

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**DECEMBER 11, 2007**

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 Peterson, Kriesel, Orth, and Hegberg. Commissioner Pulkrabek absent. Board Chair Kriesel presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Cory Slagle, Transportation Manager; Jacob Gave, Public Works Engineer; John Elholm, Parks Director; Keith Potter, Facilities Manager; Joe Lux, Senior Planner; Mike Polehna, Assistant Manager; Dan Papin, Community Services Director; Robert Crawford, Workforce Center Division Manager; Kevin Corbid, Property Records and Taxpayer Services Director; Lowell Johnson, Director of Public Health and Environment; Judy Hunter, Sr. Program Manager; Amanda Goebel, Sr. Environmental Specialist; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Harley Will, Financial Services Director; Tom Adkins, Community Services Director; Ann Pung-Terwedo, Sr. Planner; Melinda Kirk, Budget/Financial Analyst; 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 Peterson moved, seconded by Commissioner Orth to adopt the following Consent Calendar:

1. Approval of the November 27, 2007 Board meeting minutes.
2. Approval to appoint Darlene Anderson, Dellwood, to the Historic Courthouse Advisory Council to a first term expiring December 31, 2009.
3. Approval of the 2008 to 2010 contract with Totems, Inc. to provide community based mental health services and children's therapeutic supports and services.
4. Approval of the Workforce Investment Act plan update for 2006.
5. Approval to purchase a new iSeries server for the County Disaster Recovery Site.
6. Approval of an agreement with Chisago County for reciprocal use of household hazardous waste facilities and authorize execution by the Board Chair and County Administrator.

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7. Approval of an agreement with Heritage Environmental Services, LLC for management services of household hazardous waste and authorize execution by the Board Chair and County Administrator.
8. Approval to accept a Minnesota Board of Water and Soil Resources (BWSR) Challenge Grant in the amount of \$10,000 and authorization to enter into an agreement with BWSR and that the Department of Public Health and Environment shall act as the fiscal agent for the grant.
9. Approval of an agreement with the Minnesota Pollution Control Agency for authority to operate a household hazardous waste management program and authorize execution by the Board Chair and County Administrator.
10. Approval to renew two year agreements with the Township of May and the Cities of Afton and Scandia to provide operation and maintenance services to the 201 collector systems.
11. Adoption of **Resolution No. 2007-151** as follows:

Authorize the Execution of an Agreement with Olsen Thielen and Co.

WHEREAS, Washington County desires to continue to protect and ensure the public health, safety, welfare and environment of the county's residents and businesses through sound management of solid waste generated in the county; and

WHEREAS, in May of 2002 the Washington County Board of Commissioners directed staff to pursue public/private partnerships and changes in solid waste financing that could result in progress toward environmental goals, as an alternative to public collection; and

WHEREAS, on November 19, 2002 the Washington County Board of Commissioners amended the solid waste Ordinance to implement a county Environmental Charge (CEC) and to successfully implement the CEC, the county has conducted and plans to continue to conduct audits to assure compliance with the Solid Waste Management Ordinance; and

WHEREAS, in 2003 Washington and Ramsey counties jointly, through a Request for Proposals (RFP) process selected Olsen Thielen and Co., Ltd as a consultant to provide financial audit services for the County Environmental Charge; and

WHEREAS, Washington County seeks to continue to work jointly with Ramsey County to procure private audit services in order to provide efficient, cost effective audits; and

WHEREAS, on July 22, 2003 (Resolution No. 2003-123), the Washington County Board of Commissioners authorized the approval and execution of an agreement with Olsen Thielen & Co., Ltd, for financial audit services, with a contract term of April 1, 2003, through December 31, 2007; and

WHEREAS, Olsen Thielen & Co., Ltd., has performed over 150 audits to date under the agreement through compliance reviews with over 100 haulers

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and transfer stations, strengthening its unique position as an ideal vendor to provide the county with financial audit services for the County Environmental Charge.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby authorizes approval and execution of an agreement for financial audit services with Olsen Thielen & Co., Ltd., in a form to be approved by the County Attorney, with a contract term of January 1, 2008 through December 31, 2012, and a maximum expenditure for 2008 not to exceed \$50,000.

- 12. Bids were received for 2008 plumbing and mechanical services as follows:

<u>Bidder</u>	<u>Base Bid</u>
Northern Air Corporation	\$44,100.00
Gilbert Mechanical Contractors, Inc.	\$56,100.00

Adoption of **Resolution No. 2007-152** as follows:

Bid Award for 2008 Plumbing and Mechanical Services to  
Northern Air Corporation

WHEREAS, in order to provide for the general repair, remodeling, replacement, installation and maintenance of plumbing systems at the various county facilities, the county solicited bids for this service; and

WHEREAS, bids were opened on November 13, 2007, with Northern Air Corporation being the most qualified responsible bidder.

NOW, THEREFORE BE IT RESOLVED, that the bid of Northern Air Corporation be accepted and the county enter into a contract with Northern Air Corporation for plumbing and mechanical services; and

BE IT FURTHER RESOLVED, that the contract between the county and Northern Air Corporation 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.

- 13. Approval to purchase the Wozniak property, Section 14, Township 2, Range 21, for inclusion into Cottage Grove Ravine Regional Park.

- 14. Adoption of **Resolution No. 2007-153** as follows:

Authorization for Sheriff Hutton to Execute and Sign the  
2008-2009 Snowmobile Safety Grant

BE IT RESOLVED, that the Washington County Sheriff's Office is authorized to enter into a grant agreement with the State of Minnesota, Department of Natural Resources, for the 2008-2009 Snowmobile Safety Grant; and

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BE IT FURTHER RESOLVED THAT Sheriff William M. Hutton is hereby authorized to execute and sign the grant and any amendments thereto, as are necessary in implementing the program on behalf of the Washington County Sheriff's Office.

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

### **COMMUNITY SERVICES**

The Board Chair presented a Commissioner's Award to Alicia Snyder in recognition of her being named the Minnesota Foster Care Association Foster Care Child of the Year for 2007.

### **PUBLIC WORKS**

#### **Recognition for the Manning Avenue Design Review Committee**

Commissioner Kriesel moved to adopt **Resolution No. 2007-154** as follows:

#### Recognition for the Manning Avenue Design Review Committee

WHEREAS, delivering a project in multiple jurisdictions requires the cooperation of all the various communities involved; and

WHEREAS, planned reconstruction of Manning Avenue, from State Highway 36 to 1.75 miles north, required the coordination of design elements to satisfy the various needs of the communities of Grant, Lake Elmo, Stillwater, and Stillwater Township; and

WHEREAS, a Design Review Committee, consisting of three members each from Grant, Stillwater Township, and Stillwater (plus one alternate from the City of Stillwater) was formed to assist the county and its consultants in developing a cohesive design aesthetic for the construction and landscaping plans for the Manning Avenue project; and

WHEREAS, the Design Review Committee worked with resolve and open-mindedness to resolve issues in a timely manner so that deadlines for various approvals could be met; and

WHEREAS, the contributions of the Design Review Committee resulted in a plan that is superior to what would have been expected without the Committee's input.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby commends and thanks the Manning Avenue Design Review Committee for its members' time and input and recognizes the following individuals who made up the committee:

Name, Representing  
Chris Aamodt, Grant  
Brian Axdahl, Grant  
Bob LaCasse, Grant

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Name, Representing

Heinrich Bantli, Stillwater Township  
 Norman Lee Busse, Stillwater Township  
 Sheila-Marie Untiedt, Stillwater Township  
 David Korte, Stillwater  
 Robert Kroening, Stillwater  
 Steve McLean, Stillwater  
 Scott Zurn, Stillwater

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

**Variance to Standards of Shoulder Width on the CSAH 13 Bridge Over I-94**

Commissioner Orth moved to adopt **Resolution No. 2007-155** as follows:

Requesting a Variance from Minnesota Design Standards for the County State Aid Highway (CSAH) 13 (Radio Drive) Reconstruction Project

WHEREAS, Washington County is the Responsible Governmental Unit (RGU) for County State Aid Highway (CSAH) 13; and

WHEREAS, CSAH 13 and I-94 Interchange/Frontage Road Project, SAP 82-613-024, SP 8282-105, is a joint project between Washington County and the City of Woodbury part of which is the construction of an additional north bound thru lane on the CSAH 13 bridge over Interstate 94; and

WHEREAS, State Aid Operations Rule 8820.9920 Minimum Design Standards; Rural and Suburban Undivided; New or Reconstruction Projects, footnote (a) refers the designer to use the geometric design standards of the Mn/DOT Road Design Manual for rural divided highways; and

WHEREAS, Table 4-4.01A (English) of the Mn/DOT Road Design Manual states that the proper right shoulder width is 11.5 feet usable (10.0 feet paved); and

WHEREAS, Table 4-4.01B (English) of the Mn/DOT Road Design Manual states that the proper left shoulder width is 11.5 feet usable (10.00 feet paved); and

WHEREAS, due to width limitations of the existing bridge, the county's preferred design proposes the provision of a minimum right shoulder width of 4.7 feet paved and a minimum left shoulder width of 3.4 feet paved; and

WHEREAS, a resolution from the RGU requesting this variance be approved is required as part of the variance review process; and

WHEREAS, the RGU understands the need for the variance request and understands the risks and liability it assumes when a variance is granted.

NOW THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby requests the Commissioner of Transportation grant a variance from State Aid Operations Rules, Chapter

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8820.9920 to allow for the construction of a minimum right shoulder width of 4.7 feet paved and a minimum left shoulder width of 3.4 feet paved.

BE IT FURTHER RESOLVED that Washington County indemnifies, saves, and holds harmless the State of Minnesota and their agents and employees of and from any and all claims, demands, actions or causes of action arising out of or by reason of the construction of SAP 82-613-024, SP 8282-105 inconsistent with applicable design standards of the Minnesota Department of Transportation or arising as a result of the Commissioner of Transportation's decision to grant the variance and further agrees to defend at its sole cost and expense any actions or proceeding commenced for the purpose of asserting any claim of whatever character arising as a result of the granting of this variance.

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

#### **Reappointment of County Surveyor**

Commissioner Hegberg moved to reappoint Michael J. Welling as County Surveyor, to a four-year term beginning January 1, 2008 and ending December 31, 2011. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

#### **Subgrant Agreement with the Disabled Veterans Rest Camp**

Commissioner Kriesel moved to approve a Capital Improvements Subgrant Agreement between Washington County and the Disabled Veterans Rest Camp. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

#### **Award of Division 27, Elevators for the Campus 2025 Project**

Commissioner Peterson moved to adopt **Resolution No. 2007-156** as follows:

Bid Award for Elevator Construction on the 2025  
Government Center Campus Improvements Project to Kone, Inc.

WHEREAS, in order to accomplish the 2025 Government Center Campus Improvements, the county solicited bids for this project; and

WHEREAS, bids were opened on October 7, 2007 with bids accepted in 24 divisions; and

WHEREAS, no bids were received for Bid Division 27 – Elevators; and

WHEREAS, quotes were solicited from the company that is capable of supplying the type of elevators needed; and

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NOW, THEREFORE BE IT RESOLVED, that the quote of Kone, Inc. accepted for Bid Division 27 (Elevators) and the county enter into a contract with Kone, Inc. under the terms and conditions set forth in the specification documents.

BE IT FURTHER RESOLVED, that the contract between the county and Kone, 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 specification requirements and approval as to form by the Washington County Attorney's office.

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

**METROPOLITAN MOSQUITO CONTROL DISTRICT**

Jim Stark, Director of the Metropolitan Mosquito Control Board, and Dave Voyda, Forest Lake Facility, presented an update of the 2007 programs and an overview of the 2008 budget.

**GENERAL ADMINISTRATION**

**Certifying Property Tax Levies for Washington County Payable 2008**

Commissioner Hegberg moved to adopt **Resolution No. 2007-157** as follows:

Resolution Certifying Property Tax Levies for  
Washington County Payable 2008

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following tax levies for payable 2008:

Washington County	\$81,131,800
Regional Rail Authority	\$ 245,300

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

**Certifying Property Tax Levy for Washington County Payable 2008**

Commissioner Peterson moved to adopt **Resolution No. 2007-158** as follows:

Resolution Certifying Property Tax Levy for  
Washington County Payable 2008

The Washington County Board of Commissioners does hereby certify to the Washington County Auditor-Treasurer the following tax levy for payable 2008:

Washington County Housing  
and Redevelopment Authority \$3,147,002

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

**2008 Budget, Levy and HRA Levy**

Commissioner Hegberg moved to adopt **Resolution No. 2007-159** as follows:

Resolution Adopting the Washington County  
Budget for Payable 2008

<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>WHEELAGE TAX</u>	<u>CERTIFIED LEVY</u>
General Government	\$96,091,700	\$43,314,800	(\$4,163,700)	\$48,613,200	\$4,063,108	\$0	\$44,550,092
Community Services	\$34,564,500	\$18,096,900	\$0	\$16,467,600	\$1,376,214	\$0	\$15,091,386
Public Works - Road & Bridge	\$38,200,800	\$30,973,900	(\$250,000)	\$6,976,900	\$524,272	\$900,000	\$5,552,628
Public Works - Parks	\$2,550,900	\$1,750,900	\$63,900	\$863,900	\$65,534	\$0	\$798,366
Regional Rail Authority	\$311,700	\$558,500	\$492,100	\$245,300	\$0	\$0	\$245,300
Library	\$6,385,200	\$205,400	\$0	\$6,179,800	\$524,272	\$0	\$5,655,528
Debt Service - County Wide	\$8,944,800	\$0	(\$297,100)	\$8,647,700	\$0	\$0	\$8,647,700
Debt Service - Library District	\$836,100	\$0	\$0	\$836,100	\$0	\$0	\$836,100
<b>Subtotal:</b>	<b><u>\$187,885,700</u></b>	<b><u>\$94,900,400</u></b>	<b><u>(\$4,154,800)</u></b>	<b><u>\$88,830,500</u></b>	<b><u>\$6,533,400</u></b>	<b><u>\$900,000</u></b>	<b><u>\$81,377,100</u></b>
<b><u>CAPITAL FUNDS</u></b>							
CIP Projects Fund	\$1,0184,000	\$6,584,000	\$5,500,000	\$0	\$0	\$0	\$0
Capital Repair	\$400,000	\$818,100	\$418,100	\$0	\$0	\$0	\$0
Historic Courthouse	\$0	\$23,300	\$23,300	\$0	\$0	\$0	\$0
<b>Subtotal:</b>	<b><u>\$1,484,000</u></b>	<b><u>\$7,425,400</u></b>	<b><u>\$5,941,400</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>Total 2008 Budget</b>	<b><u><u>\$189,369,700</u></u></b>	<b><u><u>\$102,325,800</u></u></b>	<b><u><u>\$1,786,600</u></u></b>	<b><u><u>\$88,830,500</u></u></b>	<b><u><u>\$6,553,400</u></u></b>	<b><u><u>\$900,000</u></u></b>	<b><u><u>\$81,377,100</u></u></b>
<b><u>OTHER LEVY PAYMENT</u></b>							
Less Regional Rail Authority (RRA) – a separate taxing authority				(\$245,300)	\$0	\$0	(\$245,300)
Total Washington County 2008 Levy (Operating minus RRA):				<b><u><u>\$88,585,200</u></u></b>	<b><u><u>\$6,553,400</u></u></b>	<b><u><u>\$900,000</u></u></b>	<b><u><u>\$81,131,800</u></u></b>

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

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**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reported on the Association of Minnesota Counties annual convention. She is impressed that all 87 counties held firmly together in support of a transportation funding package. They had a standing room only bus tour of the congested areas in the metropolitan area and various rail corridors and how they will come together. There will also be a tour to out-state Minnesota later in January to look at some of their concerns about transportation. She feels the partnership of rural and metropolitan counties is sound and intact.

Commissioner Orth reported that he also attended the Association of Minnesota Counties annual convention last week. Yesterday he attended a groundwater contamination meeting with the Minnesota Department of Health, Environmental Health Division and the Minnesota Pollution Control Agency at the Woodbury City Hall. They presented an update on 3M's investigation work and cleanup plans for the sites where 3M disposed PFC contaminating waste. 3M is planning to provide information meetings to residents in Oakdale, Woodbury and Cottage Grove. At the meeting in Oakdale, 3M told them that there are about 11,000 to 30,000 yards to remove PFC. The first portion was the upper four feet and the next removal will be all materials 10 feet down. They were advised that the Wakota water was safe to drink now. Out of the 1,107 recent samples taken, nothing new was detected. The Minnesota Department of Health will present a report to the Legislators this Friday.

Commissioner Peterson asked where 3M will store all of the soil that will be removed? Commissioner Orth will review the materials to locate that information and report back.

Commissioner Hegberg attended the Association of Minnesota Counties annual convention last week also. He felt there were many good speakers and interesting sessions. The Minnesota Association of Governments Investing for Counties (MAGIC) meeting was held and he is happy to report that they did not have any losses on asset based collateral, and they were disposing the rest of the asset based assets and they were at a profit. Discussion took place as to whether they should continue to invest in those items.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**ADJOURNMENT**

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

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**BOARD WORKSHOP WITH THE PARKS AND OPEN SPACE COMMISSION**

The Board met in workshop session with the Parks and Open Space Commissioner to discuss the first round of Land and Water Legacy application recommendations. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Orth, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Jane Harper, Don Theisen, John Elholm, Wayne Sandberg, Ann Pung-Terwedo, Steve Nelson, Lowell Johnson, Amanda Hollis, Larry Timmerman, Harley Will, Tom Adkins, Sharon Price, Kevin Corbid, Kevin Giles, Star-Tribune, Yvonne Klinnert, Stillwater Courier, Alex Friedrich, Pioneer Press, Mary Hauser, Parks and Open Space Commission, Kathy Higgins, Denmark Township, Dick Thompson, TKDA Planning Consultant for Denmark, Ron Rogstad, City of Oakdale, Bryan Baer, City of Hugo, Kelly Matzek, City of Lake Elmo, and the following Landowners: John Leadholm, Jack Daley, Neil and Deb Krueger .

**BOARD WORKSHOP WITH OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the 2008-2012 Capital Improvement Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Orth, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Patricia Conley, Don Theisen, John Elholm, Wayne Sandberg, Ginny Chace, Melinda Kirk, Keith Potter, Harley Will, Kevin Corbid, and Dan Papin.

Gary Kriesel, Chair  
County Board

Attest:

James R. Schug  
County Administrator