



Carver County Board of Commissioners
 October 7, 2014
 Regular Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:00 a.m.	1.	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) New Employee Introduction 1	
	2.	Agenda review and adoption	
	3.	Approve minutes of September 16, 2014 Regular Session	2-5
	4.	Community Announcements	
9:10 a.m.	5.	CONSENT AGENDA	
		<i>Connections: Develop strong public partnerships and connect people to services and information</i>	
	5.1	2014-2015 Renewal of On-Sale and Sunday Liquor License for Baumann Enterprises Inc. dba B's on the River	6
	5.2	2014-2015 Renewal of On-Sale Liquor License for Schram Winery LLC dba Schram Vineyards	7
	5.3	Application for 2014-2015 On-Sale and Sunday Liquor License for Lancer at Edinburgh, Inc. dba Lancer Catering Waconia	8
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	5.5	2014-2015 Renewal of On-Sale Liquor License for Parley Lake Winery LLP dba Parley Lake Winery	10
	5.6	Application for 2014-2015 renewal of On-Sale, Off-Sale and Sunday Liquor License for Hollywood Roadhouse LLC dba Hollywood Roadhouse	11
	5.7	Application for 2014-2015 renewal of On-Sale and Sunday Liquor License for Whistle Post LLC dba Sovereign Estate Wine	12
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
	5.8	Approval of Grant Agreement for WeCab	13
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i>	
	5.9	Revocation and Turnback of County Highway No. 30 (Old Beach Lane, Waconia)	14-15
	5.10	Resolution Authorizing Eminent Domain for the CSAH 10 (between CSAH 30 and TH 7) Reconstruction Project	16-23
	5.11	Right-of-way Acquisition for Project #SP 010-610-046, CSAH 10 From CSAH 30 to Highway 7	24-33

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

- 5.12 FTE Changes for Two Therapists 34
- 5.13 Convert a Collections Officer to an Account Technician 35

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

- 5.14 Abatements/Additions 36-37
- 5.15 Review Social Services/Commissioners Warrants NO ATT

- 9:10 a.m. **6. FINANCES: Improve the County's financial health and economic profile**
 - 6.1 PSA for Preparation of 2014 Regional Solicitation Submittal for Federal Transportation Funding 38
- 9:25 a.m. **7. GROWTH: Manage the challenges and opportunities resulting from growth and development**
 - 7.1 Resolution Approving \$18M General Obligation Capital Improvement Note of 2014 ("Line of Credit") 39-47
- 9:40 a.m. **8. CONNECTIONS: Develop strong public partnerships and connect people to services and information**
 - 8.1 Legislative Committee Appointments 48
 - 8.2 **Closed Session** - Watercraft Access Site at Lake Waconia Regional Park 49

10:20 a.m. **ADJOURN CLOSED AND REGULAR SESSION**

WORK SESSION

- 10:20 a.m. **A. CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain public trust/confidence in County government**
 - 1. Discuss Public Employee Retirement Association (PERA) Correctional Plan Referendum 50

- 11:00 a.m. **BOARD REPORTS**
 - 1. Chair
 - 2. Board Members
 - 3. Administrator
 - 4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

- October 14, 2014 No Board Meeting
- October 21, 2014 2:30 Committee of the Whole Meeting
- October 21, 2014 4:00 p.m. Board Meeting
- October 28, 2014 Board Work Session
- November 4, 2014 9:00 a.m. Board Meeting

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Introduction of New Assistant County Attorney Kelsey Scanlon

Primary Originating Division/Dept: Attorney

Meeting

Date: 10/7/2014

Contact: Mark Metz Title: County Attorney

Item Type:

New Employee Intro

Amount of Time Requested: 5 minutes

Presenter: Mark Metz Title: County Attorney

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Kelsey Scanlon joined the County Attorney's Office on May 27, 2014. She is an Assistant County Attorney, practicing in the Criminal Division. Kelsey was a law clerk in the Carver County Attorney's Office for 11 months in 2011. She spent the next couple of years working as an Assistant City Attorney for the City of LeSueur and as a general practitioner in a small private law firm. We are excited to welcome Kelsey back to the Carver County Attorney's Office and we would like to introduce her to the Board of Commissioners.

ACTION REQUESTED:

Welcome Kelsey Scanlon.

FISCAL IMPACT: None
If "Other", specify:

FUNDING
County Dollars =

Total \$0.00

FTE IMPACT: None

QUOTES OR BIDS OBTAINED: N/A

Related Financial/FTE Comments:

Office use only:

RBA 2014- 2795

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on September 16, 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

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

Ische moved, Maluchnik seconded, to approve the minutes of the September 2, 2014, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

Lynch moved, Workman seconded, to approve the following consent agenda items:

Approved application for a one day to four day temporary on sale liquor license for St. Peter Lutheran Church, Watertown.

Approved application for renewal of the on-sale and Sunday liquor license for WJVA, Inc., d/b/a Timber Creek Golf Course.

Approved the donation of one SMART Board and one SMART tabletop symposium to the Eastern Carver County School District.

Approved joint powers agreement with Hollywood Township for replacement of Bridge No. L2811 pending finalization of the contract review process.

Two year service agreement with Carver County Townships and Cities, pending finalization of the contract review process.

Authorized the Chair to sign and submit the County comments on the Metropolitan Council's Draft Housing Policy Plan.

Authorized the Chair to sign and submit the comment letter regarding the 2020-2030 Metropolitan Council forecasts.

Approved the 2014 rates chart for seasonal, temporary and on call positions, including authorization for the Employee Relations Division to adjust seasonal, temporary and on-call positions' minimum wage rates as needed to maintain ranges in compliance, corresponding with applicable Federal and State minimum wage requirements.

Reviewed September 9, 2014, Community Social Services' actions/Commissioners' warrants in the amount of \$259,118.14 and reviewed September 16, 2014, Community Social Services' actions/Commissioners' warrants in the amount of \$307,899.93.

Motion carried unanimously.

Keri Anderka, Employee Relations, requested the Board approve a modification of one vacancy position. She updated the Board on the Division's organizational structure and explained the new job classification she was requesting and job responsibilities.

Ische moved, Maluchnik seconded, to approve elimination of one FTE vacant ER Business Partner position at grade 15 and establish one FTE Employee Relations Coordinator position at grade 14. Motion carried unanimously.

Dave Hemze, County Administrator, requested the Board set the 2015 preliminary budget and levy. He pointed out the work that had been done on the budget over the last several months and stated the amount adopted today can be decreased but not increased. He indicated the tax impact they are recommending is a zero increase to the average valued home. Hemze pointed out the significant overall budget decrease related to the 101 bridge project and the 2.3 million levy increase was coming from new tax base.

He highlighted the services provided by the County and the new library in the City of Victoria. Hemze identified the dollars spent on various services.

Kerie Anderka, Employee Relations, explained proposed 2015 staffing changes she was recommending to respond to increased demands for services. She outlined the addition of 13.65 positions and clarified the funding sources. Anderka pointed out the total FTE and stated the number of employees per capita has been gradually decreasing each year since 2008.

Dave Frischmon, Finance, summarized 2015 capital projects. He stated adjustments were made to various line items throughout the budget and a policy change was made in terms of vacancy savings. He outlined State CPA received over the past several years and the County's reduced reliance on State aid. Frischmon pointed out the new tax base that was captured and property value increases. He indicated it would be difficult to maintain services if they were not able to capture this new tax base.

He summarized the tax impact to residential homes, commercial and agricultural properties. Frischmon noted he would be coming back with the long term financial plan and would be looking at roads, bridge, buildings, trials and operations.

Frischmon reviewed the 2015 budget schedule. He pointed out the public hearing that would be held on the budget December 4th, at 6:00 p.m. and the plan to adopt the final budget on December 16th.

Ische moved, Maluchnik seconded, to approve the 2015 Administrators recommended \$94,396,850 preliminary total budget and \$49,861,920 preliminary tax levy. Degler, Ische, Maluchnik voted aye. Lynch, Workman voted nay. Motion carried.

Martin Walsh, Parks, requested the Board award the bid for the Lake Minnewashta Regional park road and parking lot improvement project. He noted the one mile gravel roadway and the service complaints received.

He explained project scoping work was done and highlighted the improvements they were recommending. He stated a bypass lane at the entrance would make it more efficient and boat access would be provided at one location. Walsh indicated some trees would be lost and closures and delays could be expected.

Walsh outlined the project budget and alternates. He stated work would be done during off peak periods and highlighted project benefits.

Workman moved, Maluchnik seconded, to award the contract to the low bidder, Park Construction Company, for \$1,286,671.35 for the Lake Minnewashta Regional Park improvement project. Motion carried unanimously.

Dave Hemze, County Administrator, requested the Board approve a lobbying services agreement. He pointed out the County's legislative needs and the efforts needed to move issues through the legislative process. Hemze noted the research he did and the discussions he had with Scott County that lead him to reach an agreement Scott County regarding their lobbyist. He pointed out Ms. Robling had legislative experience and served in the senate for a number of years.

He outlined the work to be performed and the contract amount. He stated he was projecting 100 hours as a starting point. Hemze explained he was also proposing to create an internal legislative committee that would include two Board members.

Lynch moved, Maluchnik seconded, to approve lobbying services agreement with Scott County. Motion carried unanimously.

Ische moved, Workman seconded, to create a legislative committee that includes two County Commissioners and County Administrator and to direct the County Administrator to determine meeting times and time commitment. Motion carried unanimously.

Hemze requested the Board adopt a Resolution to provide input on the Met Council's draft 2040 Transportation Policy Plan. He noted the focus on the Thrive MSP 2040 plan and the concerns that were raised with the direction of that document and in particular the Transportation Policy Plan.

He stated the Transportation Policy Plan was a very significant document that attaches to County funding and it has become evident that the suburban counties were not getting their fair share. Hemze explained the counties of Anoka, Carver, Dakota, Scott and Washington got together to talk

about their concerns and recommended solution. He noted elected representatives from each County were part of the discussion and the end document outlines what the concerns are in the TPP document. He pointed out the joint meeting to be held on September 29th between the County Boards and the Met Council and indicated each County would vote separately and independently on the Resolution.

Lyndon Robjent, Public Works, explained meetings were held with transportation staff. He indicated the key issues for the five suburban counties were the TPP process, content and regional solicitation. He highlighted the concerns and recommended solutions.

Hemze stated a packet would be put together that included all Resolutions that are adopted by the Counties. He noted the draft letter sent to the Met Council is tailored for additional Carver County input.

Maluchnik offered the following Resolution, seconded by Ische:

Resolution #54-14
Response to the Metropolitan Council's Proposed
Transportation Policy Plan

and to authorize the Chair to sign the letter to the Chair of the Metropolitan Council.

On vote taken, all voted aye.

Workman moved, Lynch seconded, to adjourn the Regular Session at 5:50 p.m. Motion carried unanimously.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2014-2015 Renewal of On-Sale and Sunday Liquor License for Baumann Enterprises Inc. dba B's on the River

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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

BACKGROUND/JUSTIFICATION:

Bryan Baumann, President of Baumann Enterprises Inc. dba B's on the River has applied for 2014-2015 renewal of their On-Sale and Sunday Liquor License. B's on the River is located at 1455 County Road 27, Watertown. There are no delinquent property taxes on this parcel.

ACTION REQUESTED:

Approval of the On-Sale and Sunday liquor license renewal for Baumann Enterprises Inc. dba B's on the River.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	<input type="text"/>
	<input type="text"/>
Total	\$0.00

FTE IMPACT:

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

License fee for B's on the River:
On-Sale Liquor License \$2,000.00
Sunday Liquor License \$200.00

Office use only:

RBA 2014- 2796

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2014-2015 Renewal of On-Sale Liquor License for Schram Winery LLC dba Schram Vineyards

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

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:

Aaron Schram, President of Schram Winery LLC dba Schram Vineyards has applied for the 2014-2015 renewal of their On-Sale Liquor License. Schram Vineyards is located at 8785 Airport Road, Waconia. There are no delinquent property taxes on this parcel.

ACTION REQUESTED:

Approval of the 2014-2015 On-Sale Liquor License renewal for Schram Winery LLC dba Schram Vineyards

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

License fee for Schram Vineyards:

On-Sale Liquor License \$2,000.00

Office use only:

RBA 2014 - 2799

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2014-2015 On-Sale and Sunday Liquor License for Lancer at Edinburgh, Inc. dba Lancer Catering Waconia

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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

BACKGROUND/JUSTIFICATION:

Stephen Craver, Treasurer of Lancer at Edinburgh, Inc. dba Lancer Catering Waconia (aka Blue Bell Enterprises Inc. dba Lancer Catering) has applied for an On-Sale and Sunday Liquor License. The name has changed, however they are still part of the same company. The State requires a new application for any name change, therefore this is considered a new application and not a renewal. Lancer at Edinburgh, Inc. dba Lancer Catering Waconia is located at 8155 Paradise Lane, Waconia (Waconia Event Center). There are no delinquent property taxes on this parcel.

ACTION REQUESTED:

Approval of On-Sale and Sunday Liquor License application for 2014-2015 for Lancer at Edinburgh, Inc. dba Lancer Catering Waconia.

FISCAL IMPACT:
If "Other", specify:

FUNDING
County Dollars =

Total

FTE IMPACT:

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:
License Fee for Lancer Catering Waconia:
On-Sale Liquor License \$2,000.00
Sunday Liquor License \$200.00

Office use only:
RBA 2014 - 2802

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2014-2015 Renewal of On-Sale and Sunday Liquor License for Lefties LLC dba Traditions Old & New

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

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:

Jacqueline Brantley, President of Lefties LLC dba Traditions Old & New has applied for the 2014-2015 renewal of their On-Sale and Sunday Liquor License. Traditions Old & New is located 6940 Dahlgren Road, Chaska. There are no delinquent property taxes on this parcel.

ACTION REQUESTED:

Approval of the 2014-2015 On-Sale and Sunday Liquor License renewal for Lefties LLC dba Traditions Old & New.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

License fee for Traditions Old & New:

On-Sale Liquor License \$2,000.00

Sunday Liquor License \$200.00

Office use only:

RBA 2014- 2800

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2014-2015 Renewal of On-Sale Liquor License for Parley Lake Winery LLP dba Parley Lake Winery

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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

BACKGROUND/JUSTIFICATION:

Steven Zeller, President of Parley Lake Winery LLP dba Parley Lake Winery has applied for the 2014-2015 renewal of their On-Sale Liquor License. Parley Lake Winery is located at 8350 Parley Lake Road, Waconia. There are no delinquent property taxes on the parcel.

ACTION REQUESTED:

Approval of the 2014-2015 On-Sale Liquor License renewal for Parley Lake Winery LLP dba Parley Lake Winery.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	<input type="text" value=""/>
	<input type="text" value=""/>
Total	\$0.00

FTE IMPACT:

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:
License Fee for Parley Lake Winery:
On-Sale Liquor License \$2,000.00

Office use only:

RBA 2014 - 2801

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2014-2015 renewal of On-Sale, Off-Sale and Sunday Liquor License for Hollywood Roadhouse LLC dba Hollywood Roadhouse.

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes
Presenter: Title:

Attachments: Yes No

Strategic Initiative:

Connections:

BACKGROUND/JUSTIFICATION:

Paul Joswick, Vice-President of Hollywood Roadhouse LLC dba Hollywood Roadhouse has applied for renewal of their 2014-2015 On-Sale, Off-Sale and Sunday Liquor License. Hollywood Roadhouse is located at 5475 County Road 33, New Germany. There are no delinquent property taxes on this parcel.

ACTION REQUESTED:

Approval of the application for renewal of the On-Sale, Off-Sale and Sunday Liquor License for Hollywood Roadhouse LLC dba Hollywood Roadhouse.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	<input type="text" value=""/>
Total	<input type="text" value="\$0.00"/>

FTE IMPACT:

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

License fee for Hollywood Roadhouse LLC:
On-Sale Liquor License \$2,000.00
Off-Sale Liquor License \$150.00
Sunday Liquor License \$200.00

Office use only:

RBA 2014 - 2808

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2014-2015 renewal of On-Sale and Sunday Liquor License for Whistle Post LLC dba Sovereign Estate Wine

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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

BACKGROUND/JUSTIFICATION:

Teresa Savaryn, Vice-President of Whistle Post LLC dba Sovereign Estate Wine has applied for renewal of their On-Sale and Sunday Liquor License. Sovereign Estate Wine is located at 9950 North Shore Road, Waconia. There are no delinquent taxes on this parcel.

ACTION REQUESTED:

Approval of the application for renewal of the On-Sale and Sunday Liquor License for Whistle Post LLC dba Sovereign Estate Wine.

FISCAL IMPACT:
If "Other", specify:

FUNDING
County Dollars =

Total

FTE IMPACT:

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

License fee for Sovereign Estate Wine:
On-Sale Liquor License \$2,000.00
Sunday Liquor License \$200.00

Office use only:

RBA 2014- 2809

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of Grant Agreement for WeCab

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

This Grantee will be providing transportation for residents of Carver County that could not receive transportation from the Public Transit services of Smartlink transit and SW transit. During this grant period the Grantee will be collecting data on the citizens they have served in Carver County for the purpose of getting to and from locations on the Grantee's service of transportation. The grantee will advertise their service in Carver County but will make sure that the client has tried Public transit first to ensure public transit could not deliver the service. Carver County would like to review the collected data and issue a report to the Board of possible gaps in service that at this time have not been identified. Carver County would like to see quarterly reports on the following data. Number of trips, pick-up location, drop off location, day of the week, time of day. Carver County would like to see 4 quarters of reports on this new service

ACTION REQUESTED:

Motion to approve the Grant Agreement with WeCab pending finalization of the contract review process.

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT:

Total

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

The Grantee will be compensated under the terms of this grant up to \$1,000.00 to collect four quarters of requested transportation data on Carver County residents.

Office use only:

RBA 2014- 2778

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Revocation and Turnback of County Highway No. 30 (Old Beach Lane, Waconia)

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

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:

A portion of County Highway No. 30 known as Old Beach Lane is no longer needed for county highway purposes. With realignment of other nearby county highways, this segment of road is only used for local residential purposes. The City of Waconia has agreed to accept a turnback of the portion of road depicted on the attachments.

ACTION REQUESTED:

Approve resolution for revocation and turnback of County Highway No. 30 to the City of Waconia

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	<input type="text"/>
	<input type="text"/>
Total	<input type="text" value="\$0.00"/>

FTE IMPACT:

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2781

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

Date: October 7, 2014
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

Revocation and Turnback of County Highway No. 30

WHEREAS, County Highway No. 30 is a duly established county highway, and

WHEREAS, a portion of County Highway No. 30 known as Old Beach Lane is no longer needed for county highway purposes, and

WHEREAS, it is appropriate for the County to revoke and turnback this highway and to devote its limited resources to other areas, and

WHEREAS, the City of Waconia has concurred with this revocation and turnback, and

WHEREAS, the County has authority under Minnesota Statute § 162.02 and § 163.11 for turnback and revocation of highway corridors, and

NOW THEREFORE BE IT RESOLVED, by the County Board of County of Carver, that the portion of former County Highway No. 30, as described on the attached exhibit, is hereby revoked and turned back to the City of Waconia for use as a city street, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be recorded with the Carver County Recorder by the Carver County Administrator.

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified Interim 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 7th day of October, 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 _____, 20_____

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Authorizing Eminent Domain for the CSAH 10 (between CSAH 30 and TH 7) Reconstruction Project

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="10/7/2014"/>
Contact: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="Public Works Director/Count..."/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

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

BACKGROUND/JUSTIFICATION:

Carver County will be reconstructing County State Aid Highway ("CSAH") 10 (between CSAH 30 and TH 7). The project is planned to begin in the late spring to early summer of 2015.

Public Works has been negotiating with property owners in good faith, and will continue to do so, to acquire the right-of-way/easements needed for the project. However, in order to meet the schedule for construction bidding, it will likely be necessary to undertake eminent domain proceedings to acquire the necessary property interests for construction of the project.

A resolution, including the list of affected property owners, is attached.

ACTION REQUESTED:

Adopt a resolution authorizing and directing the County Attorney to take all steps necessary to acquire the easements necessary for the CSAH 10 (between CSAH 30 and TH 7) Reconstruction Project by filing an action in eminent domain, negotiation of early entry authorization and the use of the quick-take procedure.

FISCAL IMPACT: <input type="text" value="None"/> <i>If "Other", specify:</i> <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"/>	
QUOTES OR BIDS OBTAINED: <input type="text" value="N/A"/>	

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2814

**BOARD OF COMISSIONERS
CARVER COUNTY, MINNESOTA**

RESOLUTION NO. ____ - ____

**A Resolution Authorizing and Directing
Condemnation of Easements Required for the
CSAH 10 (between CSAH 30 and Trunk Highway 7) Reconstruction Project**

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 construct roadway and related improvements as part of the County State Aid Highway (“CSAH”) 10 (between CSAH 30 and Trunk Highway 7) Reconstruction Project (“Project”); and

WHEREAS, on September 2, 2014, by its Resolution No. 51-14, the Board of Commissioners approved Carver County Right of Way Plat No. 22 (County State Aid Highway No. 10) 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 for the easements required for the Project, but, despite good faith efforts, have been unable to reach agreement with the owners of properties which are legally described in Exhibit A attached hereto; and

WHEREAS, the Board of Commissioners finds that it is reasonably necessary, proper, and convenient, and in the interest of the public health, convenience, and general welfare of the citizens of the County that title to and possession of the easements hereinafter described be acquired through use of the power of eminent domain in furtherance of the Project; and

WHEREAS, the Board of Commissioners finds that the funding and construction schedule for the Project make it necessary to acquire title to and possession of the easements hereinafter described prior to the filing of the final report of the condemnation commissioners to be appointed by the district court.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CARVER IN REGULAR MEETING ASSEMBLED, that it is the considered judgment of the Board of Commissioners that the easements described in Exhibit A, attached hereto and made a part hereof as though fully set forth at this point, be acquired for the stated public purposes, and that the interests be acquired, if necessary, through the exercise of the power of eminent domain.

BE IT FURTHER RESOLVED, that the County Attorney and legal counsel retained by the County are authorized and directed to take all steps necessary to acquire the easements described herein by filing an action in eminent domain, negotiation of early entry authorization, and the use of the quick-take procedure.

Adopted this 7th day of October, 2014 by the Carver County Board of Commissioners.

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

STATE OF MINNESOTA)
) ss.
COUNTY OF CARVER)

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 7th day of October, 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 October, 2014.

Dave Hemze County Administrator

Subscribed and sworn to before me
this _____ day of October, 2014.

Notary Public

My Commission Expires _____

Notary Stamp

Chair, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners

EXHIBIT

A

CARVER COUNTY CSAH 10 (Between CSAH 30 and TH 7)

Parcel	Plat Parcel Number	Property Address & PID	Property Owner / Contact	Type of Easement Acquisition (in square feet)
4	54	East side of CR 10 north of CR 30 PID: 090102400	Gary P. & Janice A. Meuwissen P.O. Box 213 Waconia, MN 55387 Phone: 952-442-6141 garymeuwissen@embarqmail.com	Roadway 44 D & U 693
6	53	7685 County Road 10 N. PID: 090110010	Gary P. & Janice A. Meuwissen P.O. Box 213 Waconia, MN 55387 Phone: 952-442-6141 garymeuwissen@embarqmail.com	Roadway 245 TE 647
7	52	7555 County Road 10 N. PID: 090100900	Gary P. & Janice A. Meuwissen P.O. Box 213 Waconia, MN 55387 Phone: 952-442-6141 garymeuwissen@embarqmail.com	Roadway 3,728 TE 1,867
10	49	7550 W. Shoreline Dr. PID: 090101300	Nicholas S. & Tiffany J. Armstrong 7550 W. Shoreline Drive Waconia, MN 55387 952-288-3418 or 952-237-6329	Roadway 3,592 TE 1,996
11	48	7540 W. Shoreline Dr. PID: 090101400	Mark & Tracy Dahlin 7540 Shoreline Drive Waconia, MN 55387 952-442-1759 or 952-442-8559	Roadway 3,592 TE 1,996
12	47	7530 W. Shoreline Dr. PID: 090102000	David P. & Linda L. Schuler 7530 W. Shoreline Drive Waconia, MN 55387 952-442-2428	Roadway 5,913 TE 3,543
13	45	Co. Rd. 10 N. PID: 090102420	Dianne A. Bredeson 7485 W. Shoreline Drive Waconia, MN 55387 952-442-4041	Roadway 3,272 TE 4,323
16	42	7455 W. Shoreline Dr. PID: 098500020	Anthony C. & Signe Glaeser Hall 7455 W. Shoreline Drive Waconia, MN 55387 952-442-7997	Roadway 3,598 TE 2,145
17	41	7435 W. Shoreline Dr. PID: 098500030	William H. Nesburg 7435 W. Shoreline Drive Waconia, MN 55387 952-442-4059	Roadway 3,598 TE 735
20	36	7415 W. Shoreline Dr. PID: 098490012	Charles J. & Susan E. Bies 7415 W. Shoreline Drive Waconia, MN 55387 763-226-0122 (Charles cell)	Roadway 3,598
22	34	7385 W. Shoreline Dr. PID: 098480030	Martin J. Nelson Sr. (Trust) 16202 Highway 7 Minnetonka, MN 55345 480-363-7050 (Rachel Daughter in Austin)	Roadway 3,028 TE 1,466
23	33	7365 W. Shoreline Dr. PID: 098480020	Paul G. & Rachelle A. David 7365 W. Shoreline Drive Waconia, MN 55387 952-442-2910	Roadway 2,422 TE 1,346

Parcel	Plat Parcel Number	Property Address & PID	Property Owner / Contact	Type of Easement Acquisition (in square feet)
24	32	7345 W. Shoreline Dr. PID: 098470020	Arthur E. & Bonita M. Clemensen 7345 W. Shoreline Drive Waconia, MN 55387 952-442-2938	Roadway 4,775 D&U 461 TE 3,056
26	29	East side of CR 10 north of 7325 West Shorline Dr. PID: 090102700	John V. & Lynn R. Zupan 15220 38th Street Mayer, MN 55360 Phone: 952-955-1779 John cell 612-270-3748 bongozupan@aol.com	Roadway 12,076 TE 15,464
27A	26	7025 County Road 10 N. PID: 090102510	Ronald J. & Miriam R. Hilk 7025 County Road 10 N. Waconia, MN 55387 Phone: 952-442-5277	Roadway 19,023 D & U 948 TE 29,645
27B	28	7025 County Road 10 N. PID: 090102510	Ronald J. & Miriam R. Hilk 7025 County Road 10 N. Waconia, MN 55387 Phone: 952-442-5277	Roadway 28,753 D & U 28,171 TE 19,519
28	22	6980 Co. Rd. 10 N. PID: 090030800	Brent L. & Kathy S. Davis 6980 Co. Rd. 10 N. Waconia, MN 55387 952-442-8540 or 612-396-6415	Roadway 3,905
29	21	6950 County Road 10 N. PID: 090031400	Robert A. & Therese M. Rademacher 6950 County Road 10 N. Waconia, MN 55387 Phone: 952-442-2373, Bob cell 952-270- 5329	Roadway 5,513
30	20	6930 County Road 10 N. PID: 090031310	Jeffrey J. & Kristine Eveslage P.O. Box 402 Waconia, MN 55387 Phone: 952-442-5479 kriseveathome@aol.com	Roadway 2,550
31	19	6900 County Road 10 N. PID: 090031320	Gerald P. & Rose M. Laumann (Trusts) 6900 County Road 10 N. Waconia, MN 55387 Phone: 952-442-2200	Roadway 2,317
33	24	6855 County Road 10 N. PID: 090030700	Denis J. & Bonnie L. Laumann 6855 County Road 10 N. Waconia, MN 55387 Phone: 952-442-2436	Road 19,883 D & U 205 TE 11,210
34	18	6850 County Road 10 N. PID: 090031300	Gerald P. Lauman Trust & Rose M. Laumann Trust 6900 County Road 10 N. Waconia, MN 55387 Phone: 952-442-2200 CFD Vendee: Jeffrey J. & Kristine Eveslage PO Box 402 Waconia, MN 55387 Phone: 952-442-5479	Roadway 8,900 D & U 223 TE 636

Parcel	Plat Parcel Number	Property Address & PID	Property Owner / Contact	Type of Easement Acquisition (in square feet)
35	23	6825 County Road 10 N. PID: 090030400	Kenneth O. Felt (deceased) Executor's: Kim Grimm & Rick Felt 6825 County Road 10 N. Waconia, MN 55387 Phone: 612-806-6561 (Kim) 651-895-4620 (Rick form midnight to noon)	Roadway 2,800
38	14/16	6530 Co. Rd. 10 N. PID: 090030100	Matthew G. Bonnema 6530 Co. Rd. 10 N. Waconia, MN 55387 952-442-8857	Roadway 7,292 D&U 2,529 TE 30,950
39	15/17	E. side CR 10 between 66th st & 62nd st. PID: 090030110	Loren & Jonathan L. Zieroth 6050 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1410	Road 94,830 D & U 57,949 TE 75,083
40	13	SW corner of CR 10 and 62nd St. NE PID: 090031000	Loren E. & Muriel L. Zieroth 6050 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1410 CFD Vendee: Jonathan Zieroth 6080 County Road 10 N. Waconia, MN 55387 Phone: 952-446-9338	D & U 9 TE 13,361
41	8	6080 County Road 10 N. PID: 100340600	Loren E. & Muriel L. Zieroth 6050 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1410 CFD Vendee: Jonathan Zieroth 6080 County Road 10 N. Waconia, MN 55387 Phone: 952-446-9338	TE 36,644
42	7	6050 County Road 10 N. PID: 100340610	Loren E. & Muriel L. Zieroth 6050 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1410	TE 4,334
43	10	East side of CR 10 North of 62nd St. PID: 100340900	Loren E. & Muriel L. Zieroth 6050 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1410	Roadway 70,993 D & U 1,387 TE 46,238
44	6	Property North of 6050 CR 10 PID: 100340800	Audrey Aldridge (Irrev. Trust) 5850 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1405	D & U 430 TE 6,398
45	11	5875 County Road 10 N. PID: 100341000	James H. & Ann M. Bohanon 5875 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1533	Roadway 18,632 TE 8,821

Parcel	Plat Parcel Number	Property Address & PID	Property Owner / Contact	Type of Easement Acquisition (in square feet)
46	5	5850 County Road 10 N. PID: 100340700	Paul D. & Linda Neumann 5850 County Road 10 N. Waconia, MN 55387 Phone: 952-446-1405	D & U 367 TE 6,379
47	2	5680 Co. Rd. 10 N. PID: 100340100	Prime Four, LLP 5680 Co. Rd. 10 N. Waconia, MN 55387 612-446-1448	Roadway 20,645 D&U 4,065 TE 8,965
48	4	5675 Co. Rd. 10 N. PID: 100340400	Drew & Kathy Dimler 5675 Co. Rd. 10 N. Waconia, MN 55387 952-446-1442	Roadway 43,236 D&U 878 TE 28,063
50	3	5555 Co. Rd. 10 N. PID: 100341500	Timothy R. & June H. Johnson 5555 Co. Rd. 10 N. Waconia, MN 55387 952-446-1696	Roadway 2,767 TE 586

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Right-of-way Acquisition for Project #SP 010-610-046, CSAH 10 From CSAH 30 to Highway 7

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The 2015 construction program includes the reconstruction and partial realignment of CSAH 10 from CSAH 30 on the south to Highway 7 on the north.MN. Additional right-of-way is needed to complete this project. Carver County Public Works has negotiated settlements with several property owners for the acquisition of permanent, drainage and temporary easements along the CSAH 10 corridor.

ACTION REQUESTED:

Adopt a resolution to authorize payment of compensation based on negotiated settlements for easements required for project SP 010-610-046.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	<input type="text"/>
CSAH Funds (Gas Tax e...	\$471,600.00
Total	\$471,600.00

FTE IMPACT:

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

Office use only:

RBA 2014- 2794

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

Date: October 7, 2014 _____
Motion By Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

**Resolution Authorizing Payment of Settlements of Compensation to
Landowners for Easements Required for the CSAH 10 Road Reconstruction,
Project # SP 010-610-046**

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 CSAH 10 from CSAH 30 on the south to Highway 7 on the north, Project #SP 010-610-046 (“Project”); and

WHEREAS, in order to complete the Project it is necessary for the County to purchase property interests from each of the properties described in Exhibit A attached hereto; 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, settlements have been reached with numerous property owners impacted by the project.

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

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

2. Based upon appraisals obtained by the County from independent real estate appraisers and negotiations with the affected property owners the Director of Public Works or agents under his supervision pay to said property owners the negotiated settlement amounts, (which total an aggregate amount of \$471,600.00 for Twenty-one Parcels).

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

STATE OF MINNESOTA)
) ss.
 COUNTY OF CARVER)

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 7th day of October, 2014, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7th day of October, 2014.

 Dave Hemze County Administrator

Subscribed and sworn to before me
 this ___ day of _____, 2013.

Notary Public _____

My Commission Expires _____

Notary Stamp

Exhibit A

**Property Interests Required for the Reconstruction of the CSAH 10 From CSAH 30 to
Highway 7
Project #SP 010-610-046**

(Acquisition)

P.I.D. No. 10.0340300

Mavis G. Larson, Trustee of the Mavis G. Larson Trust

Taking of permanent roadway easement for right of way purposes over County State Aid Highway No. 10 (containing 6,778 Sq. Ft., more or less).

Taking of a temporary easement over County State Aid Highway No. 10 (containing 4,352 Sq. Ft., more or less).

Settlement Amount: \$3,100.00.

(Acquisition)

P.I.D. No. 98.500050

Grace L. Mills Trust

Taking of permanent roadway easement for right of way purposes over County State Aid Highway No. 10 (containing 2,998 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 3,332 Sq. Ft., more or less).

Settlement Amount: \$27,100.00.

(Acquisition)

P.I.D. No. 98.500040

Janice K. Needham Revocable Trust

Taking of permanent roadway easement for right of way purposes over County State Aid Highway No. 10 (containing 2,998 Sq. Ft. more or less).

Taking of temporary easements over County State Aid Highway No. 10 (containing 2,776 Sq. Ft. more less).

Settlement Amount: \$26,500.00.

(Acquisition)
P.I.D. No. 98.500020

Anthony C. Hall and Signe Glaeser Hall

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,598 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 2,145 Sq. Ft., more or less).

Settlement Amount: \$29,600.00.

(Acquisition)
P.I.D. No. 98.500030

William H. Nesburg

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,598 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 735 Sq. Ft., more or less).

Settlement Amount: \$27,800.00.

(Acquisition)
P.I.D. No. 98.500010

Ronald C. Logelin and Mary Sue Logelin

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 2,399 Sq. Ft., more or less).

Settlement Amount: \$21,000.00

(Acquisition)
P.I.D. No. 98.470020

Arthur E. Clemensen and Bonita M. Clemensen

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 4,775 Sq. Ft., more or less).

Taking of permanent utility and drainage easement over County State Aid Highway No. 10 (containing 461 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 3,056 Sq. Ft., more or less).

Settlement Amount: \$35,700.00.

(Acquisition)

P.I.D. No. 90.102310

Craig M. Foster and Kimberly A. Foster

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,598 Sq. Ft., more or less).

Settlement Amount: \$34,300.00

(Acquisition)

P.I.D. No. 98.490012

Charles J. Bies and Susan E. Bies

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,598 Sq. Ft., more or less).

Settlement Amount: \$30,200.00

(Acquisition)

P.I.D. No. 98.480040

Wayne J. Giesen, Mark A. Giesen, Michelle L. Conklin, and Melissa L. Glennie, as tenants in common

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,071 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 271 Sq. Ft., more or less).

Settlement Amount: \$23,300.00.

(Acquisition)

P.I.D. No. 90.031110

Robert M. Hilk and Constance L. Hilk, Trustees of the Robert M. Hilk Revocable Trust & Constance S. Hilk and Robert M. Hilk, Trustees of the Constance S. Hilk Revocable Trust

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 391 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 3,221 Sq. Ft., more or less).

Settlement Amount: \$2,500.00.

(Acquisition)

P.I.D. No. 98.480020

Paul G. David and Rachelle A. David

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 2,422 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 1,346 Sq. Ft., more or less).

Settlement Amount: \$20,400.00.

(Acquisition)

P.I.D. No. 90.101400

Mark Dahlin and Tracy Dahlin

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,592 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 1,996 Sq. Ft., more or less).

Settlement Amount: \$32,600.00.

(Acquisition)

P.I.D. No. 90.101300

Nicholas S. & Tiffany J. Armstrong

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,592 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 1,996 Sq. Ft., more or less).

Settlement Amount: \$32,100.00

(Acquisition)

P.I.D. No. 10.0340100

Prime Four, LLP

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 20,645 Sq. Ft., more or less).

Taking of permanent Utility and Drainage easement over County State Aid Highway No. 10 (containing 4,065 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 8,965 Sq. Ft., more or less).

Settlement Amount: \$8,200.00

(Acquisition)

P.I.D. No. 09.0031400

Robert A. Rademacher & Therese M. Rademacher, husband and wife

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 5,513 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 893 Sq. Ft., more or less).

Settlement Amount: \$8,000.00

(Acquisition)

P.I.D. No. 09.101500

Larry G. Dressen and Susan M. Dressen, husband and wife

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 6,025 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 3,554 Sq. Ft., more or less).

Settlement Amount: \$19,500.00

(Acquisition)

P.I.D. No. 90.030800

Brent L. Davis and Kathy S. Davis, husband and wife

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,905 Sq. Ft., more or less).

Settlement Amount: \$6,500.00

(Acquisition)

P.I.D. No. 90.102420

Dianne A. Bredeson

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,272 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 4,323 Sq. Ft., more or less).

Settlement Amount: \$30,100.00

(Acquisition)

P.I.D. No. 90.101000

Donald L. Wagener and Barbara T. Wagener, husband and wife

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 5,168 Sq. Ft., more or less).

Taking of permanent Utility and Drainage easement over County State Aid Highway No. 10 (containing 125 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 1,524 Sq. Ft., more or less).

Settlement Amount: \$28,700.00.

(Acquisition)

P.I.D. No. 90.101810

Donald L. Wagener and Barbara T. Wagener, husband and wife

Taking of permanent roadway easement over County State Aid Highway No. 10 (containing 3,591 Sq. Ft., more or less).

Taking of permanent Utility and Drainage easement over County State Aid Highway No. 10 (containing 255 Sq. Ft., more or less).

Taking of temporary easement over County State Aid Highway No. 10 (containing 1,507 Sq. Ft., more or less).

Settlement Amount: \$24,400.00.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

FTE Changes for Two Therapists

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Emily Kruger, 1.0 FTE Therapist is requesting to reduce her hours to .8 FTE. Barbara Priebe, 0.25 FTE Therapist is requesting to increase her hours to 0.45 FTE. Both employees are in the Child & Family Department's School Linked Unit. The Division is supportive of the request.

ACTION REQUESTED:

Motion to decrease Emily Kruger, 1.0 FTE Therapist to .8 FTE Therapist.

Motion to increase Barbara Priebe, 0.25 FTE Therapist to 0.45 FTE Therapist.

Both actions should be effective the beginning of the first pay period following Board Approval.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	<input type="text"/>
Total	<input type="text" value="\$0.00"/>

FTE IMPACT:
QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2805

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Convert a Collections Officer to an Account Technician

Primary Originating Division/Dept: <input type="text" value="Community Social Services"/>	Meeting Date: <input type="text" value="10/7/2014"/>
Contact: <input type="text" value="Gary Bork"/> Title: <input type="text" value="Director"/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text" value="Director"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Division's Collection Officer Position has been vacant since April 21, 2014 after the incumbent accepted an internal promotion. The classification is graded at a Pay Grade 9. The Division submitted the classification for review to County's Compensation Consultant and it was returned at the same Pay Grade. Employee Relations has conducted two external recruitments which have yielded no viable candidates. The Account Technician classification in the Division is also graded at Pay Grade 9 and their Job Classification Description does have collection duties. The Division is proposing to convert the 1.0 FTE Collections Officer to a 1.0 FTE Account Technician. The duties of the Collection Officer will be distributed to the Account Technicians in the Administrative Support Department. The Division is falling behind in collections and we feel that this is the most viable solution at this time.

The Division wants to maintain the Collections Officer classification.

ACTION REQUESTED:

Motion to convert the 1.0 FTE Collections Officer to a 1.0 FTE Account Technician.

<p>FISCAL IMPACT: <input type="text" value="Included in current budget"/></p> <p>If "Other", specify: <input type="text"/></p> <p>FTE IMPACT: <input type="text" value="Other staffing change (grade, classification, hours, etc.)"/></p> <p>QUOTES OR BIDS OBTAINED: <input type="text" value="N/A"/></p>	<p>FUNDING</p> <table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="text-align: right;">\$53,710.00</td> </tr> <tr> <td>FFP 24%</td> <td style="text-align: right;">\$16,960.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$70,670.00</td> </tr> </table>	County Dollars =	\$53,710.00	FFP 24%	\$16,960.00	Total	\$70,670.00
County Dollars =	\$53,710.00						
FFP 24%	\$16,960.00						
Total	\$70,670.00						

Related Financial/FTE Comments:
 Both the Collections Officer and Account Technician are at Pay Grade 9. The Collections Officer was responsible for approximately \$228,500 of collections within the Division.

Office use only:

RBA 2014 - 2806

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Abatements/Additions

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Abatements requested by taxpayers. See attached listing.

ACTION REQUESTED:

Recommend to approve.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

Other

FTE IMPACT:

Total

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2811



**CARVER
COUNTY**

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

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

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

**Abatements presented to the
Carver County Board of Commissioners
October 7, 2014**

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

Payable Year	Parcel Number	Name	Reason for Abatement	Original Tax Amount	Adjusted Tax Amount	Total Amount of Tax Adjustment	Reduction in Penalties and/or Interest Paid	Total Amount of Adjustment	County Dollars Abated
2014	75.0610150	Alassane & Heidi Cisse	Homestead	\$ 3,010.00	\$ 2,750.00	\$ (260.00)	\$ -	\$ (260.00)	\$ (86.81)
2014	25.6090230	Jason D. & Laura M. Besler	Homestead	\$ 5,574.00	\$ 5,536.00	\$ (38.00)	\$ -	\$ (38.00)	\$ (14.24)
2014	75.3150560	Rick S. & Priscilla Seehusen	Homestead	\$ 2,218.00	\$ 1,894.00	\$ (324.00)	\$ -	\$ (324.00)	\$ (107.48)
2014	25.6150650	Stephanie Miller Stathopoulos	Homestead	\$ 3,722.00	\$ 3,596.00	\$ (126.00)	\$ -	\$ (126.00)	\$ (55.11)
2014	85.0504600	Jason Murdock	Homestead	\$ 2,364.00	\$ 2,120.00	\$ (244.00)	\$ -	\$ (244.00)	\$ (98.11)
2014	30.1260580	Robert M. & Cheryl L. Stark	Classification Change	\$ 3,540.00	\$ 3,144.00	\$ (396.00)	\$ -	\$ (396.00)	\$ (125.86)
2014	25.4262203	Kristen Marie Schmitt	Homestead	\$ 2,768.00	\$ 2,516.00	\$ (252.00)	\$ -	\$ (252.00)	\$ (91.32)
TOTALS				\$ 23,196.00	\$ 21,556.00	\$ (1,640.00)	\$ -	\$ (1,640.00)	\$ (578.93)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

PSA for Preparation of 2014 Regional Solicitation Submittal for Federal Transportation Funding

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

SRF Consulting Group will assist Carver County in preparing the 2014 Regional Solicitation funding applications for the following Highway projects:

1. The 41 expansion from TH 212 to Pioneer Trail
2. CSAH 10 expansion from CSAH 11 to West Creek Lane
3. CSAH 10 reconstruction from TH 5 to CSAH 32
4. CSAH 13 reconstruction from TH 5 to TH 7

AND the following Trail (Park) projects:

1. Lake Waconia Park Regional Trail from Old Beach Lane to to Island View Golf Course
2. TH 5 Regional Trail from Galpin Blvd. to Minnewashta Parkway
3. TH 5 Regional Trail from CSAH 17 to CSAH 101
4. Lake Minnetonka Regional Trail from Steiger Lake Boat Access to Rolling Acres Road

ACTION REQUESTED:

Motion to contract with SRF Consulting Group pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2793

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Approving \$18M General Obligation Capital Improvement Note of 2014 ("Line of Credit")

Primary Originating Division/Dept: <input type="text" value="Finance"/>	Meeting Date: <input type="text" value="10/7/2014"/>
Contact: <input type="text" value="David Frischmon"/> Title: <input type="text"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="15"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text" value="David Frischmon"/> Title: <input type="text" value="Finance Director"/>	

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

On March 4th, the County Board held a public hearing and adopted a Road & Bridge Capital Improvement Plan ("CIP") which included the Southwest Reconstruction project and road improvements to CSAH 10 (30 to TH7). The proposed \$28 million funding recommendation provides for the county's \$8M contribution to these projects plus the State's \$20M Turnback contribution.

On May 20th, the County Board approved applying for an \$18M Line of Credit with a 15 year term from the State's Transportation Revolving Loan Fund "TRLF". The 1% below market interest rate charged by TRLF is subsidized by the State.

On June 3rd, the County Board approved a \$10M General Obligation Bond Sale with a 15 year term. The County's "AAA" rating from Standard and Poors was reaffirmed for this new debt.

On October 7th, the County Board is requested to approve the \$18M Line of Credit with the State's TRLF to complete the funding for the 2014 Road & Bridge CIP.

ACTION REQUESTED:

Motion to approve a resolution for the \$18M General Obligation Capital Improvement Note of 2014.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td><input type="text"/></td> </tr> <tr> <td>Line of Credit</td> <td style="text-align: right;">\$18,000,000.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$18,000,000.00</td> </tr> </table>	County Dollars =	<input type="text"/>	Line of Credit	\$18,000,000.00	Total	\$18,000,000.00
County Dollars =	<input type="text"/>						
Line of Credit	\$18,000,000.00						
Total	\$18,000,000.00						
FTE IMPACT: <input type="text" value="None"/>							
QUOTES OR BIDS OBTAINED: <input type="text" value="N/A"/>							

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

Office use only:
 RBA 2014- 2816

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE October 7, 2014
MOTION BY COMMISSIONER _____

RESOLUTION NO _____
SECONDED BY COMMISSIONER _____

RESOLUTION ACCEPTING THE OFFER OF THE MINNESOTA PUBLIC FACILITIES AUTHORITY TO PURCHASE AN \$18,000,000 GENERAL OBLIGATION CAPITAL IMPROVEMENT NOTE OF 2014, PROVIDING FOR ITS ISSUANCE, AND APPROVING EXECUTION OF A PROJECT LOAN AGREEMENT

A. WHEREAS, the Board of Commissioners of Carver County, Minnesota (the “County”), has heretofore applied for a loan from the Minnesota Public Facilities Authority (the “PFA”) to provide financing pursuant to Minnesota Statutes, Chapter 475 and Section 373.40, for the purpose of financing eligible project costs of the Transportation Revolving Loan Fund project described as follows: road and bridge improvements—Southwest Reconnection Project as detailed in the Minnesota Department of Transportation project certification dated July 23, 2014 (the “Project”); and

B. WHEREAS, the Project is further described in the County’s Road and Bridge Capital Improvement Plan adopted March 4, 2014, pursuant to Minnesota Statutes, Section 373.40; and

C. WHEREAS, the PFA is authorized pursuant to Minnesota Statutes, Chapter 446A, as amended, to provide loans to municipalities to fund eligible costs of construction of certain public transportation projects; and

D. WHEREAS, the County has applied for a loan from the PFA pursuant to such program, and the PFA has committed to make a loan to the County in the principal amount of \$18,000,000, to be disbursed and repaid in accordance with the terms of a Bond Purchase and Project Loan Agreement, MPFA-14-0048-R-FY15 (the “Project Loan Agreement”) to be entered into by the PFA and County, a copy of which is before this meeting and on file with the County Administrator; and the Project Loan Agreement, as executed, is incorporated herein by reference; and

E. WHEREAS, interest on the \$18,000,000 General Obligation Capital Improvement Note of 2014 (the “Note”) of the County is not tax-exempt, but the County will need to assure that it will not affect the tax exemption of any PFA Bonds; and

F. WHEREAS, in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(4), the County is authorized to issue obligations to a board, department or agency of the State of Minnesota by negotiation and without advertisement for bids and the PFA is, and has represented that it is, a board, department or agency of the State of Minnesota; and

G. WHEREAS, a contract or contracts for the project have been made by the County with the approval of the PFA and all other state and federal agencies of which approval is required:

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

1. Acceptance of Offer; Payment. The offer of the PFA to purchase an \$18,000,000 General Obligation Capital Improvement Note of 2014 of the County (the “Note”), bearing interest at the rate of 1.00% per annum, and to pay therefor the sum of \$18,000,000 as provided below, is hereby

accepted, and the sale of the Note is hereby awarded to the PFA. Payment for the Note shall be disbursed in installments as eligible costs of the Project are reimbursed, all as provided in the Project Loan Agreement.

2. Title; Date; Denomination; Interest Rates; Maturities. The Note shall be a fully registered negotiable obligation, shall be titled the “General Obligation Capital Improvement Note of 2014,” shall be dated as of the date of delivery and shall be issued forthwith. The Note shall be in the principal amount of \$18,000,000, or so much thereof as shall be disbursed pursuant to the Project Loan Agreement, shall bear interest on so much of the principal amount of the Notes as (i) may be disbursed from time to time as provided in the Project Loan Agreement and (ii) remains unpaid, from the date of each disbursement until the principal amount of the Note has been paid or has been provided for, at the rate of one percent (1.000%) per annum (calculated on the basis of a 360-day year of twelve 30-day months), payable semiannually on each February 20 and August 20, commencing August 20, 2015, and shall mature on August 20 in each of the years and in the installments as follows:

Year	Amount	Year	Amount
2015	\$ 1,000	2023	\$1,199,000
2016	1,118,000	2024	1,211,000
2017	1,129,000	2025	1,223,000
2018	1,141,000	2026	1,235,000
2019	1,152,000	2027	1,247,000
2020	1,164,000	2028	1,260,000
2021	1,175,000	2029	1,273,000
2022	1,187,000	2030	1,285,000

Interest shall accrue only on the aggregate amount of the Note which has been disbursed and is unpaid under the Project Loan Agreement. The principal installments shall be paid in the amounts scheduled above even if at the time of payment the full principal amount of the Note has not been disbursed; provided that if the full principal amount of the Note is not to be disbursed under the Project Loan Agreement, the amount of the principal not disbursed shall be applied to reduce the unpaid principal installments and the remaining principal payment schedule shall be reamortized as provided in Sections 2.2(f) and 1.3 of the Project Loan Agreement. Principal, interest and any premium due under the Note will be paid on each payment date by wire payment, or by check or draft mailed the last business day prior to the payment date to the person in whose name the Note is registered, in any coin or currency of the United States which at the time of payment is legal tender for public and private debts.

Interest on the Note includes amounts treated by the PFA as service fees.

3. Purpose; Cost. The proceeds of the Note shall provide funds to finance construction of the Project. The Note is issued pursuant to Minnesota Statutes, Section 373.40. The total cost of the construction of the Project, including legal and other professional charges, publication and printing costs, interest accruing on money borrowed for the Project before the collection of tax revenues pledged and appropriated therefor, and all other costs necessarily incurred and to be incurred from the inception to the completion of the Project, is estimated to be at least equal to the amount of the Note. The County covenants that it shall do all things and perform all acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained.

4. Redemption. The Note shall be subject to redemption and prepayment in whole or in part at the option of the County to the extent and in the manner provided in the Project Loan Agreement. If redemption is in part, each installment of principal shall be prepaid in the proportion that such installment bears to the total of all unpaid principal installments (i.e., the remaining principal payment

schedule shall be reamortized to provide proportionately reduced principal payments), unless the County and the holder of the Note agree to a different result.

5. Registration of Note. At the time of issuance and delivery of the Note, the County Administrator shall register the Note in the name of the payee in a note register which he and his successors in office shall maintain for the purpose of registering the ownership of the Note. The Note shall be prepared for execution with an appropriate text and spaces for notation of registration. The force and effect of such registration shall be as stated in the form of Note hereinafter set forth. Payment of principal installments and interest, whether upon redemption or otherwise, made with respect to the Note, may be made to the registered holder thereof or to his, her or its legal representative, without presentation or surrender of the Note except upon its final payment.

6. Form of Note. The Note, together with the Certificate of Registration thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
CARVER COUNTY

\$18,000,000 GENERAL OBLIGATION CAPITAL IMPROVEMENT NOTE OF 2014

KNOW ALL PERSONS BY THESE PRESENTS that Carver County, Minnesota (the “County”), certifies that it is indebted and for value received promises to pay to the Minnesota Public Facilities Authority or the registered assign, the principal sum of EIGHTEEN MILLION DOLLARS or so much thereof as may have been disbursed, on August 20 of each of the years and in the installments as follows:

Year	Amount	Year	Amount
2015	\$ 1,000	2023	\$1,199,000
2016	1,118,000	2024	1,211,000
2017	1,129,000	2025	1,223,000
2018	1,141,000	2026	1,235,000
2019	1,152,000	2027	1,247,000
2020	1,164,000	2028	1,260,000
2021	1,175,000	2029	1,273,000
2022	1,187,000	2030	1,285,000

and to pay interest on so much of the principal amount of the debt as (i) may be disbursed from time to time as provided in the Project Loan Agreement (as defined below) and (ii) remains unpaid, from the date of each disbursement until the principal amount hereof is paid or has been provided for, at the rate of one percent (1.000%) per annum (calculated on the basis of a 360-day year of twelve 30-day months), payable semiannually on each February 20 and August 20, commencing August 20, 2015.

Principal and Interest Payments. Interest shall accrue only on the aggregate amount of this Note which has been disbursed under the Bond Purchase and Project Loan Agreement, by and between the County and the Minnesota Public Facilities Authority (the “Project Loan Agreement”). The principal installments shall be paid in the amounts scheduled above even if at the time of payment the full principal amount of the Note has not been disbursed; provided that if the full principal amount of the Note is not to be disbursed, under the Project Loan Agreement the amount of the principal not disbursed shall be applied to reduce the unpaid principal installments and the remaining principal payment schedule shall be reamortized as provided in Sections 2.2(f) and 1.3 of the Project Loan Agreement. Interest on this Note includes amounts treated by the Minnesota Public Facilities Authority as service

fees. Principal, interest and any premium due under this Note will be paid on each payment date by wire payment, or by check or draft mailed the last business day prior to the payment date to the person in whose name this Note is registered, in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts.

Redemption. This Note is subject to redemption and prepayment in whole or in part at the option of the County to the extent and in the manner provided in the Project Loan Agreement. If redemption is in part, each installment of principal shall be prepaid in the proportion that such installment bears to the total of all unpaid principal installments (i.e., the remaining principal payment schedule shall be reamortized to provide proportionately reduced principal payments), unless the County and the holder of this Note agree to a different result.

Purpose; General Obligation. This Note has been issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota for the purpose of providing money to finance the construction of transportation improvements of the County, and is payable out of the PFA Debt Service Account of the Capital Improvement Fund of the County, to which account have been pledged the taxes levied or to be levied in connection with the Note. This Note has been issued pursuant to Minnesota Statutes, Section 373.40. This Note constitutes a general obligation of the County, and to provide moneys for the prompt and full payment of said principal installments and interest when the same become due, the full faith, credit and taxing powers of the County have been and are hereby irrevocably pledged.

Registration; Transfer. This Note shall be registered in the name of the payee on the books of the County by presenting this Note for registration to the County Administrator, who will endorse his or her name and note the date of registration opposite the name of the payee in the certificate of registration attached hereto. Thereafter this Note may be transferred to a bona fide purchaser only by delivery with an assignment duly executed by the registered owner or his, her or its legal representative, and the County may treat the registered owner as the person exclusively entitled to exercise all the rights and powers of an owner until this Note is presented with such assignment for registration of transfer, accompanied by assurance of the nature provided by law that the assignment is genuine and effective, and until such transfer is registered on said books and noted hereon by the County Administrator.

Fees Upon Transfer or Loss. The County Administrator may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer of this Note and any legal or unusual costs regarding transfers and lost notes.

Project Loan Agreement. The terms and conditions of the Project Loan Agreement are incorporated herein by reference and made a part hereof. The Project Loan Agreement may be attached to this Note, and shall be attached to this Note if the holder of this Note is any person other than the Minnesota Public Facilities Authority.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Note, have been done, have happened and have been performed, in regular and due form, time and manner as required by law; that the County will levy a direct, annual, irrevocable ad valorem tax upon all of the taxable property in the County, without limitation as to rate or amount, for the years and in amounts sufficient to pay the installments of principal and interest on this Note as they respectively become due; and that this Note, together with all other debts of the County outstanding on the date hereof, being the date of its actual issuance and delivery, does not exceed any constitutional or statutory or charter limitation of indebtedness.

IN WITNESS WHEREOF, Carver County, Minnesota, by its Board of Commissioners has caused this Note to be executed on its behalf by the signature of its Chair and by the signature and attestation of its County Administrator, all as of _____, 2014.

Signed and Attested:

County Administrator

Chair

CERTIFICATE OF REGISTRATION

The transfer of ownership of the principal amount of the attached Note may be made only by the registered owner or his, her or its legal representative last noted below.

DATE OF REGISTRATION	REGISTERED OWNER	SIGNATURE OF COUNTY ADMINISTRATOR
, 2014	Minnesota Public Facilities Authority St. Paul, Minnesota Federal Employer Identification No. 41-6007162	

7. Execution. The Note shall be executed on behalf of the County by the signature of its Chair, and by the signature and attestation of its County Administrator. In the event of disability or resignation or other absence of either such officer, the Note may be signed by the manual signature of that officer who may act on behalf of such absent or disabled officer. In case either such officer whose signature shall appear on the Note shall cease to be such officer before the delivery of the Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

8. Delivery; Application of Proceeds. The Note when so prepared and executed shall be delivered by the County Administrator to the purchaser thereof prior to disbursements pursuant to the Project Loan Agreement, and the purchaser shall not be obliged to see to the proper application thereof.

9. Fund and Accounts. There is hereby created a special fund designated the "Capital Improvement Fund" (the "Fund") to be administered and maintained by the County Administrator as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the County. The Fund shall be maintained in the manner specified herein until the Note, and interest thereon, have been fully paid. There shall be established and maintained in the Fund, in addition to other accounts heretofore or hereafter established, the following two (2) separate accounts, to which shall be credited and debited all income and disbursements of the Fund relating to the Note as hereinafter set forth. The County Administrator and all County officials and employees concerned therewith shall establish and maintain financial records of the receipts and disbursements relating to the Project and the Note in accordance with this resolution. In such records there shall be established and maintained accounts of the Fund for the purposes and in the amounts as follows:

a. A "PFA Construction Account," to which shall be credited all proceeds received from the sale of the Note. The Note shall be the only source of moneys credited to the PFA Construction Account. It is recognized that the sale proceeds of the Note are received in reimbursement for costs expended on the Project, and that accordingly the moneys need not be placed in the PFA Construction Account upon receipt but may be applied immediately to reimburse the source from which the expenditure was made. The moneys in the PFA

Construction Account shall be used solely for the purpose of paying for the cost of constructing the Project, including all costs enumerated in Minnesota Statutes, Section 475.65, provided that such moneys shall only be expended for costs and expenses which are permitted under the Project Loan Agreement. The PFA prohibits the use of proceeds of the Note to reimburse costs initially paid from proceeds of other obligations of the County. Upon completion of the Project and the payment of the costs thereof, any surplus shall be transferred to the PFA Debt Service Account.

b. A “PFA Debt Service Account,” to which shall be irrevocably appropriated, pledged and credited: (1) all collections of taxes hereby levied or which may hereafter be levied for the payment of the principal of, and interest on, the Note; (2) receipts of the proceeds of a reimbursement grant provided through the state independent grant program; (3) all investment earnings on moneys held in the PFA Debt Service Account; (4) any amounts transferred from the PFA Construction Account; and (5) any other moneys which are properly available and are appropriated by the Board of Commissioners to the PFA Debt Service Account. The moneys in said account shall be used only to pay or prepay the principal of, and interest on, the Note and any other general obligation bonds hereafter issued and made payable from said account, and to pay any rebate due to the United States with respect to the PFA Bonds in connection with the Note.

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

<u>Levy Year</u>	<u>Collection Year</u>	<u>Amount</u>
2014	2015	\$1,357,518.24
2015	2016	1,362,700.50
2016	2017	1,363,446.00
2017	2018	1,363,015.50
2018	2019	1,363,519.50
2019	2020	1,362,847.50
2020	2021	1,363,110.00
2021	2022	1,363,246.50
2022	2023	1,363,257.00
2023	2024	1,363,141.50
2024	2025	1,362,900.00
2025	2026	1,362,532.50
2026	2027	1,363,089.00
2027	2028	1,363,509.00
2028	2029	1,362,742.50

Said levy shall be irrevocable and the taxes so levied are irrevocably appropriated to the PFA Debt Service Account, but the County reserves the right, to the extent permitted by the Project Loan Agreement, to reduce said levy from funds in the PFA Construction Account or other moneys in the manner and to the extent permitted by Minnesota Statutes, Section 475.61.

The County shall observe the covenants of paragraph 14 of this resolution and of section 3.1 of the Project Loan Agreement with regard to the Fund and the Project.

10. General Obligation Pledge; Tax Levy. The Board of Commissioners will levy additional general ad valorem taxes on all taxable property of the County in an amount sufficient to pay the principal of, interest and premium, if any, of the Note. It is hereby determined that the taxes levied in paragraph 9 hereof pledged to the payment of the Note and estimated to be deposited in the PFA Debt

Service Account will be sufficient to pay the principal of and interest on the Note when due and to produce at least five percent in excess thereof.

The full faith, credit and taxing powers of the County shall be, and are hereby, irrevocably pledged for the prompt and full payment of the principal and interest on the Note as the same respectively become due. If the taxes levied and pledged to the payment of principal and interest on the Note, together with other funds irrevocably appropriated to the PFA Debt Service Account referred to in paragraph 9 of this resolution shall at any time be insufficient to pay such principal and interest when due, the County covenants and agrees to levy, without limitation as to rate or amount, an ad valorem tax upon all taxable property in the County sufficient to pay such principal and interest as they become due. If the balance in the PFA Debt Service Account is ever insufficient to pay all principal and interest then due on the Note, the deficiency shall be promptly paid out of any other funds of the County which are available for such purpose, and such other funds may be reimbursed, with or without interest, from the PFA Debt Service Account when a sufficient balance is available therein.

11. Certificate of Registration. The County Administrator is hereby directed to file a certified copy of this resolution with the County Auditor of Carver County, Minnesota, together with such other information as the County Auditor shall require, and to obtain the County Auditor's certificate that the Note has been entered in the County Auditor's Bond Register.

12. Project Loan Agreement. The Project Loan Agreement is hereby approved in substantially the form heretofore presented to the Board of Commissioners, and in the form executed is hereby incorporated by reference and made a part of this resolution. Each and all of the provisions of this resolution relating to the Note are intended to be consistent with the provisions of the Project Loan Agreement, and to the extent that any provision in the Project Loan Agreement is in conflict with this resolution as it relates to the Note, that provision shall control and this resolution shall be deemed accordingly modified. The execution of the Project Loan Agreement by the Chair, attested by the County Administrator, is hereby approved, and shall be conclusive evidence of the approval of the Project Loan Agreement in accordance with the terms hereof. The Project Loan Agreement may be attached to the Note, and shall be attached to the Note if the holder of the Note is any person other than the PFA.

13. Records and Certificates. The officers of the County are hereby authorized and directed to prepare and furnish to the PFA, and to the attorneys approving the legality of the issuance of the Note, certified copies of all proceedings and records of the County relating to the Note and to the financial condition and affairs of the County, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Note as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the County as to the facts recited therein.

14. Tax-Exempt Status of any PFA Bonds; Rebate. The County with respect to the Note shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on any bonds issued by the PFA to finance purchase of the Note or to which the Note is pledged (the "PFA Bonds"), including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the PFA Bonds, and (3) the rebate of excess investment earnings to the United States. The County covenants and agrees with the PFA and holders of the Note that the investments of proceeds of the Note, including the investment of any revenues pledged to the Note which are considered gross proceeds of the PFA Bonds under the applicable regulations, and accumulated sinking funds, if any, shall be limited as to amount and yield in such manner that the PFA Bonds shall not be arbitrage bonds within the meaning of Section 148 of the Code and any regulations thereunder. On the basis of the existing facts, estimates and circumstances, including the foregoing

findings and covenants, the County hereby certifies that it is not expected that the proceeds of the Note will be used in such manner as to cause the PFA Bonds to be arbitrage bonds under Section 148 of the Code and any regulations thereunder. The Chair and County Administrator shall furnish a certificate to the PFA embracing or based on the foregoing certification at the time of delivery of the Note to the PFA. The proceeds of the Note will likewise be used in such manner that the Note is not a private activity bond under Section 141 of the Code.

15. Supplemental Resolution. Prior resolutions relating to the Road and Bridge Capital Improvement Plan are hereby supplemented to the extent necessary to give effect to the provisions of paragraph 9 of this resolution.

16. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

17. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

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 7th day of October, 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:

Legislative Committee Appointments

Primary Originating Division/Dept: <input type="text" value="Administration (County)"/>	Meeting Date: <input type="text" value="10/7/2014"/>
Contact: <input type="text" value="David Hemze"/> Title: <input type="text" value="County Administrator"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="5"/> minutes Presenter: <input type="text" value="David Hemze"/> Title: <input type="text" value="County Administrator"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:
 Connections:

BACKGROUND/JUSTIFICATION:

On September 16 the County Board approved the creation of a Legislative Committee. The Board also approved a lobbyist contract with Scott County at that same time.

The purpose of the Legislative Committee is to guide efforts to implement Carver County's legislative platform and help direct related legislative issues. The recommended membership is two Commissioners and the County Administrator. It is anticipated that the committee would meet a few times prior to the session to assist in developing the platform and then on an as needed basis during the session.

ACTION REQUESTED:

Motion to appoint two (to be named) Commissioners to the Legislative Committee.

FISCAL IMPACT: <input type="text" value="None"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$0.00"/>
QUOTES OR BIDS OBTAINED: <input type="text" value="N/A"/>	
Related Financial/FTE Comments: <input type="text"/>	

Office use only:

RBA 2014 - 2810

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Watercraft Access Site at Lake Waconia Regional Park

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Appraisal reports have been prepared for 5.17 acres site within parcel 070181000 located at 809 Old Beach Lane. This area is located within the boundary of Lake Waconia Regional Park.
Carver County purchased the entire parcel in June of 2013.
The DNR has made an offer to purchase land for a public water access consistent with the approved Lake Waconia Regional Park Master Plan.

ACTION REQUESTED:

Motion to enter into closed session according to Minnesota Statutes Section 13D.05 in order to discuss confidential land acquisition data.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

QUOTES OR BIDS OBTAINED:

Related Financial/FTE Comments:

Office use only:

RBA 2014 - 2813

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Discuss Public Employee Retirement Association (PERA) Correctional Plan Referendum

Primary Originating Division/Dept: <input type="text" value="Employee Relations"/>	Meeting Date: <input type="text" value="10/7/2014"/>
Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Director"/>	Item Type: <input type="text" value="Work Session"/>
Amount of Time Requested: <input type="text" value="30"/> minutes Presenter: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Director"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

When the Legislature created the PERA Local Government Correctional Service Employees Retirement Plan on July 1, 1999, the first employees enrolled in the Correctional Plan were transferred from the Coordinated Plan and had Social Security coverage as members of that plan. PERA, as the State's Social Security Administrator since 2002, recently learned that individuals enrolled in the Correctional Plan who had not been members of the PERA Coordinated Plan as correctional personnel were not automatically eligible to be covered by Social Security. PERA was told that to sanction Social Security coverage for individuals enrolled as new participants in the Correctional Plan, a referendum must take place and the results of that process must then be documented in the State's Section 218 Agreement – the official documentation between the State and Social Security defining which public employees in Minnesota are covered by Social Security.

PERA had initially announced that the referendum would be a single statewide vote conducted under either the majority or the divided vote approach. PERA asked the affected county employers to take a position by August 20, 2014 on the voting procedure they preferred be used for the referendum. Employers voiced concerns about the proposed process and timeline. PERA shared the concerns with representatives from the Social Security Administration (SSA). The SSA confirmed that the referendum is required and also stated that PERA can allow each county to be treated separately for purposes of the vote. The result was that each employer will hold a separate and distinct voting process for their eligible Correctional Plan voters.

Carver County has the option of selecting to utilize either a majority or a divided vote method. If the County does not choose a voting method, the majority vote will be used.

County employees who will be affected by this referendum have indicated they prefer the divided vote option.

ACTION REQUESTED:

Discuss Public Employee Retirement Association (PERA) Correctional Plan Referendum

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"/>	
QUOTES OR BIDS OBTAINED: <input type="text" value="N/A"/>	
Related Financial/FTE Comments: <input type="text"/>	

Office use only:

RBA 2014 - 2815