

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 16, 2013**

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 Bearth, Kriesel, Weik, Lehrke, and Miron. Absent none. Board Chair Weik presided. Also present were Molly O'Rourke, County Administrator; Kevin Corbid, Deputy Administrator; George Kuprian, County Attorney-Division Chief; Pete Orput, County Attorney; Harley Will, Accounting and Finance Director; Tom Adkins, Community Corrections Director; Sandy Hahn, Community Corrections Deputy Director; Terry Thomas, Community Corrections Division Manager; Michelle Kemper, Community Services Deputy Director; Cindy Rupp, Community Services Division Manager; Maureen Connaughty, Human Resources Representative; Mjyke Nelson, Information Technology Director; Jennifer Wagenius, Director of Property Records and Taxpayer Services; Lowell Johnson, Director of Public Health and Environment; Don Theisen, Public Works Director; Wayne Sandberg, County Engineer; John Elholm, Parks Division Manager; Greg Wood, Building Services Manager; Cory Slagle, Transportation Manager; Sheriff Bill Hutton; Chief Deputy Sheriff Dan Starry; Commander Doug Anschutz; Dean Tilley, Sheriff's Office; Kirsta Sanchez, Public Information Specialist; Yvonne Klinnert, Public Information Manager; Kevin Giles, Star Tribune; Elizabeth Mohr, Pioneer Press; Erik Sandin, Stillwater Gazette; and Riham Feshir, Woodbury Bulletin.

The Board recited the Pledge of Allegiance.

The Board held a moment of silence for the victims of the bombing at the Boston Marathon yesterday.

COMMENTS FROM THE PUBLIC

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

CONSENT CALENDAR

Commissioner Lehrke moved, seconded by Commissioner Bearth to adopt the following Consent Calendar:

1. Approval of the April 2, 2013 County Board meeting minutes as amended.
2. Approval to appoint John Rheinberger, Stillwater, to the Public Health Emergency Preparedness Advisory Committee as a Local Government Representative, to a first term expiring December 31, 2013.

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3. Approval to appoint Lori Lindquist, West Lakeland Township, to the Washington County Minnesota Extension Committee, to a first term expiring December 31, 2015.
4. Approval of a one year contract with State Operated Services for one registered nurse position for the Adult Mental Health Unit for the period of July 1, 2013 through June 30, 2014.
5. Approval to revise Policy #5203, Family and Medical Leave of Absence.
6. Approval of one new Full Time Equivalent (FTE) and two new .50 part-time deputies for 2013 to work exclusively in the County Parks.
7. Approval of one FTE Assistant County Attorney II position for the Juvenile Division.
8. Approval of the Volunteer Management Services agreement with Community Thread and authorization for the County Board Chair and County Administrator to enter into this agreement.
9. Adoption of **Resolution No. 2013-040** as follows:

Proclamation
National Public Safety Telecommunications Week
April 14-20, 2013

WHEREAS, emergencies can occur at any time that require law enforcement, fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of law enforcement, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our citizens, law enforcement officers, firefighters and paramedics is dependent upon the quality and accuracy of information obtained from citizens who telephone the Washington County Communications Center; and

WHEREAS, 9-1-1 telecommunicators and dispatchers are a critical first contact our citizens have with emergency services and are most often considered the community's "first" first responders; and

WHEREAS, 9-1-1 telecommunicators and dispatchers are the single vital link for our police officers, firefighters and paramedics by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, 9-1-1 dispatchers of the Washington County Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

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WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners hereby proclaims the week of April 14 through April 20, 2013 to be National Public Safety Telecommunications Week in Washington County, and extends its appreciation and thanks to these men and women for the vital contribution they make to keep our citizens and public safety responders safe.

10. Approval to enter into an agreement with Stainless LLC to reduce the height of the Somerset Radio Tower.

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

GENERAL ADMINISTRATION

National Public Safety Telecommunications Week

Molly O'Rourke, County Administrator, noted that on the Consent Calendar there was a proclamation for the National Public Safety Telecommunications Week which is April 14 through the 20. It recognizes the work of the people in the 911 Dispatching Unit. They work 24 hours a day, seven days a week. The county owes them a debt of gratitude and they are an example of unsung heroes that work throughout the county.

Legislative Update

Ms. O'Rourke presented a brief legislative update as follows: the Senate Judiciary bill does include some funding for county probation offices, an increase in the amount of \$1.7 million for the counties; the House has produced a lights-on bill for transportation and transit and have scaled back from some of the discussions—however the wheelage tax is still alive in its proposed automatic increase to \$10 and it also includes the language the county has been seeking regarding expanded Regional Rail Authority for Washington County to include bus rapid transit; the county is doing well in securing funding for the parks, two projects will continue to be funded from the Outdoor Heritage Fund for \$775,000 for prairie restoration in Lake Elmo Park Reserve and St. Croix Bluffs Regional Park; in the past the legislature has set a dollar amount for capital projects and then it's been split between the metro parks agencies—this year they are identifying projects to be funded in the bills, and there are \$1.78 million identified for projects within Washington County at the Point Douglas Regional Trail, Lake Elmo Regional Park Reserve, and the Hardwood Creek Regional Trail.

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Ms. O'Rourke discussed the tax bills and noted there are differences between the House and Senate: on the House side it renames the property tax refund program to the Homestead Credit Refund and it provides additional funding to increase the amount of property owners who would be eligible and increase the amount of each refund; it increases county program aid by about \$28 million and Washington County's share would be an additional \$1.2 million; the House bill does not have any significant changes to the sales tax base or rates and there are a few policy changes that impact property taxes that includes active members in the military will have an extension of time to pay their property taxes. On the Senate side the full tax bill hasn't been introduced, but there are certain portions that have been released including: exempt county purchases from the state sales tax which would be about \$1.6 million savings for Washington County at the current sales tax rate; the bill broadens the sales tax base and reduces the rate, and staff is still working on what that would mean to the county if the sales tax exemption for counties does not pass; and there are indications that the Senate bill does plan to include additional funding for county program aid but have not yet specified the dollar amount.

COMMISSIONER REPORTS – COMMENTS – QUESTIONS

Commissioner Bearth reported he will be attending the Association of Minnesota Counties meeting.

Commissioner Kriesel mentioned that he has received several phone calls regarding septic systems being out of compliance. In discussion with staff there might possibly be some sort of legislative agenda item that would provide low or no interest loans from the Lessard-Sams Outdoor Heritage Program that would help people of low income to get their systems back in compliance. He requested that a workshop be scheduled to discuss this matter further.

Lowell Johnson, Director of Public Health and Environment, stated there is a county requirement for a maintenance schedule which includes that a system should be pumped every three years; but that doesn't necessarily include an inspection for performance of the system. The pumping is usually carried out by a private contractor. More recently the county has received more reports of time of sale compliance inspections that are being done and some systems are not meeting standards. It is a much more detailed inspection that occurs at the time of sale.

Commissioner Weik asked that a workshop be scheduled and staff could contact John Kaul, the county's lobbyist, to track the issue in case testimony is needed

Commissioner Miron reported he has heard from a professor at the University whose students have been doing studies on lake levels and a potential correlation between lake levels and the aquifer. The professor asked if they might be able to make a presentation to the county and hopefully a workshop might be scheduled in the future. He also attended D.A.R.E. graduations in his district and Officer

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Majeski with the Sheriff's Office had worked through the D.A.R.E. program with these kids, and from a policy standpoint making a connection with these kids at an early age is going to help the county in the long run as opposed to dealing with issues these kids may have in decision making later in their life. He commended the Sheriff's office for that approach and Officer Majeski appeared to be doing a great job with those kids. He feels that ties in nicely with the request from the County Attorney's Office for the position and potential outreach to the schools.

Commissioner Lehrke reported that the Red Rock Corridor Alternative Analysis update is progressing; the rest of this week she will be attending the Association of Minnesota Counties Lean Conference in St. Cloud; she updated the Board on the National Association of Counties prescription drug program: in the seven full months it has been rolled out, the citizens of Washington County have saved \$3,000.

Commissioner Weik reported she attended a couple of meetings related to the Gateway Corridor including a presentation to the Woodbury Chamber; and she attended a legislative panel on Saturday.

PUBLIC WORKS

Capital Grant Agreement with the Counties Transit Improvement Board

Don Theisen, Public Works Director, presented a brief overview of the proposed Newport Transit Station, its location and a capital grant agreement with the Counties Transit Improvement Board. The Commissioners asked questions on the following items: operation of the Transit Center in the future; destination of bus service and schedules; opportunities for freight loading/unloading along the area; and potential public/private partnerships involving van service to the airport.

Commissioner Lehrke moved to adopt **Resolution No. 2013-041** as follows:

Resolution Supporting an Amendment of Grant Agreement Number 1-2011-09 with the Counties Transit Improvement Board for the Newport Transit Station

WHEREAS, Washington County has been a member of the Counties Transit Improvement Board (CTIB) since 2008; and,

WHEREAS, Washington County is guaranteed three percent of the total estimated revenue generated for each of the years 2010-2013; and,

WHEREAS, Washington County received a grant of guaranteed funds from CTIB in 2011 for the Newport Transit Station development for \$225,000; and,

WHEREAS, Washington County with the approval of CTIB assigned the aforementioned grant to the Washington County Regional Rail Authority; and,

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WHEREAS, Washington County has remaining guaranteed funds that it has deferred for future priority projects totaling \$5,117,000; and,

WHEREAS, Washington County is requesting to use an additional \$405,000 of the remaining deferred guaranteed funds to complete the development of the Newport Transit Station.

NOW THEREFORE BE IT RESOLVED, that Washington County supports amending the existing grant agreement with CTIB for the Newport Transit Station to increase the grant award by \$405,000 and to commit to providing the additional required local match of \$45,000.

BE IT FURTHER RESOLVED, that Washington County hereby authorizes CTIB to directly award the amended grant to the Washington County Regional Railroad Authority, the lead agency for the development of the Newport Transit Station.

Commissioner Bearth seconded the motion and it was adopted 5-0 with a Roll Call vote as follows:
Ayes, Commissioners Bearth, Kriesel, Lehrke, Miron, and Weik; Nays, none.

County State Aid Highway 19-20-22 Project

Cory Slagle, Engineer and Construction Manager, presented an update on the County Road 19-20-22 project. The project will cost \$7.7 million dollars and will be shared as follows: \$3.64 million, Washington County; \$3.15 million, South Washington Watershed District; and \$0.94 million, City of Cottage Grove. The right-of-way acquisition costs are \$1.41 million and will be shared as follows: \$492,000, South Washington Watershed District; \$442,000, Washington County; and \$476,000, City of Cottage Grove.

Commissioner Lehrke moved to approve the cooperative cost share agreement between Washington County and the South Washington Watershed District for the County State Aid Highway (CSAH) 19-20-22 construction project 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 and approval as to form by the Washington County Attorney's Office. Commissioner Weik seconded the motion and it was adopted unanimously.

Commissioner Lehrke moved to approve the cooperative cost share agreement between Washington County and the City of Cottage Grove for the CSAH 19-20-22 construction project 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 and approval as to form by the Washington County Attorney's Office. Commissioner Weik seconded the motion and it was adopted unanimously.

Bids were received for the CSAH 19-20-22 project as follows:

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<u>Contractor</u>	<u>Bid Amount</u>
Valley Paving, Inc.	\$7,734,996.78
Hoffman Construction Company	\$7,810,000.00
Geislinger and Sons, Inc.	\$9,172,589.92
Mathiowetz Construction Company	\$9,174,834.20
Minger Construction, Inc.	\$8,639,054.38
CS McCrossan Construction, Inc.	\$8,901,115.90
Ames Construction, Inc.	\$9,122,244.21
RL Larson Excavating, Inc.	\$9,588,129.85

Commissioner Lehrke moved to adopt **Resolution No. 2013-042** as follows:

Bid Award for County State Aid Highway 19-20-22
to Valley Paving, Inc.

WHEREAS, in order to complete road construction on County State Aid Highway (CSAH) 19 (Keats Avenue South), CSAH 20 (Military Road), and CSAH 22 (70th Street), in Cottage Grove, MN, the county solicited bids for this project; and,

WHEREAS, on March 29, 2013, bids for the project were opened and it was determined that Valley Paving, Inc. was the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby awards the bid to Valley Paving, Inc. in order to complete the above described road construction project and authorizes the county to enter into a contract with Valley Paving, Inc. pursuant to the rights and obligations contained in the county's bid specifications and the Valley Paving, Inc. proposal thereto.

BE IT FURTHER RESOLVED, that the contract between the county and Valley Paving, Inc. 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.

Commissioner Weik seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bearth, Kriesel, Lehrke, Miron, and Weik; Nays, none.

Commissioner Lehrke moved to approve the maintenance agreement between Washington County and the City of Cottage Grove for the CSAH 19-20-22 construction project 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 and approval as to form by the Washington County Attorney's Office. Commissioner Weik seconded the motion and it was adopted unanimously.

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BOARD CORRESPONDENCE

Board correspondence was received and placed on file.

EXECUTIVE (CLOSED) SESSION WITH THE OFFICE OF ADMINISTRATION

The Board met in Executive (Closed) Session with the Office of Administration to discuss the possible purchase of interests in land owned by the Thomas E. and Edna D. Carpenter foundation located in Denmark Township; the time being 10:05 a.m. Present for the Executive Session were Commissioners Miron, Bearth, Kriesel, Lehrke, and Weik. Also present were Molly O'Rourke, Kevin Corbid, Jane Harper, Wayne Sandberg, John Elholm, Sharon Price, Richard Hodsdon, and Patricia Raddatz.

The Board returned from Executive Session to discuss the possible purchase of interests in land owned by the Thomas E. and Edna D. Carpenter foundation located in Denmark Township at 10:49 a.m.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Lehrke moved to adjourn, seconded by Commissioner Weik and it was adopted unanimously. The Board meeting adjourned at 10:50 a.m.

BOARD WORKSHOP WITH THE OFFICE OF ADMINISTRATION

The Board met in workshop session with the Office of Administration to review the core functions and mandated services in the Department of Community Corrections, the Sheriff's Office, and the County Attorney's Office. No business was transacted and the public was welcome to attend. Present for the workshop were Commissioners Miron, Bearth, Kriesel, Lehrke, and Weik. Also present were Molly O'Rourke, Kevin Corbid, Pete Orput, Brent Wartner, Tom Adkins, Sandra Hahn, Terry Thomas, Sheriff Bill Hutton; Chief Deputy Sheriff Dan Starry, Michelle Schoeder, Mjyke Nelson, Yvonne Klinnert, Elizabeth Mohr, Pioneer Press, Riham Feshir, Woodbury Bulletin, and Kevin Giles, Star Tribune.

Lisa Weik, Chair
County Board

Attest:

Molly F. O'Rourke
County Administrator