

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD**  
**WASHINGTON COUNTY, MINNESOTA**  
**OCTOBER 14, 2008**

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 Peterson, Pulkrabek, Hegberg, Stafford, and Kriesel. Absent none. Board Chair Hegberg presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Meredith Magers, Assistant County Attorney; Lowell Johnson, Director of Public Health and Environment; Judy Hunter, Sr. Program Manager; Amanda Strommer, Program Manager; Chris LeClair, Sr. Environmental Specialist; Peter Ganzel, Sr. Environmental Specialist; Patricia Conley, Library Director; Tom Adkins, Community Corrections Director; Dan Papin, Community Services Director; Mjyke Nelson, Information Technology Director; Patrick Gangl, Information Technology Supervisor; Kevin Corbid, Director of Property Records and Taxpayer Services; Steve Gransee, Division Manager; Don Theisen, Public Works Director; Keith Potter, Facilities Manager; Tom Adkins, Community Corrections Director; Kris Tuenge, Deputy Community Corrections Director; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Harley Will, Accounting and Finance Director; Kay McAloney, Human Resources Director; Larry Timmerman, Sr. Planner; and Maggi Aitkens, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

Brent Peterson, Washington County Historical Society Executive Director, distributed copies of a new book written by Robert Goodman entitled "A History of Washington County". The five books distributed this morning will be donated to a Washington County Library in each Commissioner District.

**CONSENT CALENDAR**

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

1. Approval of the October 7, 2008 Board meeting minutes.
2. Approval to accept a \$4,000 donation from the Target Corporation for juvenile programming in Washington County.
3. Approval to modify the Andersen Windows dislocated worker project administered by the Workforce Center to extend the grant until December, 2009.
4. Approval of contract with Cottage Grove WP, LLC to provide 24 hour customized living (assisted living services) at their White Pine facility in Cottage Grove.

5. Approval of Verizon Wireless Services for county purchased Blackberries, cell phones, and wireless cards.
6. Adoption of **Resolution No. 2008-131** as follows:

Resolution Recommending Approval of the Application for  
Cancellation of Certificate of Forfeiture

BE IT RESOLVED, that the Board of County Commissioners of Washington County, Minnesota, approve the Applications for Cancellation of Forfeiture and recommend their acceptance by the Department of Revenue.

17.028.21.12.0144	Lt 1, Block 18, Strate's Farm 1 <sup>st</sup> Addition
18.028.21.43.0062	Outlot A, Carver Lake Meadows 4 <sup>th</sup> Addition
18.028.21.44.0141	Outlot B, Carver Lake Meadows 4 <sup>th</sup> Addition Exc pt platted as Carver Lake Meadows 5 <sup>th</sup> Addition
18.028.21.44.0152	Outlot A, Carver Lake Meadows 5 <sup>th</sup> Addition

7. Approval of comments to the City of Bayport regarding their Local Water Management Plan.
8. Approval to set a public hearing date of October 28, 2008 at 9:00 a.m. regarding the repeal of Solid Waste Management Ordinance #167 and replacing it with Solid Waste Management Ordinance #178 and authorize publication of a Notice of Public Hearing.
9. Adoption of **Resolution No. 2008-132** as follows:

Solid Waste Management Tax

WHEREAS, the 1997 Minnesota Legislature enacted a bill eliminating both the SCORE sales tax and the Solid Waste Generator Assessment, replacing them with the Solid Waste Management Tax; and

WHEREAS, Minnesota Statutes §297H requires political subdivisions that subsidize tipping fees at solid waste management facilities to identify the "market price" for solid waste management services, which is identified as "the lowest price available in the area, assuming transactions between separate parties that are willing buyers and willing sellers in a market"; and

WHEREAS, this law requires political subdivision to identify the market price and submit their findings to the Minnesota Pollution Control Agency each year; and

WHEREAS, the Ramsey and Washington Counties Boards of Commissioners in 2007 by resolution each identified \$26.48 per ton as the "market price" for purposes of the Solid Waste Management Tax, effective January 1, 2008; and

WHEREAS, Ramsey County, Washington County, and the Ramsey/Washington Resource Recovery Project staff have worked cooperatively to identify the market price for Ramsey and Washington Counties, beginning

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January 1, 2009, and have determined a different market price which requires approval by County Board Resolution.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby authorizes identification of \$28.03 per ton as the “market price” for purposes of the Solid Waste Management Tax, which reflects a waste disposal tipping fee of \$19.03 per ton at the Pine Bend landfill plus an estimated transportation cost of \$9 per ton, and authorizes submittal by the Department of Public Health & Environment of this “market price” and supporting documentation to the Minnesota Pollution Control Agency.

10. Approval of comments on the Stillwater Township, and the cities of St. Paul Park and Grant draft comprehensive plans.
11. Adoption of **Resolution No. 2008-133** as follows:

Resolution Requesting Additional Time  
Within Which to Complete Comprehensive Plan  
“Decennial” Review Obligations

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, Minnesota Statutes section 473.864 authorizes the Metropolitan Council to grant extensions to local governmental units to allow local governmental units additional time within which to complete the “decennial” review and amendments; and

WHEREAS, any extensions granted by the Metropolitan Council must include a timetable and plan for completing the review and amendment; and

WHEREAS, Washington County will not be able to complete its “decennial” review by December 31, 2008, for the following reasons: 1.) Public Participation; 2.) Adjacent community reviews;

WHEREAS, the Washington County Board of Commissioners finds it is appropriate to request from the Metropolitan Council an extension so the City can have additional time to complete and submit to the Metropolitan Council for review an updated comprehensive plan and amend its fiscal devices and official controls.

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Commissioners that:

1. The Department of Public Works is directed to submit to the Metropolitan Council no later than November 1, 2008, an application requesting an extension to May 29, 2009

2. The Department of Public Works must include with the request a reasonably detailed timetable and plan for completing: (a) the review and amendment by May 29, 2009; and (b) the review and amendment of the County's fiscal devices and official controls, if applicable.
12. Approval to award contract to Braun Intertec Corporation to provide professional engineering services for the construction of the Environmental Center and authorize execution of the contract through the signatures of the Washington County Board Chair and County Administrator without further action from the County Board.

The foregoing Consent Calendar was adopted unanimously.

### **PUBLIC HEALTH AND ENVIRONMENT**

Chris LeClair, Sr. Environmental Specialist, presented a brief overview and update of proposed amendments to the Washington County Development Code, Chapter 4, Individual Sewage Treatment Regulations (Ordinance No. 128). He stated that the county is required to revise the septic ordinance to reflect the revisions in Minnesota Rules Chapter 7080-7083 by no later than February 4, 2010. The proposed ordinance needs to go to the Washington County Planning Advisory Commission for a public hearing.

Commissioner Peterson moved to adopt **Resolution No. 2008-134** as follows:

Resolution for Public Health and Environment Department to Update/Amend the Washington County Development Code, Chapter Four, Individual Sewage Treatment Regulations (Washington County Ordinance No. 128) and for the Department to Submit the Amended Ordinance to the Planning Commission for a Public Hearing

WHEREAS, the Minnesota Pollution Control Agency (MPCA) revised Minnesota Rules, Chapter 7080, Individual Sewage Treatment System Program, into Minnesota Rules, Chapters 7080 through 7083, Subsurface Sewage Treatment System Program, on February 4, 2008; and

WHEREAS, Minnesota Rules, Chapter 7082, Section 7082.0050, Subpart 1, Paragraph B requires that the county update its ordinance by February 4, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Department of Public Health and Environment has permission to update/amend the Washington County Development code, Chapter Four, Individual Sewage Treatment System Regulations (Washington County Ordinance No. 128) and may submit the amended ordinance to the Planning Commission for a Public Hearing.

Commissioner Stafford seconded the motion and it was adopted unanimously.

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**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reported she was appointed to the National Association of Counties Transportation Steering Committee for the next year. She urged the Commissioners to attend the Association of Minnesota Counties Fall District X meeting on October 27 from 3:00 to 5:00 at the AMC Board Room. The meeting will discuss the redesign of the Metropolitan Council, metro governance, watershed budgets, and library maintenance of effort. Commissioner Peterson brought the Metropolitan Council Transportation Advisory Board's Policy Plan and shared it with the Board.

Commissioner Pulkrabek reported on the ribbon cutting ceremony he and Commissioner Stafford attended last Friday for the I-94 interchange opening on Radio Drive.

Commissioner Hegberg spoke about an issue from the City of Mahtomedi. Washington County does not patrol White Bear Lake, but the City of Mahtomedi pays for Ramsey County to do that. Some people feel that is not adequate and they are not getting their monies worth. He asked that the two Sheriff Offices talk to see if something different could be worked out. The City of Forest Lake did approve a roundabout for Highway 61 and Broadway as their preferred plan. The city also discussed trees along the bike trail in the Winnick area. They are concerned about security, but also wanting to keep it scenic. He asked that the Parks staff discuss this with the City of Forest Lake. He asked that the 2009 budget items that Commissioner Pulkrabek would like to look at be discussed at a workshop next week.

**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 Hegberg and it was adopted unanimously. The Board meeting adjourned at 10:00 a.m.

**BOARD WORKSHOP WITH THE COUNTY LIBRARY**

The Board met in workshop session with the County Library for an update on strategic and facilities long range planning. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Hegberg, Stafford, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Pat Conley, Larry Timmerman, Don Theisen, Paul Ryberg, Library Board Member, Gary Vidlock, Library Board Member, Carol Banister, Lake Elmo resident, and Kevin Giles, Star Tribune.

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**BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION**

The Board met in workshop session with the Office of Administration to discuss the draft 2009 Washington County Legislative positions. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Pulkrabek, Hegberg, Stafford, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Tom Adkins, Dan Papin, Kevin Corbid, Doug Johnson, Judy Hunter, Lowell Johnson, Amanda Strommer, Don Theisen, Harley Will, Larry Timmerman, Amanda Hollis, Melinda Kirk, and Maggi Aitkens.

Dennis C. Hegberg, Chair  
County Board

Attest:

James R. Schug  
County Administrator