

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**MAY 8, 2007**

The Washington County Board of Commissioners met in regular session at 8:30 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; Don Theisen, Director of Transportation and Physical Development; John Elholm, Sr. Planner; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Sharon Price, Right-of-Way Specialist; Barbara Dacy, Housing and Redevelopment Authority Executive Director; Harley Will, Financial Services Director; Kevin Corbid, Director of Property Records and Taxpayer Services; Mjyke Nelson, Information Technology Director; Kay McAloney, Human Resources Director; 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 audience; none were heard.

**CONSENT CALENDAR**

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

1. Approval of the April 24, 2007 Board meeting minutes.
2. Approval to issue five fuel credit cards for the Sheriff's Office staff to use when transporting inmates.
3. Approval of an amendment to a Joint Powers Agreement between Washington County and the City of Oakdale for election administration services.
4. Approval of a Joint Powers Agreement between Washington County Elections and School District 834, Stillwater Area Schools to provide election administration services.
5. Adoption of **Resolution No. 2007-057** as follows:

Acquire Right of Way on CSAH 18

BE IT RESOLVED that Washington County proceed to improve a portion of County State Aid Highway 18 south of I-94 to 7<sup>th</sup> Street, located in Section 2, Township 28 North, Range 20 West and Section 35, Township 29 North,

Range 20 West, in the Cities of Lakeland and Lakeland Shores as shown on the attached map.

And that the officers of said county, including the County Engineer, the County Administrator and the County Attorney, shall proceed and are hereby authorized to proceed to acquire, by negotiations and purchase, right of way to establish said highway plus sight corners, permanent slope, drainage and utility easement, and temporary construction easement. And such officers are specifically authorized to take such action and execute such instruments if any be necessary, to acquire said right of way and associated easements.

- 6. Bids were received for the provision and application of cracksealant on various county roads as follows:

Bidder	Price Per Unit (Approximate Quantity of 85,000 lbs)	Total Bid
Astech Asphalt Surface	\$1.43	\$123,290
American Pavement Solutions	\$1.44	\$134,000
Bergman Companies, Inc.	\$1.73	\$147,630
Fahrner Asphalt Sealers	\$1.76	\$152,500

Adoption of **Resolution No. 2007-058** as follows:

Bid Award for Crackseal Provision and Application on  
County Roads for 2007 to Astech Asphalt Surface

WHEREAS, in order to complete road maintenance during 2007 on county roads to fill cracks in highway surfaces, the county solicited bids for the project; and

WHEREAS, bids were opened on April 24, 2007, with Astech Asphalt Surface being the lowest responsible bidder; and

NOW, THEREFORE, BE IT RESOLVED, that the bid of Astech Asphalt Surface be accepted and the county enter into a contract with Astech Asphalt Surface under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the county and Astech Asphalt Surface be executed through the signatures of the Chairman 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.

- 7. Approval of a cost share agreement with the South Washington Watershed District for the construction of a storm water management program located in the City of Cottage Grove.

The foregoing Consent Calendar was adopted unanimously.

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**EXECUTIVE (CLOSED) SESSION WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT**

The Board met in Executive Session at 8:41 a.m. to discuss the following items: global settlement option for CSAH 8, the Marvin and Judith LaValle parcel; and, settlement option for CSAH 13, US Homes parcels. Present for the Executive Session were Commissioners Peterson, Pulkrabek, Kriesel, Orth, and Hegberg. Also present were Jim Schug, Rick Hodsdon, Don Theisen, Wayne Sandberg, Sharon Price, and Patricia Raddatz.

The County Board reconvened at 9:15 a.m.

**STILLWATER AREA HIGH SCHOOL CLASS**

Board Chair Kriesel welcomed the 12<sup>th</sup> Grade Governance and Politics Class from the Stillwater Area High School and their teacher, Kathleen Ferguson Quinn.

**WASHINGTON COUNTY HOUSING AND REDEVELOPMENT AUTHORITY**

Commissioner Pulkrabek moved to adopt **Resolution No. 2007-059** as follows:

Declaration of Official Intent to Provide a Loan to the  
Housing and Redevelopment Authority  
in and for the County of Washington

WHEREAS, Whispering Oaks Mobile Home Park (the “Park”) is a manufactured home park located south of 50th Street North, east of Hadley Avenue and west of I-694 in Oakdale, Minnesota (the “City”); and

WHEREAS, the Housing and Redevelopment Authority in and for the County of Washington (the “Authority”) has been the owner of the Park since 1993; and

WHEREAS, the Authority has determined that it would not be financially viable to continue to operate the Park as a manufactured home park and that the most prudent use of resources would be to replace the existing use with new, affordable housing options for a variety of families in different life stages; and

WHEREAS, the Authority has estimated that the cost to relocate current residents of the Park, replace infrastructure and otherwise prepare the site for redevelopment will be approximately \$8.1 million, including \$2.3 million of indebtedness incurred by the Authority to purchase the Park which is due in 2009 (the “Acquisition Debt”); and

WHEREAS, creation of the Redevelopment Plan by the Authority under Minnesota Statute, Section 469.10 and the costs related to the redevelopment are set forth in Minnesota Statute, Section 469.012 subd. 1h; and

WHEREAS, the Authority has entered into a Purchase Agreement with Red Oak Preserve LLC (the “Redeveloper”) which provides for the construction of new infrastructure and a variety of affordable and market-rate, rental and for-sale housing units on the site; and

WHEREAS, pursuant to Minnesota Statute Section 469.175 subd. 3(e) the Board of Commissioners (the “Board”) of the County of Washington (the “County), by its Resolution No. 2005-121, approved Redevelopment Project No. 2, and Redevelopment Plan, the creation of Tax Increment Financing District No. 2-1 and attendant Tax Increment Financing Plan relating to redevelopment of the Park; and

WHEREAS, the Authority has requested the County to either issue general obligation bonds or provide a loan to the Authority in 2009, the proceeds of which bonds or loan would be used to repay the Authority’s Acquisition Debt; and

WHEREAS, Minnesota Statute Section 469.041 (9), authorizes the County to furnish funds through a loan or otherwise available to it from any source including the proceeds of bonds, to the Authority to pay all or any part of the cost to the Authority of the activities authorized by Minnesota Statute Section 469.012, subd. 1h.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners (the “Board”) of the County of Washington, Minnesota (the “County”), as follows:

The Board hereby declares its intent to provide a loan to the Authority in 2009, the proceeds of which loan would be used to repay the Authority’s Acquisition Debt, provided that the Authority pledges tax increment from Tax Increment Financing District No. 2-1 to the repayment of the loan and, if necessary, agrees to levy to provide for repayment of the loan; and also provided that the making of such loan does not violate any law or regulation applicable to the County.

Commissioner Peterson seconded the motion and it was adopted unanimously.

**TRANSPORTATION AND PHYSICAL DEVELOPMENT**

**Bid Award – Phase I Development of Big Marine Park Reserve**

Bids were received for Phase I Development of Big Marine Park Reserve as follows:

Bidder	Base Bid	Alternate #2	Alternate #3	Alternate #4	Alternate #9	Total Bid
Pember Comp., Inc.	\$2,538,674.42	\$86,600.00	\$66,320.00	\$15,000.00	\$5,400.00	\$2,711,994.42
Lund-Martin Const., Inc.	\$2,673,594.94	\$78,701.13	\$75,065.88	\$63,847.10	\$5,797.00	\$2,897,006.05
Ebert Construction	\$2,780,912.88	\$76,038.21	\$99,844.60	\$39,762.12	\$2,636.80	\$2,999,194.61
Parkos Const. Co.	\$2,768,644.28	\$98,700.00	\$97,800.00	\$32,670.00	\$6,000.00	\$3,003,814.28
Arkay Const. Co	\$2,934,256.20	\$90,000.00	\$0.00	\$38,000.00	\$0.00	\$3,062,256.20
Arnt Construction Co.	\$2,874,610.90	\$80,690.00	\$92,800.00	\$26,700.00	\$32,300.00	\$3,107,100.90
Freichs Const. Co.	\$2,956,252.49	\$98,657.00	\$83,568.00	\$27,999.00	\$6,144.00	\$3,172,620.49
Rochon Corp.	\$2,984,339.72	\$90,000.00	\$83,000.00	\$64,000.00	\$2,720.00	\$3,224,059.72
LS Black Const., Inc.	\$2,973,584.45	\$82,096.00	\$146,000.00	\$47,292.00	\$6,160.00	\$3,255,132.45
Forest Lake Const. Inc.	\$3,297,302.50	\$80,000.00	\$107,000.00	\$21,000.00	\$5,500.00	\$3,510,802.50
Dresel Const., Inc.	\$4,401,718.47	\$132,000.00	\$14,500.00	\$24,000.00	\$5,000.00	\$4,577,218.47

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Commissioner Orth moved to award the bid for Phase I development of Big Marine Park Reserve to Pember Companies, Inc., selected bidder, in the amount of \$2,711,944.42 conditioned upon the execution of a contract as approved by law. Commissioner Peterson seconded the motion and it was adopted unanimously.

**Acquire Right of Way for Reconstruction of CSAH 15, Manning Avenue**

Commissioner Peterson moved to adopt **Resolution No. 2007-060** as follows:

Acquire Right of Way on CSAH 15

BE IT RESOLVED, that Washington County proceed to improve a portion of County State Aid Highway 15 between T.H. 36 and CSAH 12 (75<sup>th</sup> Street) located in Sections 25 and 36 Township 30 North, Range 21 West and in Sections 30 and 31, Township 30 North Range 20 West, in the cities of Grant and Stillwater as shown on the attached map.

BE IT FURTHER RESOLVED, that the officers of said county, including the County Engineer, the County Administrator and the County Attorney, shall proceed and are hereby authorized to proceed to acquire, by negotiations and purchase and if necessary the exercise of eminent domain, right of way to establish said highway plus sight corners, permanent slope, drainage and utility easements, and temporary construction easements. Such officers are specifically authorized to take such action and execute such instruments and plats if any be necessary, to acquire said right of way and associated easements.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

**GENERAL ADMINISTRATION**

Jim Schug, County Administrator, presented a brief legislative update on the following items: Capital budget bill was vetoed, which contained a number of items of interest to the county; the House and Senate passed a state government bill and the economic development bill, however the Governor has indicated he will veto those, and the state government bill included the \$1 million appropriation for the Disabled Veterans Rest Camp; the legislature passed the public safety bill and the environmental bill, and the governor has indicated he will sign those; the public safety bill includes funding for the short-term offenders being housed in county jails and funding for Community Corrections, and felony case load reduction; in the Senate health and human services bill the chemical dependency consolidated fund maintenance of effort amount was removed; a small appropriation was made for existing drug courts, possibly one additional; the transportation budget bill is still up in the air, but they have agreed to apply the new CSAH formula to any new gas tax, license tab fees, and it will be used for the phase-in of the MVST percentage that was approved last year through the constitutional amendment. Mr. Schug indicated there is some money in the health and human services omnibus bill for backfilling some of the lost federal funds for targeted case management and child support, but unfortunately that is in the bill that is going to be vetoed.

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Commissioner Hegberg asked how the courthouse sales tax fared. Mr. Schug indicated that did not survive, it will not be included in the tax bill.

Mr. Schug indicated that under the transportation bill, there is agreement about the wheelage tax being removed from motor bikes and it has been taken off of large trucks over 26,000 pounds.

### **COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reported that she met with Mike Rogers from Transportation and Physical Development and Senator Katie Sieben last week to talk about transportation legislation and the continued funding of the county's corridors particularly the I-94 corridor. Senator Sieben stated she was interested in transportation and she will also be sitting on the high-speed rail initiative.

Commissioner Peterson complimented John Elholm, Sr. Planner, on his presentation of the Cottage Grove Ravine Regional Park and how he answered questions from the audience.

Commissioner Orth reported that he received a disaster and terrorism tool kit from the National Association of Counties containing a documentation video and software resources for elected officials. He will give this to the county's emergency services manager for her review.

Commissioner Hegberg reported on a meeting he attended with the Housing and Redevelopment Authority for a proposed senior housing project in Forest Lake with 80 units. Twenty units would be at 30% of the income level; 40 units at 50%; and 20 units at 80%. He was surprised that one apartment unit costs \$186,000. They are applying for grants and hopefully the land will be donated or partially donated by the city to drive down the costs per unit.

Commissioner Kriesel reported on the Metro Energy Task Force which is still working to form a governance structure for the wind initiative partnership with rural counties. Yesterday he met with Stillwater bridge advocates from Minnesota and Wisconsin to discuss the new bridge and how to keep interest in that going. Stillwater Mayor Harycki intends to call a meeting with the Minnesota and Wisconsin Departments of Transportation to figure out the significance of the 2024 date for construction.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

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**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. The Board meeting adjourned at 10:04 a.m.

Gary Kriesel, Chair  
County Board

Attest:

James R. Schug  
County Administrator

