

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
APRIL 6, 2010**

**WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY**

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; Linda Krafthefer, Assistant County Attorney; Doug Johnson, County Attorney; Dan Papin, Community Services Director; Harley Will, Accounting and Finance Director; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Cory Slagle, Transportation Manager; Ted Schoenecker, Transportation Manager; Kevin Corbid, Director of Property Records and Taxpayer Services; Rose Peterson, Central Services Supervisor; Greg Wood, Facilities Manager; Vicki DeFord, Deputy Human Resources Director; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Lowell Johnson, Director of Public Health and Environment; Mjyke Nelson, Information Technology Director; 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 9:25 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; Linda Krafthefer, Assistant County Attorney; Doug Johnson, County Attorney; Dan Papin, Community Services Director; Harley Will, Accounting and Finance Director; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Cory Slagle, Transportation Manager; Ted Schoenecker, Transportation Manager; Kevin Corbid, Director of Property Records and Taxpayer Services; Rose Peterson, Central Services Supervisor; Greg Wood, Facilities Manager; Vicki DeFord, Deputy Human Resources Director; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Lowell Johnson, Director of Public Health and Environment; Mjyke Nelson, Information Technology Director; and Yvonne Klinnert, Public Information Coordinator II.

**COMMENTS FROM THE PUBLIC**

Ken Heuer, Oakdale, addressed the Board on property taxes. He recently reviewed in the metro area what homes are selling for compared to what they were appraised at. He found that homes in the

April 6, 2010

\$350,000 range were selling for \$31,000 to \$41,000 less than the appraised value. In the \$300,000 range they were selling for \$28,000 to \$36,000 less than the appraised value. In the \$250,000 range they were selling for \$22,000 to \$30,000 less than the appraised value. This tells him that the assessors are not dropping the prices for homeowners enough. Now the legislature has passed a law that makes a tax assessor a professional appraiser. He finds that disturbing and a conflict of interest. Three other states in the union believe so also and have taken it to the Supreme Court. At the price that it costs to take this all the way through tax court, he feels it is totally unjustifiable for anybody to fight their appraisals any more. With the taxes being this high it is starting to affect the elderly. The retirees cannot afford to stay in their homes and are starting to lose their houses.

### **CONSENT CALENDAR**

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

1. Approval of the March 9, 16, and 23, 2010 Board meeting minutes.
2. Approval to appoint Cheryl Beaumier, St. Paul College, to the Workforce Investment Board, representing Post-Secondary Education, to a two-year term expiring June 30, 2012.
3. Approval to revise the following policies: Policy #2501, Payment of County Obligations; and Policy #2803, Fund Descriptions.
4. Approval of the 2010-2011 contract with Minnesota State Operated Community Services to provide home and community based services to individuals with developmental disabilities on Medical Assistance waivers.
5. Approval to ratify the 2010-2011 wages and health insurance for Confidential Employees as follows:

Wages:

General Increase for 2010 – 0%

General Increase for 2011 – 0%

Annual Step increase for 2010 – granted for those employees that are eligible in the range.

Annual Step increase for 2011 – 0%

No merit pay for eligible employees for 2010 and 2011

April 6, 2010

2010 Health Insurance Employer Contribution – no change from 2009:

<u>Aware \$20 Office Visit Copay</u>		<u>Aware \$25 and \$30 Office Visit Copay and \$500/75% Plans</u>	
Single	\$433/month	Single	\$480/month
Employee + Child(ren)	\$433/month	Employee + Child(ren)	\$524/month
Employee + Spouse	\$589/month	Employee + Spouse	\$708/month
Family	\$619/month	Family	\$829/month

Insurance Reopener for 2011.  
No change in flex credits for 2010.

6. Approval of inter-county agreement with Chisago County for reciprocal use of household hazardous waste collections and authorize execution by Board Chair and Administrator.
7. Approval of Change Orders #8-12 to contract with General Sheet Metal Company, Inc. for the 2025 Government Center Campus Improvements Project.
8. Approval of Change Orders #5 and #13 to contract with Commercial Drywall, Inc. in the amounts of \$10,084.03 and \$145,978.99 respectively, for the 2025 Government Center Campus Improvements Project.
9. Approval of Change Orders #18 and #21 to contract with Peoples Electric, Inc. in the amounts of \$43,549 and \$16,476 for the 2025 Government Center Campus Improvements Project.
10. Approval of Change Order #8 to contract with Ramsey Excavating, Inc. in the amount of \$1,859 for the 2025 Government Center Campus Improvements Project.
11. Approval of Change Orders #6 and #11 to contract with Gresser Companies, Inc. in the amounts of \$13,530.18 and \$3,977 respectively, for the 2025 Government Center Campus Improvements Project.
12. Adoption of **Resolution No. 2010-039** as follows:

Salem Lutheran Church Overflow Parking Lease Amendment

WHEREAS, the County of Washington and the Salem Lutheran Church entered into a lease agreement #1264 providing for overflow parking to the Government Center; and

WHEREAS, the term of lease agreement #1264 expired December 31, 2009; and

WHEREAS, the County of Washington and Salem Lutheran Church wish to extend the term of said lease agreement to December 31, 2010 through the execution of Amendment 9 to Lease #1264; and

April 6, 2010

WHEREAS, Salem Lutheran Church has approved and signed said Amendment 9 to Lease #1264; and

NOW, THEREFORE BE IT RESOLVED, that Amendment 9 to Lease #1264 between the County of Washington and Salem Lutheran Church be executed through the signatures of the Chairman of the Washington County Board of Commissioners and Washington County Administrator without further action of the County Board conditioned upon compliance with all lease specifications, requirements, and approval as to form by the Washington County Attorney's office.

13. Adoption of **Resolution No. 2010-040** as follows:

State of Minnesota Monitoring Equipment Site Lease

WHEREAS, the County of Washington and the State of Minnesota entered into a five-year lease agreement numbered A73307 providing for an air pollution control-monitoring site operated by the Minnesota Pollution Control Agency (MPCA) and located at the Washington County Public Works North Maintenance Shop; and

WHEREAS, the term of lease agreement numbered A73307 expires April 30, 2010; and

WHEREAS, the State of Minnesota has submitted a new five-year lease agreement numbered PC0011 extending the term of the lease to April 30, 2015; and

WHEREAS, the County of Washington and the State of Minnesota wish to continue the lease arrangement through the acceptance of the terms and conditions set forth in lease agreement numbered PC0011; and

BE IT FURTHER RESOLVED, that the lease between the County of Washington and the State of Minnesota be executed through the signatures of the Chairman of the Washington County Board of Commissioners and Washington County Administrator without further action of the County Board conditioned upon compliance with all lease specifications, 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: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

**INFORMATION TECHNOLOGY**

Commissioner Peterson moved to approve a Joint Powers Agreement for development of optical fiber network with Independent School District #833. Commissioner Kriesel seconded the motion and it was adopted 5-0 with a roll call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

April 6, 2010

**PUBLIC WORKS****Contract with SRF Consulting Group – County Road 83 Overpass in Forest Lake**

Commissioner Hegberg moved to approve a contract with SRF Consulting Group, Inc. for construction inspection services for County Road 83 overpass construction project in Forest Lake in an amount not to exceed \$724,270. Commissioner Peterson seconded the motion and it was adopted unanimously.

**Bid Award – County Road 83 Project to Robert R. Schroeder Construction**

Bids were received for construction of the County Road 83 overpass project in the City of Forest Lake as follows:

<u>Bidder</u>	<u>Amount</u>
Robert R. Schroeder Construction	\$6,679,839.80
Lunda Construction	\$6,693,793.40
Forest Lake Contracting	\$6,774,183.15
Shafer Contracting	\$7,107,198.50
Redstone Construction	\$7,176,901.36
Edward Kramer & Sons	\$7,193,376.71
Mathiowetz Construction	\$7,195,090.63
Knife Lake Concrete	\$7,498,422.15
Hoffman Construction	\$7,546,967.24

Commissioner Hegberg moved to adopt **Resolution No. 2010-041** as follows:

Bid Award for County Road 83 Overpass  
Construction Project in the City of Forest Lake, MN  
to Robert R. Schroeder Construction

WHEREAS, in order to complete road and bridge reconstruction, the county solicited bids for this project; and

WHEREAS, bids were opened on February 11, 2010, with Robert R. Schroeder Construction being the lowest responsible bidder; and

BE IT RESOLVED, that the bid of \$6,679,839.80 be accepted and the county enter into a contract with Robert R. Schroeder Construction under the terms and conditions set forth in the bid specification documents; and

BE IT FURTHER RESOLVED, that the contract between the county and Robert R. Schroeder Construction 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

April 6, 2010

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 5-0 with a roll call vote as follows:  
Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

**Contract with the State of Minnesota – County Road 83 Overpass**

Commissioner Hegberg moved to adopt **Resolution No. 2010-042** as follows:

Resolution for Agency Agreement with Minnesota Department of  
Transportation for Oversight Engineering for County Road 83 Bridge  
Over Trunk Highway 35 Project in Forest Lake, MN

IT IS RESOLVED that Washington County enter into Mn/DOT Agreement No. 95985P with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the county to the State for the State's cost for oversight engineering for construction of County Road 83 bridge over T.H. 35 and other associated construction and for the maintenance responsibilities of the County Road 83 bridge construction over T.H. 35 under State Project No. 8280-42 and SP 82-596-04.

IT IS FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to execute the Agreement and any amendments to the Agreement.

Commissioner Peterson seconded the motion and it was adopted 5-0 with a roll call vote as follows:  
Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

**GENERAL ADMINISTRATION**

**Reappointment of County Engineer**

Commissioner Peterson moved to adopt **Resolution No. 2010-043** as follows:

Appointment of County Highway Engineer

WHEREAS, Minnesota Statute 163.07 requires each county to appoint and employ a County Highway Engineer; and

WHEREAS, the Washington County Board first appointed Donald J. Theisen as the County Engineer effective May 1, 2002 ; and

WHEREAS, Mr. Theisen's current four-year appointment as County Engineer expires on April 30, 2010; and

April 6, 2010

WHEREAS, it is the recommendation of the County Administrator to reappoint Donald J. Theisen to another four-year term.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners does hereby reappoint Donald J. Theisen as the Washington County Highway Engineer for a four-year term effective May 1, 2010 through April 30, 2014.

Commissioner Kriesel seconded the motion and it was adopted 5-0 with a roll call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

**Grant with the Department of Natural Resources for Acquisition of Property Along the St. Croix River**

Commissioner Peterson moved to adopt **Resolution No. 2010-044** as follows:

Approval of Department of Natural Resources Metro Greenways  
Grant Agreement Providing Eighty Thousand Dollars to  
Washington County to Acquire Interests in Property  
Through the Land and Water Legacy Program

WHEREAS, on December 18, 2007, the County Board authorized staff to begin valuations and negotiations on selected Land and Water Legacy Program projects, providing the county an opportunity to acquire land and an interest in the land; and

WHEREAS, Washington County desires to leverage its funds by securing funds from outside sources; and

WHEREAS, the Tim Behrends project meets the criteria of the Department of Natural Resources Metro Greenways Program grants, including the nominated site must be located within a Metro Conservation Corridor Focus Area, have high overall ecological significance, involve a willing landowner, and have community support; and

WHEREAS, the Department of Natural Resources, through its Metro Greenways Program, has awarded Washington County eighty thousand dollars (\$80,000) to acquire an interest in the form of a conservation easement over property owned by Tim Behrends with parcel identification numbers 3302720320001; 3302720410004; 3302720420003; 3302720420001; 33020310004; and 3302720310003; and

WHEREAS, the grant funds are available on a reimbursement bases until June 30, 2011;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Department of Natural Resources Metro Greenways Grant Agreement to use to acquire interests in property through the Land and Water Legacy Program and authorizes the county board chair and the county administrator to sign the agreement.

Commissioner Pulkrabek seconded the motion and it was adopted 5-0 with a roll call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

April 6, 2010

**Grant with the Department of Natural Resources for Acquisition of Property Along Valley Creek**

Commissioner Peterson moved to adopt **Resolution No. 2010-045** as follows:

Approval of Department of Natural Resources Conservation  
Partners Legacy Grants Program Agreement Two Hundred Seventeen  
Thousand Five Hundred and Thirty Three Dollars to Acquire Interests in  
Property through the Land and Water Legacy Program

WHEREAS, on December 18, 2007, the County Board authorized staff to begin valuations and negotiations on selected Land and Water Legacy Program projects, providing the county an opportunity to acquire land and an interest in the land; and

WHEREAS, Washington County desires to leverage its funds by securing funds from outside sources; and

WHEREAS, the Jack Daley project meets the criteria of the Conservation Partners Legacy Grants Program; and

WHEREAS, the Department of Natural Resources, through its Conservation Partners Legacy Grants Program, has awarded Washington County two hundred seventeen thousand five hundred and thirty three dollars (\$217,533) to acquire an interest in the form of a conservation easement over property owned by Jack Daley with parcel identification number 1702820410001; and

WHEREAS, the grant agreement requires Washington County to provide a match in the amount of twenty one thousand seven hundred and fifty three dollars (\$21,753); and

WHEREAS, the grant funds are available on a reimbursement bases until June 30, 2012;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Department of Natural Resources Conservation Partners Legacy Grant Agreement and the requisite twenty one thousand seven hundred and fifty three dollars (\$21,753) to acquire interests in property through the Land and Water Legacy Program and authorizes the county board chair and the county administrator to sign the agreement.

Commissioner Kriesel seconded the motion and it was adopted 5-0 with a roll call vote as follows:  
Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

**Counties Transit Improvement Board Trip to Washington D.C.**

The Board discussed the possibility of sending a Commissioner to Washington D.C. who would join a group of other Counties Transit Improvement Board (CTIB) members to meet with members of the Federal legislative delegation to discuss projects that are under the CTIB umbrella. The trip is scheduled for April 21-22. Two items that Washington County would be interested in are: a request for

April 6, 2010

funding for the Red Rock Corridor in the amount of \$4 million for a three-year demonstration bus service starting in fiscal year 2011; and the second item would be the I-94 corridor and it is a request for \$4 million for an environmental assessment, preliminary engineering, final design, and right-of-way acquisition and that is a high priority project under the transportation reauthorization bill for fiscal year 2011. It was Board consensus that because of budgetary constraints, and that the CTIB had met with Federal legislative staff recently, not to send a Commissioner to Washington D.C. at this time.

### **Legislative Update**

Jim Schug, County Administrator, presented a brief legislative update. Prior to the Easter recess the legislature did sign the supplemental budget bill that was approved by the conference committee and that has reduced the \$1 billion deficit by about \$300 million. This will mean a reduction in market value homestead credit of \$1.7 million instead of the \$4.1 million in county program aid. Mr. Schug noted that Administration is meeting with each department to review their proposals for what services, programs, and activities may need to be cut in order to balance the 2010 budget. A workshop will be held with the County Board in the near future to determine what budget changes need to be made in the current fiscal year budget.

Kevin Corbid, Director of Property Records and Taxpayer Services, reviewed legislation that the county was seeking to sell tax forfeited parcels along the St. Croix River to the National Park Service. A bill was drafted and has been moving through the legislature. Late last week the National Park Service called the county and indicated that the National Scenic and Wild River Act prohibits them from purchasing property within any of the areas that the Act entails. The National Park Service is still interested in acquiring those parcels, but the county would need to donate the land rather than selling it to the National Park Service. Mr. Corbid is seeking direction from the County Board, before they amend the bill to give authority to convey the parcels at no consideration, as to whether the Board was comfortable with that position.

Commissioner Hegberg moved to authorize staff to amend the legislative request to donate certain parcels along the St. Croix River to the National Park Service rather than selling the parcels to the National Park Service. Commissioner Peterson seconded the motion and it was adopted unanimously.

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

Commissioner Peterson congratulated James McCalvy, who is receiving his Eagle Scout Award this Sunday.

April 6, 2010

Commissioner Weik spoke at the Child Abuse Protection Council program remembering those children who died in the past year as a result of child abuse and neglect. It was held at the Historic Courthouse yesterday.

Commissioner Weik raised an issue that has been brought forward at the Solid Waste Management Coordinating Board. It appears that the current six-year funding agreement between the Minnesota Pollution Control Agency and the Solid Waste Management Coordinating Board is set to expire on June 30. There was a special meeting of the Solid Waste Management Coordinating Board and it approved seeking a term extension to the agreement. They are moving forward to seek legislative authority to secure the use of the remaining funds for 2010 and seek a legislative solution if they cannot come to an agreement on this funding.

Commissioner Weik attended the Association of Minnesota Counties Legislative Conference. There was a legislative workshop on Charter counties. It is a results based government. The goals are to be treated as equal partners and not indentured servants. Iowa won an innovation award in 2004 to free up local government.

Commissioner Weik attended the Metro Energy Policy Coalition meeting. The main speaker spoke on understanding the differences between various carbon management strategies. This is something that will be affecting local governments in the future as far as tracking carbon use and accounting practices. It may impact who the county chooses as suppliers or vendors.

Commissioner Weik noted that the Central Corridor talks with the University of Minnesota have become bitter and are breaking down.

Commissioner Kriesel stated they had an initial meeting of the Stillwater Bridge advocacy group. There was discussion of alternative funding sources and Commissioner Peterson spoke against toll funding for the bridge.

### **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 Kriesel and it was adopted unanimously. The Board meeting adjourned at 10:42 a.m.

April 6, 2010

**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 the assessment year 2010/pay 2011 property valuations. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Also present were Jim Schug, Molly O'Rourke, Harley Will, Tom Adkins, Mjyke Nelson, Kevin Corbid, Jody Moran, Bruce Munneke, Rollie Huber, Jane Harper, and Sheriff Bill Hutton.

**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to review the highlights of the new Federal health care reform law. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Also present were Jim Schug, Molly O'Rourke, Lowell Johnson, Sue Hedlund, Vicki DeFord, Dan Papin, Patrick Singel, Sheriff Bill Hutton, and Harley Will.

Bill Pulkrabek, Chair  
County Board

Attest:

James R. Schug  
County Administrator

