

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 11, 2010

WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY CONVENES

The Washington County Regional Railroad Authority (RRA) met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Absent none. RRA Chair Peterson presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Kevin Corbid, Director of Property Records and Taxpayer Services; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Mjyke Nelson, Information Technology Director; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Andy Gitzlaff, Associate Planner; John Elholm, Parks Director; Ted Schoenecker, Transportation Manager; Corey Slagle, Transportation Manager; Greg Wood, Facilities Manager; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Tom Adkins, Community Corrections Director; Lowell Johnson, Director of Public Health and Environment; Harley Will, Accounting and Finance Director; and Yvonne Klinnert, Public Information Coordinator II. Official Proceedings of the Regional Railroad Authority are available in the Office of Administration.

The Board recited the Pledge of Allegiance.

WASHINGTON COUNTY BOARD OF COMMISSIONERS CONVENES

The Washington County Board of Commissioners met in regular session at 9:13 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Absent none. Board Chair Pulkrabek presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Kevin Corbid, Director of Property Records and Taxpayer Services; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Mjyke Nelson, Information Technology Director; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Andy Gitzlaff, Associate Planner; John Elholm, Parks Director; Ted Schoenecker, Transportation Manager; Corey Slagle, Transportation Manager; Greg Wood, Facilities Manager; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Tom Adkins, Community Corrections Director; Lowell Johnson, Director of Public Health and Environment; Harley Will, Accounting and Finance Director; and Yvonne Klinnert, Public Information Coordinator II.

COMMENTS FROM THE PUBLIC

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

CONSENT CALENDAR

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

1. Approval of the April 27, 2010 Board meeting minutes.
2. Approval to allow the director of the Washington County Community Services to sign the Letter of Confirmation for CommonBond Communities.
3. Approval to release for public comment an amendment to reallocate \$304,347 in Community Development Block Grant funds from Granada Lakes Limited Partnership and Washington County Housing and Redevelopment Authority (HRA) to the Washington County HRA TrailSide Senior Project.
4. Approval of the use of fund balance from Fund 220-Community Services Fund in the amount of \$64,942 for payment of Medicaid targeted case management federal disallowance for federal fiscal years 2003 and 2004.
5. Approval to sponsor World Elder Abuse Awareness Day training on June 15, 2010.
6. Adoption of **Resolution No. 2010-075** as follows:

Resolution Approving Washington County's 2010-2014
Consolidated Plan and the 2010 Annual Action Plan for the
Community Development Block Grant and HOME Investment Partnership
Programs and Authorizing Submission of such Grant Request to the
United States Department of Housing and Urban Development

WHEREAS, Washington County is an Entitlement Community for the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program; and

WHEREAS, Washington County is entitled to HOME Investment Partnership Program (HOME) funding through its participation – with Anoka, Dakota, the city of Coon Rapids, the city of Woodbury and suburban Ramsey Counties – in the Dakota County Consortium; and

WHEREAS, each Entitlement Community is required to adopt a Consolidated Plan that establishes priorities for the use of CDBG and HOME funds; and

WHEREAS, the proposed projects in the 2010 Annual Action Plan are eligible projects and are priorities identified in the Consolidated Plan; and

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WHEREAS, the application process for CDBG and HOME funds requires the submission of an Annual Action Plan to the U.S. Department of Housing and Urban Development; and

WHEREAS, the Consolidated Plan and the Annual Action Plan require a 30 day public notice and public hearing before approval; and

WHEREAS, the required public hearing was held in conjunction with the HOME Consortium Partners – Ramsey, Dakota, and Anoka Counties on Thursday, March 11th at 5:00 p.m. at the Roseville City Hall, 2660 Civic Center Road, Roseville, Minnesota and the Washington County public comment period for the Consolidated Plan and Annual Action Plan was held from March 24, 2010 through April 23, 2010; and

WHEREAS, receipt of the CDBG funds will require execution of a grant agreement between Washington County and the Department of Housing and Urban Development.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Washington County 2010-2014 Consolidated Plan and the 2010 Annual Action Plan for the CDBG and HOME programs for submission to HUD; and

BE IT FURTHER RESOLVED, that the Washington County Board Chair and County Administrator are authorized to execute and sign the Application for Assistance, Certifications, and FY 2010 CDBG Agreement with the U. S. Department of Housing and Urban Development for the acceptance of the CDBG funds upon final receipt of the documents.

7. Approval to convert a position of Transportation Coordinator from a non-supervisory position to a supervisory position of Transportation Engineer in the Public Works Department.
8. Approval of and authorization for the County Board Chair and the County Administrator to enter into an agreement with the Land Stewardship Project for the purpose of addressing the Community Access to Nutritious Foods Intervention of the Statewide Health Improvement Program grant awarded to Washington County by the Minnesota Department of Health for 2009-2011.
9. Approval of Change Order #2 to contract with United Glass, Inc. in the amount of \$7,527 as part of the 2025 Government Center Campus Improvements project.
10. Approval of Change Order #1 to contract with Steenberg-Watrud Construction, LLC in the amount of \$13,095.24 as part of the 2025 Government Center Campus Improvements project.
11. Approval of maintenance agreement with the Rice Creek Watershed District for the County Road 83 overpass project in the City of Forest Lake.

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12. Approval of contract with Xcel Energy for the relocation of Xcel owned and operated facilities within the public right-of-way and project limits of the County State Aid Highway 18 East-West reconstruction project in the City of Afton. The estimated cost of reimbursement is \$262,091.20.

The foregoing Consent Calendar was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

SHERIFF'S OFFICE

Commissioner Hegberg moved to adopt **Resolution No. 2010-076** as follows:

Recognizing Law Enforcement Memorial Day and Law Enforcement Memorial Week in Washington County

WHEREAS, the peace officers of America have worked devotedly and selflessly on behalf of the people of this Nation, regardless of the peril or hazard to themselves; and

WHEREAS, these officers have safeguarded the lives and property of their fellow Americans; and

WHEREAS, by the enforcement of our laws, these same officers have given our country internal freedom from fear of violence and civil disorder that is presently affecting other nations; and

WHEREAS, these men and women by their patriotic service and their dedicated efforts have earned the gratitude of the citizens of Washington County; and

WHEREAS, on May 14, 2010 the Washington County Sheriff's Office holds an annual Memorial Ceremony recognizing fallen Correctional and Law Enforcement Officers at the Historic Courthouse.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby proclaim the week of May 9, 2010 – May 15, 2010 as Law Enforcement Memorial Week in Washington County and extends its appreciation and thanks to the dedicated Law Enforcement Community for the vital contribution they make to public safety and well being of our citizens.

Commissioner Peterson seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

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PUBLIC WORKS**Increase 2010 Budget for Pavement Preservation**

Commissioner Peterson moved to increase the 2010 budget by \$1,860,000 for pavement preservation projects throughout the county through the use of County State Aid dollars. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Solar Energy Legacy Grant Agreement

Commissioner Peterson moved to adopt **Resolution No. 2010-077** as follows:

Minnesota Department of Natural Resources
Solar Legacy Grant Funding

WHEREAS, on December 15, 2009, the Washington County Board of Commissioners resolved to support the grant application made to the Minnesota Department of Natural Resources (DNR) for a Solar Energy Legacy Grant to install a solar water heater at the Lake Elmo Park Reserve campground shower/restroom; and

WHEREAS, on February 22, 2010, the DNR notified Washington County by letter that it was awarded a Solar Energy Legacy Grant, S009-09-3B, totaling, \$18,000; and

WHEREAS, Washington County recognizes the twenty-five (25) percent match requirement for the Solar Energy Legacy Grant, and has secured the matching funds; and

WHEREAS, Washington County hereby assures the Solar Energy Project at Lake Elmo Park Reserve campground shower/restroom will be maintained for a period of no less than 20 years; and

WHEREAS, Washington County will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement; and

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners authorize entering into the Solar Energy Legacy Grant Agreement with the DNR to effectuate the grant.

BE IT FURTHER RESOLVED that the Solar Energy Legacy Grant Agreement between Washington County and the DNR be executed through the signatures of the Chair of the County Board and the Washington County Administrator without further action of the County Board conditioned upon compliance with all specified requirements and approval as to form by the Washington County Attorney's office.

Commissioner Kriesel seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

PUBLIC HEALTH AND ENVIRONMENT

South Washington Watershed District and Valley Branch Watershed District Agreements

Commissioner Weik moved to enter into an agreement with the City of Cottage Grove, Denmark Township, City of Woodbury, South Washington Watershed District, and Valley Branch Watershed District for the establishment of boundary changes to the South Washington Watershed District. Commissioner Peterson seconded the motion and it was adopted unanimously.

Support of the South Washington Watershed District Boundary Change Petition

Commissioner Peterson moved to adopt **Resolution No. 2010-078** as follows:

Resolution Supporting the Petition from South Washington
Watershed District to the Board of Water and Soil Resources
Requesting a Boundary Change for the South Washington
Watershed District by the Transfer of Territory Currently
Covered by the Valley Branch Watershed District

WHEREAS, the managers of the South Washington Watershed (SWWD), in cooperation with the Valley Branch Watershed District (VBWD), Cities of Cottage Grove and Woodbury, Denmark Township, and Washington County have agreed to transfer territory from the VBWD to the SWWD; and

WHEREAS, the Cities of Cottage Grove and Woodbury, Denmark Township, Washington County, VBWD, and SWWD have agreed to certain conditions in an agreement dated May 11, 2010, subject to approval of the boundary change petition by the BWSR; and

WHEREAS, the petition, attached hereto as Exhibit A, embodies such SWWD boundary change.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners does approve the attached petition, and encourages South Washington Watershed District to send said petition to the Minnesota Board of Water and Soil Resources, asking for boundary change of the South Washington Watershed District.

Commissioner Weik seconded the motion and it was adopted with a Roll Call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik and Pulkrabek; Nays, none.

GENERAL ADMINISTRATION

Military Hero Award

Commissioner Peterson moved to adopt **Resolution No. 2010-079** as follows:

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Resolution of Congratulations to
Commissioner Gary Kriesel
Red Cross Military Hero

WHEREAS, community members throughout Minnesota recognized the need for community support of members of the military and their families while the military personnel are deployed overseas; and

WHEREAS, Commissioner Kriesel had an early understanding and commitment to the Beyond the Yellow Ribbon movement created to meet that need; and

WHEREAS, Commissioner Kriesel is himself a veteran of the United States Navy, and understands the needs of members of the military and their families; and

WHEREAS, Commissioner Kriesel worked tirelessly in the communities of Washington County to establish a Yellow Ribbon network; and

WHEREAS, Commissioner Kriesel was instrumental in the successful creation of the Yellow Ribbon Network within Washington County, and in gaining the county's designation as Minnesota's first Yellow Ribbon County; and

WHEREAS, Commissioner Kriesel has been recognized for this work by the Twin Cities Area Red Cross, with a Military Hero Award presented by the Red Cross at its annual event honoring local heroes, the Heroes Breakfast, May 4, 2010.

BE IT RESOLVED, that the colleagues on the Washington County Board of Commissioners hereby recognize and congratulate Commissioner Kriesel on this designation, and extend their thanks for the efforts that he has put forth on behalf of Washington County and the Yellow Ribbon Network.

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

NATIONAL ASSOCIATION OF COUNTY ENGINEERS AWARD

Commissioner Kriesel moved to adopt **Resolution No. 2010-080** as follows:

Recognition of Don Theisen Being Named the
2010 Urban County Engineer of the Year by the
National Association of County Engineers

WHEREAS, the National Association of County Engineers (NACE) represents county engineers across the nation; and

WHEREAS, the organization annually recognizes county engineers that are outstanding in their profession; and

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WHEREAS, Don Theisen was awarded the Urban County Engineer of the Year Award at the 2010 NACE annual conference; and

NOW THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners congratulates Don Theisen on being named the 2010 Urban County Engineer of the Year by the National Association of County Engineers.

Commissioner Peterson seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Hegberg, Kriesel, Peterson, Weik, and Pulkrabek; Nays, none.

Legislative Update

Jim Schug, County Administrator, presented a brief legislative update. There is not much new, and the county is taking a wait and see attitude. A question the county had was whether the legislature would adopt the unallotments the Governor had made and were then subsequently overturned by the Supreme Court. That happened for a number of them so that does seem to eliminate one of the uncertainties. County staff is putting together contingency plans, and hope to have a workshop the last week of May, unless the legislature goes into special session. Under any scenario, the reductions will be significant and will have an impact on county operations.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Hegberg reported on the Public Employee Retirement Association Convention he attended last week. He stated that the defined benefits for law enforcement and firemen are important because it keeps the employees in their communities. He also noted that pension plans supply about 19 percent of the capital that goes into the stock and bond markets. That is a significant amount of capital that is raised for the private sector.

Commissioner Kriesel stated he attended the Metropolitan Energy Policy Coalition last week which discussed demand side management and renewable operations; he attended the Andersen Advisory Community Meeting, Foster Care recognition; Yellow Ribbon event in Bayport; and met with Ramsey County Commissioner McDonough and Woodbury Mayor Hargis to discuss the Counties Transit Improvement Board and their concerns about bonding.

Commissioner Peterson will be attending the Wakota Bridge, Metropolitan Emergency Services Board, Transportation Alliance Board and MELSA meetings this week. She announced that the Stone Soup Thrift Shop will be holding its fundraiser on May 15.

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Commissioner Weik asked if any of the Board members would be attending the City of Woodbury's presentation of an award to Washington County for the Environmental Center on May 13. It will be held at the amphitheater at 7:30 a.m.

Commissioner Weik attended the Metropolitan Energy Policy Coalition. One of the comments was that it is not only about using less energy, it is about wasting less energy. There are substantial savings for businesses, homeowners, and government entities. If you think outside the box and look for ways to use less, you are wasting less. The effects are cumulative and the savings add up to thousands of dollars and millions of dollars throughout the country.

Commissioner Weik reported on the Law Library Board meeting held last week. The Law Library is open to the public, and in fact, the majority of the users are the public. They have completed a one year pilot program for a civil legal advice clinic. More than 100 patrons have used this service. Thirty minutes of free legal service is provided by volunteer attorneys. The Law Library Board has agreed to continue the civil legal advice clinic. There is also interest in establishing a criminal legal advice clinic and a pilot program is being initiated in that area. They are looking for attorneys to volunteer their time.

Commissioner Weik announced that the Woodbury Lions are having their 33rd Annual Garage Sale on Friday and Saturday this week.

Commissioner Pulkrabek reported that he will be attending the award ceremony in Woodbury on Thursday as well as the I-94 Corridor Commission. He will also be attending the Law Enforcement Memorial on Friday as well as Commissioners Weik and Kriesel.

Commissioner Pulkrabek mentioned that the county has been questioned about the money that has been spent through the Arts and Cultural Heritage Fund. Those were not county funds, they came from the state. Commissioner Peterson stated that the MELSA Board of Directors was awarded a significant amount of money. These funds cannot be used for operating any library in the metropolitan area and cannot be used for anything other than new programming efforts.

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 10:26 a.m.

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BOARD WORKSHOP WITH PUBLIC WORKS

The Board met in workshop session with the Department of Public Works to discuss county bond capacity and candidate projects for proposed 2011 bond sale. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Also present were Jim Schug, Molly O'Rourke, Melinda Kirk, Don Theisen, Wayne Sandberg, Harley Will, Kevin Corbid, Sheriff Bill Hutton, Dan Starry, Mjyke Nelson, Yvonne Klinnert, Kevin Giles, Star Tribune, Mark Nicklawske, St. Croix Press, Scott Wente, Woodbury Bulletin, Elizabeth Mohr, Pioneer Press, and Peter Cox, Stillwater Gazette.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator