

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 28, 2009

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 Hegberg, Pulkrabek, Peterson, Weik, and Kriesel. Absent none. Board Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Susan Harris, First Assistant County Attorney; Don Theisen, Public Works Director; John Elholm, Parks Director; Cory Slagle, Transportation Manager; Joe Gustafson, Transportation Engineer; Lowell Johnson, Director of Public Health and Environment; Fred Anderson, Epidemiologist; Harley Will, Accounting and Finance Director; Mjyke Nelson, Information Technology Director; Barbara Fritsche, I.T. Supervisor; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Kevin Corbid, Director of Property Records and Taxpayer Services; Dan Papin, Community Services Director; Cindy Rupp, Community Services Division Manager; Kay McAloney, Human Resources Director; Jane Harper, Principal Planner; Deb McDonald, Management Analyst II; and David Brierley, Public Information Coordinator.

The Board recited the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC

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

CONSENT CALENDAR

Commissioner Hegberg moved, seconded by Commissioner Weik to adopt the following Consent Calendar:

1. Approval of the April 7 and 14, 2009 Board meeting minutes.
2. Approval of revisions to County Policy #1201, Contract Administration, approval to establish County Policy #1903, Conveyance of County Owned Real or Personal Property, and authorization to rescind County policies #1202 and #1807.
3. Approval of revisions to Policy #2506, Petty Cash and Change Funds.
4. Approval of the Microsoft Select Software Licensing Agreement effective March 2009 through March 2012.
5. Approval of budget amendment and use of an additional \$500,000 from County Environmental Charge (CEC) Fund for the Environmental Center project.

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6. Approval of Work Order No. 17 for the CSAH 13 road construction project contract with CS McCrossan Construction.
7. Approval of Amendment No. 1 to Minnesota Department of Transportation Contract No. 93611 related to the Phase I and II investigation of historic structures along CSAH 2 in Forest Lake.
8. Approval of Change Order No. 3 to the contract with St. Paul Linoleum and Carpet Company in the amount of \$25,000.
9. Approval of application for funding of one 911 Public Safety Dispatcher in the Sheriff's Office through the Edward Byrne Competitive Grant program for hiring civilian law enforcement.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC WORKS

Joe Gustafson, Transportation Engineer, presented an update on projected traffic impacts and reviewed completed, pending and future improvements to roadways in the vicinity of the new East Ridge High School in southern Woodbury.

PROPERTY RECORDS AND TAXPAYER SERVICES

Commissioner Hegberg moved to adopt **Resolution No. 2009-038** as follows:

Resolution to Set Public Hearing Related to Aggregate Resource Preservation Property Tax Law

WHEREAS, the Washington County Board of Commissioners recognizes the importance of maintaining aggregate resources within the county; and

WHEREAS, the County Board recognizes that property taxes are an important consideration as to the viability of the aggregate industries located in the county; and

WHEREAS, the state of Minnesota has an ad valorem property tax system based on the full market value of real estate; and

WHEREAS, the provisions of Minn. Statute 273.1115, Aggregate Resource Preservation Property Tax Law, grants special treatment to owners of land containing aggregate deposits, in comparison with other property in the county, therefore shifting the tax burden onto other properties; and

WHEREAS, the provisions of Minn. Statute 273.1115 allow a county to terminate application of this law; and

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WHEREAS, a county may reauthorize application of this law by a resolution of the County Board revoking the termination; and

WHEREAS, a public hearing must be held prior to making any decision to terminate application of the program.

THEREFORE, BE IT RESOLVED, that the County Board of Commissioners will hold a public hearing on May 19, 2009 at 9 a.m. to consider the termination of the application of Minn. Statutes 273.1115, the Aggregate Resource Preservation Property Tax Law, in Washington County.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Grant Request to the Legislative Citizen Commission on Minnesota Resources

Commissioner Hegberg moved to adopt **Resolution No. 2009-039** as follows:

Application to Legislative-Citizen Commission on Minnesota Resources for Grant Funds to Use as Matching Funds to Acquire Interests in Property through the Washington County Land and Water Legacy Program

WHEREAS, Washington County established the Washington County Land and Water Legacy Program (LWLP) after voters approved a \$20 million referendum to acquire interests in property for the preservation of water quality, woodlands and other natural areas; and

WHEREAS, the Washington County Board of Commissioners chose an initial set of high priority projects after a careful review of proposals that involved technical evaluation and ranking, local government comment, and review by a citizen advisory committee; and

WHEREAS, the owners of each parcel are the project applicants and are willing to sell an interest in their property; and

WHEREAS, on December 18, 2007, the Washington County Board of Commissioners authorized staff to begin valuations and negotiations on the LWLP high priority projects and to search for opportunities to leverage the county funds through outside funding sources; and

WHEREAS, the Legislative-Citizen Commission on Minnesota Resources (LCCMR) is requesting proposals for projects to receive funding from the Environment and Natural Resources Trust Fund beginning July 1, 2010; and

WHEREAS, the LWLP high priority projects are consistent with the LCCMR's priority to acquire lands with high quality natural resources and conservation lands that provide natural buffers to water resources; and

WHEREAS, the grant funds would allow the county to protect about 450 acres of outstanding natural habitat along the St. Croix River and its tributaries, thus creating a permanently protected three-mile corridor of forested bluff land and ravines along the river.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves submitting a grant request to the Legislative Citizen Commission on Minnesota Resources for up to four million dollars (\$4,000,000) to purchase land and interests in land on high priority lands along the St. Croix River and its tributaries through the Washington County Land and Water Legacy Program.

Commissioner Kriesel seconded the motion and it was adopted unanimously.

Reimbursement of Land and Water Legacy Funds

Commissioner Kriesel moved to adopt **Resolution No. 2009-040** as follows:

Authorization to Reimburse the Land and Water Legacy
Bond Fund from Various Accounts for Costs Incurred
for Land and Water Legacy Program Projects

WHEREAS, Washington County established the Washington County Land and Water Legacy Program (LWLP) after voters approved a \$20 million referendum to acquire interests in property for the preservation of water quality, woodlands and other natural areas; and

WHEREAS, the Washington County Board of Commissioners, on October 8, 2007, adopted Resolution 2007-126 stating the county's intent to reimburse itself from proceeds of the future sale of tax- exempt bonds for the purchase of the Betty Katarek property in Grey Cloud Island Regional Park; and

WHEREAS, the Washington County Board of Commissioners, on December 18, 2007, adopted Resolution 2007-163 stating the county's intent to reimburse itself from proceeds of the future sale of tax-exempt bonds for certain eligible expenditures associated with additional LWLP projects; and

WHEREAS, reimbursement from proceeds of the future sale of tax-exempt bonds must occur within 18 months of the original expenditure; and

WHEREAS, on December 16, 2008, the Washington County Board of Commissioners made the decision to defer sale of the tax-exempt Land and Water Legacy Program bonds until 2010, thereby disallowing the county's use of the bond proceeds for various past expenditures; and

WHEREAS, the Washington County Board of Commissioners, on May 22, 2007, adopted Resolution 2007-062, programming a portion of the 2007 Capital Improvement Bond Funds for Big Marine Parkland acquisition; and

WHEREAS, the Lois and Jerome Grundhofer property is located within the Big Marine Park Reserve, thereby making its purchase eligible for reimbursement from the 2007 Capital Improvement Bond Funds; and

WHEREAS, funds are available from various other accounts to reimburse the LWLP Fund for other expenditures;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves reimbursement of the LWLP Fund for past expenditures in the following manner:

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Transfer from the Park Permit Fund the following amounts:

- \$271,600 for the Betty Kartarek land acquisition in Grey Cloud Island Park Reserve.
- \$2,500 for expenditures related to the Forrest Anderson land acquisition in Cottage Grove Ravine Regional Park.
- \$1,600 for expenditures related to the John Pontius land acquisition for the St. Croix Valley Regional Trail.

Transfer from the 2007 CIP Bond Funds the following amounts:

- \$137,300 for the Jerome and Lois Grundhofer land acquisition in Big Marine Park Reserve.

Transfer from the Commissioners Purchase of Development Rights Fund the following amounts:

- \$6,400 for expenditures related to the Pat Lilligren conservation easement project.

Commissioner Weik seconded the motion and it was adopted unanimously.

Legislative Update

Jim Schug, County Administrator, presented the following legislative update: Both the Senate and the House passed their budget bills and they will be headed toward conference committee later this week; if tax increases are included there is a strong possibility of a gubernatorial veto; under Public Safety and Corrections the Senate bill has a 7% across the board cut in pass through grants to counties and there is no provision for repeal of the short-term offender program but it is in the House version; in Transportation the Senate bill has an endowment fund for the preservation of the Stillwater lift bridge and maintenance of the bridge; in the conference committee the funding for the I-94 corridor in the amount of \$250,000 does not seem to be in the discussion nor the Rush Line park-and-ride; the St. Paul to Chicago high-speed rail does include \$12 million on the Senate side; in Health and Human Services the House and Senate have the State Health Improvement Program (SHIP) fully funded; the Health Care Access fund has not been merged into the general fund in the House proposal; and the House and Senate bills both have the recovery of the targeted case management funds.

Mr. Schug reported that he attended a meeting yesterday in Baytown Township convened by Senator Kathy Saltzman to discuss the Wildlife Management Areas. The Department of Natural Resources officials and hunting and angling organizations attended, as well as Representative Dennis McNamara and Representative Julie Bunn. They discussed the purpose of the Wildlife Management Areas and that if local units of government apply restrictions to them, particularly for hunting and fishing, it could render some of the smaller areas unusable. The group was working towards language that if the DNR did not agree with a local ordinance, there would be an appeal process available.

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Commissioner Peterson reported that the State Rail subcommittee met on Monday and there was discussion that the bonding bill would need \$22 to \$26 million this biennium to match the Federal stimulus funds for high-speed rail to Chicago.

Swine Flu Update

Lowell Johnson, Director of Public Health and Environment, presented a brief update on actions being taken by the State of Minnesota and Washington County in response to the potential swine flu outbreak. He noted that a site has been established on the county web site that links to the Minnesota Department of Health web site. The county's internal web site the WashNet also provides general health guidelines and links to the latest information for county employees. Mr. Johnson indicated that Washington County is in daily contact through conference calls with the Minnesota Department of Health and all local public health departments around the state.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Hegberg reported that he and Commissioner Weik were in Washington D.C. as part of the Counties Transit Improvement Board and met with a number of the Congressional staff and with Congresswoman Bachman and Congressman Ellison to discuss high priority projects.

Commissioner Kriesel reported that he attended the Lower St. Croix Valley Alliance last evening. He attended the Veteran's Rest Camp Board last week and they are still developing a policy and are moving in the right direction. He attended the volunteer reception last Tuesday at the Historic Courthouse. It was well attended and a great event. This Friday, there will be a Yellow Ribbon Network meeting at the Cottage Grove Armory. Chief Deputy Mike Johnson, Chair of the Yellow Ribbon Network, is preparing to send letters to all of the local government agencies informing them on how they can become Yellow Ribbon Communities.

Commissioner Weik reported that the City of Woodbury passed a resolution last week supporting the Yellow Ribbon Network. Last week she attended the One County, One Book event at the Central Park in Woodbury. The guest speaker was Dr. Forni and he did a wonderful job. There were over 100 people in attendance. She felt the trip to Washington D.C. last week for the Counties Transit Improvement Board was positive and time well spent. The reaction from the offices they visited was good and they were glad to see the entire group there together. They also met with Congressman Tim Walz in addition to Congresswoman Bachman and Congressman Ellison. She attended a press conference yesterday at the Union Depot with Commissioner Peterson, and many Chambers of Commerce were in attendance. She will be attending the two day Association of Minnesota Counties Legislative Conference at the Crowne Plaza in St. Paul. On Saturday in Ojibway Park, Woodbury will hold its Earth Day Recycling event from 9:00 a.m. to 2:00 p.m.

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They will be collecting appliances, tires, electronics, scrap metal and a new item this year is furniture. This past Saturday she attended a two hour seminar at the Science Museum which discussed the St. Croix River Basin. There was a great turn out of State and local officials.

Commissioner Peterson attended a meeting on the South Washington and Valley Branch Watershed enlargement last Wednesday. Letters of support were received from Denmark Township, Cottage Grove, Grey Cloud Island Township, and St. Paul Park. Only Woodbury was not in favor of it. She indicated there was some historical information given that was totally inaccurate and she has asked a senior person who was involved in the previous water management organization, the Cottage Grove Ravine, to write a brief history to submit for the records.

Commissioner Peterson noted that the press conference held at the Union Depot included Chamber members from Winona as well as Commissioners from Winona. There was also representation from the Indian community of Prairie Island. They will be having a joint meeting today in Winona to kick off the high-speed rail corridor.

Commissioner Peterson indicated she will not be attending the AMC Legislative Conference on Wednesday until later. She has a 9:00 meeting in Cottage Grove to talk with the Minnesota Pollution Control Agency about 3M's request to take in materials from other states and other companies to burn like products in the Cottage Grove burn facility. The city has taken a strong negative posture on that variance and she too has taken a strong posture against it. She will be sending a letter, not as chair of this board, but as a representative of the district and she wanted the Board to be aware of that. It is her personal belief that the City of Cottage Grove allowed the burn facility to be developed to take care of 3M's waste when they were doing manufacturing in Minnesota. 3M has a corporate policy now to outsource their manufacturing jobs overseas; and to increase the burn material at the facility in Cottage Grove is totally inappropriate. There is no reason for Cottage Grove to accept other people's waste products.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Board Chair Peterson adjourned the meeting at 10:27 a.m.

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BOARD WORKSHOP WITH COMMUNITY SERVICES

The Board met in workshop session with the Community Services Department to discuss mental health case management changes. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Peterson, Weik, and Kriesel. Also present were Jim Schug, Molly O'Rourke, Dan Papin, Cindy Rupp, Rick Backman, Therese Gilbertson, Traci Thompson, and Julia Wallis.

Myra Peterson, Chair
County Board

Attest:

James R. Schug
County Administrator