

Carver County Board of Commissioners  
 Committee of the Whole Meeting  
 February 19, 2013 - 2:30 p.m.  
 Oak Lake Conference Room  
 Carver County Justice Center Lower Level



Carver County Board of Commissioners  
 February 19, 2013  
 Regular Session  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

PAGE

4:00 p.m.	1.	<b>a) CONVENE</b> <b>b) Pledge of allegiance</b> <b>c) Public comments (limited to five minutes)</b>	
	2.	Agenda review and adoption	
	3.	Approve minutes of February 5, 2013, Regular Session .....	1-5
	4.	Community Announcements	
4:00 p.m.	5.	<b>CONSENT AGENDA</b>	
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
	5.1	Request for approval to contract with the State of Minnesota, Division of Homeland Security & Emergency .....	6-7
	5.2	2013 Seasonal road restrictions .....	8-9
	5.3	Agreement to State Transportation Fund (Bridge Bonds) SAP 010-640-009 .....	10-11
		<i>Connections: Develop strong public partnerships and connect people to services and information</i>	
	5.4	Adoption of Resolution Electing Procedures for Classification and Reclassification of Tax Forfeited Land .....	12-13
		<i>Culture: Provide organizational culture fostering accountability to achieve goals and sustain public trust/confidence in County government</i>	
	5.5	Contract approval – Laketown Electric – building corridor lighting retrofit.....	14
	5.6	Approval of the 2013-2015 AFSCME Social Service collective bargaining agreement.....	15
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i>	
	5.7	Amendment No. 5 to professional services agreement for Carver County Highway 61/TH 101 “Y” study with SEH .....	16-17

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

5.8	Contract with TIES for equipment for Carver fiber project .....	18-19
5.9	Community Social Service Warrants/Commissioner Warrant Review.....	NO ATT

4:10 p.m.	<b>6. CONNECTIONS: Develop strong public partnerships and connect people to services and information</b>	
	6.1 Metropolitan Mosquito Control update .....	20
	6.2 Minnehaha Creek Watershed District appointment .....	21

4:40 p.m.	<b>7. GROWTH: Manage the challenges and opportunities resulting from growth and development</b>	
	7.1 Resolution Opposing the Imposition of a Transit Sales Tax .....	22-24

5:00 p.m. **ADJOURN REGULAR SESSION**

- 5:00 p.m. **BOARD REPORTS**
1. Chair
  2. Board Members
  3. Administrator
  4. Adjourn

David Hemze  
County Administrator

**UPCOMING MEETINGS**

February 26, 2013	9:00 a.m. Board Meeting
March 5, 2013	No Board Meeting
March 12, 2013	9:00 a.m. Board Meeting/Work Session
March 19, 2013	2:30 p.m. Joint Work Session with Scott County Board
March 19, 2013	4:00 p.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on February 5, 2013. Chair Tim Lynch convened the session at 9:04 a.m.

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

Members absent: None.

Under public comments, Libby Fairchild, Chaska, highlighted the Friends of the Library upcoming celebration of the Chaska Library's 90<sup>th</sup> Birthday and invited everyone to attend.

Mark Metz, County Attorney, introduced Dave Hunt as the County Attorney's new Criminal Division Manager and pointed out Mr. Hunt's dedication to public service.

Mr. Hunt stated he was pleased to be part of Carver County and thanked them for the opportunity to serve.

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

Ische moved, Maluchnik seconded, to approve the minutes of the January 22, 2013, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Joint powers agreement with the City of Waconia for construction of TH 284/TH5/CSAH 57 intersection and authorized Chair and Administrator to sign subject to review by County Attorney/Risk Management.

Authorized Public Works to purchase asphalt curb machine, a tandem axle snow plow, a single axle trailer and a mechanic's truck using the CSAH maintenance reserve fund in the amount of \$380,000 and related budget amendment.

Appointed Tim Walsh as voting member to Metro Region Homeland Security and Emergency Management group and the Urban Areas Security Initiative group.

Authorized the Parks Director or designee to use up to, but not more than, five shelter rentals, fifteen weekend campground reservations, thirty annual parking passes and \$150 in recreation/program event vouchers for promotional and marketing purposes and provide members of the County Board, Park Commission and Administrative staff with annual park passes and authorized annual and daily passes for the County's P.E.E.R. award program.

Adopted the Findings of Fact and issued Order #PZ20120040 for the issuance of an interim use permit, Daniel Blackketter, Watertown Township.

Joint powers agreement with the City of Chanhassen for improvements to TH 101 from Pioneer Trail to Lyman Boulevard and authorized the Chair and Administrator to sign subject to review by County Attorney/Risk Management.

Reviewed January 29, 2013, Community Social Service/Commissioners' warrants in the amount of \$304,851.20.

Reviewed February 5, 2013, Community Social Service/Commissioners' warrants in the amount of \$176,709.89.

Motion carried unanimously.

Steve Taylor, Administrative Services, requested approval for the Watertown Branch Library remodeling project. He noted the facility was 20 years old and had not been improved since that time.

Nick Dimassis, Library Director, explained this was a joint project with the City and, through the joint powers agreement, the City provides the building and the County stocks and staffs the library. He stated the Watertown City Council supported the project at their work session in January and would be formally approving it in February.

He pointed out the increased visits to the library and increased demand for services. Dimassis highlighted the conceptual design, estimated remodeling costs and funding sources. He clarified the building would be closed May 1<sup>st</sup> for remodeling and re-opened mid-June.

Ische moved, Degler seconded, to project budget amendment of \$190,000 to remodel the Watertown Library. Motion carried unanimously.

Jeff Spartz, AMC Executive Director, appeared before the Board for an update. He pointed out AMC was a member driven organization and the stressed the importance of the Policy Committees in developing AMC's platform.

He reviewed the Minnesota Accountable Government Innovation and Cooperation Act that looks at the design of county government and suggests approaches to improving how counties can deliver services to citizens. He stated this legislation almost passed the legislature last year and they were hoping to do better this year. Spartz pointed out the partnership with NACo that does lobbying on the national level. He also noted the government pricing available through NACo's US Communities Government Purchasing Alliance and prescription discount card program. He added that AMC has also teamed up with Diversified Check Solutions to aggregate credit card transactions and as they build volume the costs per transaction go down.

Chair Lynch thanked Mr. Spartz for his update and presented him with a Certificate of Recognition for the work he has done for counties and Carver County.

David Frischmon, Financial Services, requested the Board adopt a Resolution awarding the sale of general obligation capital improvement refunding bonds. He noted the Board called for a bond sale back on January 22<sup>nd</sup> and the bond sale was held yesterday. Frischmon stated the County's AAA bond rating had been re-affirmed.

Mark Ruff, Ehlers, pointed out the bond rating was very positive for the County and means the County will attract the most bidders for its bonds. He indicated eight bids were received from all around the country. Ruff explained the interest rate they achieved was .8763 and the refunded bonds had a rate of over 4% which transfers into a lower debt cost. He indicated the savings will translate into an estimated \$67,000 per year. He highlighted the sale report and indicated the winning bid was United Bankers Bank. Ruff stated they were also able to lower the amount of the bonds because of lower costs so the final cost will be \$5,150,000.

Maluchnik offered the following Resolution, seconded by Ische:

Resolution #07-13

Awarding Sale of \$5,150,000 General Obligation Capital Improvement Refunding Bonds,  
Series 2013A, Fixing the Form and Specifications Thereof, Providing for their Execution  
and Delivery and Providing for Their Payment

On vote taken, all voted aye.

Lyndon Robjent, Public Works, requested the Board approve a Memorandum of Understanding with MnDOT for the Highway 101 bridge and "Y" Construction.

He pointed out the major traffic disruption caused by closed roads within the County due to past flooding events. Robjent indicated in 2011 MnDOT partnered with the County for a Flood Mitigation Study to identify some options for 101 and 41 river crossings. He explained they went through a process and 101 was chosen as a preferred project to move ahead to compete for State flood mitigation bonds. Robjent noted the legislation that provided additional funding and indicated since March, 2012, MnDOT has been working on a four lane bridge and the County has been working on options for the CSAH 61 "Y" intersection.

Robjent reviewed the options they had looked for the intersection and stated a roundabout was the preferred solution for moving the project forward. He indicated MnDOT has agreed to combine the projects and a significant change will be to keep the river crossing open. He noted, however, there would be closures on 61.

He identified the engineering and environmental challenges of the project. He stated the memorandum of understanding outlines roles and responsibilities before getting into the project.

Robjent indicated \$60,000,000 is the current estimate as the cost for the combined project and reviewed funding sources, including the County financing \$12,000,000 and getting paid back in 2022 with turnback funds.

He highlighted the project schedule and indicated open houses were being planned. He stated they anticipated construction beginning in the summer of 2014 and going through the fall of 2015. Robjent stated Carver County would be the lead agency and if the bids cannot be let by May, 2014, the projects would be separated.

Robjent reviewed the memorandum of understanding details and clarified they wanted to outline responsibilities before entering into a joint powers agreement. He stated they have been talking with the County's legislative delegation and encouraging them to look at the turnback fund and providing more funds into that account.

David Hemze, County Administrator, questioned if there was any risk associated with the turnback funds getting cut or eliminated. Robjent acknowledged there was a small risk but this was a stable funding source and it would not disappear. David Frischmon, Financial Services, reviewed funding sources for the County's share. Hemze stated they would come back with a more detailed explanation on funding sources in the future.

Degler moved, Workman seconded, to approve a Memorandum of Understanding with the Minnesota Department of Transportation for Highway 101 Bridge and CSAH 61 "Y" construction and authorized the Chair and County Administrator to sign subject to review and approval by the County Attorney/Risk Management. Motion carried unanimously.

Robjent requested the Board approve the transfer of the former Union Pacific Railroad property to the Carver County Regional Rail Authority. He stated this was an administrative item to transfer title from the County to the Rail Authority.

Martin Walsh, Parks, clarified the property was purchased in 2011 and the acquisition was financed by Carver County. He indicated they received funds from the Met Council, from Scott County for its portion of the rail and easements would be purchased by certain agencies from the Rail Authority.

Degler moved, Maluchnik seconded, to approve the transfer of the former Union Pacific Railroad property by Warranty Deed from Carver County to the Carver County Regional Railroad Authority and authorized the Chair and Administrator to sign subject to review by the County Attorney/Risk Management. Motion carried unanimously.

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

Walsh requested the Rail Authority approve the acceptance of the former Union Pacific Railroad property and to approve the related easement agreements.

Maluchnik moved, Ische seconded, to approve the transfer of the former Union Pacific Rail property from Carver County and to approve easement agreements with the City of Chaska, Metropolitan Council Environmental Services and the City of Carver for trail and electrical easement, sanitary sewer lines and levee respectively and authorized the Chair of the Rail Authority to sign the agreements upon the review and approval of the County Attorney/Risk Management. Motion carried unanimously.

Ische moved, Degler seconded, to adjourn as the Carver County Regional Rail Authority at 10:38 a.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:**

**(PH/E) - Request for approval to contract with the State of Minnesota, Division of Homeland Security & Emergency Management**

Primary Originating Division/Dept: <input type="text" value="Public Health &amp; Environment - Emergency Mgmt."/>	Meeting Date: <input type="text" value="2/19/2013"/>
Contact: <input type="text" value="Tim Walsh"/> Title: <input type="text" value="Emergency Management Spe..."/>	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:**  
 Communities: Create and maintain safe, healthy, and livable communities

**BACKGROUND/JUSTIFICATION:**

This Urban Area Security Initiative (UASI) grant was awarded by the State of Minnesota, Department of Public Safety – Homeland Security & Emergency Management Division. The grant money will be used to support Carver County with a new high definition (HD) digital video recording system, and two interactive presentation smart boards. This new technology will enhance the capabilities of the Training / Emergency Operations Center (EOC).

**ACTION REQUESTED:**

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

<b>FISCAL IMPACT:</b> <input type="text" value="Budget amendment request form"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> <b>County Dollars =</b> <input type="text"/>				
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"><input type="text" value="UASI Grant"/></td> <td style="width: 30%; text-align: right;"><input type="text" value="\$32,707.00"/></td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><input type="text" value="\$32,707.00"/></td> </tr> </table>	<input type="text" value="UASI Grant"/>	<input type="text" value="\$32,707.00"/>	<b>Total</b>	<input type="text" value="\$32,707.00"/>
<input type="text" value="UASI Grant"/>	<input type="text" value="\$32,707.00"/>				
<b>Total</b>	<input type="text" value="\$32,707.00"/>				

**Related Financial/FTE Comments:**  
 See attached Budget Amendment Request Form

*Office use only:*

RBA 2012- 1634



# Budget Amendment Request Form



**Agenda Item:**

(PH/E) - Request for approval to contract with the State of Minnesota, Division of Homeland Security & Emergency Management

Department:  
t:

Meeting Date: 2/19/2013

Requested By:

Randy Wolf

Fund:

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

Description of Accounts	Acct #	Amount
Emergency Services (CFDA 97.067)	01-280-280-1909-...	\$32,707.00
<b>TOTAL</b>		\$32,707.00

Description of Accounts	Acct #	Amount
Equipment Purchase	01-280-280-1909-...	\$32,707.00
<b>TOTAL</b>		\$32,707.00

**Reason for Request:**

Addition of grant revenue and expenditure to the 2013 budget for Emergency Management

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**2013 Seasonal Road Restrictions**

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="2/19/2013"/>
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 checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities	

**BACKGROUND/JUSTIFICATION:**

Seasonal road restrictions in Carver County can be established in accordance with Chapter 169, Laws of Minnesota, at the ton per axle limitations of the 2013 Seasonal Road Restriction map for Carver County, on file at Public Work's headquarters in Cologne and posted on the County web site. The County Engineer can increase or decrease said restrictions whenever conditions warrant pursuant to Chapter 163, Section 163.02, Subdivision 3, Laws of Minnesota.

The spring load restriction start and end dates are determined by MnDOT and will be announced with at least a 3-day advance notice. Advance notice is available on the Internet at:  
[http://www.mrr.dot.state.mn.us/research/seasonal\\_load\\_limits/sllindex.asp](http://www.mrr.dot.state.mn.us/research/seasonal_load_limits/sllindex.asp)

and via recorded messages at (651) 366-5400 or toll free at 1-800-723-6543.

MnDOT policy is to not restrict loads in the Spring for more than 8 weeks, however the county can extend the end date if conditions warrant.

**ACTION REQUESTED:**

Authorize the posting of maximum load limit signs on Carver County Roads.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/> If "Other", specify: <input type="text" value=""/>	<b>FUNDING</b> County Dollars = <input type="text" value=""/> <input type="text" value=""/> <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- 1642

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

Date: February 19, 2013

Resolution No: \_\_\_\_\_

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

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

**2013 SEASONAL ROAD RESTRICTIONS**

BE IT RESOLVED, that the seasonal road restrictions in Carver County be established in accordance with Chapter 169, Laws of Minnesota, at the ton per axle limitations of the 2013 Seasonal Road Restriction map for Carver County, and

BE IT FURTHER RESOLVED, that the County Engineer be and hereby is authorized to impose and to increase or decrease said restrictions whenever conditions warrant pursuant to Chapter 163, Section 163.02, Subdivision 3, Laws of Minnesota.

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

Dated this 19<sup>th</sup> day of February, 2013.

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Agreement (#00466) to State Transportation Fund (Bridge Bonds) - SAP 010-640-009**

Primary Originating Division/Dept: <input type="text" value="Public Works - Engineering"/>	Meeting Date: <input type="text" value="2/19/2013"/>
Contact: <input type="text" value="Bill Weckman"/> Title: <input type="text" value="Asst. County Engineer"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No

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

**BACKGROUND/JUSTIFICATION:**

Bids for Project SAP 010-640-009 - CSAH 40 Bridge Replacement project were opened on March 8, 2012. The project included the replacement of the bridge on CSAH 40 (Main Street) over Spring Creek in the City of Carver.

The construction contract was awarded on April 3, 2012.

\$403,497.96 of State Bridge Bonding funds have been secured for partial funding of this project. This grant agreement establishes the conditions for receipt of these State Bridge Bond funds from MnDOT.

**ACTION REQUESTED:**

Adopt the attached resolution authorizing the County Board Chair and the County Administrator to sign agreement #00466 with MnDOT upon approval of the County Attorney and County Risk Management.

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

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<b>\$0.00</b>
State Bridge Bonding	\$403,497.96
County State Aid (gas t...	\$183,861.43
City Funds	\$1,418.50
<b>Total</b>	<b>\$588,777.89</b>

Related Financial/FTE Comments:

*Office use only:*

RBA 2012- 1645

**EXHIBIT E – MnDOT Agreement No. 00466**

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

Date: February 19, 2013

Resolution No: \_\_\_\_\_

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

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

**For Agreement to State Transportation Fund (Bridge Bonds)  
Grant Terms and Conditions  
SAP 010-640-009**

WHEREAS, Carver County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 10J18; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$403,497.96 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Carver County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

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

Dated this 19<sup>th</sup> day of February, 2013.

\_\_\_\_\_  
Dave Hemze

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Adoption of Resolution Electing Procedures for Classification & Reclassification of Tax Forfeited Land**

Primary Originating Division/Dept: <input type="text" value="PRTS - Property Taxation"/>	Meeting Date: <input type="text" value="2/19/2013"/>
Contact: <input type="text" value="Kay Lemke"/> Title: <input type="text" value="Land Records Technician"/>	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: Connections: <input type="text" value="Develop strong public partnerships and connect people to services and information"/>	

**BACKGROUND/JUSTIFICATION:**

Pursuant to Minn. Stat. 282.01, Subd. 1, there are two separate and distinct processes that County Boards may elect to use to classify and reclassify tax-forfeited parcels.

The tax forfeiture process used prior to the statute change required the county board to classify and value tax forfeited lands. After completion, a listing of tax forfeited property within each city's or township's boundary is sent requesting approval of classifications. Per statute entities were provided 60 days to respond.

The new statutory change requires that the County Board meeting in which they classify or reclassify tax forfeited parcels must be posted on the web, published and mailed to each person who filed a request for notice of special meetings with the county within statutory timelines. These new requirements would result in additional costs as well as prolong the tax forfeited property classification process. The election to continue the process that was done prior to the legislative change allows for the classification and sale of property to occur more timely, and without additional costs.

The Statute requires a resolution if the County Board elects to use the previous classification and reclassification procedures under Minn. Stat. 282.01, Subd. 1 (g), (h), and (i). The Carver County Taxpayer Services recommends the County Board approve the attached resolution to use the previous procedures shown in Minn. Stat. 282.01, Subd. 1 (g), (h), and (i).

**ACTION REQUESTED:**

Approval of **Resolution Electing to use Procedures for Classification & Reclassification of Tax Forfeited Land under Minnesota Statute 282.01, Subd. 1 (g), (h) & (i)**

<b>FISCAL IMPACT:</b> <input type="text" value="None"/> 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="None"/>	

Related Financial/FTE Comments:

*Office use only:*

RBA 2012- 1649

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

DATE \_\_\_\_\_ RESOLUTION NO. \_\_\_\_\_

MOTION BY COMMISSIONER \_\_\_\_\_ SECONDED BY COMMISSIONER \_\_\_\_\_

**A RESOLUTION ELECTING TO USE PROCEDURES FOR  
CLASSIFICATION & RECLASSIFICATION OF TAX FORFEITED LAND  
UNDER MINNESOTA STATUTE 282.01, SUBD. 1 (G), (H) AND (I)**

WHEREAS, Minn. Stat. 282.01 grants County Boards the authority to classify and reclassify tax-forfeited land as conservation or non-conservation land; and

WHEREAS, pursuant to Minn. Stat. 282.01, Subd. 1, there are two separate and distinct processes County Boards may elect to use to make such classifications and reclassifications; and

WHEREAS, Minn. Stat. 282.01, Subd. 1 (f) requires a Resolution of the County Board if it elects to use the classification and reclassification procedures under Minn. Stat. 282.01, Subd. 1 (g), (h), and (i); and

WHEREAS, the Carver County Board of Commissioners has determined that it is advisable to classify and reclassify such tax-forfeited lands subject to the requirements set forth in Minn. Stat 282.01, Subd. 1 (g), (h), and (i);

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with Minn. Stat 282.01, Subd. 1 (f), the Carver County Board of Commissioners hereby elect to use the classification and reclassification procedures provided in Minn. Stat. 282.01, Subd. 1 (g), (h), and (i).

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 19<sup>th</sup> day of February, 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 February, 2013.

\_\_\_\_\_

David Hemze, County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Contract Approval - Laketown Electric - Building Corridor Lighting Retrofit**

Primary Originating Division/Dept:

Contact:  Title:

Amount of Time Requested:  minutes

Presenter:  Title:

Meeting  
Date:

Item Type:  
Consent

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The 2009 Deferred Maintenance Project included a corridor lighting retrofit. The need exists to bring lighting standards up to minimum standards during evening and low light periods. Wold Engineers measured the existing lighting which does not meet established industry standards.

Custom fixtures are required to meet the existing outlets and ceiling layout. Wold Engineers and a staff survey were used to select the style and placement of fixtures. Wold Engineers accepted quotes for the project from local Carver County based firms. Three quotes were obtained, one each from Goetze Electrical, H&J Electric and Laketown Electric.

Wold Engineers and the staff recommend contact approval with the low bidder Laketown Electric Corporation in the amount of \$37,890. Staff is recommending a project budget of \$43,600 to include contingency and disposal (approximately 15%). A project bond is on file required through the specifications prepared by Wold Engineers.

**ACTION REQUESTED:**

Move approval of the contract with Laketown Electric Corporation for the Corridor Lighting Retrofit for the Government Center.

**FISCAL IMPACT:**

If "Other", specify:

FUNDING	
County Dollars =	<b>\$43,600.00</b>
<b>Total</b>	<b>\$43,600.00</b>

**FTE IMPACT:**

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1648



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval of the 2013 - 2015 AFSCME Social Services Collective Bargaining Agreement**

Primary Originating Division/Dept:

Meeting

Date:

Contact:  Title:

Item Type:

Consent

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

AFSCME Social Services and the County have completed negotiations for the successor collective bargaining agreement (CBA) and the membership has ratified the CBA.

The major changes in terms and conditions are:

- 2013 Salary range and rate increases of 1.75% at minimum and within range; and 1.25% at maximum, effective 5/6/2013.
- Clarification of salary increases upon promotion, demotion and passing probation.
- 2014 & 2015 Pay for Performance Pilot Program
- No general salary adjustments in 2014 or 2015,
- Salary increases based on calendar 2013 evaluations effective March 10, 2014; and salary increases based on calendar year 2014 evaluations effective March 9, 2015.
- 2014 increases are 0% if needs improvement (NI); 2.0% if meets expectations (M); 3.0% if exceeds expectations (EE) and 4.25% if outstanding (O) overall ratings.
- 2015 increases are 0% if NI; 2.0% if (M); 3.25% if (EE) and 4.25% if (O) overall ratings.
- Any range movement will be determined by County Board action.
- Base adjustments computed on midpoint if employee's salary is at or below midpoint, on actual if above midpoint and not above maximum, and lump sum based on maximum if employee's salary is at or above maximum.
- Appeal process defined if requested by employee with final decision by Division Directors.
- Weekly On-call pay increases \$15.00 in 2013, another \$10.00 in 2014 and another \$15.00 in 2015.
- Mental Health Crisis Program shift differential increases to \$0.80 per hour in 2014.
- PTO effective July 14, 2014 with the same conversions as Public Works and Assistant County Attorneys have used, with limited funeral leave of 2 days for current spouse, child, step-child or current parent-in-law.
  
- Monthly cafeteria contributions increase by \$10.00 in 2014 and again in 2015 for single health insurance; and \$25.00 in 2014 and again in 2015 for family insurance. HRA and HSA contributions are unchanged. Plan A is eliminated in 2014.
- Clarification of lay-off rights and leave accruals upon return from lay-off.

Action requested is approval of the AFSCME Social Services 2013 - 2015 CBA.

**ACTION REQUESTED:**

Approval of the 2013 - 2015 AFSCME Social Services CBA.

**FISCAL IMPACT:**   
*2013 in current budget and reflected at the right. 2014 & 2015 budgets will include the negotiated terms and are estimated at an additional \$700,000.00 each year.*  
 If "Other", specify:

<b>FUNDING</b>	
<b>County Dollars =</b>	<b>\$100,000.00</b>
<b>Total</b>	<b>\$100,000.00</b>

**FTE IMPACT:**

Related Financial/FTE Comments:

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Amendment No. 5 to Professional Services Agreement for Carver County Highway 61/ TH 101 "Y" Study with SEH**

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="2/19/2013"/>
Contact: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="PW Director/County Eng."/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

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

**BACKGROUND/JUSTIFICATION:**

Carver County and Short Elliott Hendrickson Inc., entered into Professional Services Contract #12-050 for the CSAH 61/TH 101 "Y" Study to identify improvements that can be implemented in the near term with the construction of the Highway 101 River Bridge.

- Carver County amended Contract #12050 (through Amendment #1) to incorporate/include the completion of an Environmental Assessment Worksheet (EAW), Preliminary Design, Right of Way Acquisition Services, and Geotechnical Investigation for the CSAH 61/TH 101 "Y" intersection improvements.
- Carver County amended Contract #12050 (through Amendment #2), to incorporate/include a second phase geotechnical investigation.
- Carver County amended Contract #12050 (through Amendment #3), to incorporate/include a Phase 1 Cultural Resource study to encompass all the current CSAH 61/TH 101 "Y" area alternatives.
- Carver County amended Contract #12050 (through Amendment #4), to include the preparation of an EAW for combining the TH 101 River crossing into the CSAH 61 improvement project, performing a Phase 2 Cultural Resource study, preparing a geometric layout of the combined project, additional project coordination, and geotechnical engineering using the previous geotechnical investigation results.

The Phase 2 Cultural Resource Study (completed) indicates that one site is eligible for listing on the National Register of Historic Places (NRHP) because it has the potential to provide important information on the precontact period in the Minnesota River Valley of south-central Minnesota. This site can't be avoided by the project, and a data recovery (Phase 3 Cultural Resource Study) needs to be conducted to mitigate the adverse effects to the site.

Also, an additional site identified during the Phase 1 archaeological survey has now been determined to require a Phase 2 Cultural Resource Study given its proximity to the latest proposed construction limits.

Short Elliot Hendrickson has prepared Amendment #5 for this Phase 2 and 3 Cultural Resources work.

**ACTION REQUESTED:**

Approve Amendment #5 to Contract #12-050 with Short Elliott Hendrickson Inc. for \$185,604.00 and authorize the County Board Chair and County Administrator to sign the amendment subject to contract review by the County Attorney and Risk Management.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>
If "Other", specify: <input type="text"/>	County Dollars = <input type="text" value="\$185,604.00"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<b>Total</b> <input type="text" value="\$185,604.00"/>

Related Financial/FTE Comments:

The County will pay the professional services fees and get partially reimbursed by the County Turnback Fund. In 2011, \$3 million was assigned in the general fund to help cover costs associated with the 101 Bridge & 61 Y project. This will be the funding source for the County's portion of the professional services fees.

*Office use only:*

RBA 2012- 1653

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Contract with TIES for Equipment for Carver Fiber Project**

Primary Originating Division/Dept: Administrative Services

Meeting

Date: 2/19/2013

Contact: Steve Taylor

Title: Assist. County Admin.

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:**

Administrative Services staff issued a Request for Proposals (RFP) in November of 2012. Following receipt of the proposals to the RFP, county staff have evaluated the 9 proposals received. As a result of our evaluation, we are recommending to contract with TIES. Overall they provided the lowest bid proposal of \$165,206.40, which was approximately \$12,000 less than the next lowest proposal. Also, for the equipment they bid, they are the only provider in the state of Minnesota that acts as a parts depot which enables them to provide emergency service for product replacement or specialized warranty repair service.

Funding for this contract will be provided via the fiber grant (80%) and the previously allocated county match funds (20%) and is slightly below the estimated budget.

The requested action is to approve of Administrative Services contracting with Ties for data switches, installation services and ongoing support.

**ACTION REQUESTED:**

Motion to authorize Administrative Services to contract with Ties subject upon contract review by the County Attorney's Office and Risk Management

**FISCAL IMPACT:** None  
If "Other", specify:

**FUNDING**

<b>County Dollars =</b>	<b>\$33,041.28</b>
Recovery Dollars	\$132,165.12
<b>Total</b>	<b>\$165,206.40</b>

**FTE IMPACT:** None

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1552

Carver County - RFP for Data Switches, Installation Services and Ongoing Support									
Summary 1/30/2013									
	Brocade	Brocade	Brocade	HP	Cisco	Cisco	Extreme	Extreme	Extreme
	Goldfield	Tonka-Tek	Walker	OST	Datalink	CenturyLink	Arvig	TIES	Matrix
Equipment	\$281,646.30	\$296,915.54	\$187,747.32	\$332,349.00	\$425,923.37	\$369,757.64	\$119,384.45	\$108,898.50	\$126,889.40
Sales Tax -6.875%	\$19,363.18	\$20,412.94	\$12,907.63	\$22,848.99	\$29,282.23	\$25,420.84	\$8,207.68	\$7,486.77	\$8,723.65
Equipment w/Sales Tax	\$301,009.48	\$317,328.48	\$200,654.95	\$355,197.99	\$455,205.60	\$395,178.48	\$127,592.13	\$116,385.27	\$135,613.05
Installation - Switches w/Tax	\$41,000.00	not incl.	\$36,941.18	\$86,275.00	\$78,000.00	\$14,963.62	\$21,711.66	\$25,543.13	\$14,828.91
Extended Warranty - Switches	\$23,600.85	\$36,309.00	\$20,658.84	\$45,423.00	\$68,143.05	\$181,112.90	\$28,129.41	\$23,278.00	\$39,495.51
Total - Equipment, Installation, Warranty	\$365,610.33	\$353,637.48	\$258,254.97	\$486,895.99	\$601,348.65	\$591,255.00	\$177,433.20	\$165,206.40	\$189,937.47

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Metropolitan Mosquito Control Update**

Primary Originating Division/Dept: Administration (County)

Meeting

Date: 2/19/2013

Contact: Dave Hemze

Title: County Administrator

Item Type:

Regular Session

Amount of Time Requested: 20 minutes

Presenter: Jim Stark

Title: Executive Director

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Metropolitan Mosquito Control Executive Director, Jim Stark, will be reviewing governance, the District's budget, disease prevention and their plans for 2013.

**ACTION REQUESTED:**

Information only.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total** \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1611

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Minnehaha Creek Watershed District Board of Managers Appointment**

Primary Originating Division/Dept: <input type="text" value="Administration (County)"/>	Meeting Date: <input type="text" value="2/19/2013"/>
Contact: <input type="text" value="Dave 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"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

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

**BACKGROUND/JUSTIFICATION:**

Carver County has one appointment to the Minnehaha Creek Watershed District Board of Managers. The vacancy was advertised in the County's legal newspaper. William Olson has submitted his application for reappointment. No other applications were received.

**ACTION REQUESTED:**

Appoint William Olson to the Minnehaha Creek Watershed District Board of Managers for a three year term.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/> 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="None"/>	

**Related Financial/FTE Comments:**

*Office use only:*

RBA 2012- 1567

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Resolution Opposing the Imposition of a Transit Sales Tax**

Primary Originating Division/Dept: Administration (County)

Meeting

Date: 2/19/2013

Contact: Dave Hemze

Title: County Administrator

Item Type:

Regular Session

Amount of Time Requested: 20 minutes

Presenter: Dave Hemze

Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Board is being asked to consider adopting a Resolution opposing the imposition of the Governor's transit tax proposal.

**ACTION REQUESTED:**

Adopt Resolution Opposing the Imposition of a Transit Sales Tax.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total** \$0.00

Related Financial/FTE Comments:

*Office use only:*

RBA 2012- 1659



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE February 19, 2013 RESOLUTION NO. \_\_\_\_\_

MOTION BY COMMISSIONER \_\_\_\_\_ SECONDED BY COMMISSIONER \_\_\_\_\_

---

---

## RESOLUTION OPPOSING THE IMPOSITION OF A TRANSIT SALES TAX

**WHEREAS**, Minnesota Governor Dayton has proposed the imposition of a one-quarter percent sales tax increase in the seven county metro area to accelerate the build-out of metro transit services and pay for operations of existing services;

**WHEREAS**, the State of Minnesota legislature is currently in session considering the Governor's proposal and developing related proposed legislation;

**WHEREAS**, it is unclear if Carver County ridership levels justify the proposed transit tax and uncertain how the imposition of the proposed taxes in Carver County would provide the capital and operating resources necessary to implement Carver County's transportation and transit plans included in its comprehensive plan;

**WHEREAS**, it is unclear which governing agency would be responsible for the imposition and control of the proposed transit taxes;

**WHEREAS**, Minnesota Statute 297A.992 authorizes metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington to impose a one-quarter percent sales and use tax, and an excise tax of \$20 per motor vehicle sale (collectively referred to as "transit taxes") to be made available for the development and operation of transitways, including rail and bus rapid transit projects serving the residents and businesses of the Metropolitan Transportation Area;

**WHEREAS**, the Carver County Board of Commissioners denied the imposition of transit taxes made available by Statute 297A.992 by adopting Resolution #34-08 on March 25, 2008;

**WHEREAS**, imposing transit taxes during the current difficult economic times is especially hard to justify.

**NOW, THEREFORE, BE IT RESOLVED** by the Carver County Board of Commissioners opposes the imposition of transit taxes in Carver County at this time.

**BE IT FURTHER RESOLVED** that the Carver County Board of Commissioners expresses its interest in further discussions with any and all parties on the best and fairest way to implement the County's forthcoming Transit Plan consistent with the development of a transportation and transitway system for the Twin Cities Metropolitan Area.

**Sales Tax Resolution  
February 19, 2013  
Page 2**

**BE IT FURTHER RESOLVED** that the Carver County Board of Commissioners may reconsider the decision to not impose transit taxes in the future based on more specific identification of benefit to the citizens 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 19<sup>th</sup> day of February, 2013, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 19<sup>th</sup> day of February, 2013

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