

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
JUNE 26, 2007**

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, Kriesel, Orth, and Hegberg. Absent none. Board Chair Kriesel presided. Also present were James Schug, County Administrator; Molly O'Rourke, Deputy Administrator; Linda Krafthefer, Assistant County Attorney; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Public Works Director; Dennis O'Donnell, Sr. Planner; John Elholm, Sr. Planner; Ann Pung-Terwedo, Sr. Planner; Mike Welling, County Surveyor; Jim Luger, Parks Director; Harley Will, Financial Services Director; Lowell Johnson, Director of Public Health and Environment; Pat Morreim, County Extension Director; Sara Jaycocks, Master Gardener Coordinator; Sheriff Bill Hutton; Chief Deputy Sheriff, Mike Johnson, Captain Steve Pott; Kay McAloney, Human Resources Director; Vickie DeFord; Sue Fennern, Human Resources Coordinator; Mjyke Nelson, Information Technology Director; Kevin Corbid, Director of Property Records and Taxpayer Services; Carol Peterson, Property Records and Taxpayer Services; Dan Papin, Community Services Director; Nancy Brase, Administrative Services Manager; and Steve Nelson, Public Information Coordinator II.

The Board recited the Pledge of Allegiance.

**COMMENTS FROM THE PUBLIC**

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

**JULY 3, 2007 COUNTY BOARD MEETING**

Commissioner Peterson moved to cancel the July 3, 2007 County Board meeting, and that any Consent Calendar items scheduled for July 3 be placed on today's Consent Calendar for approval. Commissioner Pulkrabek seconded the motion and it was adopted unanimously.

**CONSENT CALENDAR**

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

1. Approval to appoint Amy Rostron-Ledoux, Oakdale, to the Community Services Advisory Committee to a first term expiring December 31, 2009.
2. Approval of bid award for Shelving for the Library in Forest Lake to Embury, Ltd. the most qualified responsible bidder, conditioned upon the execution of a contract as approved by law.

- 3 Approval of the agreement with the American Red Cross of the Twin Cities Area to provide emergency social services and crisis response services for Washington County for the period July 1, 2007 to December 31, 2007.
- 4 Approval to amend Personnel Rules and Regulations Section 21, Political Activities of Employees.
- 5 Adoption of **Resolution No. 2007-078** as follows:

Authorizing Execution of Agreement with Qwest Corporation

BE IT HEREBY RESOLVED, that the Washington County Board of Commissioners ratifies Agreement #3667 entered into between Washington County and Qwest Corporation entered into March 14, 2006.

- 6 Approval of Joint Powers Agreement with ISD 833, City of Woodbury and the State of Minnesota for the development of an Optical Fiber Network.
- 7 Approval of Master Service agreement with Marco and purchase support services for the county telephone and voicemail system.
- 8 Approval of joint powers agreement with School District 833, South Washington County Schools to provide election administration services.
- 9 Approval and authorization from the County Board Chair and Administrator to enter into agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to receive funding through the FY 2008/2009 Radiological Emergency Preparedness (REP) Grant Program.
- 10 Approval and authorization for the County Board Chair and Administrator to enter into agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management Performance Grant Program (EMPG), to receive funding.
- 11 Approval of contract with Dunham Associates for commissioning services for the 2025 Campus Project.
- 12 Approval to authorize the County Administrator and County Board Chair to enter into an agreement with the City of Cottage Grove to contract with SEH, Inc. for consultant services to perform a traffic study on CSAH 19/CR 19A/TH 61 interchange.

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13. Approval to authorize the County Administrator and County Board Chair to enter into an agreement with SEH, Inc. for consultant services to perform a traffic study on CSAH 19/CR 19A/TH 61 interchange in Cottage Grove.
14. Approval and execution of a Metropolitan Council Grant Agreement No. SG-2007-032 in the amount of \$9, 023.00 for the partial reimbursement of acquisition costs at Big Marine Park Reserve.
15. Approval to enter into agreement with 3M to place antenna on 3M property (water tower) in Cottage Grove, Minnesota.

The foregoing Consent Calendar was adopted unanimously.

#### **REPRESENTATIVE KARLA BIGHAM**

Representative Karla Bigham, District 57A, reviewed the 2007 Legislative Session including: Construction bidding, counties will be allowed to look at timeliness of a project and quality in addition to low bid; On October 1 the smoking ban will take effect; 911 fee will be increased to pay for 800 MHz radio infrastructure; increased reimbursement of short-term offenders to \$33 a day; 10 new judges will be placed where there is a need; additional money for battered women shelters, domestic violence programs, and abused children programs; increasing penalty for burglarizing with the intent to commit theft or criminal damage of property to schools, government building, or religious buildings; e-waste bill passed which makes manufacturers responsible for that waste; \$500,000 in funds for upgrades and improvements to the Disabled Veterans Rest Camp; G.I. bill which will give additional money to the soldiers coming back, and additional money was put in for veteran's outreach and county service officers; expanded the war survivors act to help spouses and children to get educational benefits; and they also expanded the veteran's hotline.

Representative Bigham stated there were disappointments that included the veto of the transportation, bonding and tax bills. She stated her commitment to continue to make sure those are priorities for Washington County.

#### **PUBLIC HEARING – PUBLIC WORKS/SURVEY & LAND MANAGEMENT**

##### **Comprehensive Plan/Rezoning Request by G.V. Properties, Inc.**

The Board Chair presented a brief overview of today's public hearing to receive comments on the comprehensive plan/rezoning request by G.V. Properties, Inc. The Board Secretary indicated that notice of the public hearing was published and the affidavit of publication is on file.

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Dennis O'Donnell, Senior Planner, presented a brief description of the property owned by G.V. Properties and the requested rezoning as outlined in his memorandum of June 13, 2007. The applicant is seeking to amend the Comprehensive Plan designation on property which is located in Baytown Township from Rural Residential to Single Family Estate. Mr. O'Donnell displayed an aerial photo of the property and surrounding area. He noted that Baytown Township and Metropolitan Council approved the proposed changes and that documentation has been submitted for the record. On May 22, 2007, the Washington County Planning Advisory Commission held a public hearing on this request and recommended approval of the Comprehensive Plan amendment and rezoning request. Those minutes are also part of the record.

Mr. O'Donnell concluded his remarks by stating that the eastern portion of Baytown Township has been changing over the past several years with areas developing at a density of 1 home per 2 ½ acres. Property approximately one-quarter mile to the north was recently rezoned to Single Family Estate zoning. Staff feels that this request appears to be consistent and compatible with this area of Baytown Township. Further, they do not recognize any off-site impacts as a result of this rezoning change or of the ultimate development. Staff therefore recommends approval of this request.

Commissioner Peterson asked if this area were in the well advisory zone? Mr. O'Donnell indicated it was.

Commissioner Peterson asked if this property, when it is subdivided, would be able to connect to any community sewer or water system? Mr. O'Donnell stated it would not be able to connect to community sewer. There have been developments further to the north that did connect to the Bayport water supply system, but this is a little further to the south and for just three lots would be cost prohibitive.

Commissioner Peterson stated she is concerned about adding an additional subdivision unless there is a mechanism that does provide for a community well and septic systems. She feels the county is not addressing what she believes is its responsibility to have water systems that are safe. Continuing to punch holes into the water aquifer, she feels, is poor public policy.

Mr. O'Donnell stated he understands the Commissioner's concerns. In regard to the septic the county has been allowing individual on-site septic systems and there should be adequate area in soil on these 2 ½ acre lots to provide good treatment of the sewage. The water is another issue. The Department of Health is allowing new wells to go into place as long as the Township has an ordinance that states they have to be installed properly and have the filters on them.

Commissioner Kriesel asked about the nearby mining operation, and the Planning Commission requested that potential buyers of these three lots understand that there is a mining operation so there are no complaints later. He asked how that would be addressed? Mr. O'Donnell stated that when the subdivision comes before the Plat Commission they can make note of that and have a separate agreement that would be recorded

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against the property so that future owners are aware of the mining operation and hopefully will see that at the time of purchase.

Commissioner Kriesel asked if the Board denied this request, he asked Mr. O'Donnell to explain the possibility of annexation into Bayport? Mr. O'Donnell stated a petition would have to be filed with the city and it would ultimately go to the Municipal Board and they would need to find that sewer and water could be provided to the property and that it's adjoining property in Bayport which this particular piece is not. That is a concern that Baytown Township has had.

Commissioner Orth mentioned that there is no conflict with the Department of Natural Resources property to the south. How was that determined and evaluated. Mr. O'Donnell believes he stated he hopes there will be no future conflict. The DNR has mentioned to them that they have seen encroachment onto their property. That is the concern the DNR has and hopefully that will not be an issue in this case.

Commissioner Peterson asked what density would need to exist to make a water system viable. Mr. O'Donnell stated that to bring water from Bayport, he feels you would need to be in close proximity. He cannot answer the question with any great accuracy at this point.

Commissioner Peterson believes that a statement is added about the well advisory on the deed. Mr. O'Donnell stated that the county requires an affidavit to be filed against any newly recorded properties that indicate that the properties are in the well advisory area and any future owners are aware of that when the property changes hands.

Commissioner Peterson asked if there are any other potential developments close by that would make this viable for a water system? Mr. O'Donnell stated not in the near future.

Commissioner Peterson asked if active mining still goes on with blasting? Mr. O'Donnell indicated that was correct.

Dave Dupay, Emmons and Olivier Resources, indicated he is representing Bill Keefer and G.V. Properties. He feels that Mr. O'Donnell has covered everything that he would have to say. He stated he lives about the same distance south as the applicant lives west and he worked out of his house for 2 and ½ years. Once a week at noon the mining operation has a blast and about two-thirds of the time he didn't realize it was going on. He does not believe the blasting would be a problem. He feels this development would be an asset to the community by providing two additional lots drawing tax dollars with no additional infrastructure. The well advisory concerns—he feels that is handled by the Minnesota Department of Health, so whatever guidelines they have they have to follow. As far as filing affidavits against the property so there is notification of blasting or the wells, he does not see any problem with that.

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The Board Chair asked for comments from the audience; none were heard. The Board Secretary reported that she has received all documentary evidence.

Commissioner Hegberg moved to close the public hearing on a comprehensive plan/rezoning request by G.V. Properties, Inc. Commissioner Peterson seconded the motion and it was adopted unanimously. The public hearing closed at 9:45 a.m.

Commissioner Hegberg moved to approve the recommendations of the Planning Advisory Commission to amend the Comprehensive Plan and rezoning request of G.V. Properties, Inc. located in Baytown Township. Commissioner Kriesel seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Pulkrabek, Kriesel, Orth, and Hegberg; No, Commissioner Peterson.

Commissioner Peterson stated she did not vote for the motion because of the water issue. She stated she lives in an area where water has become an issue, she has been concerned about the groundwater in Baytown Township, and she feels the county should revisit all comp plans throughout the county to address water. She feels it is foolhardy and poor public policy to continue to have individual well and septic systems in land that is very easily contaminated.

The Board Chair asked the County Attorney's office to prepare a resolution consistent with the Board's motion for the next Board meeting.

## **PUBLIC HEARING – PUBLIC WORKS/PARKS DIVISION**

### **Cottage Grove Ravine Regional Park Master Plan Amendment**

The Board Chair presented a brief overview of today's public hearing to receive comments on the draft Cottage Grove Ravine Regional Park Master Plan Amendment. The Board Secretary indicated that notice of the public hearing was published and the affidavit of publication is on file.

John Elholm, Senior Planner, presented a brief overview of the planning process to review and amend the Cottage Grove Ravine Regional Park Master Plan. He indicated nine public meetings, workshops and open houses have occurred since September 2006. He displayed a map of the park and indicated where changes would occur. The draft plan was presented to the County Parks and Open Space Commission on April 19, where the Commission recommended that the plan be forwarded to the County Board with suggested changes. The amended plan was presented to the Cottage Grove City Council on May 2 and the Washington County Board of Commissioners on May 15. The only change that has been made since that time is an addition of land on the east side of the park. A landowner came forward and indicated they were interested in selling, county staff and city staff discussed this matter and have agreed that it would be a good addition for the boundary of the park.

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Commissioner Kriesel asked if a dog park was associated with the plan. Mr. Elholm indicated that the Master Plan does have a discussion on the dog park. The Parks and Open Space Commission was very concerned about a dog park. They didn't feel that would be an appropriate facility for the county to be operating. He stated it falls in line with ball parks, skate parks, those types of facilities. The Park Commission did recognize that there is a group of citizens in Cottage Grove who are interested in this type of facility, so it is mentioned in the plan. The county would agree to work with the city if it is interested in providing that type of facility and is looking for a location. There are some fields that are not in the strict natural resources part of the park that could potentially be used for that.

The Board Chair asked for comments from the audience; none were heard. The Board Secretary reported that she has received all documentary evidence.

The public hearing was closed at 10:00 a.m.

Commissioner Peterson moved to adopt **Resolution No. 2007-079** as follows:

Approval of the Cottage Grove Ravine Regional  
Park Master Plan Amendment

WHEREAS, the existing Cottage Grove Ravine Regional Park Master Plan was completed over 15 years ago; and

WHEREAS, the Washington County Board of Commissioners adopted the Parks Division Vision, which calls for review of all existing park master plans; and

WHEREAS, the Washington County Park and Open Space Commission reviewed the existing Cottage Grove Ravine Regional Park Master Plan and recommended the plan be updated and amended; and

WHEREAS, the Washington County Board of Commissioners directed Washington County Park staff to retain a consultant and conduct a master plan review; and

WHEREAS, the Washington County Park staff has completed a master plan review through a lengthy public process, which meets Metropolitan Council requirements for public input.

NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners approves the Cottage Grove Ravine Regional Park Master Plan Amendment and forwards the plan to the Metropolitan Council for review and approval.

Commissioner Orth seconded the motion and it was adopted unanimously.

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Jim Schug, County Administrator, announced that with the cancellation of the July 3 Board meeting, this will be Park Director Jim Luger's last meeting before his retirement on July 6. He thanked Jim for his 21 years of service and wished him luck. The County Board also extended their best wishes.

### **FINANCIAL SERVICES**

Kathy Aho, Springsted, Inc. presented the County Board with a plaque recognizing its achievement of a AAA rating, the highest rating given from Standard and Poor's rating agency, and AA1 rating from Moody's. She congratulated the county for its efforts.

### **PUBLIC HEALTH AND ENVIRONMENT**

Sarah Jaycocks, Master Gardener Coordinator, and Lyn Keller, Volunteer Master Gardner, presented a year-to-date report on work plans, progress, and next steps for the Master Gardener program. They've prepared material which identifies the 11 noxious weeds from money donated by the Valley Branch Watershed District. They have also worked with the Conservation District, Ramsey County Master Gardeners, cities, townships, community education, and schools, educating them on improving water quality and weed control.

Ann Stevenson, Regional Extension Educator with 4-H Youth Development, reviewed the expanded programs at Lincoln Place in Mahtomedi through the Community Power Grant and Nutrition Education Program, and the establishment of a weekly site based program through partnership with the Lake Area Youth Service Bureau in Forest Lake. Community club youth and families assist with program planning and delivery, which gives the youth members experience on education in a structured and safe environment on a consistent basis.

### **SHERIFF'S OFFICE**

Captain Steve Pott reviewed the proposed changes to the Motorola 800 MHz Radio System contract:

Delete Prime Site Controllers and related 7.x upgrade equipment	(\$296,712)
Delete 3 paging sites	(\$207,300)
Delete TTA's, Isolators and other misc. equipment	(\$240,126)
Add 16 <sup>th</sup> 800 MHz channel to each site	\$361,125
Net Change Order WC-001- Credit to original contract	(\$383,013)

Commissioner Peterson moved to approve the Motorola Change Order WC-001 to the 800 MHz Radio System Contract for a savings of \$383,013. Commissioner Orth seconded the motion and it was adopted unanimously.

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**GENERAL ADMINISTRATION**

Mr. Schug advised the Board that the Service Center in Cottage Grove will have an open house this evening beginning at 5:00 p.m. with a short program starting at 5:15 p.m.

**BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

**COMMISSIONER REPORTS – COMMENTS – QUESTIONS**

Commissioner Peterson reported on the dinner meeting with Congressman Jim Oberstar that was held last Saturday. She stated it was well attended by various members of the Red Rock Corridor. Congressman Oberstar is an advocate for all forms of transportation, but is very interested in high speed rail service as they have in Europe. He is the Chair of the Transportation Committee and she believes he will work with the county in securing Federal funds for all of the transportation projects whether they are road, train, bicycle or airport. Also, Congresswoman McCollum is on the Appropriation Committee and Congressman Obey from western Wisconsin is on the Transportation Committee. She felt it was a successful meeting.

Commissioner Peterson reported on the Eastern Transportation Alliance meeting held in Oakdale last evening and felt there was a good turn out for that meeting.

Commissioner Pulkrabek reported on community events he attended over the past couple weeks including Summerfest in Oakdale, and the pancake breakfast for the firefighters.

Commissioner Hegberg reported he also attended the dinner meeting with Congressman Oberstar to make sure that the Rush Line Corridor was included.

Commissioner Kriesel expressed his condolences to the family of Bob Utecht who passed away recently.

**EXECUTIVE (CLOSED) SESSION WITH THE SHERIFF'S OFFICE**

The Board recessed at 11:05 a.m. into Executive Session with the Sheriff's Office to discuss acquisition or lease of a radio tower site in Afton. Present for the Executive session were Commissioners Peterson, Pulkrabek, Kriesel, Orth, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Doug Johnson, Sheriff Bill Hutton, Chief Deputy Sheriff Mike Johnson, Captain Steve Pott, and Patricia Raddatz.

The Board reconvened at 12:05 p.m.

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**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Orth and it was adopted unanimously. The Board meeting adjourned at 12:05 p.m.

Gary Kriesel, Chair  
County Board

Attest:

James R. Schug  
County Administrator