there terminating.



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"Line B"

Beginning at the most southerly corner of Block 128, WILDWOOD according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota; thence southwesterly, at right angles to (radial if curved) the right of way of said railroad, to the intersection with the southwesterly right of way line of said railroad and said "Line B" there terminating.

"Line B" is intended to coincide with Line 1 as described in Document No. 568348 of deeds recorded in the office of the County Recorder, Washington County, Minnesota.

## Attachment B

Block 128, WILDWOOD according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota.

Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

**PUBLIC HEALTH AND ENVIRONMENT**

Commissioner Stafford moved to adopt **Resolution No. 2005-173** as follows:

Designation of the National Incident Management System as the  
Basis for All Incident Management in Washington County

WHEREAS, the President of the United States of America issued Homeland Security Presidential Directive 5 to enhance the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system; and

WHEREAS, the secretary of the U.S. Department of Homeland Security developed and administered the National Incident Management System (NIMS) to provide for interoperability and compatibility among federal, state, and local capabilities; and

WHEREAS, the NIMS will include a core set of concepts, principles, terminology, and technologies covering the incident command system; multi-agency coordination systems; unified command; training; identification and management of resources; qualifications and certification; and the collection, tracking, and reporting of incident information and incident resources; and

WHEREAS, Minnesota Governor Tim Pawlenty issued Executive Order 05-02; Designation of the National Incident Management System (NIMS) as the basis for all incident management in the State of Minnesota; and

WHEREAS, it is necessary and desirable that all Washington County agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the ability of Washington County to utilize federal funding to enhance local and state

October 18, 2005

agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of the NIMS are already an integral part of various incident management activities throughout Washington County, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System; and

NOW, THEREFORE BE IT RESOLVED, that Washington County adopt the National Incident Management System (NIMS) as the standard for incident management on this 18<sup>th</sup> day of October, 2005.

Commissioner Peterson seconded the motion and it was adopted unanimously.

Board Chair Peterson reported that Deb Paige, Emergency Services Director, was recently named the 2005 Region Director of the Year by the Association of Minnesota Emergency Managers. Commissioner Peterson congratulated Ms. Paige on her honor and noted the contributions she has made to the county, including coordinating disaster drills and improving communications among responders, other governmental entities, and the citizens they serve.

## **GENERAL ADMINISTRATION**

### **SRF Consulting Group, Inc.**

In response to a question by Commissioner Stafford, Don Theisen, Director of Transportation and Physical Development, summarized the work to be performed under the contract.

Commissioner Stafford move to approve a contract with SRF Consulting Group, Inc. for consulting engineering services for the south parking lot expansion final design and the Government Center Storm Water Management Plan. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

### **Pat Anderson, State Auditor**

Pat Anderson, Minnesota State Auditor, reviewed two bills passed in the last legislative session to help address unfunded mandates and waivers from rules and procedural laws.

Mandate Reform Initiative – This legislation will give local units of government the opportunity to propose reforms of state mandates by filing a written resolution with the state auditor objecting to a state mandate or making recommendations for reforming a state mandate. The state auditor must list on the state auditor's

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Web site a list of all state mandates cited in a resolution under this section, and the name of the unit of local government citing the mandate.

Waivers from Rules and Procedural Laws – Local units of government can fill out an application to identify the administrative rule or procedural law that is hindering cooperation and explaining why waiving that rule or law would result in an improved cooperative effort. After the application is received by the state auditor's office, that office will have the authority to grant a waiver to the rule or law, allowing the local government to cooperate more effectively.

### **October 25 Board Meeting**

Commissioner Pulkrabek moved to cancel the October 25 County Board meeting. Commissioner Hegberg seconded the motion and it was adopted unanimously.

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

Commissioner Stafford reported he will be attending the Solid Waste Coordinating Board Executive Committee meeting on Wednesday. He also will be meeting with the Sheriff, Deputy Sheriff, and Nancy Pollock, Metropolitan Emergency Services Board, to discuss the procedures needed to comply with the bonding required for the 800 MHz radio system.

Commissioner Stafford asked about a claim regarding Oakdale property and that a motion was scheduled for October 14. He would like to know the outcome on that. Molly O'Rourke, Deputy Administrator, stated the person bringing the action secured an attorney. The day before the hearing the attorney came in and asked for a 30 day extension. The Judge granted that, so another hearing date will be set.

Commissioner Hegberg reported on meetings he attended last week with PERA and the Insurance Trust. Both committees will likely go to the legislature to look at technical items that the courts have ruled on differently than the committees had interpreted the procedures. Since Washington County is the largest county in the Insurance Trust he was asked to speak with John Kaul the county's legislative liaison to discuss strategies for dealing with those technical issues.

Commissioner Kriesel indicated he will be attending Judge Meyer's retirement tomorrow.

Commissioner Peterson reported on the Transportation Advisory Board of Directors meeting and they are working on the legislative package for next year.


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**BOARD CORRESPONDENCE**


Board correspondence was received and placed on file.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously. The Board meeting adjourned at 10:27 a.m.

  
Myra Peterson, Chair  
County Board

Attest:

  
Molly F. O'Rourke

Deputy Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 1, 2005**

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, Peterson, and Stafford. Commissioner Hegberg absent. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Jim Luger, Parks Director; Ann Pung-Terwedo, Sr. Planner; Dennis O'Donnell, Sr. Planner; Edison Vizuite, Financial Services Director; Lowell Johnson, Director of Public Health and Environment; Judy Hunter, Sr. Program Manager; Jeff Travis, Program Manager; Tom Adkins, Community Corrections Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Cindy Koosmann, Recorder; Kay McAloney, Human Resources Director; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

Carol and Cliff Turnbull, 6153 Crackleberry Trail, Woodbury, Karen Kilberg, 12945 Keller Avenue North, May Township, and Paul Rice, 12743 Keller Avenue North, Hugo, all spoke against showing pictures of property on the county Website. They all felt it was an invasion of privacy and a safety issue. They hoped that the County Board would not allow this practice, or, if they did, provide the taxpayers with information on how to opt out of this practice.

**CONSENT CALENDAR**

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

1. Approval of the October 11 and 18, 2005 Board meeting minutes.
2. Approval to reappoint David Bucheck, Lake Elmo, and Don Scheel, Afton, to the Valley Branch Watershed District Board of Managers to three-year terms expiring November 13, 2008.
3. Approval of revised Collections Policy to reflect operational and administrative changes.
4. Approval to decrease Petty Cash and Change Funds by \$450 resulting from the courts transfer to the State of Minnesota.
5. Adoption of **Resolution No. 2005-174** as follows:



November 1, 2005

Preliminary Solid Waste Processing Facilities  
Capital Assistance Application

WHEREAS, the State of Minnesota has a Solid Waste Facilities Capital Assistance Program which includes Household Hazardous Waste facilities which is administered by the Minnesota Pollution Control Agency; and

WHEREAS, Washington County will need a replacement Household Hazardous Waste Facility by December 1, 2008, is actively planning for its replacement, and has a preliminary facility project estimate of \$4.2 million; and

WHEREAS, Washington County is eligible to apply for funding under this Program and the level of funding is fifty percent (50%) of eligible costs or \$2 million, whichever is less; and

WHEREAS, funding under this Program is subject to appropriations by the Minnesota Legislature; and

WHEREAS, Washington County plans to make application for a Solid Waste Processing Facilities Capital Assistance grant to construct a Household Hazardous Waste Facility (Special Stream Facility).

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners states that, if Capital Assistance funding is granted for purposes of building a household hazardous waste facility, Washington County will implement the project, provide necessary local financing, and accept and exercise the governmental powers necessary to develop and operate the project; and

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners authorizes the Director of the Department of Public Health and Environment to sign the Preliminary Capital Assistance Program grant application on behalf of Washington County.

6. Adoption of **Resolution No. 2005-175**, as follows:

Identification of Market Price for Purposes  
of the Solid Waste Management Tax

WHEREAS, the 1997 Minnesota Legislature enacted a bill eliminating both the SCORE sales tax and the Solid Waste Generator Assessment, replacing them with the Solid Waste Management Tax; and

WHEREAS, Minnesota Statutes §297H requires political subdivisions that subsidize tipping fees at solid waste management facilities to identify the "market price" for solid waste management services, which is identified as "the lowest price available in the area, assuming transactions between separate parties that are willing buyers and willing sellers in a market"; and

WHEREAS, this law requires political subdivisions to identify the market price and submit their findings to the Minnesota Pollution Control Agency each year; and

November 1, 2005

WHEREAS, the Ramsey and Washington Counties Boards of Commissioners in 2004 by resolution each identified \$27.09 per ton as the "market price" for purposes of the Solid Waste Management tax, effective January 1, 2005; and

WHEREAS, Ramsey County, Washington County, and the Ramsey/Washington Resource Recovery Project staff have worked cooperatively to identify the market price for Ramsey and Washington Counties, beginning January 1, 2006, and have determined a different market price which requires approval by County Board Resolution.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby authorizes identification of \$27.70 per ton as the "market price" for purposes of the Solid Waste Management Tax, which reflects a waste disposal tipping fee of \$20.70 per ton at the Pine Bend landfill plus an estimated transportation cost of \$7 per ton, and authorizes submittal by the Department of Public Health & Environment of this "market price" and supporting documentation to the Minnesota Pollution Control Agency.

7. Approval of Public Health and Environment Director Lowell Johnson as the Washington County Community Health Board's representative to the State Community Health Services Advisory Committee and Deputy Director Sue Hedlund as Alternative representative.
8. Approval of Cities Readiness Initiative project agreement with the Minnesota Department of Health and authorization for County Board Chair and County Administrator to enter into the agreement.
9. Approval of the Public Health Emergency Preparedness and Response to Bioterrorism project agreement with the Minnesota Department of Health and authorization for County Board Chair and County Administrator to enter into the agreement.
10. Approval for the County Board Chair and County Administrator to execute the Washington County and Chisago County Joint Powers Agreement for purchase of mobile data system.
11. Approval of Historic Courthouse rental fee increase for private/non-profit rentals for 2007/2008.

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

## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Veterans Rest Camp Issues**

Commissioner Kriesel moved to approve an agreement for right of first refusal to purchase property within the Disabled Veterans Rest Camp and approval of a location and legal description for easement across Disabled Veterans Rest Camp entrance road as follows:

November 1, 2005

### Roadway Easement Description

A 100 foot wide roadway easement over, under and across the north three rods (49.5 feet) of the Northeast Quarter of the Northeast Quarter of Section 6, Township 31 North, Range 20 West of the 4<sup>th</sup> Principal Meridian, lying 50 feet on either side of the centerline hereinafter described as "Line A."

Commencing at the North ¼ Corner of said Section 6;

thence S 89°37'43" E, bearings based on the Washington County Coordinate System (NAD83), along the north line of the Northeast Quarter 1497.33 feet to the point of beginning of said "Line A";

thence S 00°22'17" W, perpendicular to said north line of the Northeast Quarter, 49.50 feet to the south line of said north three rods of the Northeast Quarter of the Northeast Quarter and said "Line A" there terminating.

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

### **SHERIFF'S OFFICE**

Commissioner Pulkrabek moved to accept a grant award from the U.S. Department of Justice in conjunction with the Oak-Land Junior High School, a facility of I.S.D. 834, to hire a full-time School Resource Deputy. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

### **GENERAL ADMINISTRATION**

#### **Information Technology Director**

Jim Schug, County Administrator, announced that the county has hired a new Information Technology Director, Tom Kay. Mr. Kay will begin his duties with Washington County the first or second week of December. He is currently the I.T. Director for the Sarasota County Clerk in Florida.

#### **American Education Week**

Commissioner Stafford moved to adopt the following proclamation:

American Education Week  
November 13 – 19, 2005

WHEREAS, the schools represent a major investment by any community;  
and

WHEREAS, teachers are a most important part of our community's  
leadership; and

November 1, 2005

WHEREAS, schools represent the best possible avenue of improving the quality of life in our county; and

WHEREAS, involved citizens provide a most important facet in the community of schools; and

WHEREAS, there is a need for better communication and a more cooperative relationship between professional educators and the community.

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners proclaims November 13-19, 2005 as "American Education Week".

BE IT FURTHER RESOLVED, that the County Board urges all citizens to reaffirm their commitment to improving and supporting education at all levels, and translate this commitment into action by visiting our local schools.

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

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

Commissioner Pulkrabek reported he will be meeting with the Tri-Lakes Homeowners Association in Lake Elmo to discuss the Highway 5 project and water quality issues. He asked that staff accompany him to that meeting to answer technical questions. The meeting will be held on Tuesday, November 8 at 7:00 p.m.

Commissioner Peterson reported on the ribbon cutting ceremony for the St. Paul Park overpass, which will be open in a couple of weeks. She advised the Board members that the Transportation Alliance will be hosting its annual meeting at the Holiday Inn by Sun Ray on the 10<sup>th</sup> of November. She encouraged the Board members to attend and participate. There will be discussion about legislative action needed during the coming session and the constitutional amendment.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

There being no further action to come before the Board, Commissioner Pulkrabek moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 9:45 a.m.

November 1, 2005

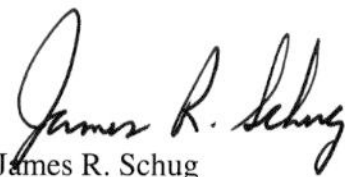
**BOARD WORKSHOP WITH THE RECORDER'S OFFICE**

The Board met in workshop session with the Recorder's Office to review the department's automated Torrens system. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Cindy Koosmann, Jennifer Wagenius, Barb Fritsche, and Yvonne Klinnert, Stillwater Courier.

**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 a request by the Housing and Redevelopment Authority for conveyance of tax forfeited property in Oakdale and an update on property information on the county webpage. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Kevin Corbid, Bogdan Filipescu, Cindy Koosmann, Doug Johnson, Sue Harris, Barbara Dacy, and Yvonne Klinnert, Stillwater Courier.

Attest:

  
James R. Schug

County Administrator

Myra Peterson, Chair  
County Board



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 8, 2005**

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, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Jim Luger, Parks Director; Wayne Sandberg, Transportation and Physical Development Deputy Director; Ann Pung-Terwedo, Sr. Planner; Dennis O'Donnell, Sr. Planner; Patricia Conley, Library Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Sue Kuss, Budget Analyst; Dan Papin, Community Services Director; Cindy Koosmann, Recorder; Barbara Fritsche, Information Technology; Kay McAloney, Human Resources Director; Jeneen Johnson, Human Resources Deputy Director; Julie Sorrem, Risk Manager; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

Sylvester Bendel, 3561 English Street, Vadnais Heights – Mr. Bendel indicated he was a former member of the Disabled Veterans Rest Camp and represented Ramsey County. The legislation that was adopted this past session calls for the camp to modify its operating policies and procedures for a rotation for the use of the campsites. For three meetings he tried to encourage this and he got no positive reaction from the Disabled Veterans Rest Camp Board. He asked the County Board to explain to this group that if they do not comply with the modification of operating procedures, Washington County will continue to collect taxes on the property.

**CONSENT CALENDAR**

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

1. Adoption of **Resolution No. 2005-176** as follows:

Classification of Five Parcels Located in New Scandia  
and May Township as Non-conservation

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, desires to offer for sale or conveyance the following parcels of land that forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels have been reviewed by the designees of the County Board of Commissioners; and

November 8, 2005

WHEREAS, the Department of Assessment, Taxpayer Services and Elections determines that these parcels may be classified as non-conservation land as provided for Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby classifies the following parcels as non-conservation; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby requests approval for the classification from the Minnesota Department of Natural Resources and townships in which the parcels are located.

List of tax-forfeited parcels:

17.031.19.32.0001 May Township, Forfeited 5/10/1952  
 20.031.19.22.0001 May Township, Forfeited 5/14/1951  
 29.031.19.22.0001 May Township, Forfeited 5/14/1928  
 18.032.19.11.0001 New Scandia Township, Forfeited 5/14/1945  
 18.032.19.14.0001 New Scandia Township, Forfeited 5/14/1951

2. Approval of revisions to the Washington County Rules and Regulations, Sections 5 and 16, Policy #5430 General Housekeeping and Acceptable Appliances, and Policy #5020 Workers' Compensation.
3. Approval and execution of a contract with Midwave Corporation for network, security, and server support.
4. Approval of contract amendment to extend project management services from Midwave to manage Information Technology Department technical projects through March 31, 2006.
5. Approval of Plat of Otchipwe Prairie, Stillwater Township.
6. Approval to reschedule a public hearing from November 15 to November 22 for an appeal of a Mining Conditional Use Permit granted by the Washington County Planning Commission to Rumpca Excavating, Inc.

The foregoing Consent Calendar was adopted unanimously.

## **TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Eminent Domain to Expand the Government Center Campus Expansion**

This item was removed from the agenda and will be discussed at a Closed Session at next week's Board meeting.

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**Comcast Corporation Project**

Peter Mott, Parks Coordinator, provided information about a joint effort of 600 Comcast Corporation employee volunteers and the Great River Greening organization which was held on October 1, 2005. The 600 volunteers participated in conservation activities that improved the natural environment in Lake Elmo Park Reserve. Projects included: 200 pounds of native prairie seed collected; 20 Wood Duck houses constructed; 20 Bluebird houses constructed; Wildlife viewing blind constructed; and an area the size of a football field cleared of buckthorn.

Kelly Weber, Comcast Corporation representative, expressed her thanks to Park staff that helped with this project. She stated that Comcast is proud to serve in Washington County and looks forward to future projects.

**Need for EIS Miller Farms and Audubon Open Space Design Developments**

Ann Pung-Terwedo, Sr. Planner, advised the Board that an Environmental Assessment Worksheet (EAW) was prepared on the proposed Miller Farms and Audubon Open Space Design Developments in Baytown Township. The proposed development consists of 121 single family residential lots with 50% of the land preserved in open space. The EAW was distributed to various agencies and no commenting agency recommended the preparation of an Environmental Impact Statement. The impact on the Wildlife Management Area south of the development, water quality and surface water run-off were issues of most concern. She believes all of these issues have been adequately addressed in the EAW and subsequent comments and responses.

Todd Erickson, Folz, Freeman, Erickson, Inc., presented a brief overview of the Environmental Assessment Worksheet.

Commissioner Kriesel moved to adopt **Resolution No. 2005-177** as follows:

Resolution for Negative Declaration of Need for an  
Environmental Impact Statement for Joint Projects  
Including Audubon and Miller Farms in Baytown Township

**General Legal Description:**

Part of Section 15, Township 29 North, Range 20 West.

WHEREAS, Washington County Board of Commissioners is the responsible governmental unit (RGU); and

WHEREAS, Minnesota Rules 4410.4300 Subpart 19 and the Washington County Development Code, Chapter One, Administration, Section 12 requires that an Environmental Assessment Worksheet (EAW) be prepared

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for a residential development consisting of 50 or more unattached units in an unsewered unincorporated area; and

WHEREAS, the Environmental Assessment Worksheet (EAW) dated July 11, 2005 has been prepared and circulated to the appropriate public agencies and private citizens pursuant to Minnesota Rule 4410.1700; and

WHEREAS, based on the information contained in the EAW, records and files and comments received and responded to in the EAW, the County Board as the RGU concluded the following:

The type, extent and reversibility of environmental effects are similar to effects associated with other residential developments and the project does not have potential for significant environmental effects.

No cumulative potential effects of related or anticipated future projects exist that would pose significant environmental effects.

The anticipated environmental effects are subject to ongoing regulatory authority, including the Minnesota Department of Health, the Minnesota Pollution Control Agency, Washington County, and Baytown Township.

The extent of the environmental effect of the new residential development can be anticipated and controlled as a result of the development process as required by the Washington County Development Code, Baytown Town Board, and other environmental studies undertaken by public agencies or the proposer, including other EISes.

The proposal is consistent with recent Baytown Township and Washington County Comprehensive Plan amendments but is not consistent with the Metropolitan Council's Regional residential densities for rural areas and water supply system policies.

WHEREAS, based on the criteria in Minnesota Rule 4410.1770, the project does not have significant environmental effects.

NOW, THEREFORE, BE IT RESOLVED, that the EAW for the Audubon/Miller Farms joint project is adequate and a negative declaration is made on the need for an EIS.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

## **COUNTY LIBRARY**

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-178** as follows:

Naming the Washington County Library Branch in Lake Elmo  
The Rosalie E. Wahl Branch

WHEREAS, Washington County is re-opening the library branch located in Lake Elmo; and

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WHEREAS, Rosalie E. Wahl has advocated for library services in Washington County throughout her 50 years as a resident of Lake Elmo and the County; and

WHEREAS, Rosalie E. Wahl served with distinction on the first Washington County Library Council before beginning her distinguished legal career which culminated in her appointment as the first woman to serve on the Minnesota Supreme Court; and

WHEREAS, under her leadership the Washington County Library Council advocated at the Washington County Board for the establishment of a County Library; and

WHEREAS, the Washington County Board did establish a County Library in 1967 with the first branch located in Lake Elmo; and,

WHEREAS, the current Washington County Board of Commissioners recognizes the importance of library service to the community as well as the importance of advocacy by citizen leaders, such as Rosalie E. Wahl.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby names the library branch located in Lake Elmo the "Rosalie E. Wahl Branch" of the Washington County Library.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Patricia Conley, Library Director, invited the Board members to attend the ribbon cutting ceremony at the Rosalie E. Wahl Branch Library in Lake Elmo on January 7, 2006 at 10:00 a.m.

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

Kevin Corbid, Director of Assessment, Taxpayer Services and Elections, addressed the issue of property photos on the county Website. Two options previously presented were: 1) Remove the parcel photos in their entirety; or 2) Allow the opt-out by property owners to have their photos removed. A third option has been identified and that is to make changes to what is available to individual property owners who log on to the web. They would still have the ability to search for property by PIN number and property address. The change would be not to allow access to the property record card that has more detailed information. All photos would be removed from the site as well as the property sketches. The comparable search module would still be available to the general public, but there would not be a photo attached.

Commissioner Kriesel moved to remove public access to the property record card and all property photos from the county's Website. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.



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**GENERAL ADMINISTRATION****Draft 2006-2010 Capital Improvement Plan**

Sue Kuss, Budget/Financial Analyst, presented the Draft 2006-2010 Capital Improvement Plan (CIP). Changes made to the plan since it was last reviewed by the Board include: (CSAH 2) reduced bonds funds from \$16.5 to \$11 million due to anticipated receipt of federal funding; (CSAH 13) increase bond funds to \$5.5 million to advance construction from Bailey Road to Glen Road; \$3.2 million to be earmarked for the implementing recommendations of a facility study that was done on the north and south highway maintenance shops for new wash bays, salt shed, and work on new wastewater treatment system; Spread the \$12 million budgeted for 2009 for the 800 MHz Radio system over four years from 2006 to 2009 to make funds available to match anticipated state grant dollars; New projects include the expansion of the Oakdale Branch Library estimated cost of \$1,060,000 and expansion of the Wildwood Branch Library estimated cost of \$880,000 in 2010; and Construction of the Red Rock Corridor estimated cost of \$14.7 million for the county's share. Ms. Kuss stated that over the next five years the county will be adding over 300,000 square feet of new office and library space. Using the county's standard rental rates \$4.4 million will be added into the operating budget to heat, air condition, clean and maintain those new spaces.

Commissioner Hegberg moved to release the draft 2006-2010 Capital Improvement Plan to Washington County communities for their review and comment. Commissioner Stafford seconded the motion and it was adopted unanimously.

**Stillwater Library**

Commissioner Kriesel moved that the \$21,000 service fee that Washington County charges the Stillwater Library be removed and that those funds come out of the county fund balance for 2006. Commissioner Pulkrabek seconded the motion.

Commissioner Hegberg stated if the county foregoes the service fee, he feels that would have to come out of fund balance because he is not sure the Library could withstand a \$21,000 adjustment in its proposed budget for next year.

Commissioner Stafford thought that the Board was waiting for a review of statistics from the Library Board?

Commissioner Kriesel stated they were, but it is getting close to December and Stillwater and Bayport are concerned about setting their budgets for the Libraries.

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Commissioner Stafford stated he is amenable to some sort of compromise, but he would like it based on fairness and facts. For the County Board to send this issue back to the Library Board and then the County Board votes on it before the Library Board give its report—he asked what he is missing.

Jim Schug, County Administrator, stated that the Library Board at its October meeting did take it up and had recommended that the fee be continued as it is proposed in the 2006 budget of approximately \$21,000. It was based on their analysis that if you look at the support that the Washington County Library system is already providing to the Stillwater Library it is actually considerably more than \$21,000 and that \$21,000 represents only partial reimbursement of the support that is being provided.

Commissioner Stafford stated he had asked some specific questions of the Library Board to reapproach this question as to what would the county's real costs be if it took over the Stillwater Library. He's never got an answer to that and is reluctant to vote on this today when he has asked a question and does not have the details. He asked Commissioner Kriesel if he could wait one more week until he gets an answer to those questions?

Commissioner Kriesel stated he could probably agree with that, but he feels it is time to fish or cut bait. In a perfect world the Library Board or staff would come back and be able to articulate what role the associate libraries play in accommodating the library system. The concern he has when you look at the fee, the associate libraries are interested in doubling their collections and it's punitive in that it will increase their fees when 40% are non-residents using that library. He wants to make sure that the county in all fairness truly reflects their role in what it costs.

Commissioner Stafford asked if this issue is delayed a week that the Bayport Library be included in the motion because you cannot do one without the other.

Commissioner Hegberg stated they do have information from the County Library Board meeting and the analysis that they used. As to the question if the county took over the Stillwater and Bayport Libraries, each library uses different analysis and operational expenses are different than how the county would run the library system.

Commissioner Kriesel stated if the county were to return all these libraries to the local communities in which they reside and let those local communities keep their tax base, would that sufficiently address those communities that don't have libraries in their communities. He feels the Board needs some analysis as to what roles and expectations the county has of these associate libraries in terms of keeping up with the growth and accommodating that growth in the surrounding communities. If somebody can convince him and others that this boils down to an adjustment between service fee for cataloging, he feels it goes well beyond that service fee that in fact their tax base is no longer sufficient to keep up with the role they play for the greater community.

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Commissioner Kriesel removed his motion that the \$21,000 service fee that Washington County charges the Stillwater Library be removed and that those funds come out of the county fund balance for 2006 and Commissioner Pulkrabek removed his second.

Mr. Schug stated that he has discussed with Pat Conley, Library Director, the fee and is it the right amount of subsidy or too little or too much. They can show the Board how they computed the amount of support that is being provided by the county library operations to the Stillwater Library. Where you get into the question of what would it cost the county to run the Stillwater and Bayport Libraries if they were in our system, as Commissioner Hegberg said, that would depend on a lot of assumptions on the level of service, whether or not the county would acquire the buildings which wouldn't be the county's choice, the citizens of Stillwater by referendum would have to vote to turn that over to the county and would the county operate it the way it is being operated today or the way the county operates the rest of the library system.

Commissioner Stafford stated that he remembers those figures and based on population it was \$60,000. If the county took out their contribution of people who use their system then it became \$40,000 and we are only charging them \$21,000. The question was different, what would happen if it was decreed tomorrow that the county took over those libraries, what's the dollar amount.

Commissioner Kriesel stated he wants to see what the county's intention of handling that growth, whose budgeting for it and whose responsibility it is.

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

Commissioner Peterson reported that AMC's 2<sup>nd</sup> Vice President Bob Fenwick's son was severely injured in a car accident. She asked that a card be sent from the County Board to the family.

Commissioner Peterson announced that yesterday was the 30<sup>th</sup> anniversary of Barry Sittlow as St. Paul Park's City Administrator. She believes he is one of the best City Administrator's she's ever seen. He has served the city and county well. She will be presenting him with a Commissioners' award.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously. The Board meeting adjourned at 10:40 a.m.

November 8, 2005

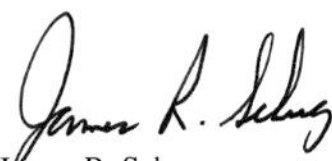
**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development to discuss Bob Bilotta's response to the county's condition and expectations for "The Garden". No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Jim Luger, Jane Harper, Wayne Sandberg, Joanne Helm, Kevin Corbid, Don Theisen, Bob Bilotta, a Bilotta Trustee, and Yvonne Klinnert, Stillwater Courier.

**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 proposed 2006 property taxes and an ACS/Manatron Tax System Update. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Kevin Corbid, Joanne Helm, and Yvonne Klinnert, Stillwater Courier.

  
Myra Peterson, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 15, 2005**

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, Peterson, Stafford, and Hegberg. Commissioner Pulkrabek absent. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Richard Hodsdon, Assistant County Attorney; Kay McAloney, Human Resources Director; Jeneen Johnson, Deputy Human Resources Director; Dan Papin, Community Services Director; Cindy Rupp, Community Services Division Manager; Don Theisen, Director of Transportation and Physical Development; Jim Luger, Parks Director; Sharon Price, Property Manager; John Elholm, Parks Coordinator; Keith Potter, Facilities Manager; Ann Pung-Terwedo, Sr. Planner; Dennis O'Donnell, Sr. Planner; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Steve Gransee, Assessment, Taxpayer Services and Elections; Jennifer Wagenius, Deputy Recorder; Steve Pott, Sheriff; Edison Vizuite, Financial Services Director; Nancy Brase, Administrative Services Manager; and Steve Nelson, Public Information Coordinator II.

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

1. Approval to ratify the Manatron Tax System contract for 2005-2010.
2. Approval to ratify the Affiliated Computer Solutions Tax System contract for 2005-2008.
3. Approval of the 2006 contract with Washington County Housing and Redevelopment Authority to provide housing subsidies for individuals with a serious and persistent mental illness under the Bridges II Program.
4. Approval and execution of a purchase agreement with Allen F. and Jeredine J. Schneider for the purchase of property on Division Street, Lakeland Shores as part of the CSAH 18 reconstruction project.
5. Approval of a letter of support for LCMR Grant funding for land cover mapping.



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6. Approval and execution of Amendment No. 1 to Cooperative Construction Agreement with the City of Woodbury for signal construction on CSAH 19 (Woodbury Drive) and Lake Road.
7. Approval for the Board Chair to sign a letter requesting congressional support for maintaining funding levels provided in SAFETEA-LU.
8. Approval to transfer ownership of Washington County Sheriff's Office K-9 "Jax" to his handler, Deputy Kirby Livingston.
9. Approval to amend the agreement with Aramark FHC Corrections Services, Inc. to renew the term from November 1, 2005 through October 31, 2006.

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

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

Commissioner Hegberg moved to adopt **Resolution No. 2005-179** as follows:

Approval of Purchase from the Trust for Public Land a  
Portion of the Point Douglas Trail and  
Acceptance of Federal Funds Grant

WHEREAS, Washington County is desirous to expand a trail system in the lower Washington County area for the benefit of local residence and surrounding communities; and

WHEREAS, Washington County has received funding from the Minnesota Department of Natural Resources and a match Federal TEA-21 fund for the acquisition of this abandoned railroad bed along the Mississippi River to be known as the Point Douglas Trail, between Prescott, WI and Hastings, MN.

BE IT RESOLVED, that Washington County authorizes the acquisition of said portion of Point Douglas Trail between Prescott, WI and Hastings, MN as described in the Washington County Right of Way Plat No. 148; and

BE IT FURTHER RESOLVED, that the parks division will use permit funds to finance the purchase until state and federal grant funds become available.

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

Commissioner Hegberg moved to adopt **Resolution No. 2005-180** as follows:

November 15, 2005

Resolution Approving MN/DOT Act as County's Agent in Accepting  
Federal Aid in Connection with Land Acquisition for Point Douglas Trail

BE IT RESOLVED, that pursuant to Minnesota Statute Section 161.36, the Commissioner of Transportation be appointed as Agent of Washington County 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 Chair and County Administrator are hereby authorized and directed for and on behalf of the county 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. 87968", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

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

### **GENERAL ADMINISTRATION**

Jim Schug, County Administrator, informed the Board that Don Theisen, Director of Transportation and Physical Development, was elected to the Board of the Minnesota Public Works Association, which is a chapter of the American Public Works Association.

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

Commissioner Hegberg reported on the Minnesota Counties Insurance Trust claim hearings he attended last week. One claim involved a road project in southern Minnesota and a motorcyclist who was not wearing a helmet. He hit loose gravel in the intersection and ended up with a severe brain injury. The lawsuit is over who will pay for his nursing home care. He feels that the State of Minnesota should revisit the helmet law. The other claim involved an inmate in northern Minnesota who died because he consumed cleaning fluid for three or four days. The heirs are now suing the county and hospital who treated him. He's not sure what can be done about these situations where individuals make choices in life that put them in certain situations and the taxpayers end up paying for it.

Commissioner Stafford announced that today at 4:30 p.m. there will be a groundbreaking ceremony in Woodbury for expansion of the YMCA. On Thursday he will be participating in interviews for a new Law Librarian.

Commissioner Kriesel announced that there will be a fund raiser for the Art Reach Alliance that will be held on Thursday, November 17 at 6:00 p.m. at the Grand Banquet Hall in Stillwater. The St. Croix Jazz Orchestra will be performing.

November 15, 2005

Commissioner Peterson announced that the Victorian Christmas at the Historic Courthouse will be held this weekend beginning Friday evening from 6:30 to 9:00.

Commissioner Peterson mentioned that there will not be a County Board meeting on November 29 because it's the fifth Tuesday of the month.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

The Board recessed into Executive (Closed) Session at 9:40 a.m.

### **EXECUTIVE SESSION**

The Board met in Executive Session to discuss proposed cost of right of way and appraisal review for parking lot expansion. Present for the Executive Session were Commissioners Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Richard Hodsdon, Ted Schoenecker, Sharon Price, Craig Hinzman, and Patricia Raddatz.

The Board reconvened at 10:32 a.m.

### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously; Commissioner Pulkrabek absent. The Board meeting adjourned at 10:33 a.m.

### **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 Lake Elmo Park Reserve Master Plan amendment. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Jim Luger, John Elholm, Ann Pung-Terwedo, Steve Nelson, and Yvonne Klinnert, Stillwater Courier.

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

The Board met in workshop session with the Department of Public Health and Environment to discuss development of a replacement household hazardous waste facility. No business was transacted and the

November 15, 2005

public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Lowell Johnson, Judy Hunter, Jeff Travis, Cindy Weckwerth, Don Theisen, Steve Nelson, and Yvonne Klinnert, Stillwater Courier.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
NOVEMBER 22, 2005**

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, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Linda Krafthefer, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Transportation and Physical Development Deputy Director; Joe Lux, Sr. Engineer Technician; Michael Welling, Surveyor; Ann Pung-Terwedo, Sr. Planner; Dennis O'Donnell, Sr. Planner; Lowell Johnson, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; Dan Papin, Community Services Director; Robert Crawford, Workforce Center Division Manager; Patricia Conley, Library Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Edison Vizuite, Financial Services Director; Kay McAloney, Human Resources Director; Sheriff Steve Pott; Cindy Koosmann, Recorder; Jennifer Wagenius, Deputy Recorder; Edison Vizuite, Financial Services Director; and Steve Nelson, Public Information Coordinator II.

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

1. Approval of the November 1, 8, and 15, 2005 Board meeting minutes.
2. Approval of a new application for on sale liquor license by James R. Schneider, Prospects, Inc., located in Scandia, Minnesota.
3. Approval of the 2005 Community Development Block Grant agreement with the Lee and Rose Warner Nature Center for accessibility improvements for the entry points and buildings.
4. Approval of first amendment to the agreement with Hennepin County Human Services Department for delivery of employment and training services to laid off Northwest Airline workers from April 1, 2005 to March 31, 2006.



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5. Approval of changes to Administration Policy #1808, Capital Assets, to incorporate procedural improvements in the recording and disposition of county property.
6. Approval of two Deputy Sheriff Patrol Officer positions in the Sheriff's Office, one full-time Deputy Sheriff as a transport officer and one full-time Deputy Sheriff for the Metropolitan Gang Strike Force.
7. Approval for the Sheriff's office to accept a donation of \$1,000 from the Thrivent For Lutherans to be used for raingear for the Reserves.
8. Approval to set public hearing to consider an amendment to the Washington County Development Code that would allow winter storage of boats and other recreational vehicles in buildings on the Fairgrounds for December 20, 2005.
9. Approval to set a public hearing date for an appeal of the Washington County Planning Advisory Commission denial of an open space design development by Cary Bartz owner and David Atkins, Insignia Development, applicant for December 13, 2005.
10. Approval and execution of Amendment No. 1 to agreement with May Township for the transfer of County Road 58 to May Township.
11. Adoption of **Resolution No. 2005-181** as follows:

Space Lease Amendment for the Department of Community Services

WHEREAS, Washington County and Human Services, Inc. entered into a space lease agreement numbered 1936 on July 2, 2002 for the use of office space; and

WHEREAS, Washington County and Human Services, Inc. wish to continue the space use arrangement facilitated by Amendment No. 1 that will continue the original lease for an additional 18 month period with provisions for bimonthly rental thereafter; and

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

BE IT FURTHER RESOLVED, that the lease amendment between Washington County and Human Services, Inc. be executed through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all lease specification requirements and approval as to form by the Washington County Attorney's Office.

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12. Adoption of **Resolution No. 2005-182** as follows:

Transfer of Excess Municipal Funds to Regular Funds

WHEREAS, Minnesota Statute 162.08, Subd 4 (d), provides that accumulated balances in excess of two years of municipal account apportionments may be spent on projects located outside of municipalities under 5,000 population when approved solely by resolution of the County Board.

NOW, THEREFORE BE IT RESOLVED, that the Commissioner of Transportation transfer funds in excess of two years apportionment into CSAH Regular Construction Account.

13. Approval of proposed settlement of compensation and damages for Alice Albrecht parcel as it pertains to the Big Marine Park Reserve.
14. Adoption of **Resolution No. 2005-183** as follows:

Washington County Right of Way Plat No. 148  
Point Douglas Trail

WHEREAS, the Washington County Linear Park Master Plan identifies a search area for trails in South Washington County; and

WHEREAS, Washington County has been working with the Minnesota Department of Natural Resources and local communities to acquire an abandoned railroad bed in South Washington County for use as a trail; and

WHEREAS, Washington County has received funding from the Minnesota Department of Natural Resources and from the federal TEA-21 program for acquisition of the property from the Trust for Public Land; and

WHEREAS, a right-of-way plat has been prepared for the property by the Washington County Department of Transportation and Physical Development, Survey and Land Management Division, according to MINN. STAT. § 505.1792.

NOW, THEREFORE, BE IT RESOLVED, Washington County Right-of-Way Plat No. 148, Point Douglas Trail is approved by the Washington County Board of Commissioners.

15. Approval to purchase computer hardware from TSG Server & Storage for the county's iSeries Server and the Recorder's Office production server.

The foregoing Consent Calendar has been adopted unanimously.

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## **PUBLIC HEARING - TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Appeal Planning Advisory Commission's Approval of a Mining Conditional Use to Rumpca Excavating, Inc.**

The Board Chair presented a brief overview of the procedures that will be followed for today's public hearing to consider an appeal of the Washington County Planning Advisory Commission's approval of a mining Conditional Use to Rumpca Excavating, Inc. The Board Secretary confirmed that the notice of public hearing was published in the legal newspaper.

Ann Pung-Terwedo, Sr. Planner, reviewed her memo to the County Board of Commissioners dated November 8, 2005 and marked as Exhibit B. Briefly, she indicated that Rumpca Excavating, Inc. made an application for a mining/conditional use permit in 2001 to mine an 80 acre parcel of property in Denmark Township. The county processed that EAW and there was a determination made for a negative declaration on the need for an Environmental Impact Statement. The application was not complete in 2001 because approval had not been received from Denmark Township. After a long administrative and legal process, Denmark Township submitted a permit on September 5, 2005. Ms. Pung-Terwedo reviewed the application, displayed the location of the proposed mining, the product to be removed from the site and the proposed reclamation of land. There is currently litigation between Rumpca and neighbors regarding the issue of the access going south of the mining operation down 90<sup>th</sup> Street. That process is a separate process from today's public hearing.

Ms. Pung-Terwedo indicated that the appeal was submitted by George LeTendre representing the Kramer and Grotes property which is directly south of the site. Four issues were submitted regarding that appeal: 1) Health, safety, and welfare of surrounding residents; 2) Effect on property values and scenic views; 3) Product to be removed from the site; and 4) Reclamation of land.

George LeTendre, representing the appellants in this matter, requested that the application be denied or continued. Throughout this process for the conditional use permit, his clients were assured by the Denmark Town Board and the Denmark attorney that the access to the gravel pit would not be going to the south. The Township Board voted 5-0 that the road would not go on Oakgreen Avenue to the south. Also, James Fitzpatrick, Town Board Supervisor, informed Mary Grote and Dennis Holz that they were not permitted to attend the arbitration hearing. After the arbitration his clients realized that the road was going to the south right by their homesteads. They have raised the following issues:

Health Safety and Welfare of Surrounding Residents/Traffic along Oakgreen and 90<sup>th</sup> Street - Joe Lux's report states that a left turn lane may be appropriate where heavy vehicles turning averaged 15 per hour, eight hours per day. He went on to state that he estimates 27 trucks per hour will be entering Oakgreen Avenue. He would like more clarification. He is also concerned about the intersection of 90<sup>th</sup> and 95. What

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traffic counts are there and what accidents have been recorded at that location. He believes more information is needed.

Reclamation of Land: - Based on the application they will be digging a 60 foot hole. They would like more clarification on how they plan to make any use of this 60 foot deep hole. He referred the Board to Exhibit N, a letter from Peter Young, Washington Conservation District, dated September 9, 2005. The letter indicates that "intermittent streams and waterways do exist adjacent to and on the site. These drainage ways lead to an unnamed tributary to the St. Croix River ..... Extra precautions must be taken to protect these drainage ways from negative sedimentation impacts ..... A sealed holding pond should be required." He is not sure there is anything in this application that specifically states there will be a sealed pond. "A recycled material area and a sealed holding pond should be denoted on the plans .... The recycled material area must not be directed to the other proposed runoff basin." "there is nothing in the permit submittal that indicates how the sizing of the pond or outlet structure was arrived at ..... it does not show the locations of the stormwater management structures. Of greater concern is the lack of an adequate route for the water to travel from the pond to the drainage swale on the east side of the site. Plans and calculations should be submitted showing that the pond and outlet structures are properly sized and that the water will have a safe and clean route off the site when water does discharge from the pond." The letter recommends that an additional \$40,000 be added to the cost estimate for seeding of the Nature Preserve Area. He asked the Board to review that and see if they believe all of those issues have been dealt with in the application. Mr. LeTendre stated that Ms. Terwedo indicated there is suppose to be an 8 foot berm around the east and south side of the pit. Based on the appellate and arbitration decisions the roadway now will have access at the southeast corner of this property, therefore there will be a breach in the berm. He believes that is an issue both from the scenic and safety issues and they would like a little more clarification on how they would deal with that.

Mr. LeTendre, stated because of their pending litigation with Denmark Township, even if the Board granted a permit today, it would not allow them to start an operation. He suggested that there is no harm to the petitioner if there were a continuation and that the Board look at the issues he has raised and other issues that his clients will be bringing to the Board.

Jack Clinton, 7616 Currell Blvd., Woodbury, representing the Magone/Rumpca Conditional Use permit, stated he came prepared to address the issues raised in the notice of appeal. There are a number of issues that have gone beyond that this morning. He will address those at the end of his presentation. He does not believe they are part of the appeal and there is information that has been provided to the Board which is not accurate in terms of historical background. Mr. Clinton reviewed his letter to the County Board dated October 14, 2005. That letter included a copy of the Court of Appeals decision involving Rumpca and Denmark Township. In his letter he raised certain objections to the perfection of this appeal and he will not restate them. He feels that everything submitted by Magone family and Rumpca have met all of the ordinance criteria. There is noting in the appeal, factually or legally, stating that there is any non-



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compliance with the ordinance criteria. He does not believe there is an appeal of anything substantive before this Board which can be acted upon to overturn the Planning Commission decision to issue the permit. He will not address the last two issues because they were only asking for information about the tonnage of the material to be removed and how the reclamation was going to be done. There has been a reclamation plan submitted as part of the original application to the Township, that also accompanied the application that was made to the county.

Mr. Clinton addressed the issues of environment and traffic issues, all of which were addressed by the Court of Appeals. The Township adopted findings denying the permit for four reasons. The Court of Appeals went through all of those reasons including environmental issues, property values and traffic. Each of the issues the Court of Appeals went through the record and found that none of those reasons the Township gave for denial were of substance and could be upheld. The Court overturned the denial of the permit. The Court of Appeals stated in their decision "...the record shows that the township's planner recommended conditions for the permit that would adequately address concerns regarding noise and dust". "The Tiller permit, which the board approved, is subject to identical conditions." Mr. Clinton stated that the Court of Appeals decision stated that there were identical conditions attached to the permit approved by Tiller. In March of 2001 the Township Board denied the Rumpca permit request. In April of 2001 the Township approved a renewal of the Tiller permit which is immediately adjacent to this property, had identical issues that would have been reasons for denial of their permit, and the Township approved it. The Court of Appeals decision went on to find "The board also found that the proposed mine is 'in close proximity to rural residential developments and will seriously depreciate the property values.'" One of the issues that has been raised on this appeal. "The evidence in the record shows otherwise. Although one resident submitted anecdotal evidence of differences in property values depending on proximity to an existing gravel mine, there is ample evidence that the proposed mine would not seriously decrease property values and might even result in increased values." "As discussed earlier, the record does not support the board's finding that the proposed mine will seriously depreciate the value of land adjacent to the Magones' property." There has been nothing submitted to the County Planning Commission nor the record submitted to the County Board that would contradict that or would provide additional information that there's a concern regarding property values. On traffic issues the Court of Appeals stated "The board found that there were insufficient 'site distances ... for some of the accesses for both vehicular and pedestrian traffic' and that all of the suggested accesses would 'lead to increased traffic congestion and are not in harmony with the surrounding community.' But the Township engineer stated unequivocally that the proposed mine did not pose any problems with increased traffic volume and that any problems with the suggested routes could be solved. ....The evidence shows that the proposed mine will not add to traffic congestion." That was supported by letters from the county highway department and Mn/DOT who both reviewed alternative accesses for this gravel pit. The Court of Appeals then concluded that "the township's denial of a conditional use permit allowing appellants to operate a gravel mine was unreasonable, arbitrary, and capricious because the reasons given for the township's decision are legally insufficient or lack a factual basis in the record." Mr. Clinton stated they are not in any



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different position today. There is no new information that would indicate that anything determined by the Court of Appeals or through the arbitration process are in error.

Mr. Clinton stated that after the Court of Appeals decision two issues remained. One was the access route and a challenge they made to fees being charged by Township consultants for their review. Approximately \$30,000 in consultant fees were charged by the Township to Rumpca for the review. The same review for the Tiller permit was \$1,500. Both the District Court and the arbitrator reduced the amount of fees that the Township could charge to Rumpca significantly, but it was still about 20 times what Tiller paid for the same review. The only request that they made to the Township was treat us like Tiller. The Court of Appeals stated in their findings that the conditions recommended were like those of Tiller.

Mr. Clinton addressed additional issues raised that he feels are outside of the scope of the appeal. Regarding the arbitrator's hearing, there was a full day of testimony and it was held in June at the Town Hall at 9:00 in the morning. The Town Hall was opened. He does not know what was represented to any landowners, he does know that there was never any discussion about that hearing being closed to the public. In fact there were members of the public there. Anybody who wanted to come to the hearing just had to walk in the doors, they weren't closed let alone locked. In terms of promising routes, there were four routes looked at. He will only address the two that were focused upon. What is called Route C is the south route from Oakgreen to 90<sup>th</sup> Street and Route B would be to go north to 80<sup>th</sup> Street and out to Highway 95. The reason they went to arbitration was because the Township didn't want either of those routes used. The arbitrator had surveys and deeds on the property before him in terms of making a decision. The testimony from the Township engineer indicated they did not know whether 80<sup>th</sup> Street would sustain the traffic loads and weight and therefore couldn't recommend it. The arbitrator went with Oakgreen to 90<sup>th</sup> Street. Two different engineers on behalf of the Township reviewed this option. There were no issues on this. The county and Mn/DOT looked at 95 and 90<sup>th</sup> Street, there were no issues. The Township was asking Rumpca to construct turn lanes on Highway 95 for alleged safety concerns over sight distances. The evidence was that Tiller had been using the same intersections for years and no one had ever raised an issue about Tiller needing to build turn lanes for those same intersections. They had accident records at all four of those intersections going back for 20 years. The records indicate that for 90<sup>th</sup> and 80<sup>th</sup> there had been seven accidents in 20 years. At 110<sup>th</sup>, the primary route used by Tiller, there were 21, three times the number of accidents. At 70<sup>th</sup> Street the accident records were substantially higher than that even though it was a four-way stop, there were a total of 41 accidents. None of the accidents at all four intersections involved a gravel truck. He feels the concerns about traffic are unsubstantiated. In terms of traffic counts, their application was for 75 round trips or 150 one way trips. Tiller has twice that because of the size of their operation. Rumpca does not anticipate approaching that, but because the Court of Appeal's decision said to the Township it has to issue the permit with conditions similar to those of Tiller, the number of truck trips maximum under the Conditional Use Permit are the same for Rumpca and Tiller, but they don't anticipate going to that maximum.

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Mr. Clinton addressed a point that was made that even if the County Board issued this permit they cannot start this operation. That is not true. There is no restraining order in place preventing them from operating consistent with the permit. In terms of the road issue that has been raised in the other litigation, he and the Township attorney offered in July to take the whole issue back to the arbitrator, but the litigation is still pending and they are not any further than they were in July.

Mr. Clinton addressed the four issues raised in the appeal: All of the ordinance criteria have been met; None of the four issues raised during the hearing based on the evidence before the Planning Commission and the record indicates that any of the ordinance criteria have not been met. The parties to this appeal are simply trying to relitigate issues that have already been thoroughly reviewed by the District Court, the Court of Appeals, the Supreme Court and an arbitrator. Nothing new has been raised. There was a reference made to water crossing the property. The Court of Appeals addressed that and it was one of the reasons that the Township cited for denial saying that is within an area that cannot be used for a gravel mine. That wasn't supported by the record. That is just another red herring thrown out today to try and sidetrack this whole thing. He believes that everyone has had the opportunity for public input and comment concerning ordinances being adopted, ordinance criteria for various land uses and that was the time to address it. His clients have been respectful of this process, they came in and submitted the applications, submitted all of the documentation that has been asked for, have met all of the ordinance criteria, it's been reviewed by the courts and a decision has been made. He is requesting the County Board deny the appeal and approve the issuance of the permit as it was approved by the Planning Advisory Commission.

Mr. LeTendre addressed the issue of a denial versus a continuation. This body has the legal right to put reasonable restrictions on any Conditional Use Permit. The Appellate Court, though they addressed some of these issues, he does not believe they addressed all of them. He feels it is incumbent on this Board to review it to make sure the safety concerns are addressed. What Mr. Clinton referred to as a red herring, the report by Pete Young, Land Use Conservationist, he cannot support that argument. This was prepared in September of 2005 and may have taken into consideration things that the Appellate Court did not and Denmark Township did not. He said he would not call Mr. Young's report a red herring.

Ken Tibesar, 8780 Oakgreen Avenue, Hastings, MN – Mr. Tibesar stated his property is to the south of Steve Kramer one of the appellants. A letter was provided highlighting their issues and concerns. 1) Health, Safety and Welfare—they feel that the Joe Lux report from the Transportation and Physical Development was good for traffic of that day, but the traffic on 90<sup>th</sup> Street is a designated route to the St. Croix Bluffs Park and there are different traffic patterns throughout the year which have not been examined. Mr. LeTendre also mentioned the access to Highway 95. The Township engineer and Wayne Lemanika, Department of Transportation stated that the 80<sup>th</sup> Street access to Highway 95 was safer. Mr. Lemanika also stated that the best truck route was north on Oakgreen to 70<sup>th</sup> Street. There has also been a concern expressed by the Town Board about the playground located on the Denmark Town Hall property that has not been addressed. Monitoring wells are required at the Tiller excavating site which is within two miles and is not adjacent as

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Mr. Clinton mentioned. The Washington County Geological Atlas says that for their area there are a number of issues regarding bedrock fracturing and sandstone caves. He asked why monitoring wells are not required for the Rumpca site when they are required for Tiller's site. 2) Property Values—They feel that the increased traffic and loss of trees on this property would have a significant impact on property values. 3) Rushed Decision by the County Planning Commission—The night got very late, the Planning Commission did not start the public hearing on this matter until 11:30 p.m. and the decisions by the Planning Commission were not discussed until 12:30 a.m. They do not feel this was a proper setting, wasn't addressed properly, and maybe all the issues were not reviewed by the Planning Commission because of the late hour. 4) Incomplete Rumpca Mining Application—In the mining regulations, Section 5.2 item 10, "road or streets shall name right of way width and traveled portion width." This information is not available for Oakgreen Avenue South. There is no information, no studies done on the road for Oakgreen Avenue South and information is not in their findings. The binding arbitration findings and decisions noted a number of issues as stated in the arbitrator's findings with some of the other routes noted. There was a comment from one of the engineers saying there was a significant impact. They feel there are a number of things that are still unaccounted for. Mr. Clinton mentioned the binding arbitration. They were told by members of the Town Board that those hearings were closed and they were not invited to attend those hearings. Even if they did attend those hearings would their information and concerns be heard by that arbitration? The arbitrator did note a number of problems with the issues that were stated with the different routes. They are questioning the accuracy and completeness of the information because there were a number of times where the name Steve Biscoe has been mentioned in taking an active role in collecting the data and providing the information to the Township engineer. His name is also mentioned in the binding arbitration findings. As a brother-in-law and a husband to the gravel pit site owners and as a landowner himself of property on the corner of 80<sup>th</sup> Street and Highway 95, they feel that Steve has been put in a very difficult position and may have had a hard time maintaining an open and unbiased view. They are not saying the information that Steve collected is incorrect or incomplete, but they feel that due to this conflict of interest an independent party should be appointed by the County Board to review all of this information and analysis for this permit. They feel that the work for the CUP is not complete since there are a number of issues still outstanding. They feel the mining regulations have not been fully addressed prior to the use of this permit. They request that the Board ask for this information and deny the Conditional Use Permit.

Charlie Grote, 8719 Oakgreen Avenue South, Hastings – Mr. Grote asked the following questions: If the CUP is approved, who controls the CUP requirement? George Kuprian, Assistant County Attorney, stated that the county would control based on its permit. The county would be regulating its own permit. Whatever conditions are in the permit would be subject to the county's control.

Mr. Grote asked who in the county would control that? Mr. Kuprian stated that Land Use and Planning would.

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Mr. Grote asked if the county would monitor and protect the rights of the Township residents versus the gravel pit owners? Mr. Kuprian stated the county would be enforcing the permit requirements.

Mr. Grote asked how that would be done? Mr. Kuprian stated he would defer to Land Use and Planning since they would be doing the enforcement.

Mr. Grote asked if there were any violations noted by the residents would they report it to the county Land Use and Planning? Mr. Kuprian indicated that is correct.

Pam Monno, 13199 80<sup>th</sup> Street South, Hastings, spoke for Michell Ray, 13310 80<sup>th</sup> Street Court South, Hastings – Ms. Monno read a letter from Ms. Ray to the Denmark Town Board dated February 24, 2001. The letter refers to a Denmark Township property value impact analysis that she prepared regarding the proposed Rumpca gravel pit. It also listed her qualifications related to this issue. Ms. Ray determined from her research of public records that the proposed Rumpca gravel pit, if approved, would seriously depreciate the surrounding property values. Her analysis included the Hidden Valley and Sandy Hills developments in Cottage Grove.

The Board Chair asked if this information was given to the arbitrator? Ms. Monno stated she could not answer that for sure. The Board Chair believes that it was and asked that copies of this report be made for the record.

Mr. Clinton clarified two items. He thought they were here on an appeal for two property owners and didn't know they were going to retry the case that has already been tried through the district court. There was a report by Ms. Ray that was submitted in part of the record and it comprised pages 202 through 293. The Hidden Valley Project was a development done by the Rigg Family, it was a gravel pit off 70<sup>th</sup> Street. They had been there for 35 years. They submitted information from Mr. Rigg that is also part of the record that went to the trial court, Court of Appeals and Supreme Court concerning this and they had been able to successfully develop upscale housing adjacent to the gravel pit. They had not had any marketing problems or issues with people concerned over the gravel pit. As he referenced earlier, the Court of Appeals stated "The Board also found that the proposed mine is 'in close proximity to rural residential development and will seriously depreciate the surrounding property values.' The evidence in the record shows otherwise. Although one resident submitted anecdotal evidence of differences in property values depending on proximity to an existing gravel mine, there is ample evidence that the proposed mine would not seriously decrease property values and might even result in increased values." Mr. Clinton objected to the submission of the Ray Report. It has been rejected by the Courts. There was a comment made by Mr. LeTendre that the Town Hall playground had not been addressed. That is not correct. The Township had raised issues they didn't want the gravel pit driving trucks past the playground. The playground has gravel trucks going by it now because Tiller drives by the playground with their trucks. It's fenced and there have never been any safety problems, no child has ever been injured from the gravel trucks. The area where the trucks would



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drive on Oakgreen the condition of the arbitrator's award was that Rumpca has to install a fence, the same type of fence that has protected the kids on 90<sup>th</sup> Street. The other issue was raised concerning Pete Young's report. After he wrote the report he met with Mr. Rumpca on site because he had not been there before. They went over the site, the sealed pond that Mr. Young wants is agreed to and that will be done. There is nothing in Mr. Young's report which is an issue. Nothing that the County Board has to review, determine or gather more information on or put any more conditions on. The sealed pond that he wants for sedimentation is going to be done. He feels they have addressed everything that has been asked. He asked that the County Board affirm the issuance of the permit as approved by the Planning Commission.

Dennis Holz, Oakgreen Avenue – Mr. Holz stated that Mr. Clinton has made a number of comparisons to Tiller. He believes there are a number of things that are different. Tiller has a driveway. All the mailings they've gotten it lists the Rumpca address as 80<sup>th</sup> and Oakgreen, not 90<sup>th</sup> and Oakgreen. The traffic will increase with Rumpca's use. In the arbitrator's ruling another route was turned down because of traffic repetitions. It cannot be based solely on what Tiller does because traffic will increase. He believes that Tiller has a monitoring well. Part of the issue from the beginning has been the exit. The whole issue has been danced around from one exit to another. He questioned how they are going to get in if they don't have a route in, how will they begin their operation. They live across from the park and it is fenced along 90<sup>th</sup> Street where Tiller goes with their trucks, but along Oakgreen where there will be 300 trucks a day that will not be completely fenced because the Township a number of years ago moved their entrance to Oakgreen, so it will not be completely fenced.

Rich Robinson, 8833 Oakgreen Avenue South – Mr. Robinson stated this gravel pit is in the center of the town. The reclamation calls for this gravel pit to be zoned ag. The pit will be going 20 to 30 years when there will be 60 foot hole in the ground in the middle of the Township. The area around there will be very residential. He does not understand a reclamation plan that isn't forward looking. He does not see anyone farming that area. He does not believe this area will be zoned ag. He thinks a reclamation plan needs to be more forward thinking. At the commission meeting a staff member did raise the issue of reclamation and unfortunately the question was asked during public comment and because it was during public comment there never was staff discussion about reclamation.

Pam Monno, 13199 80<sup>th</sup> Street South – Ms. Monno stated this proposed gravel pit is in the center of the Township. Most cities do not have industries such as this in the center of their Township. She has in front of her two letters written by the attorney they had hired and she has retained that information. She stated there are purposes for zoning ordinances. Denmark Township is their local government and that's important because that is how the common people are heard. The purpose of a zoning ordinance as a review is helpful to recall the general specific purposes of the Denmark Township zoning ordinance. Ms. Monno went on to identify the general purposes of zoning ordinances.



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The Board Chair stated that the entire Board understands Planning Commission responsibility at the local level. That was heard when this case was tried. There are three former council people on this County Board. The Board has people who have served on the Planning Commission of various communities, so the Board fully understands Planning Commission responsibilities.

Ms. Monno, stated the Board has so much information it has to process that she wanted to refresh some memories here. She apologized. She read the following statement: We all need help in refreshing our memories. To help us refresh our memories the following definition of democracy was taken from the Second Collegiate Edition, the American Heritage Dictionary, Copyright 1982, 1985 and 1991. She then proceeded to read the definition. She is concerned about the erosion of the democratic process regarding the CUP. The democratic process was not eroded as demonstrated by the decisions to deny the CUP originally made by the Denmark Township Planning Commissioners or the Town Board Supervisors. Their decisions were based on the factual and legitimate information compiled and presented by the citizens or common people. One of the facts presented to the Town Board was the devaluation of private property. This was the key to denying the CUP. The local government heard the majority of the local people. The District Court ruled in their favor and was then overturned by the Appellate Court. The Appellate Court not only overturned the Township's decision but also threw out the restrictions that were placed on the CUP by the Town Board. The common people proposed those restrictions and the Town Board thought they were valid enough that they included them in the decision making process. The Township board listened to them. The Appellate Court chose not to listen to the common people, they instead listened to maybe information that may have been distorted or miscommunicated. By not listening they eroded the democratic process and showed a blatant disregard and disrespect for the common people. This is a mockery of our justice system. The proposed gravel pit has been a well kept secret. Only a select few knew. The select few will benefit economically from the gravel pit. She asked how will they benefit economically as the common people. Land was sold to the common people in the immediate area before the CUP proposed gravel pit was submitted. A ten acre lot located on 80<sup>th</sup> Street and Neal was the last land to be sold in this area. Shortly thereafter the CUP was submitted. Had they known a gravel pit was planned for this area would they have purchased these properties, absolutely not. She feels the people living near or adjacent to the proposed gravel pit will be greatly impacted financially, physically, and mentally.

Mr. LeTendre stated that Mr. Clinton indicated that Mr. Rumpca met with Pete Young out at the site and did in fact agree to that sealed pond. He wanted to verify if that is going to be part of the CUP and would the other suggestions and recommendations that Mr. Young presented be implemented into the permit. Ms. Pung-Terwedo, indicated she did have a conversation with Peter Young and he did meet on the site with Rumpcas. Based on the comments in his memo, that will be made part of the permit and staff will follow up with them to make sure all those recommendations are made.

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The Board Chair asked if the 40 feet that will be left above the water table, will the county be monitoring that? Ms. Pung-Terwedo stated that based on the Geologic Atlas they found the groundwater at about 100 feet. Every year mining operators submit a survey showing the lowest elevation of the pit. Staff makes sure every year that the operator is mining at the lowest depth they are permitted for.

Commissioner Stafford stated in the letter that Mr. Clinton provided he makes a comment that the District Court issued an order directing the Township to issue a Conditional Use Permit. The Board Chair stated that the Township issues one first, there are two permits.

Commissioner Hegberg stated that the Planning Commission met on September 27, 2005 and they took all the new information into consideration and also the route that would be accessed to the property, was that determined? Ms Pung-Terwedo stated that is correct and that was part of the permit that was issued from the Township for that route of Oakgreen going south.

Commissioner Hegberg stated there were conditions about the draining issue, that was on there. Ms. Pung-Terwedo stated that is correct.

Commissioner Hegberg stated the restoration plan was reviewed and requirements there were 28 requirements on the permit holder. Ms. Pung-Terwedo stated there were actually 29 conditions. No. 28 was access and 29 was revocation.

Commissioner Hegberg asked if the permit is reviewed every five years and at that time does the county ask for additional information and determine if wells will be required? Ms. Pung-Terwedo stated every five years the county requires a permit application consistent with the regulations on a mining operation. Every five years they have to resubmit all the data for the next five-year round. If concerns are raised about a monitoring well, they will be reviewed.

Commissioner Stafford stated there was a question about the reclamation of that property. The proposed long term use is for 20 to 30 years. Is this just going to be a five year project? Ms. Pung-Terwedo stated it is a full mining plan with an ultimate use being what the proposal is in crop land and natural prairie. However, there is the underlying zoning and comp plan that may change over time. As things move forward things change, there is the underlying zoning.

Commissioner Stafford stated he was still unclear, is this going to be mined for five years and then reclaimed or are these a series of five year permits? Ms. Pung-Terwedo stated they are a series of five-year permits.

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Commissioner Stafford asked about the gentleman who testified about the long-range plan for reclamation that is planned to be ag but in real life it may not be that in the future, can that reclamation plan be changed as the permits renew? Ms. Pung-Terwedo stated it could in the long term, but you can't predict too far out, thirty/forty years.

Commissioner Peterson asked if the underlying zoning of this property were to change to cluster zoning or one dwelling per one-half acre, then the reclamation plan would have to be changed to the appropriate zoning, isn't that correct? Ms. Pung-Terwedo stated that is correct. Commissioner Peterson commented that when the comp plan is reviewed staff will look at the reclamation plans of all gravel pits to make sure that that plan is representative of the new zoning. Ms. Pung-Terwedo stated that is correct. Right now it is zoned ag, residential uses are allowed there under a density of two dwelling units per 40 acres.

Commissioner Hegberg asked if Denmark Township would become a city, then the zoning and the permits required would go to the city, is that correct? Mr. Kuprian stated that is correct.

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

The Board Secretary indicated that she has received all documentary evidence.

The Board Chair closed the Public Hearing and opened the matter for discussion and comments by the Board. The Public Hearing closed at 10:55 a.m.

Commissioner Hegberg stated he was on the Board when the county started the mining permit process in the late 1980's or early 1990's. There were conflicts in the area and one that comes to mind is the Bracht pit on CR 97 and former Governor Carlson bought a house a quarter mile from the pit. He can assure everyone that the property did appreciate quite a bit. The pit still exists and is operating and the values did not change significantly. These issues are always contentious as the county develops, but the need for gravel still exists. He understands how the people feel. He believes the Washington County Planning Commission did hear it and had made a number of restrictions on it to the best of their ability. He does find that they addressed the water issue. Transportation is always an issue and that as he understands it, may be determined later on.

Commissioner Stafford stated with the help of staff he has done a little bit of research on values. The concern about property values was stated two different ways. One was the value of property deteriorating around a gravel pit and the other saying no, I'm more concerned about what the traffic created by the gravel pit will do to my value. He has three areas in the county where homes abut the gravel pit and rather heavily traveled roads are involved. Tenth Street North, Interstate 94, Highway 95 in West Lakeland around the Barton Pit. There are expensive homes in Grey Cloud surrounded by County Road 75, 105<sup>th</sup> Street South, both very heavily used roads. A pit in New Scandia with 95 on the east County Road 15 on the west surrounded by fairly pricy homes and the value for some of these homes from 1998 until 2006 have

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increased from \$150,000 to \$338,000, with an average growth increase on the studies they did from 8 to 24% in value. He is having a difficult time finding valid reasons to overturn the Planning Commission's recommendation.

Commissioner Kriesel stated he has not heard or seen anything brought forward today that hasn't already been before the courts or arbitrator. He was interested in hearing any new evidence and that hasn't been brought forward.

Commissioner Kriesel moved to affirm the Washington County Planning Advisory Commission's approval of a Mining Conditional Use Permit to Rumpca Excavating, Inc. and to deny the appeal. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

The Board Chair directed the County Attorney's office to prepare findings relative to comments made by the County Board today regarding its decision and it will be brought back at a later meeting.

The Board recessed at 11:05 a.m.

The Board reconvened at 11:15 a.m.

### **PUBLIC HEALTH AND ENVIRONMENT**

Commissioner Hegberg moved to approve comments to the Marine on St. Croix Watershed Management Organization regarding their Draft Watershed Management Plan and authorize the Board Chair to sign a letter drafted on behalf of the Commissioners. Commissioner Kriesel seconded the motion and it was adopted unanimously.

### **COMMUNITY SERVICES**

Commissioner Pulkrabek moved to approve a contract with Medica Health Plans, A Minnesota Health Maintenance Organization, for Washington County to provide care coordination services for enrollees of the Medica's Dual Solution through the Minnesota Senior Health Options Program (MSHO). Commissioner Hegberg seconded the motion and it was adopted unanimously.

### **COUNTY LIBRARY**

Commissioner Peterson moved to deny waiving the library fee charged to Stillwater and Bayport Public Libraries for 2006. Commissioner Stafford seconded the motion.



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Commissioner Kriesel referred the Board to an e-mail he sent to the Board yesterday regarding cost comparisons. In comparing similar libraries, it costs county taxpayers \$707,760 to operate the Park-Cottage Grove Library and it costs taxpayers \$316,209 for the Stillwater Public Library (this figure is minus the \$21,000 fee from Washington County). So, it costs Washington County taxpayers \$391,551 more to operate the Park-Cottage Grove Library than the Stillwater Public Library and both are considered regional county library facilities. He then reviewed items borrowed by place of residents in Stillwater Township: Loaned at Stillwater 19,309 (75%); Loaned at Bayport 1,967 (8%); and Loaned at Washington County Libraries, 4,329 (17%). Therefore, Stillwater Township places a heavy burden on the Stillwater Library System. He stated there are four other examples that he will not quote. He just wanted to say that the associate libraries serviced 81% of the neighboring communities borrowing items. Stillwater residents borrowed a total of 175,000 items, 139,972 were borrowed at the Stillwater Public Library and 18,465 were borrowed at Washington County Libraries which is an 80% and 20% spread. He also asked the Board to consider that the Stillwater taxpayers are funding \$5,000,000 of a \$9,000,000 expansion project. He believes if the county truly considers Stillwater Public Library and asset to the county library system, given the fact that Stillwater cost to the county taxpayer is \$316,209 and a similar size library of Park-Cottage Grove is \$707,000 there is a pretty significant disparity there and he asked that the Board vote against this motion and consider waiving the \$21,000 service fee.

Commissioner Stafford stated that Commissioner Kriesel has made a good pitch for his district. He thinks somebody preceding him made a good pitch because the county has acknowledged its value in the form of recognizing \$65,000 worth of fees and the county has waived \$44,000 of those fees in consideration of those circumstances. Commissioner Kriesel's goal is to get rid of the \$21,000. One problem he has comes from his own district. Woodbury is 28% of the county population and they pay about 35% of the total tax. He gets this all the time from Woodbury that they are paying more and getting less. He tries to tell them they have to think about the county as entire unit. If you start getting into this picking and choosing there will always be trouble and somebody will always get angry with the Board. He thinks the Board has recognized Commissioner Kriesel's argument to the tune of \$44,000 and he just does not want to go any further.

Commissioner Kriesel stated his argument is not for his district. If the roles were reversed and this was Park-Cottage Grove or the library in Woodbury, if somebody were showing me that the library in Woodbury was only being funded with \$319,000 he would be in your court on this. It is not about a district, it is about doing what's right. Recently there were 600 employees who came into the park and provided a benefit to the park. It's like turning around and asking them to pay a \$15 admittance fee. There is no problem placing a value on the service that the county provides associate libraries, but the problem lies in the county does not recognize fairly the benefit that they provide the county. \$330,000 is insufficient to supply the library services that Stillwater and Bayport provide to this regional area. He finds it difficult that anyone could look at the usage patterns and say they are not filling a significant county portion. His argument is not about trying to bring something back to his district, it is trying to have a long-range long-term global view of where the libraries should be in the future.



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Commissioner Peterson stated she cannot sit here and embrace what Commissioner Kriesel is saying. Washington County provides a certain level of service and that is spread throughout all of the county library system. The county has a ratio of staff, a continuity of building style and building presence. There is a community that has made a decision that that they want to increase staffing levels, they want to have a grander building and that is their choice, we applaud them. But when it comes to circulation and when it comes to product, the product is not only what your purchase in Stillwater it's what is purchased throughout the region. It is shared throughout the region. The county already gives Stillwater a credit and this \$21,000 is like the straw that breaks the camel's back.

The motion to deny waiving the library fee charged to Stillwater and Bayport Public Libraries for 2006 was defeated 2-3 with the vote as follows: Yes, Commissioners Peterson and Stafford; No, Commissioners Pulkrabek, Kriesel and Hegberg.

Commissioner Kriesel moved to waive the library fee charged to Stillwater Public Library in the amount of \$21,000 and the Bayport Public Library in the amount of \$7,500 for 2006 and that those funds come out of the county contingency for 2006. Commissioner Pulkrabek seconded the motion and it was adopted 3-2 with the vote as follows: Yes, Commissioners Pulkrabek, Kriesel, and Hegberg; No, Commissioners Peterson and Stafford.

### **GENERAL ADMINISTRATION**

Jim Schug, County Administrator, announced that he received a letter from the Minnesota Counties Insurance Trust with a check for \$318,971 which is Washington County's dividend for worker's compensation coverage and property casualty coverage. That amount has been deposited in the county's post retirement health care account.

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

Commissioner Pulkrabek reported that there has been preliminary talk about a potential community center on the Tartan High School site. The school district has indicated that it will provide the land. There are different groups involved. The City of Oakdale is split on it, but it may come up in the next month about the county's interest as far as space needs for social services or other programs.

Commissioner Hegberg reported on the Minnesota Extension committee meeting he attended last week. They received a report on the extension based 4-H programs in Landfall, Parkside and Cimarron. That program is doing well for those communities. He pointed out, however, that the City of Lake Elmo does not fund the program in Cimarron, that it is funded strictly through the county.

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Commissioner Hegberg reported that the AMC annual conference will begin on Sunday, December 4 through Wednesday, December 7.

Jim Schug, announced that the December 6 Board meeting has been canceled and that the next meeting will be held on December 13.

Commissioner Peterson reported that the Hiawatha Line has a 40% larger ridership than they anticipated.

Commissioner Peterson wished everyone a Happy Thanksgiving this week.

Commissioner Peterson reported that the county Truth-in-Taxation hearing will be held on Thursday, December 1, at 7:00 p.m. She asked Kevin Corbid, Director of Assessment, Taxpayer Services and Elections, to give his response to citizen's comments on the 10% property tax.

Mr. Corbid stated that the concern some residents have when they see their property tax statement is that if they have a property tax increase greater than 10% they are confusing the state limited market value law. The value can only go up a certain percentage each year. There is no restriction in State law about how much the taxes can go up each year. Staff has explained to taxpayers that if they look at their value statements their estimated market value can rise to whatever the market says it should be for value, but their taxable has been held back each year by a certain percentage as allowed in State law. That percentage is now 15%. It is a value limitation and not a tax limitation.

Commissioner Peterson asked that each Commissioner share with her a business card to give to a child through the Make A Wish Foundation for the largest collection of business cards in the Guinness Book of Records.

### **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 12:05 p.m.

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

The Board met in workshop session with the Office of Administration to discuss the 2006 Legislative Agenda. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim

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Schug, Molly O'Rourke, John Kaul, Don Theisen, Tom Adkins, John Elholm, Lowell Johnson, Dan Papin, Kevin Corbid, Jeff Travis, Cindy Weckwerth, Judy Hunter, Wayne Sandberg and Yvonne Klinnert, Stillwater Courier.

**BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in workshop session with the Department of Transportation and Physical Development for a presentation on design development for the south and north service center projects. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Sharon Price, Wayne Sandberg, Keith Potter, Lowell Johnson, Judy Hunter, Jeff Travis, Cindy Weckwerth, Dan Papin, Steve Nelson, Pam Bakken-Anderson, Ankeny Kell Architects, Mark Wentzell, Ankeny Kell Architects, and Yvonne Klinnert Stillwater Courier.

  
Myra Peterson, Chair  
County Board

Attest:



James R. Schug

County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
TRUTH IN TAXATION PUBLIC HEARING  
DECEMBER 1, 2005**

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 2006 county budget. Present were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were Jim Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Sue Kuss, Budget/Financial Analyst; Don Theisen, Director of Transportation and Physical Development; Lowell Johnson, Director of Public Health and Environment; Dan Papin, Community Services Director; Patricia Conley, Library Director; Doug Johnson, County Attorney; Edison Vizuete, Financial Services Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Joanne Helm, Assessment/Taxation Program Manager; Kay McAloney, Human Resources Director; Tom Adkins, Community Corrections Director; Steve Pott, County Sheriff; Cindy Koosmann, Recorder; and Steve Nelson, Public Information Coordinator II.

Board Chair Peterson opened the hearing with a welcome to those in attendance.

James Schug, County Administrator, gave a brief overview of the budget process to date. He stated that final action on the budget and levy will be taken on December 13 at the County Board meeting. He noted that various Department Heads are here this evening and are available to provide information or answer questions. He also mentioned that staff from the Assessment Department is available in Room 20 to help those who have questions about their property valuations.

Molly O'Rourke, Deputy Administrator, presented an overview of the proposed 2006 budget.

The Board Chair opened the meeting for comments from the audience.

George Weiss, 18834 Layton Avenue North, Marine on St. Croix – Mr. Weiss stated that over the last three years his taxes have gone up, some as high as 67%. He has three small lots. One is 150 X 50, one is a swamp and the DNR says it cannot be filled, the county said if it was filled it couldn't be built on. The other lot is the same. The taxes on his home he understands have to go up. But the other two pieces of property that cannot be built on the tax assessor says it enhances the value of the rest of his property. The only thing he can do with the one piece of property is watch the mosquitoes breeding. So when the county says the budget is going up by 5.6%, why are his taxes going up 40, 50 and 60%? His only complaint is if he can't build on it or improve it, how could that enhance the value of his property.

The Board Chair informed Mr. Weiss that property value has increased substantially. She suggested that he talk to the Assessment staff to see why his property valuation has gone up.

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Commissioner Stafford suggested he go to the local board of review and have them look at that again. He asked if the property were on three different tax statements. Mr. Weiss indicated it was. Commissioner Stafford stated that they should stand on their own. He believes Mr. Weiss may have some valid questions and suggested seeing the Assessment staff tonight and go to the local board of review next spring.

David Punch, 8773 Springwood Drive, Woodbury – Mr. Punch questioned the assessed value in his neighborhood. He believes the assessed values are arbitrary. Two of his neighbors have made fairly substantial improvements to their homes, \$30,000 and \$40,000 respectively and their property values have increased 10% and in the other neighbor's case 1.4%. He has made no improvements over the last two years and has seen the maximum 15% increase in their property taxes both years. He asked whom he could speak with to address that?

The Board Chair indicated that the staff from Assessment can address his questions.

Wendy Lou, 1970 Northwestern Avenue, Stillwater – Ms. Lou asked about her commercial property. First, her property tax increased 53% from this year to next year and she would like to know why. The building is the same, no improvements. Secondly, as a commercial property when the rates are increased, are other areas such as Oakdale, Woodbury or other cities looked at to see if those are competitive? If the rates are high those are passed on to the tenants and they cannot attract business to this area.

The Board Chair stated that is not a budget policy question. It's really a question that the Assessment staff needs to answer. They can look up your property and help you with that. She stated in her area the commercial appraisals had not been done and had fallen behind so there were two years where they did receive significant increases because there had been significant change.

Craig LeVay, 2353 Grenadier Avenue, Oakdale – Mr. LeVay stated he lives in a small townhouse with no real improvements at the property since they were built in 1992. For many years his property was valued approximately about what he paid for it back in 1992 and 1993. The last three years he has noticed there have been big double digit increases not only at the county level but at the local level. He knows valuations increase because of the value of the property goes up. The county says there is only about a 5% increase in property taxes. More of the median type property in the \$270,000 or \$300,000 properties seem to be going up between 4 and 5%. But the lower valued properties the \$80,000, \$90,000 to \$110,000 or \$120,000 have been seeing an almost 15% increase on the average.

The Board Chair indicated legislative action took place and it has caused a significant increase on the lower price houses. That has not been a reduction that all of us have embraced, but the county is not in control of that. She believes this happened during Governor Ventura's term, when the tax rate on the



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highest priced houses were reduced and the lower priced houses were increased. Affordable housing has taken a significant jump. Again, this is an issue that needs to be addressed with the Assessment staff.

Someone from the audience asked where do intergovernmental revenues come from? Ms. O'Rourke stated they come from a variety of sources. It could be federal monies, state reimbursements, or cost share reimbursements from municipalities.

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

The Board Chair thanked everyone for coming out this evening. She did encourage individuals to attend their local boards of review next spring and also the county Board of Equalization in June.


Mr. Schug indicated that staff will be around after the meeting to answer individual questions, particularly on valuation. The County Board will consider the proposed 2006 budget and levy at the December 13 meeting.

Commissioner Stafford asked is there still relief to individuals whose taxes went up more than 12%. Mr. Corbid stated there are two state programs related to property tax refunds. One is an income sensitive program that asks for federally adjusted gross income amounts from the federal tax form plus property tax information. The second one is not income sensitive and it triggers if a person's taxes goes up more than 12% from one year to the next.

The Board Chair stated there are programs for senior citizens and asked Mr. Corbid to explain that. Mr. Corbid stated it is called the Senior Citizen Deferral Program and it's the ability of senior citizens to defer the taxes on their property. The piece that makes it less attractive is that the amounts they are not paying get paid by the state and become a lien on their property. So if they ever sell, that is an amount that comes out of the sale proceeds of the house to first payback the state for the deferral of taxes.

The Board Chair closed the hearing at 7:50 p.m. She informed the audience that the County Board will stick around if anyone wishes to speak to the County Board members. The meeting adjourned at 7:50 p.m.

  
Myra Peterson, Chair  
County Board

Attest:   
James R. Schug  
County Administrator

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 13, 2005**

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 (arrived at 10:05), Kriesel, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Transportation and Physical Development Deputy Director; Mike Welling, Surveyor; Keith Potter, Facilities Manager; Ann Pung-Terwedo, Senior Planner; Carolyn Phelps, Historic Courthouse Coordinator; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Richard Backman, Community Services Division Manager; Cindy Rupp, Community Services Division Manager; Edison Vizuite, Financial Services Director; Kay McAloney, Human Resources Director; Tom Kay, Information Services Director; Lowell Johnson, Director of Public Health and Environment; Tom Adkins, Community Corrections Director; and Steve Nelson, Public Information Coordinator II.

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

1. Approval of the November 22, 2005 Board meeting minutes and the Truth-in-Taxation hearing minutes held on December 1, 2005.
2. Approval to establish January 10, 2006 for the public hearing to approve the final 2006-2010 Capital Improvement Plan.
3. Approval to appoint John Swanlund, Consumer Representative, to the Mental Health Advisory Council to a first term expiring December 31, 2008.
4. Adoption of **Resolution No. 2005-184** as follows;

Approving the Classification of Parcel 17.030.21.33.0005  
as Non-Conservation Land

December 13, 2005

WHEREAS, the County Board of Commissioners of the County of Washington, State of Minnesota, desires to offer for sale or conveyance, parcel 17.030.21.33.0005 that forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, the parcel has been reviewed by the designees of the County Board of Commissioners and has been recommended for classification as non-conservation land as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby certifies that parcel 17.030.21.33.0005 has been reviewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, and 282.018, or other statutes that require withholding of tax forfeited land from sale or conveyance; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby classifies parcel 17.030.21.33.0005 as non-conservation land; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby requests approval from the Minnesota Department of Natural Resources and the City of Dellwood for the classification and sale or conveyance of said land.

Parcel Identification Number:	17.030.21.33.0005
Legal Description:	PART OF ABANDONED RR R/W BURLINGTON NORTHERN RR CO LOC WITHIN GV LT 1, SEC17 & GV LT 3 S18T30NR21W ALSO BLK 128 WILDWOOD...
Municipality:	City of Dellwood
Date Forfeited:	9/30/1999
Approximate Size:	5.88 acres M/L
Assessed Value:	\$5,000.00

5. Approval of abatement in the amount of \$29,184.40 for Imation taxation parcels: 17.029.21.42.0003, 17.029.21.41.0004, 17.029.21.14.0004, 17.029.21.14.0005, 17.029.21.13.0004, and 17.029.21.13.0005.
6. Adoption of **Resolution No. 2005-185** as follows:

#### Community Corrections Transfer of Supervision Fee

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

WHEREAS, some offenders commit a crime in Washington County but live outside of the county; and

WHEREAS, Washington County Community Corrections provides local correctional services in the form of transferring supervision of offenders to other jurisdictions; and

WHEREAS, the Community Corrections Director recommends the implementation of fee for transferring their supervision.

NOW, THEREFORE BE IT RESOLVED, that effective January 1, 2006, the Washington County Board sets the fee for transferring probation supervision at \$100.00 per case.

December 13, 2005

BE IT FURTHER RESOLVED, that the criteria for waiving this fee will follow those established for supervision fees; and failure to pay fees in a timely manner will result in referral to a collections agency and the use of additional civil remedies.

7. Approval to reauthorize the Washington County Child Protection Citizen Review Panel for an additional two years until December 31, 2007.
8. Approval of the 2006 agreement with Stivland, Inc. (dba Harbor Shelter and Counseling Center) to provide shelter for male youth.
9. Approval of amendments to the 2004 annual action plan for Community Development Block Grant funds.
10. Approval of the 2006-2008 agreement with Comfort Keepers to provide home and community-based services for Alternative Care, Elderly Waiver, Community Alternative for Disabled Individuals and Traumatic Brain Injury clients.
11. Approval of the 2006 agreement with Dakota County Receiving Center to provide detoxification and in-patient chemical dependency services to adults.
12. Approval of the 2006-2008 agreement with South Metro Human Services, Inc. for adult foster care.
13. Approval of adult mental health grant application (CY 2006 and 2007) for \$916,378 of State dollars to support community mental health programs.
14. Approval for the Community Services Department to accept a donation of \$2,500 for child protection services from the Minnesota Jamboree Council of the United Federation of Doll Clubs – Region 5.
15. Approval for the Community Services Department to accept \$8,000 from the Medica Foundation Grant via Ramsey County, to assist children and adults experiencing a mental health crisis through a contract with Human Services, Inc.
16. Approval of Findings, Conclusion and **Resolution No. 2005-186** as follows:

Findings of Fact, Conclusion and Resolution Affirming the  
Washington County Planning and Advisory Commission's  
Issuance of a Mining Permit to Rumpca Excavating, Inc.

This matter came on for public hearing on November 22, 2005 before the Washington County Board of Commissioners on appeal of a decision by the Washington County Planning and Advisory Commission to grant Rumpca Excavating, Inc. a Conditional Use

Permit to conduct mining operations in Denmark Township. This appeal is brought by Charles Grote, Mary Grote, Steven Kramer and Cynthia Kramer. The Appellants were represented at this hearing by George LeTendre, Attorney at Law; Rumpca Excavating, Inc. was represented by Jack W. Clinton, Attorney at Law; and the Washington County Planning Advisory Commission was represented by Linda C. Krafthefer, Attorney at Law. Having reviewed the record of the Washington County Planning and Advisory Commission and the evidence submitted by interested parties at this public hearing and having heard the arguments of the parties and others and being otherwise advised in the premises, the Washington County Board of Commissioners makes the following:

#### **FINDINGS OF FACT:**

1. The Washington County Board of Commissioners has jurisdiction to hear this appeal under Chapter 1, section 9.11 of the Washington County Development Code.
2. On September 6, 2005, Rumpca Excavating, Inc. (hereinafter "Rumpca") submitted a mining permit application to Washington County, which would allow it to mine gravel and limestone on an 80 acre parcel of land in Denmark Township. The land is more specifically described as the Northeast Quarter (NE¼) of Section 17, Township 27 North, Range 20 West in the Town of Denmark, County of Washington.
3. Rumpca previously submitted a mining permit application to Denmark Township pursuant to the Township's Ordinance.
4. Under the Washington County Comprehensive Plan 2015, the land use type of the subject property is agricultural. It is zoned A-2, Agricultural, and mining is a permitted use under the Washington County Development Code.
5. The County and Township have concurrent permitting authority for mining operations in the Township, and Rumpca must obtain permits from both the Town and the County in order for mining operations to take place.
6. In March, 2001, the Denmark Township Board of Supervisors denied Rumpca's permit application.
7. Rumpca appealed the Town Board's decision to the District Court, and the District Court found for Denmark Township, upholding its decision to deny the mining permit.
8. Rumpca appealed the District Court's decision; and, on July 3, 2003, the Minnesota Court of Appeals reversed the District Court's decision and remanded the case to the District Court, directing the District Court to order the Township to issue a Conditional Use Permit to Rumpca for mining operations.
9. The Court of Appeals held that the Township's denial of a Conditional Use Permit allowing Rumpca to operate a gravel mine was unreasonable, arbitrary and capricious because the reasons given by the Township for its decision to deny the permit were legally insufficient or lacked a factual basis in the record.
10. Following remand to the District Court, the District Court issued its Order requiring the Township to issue a Conditional Use Permit to Rumpca but left two issues undecided. One concerned the access route to the gravel mine and the other was the engineering fees charged by the Township to Rumpca. The District Court ordered these issues to be decided through binding arbitration.
11. An arbitration hearing was held on the issues; and, in his decision, the arbitrator specified that the access route to the mine was to be Oakgreen Avenue via 90<sup>th</sup> Street.



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12. On September 6, 2005, Denmark Township issued to Rumpca a Conditional Use Permit for the operation of an aggregate pit and quarry. The permit specified that access to the pit would be from Oakgreen Avenue to 90<sup>th</sup> Street.
13. On September 27, 2005, a public hearing was held by the Washington County Planning and Advisory Commission to consider Rumpca's application for a County mining permit.
14. After consideration of the evidence presented at the hearing, the Planning and Advisory Commission found the proposed mining operation as set forth in its application comported to the requirements of the Washington County Development Code and, therefore, issued a Conditional Use Permit to Rumpca for the extraction and processing of sand, gravel and rock and for the recycling of used concrete and asphalt, subject to certain enumerated conditions.
15. Following the issuance of the permit, property owners Charles and Mary Grote and Steven and Cynthia Kramer appealed this decision to the Washington County Board of Commissioners.
16. The Appellants predicate their appeal on the adverse effect the mining operation will have on the health, safety and welfare of the residents in the area surrounding the mine; the negative impact the operation will have on property values in the area; the product removed from the site; and the reclamation of the land.
17. The Minnesota Court of Appeals and the Arbitrator actually and necessarily decided the issues related to health, safety, welfare and land values in favor of issuance of the permit. The Appellants contend that road access is a new issue related to health, safety and welfare and that land values along the road access were not considered but only those land values around the pit itself.
18. Land values around the mine and along the access road will not seriously depreciate because of the mining operation.
19. The Rumpca mining permit application is complete.
20. The reclamation plan submitted by Rumpca as part of the permitting process is adequate and conforms to the mining ordinance.
21. The Arbitrator in his decision found that access to the site would be Oakgreen Avenue off of 90<sup>th</sup> Street and required Rumpca to improve the road to a 9 ton road with 24 foot wide paved lanes and 4 foot gravel shoulders. The improvements would be to Township standards and would need to be approved by the Township. Rumpca would be entirely responsible for the maintenance of Oakgreen Avenue during the term of the permit and life of the gravel pit. These requirements were made conditions in the Township's Conditional Use Permit.
22. The Oakgreen Avenue and 90<sup>th</sup> Street intersection as currently configured is adequate for the proposed use, and no change to lane configuration or traffic control will be necessary.
23. Property owners in the area have brought a Declaratory Judgment action in District Court against Denmark Township, challenging the existence of Oakgreen Avenue.
24. The County's Conditional Use Permit issued to Rumpca makes access to the site from Oakgreen Avenue, a condition subsequent of the permit. The permit requires any changes in access to the site to be approved by Denmark Township and would require an amendment to the County's mining permit.

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25. If access to the mine cannot be had from Oakgreen Avenue, the County mining permit issued to Rumpca would be invalid, unless and until amended.
26. The scenic views of Appellants will not be seriously affected because of the distance the mine is from the houses and the berming required by the Conditional Use Permit.
27. The product to be removed from the site is adequately controlled through the permitting and regulating process.

#### CONCLUSION:

1. The proposed mining operation conforms to the Washington County Mining Ordinance and is otherwise consistent with the Washington County Development Code.
2. The Washington County Planning and Advisory Commission decision to grant a Conditional Use Permit to Rumpca Excavating, Inc. to conduct a mining operation in Denmark Township has a basis in fact, and the conditions imposed in the permit conform to the requirements set forth in the Washington County Development Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the decision of the Washington County Planning Advisory Commission to grant the Conditional Use Permit at issue to Rumpca Excavating, Inc. to conduct mining operations in the Northeast Quarter (NE ¼) of Section 17, Township 27 North, Range 20 West in Denmark Township, County of Washington is hereby affirmed in all respects.

17. Approval to amend policy #1012, Mileage Reimbursement to decrease mileage for individuals using personal vehicles on county business and establish the new mileage rate at 44.5 cents per mile, to be reflected beginning on the payroll due on January 27<sup>th</sup> 2006.
18. Approval to ratify the 2006 agreements with AFSCME, LELS, Teamsters (Commanders and Probation Officers), 49ers bargaining units; and, Supervisor's Association; Confidential, Confidential Supervisors and Department Heads Meet and Confer Groups as follows:

1. Health Insurance Contribution for all groups:

Open Access \$0 Office Visit Copay		Open Access \$15, \$20 and Classic \$20 Office Visit Copay	
Single	\$433/month	Single	\$433/month
Employee + Child(ren)	\$433/month	Employee + Child(ren)	\$485/month
Employee + Spouse	\$589/month	Employee + Spouse	\$660/month
Family	\$619/month	Family	\$728/month

Increase in flexible credits \$10/month, rounded up to the next dollar.

2. General increase adjustments for Department Heads, Confidential and Confidential Supervisors: 2% for 2006
3. Recommendations for Department Heads:
  - Life Insurance to 2 times annual salary
  - PTO cash out to 125 hours annually
  - PTO max at year-end to 600 hours
  - Non-base, re-earnable merit for those department heads at the top of their range

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19. Approval to amend the software license agreement contract with SSA Global Technologies, Inc. to extend the software maintenance for Infinium Application Manager, Human Resources/Payroll, Flex Benefits and Query until December 31, 2006.
20. Approval to amend the Joint Powers agreement with the State of Minnesota for the continuation of recycling services for county offices and authorize execution by the Board Chair and County Administrator.
21. Approval and execution of Metropolitan Council Grant Agreement No. SG-2005-098 in the amount of \$149,069 for recreation and open space acquisition within the Big Marine Park Reserve.
22. Adoption of **Resolution No. 2005-187** as follows:

Final Payment for Information Technology Computer Room  
AC Installation – Northland Mechanical Contractors

WHEREAS, the Washington County Board of Commissioners, on November 23, 2004 approved the bid award to Northland Mechanical Contractors for the installation of air conditioning and temperature controls in the main computer room of the Information Technology Department; and

WHEREAS, Northland Mechanical Contractors has satisfactorily completed all work in accordance with the terms and conditions of the project specifications.

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

23. Adoption of **Resolution No. 2005-188** as follows:

Space Lease Amendment for the Department of  
Employment and Economic Development

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

WHEREAS, the County of Washington and State of Minnesota wish to add 128 square feet to the current lease agreement; and

NOW, THEREFORE LET IT BE RESOLVED, that the use of space by the State of Minnesota be continued through the acceptance of the terms and conditions set forth in Amendment No. 7; and

BE IT FURTHER RESOLVED, that the lease amendment between the County of Washington and State of Minnesota be executed through the signatures of the 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 lease specification requirements and approval as to form by the Washington County Attorney's Office.

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24. Adoption of **Resolution No. 2005-189** as follows:

Acceptance of a Grant from the Minnesota Historical Society

WHEREAS, the Minnesota Historical Society has grant funds available for capital repair projects; and

WHEREAS, the Historic Courthouse seeks funding for window repairs.

BE IT RESOLVED that Washington County agrees to accept a grant from the Minnesota Historical Society in the amount of \$25,000 for window repairs and that the county has the institutional, managerial and financial capability to ensure that all aspects of the proposed project will be completed.

NOW, BE IT FURTHER RESOLVED, that Donald J. Theisen, Director, Transportation and Physical Development, is hereby authorized to execute the grant agreement as necessary to implement the project on behalf of Washington County.

25. Adoption of **Resolution No. 2005-190** as follows:

Resolution Opposing United States House of Representatives Bill 4241

WHEREAS, the House of Representatives passed the 2006 budget reconciliation bill (H.R. 4241) on November 18, 2005; and

WHEREAS, HR 4241 contains major cuts to Medicaid, Child Support, and Foster Care; and

WHEREAS, these cuts would significantly reduce the ability of the county to assure the health, safety, and well-being of abused children, persons with a mental illness or developmental disability, and fragile seniors in their homes and community; and

WHEREAS, the legislation would result in a greater utilization of institutions such as nursing homes, group homes, and foster homes at a greater cost to federal, state, and local jurisdictions.

THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby opposes the legislation and informs federal legislators of its opposition.

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

**METROPOLITAN MOSQUITO CONTROL**

Morrie Anderson, Acting Director of the Metropolitan Mosquito Control Board, and Jim Stark, Public Affairs Coordinator, presented an update of the 2005 programs and an overview of the 2006 budget.

**PUBLIC HEARING - TRANSPORTATION AND PHYSICAL DEVELOPMENT**

**Appeal by Cary Bartz and David Adkins**

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The Board Chair presented a brief overview of the procedures that will be followed for today's public hearing to consider an appeal by Cary Bartz owner and David Atkins, Insignia Development, applicant of the Washington County Planning Advisory Commission's denial of an Open Space Design Development/Conditional Use Permit. The Board Secretary confirmed that the notice of public hearing was published in the legal newspaper.

Ann Pung-Terwedo, Senior Planner, reviewed her memo of December 8, 2005 responding to the appeal. She noted that the Washington County Planning Advisory Commission denied the open space design development on October 25, 2005. The denial was a 4-4 vote for approval. The proposal is a conditional use permit for an open space design development consisting of 11 residential lots approximately 2 acres in size on a parcel of property of about 81.9 acres. There will be 51.7 acres of open space, one outlot is 10.8 acres which will be owned by the homeowners association, and another 40.9 acres has an existing large horse stable/training facility. One additional residential structure will be constructed on this parcel.

Ms. Terwedo, indicated that the stables on the 80 acres has been operating on the site for over 15 years. The business trains, shows, buys and sells horses and also provides riding lessons. They have stables, an arena, and two storage buildings. An on-site manager's quarters is located within the stables and will not change as a result of this proposal. Ms. Terwedo displayed where this location is on a map. The denial was based on the issue of ownership of the 40.9 acre parcel which will have the stable/horse training facility with one additional density unit as part of the plan. Many of the Planning Advisory Commission members felt that the 40.9 acre should have access for the new owners of the property and there was also discussion on just having the homeowners own the stable itself. The full minutes of the Planning Advisory Commission were made a part of the record. Ms. Terwedo stated that staff feels this horse stable is an asset to the county, the township and general area and it does fit into the rural character of the area.

David Atkins, Insignia Development, stated they have attended no less than eight board and commission meetings at the county and at the township going through this process over the past ten months. The township has been very thorough, looked at all avenues of this project and are very comfortable with the project. The township staff and consultants are supportive of Ms. Bartz continuing to own this property. At no time did any one person from the public, staff or commission bring up that her retaining ownership of the 40.9 acres would be a question. He asked for the County Board's approve of their request.

Cary Bartz stated she is part owner of the property along with her ex-husband. That is the reason for this process. This is part of a divorce and dissolution. She has been committed to the horse business all her life. She has lived in Stillwater for over 21 years. They purchased that property and built that training facility 17 years ago. She has been running it on her own for the past five years. She has every intent of staying there until she is old. The issue of her continuing with the horse business there and running an equestrian facility has never been an issue. That has been the one piece of integrity that the neighbors and the community have wanted to make sure stays in place.



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Commissioner Hegberg asked if the township voted unanimously for this? Mr. Atkins stated yes, that is correct.

Commissioner Hegberg stated there was a letter from an individual in the packet who was concerned about the view, and trees were going to be planted in that area. He asked that they show him that location on the map. Mr. Atkins stated they are continuing to work with the neighbors to plant trees in strategic areas and elevations to screen as many of the homes as possible. He pointed out the main area of concern on the aerial map. They have gone through five or six revisions of the landscaping plan and they continue to work on it to satisfy all the neighbors concerns.

Commissioner Hegberg asked that the lots being developed, which are all two plus acres, will they be allowed to have horses? Ms. Bartz indicated it was her understanding that is not a permitted use.

Commissioner Stafford asked if this was all one parcel and if they had plat approval to subdivide. Mr. Atkins stated they are at preliminary plat approval with the township board. The next step was a conditional use permit for the open space development. Going forward they would be going to the county for preliminary plat approval, then back to the township board for final plat approval and then back to the county.

Commissioner Stafford stated he is having difficulty extracting the intent from the Planning Commission minutes. If this is subdivided and there is a platted area and a separate parcel for the stable, what was the concern of the commission about that being set up that way? A remark was made that if a decision was made to get out of the horse stabling then the land could be reverted to the homeowners association. He does not make the connection where they feel they would have a claim on her property? Ms. Bartz, stated they didn't either and that is what is in question here.

Commissioner Stafford does not understand why the Planning Commission thinks that Ms. Bartz's operation ought to be part of their open space. If this subdivision is completed Ms. Bartz will have a separate parcel, a separate tax statement this will be a separate platted area and it will have its own issues. He asked if anybody could tell him why the Planning Commission felt they had some sort of dibs on this?

Mr. Atkins stated it is the first application under the new ordinance. He felt they might be looking for some direction.

Commissioner Kriesel asked if the horse farm went out of business what will be the status of the property long term? Ms. Terwedo stated if the horse farm no longer exists, there will be a conservation easement over that full 40.9 acres with a management plan stating what can be done with the open space on that parcel. Through the management of that open space it may be turned into prairie, it may be forested, it may be some type of other use that is in keeping with the general area and those adjacent land uses.

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Donald Cullen, 11760 Quail Avenue North – Mr. Cullen stated his property directly abuts the development. Initially he was opposed to this development because he was under the impression that because he is on 10 acres everybody else had to be. He now understands that they are following all the rules that are set up. His concern now, and he is the one that wrote the letter, is about the view. He was reluctant to see more houses up there, but as Mr. Atkins stated, they have worked with them and the neighbors. He's toured the site and they have agreed to site trees strategically to block the view of the houses built in the future. That is his concern that they continue along that process and if so, then he is fine with the situation.

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

The Board Secretary indicated that she has received all documentary evidence.

Commissioner Kriesel moved to close the public hearing. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent. The Public hearing was closed at 9:50 a.m.

Commissioner Kriesel moved to reverse the Washington County Planning Advisory Commission's denial and approve the Conditional Use Permit with the 13 conditions as presented at the Planning Advisory Commission meeting held on October 25, 2005; and, that the County Attorney's Office be directed to prepare a resolution consistent with the County Board's decision. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Stafford asked that the developer save the township and the county a lot of grief in the future by making sure the buyers of those lots know exactly what is around there. Some sort of acknowledgement that they are moving next door to a facility such as the horse stable.

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

Commissioner Hegberg moved to adopt **Resolution No. 2005-191** as follows:

#### **Resolution Recommending Approval of Conveyance of Tax-Forfeited Land for an Authorized Public Use**

WHEREAS, the Washington County Housing and Redevelopment Authority has made the proper application for acquiring parcel 31.029.21.11.0083 for a public use, as provided for in Minnesota Statutes 282.01; and

WHEREAS, the Washington County Housing and Redevelopment Authority provided additional information to the Board of Commissioners of Washington County, State of Minnesota regarding the proposed public use of the parcel of tax-forfeited land for creating low and moderate income housing; and

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, desires to see this parcel of land, which has forfeited to the State of Minnesota for non-payment of taxes, conveyed to Washington County Housing and Redevelopment Authority.

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NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby recommends to the Commissioner of Revenue of the State of Minnesota to grant the application of Washington County Housing and Redevelopment Authority.

Parcel Identification Number:	31.029.21.11.0083
Municipality:	City of Oakdale
Approximate Size:	.028 Acres
Assessed Value:	\$191,600.00
Authorized Public Use:	Acquiring, developing, and conveying property for the purpose of creating housing for low and moderate income persons is an authorized public use, it is specifically authorized in the Authority's enabling statutes (M.S.S.469.001 Subd. 4)

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

### **GENERAL ADMINISTRATION**

#### **2006 Salaries for the County Sheriff**

Commissioner Hegberg moved to adopt **Resolution No. 2005-192** as follows:

#### 2006 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 2006 salary for the Washington County Sheriff shall be as follows, effective January 1, 2006:

Sheriff	\$106,956
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BE IT FURTHER RESOLVED, that the 2006 salary for the Chief Deputy shall be as follows, effective January 1, 2006:

Chief Deputy	\$96,260
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Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Pulkrabek arrived at 10:05 a.m.

#### **2006 Salary for the County Attorney**

Commissioner Kriesel moved to adopt **Resolution No. 2005-193** as follows:

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### 2006 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 2006 salary for the Washington County Attorney shall be as follows, effective January 1, 2006:

Attorney	\$113,598
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BE IT FURTHER RESOLVED, that the 2006 salaries for the First Assistant Attorney and Executive Assistant shall be as follows, effective January 1, 2006:

First Assistant Attorney	\$108,500
Executive Assistant	\$44,593

Commissioner Hegberg seconded the motion and it was adopted unanimously.

### 2006 Salary for the County Administrator

Commissioner Peterson moved to adopt **Resolution No. 2005-194** as follows:

### 2006 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 2006 salary for James Schug, the Washington County Administrator, shall be as follows, effective January 1, 2006.

Administrator	\$123,673
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BE IT FURTHER RESOLVED that the County Board Chair be authorized to approve a merit increase not to exceed 4.5% effective upon the County Administrator's anniversary date, based upon the results of his annual performance review.

BE IT FURTHER RESOLVED that the County Board Chair is hereby authorized to renew the employment contract with the Administrator incorporating the terms of this resolution.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

### Establishing County Commissioners' Salaries and Expenses for 2006

Commissioner Stafford moved to adopt **Resolution No. 2005-195** as follows:

### Resolution Establishing County Commissioners' Salaries and Expenses for 2006

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.

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NOW, THEREFORE, BE IT RESOLVED that the salary rate for Washington County Commissioners be \$47,660 a year, effective January 1, 2006.

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

#### **Certifying Property Tax Levy for Payable 2006 for Washington County**

Commissioner Pulkrabek moved to adopt **Resolution No. 2005-196** as follows:

#### Certifying Property Tax Levies for Washington County Payable 2006

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following tax levies for payable 2006:

Washington County	\$70,310,180
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Includes Washington County Special Levy for the  
Housing & Redevelopment Authority for Landfall  
of \$200,000

Regional Rail Authority	\$233,600
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Commissioner Hegberg seconded the motion and it was adopted unanimously.

#### **Certifying Property Tax Levy for Washington County HRA Payable 2006**

Commissioner Kriesel moved to adopt **Resolution No. 2005-197** as follows:

#### Resolution Certifying Property Tax levy for Washington County Payable 2006

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following tax levy for payable 2006:

Washington County Housing and Redevelopment Authority	\$2,598,309
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Commissioner Pulkrabek seconded the motion and it was adopted unanimously.



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**Washington County Budget for Payable 2006**

Commissioner Hegberg moved to adopt **Resolution No. 2005-198** as follows:

Resolution Adopting the  
Washington County  
Budget for Payable 2006

<u>OPERATING FUNDS</u>	<u>EXPENDITURES</u>	<u>REVENUE OTHER THAN LEVY</u>	<u>FUND BALANCE Contrib/(Use)</u>	<u>GROSS LEVY</u>	<u>STATE AIDS</u>	<u>CERTIFIED LEVY</u>
General Government	\$81,741,100	\$39,525,000	(\$451,800)	\$41,764,300	\$4,107,052	\$37,657,248
Social Services	30,682,600	16,727,500	0	13,955,100	1,372,328	12,582,772
Public Works - Road & Bridge	14,997,200	9,580,600	(325,000)	5,091,600	500,702	4,590,898
Public Works - Parks	2,478,900	1,591,900	(54,400)	832,600	81,877	750,723
Regional Rail Authority	3,285,800	3,074,800	22,600	233,600	0	233,600
Library	5,303,100	229,000	9,600	5,083,700	499,925	4,583,775
Debt Service - County Wide	8,287,408	0	(424,200)	7,863,208	0	7,863,208
Debt Service - Library District	738,892	0	0	738,892	0	738,892
<b>Subtotal:</b>	<b>\$147,515,000</b>	<b>\$70,728,800</b>	<b>(\$1,223,200)</b>	<b>\$75,563,000</b>	<b>\$6,561,884</b>	<b>\$69,001,116</b>
<b><u>CAPITAL FUNDS</u></b>						
CIP Projects Fund	1,489,100	991,700	991,700	1,489,100	146,436	1,342,664
Capital Repair	1,218,000	952,300	(265,700)	0	0	0
Historic Courthouse	15,000	23,300	8,300	0	0	0
<b>Subtotal:</b>	<b>\$2,722,100</b>	<b>1,967,300</b>	<b>734,300</b>	<b>1,489,100</b>	<b>146,436</b>	<b>1,342,664</b>
<b>Total 2006 Budget:</b>	<b>\$150,237,100</b>	<b>\$72,696,100</b>	<b>(\$488,900)</b>	<b>\$77,052,100</b>	<b>\$6,708,320</b>	<b>\$70,343,780</b>
<b><u>OTHER LEVY PAYMENT</u></b>						
Less Regional Rail Authority (RRA) – a separate taxing authority				(233,600)	0	(233,600)
				200,000		200,000
HRA Landfall					0	
Total Washington County 2006 Levy (Operating plus HRA Landfall minus RRA)				<b>\$77,018,500</b>	<b>\$6,708,320</b>	<b>\$70,310,180</b>

Commissioner Stafford seconded the motion and it was adopted unanimously.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Hegberg reported he met in Scandia yesterday concerning watershed issues. There will be a meeting in Marine on Thursday night about the possible merger of the Marine WMO into the Carnelian-Marine Watershed District. He also meet with Rice Creek Watershed District staff to discuss watershed issues and he will be meeting with landowners on Friday to discuss a solution to the Judicial Ditch 2 and the flooding issues.

Commissioner Hegberg stated he met with Hugo, and the cost for County Road 8 has exceeded their estimates by a considerable amount. He will be leaving for Washington D.C. on Wednesday to meet with legislative representatives to discuss the effect the budget cuts proposed will have on the county.

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Commissioner Pulkrabek asked that a workshop be scheduled to discuss the possibility of selling the Historic Courthouse to a private entity or a non-profit group. He appreciates and understands the historical significance and beauty of the first courthouse in Minnesota, but he feels that the upkeep is getting too costly.

Commissioner Peterson reported that she met with the Cottage Grove Planning Commission last evening to discuss the site plan approval for the South Service Center. She also met with the land trust and two county residents to discuss a possible ballot initiative in 2006.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

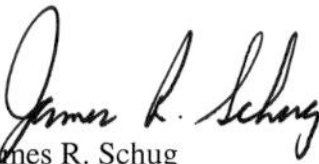
### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously. The Board meeting adjourned at 10:35 a.m.

### **BOARD WORKSHOP WITH ADMINISTRATION/TRUST FOR PUBLIC LANDS**

The Board met in workshop session with the Office of Administration and the Trust for Public Lands to discuss a possible ballot referendum to raise funds for land protection activities. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Jane Harper, Don Theisen, Michelle Hanson, Paul Torren, Bill Clapp, Hollis Stauber, John Baird, Dorian Grilley, Mary Hauser, Cordelia Pierson, Susan Schmidt, Kevin Guiles, Star-Tribune, and Yvonne Klinnert, Stillwater Courier.

Attest:



James R. Schug

County Administrator



Myra Peterson, Chair

County Board

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 20, 2005**

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, Peterson, Stafford, and Hegberg. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Richard Hodsdon, Assistant County Attorney; Linda Krafthefer, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Mike Welling, Surveyor; Dennis O'Donnell, Senior Planner; Ann Pung-Terwedo, Senior Planner; Jim Luger, Parks Director; Keith Potter, Facilities Manager; Chris Volkers, Court Administrator; Patricia Conley, Library Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Rebecca Ault, Assessment, Taxpayer Services and Elections; Lowell Johnson, Director of Public Health and Environment; Jeff Travis, Program Manager; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Richard Backman, Community Services Division Manager; Cindy Rupp, Community Services Division Manager; Edison Vizuite, Financial Services Director; Tanya Weinert, Principal Accountant; Kay McAloney, Human Resources Director; Cindy Koosmann, Recorder; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

**YOUTH SERVICE BUREAU AWARD**

Dave Hines, President of the Youth Service Bureau, presented Board Chair Myra Peterson the Youth Award for her long standing support of the Youth Service Bureau. He thanked her for her leadership in the organization of the South Washington County Garden Tour.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the December 13, 2005 Board meeting minutes.
2. Approval to appoint Christine McVey to the Workforce Investment Board as a Rehabilitation Representative to a first term expiring June 30, 2007.
3. Adoption of **Resolution No. 2005-199** as follows:

December 20, 2005

Resolution Declaring the Personal Property Left by Previous  
Owner on the Premises of Parcel 31.029.21.11.0083 as Abandoned  
Property and Direct the Department of Assessment, Taxpayer  
Services and Elections to Remove it Pursuant to Minnesota Statutes 504B.271

WHEREAS, parcel 31.029.21.11.0083 went into forfeiture on the 21<sup>st</sup> of July, 2004, for non-payment of real taxes for payable years 2000 through 2004; and

WHEREAS, parcel 31.029.21.11.0083 has been classified as non-conservation by the Washington County Board of Commissioners on September 28, 2004; and

WHEREAS, the classification was approved by the Minnesota Department of Natural Resources and the City of Oakdale; and

WHEREAS, there is personal property belonging to previous owner left behind on the premises; and

WHEREAS, Minnesota Statutes 282.04 subdivision 2 allows the County Board to choose the option of dealing with the personal property pursuant to Minnesota Statutes 504B.271; and

WHEREAS, the Department has provided, on the 2<sup>nd</sup> of September 2005, the legal notice to the previous owner of her ability to recover personal property remaining at the property; and

WHEREAS, the legal 60 days have expired at the beginning of November 2005; and

WHEREAS, there is still personal property belonging to previous owners left behind on the premises.

THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners declares any remaining personal property on the premises as abandoned property and directs the Department of Assessment, Taxpayer Services and Elections to remove the property pursuant to Minnesota Statutes 504B.271.

4. Approval of the 2006-2008 contract with Mental Health Systems, PC to provide day treatment services for individuals with a mental illness in Washington County.
5. Approval of Amendment #1 to the Washington County Children and Families Council Interagency Agreement.
6. Approval of a contract for services with Springsted Incorporated, Public Finance Advisors, to advise the county in matters related to bond issuance.
7. Approval of an agreement with Chisago County for reciprocal use of household hazardous waste facilities and authorize execution by the Board Chair and the County Administrator.
8. Approval of change order to the service agreement with Motorola, Inc.

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9. Approval of amendment #1 with Imageware Software to extend contract #1558 on an automatic renewal basis.
10. Approval of snowmobile safety enforcement grant agreement for 2005-2007.
11. Adoption of **Resolution No. 2005-200** as follows:

Authorize Execution of the Criminal Gang  
Strike Force Agreement

BE IT RESOLVED, that Washington County desired to enter into a Grant Agreement with the Office of Drug Policy and Violence Prevention, Department of Public Safety, State of Minnesota for the Criminal Gang Strike Force.

Sheriff Steve Pott is authorized to execute and sign such grant documents, and amendments thereto, as are necessary to implement the grant on behalf of Washington County.

12. Approval to accept and execute the Joint Powers Agreement creating the Metro Gang Strike Force with the Minnesota Department of Public Safety for the time period January 1, 2006 through December 31, 2006.
13. Adoption of **Resolution No. 2005-201** as follows:

Acceptance of a Grant from the St. Croix Foundation

WHEREAS, the St. Croix Foundation has grant funds available for general operating support; and

WHEREAS, the Historic Courthouse seeks funding for general operating support.

BE IT RESOLVED, that Washington County agrees to accept a grant from the St. Croix Foundation in the amount of \$3,000 for general operating support and that the county has the institutional, managerial and financial capability to ensure that the grant will be used as intended.

NOW, BE IT FURTHER RESOLVED, that Carolyn Phelps, Parks Coordinator-Historic Courthouse, is hereby authorized to execute the grant agreement on behalf of Washington County.

14. Bids were received for installation of a fire alarm system at the Historic Courthouse as follows:

ECSI	\$39,330
Simplex Grinnel	\$42,795

Adoption of **Resolution No. 2005-202** as follows:



Bid Award for Installation of Fire Alarm System at the  
Historic Courthouse to Electronic Communication Systems, Inc.

WHEREAS, in order to accomplish the installation of a new fire alarm system at the Washington County Historic Courthouse, the county solicited bids for this project; and

WHEREAS, bids were opened on November 10, 2005 with Electronic Communication Systems, Inc. (ESCI) being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the county and ESCI 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.

15. Bids were received for sale of certain houses and demolition of others in May Township for the Parks Division for Big Marine Park Reserve Expansion as follows:

Bidder	Bid for Sale and Removal	Bid for Demolition	Location
Otting House Movers	\$200.00		17111 Manning Trail
	\$1,500.00		16460 May Avenue 12020 165 <sup>th</sup> Street 17725 Lisbon Avenue 17745 Lisbon Avenue
Ray Anderson & sons		\$6,900.00	17111 Manning Trail
		\$6,700.00	16460 May Avenue
		\$6,500.00	12020 165 <sup>th</sup> Street
		\$5,200.00	17725 Lisbon Avenue
		\$7,100.00	17745 Lisbon Avenue
Bolander & Sons		\$8,100.00	17111 Manning Trail
		\$8,675.00	16460 May Avenue
		\$8,700.00	12020 165 <sup>th</sup> Street
		\$7,750.00	17725 Lisbon Avenue
		\$10,325.00	17745 Lisbon Avenue
David Hursh			17111 Manning Trail
			16460 May Avenue
			12020 165 <sup>th</sup> Street
		\$15,716.00	17725 Lisbon Avenue
		\$13,140.00	17745 Lisbon Avenue
Lodahl Demolition			17111 Manning Trail
			16460 May Avenue
			12020 165 <sup>th</sup> Street
		\$14,670.00	17725 Lisbon Avenue
		\$16,380.00	17745 Lisbon Avenue
Semple Excavating		\$8,480.00	17111 Manning Trail
		\$10,470.00	16460 May Avenue
		\$8,845.00	12020 165 <sup>th</sup> Street
		\$8,150.00	17725 Lisbon Avenue
		\$14,790.00	17745 Lisbon Avenue

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Adoption of **Resolution No. 2005-203** as follows:

Multiple Contract Award of Bids for the  
Sale of Buildings on County Land

WHEREAS, bids were requested for the removal of five houses located on property within the Big Marine Park Reserve in order to continue development of the park; and

WHEREAS, bids were opened on November 22, 2005 for houses at 17111 Manning Trail, 16460 May Avenue, 12020 165<sup>th</sup> Street, 17725 Lisbon Avenue, and 17745 Lisbon Avenue; and

WHEREAS, the bidding process resulted in two of the houses being sold and removed and three of the houses being demolished; and

WHEREAS, the highest responsible bidder for sale and removal of the houses at 17111 Manning Trail and 16460 May Avenue is Otting House Movers in the amounts of \$200 and \$1,500 respectively; and

WHEREAS, the lowest responsible bidder for demolition and removal of the houses at 12020 165<sup>th</sup> Street, 17725 Lisbon Avenue, and 17745 Avenue is Ray Anderson and Sons in the amounts of \$6,500, \$5,200, and \$7,100 respectively; and

NOW, THEREFORE BE IT RESOLVED, that the bid of Otting House Movers for the houses at 17111 Manning Trail and 16460 May Avenue and the bid of Ray Anderson and Sons for the houses at 12020 165<sup>th</sup> Street, 17725 Lisbon Avenue, and 17745 Lisbon Avenue be accepted under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the Bill of Sale for the houses at 17111 Manning Trail and 16460 May Avenue between the county and Otting House Movers and the demolition agreement between the county and Ray Anderson and Sons for the houses at 12020 165<sup>th</sup> Street, 17725 Lisbon Avenue, and 17745 Lisbon Avenue be executed through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's office.

16. Adoption of **Resolution No. 2005-204** as follows:

Findings of Fact and Resolution Reversing the Decision of the  
Washington County Planning Advisory Commission to Deny a  
Conditional Use Permit for the Open Space Development of  
Victory Pass and Granting a Conditional Use Permit to  
Develop Victory Pass

This matter came on for public hearing on December 13, 2005 before the Washington County Board of Commissioners on appeal from the Washington County Planning Advisory Commission denying to the development Victory Pass a Conditional Use Permit for an Open Space/Cluster residential subdivision and was held under the auspices of Chapter 1, Section 9.11 of the Washington County Development Code. The

appellants are Cary Bartz the landowner and David Adkins the developer. Having reviewed the record of the Washington County Planning Advisory Commission; heard the testimony of the parties and other interested individuals and being otherwise advised in the premises, the Washington County Board of Commissioners makes the following:

FINDINGS OF FACT:

1. The appellants planned to develop real property more fully described as the Northeast Quarter of the Northeast Quarter of Section 3, Township 30, Range 20, Washington County and Government Lot 2, Section 3, Township 30, Range 20 and that part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 31, Range 20, lying southerly of the railroad right-of-way, comprising 81.9 acres of land, as an open space/cluster residential subdivision called Victory Pass. An open space design development is a permitted use under the Washington County Development Code and, therefore, requires a Conditional Use Permit for its implementation.
2. The above described real property is owned jointly by the appellant Cary Bartz and her husband and is zoned A-4 Agricultural under the Washington County Development Code.
3. As part of a dissolution action between Ms. Bartz and her husband, the aforementioned real property was ordered to be partitioned and sold.
4. Ms. Bartz has operated a horse stable on the site for the past 15 years and wishes to continue to own and operate the business.
5. In order to be able to retain ownership of the business, Ms. Bartz proposed an open space design development in which 11 residential lots, each approximately 1.6 to 1.8 acres in size would be developed on approximately 30.2 acres of land with the remaining 51.7 acres of the development dedicated to open space. The 51.7 acres dedicated to open space constitutes better than 60 percent of the development.
6. Under the development plan submitted by appellants, of the 51.7 acres dedicated to open space, 10.8 acres would be deeded over to the homeowners association as outlots and 40.9 acres would be retained by Ms. Bartz, where she would continue to operate her horse stable business. The retained parcel is denominated as Lot 7 in the Plan.
7. The development plan requires all 51.7 acres dedicated to open space to be subject to a conservation easement which would be held by an acceptable land trustee or other similar organization as approved by the County and recorded at the time of final plat as mandated by the Development Code.
8. The intended use of the open space by Ms. Bartz and the attendant structures on the parcel comprising Lot 7 is archetypical of the open space concept envisioned in the Development Code.
9. In furtherance of the planned subdivision of Victory Pass, appellants applied to Washington County for a Conditional Use Permit for an open space development.

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10. On October 25, 2005, a public hearing was held by the Washington County Planning Advisory Commission on the application for the Conditional Use Permit.
11. On a four (4) to four (4) vote, the Planning Advisory Commission rejected the application for the Conditional Use Permit, citing the continued ownership by Ms. Bartz of the 40.9 acres of open space as the sole reason for the denial.
12. Chapter 2, part 3, section 4.6(1)(D) of the Washington County Development Code does allow for designated open space and common facilities to be owned and managed by an individual who will use the land for open space purposes and subjects the land to a conservation easement.
13. Ms. Bartz would give a conservation easement to the County on Lot 7 as part of the Conditional Use Permit.
14. Because the open space development idea evolved from Ms. Bartz's attempt to retain her horse stable business in the face of an ordered partition and sale of the whole, it would work an undue hardship on Ms. Bartz to require her to deed over Lot 7 to the homeowners association and would result in a loss to the community of a viable business.
15. Stillwater Township has approved appellants' development plan.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners reverses the decision of the Washington County Planning Advisory Commission denying a Conditional Use Permit to Cary Bartz and David Adkins for the open space development of Victory Pass.

BE IT FURTHER RESOLVED that the Conditional Use Permit attached hereto as Attachment 1 be granted to Cary Bartz and David Adkins for the development of Victory Pass.

#### Victory Pass Conditional Use Permit

1. This permit allows for an open space/cluster residential subdivision consisting of 11 residential lots approximately 1.6 to 1.8 acres in size on a parcel of property of approximately 81.9 acres. There will be 51.7 acres of open space (over 60%). One outlot is 10.8 acres and another 40.9 acres has an existing, large horse stable/training facility. One additional residential structure will be constructed on this parcel. Development shall take place in accordance with the plans submitted and dated 09/19/2005.
2. A management plan for the open space shall be submitted. This plan shall include long term management of the both Outlot A and Outlot B and Lot 7, Block 2.
3. The owner shall transfer fee simple title of Outlot A and B to the Homeowner's Association. Said lots shall be owned and maintained in common by the Homeowner's Association.
4. The homeowners association's documents must be submitted to the Washington County Plat Commission for review and approval prior to

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the final plat being approved. These documents must be recorded with the plat.

5. The plat itself must be reviewed and approved by the Washington County Plat Commission and Stillwater Township and meet the standards of the Washington County Development Code. The final plat must be recorded within one year from the date of this permit or this permit becomes null and void.
  6. A permanent conservation easement covering Outlot A and B and Lot 7, Block 2 shall be dedicated to an acceptable land trustee or other similar organization as approved by the county and recorded at the time of final plat.
  7. The boundary of the conservation easement shall be delineated on site with appropriate markings as approved by the Zoning Administrator.
  8. A copy of the Carnelian/Marine Watershed District Permit shall be submitted.
  9. All comments from the Department of Transportation and Physical Development shall be made part of this permit and an access permit shall be obtained.
  10. All Outlots shall not be further subdivided.
  11. All soil testing shall be submitted to the Washington County Department of Health and Environment. The septic area shall be clearly delineated on the site. The septic drainfield area shall be roped-off with a snow fence in order to preserve the area for the drainfield. Soils on these sites shall not be disturbed. No vehicle of any type shall drive over the area.
  12. All conditions of the existing Certificate of Compliance dated 10/08/01.
17. Adoption of **Resolution No. 2005-205** as follows:

Amendment to Trunk Highway 120 Turnback Agreement  
From Interstate 494 to Woodbine Avenue

WHEREAS, the Minnesota Department of Transportation and Washington County did enter into a Cooperative Construction Agreement No. 82976 dated July 23, 2002 providing for payment by the State to the County of the State's share of the cost of intersection improvement construction to be performed by the county at Trunk Highway 120 and Lower Afton Road and bridge rehabilitation construction to be performed at the interchange of Trunk Highway 120 (Valley Creek Road) and Trunk Highway 494; and

WHEREAS, after the Cooperative Construction Agreement No. 82976 was fully executed, the County and the State mutually agreed that the bridge rehabilitation construction scheduled to be performed by the County at the interchange of Trunk Highway 120 (Valley Creek Road) and Trunk Highway 494 will be performed by the State; and



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WHEREAS, in accordance with Cooperative Construction Agreement No. 82976, the State advanced to the County a lump sum payment of \$2,500,000 and is scheduled to advance \$3,000,000 in Fiscal Year 2007 for the bridge rehabilitation construction; and

WHEREAS, the State and the County desire that Cooperative Construction agreement No. 82976 be amended to reflect a \$2,500,000 County return payment to the State and cancellation of the scheduled Fiscal Year 2007 State payment of \$3,000,000 for the bridge rehabilitation construction that will no longer be performed by the County; and

WHEREAS, the bridge rehabilitation construction that was to be performed by the County under State Projects No. 6227-58 and 8220-9883 will now be performed by the State under State Projects No. 8285-82016 and 8285-88. A separate Cooperative Construction Agreement between the State and the County will be written to cover the County cost participation.

NOW, THEREFORE, BE IT RESOLVED, that Article II of Cooperative Construction Agreement No. 82976 dated July 23, 2002 is hereby amended and modified so as the County will no longer administer the bridge rehabilitation construction; and

BE IT FURTHER RESOLVED, the County will make a lump sum payment to the State in the amount of \$2,500,000 as a refund of funds previously advanced by the State for work that will no longer be performed by the County ;and

BE IT FURTHER RESOLVED, the scheduled payment of \$3,000,000 to the State in Fiscal Year 2007 shall be cancelled.

The foregoing Consent Calendar was adopted unanimously.

## **PUBLIC HEARING - TRANSPORTATION AND PHYSICAL DEVELOPMENT**

### **Washington County Development Code Amendment**

The Board Chair presented a brief overview of the procedures that will be followed for today's public hearing to consider an amendment to the Washington County Development Code relating to fairgrounds. The Board Secretary confirmed that the notice of public hearing was published in the legal newspaper.

Dennis O'Donnell, Senior Planner, reviewed his memo of December 12, 2005. The proposed amendment would allow for buildings used for Fair purposes to also be used for seasonal storage under prescribed conditions. The Planning Advisory Commission heard a request from the Agricultural Society to build a new exhibit building on the Washington County Fairground's property in Baytown Township. They also want to use this new building for seasonal storage of boats and recreational vehicles. The current ordinance would prohibit seasonal storage in that building. The Planning Advisory Commission approved an amendment to the ordinance and staff concurs with the Commission's decision. Mr. O'Donnell reviewed the amendment to the Washington County Development Code.

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Commissioner Kriesel asked what would happen if the person storing their items in the building do not remove it by April, what is the procedure? Mr. O'Donnell stated the fairgrounds leases the building out to a separate entity and according to those leases everything has to be out by a certain date.

Commissioner Stafford asked about security and insurance. Mr. O'Donnell indicated that the Ag Society leases the building out for the winter months to, say, a marina. The marina would then have the individual contracts with the boat owners or RV owners. It's not the Ag Society that is signing for each piece of equipment.

Byron Anderson, President of the Agricultural Society, is asking that the Board authorize the use of a new exhibit building for seasonal storage. He stated that insurance is carried by the two entities that rent out for storage. There is a security system in each building, so they are well covered as far as insurance and security.

The Board Chair asked for further comments from the audience; none were heard. The public hearing was closed at 9:30 a.m.

The Board Secretary indicated that she has received all documentary evidence.

Commissioner Hegberg moved to adopt **Resolution No. 2005-206** as follows:

Resolution Amending the Washington County Development Code  
Chapter Two, Part 1, Section 2.2(3) Land Uses in an Agricultural District; and  
Chapter Two, Part 3, Section 2 Standards for Uses

ORDINANCE NO. 172

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

WHEREAS, the Washington 2015 Comprehensive Plan was adopted by the Washington County Board of Commissioners on April 22, 1997 and became effective October 1, 1997 as Washington County Ordinance No. 124 and was amended on March 6, 2002 to Washington County 2020 Comprehensive Plan; and

WHEREAS, MINN. STAT. § 473.865 requires counties to adopt the official controls described in their Comprehensive Plan so as to implement the 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 No. 127; and

WHEREAS, the Washington County Planning and Advisory Commission held a public hearing on October 25, 2005 to consider the proposal of county staff that the Washington County Development Code be amended to create

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the land use of "Fairgrounds" as a conditionally permitted use in an Agricultural District; and

WHEREAS, the Washington County Planning Advisory Commission recommended approval of the amendment; and

WHEREAS, on December 20, 2005, the Washington County Board of Commissioners, pursuant to a Notice of Intent to Amend the Washington County Development Code, conducted a public hearing on the request; and

WHEREAS, the proposed amendment to Chapter Two, Part 1, Section 2.2(3) adds the land use of "Fairgrounds" as a conditionally permitted use in an Agricultural District; and

WHEREAS, the proposed amendment to Chapter Two, Part 3 adds Section 2.41 to define "Fairgrounds" as property owned by an Agricultural Society or Association as defined in Minnesota Statute section 38.01 and primarily used for outdoor fairs or exhibitions; and

WHEREAS, the Performance Standards set forth in the proposed amendment to Section 2.41 allows for limited seasonal storage of boats, autos and other recreational vehicles; and

WHEREAS, the proposed land use would be in conformance with the Washington County Comprehensive Plan, a Policy Guide to 2020 and the Washington County Development Code.

NOW, THEREFORE, BE IT RESOLVED, that based upon the hearing record, the Washington County Board of Commissioners hereby adopts the proposed amendments to the Washington County Development Code as fully set forth in Exhibit A, which is attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, that the Washington County Zoning Administrator is directed to make the changes set forth in the Washington County Development Code and cause the same to be published and codified according to law and from and after the effective date of Ordinance 172.

#### Exhibit A

#### Amendments to the Washington County Development Code

Amend Chapter Two, Part 1, Section 2.2(3), Land Uses in Agricultural Districts with a Conditional Use Permit to add the following use:

(T) Fairgrounds.

Amend Chapter Two, Part 3, Section 2, Standards for Uses by adding Section 2.41 as follows:

#### 2.41 Fairgrounds

(1) Definition - Fairgrounds is defined as property owned by an Agricultural Society or Association as described in MINN. STAT. § 38.01 and primarily used for outdoor fairs or exhibitions.

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(2) Required Permit – The use of the property for the County fair is a permitted use. A conditional use permit is required for other uses of the property as allowed in paragraph (4) below.

(3) Other requirements – Fairgrounds must comply with all rules and regulations of federal, state, County and local agencies.

(4) Performance Standards – Fairgrounds must comply with all of the following standards:

(A) A conditional use permit shall be obtained for any use of Fairgrounds property other than the County Fair. (B)

The Fairgrounds may be used for recreational activities and other uses previously permitted by terms of any conditional use permit granted prior to adoption of this ordinance.

(C) Any building used for Fair purposes may be used for the seasonal storage of boats, autos, and other recreational vehicles if the following conditions are met.

- 1) All boats, autos and recreational vehicles shall be brought to the Fairgrounds in the month of October and removed during the month of April.
- 2) No signage is allowed as part of the seasonal storage activities.
- 3) Buildings used for seasonal storage must be primarily for Fair purposes and cannot be erected for the main purpose of storage.
- 4) Outside commercial storage is prohibited.
- 5) A conditional use permit is granted.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

Commissioner Pulkrabek left the meeting at 9:30 a.m.

### **WASHINGTON COUNTY LIBRARY**

Commissioner Hegberg moved to adopt **Resolution No. 2005-207** as follows:

#### **Resolution Authorizing Washington County to Apply for \$750,000 of State Library Construction Grant Funds**

WHEREAS public library services in the County of Washington will improve with the construction of a library building in Forest Lake, Minnesota; and,

WHEREAS, the County of Washington has title to the site and building where the Forest Lake Public Library will be located; and,

WHEREAS the County of Washington has determined that such construction will cost approximately \$5.2 million; and,

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WHEREAS the County of Washington has determined that it will need a matching grant from the Department of Education to pay for such construction and;

WHEREAS the County of Washington shall provide matching funds for expenditures relating to the public library construction project in an amount equal to the amount of the grant from non-state sources and that such match shall be dollar-for-dollar and not matched by in-kind contributions and;

WHEREAS the matching funds are any combination of (i) cash monies, (ii) legally binding commitments for money, or (iii) equivalent funds or contributions, including equity, and;

WHEREAS the source of the matching funds will be the 2003 County General Revenue bond proceeds; and,

WHEREAS the County of Washington understands and agrees to adhere to the list of assurances as stated in the grant application;

NOW, THEREFORE BE IT RESOLVED that the County of Washington authorizes the Washington County Administrator to submit a grant application totaling \$750,000; and,

BE IT FURTHER RESOLVED that the County Administrator or Deputy County Administrator are authorized independently to sign and submit all applicable contracts, documents and agreements associated with the application or grant agreement on behalf of the County of Washington.

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

### **COURT ADMINISTRATION**

Commissioner Stafford moved to approve an agreement for the operation and management of the Washington County Court Self Service Center and transfer the assets and position from the Washington County Law Library Board to the State of Minnesota, Tenth Judicial District Court, Washington County, with a declining allocation over five years. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

### **GENERAL ADMINISTRATION**

#### **2006 Legislative Agenda**

Jim Schug, County Administrator, presented the 2006 Legislative Agenda and asked for clarification on two items: 1) Assessment Levy would allow cities to opt in or out of the countywide assessment and allow the county to levy on a sub-taxing district to include those communities who are in the countywide assessment; and 2) County support of High Speed Passenger Rail.



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Commissioner Stafford asked that a brief definition and description of light rail, commuter rail and high speed rail be included in the package.

Commissioner Hegberg moved to include the support for the high speed passenger rail section. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Stafford asked that the legislative delegation receive the 2006 Legislative Agenda far in advance of the legislative meeting.

Commissioner Stafford moved to adopt the 2006 Legislative Agenda as presented. Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Pulkrabek returned at 9:45 a.m.

Commissioners Hegberg and Pulkrabek reported on their trip last week to Washington D.C. to lobby against cuts to Medicare and Medicaid and how that would affect the county.

Dan Papin, Community Services Director, updated the Board on what the House passed this past Sunday. Most of the language passed is identical to the language they were concerned about originally. They have not seen any changes, and the amended language they had hoped for did not appear. Three or four areas of major concern are: 1) It will be more difficult to claim Federal IV-E dollars for children in foster care; 2) Temporary Assistance for Needy Families has significant reductions that will make it more difficult for states to draw down Federal dollars because the work requirements for participants have been raised again; 3) Child Support – There was success in beating off an attempt by Congress to reduce the federal financial participation for that program, but they have eliminated the incentive earnings which for Washington County is more significant than what the county would have lost if they had reduced the FFP from 66% to 50%; and 4) Targeted case management – The analysis from HSA is that no change was made in that language. The county could be looking at a \$2.5 million loss affecting 37 staff. The Senate will be taking up the bill today and they will be monitoring that situation.

Mr. Schug indicated that the Metropolitan Inter-County Association 2006 legislative package will be brought back to the County Board for approval after the MICA Board of Directors adopts it in January.

#### **December 27 County Board Meeting**

Commissioner Kriesel moved to cancel the County Board meeting for December 27, 2005. Commissioner Hegberg seconded the motion and it was adopted unanimously.

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**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Hegberg reported on meetings he attended in Hugo. One meeting addressed Judicial Ditch 2. He asked that the Board send a letter to the Governor concerning Rice Lake and asking that it be a managed lake level. The Highway 8 project bids were discussed. He would also like a letter to go to the Metropolitan Council asking them to make their sewer connections as part of the Highway 8 project instead of waiting five or six years when it would be more expensive and they would have to tear up the medians.

Commissioner Hegberg asked that the applicant for the Housing and Redevelopment Authority vacancy in District 1 be interviewed as quickly as possible. He also asked that a copy of that application be faxed to the City of Hugo.

Commissioner Peterson suggested meeting with the Metropolitan Council fairly early next year, possibly January, to discuss transportation issues and potential legislative action.

Commissioner Stafford displayed pictures of snowmobile damage to an area recently planted in exotic grasses, sapling and evergreen trees by the Ramsey-Washington Watershed District and the City of Woodbury to help prevent erosion to the ditch. He stated the City of Woodbury is looking at placing signs there and patrolling the area. He is asking the citizens to be more mindful of where they travel with snowmobiles.

Commissioner Kriesel wished staff and everyone a Merry Christmas and a Happy New Year.

Commissioner Peterson also wished staff a very Merry Christmas.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**RECESS FOR AN EXECUTIVE SESSION**

Commissioner Hegberg moved to go into Executive Session with the Department of Transportation and Physical Development to discuss purchase agreements with the City of Forest Lake for northern service center/library and transit center/trailhead properties. Commissioner Kriesel seconded the motion and it was adopted unanimously; the time being 10:26 a.m. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Peterson, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Doug Johnson, Richard Hodsdon, Don Theisen, Mike Rogers, Sharon Price, and Patricia Raddatz.

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The County Board reconvened at 10:56 a.m.

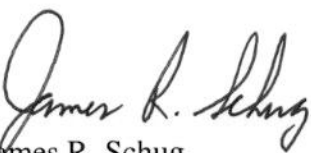
**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously. The Board meeting adjourned at 10:57 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 value engineering of the Government Center Campus improvements. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Peterson, Stafford and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Chris Volkers, Judge William Ekstrum, Judge Gary Schurrer, Judge Susan Miles, Keith Potter, Lowell Johnson, Kevin Corbid, Steve Pott, Tom Adkins, Steve Nelson, Mike Cox, Wold Architects, Yvonne Klinnert, Stillwater Courier, and Kevin Giles, Star-Tribune.

Attest:

  
James R. Schug

County Administrator

  
Myra Peterson, Chair  
County Board