

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
AUGUST 3, 2010

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, Kriesel, Pulkrabek, Peterson, and Weik. Absent none. Board Chair Pulkrabek presided. Also present were James Schug, County Administrator; George Kuprian, Assistant County Attorney; Susan Harris, First Assistant County Attorney; Richard Hodsdon, Assistant County Attorney; Don Theisen, Public Works Director; John Elholm, Parks Director, Peter Mott, Public Works Assistant Manager; Kevin Corbid, Director of Property Records and Taxpayer Services; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Lowell Johnson, Director of Public Health and Environment; Dan Papin, Community Services Director; Cindy Rupp, Community Services Division Manager; Richard Backman, Community Services Division Manager; Suzanne Pollock, Community Services Division Manager; Tom Adkins, Community Corrections Director; Mjyke Nelson, Information Technology Director; Harley Will, Accounting and Finance Director; Kay McAloney, Human Resources Director; Vicki DeFord, Deputy Human Resources Director; and Yvonne Klinnert, 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.

CONSENT CALENDAR

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

1. Approval of the July 6, 13, and 20, 2010 Board meeting minutes.
2. Approval of contract with John Kaul, d.b.a. Capitol Gains for legislative liaison services.
3. Approval of contract with United Behavioral Health, Inc. (Medica) to provide Mental Health Targeted Case Management for individuals diagnosed as seriously and persistently mentally ill who are enrolled in public health plans.
4. Approval of plat of Baytown Oak Ridge, Baytown Township.
5. Approval of, and authorization for the County Board Chair and the County Administrator to enter into an agreement with the Minnesota Institute of Public Health for evaluation of the

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Statewide Health Improvement Program (SHIP) grant awarded to Washington County by the Minnesota Department of Health for 2009-2011.

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

COMMUNITY SERVICES

Family Child Care Providers of the Year

(Commissioner Pulkrabek left the meeting at 9:10 a.m.)

The Commissioners presented Family Child Care Provider, Preschool Caregiver, and Center Caregiver of the Year Awards to the following individuals; Jane Dicken, Stillwater, Family Care Provider of the Year; Anita Larson, Cottage Grove, Family Child Care Provider of the Year; Dorann Sinclair, Paidea Child Development Center, Oakdale, Caregiver of the Year; and Priscilla Lalime, Oakdale Head Start Center, Oakdale, Caregiver of the Year.

PUBLIC HEARING – PUBLIC WORKS

Consider Amendments to the Big Marine Park Reserve Master Plan

The Board Vice Chair presented a brief overview of today's public hearing to consider amendments to the Big Marine Park Reserve Master Plan prior to its submission to the Metropolitan Council. The Board Secretary indicated that the notice of public hearing was published and that the affidavit of publication is on file.

John Elholm, Parks Director, reviewed revisions to the Big Marine Park Reserve Master Plan. In 2008, Phase 1 of the Master Plan was opened and was well received by the public. Currently the boundary of Big Marine Park Reserve is 1,892 acres, and the county owns approximately 670 acres. The only change to the original boundary in 2010 is the removal of the Veteran's Rest Camp from the official boundary of the park. The county held an extensive public process beginning back in August of 2009. A Technical Advisory Committee was formed in September of 2009 and met four times. During this time a public meeting was held. The Parks and Open Space Commission reviewed this plan through this period and continued its review through May of 2010. A second public meeting was held on February 24, 2010 where several comments from the first public meeting were incorporated and made to the plan. The meetings were well attended, approximately 75 at each and they have received approximately 45 written comments most of which were encouraging. Some would like to see other changes such as

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additional or fewer facilities, or a more specific design. The Master Plan is a concept plan and tries to identify the types of activities in the park.

Mr. Elholm stated there are very few changes from 1988 to 2010. The contact station, various camping facilities, picnic area, beach, boat launch, play structure, trails, and the tunnel under County Road 4 and boardwalks were originally presented in the 1988 plan and they remain in the 2010 plan. Some of the changes include new locations for camping and picnicking largely due to the removal of the Veteran's Rest Camp from the boundary. There are a couple of additional facilities such as the special use facility, maintenance facility, archery, and camper cabins are proposed for the park. Mr. Elholm stated that the proposed cost for these improvements are: North of County State Aid Highway 4 would be \$4.8 million; and, South of County State Aid Highway 4 would be a little over \$2 million.

Commissioner Peterson stated that as these trails are developed she hopes they accommodate people with special needs.

Commissioner Weik asked if the proposed maintenance facility would include a remote Sheriff's Office. Mr. Elholm stated it does include a potential Sheriff's Office.

Commissioner Kriesel asked if the county is a member of the Lake Association. George Kuprian, Assistant County Attorney, stated that would present problems. Mr. Elholm stated that the county does wish to work closely with the Lake Association.

Stephanie Valeri, 1920 Fremont Avenue, St. Paul – Ms. Valeri stated her husband is a veteran and uses the Vets Camp. She stated that the Veteran's Rest Camp has been removed from the Park, but it doesn't show on the map that it is. She was wondering if it has truly been removed. Commissioner Kriesel stated that by law it was removed from the park boundary.

(Commissioner Pulkrabek returned to the meeting at 9:44 a.m.)

Ms. Valeri, asked where the access will be to the Vets Camp. Commissioner Kriesel stated that the access to the Veteran's Rest Camp will remain where it is. There will eventually be a crossing of that road from one part of the park to the future part of the park. The county is working with the Veteran's Rest Camp as to where that will be.

Brent Reibel, 17751 Lomond Trail North, Marine on St. Croix – Mr. Reibel stated he is one of ten families who wanted to get out of the park. He is here to state that he does not want a walking path through the middle of his yard. He and the others pay approximately \$50,000 in taxes a year and he believes it doesn't make any sense to take this all out to put a walking path through the middle of their

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yards. Commissioner Kriesel stated if there is a future path, that is going through near his property; it's not through his yard it's through an easement that the county has acquired for a possible future walking path. He wanted it made clear for the record that the county is not going out and installing walking paths through people's property.

Mr. Reibel stated it is through the middle of his two pieces of property. For the record, May Township gave the county the easement illegally and he plans on proving it.

Fred Eisenhammer, 8 South 142 Washington Street, Darlen, Illinois – Mr. Eisenhammer stated he owns land on the northeast side of Big Marine. He and his family are very distressed that their property will be taken out as a park. They would have liked to have kept this property in the family. They have owned this property for close to 100 years. There is an eagle's nest in his area, and he feels that a campground would disturb the eagles. He believes that it is a federal law to try and preserve the eagles.

Commissioner Kriesel stated any properties that are purchased are done on a willing seller basis. If he or his family has no desire to sell their property, they certainly don't have to.

Mr. Eisenhammer asked that it would not be taken on eminent domain. Commissioner Kriesel stated no, it would not be. He cannot speak about future boards, but it is this Board's policy to only sell to willing sellers.

Mr. Eisenhammer asked to have that in writing. Commissioner Kriesel stated it is public record right here that the Board's policy is that this park will be brought to fruition with willing sellers.

Jim Schug, County Administrator, stated that before the county would do anything in writing, it must be considered that there is obviously the possibility that a future board may choose to do that.

Commissioner Kriesel stated that the only thing he knows is that this current Board is working under the policy that it is only on a willing seller basis.

Lawrence Anderson, 17980 Margo Avenue North, Marine on St. Croix – Mr. Anderson stated he belongs to the Big Marine Lake Association. When they drew up the original master plan, they assured them that there would be no development of facilities until they obtained abutting properties. He was concerned that doesn't show up in the proposed plan. Mr. Elholm stated that developing before the county owns the property, the county will not condemn the property to build park facilities.

Mr. Anderson stated when Lake Elmo Park Reserve was developed there were questions about opening trails on the land that had been obtained. At that time they would not open the trails until they had obtained the abutting property so that they wouldn't be affected by the trails. His area of concern would

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be the trail on Lomond Trail and there was talk about possibly developing that before they had all the abutting property obtained. The document does say the county will not develop that trail until there is enough property to start development on the north side. Commissioner Kriesel asked if he is saying the county shouldn't develop trails on its own property.

Mr. Anderson stated that the county shouldn't develop the trails until it owns the abutting property purchased. The other item of concern is there is reference to purple loosestrife by pulling it, but there is no mention about the Eurasian milfoil. About 20 acres of the milfoil is right in front of the park reserve property. Unless that is controlled now, it brings up a future risk of the lake for the users. He would urge that something be put in there to control that Eurasian milfoil before it spreads. Commissioner Kriesel stated that is part of the plan to work on Eurasian milfoil. The Department of Natural Resources holds authority on a lot of those issues.

John Niemann, 16341 May Avenue North – Marine on St. Croix – Mr. Niemann stated his property directly abuts on the east side of May Avenue. He believes he has a reasonable concern about the traffic that might be involved in the group and equestrian camping in that area. He is concerned about the traffic and it is a gravel road so the dust is quite extreme right now with normal traffic; and the noise that is involved with camping. He is not anti-park or anything; these areas do need to be preserved for future generations. He wonders if there is an alternate location off of a heavier traffic access such as Manning Avenue or could it be placed further back in the park. Right now he would have visual as well as audio concerns of those two sites. The primitive camp looks like it is set back further, but he's not sure whether that would be accessed from May Avenue or not. He enjoys the quiet out there now and is concerned about the campground.

Commissioner Weik asked about Mr. Niemann's concern about dust on the roads—is there anything that could be applied to the road to keep the dust down. Mr. Niemann stated they currently apply a calcium product to keep the dust to a minimum but it is short lived. Mr. Elholm stated there is no park activity on that side of the park at the present. If that were an issue it would certainly be looked at.

The Board Vice Chair asked for further comments from the audience; none were heard. The Board Secretary noted that she had received all documentary evidence.

The Board Vice Chair closed the public meeting.

Commissioner Peterson stated she is pleased that the Board goes through the process of making plans and the preservation of park land and defining the areas of development for the future. The county has another 60,000 people moving into it and they are probably not new residents, they are probably going to be our children having children. What the Board is trying to do is preserve the tranquility that

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brought most people to Washington County for the future, so our children have the opportunity to enjoy the rural beauty of Washington County.

Commissioner Kriesel stated that he believes this Board has no desire to be heavy handed in any way. This will be done on a willing seller basis. It is a marathon and not a sprint. The county will always be receptive of citizen's needs and desires. But having said that this is a vision set out into the future; the Board will try to move in that direction with the least pain to the homeowners as possible.

Commissioner Weik applauded the citizen participation and engagement; certainly the people who came today she thanked them for their time and comments. She was impressed with the number of people who attended the public meetings and provided written comments. She reiterated that every member of this Board opposes procuring land by eminent domain and she personally opposes that. As an avid long-distance bicyclist, she supports the regional bike trail connections in this plan.

Commissioner Hegberg asked about the comments on the boat launch asking that small boats be taken out. Has that gone anywhere with the Department of Natural Resources (DNR) and also the milfoil. Mr. Elholm stated that specifically on the launch on the southeast part of the park, they have contacted the DNR, but have not connected with the appropriate people yet. They seem to be somewhat receptive of making a smaller boat access for canoes or kayaks. He is not sure about totally removing it. Right now it is just for campers. They are definitely aware of the milfoil concerns and will continue to work with the residents and the DNR.

Commissioner Hegberg asked what sort of comments are contained in the Master Plan that deal with Eurasian milfoil or invasive species. He recognizes that the county will be the largest landowner on the lake and will bring the most people to use the lake, so he wants to make sure that the county recognizes its responsibility to make sure it keeps the lake as clean and pristine as possible. Also, that the county has a financial responsibility to deal with that as well and not only the landowners. Mr. Elholm stated there is reference to Eurasian milfoil in the Master Plan and control of that. Most of the species are the ones on land that are within the county's jurisdiction. The milfoil is the DNR's jurisdiction, but they do plan to work with them on those issues.

Commissioner Kriesel stated that when people launch their boats there could be a tendency to take a shortcut through the Eurasian milfoil and what that does is chops it up and spreads it throughout the lake. He asked if it would be possible to work with the DNR to place a lane or buoys in there so people do not cut through the Eurasian milfoil.

Commissioner Weik asked who has jurisdiction over the Zebra mussels, is that the DNR. Mr. Elholm stated that anything in the water is typically the DNR.

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Commissioner Hegberg moved to adopt **Resolution No. 2010-116** as follows:

Big Marine Park Reserve Master Plan Amendment

WHEREAS, the existing Big Marine Park Reserve Master Plan was completed in 1988; and

WHEREAS, the Washington County Parks and Open Space Commission reviewed the existing Big Marine Park Reserve Master Plan and recommended the plan be updated and amended to address changes since 1988 and to develop a vision for future park development; and

WHEREAS, on August 4, 2009, the Washington County Board of Commissioners authorized retaining a consultant to lead the park planning process; and

WHEREAS, the master planning process has included two public meetings and four technical advisory committee (TAC) meetings with representatives from May Township, City of Scandia, City of Hugo, City of Forest Lake and Carnelian Marine Watershed District; and

WHEREAS, the draft plan was also presented at Washington County Park and Open Space Commission meetings and at a Washington County Board of Commissioners workshop; and

WHEREAS, the Washington County Board of Commissioners conducted a public hearing on August 3, 2010 to review and receive comment on the Big Marine Park Reserve Master Plan Amendment; and

WHEREAS, a master plan review has been completed through a public process that meets Metropolitan Council requirements for public input; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners approves the Big Marine Park Reserve Master Plan Amendment; and

BE IT FURTHER RESOLVED that the Big Marine Park Reserve Master Plan Amendment be forwarded to the Metropolitan Council for review and approval without further action by the County Board.

Commissioner Peterson seconded the motion and it was adopted 5-0 with a Roll Call vote as follows:

Ayes, Commissioners Hegberg, Pulkrabek, Peterson, Weik, and Kriesel; Nays, none.

PROPERTY RECORDS AND TAXPAYER SERVICES

County Fee Schedule with Increases in State Fees and Federal Passport Fees

Kevin Corbin, Director of Property Records and Taxpayer Services, reviewed proposed changes in certain fees as follows:

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<u>Service or fee</u>	<u>Old Fee</u>	<u>New Fee</u>	<u>Effective Date</u>
Marriage Application	\$100.00	\$115.00	July 1, 2010
Certified Birth Certificate	\$16.00	\$26.00	July 1, 2010
Additional Certified Birth Certificate	\$9.00	\$19.00	July 2, 2010
Notary Commission Filing Fee	\$100.00	\$20	August 1, 2010
Certification of Notary Commission (verification)	\$1.50	\$5.00	August 1, 2010
Passport Book Application (Adult)	\$100.00	\$135.00	July 13, 2010
Passport Book Application (Minor - under 16)	\$85.00	\$105.00	July 13, 2010
Passport Card Application (Adult)	\$20.00	\$30.00	July 13, 2010
Passport Card Application (Minor - under 16)	\$10.00	\$15.00	July 13, 2010

Commissioner Kriesel moved to approve the Policy #1032, County Fee Schedule with increases in state fees and federal passport fees as presented. Commissioner Weik seconded the motion and it was adopted unanimously.

2010 County Canvass Board for State Primary Election

Commissioner Hegberg moved to appoint Commissioner Kriesel and Weik to the 2010 County Canvass Board for the August 10, 2010 State Primary Election. Commissioner Peterson seconded the motion and it was adopted unanimously.

HUMAN RESOURCES

Commissioner Kriesel moved to approve the following revisions to Washington County Personnel Rules and Regulations: Section 3, Classification Plan; Section 16, Leaves of Absence; Section 18, Employee Development; Section 24, Personnel Records, Forms, and Transactions; Section 25, Employee Safety and Health; Section 12, Discipline; and Policy #5503, Pre-Employment Background Checks. Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Minnesota Counties Intergovernmental Trust (MCIT)

Jim Schug, County Administrator, announced that the county received a dividend check in the amount of \$605,998 from the Minnesota Counties Intergovernmental Trust. That amount will be placed in the post-employment benefit fund.

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Federal Emergency Management Agency Training

Mr. Schug reported that several Washington County employees attended a training conducted by the Federal Emergency Management Agency (FEMA). It was an integrated emergency management course. Seventy-five people represented the county including cities, non-profits, and private entities. The cost was fully paid through a grant by FEMA

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Kriesel expressed his deepest condolences to the David Erickson family. Mr. Erickson was killed in a motorcycle accident in Montana last week. His wife Debbie was also injured, but it is his understand that she is recovering. Commissioner Kriesel stated that the Lower St. Croix Valley has lost a tremendous advocate and community businessman.

Commissioner Kriesel reported that he attended the Solid Waste Management Coordinating Board last week. He has asked staff to schedule a workshop for an update regarding some challenges the Solid Waste Management Coordinating Board will be facing with the Minnesota Pollution Control Agency (PCA). The PCA is coming down with some policies that would put the onus on the counties to have solid waste go to landfills. That is a good thing; however, counties do not have the authority to enforce it.

Commissioner Hegberg reported that he attended the Association of Minnesota Counties policy meetings and that issue came up at the environmental land use meeting. There needs to be a better understanding of the SCORE funding and how it is passed on to counties. It is sort of an unfunded mandate, and they have been taking more and more of the funds. They also discussed the watershed issues and water governance. He also attended the ribbon cutting ceremony for the new Hugo Library Kiosk. He signed a letter, together with other commissioners from the Transportation Advisory Board, to Peter Bell, Metropolitan Council Executive Director, pointing out the need for additional roads, the growing congestion and lack of funding for additional road miles to deal with the congestion in the metro area.

Commissioner Hegberg attended the 35E Corridor meeting. They discussed the overpasses and transit opportunities that are taking place in the corridor. They hope that the 35E bus going to St. Paul will be operational in October. He had hoped that it would be going in September, but it keeps getting pushed back.

Commissioner Weik reported on the integrated emergency management course last week. There were 75 participants from throughout Washington County including 25 county employees and Woodbury City

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officials Councilperson Julie Ohs and Administrator Clint Gridley. Along with rehearsing the real life roles in realistic emergency situations, they practiced coordination among community members especially large scale events such as tornados or commercial fires. There were participants that represented emergency management staff, medical first responders, law enforcement, firefighters, managers from medical facilities, volunteer agencies such as Red Cross and the Salvation Army, and representatives from Marathon Oil. Support staff from the finance department, legal and public information areas was also present. There were presentations and a chance to interact with state agencies, Department of Corrections, National Guard, and the State Office of Homeland Security. Elected and appointed officials from the different municipalities were also involved.

Commissioner Peterson reported on the Wakota Bridge reopening. She mentioned that tonight is Night Out and encouraged everyone to participate. She reported on the Mosquito Control meeting and that there had not been any reported cases of West Nile virus this year.

EXECUTIVE SESSION WITH THE HUMAN RESOURCES DEPARTMENT

Commissioner Weik moved to go into Executive Session with the Department of Human Resources to discuss negotiation strategy for 2011. Commissioner Kriesel seconded the motion and it was adopted unanimously the time being 11:11 a.m. Present for the Executive Session were Commissioners Hegberg, Kriesel, Pulkrabek, Peterson, and Weik. Also present were Jim Schug, Kay McAloney, Vicki DeFord, and Patricia Raddatz.

The Board reconvened at 12:30 p.m.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Hegberg moved to adjourn, seconded by Commissioner Kriesel and it was adopted unanimously. The Board meeting adjourned at 12:30 p.m.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator