

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**OCTOBER 5, 2010**

**WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY CONVENES**

The Washington County Regional Railroad Authority met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Absent none. RRA Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Kevin Corbid, Director of Property Records and Taxpayer Services; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; John Elholm, Parks Director; Sharon Price, Right of Way Specialist; Andy Gitzlaff, Associate Planner; Dan Papin, Community Services Director; Sue Hedlund, Deputy Public Health and Environment Director; Harley Will, Accounting and Finance Director; Tom Adkins, Community Corrections Director; Sheriff Bill Hutton; Commander Cheri Dexter; and Yvonne Klinnert, 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 9:05 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Absent none. Board Chair Pulkrabek presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Kevin Corbid, Director of Property Records and Taxpayer Services; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; John Elholm, Parks Director; Sharon Price, Right of Way Specialist; Andy Gitzlaff, Associate Planner; Dan Papin, Community Services Director; Sue Hedlund, Deputy Public Health and Environment Director; Harley Will, Accounting and Finance Director; Tom Adkins, Community Corrections Director; Sheriff Bill Hutton; Commander Cheri Dexter; and Yvonne Klinnert, Public Information Coordinator II.

**COMMENTS FROM THE PUBLIC**

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

**CONSENT CALENDAR**

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

1. Approval of the September 21 and 28, 2010 Board meeting minutes.
2. Approval to appoint Erika Ashe to the Mental Health Advisory Council representing People Inc., to a first term expiring December 31, 2013.
3. Adoption of **Resolution No. 2010-141** as follows:

Approval to Open Debt Service Fund 321 2005A CIP Refunding Bonds  
Under Fiscal Policy #2802 Opening and Closing Funds  
and to update Fiscal Policy #2803 Fund Definitions

WHEREAS, the 2000A Series Capital Improvement Plan (CIP) general obligation bonds were refinanced by the 2005A Series CIP Refunding Bonds; and

WHEREAS, the initial bonding and subsequent refinance transactions were duly authorized by the County Board of Commissioners; and

WHEREAS, the opening of the Fund 321 2005A CIP Refunding Bonds was required to be authorized by a County Board of Commissioners' Resolution; and

WHEREAS, a resolution authorizing the opening of the Fund 321 2005A CIP Refunding Bonds was not approved concurrent with the approval of refunding transaction; and

WHEREAS, the Fund 321 2005A CIP Refunding Bonds fund was created and maintained in the county's general ledger for the activities consistent with the debt service activities of the authorized bonds; and

WHEREAS, the money deposited in these funds has been and will be distributed to meet the obligations arising from duly authorized debt service activity approved by the County Board; and

WHEREAS, the money deposited in the fund has and will earn interest on any balance that is being held for future disbursements; and

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners approves the opening of the Debt Service - Fund 321 2005A CIP Refunding consistent with the previous approvals authorizing the refunding of the 2000A CIP general obligation bonds that occurred in 2005:

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BE IT FURTHER RESOLVED, that the County Board of Commissioners approves the update of Fiscal Policy #2803 Fund Definitions to reflect the addition of the new fund.

4. Adoption of **Resolution No. 2010-142** as follows:

Resolution Recommending Approval to Set  
Aside a Portion of the Annual Distribution of  
Net Revenue from Tax Forfeited Land Sales

WHEREAS, Minnesota Statute Chapter 282 gives the county board the authority to manage tax forfeited property that is located within Washington County, and

WHEREAS, the county auditor is to distribute the net revenue in the county's forfeited tax sale fund to the local taxing districts after payment of county administrative expenses, according to one of two prescribed apportionment plans, and

WHEREAS, Minnesota Statutes Chapter 282.08 subdivision 4(ii) allows the county board to set aside up to 20% of net proceeds for the acquisition and maintenance of county parks or recreational areas, and

THEREFORE, BE IT RESOLVED, that the County Board of Commissioners, directs the Department of Property Records and Taxpayer Services to annually set aside 20% of the net proceeds from the tax forfeited sale fund for acquisition and maintenance of county parks and recreational areas.

5. Approval of contract with Manatron Inc. for support services for property tax software system.
6. Adoption of **Resolution No. 2010-143** as follows:

Certification of Unpaid County Environmental Charges

WHEREAS, the Washington County Board of Commissioners adopted the Washington County Solid Waste Management Ordinance #178 on October 28, 2008 and the Washington County Solid Waste Management Ordinance #114 on May 23, 1995; and

WHEREAS, the Washington County Solid Waste Management Ordinance #178 establishes the County Environmental Charge (CEC); and

WHEREAS, a solid waste hauler has provided records to the Washington County Department of Public Health and Environment (Department) of generators who have unpaid 2009 County Environmental Charges; and

WHEREAS, the solid waste hauler sent bills to generators in November 2009 and February 2010 for County Environmental Charges; and

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WHEREAS, Section 14.0, subpart 14.8.1 of the Ordinance #178 provides that on October 15 of each year, the County Board may certify to the County Auditor all unpaid outstanding Charges as reported by the Department, by Haulers and Disposal Facilities and a statement of the description of the lands which were serviced and against the Charges arose; and

WHEREAS, the Section 14.0, subpart 14.81 also provides that it shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments with interest provided for in Section 297.03 subd.1 upon the tax rolls of the County of the taxes of the year in which the assessment is filed; and

WHEREAS, the properties that have failed to pay the County Environmental Charge are identified in Exhibit A which is attached hereto and incorporated herein.

NOW, THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners authorizes the County Auditor and the Department of Assessment, Taxpayer Services and Elections to extend the unpaid County Environmental Charges on the properties set forth in Exhibit A to this resolution as assessments with interest in accordance with County Ordinance #178.

7. Adoption of **Resolution No. 2010-144** as follows:

Resolution Authorizing the County Sheriff to Execute the  
Joint Powers Agreement/Grant Agreement with the State of  
Minnesota, Commissioner of Public Safety  
for the Child Sexual Predator Program

BE IT RESOLVED, that the Washington County Sheriff's Office is hereby authorized to enter into a JPA/grant agreement between the Washington County Sheriff's Office and the State of Minnesota, Commissioner of Public Safety, Bureau of Criminal Apprehension for the program entitled Child Sexual Predator Program.

BE IT FURTHER RESOLVED, that Sheriff William M. Hutton is hereby authorized to execute and sign this agreement and any amendments thereto, as are necessary to implement the program on behalf of the Washington County Sheriff's Office.

8. Approval to accept a donation in the amount of \$200 from Residential Mortgage Group on behalf of Ian Foslien of Maplewood, MN, and Anton H. Jensen of Lake Elmo, MN.

The foregoing Consent Calendar was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

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## **GENERAL ADMINISTRATION**

### **Distinguished Budget Presentation Award for 2010**

Molly O'Rourke, Deputy Administrator, presented the Board Chair with the Distinguished Budget Presentation Award from the Government Finance Officers Association for the 2010 budget document. This marks the 13<sup>th</sup> consecutive year that Washington County has received this award. Ms. O'Rourke thanked the Board and the Department Heads for their guidance and help.

### **Department of Natural Resources Report on the Acquisition of the Minnesota Zephyr Rail Line for a State Trail**

Joel Stedman, Department of Natural Resources (DNR) Central Region Manager, and Kent Skaar, DNR Acquisition and Development Specialist, reviewed the agency's plans to acquire the Minnesota Zephyr rail line from downtown Stillwater to the Gateway Trail in Grant. It is the hope of the DNR to purchase the rail bed and develop it into the Brown's Creek segment of the Willard Munger State Trail. The DNR requested the county's financial participation in the purchase of the corridor. Funds would come from the county's Land and Water Legacy program for the purchase. The board will consider the request at a future board meeting.

### **Flooding Situation**

Jim Schug, County Administrator, noted that last Friday Commissioner Pulkrabek signed a Declaration of Emergency in Washington County having to do with the response to the fall floods. Over the weekend the St. Croix and Mississippi Rivers crested. The City of Stillwater did an excellent job in preparing for the high water within the city, as well as the Cities of St. Paul Park and Newport. The county was prepared to bring a resolution declaring an emergency for today's meeting, but that was pulled because it would not meet state and federal aid for this kind of an incident. The communities are in the process of cleanup activities. The county's emergency staff was involved in communicating with the communities and helping them prepare for and deal with the effects of the flooding.

Commissioner Peterson thanked staff for their updates on the flooding situation. She also suggested that the county hold a workshop with the City of Newport to discuss purchasing the houses on that dike because she feels the dike is no longer viable.

### **Joint Meeting of the Washington and Ramsey County Board of Commissioners**

Mr. Schug reminded the Board that it will meet with the Ramsey County Board of Commissioners to discuss issues of mutual interest today at noon, at the Oak Marsh Golf Course in Oakdale.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Hegberg reported last week that he met at the VFW to discuss the Forest Lake Fourth of July parade. He actually met at the American Legion and wanted to make that clarification. He also attended Chief Deputy Sheriff Mike Johnson's retirement at the VFW in Oak Park Heights last week.

Commissioner Kriesel reported on his trip to Washington D.C. to meet with the legislative delegation to discuss the Gateway Corridor and the Stillwater Bridge. He believes it was a fruitful trip and they met with Senators Klobuchar and Franken, as well as Representative Bachmann. He noted that he and Commissioner Peterson will attend a Stillwater Bridge Alliance meeting on Wednesday, October 6. He also attended Chief Deputy Sheriff Mike Johnson's retirement at the VFW in Oak Park Heights. He met with the Office of Legislative Auditor to provide his opinions on possible Metropolitan Council governance and the Counties Transit Improvement Board governance.

Commissioner Peterson reported on the Minnesota High Speed Rail meeting she attended yesterday. The consultant doing the design and future implementation of the Minneapolis Rail Center stated it would be a challenge getting that in near the ballpark. The success of the trains for special events is enormous. They say that at least 30% of the attendees of the ballgames and special events are coming in by train and buses.

Commissioner Weik reported that she attended Chief Deputy Sheriff Mike Johnson's retirement at the Law Enforcement Center last week. She also attended the meeting that was held to discuss truck only and car only lanes with representatives from the Minnesota Department of Transportation and county staff. She felt it was a productive meeting to discuss possible highway solutions to manage congestion. The Minnesota Department of Transportation will prepare a white paper addressing the unanswered questions and framing the idea of truck only or car only lanes specifically on I-94 between the Wisconsin border and St. Paul.

Commissioner Pulkrabek reported that he attended a business forum prior to today's Board meeting to discuss the challenges that business owners face in Washington County and what the different levels of government can do to help out with those challenges. He also mentioned that a few people have asked him about the Environmental Center and why they do not take leaves and propane tanks. Mr. Schug indicated that the Environmental Center does take propane tanks. The issue of a composting site has some additional information that would need to be discussed, but they can plan a workshop with the Board to go over that at a later date. Commissioner Pulkrabek also announced that Anoka County Board Commissioner Dennis Berg will be retiring and a celebration will take place on December 8 with details to follow.

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**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**EXECUTIVE (CLOSED) SESSION WITH THE DEPARTMENT OF PUBLIC WORKS**

The Board met in Executive Session to discuss a settlement option for County Road 83 with BBP Development LLC in the City of Forest Lake at 10:10 a.m. Present for the Executive Session were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson and Weik. Also present were Jim Schug, Don Theisen, Wayne Sandberg, Sharon Price, Doug Johnson, Richard Hodsdon, James Zuleger, and Patricia Raddatz. Commissioner Hegberg left the Executive Session due to a possible conflict of interest.

The Board reconvened in open session at 10:24 a.m.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Weik moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously. The Board meeting adjourned at 10:25 a.m.

Bill Pulkrabek, Chair  
County Board

Attest:

James R. Schug  
County Administrator

