

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 7, 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; Molly O'Rourke, Deputy Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Kevin Corbid, Director of Assessment, Taxpayer Services and Elections; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Rebecca Ault, Assessment, Taxpayer Services and Elections; Don Theisen, Director of Transportation and Physical Development; Wayne Sandberg, Deputy Director of Transportation and Physical Development; Jim Luger, Parks Director; Cory Slagle, Design Engineer; Joe Lux, Sr. Engineering Technician; Carolyn Phelps, Historic Courthouse Coordinator; Keith Potter, Facilities Manager; Tom Adkins, Community Corrections Director; Dan Papin, Community Services Director; Kay McAloney, Human Resources Director; Lowell Johnson, Director of Public Health and Environment; Cindy Weckwerth, Program Manager; Edison Vizuite, Financial Services Director; Tonya Weinert, Principal Accountant; Tom Kay, Information Technology Director; Barb Fritsche, I.T. Supervisor; Cindy Koosmann, Recorder; Steve Pott, Sheriff; Melinda Kirk, Budget/Financial Analyst; 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.

CONSENT CALENDAR

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

1. Approval of the January 17, 2006 Board meeting minutes.
2. Approval to appoint Terance Smith, Forest Lake, to the Public Health Emergency Preparedness Advisory Committee to a first term expiring December 31, 2006.
3. Approval of the following proclamation:

Proclamation of Appreciation Natalio "Nacho" Diaz
 March 8, 2006

WHEREAS, the future of transportation in Washington County is among our most pressing issues, affecting nearly every citizen; and

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WHEREAS, Natalio “Nacho” Diaz has served as Chief Transportation Planner for the Metropolitan Council for the last two decades; and

WHEREAS, Mr. Diaz’s long-lasting accomplishments include his leadership in such projects as the Metro Mobility program, Interstate Highway improvements and the establishment of light rail transit in the Twin Cities metropolitan area; and

WHEREAS, Washington County has benefited from Mr. Diaz’s wisdom, cooperation and vision through numerous collaborations on metro area transit issues.

NOW, THEREFORE BE IT RESOLVED THAT, the Washington County Board of Commissioners hereby congratulates and commends Natalio “Nacho” Diaz on his distinguished career at the Metropolitan Council and expresses its gratitude for Mr. Diaz’s many contributions to the betterment of transportation and transit in Washington County and the entire State of Minnesota and hereby proclaims Wednesday, March 8, 2006, as Natalio “Nacho” Diaz Day in Washington County.

4. Approval and execution of a joint powers agreement with Dakota and Scott Counties for a 2006 residential survey.
5. Approval to establish Reserves and Designations of fund balances for the fiscal year ended December 31, 2005.
6. Approval of revisions to Policy 1300, the Washington County Data Practices Manual and approval of revisions to Policy No. 1032, the Fee Schedule.
7. Approval of 2005 assessment classification and valuation change list.
8. Approval of the Community Corrections 2006-2007 Comprehensive Plan.
9. Approval of the 2006-2008 contract with Elder Haven Homes to provide assisted living plus services and respite care to eligible county residents.
10. Approval of the 2006 agreement with American Red Cross, St. Paul Chapter, to provide emergency social services and crisis response services for Washington County.
11. Approval of amendments to the 2004 and 2003 Annual Action Plan for Community Development Block Grant funds.
12. Approval of submitted Pay Equity Report to the Minnesota Department of Employee Relations.
13. Approval to extend the annual software maintenance agreement with Oracle/PeopleSoft service (JD Edward’s financial system) and to pay the annual fee of \$76,800 plus applicable tax.

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14. Approval to renew the agreement with the Townships of May and New Scandia to provide operation and maintenance services to the 201 collector systems.
15. Approval of, and authorization for the County Board Chair and County Administrator, to enter into agreements with Laura Holmes, Living Tree Yoga Center, Mary Hanf, and Shawn Swendson-Cates for onsite County Employee Wellness activities.
16. Approval of agreement with the Minnesota Department of Human Services to provide housing for inmates in the Washington County jail.
17. Adoption of **Resolution No. 2006-015** as follows:

Authorization to Execute a Grant Agreement with the
Minnesota Department of Public Safety for the
Project Safe and Sober

BE IT RESOLVED, that the Washington County Board of Commissioners, authorizes the Washington County Sheriff's Office, to enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled: Safe and Sober Communities, during the period of January 15, 2005 through June 30, 2006.

BE IT RESOLVED, that the Sheriff, Steve Pott, is hereby authorized to execute such agreements that are necessary to implement the project on behalf of the Washington County Sheriff's Office.

18. Adoption of **Resolution No. 2006-016** as follows:

Trail Grant Program – State of Minnesota
Project Recreation Trail Users Association Groomer Project

WHEREAS, Washington County Star Trail Association develops and maintains a snowmobile trail system in Washington County during the snowmobiling season; and

WHEREAS, the Transportation Equity Act for the 21st Century provides for a federal program to provide financial assistance for the development and maintenance of recreational trails and trail-related projects; and

WHEREAS, the Minnesota Department of Natural Resources (DNR) has been designated by the Governor to oversee the distribution of these funds; and

WHEREAS, the Washington County Star Trail Association has completed a request to participate in this program for the replacement of trail grooming equipment; and

WHEREAS, Washington County is acting as sponsor for the Washington County Star Trail Association; and

WHEREAS, any grant monies provided through the DNR must be distributed to a governmental agency acting as sponsor to a local snowmobile club; and

WHEREAS, as a condition of the grant being provided by the DNR matching funds must be available for the intended purpose of the grant; and

WHEREAS, the Washington County Star Trail Association has provided proof of matching funds in the form of a bank statement in the amount of \$26,100, for purposes of funding the matching requirement; and

NOW, THEREFORE BE IT RESOLVED, that Washington County acting as sponsor for the Washington County Star Trail Association accepts the grant on behalf of the Washington County Star Trail Association.

BE IT FURTHER RESOLVED, that James R. Schug, County Administrator, 14949 62nd Street North, Stillwater, MN 55082, shall act as fiscal agent in distributing the grant money.

19. Bids were received for construction of a restroom/shelter building at the Lake Elmo Park Reserve as follows:

Bidder	Total Project Bid	Score	Burnished Block Add	EMR Rating	EMR Bonus Points	Total Score
Cannon Construction, Inc.	\$309,275	64.95		.92	5.0	69.95
DNR Construction	\$200,876	100.00	\$1,250	.90	5.0	105.00
Ebert Construction	\$233,702	85.95		.98	5.0	90.95
GA Construction, Inc.	\$281,875	71.26	\$1,250	.85	5.0	76.26
Gen Con Construction	\$267,900	74.98		.91	5.0	79.98
Gladstone Construction	\$232,975	86.22		.82	5.0	91.22
Jansen Builders, Inc.	\$281,000	71.49	\$1,526	1.00	0.0	71.49
Meisinger Construction	\$220,000	91.31		1.18	0.0	91.31
Morcon Construction	\$251,000	80.03	\$750	1.37	0.0	80.03
Parkos Construction	\$260,800	77.02		.82	5.0	82.02

Adoption of **Resolution No. 2006-017** as follows:

Bid Award for Construction of Restroom/Shelter Building at the Lake Elmo Park Reserve to DNR Construction

WHEREAS, in order to accomplish the construction of a restroom/shelter building at the Lake Elmo Park Reserve, the county solicited bids for this project; and

WHEREAS, bids were opened on January 17, 2006 with DNR Construction being the lowest responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, that the bid of DNR Construction be accepted and the county enter into a contract with DNR Construction under the terms and conditions set forth in the bid specification documents.

BE IT FURTHER RESOLVED, that the contract between the county and DNR Construction be executed through the signatures of the Chairman of the Washington County Board and the Washington County Administrator without further action of the County board conditioned upon compliance with all bid specification requirements and approval as to form by the Washington County Attorney's office.

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20. Approval of cooperative agreement with the Washington Conservation District and the Department of Natural Resources to repair erosion damage in the Pine Point Park near the Gateway Trail.
21. Approval of agreement with the City of Cottage Grove for street and utility improvements and maintenance responsibilities for the Washington County South Service Center Ravine Parkway.
22. Approval of agreement with Washington Conservation District for 2006 professional services.

The foregoing Consent Calendar was adopted unanimously.

PUBLIC HEALTH AND ENVIRONMENT

Commissioner Pulkrabek indicated he had a question about the agreement with the University of Minnesota to provide extension programs. He asked if the county was still moving in the direction for self-sufficiency regarding 4-H, or fees being charged in that program. Jim Schug, County Administrator, indicated that there was a workshop about two years ago regarding a reduction in budget as the 4-H program moves towards more fees. It was scheduled to be reduced from the \$200,000 that is included in the proposal today, but during the budget hearing process the Extension Committee had requested that the funding stay at the same level as 2005 because they had made progress in serving underserved groups of youth and they would like one more year as they try to transition into a more fee-based program.

Commissioner Kriesel moved to authorize the County Board Chair and County Administrator to enter into an agreement with the University of Minnesota to provide Extension programs locally and employ County Extension staff. Commissioner Hegberg seconded the motion and it was adopted unanimously.

ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS

Procedural Law Waiver Application

Commissioner Stafford moved to adopt **Resolution No. 2006-018** as follows:

Resolution Approving Submittal of Waiver Application

WHEREAS, the federal government passed the Help America Vote Act in 2002 that requires the voting method utilized in every polling place to include a voting system that is accessible for individuals with disabilities in a manner that provides the same opportunity for access and participation and to vote privately and independently; and

WHEREAS, Minnesota Laws 2005, Chapter 162 identified the substantive requirements and procedural requirements assistive voting equipment must meet in order to be used in elections in Minnesota; and

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WHEREAS, the Washington County Board of Commissioners approved its Local Election Equipment Plan on January 24, 2006 and directed that efforts be made to provide for a compatible assistive voting system with our current vote tabulators; and

WHEREAS, an alternative assistive voting machine has been identified that can be utilized with our current vote counting equipment, meets all substantive outcomes required by the federal and state election laws, creates the paper trail required by state law to be used in a recount or audit and only requires minor procedural waivers to allow for its use; and

WHEREAS, this alternative will provide for an equal or better voting experience for disabled voters as compared to the single state certified option currently available, and will do so while saving county taxpayers in Washington County nearly \$500,000; and

THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners hereby submits an application to the State Auditor for a Procedural Law Waiver as allowed under Minnesota Statutes 6.80; and

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners is requesting this application be reviewed in an expeditious manner because of the need to have equipment in place by the September 2006 primary election.

Commissioner Peterson seconded the motion and it was adopted unanimously.

Commissioner Peterson left the Board meeting at 9:15 a.m.

Appraised Value and Authorization for a Private Sale of 32 Parcels

Commissioner Stafford moved to adopt **Resolution No. 2006-019** as follows:

Resolution Approving the Appraised Value and Authorizing the Private Sale of 32 Parcels of Tax Forfeited Land to Adjacent Landowners through Sealed Bids

WHEREAS, the Washington County Board of Commissioners desires to bring these 32 parcels of tax forfeited land back to the tax rolls as soon as possible; and

WHEREAS, these parcels were classified by the Washington County Board of Commissioners as non-conservation land and the classification and sale was approved by the Minnesota Department of Natural Resources and by the local municipalities; and

WHEREAS, the local municipalities recommend the sale of these parcels to their adjoining landowners as being the best use of the land; and

WHEREAS, the basic sale price of each parcel is set up according to the policy of tax forfeit property in Washington County.

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THEREFORE BE IT RESOLVED, that the appraised value of each parcel appearing on the attached list be approved and the authorization of conducting a private sale to adjacent landowners by the Department of Assessment, Taxpayer Services and Elections be granted.

BE IT FURTHER RESOLVED, that the terms of sale shall be for cash only, and that all sales shall be for full payment.

BE IT FURTHER RESOLVED, that the Department of Assessment, Taxpayer Services and Elections is directed to combine the tax forfeited lands sold through the sealed bids with the adjacent properties in unique taxation parcels.

2006 Adjoining Owner Parcels

Parcel ID	Municipality	2006 Assessed Value	Proposed Appraised Value
32.027.21.41.0001	Cottage Grove	\$ 100	\$ 1
08.032.21.21.0001	Forest Lake	\$ 800	\$ 50
12.032.21.21.0007	Forest Lake	\$ 200	\$ 1
18.032.21.11.0001	Forest Lake	\$ 1,900	\$ 1,900
02.030.21.21.0007	Grant	\$ 100	\$ 1
34.030.21.11.0003	Grant	\$ 100	\$ 1
03.031.21.24.0003	Hugo	\$ 2,000	\$ 1
20.031.21.13.0002	Hugo	\$ 2,000	\$ 100
02.028.20.43.0015	Lakeland	\$ 3,200	\$ 100
21.029.21.33.0002	Lake Elmo	\$ 200	\$ 1
32.030.21.24.0003	Mahtomedi	\$ 3,000	\$ 1
01.027.22.23.0014	Newport	\$ 200	\$ 1
25.028.22.44.0003	Newport	\$ 600	\$ 600
25.028.22.44.0004	Newport	\$ 500	\$ 500
25.028.22.44.0005	Newport	\$ 400	\$ 400
25.028.22.44.0006	Newport	\$ 400	\$ 400
25.028.22.44.0015	Newport	\$ 2,600	\$ 2,600
36.028.22.23.0002	Newport	\$ 100	\$ 1
03.032.20.13.003	New Scandia	\$ 400	\$ 1
33.032.20.11.0014	New Scandia	\$ 1,000	\$ 50
33.032.20.11.0016	New Scandia	\$ 500	\$ 50
17.029.21.21.0005	Oakdale	\$ 500	\$ 1
19.029.21.33.0007	Oakdale	\$ 100	\$ 1
29.030.20.41.0082	Stillwater	\$ 100	\$ 1
32.030.20.14.0003	Stillwater	\$ 5,000	\$ 5,000
06.028.21.33.0015	Woodbury	\$ 100	\$ 100
08.028.21.43.0007	Woodbury	\$ 100	\$ 1
09.028.21.44.0070	Woodbury	\$ 100	\$ 1
17.028.21.11.0067	Woodbury	\$ 1,800	\$ 1,800
17.028.21.44.0089	Woodbury	\$ 100	\$ 100
31.028.21.21.0001	Woodbury	\$ 100	\$ 1
01.027.22.23.0020	Newport	\$ 100	\$ 1

Commissioner Hegberg seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

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Appraised Value and Authorization for a Public Auction of 14 Parcels

Commissioner Hegberg moved to adopt **Resolution No. 2006-020** as follows:

Resolution Approving the Appraised Value, Authorizing the
Public Auction, and Fixing the Terms of the Sale for
14 Parcels of Tax Forfeited Land

WHEREAS, the Washington County Board of Commissioners desires to bring these 14 parcels of tax forfeited land back to the tax rolls as soon as possible; and

WHEREAS, the best way to achieve this goal is by selling them through a public auction; and

WHEREAS, these parcels were classified by the Washington County Board of Commissioners as non-conservation land and the classification and sale was approved by the Minnesota Department of Natural Resources and by the local municipalities; and

WHEREAS, the appraised value of each parcel is set up according to the policy of tax forfeited property in Washington County.

THEREFORE BE IT RESOLVED, that the appraised value for each parcel appearing on the attached list be approved and the authorization of conducting a public auction by the Department of Assessment, Taxpayer Services and Elections be granted.

BE IT FURTHER RESOLVED, that the terms of sale shall be for cash only, and that all sales shall be for full payment.

BE IT FURTHER RESOLVED, that the auction will be held at 1:00 p.m. on Friday, March 24, 2006, in the Board Room at the Government Center in Stillwater, Minnesota.

2006 Auction Parcels

Parcel ID	Municipality	2006 Assessed Value	Proposed Appraised Value
11.032.21.31.0026	Forest Lake	\$ 500	\$ 500
11.032.21.31.0027	Forest Lake	\$ 1,500	\$ 1,500
11.032.21.31.0028	Forest Lake	\$ 1,500	\$ 1,500
11.032.21.31.0029	Forest Lake	\$ 1,200	\$ 1,200
32.032.21.22.0002	Forest Lake	\$ 111,600	\$ 20,000
31.032.20.14.0021	New Scandia	\$ 2,000	\$ 2,000
31.032.20.14.0022	New Scandia	\$ 4,000	\$ 4,000
31.032.20.14.0023	New Scandia	\$ 6,000	\$ 6,000
31.032.20.14.0024	New Scandia	\$ 31,000	\$ 31,000
31.032.20.14.0025	New Scandia	\$ 6,000	\$ 6,000
31.032.20.14.0026	New Scandia	\$ 6,000	\$ 6,000
19.029.21.24.0044	Oakdale	\$ 32,000	\$ 32,000
05.029.21.24.0008	Pine Springs	\$ 300	\$ 300
16.029.21.14.0007	Lake Elmo	\$ 83,000	\$ 83,000

Commissioner Stafford seconded the motion and it was adopted unanimously; Commissioner Peterson absent.

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Commissioner Peterson returned at 9:40 a.m.

TRANSPORTATION AND PHYSICAL DEVELOPMENT

Radio Drive (CSAH 13) Safety and Mobility Project

Cory Slagle, Design Engineer, presented an update on the Radio Drive (CSAH 13) Safety and Mobility Project which involves the expansion of the roadway from two to four lanes between Pioneer Drive and Bailey Road in the City of Woodbury. The project includes the construction of separated pedestrian and bicycle paths on each side of the roadway, installation of right and left turn lanes, and construction of a multi-lane roundabout at the intersection of Radio Drive and Bailey Road (CSAH 18). Construction costs for this project are approximately \$15 million. Federal funding is about \$4.2 million, county funding is about \$5.6 million and the City of Woodbury \$5 million. Construction is scheduled to begin in 2007.

Mr. Slagle indicated that the Howard R. Green Company was selected in 2004 to provide design services on the project. In order to implement the design recommendation and other design changes, approval of Amendment #3 for additional design services in the amount of \$168,967 is requested.

Commissioner Stafford asked about the leg between Bailey and Hinton Tower connection, how does that fit into this time wise. Mr. Slagle stated that was originally scheduled for 2009 and it has been delayed. The traffic isn't there right now and the crashes aren't high. The City of Woodbury has also delayed expanding into that area with housings developments. Right now they are looking at that project being put off into the future.

Commissioner Stafford believes that should be expedited. There will be four lanes cut down to two at Military, two lanes to Bailey, and then back to four lanes into Woodbury. He thinks that will raise a lot of eyebrows. He would like to make sure they keep moving that up.

Commissioner Peterson echoed Commissioner Stafford's comments. She feels it will be important to get that road done as soon as possible.

Commissioner Stafford asked for options on how that could be moved up.

Commissioner Stafford moved to approve Amendment #3 to the HR Green contract for additional design services in the amount of \$168,967 for the Radio Drive Safety and Mobility Project. Commissioner Kriesel seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

State Mandate Reform

Jim Schug, County Administrator, stated in 2005 legislation was approved to give local units of government the opportunity to propose reforms of state mandates to the Office of the State Auditor. With the help of the Metropolitan Inter-County Association and the Association of Minnesota Counties a list has been compiled with a number of State mandates for the Board's consideration.

Commissioner Peterson asked that an item be included regarding the reduction of Federal dollars. Mr. Schug indicated that they are still in the process of determining the budget impact and that may take a few more months. Another resolution can be added at a later date addressing that issue.

Commissioner Peterson believes it might be helpful to have something on the books related to the reduction of Federal dollars as the county talks to the State Legislature.

Commissioner Stafford stated he had questions on two items. The first item relates to the publication of minutes, financial statement and budget publication on the web site in lieu of publishing them in newspapers. Not everyone in the county has a computer and it may not be accessible to everyone. Mr. Schug stated this has been discussed for some time. One of the concerns is that there is not one newspaper in Washington County that has the penetration in all the households of the county. The county has the ability to put all this information on the Web, it's faster and less costly for the county.

Commissioner Stafford stated he would like the item eliminating the budget appeals and independent spending authority by county elected officials other than the Board of Commissioners removed from the list. He does not feel there is a problem in Washington County with this item.

Commissioner Hegberg disagreed with Commissioner Stafford. He is concerned that the Sheriff or County Attorney could appeal their budget after the Board has adopted it and if they win the appeal those funds would have to be taken out of other departments' budgets.

It was Board consensus to amend the mandate list by removing the section relating to budget appeals and independent spending authority by county elected officials other than the Board of Commissioners.

Commissioner Peterson moved to adopt **Resolution No. 2006-021** amended as follows:

State Mandate Reform

WHEREAS, Minnesota Statutes §6.79 allows local governments to submit to the State Auditor proposed reforms to state mandates, and

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WHEREAS, mandate proposals will be listed on the State Auditor's website, along with the name of the local government submitting the proposal, and

WHEREAS, the Washington County Board of Commissioners supports the concept of mandate reform and urges the Minnesota Legislature to give serious consideration to all proposals made by cities, townships, and counties.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby adopts the attached mandate proposals and directs the County Administrator to submit the listing to the State Auditor.

Suggested Mandates to Be Submitted to State Auditor
for Consideration of Repeal or Reform

Mandate	Statute	Comments
Financial/Administrative Concerns		
Definition of an Electronic Voting System	206.80	The request would be to waive the requirement that the machine create a marked optical scan ballot that can be tabulated in the polling place, or at a counting center, by automatic tabulating equipment certified for use in this state and just allow the creation of the paper record OR Waive the requirement under securely transmits a ballot electronically to automatic tabulating equipment in the polling place while creating an individual, discrete, permanent paper record of each vote on the ballot in that the ballot be submitted from the assistive device to the optical scanner and instead, allow the votes to be submitted from the optical scanner to the assistive device (which the TS(x) currently does).
Minutes, Financial Statement & Budget Publication	375.12, 375.17 & 375.169	Allowing web publication in lieu of newspaper publication of county board minutes, county financial statements, and summary budgets would save money for county taxpayers while preserving or even enhancing public access to this information.
Eliminate Library Maintenance of Effort	134.34	Eliminate the requirement that in order to receive state grant a county must budget for library operations an amount equal to the second prior year's level of support, unless adjusted net tax capacity decreases. Counties need the ability to respond to changing priorities and needs. When one area of the budget is off limits to reductions, other programs or services and their recipients unfairly bear a disproportionately greater share of any cutbacks when they occur.
Public Safety/Corrections		
Eliminate Extended Juvenile Jurisdiction (EJJ)	260B.130	Eliminate the EJJ program that keeps serious offenders out of adult system and within juvenile system until age 21. Older, serious juvenile offenders should be prosecuted and sanctioned as adults as current law permits (absent diversion to EJJ). Diversion to the juvenile system imposes substantial out of home placement costs on counties. If the state is unwilling to fund this program and these costs (as it has not since 2003), it should be eliminated.
Eliminate Incarceration of Short-Term Felony Offenders in County Jails	609.105	The shift of short-term (180 days or less) felony offenders from state prisons to county jails should be repealed. Incarceration of felony offenders had always been a state responsibility. County jails are ill-suited to provide the supervision and programming needed for these serious offenders. The state should not shift its bed shortage problem to the counties which are experiencing space problems of their own.

Mandate	Statute	Comments
Human Resources/Employee Benefits		
Either Eliminate or Totally State-Fund Continued Health Insurance For Disabled Peace Officers.	299A.465	Employers are required to pay the employer share of disabled peace officers' and their dependents' health insurance until the peace officer reaches age 65 even if the officer gains other employment and health insurance coverage. Since this benefit was created in the late 1990's, there has been a surge in disability retirements. In part because of this, both employer and employee contribution rates to the PERA Police and Fire pension plan are increasing over 50%. When this benefit was originally enacted it was predicated on the state paying 100% of its costs. The state has not kept it part of that bargain for several years. If the state cannot meet that obligation, the mandated payment by the employer should be eliminated.
Human Services		
Eliminate County Share for Medical Assistance Costs for Under-65 Disabled Placed in Nursing Homes More Than 90 Days and for Certain ICF/MR and IMD Placements	256B.19	Currently, the state requires counties to pay the indicated portion of the nonfederal share of medical assistance costs for stays in excess of 90 days in the following situations: <ul style="list-style-type: none"> • 10% for individuals placed in intermediate care facilities for the mentally retarded (ICF/MR's) of seven beds or more. • 20% for individuals placed in institutions of mental disease (IMD's). • 20% of for under-65 disabled individuals placed in nursing homes. The state reneged on its commitment to pay all those costs when counties surrendered homestead and agricultural credit aid on a dollar-for-dollar basis for the state takeover of all income maintenance programs in the early 1990's. These cuts in state funding, enacted in 2003, should be restored now that the state finances are back in the black.
Eliminate or Equalize Maintenance of Effort Requirement For State Chemical Dependency Grant (CCDTF)	254B.02	Under the state's Consolidated Chemical Dependency Treatment Fund, some counties pay over 60% of chemical dependency treatment costs while others pays as little as 15% under current maintenance of effort (MOE) requirements. The state legislature should gradually narrow this disparity with a goal of ultimately making the MOE uniform for all counties.
Eliminate or Equalize County Match and Maintenance of Effort Requirements for Child Care Assistance	119B.11, Subd. 1 and 4.	Eliminate or equalize the required county match for the basic sliding fee (BSF) childcare program, which is currently equal to the calendar year 1996 required contribution. The average statewide local match for BSF childcare is 3 percent, but some counties pay as much as 14 percent.
Eliminate Biennial Revision or Redraft of CCSA Service Plan	256M.30	Eliminate the required biennial revision or redraft of Children and Community Services Act (CCSA) service plan. The annual effectiveness report under 256M.80 which outlines program outcomes and performance measurements with county-initiated changes of the service plan, as necessary, should suffice to provide adequate planning and oversight.
Environment		
Eliminate Ag Inspection	18.81	Counties are responsible for 'Agriculture Inspection' under Minnesota Statute. All state responsibilities in this area were eliminated in 2003. Noxious weed control requirements should be carried out by cities and towns.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Peterson moved to adopt **Resolution No. 2006-022** as follows:

State Mandate Reform

WHEREAS, Minnesota Statutes §6.79 allows local governments to submit to the State Auditor proposed reforms to state mandates, and

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WHEREAS, mandate proposals will be listed on the State Auditor's website, along with the name of the local government submitting the proposal, and

WHEREAS, the Washington County Board of Commissioners supports the concept of mandate reform and urges the Minnesota Legislature to give serious consideration to all proposals made by cities, townships, and counties.

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board of Commissioners hereby adopts the attached mandate proposals and directs the County Administrator to submit the listing to the State Auditor.

Suggested Mandate to Be Submitted to State Auditor
for Consideration of Repeal or Reform

Mandate	Statute	Comments
Financial/Administrative Concerns		
Eliminate Budget Appeals and Independent Spending Authority by County Elected Officials Other Than the Board of Commissioners	357.18, subd. 4; 384.151; 385.373; 386.015; 387.20; 388.18	Each of the county elected officials have statutory authority to appeal their budgets. These appeals generally occur after the county levy has been set and require both the elected official and the county to hire outside counsel. In addition, the county recorder has discretion over spending the dedicated county recorder technology fund. The county board is responsible for establishing the county's overall budget and tax levy. The board's accountability to taxpayers demands that it, and it alone, have full control over county spending decisions.

Commissioner Hegberg seconded the motion and it was adopted 4-1 with the vote as follows: Yes, Commissioners Peterson, Kriesel, Pulkrabek, and Hegberg; No, Commissioner Stafford.

Mr. Schug noted that MICA and AMC did discuss an additional item that would allow counties to use cremation in lieu of burial. There is a state mandate for burial of indigent persons. This has never been a problem at Washington County so it wasn't included in the list.

Commissioner Hegberg asked that it be brought back for discussion by the Board.

Minnesota Counties Insurance Trust

Mr. Schug announced that Commissioner Dennis Hegberg had been re-elected as the Chair of the Board of the Minnesota Counties Insurance Trust for 2006.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Pulkrabek asked how the turn out is for the legislative reception scheduled for Monday, February 13. Mr. Schug indicated that they have received five or six RSVP's that they will be there. A couple have indicated they have a conflict and will not attend. John Kaul will be contacting the others and encourage them to attend.

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Commissioner Peterson stated that at the AMC meetings last week considerable discussion was had on 10-ton trucks allowed on roads. She asked staff to update the Board on 10-ton roads and trucks.

Commissioner Hegberg stated he met yesterday with the City of Grant to discuss road maintenance. It was agreed that the county will look at continuing to do the snowplowing for one more year, but the other maintenance the county will not do.

Commissioner Hegberg asked that the Transportation Department look at CR 57 and CR 8 to make the repairs that may be necessary. He has had numerous calls and the road is in bad shape.

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 Kriesel and it was adopted unanimously. The Board meeting adjourned at 10:20 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Department of Administration to discuss open space funding and a possible ballot referendum in the fall of 2006. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Pulkrabek, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Jane Harper, Jim Luger, Steve Nelson, Don Theisen, Wayne Sandberg, Sandra Cullen, Ann Pung-Terwedo, Carolyn Phelps, Kevin Corbid, Joanne Helm, interested citizens: Mary Hauser, Jon Michels, Marc Hugunin, Paul Toren, Bill Clapp, John Baird, Michelle Olson, Jeff Hegaard, Linda Mahoney, Cordelia Pierson, Trust for Public Land, Jay Riggs, Washington Conservation District, Yvonne Klinnert, Stillwater Courier, Kevin Giles, Star Tribune, and Alex Friedrich, Pioneer Press.

BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT

The Board met in workshop session with the Department of Transportation and Physical Development for an update on the Government Center south parking lot design. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Pulkrabek, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Wayne Sandberg,

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Kevin Corbid, Joanne Helm, Ann Pung-Terwedo, Mike Welling, Keith Potter, Ted Schoenecker, Yvonne Klinnert, Stillwater Courier, Kevin Giles, Star Tribune, and Alex Friedrich, Pioneer Press.

BOARD WORKSHOP WITH TRANSPORTATION AND PHYSICAL DEVELOPMENT

The Board met in workshop session with the Department of Transportation and Physical Development to discuss the Historic Courthouse's current and future operations. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Pulkrabek, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Jim Luger, Carolyn Phelps, Yvonne Klinnert, Stillwater Courier, Kevin Giles, Star Tribune, and Alex Friedrich, Pioneer Press.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to discuss the use citizen advisory boards and committees. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Peterson, Kriesel, Pulkrabek, Stafford, and Hegberg. Also present were Jim Schug, Molly O'Rourke, Don Theisen, Jim Luger, Dan Papin, Pat Conley, Lowell Johnson, Tom Adkins, Tom Kay and Steve Nelson.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator

