

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 2, 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; Steve Gransee, Administrative Services Manager; Bogdan Filipescu, Assessment, Taxpayer Services and Elections; Don Theisen, Director of Transportation and Physical Development; Keith Potter, Facilities Manager; Dan Papin, Community Services Director; Mary Farmer Kubler, Community Services Supervisor; Cindy Rupp, Community Services Division Manager; Cindy Koosmann, Recorder; Jennifer Wagenius, Deputy Recorder; 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 Peterson moved, seconded by Commissioner Stafford to adopt the following Consent Calendar:

1. Approval of the April 4, 11, 18 and 25, 2006 Board meeting minutes.
2. Approval to amend County Policy #2803, Fund Descriptions, to delete fund #113 for the East Metro EMS Radio Board as the organization was dissolved.
3. Approval to open an account with US Bank for the inmate account and close the inmate account at Wells Fargo.
4. Approval of third amendment to agreement between Ramsey County and Washington County for NCR Tax Payment Processing.
5. Approval of rate increase for Human Services, Incorporated, New Choices for Recovery programs for adult and adolescent primary outpatient chemical dependency treatment.
6. Approval to open the R.H. Stafford Branch Library in Woodbury at 12:00 p.m. instead of 10:00 a.m. on May 17, 2006 to accommodate an all staff training session.

7. Bids were received for cracksealant for various county roads as follows:

Bergman Companies	\$103,200
Precision Seal Coating	\$106,320
Fahrner Asphalt Sealers	\$125,600
Asphalt Surface Tech. Corp.	\$139,200
American Pavement Solutions	\$150,400

Adoption of **Resolution No. 2006-062** as follows:

Bid Award for Crackseal Provision and Application on
County Roads for 2006 to Bergman Companies

WHEREAS, in order to complete road maintenance during 2006 on county roads to fill cracks in highway surfaces, the county solicited bids for the project; and

WHEREAS, bids were opened on April 18, 2006, with Bergman Companies being the lowest responsible bidder; and

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

BE IT FURTHER RESOLVED, that the contract between the county and Bergman Companies be executed through the signatures of the Chairman of the Washington County Board of Commissioners 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.

8. Bids were received for 2006 road overlays construction as follows:

Tower Asphalt, Inc.	\$1,680,661.71
Hardrives	\$1,869,888.77

Adoption of **Resolution No. 2006-063** as follows:

Bid Award for 2006 Bituminous Road Overlays to
Tower Asphalt, Inc.

WHEREAS, in order to complete road maintenance construction on county roads, the county solicited bids for this project; and

WHEREAS, bids were opened on April 18, 2006, with Tower Asphalt, Inc. being the lowest responsible bidder; and

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

May 2, 2006

BE IT FURTHER RESOLVED, that the contract between the county and Tower Asphalt, Inc. be executed through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board conditioned upon compliance with all bid specifications requirements and approval as to form by the Washington County Attorney's office.

9. Approval of a contract with TKDA, Inc. for the environmental and final design services for bridge modifications, additional turn lanes, and a traffic control signal at Keats Avenue (CSAH 19) and I-94 North ramps in Lake Elmo, for a cost not to exceed \$51,600.

The foregoing Consent Calendar was adopted unanimously.

SHERIFF'S OFFICE

Commissioner Stafford moved to adopt **Resolution No. 2006-064** as follows:

Approval of Contract with Bio-Key International for Purchase of Mobile Data Application System

WHEREAS, in order to purchase a mobile data application system, the county solicited bid proposals for this system; and

WHEREAS, proposals were received from six vendors with Bio Key International being the lowest responsible bidder to supply the system.

NOW, THEREFORE BE IT RESOLVED, that a contract for the purchase of the Mobile Data Application System be awarded to Bio-Key International; and

BE IT FURTHER RESOLVED, that such contract shall include all of the provisions of the specifications as stipulated by Washington County and as agreed to by Bio-Key International; and

BE IT FURTHER RESOLVED, that the contract between the county and Bio-Key International be executed through the signature of the Chairman of the Washington County Board of Commissioners and Washington County Administrator without further action of the County Board conditioned upon contract execution by the vendors and approval as to form by the Washington County Attorney's office.

Commissioner Peterson seconded the motion and it was adopted unanimously.

COMMUNITY SERVICES

Mary Farmer Kubler, Community Services Supervisor, presented a brief overview of the 2006 Community Development Block Grant and HOME Investment Partnership Annual Action Plan that includes funding recommendations of the CDBG Citizen Advisory Committee amounting to \$1,381,547. The six projects include: 1) Twin Cities Habitat for Humanity, Bailey's Arbor, \$300,000; 2) Washington County Housing

May 2, 2006

and Redevelopment Authority (HRA) Red Oak Preserve, \$300,000; 3) Washington County HRA Raymie Johnson Elevator Replacement, \$110,000; 4) Two Rivers Community Land Trust Acquisition and Rehabilitation Program, \$223,846; 5) Human Services Inc., Stillwater Rehabilitation, \$104,100; and 6) City of Landfall Electrical Hookups, \$36,050.

Commissioner Peterson moved to approve the 2006 Community Development Block Grant and HOME Investment Partnership Annual Action Plan that includes funding recommendations of the CDBG Citizen Advisory Committee amounting to \$1,381,547. Commissioner Kriesel seconded the motion and it was adopted unanimously.

ASSESSMENT, TAXPAYER SERVICES AND ELECTIONS

Repurchase of Tax Forfeited Property by the Oneka Lake View Association

Commissioner Hegberg moved to adopt **Resolution No. 2006-065** as follows:

Resolution Authorizing the Repurchase of Parcel
20.031.21.11.0040 by Oneka Lake View Association, Previous Owner

WHEREAS, the Oneka Lake View Association has made and filed a proper application for the repurchase of parcel 20.031.21.11.0042, which forfeited to the State of Minnesota for non payment of taxes; and

WHEREAS, the applicant has set forth in its application that the non payment of taxes was the result of a lack of communication on the side of previous owner's management company, who failed to notify the county of the new mailing address of the association; and

WHEREAS, the Board of Commissioners of Washington County decided that undue hardship would be corrected through this repurchase; and

WHEREAS, to the best knowledge of the Board of Commissioners of Washington County there are not other parties that may claim a legal right for the repurchase of this property; and

WHEREAS, the Board of Commissioners of Washington County has the authority and responsibility to grant or deny such application.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Washington County hereby grants the application for the repurchase of parcel 20.031.21.11.0040 by Oneka Lake View Association.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Washington County hereby authorizes and directs the Department of Assessment, Taxpayer Services and Elections, as the executor of the duties of the County Auditor, to permit such repurchase according to the provision of Minnesota Statutes 282.241, as amended.

Commissioner Peterson seconded the motion and it was adopted unanimously.

May 2, 2006

Application by the City of Newport for Tax Forfeited Land

Commissioner Peterson moved to adopt **Resolution No. 2006-066** as follows:

Resolution Recommending to the Minnesota Commissioner of
Revenue the Approval of the Application, Submitted by the City of
Newport for the Acquisition of Parcel 36.028.22.23.0002 for an
Authorized Public Use

WHEREAS, the City of Newport has made the proper application for the acquisition of parcel 36.028.22.23.0002, which is tax forfeited land, for the authorized public use of right of way for the Fourth Avenue; and

WHEREAS, the City of Newport is entitled to make such application; and

WHEREAS, the Board of Commissioners of Washington County decides that the requested authorized public use is in the best interest of the citizens of Washington County.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Washington County hereby recommends to the Commissioner of Revenue of the State of Minnesota to approve the application of the City of Newport for the acquisition of parcel 36.028.22.23.0002 for the authorized public use of right of way for the Fourth Avenue in Newport.

Commissioner Stafford seconded the motion and it was adopted unanimously.

Conveying Parcel 17.027.21.31.0003 to the State of Minnesota

Commissioner Peterson moved to adopt **Resolution No. 2006-067**, contingent upon approval by the City of Cottage Grove, as follows:

Approving the Conveyance of Parcel 17.027.21.31.0003
to the State of Minnesota

WHEREAS, parcel 17.027.21.31.0003, which is a piece of tax forfeited land, was acquired on the 1st of November 2002 by the County of Washington and the City of Cottage Grove from the State of Minnesota for a public use; and

WHEREAS, the County of Washington and the City of Cottage Grove decided to vacate and void their Joint Powers Agreement for the acquisition and management of parcel 17.027.21.31.0003, recorded as Washington County Contract No. 2045 from 2002; and

WHEREAS, the Board of Commissioners of Washington County desires to convey this parcel back to the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Washington County hereby directs the County Administrator to complete and sign the proper documentation for the conveyance of this parcel to the State of Minnesota.

May 2, 2006

BE IT FURTHER RESOLVED, that the Board of Commissioners of Washington County directs the County Administrator to send the completed and signed documentation to the Minnesota Commissioner of Revenue.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Private Sale of Parcel 17.027.21.31.0003 to the Metropolitan Council

Commissioner Peterson moved to adopt **Resolution No. 2006-068** as follows:

Resolution Approving the Private Sale of Parcel 17.027.21.31.0003
to the Metropolitan Council for an Authorized Public Purpose

WHEREAS, the Board of Commissioners of Washington County desires to convey parcel 17.027.21.31.0003, which forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, the parcel is classified as non-conservation, and the classification and sale have been approved by the Minnesota Department of Natural Resources and the City of Cottage Grove; and

WHEREAS, the Metropolitan Council has made the proper application for the acquisition of this piece of land for a public purpose, as provided for in Minnesota Statutes 282.01; and

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

WHEREAS, the Board of Commissioners of Washington County has the authority and responsibility to approve or deny such application.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Washington County hereby determines the appraised value of parcel 17.027.21.31.0003 to be \$526,992.00.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Washington County hereby approves the Metropolitan Council's application to acquire parcel 17.027.21.31.0003 for the public purpose described in application.

Municipality:	Cottage Grove
Approximate Size:	7.3 Acres
Appraised Value:	\$526,992.00
Property Description	Part of the NE ¹ / ₄ of SE ¹ / ₄ of SW ¹ / ₄ of NW ¹ / ₄ of Section 17, township 27, Range 21.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

Allowing Five Additional Business Days for Recording of Documents

Commissioner Stafford moved to adopt **Resolution No. 2006-069** as follows:

May 2, 2006

Resolution Allowing Five Additional Business Days
for Recording of Documents

WHEREAS, Minnesota Statute 357.182 passed by the Minnesota Legislature in 2005 establishes new timelines for the recording of documents in Minnesota; and

WHEREAS, the county auditor is required to certify no-delinquent taxes and accept payment of mortgage registration taxes, deed taxes and conservation fees prior to the recording of a number of documents by the County Recorder's Office; and

WHEREAS, Minnesota Statutes Chapter 357.182 allows the county to establish a policy allowing an additional five business days to the recording process to account for the time needed to perform the duties of the county auditor; and

WHEREAS, the Department currently does not utilize the full five business days and will continue to set internal goals that provide for processing in less than the allowed five business days; and

WHEREAS, to ensure compliance with the recording timelines in law the Department requests the County Board approve a resolution allowing the additional five business days.

THEREFORE, BE IT RESOLVED, that the County Board of Commissioners approves of the additional five business days allowed for the recording of documents and directs the Departments of Assessment, Taxpayer Services and Elections and the Recorder's Office to reflect this additional five business days in any policies related to the recording of documents.

Commissioner Peterson seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

Jim Schug, County Administrator, presented a brief legislative update as follows: Bills dealing with funding for corrections including additional costs for commitment and treatment of sex offenders are moving along; Eminent domain had a couple of advantageous things happen, one provision that required businesses receive an award for damages to buy a comparable property in the same community was clarified and it applies only to fee owners and not tenants.

Mr. Schug announced that there would be a groundbreaking ceremony at 1:00 this afternoon for the South Service Center located at the approximate intersection of CR 19 and Cottage Grove 90th Street.

Mr. Schug indicated that the parcel that is owned by the Minnesota State College and University System in Mahtomedi has no immediate buyer. John Kaul has been talking with the MNSCU officials and is getting around to the legislators and the Department of Public Safety indicating to them the need for a driver's license testing center in the east metro.

May 2, 2006

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Peterson moved to appoint Becky Meyer, Oakdale, to the Minnesota Extension Committee to a partial term expiring December 31, 2007; and Marianne O'Malley, Hugo, to the Groundwater Advisory Committee to fill an unexpired term to December 31, 2006. Commissioner Hegberg seconded the motion and it was adopted unanimously.

Commissioner Peterson asked if the EDA meeting scheduled for May 9 will be held in Cottage Grove or at the Government Center. Mr. Schug indicated he would get that information.

Commissioner Peterson reported that Cottage Grove had their first Arbor Day in the rain, but it was well attended.

Commissioner Stafford asked for a copy of the letter that was on correspondence from the Secretary of State Mary Kiffmeyer regarding the Attorney General's opinion on the waiver application on election equipment from Anoka, Ramsey and Washington Counties.

Commissioner Hegberg reported that he met with Congressman Oberstar last evening to discuss the Rush Line Corridor. Congressman Oberstar is looking to build that corridor to Duluth instead of just going to Hinckley. They will be looking at an increase in funding to expand the study so there may be an additional \$8,000 or \$12,000 as the county's portion.

Commissioner Hegberg will meet with the City of Forest Lake on May 8 to discuss 11th Avenue where there is a proposal for a freeway I-35 overpass.

BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Stafford moved to adjourn, seconded by Commissioner Hegberg and it was adopted unanimously. The Board meeting adjourned at 9:45 a.m.

Bill Pulkrabek, Chair
County Board

Attest:

James R. Schug
County Administrator