

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 27, 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, Pulkrabek, Kriesel, Orth, and Hegberg. Absent none. 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; Kevin Corbid, Director of Property Records and Taxpayer Services; Carol Peterson, Administrative Support Manager; Jennifer Wagenius, Division Manager; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Keith Potter, Facilities Manager; Patrick Single, Deputy Community Services Director; Mary Farmer-Kubler, Community Services Supervisor; Barbara Dacy, HRA Executive Director; Patricia Conley, Library Director; Lowell Johnson, Director of Public Health and Environment; Vicki DeFord, Deputy Human Resources Director; Mjyke Nelson, Information Technology Director; Barbara Fritsche, Information Technology Supervisor; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Tom Adkins, Community Corrections Director; Harley Will, Financial Services Director; 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.

CONSENT CALENDAR

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

1. Approval of the February 13, 2007 Board meeting minutes.
2. Approval of the subgrantee agreement with the City of Landfall for an electrical hook-up project for about 70 homes.
3. Adoption of **Resolution No. 2007-021** as follows:

Resolution for Continuing Participation in the HOME
 Consortium with Anoka County, Dakota County,
 Ramsey County and the City of Coon Rapids

WHEREAS, Title I of the Cranston-Gonzalez National Affordable Housing Act (the Act) affirms the national goal that every American family be able to afford a decent home in a suitable environment; and

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WHEREAS, Title II of the Act provides for formula allocation of funds among eligible state and local governments; and

WHEREAS, Section 216 (2) of the Act provides for formation of consortia of units of general local government for the purposes of the Act; and

WHEREAS, Anoka County, Dakota County, Ramsey County, Washington County, and the City of Coon Rapids are jointly contiguous units of general local government and each have sufficient authority and administrative capability to carry out the purposes of the Act; and

WHEREAS, the aforementioned counties agreed in the Spring of 2004 to a HOME Consortium agreement that renews every three years,

WHEREAS, continued participation in the HOME Consortium will enable Washington County to receive Home Investment Partnership Program funding to meet the affordable housing needs of low-income residents.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves Washington County Community Services continued participation in the HOME consortia with Anoka County, Dakota County, Ramsey County, and the City of Coon Rapids for the 2008, 2009, and 2010 program years.

4. Approval of contract with Community Volunteer Services for unpaid work experience placements for Minnesota Family Investment Program clients for the period January 1, 2007 to December 31, 2007.
5. Adoption of **Resolution No. 2007-022** as follows:

Resolution Required by Section 147(f) of the Internal Revenue Code Giving Approval to a Project on Behalf of Senior Care Communities, Inc. and Approving the Issuance of Certain Obligations by the Washington County Housing and Redevelopment Authority Therefor

WHEREAS, pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act"), the Washington County Housing and Redevelopment Authority, a public body corporate and politic and political subdivision of the State of Minnesota created and existing under Minnesota Laws 1974, Chapter 475, and Minnesota Statutes, Sections 469.001 through 469.047, as amended (the "Authority") is authorized to carry out the public purposes described in the Act by providing for the issuance of revenue bonds or notes and loaning the proceeds thereof to provide funds to finance or refinance certain multifamily housing developments located within Washington County, Minnesota (the "County"); and

WHEREAS, Senior Care Communities, Inc. (the "Corporation"), a Minnesota nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), has requested that the Authority issue revenue bonds, notes or other obligations (the "Obligations") pursuant to the Act and loan the proceeds derived from the sale of the Obligations to the Corporation or one or more wholly-owned subsidiaries of the Corporation (the Corporation and any and all such subsidiaries, collectively, the "Borrower") to finance the acquisition, rehabilitation, and improvement of real property commonly known as Woodbury Senior Living Campus, including a 64-unit assisted living facility,

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a 75-unit independent/assisted living facility and a 212-bed nursing home facility, located at 7012 Lake Road in Woodbury, Minnesota, and real property commonly known as Birchwood Senior Living Campus, including a 46-unit assisted living facility and a 150-bed nursing home facility, located at 740 Northeast First Street in Forest Lake, Minnesota (collectively, the "Project"), to be owned and operated by the Borrower, and managed by Covenire Care, LLC, a Minnesota limited liability company, as a multifamily housing development for rental primarily to elderly or disabled persons, and a health care facility; and

WHEREAS, the Obligations are proposed to be issued in one or more series in an original aggregate principal amount estimated not to exceed \$45,000,000 and loaned to the Borrower pursuant to one or more loan or revenue agreements to finance the acquisition, rehabilitation and improvement of the Project, fund a debt service reserve or other reserves and pay the costs of issuance with respect to the Obligations; and

WHEREAS, the County Board of Commissioners of the County (the "County Board") has been advised that the Authority conducted a public hearing with respect to the proposed issuance of the Obligations and the financing of the Project preceded by notice of the time and place of the hearing, the general nature of the Project and an estimate of the principal amount of Obligations published in accordance with the requirements of the Act and Section 147(f) of the Code and at such public hearing all parties were given an opportunity to express their views with respect to the proposed Project and the issuance of the Obligations; and

WHEREAS, the Authority has requested that the governing body of the County approve the Project and the financing of the Project by the issuance of the Obligations by the Authority, for purposes of Section 147(f) of the Code; and

WHEREAS, the full faith and credit of the County will not be pledged to or responsible for the Project or the payment of the principal of, premium, if any, or interest on the Obligations.

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Commissioners as follows:

1. The Project and the issuance by the Authority of the Obligations pursuant to the Act in an aggregate principal amount not to exceed \$45,000,000 to finance the costs thereof, all as described above, is hereby approved by the County Board for purposes of Section 147(f) of the Code.
2. In no event shall the Obligations ever be payable from or charged upon any funds of the County and no holder of the Obligations shall ever have the right to compel the exercise of the taxing power of the County to pay the Obligations or the interest thereon, nor to enforce the payment thereof against any property of the County. The Obligations shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the County, nor shall the Obligations constitute an indebtedness of the County within the meaning of any constitutional, statutory or charter limitation.

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3. The Chair of the County Board and the County Administrator shall execute and deliver such certificates and other documents as may be necessary on the date of delivery of the Obligations as may be reasonably necessary or appropriate for the undertaking of the Project and the issuance of the Obligations.
6. Approval of two Special Project Community Health Specialists (1.5 FTE) positions in the Department of Public Health and Environment for twelve months.
7. Approval of a new 1.00 FTE position of Management Analyst I in the Department of Transportation and Physical Development.
8. Approval of Joint Powers Agreement with Scott County to combine efforts to successfully convert data from the current ACS Tax System to the newly purchased Manatron Tax System.
9. Approval to accept \$150 donation from Laura and Pat Bailey in honor of their mother, Joanne Bailey, for the summer reading program at Newport Branch Library.
10. Approval of the following appointments: appoint Commander Dan Starry and Sergeant Dean Tilley to the 911 Technical Operations Committee with Commander Cheri Dexter and Captain Steve Pott as alternate members; and, appoint Captain Steve Pott to the 800 MHz Technical Operations Committee with Sergeant Dean Tilley as the alternate member.
11. Approval of town road allotments with the following townships: Baytown, Denmark, Grey Cloud, May, New Scandia, Stillwater, and West Lakeland.

The foregoing Consent Calendar was adopted unanimously.

PROPERTY RECORDS AND TAXPAYER SERVICES

Presentation By YMCA's Youth in Government Program

Orville Linquist, YMCA's Youth in Government Program Executive, presented Washington County Election's Division a plaque in recognition of their help in the 2007 Minnesota YMCA's Youth in Government program by writing programs for the 17 different elections, preparing the ballots, providing access to the county's printing vendor, providing voting machines, training volunteers on how to use the machines, and providing assistance the entire day of the election.

Acceptance of Electronic Recordings

Commissioner Hegberg moved to adopt **Resolution No. 2007-023** as follows:

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Resolution Authorizing Washington County Recorder/Registrar to
Accept Electronic Recordings Pursuant to Minnesota Statute

WHEREAS, Washington County intends to implement electronic filing of those real estate documents as permitted in pilot projects authorized by the task force created by Laws 2000, Chapter 391; and

WHEREAS, pursuant to Laws 2005, Chapter 156, Article 2, Sections 40 and 42, a resolution which constitutes a written certification of compliance with paragraph (b), clause (2) of each of those sections and also signed by the County Recorder is required as a condition of accepting electronic filings. The certification, once accepted by the Task Force, constitutes authority to implement and accept electronic filings.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Washington County, and the County Recorder of Washington County, as evidenced by the authorized signatures below hereby declare:

1. That Washington County intends to implement electronic filing of those real estate documents permitted in pilot projects authorized by the task force created by Laws 2000, chapter 391; and
2. That Washington County will comply with the standards adopted by that Task Force for the electronic filing of real estate documents; and
3. That Washington County will use software validated by the Task Force for the electronic filing of real estate documents.

Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

TRANSPORTATION AND PHYSICAL DEVELOPMENT

Roundabout Presentation

Ted Schoenecker, Transportation Engineer, presented an informational DVD on roundabouts which was created with the help of Washington County.

Change Order #4 – North Service Center/Library

Commissioner Peterson moved to approve Change Order #4 with Master Mechanical, Inc. for \$104,010 at the North Service Center/Library. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Jim Luger, Parks Director, stated this Change Order is due to a design error. Final county costs for this change order will be reduced by a payment from the design firm.

Amendment #3 – South Service Center

Commissioner Peterson moved to approve amendment #3 to Peoples Electric, Inc. contract for revisions and additions of material and labor at the South Service Center. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Support for Transportation and Transit Funding

Commissioner Peterson moved to adopt **Resolution No. 2007-024** as follows:

Support for Transportation and Transit Funding

WHEREAS, Transportation and Transit Funding in Minnesota has not kept pace with the need to keep our transportation infrastructure maintained, and to build for the future of Minnesota; and

WHEREAS, a robust transportation and transit network is and will continue to be critical to the economic vitality of the state; and

WHEREAS, Washington County has a history of supporting funding for transportation and transit improvements; and

WHEREAS, a comprehensive and statewide solution will be needed to solve this crisis; and

WHEREAS, Washington County supports legislative efforts to develop this statewide solution.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby supports statewide legislative initiatives to increase funding for transportation and transit initiatives in Minnesota.

Commissioner Orth seconded the motion and it was adopted unanimously.

Commissioner Peterson was saddened to see the action that the Metropolitan Council took on the Central Corridor. It failed to have the Central Corridor go to the concourse level of the Depot in St. Paul. She stated there has been a vision advocated for the \$50 million appropriated for the Union Depot and they are designing a system that is not going to be seamless. She is saddened to see the shortsightedness of the Metropolitan Council by not addressing the regional vision. She will be writing a letter to the editor and encouraged other Board members to take a strong posture about seamless transportation at the Union Depot.

GENERAL ADMINISTRATION

Jim Schug, County Administrator, presented a brief legislative update on the following items: Meeting to be held tomorrow at 1:00 p.m. at the Association of Minnesota Counties building to talk about a proposal for a metro-wide sales tax for transportation and transit; there are a number of bills being heard that would

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reimburse counties for the cost of housing short-term offenders from state prisons; movement in having bills heard that would exempt local units of government from sales tax; the nickel a drink excise tax bill has been heard and staff has testified; and continued discussion of the maintenance of effort for the consolidated chemical dependency treatment fund.

Mr. Schug noted that Commissioner Kriesel, Don Theisen, and others testified in support of the \$1 million appropriation to the Disabled Veteran's Rest Camp to make capital improvements. Several local businesses and trades unions have discussed donating time and materials to do voluntary work to help with the capital improvements. The committee adopted the recommendation that there would be a \$1 million appropriation to the Veteran's Rest Camp and have held it for possible inclusion in an omnibus bill coming out of that committee.

Commissioner Kriesel thanked Senator Saltzman for being the author of the Disabled Veteran's Rest Camp bill. He believed it was well received by the committee.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Orth reported that Commissioner Kriesel was elected Chair of the Resource Recovery Project Board and he was elected to the Budget Committee. Commissioner Orth stated he would be attending the Eastern Transit Alliance meeting this evening. He also reported that he will be attending the National Association of Counties Conference in Washington D.C. and will not be attending next week's meeting.

Commissioner Pulkrabek announced that he would also be attending the National Association of Counties Conference in Washington D.C. and will not be attending next week's meeting.

Commissioner Kriesel reported that he has been attending many meetings with the Veteran's Rest Camp Board to discuss a new policy that places some of the camp sites into rotation. They have adopted policies that will over time place those sites into rotation and make them available for all veterans. They are currently working on whether those sites should be rented out on a weekly, monthly, or annual basis.

Commissioner Kriesel mentioned that a workshop will be held in March for an update on the wind energy initiative.

Commissioner Peterson asked that the Board consider appointing Jennifer Levitt to the Groundwater Advisory Committee representing municipalities.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

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ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Pulkrabek and it was adopted unanimously. The Board meeting adjourned at 10:05 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 the Campus 2025 project. 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, Don Theisen, Jim Luger, Keith Potter, Mjyke Nelson, Lowell Johnson, Kevin Corbid, Steve Nelson, Dave Brierley, Amy Staudinger, Tom Adkins, Mike Cox, Wold Architects, Joel Dunning, Wold Architects, Alex Friedrich, Pioneer Press, 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 to discuss results of the County Road 83 Overpass Study. 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, Don Theisen, Wayne Sandberg, Mike Rogers, Ted Schoenecker, Alex Friedrich, Pioneer Press, and Yvonne Klinnert, Stillwater Courier.

Gary Kriesel, Chair
County Board

Attest:

James R. Schug
County Administrator