

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 10, 2007

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, Kriesel, Orth, and Hegberg. Absent none. Board Chair Kriesel presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Harley Will, Financial Services Director; Dan Papin, Community Services Director; Mary Farmer-Kubler; Community Services Supervisor; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Corey Slagle, Transportation Manager; Mike Rogers, Associate Planner; John Elholm, Parks Director; Keith Potter, Facilities Manager; Jeneen Johnson, Human Resources Associate; Mjyke Nelson, Information Technology Director; Kevin Corbid, Director of Property Records and Taxpayer Services; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Ann Pung-Terwedo, Sr. Planner; Lowell Johnson, Director of Public Health and Environment; and Steve Nelson, 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 Orth moved, seconded by Commissioner Pulkrabek to adopt the following Consent Calendar:

1. Approval of the June 12, 19, and 26, 2007 County Board minutes.
2. Approval of comments to the Metropolitan Airports Commission on the draft Comprehensive Plan for the Lake Elmo Airport.
3. Approval to appoint Katie Thiry, Woodbury, to the Community Services Advisory Committee to fill an unexpired term to December 31, 2008.
4. Approval to amend Washington County agreement for attorney services with Richard C. Ilkka, dated March 8, 2005 and approval to amend Washington County agreement for attorney services with Gregory J. Schmidt dated March 8, 2005.
5. Approval to amend Section 5 of the County Personnel Rules and Regulations related to severance compensation for elected and appointed employees.

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6. Approval to purchase hardware, software, and licensing to support the Manatron tax system.
7. Approval of Qwest service agreements to provide data/voice network connectivity between Washington County facilities.
8. Adoption of **Resolution No. 2007-080** as follows;

Traffic Control Signal Agreement No. 90797M with the
State of Minnesota, Department of Transportation at the
Intersection of County Highway 19 and the
Trunk Highway 94 North Ramps

WHEREAS, Washington County is planning for the installation of a traffic signal and construction of roadway improvements at the intersection of County Highway No. 19 at the Trunk Highway No. 94 North Ramps; and

WHEREAS, Washington County has jurisdiction over County Highway No. 19; and

WHEREAS, the Minnesota Department of Transportation has jurisdiction over Trunk Highway No. 94 and the North Ramps; and

NOW, THEREFORE, BE IT RESOLVED, that the County of Washington enter into an agreement with the State of Minnesota, Department of Transportation for the following purposes, to wit:

To provide maintenance and electrical energy for the new traffic control signal with street lights, emergency vehicle pre-emption, interconnect and signing on Trunk Highway No. 94 north ramps at County State Aid Highway No. 19 in accordance with the terms and conditions set forth and contained in Agreement No. 90797M, a copy of which was before the Board.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the proper county officers be and hereby are authorized to execute such agreement and any amendments, and thereby assume for and on behalf of the county all of the contractual obligations contained therein.

9. Adoption of **Resolution No. 2007-081** as follows:

Cooperative Construction Agreement No. 90795 with the
State of Minnesota, Department of Transportation at the
Intersection of County Highway 19 and the
Trunk Highway 94 North Ramps

WHEREAS, Washington County is planning for the installation of a traffic signal and construction of roadway improvements at the intersection of County Highway No. 19 at the Trunk Highway No. 94 north ramps; and

WHEREAS, the planned improvements provide a benefit to both the local community and the trunk highway system; and

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WHEREAS, Washington County applied for and received funding under the Minnesota Department of Transportation's Municipal Agreement Program; and

NOW, THEREFORE, BE IT RESOLVED that the County of Washington enter into Mn/DOT Agreement No. 90795 with the State of Minnesota, Department of Transportation for the following purposes, to wit:

To provide for payment by the State to the county of the State's share of the costs of the turn lane, channelization, signal and interconnect construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 94 at the intersection of County State Aid Highway No. 19 within the corporate limits of the Cities of Woodbury and Lake Elmo under State Project No.8282-102.

NOW, THEREFORE, BE IT FURTHER RESOLED that the proper county officers be and hereby are authorized to execute such agreement and any amendments, and thereby assume for and on behalf of the county all of the contractual obligations contained therein.

10. Approval to transfer ownership of Washington County Sheriff's Office K-9 Maxx to his handler, Deputy Mark Caroon.
11. Approval to accept funding under the Federal Boating Safety Sub-grant Program in the amount of \$22,075 to be used for the purchase of an 18' boat with a 90hp shallow drive outboard motor, law enforcement equipment, rigging, graphics, radio, and trailer.
12. Adoption of **Resolution No. 2007-082**, as follows:

Resolution Amending the Washington County 2020
Comprehensive Plan and Approving a Rezoning Request
Ordinance No. 176

WHEREAS, Washington County is authorized to carry on county planning and zoning activities in the unincorporated areas of the county pursuant to MINN. STAT. CHAPT. 394; and

WHEREAS, the Washington County 2015 Comprehensive Plan was adopted by the Washington County Board of Commissioners on April 22, 1997 and became effective October 1, 1997 as Washington County Ordinance No. 124 and was amended on March 26, 2002 to Washington County 2020 Comprehensive Plan; and

WHEREAS, MINN. STAT. § 473.865 requires counties to adopt the official controls described in their Comprehensive Plan so as to implement the Comprehensive Plan; and

WHEREAS, the Washington County Development code was adopted by the Washington County Board of Commissioners and became effective on October 20, 1997 as Washington County Ordinance No. 127; and

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WHEREAS, G.V. Properties, Inc. owns a parcel of land approximately 7.42 acres in size at the southwest quadrant of C.S.A.H. 21 and 30th Street North in Baytown Township, Washington County, Minnesota; and

WHEREAS, the legal description of the property is attached and incorporated herein by reference as Exhibit A; and

WHEREAS, G.V. Properties, Inc. has submitted an application to amend the Washington County Comprehensive Plan and the Washington County Zoning Ordinance to change the land use designation and zoning from a Rural Residential land use designation and zoning (8 dwelling units per 40 acres) to a SFE, Single Family Estate land use designation and zoning (16 dwelling units per 40 acres) on the 7.42 acres; and

WHEREAS, the request was referred to the Washington County Planning Advisory Commission, which recommended approval of the request after holding a public hearing on May 22, 2007; and

WHEREAS, on June 26, 2007, the Washington County Board of Commissioners conducted a public hearing on the request pursuant to a Notice of Intent to Adopt an ordinance to amend the Washington County Comprehensive Plan and Washington County Development Code; and

WHEREAS, the records of the public hearing consist of the minutes of the Washington County Planning Advisory Commission of May 22, 2007 and the staff reports, correspondence, presentations by staff of Washington County Transportation and Physical Development, representative of the applicants and members of the public; and

WHEREAS, the record indicates that in granting the requested amendment:

1. The proposed land uses and zoning would be in conformance with the Washington County Comprehensive Plan, a Policy guide to 2020 and the Washington County Development Code.
2. The proposed densities of the site and the planned use of the Property would be consistent with surrounding land uses.
3. The proposed zoning would not constitute spot zoning.

NOT, THEREFORE, BE IT RESOLVED that for the foregoing reasons, the request of G.V. Properties, Inc. to amend the Washington County Comprehensive Plan and the Washington County Development Code to rezone the parcel legally described on Exhibit A is granted.

BE IT FURTHER RESOLVED, that the Washington County Zoning Administrator is directed to make the changes set forth in the Washington County Development Code and cause the same to be published and codified according to law and from and after the effective date of Amended Ordinance 176.

WASHINGTON COUNTY DEVELOPMENT CODE AMENDMENT

WASHINGTON COUNTY ORDINANCE NO. 176

The Board of Commissioners of Washington County Ordains:

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- SECTION 1: The Washington County Comprehensive Plan and the Washington County Development Code be amended to rezone one parcel of land approximately 7.42 acres in size located at the southwest quadrant of C.S.A.H. 21 and 30th Street North in Baytown Township, Washington County Minnesota as more particularly described on attached Exhibit A from a Rural Residential land use designation (8 dwelling units per 40 acres) to a SFE, Single Family Estate land use designation and zoning (16 dwelling units per 40 acres).
- SECTION 2: The Washington County Zoning Administrator is hereby directed to amend the Washington County Comprehensive Plan and the Washington County Development Code, including zoning maps, in accordance with the foregoing amendment.
- SECTION 3: Effective Date. This Ordinance shall be and is hereby declared to be in full force and effect after its passage and publication according to law.

Passed by the Board of County Commissioners of Washington County, this 10th day of July, 2007.

EXHIBIT A

Rezoning Request of G.V. Properties, Inc.
PID: 15.029.20.34.0004

South 43 rods of the Southeast One Quarter of the Southwest One Quarter of Section 15, Township 29 North, Range 20 West, except the West 1013.02 feet thereof, and the South 43 rods of the Southwest One Quarter of the Southeast One Quarter of Section 15, Township 29 North, Range 20 West, lying West of the centerline of Stagecoach Trail as now constructed except that parcel conveyed to the County of Washington by Warranty Deed dated August 23, 1984, as Document No. 470410. (Document No. 3592312)

The foregoing Consent Calendar was adopted unanimously; Commissioner Peterson absent.

Commissioner Peterson arrived at 9:10 a.m.

FINANCIAL SERVICES

Harley Will, Financial Services Director, presented the 2006 Comprehensive Annual Financial Report.

PUBLIC WORKS

Right of Way Acquisition for Reconstruction of St. Croix Trail South (CSAH 18)

Commissioner Kriesel moved to approve a contract with WSB & Associates, Inc. for professional right of way acquisition/consulting services for the reconstruction of St. Croix Trail South (CSAH 18) in Lakeland

and Lakeland Shores at a cost not to exceed \$34,570. Commissioner Peterson seconded the motion and it was adopted unanimously.

Don Theisen, Director of Public Works, announced that John Elholm has been named the new Parks Director replacing Jim Luger who retired last week.

Bid Award for Construction of a Transit Center in Forest Lake

Bids were received for construction of a transit center, trailhead facility, parking lot, and trail connection as follows:

Bidder	Project Bid Amount	Unit Price #1	Unit Price #2	Alt #1	Alt #2	Alt #3	Total Bid Amount
Lund Martin	\$974,700	\$6.00	\$9.00	\$21,000	\$113,400	\$19,600	\$1,128,700
Rochon Corporation	\$962,590	\$5.00	\$8.00	\$29,000	\$109,000	\$32,000	\$1,132,590
Ebert Construction	\$1,004,800	\$10.00	\$9.00	\$20,475	\$ 98,350	\$19,110	\$1,142,735
Parkos Construction	\$998,400	\$12.00	\$19.00	\$20,300	\$139,400	\$18,900	\$1,117,000
Kraus Anderson	\$1,049,941	\$9.50	\$14.50	\$14,814	\$ 98,670	\$22,426	\$1,185,851
CM Construction	\$1,033,000	\$15.00	\$22.00	\$19,500	\$133,000	\$21,500	\$1,207,000
Greystone Construction	\$995,895	\$12.65	\$19.55	\$27,812	\$147,119	\$39,489	\$1,210,315
DNR Construction	\$1,046,400	\$36.00	\$42.00	\$26,400	\$118,800	\$35,400	\$1,227,000
Meisinger Construction	\$1,058,900	\$18.00	\$20.00	\$32,000	\$104,000	\$36,000	\$1,230,900
Gladstone	\$1,123,731	\$12.10	\$18.20	\$45,746	\$103,772	\$15,954	\$1,293,203
Jansen Builders, Inc.	\$1,168,900	\$12.98	\$20.06	\$23,800	\$178,000	\$31,900	\$1,402,600

Commissioner Hegberg moved to adopt **Resolution No. 2007-083** as follows:

Bid Award for Transit Center/Trailhead Construction to
Lund-Martin Construction, Inc.

WHEREAS, in order to complete building and parking lot construction, the county solicited bids for this project; and

WHEREAS, bids were opened on May 8, 2007, with Lund-Martin Construction, Inc. being the lowest responsible bidder; and

WHEREAS, Washington County wishes to award a contract for the project; and

BE IT RESOLVED, that the bid of \$1,128,700 be accepted and the county enter into a contract with Lund-Martin Construction, Inc. for under the terms and conditions set forth in the bid specification documents.

BE IT FURTHER RESOLVED, that the contract between the county and Lund-Martin Construction, Inc. be executed through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney’s office.

Commissioner Peterson seconded the motion and it was adopted unanimously.

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Support Request for the I-94 Corridor

Commissioner Peterson moved to adopt **Resolution No. 2007-084** as follows:

Support for the I-94 Corridor 2008 Capital Bonding Request

WHEREAS, the Interstate 94 (I-94) Corridor is the principal east/west route for traffic through Ramsey, Washington, and St. Croix counties connecting St. Paul to the eastern metropolitan area; and

WHEREAS, the I-94 Corridor is experiencing increasing levels of congestion, reducing mobility in the corridor; and

WHEREAS, the counties along with the cities of St. Paul, Maplewood, Woodbury, Oakdale, Lake Elmo, Afton and Lakeland have taken an active role in the formation of the I-94 Corridor Coalition; and

WHEREAS, I-94 Corridor Coalition passed a motion to request \$1 million in 2008 state capital bonding funds for predesign, preliminary engineering, and matching federal funds for transit improvements in the I-94 corridor from the St. Paul Union Depot to the St. Croix River; and

WHEREAS, requests for state capital funds must be made by a political subdivision of the state.

NOW, THEREFORE BE IT RESOLVED, that Washington County requests \$1 million for the \$1 million in 2008 state capital bonding funds for predesign, preliminary engineering, and matching federal funds for transit improvements in the I-94 Corridor from the St. Paul Union Depot to the St. Croix River.

Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

COMMUNITY SERVICES

Mary Farmer-Kubler presented the proposed Family Homelessness Prevention and Assistance Program Action Plan for 2007-2008 funding as recommended by the Family Homelessness Prevention and Assistance Program Advisory Committee as follows:

	<u>2007</u>	<u>2008</u>
Family Means	\$17,500.00	\$17,500.00
Minnesota Assistance Council for Veterans	\$10,500.00	\$10,500.00
Southern Minnesota Regional Legal Services	\$40,000.00	\$40,000.00
East Metro Woman’s Council	\$44,500.00	\$44,500.00
Washington County Community Services	<u>\$12,500.00</u>	<u>\$12,500.00</u>
Total	\$125,000.00	\$125,000.00

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Commissioner Peterson moved to approve the Family Homelessness Prevention and Assistance Program Action plan for 2007-2008 funding. Commissioner Orth seconded the motion.

Commissioner Hegberg stated he was disappointed that the second highest funding was for legal services. He would like to see more money spent in the other agencies listed.

Commissioner Hegberg moved to table action on the Family Homelessness Prevention and Assistance Program Action Plan (FHPAP) and asked that the FHPAP Advisory Committee reconsider the recommended funding plan and reallocate a portion of the Southern Minnesota Regional Legal Services to the East Metro Woman's Council and the Minnesota Assistance Council for Veterans. Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Citizen's League

Stacy Becker, Director of the MAP 150 project with the Citizen's League, reviewed a proposal that would engage citizens from three counties, Ramsey, Washington and a Greater Minnesota County, to explore the property tax system with the goal of advising county staff and the Citizen's League what steps can be taken to make the property tax system more understandable and better relate to the cares and concerns of the citizens .

Commissioner Peterson moved to approve a partnership with the Citizen's League on a citizen-based project to enhance understanding of property taxes. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

Minnesota Zephyr Rail Right-of-Way

Commissioner Pulkrabek moved to adopt **Resolution No. 2007-085** as follows:

Acquisition of the Minnesota Zephyr Rail Right-of-Way

WHEREAS, the Parks and Trails Council of Minnesota requested a grant from the Washington County Land and Water Legacy Program in the amount of \$1,000,000 (one million dollars) to assist in acquiring the Minnesota Zephyr rail right-of-way between Laurel Street in Stillwater, Minnesota and the Gateway State Trail in Grant, Minnesota; and

WHEREAS, it is the intention of the Parks and Trails Council of Minnesota to sell the aforementioned right-of-way to the Minnesota Department of Natural Resources for use as a non-motorized recreational trail; and

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WHEREAS, the intended use of the grant is consistent with the purposes and is consistent with the requirements of the Land and Water Legacy Program as put forth in the Washington County Acquisition of Development Rights Ordinance #175; and

WHEREAS, the Washington County Board of Commissioners, at its workshop on May 22, 2007, expressed its willingness to provide a grant in an amount up to \$1,000,000 (one million dollars) provided certain conditions are met.

NOW, THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners delegates the authority to the County Administrator to execute a letter to the Parks and Trails Council of Minnesota outlining the conditions by which Washington County will commit up to \$1,000,000 (one million dollars) and to negotiate an agreement setting forth the conditions as established at the May 22, 2007 County Board workshop; and

BE IT FURTHER RESOLVED THAT, any agreement negotiated by the County Administrator shall not be final and binding upon the county until approved by the Washington County Board of Commissioners.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Peterson reported she met with Representative Alice Hausman last Thursday to discuss East metro transit and that she will work hard in obtaining funds. She was happy to hear the county was supporting the request for \$1 million for the I-94 corridor.

Commissioner Pulkrabek reported on a newspaper article from the Sunday Pioneer Press related to the Federal Government expenditure of \$1 billion on nutrition education for kids. The Associated Press looked at the 57 programs that the Federal Government funds for nutrition education. They found only four programs that showed any real success in changing the way kids eat and their eating behavior. The gist of the article was that the \$1 billion that the Federal Government spends is a complete waste of money. Although the awareness level of nutrition is raised, their behavior doesn't change.

Commissioner Orth reported that the Minnesota Department of Health contacted him indicating that they found PFOA in combination with PFBA in a private well in Cottage Grove where none had been found before. They will continue to investigate the source of the contaminants.

Commissioner Hegberg reported on the Resource Recovery Facility meeting which discussed the Rock-Tenn study. He will be attending the National Association of Counties (NACo) conference next week and will not be at the Board meeting. Commissioner Pulkrabek will also be attending the NACo conference.

Commissioner Kriesel updated the Board on the rededication ceremony for the Civil War monument at the Historic Courthouse that was held on July 4.

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BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Pulkrabek and it was adopted unanimously. The Board meeting adjourned at 10:30 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to receive information on the Washington County Comprehensive Plan Update 2030. 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, Jane Harper, Amanda Hollis, Ann Pung-Terwedo, Don Theisen, John Elholm, Joe Lux, Wayne Sandberg, Dennis O'Donnell, Linda Krafthefer, Mike Rogers, Harley Will, Lowell Johnson, Sue Hedlund, Amanda Goebel, Yvonne Klinnert, Stillwater Courier, Kevin Giles, Star Tribune, and Steve Nelson.

Gary Kriesel, Chair
County Board

Attest:

James R. Schug
County Administrator