

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
SEPTEMBER 5, 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, Pulkrabek, Stafford, and Hegberg. Absent none. Board Chair Pulkrabek presided. Also present were James Schug, County Administrator; Doug Johnson, County Attorney; Sue Harris, First Assistant County Attorney; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Tom Adkins, Community Corrections Director; Steve Gransee, Assessment, Taxpayer Services and Elections Administrative Services Manager; Dan Papin, Community Services Director; Rick Backman, Community Services Division Manager; Kristin Tuenge, Community Services Supervisor; Chris Bray, Community Corrections Deputy Director; Lowell Johnson, Director of Public Health and Environment; Amanda Goebel, Sr. Environmental Specialist; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Cory Slagle, Engineer II; Jim Luger, Parks Director; Keith Potter, Facilities Manager; Sharon Price, Property Manager; Ann Pung-Terwedo, Sr. Planner; Sheriff Steve Pott; Harley Will, Financial Services Director; Chris Volkers; Court Administrator; Deb McDonald, Management Analyst; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

The Board Chair asked for comments from the audience; none were heard.

CONSENT CALENDAR

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

1. Approval of the August 15 and 22, 2006 Board meeting minutes.
2. Approval of agreement between the State of Minnesota Tenth Judicial District and Washington County to provide a means of state reimbursement for direct payments made by the county as required by statute as part of the transfer of court administration functions from the county to the state.
3. Adoption of **Resolution No. 2006-118** as follows:

Resolution Recommending Approval to Set Aside a Portion of the
Annual Distribution of Net Revenue from Tax-Forfeited Land Sales

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WHEREAS, Minnesota Statute Chapter 282 gives the county board the authority to manage tax forfeited property that is located within Washington County; and

WHEREAS, the county auditor is to distribute the net revenue of the county's tax-forfeited sale fund to the local taxing districts after payment of county administrative expenses, according to one of two prescribed apportionment plans; and

WHEREAS, Minnesota Statutes Chapter 282.08 subdivision 4(ii) allows the county board to set aside up to 20% of net proceeds for the acquisition and maintenance of county parks or recreational areas; and

WHEREAS, the Washington County Parks system consists of 4,313 acres county park system and a 182 miles system of bicycle/pedestrian trails and serves over 1,300,000 visitors annually.

THEREFORE, BE IT RESOLVED, that the County Board of Commissioners directs the Department of Assessment, Taxpayer Services and Elections to annually set aside 20% of the net proceeds from the tax-forfeited sale fund for acquisition and maintenance of county parks and recreational areas.

4. Adoption of **Resolution No. 2006-119** as follows:

Authorization to Withdraw from the Local
Collaborative Time Study Contract

WHEREAS, Washington County has entered into a joint powers agreement with the Stillwater, Mahtomedi, and South Washington County School Districts to form a local Children's Collaborative, hereinafter "Collaborative"; and

WHEREAS, in 1998, the Collaborative entered into an agreement with the Minnesota Department of Human Services (DHS) to participate in the Local Collaborative Time Study Program (LCTS); and

WHEREAS, in furtherance of this Agreement, the Washington County Board of Commissioners approved Contract #98-0111 with DHS to implement the LCTS program; and

WHEREAS, Contract #98-0111 was amended in 2001; and

WHEREAS, the Collaborative wishes to withdraw from the LCTS and terminate the contract as amended with DHS; and

WHEREAS, the Collaborative determined it was no longer cost effective due to actions taken by the Federal Government over this last year that changed the funding formula and severely restricted the number children eligible for LCTS claiming; and

WHEREAS, the Collaborative claiming of funds dropped below the level justifying the administrative burden on schools and the county; and

WHEREAS, on July 1, 2006, the Collaborative gave its notice of intent to cancel Contract #98-0111 as amended; and

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WHEREAS, DHS requires County Board action to cancel Contract #98-0111 and attendant amendment; and

WHEREAS, in withdrawing from the program, DHS will require certain actions of and assurances from Washington County with respect to a final reconciliation after termination.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners withdraws from the LCTS Program effective July 1, 2006 and cancels Contract #98-0111 as amended with the Minnesota Department of Human Services.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby delegates to the Washington County Department of Community Services the authority to take the steps necessary to perfect reconciliation per DHS requirements.

4. Approval to accept the 2006 Operational Improvement Grant in the amount of \$5,600 with the Minnesota Department of Veterans Affairs.
5. Approval to create a new policy for journal entry authorization.
6. Approval to revise Policy No. 2502, Receipt of Funds.
7. Approval to use up to \$28,000 of the Library fund balance in 2006 to purchase three new self-checkout machines for the R.H. Stafford Library.
8. Approval of the closure of the Newport Library during the week of September 18, 2006 for improvements and repairs.
9. Approval and execution of Amendment No. 3 to cooperative agreement with the City of Forest Lake for additional engineering services for the CSAH 2 reconstruction project.
10. Adoption of **Resolution No. 2006-120** as follows:

Approval of Minnesota Department of Transportation
Agency Agreement Number 90052

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec 161.36, the Commissioner of Transportation be appointed as Agent of the County of Washington to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Board Chair and the County Administrator are hereby authorized and directed for and on behalf of the county to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of

Transportation Agency Agreement No. 90052, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

11. Adoption of **Resolution No. 2006-121** as follows:

Minnesota Trail Assistance Program Grant Request

WHEREAS, Washington County has developed trail systems in Cottage Grove Ravine Regional Park, Lake Elmo Park Reserve and Pine Point Park; and

NOW, THEREFORE, BE IT RESOLVED that any State grants in aid for the described trails be directed to Washington County and application made therefore by said 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 84-43 without further action by the County Board.

12. Adoption of **Resolution No. 2006-122** as follows:

Approval of Agreement with Wisconsin Central, LTD to Install Signals with Gates and Circuitry on Otchipwe Avenue in Grant

BE IT RESOLVED, that the County of Washington enter into an agreement with the Wisconsin Central, LTD and the Commissioner of Transportation for the installation and maintenance of railroad flashing light signals, gates, and circuitry at the intersection of Otchipwe Avenue (CSAH 11) with the tracks of the Wisconsin Central, LTD in Grant, Washington County, Minnesota, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The county's share of the cost shall be 10 percent of the total signal cost.

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and County Administrator be and they are hereby authorized to execute said agreement and any amendments thereto for and on behalf of the county.

The foregoing Consent Calendar was adopted unanimously.

ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS

Commissioner Peterson moved to approve the department name of Property Records and Taxpayer Services for the recently merged departments of Assessment, Taxpayer Services and Elections and the Recorder's Department. Commissioner Stafford seconded the motion and it was adopted unanimously.

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COMMUNITY CORRECTIONS

Cathy Luiken, Human Services Inc., - Stillwater, presented a brief overview of Fetal Alcohol Syndrome.

Commissioner Hegberg moved to adopt **Resolution No. 2006-123** as follows:

Proclaim September 9, 2006 as
Fetal Alcohol Syndrome Awareness Day in Washington County

WHEREAS, healthy children are the most important resource in Washington County; and

WHEREAS, Fetal Alcohol Syndrome (FAS) is one of the leading causes of mental retardation in the United States and throughout the western world; and

WHEREAS, as many as one in every 100 individuals in the United States may be adversely affected by prenatal exposure to alcohol; and

WHEREAS, FAS and its effects are a root cause of numerous social disorders, including learning disabilities, juvenile delinquency, school drop-outs, homelessness, unemployment, mental illness, and crime; and

WHEREAS, economists estimate that each individual with FAS and its effects will cost taxpayers nearly two million dollars in his or her lifetime; and

WHEREAS, people around the world will be observing international FAS Day on September 9, 2006, in order that on the ninth day of the ninth month of the year, the world will remember that during the nine months of pregnancy a woman should abstain from alcohol.

NOW THEREFORE BE IT PROCLAIMED, the Washington County Board of Commissioners hereby proclaims September 9, 2006 as Fetal Alcohol Syndrome Awareness Day in Washington County, to promote awareness of the effects of prenatal exposure to alcohol, to increase compassion for those individuals so affected, to minimize further effects, and to ensure healthier communities in the future.

Commissioner Peterson seconded the motion and it was adopted unanimously.

PUBLIC HEALTH AND ENVIRONMENT

Commissioner Hegberg moved to approve the comments on the draft Ramsey Washington Metro Watershed District and the South Washington Watershed District Management Plans and authorize letters and comments to be signed by the County Board Chair. Commissioner Stafford seconded the motion and it was adopted unanimously.

TRANSPORTATION AND PHYSICAL DEVELOPMENT

Environmental Assessment for CSAH 13 Reconstruction Project

Commissioner Stafford moved to adopt **Resolution No. 2006-124** as follows:

Negative Declaration of the Need for an EIS for the County State Aid Highway (CSAH) 13 (Radio Drive) Reconstruction Project and Approval of Distribution of Record of Decision

WHEREAS, Washington County is the Responsible Governmental Unit (RGU) for the CSAH 13 Reconstruction Project; and

WHEREAS, Minnesota Rule 4410.4300 Subp. 22 requires an Environmental Assessment Worksheet (EAW) be prepared for the project; and

WHEREAS, an Environmental Assessment (EA) document has been prepared as a part of the National Environmental Policy Act process and the state environmental process to fulfill the requirements of both 42 U.S.C. 4332 and M.S. 116D, and has been circulated for review and comment; and

WHEREAS, based on the information contained in the CSAH 13 EA and comments received on the EA, findings of fact include:

The type and extent of environmental affects are similar to effects associated with other road construction projects and the project does not have the potential for significant environmental effects.

No cumulative potential effects of related or future projects exist that would pose significant environmental effects.

The anticipated environmental effects are subject to mitigation by ongoing regulatory authorities.

The extent of environmental effects can be anticipated and controlled as a result of experience with other similar highway improvement projects with similar environmental effect; and

WHEREAS, no regulatory reviewing agencies indicate a need for an EIS; and

WHEREAS, based on criteria in Minnesota Rule 4410.1770 the project does not have significant environmental effects.

NOW THEREFORE, BE IT RESOLVED, that the EA for the CSAH 13 Reconstruction Project was adequate and a negative declaration is made on the need for an EIS.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners approves the distribution of the Record of Decision documenting this decision.

Commissioner Peterson seconded the motion and it was adopted unanimously.

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Commissioner Stafford moved to adopt **Resolution No. 2006-125** as follows:

Resolution to Acquire Right of Way on
County State Aid Highway (CSAH) 13

BE IT RESOLVED THAT Washington County proceed to improve a portion of County State Aid Highway 13 between south of Pioneer Drive and south of Bailey Road (CSAH 18), and make connecting roadway improvements as necessary, located in Sections 16, 17, 20, 21 & 29, Township 28 North, Range 21 West in the City of Woodbury.

And that the officers of said county, including the County Engineer, the County Administrator and the County Attorney, shall proceed and are hereby authorized to proceed to acquire, by negotiations and purchase, right of way to establish said highway plus sight corners, permanent slope, drainage and utility easements, and temporary construction easements. And such officers are specifically authorized to take such action and execute such instruments if any be necessary, to acquire said right of way and associated easements.

Commissioner Peterson seconded the motion and it was adopted unanimously.

EAW on Veteran's Rest Camp

Commissioner Stafford moved to adopt **Resolution No. 2006-126** as follows:

Resolution for Negative Declaration of Need for
an Environmental Impact Statement for
the Disabled Veteran's Rest Camp

General Legal Description:

The Northeast Quarter of Section 6, Township 31 North, Range 20 West and Government Lot 8 of Section 5, May Township.

WHEREAS, Washington County Board of Commissioners is the responsible governmental unit (RGU); and

WHEREAS, Minnesota Rule 4410.4300 Subpart 20. Construction of a seasonal recreational development accessible by vehicle consisting of 50 or more sites, or the expansion of such a facility by 50 or more sites; and Rule 4410.4300, Subpart 25, construction of a marina or harbor that results in a 20,000 square feet or more increase of water surface requires that an Environmental Assessment Worksheet (EAW) be prepared; and

WHEREAS, the Environmental Assessment Worksheet (EAW) dated June 9, 2006 has been prepared and circulated to the appropriate public agencies and private citizens pursuant to Minnesota rule 4410.1700; and

WHEREAS, based on the information contained in the EAW, records and files and comments received and responded to in the EAW, the County Board as the RGU concluded the following:

The type, extent and reversibility of environmental effects are similar to effects associated with other seasonal recreational developments and marinas and the project does not have potential for significant environmental effects.

No cumulative potential effects of related or anticipated future projects exist that would pose significant environmental effects.

The anticipated environmental effects are subject to ongoing regulatory authority, including Washington County, the May Town Board, the Carnelian-Marine Watershed District, and the Washington County Department of Health and Environment, and the Minnesota Pollution Control Agency.

The extent of the environmental effect of the Veteran's camp expansion can be anticipated and controlled by the development process as required by the Washington County Development Code, May Town Board, and other environmental studies undertaken by public agencies or the property, including other EIS.

WHEREAS, based on the criteria in Minnesota Rule 4410.1770, the project does not have significant environmental effects.

NOW, THEREFORE, BE IT RESOLVED, that the EAW for the Disabled Veterans' Rest Camp project is adequate and a negative declaration is made on the need for an EIS.

Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Kriesel abstained.

GENERAL ADMINISTRATION

County Policy for Cost Participation for the 800 MHz Radio System

Jim Schug, County Administrator presented an overview of the proposed 800 MHz radio system policy. The purpose of the policy is to determine the appropriate allocation of costs between governmental units that will utilize the planned 800 MHz Radio System in Washington County.

Commissioner Stafford moved to adopt Policy #1035, Cost Participation between Washington County and Other Agencies for the 800 MHz Radio System. Commissioner Peterson seconded the motion and it was adopted unanimously.

Introduction of New Financial Services Department Head

Jim Schug, County Administrator, introduced Harley Will, the new Director of Financial Services.

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COMMISSIONER REPORTS-COMMENTS-QUESTIONS

Commissioner Hegberg reported that he has had meetings with the Housing and Redevelopment Authority concerning District Memorial Hospital issues. He will report back on this matter later.

Commissioner Peterson announced that at St. Paul Park's last meeting they passed a resolution supporting the dedication of the motor vehicle sales tax revenue to transportation. She was curious to see how many other cities had done that.

Commissioner Kriesel reported that he will be attending a neighborhood meeting on Thursday, September 7 regarding Manning Avenue for the formation of a design/review committee. There will also be an open house that evening at Aamodt's Apples discussing Manning Avenue.

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

BOARD 2007 BUDGET WORKSHOP

The Board met in workshop session to hear 2007 budget requests from the County Sheriff, County Attorney, Community Corrections, and Court Administration. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Hegberg, and Stafford. Also present were Jim Schug, Melinda Kirk, Sheriff Pott, Sue Prudhomme, Chuck Yetter, Doug Johnson, Barb Nelson, Sue Harris, Tom Adkins, Chris Bray, Barb McGinnis, Chris Volkers, Lynelle Nordquist, Jennifer Schlieper, Kevin Corbid, Dan Papin, Lowell Johnson, Jim Luger, and Yvonne Klinnert, Stillwater Courier.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to hear an update on open space referendum activities. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Hegberg, and Stafford. Also present were Jim

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Schug, Jane Harper, Don Theisen, Cindy Weckwerth, Lowell Johnson, Ann Pung-Terwedo, Kevin Corbid, Jim Luger, Cordelia Pierson, Trust for Public Land, and Justin Fay, Washington County Citizens for Land and Water.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator