

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 13, 2010

The Washington County Board of Commissioners met in regular session at 9:05 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Kriesel, Pulkrabek, and Weik. Commissioner Peterson absent. 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; Don Theisen, Public Works Director; Greg Wood, Facilities Manager; Kevin Corbid, Director of Property Records and Taxpayer Services; Patricia Conley, Library Director; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Mjyke Nelson, Information Technology Director; Dan Papin, Community Services Director; Vicki DeFord, Deputy Human Resources Director; Lowell Johnson, Director of Public Health and Environment; Harley Will, Accounting and Finance Director; Tom Adkins, Community Corrections Director; and Yvonne Klinnert, 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 Weik moved, seconded by Commissioner Kriesel to adopt the following Consent Calendar:

1. Approval to appoint Robert Fleischman, Lake Elmo, to the Workforce Investment Board, representing small business, to a first term expiring June 30, 2012;
2. Approval to appoint John Rheinberger, Stillwater, to the Historic Courthouse Advisory Council to a first term expiring December 31, 2011.
3. Approval to authorize a 1.0 FTE Special Project position as Criminal Analyst in the Sheriff's Office wholly funded through a Homeland Security and Emergency Management grant.
4. Adoption of **Resolution No. 2010-046** as follows:

Use of Donated Library Materials

WHEREAS, it is the mission of the Washington County Library to enrich both the individual and the community by assisting people in their search for information, ideas, education and recreation; and

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WHEREAS, to further said mission, the Library runs various programs related to reading in order to encourage literacy of the residents; and

WHEREAS, the Library conducts book sales throughout the year and uses the revenues generated to support library services.

THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the use of donated items and items removed from the library collection as incentives for people to participate in and complete the reading programs; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners also approves the use of these materials as tokens of appreciation for library volunteers.

5. Approval to renew On-sale Malt Liquor and Sunday Liquor License, and Consumption and Display permit for Disabled Veteran's Rest Camp for the period of April 1, 2010 through March 31, 2011.
6. Approval to enter into a cooperative agreement with the City of Afton to facilitate the Downtown Afton Stormwater Management Plan.
7. Approval of Supplemental Agreement No. 1, Change Order No. 2, and Work Orders No. 2 through 4 to County State Aid Highway 12 turn lane construction project with Dresel Contracting; and, adoption of **Resolution No. 2010-047** as follows:

Final Payment on County State Aid Highway 12
Turn Lane Project to Dresel Contracting, Inc.

WHEREAS, the Washington County Board of Commissioners, on July 21, 2009 approved a bid award to Dresel Contracting, Inc. and signed a contract with said company for turn lane construction on County State Aid Highway (CSAH) 12 at Jamaca Avenue in the City of Grant.

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

NOW, THEREFORE, BE IT RESOLVED, that Dresel Contracting, Inc. be paid in full for said contract work in the amount due indicated on the final payment voucher.

8. Adoption of **Resolution No. 2010-048** as follows:

Request to Authorize the Commissioner of the Minnesota
Department of Transportation to Perform a Speed Study to
Determine the Reasonable and Safe Speed Limit

Newport – County State Aid Highway (CSAH) 18 (Bailey Road) from the Trunk Highway 61 West Ramp to CSAH 20 (Military Road)

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Saint Paul Park/Newport – County State Aid Highway (CSAH) 38 (Hastings Avenue, Glen Road, 7th Avenue, 21st Street, and Maxwell Avenue) from CSAH 22 (Summit Avenue/70th Street South) to the Trunk Highway 61 West Ramp

WHEREAS, the authority to determine the safe and reasonable speed on a County Highway resides with the Commissioner of the Minnesota Department of Transportation; and

WHEREAS, the above portions of roadway have been reconstructed as a part of the Wakota Bridge Project; and

WHEREAS, the reconstruction projects may have affected traffic patterns and travel speeds on the above portions of roadway; and

WHEREAS, it is in the best interest of all parties to have reasonable and safe speeds posted on our County Highways.

NOW, THEREFORE, BE IT RESOVED, that the Washington County Board of Commissioners hereby authorizes the Director of Public Works to request that the Commissioner of the Minnesota Department of Transportation perform a speed survey to determine the reasonable and safe speed limit at the above referenced locations.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Director of Public Works is hereby authorized to install and maintain signing consistent with the resulting order.

9. Approval of Change Order #3 to contract with Parsons Electric, LLC in the amount of \$114,215.09 for the 2025 Government Center Campus Improvements project.
10. Approval of Change Order #3 to contract with Wasche Commercial Finishes, Inc. in the amount of \$1,192 for the 2025 Government Center Improvements project.
11. Adoption of **Resolution No. 2010-049** as follows:

Minnesota Ski Trail Assistance Program Grant Request

WHEREAS, Washington County has developed cross-country ski trail systems in Cottage Grove Ravine Regional Park, Lake Elmo Park Reserve, St. Croix Bluffs Regional Park, Big Marine Park Reserve, and Pine Point Park; and

WHEREAS, the Minnesota Trails Assistance Program provides grants to local units of government for the construction and maintenance of recreational trails pursuant to Minnesota Statutes, Section 85.44 and 84.026; and

NOW, THEREFORE, BE IT RESOLVED that application for State grant-in-aid for the described cross-country ski trails be made and grant funds directed to Washington County; and

BE IT FURTHER RESOLVED, that participation in the Minnesota Trail Assistance Programs be authorized and the Grant in Aid agreement executed by the Chair of the Washington County Board of Commissioners and the County Administrator per the guidelines of Minnesota Statutes, Section 84.83, without further action by the County Board.

12. Adoption of **Resolution No. 2010-050** as follows:

License Agreement with Film Company
Statue of David, LLC

WHEREAS, the Statue of David, LLC, a film company, is requesting to set up and to film movie scenes at the Washington County Law Enforcement Center; and

WHEREAS, Statue of David, LLC has submitted a License Agreement providing for the terms and conditions required by Washington County to conduct the aforementioned filming; and

WHEREAS, in order to provide security for filming operations, Statute of David, LLC has made arrangements with the Washington County Sheriff's Office to hire (3) off-duty Deputies on a direct pay basis.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners authorize the Chair of the Washington County Board of Commissioners and the Washington County Administrator to sign on behalf of the County the License Agreement between Washington County and the Statue of David, LLC, without further action of the County Board conditioned upon approval as to form by the Washington County Attorney's office.

13. Adoption of **Resolution No. 2010-051** as follows:

Proclamation
National Public Safety Telecommunications Week
April 11-17, 2010

WHEREAS, emergencies can occur at anytime that require law enforcement, fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of law enforcement, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our citizens, law enforcement officers, firefighters, and paramedics is dependent upon the quality and accuracy of information obtained from citizens who telephone the Washington County communications center; and

WHEREAS, 9-1-1- telecommunicators and dispatchers are a critical first contact our citizens have with emergency services and are most often considered the community's "first" first responders; and

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WHEREAS, 9-1-1 telecommunicators and dispatchers are the single vital link for our police officers, firefighters, and paramedics by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, 9-1-1 dispatchers of the Washington County communications center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners hereby proclaims the week of April 11 through April 17, 2010 to be National Public-Safety Telecommunications Week in Washington County, and extends its appreciation and thanks to these men and women for the vital contribution they make to keep our citizens and public safety responders safe.

14. Approval of the Communication System Subscriber agreements with the City of Lakeland.
15. Approval to accept a donation from the Rotary Club of Forest Lake in the amount of \$500.

The foregoing Consent Calendar was adopted 4-0 with a roll call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Weik, and Pulkrabek; Nays, none; Commissioner Peterson absent.

PROPERTY RECORDS AND TAXPAYER SERVICES

Commissioner Hegberg moved to adopt **Resolution No. 2010-052** as follows:

Denial of Repurchase Application of Mr. Kent L. Lavake

WHEREAS, property identified as taxation parcels 28.030.20.31.0087 and 28.030.20.31.0090 forfeited to the State of Minnesota in July of 2009; and

WHEREAS, the parcels are vacant land located in the City of Stillwater and were previously owned by Mr. Kent L. Lavake; and

WHEREAS, as allowed by state statute, Mr. Lavake has submitted an application for repurchase and provided a check equal to the back taxes, penalties, interests and fees as required; and

WHEREAS, the adjacent parcel to the two vacant tax forfeited parcels is listed in the county records as having gone into mortgage foreclosure and the current owner is listed as Wells Fargo bank; and

WHEREAS, the County Board has the authority and responsibility to approve or disapprove requests for repurchase after considering whether an undue hardship or injustice has resulted from the tax forfeiture and whether the repurchase will best serve the public interest; and

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WHEREAS, the County Board after considering the facts of this situation finds that the public interest is best served with having the tax forfeited parcels in the same ownership as the adjacent home site; and

WHEREAS, until the ownership uncertainty related to the adjacent homesite parcel is cleared up, the public interest is not served by approving the repurchase application from Mr. Lavake.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby denies the application for repurchase from Mr. Kent L. Lavake; and

BE IT FURTHER RESOLVED, that Mr. Lavake will be encouraged to reapply for repurchase if he can provide evidence that he is in fact the current owner of the adjacent property to the tax forfeited parcels.

Commissioner Kriesel seconded the motion and it was adopted 4-0 with a roll call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Weik, and Pulkrabek; Nays, none; Commissioner Peterson absent.

GENERAL ADMINISTRATION

Jim Schug, County Administrator, presented a brief legislative update on the following items: The vote counting equipment bill, which would give the county preferential priority in terms of receiving federal funds for the purchase of some vote counting equipment, is on the floor of the Senate and in the House it is in Finance; the bill for tax forfeited land along the St. Croix River has been changed as discussed last week; the report from MICA stated that things have been moving slowly until more information is obtained from the federal expansion of Medicaid to determine whether the \$400 million of the \$700 million shortfall would be covered by federal funds; and, the Governor's budget proposal called for the elimination of funding for the Sentence to Service program and that got a lot of response from counties who have been successfully using that program; the legislature's proposal calls for a 50 percent reduction and asks that the balance of the savings required be taken out of the Department of Corrections central office some of which will be allocated to the county; it appears that Washington county will do slightly better under the legislature's proposal.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Hegberg recognized the Washington County dive team for their efforts this past weekend.

Commissioner Kriesel stated he received a letter from Stillwater Township thanking the County Board for the use of its Sentence to Service crew. Last week he attended the I-94 Corridor Commission which met with Congresswoman Betty McCollum, and staff from Congresswoman Michele Bachman's office. The Board received an announcement yesterday that Woodbury Mayor Bill Hargis will not be seeking re-election. Commissioner Kriesel thanked Mayor Hargis for his leadership for the past 17 years. This

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evening he will be attending the Stillwater Chamber of Commerce on the bridge advocacy group to discuss the next steps in getting the St. Croix River Crossing built. He urged his fellow Commissioners to attend the Association of Minnesota Counties Board of Director's meeting on April 16 where the half percent sales tax will be discussed.

Commissioner Weik reported on the Woodbury Lions Club Pancake Breakfast held last weekend. She worked with Mayor Bill Hargis at this event and feels that he has been an inspiration and role model to the entire Woodbury Community. The family of Greg Orth donated memorials to the restorative justice program in Woodbury. The City of Woodbury is naming its restorative justice program after the late Greg Orth. It will be used for the East Ridge High School youth court program.

Commissioner Weik presented an update on the Woodbury Yellow Ribbon Committee activities. She directed everyone to their web site for further information.

Commissioner Pulkrabek asked that the Board present a proclamation to Mayor Bill Hargis for the outstanding job he has done.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Weik and it was adopted unanimously; Commissioner Peterson absent. The Board meeting adjourned at 9:37 a.m.

BOARD WORKSHOP WITH PUBLIC HEALTH AND ENVIRONMENT

The Board met in workshop session with the Department of Public Health and Environment for a status report on the Statewide Health Improvement Program (SHIP). No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Kriesel, Pulkrabek and Weik. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Wayne Sandberg, Jean Streetar, Yvonne Klinnert, Kevin Giles, Star Tribune, and Peter Cox, Stillwater Gazette.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator

