



Carver County Board of Commissioners
 June 3, 2014
 Regular Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:00 a.m.	1.	<ul style="list-style-type: none"> a) CONVENE b) Pledge of allegiance c) Public comments - <i>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.</i> 	
	2.	Agenda review and adoption	
	3.	Approve minutes of May 20, 2014, Regular Session	1-4
	4.	Community Announcements	
9:05 a.m.	5.	<p>CONSENT AGENDA</p> <p><i>Connections: Develop strong public partnerships and connect people to services and information</i></p> <ul style="list-style-type: none"> 5.1 Charitable Gambling Application for Exempt Permit-Delta Waterfowl 5 <p><i>Communities: Create and maintain safe, healthy and livable communities</i></p> <ul style="list-style-type: none"> 5.2 Authorize Fireworks Display at Lake Minnewashta Regional Park 6 5.3 Adjustment to hours of Parks Operation..... 7 5.4 Award Contract for Carver County Project No. 1408 – 2014 Application of Pavement Markings 8 5.5 Designated Areas within County Parks for Malt Liquor and Wine Consumption 9 <p><i>Culture: Provide an organizational culture which fosters individual accountability to achieve goals</i></p> <ul style="list-style-type: none"> 5.6 Approval of Public Works Reorganization Impact for Supervisors & Managers Association of Carver County (SMACC)..... 10 <p><i>Growth: Manage the challenges and opportunities resulting from growth and development</i></p> <ul style="list-style-type: none"> 5.7 CSAH 40 Bridge Replacement – Bevens 11-14 <p><i>Finances: Improve the County’s financial health and economic profile</i></p> <ul style="list-style-type: none"> 5.8 Abatements/Additions 15-16 5.9 Review Social Services/Commissioners Warrants NO ATT 	
9:05 a.m.	6.	<p>CONNECTIONS: Develop strong public partnerships and connect people to services and information</p> <ul style="list-style-type: none"> 6.1 MICA Annual Report and Legislative Wrap-Up 17 6.2 Public Art..... 18 	

- 9:40 a.m. 7. **COMMUNITIES: Create and maintain safe, healthy and livable communities**
7.1 Background Investigator 19
- 9:55 a.m. 8. **GROWTH: Manage the challenges and opportunities resulting from growth and development**
8.1 Carver County Water Management Organization & Stormwater Pollution Prevention Program 2013 Annual Reports 20-27
8.2 Rejection of Bids for the CSAH 10 Reconstruction Project in the City of Watertown 28-31
- 11:00 a.m. 8.3 Award \$10 Million Bond Sale for Road and Bridge Capital Improvement Plan 32-44
- 11:15 a.m. **BOARD REPORTS**
1. Chair
2. Board Members
3. Administrator
4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

- | | |
|---------------|--|
| June 10, 2014 | No Meeting |
| June 16, 2014 | 5:00 p.m. Board of Equalization |
| June 17, 2014 | 2:30 p.m. Committee of the Whole Meeting |
| June 17, 2014 | 4:00 p.m. Board Meeting |
| June 24, 2014 | 9:00 a.m. Board Work Session |

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 20, 2014. Chair Gayle Degler convened the session at 4:15 p.m.

Members present: Gayle Degler, Chair, Randy Maluchnik, Vice Chair, James Ische, Tim Lynch and Tom Workman.

Members absent: None

Ische moved, Lynch seconded, to approve the agenda. Motion carried unanimously.

Workman moved, Ische seconded, to approve the minutes of the May 13, 2014, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Resolution #29-14, County Board Acknowledgment SP 010-633-039; SP 010-651-010 Final Payment.

Approved contract with Flint Hill Resources for supply of bituminous material for 2014 seal coat operations pending finalization of the contract review process.

Professional services agreement for the 2014 bridge safety inspections with Stantec Consulting Services, Inc for \$54,800.00, pending finalization of the contract review process.

Authorized up to \$5,000 in Commissioner contingency funds for the Chaska Historical Market site restoration project, authorized the Chair to sign as beneficiary on the Eagle Project proposal, accepted a donation of labor and discounted materials as applicable for work performed on the restoration project by non-county staff and related budget amendment.

Approved Taxpayer Services reallocation of part time assignment and transfer of budgeted funds.

Approved changes to the Parley Lake Winery LLC dba Parley Lake Winery on-sale liquor license.

Appointed Debra Paige as the Carver County Emergency Management Director in accordance with Minnesota Statutes Chapter 12, and thus a primary voting member of the Joint Powers Agreement for Metropolitan Region Homeland Security Emergency Management Committee and the Twin Cities Homeland Security Urban Area Security Initiative Council.

Approved out of state travel to allow one County Attorney staff member to attend training in Portland, Oregon.

Authorized the use of BB guns at Lake Minnewashta Park on May 31, 2014, by Scout Pack 337.

Approved hiring of .25 FTE temporary assistant environmentalist for 2014 and related budget amendment.

Authorized the issuance of a Certificate of Zoning Compliance (#A20140061) for the Lola's Lake Waconia Half Marathon, 10K and 5K Event.

Resolution #30-14, Authorizing Offers of Compensation to Landowners for Easements Required for the CSAH 10 Roadway Improvements, Project #SP 010-610-046.

Professional services agreement with McKinzie Metro Appraisals for certified appraisal services for the CSAH 10 reconstruction project (SP 010-610-40) pending finalization of the contract review process.

Authorized the issuance of a Certificate of Zoning Compliance (A20140181) for a trail ride on June 7, 2014 and the AMC/District 23 Hare Scrambles on June 8, 2104.

Resolution #31-14, Authorizing Acquisition of Property for the CSAH 10 Reconstruction Project (SP 010-610-046); Part of PID #09.0030300.

Reviewed Community Social Services' actions/Commissioners' warrants in the amount of \$187,811.17.

Motion carried unanimously.

Tom Vellenga, Assistant County Administrator, appeared before the Board regarding the Victoria Library project. He stated he recently named Nick Koktavy as the Interim Library Director. He indicated Koktavy would be spearheading the Victoria Library project and working with the Team Branch Managers until a new Director is appointed.

Nick Dimassis, Library Director, explained how the Victoria Library has evolved over the past year. He pointed out the City provides the building and the County provides the services and staffing. He indicated groundbreaking was scheduled for June 2nd and the Library was expected to move into the building in January, 2015.

Nick Koktavy, Administrative Services, stated the construction agreement outlines who is responsible for what during the construction phase. He indicated the terms are in line with what the County has done for other communities and the Victoria City Council approved the draft the Board was considering today. He stated \$550,000 was budgeted for furniture, technology and collection/material and the recommended funding source was the debt service fund. He noted the ongoing operating cost was projected to be \$326,000 and that would be included in a 2015 budget request.

He acknowledged the City has received a petition for a reverse referendum and the City Council will be discussing that next week. Koltavy stated the next steps will be to negotiate the joint powers agreement.

Dave Hemze, County Administrator, stated the petition signatures will need to be verified and the Council will need to decide on a funding mechanism. He clarified this did not impact the funding the County has set aside.

Workman moved, Maluchnik seconded, to approve the Victoria Library project budget and funding, the construction agreement between the City of Victoria and Carver County, pending review by County Attorney/Risk, and related budget amendment. Motion carried unanimously.

Dave Frischmon, Finance, requested the Board approve the Rt Vision electronic invoice “einvoice” software project. He explained the project would allow the County to receive invoices directly from the vendor’s billing software and pointed out the benefits to the County and vendors. He noted they looked at three different vendors and he was recommending RtVision because of their business model and the County’s past experience with RtVision.

He indicated they would start with five key concepts and they would make sure these key concepts work before moving on to approving workflow. Frischmon stated because of additional risk/reward they would partner with RtVision on development credits.

Ische moved, Lynch seconded, to approve the \$66,200 invoice software program contract with RtVision subject to approval by the County Attorney/Risk. Motion carried unanimously.

Frischmon requested the Board adopt a Resolution calling for a \$10 million bond sale and authorizing County staff to apply for an \$18 million TRLF line of credit. He explained the process that started with the February 4th call for public hearing and the public hearing held on March 4th. He indicated the date for a reverse referendum has ended and noted the bids for the Southwest Reconnection project were awarded last week. Frischmon stated the next step is for the Board to adopt the Resolution and apply for the line of credit. He pointed out the bond sale would be held June 3rd.

Mark Ruff, Ehlers, noted his projected interest rate for the 15 year period and stated there was currently a very advantageous market. He stated they will be asking S&P to review the County’s credit rating and he anticipated no issue with the County’s AAA rating.

Workman offered the following Resolution, seconded by Degler:

Resolution #32-14
Road and Bridge Capital Improvement Plan
Authorizing Application for PFA Loan, Declaring
Reimbursement Intent and Providing for the Sale of Bonds

On vote taken, all vote aye.

Lynch moved, Workman seconded, to adjourn as the County Board and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Lyndon Robjent, Public Works, requested the Rail Authority approve a land exchange agreement with Ralph Rosckes. He stated this related to a parcel of property near the rail line that the County acquired for the County Road 10 project. He identified the location of the properties to be exchanged and indicated, as part of the negotiations, they wanted to clear up some encroachments issues that had occurred.

Lynch offered the following Resolution, seconded by Ische:

CCRA #1
Authorizing Acquisition of Property on the East Side of CSAH 10 for
Project #SAP 010-610-646; Part of PID #09.0030300

On vote taken, all voted aye.

Lynch moved, Maluchnik seconded, to adjourn as the Carver County Regional Rail Authority at 4:50 p.m. Motion carried unanimously.

David Hemze
County Administrator

(These proceedings contain summaries of resolutions/claims reviewed. The full text of the resolutions and claims reviewed are available for public inspection in the office of the county administrator.)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application for Exempt Permit-Delta Waterfowl

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Consent

Contact:

Title:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

A Charitable Gambling application for Exempt Permit was received from the MN SE Region Chapters of Delta Waterfowl. They plan to hold a raffle on August 21, 2014 at the Waconia Event Center located at 8155 Paradise Ln, Waconia, MN 55387.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License to MN SE Region Chapters of Delta Waterfowl for a raffle to be held on August 21, 2014.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2598

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Authorize Fireworks Display at Lake Minnewashta Regional Park

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="6/3/2014"/>
Contact: <input type="text" value="Sam Pertz"/> Title: <input type="text" value="Parks and Trails Supervisor"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	

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

BACKGROUND/JUSTIFICATION:

The Parks Department has received a request to launch fireworks from within Lake Minnewashta Regional Park on July 4th, 2014. The request is from a group of homeowners who live on Lake Minnewashta and are requesting the use of Boat Access #2 at Lake Minnewashta Regional Park to launch fireworks. To accommodate the fireworks display, Boat Access #2 would remain CLOSED on the July 4th. The parking area must be cleared of vehicles and people in order to establish a clear zone (safety zone) for Pyrotechnic Display Company to set up the fireworks. A special use permit fee of \$250.00 is being charged to the homeowners for the use of the park facility and to offset the costs of staff time. The homeowners and Pyrotechnic Display Company are responsible for obtaining permits from the City of Chanhassen and the Chanhassen Fire Department and coordinating water patrol services through the Carver County Sheriff's Office. In the event of bad weather, high winds out of the west or north, or extremely dry conditions, the fireworks display will be postponed and rescheduled for another date. The County has approved past fireworks displays sponsored by the homeowners on Lake Minnewashta. Past displays have been conducted appropriately. The Park Commission recommended approval of the permit to launch fireworks at its May 14, 2014 meeting.

ACTION REQUESTED:

Authorize a permit for use of Lake Minnewashta Regional Park Boat Access #2 for the July 4th fireworks display under the following conditions to be met by the organizers of the event and Pyrotechnic Display Company:

- 1 -Signed permit with indemnification language from Pyrotechnic Display Company.
- 2 -Paid permit fee
- 3- Submitted current certificate of insurance

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING
If "Other", specify: <input type="text"/>	County Dollars = <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	<input type="text"/>
	Total <input type="text" value="\$0.00"/>

Related Financial/FTE Comments:

Office use only:
RBA 2014 - 2554

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Adjustment to hours of Parks Operation

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="6/3/2014"/>
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	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

County Park Ordinance 91.04 states: "Parks shall be open to the public daily at hours established by the Board. ..."

Current hours of operation are from 8:00 a.m. to 9:00 p.m. at all parks and additional hours at Lake Minnewashta Regional Park from 5:00 a.m. to 10:00 p.m. Fishing Opener to September 15th.

At the May 14, 2014 meeting of the Park Commission, the Commission recommended the following schedule of hours to provide greater access to parks and to be more consistent with other regional and city park agencies within the county.

- General hours for all parks from 6:00 a.m. to 10:00 p.m.
- Additionally, at Lake Minnewashta Regional Park, from 5:00 a.m. to 10:00 p.m. Fishing Opener to September 15th remains unchanged.

The recommendation provides two additional hours of service in the morning and an additional hour in the afternoon all days of the week and continues the early morning hours of operation for accesses at Lake Minnewashta Regional Park.

ACTION REQUESTED:

Approve the hours of park operation as recommended.

FISCAL IMPACT: <input type="text" value="None"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text" value="\$0.00"/> <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$0.00"/>

Related Financial/FTE Comments:

The additional hours of service may increase service demands on the Sheriff's Department for Call for Service to park and trail areas.

Office use only:

RBA 2014 - 2568

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Award Contract for Carver County Project No. 1408 - 2014 Application of Pavement Markings

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="6/3/2014"/>
Contact: <input type="text" value="Kate Miner"/> Title: <input type="text" value="Transportation Manager"/>	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:

BACKGROUND/JUSTIFICATION:

Public Works obtained bids for the 2014 countywide pavement markings project for county roads as well as some city streets. The following cities are parties to this undertaking and are included in the bids:

- City of Carver
- City of Chaska
- City of Victoria
- City of Waconia

Four bids were received as shown in the attached abstract.
 The recommended award amount is lower than the engineer's estimate and came in under the budgeted amount.

ACTION REQUESTED:

Award a contract for the 2014 Application of Pavement Markings Project to FAHRNER ASPHALT SEALERS, LLC, pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text" value="\$326,730.82"/> City Dollars = <input type="text" value="\$16,328.64"/> Total <input type="text" value="\$343,059.46"/>
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2602

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Designated Areas within County Parks for Malt Liquor and Wine Consumption

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Park Staff requests affirmation on the County Ordinance allowing malt liquor and wine consumption at designated areas within the county parks operated by the County.

Designated Areas for Alcohol (Malt Liquor and Wine) Consumption

County Ordinance reads "*Drug and alcohol use*, it shall be unlawful for any person to":

- (1) Use, possess or sell any controlled substance in violation of state statutes; and/or
- (2) Serve, possess or consume any alcoholic beverage, except malt liquor and wine, within a park, except at areas designated by the Board.
- (3) Serve, possess, consume or bring beer or wine into a park in kegs, barrels, or other bulk tap

Past practice has been to allow for the consumption of malt liquor and wine in park areas which can be reserved for private use. The areas include: individual camping sites, picnic shelters and the immediate area adjacent to the picnic shelter, Community Room and adjacent deck area.

There has been no complaints registered about the current ordinance.

At the December 2013, meeting of the Park Commission, the Commission recommended continuing with malt liquor and wine consumption at the described designated areas within County parks.

The recommendation was reviewed at the March 18, 2014 County Board Committee of the Whole meeting.

It is recommend the County Board reaffirm the designated areas for consumption of malt liquor and wine to include: individual campsites, picnic shelters and immediate area adjacent, Community Room and adjacent deck area.

ACTION REQUESTED:

The Board approves designated areas within County parks for the consumption of malt liquor and wine to include individual campsites, picnic shelters and immediate area adjacent, Community Room and adjacent deck area.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2607

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of Public Works Reorganization Impact for Supervisors & Managers Association of Carver County (SMACC)

Primary Originating Division/Dept: <input type="text" value="Employee Relations"/>	Meeting Date: <input type="text" value="6/3/2014"/>
Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Division ..."/>	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:

BACKGROUND/JUSTIFICATION:

The County and the Supervisors & Managers Association of Carver County (SMACC) are parties to a Labor Agreement in effect January 1, 2012 through December 31, 2014 covering supervisory employees including individuals in the Public Works Division.

The reorganization of the Public Works Division resulted in a change in the job classification of Assistant County Engineer (Grade 19) to Program Delivery Manager (Grade 17). The County and the Association have concluded discussions regarding the impact of the reorganization and have outlined a plan to apply reductions of the incumbent's salary of three percent each year until the salary is at the maximum salary in the range for the new position. The first reduction will be effective June 30, 2014 and shall occur the first full pay period in May of each year annually thereafter until the employee's wage falls within the appropriate range for the new job classification.

The action requested is approval to implement the adjustments indicated above as specified in a letter to the Supervisors & Managers Association of Carver County dated May 12, 2014 which outlines the change in job classification and corresponding salary adjustments for the incumbent in the job classification of Program Delivery Manager.

ACTION REQUESTED:

Motion to implement the adjustments as specified in the letter to the Supervisors & Managers Association of Carver County dated May 12, 2014 which outlines the change in job classification and corresponding salary adjustments for the incumbent in the job classification of Program Delivery Manager.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:

Office use only:

Carver County Board of Commissioners Request for Board Action



Agenda Item:

CSAH 40 Bridge Replacement - Bevens Creek

Primary Originating Division/Dept: <input type="text" value="Public Health & Environment - Land Mgmt."/>	Meeting Date: <input type="text" value="6/3/2014"/>
Contact: <input type="text" value="Steve Just"/> Title: <input type="text" value="Dept. Manager"/>	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 checked="" type="radio"/> Yes <input type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File # PZ20140011. Carver County Public Works is in the process of replacing the existing CSAH 40 bridge across Bevens Creek, which is located in Section 2 of San Francisco Township. The Planning Commission has recommended approval of a Conditional Use Permit (CUP) for the project, which is a requirement due to the floodplain (floodway) regulations. The existing concrete bridge, constructed in 1927, would be replaced with a new 3-span concrete slab bridge design. The Minnesota DNR has reviewed and approved the project, and the required Public Waters Work Permit has been issued. The project would meet the applicable standards of the Carver County Water Management Organization (CCWMO), and the CCWMO approval letter was issued on January 30, 2014. The Carver Soil & Water Conservation District will be monitoring the site with respect to compliance with the County Water Rules and Best Management Practices. San Francisco Township has also recommended approval.

ACTION REQUESTED:

A motion adopting findings of fact and issuing Order #PZ20140011 for the issuance of a Conditional Use Permit.

FISCAL IMPACT: <input type="text" value="None"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2603

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20140011

RESOLUTION #: 14-06

WHEREAS, the following application for a Conditional Use Permit has been submitted and accepted:

FILE #: PZ20140011

OWNER/APPLICANT: Carver County Public Works (Scott Smith)

SITE ADDRESS: Proposed CSAH 40 Bridge Replacement

PERMIT TYPE: Conditional Use, Floodplain District (Roads & Bridges)

PURSUANT TO: County Code, Chapter 152, Section(s) 152.147 C (4)(6)

LEGAL DESCRIPTION: See attached Exhibit A

PARCEL #: 08.0021400 (adjacent parcel)

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 20, 2014; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Carver County Public Works is in the process of replacing the CSAH 40 bridge, located just to the south of East Union, in Section 2 of San Francisco Township. The site is located in the Ag Zoning District, Shoreland Overlay District (Bevens Creek), Floodplain Overlay District and the Carver County WMO.
2. Public Works is proposing to replace the existing CSAH 40 concrete bridge constructed in 1927, with a new 3-span concrete slab bridge. The project location is approximately 0.40 miles to the south of CSAH 50. The project will require work within the existing road right-of-way and temporary easements, and it will involve the placement of fill material in the floodplain (floodway) of Bevens Creek.
3. The applicant is requesting a Conditional Use Permit (CUP) to pursuant to Section 152.147 of the Carver County Zoning Code.
4. Pursuant to the Carver County Zoning Code, Essential Services - Section 152.051 D, public roads, street, and highways are permitted uses. The majority of the CSAH 40 bridge project meets the permitted use Essential Services criteria; however, the floodplain regulations necessitate the approval of a conditional use.
5. The proposed project would meet the standards of the Zoning Code for a CUP in the floodplain. The site is located in Zone A, which means the floodway and flood fringe of the floodplain have not been delineated. It has been determined that the placement of fill for the bridge/road will not cause an unauthorized increase in the stage of the 100-year or regional flood or cause an increase in flood damages in the reach or reaches affected. The Hydraulic Engineer's recommendation (Ron Benson, Stantec, Inc.) indicates a 0.08 foot flood stage increase; however, based on the applicable floodplain standards, up to a 0.50 foot stage increase is allowable (i.e. it is already factored into the regulatory flood stage analysis).

6. The Carver County Planning and Water Management Department (CCWMO) has approved the bridge replacement project (WP20140005). The Carver Soil & Water Conservation District (SWCD) will be facilitating a preconstruction meeting and will be monitoring the site with respect to compliance with the County Water Rules and Best Management Practices.
7. The Mn/DNR has reviewed and approved the project and has issued Public Waters Work Permit #2013-1186. The U.S. Army Corps of Engineers has also authorized the project.
8. The San Francisco Town Board has reviewed and recommended approval of the request at their April 21, 2014 Town Board meeting.

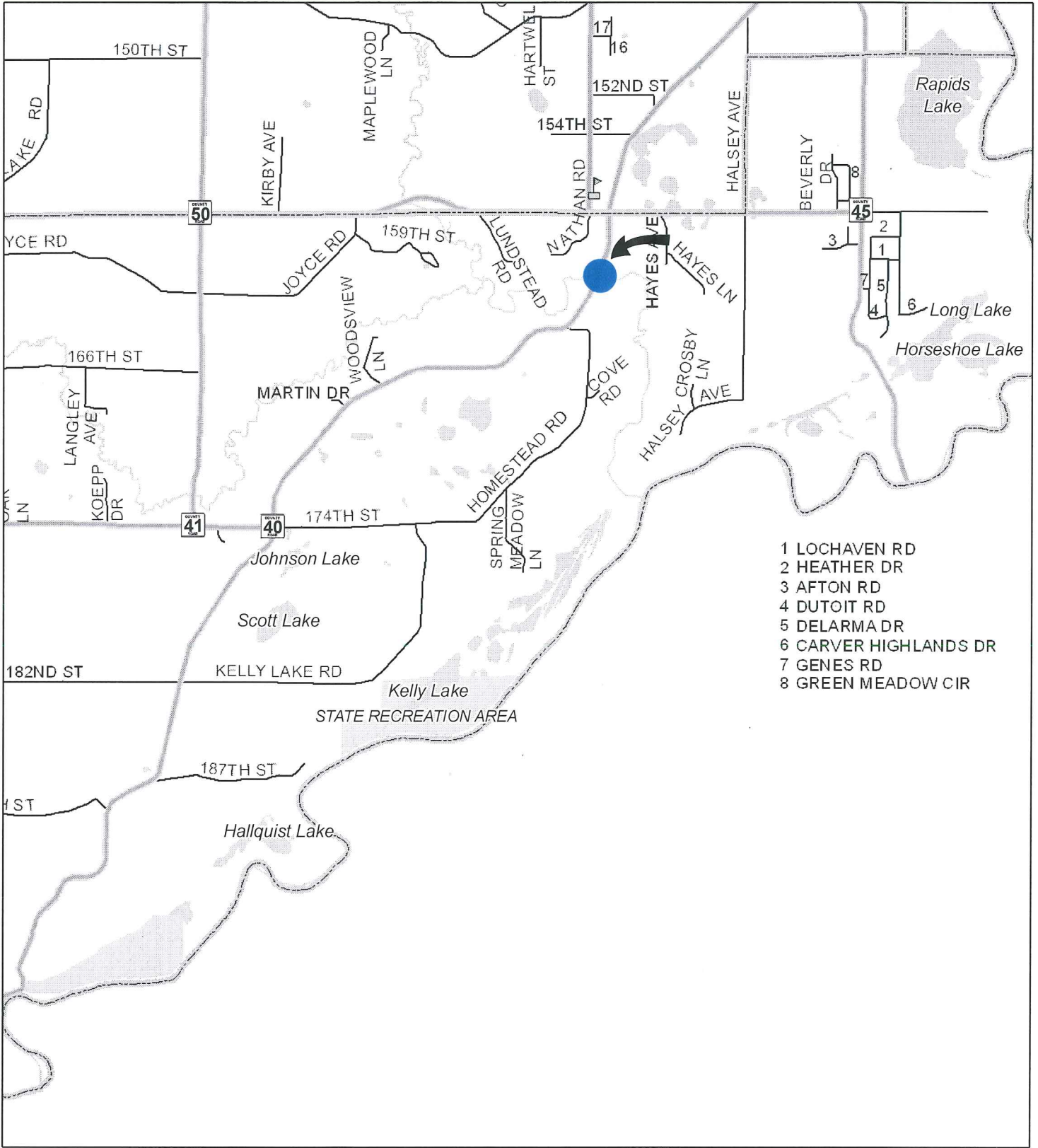
THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends approval of the work within the floodplain, for the CSAH 40 bridge replacement project, with the following conditions attached:

1. The permit is subject to administrative review. The final construction plans and site plans shall be considered part of this permit. The bridge replacement activities must be conducted in conformance with the approved plans.
2. Permittee shall comply with the Carver County WMO approval letter, dated January 30, 2014, which shall be attached to and considered part of this permit.

ADOPTED by the Carver County Planning Commission this 20th day of May, 2014.

John Fahey,
Planning Commission Chair

SAN FRANCISCO TOWNSHIP



- 1 LOCHAVEN RD
- 2 HEATHER DR
- 3 AFTON RD
- 4 DUTOIT RD
- 5 DELARMA DR
- 6 CARVER HIGHLANDS DR
- 7 GENES RD
- 8 GREEN MEADOW CIR

This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Abatements/Additions

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

Item Type:

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Abatements requested by taxpayer. See attached listing.

ACTION REQUESTED:

Recommend to approve.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	\$636.37
Other	\$1,208.23
Total	\$1,844.60

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2600



**CARVER
COUNTY**

Property Records & Taxpayer Services
Division
Government Center - Administration
Building
600 East 4th Street
Chaska, MN 55318-2102

Laurie Davies, Taxpayer Services
Manager
Phone: (952) 361-1907
Email: ldavies@co.carver.mn.us

Angela Johnson, Carver County Assessor
Phone: (952) 361-1961
Email: ajohnson@co.carver.mn.us

**Abatements presented to the
Carver County Board of Commissioners
June 3, 2014**

Abatement approval is recommended by the Carver County Assessor & Taxpayer Services Manager on the following properties for the reasons listed.

Payable Year	Parcel Number	Name	Reason for Abatement	Original Tax Amount	Adjusted Tax Amount	Total Amount of Tax Adjustment	Reduction in Penalties and/or Interest Paid	Total Amount of Adjustment	County Dollars Abated
2014	30.9520568	Rosie Guzman	Homestead	\$ 626.00	\$ 420.00	\$ (206.00)	\$ -	\$ (206.00)	\$ (75.42)
2014	30.1020560	Justin & Kathleen Palmer	Homestead	\$ 3,672.00	\$ 3,494.00	\$ (178.00)	\$ -	\$ (178.00)	\$ (65.50)
2014	65.4710031	Leland & Dawn Anderson	Homestead	\$ 3,216.00	\$ 3,010.00	\$ (206.00)	\$ -	\$ (206.00)	\$ (8.61)
2014	40.4440010	Jennifer Sauter	Homestead	\$ 3,294.00	\$ 3,014.00	\$ (280.00)	\$ -	\$ (280.00)	\$ (85.54)
2014	40.8000430	Matthew Bernhardt & Bethany Bernhardt-Weller	Homestead	\$ 3,228.00	\$ 2,944.00	\$ (284.00)	\$ -	\$ (284.00)	\$ (85.41)
2014	25.4290430	Thomas & Hyun Bloodgood	Homestead	\$ 354.00	\$ 192.00	\$ (162.00)	\$ -	\$ (162.00)	\$ (59.13)
2012	30.9520020	Stephen Kubitz	Correction to Taxable Value	\$ 80.00	\$ 25.00	\$ (55.00)	\$ (4.40)	\$ (59.40)	\$ (15.41)
2013	30.9520020	Stephen Kubitz	Correction to Taxable Value	\$ 82.00	\$ 25.00	\$ (57.00)	\$ -	\$ (57.00)	\$ (15.19)
2014	30.9520020	Stephen Kubitz	Correction to Taxable Value	\$ 72.00	\$ 25.00	\$ (47.00)	\$ -	\$ (47.00)	\$ (13.61)
2014	25.5050150	Mark Frazier	Homestead	\$ 3,236.00	\$ 3,044.00	\$ (192.00)	\$ -	\$ (192.00)	\$ (83.60)
2014	30.0340111	First Minnetonka City Bank	Omitted Parcel Due to Clerical Error	\$ -	\$ 3,516.00	\$ 3,516.00	\$ -	\$ 3,516.00	\$ 1,143.79
TOTALS				\$ 17,860.00	\$ 19,709.00	\$ 1,849.00	\$ (4.40)	\$ 1,844.60	\$ 636.37

Carver County Board of Commissioners Request for Board Action



Agenda Item:

MICA Annual Report and Legislative Wrap-Up

Primary Originating Division/Dept: Administration (County)

Meeting

Date: 6/3/2014

Contact: Dave Hemze Title: County Administrator

Item Type:

Regular Session

Amount of Time Requested: 20 minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

MICA Executive Director Keith Carlson, along with Nancy Sileksy, John Tuma and Steve Novak, will be presenting MICA's annual report and a legislative wrap up.

ACTION REQUESTED:

Information only.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2599

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Public Art

Primary Originating Division/Dept: Administrative Services

Meeting

Date: 6/3/2014

Item Type:

Regular Session

Contact: Nick Koltavy Title:

Amount of Time Requested: 20 minutes

Attachments: Yes No

Presenter: Nick Koltavy Title: Project & Communications Ma...

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County has been working with the Arts Consortium of Carver County (ACCC) to develop an agreement for the Consortium to display artwork in County facilities. The Consortium would exhibit the work of local artists in County facilities. This arrangement would benefit the County, the Consortium, and local artists. To start, the ACCC would exhibit in two to three locations at the Government Center.

As part of the agreement, Carver County staff worked with other stakeholders to develop a policy governing selection of the art. The policy outlines exhibitors' responsibilities, the sale of displayed artwork, prohibited content, and the approval process.

The policy also creates an Art Committee. The Committee is responsible for reviewing artwork to ensure that it follows County policy. The five-member Committee includes: two County Commissioners, a representative from the ACCC, and two community members appointed by the County Board.

In addition to the staff presentation on the agreement and policy, ACCC President David Maenke will give a presentation on the Consortium's mission and activities.

ACTION REQUESTED:

Motion to approve the public art policy and enter into an agreement with the Carver County Arts Consortium to display artwork at Carver County.

FISCAL IMPACT: None

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2563

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Background Investigator

Primary Originating Division/Dept: Sheriff

Meeting

Date: 6/3/2014

Item Type:

Regular Session

Contact: Jason Kamerud Title: Chief Deputy

Amount of Time Requested: 10 minutes

Attachments: Yes No

Presenter: Jason Kamerud Title: Chief Deputy

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Sheriff's Office currently has one employee performing pre-employment background investigations and firearm permit checks. The workload of these tasks is greater than can be successfully managed by just one employee. The Sheriff's Office has an immediate and long-term need for a second FTE to perform pre-employment background investigations and firearm permit checks. The added FTE will allow the Sheriff's Office to shorten the timeframe between the candidate's employment application and candidate's employment with Carver County, as well as ensure compliance with statutorily defined firearms permitting timelines. A prompt recruitment and hiring process supports our goal of creating and maintaining safe, healthy, and livable communities by ensuring adequate resources are available to provide public safety services.

ACTION REQUESTED:

Approve additional Background Investigator FTE funded through turnover funds in 2014 and through budget restructure in 2015 and beyond.

FISCAL IMPACT: Included in current budget

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT: Increase budgeted staff

Total \$0.00

Related Financial/FTE Comments:

The proposed new position will be funded through turnover funds in 2014 and through budget restructuring in 2015 – specifically, a reduction in overtime budget.

Office use only:

RBA 2014 - 2594

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Carver County Water Management Organization & Stormwater Pollution Prevention Program 2013 Annual Reports

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

Item Type:

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Two water related annual reports are being presented to the Board

1) CCWMO Annual Report - In 2010, the County Board adopted the Carver County Water Management Organization (CCWMO) Water Management Plan Update. Per MN Statute 103B, the CCWMO is required to submit an Annual Report on plan progress and implementation activity to the MN Board of Water and Soil Resources (BWSR). The 2013 Annual Report has been prepared and is presented to the Board for consideration. Staff is requesting that the Board approve the 2013 report for submittal to BWSR. A summary of the report is attached and a the full report will be distributed separately to the Board. It can also be found at www.co.carver.mn/water.

2) Stormwater Pollution Prevention Plan Annual Report - As required by a 1987 amendment to the federal Clean Water Act, Carver County received a general permit to discharge stormwater in June 2006. This permit requires an annual report on the Stormwater Pollution Prevention Plan (SWPPP) developed as a part of the permit application. Attached is the annual report which includes a summary of education activities. The SWPPP annual report will be submitted to the Minnesota Pollution Control Agency (MPCA) after consideration by the Board.

Highlights of both reports are attached and will be presented by staff.

ACTION REQUESTED:

Motion to submit the CCWMO 2013 Annual Report to the MN Board of Water & Soil Resources. Motion to authorize signature of the 2013 annual report on the Stormwater Pollution Prevention Plan and approve submittal of the report to the MN Pollution Control Agency.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2528



CCWMO 2013 Annual Report Summary

BACKGROUND

The Carver County Water Management Organization (CCWMO) is responsible for implementing the Water Management Plan to comply with MN legislative requirements. The goal of the Plan is to protect, preserve and manage the CCWMO's surface and groundwater systems in the midst of rapid growth and intensive agricultural activity. The CCWMO includes the following watersheds; Bevens Creek, Carver Creek, East and West Chaska Creek, Pioneer-Sarah, and the Crow River.

The CCWMO Annual Report is intended to provide a look at the **activities accomplished as well as challenges encountered** by the CCWMO. This summary presents highlights for 2013. Please see the annual report for more detailed information on the CCWMO's activities in 2013. Visit: <http://www.co.carver.mn.us/water>

2013 HIGHLIGHTS

- Monitored 17 lakes, 18 stream sites for nutrients and TSS, 18 stream sites for Fecal coliform, 46 stormwater BMP's, and conducted bio-monitoring at 4 stream sites.
- Installed a stormwater re-use system in the city of Waconia which will eventually use 13 acres of runoff to irrigate school athletic fields.
- Completed the Reitz Lake restoration project which treats agricultural runoff from 1,000+ acres.
- Installed a rough fish barrier on Benton Lake to complete Phase 1 of the rough fish removal program.
- Reviewed 43 development related stormwater projects and provided oversight of the installation of 16 practices.
- Installed 3 landowner cost share practices in the watershed to treat stormwater runoff.
- Provided 271 landowners with wetland related technical assistance.
- Feedlot Management - Registered 270 feedlots and inspected 58 feedlots.
- In 2012, the Direct Discharge SSTS Incentive program spurred the replacement of 59 non-compliant systems and 15 direct discharge systems.
- Education Programs - direct contact with 2,082 people (including 116 volunteers) through programs such as NEMO, the WENR tour, Wetlands Education Program, Children's Water Festival and other K12 programs, public meetings, and others.
- Secured and administered 7 state, federal and local grant agreements to help match the local WMO levy of \$579,000 for implementation activities in 2013.



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 Annual Report for 2013

Municipal Separate Storm Sewer Systems (MS4s)
Reporting period January 1, 2013 to December 31, 2013
Due June 30, 2014

Doc Type: Permitting Annual Report

Instructions: By completing this mandatory MS4 Annual Report form, you are providing the Minnesota Pollution Control Agency (MPCA) with a summary of your status of compliance with permit conditions, including an assessment of the appropriateness of your identified best management practices (BMPs) and progress towards achieving your identified measurable goals for each of the minimum control measures as required by the MS4 Permit (permit). If a permittee determines that program status or compliance with the permit can not be adequately reflected within the structure of this form additional explanation and/or information may be referenced in an attachment. This form has limitations and provides only a snap shot of your compliance with the conditions in the permit. After reviewing the information, MPCA staff may need to contact the permittee to clarify or seek additional information.

Submittal: This MS4 Annual Report must be submitted electronically to the MPCA using the submit button at the end of the form, from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields (these fields also have a red border), and must be completed before the form will send. A manual confirmation e-mail will be sent in response to electronic submissions. If you do not receive an e-mail confirmation within two business days, please contact the program staff below. (If the submit button does work for you, you can save a copy of the form to a location on your computer where you will easily be able to retrieve it. You will then have to attach the form separately to an e-mail once you are within your Internet mail.)

If you have further questions, please contact one of these MPCA staff members (toll-free 800-657-3864):

- Scott Fox 651-757-2368 scott.fox@state.mn.us
- Claudia Hochstein 651-757-2881 claudia.hochstein@state.mn.us
- Cole Landgraf 651-757-2880 cole.landgraf@state.mn.us
- Dan Miller 651-757-2246 daniel.miller@state.mn.us
- Rachel Stangl 651-757-2879 rachel.stangl@state.mn.us

General Contact Information (*Required fields)

*Name of MS4: _____ *Contact name: _____

*Mailing address: _____

*City: _____ *State: _____ *Zip code: _____

*Phone (including area code): _____ *E-mail: _____

Minimum Control Measure 1: Public Education and Outreach [V.G.1] (*Required fields)

A. The permit requires each permittee to implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and steps that the public can take to reduce pollutants in stormwater runoff. [Part V.G.1.a]

Note: Indicate which of the following distribution methods you used. Indicate the number distributed in the spaces provided (enter "0" if the method was not used or "NA" if the data does not exist):

Media type	Number of media	Number of times published	Circulation/ Audience
<i>Example: Brochures:</i>	<i>3 different brochures</i>	<i>published 5 times</i>	<i>about 10,000</i>
Brochures:			
Newsletter:			
Posters:			
Newspaper articles:			
Utility bill inserts:			
Radio ads:			
Television ads:			
Cable Access Channel:			
Other:			
Other:			
Other:			

- B. *Do you use a website as a tool to distribute stormwater educational materials? Yes No
 What is the URL: _____
- C. If you answered yes in question B. above, do you track hits to the site? Yes No
 How many hits were to the stormwater page?: _____
- D. *Did you hold stormwater related events, presentations to schools or other such activities? Yes No
 If yes, describe:
- E. *Have specific messages been developed and distributed during this reporting year for Minimum Control Measure (MCM):
 MCM 1: Yes No MCM 4: Yes No
 MCM 2: Yes No MCM 5: Yes No
 MCM 3: Yes No MCM 6: Yes No
- F. *Have you developed partnerships with other MS4s, watershed districts, local or state governments, educational institutions, etc., to assist you in fulfilling the requirements for MCM 1? Yes No
- G. List those entities with which you have partnered to meet the requirements of this MCM and describe the nature of the agreement(s). Attach a separate sheet if necessary:
- H. *Have you developed methods to assess the effectiveness of your public education/outreach program? Yes No
 If yes, describe:

Minimum Control Measure 2: Public Participation/Involvement [V.G.2] (*Required fields)

- A. The permit requires you to hold at least one public meeting per year addressing the Stormwater Pollution Prevention Program. You must hold the public meeting prior to submittal to the Commissioner of the annual report. [Part V.G.1.e.]
- B. *Did you hold a public meeting to present accomplishments and to discuss your Stormwater Pollution Prevention Program (SWPPP)? Yes No
 If no, explain:
- C. *What was the date of the public meeting: _____
- D. *How many citizens attended specifically for stormwater (excluding board/council members and staff/hired consultants)? _____
- E. *Was the public meeting a stand-alone meeting for stormwater or was it combined with some other function (City Council meeting, other public event, etc.)? Stand-alone Combined
- F. *Each permittee must solicit and consider input from the public prior to submittal of the annual report. Did you receive written and/or oral input on your SWPPP? [Part V.G.2.b.1-3] Yes No
- G. *Have you revised your SWPPP in response to written or oral comments received from the public since the last annual reporting cycle? [Part V.G.2.c] Yes No
 If yes, describe. Attach a separate sheet if necessary:

Minimum Control Measure 3: Illicit Discharge Detection and Elimination [V.G.3] (*Required fields)

The permit requires permittees to develop, implement, and enforce a program to detect and eliminate illicit discharges as defined in 40 CFR 122.26(b)(2). You must also select and implement a program of appropriate BMPs and measurable goals for this minimum control measure.

- A. *Did you update your storm sewer system map? Yes No

If yes, please explain which components (ponds, pipes, outfalls, waterbodies, etc.) were updated/added:

Note: The storm sewer system map was to be completed by June 30, 2008. [Part V.G.3.a]

- B. *Have you modified the format in which the map is available? Yes No

- C. If yes, indicate the new format: Hardcopy only GIS system CAD

Other system: _____

- D. *Did you inspect for illicit discharges during the reporting year? Yes No

- E. If you answered yes in question D. above, did you identify any illicit discharges? Yes No

- F. If you answered yes in question E. above, how many illicit discharges were detected during the reporting period? _____

- G. If you answered yes in question E. above, did the illicit discharge result in an enforcement action? Yes No

If yes, what type of enforcement action(s) was taken (check all that apply):

- Verbal warning Notice of violation Fines Criminal action Civil penalties

Other (describe): _____

Minimum Control Measure 4: Construction Site Stormwater Runoff [V.G.4] (*Required fields)

The permit requires that each permittee develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to your small MS4 from construction activities within your jurisdiction that result in a land disturbance of equal to or greater than one acre, including the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres. [Part V.G.4.]

- A. The permit requires an erosion and sediment control ordinance or regulatory mechanism that must include sanctions to ensure compliance and contains enforcement mechanisms [Part V.G.4.a]. Indicate which of the following enforcement mechanisms are contained in your ordinance or regulatory mechanism and the number of actions taken for each mechanism used during the reporting period (enter "0" if the method was not used or "NA" if the data does not exist).

Check all that apply.

Enforcement mechanism	Number of actions
<input type="checkbox"/> Verbal warnings	#
<input type="checkbox"/> Notice of violation	#
<input type="checkbox"/> Administrative orders	#
<input type="checkbox"/> Stop-work orders	#
<input type="checkbox"/> Fines	#
<input type="checkbox"/> Forfeit of security of bond money	#
<input type="checkbox"/> Withholding of certificate of occupancy	#
<input type="checkbox"/> Criminal actions	#
<input type="checkbox"/> Civil penalties	#
<input type="checkbox"/> Other:	#

- B. *Have you developed written procedures for site inspections? Yes No

- C. *Have you developed written procedures for site enforcement? Yes No

- D. *Identify the number of active construction sites greater than an acre in your jurisdiction during the 2013 calendar year: _____
- E. *On average, how frequently are construction sites inspected (e.g., weekly, monthly, etc.)? _____
- F. *How many inspectors, at any time, did you have available to verify erosion and sediment control compliance at construction sites during the reporting period? _____

Minimum Control Measure 5: Post-construction Stormwater Management in New Development and Redevelopment [V.G.5] (*Required fields)

The permit requires each permittee to develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects within your jurisdiction that disturb an area greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale that discharge into your small MS4. Your program must ensure that controls are in place that would prevent or reduce water quality impacts. You must also select and implement a program of appropriate BMPs and measurable goals for this minimum control measure.

Note: The MS4 permit requirements associated with this minimum control measure were required to be fully developed and implemented by June 30, 2008.

- A. *Have you established design standards for stormwater treatment BMPs installed as a result of post-construction requirements? Yes No
- B. *Have you developed procedures for site plan review which incorporate consideration of water quality impacts? Yes No
- C. *How many projects have you reviewed during the reporting period to ensure adequate long-term operation and maintenance of permanent stormwater treatment BMPs installed as a result of post-construction requirements? [Part V.G.5.b.and Part V.G.5.c]. _____
- D. *Do plan reviewers use a checklist when reviewing plans? Yes No
- E. *How are you funding the long-term operation and maintenance of your stormwater management system? (Check all that apply)
 - Grants Stormwater utility fee Taxes
 - Other: _____

Minimum Control Measure 6: Pollution Prevention/Good Housekeeping for Municipal Operations [V.G.6] (*Required fields)

The permit requires each permittee to develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Your program must include employee training to prevent and reduce stormwater pollution from activities, such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

- A. *The permit requires each permittee to inspect annually all structural pollution control devices, such as trap manholes, grit chambers, sumps, floatable skimmers and traps, separators, and other small settling or filtering devices [Part V.G.6.b.2]
- B. *Did you inspect all structural pollution control devices during the reporting period? Yes No
- C. *Have you developed an alternate inspection frequency for any structural pollution control devices? [V.G.6.b.7] Yes No

**Indicate the total number of structural pollution control devices for which you have developed and alternative inspection frequency:* _____

- D. *Indicate the total number of structural pollution control devices (for example-grit chambers, sumps, floatable skimmers, etc.) within your MS4, the total number that were inspected during the reporting period, and calculate the percent inspected. Enter "0" if your MS4 does not contain structural pollution control devices or none were inspected. Enter "NA" if the data does not exist:

	*Total number	*Number inspected	*Percentage
*Structural pollution control devices:			

- E. *Did you repair, replace, or maintain any structural pollution control devices? Yes No

- F. *For each BMP below, indicate the total number within your MS4, how many of each BMP type were inspected and the percent inspected during the reporting period. Enter "0" if your MS4 does not contain BMPs or none were inspected. Enter "NA" if the data does not exist:

Structure/Facility type	*Total number	*Number inspected	*Percentage
*Outfalls to receiving waters:			
*Sediment basins/ponds:			
*Total			

- G. Of the BMPs inspected in F.. above, did you include any privately owned BMPs in that number? Yes No
- H. If yes in G.. above, how many: _____

Section 7: Impaired Waters Review (*Required fields)

The permit requires any permittee whose MS4 discharges to a Water of the State, which appears on the current U. S. Environmental Protection Agency (EPA) approved list of impaired waters under Section 303(d) of the Clean Water Act, review whether changes to the SWPPP may be warranted to reduce the impact of your discharge [Part IV.D].

- A. *Does your MS4 discharge to any waters listed as impaired on the state 303 (d) list? Yes No
- B. *Have you modified your SWPPP in response to an approved Total Maximum Daily Load (TMDL)? Yes No
- If yes, indicate for which TMDL: _____

Section 8: Additional SWPPP Issues (*Required fields)

- A. *Did you make a change to any BMPs or measurable goals in your SWPPP since your last report? [Part VI.D.3.] Yes No
- B. If yes, briefly list the BMPs or any measurable goals using their unique SWPPP identification numbers that were modified in your SWPPP, and why they were modified: *(Attach a separate sheet if necessary)*
- C. *Did you rely on any other entities (MS4 permittees, consultants, or contractors) to implement any portion of your SWPPP? [Part VI.D.4.] Yes No
- If yes, please identify them and list activities they assisted with:

Owner or Operator Certification (*Required fields)

The person with overall administrative responsibility for SWPPP implementation and permit compliance must certify this MS4 Annual Report. This person must be duly authorized and should be either a principal executive (i.e., Director of Public Works, City Administrator) or ranking elected official (i.e., Mayor, Township Supervisor).

- *Yes - *I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete (Minn. R. 7001.0070). I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment (Minn. R. 7001.0540).*

*Name of certifying official: _____

*Title: _____ *Date: _____
(mm/dd/yyyy)

Addendum to Carver County MS4 Annual Report for 2013 (item G)

Minimum Control Measure 1: Public Education and Outreach [V.G.1]

G. List those entities with which you have partnered to meet the requirements of this MCM and describe the nature of the agreement(s):

- 1) City of Chanhassen & City of Chaska: MOU agreement states that the CCWMO education coordinator will provide and distribute documents, publications, flyers, presentations, and other educational materials and tools to meet cities' MS4 requirements.
- 2) Watershed Districts: CCWMO collaborates with many metro watershed districts to share educational materials, co-host events, partner on projects including Minnehaha Creek Watershed District, Nine Mile Watershed District, Riley Purgatory Bluff Creek Watershed District, Basset Creek Watershed District, and Vadnais Lakes Area Water Management Organization.
- 3) Blue Thumb: CCWMO is a partner with Blue Thumb and signs a yearly contract to provide at least 30 hours of education relating to Blue Thumb (raingardens, shorelines, and native plants). CCWMO does this through workshops, displays, information booths, brochure distribution, articles, and websites.
- 4) Watershed Partners: CCWMO is a partner of the Metro Area Watershed Partners and provides finances to support the WSP media campaign. The media campaign does a number of educational advertisements (cable, TWINS stadium, radio, State Fair, etc.) on water resources and stormwater.
- 5) Non-point Source Education for Municipal Officials (NEMO): CCWMO is a funding and charter member of NEMO. This charter states that our staff can attend NEMO trainings on presentations and activities but must not share the materials with other non-charter members. CCWMO has helped share, helped create, and used many NEMO documents, presentations, and programs.
- 6) Crow River Organization of Water (CROW): CCWMO provides finances to support CROW which in turn provides education on water resources and stormwater in areas of Carver County located in the CROW watershed.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Rejection of Bids for the CSAH 10 Reconstruction Project in the City of Watertown

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Contact: Title:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Carver County Public Works solicited bids for the CSAH 10 Reconstruction Project in the City of Watertown. On May 8th, only one bid was received from Redstone Construction, Inc. of \$4,483,434.10, which was 16.22% over the engineers estimate. Carver County Public Works staff attended a worksession and regular meeting of the City of Watertown on May 13, 2014 to discuss the lone bid. After considerable discussion, the City Council passed a motion (5-0) in favor of recommending to the the Carver County Board of Commissioners to reject the bid from Redstone Construction and to rebid the project in the fall of 2014 with construction of the project occurring in 2015. As the lead agency for this project, the county must formally award or reject the bid for the project. Staff will provide a short presentation to the county board with the recommendation to reject the sole bid and to rebid the project in the fall of 2014.

ACTION REQUESTED:

Motion to adopt a resolution for rejection of the bid for the CSAH 10 Reconstruction Project in the City of Watertown

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2595

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

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

Rejection of Bids for the CSAH 10 Reconstruction Project

WHEREAS, The County Engineer has secured and designated funding for this contract in the current fiscal year Road and Bridge budget; and

WHEREAS, On Thursday, May 8, 2014 at 2:00 p.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, one (1) sealed bid was received by Carver County Public Works, opened by two (2) representatives of Carver County Public Works, and read aloud for the CSAH 10 Reconstruction Project, said sealed bid for the responsible bidder is summarized as follows:

<u>Contractor</u>	<u>Total Bid</u>	<u>Over/Under Engineers Estimate</u>
Redstone Construction	\$4,483,434.10	+16.22 %
<i>Engineers Estimate</i>	<i>\$3,857,857.75</i>	

And WHEREAS, after examination of the sealed bids by Carver County Public Works, Redstone Construction is the sole responsible bidder;

NOW THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby determines that it is in its best interest of the public to reject the bid from Redstone Construction for the CSAH 10 Reconstruction Project and authorizes the County Engineer to re-advertise for bids; and

BE IT FURTHER RESOLVED that Carver County Public Works is hereby authorized and directed to return the proposal guaranty to the bidder.

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 _____, 2014, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2014.

Dave Hemze

County Administrator

5/23/2014



CCHD Project Bid Summary

Project Name: <u>CSAH 10 Bridge #5882 over Crow River</u>	Contract No.:
Client: <u>CARVER COUNTY</u>	Project No.: <u>SAP 010-610-047</u>
Bid Opening: <u>05/08/2014 2:00 PM</u>	Owner: <u>CARVER COUNTY</u>

Vendor Number	Business Name	Total Bid Amount	Percent Over/Under Estimate
	Engineers Estimate	\$3,857,857.75	
N/A	Redstone Construction	\$4,483,434.10	16.22% OVER ESTIMATE

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Award \$10 Million Bond Sale for Road and Bridge Capital Improvement Plan

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Contact: Title:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

On March 4th, the County Board held a public hearing and adopted a Road & Bridge Capital Improvement Plan ("CIP") which included the Southwest Reconstruction project and road improvements to CSAH 10 (30 to TH7). The proposed \$28 million funding recommendation provides for the county's \$8M contribution to these projects plus the State's \$20M Turnback contribution. Over the next 11 years, the State is expected to pay the \$20M Turnback contribution to the County. As part of the 2015 Budget process, county staff is developing a recommendation for how this \$20M should be spent. The \$28 million is proposed to come from two sources:

- \$18M Line of Credit with a 15 year term from the State's Transportation Revolving Loan Fund "TRLF". The below market interest rate charged by TRLF is subsidized by the State.
- \$10M General Obligation Bond Sale on June 3rd, 2014 with a 15 year term. The County's "AAA" rating from Standard and Poors is not expected to be impacted by this new debt.

ACTION REQUESTED:

Motion to approve \$10 million bond sale resolution.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

The 2012, 2013 and 2014 Budgets set aside \$4 million in cash and \$2.8 million in debt service levy to fund the 2014 Road and Bridge CIP.

Office use only:

RBA 2014 - 2608

Extract of Minutes of Meeting of the
Board of Commissioners of Carver County, Minnesota

Pursuant to due call and notice thereof, a meeting of the Board of Commissioners of Carver County, Minnesota, was duly held at the County Courthouse in Chaska, Minnesota, on Tuesday, June 3, 2014 at 9:00 o'clock A.M.

The following members were present:

and the following were absent:

* * * * *

The Chair announced that the meeting was convened for the purpose of considering proposals for the purchase of \$10,000,000 General Obligation Capital Improvement Plan Bonds, Series 2014A. Proposals were submitted as shown in Exhibit A attached hereto.

* * * * *

Commissioner _____ introduced the following written resolution and moved its adoption:

RESOLUTION AWARDDING SALE OF \$10,000,000 GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS, SERIES 2014A, FIXING THE FORM AND SPECIFICATIONS THEREOF, PROVIDING FOR THEIR EXECUTION AND DELIVERY, AND PROVIDING FOR THEIR PAYMENT

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

1. The proposal of _____ to purchase the \$10,000,000 General Obligation Capital Improvement Plan Bonds, Series 2014A of the County is hereby found and determined to be a favorable proposal, and shall be and is hereby accepted, said proposal being to purchase Bonds maturing and bearing interest as set forth in paragraph 2 at a price of \$_____ plus accrued interest.

2. To provide funds for road and bridge improvements pursuant to the County’s Road and Bridge Capital Improvement Plan, the County shall forthwith issue its negotiable General Obligation Capital Improvement Plan Bonds, Series 2014A (the “Bonds”), pursuant to Minnesota Statutes, Section 373.40 and Chapter 475. The Bonds shall be in the aggregate principal amount of \$10,000,000, to be dated July 1, 2014, bear interest at the rates per annum according to years of maturity set forth below, computed on the basis of a 360-day year of twelve 30-day months, payable February 1, 2015, and semiannually thereafter on February 1 and August 1 in each year, and mature serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2015	\$985,000		2023	\$640,000	
2016	585,000		2024	655,000	
2017	585,000		2025	670,000	
2018	590,000		2026	685,000	
2019	600,000		2027	700,000	
2020	605,000		2028	720,000	
2021	615,000		2029	735,000	
2022	630,000				

All Bonds maturing on or after February 1, 2024, are subject to redemption and prior payment in whole or in part in such order as the County may determine and by lot within a maturity at the option of the County on February 1, 2023, and any date thereafter at par and accrued interest. In the event of redemption by lot of Bonds of like maturity, the Bond Registrar shall assign to each Bond of such maturity then outstanding a distinctive number for each \$5,000 of the principal amount of such Bonds and shall select by lot in the manner it determines the order of numbers, at \$5,000 for each number, for all outstanding Bonds of like maturity. The order of selection of Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected, but only so much of the principal amount of each Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. The Bonds shall be numbered R-1 upwards in order of issuance or in such other order as the Registrar may determine and shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the amount maturing in any year.

3. The Bonds shall be payable as to principal upon presentation at the office of Bond Trust Services Corporation, as Registrar and Paying Agent, or at the offices of such other successor agents as the County may hereafter designate upon 60 days’ mailed notice to the registered owners at their registered addresses. Interest shall be paid by check or draft of the Registrar mailed to the registered owners at their addresses shown on the registration books of the County on the 1st day of the month preceding each interest payment date.

4. The Bonds, the Registrar's Certificate of Authentication and Registration and the form of assignment on the reverse side thereof shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF CARVER

No. R-_____

\$_____

GENERAL OBLIGATION
CAPITAL IMPROVEMENT PLAN BONDS, SERIES 2014A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
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July 1, 2014

Registered Owner:

Principal Amount:

The County of Carver, Minnesota, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above on the Maturity Date specified above, upon the presentation and surrender hereof, and to pay to the Registered Owner hereof interest on such Principal Amount at the Interest Rate specified above from the Date of Original Issue, or the most recent interest payment date to which interest has been paid or duly provided for as specified below, on February 1 and August 1 of each year, commencing February 1, 2015, until said principal amount is paid. Principal is payable in lawful money of the United States of America at the office of Bond Trust Services Corporation in Roseville, Minnesota, as Registrar or of a successor Registrar designated by the County, which designation shall be made upon notice of 60 days to the Registered Owners at their registered addresses. Interest is payable by check or draft mailed to the person in whose name this Bond is registered at the close of business on the 15th day of the month preceding each interest payment date (whether or not a business day) at the registered owner's address set forth on the registration books maintained by the Registrar. Any such interest not punctually paid or provided for will cease to be payable to the owner of record as of such regular record dates and such defaulted interest may be paid to the person in whose name this Bond shall be registered at the close of business on a special record date for the payment of such defaulted interest established by the Registrar. For the prompt and full payment of such principal and interest as the same become due, the full faith, credit and taxing powers of the County have been and are hereby irrevocably pledged.

The Bonds of this series maturing on or after February 1, 2024, are subject to redemption at the option of the County, in whole or in part in such order as the County may determine and by lot within a maturity, on February 1, 2023, and any date thereafter at par and accrued interest. Thirty days' notice of prior redemption will be given by mail to the bank where the Bonds are payable and to the registered owners in the manner provided by

Chapter 475, Minnesota Statutes. Any defect in mailing notice of redemption shall not affect the validity of the proceedings for redemption. Any Bond called for redemption, and for the payment of which moneys are set aside by the County on the redemption date, shall not bear interest after the redemption date, regardless of any delay in its presentation.

This Bond is one of an issue of Bonds in the aggregate principal amount of \$10,000,000, all of like date and tenor except as to maturity and interest rate, issued pursuant to and in full conformity with the Constitution and Laws of the State of Minnesota, including Section 373.40, Minnesota Statutes, for the purpose of providing funds for road and bridge improvements. The Bonds of this issue are payable primarily from taxes levied under the Resolution described below, and this Bond constitutes a general obligation of the County and to provide moneys for the prompt and full payment of said principal and interest as the same become due the full faith and credit of the County is hereby irrevocably pledged, and the County will levy additional ad valorem taxes on all taxable property in the County, if required for such purpose, without limitation as to rate or amount.

This Bond is transferable, as provided by the Resolution of the Board of County Commissioners authorizing the issuance of the Bonds of this series adopted June 3, 2014 (the "Resolution") only upon books of the County kept at the office of the Registrar by the Registered Owner hereof in person or by the Registered Owner's duly authorized attorney, upon surrender of this Bond for transfer at the office of the Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Registrar duly executed by, the Registered Owner hereof or the Registered Owner's duly authorized attorney, and, upon payment of any tax, fee or other governmental charge required to be paid with respect to such transfer, one or more fully registered Bonds of the series of the same principal amount, maturity and interest rate will be issued to the designated transferee or transferees. The Registered Owner of this Bond may be treated as the absolute owner hereof for all purposes.

The Bonds of this series are issuable only as fully registered bonds without coupons in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount maturing in any one year. As provided in the Resolution and subject to certain limitations therein set forth, the Bonds of this series are exchangeable for a like aggregate principal amount of Bonds of this series of a different authorized denomination, as requested by the Registered Owner or the Registered Owner's duly authorized attorney upon surrender thereof to the Registrar.

IT IS HEREBY CERTIFIED AND RECITED that this Bond is issued by authority of and in strict accordance with Minnesota Statutes, Section 373.40 and Chapter 475, that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed precedent to and in the issuance of this Bond have been done, have happened and have been performed in regular and due form, time and manner as required by law and that this Bond, together with all other indebtedness of the County outstanding on the date of its issuance, does not exceed any constitutional or statutory limitation of indebtedness.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF, Carver County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed in its behalf by the facsimile signature of the Chair and by the facsimile signature of the County Administrator, all as of the Date of Original Issue specified above.

CARVER COUNTY, MINNESOTA

By _____ (Facsimile Signature)
Chair, Board of County Commissioners

By _____ (Facsimile Signature)
County Administrator

REGISTRAR'S CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This is one of the Bonds described in the within mentioned Resolution, and this Bond has been registered as to principal and interest in the name of the Registered Owner identified above.

Dated: _____

BOND TRUST SERVICES
CORPORATION, Bond Registrar

By _____
Authorized Signature

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

(Please Print or Typewrite Name and Address of Transferee)
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:_____

Please Insert Social Security Number or Other Identifying Number of Assignee

Notice: The signature to this assignment must correspond with the name as it appears on the face of this Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signatures must be guaranteed by a national bank or trust company or by a brokerage firm having membership in one of the major stock exchanges.

5. The Bonds shall be prepared in printed form under the direction of the County Administrator and when so prepared shall be executed on behalf of the County by the manual or facsimile signature of the Chair and by the manual or facsimile signature of the County Administrator. The Bonds shall not be valid for any purpose until authenticated by the Registrar. The Bonds initially issued hereunder shall be registered as of the date of delivery, and all Bonds issued in exchange therefor shall be registered as of such date, or, if issued after the first payment date, as of the most recent interest payment date on which interest was paid or duly provided for. When the Bonds shall have been so prepared and executed, they shall be delivered to the purchaser by the County Administrator or the Administrator's designee(s) upon receipt of the purchase price and accrued interest and the signed legal opinion of Faegre Baker Daniels LLP, as Bond Counsel, and the purchaser shall not be required to see to the proper application of the proceeds.

6. As long as any of the Bonds issued hereunder shall remain outstanding, the County shall maintain and keep at the office of the Registrar an office or agency for the payment of the principal of and interest on the Bonds, as in this Resolution provided, and for the registration and transfer of the Bonds, and shall also keep at the office of the Registrar books for such registration and transfer. Upon surrender for transfer of any Bond at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's duly authorized attorney, and upon payment of any tax, fee or other governmental charge required to be paid with respect to such transfer,

the County shall execute and the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more fully registered Bonds of the same series and maturity date, of any authorized denominations of a like aggregate principal amount, maturity and interest rate. The Bonds, upon surrender thereof at the office of the Registrar, may at the option of the registered owner thereof be exchanged for an equal aggregate principal amount of Bonds of the same maturity date and interest rate of any authorized denominations. In all cases in which the privilege of exchanging Bonds or transferring fully registered Bonds is exercised, the County shall execute and the Registrar shall deliver Bonds in accordance with the provisions of this Resolution. For every such exchange or transfer of Bonds, whether temporary or definitive, the County or the Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. Notwithstanding any other provision of this Resolution, the cost of preparing each new Bond upon each exchange or transfer, and any other expenses of the County or the Registrar incurred in connection therewith (except any applicable tax, fee or other governmental charge) shall be paid by the County. The County and the Registrar shall not be required to make any transfer or exchange of any Bonds during the fifteen (15) days next preceding any February 1 or August 1 interest payment date.

7. Interest on any Bond which is payable, and is punctually paid or duly provided for, on any interest payment date shall be paid to the person in whose name that Bond (or one or more Bonds for which such Bond was exchanged) is registered at the close of business on the 1st day of the month of such interest payment date. Any interest on any Bond which is payable, but is not punctually paid or duly provided for, on any interest payment date shall forthwith cease to be payable to the registered holder on the relevant regular record date solely by virtue of such holder having been such holder; and such defaulted interest may be paid by the County in any lawful manner, if, after notice given by the County to the Registrar of the proposed payment pursuant to this paragraph, such payment shall be deemed practicable by the Registrar. Subject to the foregoing provisions of this paragraph, each Bond delivered under this Resolution upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond and each such Bond shall bear interest from such date that neither gain nor loss in interest shall result from such transfer, exchange or substitution.

8. As to any Bond, the County and the Registrar and their respective successors, each in its discretion, may deem and treat the person in whose name the same for the time being shall be registered as the absolute owner thereof for all purposes and neither the County nor the Registrar nor their respective successors shall be affected by any notice to the contrary. Payment of or on account of the principal of any such Bond shall be made only to or upon the order of the registered owner thereof, but such registration may be changed as above provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

9. (a) For purposes of this paragraph 9, the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participants” shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Blanket Letter of Representation from the County to DTC.

(b) The Bonds shall be initially issued as separate authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register of the County kept by the Registrar in the name of Cede & Co., as nominee of DTC. The Registrar and the County may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under this Resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the County shall be affected by any notice to the contrary. Neither the Registrar nor the County shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the registration books of the Registrar as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. The Registrar shall pay all principal of and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all such payments shall be valid and effective to fully satisfy and discharge the County’s obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the County to

make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with subparagraph (e) hereof.

(c) In the event the County determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bond certificates, the County may notify DTC and the Registrar, whereupon DTC shall notify the Participants, of the availability through DTC of Bond certificates. In such event, the Bonds will be transferable in accordance with subparagraph (f) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with subparagraph (e) hereof.

(d) Notwithstanding any other provision of this Resolution apparently to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, to DTC as provided in the Representation Letter.

(e) The application of the terms of the Representation Letter to the Bonds is hereby confirmed. The Representation Letter incorporates by reference certain matters with respect to, among other things, notices, consents and approvals by registered owners of the Bonds and Beneficial Owners and payments on the Bonds. The Registrar shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this Resolution.

(f) In the event that any transfer or exchange of Bonds is permitted under subparagraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar from the registered owners thereof of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of paragraph 6 hereof.

10. There is hereby created a special fund, to be known as the Capital Improvement Plan Bonds, Series 2014A Fund, for purpose of paying principal and interest on the Bonds, and in the event the principal of and interest upon the said Bonds shall become due and payable and there are insufficient moneys in said fund to pay such principal and interest, the County Treasurer is authorized and directed to pay said principal and interest from the general fund and thereafter to reimburse said general fund from collections of taxes levied pursuant hereto. The proceeds of the Bonds herein authorized shall be used solely for the payment of the costs of the road and bridge improvements described in the County's Road and Bridge Capital Improvement Plan and costs described in Minnesota Statutes, Section 475.68. Any remaining proceeds may be used for any lawful purpose.

11. There is hereby levied upon all the taxable property in the County a direct annual ad valorem tax which shall be spread upon the tax rolls and collected as part of other general ad valorem taxes of the County in the years and amounts as follows:

<u>Levy Year</u>	<u>Collection Year</u>	<u>Amount</u>
2014	2015	
2015	2016	
2016	2017	
2017	2018	
2018	2019	
2019	2020	
2020	2021	
2021	2022	
2022	2023	
2023	2024	
2024	2025	
2025	2026	
2026	2027	
2027	2028	

Said levy shall be irrevocable and the taxes so levied are irrevocably appropriated to the debt service fund, but the County reserves the right to reduce said levy from funds in the Capital Improvement Plan Bonds, Series 2014A Fund or other moneys in the manner and to the extent permitted by Minnesota Statutes, Section 475.61.

It is hereby found and determined that the foregoing taxes, if collected in full, will produce at least five percent in excess of the amount needed to meet when due the payments of principal and interest on the Bonds; and the Bonds are general obligations of the County to which the full faith, credit and unlimited taxing powers of the County have been and are hereby pledged; and the Board of Commissioners shall additional levy general ad valorem taxes on all taxable property in the County, if necessary, to pay the principal of and interest on the Bonds when due.

12. The County Administrator is authorized and directed to prepare and furnish to the purchaser and to the attorneys approving the Bonds, certified copies of all proceedings and records relating to the issuance of the Bonds, and to the right, power and authority of the County and its officers to issue the same, and said certified copies and certificates shall be deemed the representations of the County as to all matters stated therein.

13. The officers of the County are hereby authorized and directed to prepare and furnish to the Secretary of the Treasury a statement meeting the information reporting requirements of Section 149(e) of the Internal Revenue Code of 1986, as amended (the "Code"), by the 15th day of the second calendar month after the close of the calendar quarter in which the Bonds are issued.

14. The County shall not take or permit any action that would cause the Bonds to be “private activity bonds” within the meaning of Section 141 of the Code. In addition, the County shall make no investment of funds that would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code and regulations thereunder. The County Administrator is authorized to make any elections available to the County under Section 148 of the Code and regulations thereunder. All terms used in this paragraph 14 shall have the meanings provided in the Code and regulations thereunder.

15. The County Administrator shall register the Bonds in his office as required by law.

16. The Official Statement relating to the Bonds, on file with the County Administrator and presented to this meeting, is hereby approved, and the County ratifies and confirms its designation of the Official Statement as a “near final” Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission and the furnishing thereof to prospective purchasers of the Bonds, insofar as the same relates to the Bonds and the sale thereof. The Continuing Disclosure Certificate included in the Official Statement is hereby approved and shall be executed and delivered in connection with the delivery of the Bonds to the Purchaser.

17. The General Obligation Capital Improvement Bonds, Series 2005A are hereby called for prior redemption on February 1, 2014, and the County Administrator shall provide notice thereof as required by law and the terms thereof.

18. The reasonably anticipated amount of tax-exempt obligations of the County (other than those not taken into account under Section 265(b)(3)(C)(ii) of the Internal Revenue Code) during 2014 does not exceed \$10,000,000. The Bonds are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____ and upon vote being taken thereon the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

