

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
OCTOBER 17, 2006

The Washington County Board of Commissioners met in regular session at 10:15 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; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; John Elholm, Sr. Planner; Nik Costello, Traffic Engineer; Ted Schoenecker, Transportation Engineer; Keith Potter, Facilities Manager; Tom Adkins, Community Corrections Director; Kay McAloney, Human Resources Director; Sheriff Steve Pott; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Perry Rynders, President of A'viands Food and Services Management, addressed the Board about the recent request for proposals for food services for the Adult Correctional Facility. It is his contention that this was a request for proposal and not a bid. Their proposal was rejected "as a non-conforming bid" because their cost proposals for Items No. 1, 2 and 4 included an annual cap of \$10,000 for equipment repair or replacement. It is their position that their proposal should not be rejected because of the terms and conditions, they feel they have complied; and if the proposal is rejected there is only one other proposal so the county would be left with just one choice to make. They feel the best alternative would be to reject all proposals and start again because of the confusion this has caused.

Commissioner Stafford asked that the following items be addressed before next week: What is the difference between a bid, RFP, and RFQ; and there is a clause in the state contract that gives preference to minority groups, small businesses, or female operated business. The county does not use that, although it could, but he understands that would take time to put in place. He asked if an option could be to rebid this for one year instead of four and five, so the county would have time to incorporate that minority vendor preference, assuming the Board would be interested in doing that.

Pat Philippi, Forest Lake, stated he was here a couple years ago and nothing has changed. He's been arrested and thrown in jail and there are no records. He has been through two lower Supreme Court cases and the records are not attainable. He's been in the Minneapolis courts, Federal courts—all for fake medical work. He's been given permission to go back to court, and he is asking for legal help and is told there is no such thing. He is not sure what to do any more. He is not allowed in courts in Washington County. But, he has been given permission to go back to the Supreme Court and he wants the Board to know it will be part of it. The Board offered a little help the last time he was here, but now everything has dissipated. He has asked for the records and they don't exist.

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Mr. Philippi stated he sued the county in 1991 along with the whole State of Minnesota, and he has not been able to find those records. He has been going through this for 20 years. There are so many court cases, but none of them exist, there are no records of anything. He was committed to a mental institute because those lawsuits are delusional, and he almost died from the medication he has taken. Mr. Philippi suggested it might be necessary to shoot someone to get any response to his concerns.

Jim Schug, County Administrator, asked Tom Adkins, Community Corrections Director, to escort Mr. Philippi to Court Administration for assistance. The Sheriff also joined in escorting Mr. Philippi out of the Board Room.

CONSENT CALENDAR

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

1. Approval of the October 3 and 10, 2006 Board meeting minutes.
2. Approval of county comments on the City of Stillwater’s proposed modification of Tax Increment Financing District No. 10 within Development District No. 1.
3. Approval to accept donations from Target (Woodbury) and Friends of the Lake Elmo Library in the amount of \$1,500 each.
4. Approval and execution by Board Chair and Administrator of recycling grant agreement with the City of Oakdale for distribution of recycling funds.
5. Bids were received for lease of agricultural land within county parks for 2007 as follows:

Bidder	Lake Elmo 278.9 acres	St. Croix Bluffs 143.4 acres	Big Marine 61.1 acres
Gillis Farms, Inc.		\$132.25	
Terry Herman	\$108.10		\$30.00
Steve Herman		\$130.60	
John See	\$95.30	\$105.30	
Gordon & Myron Tank	\$107.55	\$132.20	

Adoption of **Resolution No. 2006-140** as follows:

Award of Parks Farm Land Leases for 2007

WHEREAS, in order to facilitate the leasing of agricultural land in county parks, the county solicited bids for the use of this land; and

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WHEREAS, bids were opened on October 3, 2006 with highest bidders being Terry Herman for Big Marine Park Reserve, Terry Herman for Lake Elmo Park Reserve, and Gillis Farms, Inc. for St. Croix Bluffs Regional Park and

NOW, THEREFORE, BE IT RESOLVED, that the bids of Terry Herman and Gillis Farms, Inc. be accepted and the county enter into a lease agreement with these bidders for the respective parcels of land noted previously in this resolution under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the leases between the county and Terry Herman and Gillis Farms, Inc. be executed through the signatures of the Chair of the Washington County Board of Commissioners and County Administrator without further action of the County Board and conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's office.

6. Approval to award design services for the Phase I development of Big Marine Park Reserve to SRF Consulting Group, Inc. in the amount of \$267,039, selected consultant, conditioned upon the execution of a contract as approved by law.
7. Adoption of **Resolution No. 2006-141** as follows:

Amend Contract No. 3718 with SEH Inc. for
Reconstruction Plans for CSAH 15 from TH 36 to CSAH 12

WHEREAS, input received at public meetings indicated the need to look at additional aesthetic design treatments for medians and the roadside for the reconstruction plans for CSAH 15 from TH 36 to CSAH 12; and

WHEREAS, the analysis of these design options requires work outside of the scope of work included in the contract for final design services with SEH, Inc.; and

WHEREAS, the initial findings of the interchange analysis included under the consultant contract for final design services indicated that alternative designs could mitigate impacts to private properties and improve traffic flow; and

WHEREAS, the work to analyze the alternative designs also requires outside of the scope of work in the contract for final design services.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the County Engineer to amend Contract No. 3718, to authorize extra work in the amount of \$38,945.

8. Adoption of **Resolution No. 2006-142** as follows:

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Cooperative Agreement Application for the TH 61 and
West Broadway Avenue (CSAH 2) Roundabout in Forest Lake

WHEREAS, West Broadway Avenue in the City of Forest Lake, is a minor arterial roadway provides access to the primary residential, business, commercial, and recreational areas of Forest Lake; and

WHEREAS, Washington County and the City of Forest Lake have been conducting planning studies for the reconstruction of West Broadway Avenue from 19th Street SW to TH 61 since 2004; and

WHEREAS, the advancement of the construction of the TH 61 and West Broadway Avenue roundabout was endorsed by the Forest Lake City Council on September 11, and by the Washington County Board on September 19, 2006; and

WHEREAS, final design work on the intersection will begin shortly; and

WHEREAS, the construction of the roundabout is scheduled to begin after July 4, 2007; and

WHEREAS, Mn/DOT owns 50% of the West Broadway Avenue and TH 61 intersection.

NOW, THEREFORE BE IT RESOLVED by the Washington County Board of Commissioners that an application for cooperation agreement funding for the TH 61 and West Broadway Avenue roundabout be completed and submitted to the Minnesota Department of Transportation.

BE IT FURTHER RESOLVED, that 50% of the eligible construction costs be funded by Mn/DOT.

The foregoing Consent Calendar was adopted unanimously.

TRANSPORTATION AND PHYSICAL DEVELOPMENT

Amendments to Service Center Construction Manager Contracts

Commissioner Peterson moved to approve amendments to the construction manager contracts with Kraus Anderson Construction Company for the Cottage Grove Center and the Forest Lake Center/Library Construction Management to include costs for General Conditions. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Towards Zero Deaths Initiative and Minnesota Comprehensive Highway Safety Plan

Ted Schoenecker, Transportation Engineer, indicated that the Comprehensive Highway Safety Plan Central Safety Fund was established in 2005 to provide funding to county and local agencies for safety projects on their roadways. The plan is aimed at reducing fatal and serious crashes on Minnesota roadways by

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aggressively implementing systematic and proactive safety strategies. Washington County received grant money to assist the county in implementing two highway safety projects. The first project involved the installation of chevron signs at several rural, horizontal curve locations throughout the county. The second project involved the replacement of several non-conforming guardrail end treatments on county roads. The Washington County Safe Communities Coalition currently has 42 members from various backgrounds. This year the coalition is focusing on drinking and driving and seat belt use trying to change driver behavior.

GENERAL ADMINISTRATION

Jim Schug, County Administrator, presented options to purchase services from the Trust for Public Land/Embrace Open Space in order to send additional informational brochures to all Washington County households informing them of the upcoming referendum on the open space preservation program. If the Board is interested in purchasing an additional 53,000 to 58,000 brochures the Trust for Public Land/Embrace Open Space printer would honor last week's price. In addition, if Trust for Public Land did the mailing there would be an additional charge of 12¢ a piece. The total cost would be approximately \$24,360. If the Board chose to do it as a county mailing the cost would be about \$32,480. He asked whether or not the Board is interested in approving a purchase of service agreement with the Trust for Public Land/Embrace Open Space coalition.

Commissioner Pulkrabek apologized to Commissioners Peterson and Kriesel for comments he made to them at last week's Board meeting.

The Board Chair asked if there were any motions approving a purchase of service agreement with the Trust for Public Land/Embrace Open Space coalition. No motion was made.

Mr. Schug noted that the county newsletter is being delivered to many houses now. So information about the open space referendum on land conservation funding should have already been delivered through the newsletter to most residents of the county.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Peterson reported that at last week's meeting of the Metropolitan Emergency Services Board she received an "Emergency Medical Service Guide – Chemical, Biological, Radiological, Nuclear, Explosives" brochure detailing what should be done in those types of emergencies. Later that week there was a fire in South St. Paul that impacted the communities she represents. She stated there was a plan in place, but feels it probably didn't work as well as they wanted it to work. She would like the county to review what and how the county reacts to events that may happen in another county that might have an impact on Washington County and the emergency services response. She shared that brochure with the Board.

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Commissioner Peterson stated that a new round of Federal transportation funding is beginning and she suggested that the county look at the possibility of hiring a lobbyist at the federal level to seek support for funding of a new Stillwater Bridge.

Commissioner Peterson reported on candidate night events through MICA and Cottage Grove and that she handed out "Vote Yes Minnesota" materials. She was disappointed that there was no literature on the county's referendum for open space. She feels this information should be made available to people who attend candidate's nights and encouraged Commissioners who might attend other events to make this information available.

Commissioner Peterson reported that Nancy Pollack, Executive Director of the Metropolitan Emergency Services Board is retiring at the end of January, 2007.

Commissioner Kriesel commended Commissioner Peterson on her representation of this Board on various transportation committees that she serves on. She does a great job and is very knowledgeable. He knows that the citizens in his district appreciate her efforts.

Commissioner Kriesel indicated that a citizen in his district has developed a thank you card for veterans. These were developed in conjunction with Deputy Chaplin John Morris. He was pleased to hear that he received a commitment from a patriotic citizen in Texas to help with the cost of printing one million of these cards.

Commissioner Hegberg stated he would support hiring a federal lobbyist for transportation projects.

Commissioner Stafford commented on the fire last week in South St. Paul. Within an hour of calling county staff he had a comprehensive status report from the Public Health and Environment Director. It seemed to him that everything was handled great and they did a fantastic job.

Commissioner Pulkrabek reported on Commissioner Stafford's retirement roast last week. There was a very good turn out, and the money from the admission went to the Woodbury Community Foundation.

Commissioner Pulkrabek agreed that the Board should investigate hiring a federal lobbyist and asked that the Board hold a workshop to receive more details.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

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EXECUTIVE (CLOSED) SESSION

The Board went into executive session at 11:25 a.m. to discuss a Condemnation Commissioner award for CSAH 8 – Wagner Greenhouse, LLP. Present for the executive session were Commissioners Peterson, Kriesel, Stafford, and Hegberg. Also present were Jim Schug, Molly O’Rourke, Richard Hodsdon, Don Theisen, Wayne Sandberg, Sharon Price, and Patricia Raddatz.

The Board reconvened at 11:41 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 11:41 a.m.

BOARD WORKSHOP WITH PUBLIC HEALTH AND ENVIRONMENT

The Board met in workshop session with the Department of Public Health and Environment to discuss Metro Energy Task Force Activities. 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, Sue Hedlund, Judy Hunter, Jeff Travis, Keith Potter, and Kevin Corbid.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator

