

**Legislative Breakfast  
December 3, 2013 – 7:30 a.m.  
American Legion, Chanhassen**



Carver County Board of Commissioners  
December 3, 2013  
Regular Session  
County Board Room  
Carver County Government Center  
Human Services Building  
Chaska, Minnesota  
**Please Note Board Meeting Time Change**

PAGE

9:30 a.m.	1.	<ul style="list-style-type: none"> <li>a) <b>CONVENE</b></li> <li>b) <b>Pledge of allegiance</b></li> <li>c) <b>Public comments</b> - <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></li> <li>d) <b>New Employee Introductions</b></li> </ul>	
	2.	Agenda review and adoption	
	3.	Approve minutes of November 26, 2013 Regular Session .....	1-4
	4.	Community Announcements	
9:30 a.m.	5.	<b>CONSENT AGENDA</b>	
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
	5.1	Purchase of Water Tanker Trailer for Public Works .....	5
	5.2	Right of Way Settlement for Project # SAP 010-620-012 & SAP 010-610-038, CSAH 20 Reconstruction .....	6-7
		<i>Culture: Provide organizational culture fostering accountability to achieve goals and sustain public trust/confidence in County government</i>	
	5.3	Limited Hours on December 24, 2013 .....	8
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i>	
	5.4	Amendment to PSA with Kennedy & Graven for Legal Services for Southwest Reconnection Project.....	9
	5.5	Joint Powers Agreement with City of Chanhassen for Project SP 010-618-013 Construction of CSAH 18 (Lyman Blvd) Improvements .....	10
	5.6	Thomas Hoese - Contractor's Yard CUP (PH/E).....	11-14
	5.7	Weapons Screening Addition – Equipment.....	15
		<i>Finances: Improve the County's financial health and economic profile</i>	
	5.9	Review Social Services/Commissioners Warrants .....	NO ATT

- 9:30 a.m.           **RECESS AS CARVER COUNTY BOARD AND CONVENE AS CARVER COUNTY DITCH BOARD**
- 9:30 a.m.    **6. CONNECTIONS: Develop strong public partnerships and connect people to services and information**  
6.1       Appointment to Joint Ditch Board ..... 16
- 9:40 a.m.           **ADJOURN CARVER COUNTY DITCH BOARD AND RECONVENE AS CARVER COUNTY BOARD**
- 9:40 a.m.    **7. COMMUNITIES: Create and maintain safe, healthy and livable communities**  
7.1       Amendment to Joint Powers Agreement for CSAH 10 Bridge Construction in Watertown..... 17
- 10:00 a.m.   **8. GROWTH: Manage the challenges and opportunities resulting from growth and development**  
8.1       *Closed Session*- Land Acquisition for CSAH 11 Construction Project # SP 010-611-006 ..... 18
- 11:00 a.m.           **RECESS AS CARVER COUNTY BOARD AT THE CARVER COUNTY GOVERNMENT CENTER**
- 11:30 A.M.           **RECONVENE AS CARVER COUNTY BOARD AT THE SCOTT COUNTY GOVERNMENT CENTER FOR JOINT MEETING WITH SCOTT COUNTY BOARD**
- 11:30 a.m.    **9. CONNECTIONS: Develop strong public partnerships and connect people to services and information**  
9.1       Approval of Joint Powers Agreement Establishing Scott/Carver Transit as SmartLink Operated by Scott County..... 19-20  
9.2       Resolutions Authorizing Entering into Memoranda of Agreement with AFSCME and with SMACC ..... 21-24
- 12:30 p.m.           **ADJOURN REGULAR SESSION**
- 12:30 p.m.           **Marschall Road Transit Station Tour/Lunch with Scott County Board of Commissioners**

David Hemze  
County Administrator

**UPCOMING MEETINGS**

- |                   |                                  |
|-------------------|----------------------------------|
| December 5, 2013  | 6:00 p.m. Budget Public Hearing  |
| December 10, 2013 | No Meeting – AMC Conference      |
| December 17, 2013 | 9:00 a.m. Board Meeting          |
| December 24, 2013 | No Meeting                       |
| December 31, 2103 | No Meeting                       |
| January 7, 2014   | 9:00 a.m. Organizational Session |

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on November 26, 2013. Chair Tim Lynch convened the session at 9:01 a.m.

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

Members absent: None

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

Ische moved, Maluchnik seconded, to approve the minutes of the November 19, 2013, Regular Session. On vote taken, Degler, Ische, Maluchnik, Workman voted aye. Lynch abstained as he was absent from the November 19<sup>th</sup> meeting. Motion carried.

Community announcements were made by the Board.

Mark Metz, County Attorney, highlighted the kickoff event held yesterday for the newly created Veterans program in Carver County. He explained the program would assist veterans coming back that are struggling with a variety of issues. Metz stated the program would hold them accountable while connecting them to the services. He thanked the Board for their support and pointed out the program will benefit veterans, their families, communities and the taxpayers.

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

As the Community Health Board, approved the 2014 Assurances and Agreements that the Local Public Health Act, Title V-MCH Block Grant and TANF Family Home Visiting funding will be used in accordance with the terms outlined in the Community Health Board's Master grant contract and as amended, and to accept this grant funding from the Minnesota Department of Health.

Approved the purchase of a swap loader aerial lift chassis and wedge tank inserts from Aspen Equipment for \$84,000.

Approved grant agreement SG 2013-108, authorized the Chair to sign upon completion of the contract review process and approved related Public Works/Parks budget amendment.

Approved Employment and Training Annual Assessment as required by the Minnesota Department of Employment and Economic Development.

Approved right of way entry agreement with David B. Zamjahn, Diane V. Zamjahn, Kathleen E. Fink, Victoria A. Lundgren and Mark B. Lundgren and authorized the Chair to sign the document.

Authorized Chair to sign and submit the Carver County comment letter to the Met Council on the preliminary 2040 forecasts.

Approved the following abatements:

30.9520129	Rocio Edith Medina
50.2420140	Brad L. Ess
55.3000070	Shane C. Franiok
25.4262204	Dianna C. Anderson
75.3510100	Gerard A. and Jeanie Becigneul

Resolution #70-13, Approval of Conveyance of Tax Forfeited Land to a City for an Authorized Public Purpose.

Resolution #71-13, Approval of Tax Forfeited Land to the City of Carver for an Authorized Conservation Related Use.

Reviewed Community Social Services' actions/Commissioners' warrants in the amount of \$467,140.83.

Motion carried unanimously.

Randy Wolf, Public Health and Environment, appeared before the Board for approval of the SHIP III grant. He explained the grant would come in two phases. The first grant would cover the planning phase and the second grant covers the implementation phase. He pointed out the goals of the SHIP grant and the chronic disease risk factors they would address. Wolf stated the grant was very focused and would focus on youth, 60+ population and populations experiencing health disparities.

He laid out the budget and how the funds would be spent for the first phase. Wolf stated the community leadership team would be a central focus for the second phase and will have a work plan for the nine SHIP strategies. He indicated there was a requirement for evaluation and monthly reports to MDH on progress. Wolf noted the differences between the SHIP I vs. SHIP III grants. He stated the SHIP III grant was very specific, the budget would be controlled and sustainability will be a high priority.

Wolf explained the two phases totaled \$372,234 and the duration would be November 2013 through October 2015. He stated a 1.0 FTE SHIP coordinator would be hired and would work with schools, communities, worksites and health care sectors.

Wolf clarified the Board had the option to not accept the second phase of the grant and he would be asking for approval to accept the second phase of the grant in the future.

Ische moved, Maluchnik seconded, to approve the Statewide Health Improvement Program planning grant award from the Minnesota Department of Health, as the Community Health Board, approved

1.0 FTE SHIP coordinator as required to end at the conclusion of the grant funding on October 30, 2015 and related budget amendment. Degler, Ische, Lynch Maluchnik voted aye. Workman voted nay. Motion carried.

Degler moved, Maluchnik seconded, to open the public hearing to consider changes to the 2014 fee schedule. Motion carried unanimously.

David Frischmon, Finance, explained Statutes allows the County to charge fees based on a reasonable relationship to provide the service. He noted a public hearing was required to make any changes. He explained there were no significant changes and there were just updates based on the cost to provide the service.

No public testimony was received.

Maluchnik moved, Degler seconded, to close the public hearing. Motion carried unanimously.

Maluchnik offered the following Resolution, seconded by Degler:

Resolution #72-13  
Adopting Sections 1, 3 and 4 of Ordinance 48-2014, the  
2014 Carver County Fee Schedule

On vote taken, all voted aye.

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

Degler moved, Workman seconded, to open the public hearing on the Carver County Regional Rail Authority fee schedule. Motion carried unanimously.

Frischmon explained the only change was to include clarifying language and how those fees would be applied.

No public testimony was received.

Degler moved, Maluchnik seconded, to close the public hearing. Motion carried unanimously.

Ische offered the following Resolution, seconded by Degler:

Carver County Rail Authority Resolution #01-13  
Adopting Sections 2, 3 and 4 of Ordinance 48-2014, the  
2014 Carver County Regional Rail Authority Fee Schedule

On vote taken, all voted aye.

Degler moved, Workman seconded, to adjourn as the Carver County Regional Rail Authority at 9:40 a.m. to go into a work session on the 2014 recommended budget. 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:**

**Purchase of Water Tanker Trailer for Public Works**

Primary Originating Division/Dept:

**Meeting**

Date:

Contact:

Title:

**Item Type:**

Consent

Amount of Time Requested:  minutes

Presenter:

Title:

Attachments:  Yes  No

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The water tanker trailer that is in use at Carver County is 44 years old and in need of replacement. The frame members on the old trailer are badly rusted making it difficult for the trailer to pass DOT inspection each year.

The trailer will be used to haul salt brine and for pre-treating county roads prior to winter storms. The present trailer cannot be used for this due to the mild steel frame members. A used replacement trailer has been found that is in excellent condition and has stainless steel frames which won't rust.

There are no local dealers for this type of trailer in Carver County. The trailer dealer is North American Trailer Sales at 7649 Concord Blvd. in Inver Grove Heights.

**ACTION REQUESTED:**

Purchase a 1993 Bar-Bel tanker trailer from North American Trailer Sales for the total cost of \$40,000.00 including tax and delivery.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

**Related Financial/FTE Comments:**

*Office use only:*

RBA 2012- 2273

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Right of Way Settlement for Project # SAP 010-620-012 & SAP 010-610-038 , CSAH 20 Reconstruction.**

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="12/3/2013"/>
Contact: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="County Engineer"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

The City of Watertown and the County constructed improvements on CSAH 20 and CSAH 10 in 2010 including a roundabout at the intersection of CSAH 10 and CSAH 20 and a reconstructed CSAH 20 from CSAH 10 to Paul Avenue. The City of Watertown was the lead agency and acquired the right of way for the project. The County, via a joint powers agreement, shared in the cost of construction, engineering and right of way acquisition for the project.

All easements rights were secured, however, a dispute was made by one of the property owners adjacent to the project related to the construction. This dispute was settled at a mediation hearing on November 20, 2013. The total negotiated settlement is \$30,000.00. Per the joint powers agreement, the County agreed to share in right of way expenses for this parcel at 50% with the City. Bolton and Menk, the City Engineer for Watertown, agreed to participate in the settlement and so the final cost share was determined to be one third for each party.

**ACTION REQUESTED:**

Adopt a resolution to approve County participation in a negotiated settlement between Richard Mann and the City of Watertown and authorize Public Works to pay the City of Watertown the County share of the settlement.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> County Dollars = <input type="text" value="\$10,000.00"/>  Total <input type="text" value="\$10,000.00"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	

Related Financial/FTE Comments:

*Office use only:*

RBA 2012- 2280





# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Limited Hours on December 24, 2013**

Primary Originating Division/Dept: <input type="text" value="Employee Relations"/>	<b>Meeting</b> Date: <input type="text" value="12/3/2013"/> Item Type: Consent <input type="text"/>
Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Director"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The County Board has the authority to set business hours for County services and operations. Christmas Eve occurs on Tuesday, December 24, 2013. Historically, the Board has considered reducing business hours on the 24th to allow employees greater opportunity to meet family, community and religious commitments.

The action requested is limiting business hours in non-24/7 facilities on December 24 to 8:00 AM - Noon, and allowing employees to use vacation, PTO, comp time, flex time or voluntary unpaid leave to fill the day; and in specific situations, allow greater flexibility of work hours within the same work week to accommodate the reduction of hours on the 24th.

**ACTION REQUESTED:**

Motion to approve limiting business hours in non-24/7 facilities on December 24, 2013 to 8:00 AM - 12:00 Noon, allowing employees to use vacation, PTO, comp time, flex time or voluntary unpaid leave to fill the day; and in specific situations, allow greater flexibility of work hours within the same work week to accommodate the reduction of hours on the 24th.

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

**Related Financial/FTE Comments:**

*Office use only:*

RBA 2012- 2277

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Amendment to PSA with Kennedy & Graven for Legal Services for Southwest Reconnection Project**

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="12/3/2013"/>
Contact: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="PW Director/County Engineer"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Carver County hired Kennedy and Graven for legal assistance in acquiring easements for the 101 Bridge and County Road 61/101 Y intersection construction project aka the Southwest Reconnection Project. The project includes 10 parcels, which are owned by 8 different owners. The original contract is for a not to exceed amount of \$100,000.

Public Works is requesting to amend the contract by with Kennedy and Graven to represent Carver County in eminent domain proceedings required for the project. The total contract amount with the amendment is \$150,000.00 which represents an increase of \$50,000.00.

**ACTION REQUESTED:**

Approve an amendment to contract 13-417 with Kennedy and Graven for legal services for the Southwest Reconnection Project.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> County Dollars = <input type="text" value="\$50,000.00"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<b>Total</b> <input type="text" value="\$50,000.00"/>

Related Financial/FTE Comments:  
 It is expected that the State County Turnback Account will reimburse the county 75% of the expenses.

*Office use only:*  
 RBA 2012- 2265

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Joint Powers Agreement with City of Chanhassen for Project SP 010-618-013 Construction of CSAH 18 (Lyman Blvd) Improvements**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

On November 6, 2007 the County entered into a "New Master Agreement" with the cities of Chanhassen and Chaska for improvements on the CSAH 18 (Lyman Blvd) corridor from TH 41 to CSAH 17 (Powers Blvd). In the Master Agreement the corridor was divided into three segments 1,2A, and 2B. One of the provisions in the Master Agreement includes: "Section 4. Further Joint Powers Agreements. Prior to constructing any roads described in this New Master Agreement, including Section 1, Section 2A, and Section 2B improvements or portions thereof, Carver County, Chanhassen, and Chaska must agree upon and enter into further Joint Powers Agreements specifying the details of that project. "

A JPA for the Section 1 improvements and a portion of the Section 2A improvements was approved on November 6, 2007 along with the New Master Agreement. These improvements were constructed in 2007/2008.

Funds have been secured and plans have been developed for the Section 2B improvements. Section 2B of the corridor includes the segment of CSAH 18 from Audubon Rd north to CSAH 17 (Powers Blvd). As required by the New Master Agreement, there is a Joint Powers Agreement with the City of Chanhassen specifying the details for the Section 2B improvements. The City of Chaska does not have a cost share in the Section 2B improvements.

The City of Chanhassen will be taking this JPA under consideration at its November 25 meeting.

**ACTION REQUESTED:**

Approve a joint powers agreement with the City of Chanhassen for project SP 010-618-013 and authorize the County Board Chair and County Administrator to sign the agreement pending finalization of the contract review process.

**FISCAL IMPACT:**   
if "Other", specify:

FUNDING	
County Dollars =	\$0.00
CSAH (Gas Tax)	\$1,905,000.00
Federal	\$4,826,000.00
City of Chanhassen	\$1,940,000.00
<b>Total</b>	<b>\$8,671,000.00</b>

**FTE IMPACT:**

**Related Financial/FTE Comments:**

Estimated constructio, engineering and right of way acquisition costs.

*Office use only:*

RBA 2012- 2276

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Thomas Hoese - Contractor's Yard CUP (PH/E)**

Primary Originating Division/Dept:

**Meeting**

Date:

**Item Type:**

Contact:  Title:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

File #PZ20130041. The Planning Commission recommended approval of Thomas Hoese's request for a Conditional Use Permit (CUP) to operate a contractor's yard (Magnolia Landscape & Design Co.) on a 27-acre property in Dahlgren Township. The business has seven (7) full-time employees in the spring and up to 15 (full-time/part-time staff) in the summer. The hours of operation would typically be 6:30 am-6:30 pm Monday through Friday during the summer with varying hours in the winter. The existing 40' x 80' building would be utilized for the storage of approximately three (3) business vehicles, tools, seed, bagged sand, etc. Outside storage of mulch, boulders, pavers, tone, etc. would be located to the south and east of the structure and is required to be screened per 152.040 B8. Five (5) parking spaces will be provided for employees to the east of the structure, however on average only three (3) employees would come to the site each day to obtain work orders, a vehicle, and materials. Approximately four (4) - six (6) vehicle trips are anticipated daily. Public Works has reviewed the request and is not requiring road improvements/upgrades at this time. Substantial increases in the average daily trips related to the commercial use may be cause for review in the future by Public Works and possible improvements at the landowner's expense. All buildings utilized by the business are required to meet state building code. There is no signage proposed for the business. The applicant would homestead the existing residence. A structure, not to exceed 80' x 200', was also proposed for future expansion. The Dahlgren Town Board has recommended approval.

**ACTION REQUESTED:**

A motion to adopt findings of fact and issue Order #PZ20130041 for the issuance of a Conditional Use Permit.

**FISCAL IMPACT:**

**FUNDING**

*If "Other", specify:*

**County Dollars =**

**FTE IMPACT:**

**Total**  **\$0.00**

**Related Financial/FTE Comments:**

*Office use only:*

RBA 2012- 2279

**COUNTY OF CARVER**  
***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20130041**

**RESOLUTION #: 13-10**

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

**FILE #:** PZ20130041

**APPLICANT/OWNER:** Thomas Hoese/Kathleen Hasse

**SITE ADDRESS:** 9310 County Road 140, Cologne

**PERMIT TYPE:** Contractor's Yard

**PURSUANT TO:** County Code, Chapter 152, Section 152.079 C 10

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 04-006-0600

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of November 19, 2013; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Thomas Hoese has a purchase agreement for 27.11 acres of property in the East half (E½) of the Northwest quarter (NW¼) of Section 6, Dahlgren Township. The parcel is improved with a residence, a two (2) car attached garage, one (1) large and small detached small sheds, and one (1) pole building. The property is in the Agriculture Zoning District and the CCWMO – Carver Creek watershed.
2. The applicant requested a Conditional Use Permit (CUP) to operate a Contractor's Yard pursuant to Section 152.079 C10 of the Carver County Zoning Code.
3. Mr. Hoese requested to operate his landscaping/snow removal business (Magnolia Landscape & Design Co.) from the site. The business would operate from the existing 40' x 80' pole building, which must conform to the building code. The hours of operation would typically be 6:30am – 6:30 pm Monday through Friday during the summer with varying hours in the winter. On occasion work may begin at the property at 6:00 am. There are seven (7) full-time employees associated with the business during the spring and fall and up to 15 (full-time/part-time staff) in the summer including the owner. The owner's wife also works part-time in the home office.
4. The existing pole building would provide for the storage of tools, small equipment, grass seed, bagged sand and mortar. Outside storage of mulch, boulders, base materials, sand, stone, pavers, drain tile, river rock and limestone is proposed to the south and east of the existing building which is screened by existing trees.
5. The business utilizes six (6) bobcats, three (3) bobcat trailers, one (1) ton dump truck, a two (2) ton dump truck, three (3) enclosed trailers, and one (1) pick-up. The enclosed trailers typically stay at the job site and the foreman have company pick-ups that they keep at their individual residences. On average, approximately three (3) business vehicles will be stored on the site and five (5) employee parking spaces would be provided to the east of the existing pole barn. A typical day would include approximately two (2) – three (3) employees coming to the site each morning to get a truck and materials.
6. Approximately four (4) to six (6) trips per day associated with the contractor's yard are anticipated. Public Works reviewed the request and did not require road improvements/upgrades at this time due to the minimal amount of vehicles accessing the site. Substantial increases in the average daily trips related to the commercial use may be

cause for review by Public Works and possible improvements at the landowner's expense.

7. In the future, a new pole building (not to exceed 80' x 200') in size with a possible restroom may be constructed to the south of the existing home. At that time, the office may be moved from the home into the new pole building. Screening would be required to be installed around the new operational area at such time the building is constructed.
8. The property transfer will require the submittal of a Certificate of Compliance for the existing septic system.
9. The applicant is not planning signage for the business at this time and there is not any retail sales from the property (i.e. customers would not come to the site).
10. Mr. Hoese is aware of the homesteading requirement and shall homestead the property prior to commencing business activity at the site.
11. The Dahlgren Town Board reviewed the request at their August 12, 2013 Town Board meeting and recommended approval.

**THEREFORE, BE IT RESOLVED,** THAT The Carver County Planning Commission hereby recommends the issuance of the subject permit on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

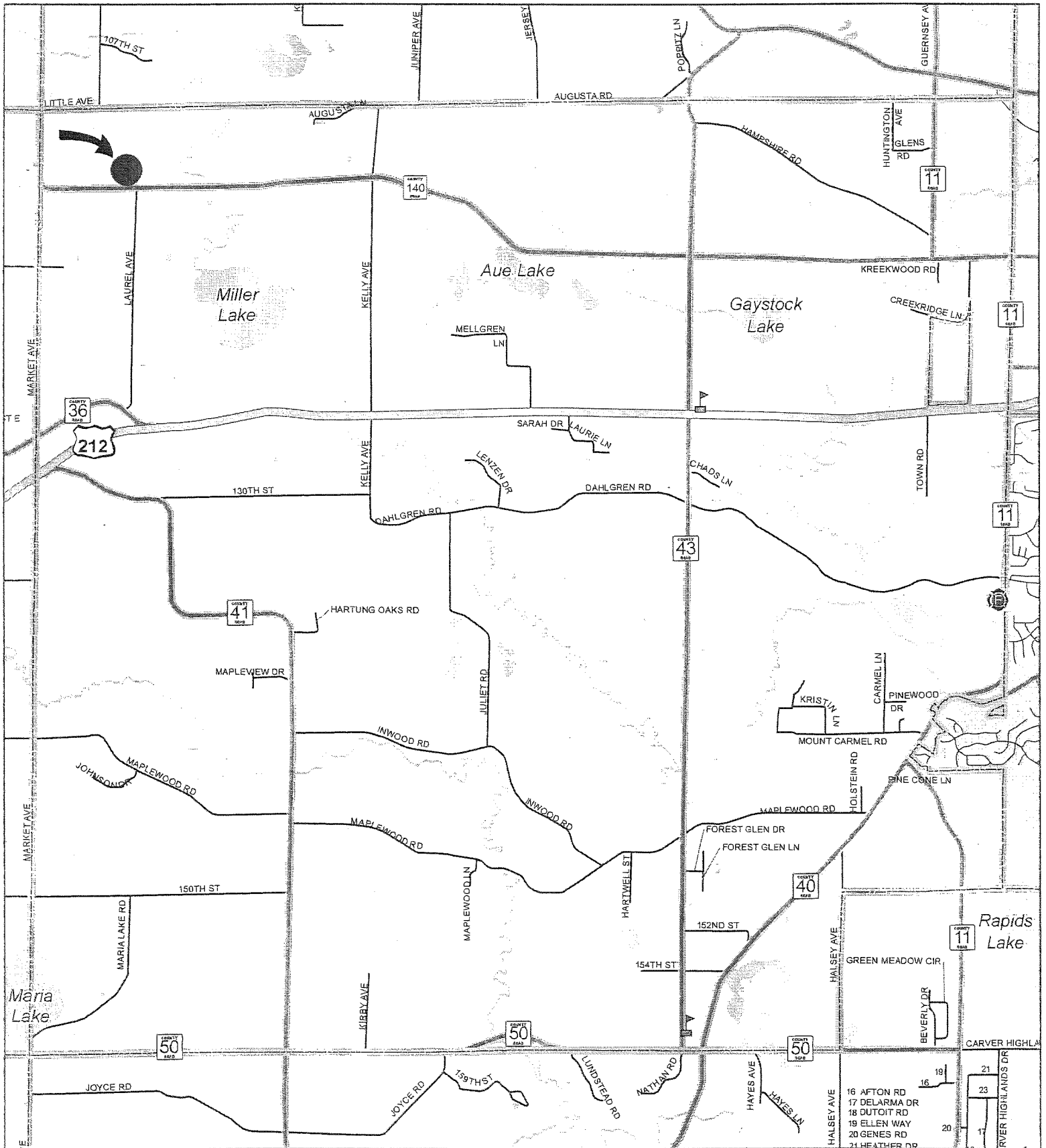
1. The permit is subject to administrative review. The Permittee shall maintain homestead status on the property. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The operation shall be in accordance with the submitted operational & site plans (dated: 10/21/2013). These plans shall be attached to and become part of this permit. All outside storage shall be screened per Chapter 152.040 B 8.
3. Permittee shall obtain the appropriate building permit(s) for the change in use prior to occupying the pole building (if required). All structures used in conjunction with the contractor's yard operation shall meet the requirements of the Minnesota State Building Code.
4. Building permits will be required prior to the construction of the future pole building with a possible office and restroom. Screening will be reviewed at the time of Building Permit review.
5. No more than five (5) employees that report to the site shall be permitted for future expansion. No more than nine (9) business vehicles shall be stored at the site.
6. Permittee shall obtain and maintain a Non-Generator's Certificate or work with the Environmental Services (E.S.) Department to obtain a Hazardous Waste Generator's License if required.
7. Permittee shall comply with road access requirements/improvements as determined by the road authority.
8. Permittee shall submit a Certificate of Workers' Compensation Insurance and/or proper affidavit to the Land Management Department.

**ADOPTED** by the Carver County Planning Commission this 19<sup>th</sup> day of November, 2013.

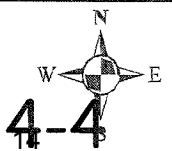
---

John P. Fahey  
Planning Commission Chair

# DAHLGREN TOWNSHIP



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



Map Created by Carver County GIS



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Weapons Screening Addition - Equipment**

Primary Originating Division/Dept: Administrative Services - Facilities

**Meeting**

Date: 12/3/2013

Contact: Kevin Maas

Title: Facilities Manager

**Item Type:**

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Carver County Facilities, under advisement from their architect, engineer, security consultant, an internal task force and the Sheriff's Office, has developed a list and layout of security screening equipment for the new weapons screening addition in courts. The equipment includes a metal detector, x-ray machine, roller table, turnstile, cameras, etc.

The County Board previously established a budget of \$111,000 for the equipment purchases and general conditions. The total bid from General Security Services Corporation (GSSC) came in at \$89,397.95. The equipment is being purchased from state contract. The County is not aware of any qualified local vendors that provide this equipment.

**ACTION REQUESTED:**

Move approval of the purchase for the weapons screening equipment and services from GSSC in the amount of \$89,397.95.

**FISCAL IMPACT:** Included in current budget

If "Other", specify:

**FTE IMPACT:** None

**FUNDING**

<b>County Dollars =</b>	
Weapons Screen	\$85,205.86
Facilities Capital	\$4,192.09
<b>Total</b>	<b>\$89,397.95</b>

**Related Financial/FTE Comments:**

Funds from the project (\$85,397.95) will be used to acquire the equipment and Facility budget dollars (\$4,192.09) will be used to acquire additional warranty, service work and relocating existing door hardware.

Office use only:

RBA 2012- 2286

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Appointment to Joint Ditch Board**

Primary Originating Division/Dept:

**Meeting**

Date:

Contact:  Title:

**Item Type:**

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

A hearing was held on November 26th at Sibley County to establish a joint ditch between Sibley and Carver County. Carver County needs to appoint two Commissioners to serve on this newly formed joint ditch board. The final hearing will be held December 12th at 1:00 p.m. in Sibley County.

**ACTION REQUESTED:**

Appoint two Board members to serve on the the newly created joint ditch board.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

**Related Financial/FTE Comments:**

*Office use only:*

RBA 2013 - 2289

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Amendment to Joint Powers Agreement for CSAH 10 Bridge Construction in Watertown**

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="12/3/2013"/>
Contact: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="County Engineer"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="15"/> minutes Presenter: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="County Engineer"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

The County Road 10 (Territorial Street) Bridge over the Crow River is schedule for replacement in 2014. The preliminary engineering plans are complete. Before completing final engineering documents the county has asked the City of Watertown to decide if the project should be constructed under traffic or with a total closure and detour.

The intent to date during preliminary engineering has been to close the road and remove the existing river bridge and build the new bridge as quickly as possible between June and September. It has been determined feasible to construct the new bridge in two pieces (staged approach) and leave the river crossing open during construction. This is estimated to cost an additional \$400,000 due to increased labor, material and construction complexity. This increase in cost is proposed to be shared by the City and County and prorated by overall project cost share. Under this scenario the City is responsible for approximately 25% or \$100,000.00. The County share is about 75% or \$300,000.00 of which approximately 50% is eligible for State Bridge Bonding.

At the November 26, 2013 City Council meeting the City approved the staged project along with the increased City cost share.

The project joint powers agreement has been amended to this effect.

**ACTION REQUESTED:**

Approve an amendment to the joint powers agreement with the City of Watertown to include a staged construction project with an estimated cost increase of \$400,000.00 subject to finalization of the contract review process.

<p><b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/></p> <p><i>If "Other", specify:</i> <input type="text"/></p> <p><b>FTE IMPACT:</b> <input type="text" value="None"/></p>	<p><b>FUNDING</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2"><b>County Dollars =</b></td> </tr> <tr> <td>CSAH (gas tax etc)</td> <td style="text-align: right;">\$150,000.00</td> </tr> <tr> <td>State Bridge Bonds</td> <td style="text-align: right;">\$150,000.00</td> </tr> <tr> <td>City of Watertown</td> <td style="text-align: right;">\$100,000.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$400,000.00</b></td> </tr> </table>	<b>County Dollars =</b>		CSAH (gas tax etc)	\$150,000.00	State Bridge Bonds	\$150,000.00	City of Watertown	\$100,000.00	<b>Total</b>	<b>\$400,000.00</b>
<b>County Dollars =</b>											
CSAH (gas tax etc)	\$150,000.00										
State Bridge Bonds	\$150,000.00										
City of Watertown	\$100,000.00										
<b>Total</b>	<b>\$400,000.00</b>										

Related Financial/FTE Comments:  
 The costs are approximate at this time. Discrepancies to this amount will be covered by CSAH funds.

*Office use only:*

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Land Acquisition for CSAH 11 Construction Project # SP 010-611-006**

Primary Originating Division/Dept:

**Meeting**

Date:

**Item Type:**

Contact:  Title:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

In 2012-2013, the county realigned reconstructed CSAH 11 from CSAH 61 to Engler Blvd, (CSAH 10). As a consequence of the realignment and reconstruction, the county obtained right-of-way from numerous property owners along the CSAH 11 corridor. In order to complete the road construction in a timely manner, condemnation proceedings against several property owners was initiated by the county. Hearings were held before a condemnation commission and damages have been awarded by the condemnation commissioners for a number of the properties.

**ACTION REQUESTED:**

Motion to enter into closed session according to Minnesota Statute Section 13D.05 in order to discuss confidential information regarding the Land Commissioners' awards.

**FISCAL IMPACT:**

**FUNDING**

*If "Other", specify:*

County Dollars =

**FTE IMPACT:**

**Total**

**Related Financial/FTE Comments:**

*Office use only:*

RBA 2012- 2272

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval of Joint Powers Agreement Establishing Scott/Carver Transit as SmartLink Operated by Scott County**

Primary Originating Division/Dept: <input type="text" value="Community Social Services"/>	Meeting Date: <input type="text" value="12/3/2013"/>
Contact: <input type="text" value="Gary Bork"/> Title: <input type="text" value="Director"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="10"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text" value="Gary Bork"/> Title: <input type="text" value="Director"/>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

In August 2009 the Scott and Carver County Boards held a joint workshop to discuss the feasibility of collaborating on transit. In January of 2010 the respective boards approved a Joint Powers Agreement formalizing the collaboration on transit. In a joint Board Workshop in September 2012 the Boards reviewed the progress and accomplishments of SmartLink and provided direction to staff to move to a full merger. The staffs of each County devised a work plan and have worked diligently over the past 14 months to develop the framework for a fully merged transit system. The Joint Powers Agreement Establishing Scott/Carver Transit as SmartLink Operated by Scott County is the contract that formally merges the Carver County and Scott County transit systems that have successfully collaborated for over four years under the operating name of SmartLink.

The collaboration has accomplished increased ridership at a lower per trip cost than before the merger. The New Freedom Grant from the Metropolitan Council has allowed SmartLink buses to have mobile data computers, GPS tracking, and in vehicle cameras. The collaboration has allowed SmartLink to assume the administration of Medical Assistance Transportation at a cost savings for Human Services. SmartLink has emerged as model for transit collaboration and efficiencies within the region.

Nine regular Carver County employees covered by two Labor Agreements are impacted by the merger. They will be severed from employment with Carver County on December 31, 2013 and become Scott County employees on January 1, 2014. Memorandums of Agreement have been negotiated with the Supervisory and Management Association of Carver County (SMACC) and the American Federation of State, County and Municipal Employees (AFSCME) Local 2789 that cover severance and transfer of accrued benefits to Scott County.

**ACTION REQUESTED:**

To adopt the Resolution authorizing the Joint Powers Agreement Establishing Scott/Carver Transit as SmartLink Operated by Scott County effective January 1, 2014.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> County Dollars = <input type="text"/> <input type="text"/> <b>Total</b> <input type="text" value="\$0.00"/>
<b>FTE IMPACT:</b> <input type="text" value="Decrease budgeted staff"/>	

**Related Financial/FTE Comments:**

The fiscal impact of the merger comes from staff separating employment from Carver County and becoming employees of Scott County. The fiscal impact is displayed on the corresponding Request for Board Action adopting the Memorandums of Agreement for the respective Labor Unions.

Office use only:

RBA 2012-



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: \_\_\_\_\_ Resolution No.: \_\_\_\_\_

Motion by Commissioner: \_\_\_\_\_ Seconded by Commissioner: \_\_\_\_\_

**WHEREAS**, the Counties of Carver and Scott are local units of government responsible for providing transit services for County residents; and

**WHEREAS**, the Counties have been collaborating since 2009 to provide transit services to the residents of the respective Counties through partnering of existing resources and developing expanded transit services in order to increase the scope, availability, and quality of the two county region's transit system; and

**WHEREAS**, success of the collaborative endeavor has the Counties wanting to combine and recognize the staff and operations in a single, merged entity operated by Scott County; and

**WHEREAS**; the Counties want to continue to achieve economies of scale in operating transit services and service efficiencies by streamlining policies and practices under one governmental organization; and

**WHEREAS**, the Counties seek to eliminate duplication of administrative efforts; and

**WHEREAS**, the Counties seek to implement positive public policy change by showing successful collaboration can be realized;

**WHEREAS**, the Joint Powers Agreement was developed pursuant to authority conferred upon the Counties by Minnesota Statutes §471.59.

**NOW, THEREFORE BE IT RESOLVED**, that the Carver County Board of Commissioners hereby authorizes the Chairperson of the Board to enter into a Joint Powers Agreement with the County of Scott for establishing Scott/Carver Transit as SMARTLINK operated by Scott County.

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

## STATE OF MINNESOTA COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the \_\_\_\_ day of \_\_\_\_, 2013, 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:****Resolutions Authorizing Entering into Memoranda of Agreement with AFSCME and with SMACC**

Primary Originating Division/Dept: Employee Relations

Meeting Date: 12/3/2013

Contact: Kerie Anderka

Title: Employee Relations Director

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter: Kerie Anderka

Title: Employee Relations Director

Attachments:  Yes  No**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The purpose of this agenda item is to adopt a resolution authorizing entering into a Memorandum of Agreement with the American Federation of State, County and Municipal Employees, Council No 65, Local Union No. 2789 (AFSCME); and to adopt a resolution authorizing entering into a Memorandum of Agreement with the Supervisors and Managers Association of Carver County (SMACC).

Carver County and AFSCME met and negotiated the terms of the transit employees' separation from employment with Carver County. The Memorandum of Agreement with AFSCME defines the benefits which will be provided to transit employees upon their separation from employment with Carver County effective December 31, 2013.

- Provide severance pay to Post Employment Health Care Savings Plan for eligible employees pursuant to CBA
- Provide individual choice to employees to have remaining severance and accumulated leave hours either paid out as cash or transferred to Scott County PTO bank
- Carver County transit drivers will begin employment in Scott County with seniority based upon continuous hours of service in Carver County.
- Employees will maintain current wage upon transfer to Scott County or be placed at minimum of Scott County wage range

The action requested of the Board is approval of the Resolution authorizing entering into a Memorandum of Agreement with the American Federation of State, County and Municipal Employees, Council No 65, Local Union No. 2789 regarding the benefits to be provided to transit employees upon their separation from Carver County employment effective December 31, 2013.

Carver County and SMACC met and negotiated the terms of the transit employee's separation from employment with Carver County. The Memorandum of Agreement with SMACC defines the benefits which will be provided to the transit employee upon separation from employment with Carver County effective December 31, 2013.

- Provide severance pay to Post Employment Health Care Savings Plan for eligible employees pursuant to CBA
- Transfer employee's remaining PTO hours to Scott County as PTO hours
- Transfer employee's Catastrophic Sick Bank hours to Scott County Extended Sick Leave Bank
- As a result of conversion of vacation/sick to PTO, employee has PTO Conversion hours. Disburse these hours to a combination of a health care savings account and Scott County PTO
- Credit employee with Carver County length of service for placement on Scott County PTO accrual schedule.
- Begin employment at Scott County with current Carver County rate of pay.

The action requested of the Board is approval of the Resolution authorizing entering into a Memorandum of Agreement with the Supervisors and Managers Association of Carver County regarding the benefits to be provided to the transit employee upon separation from Carver County employment effective December 31, 2013.

**ACTION REQUESTED:**

Motion to approve the Resolution authorizing entering into a Memorandum of Agreement with the American Federation of State, County and Municipal Employees, Council No 65, Local Union No. 2789 regarding the benefits to be provided to transit employees upon their separation from Carver County employment effective December 31, 2013.

**Additional Action Requested:**

Motion to approve the Resolution authorizing entering into a Memorandum of Agreement with the Supervisors and Managers Association of Carver County regarding the benefits to be provided to the transit employee upon separation from Carver County employment effective December 31, 2013.

**FISCAL IMPACT:** Included in current budget

*If "Other", specify:*

**FUNDING**

County Dollars = \$56,645.00

**FTE IMPACT:** Decrease budgeted staff

**Total** \$56,645.00

**Related Financial/FTE Comments:**

Cost includes Medicare and FICA

**FTE Impact:**

Reduces Carver County headcount by five full-time and four part-time employees.

*Office use only:*

RBA 2012- 2284



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

## Resolution: Transit Merger Memorandum of Agreement with AFSCME

DATE \_\_\_\_\_ RESOLUTION NO. \_\_\_\_\_  
 MOTION BY COMMISSIONER \_\_\_\_\_ SECONDED BY COMMISSIONER \_\_\_\_\_

---

**WHEREAS**, Carver County and the American Federation of State, County and Municipal Employees, Council No. 65, Local Union No. 2789 (AFSCME) are parties to a collective bargaining agreement (CBA) negotiated pursuant to the Public Employment Labor Relations Act; and

**WHEREAS**, Carver County and its employees have delivered transit services collaboratively with Scott County and its employees since approximately 2008; and

**WHEREAS**, Carver County and Scott County will be entering into a Joint Powers Agreement (JPA) for transit operations which will become effective on or about January 1, 2014; and

**WHEREAS**, the JPA will provide, in part, that transit employees of Carver County will become employees of Scott County; and

**WHEREAS**, Carver County and the Union have met and negotiated the terms of employees' separation from employment with Carver County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Carver County Board of Commissioners hereby authorizes the Chairperson of the Board to enter into a Memorandum of Agreement with the American Federation of State, County, and Municipal Employees, Council No. 65, Local Union No. 2789.

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 3<sup>rd</sup> day of December, 2013, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this \_\_\_\_\_ day of December, 2013

\_\_\_\_\_  
 County Administrator

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

## Resolution: Transit Merger Memorandum of Agreement with SMACC

DATE \_\_\_\_\_ RESOLUTION NO. \_\_\_\_\_  
 MOTION BY COMMISSIONER \_\_\_\_\_ SECONDED BY COMMISSIONER \_\_\_\_\_

---

**WHEREAS**, Carver County and the Supervisors and Managers Association of Carver County (SMACC) are parties to a collective bargaining agreement (CBA) negotiated pursuant to the Public Employment Labor Relations Act; and

**WHEREAS**, Carver County and its employees have delivered transit services collaboratively with Scott County and its employees since approximately 2008; and

**WHEREAS**, Carver County and Scott County will be entering into a Joint Powers Agreement (JPA) for transit operations which will become effective on or about January 1, 2014; and

**WHEREAS**, the JPA will provide, in part, that transit employees of Carver County will become employees of Scott County; and

**WHEREAS**, Carver County and SMACC have met and negotiated the terms of the employee's separation from employment with Carver County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Carver County Board of Commissioners hereby authorizes the Chairperson of the Board to enter into a Memorandum of Agreement with the Supervisors and Managers Association of Carver County.

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 3<sup>rd</sup> day of December, 2013, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this \_\_\_\_\_ day of December, 2013

\_\_\_\_\_  
 County Administrator