



Carver County Board of Commissioners  
 July 23, 2013  
 Regular Session  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

		PAGE
9:00 a.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 July 16, 2013 Regular Session.....	1-3
	4. Community Announcements	
9:10 a.m.	5. <b>CONSENT AGENDA</b>	
	<i>Connections: Develop strong public partnerships and connect people to services and information</i>	
	5.1 Sheriff's Office donations.....	4
	<i>Culture: Provide organizational culture fostering accountability to achieve goals and sustain public trust/confidence in County government</i>	
	5.2 Approve transfer of funds to Capital Equipment for furniture.....	5-6
	5.3 Employee Relations temporary staffing.....	7
	<i>Finances: Improve the County's financial health and economic profile</i>	
	5.4 Abatements/Additions.....	8-9
	5.5 Review Social Services/Commissioners Warrants .....	NO ATT
9:10 a.m.	6. <b>COMMUNITIES: Create and maintain safe, healthy and livable communities</b>	
	6.1 Recognition of Katy Boone - 2013 Age Odyssey Community Award Recipient.....	10
9:20 a.m.	7. <b>GROWTH: Manage the challenges and opportunities resulting from growth and development</b>	
	7.1 Wheelage Tax Resolution .....	11-14
	7.2 Eminent Domain Resolution for construction of CSAH 18 (SP 10-618-13) roadway project.....	15-16
10:00a.m.	<b>ADJOURN REGULAR SESSION AND RECONVENE AS CARVER COUNTY REGIONAL RAIL AUTHORITY</b>	
10:00 a.m.	8. <b>CONNECTIONS: Develop strong public partnerships and connect people to services and information</b>	
	8.1 Partnership for public and church parking in New Germany.....	17-18
	8.2 Agreement with Metropolitan Council for sewer easement along former UP Rail Line.....	19

10:25 a.m.            **ADJOURN CARVER COUNTY REGIONAL RAIL AUTHORITY**

10:25 a.m.            **BOARD REPORTS**

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

David Hemze  
County Administrator

<b>UPCOMING MEETINGS</b>
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July 30, 2013	No Board Meeting
July 30, 2013	7:30 p.m. Carver County Township Association Meeting American Legion, Waconia
August 6, 2013	9:00 a.m. Board Meeting
August 13, 2013	9:00 a.m. Work Session
August 20, 2013	Committee of the Whole Meeting
August 20, 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 July 16, 2013. Chair Tim Lynch convened the session at 4:00 p.m.

Members present: Tim Lynch, Chair, James Ische, Vice Chair, and Gayle Degler.

Members absent: Randy Maluchnik, Tom Workman

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

Ische moved, Degler seconded, to approve the minutes of the June 25, 2013, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved tobacco license for Champlin 2005 LLC, d/b/a Cub Foods #1644.

Charitable gambling license to SE Region Delta Waterfowl for a raffle to be held August 15, 2013.

Contract with Metropolitan Council Environmental Services pending finalization of the contract review process.

Authorized Public Health & Environment Division to contract with Huber Universal Services for public health nuisance abatement, subject to contract review by County Attorney/Risk Management.

Approved amendment to grant #SG 2011-106 with the Metropolitan Council and authorized the Chair and County Administrator to sign pending finalization of the contract review process.

Adopted the Carver County Snow and Ice Control policy.

Authorized the purchase of two variable message boards for \$36,754.32 from StreetSmart Rental.

Approved amendment #9 to the professional services agreement #13-234 for CSAH 18 construction with SRF Consulting Group, Inc., and authorized the Chair and Administrator to sign the agreement.

Contract with Dan Gelfand Woodcare in the amount of \$31,657.50.

Adopted Findings of Fact and issued Order #PZ20130013 for the issuance of Conditional Use Permit #PZ20130013, Miriam Braunhausen, San Francisco Township.

Contract with Wenck Associates, Inc., pending finalization of contract review process.

Contract with Emmons & Olivier, Inc. pending finalization of contract review process.

Contract with Hydromethods LLC pending finalization of contract review process.

Resolution #40-13 Approving the Final Plat of Whispering Creek Ranch.

Reviewed July 2, 2013 Community Social Services' actions/Commissioners' warrants in the amount of \$214,857.29; July 9, 2013 Community Social Services actions/Commissioners' warrants in the amount of \$327,287.65 and July 16, 2013, Community Social Services actions/Commissioners warrants in the amount of \$410,862.82.

Motion carried unanimously.

Keith Carlson, Minnesota Inter-County Association Executive Director, appeared before the Board for MICA's annual legislative update. He noted the deficit problem was solved and pointed out the taxes that were increased. Carlson highlighted the increased spending for education and property tax relief. He pointed out County program aid would increase and sales tax was eliminated for counties and cities. Carlson stated the largest area of relief was in property tax refund increases. He noted the restrictive levy limits in place for 2014.

John Tuma, Nancy Sileksy and Steve Novak, representing MICA, updated the Board on legislative changes in the areas of public safety, public health/human services and transportation.

Carlson stated issues the legislature would likely revisit next year included tax increases, a bonding bill and a transportation funding package. He thanked the Board for continued participation in MICA and Commissioners Degler and Maluchnik for their service on the MICA Board of Directors.

Steve Taylor, Assistant Administrator, requested the Board approve a security enhancement project for the Justice Center. He explained the proposed security screening plan and highlighted the floor plan. He stated the lobby would be expanded to accommodate the equipment and visitors. Taylor indicated this area would also provide camera monitoring for hallways and all parking lots.

He estimated a capital cost of \$485,300 for the project. Taylor highlighted operating costs for security screening and staffing plan. He indicated bailiffs would be in courtrooms only if requested by a judge.

Taylor identified funding sources and stated he anticipated a mid-December project completion.

Judge Eide thanked the Board for considering the project. He shared his concerns for the safety of staff and the public in the Government Center and hoped the project in the future would be expanded to the rest of the buildings.

Ische moved, Degler seconded, to approve security enhancement project of \$485,300 and contact with CMA Architects for \$33,300 to provide design, bidding and construction management services pending finalization of the contract review process. Motion carried unanimously.

Kerie Anderka, Employee Relations, requested the Board adopt a Resolution defining 2014 pay for performance. She noted pay for performance provides differential salary increases based on an employee's individual contributions. She highlighted the objectives of a pay for performance system and reviewed the County's previous range adjustments over the past four years.

She pointed out the current groups on the system and indicated in 2014 the majority of employees will participate in the pay for performance system. Anderka reviewed the 2014 pay for performance matrix, ranging from 0% for needs improvement to 4.25% for outstanding performance.

Anderka summarized wage data information from other cities, counties and the private sector and explained her recommended 2.25% range increase. She stated an employee's increase will be dictated by their overall performance rating.

Ische offered the following Resolution, seconded by Degler:

Resolution #41-13  
Defining 2014 Pay for Performance

On vote taken, all voted aye.

Ische moved, Degler seconded, to adjourn the Regular Session at 5:23 p.m. Motion carried unanimously.

David Hemze  
County Administrator

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Donations**

Primary Originating Division/Dept: Sheriff

Meeting

Date: 7/23/2013

Contact: Leslie Michel Title: Admn Svcs Manager

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 stuffed animals - Erin Maguire and Michele Walker.

Donation of \$100 from Alerus Mortgage - Refer a Friend Program - Keith and Kristin Ellenberg - to use at the Sheriff's discretion.

Donation of \$1,000 Gift Card to Paws Inn Resort, New Germany - donated to the K-9 program.

**ACTION REQUESTED:**

Approve donations.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total** \$0.00

**Related Financial/FTE Comments:**

\$100.00 to 01-201-000-0000-5756.

Office use only:

RBA 2012- 2007

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approve transfer of funds to Capital Equipment for Furniture**

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

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:**

The Division was approved 8 FTE's on June 18th. Six of these positions will need furniture and the Division is requesting to remodel the furniture on the second floor of the Human Services Building. The Division will try to utilize some existing Steel Case Furniture and pieces Facilities has in storage. The clerical and accounting area that was set up in 1994 no longer meets the needs of the Division. The Division has less Support Services Specialists today and more Support Services Aides. The Aides are located on the first floor where one of their primary duties is scanning documents. The Division does project a need for workstations for Social Workers. The second floor remodeling would convert the existing open workstations into workstations more conducive for Social Workers.

The Division has identified two sources of funds within its 2013 Budget where the original budgeted purpose is no longer needed. By using \$55,000 in a purchase of services line item (\$30,000) and in a Professional Services line item (\$25,000) in the current year the Division will not have to budget for this expenditure in 2014.

**ACTION REQUESTED:**

To Approve transferring \$30,000 from purchase of services and \$25,000 from professional services for a total of \$55,000 to Capital Equipment for furniture.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

County Dollars =

8% FFP

**Total**

**Related Financial/FTE Comments:**

8% FFP will be available on the entire \$55,000 rather than just the \$25,000 in the professional services line item. If all \$55,000 is used for the project an additional \$2,400 in FFP will be generated.

*Office use only:*

RBA 2012- 2005

# Budget Amendment Request Form



**Agenda Item:**

Approve transfer of funds to Capital Equipment for Furniture

Department:  
t:

Meeting Date: 7/23/2013

Requested By:

Chuck Churchill

Fund:

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

Description of Accounts	Acct #	Amount
Purchase of Services	11-425-750-3052-...	\$30,000.00
Professional Services	11-422-700-0000-...	\$23,000.00
Federal Administrative Revenue	11-405-700-3015-...	\$2,000.00
<b>TOTAL</b>		\$55,000.00

Description of Accounts	Acct #	Amount
Capital Equipment	11-405-600-4801-...	\$7,500.00
Capital Equipment	11-405-700-0000-...	\$47,500.00
<b>TOTAL</b>		\$55,000.00

**Reason for Request:**

To transfer funds from Professional Services and Purchase of Services to Capital Equipment and reflect the Federal Administrative Revenue that will be realized with this transfer for remodeling the furniture in Social Services Administration to meet the needs of the division.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Employee Relations Temporary Staffing**

Primary Originating Division/Dept: <input type="text" value="Employee Relations"/>	Meeting Date: <input type="text" value="7/23/2013"/>
Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Director"/>	Item Type: <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes	Consent: <input type="text"/>
Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

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

**BACKGROUND/JUSTIFICATION:**

Employee Relations has experienced turnover in two key positions within the division in 2013 including the director role and a generalist/business partner position. The business partner role is still vacant and we anticipate with a typical recruitment process it would take several months before the regular status job is filled. Employee Relations has employed two temporary workers to perform generalist/business partner duties. Minnesota Statute 179A.03, Subd. 14 defines temporary employees as those whose assignments do not exceed 67 working days in a calendar year; and the current temporary generalists are close to reaching this limit. To allow the recently hired director adequate time to assess organization structure and ensure continued level of service as Employee Relations completes this transitional phase, it is requested that two fixed term regular status employee relations business partner positions be created, not to exceed six months, to allow continued employment of the assigned temporary employees. These positions would gain benefit eligibility which was not offered during the initial months under the temporary classification.

**ACTION REQUESTED:**

Establish two fixed term employee relations business partner positions, not to exceed six months duration.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> County Dollars = <input type="text" value="\$73,500.00"/> <input type="text"/> <b>Total</b> <input type="text" value="\$73,500.00"/>
<b>FTE IMPACT:</b> <input type="text" value="Increase budgeted staff"/>	

**Related Financial/FTE Comments:**

This request increases overall headcount by one FTE for a limited timeframe. Estimated cost of salary and benefits for both of these positions over six months is \$73,500. Employee Relations has 2013 vacancy savings of \$158,000.

*Office use only:*

RBA 2012- 2018

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Abatements/Additions**

Primary Originating Division/Dept:

Contact:  Title:

Amount of Time Requested:  minutes

Presenter:  Title:

Meeting  
Date:

Item Type:

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 =	<b>(\$234.68)</b>
Other	(\$464.32)
<b>Total</b>	<b>(\$699.00)</b>

**FTE IMPACT:**

Related Financial/FTE Comments:

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RBA 2012- 2010



**CARVER  
COUNTY**

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

Laurie Davies, Taxpayer Services Manager  
Phone: (952) 361-1907  
Email: 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  
July 23, 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
2013	30.4780130	Hang & Li Zhang	Homestead	\$3,192.00	\$2,962.00	-\$84.26	-\$230.00
2013	85.5350200	Brian & Jennifer Smith	Homestead	\$3,064.00	\$2,714.00	-\$101.14	-\$350.00
2013	75.2920140	Mark Robinson & Connie McCorty-Robinson	Homestead	\$5,824.00	\$5,776.00	-\$15.61	-\$48.00
2013	45.0280500	Joshua & Anne Winter	Homestead	\$2,022.00	\$1,478.00	-\$129.54	-\$544.00
2013	25.3980160	Paul & Jenny Spencer	Homestead	\$4,312.00	\$4,164.00	-\$53.07	-\$148.00
2013	30.9510222	Kim Castillo	Homestead	\$734.00	\$496.00	-\$86.68	-\$238.00
2013	85.9510172	Jodi O'Riley	Classification Error	\$25.00	\$498.00	\$116.10	\$473.00
2013	30.9520057	Brakemeier C/O Yefri Rios	Classification Error	\$25.00	\$218.00	\$59.76	\$193.00
2013	30.9520509	Brakemeier C/O Paulette Ripplinger	Classification Error	\$25.00	\$218.00	\$59.76	\$193.00
<b>Totals</b>				<b>\$19,223.00</b>	<b>\$18,524.00</b>	<b>-\$234.68</b>	<b>-\$699.00</b>

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Recognition of Katy Boone - 2013 Age Odyssey Community Award Recipient**

Primary Originating Division/Dept: <input type="text" value="Public Health &amp; Environment - Public Health"/>	Meeting Date: <input type="text" value="7/23/2013"/>
Contact: <input type="text" value="Marcee Shaughnessy"/> Title: <input type="text" value="Public Health Department M..."/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text" value="Randy Wolf"/> Title: <input type="text" value="Public Health &amp; Environment D..."/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Katy Boone, Planning and Promotion Unit Supervisor in the Carver County Public Health Department, received the "Community Award" at the 2013 Minnesota Age and Disabilities Odyssey Conference on June 18, 2013. The conference was sponsored by MN Department of Human Services, Aging & Adult Services and Disability Services Divisions and the Minnesota Board on Aging. It was held in Duluth and included over 1,300 participants working in the fields of disabilities and aging in the public, private and non-profit sectors in Minnesota. This award recognizes contributions which make the community a better place for those who are aging or have disabilities.

In June 2007, the Carver County Board of Commissioners created the Office of Aging. Through the Office of Aging, Katy worked with the city-level Aging Commissions, as well as city elected officials and staff, to identify the needs and expectations of their aging residents. This included training on housing needs and Universal Design concepts, to develop housing options to help retain Boomers as residents. She also identified transportation as a significant issue, in a county without regularly scheduled transit service. She developed CarFit events throughout the county, which were sponsored by individual cities, to keep older drivers on the road safer and longer. As a supervisor in Public Health, Katy and her staff coordinated conferences and workshops for residents, local officials and MnDOT staff, to address current road improvements and crosswalk timing issues.

We are very proud of Katy's accomplishments since she has been working in Public Health at Carver County. Her initiatives to address aging population needs in Carver County have been modeled by other agencies in Minnesota, as well. Katy is well deserving of this Community Award!

**ACTION REQUESTED:**

Recognize and congratulate Katy Boone for the "Community Award" given to her at the 2013 Minnesota Age and Disabilities Odyssey Conference on June 18th, 2013.

<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:

# Carver County Board of Commissioners Request for Board Action



## Agenda Item:

### Wheelage Tax Resolution

Primary Originating Division/Dept:

Meeting

Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

Strategic Initiative:

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

### BACKGROUND/JUSTIFICATION:

The 88th State Legislature passed in to law under Chapter 117, the 2013 Transportation Appropriations Bill HF 1444. Chapter 117 Article 3, Section 4 amends Minnesota Statutes 2012, section 163.051, Metropolitan County Wheelage Tax. The amendments include authorizing all 87 Counties by County Board Resolution to levy an annual Wheelage Tax of \$10.00 beginning January 1, 2014.

The new law requires that any County that levies the tax must do so at \$10.00 per eligible registered vehicle. This includes any County that already levies the tax which includes Carver, Anoka, Dakota, Scott and Washington Counties. This means that if these counties elect not to raise the tax by \$5.00, the entire tax is eliminated to \$0.00 per vehicle.

**The County Board is required to take action to deny the Wheelage Tax by August 1, 2013. The Board does not need to take action to impose the extra \$5 tax.**

Carver County currently levies the \$5.00 per eligible registered vehicle as authorized by County Board Resolution #71-07 and the previous Metropolitan County Wheelage Tax legislation put into law effective January 1, 2008. The tax currently generates approximately \$350,000 annually for the Road and Bridge fund. \$315,000 is allocated to debt service with any extra going to current Capital Improvement projects.

The \$315,000 pays a portion of the debt service for the following projects bonded for in 2008:

- CSAH 18, Lyman Boulevard Reconstruction from Galpin to Audubon in Chanhassen: \$3,559,000
- CSAH 14, Pioneer Trail Reconstruction from Shady Oak to Bavaria in Chaska : \$3,600,000
- CSAH 17, Powers Blvd Safety Improvements from 78th St to North County line in Chanhassen: \$549,000
- CSAH 20, Reconstruction from CR 10 to Paul Avenue in WatertownSAP 010-620-012: \$1,880,000
- CSAH 10/TH 7 Roundabout Construction in Watertown Township: \$500,000
- CSAH 40, Main Street Bridge Replacement in Carver: \$272,000
- CSAH 40 Reconstruction in City of Carver (with Met Council Sewer): \$ 290,000
- Laketown Road (CR 141) paving in laketown Township: \$750,000

Total Bond = \$11,400,000.

A \$10.00 Wheelage Tax in Carver County would double the current levy to approximately \$700,000. Funding above the current levy (approx \$350,00) would primarily be used to increase funding for overlay and other preservation projects to pay for construction inflation, and then road and bridge reconstruction projects in the Road and Bridge Capital Improvement Plan (CIP) as appropriate.

Staff will provide the County Board examples at the meeting of preservation projects that could be programmed in 2014 with and without the extra Wheelage Tax revenue.

It should be noted that the current Road and Bridge CIP (2014-2018) does not include additional revenue from an increased Wheelage Tax, however this is expected to change in future CIPs (2015-2019) dependent on the allocation of County Program Aid and availability of additional County Levy.

**ACTION REQUESTED:**

Option 1: Adopt a resolution to not increase Wheelage Tax in Carver County and rescind the current \$5.00 Wheelage Tax.

Option 2: Take no action related to Wheelage Tax and allow the \$10 tax to go into effect January 1, 2014.

<b>FISCAL IMPACT:</b> Other	<b>FUNDING</b>
If "Other", specify: Reduction in revenue for debt service	County Dollars =
<b>FTE IMPACT:</b> None	<b>Total</b> \$0.00

Related Financial/FTE Comments:

The elimination of the current Wheelage Tax requires \$315,000 in debt service payment to be allocated from other sources.

Office use only:

RBA 2012- 2011

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

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

Resolution No: \_\_\_\_\_  
Seconded by Commissioner: \_\_\_\_\_

## Resolution Revoking Imposition of a Wheelage Tax in Carver County

WHEREAS, The 88<sup>th</sup> State Legislature passed in to law under Chapter 117, the 2013 Transportation Appropriations Bill HF 1444; and

WHEREAS, Chapter 117 Article 3, Section 4 amends Minnesota Statutes 2012, section 163.051, Metropolitan County Wheelage Tax; and

WHEREAS, The amendments include authorizing all 87 Counties by County Board Resolution to levy an annual Wheelage Tax of \$10.00 beginning January 1, 2014; and

WHEREAS, the Wheelage Tax levied by any County, if made collectible by the State Registrar of Motor Vehicles, shall be certified by the County to the Registrar not later than August 1 in the year before the calendar year for which the tax is being levied; and,

WHEREAS, there are no provisions in the amendments to allow a County that currently imposes the Wheelage Tax to remain at its current rate of \$5.00; and

WHEREAS, Carver County currently levies \$5.00 per eligible registered vehicle as authorized by County Board Resolution #71-07 and the previous Metropolitan County Wheelage Tax law. The tax currently generates approximately \$350,000 annually for the Road and Bridge fund. \$315,000 is currently allocated to debt service with any extra going to current Capital Improvement projects; and

WHEREAS, A \$10.00 Wheelage Tax in Carver County would double the current levy to approximately \$700,000. Funding above the current levy would be allocated to preservation projects and reconstruction projects in the Road and Bridge Capital Improvement Plan (CIP); and

WHEREAS, if the Carver County Board takes no action prior to August 1, the Wheelage Tax collected will automatically raise to \$10 per vehicle per year:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Carver County elects not to impose the additional \$5.00 Wheelage Tax authorized by the State Legislature in 2013 with the understanding that existing Resolution # 71-07 for the \$5.00 tax is rescinded and directs the Division Director of Property Records and Taxpayer Services to notify the State Registrar of Motor Vehicles on or before August 1, 2013 of this resolution to withdraw from the Wheelage Tax collection for Carver County for Wheelage Taxes levied for 2014.

YES	ABSENT	NO

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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 23rd day of July, 2013, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 23rd day of July, 2013.

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Dave Hemze

County Administrator



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Eminent Domain Resolution for Construction of CSAH 18 (SP 10-618-13) Roadway Project**

Primary Originating Division/Dept: <input type="text" value="Public Works - Engineering"/>	Meeting Date: <input type="text" value="7/23/2013"/>
Contact: <input type="text" value="Bill Weckman"/> Title: <input type="text" value="Asst. County Engineer"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

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

**BACKGROUND/JUSTIFICATION:**

The CSAH 18 roadway construction project (SP 10-618-13) requires acquisition of additional right-of-way to complete the project. Offers for right-of-way were sent to 10 property owners between April 4, 2013 and April 16, 2013. This is a federally funded project. The project schedule includes bid opening in late January 2014 with a spring 2014 construction start. In order to maintain this project schedule, we need to have access to these properties legally approved by the end of October 2013. The attached eminent domain resolution provides for the acquisition of fee simple interests for this roadway project.

**ACTION REQUESTED:**

Adopt a resolution for Project SP 10-618-13 to authorize land acquisition by eminent domain and request the County Attorney to proceed with the actions necessary.

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

**Related Financial/FTE Comments:**

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 RBA 2012- 2009

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: July 23, 2013  
Motion by Commissioner: \_\_\_\_\_

Resolution No: \_\_\_\_\_  
Seconded by Commissioner: \_\_\_\_\_

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### Eminent Domain – SP 10-618-13

WHEREAS, Carver County proposes to reconstruct CSAH 18 from Audubon Rd to CSAH 17 (Powers Blvd), and  
WHEREAS, the construction is necessary to provide an improved roadway for the safety of the traveling public,  
and  
WHEREAS, fee simple interests in certain lands and temporary easements on certain lands need to be acquired  
to provide for said construction, and  
WHEREAS, Carver County has the authority to acquire right of way for said highway by the exercise of its power  
of eminent domain pursuant to Minnesota Statutes, Sec. 163.02, Subd. 2, and  
WHEREAS, the eminent domain process is being used for a public use or public purpose, pursuant to Minnesota  
Statutes, Sec. 117.012, and  
WHEREAS, the County has the right to acquire the right of way prior to the filing of an award by the court  
appointed commissioners, pursuant to Minnesota Statutes Sec. 117.012 and 117.042, and  
WHEREAS, the County has been unable to successfully negotiate the needed fee simple and easement  
acquisitions with certain land owners to whom purchase offers have been made.

NOW THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorizes the  
acquisition of said land interests by the exercise of the County's power of eminent domain and to take  
possession of that land prior to the filing of an award by the court appointed commissioners, pursuant to  
Minnesota Statutes Sec. 163.02, Subd. 2, 117.012 and 117.042, and

BE IT FURTHER RESOLVED, that the Carver County Attorney is requested to file the necessary petition therefore,  
and to prosecute such action to a successful conclusion or until it is dismissed, abandoned, or terminated  
by the court.

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 23rd day of July, 2013, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 23<sup>th</sup> day of July, 2013.

\_\_\_\_\_  
David Hemze                                  County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Partnership for public and church parking in New Germany**

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="7/23/2013"/>
Contact: <input type="text" value="Marty Walsh"/> Title: <input type="text" value="NA"/>	Item Type: <input type="text" value="Ditch/Rail Authority"/>
Amount of Time Requested: <input type="text" value="15"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text" value="Marty Walsh"/> Title: <input type="text"/>	
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

**BACKGROUND/JUSTIFICATION:**

The Dakota Rail Regional Trail is a 12.5 paved trail corridor through Carver County. The trail receives approximately 100,000 annual visits to the portion of trail in Carver County. The trail extends from the east county line to the west county line, passing through the communities of Mayer and New Germany.

It is proposed that the St. Marks Church parking lot which is located in New Germany on Carver County Regional Railroad Authority property be used for parking for church activities, parking related to the trail and other public parking needs. St. Marks Church is planning to have the deteriorated pavement surface removed and a new 3" lift of bituminous placed on the existing gravel Base of the parking lot. The Church is agreeable to allowing others to park in their parking lot for trail and other public parking needs.

It is proposed that the County Regional Rail Authority participate in assisting financially with the reconstruction of the parking lot. The estimated cost of the work to reconstruct the parking lot is \$32,581.

The proposed cost participation to reconstruct the parking area be as follows:

- St. Marks Church \$8,099 or 25%
- Carver County Regional Rail Authority \$8,099 or 25%
- Compensation as a part of the New Germany Road Reconstruction Project \$5,585 or 17%
- Compensation due to Contractor Wear and Tear from W. M. Mueller Sons, Inc. \$6,798 or 21%
- Compensation due to Contractor Wear and Tear Sunram Construction, Inc. \$4,000 or 12%

**ACTION REQUESTED:**

Approve a cost participation and parking agreement with St. Marks Lutheran Church of New Germany and authorize the Chair of the Regional Rail Authority to sign the agreement upon review by the County Attorney's Office and Risk Management.

<p><b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/></p> <p><i>If "Other", specify:</i> <input type="text"/></p> <p><b>FTE IMPACT:</b> <input type="text" value="None"/></p>	<p><b>FUNDING</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><b>County Dollars =</b></td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> <tr> <td>CCRRA</td> <td style="text-align: right;">\$8,099.00</td> </tr> <tr> <td>St. Marks</td> <td style="text-align: right;">\$8,099.00</td> </tr> <tr> <td>CSAH 30 Road Project</td> <td style="text-align: right;">\$5,585.00</td> </tr> <tr> <td>W.M. Mueller</td> <td style="text-align: right;">\$6,798.00</td> </tr> <tr> <td>Sunram Construction</td> <td style="text-align: right;">\$4,000.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$32,581.00</b></td> </tr> </table>	<b>County Dollars =</b>	<b>\$0.00</b>	CCRRA	\$8,099.00	St. Marks	\$8,099.00	CSAH 30 Road Project	\$5,585.00	W.M. Mueller	\$6,798.00	Sunram Construction	\$4,000.00	<b>Total</b>	<b>\$32,581.00</b>
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<b>Total</b>	<b>\$32,581.00</b>														

Related Financial/FTE Comments:

The \$5,585.00 is already budgeted in the current CSAH 30 reconstruction project being constructed by the City and is not a new expense.

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RBA 2012- 2013

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Agreement with Metropolitan Council for Sewer Easement along former UP Rail Line**

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="7/23/2013"/>
Contact: <input type="text" value="Martin Walsh"/> Title: <input type="text" value="Parks Director"/>	Item Type: Ditch/Rail Authority <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:**  
 Connections: Develop strong public partnerships and connect people to services and information

**BACKGROUND/JUSTIFICATION:**

Carver County Regional Railroad purchased the former Union Pacific Railroad in the Cities of Chaska and Carver. The easement agreement allows for sewer force mains operated by the Metropolitan Council Environmental Services to be installed and there after maintained on property of the former Union Pacific Railroad. The sewer force mains are located between Athletic Park at First Street in Chaska and Depot Park in the City of Carver.

An easement agreement and price for the easement were negotiated for an amount of \$125,000.

The sewer project was completed during the fall of 2012. The Metropolitan Council will operate and maintain the sewer lines.

**ACTION REQUESTED:**

Approve the agreement with the Metropolitan Council and authorize the Board Chair to sign pending approval of the contract review process.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> County Dollars = <input type="text"/> <input type="text"/> <b>Total</b> <span style="float: right;">\$0.00</span>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	

**Related Financial/FTE Comments:**

The negotiated price with the Metropolitan Council for the sewer easement in the former Union Pacific Railroad corridor is \$125,000. Funds received can replenish the designated Park Fund for land acquisition.

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RBA 2012- 2016