

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 26, 2009

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, Peterson, Weik, and Kriesel. Commissioner Pulkrabek absent. RRA Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Kevin Corbid, Director of Property Records and Taxpayer Services; Jennifer Wagenius, Division Manager; Tom Adkins, Community Corrections Director; Dan Papin, Community Services Director; Josh Beck, Associate Planner; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Ted Schoenecker, Transportation Manager; Andy Gitzlaff, Associate Planner; Keith Potter, Facilities Manager; Ann Pung-Terwedo; Senior Planner; Sue Hedlund, Deputy Public Health and Environment Director; Mjyke Nelson, Information Technology Director; Kay McAloney, Human Resources Director; Yvonne Klinnert, Public Information Coordinator II; and David Brierley, Public Information Coordinator. 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 9:10 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Peterson, Weik and Kriesel. Commissioner Pulkrabek absent. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Kevin Corbid, Director of Property Records and Taxpayer Services; Jennifer Wagenius, Division Manager; Tom Adkins, Community Corrections Director; Dan Papin, Community Services Director; Josh Beck, Associate Planner; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Ted Schoenecker, Transportation Manager; Andy Gitzlaff, Associate Planner; Keith Potter, Facilities Manager; Ann Pung-Terwedo; Senior Planner; Sue Hedlund, Deputy Public Health and Environment Director; Mjyke Nelson, Information Technology Director; Kay McAloney, Human Resources Director; Yvonne Klinnert, Public Information Coordinator II; and David Brierley, Public Information Coordinator.

COMMENTS FROM THE PUBLIC

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

CONSENT CALENDAR

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

1. Approval of the May 12, 2009 Board meeting minutes.
2. Approval of county comments on the City of Oak Park Height's proposed establishment of Municipal Development District No. 1, and Tax Increment Financing (TIF) District No. 1-1.
3. Approval to renew a grant agreement with the Minnesota Department of Corrections for remote electronic alcohol monitoring.
4. Approval for the Community Corrections Director and the Sheriff to execute a Memorandum of Understanding with Tubman, to support a federal grant for interagency planning and coordination to address domestic violence.
5. Adoption of **Resolution No. 2009-054** as follows:

Resolution Approving Washington County Community
Development Block Grant (CDBG) Cooperation Agreement

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has the authority to award Community Development Block Grant (CDBG) and HOME Investment Partnership Program funds to local governments for the purpose of providing assistance to low-and moderate-income individuals and families, pursuant to the Code of Federal Regulations, Title 24, Chapter 5, 570; and

WHEREAS, the Department of Housing and Urban Development has determined that Washington County is eligible to receive a CDBG Block Grant upon execution of CDBG Cooperation Agreements with the cities and towns of Washington County.

NOW, THEREFORE, BE IT RESOLVED that the Community Development Block Grant Cooperation Agreement between Washington County and the Town of Denmark of Washington County be approved, and that the County Board Chair and County Administrator are authorized to execute the CDBG Cooperation Agreement.

6. Approval of a Needs Determination for expanding the licensed capacity of East Suburban Resources, a Day Training and Habilitation Program serving adults with developmental disabilities, from 32 persons to 48 persons.
7. Approval of plat of Murphy Addition located in Denmark Township.

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8. Approval of Change Order #2 to contract with Ford Metro, Inc. in the amount of \$35,031.91.
9. Approval of Change Order #5 to contract with Gresser Companies, Inc. in the amount of \$78,729.81.
10. Approval of Change Order #7 to contract with Commercial Drywall, Inc. in the amount of \$76,545.64.
11. Approval of Change Order #14 to contract with People's Electric, Inc. in the amount of \$127,206.
12. Approval of Change Order #15 to contract with People's Electric, Inc. in the amount of \$81,250.
13. Approval to enter into an agreement with Xcel Energy for Peak-Controlled Tiered Services for the Government Center Campus.
14. Approval of license agreement with USA Mobility for co-location on Washington County's Somerset, Wisconsin tower site.

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

COMMUNITY SERVICES

Commissioner Kriesel moved to amend Washington County's 2008 Community Development Block Grant (CDBG) and HOME Investment Partnership program Annual Action Plan to apply for \$218,213 in CDBG Recovery funds allocated by the American Recovery and Reinvestment Act as follows: 1) Ann Bodlovick Senior Housing Elevator Replacement Project, \$110,000; 2) Publicly owned transitional housing energy efficiency rehabilitation project, \$65,538; 3) Brick Pond Apartments exterior repair and replacement project, \$20,854; and 4) Community Services to administer the CDBG-R program, \$21,821. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

GENERAL ADMINISTRATION

Recognition for Court Administrator Christina M. Volkens

Commissioner Peterson moved to adopt **Resolution No. 2009-055** as follows:

Resolution of Appreciation
Christina M. Volkens
Washington County Court Administrator

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WHEREAS, Christina Volkens will leave her position as Washington County Court Administrator effective June 21, 2009, to accept a new position as Deputy Court Executive Officer of the Superior Court of San Bernardino County, California; and

WHEREAS, Christina Volkens took the oath of office as Washington County Court Administrator in Judicial District 10 on July 3, 2000, to provide a full array of court services to the public, judges, attorneys, agencies, and other members of the judicial district; and

WHEREAS, Christina Volkens achieved many departmental and district goals during her tenure including changing from a county to state judicial system in 2005 increasing the security in the adult and juvenile courtrooms, utilizing new technology for smoother and more efficient court operations, and playing a key role in the planning and construction of the new Washington County Courthouse in Stillwater; and

WHEREAS, Prior to serving in Washington County, she served from 1996 to 2000 as the Court Manager in the Criminal and Traffic divisions of Hennepin County; worked from 1988 to 1996 as the Administrative and Accounting manager in the Criminal and Traffic divisions of Ramsey County; provided leadership as the President of the Minnesota Association for Court Management from 2006 to 2008; and was appointed by the Minnesota Legislature in 2000 to serve on the Criminal and Juvenile Justice Information Task Force.

NOW, THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners acknowledges, with grateful appreciation, Christina Volker's exemplary leadership as the Washington County Court Administrator and her public service to the citizens of Washington County; and

BE IT FURTHER RESOLVED THAT, the Washington County Board of Commissioners heartily commends Chris Volkens for her dedication and extends their best wishes to Chris and her family as she assumes new responsibilities and challenges in her new position in California.

Commissioner Kriesel seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Washington County 2030 Comprehensive Plan

Jane Harper, Principal Planner, presented the Draft 2030 Comprehensive Plan. The Comprehensive Plan includes new policies and strategies to address contemporary issues such as sustainability, healthy communities, transit, and transit-oriented development. The component of the plan that is most different from the 2020 plan is the section on natural resources. The county now has a Groundwater Plan and implementation work plans, the Water Governance and implementation strategy, the Water Consortium, the Land and Water Legacy Referendum and Program, an updated Solid Waste Master Plan, and a large emphasis on impaired water bodies and TMDL's study. In the area of housing the county now has a Community Development Block Grant and HOME Investment Partnership Program, there is a consolidated housing plan, an owner-occupied rehab program, and in the last couple of years a focus on foreclosed housing.

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Ms. Harper reviewed the recommendations of the Planning Advisory Commission. They held two workshops and received an overview on all of the chapters of the plan. They also considered three township requests for changes to the future land use map from West Lakeland, Denmark and Baytown Townships.

Denmark Township requested a change of 54 acres from agriculture to commercial/industrial rural with no urban services, and 64 acres from agriculture to semi-rural with 5 acre lot size. The Planning Advisory Commission recommended that the county modify its future land use map to be consistent with the township map.

West Lakeland Township's plan shows three areas of commercial/industrial along I-94. The county does not recognize that in its future land use map. The Planning Advisory Commission recommended against changing the future land use map to be consistent with the township map. However, they did recommend that the county continue to consider requests from individual land owners and evaluate each request on its merits.

Baytown Township requested to revise its land use plan to change its land use designation on 1,628 acres in the central portion from rural residential to single family estates. County staff and Met Council have concerns about the change. The township has been meeting with Met Council for over a year discussing this request. A week before the Planning Advisory Commission meeting they negotiated a compromise whereby the area could be designated as a single family estate if it was put under an overlay district called a flexible development overlay district. It would require that any new development be clustered on small lots and that a substantial portion of the property have a development agreement over that lot. However they would not allow the township to put a permanent conservation easement over that undeveloped portion. The ordinance would be in conflict with the county's cluster housing ordinance. The Planning Advisory Commission took two votes on this issue. The first was to carry both the township's proposal and the county's proposal forward through the public review process but that vote did not prevail. The second vote was to accept the negotiated proposal for the overlay district and that vote also failed. Therefore, there was no action to change the county's future land use plan to adopt the negotiated compromise. The commission's greatest concern was they did not have any time to review and understand the impacts of that overlay district. There was concern that it would set a precedent for how the county handled it in other areas and the county would have to amend its ordinance and treat Baytown Township differently than it treats other townships. The lack of understanding of how the county would implement the proposal given its cluster housing ordinance requires the conservation easement.

The Planning Advisory Commission took a final vote to recommend to the County Board that the plan as drafted with the suggested changes in front of the Board including the change in land use for Denmark Township be approved. The Planning Commission wanted to be assured that it would see the plan again and see the comments received during the comment period. They also wanted to express to the Board their concern about the lack of a strong goal statement regarding the protection of agricultural land and preserving farming in the county. They wanted to see something in the goals.

Commissioner Weik moved to adopt **Resolution No. 2009-056** as follows:

Approve the Washington County 2030 Comprehensive Plan

WHEREAS, Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans or permit activities that conflict with metropolitan system plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2008; and

WHEREAS, in accordance with Minnesota Statutes section 473.864, the Metropolitan Council granted Washington County an extension of the deadline to complete its “decennial” comprehensive plan to May 29, 2009; and

WHEREAS, Washington County has developed a sound plan for its future growth after considering population and job projections, past and possible future patterns of development, the future infrastructure needs, the condition of the natural and historical resources and the recreational needs and opportunities; and

WHEREAS, Washington County reviewed the pertinent chapters of the draft 2030 Comprehensive Plan with Washington County’s Library Board, Water Consortium, Park and Open Space Commission, and Planning Advisory Commission; and

WHEREAS, the Washington County Planning Advisory Commission reviewed the final draft plan on April 28 and May 13, 2009 and approved a draft 2030 Comprehensive Plan to recommend to the Washington County Board of Commissioners; and

WHEREAS, Minnesota Statutes section 473.858, subd. 2 requires the county to submit its proposed plan to adjacent governmental units, affected special districts lying in whole or in part within the metropolitan area, and affected school districts for review and comment at least six months prior to submission of the plan to the Metropolitan Council; and

WHEREAS, the Metropolitan Council has requested that Washington County submit its approved proposed plan to the Metropolitan Council for its review concurrently with the distribution of the proposed plan to the adjacent governmental units for their review.

NOW THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners approves the 2030 Comprehensive Plan and directs staff to submit the plan for review to adjacent governmental units, affected special districts, and affected school districts for their review and to submit the plan to the Metropolitan Council for its review.

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

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The Commissioners discussed the request by West Lakeland Township. Ms. Harper stated staff could add something to the draft comp plan before it goes out for release about the Board's concerns about development along I-94 and its willingness to study the township's request in the future.

Legislative Update

Jim Schug, County Administrator, presented a legislative update as follows: the Governor has not made any decisions on unallotment, but staff is working on the 2010 budget, and they are taking a conservative approach on any revenue that may be coming from the state; staff will be coming to the Board in workshop to lay out the parameters for the 2010 budget guidelines as soon as they get information from the state regarding program aid; the legislature has authorized the use of credit cards in deputy registrar transactions and a surcharge can be imposed to cover the cost; and the county has a \$10 booking fee for individuals held in county jails, but the cap has now been removed and counties can charge for actual costs.

Commissioner Peterson noted that the Association of Minnesota Counties Legislative Committee as well as the Board of Directors met last Friday. The combined Boards indicated that they were not going to take any position and will let the Governor do what he's going to do; they weren't going to get involved in making recommendations at this time.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Weik reported on the joint meeting with Ramsey County that was held last week. It was a productive and positive meeting. She recommended as a next step to schedule an Implications Wheel meeting to review some of the changes that are coming from the legislature and if there might be future ways to partner with Ramsey County. Last Thursday she attended the Community Outreach Advisory Work Group for Public Health Emergency Preparedness. They discussed their senior citizen preparedness outreach program and expanding it to use the MRC volunteers. They discussed the "File of Life" program, which lists medications and is available to emergency personnel in the event of crisis situations. She felt that might be a good topic for the County Insight cable show. She also suggested that the program could be highlighted in the Staying in Touch Newsletter. Yesterday she attended the Woodbury Memorial Day services. Former Commissioner Dick Stafford gave the introduction and did a great job. Approximately 400 people attended and the keynote speaker was Lt. Colonel Joel Fortenberry from the U.S. Air Force. Mayor Bill Hargis also spoke and she thanked him for mentioning the Yellow Ribbon Network in Washington County.

Commissioner Hegberg reported on the Counties Transit Improvement Board meeting he attended. Washington County will be receiving 3% for four years instead of three years at 1% which it was originally planned. The Public Employee Retirement Association will not be required by the Legislature to merge with the Minneapolis teachers group. The Rush Line Task Force met and it looks like they are going forward

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with the buses from Forest Lake to St. Paul and looking at that starting in September. The route has not been finalized yet. He attended the event in Hugo marking the one year anniversary of the tornado. He attended the Community Action Partnership for Ramsey and Washington Counties and the Metropolitan Area on Aging Agency meetings last week. Commissioner Hegberg will not be at next week's meeting. He will be attending the Public Risk Management Association conference. In July he will be attending the National Association of Counties Conference, but he will try to make the July 28 Board meeting. He will leave for a personal trip to China on August 3 and will return on August 30.

Commissioner Kriesel stated that the Governor signed legislation that would prohibit truck traffic across the bridge. Stillwater held their first marathon and it was a great success. The City Administrator of Bayport, Mike McGuire, will be retiring. He attended the Parks and Open Space Commission meeting and they discussed allowing dogs in county parks. They are also checking into waiving the annual permit fee for families of deployed veterans using the parks.

Commissioner Peterson thanked staff for being concise, to the point and not giving the Board so much information that it was overwhelming regarding the joint meeting with Ramsey County. Last week she attended the Transportation Advisory Board and was surprised to learn that enhancement funds in the amount of \$1.5 million will be used for the fishing pier in Inver Grove Heights. She cannot believe that someone would want a fishing pier or an overlook on the river looking at the refinery and going past the King of Diamonds.

Commissioner Peterson stated she will suggest to the senior staff of the Counties Transit Improvement Board that they prepare a request for action form for each item. She also noted that the Minnesota Pollution Control Agency will hold an informational meeting regarding the proposed 3M chemical cleanup plan for Cottage Grove on the 27th at 7:00 p.m.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

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

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BOARD WORKSHOP WITH PUBLIC WORKS

The Board met in workshop session with the Public Works Department to review background on the Regional Rail Corridor, Memorandum of Understanding with Hugo and the Minnesota Department of Transportation for Access Management along the TH 61/Regional Rail corridor and consideration of an easement to the City of Hugo for expansion of TH 61. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Weik, Peterson and Hegberg. Also present were Jim Schug, Don Theisen, Wayne Sandberg, Andy Gitzlaff, Ted Schoenecker, Ann Pung-Terwedo, Sharon Price, Harley Will, Mayor Fran Miron, City of Hugo, Brian Bear, City of Hugo Community Development Director, and Jay Kennedy, City of Hugo Engineer.

BOARD WORKSHOP WITH PUBLIC WORKS

The Board met in workshop session with the Department of Public Works for an overview of the transitway corridors within Washington County. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Kriesel, Weik, Peterson and Hegberg. Also present were Jim Schug, Don Theisen, Wayne Sandberg, Andy Gitzlaff, and Ted Schoenecker.

BOARD WORKSHOP WITH COUNTY ADMINISTRATOR

The Board met with the County Administrator to conduct his annual performance review and work plan. Present were Commissioners Peterson, Kriesel, Weik and Hegberg. Also present was Jim Schug, County Administrator.

Myra Peterson, Chair
County Board

Attest:

James R. Schug
County Administrator

