



CARVER
COUNTY

The May 6, 2014 Justice Center Entry Point Screening
Ribbon Cutting Ceremony
and all agenda items for the
May 6, 2014, Board meeting were moved to a

May 13, 2014, ribbon cutting ceremony at 8:15 a.m. and a
May 13, 2014 Board meeting at 9:00 a.m.

Justice Center Entry Point Screening
 Ribbon Cutting Ceremony
 May 6, 2014 - 8:15 a.m.



Carver County Board of Commissioners
 May 6, 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> d) Introduction of New Employees 1-2 	
	2.	Agenda review and adoption	
	3.	Approve minutes of April 15, 2014, Regular Session.....	3-5
	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 Application for a Pro-Rated On-Sale Intoxicating Liquor License for Schram Winery, LLC dba Schram Vineyards..... 6 5.2 Application for 1 Day to 4 Day Temporary On-Sale Liquor License for Augusta Ball Club, Inc..... 7 5.3 Charitable Gambling Application for Exempt Permit-Zoar United Church of Christ 8 5.4 Resolution Supporting Commissioner Linda Higgins for the Position of Secretary-Treasurer of AMC..... 9-10 <p><i>Communities: Create and maintain safe, healthy and livable communities</i></p> <ul style="list-style-type: none"> 5.5 Nomination of Carver County Commissioner to the Minnesota Valley Trust Board of Directors..... 11-13 5.6 Right-of-way Acquisition for Project #SAP 010-610-047, CSAH 10 Bridge and Road Reconstruction in Watertown..... 14-16 5.7 Resolution to Continue TMDL Priority Sub-watersheds and Direct Discharge Program for 2014..... 17-23 5.8 Increase 0.9 FTE Social Worker II to 1.0 FTE 24 5.9 Accept Communities of Practice Grant from the Department of Human Services..... 25 	

Growth: Manage the challenges and opportunities resulting from growth and development

5.10 Right-of-Way Acquisition Settlement Agreement for SP 010-618-013 – Lyman Blvd from to Audubon Rd to Powers Blvd. 26-28
5.11 Courts Audio & Visual System Upgrade 29-30
5.12 Amendment 1 to the Professional Services Contract with Bolton & Menk, Inc. for SAP #010-610-047, CSAH 10 Bridge Reconstruction in Watertown 31
5.13 St. Peter Lutheran Church Maifest 32-36

Finances: Improve the County's financial health and economic profile

5.14 Approval of Sale and Conveyance of Tax Forfeited Land for an Authorized Public Purpose 37-42
5.15 Abatement application requesting write-off of penalty, interest and delinquency fees of parcels 58.5200010 and 58.5200020 43
5.16 Abatements/Additions 44-46
5.17 Review Social Services/Commissioners Warrants NO ATT

9:10 a.m. **6. CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain public trust/confidence in County government**

6.1 PEER Award Recognition 47

9:30 a.m. **7. CONNECTIONS: Develop strong public partnerships and connect people to services and information**

7.1 Increase the .75 Jail Pre-Release Coordinator/Truancy to 1.0 FTE ... 48-50
7.2 Chaska License Center Drive-Thru Project 51-54
7.3 Appointment to the Water, Environment and Natural Resources Committee 55

10:00 a.m. **RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY DITCH BOARD**

10:00 a.m. **8. CONNECTIONS: Develop strong public partnerships and connect people to services and information**

8.1 County Ditch 6 easement 56-60

10:10 a.m. **ADJOURN CARVER COUNTY DITCH BOARD AND RECONVENE AS CARVER COUNTY BOARD**

10:10 a.m. **9. GROWTH: Manage the challenges and opportunities resulting from growth and development**

9.1 Award of Construction Contract for the Southwest Reconnection Project 61-64
9.2 **Closed Session** - Land Acquisition for CSAH 10 Roadway Reconstruction Project # SP 010-610-046 65

11:00 a.m. **BOARD REPORTS**

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

11:30 a.m. **County Board Southwest Reconnection Project Archeology Site Visit**

David Hemze
County Administrator

UPCOMING MEETINGS

May 13, 2014	No Meeting
May 20, 2014	12:30 p.m. Arbor Day Event/Tree Planting at Baylor Park
May 20, 2014	2:30 p.m. Committee of the Whole Meeting
May 20, 2014	4:00 p.m. County Board Meeting
May 27, 2014	8:00 a.m. Board/Division Director Strategic Planning Retreat

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Introduction of Transportation Manager

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting

Date: 5/6/2014

Contact: Darin Mielke Title: Deputy County Engineer

Item Type:

New Employee Intro

Amount of Time Requested: 5 minutes

Presenter: Darin Mielke Title: Deputy County Engineer

Attachments: Yes No

Strategic Initiative:

Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government

BACKGROUND/JUSTIFICATION:

As a part of the implementation of Phase 2 of the Public Works Reorganization, the Transportation Manager position has been filled by Kate Miner. Kate previously was the traffic engineer for the division. In her new role, she will lead the transportation group in the Program Delivery department. Her core responsibilities will be to lead development reviews, transportation planning, traffic engineering and asset management functions for the division.

ACTION REQUESTED:

None

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2517

Carver County Board of Commissioners Request for Board Action

**Agenda Item:**

Introduction of new Public Works Operations Staff

Primary Originating Division/Dept: Public Works - Operations

Meeting

Date: 5/6/2014

Item Type:

New Employee Intro

Contact: Michael Legg

Title:

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government

BACKGROUND/JUSTIFICATION:

Public Works has recently hired two new mechanics, Dillon Teltoester and Dan Sullivan, and John Wickenhauser and Dave Flannery have been recently promoted to Operations Supervisors. All four will be introduced at the County Board meeting.

ACTION REQUESTED:

None

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2546

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on April 15, 2014. Chair Gayle Degler convened the session at 4:00 p.m.

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

Members absent: None

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

Ische moved, Ische seconded, to approve the minutes of the April 1, 2014, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved replacing one Sheriff's Office licensed FTE with two .5 licensed FTEs.

Approved the correction to the SMACC Memorandum of Agreement regarding salary range exceptions.

Approved the acceptance of donations to the 2014 Health and Safety Fair.

Authorized the County Engineer to sign a letter with MnDOT defining the eligibility and use of County turnback funds for the Southwest Reconnection Project.

Authorized the Chair to sign the comment letter regarding the revised 2040 forecasts and submit to the Metropolitan Council.

Authorized the Chair to sign and submit the comment letter regarding the Draft Regional ThriveMSP Plan to the Metropolitan Council.

Contract with the Board of Water & Soil Resources for Clean Water Legacy Grant funds pending finalization of the contract review process and related budget amendment.

Reviewed April 8, 2014, Community Social Services' actions/Commissioners' warrants in the amount of \$205,529.11 and reviewed April 15, 2014, Community Social Services' actions/Commissioners' warrants in the amount of \$357,992.52.

Motion carried unanimously.

Kathryn Robinson, with the Sexual Violence Center, appeared before the Board to review the services the Center provides. She stated they have been in Carver County since 1987 and highlighted their mission statement. She explained sexual violence was not a victim issue but was an issue affecting everyone.

She stated their services are victim centered and a crisis line is provided 24 hours. Robinson identified the services they provide and stressed they are there to support the victim. She also noted they provide short term counseling, community education and are a social change agency to help the system advance in a proactive way.

Robinson highlighted the new protocols they would be following in the future. She also pointed out the candlelight vigil to be held on Thursday to honor the victims and thanked the County for supporting their work.

David Frischmon, Finance, requested the Board approve proposed changes to the Financial Policy Manual. He noted the work session held earlier this year to discuss the mark to market adjustment and proposed policy changes.

He clarified with the mark to market adjustment there was no change in cash but the adjustment reflected a change in value of investments as interest rates went up. He stated they are required by rules to adjust the value of the investment as if they were going to sell them at the end of the year. Frischmon noted the impact to fund balance and his recommendation to use vacancy savings from 2013, eliminate the 2013 year end savings and to the lower cash reserve designation from 37% to 35% to close the budget variance. He indicated the investment income had been above the market for the last three years but the key factor last year was the interest rate increase late last year.

Frischmon highlighted other counties investment policies, noting their mark to market adjustments would be lower because of their shorter investment portfolio. He reviewed the County's current policy and practice and the recommended new direction to lower interest income in order to reduce fund balance volatility.

He explained the proposed investment policy changes to ladder investments and indicated, based on monthly reports, reasonable and prudent actions would be taken if interest rates increase. Frischmon also pointed out the revised fund balance policy to lower cash flow reserves.

Maluchnik moved, Lynch seconded, to approve recommended changes to the Financial Policy Manual. Motion carried unanimously.

Lynch moved, Ische seconded, to go into closed session according to Minnesota Statue Section 13D.05 in order to review confidential appraisal data and possible settlement for PID #25.250010, as well as to provide an update on negotiations for the remaining parcels in the eminent domain proceeding, PID #'s 25.0231300; 25.353070, 25.023500, 25,0230420 and 25.230430. Motion carried unanimously.

REGULAR SESSION
April 15, 2014

The Board adjourned the closed and Regular Session at 5:10 p.m.

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:

Application for a Pro-Rated On-Sale Intoxicating Liquor License for Schram Winery, LLC dba Schram Vineyards

Primary Originating Division/Dept: <input type="text" value="PRTS - Property Taxation"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Teri Spencer"/> Title: <input type="text" value="Settlement Tech"/>	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:

Aaron Schram, Owner/Operator of Schram Winery, LLC dba Schram Vineyards has applied for a pro-rated On-Sale Intoxicating Liquor License. There is no restaurant at the winery so this application is allowed under their Farm Winery license with the State. This license will be pro-rated from 6-1-14 to 10-31-14. They will need to apply for a renewal in October 2014 along with all other Carver County liquor licenses.

Schram Vineyards is located at 8785 Airport Road, Waconia. There are no delinquent property taxes on this property.

ACTION REQUESTED:

Approval of the application for a pro-rated On-Sale Intoxicating Liquor License for Schram Winery, LLC dba Schram Vineyards.

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:
 On-Sale Liquor License Fee - \$834.00 - Pro-rated

Office use only:

RBA 2014 - 2519

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 1 Day to 4 Day Temporary On-Sale Liquor License for Augusta Ball Club, Inc.

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

Item Type:

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Augusta Ball Club, Inc., 5950 Hampshire Rd, Chaska, is planning an event to be held Friday, Saturday and Sunday May 30 and 31 and June 1, 2014. They have applied for a 1 Day to 4 Day Temporary On-Sale Liquor License for this event. The event will be held at the ball park meeting house, softball diamond and 50' perimeter. The club officers are: Keith Wickenhauser (President); Charles Wickenhauser (Vic-President); Mary Jane Olson (Secretary); April Wichterman (Treasurer). There are no delinquent property taxes on the property.

ACTION REQUESTED:

Board approval of the application for a 1 Day to 4 Day Temporary On-Sale Liquor License for Augusta Ball Club, Inc. for May 30 and 31, and June 1, 2013.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

Related Financial/FTE Comments:

License Fee: 1 Day to 4 Day Temporary On-Sale Liquor License is \$100.00 for each event.

Office use only:

RBA 2014 - 2532

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application for Exempt Permit-Zoar United Church of Christ

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Consent

Contact: Title:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

A Charitable Gambling application for Exempt Permit was received from Zoar United Church of Christ. They plan to hold a raffle on October 18, 2014 at Zoar United Church of Christ located at 7030 Highway 212, Chaska, MN 55318.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License to Zoar United Church of Christ for a raffle to be held on October 18, 2014.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2533

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Supporting Commissioner Linda Higgins for the Position of Secretary-Treasurer of AMC

Primary Originating Division/Dept: Administration (County)

Meeting

Date: 5/6/2014

Contact: Dave Hemze Title: County Administrator

Item Type:

Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Hennepin County Commissioner Linda Higgins is running for Secretary-Treasurer of the Association of Minnesota Counties. Commissioner Higgins was elected to the Hennepin County Board in 2012 after having served 16 years in the Minnesota Senate. She currently serves as the Chair of the Metropolitan Emergency Services Board, serves on the State's Human Services Performance Council and represents Hennepin County on AMC's District X Committee.

Commissioner Maluchnik has requested the Board adopt a Resolution recommending and supporting Commissioner Higgins for the position of Secretary-Treasurer of the Association of Minnesota Counties.

ACTION REQUESTED:

Adopt Resolution.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2545

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE _____
MOTION BY COMMISSIONER _____

RESOLUTION NO. _____
SECONDED BY COMMISSIONER _____

Recommending and Supporting Commissioner Linda Higgins for the Position of Secretary-Treasurer of the Association of Minnesota Counties

WHEREAS, The Association of Minnesota Counties will be electing officers to serve in statewide capacities in December 2014; and

WHEREAS, Hennepin County Commissioner Linda Higgins, has a long history of public service including her current service as a Hennepin Commissioner, Chair of Hennepin County's Health and Human Services Committee, sixteen years of service in the Minnesota Senate, Chair of the Metropolitan Emergency Services Board, service on the State's Human Services Performance Council and the Association of Minnesota Counties District X Committee.

WHEREAS, Due to her extensive experience in and commitment to government experience, Commissioner Linda Higgins is an excellent candidate for the Secretary-Treasurer of the Association of Minnesota Counties;

NOW, THEREFORE, BE IT RESOLVED, The Carver County Board of Commissioners hereby supports the candidacy of Commissioner Linda Higgins for Secretary-Treasurer of the Association of Minnesota Counties, and requests that her name be presented on the slate of nominees for this position.'

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David 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 6th day of May, 2014, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Nomination of Carver County Commissioner to the Minnesota Valley Trust Board of Directors

Primary Originating Division/Dept: <input type="text" value="Public Health & Environment"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Randy Wolf"/> Title: <input type="text" value="Director of Public Health and ..."/>	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:

The Minnesota Valley National Wildlife Refuge Trust, Inc. (MVT) has invited Carver County to become a "participating organization" of the MVT and has requested a nominee to be elected to the MVT Board of Directors. MVT is a 501(c)(3) nonprofit corporation. It was created in 2000 through an agreement between the Metropolitan Airports Commission, the US Fish and Wildlife Service and five "supporting organizations". Its original purpose was to implement a plan to mitigate the impact of the new north-south runway at the International Airport on the Minnesota Valley National Wildlife Refuge. One of the five original supporting organizations was the Minnesota River Board (MRB), which was dissolved in April 2014. County Commissioner Jim Ische served as a member of the MRB and in that capacity also served on the Board of Directors for the MVT. The purpose of this Board Action is to request that Carver County become one of five "participating organizations" and re-appoint Mr. Ische to the MVT Board as a representative of Carver County. Attachments include the proposed MOU between the MVT and Carver County; the MVT bylaws; and the MVT Articles of Incorporation.

ACTION REQUESTED:

Accept the invitation for Carver County to be one of five participating organizations for the Minnesota Valley Trust. Appoint Jim Ische as the Carver County representative to the Minnesota Valley Trust and authorize him to sign the attached Memorandum of Understanding.

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

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2530

MEMORANDUM OF UNDERSTANDING

BETWEEN MINNESOTA VALLEY NATIONAL WILDLIFE REFUGE TRUST, INC., COMMISSIONER OF THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES, FRIENDS OF THE MINNESOTA VALLEY, AUDUBON MINNESOTA, MINNESOTA WATERFOWL ASSOCIATION AND CARVER COUNTY

This Memorandum of Understanding is undertaken by the Minnesota Valley National Wildlife Refuge Trust, Inc., a Minnesota Chapter 317A corporation (hereafter, "the Trust"), and the following organizations: 1) Commissioner of the Minnesota Department of Natural Resources, 2) Friends of the Minnesota Valley, 3) Audubon Minnesota, state office of the National Audubon Society, 4) Minnesota Waterfowl Association, Inc. and 5) Carver County (hereafter, "the Participating Organizations"), each "a Party" and together "the Parties" to Parties' desired goals and objectives, and intended principles and responsibilities that the Parties desire be applied in their intersections to the end of the Trust's efforts in support of the Minnesota Valley National Wildlife Refuge ("MVNWR").

WHEREAS, effective September 14, 2000, an Agreement between the Minnesota Department of Natural Resources, Friends of the Minnesota Valley, National Audubon Society, Minnesota Waterfowl Association, Minnesota River Joint Powers Board, and the Metropolitan Airports Commission, the "Minnesota Valley National Wildlife Refuge Mitigation Funding Agreement" (hereafter, "Mitigation Agreement"), called for a private not-for-profit corporation to take initial funding from the Metropolitan Airports Commission "for implementation of a Refuge Mitigation Plan" pursuant to Section III of the Mitigation Agreement ("Refuge Mitigation Plan");

WHEREAS, the Trust was created to take the initial funding called for in the Mitigation Agreement and thereafter undertake operations as the private not-for-profit corporation legally obligated to perform and be accountable to the USFWS for implementation of the "Refuge Mitigation Plan," statuses recognized by the USFWS in "confirm[ing] its approval for the Trust to accomplish the Mitigation Plan" via an "Approval of Conveyance and Release of Responsibility to Perform Mitigation Activities" executed by the Metropolitan Airports Commission and the USFWS on September 14, 2000;

WHEREAS, the Trust has to date fully accomplished the purposes set out in Section III of the Mitigation Agreement by "implement[ing] Airport Mitigation Projects . . . consistent with the mission and purpose of the Minnesota Valley National Wildlife Refuge as determined by the USFWS," with the exceptions that the Trust is still providing funding for operations of the Rapids Lake Education and Visitor Center and Blue Goose Bus Fund; and

WHEREAS, the Trust has met the time period called for in the Mitigation Agreement for carrying out Refuge Mitigation Projects, as set out in that Agreement's IV, B, 2 ("until exhaustion of funds, but no more than 15 years").

NOW THEREFORE, the Parties agree that as of the effective date signed below:

1. Each of the following named organizations has agreed to be a "Participating Organization" of the Trust
2. In accord with such status, and pursuant to the 2012 amendments to the Trust's Articles of Incorporation and By-laws, each of the Participating Organizations shall nominate an individual to serve as a Director on the Trust's Board of Directors.
3. Thereafter, nominated individuals are elected to serve on the Board of Directors of the Trust by action of the then-serving Trust Directors, not including any individual on the Trust's Board who was approved after nomination by the Participating Organization and who is thus the subject of replacement.
4. In their service on the Trust Board of Directors, the elected Directors have and will exercise a fiduciary responsibility to the Trust rather than to the Participating Organization that nominated them.

The Parties affirm their intent to abide in good faith as of the date entered above:

AUDUBON MINNESOTA, state office of the National Audubon Society

BY: _____

DATE: _____

CARVER COUNTY

BY: _____

DATE: _____

FRIENDS OF THE MINNESOTA VALLEY

BY: _____

DATE: _____

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

BY: _____

Tom Landwehr, Commissioner

DATE: _____

MINNESOTA WATERFOWL ASSOCIATION

BY: _____

John Wolf, President

DATE: _____

MINNESOTA VALLEY NATIONAL WILDLIFE REFUGE TRUST, INC.

BY: *Lois Norrgard*
Lois Norrgard, President

DATE: 4-9-14

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Right-of-way Acquisition for Project #SAP 010-610-047, CSAH 10 Bridge and Road Reconstruction in Watertown

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right-of-Way Agent"/>	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:

The 2014 construction program includes the replacement of the bridge over the Crow River on CSAH 10 in Watertown, MN, and improvements to the existing roadway between Angel Ave on the west and the round-about at the junction of CSAH 10 and CSAH 20 on the east. Additional right-of-way is needed to complete this project. Carver County Public Works has negotiated a settlement with the owner of the former coffee shop building located at 104 Lewis Ave N, Watertown, MN, (PID 25.0503420) for the acquisition of the land and building.

ACTION REQUESTED:

Adopt a resolution to authorize payment of compensation based on a negotiated settlement for acquisition of PID 85.0503420, located at 104 Lewis Ave N, Watertown, MN, for project SAP 010-610-047.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/>						
FTE IMPACT: <input type="text" value="None"/>	<table style="width: 100%;"> <tr> <td style="width: 70%;">State Aid Municipal</td> <td style="width: 30%; text-align: right;">\$123,750.00</td> </tr> <tr> <td>City of Watertown</td> <td style="text-align: right;">\$41,250.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$165,000.00</td> </tr> </table>	State Aid Municipal	\$123,750.00	City of Watertown	\$41,250.00	Total	\$165,000.00
State Aid Municipal	\$123,750.00						
City of Watertown	\$41,250.00						
Total	\$165,000.00						

Related Financial/FTE Comments:
 The cost of this settlement is split between the City of Watertown and Carver County. However, Carver County will be making the payment and be reimbursed by the city. City of Watertown Share: \$41,250.00, Carver County Share: \$123,750.00.

Office use only:

RBA 2014 - 2531

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

Date: May 6, 2014 _____
Motion By Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

**Resolution Authorizing Acquisition of Property Required for the CSAH 10
Bridge Reconstruction and Related Roadway Improvements,
Project # SAP 010-610-047; 104 Lewis Ave N, Watertown, MN**

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

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

WHEREAS, Carver County wishes to reconstruct the bridge on CSAH 10 in Watertown and related roadway improvements to CSAH 10, Project #SAP 010-610-047 (“Project”); and

WHEREAS, in order to complete the Project it is necessary for the County to purchase the needed right-of-way on the property located at 104 Lewis Ave N, Watertown, MN; and

WHEREAS, the County has retained independent real estate appraisers to provide the County with the appraisers’ estimates of the damages caused by the County’s acquisition of the property interests required for the Project; and

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

WHEREAS, a settlement has been reached with 104 Lewis, LLC, (Gary V. Kirt), owner of the 104 Lewis Ave N. property; and

WHEREAS, although not all of the property located at 104 Lewis Ave N, Watertown, MN, is required for the Project, in the future it is anticipated that additional portions of the property may need to be acquired for future improvements and economic development of that site; and

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution to Continue TMDL Priority Sub-watersheds and Direct Discharge Program for 2014

Primary Originating Division/Dept: <input type="text" value="Public Health & Environment - Planning/Water"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Paul Moline"/> Title: <input type="text" value="Manager PWM"/>	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:

TMDL Implementation Program –the Total Maximum Daily Load (TMDL) Implementation Plan for the Bevens, Carver, & Silver Creek Watersheds was approved by the state (MPCA) and the County Board in 2007. The implementation plan calls for a reduction of fecal loads sources in the watersheds, mainly agricultural manure source runoff and direct discharge SSTS systems. The County Board has approved a landowner incentive program for SSTS annually since 2008 that has proved successful.

The TMDL implementation plan is continuing through the use of grants funds (previously accepted and approved by the Board). Staff is requesting the Board to formally recognize and continue the direct discharge program through 2014. Funding for SSTS incentives was approved by the Board in the 2014 WMO budget. The attached map shows the priority sub-watershed for 2014, & the [attached memo and resolution](#) provides further background.

Funding is derived from the CCWMO levy funds (for direct incentive) and state grants (for the loan portion).

ACTION REQUESTED:

Motion to adopt resolution continuing implementation of the SSTS direct discharge incentive program for 2013.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/>						
FTE IMPACT: <input type="text" value="None"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">CCWMO 2013</td> <td style="width: 30%; text-align: right;">\$50,000.00</td> </tr> <tr> <td>MN Dept of Ag Total</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$50,000.00</td> </tr> </table>	CCWMO 2013	\$50,000.00	MN Dept of Ag Total	\$0.00	Total	\$50,000.00
CCWMO 2013	\$50,000.00						
MN Dept of Ag Total	\$0.00						
Total	\$50,000.00						

Related Financial/FTE Comments:
 SSTS Loan funds are derived from State Dept of Agriculture revolving loan funds.

Office use only:

RBA 2014 - 2526



Carver County Water Management Organization

Planning and Water Mgmt Dept
Government Center - Administration Building
600 East 4th Street
Chaska, Minnesota 55318
Phone: (952)361-1820
Fax: (952)361-1828
www.co.carver.mn.us/water

Memo

To: County Board
From: Paul Moline, Carver County Water Management
Date: April 28, 2014
Re: PROPOSED 2014 DIRECT DISCHARGE SSTS COST SHARE PROGRAM

Enclosures: Priority sub-watershed map

The Total Maximum Daily Load (TMDL) Implementation Plan for the Bevens, Carver, & Silver Creek Watersheds was approved by the state (MPCA) and the County Board in 2007. The implementation plan calls for a reduction of fecal loads sources in the watersheds, mainly agricultural manure source runoff and direct discharge SSTS systems. The County Board has approved a landowner incentive program for SSTS annually since 2008 that has proved successful.

SSTS Direct Discharge Program began in 2008 and has accomplished the following to date:

- **Total participants: 257**
- **Number in TMDL area: 117**
- **Number outside TMDL: 139**
- **Loans Taken: 125 totaling an estimated \$1,456,511**
- **Enforcement action commenced & resolved : 3 Remaining Pending action: 1**

2014 Proposal

The TMDL implementation plan is continuing in 2014 with funding directed by the Board in the 2014 WMO budget. The CCWMO Water, Environment and Natural Resource (WENR) committee recommended the following priority areas for 2014: (See attached map)

- Bevens Creek Be_9 subwatershed (area of subwatershed east of Co Rd 53)

2014 Cost share qualifications

Similar to previous years, incentive recipients must be voluntary with no previous trigger (ie. Current enforcement, compliance inspection as a result of property transfer, complaint, or building permit).

1. Located in 2014 TMDL Priority Sub-Watershed – County will pay 25% of the SSTS replacement cost up to a maximum of \$2,000 per SSTS. In addition the owner may apply for a low interest loan with up to a ten year payback. Loan Amount - \$15,000 maximum. Volunteer by July 31, 2014 and have system installed by July 31, 2015. If voluntary participation not commenced, owner will be required to have a compliance inspection completed by September 30, 2014, and if non-compliant will need to replace system within ten months with NO COST SHARE and only low interest loan with four year payback (as funds are available).
2. Located outside 2014 TMDL Priority Sub-Watershed – County will pay \$2,000 of the SSTS replacement cost. In addition the owner may apply for a low interest loan with a four year payback (as funds are available). Loan Amount - \$15,000 maximum. No deadlines to volunteer first come first serve approach until funds are depleted. Owner would be required to replace SSTS within ten months of completing Cost Share Form.

Payment will be issued to the SSTS contractor upon successful completion of the project (as determined by Environmental Services Staff).

2014 Funding

Available Incentive Funds – 2014 CCWMO budget has the following available funds for SSTS direct discharge incentives

- Bevens/Carver Creek Priority Subwatersheds - \$50,000
- Crow River dedicated fund – \$6,000
- East Chaska Creek dedicated fund – \$6,000
- West Chaska Creek dedicated fund – \$6,000
- Pioneer Sarah dedicated fund - \$2,000

Available loan funds estimate: There is approximately \$600,000 available for loans in 2014, enough to fund 40 systems at the maximum loan amount.

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

DATE: April 16, 2013
MOTION BY COMMISSIONER:

RESOLUTION NO. __-13
SECONDED BY COMMISSIONER:

A Resolution Continuing the Elimination Of Direct Discharge Sub-Surface Treatment Systems (SSTS) Program.

WHEREAS, Approximately 4,500 homes and businesses in Carver County are served by a private sewer system on the property. Of these systems, about 700 are in cities and 3800 in the unincorporated area. As of 2008, approximately 550 of the systems in the unincorporated area were still served by systems that likely have little or no treatment of sewage prior to discharge into the surface water and are considered Direct Discharge Systems; and

WHEREAS, Carver County is responsible for the management and regulation of SSTS in the County except in cities that have elected to assume responsibility; and

WHEREAS, Carver County is responsible for water management including water quality in the Carver County WMO; and

WHEREAS, EPA and MnPCA regulations require that all lakes, rivers and streams ultimately meet water quality standards; and

WHEREAS, Carver County has conducted a Total Maximum Daily Load (TMDL) study for fecal coliform bacteria contamination in the Carver and Bevens Creek watersheds; and

WHEREAS, the studies have found loads of fecal coliform bacteria substantially in excess of standards in these watersheds and further identified direct discharge of untreated human sewage into the waters of the State as a significant contributor to the load. The County subsequently developed a TMDL Implementation Plan to reduce the fecal coliform bacteria loads to meet standards. The Plan was submitted to MnPCA and the EPA; it was subsequently approved for implementation by both agencies; and

WHEREAS, the 2008 through 2013 programs for SSTS Direct Discharge was largely successful in it goals; and

WHEREAS, the 2014 sub-watershed is identified with a total of 35 “likely systems”; and

WHEREAS, the Carver County Water, Environment & Natural Resources Committee has recommended the 2014 SSTS Direct Discharge Program, funding and sub-watersheds to the County Board;

WHEREAS, the Carver County Board of Commissioners has determined that it is necessary to institute a program to accelerate the replacement of Direct Discharge Systems in order to reach public health and water quality goals;

WHEREAS, the Carver County Code gives the Board the authority to identify priority areas for SSTS compliance including elimination of direct discharge systems, and to establish programs, including incentives and deadlines; and

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby adopts the “Carver County 2014 Direct Discharge Elimination Acceleration Program” as follows:

Part I. The County Board identifies subwatersheds in the Carver and Bevens/Silver Creek watersheds as priority sub watershed:

- Bevens Creek Be_9 West (east of co rd 53)

The County will provide a low interest loan with an amortization of up to 10 years and a cash grant of 25% of the cost of a new system up to \$2000 for the upgrade of systems identified as a potential direct discharge system in the priority sub-watersheds. Potential direct discharges systems in the priority sub-watersheds that have not been issued a permit to upgrade their system must volunteer by July 31, 2014, and shall be required to submit a Compliance Inspection to the County by September 30, 2014, and install the system by July 31, 2015.

Part II. For systems outside of Carver & Bevens Creek priority sub watersheds, the loan funds and the cash incentive of \$2,000 will be available on a first come, first serve basis until allocated funds are depleted. Available funds in other watersheds include: \$6,000 in East Chaska Creek; \$6,000 in Crow River, \$6,000 in West Chaska Creek, and \$2,000 in Pioneer-Sarah. For systems outside of the priority sub watersheds, the owner would be required to replace SSTS within ten months of completing Cost Share Form.

Part III. Authorize the Finance Director, in cooperation with Public Health and Environment, to continue to operate the current “safety net” loan program to assist property owners with extremely limited financial capability.

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

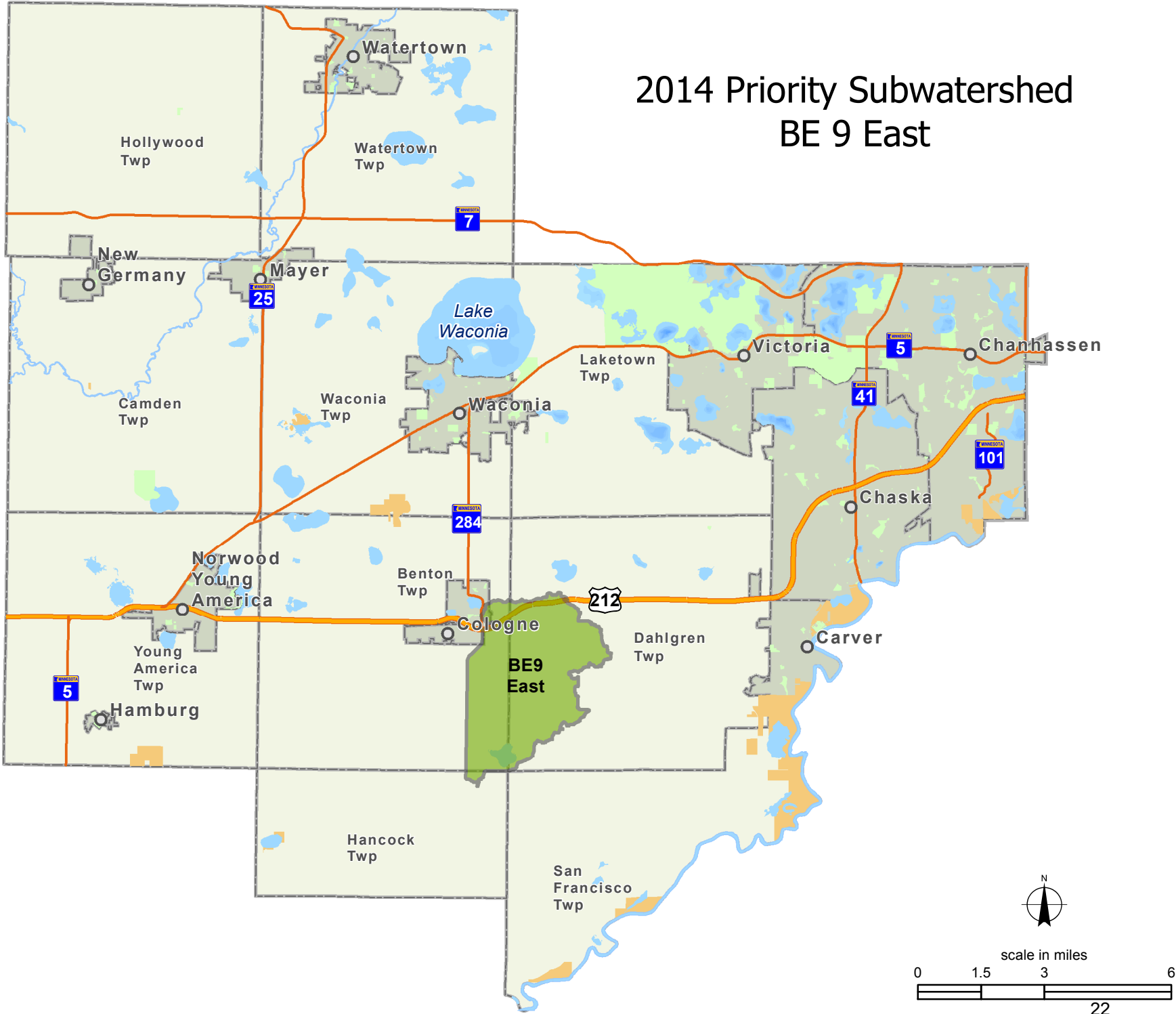
STATE OF MINNESOTA
COUNTY OF CARVER

I, David 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 6th day of May, 2014, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

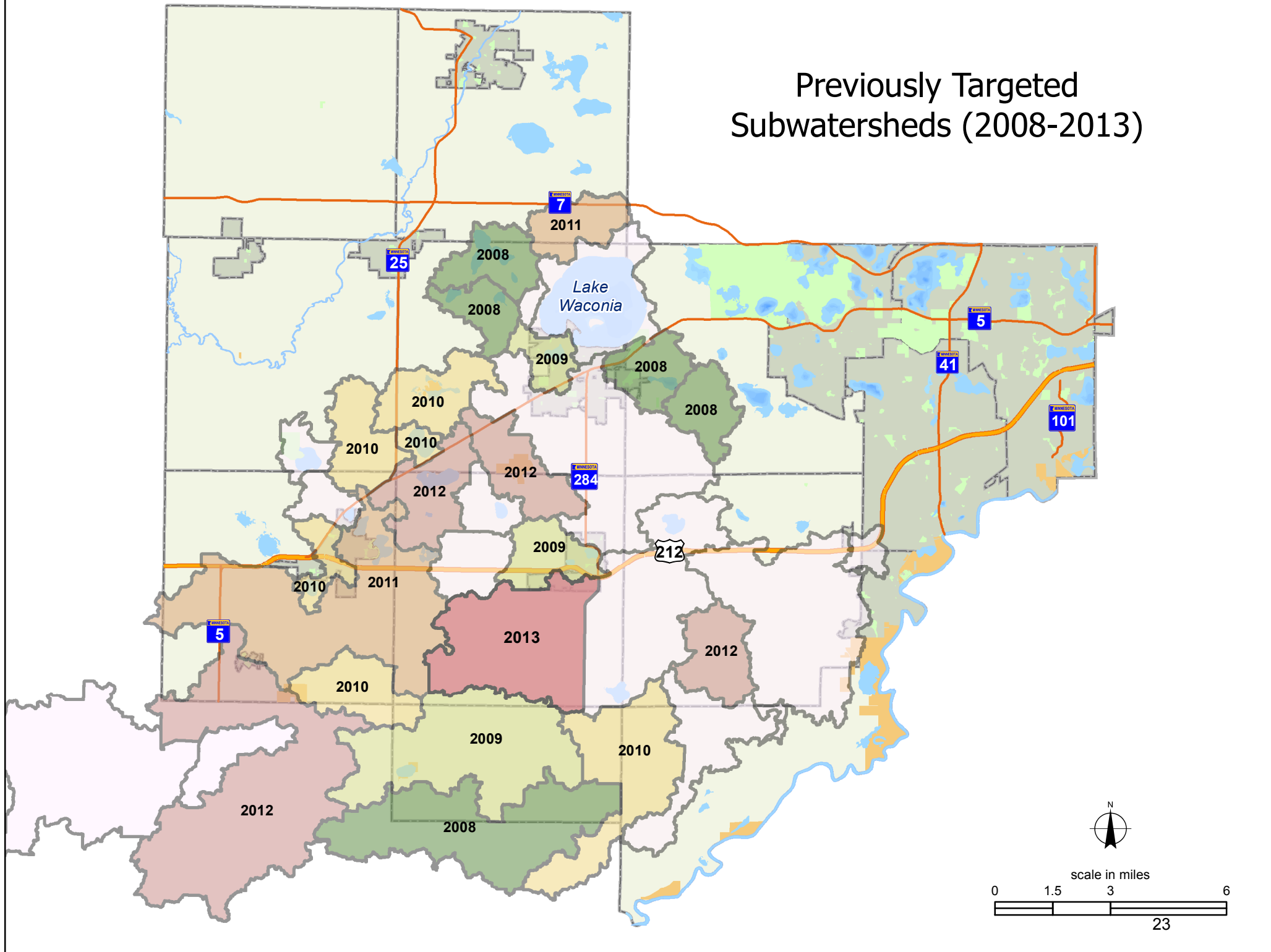
Dated this 6th day of May, 2014.

David Hemze, County Administrator

2014 Priority Subwatershed BE 9 East



Previously Targeted Subwatersheds (2008-2013)



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Increase 0.9 FTE Social Worker II to 1.0 FTE

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Consent

Contact: Title:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Division has a 0.9 FTE Social Worker II in the Community Support/Adult Mental Health Unit of the Behavioral Health Department. The Division is requesting to increase the position to a 1.0 FTE. This unit has not had an increase in staff for a number of years. The Division has added incremental capacity by splitting a 1.0 FTE Social Worker II into two .6 FTE's and converted the Case Aide position in the Unit into a Case Management Associate to allow the incumbent to provide case management to clients and bill Targeted Case Management under the supervision of a Social Worker/Supervisor. Essentially, this is another small way of increasing capacity before requesting an additional staff position.

ACTION REQUESTED:

To increase the .9 FTE Social Worker II in the Community Support Unit to a 1.0 FTE Social Worker II effective May 19, 2014.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
Targeted Case Manage...	\$6,938.00
Total	\$6,938.00

FTE IMPACT:

Related Financial/FTE Comments:

For CY2013 the Division budgeted \$509,000 in Adult Mental Health Targeted Case Management revenue and collected \$620,655. After 2 months of revenue in CY2014 the early projections are \$100,000 ahead of the budget.

Office use only:

RBA 2014 - 2550

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Accept Communities of Practice Grant from the Department of Human Services

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Minnesota Department of Human Services has awarded the Division a Communities of Practice/Safety Focused Family Partnership Initiative Grant to aid in the planning, managing and implementing the 2014 Communities of Practice Conference. The amount of the grant is \$22,450.

ACTION REQUESTED:

To accept the Communities of Practice/Safety Focused Family Partnership Initiative Grant from the Minnesota Department of Human Services

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =

DHS Grant

Total

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2551

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Right-of-Way Acquisition Settlement Agreement for SP 010-618-013 - Lyman Blvd from to Audubon Rd to Powers Blvd.

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right-of-Way Agent"/>	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="Public Works Director/County ..."/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The 2014 construction program includes a project to reconstruct Lyman Boulevard (CSAH 18) from Audubon Road to Powers Blvd. Additional right of way is needed to complete this project. A settlement has been reached between the County and one of the property owners being impacted by the project, PID #25.2500010, and a signed Memorandum of Agreement has been obtained outlining the terms of the settlement.

ACTION REQUESTED:

Adopt a resolution to approve the negotiated right of way acquisition settlement amount with Jeffrey & Lee Ann Franz

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	CSAH (Gas Tax) <input type="text" value=""/> \$95,000.00 Total <input type="text" value=""/> \$95,000.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2503

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

Date: May 6, 2014

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Right of Way Acquisition – CSAH 18 – Project SP 010-618-013

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

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

WHEREAS, the County desires to reconstruct CSAH 18 between Powers Blvd and Audubon Road ("Project"); and

WHEREAS, reconstruction of CSAH 18 is necessary to provide roadway improvements for the safety of the traveling public; and

WHEREAS, on April 2, 2013, by its resolution No. 19-13, the Board of Commissioners approved Carver County Right of Way Plat No. 20 to identify right of way required by the County to construct the Project; and

WHEREAS, based upon appraisals prepared by independent real estate appraisers, and in accordance with authorization of the Board of Commissioners, agents of the County have previously made offers of compensation to owners of property affected by the Project and have now reached a proposed agreement with the owner of Acquisition Parcel 10,

Jeffrey Franz & Lee Ann Franz, husband and wife, PID #25.2500010; and

WHEREAS, the Board of Commissioners finds the proposed terms of settlement to be reasonable and in the best interests of the County; and

WHEREAS, the Board of Commissioners previously authorized and directed that its attorneys commence eminent domain proceedings to acquire easements encumbering the property for the Project, and the owners of the property have offered to settle their claims in eminent domain proceeding by conveying their property interests over lands needed for the Project to the County.

NOW, THEREFORE, BE IT RESOLVED, that the Carver County Board of Commissioners accept the settlement negotiated with the property owners, Jeffrey S. and Lee Ann

Franz, husband and wife, for Right of Way Plat No. 10, Acquisition Parcel 10 for the CSAH 18 reconstruction between Powers Blvd and Audubon Rd. (SP-010-618-013).

BE IT FURTHER RESOLVED, that the County Attorney is authorized and directed to take all steps necessary to acquire the property described herein pursuant to agreements in form acceptable to the County Attorney.

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 6th day of May, 2014, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of May, 2014.

_____ Dave Hemze	_____ County Administrator
---------------------	-------------------------------

Subscribed and sworn to before me
this ____ day of May, 2014.

Notary Public
My Commission Expires _____

(notary stamp)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Courts Audio & Visual System Upgrade

Primary Originating Division/Dept: Administrative Services - Facilities

Meeting Date: 5/6/2014

Contact: Kevin Maas

Title: Facilities Manager

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

Growth: Manage the challenges and opportunities resulting from growth and development

BACKGROUND/JUSTIFICATION:

The current infrastructure and most equipment for the original three Courtrooms are twenty one years old. Multiple service calls per year are required to operate the Courtrooms efficiently. Portions of the project were considered and eliminated from the Courthouse Expansion Project budget in 2009.

After a Committee of the Whole Meeting, the County contracted with an Audio Consultant and advertisement for bids were completed in the month of March. Bids were received March 31st and four qualified bidders provided base bids:

Tierney Brothers: \$105,738; Marco: \$108, 233; MP Nexlevel: \$118,729; Security & Sound: \$125,985

All bids were received in good standing and qualified for award. SDA Consulting and County staff are recommending approval of a contract with Tierney Brothers in the amount of the low bid. In addition, the following project budget is requested to be established with the source of funds being provided by the Deferred Maintenance Fund (30).

Base Bid Construction: \$105,738 plus add video alternates for a total of \$141,088.

Total Contract Tierney Brothers:	\$ 141,088
General Conditions	\$ <u>13,913</u>

Total Construction Budget: \$ 155,001

*Engineering \$ 17,000

Total Project Budget: \$ 172,001

The recommended scope of work includes video display and playback for Courtroom 3. This will provide the Courts with two redundant courtrooms for video display with jury boxes.

ACTION REQUESTED:

Move approval of the construction budget and the professional services construction contract with Tierney Brothers.

FISCAL IMPACT: Budget amendment request form

If "Other", specify: Deferred Maintenance

FUNDING

County Dollars = \$155,001.00

FTE IMPACT: None

Total \$155,001.00

Related Financial/FTE Comments:

*Engineering Contract approved for \$17,000 includes Design, Specifications, and Construction Management services.

Project Balance of Deferred Maintenance after this AV project: \$87,000

Office use only:

Budget Amendment Request Form



Agenda Item: Courts Audio & Visual Hardware Upgrade

Department:

Meeting Date: 5/6/2014

Requested By: Kevin Maas

Fund:

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

Description of Accounts	Acct #	Amount
Deferred Maintenance	30-972-xxxx-6640	\$155,001.00
TOTAL		\$155,001.00

Description of Accounts	Acct #	Amount
Deferred Maintenance	30-972-.6640	\$155,001.00
TOTAL		\$155,001.00

Reason for Request:

Deferred Project to Upgrade and Replace Audio and Visual Equipment for Courtrooms 1, 2, 3. Add video processing to Courtroom 3.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment 1 to the Professional Services Contract with Bolton & Menk, Inc. for SAP #010-610-047, CSAH 10 Bridge Reconstruction in Watertown

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="5/6/2014"/> Item Type: <input type="text" value="Consent"/>
Contact: <input type="text" value="Darin Mielke"/> Title: <input type="text" value="Assistant Public Works Director"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Carver County Public Works is continuing our work on the CSAH 10 Reconstruction Project in Watertown, and due to staffing needs on other critical projects, will need the assistance of Bolton & Menk to adequately staff this project. Bolton & Menk will supplement Carver County staff by assisting with construction administration and providing construction inspection and survey professional services.

ACTION REQUESTED:

Approve Amendment 1 to the professional services agreement with Bolton & Menk, Inc. for project #SAP 010-610-047.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%;"><input type="text"/></td> </tr> <tr> <td>CSAH</td> <td style="text-align: right;">\$190,000.00</td> </tr> <tr> <td>City of Watertown</td> <td style="text-align: right;">\$95,320.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$285,320.00</td> </tr> </table>	County Dollars =	<input type="text"/>	CSAH	\$190,000.00	City of Watertown	\$95,320.00	Total	\$285,320.00
County Dollars =	<input type="text"/>								
CSAH	\$190,000.00								
City of Watertown	\$95,320.00								
Total	\$285,320.00								
FTE IMPACT: <input type="text" value="None"/>									

Related Financial/FTE Comments:

Carver County is the lead agency and will incur the full costs and will be reimbursed by the City of Watertown for their share in accordance with the approved JPA between Carver County and the City of Watertown. The above cost splits are approximate and are based on the JPA agreement.

Office use only:

RBA 2014 - 2542

Carver County Board of Commissioners Request for Board Action



Agenda Item:

St. Peter Lutheran Church Maifest

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Contact: Title:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #A20140104. The request is for an Administrative Special Event Permit for the annual St. Peter Lutheran Church Maifest celebration in Watertown Township. The event will be similar to previous years. It will be held entirely on property owned by St. Peter Lutheran Church at 3030 Navajo Avenue, Watertown MN, with the exception of attendee parking which will be on the two parcels adjacent to the west. Festivities at the church property will run from 7:00 a.m. - 7:00 p.m. and includes: a flea market, German meal in the dining hall, children's games, silent auction and music entertainment.

The applicant has provided written permission from neighboring property owners for parking; invoices for portable restrooms and commercial waste receptacles; and proof of insurance for the event. The applicant is working with Carver County for the appropriate liquor permits. The Watertown Town Board and Public Works have reviewed the request and did not have any objections.

ACTION REQUESTED:

A motion authorizing the issuance of a Certificate of Zoning Compliance (#A20140104) for the May 18, 2014 St. Peter Lutheran Church Maifest celebration.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

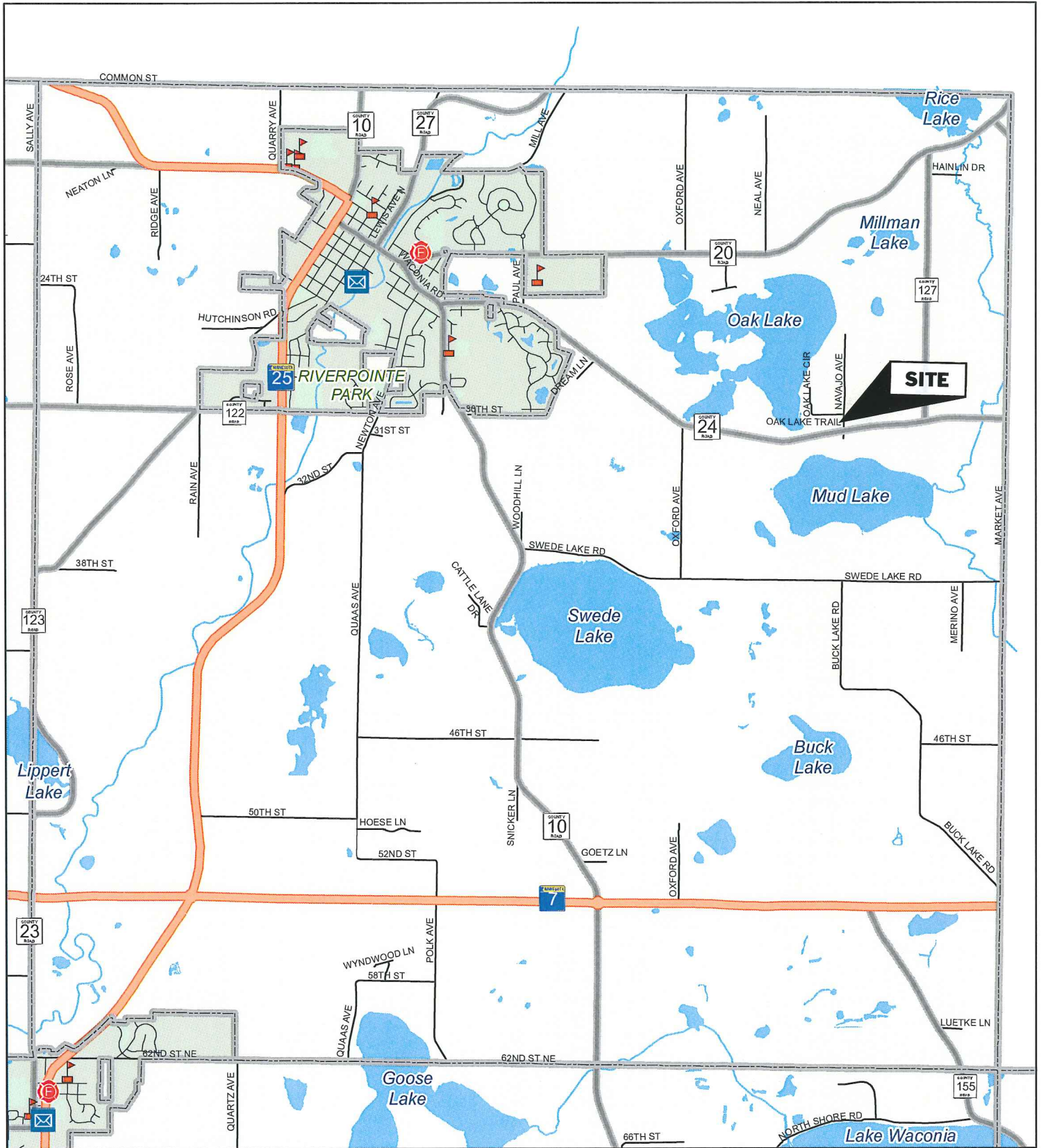
Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2513

WATERTOWN TOWNSHIP



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.



Map Created by Carver County GIS

COUNTY OF CARVER
CERTIFICATE OF ZONING COMPLIANCE

FILE/CERTIFICATE # A20140104

DATE ISSUED: May 6, 2014

TYPE OF CERTIFICATE: ONE TIME SPECIAL EVENT – MAIFEST CELEBRATION

This permit certificate is issued for the St. Peter Lutheran Church Maifest Celebration to be held on Sunday, May 18, 2014. The event will be held entirely on property owned by St. Peter Lutheran Church, with the exception of attendee parking which will be done on the two parcels adjacent to the west. Festivities at the property will run from 7:00 a.m. – 7:00 p.m. and includes: a flea market, German meal in the dining hall, children’s games, silent auction and music entertainment. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 B6 of the Carver County Code. **This certificate is issued to:**

**St. Peter Lutheran Church
C/O Dale Muhs
3030 Navajo Avenue
P.O. Box 508
Watertown, MN 55388**

And is not transferable to another person or to another parcel of property.

Purpose of Certificate: To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold a Maifest Celebration event on Sunday, May 18, 2014. The event shall take place in Watertown Township in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 B6 of the Carver County Code.

THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:

1. The Permit is valid only for the day of May 18, 2014.
2. The event must be conducted in accordance with the Operational Plan & Site Maps attached hereto.
3. There shall be at least two (2) bathroom satellites available for the event.
4. The sponsors are responsible to clean up all excess trash and litter during and after the event.
5. Emergency vehicle access must be provided within the activity areas of the event.
6. Parking shall be provided as described in the application on the Dreier and Eickhoff property to the west of the church.
7. No parking shall be allowed on County Road 24. In the event of wet weather, the applicant is

responsible for keeping County Road 24 clear of mud and debris.

8. The applicant shall submit a copy of the Certificate of Liability Insurance for the church to the Land Management Department prior to the event.
9. The applicant shall provide copies of the appropriate liquor licenses to allow for the serving of beer and brats for the event to the Land Management Department prior to the event.
10. The permittee shall inform adjacent residents, Watertown Town Board, City of Watertown and the Carver County Public Works Department of the date(s) in which the event will take place. (Notification shall be provided prior to the event.)

Amanda Schwabe
Associate Planner

THIS CERTIFICATE IS ISSUED FOR SUNDAY, MAY 18, 2014, AND IS NOT EFFECTIVE UNTIL SIGNED:

I HAVE READ THE ABOVE CONDITIONS AND AGREE TO FOLLOW THEM. I REALIZE THAT FAILURE TO ABIDE BY THE CONDITIONS IS A VIOLATION OF THE ZONING ORDINANCE. I AGREE THAT THE ZONING ADMINISTRATOR OR A DESIGNATED REPRESENTATIVE MAY ENTER UPON THE SUBJECT PROPERTY TO CHECK FOR COMPLIANCE OR FOR REVIEW PURPOSES. I ALSO UNDERSTAND THAT THIS IS NOT A BUILDING PERMIT AND THAT OTHER PERMITS MAY BE REQUIRED.

Signature of Certificate Holder

Date

Attached To:

***Property outlined in attached site plans,
And PID #10-014-1500***

Two (2) acres of land in the Northwest quarter of Section 13-117-25 to be bounded as follows: To commence at the Northwest corner of said Section and run South on said Section line 31 rods; thence East 10 rods and five feet; thence North 31 rods; thence West 10 rods and five feet to the starting point.

Commencing at a point in the center of the road (now running through Section 13 of the Township 117 Range 25, known as the Watertown and Minnetrista road) on the West line of Lot 1 Section 13-117-25 and running thence South along the west line of said Section 13 a distance of 114 feet; thence East on a line with the said road a distance of 287 feet; thence North on a line parallel with the said Section line a distance of 114 feet; thence West along the center of the Watertown and Minnetrista road to the place of beginning a distance of 287 feet excepting and reserving therefrom a strip of land one rod wide along the Section line on the west side of the above described tract. Also two (2) rods along the North side of said tract being now occupied as a public highway of land as a cartway. The remainder to contain one half (1/2) acre of land.

Commencing at a point 114 feet South of the center of the road (now running through Section 13 of the Township 117 Range 25 known as the Watertown and Minnetrista Road) on the west line of Lot 1 Section 13-117-25 and running thence South along the said West line of said Section 13 a distance of 114 feet; thence East on a line with the said road a distance of 287 feet; thence North on a line parallel with the said Section line a distance of 114 feet; thence West on a line with the said road a distance of 287 feet excepting and reserving therefrom a strip of land one rod wide along the Section line on the West side of the above described tract of land as a cartway. The remainder to contain one half (1/2) acre of land.

Prepared by Land Management

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of Sale and Conveyance of Tax Forfeited Land for an Authorized Public Purpose

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Governmental Subdivisions have the option to approve tax forfeited properties for public sale or withhold parcels for public use or public purpose per M.S. 282.01, Subd. 1.

On May 7, 2013, a list of tax forfeited parcels was approved by the Carver County Board for classification and appraised value. Cities were then notified of said list and given the option to withhold any of those parcels for public use or purchase for public purpose. The classification of all parcels, a list of withheld parcels and the public sale of the remaining parcels was approved by the cities.

Applications to withhold from sale and to purchase two tax forfeited parcels for public purpose were received from the City of Waconia. Upon approval by the County Board, the applications will be submitted to the Department of Revenue for the issuance of State Deeds to the City of Waconia.

Attached is a Resolution for the Sale and Conveyance of Tax Forfeited Land to the City of Waconia for an Authorized Public Purpose, including Exhibit A containing parcels withheld to purchase for public purpose and an Executive Summary.

ACTION REQUESTED:

Please review and approve the attached resolution and documents for the sale and conveyance of tax forfeited land to the City of Waconia for the intended authorized purpose.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: _____

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

APPROVAL OF SALE AND CONVEYANCE OF TAX FORFEITED LAND TO THE CITY OF WACONIA FOR AN AUTHORIZED PUBLIC PURPOSE

WHEREAS, The Carver County Board of Commissioners, State of Minnesota, has reviewed the request by the City of Waconia for the purchase of tax-forfeited lands for an authorized public purpose as listed on attached Exhibit A; said parcels were previously withheld from sale and do comply with the provisions of Minnesota Statutes 282.01, Subd.1a, and other statutes that require withholding of tax-forfeited lands from sale; and

WHEREAS, Said parcels of land have been reviewed by the Carver County Board of Commissioners and have been appraised by the Carver County Assessor's Office and classified as non-conservation lands as provided for in Minnesota Statutes §282.01.; and

NOW, THEREFORE BE IT RESOLVED, The Carver County Board of Commissioners hereby certify that the parcels of land listed on attached Exhibit A have been reviewed and do comply with the provisions of Minnesota Statutes §282.01, Subd.1a and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby approve the applications submitted by the City of Waconia for sale and conveyance to the City of Waconia for an authorized public purpose.

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David 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 proceeding 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 true and correct copy thereof.

Dated this _____ day of _____, 2014.

David Hemze, County Administrator

EXHIBIT A

Withheld to Purchase for Public Purpose

CITY	PIN	LEGAL DESCRIPTION	PURPOSE
CITY OF WACONIA:	75.3150610	Outlot A, Interlaken 4 th Addition	Economic development
	75.3150640	Outlot D, Interlaken 4 th Addition	Economic development

J. Michael Melchert, Esq.

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(952) 442-7788

Email Address:
jmmelchert@mhslaw.com



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BRANCH OFFICES
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Hutchinson, Minnesota

www.mhslaw.com

April 28, 2014

Delivered via email (pconness@co.carver.mn.us)

Patrick J.W. Conness, Esq.
Office of the Carver County Attorney
Assistant Carver County Attorney
604 East Fourth Street
Chaska, Minnesota 55318-2102

**Re: *City of Waconia Applications to Purchase Tax-Forfeited Parcels
Outlots A and D, Interlaken 4th Addition***

Dear Patrick:

The City of Waconia (the "**City**") has submitted applications to Carver County (the "**County**") to purchase the above-referenced tax-forfeited parcels (the "**Parcels**") pursuant to the procedure dictated by Carver County Taxpayer Services ("**Taxpayer Services**") in its letter to the City dated July 19, 2013. When it submitted the applications, the City also paid the County the appraised value of each Parcel, as determined by the County. Per your request, this letter summarizes in one document the information the City previously provided the County in support of its applications to purchase the Parcels.

The Parcels are part of the Interlaken development in the City (the "**Interlaken Development**"). The City previously levied nearly \$1 million in special assessments against the Parcels in connection with infrastructure improvements (collectively, the "**Special Assessments**"). Shortly after the Special Assessments were levied, the Interlaken Development fell victim to the real estate market crash that started in 2006. The developer that owned the Parcels went out of business and significant portions of the Interlaken Development, including the Parcels, were foreclosed by the developer's lender.

The Special Assessments were extinguished by the tax-forfeiture process. The City, however, has the right to reassess the Parcels. Further, the City has an additional \$200,000 of special assessments to levy yet in connection with unfinished work. Given the significant amount of the Special Assessments, the City would need to assert its right to reassess after any tax-

Patrick Conness, Esq.
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Page 2

forfeiture sale. Consequently, any sale of the Parcels to a third party would, as a practical matter, occur in the shadow of such reassessment and \$200,000 to be assessed. Further, the tax-forfeiture process has made title to the Parcels unmarketable. Based on the City's analysis, the prospect of anyone purchasing the Parcels under these circumstances is close to nil. Case in point: A developer currently constructing houses in other portions of the Interlaken Development has told the City that, although it is interested in the Parcels, it has no appetite to purchase them at a tax-forfeiture sale. The clouds created by the special assessments and unmarketable title place the Parcels outside of such developer's comfort zone.

Pursuant to Minnesota Statutes §282.01, the County may convey the Parcels to the City for any public purpose for which the City is authorized to acquire property. The City has broad authority under Minnesota Statutes §412.211 to acquire real estate for its purposes. Here, the City Council has passed a resolution approving acquisition of the Parcels for economic development purposes. The City has an interest in seeing the Parcels developed for residential housing consistent with the City's comprehensive plan. The City also has an interest in recovering at least a portion of the Special Assessments. Finally, the City desires to return the Parcels to the tax rolls for the benefit of the City and other taxing jurisdictions.

If a tax-forfeited property is acquired by a governmental subdivision for a "public purpose" as opposed to a "public use" under Minnesota Statutes §282.01, the deed conveying the property has no reverter clause and the subdivision must pay the appraised value for the property, as determined by the County. As noted above, in regard to each of the Parcels the City has already tendered payment of the appraised value.

Although the City ultimately hopes to convey the Parcels to a developer that will construct residential housing on the Parcels, the City has no contractual arrangement at this time to convey the Parcels to any particular developer. Thus, the City is not acting as a "middle man" for a pre-arranged transaction. Further, the City is not looking to purchase the Parcels and "flip" them for a quick profit. The County has appraised the Parcels at \$158,000. When this amount is added to the Special Assessments, the new amount to be assessed, applicable fees and due diligence investigation costs, the City would need to realize a sales price in excess of \$1.4 million to "profit" from any subsequent sale. Together, the Parcels consist of approximately 24.02 acres, and the City views a \$58,284.76 per acre sales price as an impossibility in the current market. At best, economic development will be promoted by the City's sale of the Parcels and losses will be mitigated.

After it acquires the Parcels, the City plans to register title to the Parcels so as to make them marketable. The City will negotiate with all prospective buyers that express interest, including the developer that has already contacted the City. Because of the difficulties associated

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with the Parcels, the City currently feels a negotiated transaction has the highest probability of success.

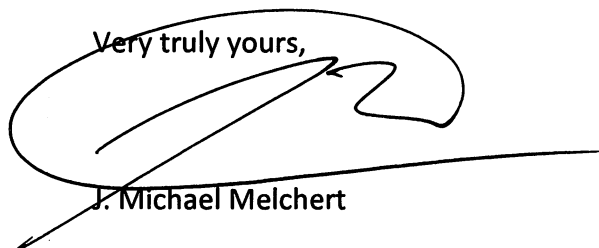
Based on its analysis, the City feels there are significant risks associated with a land auction given the unique circumstances. If a buyer purchases the Parcels without doing adequate background investigation, the buyer will be unaware of the City's intent to reassess the parcels. Given the amount of the Special Assessments that were extinguished, the reassessment would no doubt present a problem for an uninformed buyer. On the other hand, if the City negotiates the sale it can address the special assessment issue head-on with any potential buyer.

In regard to the developer that has already expressed interest, the County has specifically asked whether any City Council member or City officer has a direct pecuniary interest in such developer. The developer the County is asking about is a division of a publically traded company. I do not have actual knowledge of any City Council member or City officer having a direct pecuniary interest in such developer. I have also spoken with the City's Administrator, Susan Arntz, and she also has no actual knowledge of a City Council member or City officer having such an interest.

Finally, you should know that on September 17, 2013 the City asked the County to withhold the Parcels from sale so as to give the City an opportunity to conduct a due diligence investigation. At this point, the City has performed, at the City's expense, a Phase I Environmental study of the Parcels and has reviewed previously prepared soil tests. The City has also commissioned abstracts for the Parcels which the City will use to support an action to register title. Therefore, significant time and funds have been expended to date.

Given the above, the City respectfully requests it be allowed to purchase the Parcels.

Very truly yours,

A handwritten signature in black ink, appearing to be "J. Michael Melchert", written over a horizontal line. The signature is enclosed in a large, hand-drawn oval.

J. Michael Melchert

JMM/nkm

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Abatement application requesting write-off of penalty, interest and delinquency fees of parcels 58.5200010 and 58.5200020.

Primary Originating Division/Dept: <input type="text" value="PRTS - Property Taxation"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Teri Spencer"/> Title: <input type="text" value="Settlement Tech"/>	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 United States of America purchased property (PIN 58.5200010 and 58.5200020) in February of 2013. As a result these properties were classified taxable for 2013. Although the Federal Government is exempt from payment of real estate taxes, the US Army Corps of Engineers will make a payment in lieu of the original tax amount based strictly upon the timing of their typical exempt status. Since the United States government is prohibited from paying penalty, interest and delinquency fees associated with the delinquent taxes, they have requested a waiver of the penalty, interest and delinquency fees.

ACTION REQUESTED:

Laurie Davies, Taxpayer Services Manager, recommends approval of the abatement of penalty, interest and delinquent fees.

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 - 2539

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 taxpayers. See attached listing.

ACTION REQUESTED:

Recommend to approve.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	(\$5,725.44)
Other	(\$11,176.56)
Total	(\$16,902.00)

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2540



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

**CARVER
 COUNTY**

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
 May 6, 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	County Dollars Abated
2014	04.1500010	Craig & Melanie Sparby	Homestead	\$ 3,694.00	\$ 3,564.00	\$ (130.00)	\$ (52.80)
2014	05.0020700	Travis L. & Dana Timm	Homestead	\$ 1,904.00	\$ 1,742.00	\$ (162.00)	\$ (88.16)
2014	10.0290410	Greg A. Hoese & Jason D. Hoese	Homestead	\$ 2,280.00	\$ 1,710.00	\$ (570.00)	\$ (228.61)
2014	20.0190700	Robert C. & Cheryl R. Nelson	Homestead	\$ 1,942.00	\$ 1,538.00	\$ (404.00)	\$ (122.27)
2014	20.0500130	Justin William Hartley	Homestead	\$ 2,220.00	\$ 1,842.00	\$ (378.00)	\$ (113.92)
2014	20.1120200	James K. Ross & Thuoc Nguyen	Homestead	\$ 6,490.00	\$ 6,448.00	\$ (42.00)	\$ (11.84)
2014	20.1260130	William Douglas Lawson	Classification Change	\$ 2,978.00	\$ 2,514.00	\$ (464.00)	\$ (123.80)
2014	20.1400080	Michael Worm	Homestead	\$ 4,104.00	\$ 3,874.00	\$ (230.00)	\$ (69.47)
2013	20.1412207	Scott P. Mielke & Kristin J. Magers	Homestead	\$ 2,144.00	\$ 1,740.00	\$ (404.00)	\$ (122.22)
2014	20.1412207	Scott P. Mielke & Kristin J. Magers	Homestead	\$ 2,054.00	\$ 1,660.00	\$ (394.00)	\$ (120.62)
2014	20.4250950	Ryan L. & Emily R. Work	Homestead	\$ 4,422.00	\$ 4,216.00	\$ (206.00)	\$ (63.08)
2014	25.0880570	Weston & Brenda Vogds	Homestead	\$ 1,926.00	\$ 1,610.00	\$ (316.00)	\$ (114.20)
2014	25.3670030	Katherine Marie Antoninette Forrester	Homestead	\$ 7,196.00	\$ 7,196.00	\$ -	\$ -
2014	25.3873904	Tracy J. O'Brien & Berry J. Kropiwka	Homestead	\$ 336.00	\$ 182.00	\$ (154.00)	\$ (55.86)
2014	25.3874101	Piyush & Neha Jain	Homestead	\$ 3,044.00	\$ 2,812.00	\$ (232.00)	\$ (84.76)
2014	25.3875007	Jennifer N. Ness	Homestead	\$ 318.00	\$ 172.00	\$ (146.00)	\$ (53.40)
2014	25.5320550	Kellie L. Weibrenner	Homestead	\$ 1,900.00	\$ 1,580.00	\$ (320.00)	\$ (116.63)
2014	25.5500450	Robert J. Doherty	Homestead	\$ 3,430.00	\$ 3,284.00	\$ (146.00)	\$ (63.40)
2014	25.6150260	Ivan Edwin & Marylee Kay Brenke	Disaster Credit	\$ 3,016.00	\$ 2,237.00	\$ (779.00)	\$ (268.14)
2014	25.6150520	Roger Nitz	Homestead	\$ 3,262.00	\$ 3,104.00	\$ (158.00)	\$ (68.99)
2014	25.8200180	Gary L. & Patricia Johnson	Homestead	\$ 3,618.00	\$ 3,430.00	\$ (188.00)	\$ (68.46)
2014	25.8481720	Donald E. & Allie R. Kronberg	Relative Homestead	\$ 1,728.00	\$ 1,396.00	\$ (332.00)	\$ (120.72)
2014	25.8482470	Magalie E. Patin	Homestead	\$ 2,178.00	\$ 1,880.00	\$ (298.00)	\$ (108.05)
2014	30.0680020	Jose A. Rodriguez	Homestead	\$ 1,708.00	\$ 1,544.00	\$ (164.00)	\$ (60.13)
2014	30.0800440	Kathy Kirkeby	Homestead	\$ 2,830.00	\$ 2,588.00	\$ (242.00)	\$ (88.95)
2014	30.1760050	Christopher J. & Jennifer Boyce	Homestead	\$ 4,594.00	\$ 4,488.00	\$ (106.00)	\$ (38.83)
2014	30.2650430	Michael Hesse	Homestead	\$ 2,368.00	\$ 2,092.00	\$ (276.00)	\$ (100.29)
2014	30.3480060	Gloria Jane Corrin	Homestead	\$ 1,126.00	\$ 752.00	\$ (374.00)	\$ (137.37)
2014	30.3850460	John & Lea I. Skille	Homestead	\$ 1,892.00	\$ 1,576.00	\$ (316.00)	\$ (116.85)
2014	30.3850560	Gamaliel Olivares Carrera & Carolina Carrera	Homestead	\$ 1,932.00	\$ 1,620.00	\$ (312.00)	\$ (114.42)
2014	30.4300150	Anthony Prindle	Homestead	\$ 2,486.00	\$ 2,216.00	\$ (270.00)	\$ (99.72)
2014	30.4450160	Derek M. & Keelia B. Ciernia	Homestead	\$ 5,718.00	\$ 5,698.00	\$ (20.00)	\$ (8.29)

2014	30.4450170	Josiah Mark Overfors	Homestead	\$ 3,384.00	\$ 3,184.00	\$ (200.00)	\$ (73.51)
2014	30.4870030	Lynne Marie Ringsred	Homestead	\$ 3,292.00	\$ 3,086.00	\$ (206.00)	\$ (75.61)
2014	30.6160020	Thomas L. & Judith A. Newhouse	Homestead	\$ 618.00	\$ 558.00	\$ (60.00)	\$ (1.34)
2014	30.6601413	Debbie Isabell-Nelson	Homestead	\$ 2,224.00	\$ 1,936.00	\$ (288.00)	\$ (105.27)
2014	30.6810060	Juan Amaro	Homestead	\$ 2,800.00	\$ 2,556.00	\$ (244.00)	\$ (89.38)
2014	30.9510194	Jorge Alberto Hernandez Ortega & Monica Hernandez-Martinez	Homestead	\$ 256.00	\$ 178.00	\$ (78.00)	\$ (28.00)
2014	30.9510410	Derik Arias Nieto & Darla Rae Nieto	Homestead	\$ 162.00	\$ 116.00	\$ (46.00)	\$ (16.33)
2014	30.9520100	Jonatan Soto Quinones	Homestead	\$ 70.00	\$ 54.00	\$ (16.00)	\$ (5.88)
2014	30.9520505	Roberto Tristan Hernandez	Homestead	\$ 96.00	\$ 72.00	\$ (24.00)	\$ (8.45)
2014	40.4420080	Susan M. Weinzierl	Homestead	\$ 1,690.00	\$ 1,276.00	\$ (414.00)	\$ (125.43)
2014	40.8000370	Lee & Chanda Gregg	Homestead	\$ 3,024.00	\$ 2,696.00	\$ (328.00)	\$ (99.44)
2014	50.1270290	Ronald & Susan A. Hartwig	Classification Change	\$ 3,288.00	\$ 2,806.00	\$ (482.00)	\$ (123.73)
2014	58.1500220	Kristin Karol Johnson	Homestead	\$ 2,248.00	\$ 1,914.00	\$ (334.00)	\$ (111.35)
2014	58.5200020	United States of America	Remove SWF	\$ 112.45	\$ 87.45	\$ (25.00)	\$ (25.00)
2014	65.3580100	Janelle M. Cote & Nathaniel W. Narem	Homestead	\$ 4,280.00	\$ 4,144.00	\$ (136.00)	\$ (54.41)
2013	65.3860120	Andrew J. & Bryn K. Hall	Homestead	\$ 1,586.00	\$ 900.00	\$ (686.00)	\$ (232.19)
2014	65.4710430	Kristin Wood	Remove SWF	\$ 142.00	\$ 118.00	\$ (24.00)	\$ (24.00)
2014	75.2520080	William R. Crooks	Homestead	\$ 2,088.00	\$ 1,754.00	\$ (334.00)	\$ (110.29)
2014	75.2740360	Ronald Roberts	Homestead	\$ 1,298.00	\$ 896.00	\$ (402.00)	\$ (134.97)
2014	75.2890090	Dick J. & Cheryl A. Hunt	Homestead	\$ 2,338.00	\$ 2,022.00	\$ (316.00)	\$ (105.85)
2014	75.3130710	Travis J. & Dristin M. Nelson	Homestead	\$ 1,088.00	\$ 564.00	\$ (524.00)	\$ (174.84)
2014	75.3330020	Mary Ann Van Sloun	Homestead	\$ 2,264.00	\$ 1,942.00	\$ (322.00)	\$ (108.19)
2014	75.4470240	Eric J. & Rebekah A. Nesvig	Homestead	\$ 3,302.00	\$ 3,064.00	\$ (238.00)	\$ (80.14)
2014	75.5030160	James Phillip Hoiosen	Homestead	\$ 2,224.00	\$ 1,898.00	\$ (326.00)	\$ (109.48)
2013	75.5050640	Waconia Landing HO Assn.	Tax Exempt	\$ 4.00	\$ -	\$ (4.00)	\$ (0.92)
2014	75.5050640	Waconia Landing HO Assn.	Tax Exempt	\$ 4.00	\$ -	\$ (4.00)	\$ (1.02)
2014	75.5240540	Waterford Master Assoc.	Tax Exempt	\$ 1,154.00	\$ -	\$ (1,154.00)	\$ (356.76)
2014	75.5510250	Jonathan Colstrom	Homestead	\$ 1,546.00	\$ 1,166.00	\$ (380.00)	\$ (126.51)
2014	85.5340110	Troy M. & Anna C. L. Guentzel	Homestead	\$ 2,902.00	\$ 2,532.00	\$ (370.00)	\$ (102.40)
2014	85.5350170	Thomas & Nyla Kuhne	Homestead	\$ 3,786.00	\$ 3,490.00	\$ (296.00)	\$ (81.18)
2014	85.9510007	Timothy D. Vogt	Homestead	\$ 276.00	\$ 186.00	\$ (90.00)	\$ (24.25)
2014	85.9520036	Jessica Ann Luoma	Homestead	\$ 74.00	\$ 56.00	\$ (18.00)	\$ (5.07)
TOTALS				\$ 144,458.45	\$ 127,556.45	\$ (16,902.00)	\$ (5,725.44)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

PEER Award Recognition

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Contact: Title:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

PEER Awards are the County's annual recognition of the hard work that employees participate in during the prior year of service. Employees within Carver County may recognize other employees for their hard work and contributions to making Carver County a great organization.

ACTION REQUESTED:

15 minutes to recognize the three recipients of the PEER Awards in the categories of Customer Service, Innovation and Team Work. Each recipient will be given the opportunity to speak.

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2524

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Increase the .75 Jail Pre-Release Coordinator/Truancy to 1.0 FTE

Primary Originating Division/Dept: <input type="text" value="Community Social Services"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Gary Bork"/> Title: <input type="text" value="Director"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text" value="Gary Bork"/> Title: <input type="text" value="Director"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Jail Pre-Release Coordinator was created from a Department of Justice Grant. When the grant expired the Classification was changed to a Social Worker II (Jail Pre-Release Coordinator/Truancy) to reflect the job and funding change. The position became .5 FTE Jail Pre-Release Coordinator funded in part by the Sheriff's Office and .5 FTE Social Worker II performing truancy work. The Behavioral Health Department of Community Social Services was awarded another Department of Justice Grant to create a small mental health unit for the jail. Part of the grant funded a .25 FTE Social Worker which is to be added to the Social Worker II (Jail Pre-Release Coordinator/Truancy) position. This .25 FTE was approved by the Board on February 4, 2014. This action left the Division with .75 FTE for Jail Pre-Release duties and .5 FTE Social Worker II truancy duties. The Commander of the Jail wanted to make the Jail Pre-Release a full time position and proposed using Pay for Stay funding for the remaining .25 FTE. The Sheriff concurs with the plan and the County Finance Director has confirmed there is excess revenue over the amount budgeted for CY2014.

To accomplish the above, the Social Worker II (Jail Pre-Release Coordinator/Truancy) position will be eliminated. A new 1.0 FTE Jail Pre-Release Coordinator will be created from .5 FTE of Social Worker II (Jail Pre-release Coordinator/Truancy), the new .25 FTE Department of Justice Grant funding and .25 FTE funding from the Sheriff's Department (Pay for Stay). The truancy portion of the original position will become a .5 FTE Social Worker II (Truancy).

The Community Social Services Division has filled the .5 FTE Social Worker II (Truancy) effective April 3, 2104.

ACTION REQUESTED:

- To delete the 1.0 FTE Social Worker II (Jail Pre-Release Coordinator/Truancy) position effective April 3, 2014.
- To delete the .25 FTE Social Worker II (Department of Justice Grant).
- To create a 1.0 FTE Jail Pre-Release Coordinator position effective April 3, 2014
- To create a 0.5 FTE Social Worker II (Truancy) position effective April 3, 2014.
- To approve the Budget amendment transferring funds from the Sheriff's Division to Community Social Services.

FISCAL IMPACT: <input type="text" value="Budget amendment request form"/>	FUNDING						
If "Other", specify: <input type="text"/>	<table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Pay for Stay</td> <td style="text-align: right;">\$14,056.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$14,056.00</td> </tr> </table>	County Dollars =	\$0.00	Pay for Stay	\$14,056.00	Total	\$14,056.00
County Dollars =	\$0.00						
Pay for Stay	\$14,056.00						
Total	\$14,056.00						
FTE IMPACT: <input type="text" value="Increase budgeted staff"/>	<input checked="" type="checkbox"/> Insert additional funding source						

Related Financial/FTE Comments:

For the last 9 months of 2014 the amount is \$14,056. On an annualized basis the amount is \$18,741.

FTE increase: This is an increase of .25 FTE.

Office use only:

RBA 2014 - 2534

Close

Budget Amendment Request Form



Agenda Item: Increase the .75 Jail Pre-Release Coordinator/Truancy to 1.0 FTE

Department:

Meeting Date: 5/6/2014

Requested By: Chuck Churchill

Fund:

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

Description of Accounts	Acct #	Amount
Fees From Sheriff	11-480-702-0000-55...	\$14,056.00
TOTAL		\$14,056.00

Description of Accounts	Acct #	Amount
Salaries	11-480-702-0000-61...	\$14,056.00
TOTAL		\$14,056.00

Reason for Request:

To transfer revenue funds from the Sheriff's Divisions budget to Community Social Services budget to cover the addition of a .5FTE Truancy Social Worker.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Chaska License Center Drive-Thru Project

Primary Originating Division/Dept: Administrative Services	Meeting Date: 5/6/2014
Contact: Nick Koltavy Title:	Item Type: Regular Session
Amount of Time Requested: 15 minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: Nick Koltavy Title: Project & Communications Mana	
Strategic Initiative: Connections: Develop strong public partnerships and connect people to services and information	

BACKGROUND/JUSTIFICATION:

Carver County and the City of Chaska staff are requesting a partnership to purchase 407 Pine St N. which is located next to the Chaska Service Center.

This project will assist the City in providing more off-street parking for City employees and decrease vehicle-related congestion in the Pine Street/4th Street area. This project will assist the County in providing additional off-street parking for County employees, customers of the License Center, and will allow the addition of a drive-thru on the south side of the building. The drive-thru will allow the License Center to provide more customer-friendly services.

The County would officially purchase the property and retain ownership. The City and County would split the cost to purchase the property, demo the site and construct a parking lot. The County would be responsible for all costs related to service center building improvements. Project budget details:

	County	City	Total
Purchase Property	\$75,000	\$75,000	\$150,000
Demo House	\$7,500	\$7,500	\$15,000
Misc Fees (closing, EA, etc)	\$3,000	\$3,000	\$6,000
2014 Total	\$85,500	\$85,500	\$171,000
Parking Lot	\$30,000	\$30,000	\$60,000
Building Improvements	\$40,000	\$0	\$40,000
2015 Total	\$70,000	\$30,000	\$100,000
Project Total	\$155,500	\$115,500	\$271,000

Demo house costs assumes no major environmental issues come up.

Property Records and Taxpayer Services believes additional staffing will be needed to service the drive-thru. They will make budget requests as necessary. The cost of one part-time position would be \$18,000-20,000.

The property owner is a willing seller and approached the City about purchasing the property.

ACTION REQUESTED:

Motion to approve the Chaska Service Center drive-thru project including the project budget, the purchase of 407 Pine St N in Chaska and enter into a Memorandum of Understanding between the City of Chaska and Carver County for the cost share on the project pending review by attorney and risk. Furthermore, delegate the signature authority for the purchase agreement, closing documents and memorandum to the County Administrator.

FISCAL IMPACT: Budget amendment request form <input type="button" value="v"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text" value="\$155,500.00"/> City of Chaska <input type="text" value="\$115,500.00"/> Total <input type="text" value="\$271,000.00"/> <input type="checkbox"/> Insert additional funding source
FTE IMPACT: None <input type="button" value="v"/>	

Related Financial/FTE Comments:

City and County split cost for purchasing home, demo site, fees and parking lot improvements. County responsible for improvements to the building. Project will be split in two year - purchasing the property and demo the house in 2014 and constructing the parking lot and building improvements in 2015.

County funding sources: \$116,006.90 in Commissioner contingency funds; \$35,187.75 in non-departmental CPA funds; \$4,305.35 in unspent CIP funds.

Office use only:

RBA 2014 - 2520

Commissioner Contingency Request Form



Submit AFTER RBA submittal

Agenda Item: Chaska License Center Drive-Thru Project

Department:

Meeting Date: 5/6/2014

Requested By: Nick Koktavy

Fund: 01 - General

Description of Revenue Accounts	Acct #	Increase/ (Decrease) Amount
TOTAL		\$0.00

Description of Expenditure Accounts	Acct #	Increase/ (Decrease) Amount
Land	30-967-000-0000-6601	\$116,007.00
Commissioners Contingency	01-001-000-0000-6829	(\$116,007.00)
TOTAL		\$0.00

Reason for Request:

City and County split cost for purchasing home, demo site, fees and parking lot improvements. County responsible for improvements to the building. Project will be split in two year - purchasing the property and demo the house in 2014 and constructing the parking lot and building improvements in 2015.

Financial Impact(to be filled out by Finance Director)

Commissioner Contingency Beginning of the Year Balance	\$200,000.00
Commissioner Contingency Current Adjustment	(\$116,007.00)
Commissioner Contingency Previous Adjustment	0.00
Remaining Balance After Adjustment	\$83,993.00

County Board Decision:

Budget Amendment Request Form



Agenda Item: Chaska License Center Drive-Thru Project

Department:

Meeting Date: 5/6/2014

Requested By: Nick Koltavy

Fund:

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

Description of Accounts	Acct #	Amount
Commissioners Contingency	01-001-000-0000-68...	\$116,007.00
Professional & Tech fees	30-820-000-0000-62...	\$35,188.00
Building Construction	30-966-000-0000-66...	\$4,305.00
TOTAL		\$155,500.00

Description of Accounts	Acct #	Amount
Land	30-967-000-0000-66...	\$85,500.00
Building Improvements	30-967-000-0000-66...	\$40,000.00
Site & Ground Improvements	30-967-000-0000-66...	\$30,000.00
TOTAL		\$155,500.00

Reason for Request:

City and County split cost for purchasing home, demo site, fees and parking lot improvements. County responsible for improvements to the building. Project will be split in two year - purchasing the property and demo the house in 2014 and constructing the parking lot and building improvements in 2015.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Appointment to the Water, Environment and Natural Resources Committee

Primary Originating Division/Dept: Administration (County)	Meeting Date: 5/6/2014 Item Type: Regular Session
Contact: Dave Hemze Title: County Administrator	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Amount of Time Requested: 5 minutes Presenter: Dave Hemze Title: County Administrator	

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

BACKGROUND/JUSTIFICATION:

There is one remaining vacancy in Commissioner District #1 on the Water, Environment and Natural Resources Committee. John Siegfried, residing in Commissioner District #1, and Molly Koivumaki, residing in Commissioner District #3, have submitted an application to serve on the WENR Committee.

ACTION REQUESTED:

Motion to fill remaining vacancy on Water, Environment and Natural Resources Committee.

FISCAL IMPACT: None	FUNDING
If "Other", specify:	County Dollars =
FTE IMPACT: None	Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2529

Carver County Board of Commissioners Request for Board Action



Agenda Item:

County Ditch 6 easement

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Contact: Title:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

A private bridge crossing constructed as part of County Ditch #6 in Section 29, Dahlgren Township is in a state of disrepair. The cost to replace this bridge is in excess of \$160,000.00. Minnesota Statute 103E.526 states "If the drainage authority finds that constructing a private road would be more cost effective or practical than constructing a bridge or culvert, the drainage authority may order that a private road be constructed."

The owners of the private bridge have asked that this issue be resolved. In order to provide the landowner with access to property on the south side of County Ditch #6, an easement (0.416 acres) will be needed from a neighboring landowner.

Staff has investigated the costs of removing the existing bridge and acquiring an easement from the adjacent landowner; the total cost of this is estimated to be less than \$14,000.00.

ACTION REQUESTED:

Direct staff to move forward with the acquisition of the easement from the adjacent landowner and remove the existing bridge. Cost of this project will be paid from the County Ditch #6 fund, with no financial impact to the County Budget.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Cost paid from the County Ditch #6 fund.

Office use only:

RBA 2014 - 2535

County Ditch #6 - Bridge Crossing



Disclaimer: 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.

Map Scale
1 inch = 400 feet
10/16/2013

PERMANENT RIGHT OF WAY EASEMENT

Carver County Drainage Ditch #6

Project: Buetow/Hartung

Parcel: 040290132

Steven G. Buetow , being the owner(s), in fee simple, of the real estate hereinafter described, hereby grant(s) unto Carver County, its successors and assigns, the hereinafter described permanent and exclusive easement for good and valuable consideration.

The said permanent easement is for agricultural access right of way and drainage purposes in Carver County, in the State of Minnesota, over, under and across the following property:

Said easement being further described as follows: A permanent access easement over, under, through and across the following described parcel:

The Southwest Quarter of the Northeast Quarter of Section 29, Township 115, Range 24, Carver County, Minnesota except the south 364.20 feet thereof.

Said permanent access easement being a strip of land 33.00 feet wide lying northerly of and adjoining the following described line:

Commencing at the northwest corner of the Southwest Quarter of the Northeast Quarter of Section 29, Township 115, Range 24, Carver County, Minnesota; thence South 0 degrees 45 minutes 30 seconds West along the west line of said Southwest Quarter of the Northeast Quarter, 61.00 feet to the point of beginning of said line; thence North 88 degrees 17 minutes 00 seconds, 489.00 feet; thence North 65 degrees 24 minutes 00 seconds East to the north line of said Southwest Quarter of the Northeast Quarter and herein described line there terminating.

Excepting therefrom that part lying within the public right-of-way of County State Aid Highway No. 41.

Said easement contains .4160 acres and includes any existing right of way easement.

Further, the owner agrees not to construct fences, retaining walls, or other obstructions, perform tillage, plant trees, hinder in any way the flow of surface water, or perform any detrimental operation within the permanent easement, except the owner is hereby permitted to plant and harvest hay crops or mow and maintain grass within the limits of the permanent easement until such time as Carver County directs otherwise.

Further, it is understood that Carver County shall have the right to use and remove all trees, shrubs, and other materials lying within the limits of the permanent easement.

Further, it is understood that the permanent easement is for access to the adjacent parcel, PID #040290710, for agricultural purposes only, in accordance with Minnesota Statute 103E.526, and shall not provide for access for other purposes including but not limited to residential development.

Further, the owner, their successors and assigns, hereby release the County of Carver, its officers and agents, from any and all liability and claims concerning the herebefore described permanent easement and the owner's adjoining premises that may result by virtue of the maintenance, and use of an access easement over and upon the herein before described permanent easement, if the liability and/or claims are caused by the negligence of Carver County, its officers and agents. This release does not extend to liability for gross negligence and/or wanton misconduct by Carver County, its officers or agents.

Grantor understands and acknowledges that the permanent easement on or adjoining Grantor's property also includes any previously donated highway easements as well as road easements established by use.

The owner(s) certify that there are no abandoned wells, septic system components, other obstructions (above or below the ground surface), or known environmental hazards in the area described in this easement document.

Dated this _____ day of _____, 20_____.

Check here if part or all of the land is Registered (Torrens)

This Instrument Was Drafted By/Return To: Carver County Auditor, 600 East 4th Street, Chaska, MN, 55318.

ACKNOWLEDGMENT

STATE OF MINNESOTA, COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by

Notary Public
My Commission expires _____

ACKNOWLEDGMENT

STATE OF MINNESOTA, COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by

_____.

Notary Public
My Commission expires _____

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Award of Construction Contract for the Southwest Reconnection Project

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Carver County Public Works held a bid opening on Thursday, April 17, 2014 for the construction of the Southwest Reconnection Project. A total of four (4) bids were received and the low responsible bidder is Ames Construction, Inc. (Burnsville, MN) with a total bid of \$49,273,580.35. The Engineers Estimate was \$50,412,586.70.

MnDOT did a review of the main 101 bridge bid results and concurs with the award to the low bidder. The City of Chanhassen has also concurred in the award. Funding for the construction is shown in the table below.

The total project cost with construction, design consultant fees, and right of way acquisition costs is approximately \$53,000,000.00. An additional \$7,500,000 in design and construction administration services is being provided by MnDOT. MnDOT staff designed the 101 bridge and is performing construction administration for the whole project.

ACTION REQUESTED:

Motion to adopt a resolution to award the Southwest Reconnection Project construction contract to Ames Construction, Inc. of Burnsville, MN and to accept Alternates 1 and 2 for a total award amount of \$49,273,580.35 and further authorize the County Engineer to approve change orders and supplemental agreements for the project up to \$100,000.00.

FISCAL IMPACT:
If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	
LRIP	\$8,684,887.00
State	\$20,035,000.00
Carver County (Turnba...	\$14,927,929.20
Carver County	\$5,056,870.78
City of Chanhassen	\$556,695.87
Scott County	\$12,197.50
Total	\$49,273,580.35

Related Financial/FTE Comments:

The funding splits shown are according to approved JPA's with the City of Chanhassen, Scott County and the 101 Turnback Agreement with MnDOT. The State share is a lump sum payment for the turnback of 101. The Carver County (Turnback Funds) and Carver County share will be financed with a combination of cash reserves and bonds. The turnback portion of the bonds is anticipated to be paid back by the State by 2025.

Office use only:

RBA 2014- 2537

BID SUMMARY

CSAH 61 AND TH 101 "Y" INTERSECTION AND MN RIVER BRIDGE

SAP 010-661-002

CARVER COUNTY

BID OPENING: 4/17/2014 2:00 PM

	TOTAL BASE BID	TOTAL ALTERNATE #1	TOTAL ALTERNATE #2	TOTAL PROJECT BID
AMES CONSTRUCTION	\$49,144,720.35	\$93,860.00	\$35,000.00	\$49,273,580.35
LUNDA CONSTRUCTION COMPANY	\$50,051,266.00	\$75,088.00	\$34,515.00	\$50,160,869.00
CS MCCROSSAN CONSTRUCTION	\$54,517,900.10	\$79,781.00	\$38,500.00	\$54,636,181.10
EDWARD KRAEMER & SONS, INC	\$60,352,408.72	\$75,088.00	\$35,000.00	\$60,462,496.72

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

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

Awarding of the Southwest Reconnection Project, Carver County Contract 14-102

WHEREAS, On March 10, 2014 the Carver County Engineer authorized the advertisement of bids for the Southwest Reconnection Project; and

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, April 17, 2014 at 2:00 p.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, four (4) sealed bids were received by Carver County Public Works, opened by two (2) representatives of Carver County Public Works, and read aloud for the Southwest Reconnection Project, said sealed bids for the responsible bidders are summarized as follows:

<u>Contractor</u>	<u>Total Bid (with Alt. 1 and 2)</u>	<u>Over/Under Engineers Estimate</u>
Ames Construction	\$49,273,580.35	-2.26 %
Lunda Construction Company	\$50,160,869.00	-0.50%
CS McCrossan Construction	\$54,636,181.10	8.38%
Edward Kraemer & Sons, Inc.	\$60,462,496.72	19.94%
<i>Engineers Estimate</i>	<i>\$50,412,586.70</i>	

And WHEREAS, after examination of the sealed bids by Carver County Public Works, Ames Construction is the successful low responsible bidder;

NOW THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Carver County Contract 14-102 with Ames Construction of Burnsville, MN, in the name of the County of Carver for the construction of the Southwest Reconnection Project in accordance with the construction plans and specifications contained in the project manual and accepts Alternate 1 and Alternate 2; and

BE IT FURTHER RESOLVED that Carver County Public Works is hereby authorized and directed to return the proposal guaranty to the bidders, except that of the successful low responsible bidder and second and third lowest bidder, which shall be retained until the construction contract has been signed and the performance and payment bonds of the low responsible bidder have been executed; and

BE IT FURTHER RESOLVED that Carver County Engineer is hereby authorized to take actions necessary and to enter into change orders or supplemental agreements on behalf of Carver County with an amount less than one hundred thousand dollars (\$100,000.00) and an aggregate project total of three

million dollars (\$3,000,000.00), when time is of the essence to make contract changes due to unforeseen construction conditions in order to minimize construction delays and to efficiently carry out the planned project improvements.

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Land Acquisition for CSAH 10 Roadway Reconstruction Project # SP 010-610-046

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="5/6/2014"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right of Way Agent"/>	Item Type: Closed Session <input type="text"/>
Amount of Time Requested: <input type="text" value="20"/> minutes Presenter: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="Public Works Director/County ..."/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The 2015 construction program includes a project to reconstruct CSAH 10 between County Road 30 on the south and Highway 7 on the north. The project requires acquisition of additional right-of-way from numerous property owners along the CSAH 10 corridor. Appraisals on all impacted parcels are currently being completed.

The property owner of PID #09.0030300 has requested the county purchase additional property beyond the area impacted by the road project.

ACTION REQUESTED:

Motion to enter into closed session according to Minnesota Statute Section 13D.05 in order to review confidential appraisal data and to get guidance from the County Board for the purchase of real property within PID #09.0030300.

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 - 2543