

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 15, 2007**

WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY CONVENES

The Washington County Regional Railroad Authority met in regular session at 9:05 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Peterson, Pulkrabek, Kriesel, Orth, and Hegberg. Absent none. RRA Chair Peterson presided. Also present were James Schug, County Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Linda Krafthefer, Assistant County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Mike Rogers, Associate Planner; Harley Will, Financial Services Director; Kevin Corbid, Director of Property Records and Taxpayer Services; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Commander Steve Pott; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Mary Farmer-Kubler, Community Services Supervisor; Lowell Johnson, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; John Freitag, Sr. Environmental Specialist; 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 9:52 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; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Linda Krafthefer, Assistant County Attorney; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Harley Will, Financial Services Director; Kevin Corbid, Director of Property Records and Taxpayer Services; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Commander Steve Pott; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Mary Farmer-Kubler, Community Services Supervisor; Lowell Johnson, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; John Freitag, Sr. Environmental Specialist; and Steve Nelson, Public Information Coordinator II.

COMMENTS FROM THE PUBLIC

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

CONSENT CALENDAR

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

1. Approval of the May 1, 2007 Board meeting minutes.
2. Approval to execute a contract with Kennedy & Graven, Chartered, to provide bond counsel services.
3. Approval to ratify the 2007-2009 bargaining unit agreement with the Law Enforcement Labor Services Deputy and Sheriff/Sergeant unit as follows:

Duration:

Three year contract effective January 14, 2007 through January 9, 2010.

Wages:

Effective 1/14/07, 2.75% general adjustment.

Effective 1/13/08, 3.0% general adjustment.

Effective 1/11/09, 3.0% general adjustment.

Implementation of new compensation plan effective January 1, 2007.

Health Insurance:

2007	Open Access \$10 OV Copay	
	Single	\$433/month
	Single + Child(ren)	\$433/month
	Single + Spouse	\$589/month
	Family	\$619/month

Open Access \$25, \$30 and Classic \$30 OV Copay

	Single	\$465/month
	Single + Child(ren)	\$509/month
	Single + Spouse	\$693/month
	Family	\$814/month

Increase flex credits to \$50/month effective January 2007

Insurance reopeners in 2008 and 2009

Night Differential

Increase from \$.70 to \$.75 per hour effective the first full pay period of 2008.

Clothing Allowance

Increase by \$25.00 to \$625.00 in 2009.

May 15, 2007

4. Approval to renew contracts with the Cities of Afton and Mahtomedi for individual sewage treatment system permitting and inspection.
5. Adoption of **Resolution No. 2007-061** as follows:

Minnesota Trail Assistance Program
Star Trail Association

WHEREAS, the Washington County Star Trail Association has developed a snowmobile trail system in Washington County; and

NOW, THEREFORE, BE IT RESOLVED, that any State Grants in Aid for the described trails be directed to Washington County for disbursement to the Washington County Star Trail Association, and application made therefore by said county; and

BE IT FURTHER RESOLVED, that the Minnesota Trail Assistance Program application and the Minnesota Trail Association Agreement be executed through the signatures of the Chair of the County Board and the Washington County Administrator without further action of the County Board conditioned upon the compliance with all specified requirements and approval as to form by the Washington County Attorneys office.

6. Adoption of the following proclamation:

National Transportation Week in Washington County
May 13-19, 2007

WHEREAS, the future of transportation in Washington County is among our most pressing issues, affecting nearly every citizen; and

WHEREAS, the week of May 13 through May 19, 2007 marks the observance of the 75th annual National Transportation Week; and

WHEREAS, this special week celebrates the accomplishments of transportation professionals who keep America on the move; and

WHEREAS, Washington County's transportation workers have been recognized as statewide leaders in road and transit issues; and

WHEREAS, Washington County has chosen this week to emphasize its dedicated service to the public by reclaiming the name "Department of Public Works" for those working in its Transportation, Parks, Surveying and Facilities divisions.

NOW, THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners hereby extends its gratitude to all workers in its "Department of Public Works" and proclaims the week of May 13 through May 19, 2007 as National Transportation Week in Washington County.

The foregoing Consent Calendar was adopted unanimously.

COMMUNITY SERVICES

Mary Farmer-Kubler, Supervisor, presented a brief overview of the 2007 Community Development Block Grant/HOME Annual Action Plan that includes funding recommendations of the CDBG Citizen Advisory Committee amounting to \$1,106,672. Projects for 2007 include: 1) Twin Cities Habitat for Humanity, Red Oak Preserve, \$302,007; 2) Two Rivers Community Land Trust, Red Oak Preserve, \$75,000; 3) Two Rivers Community Land Trust, acquisition and rehabilitation program, \$140,990; 4) CDBG and HOME Administration, \$192,796; 5) Washington County owner-occupied rehabilitation program, \$161,194; 6) First HOME down payment assistance program, \$110,486; 7) Housing Specialist, \$48,019; and 8) Wraparound services, \$76,180.

Commissioner Peterson moved to approve the 2007 Community Development Block Grant and HOME Investment Partnership Annual Action Plan which includes the funding recommendation of the Community Development Block Grant Citizen Advisory Committee in the amount of \$1,106,672. Commissioner Hegberg seconded the motion and it was adopted unanimously.

PUBLIC HEALTH AND ENVIRONMENT

Commissioner Orth moved to approve a contract between Washington County, administered through the Department Public Health and Environment, and the Minnesota Department of Health to provide private well water testing services to residents in the county for perfluorochemicals (PFCs). Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Jim Schug, County Administrator, presented a brief legislative update on the following items: The Governor has indicated he will veto the tax bill and it does not appear that any additional revenue is being put into county program aide; the House approved a transportation bill that includes a number of the provisions that the county supported, but it is not clear if there are enough votes to override the Governor's promised veto; and the health and human services bill was also vetoed and that bill contained items that the county was interested in. Mr. Schug reported that the environmental bill, the agriculture and veteran's service bill, and the public safety bill were approved.

Mr. Schug announced that retired Judge Ken Maas, of the 10th Judicial District, passed away this morning at his home in Birchwood. He extended the county's thoughts and prayers to the family.

May 15, 2007

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Peterson reported that she was in attendance at the Capitol yesterday lobbying for passage of the transportation bill. There were between 100 and 150 metropolitan commissioners, city officials, county engineers, and other local officials from throughout Minnesota supporting the transportation bill.

Commissioner Pulkrabek asked if the county had ever discussed, through MICA or AMC to force the hand of the state or federal government, by stopping the provision of some services that they mandate the county to provide if the funding isn't there to pay for it. Mr. Schug indicated that there has been a lot of informal talk about not providing the services or cut back to the level of the funding that is provided. Usually that stops somewhat short, because those services are being provided to vulnerable people, or public safety is involved. A lot of the requirements are that the county is required by law or rule to provide something, they are often silent on the funding part. Some states have passed legislation that says a law cannot be passed without providing the funding for its implementation. Some counties have cut back on the level of service and have tried to make ends meet, but that means there might not be full compliance with the state rules. George Kuprian, Assistant County Attorney, stated that the courts see counties as an arm of the state. If the state mandates the county to do something, then the county is required to do it. The state is immune from suit by local units of government. If the county does not do the mandate, sometimes the party will have standing to sue the county, other times it can bring action for malfeasance or misfeasance for failing to act.

Commissioner Hegberg reported he met with Commissioner Ben Montzka of Chisago County to discuss a piece of property that is tax forfeited that Washington County cannot sell because it has a creek running through it. Chisago County would like to have that property to see if they can do some projects on it. He is expecting that they will send a letter requesting this action.

Commissioner Hegberg also met with an individual who would like to contribute a substantial amount of money to the new library in Forest Lake, but he would also like the naming rights of the library. He feels that may be appropriate and would like the Board to consider it.

Commissioner Kriesel announced that the Sheriff's Office will host a Law Enforcement Memorial ceremony today at noon at the Law Enforcement Center. The ceremony will honor those officers who have given their life in the line of duty.

BOARD CORRESPONDENCE

Board Correspondence was received and placed on file.

May 15, 2007

EXECUTIVE (CLOSED) SESSION WITH THE SHERIFF'S OFFICE

Commissioner Hegberg moved, seconded by Commissioner Peterson to recess into executive session with the Sheriff's Office to discuss acquisition of a radio tower site in St. Croix County, Wisconsin. The executive session began at 10:50 a.m. Present for the executive session were Commissioners Peterson, Kriesel, Orth, and Hegberg. Also present were Jim Schug, Commander Steve Pott, Chief Deputy Mike Johnson, Doug Johnson, Richard Hodsdon, and Patricia Raddatz.

The County Board reconvened at 11:26 a.m.

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 11:26 a.m.

BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT

The Board met in workshop session with the Department of Transportation and Physical Development/Survey and Land Management to discuss the Subdivision Ordinance Amendment/Model Ordinance. 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, Wayne Sandberg, Mike Welling, Ann Pung-Terwedo, Jennifer Wagenius, Linda Krafthefer, Dennis O'Donnell, John Elholm, 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/Parks Division for an update on the Cottage Grove Ravine Regional Park Master Plan Amendment and process for completing and adopting the 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, Wayne Sandberg, John Elholm, and Yvonne Klinnert.

Gary Kriesel, Chair
County Board

Attest:

James R. Schug
County Administrator