

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 9, 2006

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, Kriesel, Pulkrabek, and Stafford. Commissioner Hegberg absent. Board Chair Pulkrabek presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Director of Transportation and Physical Development; Jim Luger, Parks Director; John Elholm, Senior Planner; Steve Pott, Sheriff; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Dan Papin, Community Services Director; Kay McAloney, Director of Human Resources; Tom Adkins, Community Corrections Director; Christine Bray, Community Corrections Deputy Director; Cindy Koosmann, Recorder; and Steve Nelson, 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 Kriesel to adopt the following Consent Calendar:

1. Approval of the May 2, 2006 Board meeting minutes.
2. Approval of projects funded through the 2005 and prior Countywide Mission Directed Budget Savings Program totaling \$1,122,900 as follows: Upgrade Boardroom Equipment, \$29,000; Employee Benefit Self-Service Module, \$60,000; Emergency Enhancement Equipment, \$17,700; Microsoft Active Directory, \$41,100; Network Redundancy Project, \$140,000; Secondary ISP, \$55,000; Citrix Implementation, \$51,000; Storage Area Network, \$132,500; Blackberry Deployment, \$30,000; Fiber Connectivity, \$257,500; iSeries Backup Encryption, \$65,000; iSeries Security Software, \$28,000; JDEwards Security Module, \$18,100; Computer Room Improvements, \$103,000; Comprehensive Plan Consultant \$75,000; and Syslog Software, \$20,000.
3. Approval to change the standard hours of operation for the Government Center and the new service centers to 8:00 a.m. to 5:00 p.m. Monday through Friday effective September 5, 2006.

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4. Approval of the following appointments to the Public Health Emergency Preparedness Advisory Committee to first terms expiring December 31, 2006: Katherine Grimm, Allied Health Professional; Eric Johnson, Local Government; and Joseph Bauer, Mental Health Professional.
5. Approval of abatement in the amount of \$18,090 for property on 6370 Bailey Road, Woodbury, parcel #19.028.21.34.0001.
6. Approval of abatement in the amount of \$12,076 for the Liberty Outlot B Parcel, City of Stillwater #30.030.20.32.0097.
7. Approval of a reorganization that integrates social services accounting functions into the Community Services Department.
8. Approval of a new position in the Attorney's office, Assistant County Attorney Special Project (.50 F.T.E.) through June 30, 2007.
9. Approval of a Special Project Office Aide (1.00 F.T.E.) position in the Recorder's Department.
10. Approval to accept donations to the Washington County Library from the following individuals: Katherine J. Bredow, \$35.00; Peter A. Nelson, \$26.80; IBM Matching Gift, \$25.00; Jeanne L. Bloom, \$5.00; and miscellaneous small contributions \$7.83.
11. Approval to set a date for public hearing for the purpose of adopting a park ordinance and repealing Washington County Park Ordinance Nos. 93, 129 and 155 for May 23, 2006 at 9:00 a.m.
12. Approval and execution of Minnesota Department of Natural Resources Shoreland Restoration grant in the amount of \$18,782 for the restoration of native vegetation to the boat launch area in Big Marine Park Reserve.
13. Approval of Supplemental Agreement No. 6 with Tower Asphalt for 2005 overlay contract for inflationary costs due to the deferral of the project from 2005 to 2006.
14. Approval of final payment to Tower Asphalt in the amount of \$14,310 for 2003 overlays contract.

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

PUBLIC HEARING - TRANSPORTATION AND PHYSICAL DEVELOPMENT

Lake Elmo Park Reserve Master Plan Amendment

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The Board Chair presented a brief overview of today’s public hearing to consider an amendment to the Lake Elmo Park Reserve Master Plan. The Board Secretary confirmed that the notice of public hearing was published in the legal newspaper.

John Elholm, Senior Planner, reviewed the Lake Elmo Park Reserve Master Plan. He indicated that the original Master Plan was completed in 1978. The planning process has evaluated the few remaining facilities in the 1978 plan and investigated potential new program areas. It also looked at habitat restoration opportunities. There have been numerous public meetings throughout this process. Nineteen formal meetings have been held—five with the technical advisory committee, three public meetings, four city council meetings, five Parks and Open Space Commission meetings, and three meetings with the County Board including today. An outcome from these meetings is that the park should remain a park reserve and provide nature oriented outdoor recreation. The plan also emphasizes the importance of providing, protecting, and managing natural resources in the park while providing opportunities for the public to appreciate and enjoy these resources.

Mr. Elholm described the proposed development in the following areas:

Facility	1978	Existing	2006
Family Campsites	170	100	120
Hike-in Campsites	0	5	7
Group Campsites	3	3	3
Reservation Picnic Areas	3	2	2
Boat Launch Capacity	45	20	20
Handicapped Fishing Pier	1	1	2
Archery Range (Target)	0	1	1
Archery Range (Field)	0	0	1
Nature Center Facility	1	0	1
Amphitheater for Programs	0	1	2
Swimming Beach	1	1	1
Children’s Farm	1	0	0
Equestrian Trails/Camping	Yes	Yes	Yes
Mountain Bike Trails	Yes	Yes	Yes
Turf Hiking Trails	Yes	Yes	Yes
Trail Connection to Community	2	1	5

Facility	Change
Cross-Country Ski Trails	Add low voltage lights to existing trails.
Mountain Bike Trails	Make more environmentally sensitive & sustainable.
Trail Around Eagle Point Lake	Make primary trail starting at nature center accessible (pave).
Winter Recreation	Add ice skating, sliding and convert barn into trailhead.

Mr. Elholm indicated that the cities of Woodbury and Oakdale were supportive of the plan and the city of Lake Elmo was overall supportive of the plan but did have comments which are included for the record. The Washington County Parks and Open Space Commission was supportive of the plan and recommended its approval at their February 2006 meeting.

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Commissioner Peterson suggested that in addition to wheelchair handicapped accessibility she would like to see more accessibility for the hearing and vision impaired that would include more kiosks, Braille signing, or hearing enhanced video recordings of what is in the park.

James Burns, 11140 20th Street Court North, Lake Elmo – Mr. Burns stated he read in the newspaper that the “new master plan will include several new amenities such as additional boat launches and lighted trails”. However, during the previous presentation there was no additional boat launches listed. He asked which one is false. Jim Luger, Parks Director, stated there are no plans to add additional boat launch spots. The lighted trail is for the cross-country ski trail and a portion of that would be lighted with low level lighting.

Mr. Burns stated it is almost impossible for the residents who live on the lake to use it. They cannot leave their boats, motors or other things down there because things have been stolen. He feels it has diminished their use and enjoyment of the lake. He asked that the Board consider closing the lake to public use for one day a week so the residents can enjoy it. Mr. Luger stated that it is a regional park and it is a public lake and he does not see how they could possibly close it to users who are paying access to the park to launch their boats.

Jyneen Thatcher, 12999 Keller Avenue North, Hugo – Ms. Thatcher stated she was here representing the Ride and Glide Ski and Bike Club who has worked with the park over the years on some of the ski programs. They want to thank the county staff for the work they have done on this plan amendment and encourage the Board to approve it as is. The plan amendment provides for changes in the recreational demands in the area, yet it preserves and enhances the natural components of the park. The plan allows for the flexibility to be not locked into today’s standards of technology.

Judith Blackford, 9765 45th Street North, Lake Elmo – Ms. Blackford asked why the word “oasis” was taken out of the preamble in the Master Plan Revisions. She feels that should remain in there given the fact that it is to remain a nature oriented park. The bituminous trail that is to go around the lake, she wondered if there is another type of material that could be used that would allow cross-country skiing to take place. She wondered if there have been surveys performed and the number of people actually asking for some of these changes if it is really representative of the total populace.

Dean Johnston, City of Lake Elmo Mayor – Mayor Johnston stated that good work has been done on the plan and the City of Lake Elmo has general support for the plan. He did refer to the city’s letter dated February 10, 2006. There most enthusiastic support is for maintaining the status as a park reserve. There are issues that he asked the Board to maintain an ongoing awareness of. One of them is milfoil has been discovered in the lake. There is concern about what role the county will choose in maintaining and managing the milfoil. Another concern relates to development and its interpretation. The city feels it is imperative that the 80/20 formula be documented and verified for today and the future.

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Tim Wegner, 13282 Derryglen Court, Rosemount – Mr. Wegner serves on the Board of Directors of American Trails, and he is also on the Board of Directors of Minnesota Off Road Cyclists. He was pleased to see that mountain biking was kept in the Master Plan. Right now, there is not a trail in the eastern area of the metro area. They would also be interested in partnering with Washington County in securing funding for trail projects.

Susan Dunn, 11018 Upper 33rd Street North, Lake Elmo – Ms. Dunn stated that the purpose for the Regional Park Reserve originally was for everybody to know that this was a unique area in Washington County. At one time this area was scheduled for a garbage dump. The reason and purpose for a Regional Park Reserve is to protect and perpetuate non-urban areas that are significant in terms of landforms, lakes, streams, marshes and so on and that is what she is challenging everybody to remember. She has the same concern as Mayor Johnston about the alternation or modification of what developed meant. At the first meeting she attended the discussion talked about being 16 to 18% developed now and what would be done to modify that. Now, they are down to 6% developed. In the original plan that they worked with the county had permanent conservation areas designated in the plan. Those apparently are off the board now. She understands that the planners will be looking at the Cottage Grove Ravine Park, that is not a reserve and it can handle higher intense uses. She feels the educational center is important for environmental education. If this area is modified and abused it will never come back and the county will have lost a jewel.

The Board Chair asked for further comments; none were heard. The Board secretary indicated that she had received all the documentary evidence.

Commissioner Stafford stated he has reviewed Lake Elmo's letter of February 10, 2006. He agrees with Mayor Johnston that there are items that need definition, he is not sure if they necessitate keeping the public hearing open, maybe it is just research to be done in the future. The definition of what is the 80% uncompromised area and what is the 20% developed. The county says it is only 7% usage now and this plan would take it to 9% which means there is a tremendous amount for growth. There are other definitions that need to be made. Lake Elmo makes the statement that the Lake Elmo Fire and Rescue calls are significant and are paid for solely by the taxpayers of Lake Elmo. He would like to see numbers on that. There was a comment about the use of high performance boating on the lake. He is not sure what they are talking about. He asked Mr. Luger if the county has the authority to limit the horsepower of motors that would be used on the lake. Mr. Luger stated that the Minnesota Department of Natural Resources restricts that.

Commissioner Stafford asked if the State has a formula for how many boats a square mile of lake are deemed to be acceptable and how does Lake Elmo fit into that. Mr. Luger stated that Lake Elmo is approximately 206 acres. Right now there are 20 pull through spots. The DNR standards for that are 1 per 20 which would keep it to 10 boat launch spots, but within the metro area they go down to 1 per 10 which is what they are at now, 20 boat launch spots.

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Commissioner Stafford asked that sometime in the future he would like to find out what the number of rescue runs are. He would also like more of a definition of how the county got the 7% developed, and how the Mayor thinks the park is already at 20%. He will not hold up the Master Plan to get these answers.

Commissioner Pulkrabek reiterated questions asked by people who spoke: Request to leave the word “oasis” in the preamble; Having trails for cross-country skiing other than the bituminous; Who was surveyed—general populace or those who came to the park; Milfoil; and Definition of a trail, it was feet now it is changed so the park is less developed; Permanent areas never to be developed, are they now going to be developed and why did that change.

Commissioner Kriesel asked about the boat launch area. Is that maxed out all year, the 20 spots. Mr. Luger stated on the weekends it is. During the week it isn't.

Commissioner Kriesel asked if he could launch his fishing boat and have his wife take the trailer home and come back and get him later, is that acceptable. Mr. Luger stated one of the issues they have had over the years is that they know the people who live on the lake come, launch their boat, leave and go back home. There is a question of how do they charge these people. They do not encourage that type of use. There is a reason the DNR put a certain usage on the lake and said 20 boat launch sites that is so the use on the lake would be limited to what they felt the capacity of the lake could actually handle.

Commissioner Kriesel stated back in 1978 it was targeted for 45 spots and then that was downsized to 20 based on this standard. Mr. Luger stated there was an agreement between the DNR, Washington County and the City of Lake Elmo to have 20 spaces.

Commissioner Peterson moved to close the public hearing to consider an amendment to the Lake Elmo Park Reserve Master Plan. Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

Commissioner Peterson moved to adopt **Resolution No. 2006-070** as follows:

Approval of the Lake Elmo Park Reserve
Master Plan Amendment

WHEREAS, the existing Lake Elmo Park Reserve Master Plan was completed over 25 years ago and is in need of updating; and

WHEREAS, the Washington County Board of Commissioners adopted the Parks Vision, which calls for review of all existing park master plans; and

WHEREAS, the Washington County Parks and Open Space Commission reviewed the existing Lake Elmo Park Reserve Master Plan and recommended the plan be updated and amended; and

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WHEREAS, the Washington County Board of Commissioners directed the Washington County Park Staff to retain a consultant and conduct a master plan review; and

WHEREAS, the Washington County Park Staff has completed a master plan review through a lengthy public process, which meets Metropolitan Council requirements for public input.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners approves the Lake Elmo Park Reserve Master Plan Amendment and forwards the plan to the Metropolitan Council for review and approval.

Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioner Hegberg absent.

Commissioner Pulkrabek left the meeting at 9:55 a.m.

TRANSPORTATION AND PHYSICAL DEVELOPMENT

Amendments to Construction Manager Contracts for the North and South Service Centers

Commissioner Peterson moved to approve amendments to the construction manager contracts with Kraus Anderson Construction Company for the South Service Center and the North Service Center/Library Construction Management in the amount of \$67,622. Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioners Hegberg and Pulkrabek absent.

Contracts for Construction Inspection at the North and South Service Centers

Commissioner Peterson moved to approve contracts with Encompass Engineering Consultants for construction inspection at the South Service Center for \$35,000 and North Service Center/Library for \$38,000. Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioners Hegberg and Pulkrabek absent.

SHERIFF'S OFFICE

Sheriff Steve Pott stated that the City of Cottage Grove has decided to close their Communications Center. As a result, the Sheriff's Office is requesting additional staff to handle the 15,000 calls per year that will now be routed to Washington County Communication Center.

Commissioner Peterson moved to approve the following positions in the Sheriff's Office: five F.T.E. Public Safety Dispatchers, and one F.T.E. Public Safety Answering Point Coordinator. Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioners Hegberg and Pulkrabek absent.

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GENERAL ADMINISTRATION

Jim Schug, County Administrator, presented a brief legislative update.

Commissioner Pulkrabek returned at 10:30 a.m.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

The Board of Commissioners recessed for a Closed Session.

CLOSED SESSION

The Board met in closed session with the County Attorney's Office to discuss the status of pending litigation, Hilyar v. Washington County, et al concerning the tax forfeiture of the Hilyar property in Lake Elmo, the time being 10:47 a.m. Present for the closed session were Commissioners Peterson, Kriesel, Pulkrabek, and Stafford. Also present were Jim Schug, Molly O'Rourke, Doug Johnson, Kevin Corbid, Tom Collins, Carlson & Soldo, Nigel Mendez, Carlson & Soldo, and Patricia Raddatz.

The Board reconvened at 11:14 a.m.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Peterson and it was adopted unanimously; Commissioner Hegberg absent. The Board meeting adjourned at 11:15 a.m.

BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT

The Board met in workshop session with the Department of Transportation and Physical Development for an update on the Government Center south parking lot design and campus stormwater management plan. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Stafford, and Peterson. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Ted Schoenecker, Ann Pung-Terwedo, and Judy Spooner, Washington County Bulletin.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator