

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 18, 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, Stafford, and Hegberg. Commissioner Pulkrabek absent. Vice Chair Kriesel presided. Also present were Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Linda Krafthefer, Assistant County Attorney; Meredith Magers, Assistant County Attorney; Don Wisniewski, Interim Director of Financial Services; Terry Giebel, Financial Services Supervisor; Kathy Trombly-Ferrin, Financial Services Supervisor; Dan Papin, Community Services Director; Patrick Singel, Deputy Community Services Director; Robert Crawford, Workforce Center Division Manager; Linda Bixby, Community Services Supervisor; Jenna Penfield, Community Services Supervisor; Kay McAloney, Human Resources Director; Vicki DeFord, Deputy Human Resources Director; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Lowell Johnson, Director of Public Health and Environment; Sue Hedlund, Deputy Director of Public Health and Environment; Judy Hunter, Sr. Program Manager; Jeff Travis, Program Manager; Sheriff Steve Pott; Tom Adkins, Director of Community Corrections; 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 Stafford moved to remove Consent Calendar Item 3D, contract for temporary staffing services from TEKsystems, Inc. for the Information Technology Help Desk and the Sheriff's Office and place it on the July 25, 2006 Consent Calendar. Commissioner Peterson seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Peterson moved, seconded by Commissioner Stafford to approve the following Consent Calendar:

1. Approval of the 2006-2007 subgrantee agreement with Human Services, Inc. to rehabilitate an existing property in order to create affordable rental housing for low-income individuals.
2. Approval of a Special Project Office Support II (1 F.T.E.) position in the Department of Human Resources.

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3. Approval to convert a Special Project Planner/Associate Planner in the Public Health and Environment Department to a regular status position.
4. Approval of an amendment to extend a grant contract with the Minnesota Department of Public Safety, Division of Emergency Management for receipt of federal/state All Hazard Mitigation Planning Grant dollars for the development and maintenance of a Countywide All Hazard Mitigation Plan.
5. Approval and execution by Board Chair and Administrator of recycling grant agreement with the City of Cottage Grove for distribution of curbside recycling funds.
6. Adoption of **Resolution No. 2006-096** as follows:

Space Lease Amendment for the Department of
Employment and Economic Development

WHEREAS, the County of Washington and the State of Minnesota entered into a space lease agreement numbered 9838 on January 22, 1992 for the use of office space; and

WHEREAS, the County of Washington and State of Minnesota wish to extend the term to December 31, 2007; and

NOW, THEREFORE LET IT BE RESOLVED, that the use of space by the State of Minnesota be continued through the acceptance of the terms and conditions set forth in Amendment No. 8; and

BE IT FURTHER RESOLVED, that the lease amendment between the County of Washington and State of Minnesota 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 lease specification requirements and approval as to form by the Washington County Attorney's Office.

7. Adoption of **Resolution No. 2006-097** as follows:

Final Payment for 2006 Road Maintenance Crack Filling to
Bergman Companies, Inc.

WHEREAS, the Washington County Board of Commissioners on May 2, 2006 approved a bid award to Bergman Companies, Inc. for provision of product, labor and equipment to install crack filling material on various county roads; and

WHEREAS, Bergman Companies, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

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NOW, THEREFORE, BE IT RESOLVED, that Bergman Companies, Inc. be paid in full for the said contract work in the amount due indicated on the final payment voucher which is attached herewith and is hereby a part of this resolution.

8. Approval of amendment No. 4 to the Washington County/Anoka County Cooperative Agreement for CSAH 14/8 for consultant design services.

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

COMMUNITY SERVICES

Wayland Campbell, Director of the Minnesota Department of Health Child Support Enforcement Division, congratulated the Washington County Board, the Community Services Department, the County Attorney's Office, and the Child Support staff for achieving compliance in all review areas. The federal government has mandated that a program review be conducted to measure and evaluate compliance with child support enforcement performance requirements. Washington County is the largest Minnesota County, and one of only eight counties in 140 reviews completed since the review process was implemented in 1998, to achieve this compliance.

FINANCIAL SERVICES

Presentation of the CAFR Award for 2004

Terry Giebel, Financial Services Supervisor, presented the County Board with its 20th consecutive Achievement for Excellence in Financial Reporting award for the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended December 31, 2003.

Presentation of the 2005 Comprehensive Annual Financial Report

Mr. Giebel presented the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended December 31, 2005. The Auditors reported no instance of non-compliance material to the basic financial statements.

TRANSPORTATION AND PHYSICAL DEVELOPMENT

Contract with Barr Engineering for Design Services on CSAH 6 in Lake Elmo

Commissioner Peterson moved to approve a contract with Barr Engineering for design services related to erosion control, ditch repair and culvert design on CSAH 6 in the City of Lake Elmo. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

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Comments on the St. Croix River Crossing Supplemental Final Environmental Impact Statement

Commissioner Peterson moved to adopt **Resolution No. 2006-098** as follows:

Comments on the St. Croix River Crossing
Supplemental Final Environmental Impact Statement

WHEREAS, the Washington County Board of Commissioners has reviewed alternative designs for a St. Croix River Crossing with MN/DOT and county transportation staff; and

WHEREAS, the Minnesota Department of Transportation has prepared a Supplemental Final Environmental Impact Statement for the St. Croix River Crossing project which addresses Washington County's concerns; and

WHEREAS, the recommendations of county transportation staff, MN/DOT staff, and citizen input have been duly considered.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby endorses the St. Croix River Crossing project in the form described in the Supplemental Final Draft Environmental Impact Statement.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorized the Chairman of the Board to sign and distribute the attached letter commenting on the St. Croix River Crossing Supplemental Final Environmental Impact Statement.

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

PUBLIC HEALTH AND ENVIRONMENT

Commissioner Hegberg moved to adopt **Resolution No. 2006-099** as follows:

Authorization to Amend the Ramsey/Washington Resource Recovery
Service Agreement with NRG Energy, Inc.

WHEREAS, Ramsey and Washington Counties ("the Counties") have entered into a Joint Powers Agreement dated December 30, 1986 for the purpose of managing the Counties' rights and obligations under the Service Agreement; and

WHEREAS, Washington and Ramsey Counties (Counties) and NRG are parties to a Service Agreement which defines the rights and obligations of the parties with respect to the operation of the Resource Recovery Facility located in Newport, hereinafter referred to as "the Facility"; and

WHEREAS, the Joint Powers Board (Project Board) created pursuant to the Joint Powers agreement is tasked to make recommendations to the two County Boards on issues pertaining to the Service Agreement upon which the individual County Boards must act; and

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WHEREAS, upon expiration of the Service Agreement, Section 11.02 of the Service Agreement provides the Counties with an option to purchase the Facility and Facility site; and

WHEREAS, in order to exercise this option, the Counties must notify NRG at least twelve months prior to the natural expiration of the Service Agreement of their intent to exercise this option; and

WHEREAS, the date by which NRG must be noticed has been determined to be July 27, 2006; and

WHEREAS, NRG is currently negotiating a Purchase Agreement to sell the Facility and Facility Site to Resource Recovery Technologies, LLC (RRT) and such transaction, if completed, is expected to occur by late-August, 2006; and

WHEREAS, the Counties have requested and NRG has orally agreed to extend the notice date contained in Section 11.02 by two months to September 27, 2006, (thereby limiting the notice requirement to ten months prior to expiration of the Service Agreement) in order to facilitate the potential sale to RRT; and

WHEREAS, notice of intent is not an absolute commitment to purchase, but only the start of the negotiation process, the procedure for which is set forth in Section 11.02 of the Service Agreement; and

WHEREAS, the notice of intent to purchase must come from the individual Counties; and

WHEREAS, failure to give a notice of intent forfeits the Counties' rights under Section 11.02 and could result in the possible loss of the Facility as a processing facility; and

WHEREAS, the Project Board has determined that it is in the best interests of the Counties to begin the process by providing the notice of intent if NRG's proposed sale of the Facility to RRT does not proceed, and adopted a resolution with recommendations on July 11, 2006.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby approves an amendment to the Service Agreement that changes the notice deadline under Section 11.02 of the Service Agreement.

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

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Hegberg indicated he will attend the Housing and Redevelopment Authority Board meeting this afternoon. They will be discussing the redevelopment of Whispering Oaks and the City of Oakdale's concerns with the project.

Commissioner Hegberg stated that on July 20 he will be testifying in favor of New Scandia's incorporation.

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Commissioner Stafford stated he will be attending the Solid Waste Management Coordinating Board's subcommittee on industrial waste survey. Regarding the HRA Whispering Oaks project, he reported that the Finance Committee met last week to discuss this issue. Craig Waldron, City of Oakdale Administrator, attended. The Finance Committee gave conceptual approval and will be recommending the County Board give approval for the Whispering Oaks project. It was anticipated County Board approval may make the City of Oakdale a little more comfortable with the proposal.

Commissioner Hegberg stated his concern was that the city has reduced the number of units they would allow at the Whispering Oaks Development and the HRA needs to have a certain number of units to make it economically viable.

Commissioner Peterson moved to appoint Angela Montgomery Montez to the Community Corrections Advisory Board to a first term expiring December 31, 2008. Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Pulkrabek absent.

Commissioner Peterson reported on the Locate Meeting she attended on Monday. An issue discussed was not having the Central Corridor light rail transit line go to the Union Depot to save costs. The Locate Committee took a very firm stand and passed a resolution saying that it was not an acceptable solution to reduce the project costs and that the Union Depot had to be the terminus because it ties North Star, Red Rock, Central Corridor, the bus station, and Amtrak together.

Commissioner Stafford asked if the Board was going to have a Regional Rail Authority meeting to discuss the long term planning, I-94 corridor and other issues.

Commissioner Peterson indicated that she is putting together the transportation package for AMC. She asked if any Board members have concerns or items contained in the funding package for the legislative session next year to let her know.

Commissioner Kriesel presented a Commissioners' Citizens Award to Judy Mitchell for her outstanding service as President of the Minnesota VFW Ladies Auxiliary for the past year. During the past year, she visited all of the districts as the Department representative either at a district meeting or a testimonial. She also toured the nine Veteran's Administration Medical Centers and Veteran Home Facilities.

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 Stafford and it was adopted unanimously; Commissioner Pulkrabek absent. The Board meeting adjourned at 10:10 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss issues and initiatives being considered by the Disabled Veteran's Rest Camp Board of Directors. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Stafford, and Hegberg. Also present were Molly O'Rourke, Don Theisen, Jim Luger, Ann Pung-Terwedo, Al Mitchell, Veteran's Rest Camp Board member, Tom Adkins, Steve Pott, Lowell Johnson, Doug Johnson, Dan Papin, Yvonne Klinnert, Stillwater Courier, and Kevin Giles, Star Tribune.

BOARD WORKSHOP WITH COMMUNITY CORRECTIONS AND COUNTY ATTORNEY

The Board met in workshop session with the Department of Community Corrections and the County Attorney's Office to discuss the Drug Court model as a means of dealing with drug and alcohol addiction. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Stafford, and Hegberg. Also present were Molly O'Rourke, Tom Adkins, Christine Bray, Steve Pott, Lowell Johnson, Doug Johnson, Dan Papin, Chris Volkens, Yvonne Klinnert, Stillwater Courier, and Kevin Giles, Star Tribune.

Gary Kriesel, Vice Chair
County Board

Attest:

Molly O'Rourke
Deputy Administrator

