

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**FEBRUARY 26, 2008**

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, Hegberg, Stafford, and Kriesel. Absent none. Board Chair Hegberg 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; John Elholm, Parks Director; Keith Potter, Facilities Manager; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Lowell Johnson, Director of Public Health and Environment; Sue Hedlund, Deputy Public Health and Environment Director; Kevin Corbid, Director of Property Records and Taxpayer Services; Lowell Johnson, Director of Public Health and Environment; Mjyke Nelson, Information Technology Director; Harley Will, Financial Services Director; 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 public; none were heard.

**CONSENT CALENDAR**

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

1. Approval of the February 12, 2008 Board meeting minutes.
2. Adoption of the following resolutions:

**Resolution No. 2008-024**

Application for Regional Trail Grant to Use as Matching Funds to Acquire  
Property for the St. Croix Valley Regional Trail

WHEREAS, Washington County has adopted the St. Croix Valley Regional Trail that would connect downtown Afton with Afton State Park, St. Croix Bluffs Regional Park, Carpenter Nature Center, Point Douglas Park, and Prescott, Wisconsin; and

WHEREAS, the St. Croix Valley Regional Trail alignment crosses two of the County Board approved Land and Water Legacy Program projects (Tim Behrends and John Leadholm), providing the county an opportunity to acquire the needed right-of-way for the trail; and

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WHEREAS, on December 18, 2007, the County Board authorized staff to begin valuations and negotiations on the Land and Water Legacy Program projects and to search for opportunities to leverage the county funds through outside funding sources; and

WHEREAS, the Behrends and Leadholm projects are eligible for the Regional Trail Grant; and

WHEREAS, Washington County recognizes the fifty (50) percent match requirement for the Regional Trail grant program.

NOW, THEREFORE, BE IT RESOLVED, that Washington County supports the grant application to the Minnesota Department of Natural Resources for the Regional Trail Grant Program to acquire right-of-way for the St. Croix Valley Regional Trail.

**Resolution No. 2008-025**

Application for the Federal Recreational Trail Grant to Use  
as Matching Funds to Acquire Property for the  
St. Croix Valley Regional Trail

WHEREAS, Washington County has adopted the St. Croix Valley Regional Trail that would connect downtown Afton with Afton State Park, St. Croix Bluffs Regional Park, Carpenter Nature Center, Point Douglas Park, and Prescott, Wisconsin; and

WHEREAS, the St. Croix Valley Regional Trail alignment crosses two of the County Board approved Land and Water Legacy Program projects (Tim Behrends and John Leadholm), providing the county an opportunity to acquire the needed right-of-way for the trail; and

WHEREAS, on December 18, 2007, the County Board authorized staff to begin valuations and negotiations on the Land and Water Legacy Program projects and to search for opportunities to leverage the county funds through outside funding sources; and

WHEREAS, the Behrends and Leadholm projects are eligible for the Federal Recreation Trail Grant; and

WHEREAS, Washington County recognizes the fifty (50) percent match requirement for the Federal Recreation Trail grant program.

NOW, THEREFORE, BE IT RESOLVED, that Washington County supports the grant application to the Minnesota Department of Natural Resources for the Federal Recreational Trail Grant Program to acquire right-of-way for the St. Croix Valley Regional Trail.

3. Approval of the 2008 cooperative agreement with Community Services, the Sheriff, and the County Attorney to administer the Child Support Enforcement Program.
4. Approval to ratify a three-year agreement with the Teamsters Essential Captain Commander Union as follows:

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1. Duration:  
Three years, effective January 13, 2008 through January 8, 2011.
  
2. Wages:

|                            |      |
|----------------------------|------|
| Effective January 13, 2008 | 3.0% |
| Effective January 11, 2009 | 3.0% |
| Effective January 10, 2010 | 3.0% |
  
3. Health Insurance:

|      |  |             |
|------|--|-------------|
| 2008 | Office Access \$20 Office Visit Copay  |             |
|      | Single   | \$433/month |
|      | Single + Child(ren)  | \$433/month |
|      | Single + Spouse  | \$589/month |
|      | Family   | \$619/month |
|      | Open Access \$25, \$30, Select Choice \$25 Office Visit Copay and Three for Free |             |
|      | Single   | \$480/month |
|      | Single Child(ren)  | \$524/month |
|      | Single + Spouse  | \$708/month |
|      | Family   | \$829/month |

Flex credits – Increase \$12 per month to \$53.00 per month

|      |                    |
|------|--------------------|
| 2009 | Insurance reopener |
| 2010 | Insurance Reopener |
  
4. Other items:
  - A. Jury Duty  
Employees who serve on jury duty or who are subpoenaed or called as a witness may keep their per diem amount and choose not to receive a pay for the day(s) they served OR receive their regular pay and reimburse the county for their per diem amount received (they must keep the mileage reimbursement).
  
  - B. Clothing Allowance  
On or about July 1, 2008, the uniform allowance of \$600 will be paid to an employee as taxable income. During the 2008 transition year, any uniform purchases made from January 1, 2008 through June 30, 2008 through use of the purchasing card will be deducted from the value of the July 1, 2008 cash payment. No employee will receive more than \$600.00 for uniform allowance in 2008. However, carryover balances on purchasing cards must be used by December 1, 2008, or paid to the employee as taxable income the last pay period in December 2008. On or about January 1, 2009, the uniform allowance of \$625.00 will be paid to an employee as taxable Income. Thereafter all uniform allowances will be paid as taxable income on or about January 1.
  
5. Approval of contract for service provided to the Bayport Public Library for 2008.
  
6. Adoption of **Resolution No. 2008-026** as follows:

Lawful Gambling Exemption Application from  
Hastings Chapter of Ducks Unlimited

WHEREAS, the Hastings Chapter of Ducks Unlimited 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 at The Point,

12378 Point Douglas Dr., Hastings (Denmark Township), 55033, the event will take place on March 13, 2008.

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. 2008-027** as follows:

Authorization to Submit a Grant Application to be an  
Accreditation Preparation and Quality Improvement Demonstration Site

WHEREAS, the National Association of City and County Health Officials issued a Request for Applications for its Accreditation Preparation and Quality Improvement Demonstration Sites Project; and

WHEREAS, the Washington County Board of Commissioners serves as the Board of Health for Washington County; and

WHEREAS, Washington County government has had a foundation of countywide performance measurement and improvement efforts since the mid-1990s and is committed to supporting a culture that embraces continuous improvement approaches; and

WHEREAS, the Washington County Department of Public Health and Environment is a comprehensive, local public health department that has participated in countywide performance measurement and improvement efforts since the mid-1990s; and

WHEREAS, the Washington County Department of Public Health and Environment has provided statewide leadership to the development of the Minnesota Planning and Performance Measurement Reporting System and the Minnesota Public Health Collaborative for Quality Improvement Steering Committee; and

WHEREAS, the Washington County Department of Public Health and Environment has the capacity to successfully conduct the required activities of a demonstration site and share what is learned with colleagues at the Minnesota Department of Health, the members of the Minnesota Local Public Health Association, and other demonstration sites throughout the country.

NOW, THEREFORE, BE IT RESOLVED, by the Washington County Board of Commissioners to support the Washington County Department of Public Health and Environment's application to the National Association of City and County Health Officials to be an Accreditation Preparation and Quality Improvement Demonstration Site.

8. Adoption of **Resolution No. 2008-028** as follows:

Authorization to Enter into a Grant Agreement(s) with the  
Minnesota Department of Public Safety, State Patrol  
Division for the 2008 Operation NightCAP Grant(s)

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BE IT RESOLVED, that the Washington County Board of Commissioners, authorizes the Washington County Sheriff's Office to enter into a grant agreement with the Minnesota Department of Public Safety, State Patrol Division for the project entitled: Operation NightCAP; and

BE IT FURTHER RESOLVED, that Sheriff William M. Hutton is hereby authorized to execute such agreements that are necessary to implement the project on behalf of the Washington County Sheriff's Office.

The foregoing Consent Calendar was adopted unanimously.

### **PUBLIC WORKS**

Commissioner Peterson moved to adopt **Resolution No. 2008-029** as follows:

#### Support of Land Additions to the Statutory Boundary of William O'Brien State Park

WHEREAS, William O'Brien State Park is a Minnesota DNR operated park located in Washington County, and

WHEREAS, the Minnesota DNR desires to have three properties included in the statutory boundary of the park; so they will have the ability to negotiate a land purchase from the owners in the future, and

WHEREAS, the three properties are located adjacent to the park or are an 'inholding' within the park, and

WHEREAS, the three property owners (Balego, Stiles, Bengston) have expressed an interest in adding their land to the statutory boundary of the park, and

WHEREAS, the Marine City Council took action on January 10, 2008 in support of adding these parcels to the statutory boundary of the park, and

WHEREAS, Washington County has received a letter from the Minnesota DNR, asking Washington County to also support of these land additions.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners hereby supports the addition of three parcels (Balego, Stiles, Bengston) to the statutory boundary of William O'Brien State Park.

Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

### **SHERIFF'S OFFICE**

Commissioner Pulkrabek moved to approve a Joint Powers Agreement between Washington County and the State of Minnesota, Commissioner of Corrections, to house Minnesota Department of Corrections offenders in the Washington County jail. Commissioner Peterson seconded the motion and it was adopted unanimously.

## **GENERAL ADMINISTRATION**

### **Planning Advisory Commission Appointments**

Commissioner Peterson moved to appoint Terry Zoller, Stillwater, as a District 3 representative on the Planning Advisory Commission to a first term expiring December 31, 2010, and Kent Grandlienard, Baytown Township as an At Large Township representative to the Planning Advisory Commission to fill an unexpired term to December 31, 2009. Commissioner Stafford seconded the motion and it was adopted unanimously.

### **Comfort Lake-Forest Lake Watershed District Legislation**

Randy Anhorn, Comfort Lake-Forest Lake Watershed District Administrator, stated they are seeking legislation as a Metropolitan Watershed Management Organization under Minnesota Statute 103B. Last year the Washington County Board of Commissioners supported this legislation but it required that Comfort Lake-Forest Lake Watershed District's annual budget and property tax levy be approved by the Washington and Chisago County Boards of Commissioners. Mr. Anhorn is asking that these two requests be separated—one having the Comfort Lake-Forest Lake Watershed District seek its special legislation as a Metropolitan Watershed Management Organization under Minnesota Statute 103B; and, the second would be Washington County seeking legislation to approve budgets of all watershed districts in Washington County.

Commissioner Stafford stated that what has prompted the County Board to ask for budgeting oversight in the past was that watersheds are unique, they are appointed but have taxation power. The Board feels there should be elected people involved in the budget process.

Commissioner Peterson stated it is this Board's belief that if the watershed districts in Washington County were consolidated, and reduce administrative costs, resources could be put into projects rather than administration. She will continue to articulate that desire for one watershed district in the county. She applauds Carver and Scott counties because they are the watershed district for their counties and have significantly less administrative costs and they are able to do better projects.

Commissioner Hegberg stated he is in favor of keeping the legislation as is because this is the only watershed district in the metro area that goes into a rural county. He does not feel this will set any precedent. He feels that this legislation should not include all the watershed districts because the county has not had open discussions with them. When Comfort Lake-Forest Lake Watershed came to the county asking for its support then the issue was raised. He does not feel it would be appropriate at this time to include all the watersheds without open discussion with them. He believes this could be a pilot project to see how it would work.

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Mr. Anhorn stated his concern is that the Board of Water and Soil Resources would be opposed to linking these two actions together and muddying the waters and would potentially kill their bill. They would not be included in Minnesota Statute 103B. That is why they are requesting to separate the two. They would like to have this opportunity to put the shovel in the ground and use funds to do work.

Commissioner Peterson stated she would like them to start projects, and she would support Comfort Lake-Forest Lake becoming a metro watershed, but she would like assurances that he would be at the legislature lobbying for a pilot project where the county would have oversight over all watersheds. Mr. Anhorn stated that puts him in a tough position. As part of this process to have one county to approve and another one not participating in the process would also be problematic. He did speak with Commissioner Ben Montzka, Chisago County, and their Board is not on the same page as the Washington County Board for having their levy and budget approved.

Commissioner Hegberg moved to support the efforts of Comfort Lake – Forest Lake Watershed District in seeking legislation to amend the definition of watershed management organization in Minnesota Statutes Section 103B.205, subdivision 13 to include the Comfort Lake-Forest Lake Watershed District; and, that the Comfort Lake-Forest Lake Watershed District’s annual budget and property tax levy, and the work plan be approved by the Washington and Chisago County Boards of Commissioners. Commissioner Kriesel seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Pulkrabek, Hegberg, Stafford, and Kriesel; No, Commissioner Peterson.

#### **Senate File 2666 and House File 2924 – Conveyance of Tax Forfeited Land**

Commissioner Peterson moved to support the passage of Senate File 2666 and House File 2924, a request from the Comfort Lake-Forest Lake Watershed District to convey two parcels of tax-forfeited land, located near the Sunrise River and abandoned Judicial Ditch 1 in the City of Forest Lake, to the watershed district. Commissioner Kriesel seconded the motion and it was adopted unanimously.

#### **Support for Legislation to Allow a Private Sale of Tax-Forfeited Land**

Commissioner Hegberg moved to support Senate File 2665 and its companion House File that would allow the county to sell, by private sale, tax-forfeited land to adjacent owners for property located on Long Lake in the Cities of Mahtomedi and Dellwood, and that a drainage easement be granted to Washington County or Rice Lake Watershed District. Commissioner Peterson seconded the motion and it was adopted unanimously.

**Legislative Update**

Jim Schug, County Administrator, advised the Board that the transportation bill passed yesterday with a 5 cent increase in the gas tax, up to 3½ cents additional gas tax for debt service, increase in license tab fees for new vehicles, and the ¼ cent sales tax that would be authorized in the metropolitan area and does not require a referendum. What this means to Washington County needs to be analyzed and that information will be brought back to the Board.

Commissioner Peterson asked that a letter be sent to all of the legislators who voted for the bill and the override. She feels they were courageous to make those votes.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reported on a Transportation Advisory Board meeting which discussed a State Transportation Plan update. She will distribute that information to the Board. Some of the information it contains is: construction costs; problems with inter-regional corridors; and aging bridges and the difficulty in funding those. She asked that high speed rail be put into this plan.

Commissioner Pulkrabek reported that he and Commissioner Hegberg will be attending the National Association of Counties annual conference in Washington D.C. and will not be at next week's Board meeting.

Commissioner Kriesel reported that on Wednesday he will be attending a Minnesota Air, Water, Waste conference. He will also attend a Veteran's Rest Camp meeting that same evening. During the afternoon there will be a traffic operations study at the Stillwater City Hall.

Commissioner Stafford reported on the meeting he attended with the Administrator and Mayor of Woodbury. Last Friday he met with the Sheriff's Office, Commissioner Kriesel and the County Administrator to discuss 800 MHz. He drafted a letter in response to inquiries he had on that.

Commissioner Hegberg reported on the Metro Family Alliance meeting he attended yesterday. They will be requesting money from the Legislature for first time Mothers and children who are at risk. He reported on the Library Board meeting he attended last evening which discussed library hours and when the high concentration of usage is.

**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 Hegberg adjourned the meeting at 10:30 a.m.

**BOARD WORKSHOP WITH INFORMATION TECHNOLOGY**

The Board met in workshop session with the Department of Information Technology to review the status of recent investments in information technology infrastructure and outline the major initiatives planned for the coming year. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Hegberg, Stafford, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Amanda Hollis, Larry Timmerman, Mjyke Nelson, Barbara Fritsche, and Milan Tomaska.

Dennis C. Hegberg, Chair  
County Board

Attest:

James R. Schug  
County Administrator

