

Carver County Leaders Meeting
October 8, 2013 7:30 a.m.
Carver County Government Center EOC/Training Room



Carver County Board of Commissioners
October 8, 2013
Work Session
County Board Room
Carver County Government Center
Human Services Building
Chaska, Minnesota

WORK SESSION

- 9:00 a.m. **A. CONNECTIONS: Develop strong public partnerships and connect people to services and information**
1. 2014 Legislative Priorities 1-13
- 9:25 a.m. **B. CULTURE: Provide an organizational culture which fosters individual accountability to achieve goals**
1. Capital Improvement Planning for County Parks..... 14-15
2. Public Water Access at Lake Waconia Regional Park 16-17
- 10:30 a.m. **BOARD REPORTS**
1. Chair
2. Board Members
3. Administrator
4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

October 15, 2013	1:30 p.m. County Park Fall Tour
October 15, 2013	4:00 p.m. Board Meeting
October 22, 2013	9:00 a.m. Board Meeting
October 29, 2013	No Board Meeting
November 5, 2013	9:00 a.m. Board Meeting
November 12, 2013	No Board Work Session

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2014 Legislative Priorities

Primary Originating Division/Dept: Administration (County)

Meeting

Date: 10/8/2013

Contact: Dave Hemze Title: County Administrator

Item Type:

Work Session

Amount of Time Requested: 15 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:

Staff has developed a draft list of 2014 legislative priorities:

1. Township Fine Revenue
2. Sales Tax Exemption for Joint Powers
3. Tax Forfeiture
4. SouthWest Transit Bus Rapid Transit
5. Increase Funding to the County Turnback Account
6. Aligning Transportation to Land Use Planning
7. Aquatic Invasive Species Management
8. Lake Waconia Public Water Access
9. Capital Improvement Funding for Regional Parks
10. Electronic Recycling
11. Amend Legacy Funding

The legislative priorities will be presented at the workshop and staff will seek input and direction from the County Board.

ACTION REQUESTED:

Provide input and direction on Carver County's 2014 legislative priorities.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2012- 2167



CARVER
COUNTY

2014

Legislative Platform

Item numbering is not a priority listing

Top priorities:

A. Governance and Finances

1. Township Fine Revenue
2. Sales Tax Exemption for Joint Powers
3. Tax Forfeiture

B. Roads, Bridges and Transportation

4. SouthWest Transit Bus Rapid Transit
5. Increase Funding to the County Turnback Account
6. Aligning Transportation to Land Use Planning

C. Parks, Natural Resources and Environment

7. Aquatic Invasive Species Management
8. Lake Waconia Public Water Access
9. Capital Improvement Funding for Regional Parks
10. Electronic Recycling
11. Amend Legacy Funding



Issue #1: Township Fine Revenue

Background

Watertown and Laketown Townships have historically contracted with the Carver County Sheriff's Office for patrol services above mandated base level services. For more than two decades, Watertown and Laketown Townships have received fine revenues from the State Court Administrator to help subsidize these contracts.

Recently, Camden Township elected to enter into a contract with the Sheriff for additional patrol services. However, when the Carver County Court Administrator attempted to obtain an "ORI" number from the State Court Administrator, the Carver County Court Administrator was told that townships are not eligible for ORI designation, and therefore, townships are not entitled to any fine revenues.¹

The State Court Administrator has now removed Watertown and Laketown Townships as entities entitled to receive fine revenue. In turn, Carver County Sheriff Jim Olson is concerned that Watertown and Laketown Townships may not be able to fund their contracts for added patrol services which will have a detrimental impact on public safety.

Unlike incorporated cities, the Carver County Attorney's Office is legally required to prosecute all statutory violations on behalf of the townships. Minn. Stat. § 484.87, Subd 3. Nevertheless, it is clear that **all** Minnesota townships are still entitled to all fine revenues under Minn. Stat. § 484.90, Subd. 6 (a) (emphasis added):

- (a) In **all cases** prosecuted in district court by an attorney for a municipality **or other subdivision of government within the county for violations of state statute, or of an ordinance**

The terms "towns" and "townships" are used interchangeably throughout Minnesota statutes. In the context of governmental units, "incorporated" means a city and "unincorporated" means a town. See, Minn. Stat. § 414.02. "When a county, town, or city is mentioned, without any particular description, it imports the particular county, town, or city appropriate to the matter." Minn. Stat. § 645.44, subd. 3.

The County Attorney's office recently met with attorneys representing the State Court Administrator's Office and they are unwilling to yield.

Requested Position

Carver County encourages the Legislature to clarify the law and effectuate the plain meaning of Minn. Stat. § 484.90, Subd. 6 (a) to allow the townships to receive fine revenue, the following amended language should be added to Minn. Stat. § 484.90, Subd. 6 (b): **The county attorney prosecutes statutory or ordinance violations on behalf of county towns or townships.**

¹ The timing of these matters coincides with the state-wide implementation of E-Charging criminal complaints.



CARVER
COUNTY

Issue #2: Sales Tax Exemption for Joint Powers

Background

The 2013 Minnesota Legislature exempted cities and counties from paying sales tax on purchases used to provide certain governmental services. This exemption takes effect January 1, 2014.

The Minnesota Department of Revenue has advised, however, via Sales Tax Fact Sheet 176, that the new sales tax exemption will not apply to special taxing districts or joint powers entities. This means that purchases by organizations like MCCC will continue to be taxable. This will, in effect, mean that our member counties will continue to pay sales tax on MCCC purchases, thereby defeating some of the efficiencies and economies which form the basis of our organization.

Requested Position

Carver County encourages the Legislature to exempt joint powers entities and special taxing districts from sales tax.



Issue #3: Tax Forfeiture

Background

There are a total of four tax forfeited parcels in Carver County that the Minnesota Department of Natural Resources has determined (according to Minn. Sta. 282.018, Subd. 1), must be withdrawn from sale because the waterfront exceeds 150 feet. Special legislation will be needed for the county to proceed with the sale of each of these parcels. The Department of Natural Resources has no objection to the sale of the following four parcels if legislation was passed authorizing the sale.

25.3420210 City of Chanhassen: This parcel has approximately 575 feet of water frontage on an unnamed public water inventory (PWI) watercourse. In addition the parcel contains wetlands, and is adjacent to Lake Minnetonka LRT Regional Trail, managed by Three Rivers Parks District.

25.3420220 City of Chanhassen: This parcel has approximately 300 feet of water frontage on an unnamed PWI watercourse. In addition the parcel contains wetlands, and is adjacent to City of Chanhassen property and close to the Lake Minnetonka LRT Regional Trail.

58.6520890 City of Norwood Young America: This parcel has approximately 2,300 feet of water footage on Young America Lake. This parcel is ecologically significant to Young America Lake as a buffer against development and potentially for wildlife habitat.

85.0092900 City of Watertown: This parcel is over 40 acres in size, has approximately 1,400 feet of water frontage on an unnamed PWI watercourse, and contains wetlands. The City of Watertown and Carver County are pursuing partnership opportunities to use this land for a public purpose. Options include wetland and park creation and a potential future site for a public works facility. In meetings with the City of Watertown the county has agreed to have the City of Watertown pursue the necessary legislation for this parcel on their own.

The remaining three parcels have drawn an interest from each of the Cities they are located in. The Taxpayer Services office is in the process of coordinating the special legislation necessary for the Cities to acquire the appropriate parcels. As stated above, the Department of Natural Resources has no objection to the Cities acquiring the parcels.

Requested Position

Carver County supports and encourages the Legislature to pass the special legislation necessary for Carver County to proceed with the sale of these parcels.



Issue #4: SouthWest Transit Bus Rapid Transit

Background

The County supports cooperative arrangements between Southwest Transit and Metropolitan Council in order for services provided by each entity to complement each other. Carver County supports SouthWest Transit as the operator of any extended transit service in the County, including Bus Rapid Transit (BRT) services on the Highway 212 corridor, and opposes action which allows the Metropolitan Council to operate these services exclusively.

Requested Position

Carver County encourages the Legislature to support SouthWest Transit as the operator of any extended transit service in the County, including Bus Rapid Transit (BRT) services on the 212 corridor, and to oppose action which allows the Metropolitan Council to operate these services exclusively.



Issue #5: Increase Funding to the County Turnback Account

Background

5% of the Minnesota Highway Users Tax Distribution Fund (HUTDF) or approximately \$89.5 million annually is allocated to the Town Bridge, Town Road and Flexible Highway Account. The Flexible Highway Account is allocated 53.5% or approximately \$47.8 million annually which is used for the restoration of former Trunk Highways turned back to Counties or Cities.

The problem is there is not enough funding in the County Turnback Account (part of Flexible Highway Account) to restore these highways. This is a Statewide issue but a significant problem in the Twin Cities Metropolitan Area where there are many projects waiting for funding. The Metro projects are mostly urban in nature and very expensive as the routes have been neglected for decades. The Minnesota Department of Transportation (MnDOT) is performing a Statewide Highway Jurisdictional Study that is analyzing this issue with short and long term recommendations. This will include a request for additional funding in the Flexible Highway Account.

Examples of turnbacks in Carver County include portions of TH101 (now CSAH 101) and TH212 (now CSAH 61). Portions of these routes have already been upgraded or are programmed to be upgraded. A significant Carver County turnback project under development is the 101 Bridge and 61 “Y” reconstruction project, also known as the Southwest Reconnection Project. The project includes construction of a 4200 foot long 4-lane river bridge on TH 101 and reconstruction of CSAH 61 including the 101/61 “Y” intersection. Carver County is the lead agency for the project and the goal is to start construction as soon as possible in order to minimize the risk from flooding in the Minnesota River Valley. The County is attempting to secure all necessary funding for a Spring 2014 construction start.

The total cost for the project is estimated at \$65,730,000, of which approximately \$18,000,000 utilizes the County Turnback Account, however there is a shortage of \$16,500,000 in turnback funds for this project until 2022. For this vital regional project to proceed in 2014, these funds must be provided by Carver County unless there is additional funding provided into the Flexible Highway Account. This will force the County to delay other capital improvement projects.

Requested Position

Carver County requests that the Legislature provides additional funding for the County Turnback Account and provide the Southwest Reconnection Project \$16,500,000 from the account for 2014.



Issue #6: Aligning Transportation to Land Use Planning

Background

Through its long range planning effort, THRIVE MSP 2040, the Metropolitan Council is updating regional and local households and employment forecasts. Preliminary results show that Carver County is expected to have the highest percentage growth in housing out of the 7 metropolitan counties. This does not equate to the greatest increase in households, which will occur in the larger more populated counties but is an indication of the continued demand for development in the county.

The Metropolitan Council is also updating the Transportation Policy Plan (TPP) to be in alignment with THRIVE MSP 40. The current 2030 TPP and MnDOT's 20-year Highway Investment Plan shows almost zero highway improvement other than preservation in Carver County. There are zero trunk highway expansion projects in Carver County in the current plans.

The major concern with the counties outside the 494-694 beltway is that the updated TPP and State Highway Investment Plan will continue to ignore the needs in these counties even though the new growth forecasts still show a clear need to improve the transportation systems in these areas. If growth is expected to occur as predicted by the Council's models, transportation policy must address this growth in an equitable way.

One example relates to growth in Victoria. For example, in Victoria, the expected number of households is expected to increase by 2565 to a total of 5000 in 2040. The rule of thumb is each household generate approximately 10 trips per day which adds more than 20,000 vehicle trips per day to the transportation system in and around Victoria. Waconia households are expected to grow by 3000 or another 30,000 vehicle trips. Current Trunk Highway planning and investment policy does not address these growth patterns.

Requested Position

Carver County requests that the Legislature instructs Metropolitan Council and MnDOT to align transportation policy and investment with the future land use and projected growth in Carver County so as not to stifle economic growth and quality of life in the County.



Issue #7: Aquatic Invasive Species Management

Background

In 2011 the Carver County Board of Commissioners took a leadership role in funding the prevention of the invasion of Zebra Mussels and other Aquatic Invasive Species (AIS) in our lakes. This measure was taken with the idea that time was needed for the Legislature and DNR to develop a comprehensive AIS management and implementation plan. It is time for the state to take a stronger position in fighting this problem by reducing the burden on local units of government to provide AIS inspections services and spread the cost of the service to users.

Requested Position

Carver County encourages the Legislature to authorize a comprehensive Aquatic Invasive Species (AIS) Management and Implementation plan; including a boat tagging system, and to provide for AIS inspections and boat tagging at license distribution outlets for a fee.



Issue #8: Lake Waconia Public Water Access

Background

Lake Waconia, at 3000 acres, is the second largest lake in the metropolitan area and a regional attraction for water based recreation activities. The existing public boat access on the northeast side of the lake is overwhelmed with use. Frequently long lines of vehicles with trailers park along County Road 92 between St. Bonifacius and Waconia creating inconvenience to the public, traffic congestion along a county roadway and a public safety concern.

Carver County owns land on Lake Waconia which is suitable for a public water access. This land is in a complimentary location to Lake Waconia Regional Park and consistent with the approved park master plan by the Metropolitan Council. The County is willing to sell a portion of the land it owns on Lake Waconia to the DNR/State for a public water access, service drive and parking area for 40 vehicles with trailer parking stalls.

Carver County proposes a partnership with the DNR where the public water access is open and free to use by the public, acquired and developed by the DNR. Carver County will provide ongoing routine maintenance of trash removal, mowing and other services of the public water access seamless from the County owned Lake Waconia Regional Park.

Funding is requested from DNR to purchase land for the boat access from the County. The proposed acquisition would improve public access to a regionally significant body of water, increase recreational opportunities and user satisfaction.

The State has a long history in providing outdoor recreation and water recreation access to public bodies of water. Land needed for the public boat access on Lake Waconia is available by a willing seller. Carver County has an approved park master plan which would complement a public boat access. Legislative assistance is requested for this acquisition.

The County has been in contact with representatives of the DNR for eligibility of the public water access project on Lake Waconia for funding from the 2014 legislative session. Representatives of the DNR have stated that the proposed boat access on Lake Waconia is a top priority within the metropolitan area and this planned access could be developed with a new design to incorporate aquatic invasive species inspection/removal not currently provided on the lake.

Requested Position

It is requested that the State allocate funding to acquire land from Carver County for a public water access on Lake Waconia.



Issue #9: Capital Improvement Funding for Regional Parks

Background

The 2014-15 portion of the Metropolitan Council’s Regional Park CIP is based on the issuance of up to \$7.0 million of Metropolitan Council bonds to provide a 40% match to a 2014 State bond request of \$10.5 million. This results in a 2014-15 CIP total of \$17.5 million. If this legislation is passed, Carver County is to receive \$475,000 as partial reimbursement for land acquisition at Lake Waconia Regional Park.

Requested Position

Carver County urges the Legislature to support legislation which provides \$17.5 million for the Regional Park CIP for 2014-15. \$10.5 million of State Bonds to be matched with \$7.0 million of Metropolitan Council bonds for a combined total of \$17.5 million for the Regional Parks System.

Note: The above requested position is consistent with the current request by the Metropolitan Council. Implementing Regional Park Agencies often support another request after the proposed budget is announced.



Issue #10: Electronic Recycling

Background

The Minnesota Electronics Recycling Act of 2007 required manufacturers of specified electronic goods to assist with the costs of recycling or disposing of their products. In 2012 Carver County spent \$54,000 in managing waste electronics and were reimbursed by the Electronics Companies only \$18,000 (33%). The percentage of reimbursement has dropped significantly over the past few years. In 2009 Carver County was reimbursed 97% of its costs, in 2011 that figure was 60%.

Requested Position

Carver County encourages the Legislature to strengthen the provisions of the Minnesota Electronics Recycling Act thereby increasing the amount of reimbursement to counties who run electronics recycling operations.



Issue #11: Amend Legacy Funding

Background

Carver County was notified that it was awarded grant funding from the State Park Road Account program to construct and pave a portion of the roadways in the park. The County desires to use a portion of the approved 2015 legacy funding to pave additional areas within the park to take advantage of economies of scale and reduce inconvenience to customers by having more work completed in one construction season.

The County is also requesting that 2015 approved Legacy Funding deliverables be amended to allow for partial funding for a Park Programmer position to introduce people to outdoor activities and accommodate increased demand for outdoor recreation programs consistent with eligibility for legacy funding.

Requested Position

Carver County urges the Legislature to amend CHAPTER 137–H.F.No.1183 deleting the following language “for trail and bridge construction on the Minnesota Rive Bluff Regional Trail” and insert language that allows the FY 2015 appropriation to be used “for paving work at Lake Minnewashta Regional Park and to finance a Park Programmer position”.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Capital Improvement Planning for County Parks

Primary Originating Division/Dept:

Meeting

Date:

Item Type:

Contact:

Title:

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

At the September 11, 2012 meeting of the County Park Commission, Staff presented information about 2014-2019 CIP and possible opportunities for capital improvement projects. Information presented showed that the County is committed to matching federal funds with Parks and Trail Legacy Dollars through 2015. Subsequent years allow for flexibility in determining projects that could be funded with Legacy Funds and County Program Aid. The Park Commission reviewed a number of potential projects but provided direction that it would like the County to consider an initial development program for Lake Waconia Regional Park.

Staff will present possible capital improvement funding options along with Park Commission's recommendation for an initial development program for Lake Waconia Regional Park.

ACTION REQUESTED:

Provide direction for the Parks Capital Improvement Plan.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2012- 2146

CAPITAL PROJECTS BY DEPARTMENT

Data Entry Group: Public Works

DEPARTMENT PROJ. NO.	Project Title	Prior- ity	EXPENDITURES							REVENUES		Page #
			Current Amount 2014	2015	2016	2017	2018	2019	2015 To 2019	Other Sources 2015 To 2019	County Cost 2015 To 2019	
Public Works - Parks												
520 001	Utility Cart	B	0	0	0	0	13,000	0	13,000	0	13,000	D-99
520 002	Commercial Riding Mower	B	0	55,000	0	55,000	0	0	110,000	0	110,000	D-100
520 003	Trucks (Trash and Utility)	B	50,000	0	80,000	0	0	0	80,000	0	80,000	D-101
520 005	PLANNING, DESIGNING, & ENGINEERI	A	50,000	50,000	50,000	50,000	50,000	50,000	250,000	0	250,000	D-103
520 006	Regional Park & Trail Master Plan	B	20,000	20,000	20,000	20,000	20,000	20,000	100,000	0	100,000	D-104
520 007	CSAH 10 TRAIL CONNECTION	B	0	0	0	0	0	0	0	0	0	D-105
520 008	LMP Playground Surface	B	0	35,000	0	0	0	0	35,000	0	35,000	D-106
520 009	Pavement Management	B	25,000	119,000	15,000	0	120,000	0	254,000	0	254,000	D-107
520 010	Snowmobile - Trail groomer	B	0	0	0	25,000	0	0	25,000	0	25,000	D-108
520 011	GROOMER	B	0	0	201,000	0	0	0	201,000	0	201,000	D-109
520 012	REPLACE LMP PLAYGROUND EQUIPME	B	0	0	0	0	0	1,000,000	1,000,000	0	1,000,000	D-110
520 013	CONSTRUCT GROUP CAMP AREA	C	0	0	0	630,000	0	0	630,000	0	630,000	D-111
520 014	Lake Waconia Park - FISHING PIER	C	0	0	0	0	0	100,000	100,000	0	100,000	D-112
520 017	TRAILER	B	0	0	0	15,000	0	0	15,000	0	15,000	D-114
520 019	EXTENSION OF MN RIVER BLUFFS REG	A	0	0	0	0	0	0	0	0	0	D-115
520 020	LMP BOAT ACCESS RECONSTRUCTION	B	0	0	160,000	0	0	0	160,000	0	160,000	D-116
520 023	LWP PLAYGROUND	B	0	0	0	1,000,000	0	0	1,000,000	0	1,000,000	D-117
520 024	Lake Waconia Regional Park - Phase 1 Devel	B	0	0	0	600,000	2,500,000	0	3,100,000	0	3,100,000	D-118
520 025	LMP PAVE PARK ROAD	A	0	0	0	0	0	0	0	0	0	D-119
520 026	LMP Aggregate Trail	B	0	10,000	0	0	0	0	10,000	0	10,000	D-120
Totals			145,000	289,000	526,000	2,395,000	2,703,000	1,170,000	7,083,000	0	7,083,000	
Public Works: Road & Bridge												
303 003	Vehicles	B	0	32,000	0	0	0	0	32,000	0	32,000	D-66
305 001	Mowers	B	0	100,000	0	100,000	0	0	200,000	0	200,000	D-67
305 002	AVL/GPS for plow trucks	B	0	0	0	0	0	0	0	0	0	D-68
305 003	Trucks	A	240,000	500,000	520,000	540,000	560,000	0	2,120,000	0	2,120,000	D-69

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Public Water Access at Lake Waconia Regional Park

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

Item Type:

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Carver County Board discussed the preliminary design for a public water access at Lake Waconia Regional Park at its August 23, 2013 Committee Meeting of the Whole. At that meeting the Board provided direction to consider a possible design which would accommodate more than 40 vehicles with trailers as a possible longer term design to accommodate an increase in demand for parking. A draft design of the public water access accommodating an increase in vehicles with trailer has been prepared.

County Staff has been in communication with the MN Department of Natural Resources about partnering in the acquisition and development of the public water access.

Work on the preliminary design of the parking area has progressed to a point which the land area needed for the access has been defined.

Staff is seeking direction to have the area identified for the public access appraised for possible purchase by the DNR.

ACTION REQUESTED:

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2012- 2147

Impervious Surface - 1.78 acres @ 35 car & trailer

- 1.9 acres @ 40 car & trailer

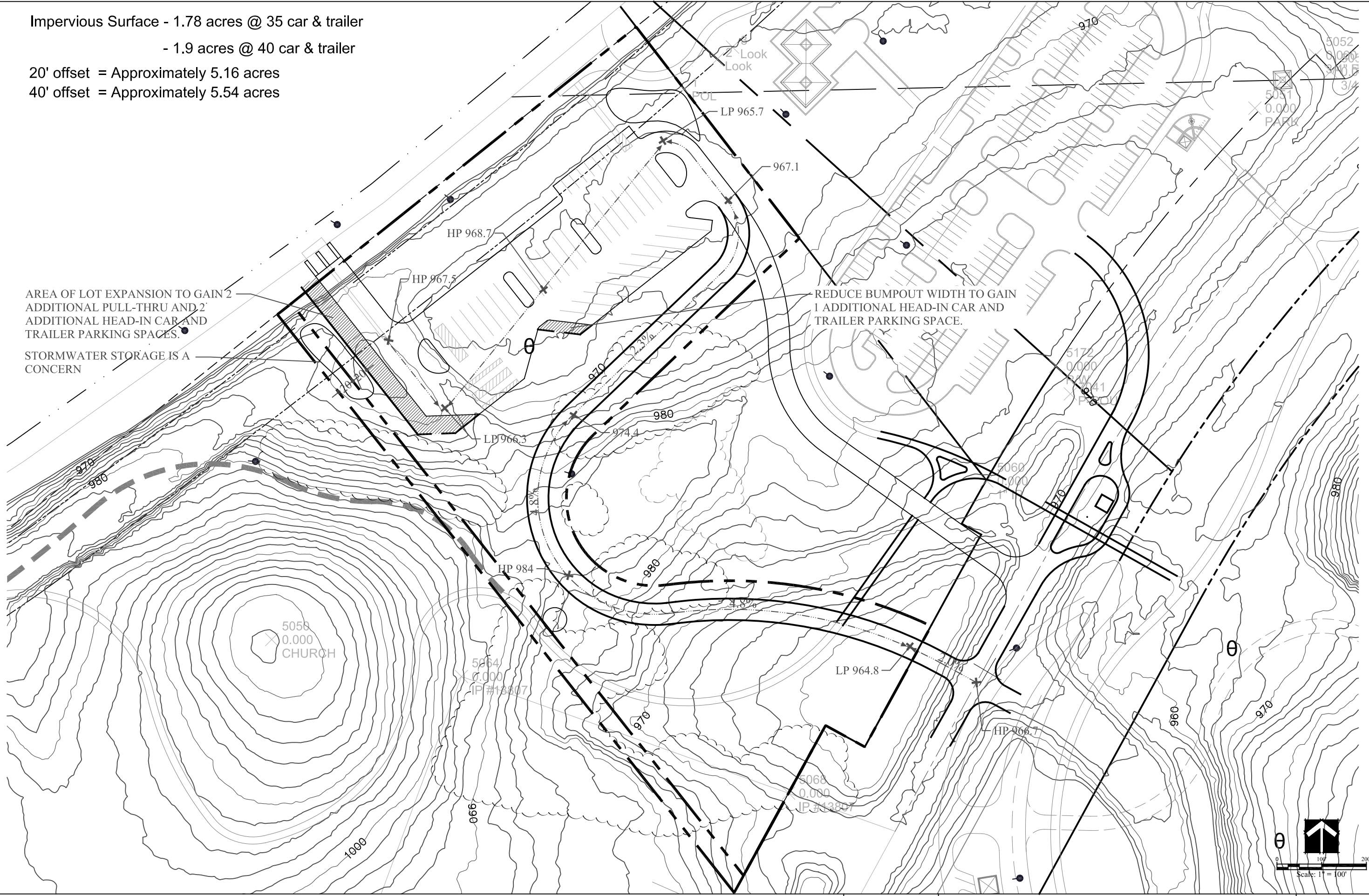
20' offset = Approximately 5.16 acres

40' offset = Approximately 5.54 acres

AREA OF LOT EXPANSION TO GAIN 2
ADDITIONAL PULL-THRU AND 2
ADDITIONAL HEAD-IN CAR AND
TRAILER PARKING SPACES.

STORMWATER STORAGE IS A
CONCERN

REDUCE BUMPOUT WIDTH TO GAIN
1 ADDITIONAL HEAD-IN CAR AND
TRAILER PARKING SPACE.



REVISION NO.	DATE	EXPLANATION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT
 WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
 AND THAT I AM A FULLY LICENSED REGISTERED LANDSCAPE
 ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

DATE: January 7, 2013

Lake Waconia Boat Launch
 Carver County, Minnesota

701 Xenia Avenue South, Suite 300
 Minneapolis, MN 55416
 www.wsbeng.com

763-541-8800 • Fax 763-541-1700
 INFRASTRUCTURE ■ ENGINEERING ■ PLANNING ■ CONSTRUCTION

DRAWER: GW
DWG. NO.

CITY PROJECT NUMBER _ _ _ _ _

SHEET 1 OF 1 SHEETS