

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MARCH 20, 2007

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 Pulkrabek, Kriesel, Orth, and Hegberg. Commissioner Peterson absent. Board Chair Kriesel presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Patricia Conley, Library Director; Mjyke Nelson, Information Technology Director; Lowell Johnson, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; Amanda Goebel, Sr. Environmental Specialist; John Freitag, Sr. Environmental Specialist; Rebecca Ault, Sr. Real Estate/Tax Technician; Sheriff Bill Hutton; Harley Will, Financial Services Director; Don Theisen, Director of Transportation and Physical Development; Dan Papin, Community Services Director; Ann Pung-Terwedo, Sr. Planner; John Elholm, Sr. Planner; and David Brierley, 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 Hegberg moved, seconded by Commissioner Orth to adopt the following Consent Calendar:

1. Approval to reappoint Brian Johnson, Woodbury, and Dennis Hanna, St. Paul Park, to the South Washington Watershed District Board of Managers, to terms expiring May 1, 2010.
2. Approval of Telephone Call Recording Policy #3003.
3. Approval to enter into a five year agreement with Data One Technology, LLC for the installation of three Automatic Teller Machines (ATM's) in the Government Center, Service Center in Woodbury, and Stillwater License Center.
4. Approval of revisions to the Acceptable Use Policy for Utilizing Information Technology Tools, Systems and Services #3001.
5. Approval to amend Policy #2506 by increasing the change fund for the Newport Library Branch from \$10 to \$20.
6. Adoption of the following Resolutions:

March 20, 2007

RESOLUTION NO. 2007-028

Approving the Subdivision of Parcel 06.028.21.32.0052
in the City of Woodbury Into Three Parcels

WHEREAS, parcel 06.028.21.32.0052 forfeited to the State of Minnesota for non-payment of taxes on September 23, 1997; and

WHEREAS, the City of Woodbury expressed interest to acquire that piece of land minus parcels 3 & 4 of WACO HWY R/W PLAT 150 CSAH 25; and

WHEREAS, M.S. § 282.01, Subdivision 3, allows the County Board to subdivide a tract of forfeited land if it deems this to be advantageous for the purpose of sale or conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby directs the Department of Property Records and Taxpayer Services to subdivide this parcel in three new parcels with the following property descriptions:

PARCEL A:

Parcel #3 WACO HWY R/W PLAT #150 CSAH 25

PARCEL B:

Parcel 34 WACO HWY R/W PLAT #150 CSAH 25

PARCEL C:

Outlot A. Meadowood Pond, except that pt Parcel#3 & Parcel#4
WACO HWY R/W PLAT #150 CSAH 25

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby requests approval from the Minnesota Department of Natural Resources and the City of Woodbury for the sale or conveyance of said lands.

RESOLUTION NO. 2007-029

Conveyance of Tax Forfeited Land to Washington County
for an Authorized Public Use

WHEREAS, the Department of Transportation and Physical Development, has made the proper application for acquiring the parcels listed below for a public use, as provided for in Minnesota Statutes 282.01; and

WHEREAS, the Department of Transportation and Physical Development is entitled to make such application; and

WHEREAS, the Department of Transportation and Physical Development provide additional information to the Board of Commissioners of Washington County, State of Minnesota, regarding the proposed public use of these parcels, being for WACO HWY R/W PLAT 150, CSAH 25; and

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, decides that the requested public use is in the best interest of the citizens of Washington County.

March 20, 2007

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby recommends to the Commissioner of Revenue of the State of Minnesota to grant the applications for the acquisition of the following parcels:

<u>City</u>	<u>PIN</u>	<u>Authorized Public Use</u>
Woodbury	06.028.21.32.0081	WACO HWY R/W PLAT 150 CSAH 25
Woodbury	06.028.21.32.0082	WACO HWY R/W PLAT 150 CSAH 25

RESOLUTION NO. 2007-030

Conveyance of Tax Forfeited Land to the City of Woodbury for an Authorized Public Use

WHEREAS, the City of Woodbury has made the proper application for acquiring the parcel listed below for a public use, as provided for in Minnesota Statutes 282.01; and

WHEREAS, the City of Woodbury is entitled to make such application; and

WHEREAS, the City of Woodbury provided additional information to the Board of Commissioners of Washington County, State of Minnesota, regarding the proposed public use of these parcels, being for a lift station, utilities, R/W plat & easements; and

WHEREAS, the Board of Commissioners of the County of Washington, State of Minnesota, decides that the requested authorized public use is in the best interest of the citizens of Washington County.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby recommends to the Commissioners of Revenue of the State of Minnesota to grant the applications for the acquisition of the following parcels:

<u>City</u>	<u>PIN</u>	<u>Authorized Public Use</u>
Woodbury	06.028.21.32.0083	Outlot A, Meadowood Pond, Exc: Parcel #3 & Parcel #4 WACO HWY R/W PLAT 150, CSAH 25

7. Approval to transfer the ownership of Washington County Sheriff's Office K-9 "Thor" to his handler Deputy Terry Hyde.
8. Adoption of **Resolution No. 2007-031** as follows:

Authorizing Modification to the Rules and Regulations for Movement of Oversize and Overweight Loads on Washington County Highways

WHEREAS, the Transportation and Physical Development Department request a modification to the "Rules and Regulations for Movement of Oversize and Overweight Loads on Washington County Highways"; and

March 20, 2007

WHEREAS, presently the Rules and Regulations state that an oversize load cannot exceed 8'6" in width without requiring a permit; and

WHEREAS, the Rules and Regulations would be modified to state that no vehicle or combination of vehicles exceeding 9 feet in width shall move on any county highway unless a permit has been issued; and

WHEREAS, these modifications would be consistent with Minnesota Department of Transportation permit requirements as well as neighboring counties.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes the Director of Transportation and Physical Development to adopt the modification of a maximum 9 foot width for oversize loads before requiring a permit.

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

PUBLIC HEALTH AND ENVIRONMENT

Excellence in 4H After School Programming Award

Anne Stevenson, U of M Extension, presented the County Board with the University of Minnesota Extension 4H Site Based Program Award from the National Association of Extension 4H Agents which was awarded on February 7 at the annual state conference.

Comments on the Baytown Groundwater Contamination Superfund Site Plan

Cindy Weckwerth, Program Manager, presented a review of the Minnesota Pollution Control Agency (MPCA) plan to remediate the trichloroethylene (TCE) contamination in the Baytown Special Well Area. TCE was first discovered in this area in 1987 by the Minnesota Department of Health. It has impacted several drinking water aquifers, hundreds of private wells, and the municipal well number 2 in the City of Bayport. In August of 2004 the main source of TCE was discovered under Hagberg's Country Market in Lake Elmo. This property was formerly occupied by a metal working facility from 1940 to 1968. The MPCA plan has three objectives: minimize the time that private wells are on Granulated Activated Carbon whole house filters; protect the Bayport municipal wells; and prevent future migration of TCE and restore the aquifer within a reasonable timeframe. To achieve this the MCPA plans to contain the TCE on the Hagberg site and to treat the contaminates at the source. The Plan is generally consistent with the county's 2003-2013 Groundwater Plan and 2007 Work Plan. They also suggested the following: potential uses for the treated water such as reinjecting it into the groundwater or looking for potential uses as potable water; provide ongoing education to residents on the effectiveness of the plan and treatment; continue to update the plume map; provide fencing around the area; and make sure they are working with all local agencies such as the Valley Branch Watershed District to obtain the permits they need.

March 27, 2007

Commissioner Orth moved to approve comments to the Minnesota Pollution Control Agency regarding the Baytown Groundwater Contamination Superfund Site Proposed Plan 2007 and approve the letter drafted on behalf of the Commissioners to be signed by the Board Chair. Commissioner Pulkrabek seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

GENERAL ADMINISTRATION

Legislative Update

Jim Schug, County Administrator, provided a legislative update on the following items: Senate property tax division released a report that included \$60 million of additional county program aide; increase to some homestead and agricultural credits; the Senate public safety division has proposed to fund \$2 million on projects designated by CrimNet; additional \$2.5 million for the short-term offenders; and the transportation funding bill was passed through the Transportation Finance Division of the Senate which includes all of the items that the County Board has looked at and supported.

Al Mitchell, Disabled Veteran's Rest Camp Vice President, thanked the County Board and staff for their help and cooperation in obtaining funding for capital improvements at the Rest Camp. He also apologized, on behalf of the Veteran's Rest Camp, for any past misunderstandings or accusations that may have occurred. He thanked Commissioner Gary Kriesel for his insight and direction as a member of the Board to help all veterans. With his help and that of Senator Saltzman they are seeing a dream come true.

Support Appointment of Harry Melander to the Metropolitan Council

Commissioner Pulkrabek moved to adopt **Resolution No. 2007-032** as follows:

Resolution of Support for the Appointment of Harry Melander to the Metropolitan Council

WHEREAS, Harry Melander, a resident of Mahtomedi, Washington County has applied to serve on the Metropolitan Council representing District 12, which includes most of Washington County, and

WHEREAS, Harry Melander has an impressive and long-standing record of public service to Washington County, including service on the county's Planning Advisory Committee, the Board of Adjustment and Appeals, and the Washington County Housing and Redevelopment Authority Board of Commissioners, and has served in leadership roles on these boards and commissions, and

WHEREAS, Mr. Melander's experience with the county and his professional responsibilities with the building trades has given him excellent experience and perspective on many of the issues that fall within the responsibility of the Metropolitan Council, such as: comprehensive planning, housing, transportation, and other services for the residents of the region.

March 20, 2007

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby supports the application for appointment of Harry Melander to the Metropolitan Council representing District 12.

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

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Pulkrabek addressed an earlier agenda item related to the 4H After School Program award. He stated that even though he has questioned the funding apparatus of this program, he does support it and thinks it is a good program for kids and young adults. He does not question the merit or value of the program, he questions who should pay for it.

Commissioner Pulkrabek read that the Pioneer Press is reporting property taxes will be going up 9% state wide and 5-1/2% in the metro next year. He finds it strange that they would report that when budgets haven't been approved for next year and local governments still have a say in those budgets.

Commissioner Orth reported on the Metropolitan Emergency Services Board meeting he attended last week. A resolution was submitted and approved to add radios for the jail and court security under the 800 MHz program.

Commissioner Hegberg wanted to thank Senator Vandever and Congresswoman Bachman for their help initially in the Disabled Veteran's Rest Camp. He also reported on the insurance conference he attended last week in San Diego. Items discussed included: communications, e-mails and electronic devices and how those items could be subpoenaed in lawsuits and the costs of bringing that information forward; discussion of aging law enforcement officers related to worker's comp and those costs; and discussion on the county's insurance pool and how to deal with board members. Yesterday, he and Commissioner Kriesel toured various locations for hazardous waste facilities.

Commissioner Kriesel reported he attended the event celebrating the upcoming reopening of the Boom Site with Senator Vandever, Representative Dean, and DNR Commissioner Mark Holsten. In regards to hazardous waste facilities, he feels it is important to start looking at what will happen with electronic waste in conjunction with hazardous waste.

Commissioner Kriesel reported that he testified last week for the Vet's Camp bill along with Al Mitchell. He thanked Senator Saltzman for her help in guiding this bill and also Senator Vandever for his past efforts.

March 20, 2007

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Pulkrabek moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously; Commissioner Peterson absent. The Board meeting adjourned at 9:41 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 Cottage Grove Ravine Regional Park Master Plan amendment. No business was conducted and the public was welcome to attend. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Orth, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, John Elholm, Peter Mott, Dennis O'Donnell, Ann Pung-Terwedo, and Yvonne Klinnert, Stillwater Courier.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to receive direction on the Purchase of Development Rights (PDR) Ordinance #144 and development of the Land and Water Legacy Program Project Evaluation Criteria. Present for the workshop session were Commissioners Pulkrabek, Kriesel, Orth, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Jane Harper, Don Theisen, John Elholm, Dennis O'Donnell, Ann Pung-Terwedo, and Yvonne Klinnert, Stillwater Courier.

Gary Kriesel, Chair
County Board

Attest:

James R. Schug
County Administrator

