

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JUNE 17, 2008

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, Pulkrabek, Hegberg, Stafford, and Kriesel. Absent none. Board Chair Hegberg presided. Also present were Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Public Works Director; Cory Slagle, Transportation Manager; Kevin Corbid, Director of Property Records and Taxpayer Services; Patricia Conley, Library Director; Kay McAloney, Human Resources Director; Julie Sorrem, Risk Manager; Chris Volkers, Court Administrator; Lowell Johnson, Director of Public Health and Environment; John Freitag, Senior Environmental Specialist; Mjyke Nelson, Information Technology Director; Sheriff Bill Hutton; Tom Adkins, Community Corrections Director; Melinda Kirk, Budget Analyst; and Maggi Aitkens, 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, seconded by Commissioner Peterson to adopt the following Consent Calendar:

1. Approval of the June 3 and 10, 2008 Board meeting minutes.
2. Approval of an agreement with the Washington Conservation District to prepare management plans on certain Land and Water Legacy Program projects.
3. Approval of an agreement with Belwin to prepare management plans and arrange for appraisals on certain Land and Water Legacy Program projects.
4. Approval of comments to the City of Cottage Grove regarding their Local Water Management Plans and authorization for the Board Chair to sign the draft comment letter.
5. Approval of Amendment #1 to contract with Omni Contracting, Inc. for construction services for five 800 MHz Radio Sites to extend the date of termination of the contract to August 31, 2008.
6. Adoption of **Resolution No. 2008-082** as follows:

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Commitment to Remove Washington County Public Safety
Radio Tower Located at 15326 Afton Hills Court South, Afton
Upon Abandonment or Discontinuation of Use

WHEREAS, Washington County applied for and was granted a Conditional Use Permit to construct a Public Safety Radio Communications Tower at 15362 Afton Hills Court South, Afton, MN; and

WHEREAS, Washington County will build said tower in 2008; and

WHEREAS, the City of Afton Ordinance requires “The wireless communication service facilities owner shall furnish to the City prior to the issuance of the Conditional Use Permit a performance bond by a surety satisfactory to the City, in favor of the City, in the amount of \$20,000 or the amount of a written estimate from a qualified tower removal contractor, whichever is larger, guaranteeing that the wireless communication service facilities will be removed when no longer in operation.”; and

WHEREAS, the City of Afton Ordinance further requires “Upon abandonment or discontinuation of use the carrier shall physically remove the facility within 90 days from the date of abandonment or discontinuation of use.”; and

WHEREAS, the City of Afton agreed to waive the Performance Bond requirement in lieu of a Resolution committing Washington County to pay all costs associated with removal of said tower, if the tower will no longer be used.

NOW, THEREFORE, BE IT RESOLVED that Washington County will remove said Public Safety Radio Tower when it will no longer be used.

BE IT FURTHER RESOLVED that Washington County will pay all costs for removal and restoration of the site as required by the City of Afton Ordinance.

7. Approval to amend the Joint Powers Agreement with the State of Minnesota, Commissioner of Corrections, to house Minnesota Department of Corrections Offenders in the Washington County jail for a daily per diem extending the agreement through June 30, 2009.

GENERAL ADMINISTRATION

Commissioner Peterson moved to approve the following projects recommended for funding through the 2007 Countywide Mission Directed Budget program: Financial Management System Training, \$10,000; Management Books, \$1,500; Pillsbury Theater Presentations, \$8,900; Diversity Training, \$7,500; Leadership Academy \$35,000; Retiree Health Insurance Administration; \$12,000; Electronic Content Management Phase III, \$40,000; Firewall Technology, \$30,000; and Citrix Technology, \$60,000. Commissioner Stafford seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Peterson, Hegberg, Stafford, and Kriesel; No, Commissioner Pulkrabek.

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Commissioner Pulkrabek does not support the Pillsbury Theater Presentations and the Diversity Training Programs and that is why is voted against this proposal.

MINNESOTA COUNTIES INSURANCE TRUST

Jane Hennagir, Minnesota Counties Insurance Trust (MCIT) Account Executive, presented a brief overview of MCIT's property/casualty and workers' compensation reinsurance; an update on MCIT's and Washington County's dividends, rates, and claim history; and, an overview of MCIT's risk management and loss control initiatives for 2008.

LIBRARY

Commissioner Kriesel moved to adopt **Resolution No. 2008-083** as follows:

Transfer of the Self Service Center to the Law Library Effective July 1, 2008

WHEREAS, the county and Court Administration are both authorized to operate a self-service center that provides residents with access to court forms and related legal documents; and

WHEREAS, the Washington County Court Self Service Center (hereinafter "the Self Service Center) was established and operated as part of the Washington County Law Library until it was transferred to the State, by and through Washington County Court Administration, effective July 1, 2005 through an Interagency Agreement with the County dated January 11, 2006; and

WHEREAS, recent budget reductions for the State Court system imperiled the continuation of the Self Service Center as part of Court Administration; and

WHEREAS, the county, the County Law Library Board of Trustees, and the Court Administration desire continued operation of the Self Service Center in order to meet the needs of the residents of Washington County; and

WHEREAS, the County Law Library Board of Trustees recommends that the Self Service Center be returned to the Law Library, effective July 1, 2008; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the transfer of the Self Service Center to the Law Library effective July 1, 2008, and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners authorizes approval of the agreement for the operation, management and funding of a Self Service Center.

Commissioner Peterson seconded the motion and it was adopted unanimously.

PUBLIC HEALTH AND ENVIRONMENT

Commissioner Pulkrabek moved to approve comments to the Minnesota Pollution Control Agency regarding the 3M Oakdale Disposal Site Proposed Cleanup Plan for Perfluorochemicals and authorize the Board Chair to sign said letter. Commissioner Stafford seconded the motion and it was adopted unanimously.

PUBLIC WORKS

Designate CSAH 18 as a Type III Natural Preservation Route

(Commissioner Pulkrabek left the meeting at 10:00 a.m.)

Commissioner Kriesel moved to adopt **Resolution No. 2008-084** as follows:

Proceed with the Natural Preservation Route Designation
Request on County State Aid Highway (CSAH) 18

WHEREAS, CSAH 18 between TH 95 (Manning Avenue) and CSAH 21 (St. Croix Trail South) is scheduled in the CIP for reconstruction in 2009 due to poor underlying material and pavement; and

WHEREAS, CSAH 18 from TH 95 to CSAH 21 in Afton is a naturally scenic roadway that is richly abundant in historical and environmental resources; and

WHEREAS, Washington County's Linear Park System includes the described segment of CSAH 18 in its system; and

WHEREAS, the designation of CSAH 18 as a Natural Preservation Route will allow the county to provide a balance between the needed safety and structural improvements and the preservation of historical and environmental resources; and

WHEREAS, the Afton City Council supports Washington County in designating CSAH 18, from T.H. 95 (Manning Avenue) to CSAH 21 (St. Croix Trail South) as a Type III Natural Preservation Route.

BE IT RESOLVED that the Washington County Board of Commissioners hereby find that:

1. The Type III criteria as defined in State Aid Operations Rules, Chapter 8820, are substantially met for this segment of CSAH 18 in the City of Afton.
2. The segment of CSAH 18 between T.H. 95 and CSAH 21 shall be recommended to the Commissioner of the Minnesota Department of Transportation as a Type III Natural Preservation Route.

BE IT FURTHER RESOLVED, Washington County hereby requests the Commissioner of Transportation to designate the above mentioned roadway segment as a Type III Natural Preservation Route.

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

Reconstruction of CSAH 15

Bids were received for reconstruction of CSAH 15 as follows:

<u>Bidder</u>	<u>Total</u>
North Pine Aggregate, Inc.	\$6,143,629.82
Tower Asphalt, Inc.	\$6,417,068.87
Frattalone Companies, Inc.	\$6,563,201.07
Dressel Contracting, Inc.	\$6,573,985.60
C.S. McCrossan Construction, Inc.	\$6,871,486.60
Veit & Company, Inc.	\$6,909,847.45
Forest Lake Contracting, Inc.	\$6,975,768.99
Progressive Contractors, Inc.	\$7,111,177.40
A1 Excavating, Inc.	\$7,450,944.55
Park Construction Company	\$7,939,477.09

(Commissioner Pulkrabek returned at 10:15 a.m.)

Commissioner Hegberg moved to adopt **Resolution No. 2008-085** as follows:

Bid Award for CSAH 15 Reconstruction to
Tower Asphalt, Inc.

WHEREAS, in order to complete road reconstruction, the county solicited bids for this project; and

WHEREAS, bids were opened on May 22, 2008, with North Pine Aggregate being the lowest responsible bidder; and

WHEREAS, North Pine Aggregate withdrew its bid prior to the award; and

WHEREAS, Tower Asphalt was the next lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the bid of \$6,417,068.87 be accepted and the county enter into a contract with Tower Asphalt, Inc. under the terms and conditions set forth in the bid specification documents and that North Pine Aggregate, Inc. be allowed to have its bid withdrawn and its bid bond returned.

BE IT FURTHER RESOLVED, that the contract between the county and Tower Asphalt, Inc. be executed through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administer without further action of the County Board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's Office.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

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GENERAL ADMINISTRATION

Molly O'Rourke, Deputy Administrator, announced that the Board of Equalization will convene following the Board meeting at 10:45 a.m.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Peterson reported on the Minnesota Inter-County Association meeting she attended last week. They discussed maintenance of effort and matching fund relief.

Commissioner Pulkrabek mentioned that this coming weekend is the Oakdale Summerfest. He and Commissioner Peterson will be riding in the parade on Thursday night.

Commissioner Stafford announced that he will be out of town next week and will miss the next Board meeting. On Friday night Woodbury is having their walk for cancer at Ojibway Park.

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 Kriesel and it was adopted unanimously. The Board meeting adjourned at 10:30 a.m.

BOARD OF EQUALIZATION

The County Board convened as the Board of Equalization at 10:45 a.m. in the Washington County Government Center, County Board Room.

Dennis C. Hegberg, Chair
County Board

Attest:

Molly F. O'Rourke
Deputy Administrator