

Carver County Board of Commissioners
 Committee of the Whole Meeting
 January 15, 2013 - 2:30 p.m.
 Oak Lake Conference Room
 Carver County Justice Center Lower Level



Carver County Board of Commissioners
 January 15, 2013
 Regular Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

4:00 p.m.	1.	a) CONVENE b) Pledge of allegiance c) Public comments (limited to five minutes)	
	2.	Agenda review and adoption	
	3.	Approve minutes of January 8, 2013, Organizational Session	1-6
	4.	Community Announcements	
4:00 p.m.	5.	CONSENT AGENDA	
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
	5.1	Right of way for project SP 010-090-004 – Southwest Regional Trail Construction	7-8
		<i>Connections: Develop strong public partnerships and connect people to services and information</i>	
	5.2	2013 Police contract – Chanhassen	9
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	5.4	2013 Police contract for nine cities and two townships	11
	5.5	Sheriff’s Office donation	12
		<i>Culture: Provide organizational culture fostering accountability to achieve goals and sustain public trust/confidence in County government</i>	
	5.6	Northwestern University School of Police Staff and Command	13
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i>	
	5.7	Lee Wickstrom – request for a home based business (PHE)	14-19
		<i>Finances: Improve the County’s financial health and economic profile</i>	
	5.8	Abatements/additions	20-21
	5.9	Community Social Service Warrants/Commissioner Warrant Review	NO ATT
4:10 p.m.	6.	COMMUNITIES: Create and maintain safe, healthy and livable communities	
	6.1	Resolution in support of amending Minnesota’s Safe Harbor Act	22-24
	6.2	AIS Delegation agreement	25

- 4:25 p.m. 7. **CONNECTIONS: Develop strong public partnerships and connect people to services and information**
7.1 CAP Board of Directors nomination 26

4:30 p.m. **ADJOURN REGULAR SESSION**

Work Session

- 4:30 p.m. **A. COMMUNITIES: Create and maintain safe, healthy and livable communities**
1. Proposed Ordinance for the management of public utilities in County
Highway right of ways27

5:15 p.m. **BOARD REPORTS**

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

David Hemze
County Administrator

UPCOMING MEETINGS

January 22, 2013	9:00 a.m. Board Meeting
January 29, 2013	No Board Meeting
February 5, 2013	9:00 a.m. Board Meeting
February 12, 2013	9:00 Board Work Session

Commissioners Gayle Degler, James Ische, Tim Lynch, Randy Maluchnik and Tom Workman met in session this day as required by law for organizational purposes for the year 2013.

The session was called to order by County Administrator, David Hemze, at 9:04 a.m.

Maluchnik nominated Tim Lynch to serve as Chair of the Board of Commissioners for 2013. Degler seconded the nomination. On vote taken to elect Tim Lynch as Chair for 2013, all voted aye.

Chair Lynch requested nominations for Vice Chair. Degler nominated James Ische as Vice Chair of the Board of Commissioners for 2013. Maluchnik seconded the nomination. On vote taken to elect James Ische as Vice Chair for 2013, all voted aye.

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

Hemze requested the Board adopt their 2013 Board Operating Rules. He pointed out one minor change that added language on the Board meetings being available for viewing on the County's website.

Workman moved, Degler seconded, to adopt the 2013 Board Operating Rules as presented. Motion carried unanimously.

Hemze requested the Board adopt their meeting schedule for 2013. He explained the proposal to create Committee of the Whole meetings on the third Tuesdays of the month beginning at 2:30 p.m. He stated these would be meetings with the five Board members to informally discuss upcoming topics. Hemze indicated the Board meeting schedule would be similar to last year.

The Board expressed preference for holding a meeting November 5th and canceling the November 12th meeting.

Ische moved, Maluchnik seconded, to adopt the 2013 Board meeting as presented and with the revision to hold a meeting November 5th and cancel the November 12th meeting. Motion carried unanimously.

Ische moved, Degler seconded, to approve the following Commissioner appointments and to revisit the Soil and Water appointment within the next 30 days:

Area Agency on Aging	Degler
Association of Minnesota Counties Board of Directors	Ische, Alt. Degler
AMC Legislative Steering Committee	Delete, Committee no longer exists
AMC Environment & Natural Resources Policy Committee	Ische
AMC General Government Policy Committee	Degler
AMC Health & Human Services Policy Committee	Lynch
AMC Public Safety Policy Committee	Maluchnik
AMC Transportation Policy Committee	Workman
CAP Agency Board of Directors	Ische

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Carver County CDA	Maluchnik
Carver County Leaders (formerly ACCEL)	Maluchnik & Lynch
Community Leaders (Eastern)	Degler, Maluchnik, Workman
Counties Transit Improvement Board	Maluchnik
County and Union Leaders Group	Maluchnik & Lynch
Courts Committee	Ische & Degler, Alt. Lynch
CROW Joint Powers Board	Lynch, Alt. Ische
Fair Board	Ische, Alt. Lynch
Historical Society Committee	Maluchnik, Alt. Lynch
Insurance Advisory Committee	Maluchnik
Inter-Agency Early Intervention Committee	Degler
Law Library Board	Degler
Library Board	Degler
Lower Minnesota River Watershed	Maluchnik & Degler, Liaisons
MELSA	Degler
Mental Health Advisory Committee	Delete appointment, Lynch to attend as requested
Metro Alliance for Healthy Families Joint Powers Board	Workman
Metro GIS Policy Board	Maluchnik, Alt. Peter Henschel
Metropolitan Emergency Services Board	Ische & Degler
Metropolitan Emergency Services Executive Board	Ische, Alt Degler
Metropolitan Emergency Services Cost Allocation Committee	Degler
Metropolitan Emergency Services Radio Technical Operations Committee	Steve Schoenbauer
Metropolitan Emergency Services 911 Technical Operations	Alt. Peter Sauter
Minnesota Inter-County Association	Susan Bowler,
Minnehaha Creek Watershed District	Alt. Steve Schoenbauer
Minnesota Extension Committee	Degler & Maluchnik
Minnesota River Basin Joint Powers	Maluchnik & Workman, Liaisons
Minnesota Valley Regional Rail Authority	Degler & Lynch
Mosquito Control District	Ische, Alt. Maluchnik
Office of the Aging Advisory Board	Workman, Alt. Maluchnik
Park Commission	Ische & Workman
Planning Commission	Degler
Public Health Emergency Preparedness Workgroup	Lynch
Riley-Purgatory-Bluff Creek Watershed	Ische, Alt. Lynch
Soil and Water	Lynch, Liaison
Solid Waste Management Coordinating Board	Workman & Degler, Liaisons
Southwest Corridor Transportation Coalition	Pending
State CHS Advisory Committee (SCHSAC)	Workman & Ische
Transportation Advisory Board – TAB	Workman & Maluchnik, Alt. Degler
WENR Committee	Marcee Shaughnessy,
	Alt. Maluchnik
	Maluchnik, Alt. Workman
	Lynch, Alt. Ische

Ditches

Joint Ditch #1	Ische, Lynch, Degler
Joint Ditch #4	Ische, Lynch, Workman
Joint Ditch #5	Ische, Lynch, Maluchnik
Joint Ditch #21	Ische, Lynch, Workman, Degler
Joint Ditch #22	Ische, Lynch, Maluchnik
Joint Ditch #24	Ische, Lynch, Degler

Voting members to the Association of Minnesota Counties:

Gayle Degler	Randy Maluchnik	James Ische
Tim Lynch	Tom Workman	Lyndon Robjent
David Hemze	Gary Bork	

MCIT Voting Delegates:

Sonja Wolter
David Hemze, Alt.

Appointments to Minnesota Counties Computer Consortium:

Melissa Reeder
Alt – Dave Frischmon Alt – Laurie Engelen

Appointment as County's Strategic National Stockpile (SNS) Requestor:

Gayle Degler
David Hemze
Randy Wolf

Motion carried unanimously.

Workman moved, Degler seconded, to approve the minutes of the December 18, 2012, Regular Session. Motion carried unanimously.

The Board considered appointments to various advisory committees.

Degler moved, Maluchnik seconded, to appoint Michael Haung to the Board of Adjustment. Motion carried unanimously. Workman requested his appointment on the Board of Adjustment be laid over.

Maluchnik moved, Ische seconded, to appoint Cindy Monroe to the Community Development Agency. Motion carried unanimously.

Lynch moved, Ische seconded, to appoint Nathan Johnson to the Library Board to fill the unexpired term. Motion carried unanimously.

Workman moved, Degler seconded, to appoint Mark Peterson to the Library Board. Motion carried unanimously.

Degler moved, Ische seconded, to appoint Barbara Colhapp to the Library Board. Motion carried unanimously.

Ische moved, Workman seconded, to appoint Caroline Beise, Christine Dondlinger, Rod Sawtell, Twyla Sawtell and Lisa M.S. Inman to the Mental Health Advisory Committee. Motion carried unanimously.

Ische moved, Degler seconded, to appoint Thomas Herrmann to the Park Commission. Motion carried unanimously.

Workman moved, Degler seconded, to appoint Frank Mendez to the Planning Commission. Motion carried unanimously.

Maluchnik moved, Ische seconded, to appoint Robert McNulty to the Planning Commission. Motion carried unanimously.

Ische moved, Maluchnik seconded, to appoint Virgil Stender to the Water, Environment and Natural Resource Committee. Motion carried unanimously.

Degler moved, Maluchnik seconded, to appoint Scott Smith to the Water, Environment and Natural Resource Committee. Motion carried unanimously.

Maluchnik moved, Degler seconded, to appoint Richard Kvitek to the Board of Adjustment pending his acceptance. Motion carried unanimously.

Ische moved, Degler seconded, to approve the following consent agenda items and to move consent agenda item 8.1 to item 10.2:

As the Community Health Board approved the 2013 Assurances and Agreements as part of the Local Public Health Act and to accept the MN Department of Health grant funding, pending legal and risk management approval of the agreement.

Approve Amendment No. 4 to contract #12-050 with Short Elliott Hendrickson Inc. and authorized the Chair and County Administrator to sign the amendment subject to contract review by County Attorney/Risk Management.

Authorized the Sheriff's Office acceptance of \$100 donation.

Resolution #01-13, Authorizing Summary of Claims Reviewed by County Board and Paid.

Adopted the Findings of Fact and to issue Order #PZ20120044 for the issuance of Conditional Use Permit #PZ20120044, Oakwood Community Church, Laketown Township.

Resolution #02-13, Turnback of Guernsey Avenue to Dahlgren Township.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants.

Motion carried unanimously.

David Frischmon, Financial Services, requested the Board approve a contract to provide accounting services to the Lower Minnesota River Watershed District. He explained the District has one staff and hires its auditing firm to provide accounting services. Frischmon indicated he believed they could provide the service with existing staff and the District would save money on operations.

Degler moved, Maluchnik seconded, to approve the contract with Lower Minnesota River Watershed District subject to review by the County Attorney/Risk Management. Motion carried unanimously.

David Hemze, County Administrator, requested the Board adopt a Resolution to award newspaper publication bids. He explained he asked each newspaper for a rate per column inch and for an actual quote based on attachment that was provided. He added they also asked for a one and three year contract price. Hemze indicated, based on the actual cost to publish, he was recommending a three year contract be awarded to the Chaska Herald as the official newspaper and a three year contract with the Chanhassen Villager for the second publication of the financial statement.

Degler offered the following Resolution, seconded by Workman:

Resolution #03-13
Award of 2013, 2014 and 2015
Newspaper Publication Bids

On vote taken, all voted aye.

Lyndon Robjent, Public Works, requested the Board approve an equipment purchase for Public Works. He stated they do have some aging equipment and needs to modernize their fleet. Robjent pointed out funding received as a result of the turnback of 212 and the opportunity to allocate those funds toward this equipment purchase. He clarified this was not part of the 2013 budget cycle and identified the equipment to be replaced.

Robjent stated they have not started the bid process yet and would be looking at the State contract and go to local vendors and ask for their bid.

The Board discussed the option to table this until they had an opportunity to review a replacement schedule and obtain further information on what the County has and what is being planned for the future. The Board expressed consensus to not take action on this until they had

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an opportunity to review a written report or review this further at their next Committee of the Whole meeting.

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

Degler moved, Ische seconded, to appoint Tim Lynch as Chair, James Ische as Vice Chair and Randy Maluchnik as Secretary/Treasurer of the Carver County Regional Rail Authority for 2013. Motion carried unanimously.

Ische moved, Degler seconded, to adjourn as the Carver County Regional Rail Authority at 11:04 a.m. Motion carried unanimously.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Right of Way for project #SP 010-090-004 - Southwest Regional Trail Construction

Primary Originating Division/Dept:

Contact: Title:

Amount of Time Requested: minutes

Presenter: Title:

Meeting
Date:

Item Type:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Project SP 010 090 004 constructs approximately 1/3 mile of trail along County Road 61 between the Minnesota River Bluffs Regional Trail/SW LRT Line and Engler Blvd. The project also constructs 1/2 mile of trail in the City of Victoria between Kirk Lachen Park and the lake access road of Lake Auburn. Carver County has received federal funds to construct the trail project and is working with area agencies on the project.

The project requires the acquisition of right of way for the proposed trail. Appraisals have been completed and Public Works is ready to make offers to the property owners.

ACTION REQUESTED:

Authorize the Parks Director to submit written offers to the property owners for the appraised value for the right of way needed for the construction of the Southwest Regional Trail.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	Metropolitan Council <input type="text" value="\$110,000.00"/>
	Total <input type="text" value="\$110,000.00"/>

Related Financial/FTE Comments:

Note the amount is estimated based on appraisal values.

Office use only:

RBA 2012- 1519

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: January 15, 2013
 Motion by Commissioner: _____

Resolution No: _____
 Seconded by Commissioner: _____

Right of Way Acquisition – Southwest Regional Trail – Project SP 10-90-004

WHEREAS, the County desires to construct the Southwest Regional Trail adjacent to County Road 61 in Chaska, and

WHEREAS, the construction is necessary to make a trail connection linking the Minnesota River Bluffs Regional Trail to the Southwest Regional Trail, and

WHEREAS, the County needs to acquire property interests over certain lands to provide for said construction, and

WHEREAS, appraisal reports have been completed for the proposed takings,

BE IT RESOLVED, that the Carver County Board of Commissioners accept the reviewed appraiser's reports as a determination of fair market value of the affected properties for the Southwest Regional Trail (SP 10-090-004) and authorize the Public Works /Parks Department to initiate negotiations for the purpose of acquiring the needed property interests.

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 15th day of January, 2013, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 15th day of January, 2013.

 David Hemze County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2013 Police Contract-Chanhassen

Primary Originating Division/Dept: Sheriff	Meeting Date: 1/15/2013
Contact: Paul Tschida Title: Commander	Item Type: Consent
Amount of Time Requested: minutes Presenter: Title:	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:

The Sheriff's Office has provided Police contract services for the city of Chanhassen for many years. The city will be maintaining its current level of 15 FTE's. The only change will be the conversion of one deputy position to a sergeant. The additional cost of the Sgt. position is paid by Chanhassen. This change will not affect the overall number of FTE's in the Sheriff's Office. There will need to be a reduction of one deputy FTE and an increase of one sergeant.

Approval of this contract continues the mutually beneficial relationship between the Carver County Sheriff's Office and the city of Chanhassen.

ACTION REQUESTED:

Approval of and signature on the contract

<p>FISCAL IMPACT: Included in current budget</p> <p>If "Other", specify:</p> <p>FTE IMPACT: None</p>	<p>FUNDING</p> <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Chanhassen</td> <td style="text-align: right;">\$1,453,978.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$1,453,978.00</td> </tr> </table>	County Dollars =	\$0.00	Chanhassen	\$1,453,978.00	Total	\$1,453,978.00
County Dollars =	\$0.00						
Chanhassen	\$1,453,978.00						
Total	\$1,453,978.00						

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1544

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2013 Police Contract-Camden Township

Primary Originating Division/Dept:

Contact: Title:

Amount of Time Requested: minutes

Presenter: Title:

Meeting
Date:

Item Type:
Consent

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Sheriff's office has a long history of providing contract police services to the cities and townships in Carver County. The township of Camden desires to enter into a contract with the Sheriff's office for patrol and community service officer (CSO). The addition of CSO hours (26) to Camden township will ADD .0125 FTE to the CSO roster. The addition of .1 patrol deputy has no impact on the CCSO FTE as the city of Mayer has given up .1 FTE for 2013.

ACTION REQUESTED:

Approval of and signature on contract

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	\$0.00
Camden Township	\$10,619.00
Total	\$10,619.00

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1535

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2013 Police Contract for 9 cities and 2 townships

Primary Originating Division/Dept: Sheriff

Meeting

Date: 1/15/2013

Contact: Paul Tschida Title: Commander

Item Type:

Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Carver County Sheriff's Office enjoys a long standing partnership providing police services to the cities and townships of Carver County. Approval of these contracts perpetuates this partnership in the cities of Carver, Cologne, Hamburg, Mayer, New Germany, Norwood Young America, Victoria, Waconia, Watertown and the townships of Laketown and Watertown. These contracts do not affect the FTE status of the CCSO.

ACTION REQUESTED:

Approval of and signature on the 2013 contracts.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$0.00
Carver	\$106,191.00
Cologne	\$35,984.00
Hamburg	\$12,753.00
Laketown Township	\$31,200.00
Mayer	\$69,868.00
New Germany	\$12,592.00
Norwood Young America	\$152,838.00
Victoria	\$286,412.00
Waconia	\$503,737.00
Watertown	\$179,732.00
Watertown Township	\$12,359.00
Total	\$1,403,666.00

Related Financial/FTE Comments:

FTE's associated with these contracts are funded through these contracts.

Office use only:

RBA 2012-1543

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Donation

Primary Originating Division/Dept: Sheriff

Meeting

Date: 1/15/2013

Contact: Leslie Michel Title: Administrative Services Mana...

Item Type:

Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Donation of \$150.00 from Victoria Business Owners Association Inc. to the Carver County Sheriff's Office Mounted Posse.

ACTION REQUESTED:

Approve donation of \$150.00.

FISCAL IMPACT: None
If "Other", specify:

FUNDING
County Dollars =
Total \$0.00

FTE IMPACT: None

Related Financial/FTE Comments:

\$150.00 to 02-203-000-0000-5857

Office use only:

RBA 2012- 1523

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Northwestern University School of Police Staff & Command

Primary Originating Division/Dept: Sheriff

Meeting

Date: 1/15/2013

Contact: Jason Kamerud Title: Chief Deputy

Item Type:

Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Northwestern University Center for Public Safety, based out of Evanston IL, has a reputation as a worldwide leader in law enforcement professional development and education. Personnel in Sheriff's Administration (e.g., lieutenants, commanders) have historically attended Northwestern University's School of Police Staff and Command (SPSC) as part of their career development. SPSC is an intensive ten-week program that prepares law enforcement managers for senior positions by uniquely combining academic principles with practical applications, which aids in providing quality, responsive police services, and serves as part of the sheriff's succession planning strategy.

SPSC is frequently offered off-site of the Evanston, IL, campus. The nearest location in 2013 is in Hudson, WI, beginning February 4, 2013 and concluding on April 26, 2013. Sheriff Olson intends to send Lt. Eric Kittelson to SPSC in Hudson. The costs of books and tuition are included in the 2013 Sheriff's Office budget. There are no extra transportation or lodging costs as Lt. Kittelson resides in the south metro area and his commute to Hudson is about the same as his commute to Chaska, so he would commute daily from his residence.

ACTION REQUESTED:

Approve Lt. Kittelson's attendance at out-of-state training.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1518

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Lee Wickstrom - request for a home-based business (PHE)

Primary Originating Division/Dept: <input type="text" value="Public Health & Environment - Land Mgmt."/>	Meeting Date: <input type="text" value="1/15/2013"/>
Contact: <input type="text" value="Steve Just"/> Title: <input type="text" value="Dept. Manager"/>	Item Type: Consent <input type="text"/>
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:
 Growth: Manage the challenges and opportunities resulting from growth and development

BACKGROUND/JUSTIFICATION:

File #PZ20120043. The Planning Commission has recommended approval of an Interim Use Permit (IUP) for Lee Wickstrom (Lee's Speed Shop). Mr. Wickstrom is in the process of purchasing a 20 acre property currently owned by Terry Scott, which is located in Section 8 of San Francisco Township. The applicant is requesting an IUP allowing for a motorcycle engine repair business that would be classified as a Home Occupation in a detached structure. Mr. Wickstrom's business is a family-run operation that would utilize one pickup truck and no employees. There are no neighboring residences within 200 feet of the operation and there would be no business activities after 6:00 p.m. The applicant has submitted a letter (attached) for the Board's consideration, which clarifies the operational plan, specifically, that there will be no retail sales and no services provided for complete motorcycles (i.e. no "rolling chassis"). A letter (also attached) has been submitted by neighboring property owners, Rick & Chris Ruzin, which acknowledges that their questions and concerns have been adequately addressed. The San Francisco Town Board has also recommended approval of the request.

ACTION REQUESTED:

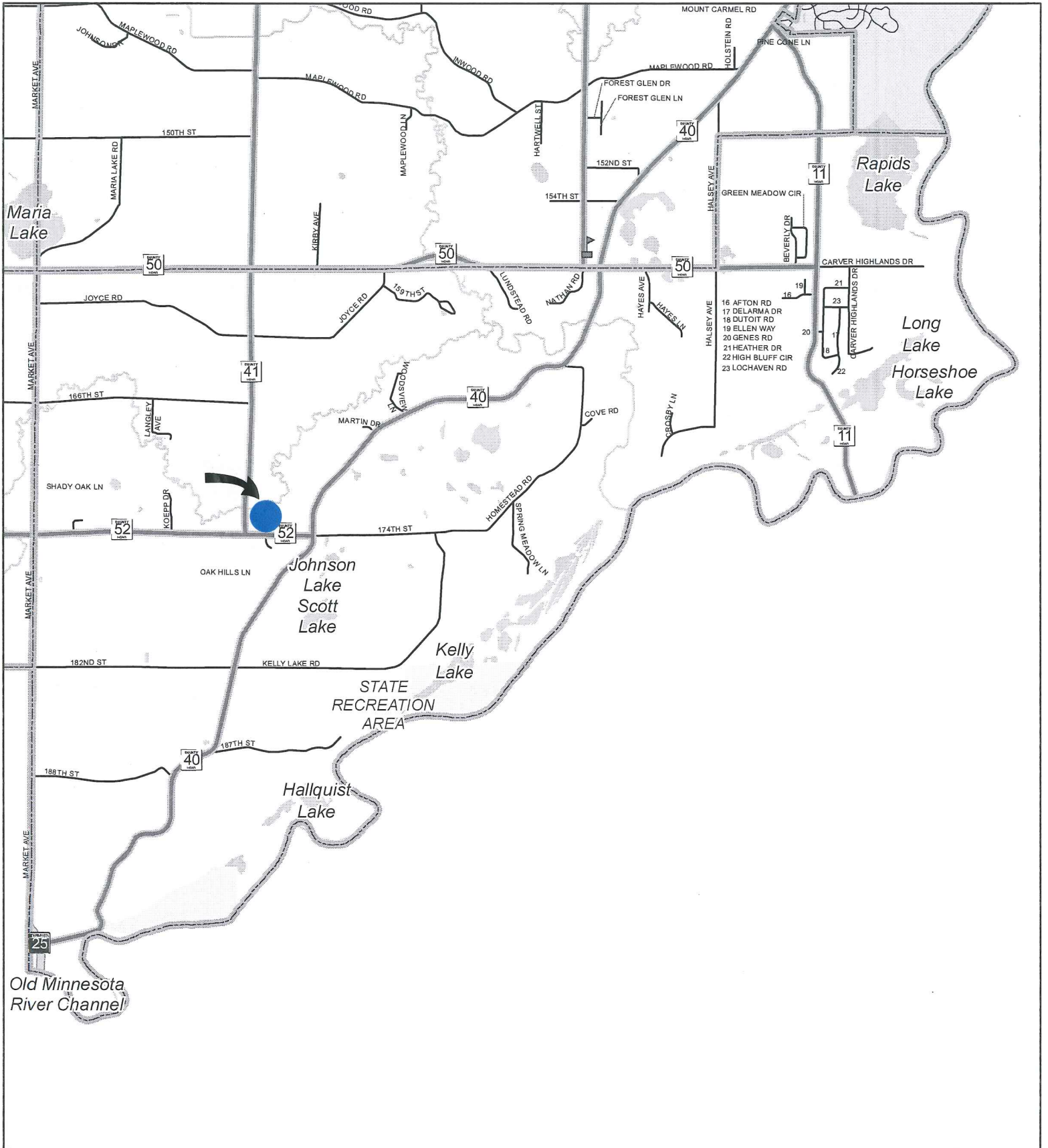
A motion to adopt the Findings of Fact and to issue Order #PZ20120043 for the issuance of an Interim Use Permit.

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

Related Financial/FTE Comments:

Office use only:
 RBA 2012- 1524

SAN FRANCISCO 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.



COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20120043

RESOLUTION #: 12-12

WHEREAS, the following application for an Interim Use Permit has been submitted and accepted:

FILE #: PZ20120043

OWNER: Terry Scott

APPLICANT: Lee Wickstrom

SITE ADDRESS: 8320 Co Rd 52

PERMIT TYPE: Interim Use, Home Occupation in Detached Structure

PURSUANT TO: Carver County Code: Sections 152.073 & 152.082

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 08.0080310

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of December 18, 2012; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Lee Wickstrom is in the process of purchasing a 20 acre parcel, currently owned by Terry Scott, which is located in the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 8 of San Francisco Township. The property is improved with a house/garage and a 36' x 48' accessory structure. The property is located in the Ag Zoning District, partially in the Shoreland Overlay District, and Carver County WMO - Silver Creek watershed.
2. The applicant is requesting an Interim Use Permit (IUP) allowing for a motorcycle engine repair business in the existing accessory structure. The IUP would be classified as a Home Occupation in a detached structure, pursuant to Sections 152.073(C) and 152.082(C)(4) of the Carver County Zoning Code.
3. A Home Occupation is typically limited to the single family residence and the attached garage. However, as an IUP an accessory structure may be utilized as the base for business activities. The applicant has submitted a letter and operational plan outlining the proposal for his motorcycle engine rebuilding/repair shop (Lee's Speed Shop), which currently operates in Savage, MN.
4. The operation meets the standards of the Zoning Code. It would be a family-run business that would utilize one pickup truck and no outside employees. There are no neighboring residences within 200 feet of the operation and there would generally be no business activities after 6:00 p.m.
5. The customer parking area would be on the southerly side of the building. The traffic that would be generated by the business appears to be minimal. There would be no outside storage of business equipment or supplies.
6. Metro West Inspection Services (Building Official) has reviewed the operational plan. The applicant would not need to obtain a building permit for the home occupation unless there is an employee(s) or increased customer contact in the future.
7. Environmental Services has reviewed the operational plan. A Hazardous Waste Generator's License will be required for the business due to the types of waste, fluids, and materials managed on-site.
8. The Public Works Department has received the applicant's submittal and has not voiced any objections.

9. The SSTS (septic system) on the property has been inspected and certified due to the pending sale of the property, which also meets the compliance requirement for the Shoreland Overlay District.
10. The Carver County Zoning Code requires a date or event which will terminate the use to be identified for an IUP. In this case the IUP would be specific to Lee Wickstrom and it would terminate at such time that he sells the property or when he no longer operates the repair shop. Once the IUP expires, the building would revert to a residential accessory structure.
11. The San Francisco Town Board reviewed the request at their November 19, 2012 meeting and has 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 Interim Use Permit (IUP) is issued to Lee Wickstrom and it is not transferable to another person/owner/occupant. A change in ownership or occupant(s) of the residence shall be cause for the permit to expire. Upon expiration of this permit, the building would revert to a residential accessory structure.
2. The operational plan and site plan shall be attached to and considered part of this permit. A maximum of one (1) business vehicle, stored at the site, shall be permitted. If an employee (1) is to be added in the future, the Permittee shall notify the Land Management Department immediately so a determination can be made on the need for a building permit(s). The outside storage of business equipment and supplies shall not be permitted.
3. Permittee shall contact the Environmental Services Department to obtain a Hazardous Waste Generator's License for the business upon the commencement of operations.
4. 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 18th day of December 2012.

Ted Beise,
Planning Commission Chair

Additional comments for Operational Plan

Description of Activity or Operation:

My name is Lee Wickstrom and I operate a business under the name Lee's Speed Shop, presently located at 12450 Hwy. 13 South in Savage Minnesota.

My business focuses on machining and porting of cylinder heads, cylinder boring, flywheel balancing and rebuilding of motorcycle engines. For the past 15+ years I have not needed nor desired to work on motorcycles in a "rolling chassis." In other words, customers either disassemble their motorcycle themselves (or have another shop do it for them) and bring only the engine or engine part to me for repair or modification. I receive approximately 75% of my work from other motorcycle shops or dealerships located throughout the state. Many of those shops utilize UPS to get their parts to me. Only about 25% of my business consists of dealing directly with the general public. Much of that 25% is related to rebuilding and restoration of antique motorcycle engines.

In the interest of public relations and easing the noise concerns of property owners in the immediate vicinity I would like to offer this: In regard to activities covered by the Interim Use Permit, I will limit my business to repair or modification of motorcycle engine, engine parts, and/or other motorcycle related parts, and will not accept customer's complete motorcycles for service. Furthermore, I am aware that changing the operation into a retail sales situation would violate the terms of the Interim Use Permit. In other words, Lee's Speed Shop will not be a destination or gathering place for people to shop for motorcycles or for motorcycle parts and accessories.

Feasibility of purchasing this property does hinge on being able to operate my business on site.

Persons accessing the site:

Delivery persons (primarily UPS) and occasionally "runners" from other shops or dealerships. In the commercial location in which my business is presently located, walk in customers average approximately 3 per day. I would not expect that number to increase. The demographic of most walk in customers could be described as primarily male, middle class, and ranging in age from mid twenties to mid sixties.

Lee Wickstrom 12/21/2012

Hi Steve

Thank you for your call. I think I have a clearer understanding of the Wickstrom situation and per our conversation, I want to summarize this and include this summary in the records of this transaction.

We are adjoining property owners of the land that the Wickstom's want to purchase for their residence and Home Business, Lee's Speed Shop.

We have resided at this address and on this property since 1993.

We own forty acres and we live in a home that we built on this property almost 20 years ago. Our property is a combination of fields and woods. Silver Creek runs through the back of our property.

Our open fields are planted in conservation crop cover, our woods are the home for numerous species of wildlife including deer, turkeys, fox, coyote and an abundance of different kinds of birds.

My family has enjoyed the quiet use of this idyllic wildlife sanctuary for 20 years.

In addition, my wife, Chris, and I, both recently retired and have begun to spend more time at home and in our woods. In addition, we have two young grand kids who enjoy coming out to our country home to visit and and enjoy our quiet small farm. It gives them a sanctuary from the noisy, busy city that they live in.

Our understanding of the Wickstrom proposal for purchase is that Lee will operate his motorcycle repair shop from this property but that he will abide by the restrictions that the county has in place to maintain a residential quality to the area.

He will refrain from bringing in "rolling" items for repair. He will not store cycles needing repair outside, nor parts or machinery for same.

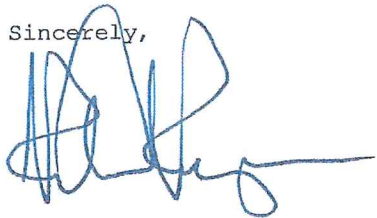
He will not engage in a retail enterprise or use any signage conducive to this.

He engages in precision machining of motorcycle parts and this does not necessitate him needing to start, or idle, motorcycle engines.

Our main concern is the thought that engine noise would become problematic with his business so close to our home and property. That appears not to be the case so therefore we have no objections to his operating his Speedshop on his property in accordance with Carver County ordinances.

Thank you very much for your time and help in clarifying the concerns we had in this affair.

Sincerely,



Rick & Chris Ruzin



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Abatements/Additions

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Abatements requested by taxpayers. See attached listing.

ACTION REQUESTED:

Recommend to approve.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	(\$526.84)
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Other	(\$1,163.16)
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Total	(\$1,690.00)
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FTE IMPACT:

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1545



**CARVER
COUNTY**

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

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

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

**Abatements presented to the
Carver County Board of Commissioners
January 15, 2013**

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

Payable Year	Parcel Number	Name	Reason for Abatement	Original Tax Amount	Adjusted Tax Amount	County Dollars Abated	Total Amount of Adjustment
2012	30.9510283	Brandondale MHP/CMH	Exempt, in mobile home park inventory	\$240.00	\$0.00	-\$66.04	-\$240.00
2012	25.1870370	Paul Larson & Kathy Powell-Larson	Disaster - Fire	\$4,296.00	\$3,480.00	-\$240.48	-\$816.00
2012	75.2750320	Saree K. Machtemes	Homestead	\$1,810.00	\$1,484.00	-\$111.58	-\$326.00
2012	25.0880800	Carl E. Sievers	Homestead	\$3,536.00	\$3,228.00	-\$108.74	-\$308.00
			Totals	\$9,882.00	\$8,192.00	-\$526.84	-\$1,690.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution in Support of Amending Minnesota's Safe Harbor Act

Primary Originating Division/Dept: Attorney

Meeting

Date: 1/15/2013

Contact: Mark Metz

Title: County Attorney

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter: Mark Metz

Title: County Attorney

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Commissioner Maluchnik is requesting the County Board adopt the attached Resolution in support of amending Minnesota's Safe Harbor Act to define all sex-trafficked children under the age of 18 as crime victims.

ACTION REQUESTED:

Adopt Resolution.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1533

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE _____ RESOLUTION NO. _____
MOTION BY COMMISSIONER _____ SECONDED BY COMMISSIONER _____

Resolution In Support of Amending Minnesota's Safe Harbor Act To Define All Sex-Trafficked Children Under the Age of 18 As Crime Victims

WHEREAS, Sex trafficking is a heinous crime that occurs throughout Minnesota and impacts Minnesota children from diverse geographic and socio-economic backgrounds; and

WHEREAS, The State of Minnesota and all 87 Minnesota Counties have long been committed to the protection of children and the prevention of sexual violence and exploitation; and

WHEREAS, According to the United States' Trafficking Victims Protection Act of 2000, human trafficking is defined as the "recruitment, harboring, transportation, provision, or obtaining of a person to perform labor or a commercial sex act through force, fraud, or coercion;" and

WHEREAS, In addition, according to the United States Department of Justice, the Trafficking Victims Protection Act further states that "any commercial sex act performed by a person under age 18 is considered human trafficking, regardless of whether force, fraud, or coercion is involved;" and

WHEREAS, A Department of Justice, Office of Justice Programs, Fact Sheet on Human Trafficking states that as many as 300,000 children are at risk for sexual exploitation each year in the United States; and

WHEREAS, In a recent speech at the Clinton Global Initiative, President Barack Obama called human trafficking "by its true name – modern slavery;" and

WHEREAS, According to data compiled by both The Advocates for Human Rights and the Minnesota Office of Justice Programs of the Minnesota Department of Public Safety, the scope of sex trafficking in Minnesota includes the following:

- Over a three-year period ending in 2008, service providers identified 731 sex trafficking victims;
- 124 girls were sold on the internet in the month of August 2010 alone, which is a 55% increase since February 2010;
- The average age of a girl's entry into prostitution/sex trafficking is 12 to 14 years old;
- According to Breaking Free, 8,000 to 12,000 people are estimated to be involved in prostitution/sex trafficking in Minnesota every day; and

WHEREAS, To bolster actions by law enforcement, society should assist in eradicating such crimes by altering practices to make it more difficult for criminals to engage in sex trafficking in the state of Minnesota; and

WHEREAS, County Prosecutors in Minnesota have committed to treating children who are trafficked as victims and not as delinquents; and

WHEREAS, in 2011, the Minnesota Legislature and Governor Mark Dayton enacted the Safe Harbor for Sexually Exploited Youth Act, which identified prostituted children as victims of sexual exploitation and called upon the State to create a framework for implementation of the changes inherent in the new law by August 1, 2014; and

WHEREAS, Minnesota Counties can play a leading role in the fight against sex trafficking in Minnesota through their efforts around child protection, public health, human services, housing, law enforcement and prosecution and local county corrections and probation services; and

WHEREAS, Studies have shown that sexual exploitation – survival sex, prostitution, gang rape – affects as many as 40% of all runaway youth; and

WHEREAS, In Ramsey County, the Runaway Intervention Project has gained national attention as a “best results-oriented model” for working with runaway girls 15 and younger, including teen girls who have been prostituted. The Ramsey County Attorney’s Office refers those girls who have been prostituted to the intensive services component of the Runaway Intervention Project at Midwest Children’s Resource Center. The Ramsey County Attorney’s Office has found that using a victim-centered public health model with this population– rather than treating them as delinquents – provides an environment for children who have been trafficked as prostitutes to rebuild their self esteem, their family life, and their future; and

WHEREAS, As part of a Women’s Foundation grant entitled *MN Girls Are Not for Sale*, the Ramsey County Attorney’s Office (RCAO) and Saint Paul Police Department (SPPD) are conducting independent and coordinated systems audits to determine whether policies and practices comply with principles to ensure victim safety and intervention and offender accountability; and

WHEREAS, The *MN Girls Are Not for Sale* campaign has garnered statewide support and national coverage for its efforts to identify and stop the sexual exploitation of girls in our communities;

NOW THEREFORE BE IT RESOLVED THAT: Carver County takes a leadership role in convening a statewide summit of County leaders around this issue to develop a victim-centered response to eliminate sex trafficking of our children, and

BE IT FURTHER RESOLVED THAT: Carver County supports the provision of state and federal resources to implement a comprehensive statewide “No Wrong Door” intervention model including shelter, housing, and services for child sex-trafficking victims, as well as training for law enforcement and other frontline personnel; and

BE IT FURTHER RESOLVED THAT: Carver County supports amending Minnesota’s Safe Harbor Act to define all sex-trafficked children under the age of 18 as crime victims, not as juvenile delinquents.

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 15th day of January, 2013, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

 County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

AIS Delegation Agreement

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

Item Type:

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

During 2012 Carver County implemented a pilot aquatic invasive species inspection program and provided inspectors at public water access. In order for the County to be able to provide inspection service conducted by County employees, the County entered into a joint powers agreement with the Minnesota Department of Natural Resources. For 2013 it is proposed that the County would hire aquatic invasive species inspectors for designated public water access points in the county. The Department of Natural Resources has gone to a more efficient process of providing authority to local units of government allowing them to provide aquatic invasive species inspection services. Instead of a joint powers agreement a Delegation of Authority Agreement has been substituted and provides the DNR with a more consistent agreement as it works with local units of government to provide inspection services.

ACTION REQUESTED:

Approve the delegation of authority agreement with the DNR for aquatic invasive species inspection services and authorize the County Board Chair to sign the agreement.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

The delegation agreement does not by itself require county funds. The County has applied for DNR grant dollars for aquatic invasive species funding. The funds are to be matched by County funds if the grant dollars are approved. The delegation agreement is to be submitted with the grant application for DNR grant dollars.

Office use only:

RBA 2012- 1491

Carver County Board of Commissioners Request for Board Action



Agenda Item:

CAP Board of Directors Nomination

Primary Originating Division/Dept: Administration (County)

Meeting

Date: 1/15/2013

Contact: Dave Hemze

Title: County Administrator

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter: Dave Hemze

Title: County Administrator

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Commissioner Ische was named as the County's appointee to the CAP Agency Board of Directors at the January 8th Board meeting. The second appointment must be an elected public official and the appointment is made by the CAP Agency Board of Directors.

Jim Nash, Mayor for the City of Waconia, has indicated his interest in serving on the Board of Directors for the CAP Agency.

ACTION REQUESTED:

Nominate Jim Nash to serve as the second elected public official from the County on the CAP Agency Board of Directors.

FISCAL IMPACT: None
If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1550

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Proposed Ordinance for the Management of Public Utilities in County Highway Right of Ways

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="1/15/2013"/>
Contact: <input type="text" value="John Freemyer"/> Title: <input type="text" value="County Surveyor"/>	Item Type: <input type="text" value="Work Session"/>
Amount of Time Requested: <input type="text" value="30"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text" value="John Freemyer"/> Title: <input type="text" value="County Surveyor"/>	
Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities	

BACKGROUND/JUSTIFICATION:

AMC developed a "Model Right-of-Way Ordinance for the Management of the Public right-of-Way for Counties" that essentially deals with the management of public utilities within county highway corridors. The model ordinance essentially provides a uniform basis for dealing with public utility companies, while protecting the health, safety and welfare of the public. Public Works & County Attorney staff has developed a slightly modified version of the model ordinance for consideration and possible adoption by the County Board.

ACTION REQUESTED:

Workshop to introduce the proposed ordinance and seek feedback from the board.

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

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1497