

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
FEBRUARY 10, 2009**

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, Hegberg, Weik, and Kriesel. Board Chair Peterson presided. Also present were James Schug, County Administrator; George Kuprian, Assistant County Attorney; Doug Johnson, County Attorney; Don Theisen, Public Works Director; Wayne Sandberg, Deputy Director of Public Works; John Elholm, Parks Director; Jane Krebsbach, Public Works Transportation Coordinator; Cory Slagle, Transportation Manager; Dennis O'Donnell, Senior Planner; Dan Papin, Community Services Director; Tom Adkins, Community Corrections Director; Sheriff Bill Hutton; Chief Deputy Sheriff Mike Johnson; Lowell Johnson, Public Health and Environment Director; Kay McAloney, Human Resources Director; Harley Will, Accounting and Finance Director; Pat Conley, Library Director; Joe Manion, Library Division Manager; and Dave Brierley, Public Information Coordinator.

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

1. Approval of the January 27, 2009, Board meeting minutes as amended.
2. Approval to appoint Brian Zeller, Lakeland, to the Parks and Open Space Commission, representing District 3, to a first term expiring December 31, 2011.
3. Approval to appoint Jen Peterson, Cottage Grove, to the Community Development Block Grant Citizen Advisory Committee, to a first term expiring December 31, 2011.
4. Approval to appoint Jeremy Jenkins and Regina Walker, Consumer Representatives to the Mental Health Advisory Council to a first term expiring December 31, 2011.
5. Approval of software license, software maintenance, and hardware warranty agreement with Premier Election Solutions, Inc., January 1, 2009 to December 31, 2009.
6. Approval of Supplemental Agreement No. 1, Work Order 16 and Change Orders 7-8, 10-13 with CS McCrossan Construction for the CSAH 13 road construction project.

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7. Approval of comments on the city of Stillwater and the city of Hastings draft Comprehensive Plans.
8. Adoption of **Resolution No. 2009-015** as follows:

Resolution for 2009 State Boat and Water Safety Grant

BE IT RESOLVED, the Washington County Sheriff's Office is hereby authorized to enter into a grant agreement between the Washington County Sheriff's Office and the Commissioner of Natural Resources for the 2009 State Boat and Water Safety Grant.

NOW, THEREFORE, BE IT RESOLVED, that Sheriff William M. Hutton is hereby authorized to execute such agreements that are necessary to implement the project on behalf of the Washington County Sheriff's Office.

The foregoing Consent Calendar was adopted unanimously.

**LIBRARY**

Pat Conley, Library Director, and Joe Manion, Library Division Manager, presented the first "One County, One Book" program. Washington County Library invites all citizens to participate in the program during March and April 2009. The program is being funded by Raft Charitable Foundations, Inc. The Library has selected Dr. P. M. Forni's book, "Choosing Civility: The Twenty-five Rules of Considerate Conduct" as suggested reading. Citizens are invited to attend a free community discussion featuring Dr. Forni at the R. H. Stafford Library at 7 p.m. on Tuesday, April 21.

**PUBLIC WORKS**

Minnesota Department of Transportation Agreement for Bridge 5600 Removal

Commissioner Pulkrabek moved to adopt **Resolution No. 2009-016** as follows:

Authorization to Enter into Agreement No. 93903-P  
with the Minnesota Department of  
Transportation for Demolition of Bridge 5600

WHEREAS, Bridge 5600 and adjacent tax forfeit property is owned by the State of Minnesota; and

WHEREAS, Washington County, in partnership with the Minnesota Department of Transportation (Mn/DOT) and Dakota County, is the lead agency for the demolition of Bridge 5600 located on the Mississippi River between St. Paul Park and Inver Grove Heights; and

WHEREAS, the United States Coast Guard has issued a Bridge Removal Order for Bridge 5600; and

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WHEREAS, Washington County has requested Minnesota Department of Transportation manage the construction engineering for this project because Minnesota Department of Transportation has the necessary experience to facilitate bridge removal; and

WHEREAS, an agreement with Minnesota Department of Transportation is necessary to provide payment for and to define the County's and Minnesota Department of Transportation's responsibilities and obligations regarding the construction engineering; and

WHEREAS, County payment for the construction engineering performed by Minnesota Department of Transportation will amount to \$80,000; and

WHEREAS, the Washington County Board of Commissioners has designated the removal of Bridge 5600 as an emergency project on December 23, 2008; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby authorizes the execution of Minnesota Department of Transportation Agreement No. 93903-P for construction engineering for the removal of Bridge 5600, subject to approval by the County Attorney's Office as to form.

Commissioner Hegberg seconded the motion and it was adopted unanimously.

#### Contract for Bridge 5600 Removal

Wayne Sandberg, Public Works Deputy Director, requested the award of a contract to Veit & Company, Inc., the lowest cost qualified contractor, for the demolition of Bridge 5600 which is also known as the swing bridge and JAR bridge. The former road and railroad bridge is being removed as a public safety hazard due to its partial collapse in November, 2008. The County Board designated the bridge removal as an emergency project on December 23, 2008. Veit and Company, Inc., will begin demolition by the third week of February. The schedule for demolition work is dictated by time frame restrictions from the United States Coast Guard and the Minnesota Department of Natural Resources. The Minnesota Department of Transportation will manage the engineering to facilitate the bridge removal. Funding for this project is the County State Aid Disaster Account.

Commissioner Pulkrabek moved to award the contract to Veit & Company, Inc. Commissioner Hegberg seconded the motion and it was adopted unanimously.

#### Removal of Privately Owned Parcels from the Official Map of the Big Marine Park Reserve

Don Theisen, Public Works Director, informed the County Board about a letter recently received from Fawcett Law, LLC, on behalf of ten property owners requesting that certain privately owned parcels be removed from the official map of Big Marine Park Reserve. Mr. Theisen presented a map showing all the parcels in question.

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Mr. Theisen presented an overview of the requirements called for under Ordinance No. 68, which mandates the proceedings to amend an official map. The process under Ordinance No. 68 calls for either a recommendation from the Planning Commission or an action of the County Board on its own initiative. If the County Board wishes to initiate an action, the ordinance requires that every proposed official map or change in a map be forwarded to the Planning Commission for advice and recommendation. The County Board may also request an informal review by staff in response to a request. The ordinance clearly states the public purpose for the action must be determined. The landowners have not provided information on the public purpose to be served. Mr. Theisen pointed out a number of issues the County Board may wish to gather more information on prior to initiating an action.

Commissioner Pulkrabek inquired about the current restrictions on these parcels and the harm of being on the official map. Mr. Theisen explained the restrictions include the need to request approval of the County Board to be permitted to build on these parcels. He explained further, the official map ordinance and statute is intended to provide a balance so future public use is viable.

Song Lo Fawcett, attorney for the property owners, expressed the reason for the request is specifically because of the restrictions on building permits. She explained the property owners desire to pass their properties down to the generations and feel a restriction being in the reserve. They have previously opposed being located in the reserve at the time it was created and continue to oppose it. She stated the property owners do support the County's long time efforts to create the reserve but wish to be excluded from the official map due to the restrictions it creates.

Mr. Schug, County Administrator, commented that one of the requirements of the demapping process would be to identify what the public purpose would be of removing these individual ten parcels from the official map.

Commissioner Weik inquired as to whether there was any immediate hardship if the County Board were to take up to 60 days to conduct an informal review. Ms. Fawcett pointed out there was no present hardship but the property owners would prefer it be done sooner than 60 days.

Commissioner Pulkrabek moved to refer the request to staff for an informal review and report back to the County Board within 60 days. Commissioner Kriesel seconded the motion and it was adopted unanimously.

### **GENERAL ADMINISTRATION**

Mr. Schug, County Administrator, gave an update on the 2009 legislative session. He pointed out the majority of the past week had been spent reviewing various aspects of the Governor's proposed budget through the various committees. Mr. Schug mentioned there are two bills on the modification of the Green

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Acres Program. One of the bills would modify the bill passed last year and address some of the specific issues with the payback and the classification of agricultural land. The second bill was referred to the Environmental Committee from the Agricultural and Veteran Affairs Committee and would repeal all of last year's changes. Mr. Schug mentioned this has resulted in two different tracks on this issue and continued monitoring will take place.

Mr. Schug mentioned there are some town meetings being scheduled throughout the next month. Minnesota Inter-Counties Association and the Association of Minnesota Counties are strongly encouraging attendance at these community meetings to ensure the County's position is articulated into the record of the various meetings.

Mr. Schug stated the Minnesota Inter-Counties Association has requested we send a letter to the Senate Tax Committee in support of Senate File 396. Under the current law, if there is an error in the published list for any one of the individual properties related to a delinquent property tax issue the entire list must be republished, with the correction, for an additional two week period. He indicated this can create quite an additional expense. The bill, authored by Senator Marty and Representative Welti, is a reasonable change that limits the publication requirement of the correction to just the property or properties for which there were errors in the original published list.

Commissioner Pulkrabek moved to send a letter in support of Senate File 396. Commissioner Weik seconded the motion and it was adopted unanimously.

Mr. Schug passed on a message from Chuck Haas, member of the Hugo City Council, who was recently appointed as the new Chair of the Metropolitan Council Park and Open Space Commission. Mr. Haas will be resigning his position on the Washington County Park and Open Space Commission but wished to let the County Board know how much he'd enjoyed serving on Washington County's Park and Open Space Commission. Mr. Schug will send a letter of congratulations to Mr. Haas on behalf of Washington County.

### **COMMISSIONER REPORTS**

Commissioner Kriesel attended the Metropolitan Energy Policy Coalition meeting last Thursday where there was general discussion on programs pertaining to energy conservation in government buildings. He will be attending the deployment ceremony today in support of the 34<sup>th</sup> Red Bull Infantry Division on their deployment to Iraq.

Commissioner Weik mentioned Woodbury is scheduled for a town hall meeting by the legislature on Monday, February 23, 2009, at 6:00 p.m. at 8595 Central Park Place, Woodbury. She attended a town hall meeting last Saturday at Woodbury City Hall with Representative Marsha Swails, Representative Julie Bunn and Senator Kathy Saltzman in attendance.

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Commissioner Weik attended morning meetings at the Transportation Day at the Capitol last week.

Commissioner Weik met last week with Senator Kathy Saltzman and Representative Marsha Swails and discussed Washington County's priorities with the I-94 Corridor and the alternatives analysis study. She also spoke briefly with them about the County's efforts with Minnesota Inter-Counties Association and the Association of Minnesota Counties on the repeal of the maintenance of effort and under funded mandate suspensions.

Commissioner Hegberg meets with Public Works this week about the future plans for the overpass over Highway 36 and Lake Elmo Drive. The city of Grant contacted him because of their concerns with disruptions in the neighborhoods.

Commissioner Pulkrabek mentioned attending his first committee meeting of the Metropolitan Energy Policy Coalition last week.

Commissioner Peterson commended Kevin Corbid, Property Records and Taxpayer Services Director, for his efforts in testifying at the United States Senate election contest hearing last week.

Commissioner Peterson mentioned there will be testimony given today at the House about high speed rail and on Thursday at the Senate.

### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Peterson moved to adjourn, seconded by Commissioner Hegberg, and it was adopted unanimously. The Board meeting adjourned at 10:26 a.m.

### **BOARD WORKSHOP WITH THE LIBRARY**

The Board met in workshop session with the Library to discuss issues related to facilities planning. No business was transacted and the public was welcome to attend. Present were Commissioners Peterson, Pulkrabek, Hegberg, Weik, and Kriesel. Also present were Jim Schug, Pat Conley, Larry Timmerman, Harley Will, Melinda Kirk, Joe Manion, Amanda Hollis, Paul Ryberg, Pauline Schottmuller, Gary Vidloch, and Norman Nickerson.

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**BOARD WORKSHOP WITH THE DEPARTMENT OF PUBLIC WORKS**

The Board met in workshop session with the Department of Public Works to provide an update and review of the Campus 2025 Improvements – Phase 5 (South Wing) Detailed Design. No business was transacted and the public was welcome to attend. Present were Commissioners Peterson, Pulkrabek, Hegberg, Weik, and Kriesel. Also present were Jim Schug, Don Theisen, Wayne Sandberg, Erik Jalowitz, Keith Potter, Harley Will, Dan Papin, Kay McAloney, Melinda Kirk, Brett Baldry, Mark Kotten, Joel Dunning, Kim Everson, and Dave Brierley.

Myra Peterson, Chair  
County Board

Attest:

James R. Schug  
County Administrator

