

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JANUARY 24, 2006

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, Pulkrabek, Stafford, and Hegberg. Absent none. Board Chair Pulkrabek presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Carol Peterson, Administrative Support Manager; Steve Gransee, Assessment, Taxpayer Services and Elections; Steve Pott, Sheriff; Tom Adkins, Community Corrections Director; Dan Papin, Community Services Director; Cindy Rupp, Community Services Division Manager; Kay McAloney, Human Resources Director; Tom Kay, Information Technology Director; Barbara Fritsche, Information Technology Supervisor; Pat Conley, Library Director; Lowell Johnson, Director of Public Health and Environment; Don Theisen, Director of Transportation and Physical Development; Melinda Kirk, Budget/Financial Analyst; Nancy Brase, Administration Services Manager; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC

Paul Ryberg, Lake Elmo, addressed the Board on two issues: First he thanked the County Board for the Library in Lake Elmo and it is better than they hoped it would be; also, he stated he is on the Library Board and there is a problem with computers starting to slow down. He will be looking at Wi-Fi systems and how the library and county may use those.

CONSENT CALENDAR

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

1. Approval of the January 10, 2006 Board meeting minutes.
2. Approval to reappoint Pamela Skinner, Oakdale, to the Ramsey-Washington Metro Watershed District Board of Managers to a term expiring February 23, 2009.
3. Approval to appoint Walter Lambert, St. Paul Park, to the Community Development Block Grant Citizen Advisory Committee, to a partial term expiring December 31, 2007.

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4. Approval to renew purchase of service agreements for diversion, community work services, education and early intervention with the following: Children's Home Society and Family Services; White Bear Lake Community Counseling Center; Forest Lake Youth Service Bureau; and Youth Service Bureau, Inc.
5. Approval of purchase of service agreement with Human Services, Inc. for domestic abuse assessment and treatment with the P.L.A.C.E. program in Stillwater and the Community Options program.
6. Approval to renew contracts with Willow Branch Counseling Services, The Van Group, Inc. and Penticoff Community Counseling for Multi Systemic Therapy, a juvenile placement alternative intensive in-home therapy program.
7. Approval of contract with Presbyterian Homes to provide assisted living plus services and Medicare certified home health services to eligible county residents.
8. Approval of the 2006 contract with Human Services, Inc. for mental health services, chemical health services, transportation services and resources for elder care services.
9. Approval of a rate increase for chemical health services provided by Cedar Ridge, Inc.
10. Approval of banding/grading recommendations of the Comparable Worth Committee for a new classification of Division Manager Community Corrections at D 61-1.
11. Approval to sell surplus computer parts to TSG Server and Storage.
12. Approval of amendment to contract with Dynix Corporation for maintenance of the HORIZON integrated library system data base.
13. Approval of 2006-2008 home health contracts with Care Plus HHA Inc., Equity Services of St. Paul, Fairview Lakes Home Caring and Hospice, Integrated Home Care, Lakeview Homecare and Hospice, REM Health Inc., and Sunrise Health Services Inc., to provide home and community based services for the elderly and disabled residents of the county.
14. Approval and execution of agreement with the City of Dellwood for a perpetual easement on a tax forfeited parcel located in the City of Dellwood being transferred to the City of Dellwood.

The foregoing Consent Calendar was adopted unanimously.

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COMMUNITY CORRECTIONS

Commissioner Hegberg stated he pulled the Tubman Family Alliance contract to ask a few questions. He asked how their workload has been in the last couple of years. Tom Adkins, Community Corrections Director, stated their workload has continued to rise. Between 2003 and 2004 they had a 20% increase in the number of clients served for orders of protection.

Commissioner Hegberg stated as in the past, the county has been holding down on the budget, but this contract as well as some of the Youth Service Bureau contracts have seen increases in their workloads. He feels that next year they should look at those contracts to see if the county can help out a little bit harder.

Commissioner Hegberg moved to approve the purchase of service agreement with Tubman Family Alliance to provide services to victims/families of domestic abuse. Commissioner Peterson seconded the motion and it was adopted unanimously.

PUBLIC HEARING - ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS**Local Election Equipment Plan**

The Board Chair presented a brief overview of the procedures that will be followed for today's public hearing to consider the Washington County Local Election Equipment Plan. The Board Secretary confirmed that the notice of public hearing was published in the legal newspaper.

Kevin Corbid, Director of Assessment, Taxpayer Services and Elections, and Carol Peterson, Elections Director, presented an overview of the Local Election Equipment Plan which is based on the Help America Vote Act (HAVA) of 2002. In 2004 the State passed the Administrative Provisions portion and in 2005 it passed the HAVA equipment and funding bill. Minnesota has received approximately \$45 million in federal money, \$6.5 million was used for voter registration changes and \$35 million is being used by counties to buy equipment. HAVA was introduced to replace lever and punch card systems, provide machines that are accessible to individuals with disabilities and to provide the same opportunity for participation, privacy and independence in each polling place. The 2005 Minnesota HAVA law requires the adoption of a Local Election Equipment Plan and defined allowable disability equipment.

Ms. Peterson indicated that the Local Election Equipment Plan includes the purchase of one Automark machine as a disability machine for each polling place. They also plan to utilize the current vote counting equipment which is the Accuvote. The cities or townships will continue to pay a yearly maintenance agreement on the machines, which will now be two machines instead of one and they will continue to train the election judges. The county will have responsibility for programming of ballots and equipment,

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purchase and insurance of equipment, storage of equipment, shared transportation of equipment with the municipalities, and train city clerks, township clerks, school clerks and head judges.

Ms. Peterson reviewed cost options: The first option would utilize the county's Accuvote Precinct Counters and the purchase of Automark HAVA machine in 2006, and the purchase of compatible precinct counters and disability machines in 2007/09 for a total cost of \$1,100,000. After the federal grants, the total local cost for this option would be either \$255,011 or \$507,011 if there isn't a second grant. The down side with this option is that the Accuvote and Automark machines are not compatible, it requires dual programming, extensive manual programming, and a long-term need for compatibility.

Ms. Peterson stated that their Plan provides for the possible purchase of a Diebold option if it gains state approval. The State requires the machine to create an optical scan ballot to be read or electronically submits votes from a disability machine to an optical scanner. They feel that the voter experience would be almost identical with this machine. They have added language to the plan that states: "If an assistive voting machine compatible with our current vote counters becomes available, the county reserves the right to purchase the compatible equipment." She indicated there is legislative interest in amending the requirements, and there is a meeting this afternoon. The Diebold option protects the county's current investment, there is single programming with less opportunity for error, the election officials are trained on programming and operation, and it is a more efficient use of federal funds. Local funds needed in addition to the federal grants would be \$202,011.

Cathy Klien, Voter Service Chair for the League of Women Voters for Woodbury and Cottage Grove – Ms. Klien stated that the League of Women Voters of the United States at their last convention developed their position on voting. It reads: "In order to ensure integrity and voter confidence in elections, the League of Women Voters U.S. supports the implementation of voting systems and procedures that are secure, accurate, recountable, and accessible." From what they have heard this morning it appears that either of the machines that are contemplated would fulfill these requirements. Regarding the meeting this afternoon, Rachel Smith from Anoka County is going to bring a Diebold machine to the meeting of the Senate Elections Committee which is at 1:00 p.m. in Room 15 under the Rotunda at the Capital.

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

Commissioner Hegberg asked what year the county replaced the voting equipment from the punch operation to the electronic? Commissioner Stafford indicated it was probably around 1985. Kevin Corbid stated the last change of equipment was in 1999 when the Diebold equipment was purchased. Prior to that there was a change that included precinct counters and some central count equipment that was prior to 1999. He's not sure of the exact date, but it was mid-1980.

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Commissioner Hegberg stated his point was that Washington County went to the modern equipment much sooner than Florida and some other states.

The Board Secretary indicated that she has received all of the documentary evidence.

Commissioner Peterson moved to close the public hearing on the Washington County Local Election Equipment Plan. Commissioner Hegberg seconded the motion and it was adopted unanimously. The public hearing was closed at 9:35 a.m.

Commissioner Stafford moved to adopt **Resolution No. 2006-014** as follows:

Resolution Adopting Washington County
Local Election Equipment Plan

WHEREAS, the federal government passed the Help America Vote Act in 2002 that requires the voting method utilized in every polling place to include a voting system that is accessible for individuals with disabilities in a manner that provides disabled voters the same opportunity for access and participation and to vote privately and independently as other voters; and

WHEREAS, Minnesota Laws 2005, Chapter 162 requires each county to prepare a local county election equipment plan in cooperation with its municipal and school district election officials; and whereas Washington County has prepared its plan following meetings with all the local election officials; and

WHEREAS, the Washington County plan protects the current investment made by its taxpayers in the precinct optical scan vote counting equipment purchased in 1999 and the training of county staff, city, township, and school district staff and election judges; and

WHEREAS, Washington County has held the required public hearing on the plan.

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners hereby adopts its Local Election Equipment Plan and directs the Department of Assessment, Taxpayer Services and Elections to submit the Plan to the Minnesota Secretary of State's Office, along with the necessary grant agreements, and make the necessary purchases to carry out the plan and meet the federal and state requirements.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners is requesting as part of its plan to be allocated \$592,989.60 in federal funds pursuant to Minnesota Laws 2005, Chapter 162, section 34, subdivision 1 for the purchase of assistive voting technology equipment equipped for individuals with disabilities.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners is requesting as part of its plan to be allocated \$252,000 in federal funds pursuant to Minnesota Laws 2005, Chapter 162, section 34, subdivision 2 for the purchase of compatible precinct count equipment and requests the Minnesota Secretary of State's Office allocate those funds to all precincts eligible under the law on an equal basis; and

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BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners requests the Minnesota Secretary of State's Office reconsider the decision to not allow the use of the Diebold TS(x) voting system as a ballot marker as requested by the County and to support legislative changes to allow the use of this equipment if deemed necessary.

Commissioner Peterson seconded the motion and it was adopted unanimously.

ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS

Right of Entry Agreement with 3M

Mr. Corbid reviewed a proposed agreement with 3M that would allow them to utilize a tax forfeited parcel located in the City of Oakdale to install monitoring wells. The parcel is located to the south and west of the former 3M Oakdale Disposal Site. 3M intends to construct monitoring wells to evaluate the groundwater conditions in the lower groundwater zones. The three year agreement provides that 3M will share monitoring results with the County's Public Health and Environment Department, and requires them to restore the site to its previous condition upon the completion of the monitoring or when the agreement expires.

Commissioner Pulkrabek moved to approve a Right of Entry agreement with 3M on tax forfeited property located in the City of Oakdale. Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Committee Advisory Appointments

Commissioner Kriesel moved to approve appointments to advisory committees as follows: Michael Stepan, Hugo, to the Housing and Redevelopment Authority to a first term expiring December 31, 2008; Robert Gag, Stillwater, to the Library Board to a first term expiring December 31, 2008; and Corbin Hopkins, Newport, to the Community Services Advisory Committee to fill an unexpired term to December 31, 2006. Commissioner Peterson seconded the motion and it was adopted unanimously.

Private CPA Firm Audit

Mr. Schug announced that the Office of the State Auditor has redesignated Washington County for a private CPA firm audit for the years 2006 to 2008. Washington County was one of twenty counties that was originally designated under a change of law to receive its annual audit through a private CPA firm rather than the Office of the State Auditor. This arrangement has worked well for the county and it is happy with its arrangement with the audit firm of Larson Allen.

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COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Peterson announced that Nacho Diaz will be retiring from Metropolitan Council Transportation Services and that there will be a retirement event on March 8, at 5:30 p.m. at the Downtown University Club.

Commissioner Peterson reported on the Metropolitan Inter-County Association annual board meeting. They did approve the legislative agenda. She also attended the Association of Minnesota Counties Board of Directors meeting.

Commissioner Peterson indicated she will be meeting with Pat Conley, Library Director, this Friday to discuss the library and the MELSA funding formula and the technology grants that are available.

Commissioner Hegberg updated the Board on meetings he attended with the City of Hugo to discuss the 35E corridor. Metropolitan Council has agreed to put in the sewer line to Centerville with the construction on CR8. Hugo has budgeted \$100,000 to help with Anoka County's plan to enlarge the overpass over 35. Downtown Hugo's redevelopment plan was unveiled to the public.

Commissioner Hegberg reported that Rebecca Neamy, Miss Washington County 2006 International, addressed the Hugo City Council regarding disability discrimination. He thought it would be a good idea for her to come to the County Board meeting and introduce herself.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Stafford and it was adopted unanimously. The Board meeting adjourned at 10:57 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 a draft agreement with the City of Cottage Grove addressing cost allocation for street and utility improvements and outlines for maintenance responsibility for the Washington County South Service Center and Ravine Parkway. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Keith Potter, Wayne Sandburg, Mike Welling, and Yvonne Klinnert, Stillwater Courier.

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BOARD WORKSHOP WITH PUBLIC HEALTH AND ENVIRONMENT

The Board met in workshop session with the Department of Public Health and Environment for an overview of the current status of the Washington County Emergency Operations Plan and the Countywide Hazard Mitigation Plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Lowell Johnson, Deb Paige, Sue Hedlund, Rick Hodsdon, Steve Nelson, and Yvonne Klinnert, Stillwater Courier.

BOARD WORKSHOP WITH COMMUNITY SERVICES-WORKFORCE CENTER

The Board met in workshop session with the Department of Community Services, Workforce Center Division to discuss Washington County's employment outlook to 2030. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Patrick Singel, Robert Crawford, Rachel Hillman, State Regional Labor Market Analyst, and Yvonne Klinnert, Stillwater Courier.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to review the 2006 citizen survey. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Pulkrabek, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Jennifer Menke Blanchard, Steve Nelson, and Yvonne Klinnert, Stillwater Courier.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator