

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
DECEMBER 1, 2009

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 Hegberg, Pulkrabek, Peterson, Weik, and Kriesel. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Public Works; Mjyke Nelson, Information Technology Director; Jim Lindner, Facilities Assistant Manager; Dan Papin, Community Services Director; Patrick Singel, Community Services Deputy Director; Diane Elias, Associate Planner; Lowell Johnson, Director of Public Health and Environment; Judy Hunter, Sr. Program Manager; Jeff Travis, Program Manager; John Freitag, Sr. Environmental Specialist; Chris LeClair, Sr. Environmental Specialist; Jessica Collin-Pilarski, Associate Planner; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Kay McAloney, Human Resources Director; Vicki DeFord, Deputy Human Resources Director; Kevin Corbid, Director of Property Records and Taxpayer Services; Tom Adkins, Community Corrections Director; and Yvonne Klinnert, Public Information Coordinator II.

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

1. Approval to appoint Katoria Kennedy, Cottage Grove, to the Housing and Redevelopment Authority Board to fill an unexpired term to December 31, 2010.
2. Adoption of **Resolution No. 2009-139** as follows:

Resolution of Appreciation for Chief Veidols Muiznieks
Upon his Retirement as Chief of the Newport Police Department

WHEREAS, Veidols Muiznieks retired as Chief of Police for the City of Newport effective Monday, November 30, 2009; and

WHEREAS, Chief Muiznieks provided dedicated service for the public safety of the citizens of the City of Newport for almost 35 years in the Newport Police Department including more than seven years as Chief of Police; and

December 1, 2009

WHEREAS, Chief Muiznieks has accomplished many goals for Newport's public safety during his career with the Newport Police Department and Chief Muizneiks considered his 18 years of service in teaching youth in the D.A.R.E. (Drug Abuse Resistance Education) program as one of the highlights of his police career; and

WHEREAS, Chief Muiznieks has given back to the community by serving 12 years on the St. Paul Park City Council; creating St. Paul Park's Heritage Days in which he enjoyed being the emcee of the Heritage Days moustache contest; serving professionally as a board member on the League of Minnesota Cities; being a long time member of the Minnesota Chiefs of Police Association and serving on its Scholarship Committee; and serving as the Minnesota representative at the annual International Association of Chiefs of Police conference as Sergeant of Arms.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners acknowledges with grateful appreciation Chief Veidols Muiznieks' contributions in public service to the citizens of Newport and St. Paul Park; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners heartily commends Chief Muiznieks upon his retirement as Chief of the Newport Police Department and hereby proclaims Tuesday, December 1, 2009, as "Chief Veidols Muiznieks Day in Washington County."

3. Approval of revision to Policy #5007 Release of Employee Data.
4. Approval to purchase software licensing, maintenance, and support from Infor Global Technologies for Infinium Application Manager, Human Resources/Payroll, Query and Infinium Self Service software through December 31, 2010.
5. Adoption of **Resolution No. 2009-140** as follows:

Recommending Approval of Conveyance of
Tax Forfeited Land for an Authorized Public Use

WHEREAS, the municipalities of Oakdale, St. Paul Park, & Woodbury, have made the proper applications for acquiring the parcels listed below for a public use, as provided for in Minnesota Statutes 282.01; and

WHEREAS, the municipalities of Oakdale, St. Paul Park, & Woodbury are entitled to make such application; and

WHEREAS, the municipalities of Oakdale, St. Paul Park, & Woodbury provided additional information to the Board of Commissioners of Washington County, State of Minnesota, regarding the proposed public use of these parcels, being for storm water drainage and utilities; and

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, has determined that the requested authorized public use is in the best interest of the citizens of Washington County.

December 1, 2009

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby recommends to the Commissioner of Revenue of the State of Minnesota to grant the applications for the acquisition of the following parcels:

City	P.I.N.	Authorized Public Use
Oakdale	08.029.21.42.0009	Surface Water Management ponding
St. Paul Park	12.027.22.12.0094	Surface Water Management ponding
St. Paul Park	12.027.22.13.0105	Surface Water Management ponding
Woodbury	13.028.21.32.0019	Surface Water Management ponding

6. Adoption of **Resolution No. 2009-141** as follows:

Recommending Approval of Repurchase of
Tax Forfeited Property by Former Owner

WHEREAS, the tax parcel identified as PID#11.028.21.11.0008 forfeited to the State of Minnesota on July 21, 2009 for nonpayment of property taxes due in 2005; and

WHEREAS, the owners have submitted an Application for Repurchase of Tax Forfeited Lands as in accordance with M.S. 282.241; and

WHEREAS, a check has been received for the sum of all delinquent and current taxes and assessments together with penalties, interest, and costs that have accrued or would have accrued if the parcel had not forfeited to the state; and

WHEREAS, permitting the repurchase will promote the use of the land that will best serve the public interest, then

BE IT HEREBY RESOLVED, that the Washington County Board of Commissioners supports the repurchase, by former owner, of parcel #11.028.21.11.0008, pursuant to M.S. 282.241.

Entity Requesting Repurchase of parcel:
Metro Classic Homes

Parcel ID #: 11.028.21.11.0008

Repurchase Price: \$10,448.74

7. Approval of an inter-county agreement with Anoka, Carver, Dakota, Hennepin and Ramsey Counties for reciprocal use of household hazardous waste facilities and authorize execution by Board Chair and Administrator.
8. Approval to enter into an agreement with the Washington Conservation District for services related to the Wetland Conservation Act.
9. Bids were received for Park agricultural land in Lake Elmo Park Reserve and St. Croix Bluffs Regional Park for 2010 as follows:

December 1, 2009

Bidder	Lake Elmo Park Reserve (248 acres)	St. Croix Bluffs Regional Park (110.9 acres)
Craig Mayer		\$120.00
Gordon Tank & Myron Tank	\$152.30	\$170.00
Joe O'Malley	\$102.50	\$155.60
John See	\$155.60	

Adoption of **Resolution No. 2009-142** as follows:

Award of Parks Agricultural Land Leases for 2010

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

WHEREAS, bids were opened on November 10, 2009 with highest bidder being John See for Lake Elmo Park Reserve and Gordon and Myron Tank for St. Croix Bluffs Regional Park; and

NOW, THEREFORE, BE IT RESOLVED, that the bids of John See and Gordon and Myron Tank 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 John See and Gordon and Myron Tank 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.

The foregoing Consent Calendar was adopted 5-0 with a roll call vote as follows: Yes, Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel; No, none.

COMMUNITY SERVICES

Diane Elias, Associate Planner, presented the proposed 2010-2014 Consolidated Plan priorities for the Community Development Block Grant (CDBG) and the Home Investment Partnership (HOME) program funds. She indicated that staff has met with several stakeholder groups including the Washington County Housing and Redevelopment Authority Board, the Housing Collaborative, the Family Homelessness Prevention and Assistance Program citizen advisory committee, and cities and townships. They also met with the CDBG Citizen Advisory Committee to finalize the following high, medium and low priorities:

December 1, 2009

High Priority: Owners at 51-80% area median income; renters at 0-80% area median income; transitional and permanent supportive housing, special populations (persons with mental illness, chemical dependency or physical disabilities and public housing residents); and public services (homeless prevention and intervention).

Medium Priority: Owners (0-50% area median income); emergency shelter, and five public improvement activities (sidewalks, street improvements, water/sewer improvements, flood drainage facilities, neighborhood center and park/recreational facilities).

Low Priority: Housing for persons with developmental disabilities, frail elderly or persons with HIV/AIDS; public facilities activities including tree planting, child care facilities, parking facilities, youth center, asbestos removal, health facilities, abused children facilities, solid waste disposal facilities, center for disabled/handicapped and AIDS facilities and programs; commercial/industrial improvement; and economic development.

Commissioner Hegberg asked that some of the CDBG funds be directed to 4-H site based programs or programs through Family Means be included for areas such as Landfall, Cimarron, and some apartment houses in Mahtomedi. He feels investing in youth and keeping them active helps in many areas. There is also an issue with Youth Service Bureaus having inadequate funding. He asked if this would be something that would qualify for funding.

Ms. Elias indicated there is the ability to use a portion of the CDBG funds for public services. It is capped at 15% of the CDBG funds. They are currently using those funds for motel/hotel stays for the homeless as well as first month's rent and damage deposit for persons to assist them to obtain housing.

Commissioner Hegberg asked that the committee review his request for funding site based programs.

Commissioner Pulkrabek feels that the items listed under the high priority section are already covered by other programs. His recommendation would be to take the high priority items and move them to medium, take the medium priority items listed under public facilities and move those up to high, and in the low priority move the parking facilities, commercial/industrial improvement and economic development and move that up to high priority as well.

Commissioner Peterson stated that she would keep the priorities listed for 2010 pretty much as they are. When the economy turns around and there is a reactivation of jobs and employment, then she would look at the medium areas and put those into a higher priority.

Ms. Elias stated that for the 2010 request for proposals process to move forward, it would be helpful to have some priorities to put into place for that process. The Board could move forward with the priorities

December 1, 2009

from the previous five year plan; it could move forward with temporary priorities for the 2010 plan and then continue the process for setting the final priorities through May 2010; or, they could potentially delay the request for proposal process, but that is a risk because of timely spending requirements.

Commissioner Peterson asked that the Board hold a workshop with the Community Development Block Grant citizen's advisory committee. She asked each Commissioner to take a look at their own district and community to see what is going on with homelessness and the food shelf.

Commissioner Peterson moved to approve the previous 2010 Consolidated Plan priorities for Community Development Block Grant and the Home Investment partnership program funds until the County Board has met to define the next five year period. Commissioner Kriesel seconded the motion and it was adopted 3-2 with a vote as follows: Yes, Commissioners Hegberg, Peterson, and Kriesel; No, Commissioners Pulkrabek and Weik.

PUBLIC WORKS

Commissioner Hegberg moved to adopt **Resolution No. 2009-143** as follows:

Resolution Providing for the Reprogramming of Remaining
Bond Proceeds and Use of Interest Earnings and Premium
Received from the General Obligation Capital Improvement Plan
Bonds, Series 2007A of Washington County for the Capital
Improvements Plan for the Years 2007-2011, as Amended

BE IT RESOLVED by the Board of Commissioners of Washington County, Minnesota (the "county") as follows:

Section 1. Background

1.01 On June 27, 2007, the county issued its General Obligation Capital Improvements Plan Bonds, Series 2007A (the "Bonds"), in the original aggregate principal amount of \$79,385,000 and an available premium of \$555,600. The Bonds were issued by the county for the purpose of providing all or the portion of capital improvements projects set forth in the duly adopted Capital Improvements Plan for the years 2007-2011, as amended (the "CIP"). The CIP was adopted and the Bonds were issued by the county in accordance with Minnesota Statutes, Section 373.40, as amended (the "Act"). The CIP identified various capital improvement projects (the "Projects") that were proposed to be financed with the proceeds of the Bonds and future general obligation indebtedness of the county issued under the provisions of the Act and Minnesota Statutes, Chapter 475.

1.02 Pursuant to Resolution No. 2007-062, adopted by the Board of Commissioners of the County on May 22, 2007 (the "Bond Resolution"), the county expressed its intent to apply the proceeds derived from the sale of the Bonds to the Projects. Due to changes in circumstances the Board of Commissioners adopted Resolution No. 2007-136 on October 23, 2007 to reprogram the Bonds' proceeds to CIP projects that could be completed in a reasonable timeframe consistent with the original expressed intent. The revised Projects budgets approved under the second resolution were as follows:

December 1, 2009

<u>Project Designation & Description</u>	<u>Estimated Project Cost</u>
Campus 2025 Expansion–Phases 2, 3 & 4	\$56,400,000
Big Marine Park Reserve Improvements	3,500,000
Park Land Acquisition	2,800,000
Improvements to County Highway 13 south of Bailey Road in Woodbury	3,500,000
CSAH 15/12	4,000,000
CSAH 8-Right of Way	2,000,000
CSAH 8-Goodview Avenue to CSAH 7	4,500,000
Data Recovery Center	1,300,000
Campus Stormwater	<u>1,200,000</u>
Total Project Costs	<u>\$79,200,000</u>

1.03 Subsequent events occurring during construction and planning of the Projects have resulted in additional savings, delays, and postponements of the Projects. Pursuant to this resolution, the county will reprogram the unused proceeds of the Bonds to a revised set of Projects contained in the CIP as more fully described in Sections 2.01 below. This reprogramming will enable the county to spend the proceeds of the Bonds in a timely manner.

Section 2. Reprogramming Bond Proceeds, Interest Earnings and Premium to CIP Projects

2.01 By this Resolution, the county is reprogramming Bond proceeds from the sale of the Bonds and authorizing the use of interest earnings and Bond premium as follows:

<u>Project Designation & Description</u>	<u>Revised Projects' Cost</u>
Campus 2025 Expansion-Phases 2, 3 & 4	\$59,861,500
Campus 2025 Expansion-Phase 5	9,200,000
Big Marine Park Reserve Improvements	\$3,615,400
Park Land Acquisition	947,800
Improvements to County Highway 13 south of Bailey Road in Woodbury	3,500,000
CSAH 15/12	\$2,000,000
CSAH 8-Right of Way	0
CSAH 8-Goodview Avenue to CSAH 7	0
Data Recovery Center	1,291,700
Campus Storm water	1,200,000
CSAH 2-Broadway Avenue (CR 83 Overpass portion)	<u>2,781,900</u>
Total Projects	<u>\$84,398,300</u>

The Reprogrammed Project Costs listed above are estimates and actual funding dollars may be allocated by budget amendment between above identified Projects in the future or between Projects already financed with proceeds of the Bonds. Additional interest earnings from the Bond proceeds may also be allocated by budget amendment between above identified projects as needed.

2.02 County staff is hereby directed to take the appropriate actions necessary to fund the Projects listed in 2.01 consistent with the provisions of this resolution.

Section 3. Effective Date

3.01 This resolution shall only become effective if at least two-thirds of the Board of Commissioners vote in favor of the reprogramming of the Remaining Proceeds, Interest Earnings, and Premium to certain projects anticipated to be financed with general obligation indebtedness of the county and contained in the CIP.

December 1, 2009

3.02 The county previously held public hearings on each amendment to the CIP after the notice required in the Act. The county also had a public hearing with respect to the issuance of the Bonds after the notice required in the Act.

3.03 This resolution shall be in full force and effect from and after its passage by a vote of at least two-thirds of the Board of Commissioners.

Commissioner Kriesel seconded the motion and it was adopted 5-0 with a roll call vote as follows: Yes, Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel; No, none.

PUBLIC HEALTH AND ENVIRONMENT

2010 Clean Water Fund Subsurface Sewage Treatment Systems Inventory Grant

Commissioner Hegberg moved to authorize the Department of Public Health and Environment to submit a grant application to the Minnesota Board of Water and Soil Resources (BWSR) for the FY 2010 Clean Water Fund Subsurface Sewage Treatment System (SSTS) Inventory Grant in the amount of \$50,000 and authorize the County Administrator to execute a grant agreement. Commissioner Peterson seconded the motion and it was adopted unanimously.

Clean Water Assistance Grant Application

Commissioner Hegberg moved to authorize the Department of Public Health and Environment to submit a grant application to the Minnesota Board of Water and Soil Resources (BWSR) Clean Water Assistance Grant in the amount of \$75,000 and authorize the County Administrator to execute the grant agreement. Commissioner Weik seconded the motion and it was adopted unanimously.

ACCOUNTING AND FINANCE

Harley Will, Accounting and Finance Director, reviewed the facts and circumstances associated with water and sewer overcharges in the amount of \$114,142 paid to the City of Oak Park Heights for the period of July 1, 2005 through June 30, 2006.

Commissioner Hegberg moved that staff initiate the legal action necessary to secure the money paid to the City of Oak Park Heights for the overpaid water and sewer charges without further County Board action. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Kriesel was just informed that West Lakeland Supervisor Dave Schultz was involved in a motorcycle accident last Saturday afternoon. He suffered serious injuries to his back and internal

December 31, 2009

organs. He is listed in serious condition in Region's Hospital. He is expected to be hospitalized for the next four to six weeks. He stated that his thoughts and prayers are with Supervisor Schultz and his family. Yesterday evening Commissioner Kriesel and Commissioner Hegberg joined Senator Saltzman and Representative Dettmer, the Dean of Extension and 4-H members to discuss possible long-term funding solutions for Extension.

Commissioner Weik mentioned an article that was in the Star Tribune which talked about the Washington County Environmental Center in Woodbury and how well it is being used by the citizens.

Sheriff Bill Hutton announced that Detective Greg Reiter has been chosen by the Minnesota Sheriffs' Association to receive the Deputy Sheriff of the Year Award. Detective Reiter will be recognized and honored at the 2009 Minnesota Sheriffs' Association's winter conference in St. Cloud on December 7th. Detective Reiter is being recognized for his work on the Bever investigation, a cold case from 2003 that he along with others resolved. He did an outstanding job investigating and managing the case.

Commissioner Pulkrabek mentioned an article that ran in the Star Tribune reporting that Hennepin County is scrapping a homeless program which serves about 60 people a year to house and care for homeless and destitute alcoholics. Hennepin County felt the program cost more than the benefits received.

Commissioner Peterson announced that on today's Consent Calendar the Board adopted a resolution honoring Chief of Police Veidols Muiznieks, City of Newport, on his retirement and proclaiming December 1, 2009 as "Chief Veidols Muiznieks Day" in Washington County. She mentioned that the local Stone Soup Thrift Shop has served 134 homeless people; and of the service provided for vouchers at the Stone Soup Thrift Shop, 295 have been adults, 410 are children, and 23 are seniors for a total of 728 individuals who have been served. The vouchers make up 38% of their total budget. The Friends in Need Food Shelf has gone from a busy night of 50 families to close to 200 families a week.

Commissioner Peterson reported that the third annual transportation and infrastructure convention will be held on March 10-12 in Washington D.C. She announced that Judy Steltzner, Office of Administration, will be retiring. She has done yeoman work for the Commissioners and the Board appreciates her smiling voice when she answers the phone and helps them out. There will be a party on December 10 at 5:00 p.m. at the Bungalow in Lakeland. She urged the Board members to put that on their calendar.

Commissioner Peterson announced that Lockridge Grindal Nauen will be having a hospitality room at the Association of Minnesota Counties Convention on December 6 from 4:30 to 6:30 at the Hyatt Regency in Minneapolis. There may be more than one Commissioner at that meeting.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

EXECUTIVE (CLOSED) SESSION WITH HUMAN RESOURCES

Commissioner Weik moved to go into Executive (Closed) Session with the Human Resources Department for negotiation strategy for 2010. Commissioner Hegberg seconded the motion and it was adopted unanimously. The time being 10:45 a.m. Present for the Executive Session were Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Kay McAloney, Vicki DeFord, Frank Madden, and Patricia Raddatz.

EXECUTIVE (CLOSED) SESSION WITH THE OFFICE OF ADMINISTRATION

The Board met in Executive (Closed) Session with the Office of Administration at 11:47 a.m. to discuss possible purchase of a conservation easement on various parcels owned by David Rowe in Denmark Township through the Land and Water Legacy Program. Present for the Executive Session were Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Jane Harper, Don Theisen, Doug Johnson, Sharon Price, and Patricia Raddatz.

The Board reconvened at 12:35 p.m.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Kriesel and it was adopted unanimously. The Board meeting adjourned at 12:35 p.m.

BOARD WORKSHOP WITH COMMUNITY SERVICES

The Board met in workshop session with the Community Services Department to discuss Autism spectrum disorders and the increased prevalence in society. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Cindy Rupp, Karen van Rooyen, Metro Crisis Coordination Program, Susan Grubb, parent of an autistic child, and Winna Bernard.

December 1, 2009

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss final recommendations to the 2010 budget. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Harley Will, Doug Johnson, Sheriff Bill Hutton, Chief Deputy Sheriff Mike Johnson, Tom Adkins, Kevin Corbid, Jennifer Wagenius, Patricia Conley, Kay McAloney, and Mjyke Nelson.

BOARD WORKSHOP WITH PROPERTY RECORDS AND TAXPAYER SERVICES

The Board met in workshop session with the Department of Property Records and Taxpayer Services to discuss proposed 2010 property taxes. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Kevin Corbid and Jennifer Wagenius.

Myra Peterson, Chair
County Board

Attest:

James R. Schug
County Administrator

