



Carver County Board of Commissioners
 January 17, 2017
 Regular Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

- 4:00 p.m. 1. **a) CONVENE**
 b) Pledge of allegiance
 c) Public comments (limited to five minutes) *Anyone wishing to address the Board of Commissioners on an item not on the agenda may come forward at this time. Please limit your comments to five minutes.*
2. Agenda review and adoption
3. Approve minutes of January 3, 2017, Organizational Session 1-4
4. Community Announcements
- 4:05 p.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy and livable communities*
- 5.1 2016 Urban Area Security Initiative (UASI) Grant 5-6
- Connections: Develop strong public partnerships and connect people to services and information*
- 5.2 Special Use Permit for Vintage Snowrunners Snowmobile Event 7
- 5.3 Charitable Gambling Application to Conduct Off-site Gambling for Waconia Lions Club 8
- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.4 No Parking Resolution For Future CSAH 10 9-10
- 5.5 Board of Water & Soil Resources CWL grant funds extension 11
- 5.6 Settlement Agreement for Right of Way Acquisition for CSAH 30 Safety Improvement Project 12-16
- Finances: Improve the County's financial health and economic profile*
- 5.7 Review Social Services/Commissioners Warrants. NO ATT
- 4:05 p.m. 6. **CONNECTIONS: Develop strong public partnerships and connect people to services and information**
- 6.1 Recognition of Advisory Committee Members 17
- 6.2 Update from Carver County Mental Health Committee 18
- 4:30 p.m. 7. **GROWTH: Manage the challenges and opportunities resulting from growth and development**
- 7.1 Agreements for Right-of-way Acquisition for CSAH 11 Reconstruction from CSAH 61 to CSAH 10, SP 010-611-006 19
- 7.2 CCWMO Boundary Correction 20-21
- 4:55 p.m. 8. **FINANCES: Improve the County's financial health and economic profile**
- 8.1 Proposed Sale of Former Public Works Facility in Chaska 22-23

5:20 p.m. **ADJOURN REGULAR SESSION**

5:20 p.m. **BOARD REPORTS**

1. Chair
2. Board Members
3. Administrator
4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

January 24, 2017	7:30 a.m. Carver County Leaders Meeting
January 24, 2017	9:00 a.m. Board Work Session
January 31, 2017	No Meeting
February 7, 2017	9:00 a.m. Board Meeting
February 14, 2017	No Meeting
February 21, 2017	4:00 p.m. Board Meeting
February 28, 2017	9:00 a.m. Board Work Session

Commissioners Gayle Degler, James Ische, Tim Lynch and Randy Maluchnik met in session this day as required by law for organizational purposes for the year 2016. Absent: Tom Workman.

The session was called to order by County Administrator, David Hemze, at 9:00 a.m.

Maluchnik nominated Tim Lynch to serve as Chair of the Board of Commissioners for 2017. Degler seconded the nomination. On vote taken to elect Tim Lynch as Chair for 2017, all voted aye.

Chair Lynch requested nominations for Vice Chair. Degler nominated James Ische as Vice Chair of the Board of Commissioners for 2017. Maluchnik seconded the nomination. On vote taken to elect James Ische as Vice Chair for 2017, all voted aye.

Under public comments, Dan Kloos, 4655 Big Woods Boulevard, recognized the Board would be holding a closed session today regarding the Kloos parcels and asked the Board to consider settlement. He noted the previous awards that came back in their favor and subsequent appeals. Kloos hoped that landowners would not have to go through what his family has gone through and asked for the Board's consideration.

Degler moved, Maluchnik seconded, to approve the agenda. Motion carried unanimously.

Hemze requested the Board adopt their 2017 Board Operating Rules and explained the changes he was recommending.

Maluchnik moved, Ische seconded, to adopt the 2017 Board Operating Rules as presented. Motion carried unanimously.

Hemze requested the Board adopt their meeting schedule for 2017. He stated he was recommending the same pattern for 2017 and clarified meetings can be added if necessary for citizen input.

Ische moved, Degler seconded, to adopt the 2017 Board meeting schedule as presented. Motion carried unanimously.

Ische moved, Degler seconded, to approve the following Commissioner appointments:

Area Agency on Aging	Maluchnik
Association of Minnesota Counties Board of Directors	Ische, Alt. Degler
AMC Environment & Natural Resources Policy Committee	Ische
AMC General Government Policy Committee	Degler
AMC Health & Human Services Policy Committee	Lynch
AMC Public Safety Policy Committee	Maluchnik
AMC Transportation Policy Committee	Workman

Organizational Session
January 3, 2017

AMC Voting Delegates	Degler, Ische, Lynch, Maluchnik, Workman, David Hemze, Lyndon Robjent, Rod Franks
CAP Agency Board of Directors	Degler
Carver County Arts Committee	Maluchnik & Workman
Carver County CDA	Maluchnik, Liaison, Alt Workman
Carver County Leaders	Maluchnik & Lynch
Community Leaders (Eastern)	Degler, Maluchnik, Workman
Counties Transit Improvement Board	Maluchnik
County Strategic National Stockpile (SNS) Requestors	Degler, David Hemze, Rod Franks
County and Union Leaders Group	Maluchnik & Lynch
Courts Committee	Ische & Degler, Alt. Lynch
CROW Joint Powers Board	Lynch, Alt. Ische
Fair Board	Ische, Liaison, Alt. Lynch
Greater MSP Partner Advisory Council	Julie Frick (public)
	Public-to be determined
Historical Society Committee	Maluchnik, Alt. Lynch
Insurance Advisory Committee	Maluchnik
Joint Ditches:	
Joint Ditch #1	Ische, Lynch, Degler
Joint Ditch #2	Ische, Degler
Joint Ditch #3A	Ische
Joint Ditch #4	Ische, Lynch, Workman
Joint Ditch #5	Ische, Lynch, Maluchnik
Joint Ditch #21	Ische, Lynch, Workman, Degler
Joint Ditch #22	Ische, Lynch, Maluchnik
Joint Ditch #24	Ische, Lynch, Degler
Joint Ditch #28	Ische
Law Library Board	Degler
Legislative Committee	Maluchnik & Workman
Library Board	Degler, Liaison, Alt Workman
Lower Minnesota River Watershed	Maluchnik & Degler, Liaisons
MCIT Voting Delegates	David Hemze, Alt Sonja Wolter
MELSA	Degler, Alt Workman
Metro Alliance for Healthy Families Joint Powers Board	Workman
Metro GIS Policy Board	Maluchnik, Alt. Peter Henschel
Metropolitan Emergency Services Board	Ische & Degler
Metropolitan Emergency Services Executive Board	Ische, Alt Degler
Metropolitan Emergency Services Radio Technical Operations Committee	Tim Walsh, Alt Shane Sheets
Metropolitan Emergency Services 911 Technical Operations	Tim Walsh, Alt Susan Bowler
Minnehaha Creek Watershed District	Maluchnik & Workman, Liaisons
Minnesota Counties Computer Consortium	Peter Henschel, Alt David Frischmon, Laurie Davies
Minnesota Extension Committee	Degler & Lynch

Organizational Session
January 3, 2017

Minnesota Inter-County Association	Degler & Maluchnik
Minnesota Transportation Alliance	Maluchnik
Minnesota Valley Regional Rail Authority	Workman, Alt. Maluchnik
Mobility Management Board	Ische
Mosquito Control District	Ische & Workman
Park Commission	Lynch, Liaison
Planning Commission	Ische, Alt. Lynch, Maluchnik
Riley-Purgatory-Bluff Creek Watershed	Workman & Degler, Liaisons
Solid Waste Management Coordinating Board	Workman & Ische
Southwest Corridor Transportation Coalition	Workman & Maluchnik, Alt. Degler
State CHS Advisory Committee (SCHSAC)	Rod Franks, Alt Maluchnik
Suburban County Representatives	Maluchnik & Workman
Transportation Advisory Board – TAB	Maluchnik, Alt. Workman
Water Management Organization Committee	Lynch, Alt. Ische

Motion carried unanimously.

The Board considered appointments to various advisory committees.

Ische moved, Degler seconded, to appoint Scott Hoese, Richard Buetow and Virgil Stender to the Board of Adjustment. Motion carried unanimously

Ische moved, Degler seconded, to appoint John Fahey to the Community Development Agency. Motion carried unanimously.

Maluchnik moved, Degler seconded, to appoint Tom O'Connor to the Library Board. Motion carried unanimously.

Ische moved, Degler seconded, to appoint Maren Christopher and Mark Willems to the Extension Committee. Motion carried unanimously.

Ische moved, Degler seconded, to appoint Jim Manders, Jim Boettcher and Gerald Bruner to the Park Commission. Motion carried unanimously.

Maluchnik moved, Degler seconded, to appoint Nate Bostrom to the Personnel Board of Appeals. Motion carried unanimously.

Ische moved, Maluchnik seconded, to appoint Alan Herrman to the Planning Commission for a three year term and re-appoint Mark Willems to the Planning Commission until the Township Association has an opportunity to meet and make their recommendation. Motion carried unanimously.

Lynch moved, Degler seconded, to appoint Chad Robbins to serve on the Water Management Organization. Motion carried unanimously.

Degler moved, Maluchnik seconded, to approve the minutes of the December 20, 2016, Special Session. Motion carried unanimously.

Ische moved, Degler seconded, to approve the following consent agenda items:

Approved utilizing Employee Relations temporary coverage budget to fund a temporary Social Worker II position to fill a three month maternity leave of absence and approved related budget amendment.

Approved the donation of file organizers to veterans and their dependents.

Authorized the Parks and Trails Supervisor to carry out promotions and provide donations and administrative annual vehicle permits

Approved Health and Human Services structural realignments effective January 9, 2017.

Adopted Findings of Fact and issued Order #PZ20160058 for the issuance of Conditional Use Permit #PZ20160058, Peter Smith, Laketown Township.

Reviewed December 27, 2016, Community Social Services' actions/Commissioners' warrants in the amount of \$294,187.04 and reviewed January 3, 2017, Community Social Services' actions/Commissioners' warrants in the amount of \$429,325.77.

Maluchnik moved, Degler seconded, to recess as the County Board and reconvene as the Carver County Regional Rail Authority. Motion carried unanimously.

Maluchnik moved, Ische seconded, to nominate Tim Lynch as Chair, James Ische Vice Chair and Gayle Degler as Secretary/Treasurer of the Carver County Regional Rail Authority for 2017. Motion carried unanimously.

Ische moved, Degler seconded, to adjourn as the Rail Authority and reconvene as the County Board. Motion carried unanimously,

Chair Lynch reviewed the background relating to the request for a closed session on parcels PID 30.070400; PID 30.0070200 and PID 30.0070210.

Degler moved, Maluchnik seconded, to go into closed session according to Minnesota Statutes Section 13D.05 Subd. 3(b) to discuss attorney-client privileged information, including pending litigation and litigation strategy for the parcels identified. Motion carried unanimously.

The Board adjourned the closed and Organizational Session at 11:34 a.m.

David Hemze
County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2016 Urban Area Security Initiative (UASI) Grant

Primary Originating Division/Dept: Sheriff - Administrative Services

Meeting Date: 1/17/2017

Contact: Kelly Miller Title: Emergency Management Specialist

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

Communities: Create and maintain safe, healthy, and livable communities

BACKGROUND/JUSTIFICATION:

This Urban Area Security Initiative (UASI) grant was awarded by the State of Minnesota, Department of Public Safety - Homeland Security & Emergency Management Division. This will be the fourth time that Carver County Emergency Management has been awarded this grant. The grants funds may be used to fund (FTE/PTE/Paid on Call/Intern & Contracted vendor) for planning activities as it relates to all 5 mission areas – prevention, protection, mitigation, response and recovery.

Funds may be used for educational opportunities such as conferences, workshops and seminars which will allow for various personnel to learn best practices in preparing for, responding to & recovering from disasters. Additional investments would be for public education & citizen preparedness initiatives to improve the resiliency of our communities through activities to expand individual, family, & business emergency & terrorism prevention awareness based on the Whole Community Approach.

ACTION REQUESTED:

Motion to authorize the Division to contract with the State of Minnesota, Division of Homeland Security & Emergency Management, subject to contract review by the County Attorney's Office and Risk Management.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars = \$54,300.00

FTE IMPACT: None

Total \$54,300.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4477

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: 2016 Urban Area Security Initiative (UASI) Grant

Department: Sheriff - Administrative Services

Meeting Date: 1/17/2017

- Fund:
- 01 - General
 - 02 - Reserve
 - 03 - Public Works
 - 11 - CSS
 - 15 - CCRRA
 - 30 - Building CIP
 - 32 - Road/Bridge CIP
 - 34 - Parks & Trails
 - 35 - Debt Service

Requested By: Kelly Miller

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Professional Services	01-201-280-1916-6260	\$54,300.00	2016 UASI grant	01-201-280-1916-...	\$54,300.00
TOTAL		\$54,300.00	TOTAL		\$54,300.00

Reason for Request:
 We have been awarded the 2016 Urban Area Securities Initiative (UASI) Grant and are adding it to our budget.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Special Use Permit for Vintage Snowrunners Snowmobile Event

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="1/17/2017"/>
Contact: <input type="text" value="Sam Pertz"/> Title: <input type="text" value="Parks & Trails Supervisor"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

The annual Vintage Snowmobile event held at Lake Waconia Regional Park is scheduled to take place on January 27th - 29th of this year. The event takes place on Saturday and Sunday, with preparation and set-up efforts on Friday. The event is advertised to include a Snowmobile Show, Swap Meet, Drag Races, Trail Ride, Oval Races, Loud Snowmobile Contest, Silent Auction, and so much more!

By County Ordinance Chapter 91: Use permits shall be required for the exclusive or special use of all or portions of park areas and facilities when they are closed to the public; to conduct certain activities not normally permitted as per conditions of this chapter; for regulation of large group activities, as defined herein, or to reduce or eliminate certain user fees for groups, as defined herein.

This event is coordinated and operated by the local snowmobile club, Carver County Snow-Runners, and typically attracts 3000-4000 attendees per day from all over the state and various parts of the country.

The Parks Department has issued a Special Use Permit for the event each year.

The event also utilizes the Waconia Event Center. Lancer Catering provides catering services of food and drink.

The Special Use Permit for this event recognizes:

- Special use fees are charged to host the event in the park consistent with the approved parks fee schedule for 2017.
- The snowmobile club charges a general admission fee to attend the event.
- Sale of concession items which include food, tee shirts, snowmobile clothing and accessories. The 2017 concession fee has not been applied to the event.
- The snowmobile club maintains a presence in the park overnight for security purposes.
- Insurance is obtained as required by the County requirements.
- Sledding Hill area is to be maintained open to the public.

The event has a long and sound history operating at Lake Waconia Regional Park.

ACTION REQUESTED:

Authorize the Park Staff to proceed with finalizing and issuing the Special Use Permit to the Carver County Snow-Runners for 2017 Vintage Snowmobile event.

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$0.00"/>
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:

na

Office use only:

RBA 2017 - 4466

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application to Conduct Off-site Gambling for Waconia Lions Club

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

A Charitable Gambling application for Off-site gambling was received from the Waconia Lions Club. They plan to hold a raffle on February 4, 2017 at the Lake Waconia Event Center located at 8155 Paradise Ln, Waconia, MN 55387. This applicant has received this same type of license previously.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License for Off-site Gambling to the Waconia Lions Club for a raffle to be held February 4, 2017.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4484

Carver County Board of Commissioners Request for Board Action



Agenda Item:

No Parking Resolution For Future CSAH 10

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
 ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:
 ▼

BACKGROUND/JUSTIFICATION:

The CSAH 10 Corridor in the City of Waconia is a critical regional highway running through the City. The County and City comprehensive plans include the realignment of CSAH 10 west of the city. The realigned CSAH 10 as outlined in planning documents was aligned just west of the existing Waconai High School and Middle School campus. The school district (ISD 110) is planning an expansion of their campus and purchased land that crosses the planned highway alignment. The campus expansion also needs a new access to State Highway 5 to avoid additional congestion issues. A joint benefit exists if the Carver County highway is constructed earlier than may have been planned for access coordination, cost sharing potential, right-of-way preservation, and development coordination. This project has been added to the County's CIP and the City is fully supportive of the project as well.

The roadway has been designed in accordance with State Aid geometric design standards. A two lane roadway with 12 foot driving lanes, eight foot shoulders with a 55 MPH posted speed limit will be build. Curb and gutter will be utilized in directing stormwater to the treatment ponds on the project site. By State Aid rule 8820.9936, if a roadway has less than a 10 foot wide shoulder with curb and gutter, a 10 foot or wider shoulder is considered a parking lane, parking shall not be allowed on a roadway with a posted speed limit above 40 MPH.

A resolution to restrict parking on future CSAH 10 from TH 5 to Waconia Parkway South is attached.

ACTION REQUESTED:

Adopt a resolution authorizing no parking on future CSAH 10 from Trunk Highway 5 to Waconia Parkway South.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars = **\$0.00**

FTE IMPACT: ▼

Total **\$0.00**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4444

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: _____ Resolution No: _____
 Motion by Commissioner: _____ Seconded by Commissioner: _____

WHEREAS, the "County", has planned the construction of County State Aid Highway (CSAH) 10 from Trunk Highway (TH) 5 to Waconia Parkway South in the City of Waconia, Minnesota; and

WHEREAS, the "County" will be expending County State Aid Funds on the construction of this highway; and

WHEREAS, this construction does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a County State Aid Highway project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

That the "County" shall ban the parking of motor vehicles on CSAH 10 between TH 5 and Waconia Parkway South at all times.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA
 COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the _____ day of _____, 2016, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2016.

 Dave Hemze County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

BOARD OF WATER & SOIL RESOURCES CWL grant funds extension

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Carver County Water Management Organization entered into agreement on three Clean Water Legacy Grants (awarded annually by the Board of Water and Soil Resources) in 2014. The staff is requesting a one-year extension of two of the grants: a \$40,000 grant with \$20,000 in matching funds for Exclusion Fencing and Streambank Restoration projects along Carver and Bevens Creeks; and a \$150,000 grant with \$70,000 in matching funds for the Community Partners Cost Share Initiative. This agreement amendment extends the term within which FY2014 Board of Water and Soil Resources Clean Water Legacy grant activities can be conducted. No additional financial resources are being distributed to the Carver County Water Management Organization (CCWMO), nor are any additional CCWMO resources being used for either grant program outside of the original match allocations. The extension is needed to respond to continued and potential interest in both grant programs. To date, the County has used the grant funds to complete 4 projects and begin 3 projects, which will be completed in 2017, with the remainder used for up to 4 more potential projects in 2017. This amendment will allow the staff fully to lever grant funds received.

ACTION REQUESTED:

Motion to authorize a grant extension with the BOARD OF WATER & SOIL RESOURCES for Clean Water Legacy Grant funds pending completion of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

CCWMO match and grant amounts remain the same. This grant extension provides only for more time.

Office use only:

RBA 2017 - 4489

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreement for Right of Way Acquisition for CSAH 30 Safety Improvement Project

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The 2017 construction season includes safety improvements to CSAH 30 from New Germany on the west to Mayer on the east. Additional right-of-way is needed to complete this project. Carver County has obtained Minimum Damages Assessments completed by the County's Right-of-Way Agent for the acquisition of permanent roadway and temporary easements along the construction corridor.

The Carver County Right of Way Agent has negotiated settlements with the property owners of parcels on PID #'s 02.0030200, Virgil J. Scherping Revocable Trust; 02.0040430, Elizabeth D. Sopok; 02.0040440, Mark W. Hagel; 02.0030300, Ralph M. & Melanie M Ertl, Trustees of Trust and 02.0020221, Curtis Hedtke, Joni Hedtke, Christopher Hedtke & Kirsten Hedtke.

ACTION REQUESTED:

Adopt a resolution authorizing payment of negotiated settlements with the property owners of PID # 02.0030200, 02.0040430, 02.0040440, 02.0030300 and 02.0020221 for easements required for the CSAH 30 Safety Improvement Project (158789).

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4487

**BOARD OF COUNTY COMMISSIONERS
CARVER COUNTY, MINNESOTA**

Date: January 17, 2017 _____ Resolution No: _____

Motion by Commissioner: _____ Seconded by Commissioner: _____

**Resolution Authorizing Payment of Settlements of Compensation to
Landowners for Easements Required for the CSAH 30 Safety Improvement
Project, Project Registry # 158789**

WHEREAS, the Board of Commissioners of Carver County is the official governing body of Carver County (“County”); and

WHEREAS, the County, acting by and through its Board of Commissioners, is authorized by law to acquire land and other interests in real estate which are needed for public use or purpose; and

WHEREAS, Carver County wishes to make safety improvements to CSAH 30, Project #158789, (“Project”); and

WHEREAS, in order to complete the Project it is necessary for the County to purchase property interests from the property described in Exhibit A attached hereto; and

WHEREAS, the County’s Right-of-Way Agent has completed Minimum Damages Acquisition Reports, (MDA’s) to provide the County with the right-of-way agent’s estimates of the damages caused by the County’s acquisition of the property interests required for the Project; and

WHEREAS, upon completion of the MDA’s, the County made offers of compensation to the land owners for the needed property interests consistent with the right-of-way agent’s estimate of the damages being incurred by the various owners as a result of the County’s acquisitions; and

WHEREAS, settlements have been reached with property owners impacted by the project.

NOW, THEREFORE, BE IT RESOLVED by the Carver County Board of Commissioners as follows:

1. The Board of Commissioners finds that it is necessary and for a public purpose for the County to acquire the property interests described in Exhibit A for the Project.

- 2. Based upon Minimum Damages Acquisition Reports completed by the County Right-of-Way Agent and negotiations with the affected property owners by the Director of Public Works or agents under his supervision pay to said property owners the negotiated settlements amounts in total of \$76,900.00.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA)
) ss.
 COUNTY OF CARVER)

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 17th day of January, 2017, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th day of January, 2017.

 Dave Hemze County Administrator

Subscribed and sworn to before me
 this ___ day of _____, 2017.

Notary Public _____

My Commission Expires _____

Notary Stamp

Exhibit A

**Property Interests Required for Safety Improvements on CSAH 30 From New Germany to
Mayer
Project #158789**

(Acquisition)

P.I.D. No. 02.0030200

Virgil J. Scherping Revocable Trust, Virgil J. Scherping & Elaine Scherping, Trustees.

Taking of permanent roadway easement for right of way purposes over CSAH 30 (containing 1.069 acres, more or less).

Taking of temporary easement over CSAH 30 (containing .607 acres, more or less).

Settlement Amount: \$13,000.00.

(Acquisition)

P.I.D. No. 02.0040430

Elizabeth D. Sopok

Taking of permanent roadway easement for right of way purposes over CSAH 30 (containing 0.258 acres, more or less) and replacement of trees and fence.

Settlement Amount: \$32,700.00.

(Acquisition)

P.I.D. No. 02.0040440

Mark W. Hagel

Taking of permanent roadway easement for right of way purposes over CSAH 30 (containing 0.280 acres, more or less).

Settlement Amount: \$6,900.00.

(Acquisition)

P.I.D. No. 02.0030300

Ralph M. & Melanie M. Ertl, Trustees of Trust.

Taking of permanent roadway easement for right of way purposes over CSAH 30 (containing 1.022 acres, more or less).

Taking of temporary easement over CSAH 30 (containing .609 acres, more or less).

Settlement Amount: \$13,000.00.

(Acquisition)

P.I.D. No. 02.0020221

Curtis Hedtke, Joni Hedtke, Christopher Hedtke & Kirsten Hedtke

Taking of permanent roadway easement for right of way purposes over CSAH 30 (containing 0.824 acres, more or less).

Taking of temporary easement over CSAH 30 (containing .430 acres, more or less).

Settlement Amount: \$11,300.00.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Recognition of Advisory Committee Members

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/17/2017

Contact: Dave Hemze Title:

Item Type:
Regular Session

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services and information

BACKGROUND/JUSTIFICATION:

Several advisory committee members have reached their term limits. Time is being set aside on today's agenda to formally recognize those members. The members to be recognized are:

- Carver County Extension Committee - Suzanne Honebrink
- Carver County Library Board - James Weygand
- Carver County Mental Health Committee - Sam Deweese

Mr. John P. Fahey also completed nine years on the Planning Commission but was unable to attend today's meeting and will be recognized at the February 7th meeting.

ACTION REQUESTED:

Recognize and thank advisory committee members.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4475

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Update from Carver County Mental Health Committee

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/17/2017

Contact: Dave Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 15 minutes

Attachments: Yes No

Presenter: Lisa Gjerde Title:

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services and information

BACKGROUND/JUSTIFICATION:

The Carver County Mental Health Committee will be presenting their annual update to the Board.

ACTION REQUESTED:

Information only.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4474

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Agreements for Right-of-way Acquisition for CSAH 11 Reconstruction from CSAH 61 to CSAH 10, SP 010-611-006

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="1/17/2017"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right-of-Way Agent"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text" value="Right-of-Way Agent"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

The 2012-13 construction program included the construction of CSAH 11 from CSAH 61 on the south to CSAH 10 on the north utilizing federal, and county funds. Additional right-of-way was needed to complete the project. In order to meet the construction schedule necessary to receive the federal funding for the project, Carver County exercised eminent domain on April 26, 2012 to gain possession of certain land required for highway purposes.

The condemnation process and subsequent actions and mediations has resulted in a negotiated a settlement with the property owners for the acquisition of permanent roadway, drainage & utility and temporary easements over portions of PID's #30.0070210, 30.0070200 & 30.0070400. A stipulation of final settlement is being drafted for the negotiated settlement.

ACTION REQUESTED:

Approve a Stipulation for Settlement agreement with Kloos Family LP, Delmar H & Donna M Kloos, Trustees of Trusts and Daniel D & Linda M Kloos for \$650,000.00 and authorize the County Administrator to sign the Order for Judgment, subject to the final drafting of a Stipulation of Final Settlement and attorney and risk management review.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING
If "Other", specify: <input type="text"/>	County Dollars = <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	CSAH Funds (Gas Tax etc) <input type="text" value="\$650,000.00"/>
	Total <input type="text" value="\$650,000.00"/>
	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4493

Carver County Board of Commissioners Request for Board Action



Agenda Item:
CCWMO Boundary Correction

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Following up on a work session in early 2016, the staff proposes to correct the boundary of the Water Management Organization. The administrative and taxing boundary between the Carver County Watershed Management Organization (CCWMO) and the Minnehaha Creek (MCWD) and Riley Purgatory Bluff Creek (RPBCWD) Watershed Districts has not matched the true drainage patterns of the watersheds since their creation decades ago. County staff members have been working with the MWCD and RPBCWD and staffs from the affected Cities to correct the Boundary. The staff will present an overview of the proposed boundary change and the statutory process to make the change. The next steps include a request of affected Cities and Townships to support the boundary change and notification of affected landowners.

ACTION REQUESTED:

Motion to request support from affected Cities and Townships and notify affected landowners of the proposed CCWMO boundary change.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2017 - 4441



Memo

To: County Commissioners
From: Paul Moline, Carver County Water Management
Date: 1/6/17
Re: CCWMO Boundary Change
cc. David Hemze, County Administrator
Tom Vellenga, Asst. County Administrator

Enclosures: Boundary Maps (sent separately)

Background and Need

The administrative and taxing boundary between the Carver County Watershed Management Organization (CCWMO) and the Minnehaha Creek (MCWD) and Riley Purgatory Bluff Creek (RPBCWD) Watershed Districts has not matched the true drainage patterns of the watersheds since their creation decades ago. To staff's knowledge, the boundary has not been updated since 1967 and the legal description since 1997.

The overall goal of this effort is to better align the tax boundaries with actual water drainage in the County. Numerous developments have occurred along the boundary since the watershed districts were formed creating inconsistencies on permitting, lack of input on water drainage impacts and lack of control on protection of area water resources.

Impacted Parcels

Based on staff analysis, the following numbers of parcels would "switch" watershed designation. A change in tax designation would accompany the switch.

Watershed Change	# of Affected Parcels
MCWD to CCWMO	288
RPBCWD to CCWMO	96
CCMWO to MCWD	17
CCWMO to RPBCWD	38

Process

1. Staff have completed analysis to delineate updated boundary.
2. Staff have met with affected cities (Chaska, Chanhassen, Victoria) & watersheds (MCWD, RPBCWD)
3. The Cities & watersheds have reviewed, commented on, and informally approved proposed changes
4. Carver County Board reviews draft boundary/petition and:
 - Requests concurrence from cities, towns, watersheds
 - Notify affected landowners and meet with landowners as requested to address concerns
5. Statements of concurrence due from cities, towns, watersheds (formal approval)
6. County Board review/approval of boundary change petition for submittal to the state Board of Water and Soil Resources (BWSR)
7. BWSR Review & Approval
8. Parcels switch tax designation for pay 2018.

Staff is seeking Board approval for step 4 at this time.

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Proposed Sale of Former Public Works Facility in Chaska

Primary Originating Division/Dept: Public Services	Meeting Date: 1/17/2017
Contact: Nick Koltavy Title: Deputy Director	Item Type: Regular Session
Amount of Time Requested: 15 minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: Nick Koltavy Title: Deputy Director of Public Service	
Strategic Initiative: Finances: Improve the County's financial health and economic profile	

BACKGROUND/JUSTIFICATION:

The former County Public Works facility located at 850 Chaska Boulevard in Chaska was vacated when the County moved to the joint use MnDOT facility in Chaska. Since that time, the facility has been used for storage. The County has been in discussions with the City of Chaska and its Economic Development Authority (EDA) about the potential redevelopment of the site for several years.

In 2015, the EDA approached the County with an interest in purchasing the property for economic redevelopment. Since that time, the County Board held several closed sessions to discuss its strategy for the proposed sale of the property and to review appraisal information.

The EDA and County hired an independent appraiser from Patchin, Messner, Dodd & Brumm to review past appraisal information and to determine a fair market value. The appraiser established a market value of \$450,000. Based on this market value, the County staff and EDA staff drafted a purchase agreement. In the event that the Board approves the sale, prior to the sale the County would remove the property's above-ground fuel tanks and the salt shed.

The City and EDA plan on using economic and development tools including Tax Increment Financing (TIF) to bring utilities to the site. Currently, the County does not receive any taxes on the property, since it is exempt from taxation as a County property. The TIF would be for 26 years. If a TIF were established, the County would receive about \$2,815 a year in property taxes assessed for the value of the property up to the purchase price of \$450,000. The TIF would apply only to taxes on increases in the property value. (If there were no TIF, the County would receive \$4,566 in property taxes -- a difference of \$1,751. But the Chaska EDA would not complete the purchase if the County objected to a TIF.)

The purchase agreement is contingent on the EDA entering into, and approving, a purchase agreement and development agreement between the EDA and MSP/Chaska, LLC, which plans to lease the property as a brewery and taproom.

The staff proposes to sell the property "As-Is." Under the current proposed purchase agreement, any and all current or future and known or unknown costs associated with cleaning up contamination on the property would be the sole responsibility of the EDA. The County and City would also enter into a separate agreement to split the financial cost of any future clean-up of contamination on the neighboring property (PID 300085900) caused by the former shooting range.

On January 9, the City Council and EDA approved the draft purchase agreement.

ACTION REQUESTED:

Motion to sell the former public works facility in Chaska, PID 300082700, to the Chaska Economic Development Authority, approve the purchase agreement pending completion of review by the County Attorney's Office and County Administrator, and delegate the signature authority on closing documents to the County Administrator.

FISCAL IMPACT: Budget amendment request form <i>If "Other", specify:</i>	FUNDING County Dollars = (\$17,500.00) Proceeds \$450,000.00 Total \$432,500.00
FTE IMPACT: None	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Based on an independent appraisal, the sale price of the property is \$450,000. The County would have about \$15,000 in closing costs and expenses to prepare the property for the sale, and the County has spent about \$2,500 for appraisals. After expenses, the County would "net" about \$432,500 from the sale.

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Proposed Sale of Former Public Works Facility in Chaska

Department:

Meeting Date:

Fund:

- 01 - General
- 02 - Reserve
- 03 - Public Works
- 11 - CSS
- 15 - CCRRA
- 30 - Building CIP
- 32 - Road/Bridge CIP
- 34 - Parks & Trails
- 35 - Debt Service

Requested By:

DEBIT		
Description of Accounts	Acct #	Amount
Professional Services	30-959.6260	\$2,500.00
Miscellaneous Exp	30-959.6820	\$15,000.00
Fund Balance		\$432,500.00
TOTAL		\$450,000.00

CREDIT		
Description of Accounts	Acct #	Amount
Sale of building	30-959.5835	\$450,000.00
TOTAL		\$450,000.00

Reason for Request:

Sell the former public works facility in Chaska, PID 300082700, to the Chaska Economic Development Authority.