

ACCEL Meeting  
February 7, 2012 – 7:30 a.m.  
EOC Center



Carver County Board of Commissioners  
February 7, 2012  
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>	
		<b>d) Introduction of New Employees</b>	
	2.	Agenda review and adoption	
	3.	Approve minutes of January 24, 2012 Regular Session .....	1-3
	4.	Community Announcements	
9:00 a.m.	5.	<b>CONSENT AGENDA</b>	
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
	5.1	PH/E – Acceptance of grant funds to connect 800 MHZ radio system to Carver County fiber ring .....	4-5
	5.2	Approval of home and community based waiver services contract .....	6
	5.3	Resolution appointing Tom Workman to the Metro Alliance for Healthy Families joint powers board .....	7-9
	5.4	2012 Seasonal road restrictions .....	10-11
	5.5	Resolution in support of LRIP funding applications.....	12-14
		<i>Connections: Develop strong public partnerships and connect people to services and information</i>	
	5.6	Sheriff's Office donation.....	15
	5.7	MNDOT Cooperative construction agreement no. 00135 for culvert lining on 41 .....	16-18
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i>	
	5.8	Conditional Use Permit – CSAH 11 road realignment project (placement of fill in floodplain) .....	19-22
	5.9	Interim Use Permit – (temporary dwelling for special needs) – Thomas and Penny Rice .....	23-27
		<i>Finances: Improve the County's financial health and economic profile</i>	
	5.10	Abatements/additions .....	28-29
	5.11	Community Social Services warrants .....	NO ATT
	5.12	Commissioners' warrants.....	SEE ATT

9:05 a.m.	<b>6. CULTURE: Provide an organizational culture which fosters individual accountability to achieve goals</b> 6.1 Approve temporary staffing for implementing electronic medical records ..... 30
9:15 a.m.	<b>7. GROWTH: MANAGE THE CHALLENGES AND OPPORTUNITIES RESULTING FROM GROWTH AND DEVELOPMENT</b> 7.1 Professional services agreement for right of way acquisition negotiations for the CSAH 11 (SP 10-611-06) roadway project ..... 31 7.2 Eminent Domain Resolution for construction of CSAH 11 (SP 10-611-06) from CSAH 61 to CSAH 10..... 32-33 7.3 Request to advertise for bid phase II of the Dakota Rail Regional Trail ..... 34-35 7.4 <b>Closed Session</b> – land acquisition for Lake Waconia Regional Park .... 36
10:30 a.m.	ADJOURN REGULAR SESSION
10:30 a.m.	<b>BOARD REPORTS</b> 1. Chair 2. Board Members 3. Administrator 4. Adjourn

David Hemze  
County Administrator

## UPCOMING MEETINGS

February 14, 2012	9:00 a.m. Board Work Session
February 21, 2012	4:00 p.m. Board Meeting
February 28, 2012	9:00 a.m. Board Meeting
March 6, 2012	9:00 a.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on January 24, 2012. Chair James Ische convened the session at 9:00 a.m.

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

Members absent: None.

The following amendment was made to the agenda:

Add: 5.7 Charitable gambling application from the Waconia Lions Club

Lynch moved, Degler seconded, to approve the agenda as amended. Motion carried unanimously.

Maluchnik moved, Workman seconded, to approve the minutes of the January 17, 2012, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Resolution #09-12, Authorizing the Chair of the Dakota County Board of Commissioners to execute a contract with Regina Medical Center to provide medical examiner services to Carver County in 2012 and the appointment of Dr. Lindsey Thomas as the medical examiner for Carver County in 2012.

Approved subgrant agreement #2011-118 with the Metropolitan Council and authorized the Chair to sign the agreement.

Approved tobacco license for Jamen, LLC d/b/a Schmidty's New Germany.

Approved amendment and renewal of Metropolitan Emergency Services Board joint powers agreement.

Approved charitable gambling application form the Waconia Lions Club.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Jim Stark, Metropolitan Mosquito Control District, appeared before the Board with an update on the District's activities and levy.

He explained the District was established in 1958 and is governed by a board of 18 County Commissioners. He pointed out the District provides services to the seven metro Counties. Stark indicated the District has taxing authority and reduced the levy 5% in 2010 and kept it the same in 2011 and 2012. He stated they would continue to look at ways to provide services and reducing costs.

Stark explained they are primarily a larval control program and identified the materials used. He highlighted the increased use of technology. He noted their efforts that related to the control of blackflies and tick transmitted disease.

He stated their plans for 2012 will be to continue process improvement and identify costs savings, to expand testing of control materials and to continue to incorporate new technologies to increase efficiencies.

Stark thanked the Board for their support and stated they would continue to work hard the upcoming season.

Martin Walsh, Parks Manager, reviewed the discussion that occurred at the last work session related to a possible AIS inspection program and outlined the proposed program. He indicated the \$31,000 cost would be split between Carver County and the Minnehaha Creek Watershed District. He stated Land and Water Services would continue to seek funding and monitor lakes.

Eric Evenson, Minnehaha Creek Watershed Director, confirmed the District would support the County's efforts and appreciated the lead the County was taking. He noted this was a pilot project and they were not looking at this long term. Evenson stated zebra mussels were a serious problem and impacts quality of life. He stated the Watershed was committed to looking for a long term plan but they needed to get a stop gap measure in place. He added the State could not do this alone and they will need local partners.

Dave Peterjohn stated the pilot program would benefit all lakes in the County. He acknowledged Minnehaha Creek Watershed has stepped up to the plate and the DNR cannot do this alone. He suggested 95% of boaters view inspections favorably and stated they have an opportunity to be progressive on a short term basis to learn more.

Walsh clarified the DNR would provide training at no cost.

The Board inquired if Minnehaha Creek would continue to look for other partners for other public accesses.

Evenson stated they were looking at stop gap measures this year and they were looking to work with other willing partners. He added they are also looking at a longer term program and that will take time to put together. Evenson noted they would also assist with costs associated with training.

The Board inquired if there was a problem in the County and how this can be monitored.

Randy Wolf, Public Health and Environment, stated they do have plans to go out and test for zebra mussels as part of their water testing program. He indicated they know there is some cross traffic between lakes and anticipated by mid-summer they would have some sort of idea.

The Board recognized they had asked for partnerships, that Minnehaha Creek had stepped in, but also expressed concern there would be additional requests.

Maluchnik moved, Workman seconded, to authorize the AIS inspection program at Lake Minnewashta Regional Park, to allocate \$15,500 from the County's year end savings account for the program and to direct staff to develop a contract with Minnehaha Creek Watershed District for financial participation in the program. Degler, Maluchnik, Workman voted aye. Ische, Lynch voted nay. Motion carried.

Degler moved, Lynch seconded, to go into closed session at 10:05 a.m. for discussion of labor negotiations strategy as allowed by Statute. Motion carried unanimously.

The Board adjourned the closed and Regular Session at 10:55.

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.)



# Budget Amendment Request Form



**Agenda Item:**

PH/E - Acceptance of Grant Funds to Connect 800MHZ Radio System to Carver County Fiber Optic Ring

Department:  
t:

Meeting Date: 2/7/2012

Requested By:

Ken Carlson

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
	30-968-000-1904-54...	\$92,224.75
<b>TOTAL</b>		\$92,224.75

Description of Accounts	Acct #	Amount
	30-968-351-1904-66...	\$92,224.75
<b>TOTAL</b>		\$92,224.75

**Reason for Request:**

Federal Grant funds received to reimburse County for 800 MHZ Radio System connection to the Fiber Optic Ring (expenditure incurred during 2011). (FEMA via State with Washington County as fiscal agent) CFDA 97.067

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval of Home and Community Based Waiver Services Contract**

Primary Originating Division/Dept: <u>Community Social Services</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Brian Esch</u> Title: <u>Social Services Supervisor</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Approval of the MR Welty Homes Home and Community Based Waiver Services Contract to provide services and supports to clients who have developmental disabilities. Waiver Contract are approved on a five year basis. This contracted is funded by Medical Assistance dollars for clients on state and federal waiver programs. No county funding is used with this contract

**ACTION REQUESTED:**

Approval of host county contract with MR Welty Homes

**FISCAL IMPACT:** None

*If "Other", specify:*

**FUNDING**

County Dollars =	<b>\$0.00</b>
Medical Assistance	\$1,000,000.00
<b>Total</b>	<b>\$1,000,000.00</b>

**FTE IMPACT:** Increase budgeted staff

**Related Financial/FTE Comments:**

Annual cost of contract is approximately \$1,000,000 in Medical Assistance funding. No county funds are used.

*Office use only:*

RBA 2011- 981



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Resolution appointing Tom Workman to the Metro Alliance for Healthy Families Joint Powers Board**

Primary Originating Division/Dept: <u>Community Social Services</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Gary Bork</u> Title: <u>Director</u>	Item Type: <u>Consent</u>
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:  
Communities: Create and maintain safe, healthy, and livable communities

**BACKGROUND/JUSTIFICATION:**

Carver County participates in the nine county Metro Alliance for Healthy Families (MAHF). The Metro Alliance is governed by a Joint Powers Board. The Joint Powers Board is comprised of one County Commissioner from each of the participating counties and a City Council Member from the City of Bloomington. Commissioner Tom Workman was reappointed to the Joint Powers Board on January 3, 2012. MAHF requires a Board Resolution for appointment to the Joint Powers Board.

**ACTION REQUESTED:**

To approve the Resolution appointing Commissioner Tom Workman to the Metro Alliance for Healthy Families Joint Powers Board.

<p><b>FISCAL IMPACT:</b> <u>None</u>  <i>If "Other", specify:</i>  <input style="width: 200px; height: 20px;" type="text"/></p> <p><b>FTE IMPACT:</b> <u>None</u></p>	<p><b>FUNDING</b></p> <table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%; text-align: right;"><b>\$0.00</b></td> </tr> <tr> <td><input style="width: 100%;" type="text"/></td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> </table>	County Dollars =	<b>\$0.00</b>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<b>Total</b>	<b>\$0.00</b>
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<b>Total</b>	<b>\$0.00</b>						

Related Financial/FTE Comments:

*Office use only:*  
RBA 2011 - 985

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE \_\_\_\_\_  
MOTION BY COMMISSIONER \_\_\_\_\_

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

WHEREAS, the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott and Washington, and the City of Bloomington (hereinafter "Parties") entered into an amended joint powers agreement on or about April 12, 2011 for a metro-wide healthy families program and called the entity the Metro Alliance for Healthy Families; and

WHEREAS, Carver County approved the amended Metro Alliance for Healthy Families Joint Powers agreement; and

WHEREAS, Dakota County is designated in the Metro Alliance for Healthy Families Joint Powers agreement as the Fiscal Agent; and

WHEREAS, in Article 5.1 of the Joint Powers Agreement for the Metro Alliance for Healthy Families, the Parties established a Metro Alliance for Healthy Families Governing Board consisting of county commissioners or city council members from each of the Parties and their delegated alternates; and

WHEREAS, the Metro Alliance for Healthy Families Joint Powers Agreement established the duties for the Metro Alliance for Healthy Families Governing Board, including the duty of developing and adopting bylaws in order to effectively exercise the powers and accomplish the objectives of the Metro Alliance for Healthy Families Program; and

WHEREAS, the Metro Alliance for Healthy Families Governing Board approved the Metro Alliance for Healthy Families Bylaws on June 4, 2007; and

WHEREAS, Section 5.1 of the Bylaws of the Metro Alliance for Healthy Families provides:

The Metro Alliance for Healthy Families Governing Board is composed of an elected official from each Party who shall serve at the pleasure of the designating Party and may only be removed by the designating Party. Each Party shall appoint an elected official to serve as a Governing Board Member, and an elected official to serve as an Alternate Governing Board Member to serve in the absence of the named Governing Board member. Each Party shall appoint a Governing Board Member and Alternate Governing Board Member at the time the Joint Powers Agreement is approved. Thereafter, the Parties shall appoint a Governing Board Member and alternate Member every two years beginning in 2009.

NOW THEREFORE IT BE RESOLVED, that Carver County appoints the following county board member as a Governing Board Member Tom Workman to the Metro Alliance for Healthy Families Governing Board effective January 2, 2012.

BE IT FURTHER RESOLVED, that each Party shall notify the Metro Alliance for Healthy Families Fiscal Agent of the appointment of the Governing Board member and alternate to the Metro Alliance for Healthy Families Governing Board by the Party's county board or city council for the two year term beginning in January 2012.

YES

ABSENT

NO

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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 \_\_\_ of \_\_\_\_\_, 2012, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

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County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**2012 Seasonal Road Restrictions**

Primary Originating Division/Dept: <u>Public Works</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Lyndon Robjent</u> Title: <u>PW Director / County Engine...</u>	Item Type: <u>Consent</u>
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:**

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

**BACKGROUND/JUSTIFICATION:**

Seasonal road restrictions in Carver County can be established in accordance with Chapter 169, Laws of Minnesota, at the ton per axle limitations of the 2012 Seasonal Road Restriction map for Carver County, on file at Public Work's headquarters in Cologne and posted on the County web site. The County Engineer can increase or decrease said restrictions whenever conditions warrant pursuant to Chapter 163, Section 163.02, Subdivision 3, Laws of Minnesota.

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

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

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

**ACTION REQUESTED:**

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

**FISCAL IMPACT:** None

*If "Other", specify:*

**FUNDING**

County Dollars =




**FTE IMPACT:** None

**Total**

\$0.00

**Related Financial/FTE Comments:**

*Office use only:*  
RBA 2011- 997

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

Date: February 7, 2012  
Motion by Commissioner: \_\_\_\_\_

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

**2012 SEASONAL ROAD RESTRICTIONS**

BE IT RESOLVED, that the seasonal road restrictions in Carver County be established in accordance with Chapter 169, Laws of Minnesota, at the ton per axle limitations of the 2012 Seasonal Road Restriction map for Carver County, and

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

YES

ABSENT

NO

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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 7<sup>th</sup> day of February, 2012, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7<sup>th</sup> day of February, 2012.

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Resolution in Support for LRIP Funding Applications**

Primary Originating Division/Dept: <u>Public Works - Engineering</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Bill Weckman</u> Title: _____	Item Type: <u>Consent</u>
Amount of Time Requested: _____ minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: _____ Title: _____	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The 2011 Legislature approved \$10 million of state transportation bond funds in the Local Road Improvement Program (LRIP). These funds are used to assist townships, cities and counties in paying the costs of constructing or reconstructing local road projects with statewide or regional significance.

MnDOT State Aid for Local Transportation is soliciting counties, cities, townships and other local agencies to submit projects eligible for funding under The Routes of Regional Significance Account of the LRIP for the FY 12/13 biennium.

Criteria for submitting projects are:

- Projects must be approved for construction letting by June of 2013
- The road improvement must qualify as regionally significant
- The project must correct a transportation deficiency and incorporate a safety strategy as part of the proposed improvement project
- Funding is capped at \$500,000.

Public Works has identified three projects that are good candidates and have submitted them for consideration. The three projects submitted are:

1. CSAH 11 Reconstruction from CSAH 61 to CSAH 10,
2. CSAH 11 and 6th Street Intersection Improvements in Carver, and
3. CSAH 13 (Bavaria Road) turn lane construction at TH 5. All projects are in the current county CIP.

\$500,000 has been requested for CSAH 11 reconstruction, \$500,000 for CSAH 11 at 6th Street, and \$350,000 for CSAH 13 at TH 5. No local match is necessary.

A resolution of support from the County Board is required to be eligible for the LRIP grant dollars.

**ACTION REQUESTED:**

Adopt a resolution in support of using state Local Road Improvement Program funds for improvements on CSAH 11 from CSAH 61 to CSAH 10, CSAH 11 at 6th Street, and CSAH 13 at TH 5.

**FISCAL IMPACT:** Included in current budget

*If "Other", specify:*

**FTE IMPACT:** None

**FUNDING**

County Dollars =	
<b>Total</b>	<b>\$0.00</b>

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

Date: February 7, 2012  
Motion by Commissioner: \_\_\_\_\_

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

**RESOLUTION IN SUPPORT OF UTILIZING  
LOCAL ROAD IMPROVEMENT PROGRAM (LRIP) FUNDING FOR CARVER  
COUNTY ROAD IMPROVEMENTS**

WHEREAS, the 2011 Legislature approved \$10 million of state transportation bond funds in the Local Road Improvement Program (LRIP).

WHEREAS, these funds are used to assist townships, cities and counties in paying the costs of constructing or reconstructing local road projects with statewide or regional significance.

Whereas, Carver County has identified the following projects for consideration for LRIP funding for FY 12/13:

- Reconstruction of CSAH 11 from CSAH 61 to CSAH 10.
- Construction of turn lanes at the intersection of TH 5 and CSAH 13 (Rolling Acres/Bavaria Road).
- Turn lanes and drainage improvements at CSAH 11 at 6<sup>th</sup> Street in the city of Carver, and

WHEREAS, these roadways meet the requirements to be considered regionally significant and the proposed improvements are needed to improve the safety and mobility needs of the County.

NOW THEREFORE BE IT RESOLVED, that Carver County Board of Commissioners supports the use of LRIP funds for these projects.

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

STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County

Commissioners, Carver County, Minnesota, at its session held on the 7<sup>th</sup> day of February, 2012, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7<sup>th</sup> day of February, 2012.

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Dave Hemze

County Administrator



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Donation**

Primary Originating Division/Dept: <u>Sheriff</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Leslie Michel</u> Title: <u>Admn Services Manager</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Donation of \$100.00 from RMG refer a friend - Nicholas and Abbie Johnson

**ACTION REQUESTED:**

Approval of \$100.00 donation to the Sheriff's Office to use at the Sheriff's discretion.

**FISCAL IMPACT:** Other

*If "Other", specify:*

Donation

**FUNDING**

County Dollars =	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total</b>	<b>\$0.00</b>

**FTE IMPACT:** None

**Related Financial/FTE Comments:**

Donation of \$100.00 to 02-201-000-0000-5756 Gifts Restricted

*Office use only:*  
RBA 2011- 975

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**MNDOT Cooperative Construction Agreement No. 00135 for Culvert Lining on TH41**

Primary Originating Division/Dept: <u>Public Works - Parks</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Marty Walsh</u> Title: <u>Cooperative Construction Ag...</u>	Item Type: <u>Consent</u>
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:  
 Connections: Develop strong public partnerships and connect people to services and information.

**BACKGROUND/JUSTIFICATION:**

MNDOT would like to include work to install a storm sewer pipe liner in an existing culvert at TH 41 in with work to construct the TH 41 Trail and Underpass at Lake Minnewashta Regional Park. The culvert is in the construction area of this project and it would be an efficiency to address the culvert repair at the same time that we are constructing the trail and box culvert underpass.

The agreement provides for the engineering, material, installation of the culvert liner along with a contingency amount totaling \$25,000.

**ACTION REQUESTED:**

Approve the Cooperative Agreement with the State of Minnesota, approve the resolution for the Cooperative Agreement, have resolution notarized, authorize the Board Chair and County Administrator to sign the agreement and approve the budget amendment accounting for the funding provided by the state.

**FISCAL IMPACT:** Budget amendment request form

*If "Other", specify:*

**FTE IMPACT:** None

**FUNDING**

County Dollars =	<input type="text"/>
State TH Funds	\$25,000.00
<b>Total</b>	<b>\$25,000.00</b>

Related Financial/FTE Comments:

The amount of \$25,000 will need to be added to the construction revenue and expense for the Lake Minnewashta Regional Park TH 41 trail and underpass project.

*Office use only:*  
 RBA 2011- 980

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: \_\_\_\_\_

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

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

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

IT IS RESOLVED that Carver County enter into MN/DOT Agreement No. 00135 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County of the State's share of the costs of the culvert pipe lining construction and associated construction engineering to be performed adjacent to Trunk Highway No. 41 at Engineer Station 167+43.7 under State Project No. 010-090-003 and State Project No. 1008-73.

IT IS FURTHER RESOLVED that the Board Chair \_\_\_\_\_

and

(Title)

County Administrator \_\_\_\_\_ are authorized to execute the Agreement and any  
(Title)

amendments to the Agreement.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2012, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Dave Hemze County Administrator

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2012

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Conditional Use Permit - CSAH 11 Road Realignment Project (Placement of Fill in Floodplain, PH&E)**

Primary Originating Division/Dept: <u>Public Health &amp; Environment - Land Mgmt.</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Jason Mielke</u> Title: <u>Senior Planner</u>	Item Type: <u>Consent</u>
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:**

File #PZ20110052. The Planning Commission recommended approval of a Conditional Use Permit (CUP) for M&P-P, LLC (property owner) & Carver County Public Works (applicant). The subject parcel is located in Section 1 of Dahlgren Township. The request is to allow for the placement of fill material within the floodplain of a tributary creek (West Chaska Creek). The placement of the fill material is needed as part of a large culvert crossing for the proposed County State Aid Highway (CSAH) 11 road reconstruction and realignment project planned for the spring of 2012. The project consists of the reconstruction of the existing two-lane CSAH 11 roadway between CSAH 61 (Chaska Boulevard) and County Road 140 (approximately 0.75 miles), and the construction of an approximate 1.25 mile segment of CSAH 11 between County Road 140 and CSAH 10 (Engler Boulevard). The project corridor dissects the M&P-P, LLC property. The placement of fill for the road will not cause any increase in the stage of the 100-year or regional flood. The majority of the CSAH 11 road project meets the permitted use Essential Services criteria of the Carver County Zoning Code; however, the floodplain regulations necessitate the approval of the conditional use. The project will need to comply with the Wetland Conservation Act (WCA) requirements, National Pollution Discharge Elimination Systems (NPDES) requirements and the Carver County Stormwater Management regulations. The Dahlgren Town Board has also recommended approval of the request.

**ACTION REQUESTED:**

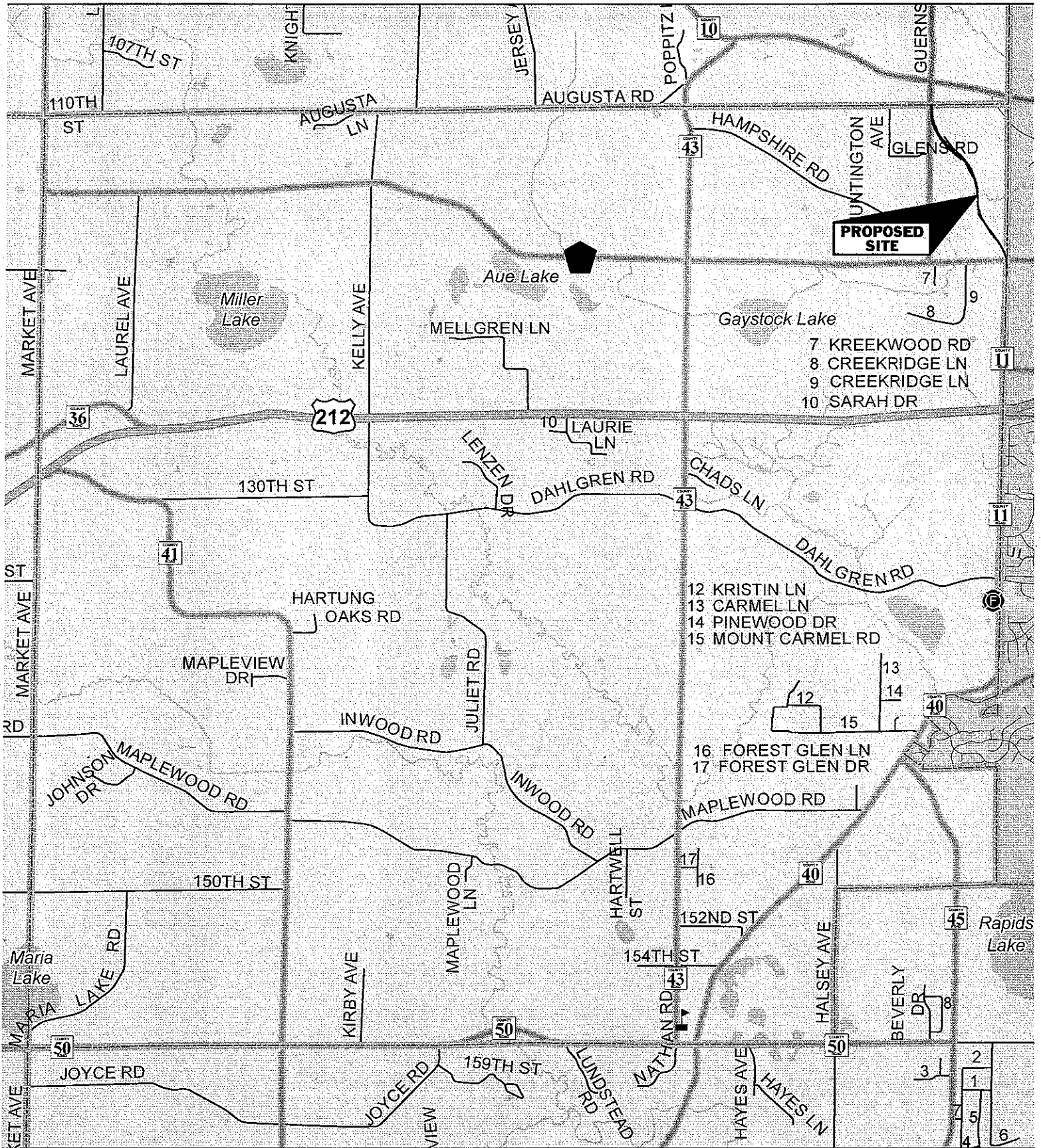
A motion to adopt the Finding of Fact and Order #PZ20110052 for the issuance of a Conditional Use Permit.

<p><b>FISCAL IMPACT:</b> <u>None</u>  <i>If "Other", specify:</i>  <input style="width: 250px; height: 20px;" type="text"/></p>	<p><b>FUNDING</b></p> <table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%;"><input style="width: 100%;" type="text"/></td> </tr> <tr> <td></td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><input style="width: 100%;" type="text"/> \$0.00</td> </tr> </table>	County Dollars =	<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>	<b>Total</b>	<input style="width: 100%;" type="text"/> \$0.00
County Dollars =	<input style="width: 100%;" type="text"/>						
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<b>Total</b>	<input style="width: 100%;" type="text"/> \$0.00						

Related Financial/FTE Comments:

*Office use only:*  
 RBA 2011- 990

# DAHLGREN TOWNSHIP



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



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

**FILE #: PZ20110052**

**RESOLUTION #: 12-02**

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

**FILE #:** PZ20110052

**OWNER/APPLICANT:** M&P-P, LLC / Carver County Public Works

**SITE ADDRESS:** Proposed CSAH 11 road alignment

**PERMIT TYPE:** Conditional Use, Floodway District – Placement of fill

**PURSUANT TO:** County Code, Chapter 152, Section(s) 152.147 C (4)(6)

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

**PARCEL #:** 04-001-0710

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 17, 2012; and,

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

1. M&P-P, LLC currently owns a 106.03 acre parcel located in the Southeast Quarter (SE¼) of Section 1, Dahlgren Township. The parcel consists of ag production land, a protected tributary creek and floodplain area. The site is located in the Transition Area Overlay District for the City of Carver and the City of Chaska, Shoreland Overlay District (West Chaska Creek - Tributary Creek), Floodplain Overlay District and the CCWRMA – West Chaska Creek.
2. Carver County Public Works is proposing a road reconstruction and realignment project for the spring of 2012. The project proposes the reconstruction of existing two-lane County State Aid Highway (CSAH 11) roadway between CSAH 61 (Chaska Boulevard) and County Road 140 (approximately 0.75 miles), and the construction of an approximately 1.25 mile segment of CSAH 11 between County Road 140 and CSAH 10 (Engler Boulevard). The project corridor dissects the M&P-P, LLC property and will require the placement of fill material in the floodplain (floodway) of the tributary creek.
3. The applicant is requesting a Conditional Use Permit (CUP) to place fill material in the floodplain pursuant to Section 152.147 C (4)(6) of the Carver County Zoning Code.
4. The proposed project would meet the standards of the Zoning Code. The placement of fill for the road will not cause any increase in the stage of the 100-year or regional flood or cause an increase in flood damages in the reach or reaches affected. Pursuant to the Carver County Zoning Code, Essential Services - Section 152.051 D, public roads, street, and highways are permitted uses. The majority of the CSAH 11 road project meets the permitted use Essential Services criteria; however, the floodplain regulations necessitate the approval of a conditional use.
5. The project purpose is to address roadway deficiencies and safety hazards, reduce high crash rates, improve the CSAH 11 system linkage consistent with the County's functional classification plan, provide an adequate freight route, and provide a pedestrian/bicycle connection.
6. Carver County Public Works is required to prepare an Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) to provide background information including: need for the proposed project, alternatives considered, environmental impacts and mitigation and agency coordination and public involvement. Carver County is the proposer and Responsible Governmental Unit (RGU) for this project. Preparation of an EAW is considered

mandatory under Minnesota Rules. This document is made available for public review and comments in accordance with the requirements of Minnesota Rules. The comments received will be used by Carver County Public Works, Minnesota Department of Transportation (MnDOT) and Federal Highway Administration (FHWA) in deciding whether there is a potential for this project to result in significant impacts to the environment and whether an Environmental Impact Statement (EIS) is required. The purpose of this EA/EAW is to identify and address any social, economic, or environmental impacts as a result of the proposed CSAH 11 project in Carver County.

7. The proposed project will convert a total of approximately 35 acres of farmland to roadway right of way, including 16.8 acres of prime farmland and statewide and locally important farmland. The subject parcel (M&P-P, LLC) converts approximately 2.4 acre of farmland to roadway right of way for the project. The proposed project will have a total of approximately 5.8 acres of permanent wetland impacts. Impacts to wetlands within this area of the state must be replaced at a ratio of 2:1; therefore, a total of 11.6 acres of mitigation are required. A Public Waters Work Permit for a new crossing of the West Chaska Creek will be required from the Minnesota Department of natural Resources (MnDNR).
8. The project will be designed to minimize fill impacts into the Shoreland Overlay District and will include several stormwater treatment Best Management Practices to mitigate any potential effects from stormwater runoff.
9. The proposed roadway crosses the floodplain area of West Chaska Creek, and results in a transverse encroachment of 35 feet. The conditional use is required for the placement of fill material in association with the transverse encroachment into the 100-year floodplain. The design of any necessary mitigation measures, including sizing of the proposed crossing box culverts, will be coordinated with the appropriate agencies during final design and permitting of the project. The Carver County Planning and Water Management Department and Carver Soil & Water Conservation District (SWCD) are currently reviewing submitted plans to determine compliance with County Stormwater Management Rules (level 3 project).
10. The Dahlgren Town Board has reviewed and recommended approval of the request during their January 9, 2012 Town Board meeting.

**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. A change in ownership, operations or operator shall be cause for the permit to be reviewed by the Land Management Department for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The final construction plans and associated alignment site plan shall be considered part of this permit. The activity must operate in conformance with the approved plans and other provisions of this chapter (Zoning Code and Floodplain regulations).
3. The Permittee shall comply with the following:
  - A. The Carver County Stormwater Management Rules (Level 3 project).
  - B. The Wetland Conservation Act (WCA) requirements.
  - C. The National Pollution Discharge Elimination Systems (NPDES) requirements.

**ADOPTED** by the Carver County Planning Commission this 17<sup>th</sup> day of January, 2012.

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Ted Beise, Chair  
Carver County Planning Commission



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Interim Use Permit (Temporary Dwelling for Special Needs) - Thomas & Penny Rice**

Primary Originating Division/Dept: <u>Public Health &amp; Environment - Land Mgmt.</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Amanda Schwabe</u> Title: <u>Associate Planner</u>	Item Type: <u>Consent</u>
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:**

File #PZ20110051. The Planning Commission recommended approval of an Interim Use Permit (IUP) for Thomas and Penny Rice (property owners) allowing for a temporary dwelling for special needs. The subject parcel is located in Section 34 of Laketown Township. According to the applicant, a need to provide for the housing is due to his disability and because he is no longer able to work. The Board of Adjustment approved Variance #PZ20110030, on January 4, 2012, allowing for the adaptive reuse of the old farmhouse as a temporary caretaker's residence. The Order for the IUP also addresses the termination of Rice's Contractor's Yard & Home Extended Business (CUP #PZ20040012) because it is no longer needed. The conditions of the IUP include, but are not limited to: compliance review; IUP is not transferable to another person/owner/occupant; property shall not obtain or utilize a second address for the farmhouse; and the IUP shall terminate three (3) years from the date of occupancy by the initial caretaker. The Laketown Town Board has reviewed and recommended approval of the request during their October 24, 2011 Town Board meeting. The Town Board's recommendation included the stipulation that the IUP would terminate in three (3) years.

**ACTION REQUESTED:**

A motion to adopt findings of fact and issue Order #PZ20110051 for the issuance of an Interim Use Permit.

<p><b>FISCAL IMPACT:</b> <u>None</u>                  If "Other", specify:  <input style="width: 250px; height: 20px;" type="text"/></p>	<p><b>FUNDING</b></p> <table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%;"><input style="width: 100%;" type="text"/></td> </tr> <tr> <td></td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> </table>	County Dollars =	<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>	<b>Total</b>	<b>\$0.00</b>
County Dollars =	<input style="width: 100%;" type="text"/>						
	<input style="width: 100%;" type="text"/>						
<b>Total</b>	<b>\$0.00</b>						
<p><b>FTE IMPACT:</b> <u>None</u></p>							

Related Financial/FTE Comments:

*Office use only:*  
 RBA 2011- 994

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

**FILE #: PZ20110051**

**RESOLUTION #: 12-01**

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

**FILE #:** PZ20110051

**APPLICANT/OWNER:** Thomas Rice/ Thomas & Penny Rice

**SITE ADDRESS:** 6855 Co. Rd 10E

**PERMIT TYPE:** Interim Use, Temporary Dwelling for Special Needs

**PURSUANT TO:** Carver County Code: Section 152.081, 152.082 & 152.073

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

**PARCEL #:** 07-034-0200

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 17, 2012; and,

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

1. Thomas & Penny Rice own an 8.6 acre parcel located in the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 34 of Laketown Township. The property is improved with a house/garage (permanent dwelling), an old farmhouse currently used as an accessory structure, detached garage, and several outbuildings. The parcel is located in the Agriculture Zoning District and the Carver County WMO –West Chaska Creek watershed.
2. Conditional Use Permit (CUP) #PZ20040012 was issued in 2004 for the applicant's Home Extended Business and Contractor's Yard, Thomas Painting & LaRae Design. Thomas & Penny Rice constructed a new house/garage on the property in 2007. On February 15, 2008, an affidavit (also attached) was filed for the old farmhouse as it was converted from a dwelling into office, hobby and accessory structure space.
3. The applicant is requesting termination of CUP #PZ20040012 and authorization to convert the old farmhouse back into a dwelling for temporary caretaker's quarters with an Interim Use Permit (IUP) pursuant to Section 152.081 and 152.082 of the Carver County Zoning Code.
4. The applicant received approval from the Board of Adjustment on January 4, 2012 for Variance #PZ20110030 allowing for the conversion of the old farmhouse back to a temporary caretaker's residence to assist Mr. Rice and to help maintain the property. The request did not meet the standards for an *Elderly/special needs parent/grandparent* temporary manufactured home, thus the requested variance.
5. The Board of Adjustment Findings of Fact and Order (#PZ20110030) will continue in effect so long as Thomas & Penny Rice own and occupy the property. The Variance is not valid for heirs, successors and assigns and shall expire when the property is no longer owned or occupied by Thomas & Penny Rice.
6. Mr. Rice has become permanently disabled and their business has scaled back to the point that there is no longer a need for CUP #PZ20040012. According to the applicant, a need to provide for the housing is due to his disability and because he is no longer able to work. The old farmhouse is in good condition and it has a mound septic system that was installed in 2001. As a result, the transition from an accessory structure back to a dwelling would require minimal investment. The applicant stated that they do not have any family members nearby, so a temporary caretaker would be their only option to allow them to remain in the primary residence on the property.

7. Aside from the items addressed in Variance #PZ20110030, the request met the standards of the Carver County Zoning Code including, but not limited to, the requirements for building and SSTS permits, the property is served by a hard surface road, and the demand for services can be accommodated by existing infrastructure. The request shall not have any adverse environmental impact or adverse effect on surrounding property. The elimination of the Home Extended Business – Contractor’s Yard CUP should result in reduced traffic.
8. Future land use is anticipated to include seasonal boat storage on the property which is allowed for agricultural structures in existence prior to January 1, 1997 per Section 152.073 of the Carver County Zoning Code. Seasonal boat storage shall be incidental to the principal use and conducted within the existing agricultural structure(s). Outside storage of boats is not permitted.
9. The Carver County Zoning Code requires a date or event which will terminate the use to be identified for an IUP. It is not the intent of the Zoning Code to allow for a second, permanent dwelling without a building eligibility on the site.
10. The Laketown Town Board has recommended approval of the request during their October 24, 2011 Town Board meeting. The Town Board’s recommendation included a stipulation that the IUP terminate in three (3) years.

**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:

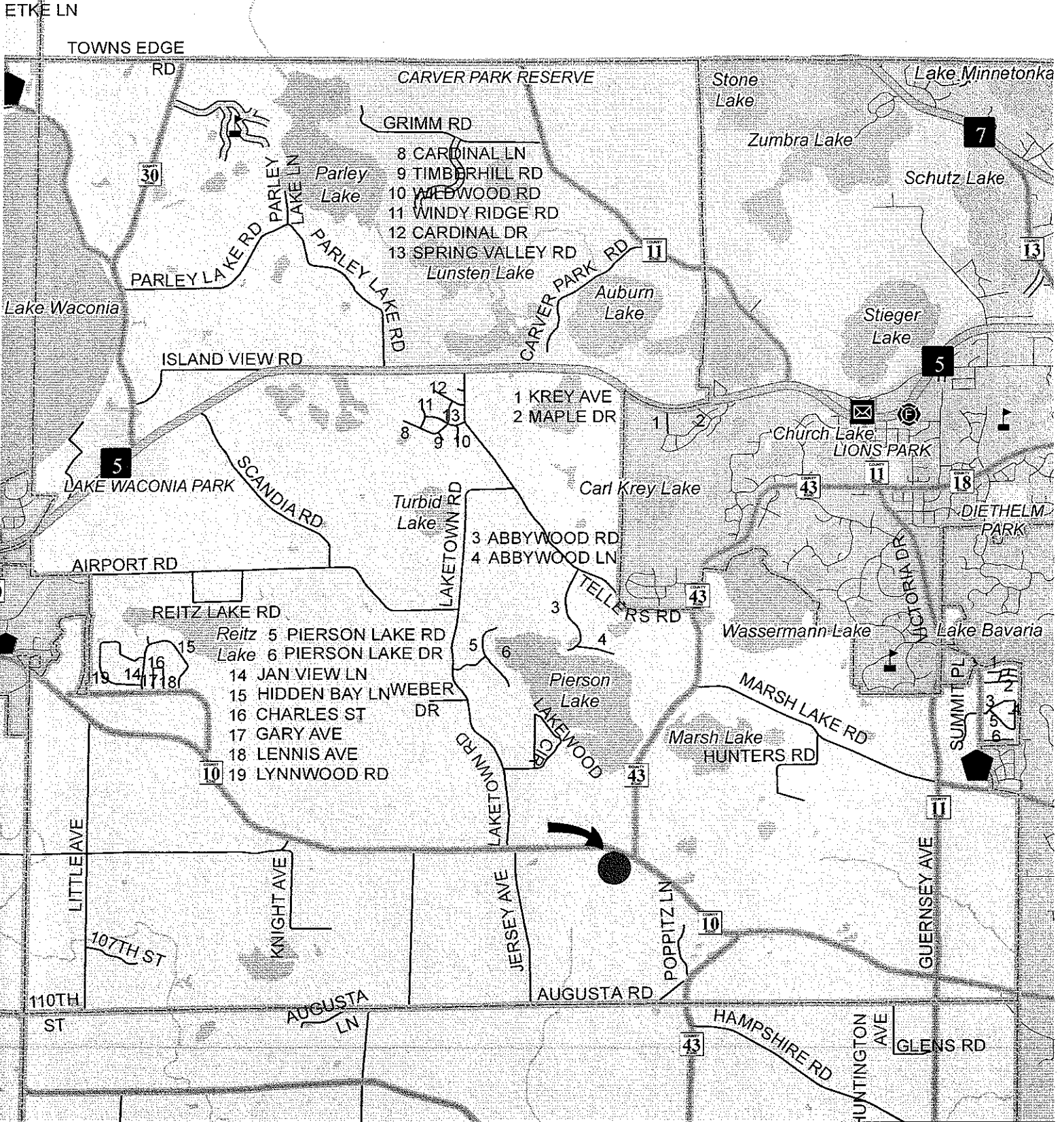
1. The permit is subject to compliance review. The Interim Use Permit (IUP) is issued to Thomas Rice/Thomas & Penny Rice and is not transferable to another person/owner/occupant. A change in ownership or occupant(s) of the permanent residence shall be cause for the permit to expire. The lease for the temporary caretaker’s quarters shall identify the occupant/caretaker by name and is considered part of the permit. A copy of the lease shall be submitted to the Land Management Dept. The Land Management Dept. shall be notified if the occupant/caretaker changes.
2. The operational plan and site plan shall become part of the permit. The activity must operate in conformance with the approved site plan and operational plan and other provisions of this chapter.
3. All buildings used in the operation must meet the State Building Code. When necessary, building and SSTS permits shall be obtained prior to work commencing to the adaptive re-use of the old farmhouse. A SSTS Certificate of Compliance shall be submitted for the old farmhouse, if required.
4. The property shall not obtain or utilize a second (2<sup>nd</sup>) address for the old farmhouse. Only one (1) family allowed to reside in the old farmhouse at a time to serve as caretaker.
5. Seasonal boat storage may continue on the property so long as it meets the criteria of the Carver County Zoning Code, Section 152.073 including, but not limited to, no outside storage.
6. The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.
7. The IUP shall terminate three (3) years from the date of occupancy by the initial caretaker. Upon termination, the old farmhouse shall no longer be used as a dwelling and shall be converted back to an accessory structure or removed within 120 days. Conversion shall not be deemed complete until all required building permits are finalized and an affidavit is signed by the property owner(s) and submitted to the Land Management Dept. stating the structure will never be utilized as a dwelling.

**ADOPTED** by the Carver County Planning Commission this 17<sup>th</sup> day of January, 2012.

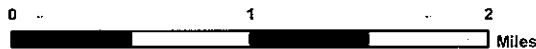
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Ted Beise,  
Planning Commission Chair

# LAKETOWN TOWNSHIP



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# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Abatements/Additions**

Primary Originating Division/Dept: <u>PRTS - Property Taxation</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Teri Spencer</u> Title: _____	Item Type: <u>Consent</u>
Amount of Time Requested: _____ minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: _____ Title: _____	

**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: Other**

*If "Other", specify:*

\_\_\_\_\_

**FUNDING**

County Dollars =	<b>(\$1,232.93)</b>
Other	(\$16,767.07)
<b>Total</b>	<b>(\$18,000.00)</b>

**FTE IMPACT: None**

Related Financial/FTE Comments:

*Office use only:*  
RBA 2011 - 998



**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  
February 7, 2012**

**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
2011	08-0060210	Troy Galles	Fire Disaster	9,806.00	8,102.00	-637.59	-1,704.00
2011	25-8890050	Grace Cramond	Homestead	2,478.00	2,290.00	-81.94	-188.00
2011	40-1120220	Andrew Meeks & Jenna Wallick	Homestead	2,532.00	2,324.00	-69.55	-208.00
2011	30-3250140	Chad & Diane Palm	Homestead	2,594.00	2,396.00	-74.20	-198.00
2011	30-9510032	Roberto Medina & Nataly Lopez	Homestead	198.00	146.00	-19.23	-52.00
2011	09-9510001	James Schwalbe	Exempt - Mobile Home Removed	62.00	0.00	-12.61	-62.00
2011	30-0044940	West Suburban Housing Ptrshp.	Classification Change	47,098.00	31,510.00	-337.81	-15,588.00
<b>Grand Total</b>				<b>\$64,768.00</b>	<b>\$46,768.00</b>	<b>-\$1,232.93</b>	<b>-\$18,000.00</b>

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval Temporary Staffing for Implementing Electronic Medical Records**

Primary Originating Division/Dept: <u>Community Social Services</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Gary Bork</u> Title: <u>Division Director</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <u>10</u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u>Gary Bork</u> Title: <u>Division Director</u>	

Strategic Initiative:  
Culture: Provide an organizational culture which fosters individual accountability to achieve goals and sustain public trust and confidence in County government.

**BACKGROUND/JUSTIFICATION:**

The Division has been operational with our Procentive system in Behavioral Health since 2008. The Division is in the process of implementing our electronic medical records for Mental Health. The goal of the federal government is for health professionals to be utilizing electronic health records by 2014. In order for Community Social Services to meet this goal, we must scan over 1000 clinical charts for Outpatient, Adult Mental Health and Crisis. All of our clinical documents must be scanned into our system so that we can start to get our program functional and ready to meet that mandate by the federal government. As part of the CY2011 and CY2012 Budget reductions, Support Services cut a 1.4 FTE Support Services Specialist positions. The increase in the caseloads over at Mental Health and the corresponding documentation have consumed the clerical support available for scanning which leaves us with no capacity to begin scanning all of our mental health charts and documentation.

In examining the situation the Division is proposing to utilize temporary staff to complete this scanning project. Since most of these records are active, the project will need to be completed on site. The Division will explore the options of hiring temporary staff or contracting with a staffing agency.

**ACTION REQUESTED:**

To authorize the Division to hire or contract for temporary staff to scan Behavioral Health medical records.

<p><b>FISCAL IMPACT:</b> <u>Included in current budget</u>                  If "Other", specify:  <input style="width: 200px; height: 15px;" type="text"/></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2"><b>FUNDING</b></td> </tr> <tr> <td>County Dollars =</td> <td style="text-align: right;"><b>\$19,000.00</b></td> </tr> <tr> <td>FFP</td> <td style="text-align: right;">\$6,000.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$25,000.00</b></td> </tr> </table>	<b>FUNDING</b>		County Dollars =	<b>\$19,000.00</b>	FFP	\$6,000.00	<b>Total</b>	<b>\$25,000.00</b>
<b>FUNDING</b>									
County Dollars =	<b>\$19,000.00</b>								
FFP	\$6,000.00								
<b>Total</b>	<b>\$25,000.00</b>								
<p><b>FTE IMPACT:</b> <u>None</u></p>									

Related Financial/FTE Comments:

The Division will fund the project from a Purchase of Services Line Item that will not be needed in CY2012 since the client has been placed in the community and placed on a MA Waiver. Once the Division determines the type of staffing a Budget Amendment will be placed on a future Board Meeting's Consent Agenda.

*Office use only:*  
 RBA 2011- 1...



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Professional Services Agreement for Right of Way Acquisition Negotiations for the CSAH 11 (SP 10-611-06) Roadway Project**

Primary Originating Division/Dept: <u>Public Works - Engineering</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Bill Weckman</u> Title: <u>Assistant County Engineer</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u>Bill Weckman</u> Title: <u>Assistant County Engineer</u>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The CSAH 11 roadway construction project from CSAH 61 to CSAH 10 requires acquisition of additional right of way to complete the project. Offers for right of way were sent out to 14 landowners on January 24. A professional services agreement has been developed with Wilson Development Services to provide right of way acquisition negotiation services. Through this agreement Dan Wilson with Wilson Development Services or his representative will be representing the County in these right of way negotiations.

**ACTION REQUESTED:**

Approve the agreement and authorize the County Board Chair and County Administrator to sign this agreement contingent on final review and approval of the County Attorney and County Risk Management.

**FISCAL IMPACT:** Included in current budget

*If "Other", specify:*

**FTE IMPACT:** None

**FUNDING**

County Dollars =	<b>\$0.00</b>
County State Aid (gas t...	\$49,000.00
<b>Total</b>	<b>\$49,000.00</b>

Related Financial/FTE Comments:

*Office use only:*

RBA 2011-1...

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Eminent Domain Resolution for Construction of CSAH 11 (SP 10-611-06) from CSAH 61 to CSAH 10**

Primary Originating Division/Dept: <u>Public Works - Engineering</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Bill Weckman</u> Title: <u>Assistant County Engineer</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <u>10</u> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <u>Bill Weckman</u> Title: <u>Assistant County Engineer</u>	

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

**BACKGROUND/JUSTIFICATION:**

The CSAH 11 roadway construction project from CSAH 61 to CSAH 10 requires acquisition of additional right of way to complete the project. Offers for right of way were sent out to 14 landowners on January 24. In order to have construction of this project begin in summer 2012 access to properties for construction needs to be acquired. The attached eminent domain resolution provides for the acquisition of easement interests needed for this roadway project.

**ACTION REQUESTED:**

Adopt a resolution for Project SP 10-611-06 to authorize land acquisition by eminent domain and request the County Attorney to proceed with the actions necessary.

<p><b>FISCAL IMPACT:</b> <u>Included in current budget</u>                  If "Other", specify:  <input style="width: 200px; height: 15px;" type="text"/></p>	<p><b>FUNDING</b></p> <table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%;"><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input style="width: 100%;" type="text"/></td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> </table>	County Dollars =	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<b>Total</b>	<b>\$0.00</b>
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<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>						
<b>Total</b>	<b>\$0.00</b>						

**FTE IMPACT:** None

Related Financial/FTE Comments:

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# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 7, 2012  
 Motion by Commissioner: \_\_\_\_\_

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

## Eminent Domain – SP 10-611-06

WHEREAS, Carver County proposes to reconstruct and construct a new alignment (CSAH 11 from CSAH 61 to CSAH 10), and  
 WHEREAS, the construction is necessary to provide an improved roadway for the safety of the traveling public, and  
 WHEREAS, easement interests in 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 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 Statute Sec. 117.012 and 117.042, and  
 WHEREAS, the County has been unable to successfully negotiate the needed 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 Statute 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 7<sup>th</sup> day of February, 2012, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7<sup>th</sup> day of February, 2012.

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request to Advertise for Bid Phase II of the Dakota Rail Regional Trail**

Primary Originating Division/Dept: <u>Public Works - Parks</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Marty Walsh</u> Title: <u>Parks Director</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <u>15</u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u>Marty Walsh</u> Title: <u>Parks Director</u>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

In 2007, Carver County was awarded \$1,120,000 in Federal Transportation Enhancement Funds to construct 5.5 miles of the extension of the Dakota Rail Regional Trail from Mayer to the West County Line (Phase II) for Federal Fiscal Year 2012. The current estimated engineering and cost for construction is \$2,182,000. Identified project funding is \$1,723,000. The projected cost above the identified funding is largely related to work needed to rehabilitate one bridge structure over the Crow River and two trestle structures at Crane Creek. Additional cost are also associated with the trailhead parking lot and kiosk area to incorporate this work in with the planned trail construction. Additional revenues to close the project's funding gap could come from future (2013 and 2014) Parks and Trails Legacy Funds Allocations from the Met Council. The County would use funds set aside for park land acquisition to initially pay for the project which would then be paid back in 2013 and 2014 by the Park and Trails Legacy Allocation. Park projects that had been planned to be funded by 2013 and 2014 Park and Trail Legacy Allocations would have to be delayed or another revenue source would have to be found.

Plans and specifications for the project and state and federal approvals to proceed with the project have been completed. The project is ready to be advertised for bids. An expected bid opening date will be scheduled for early March, 2012. Included in the bid specs will be potential options and deductions that the Board could consider to reduce the project cost.

It is recommended that the project move forward to bidding as the bid climate is beneficial at this time. Bids are likely to increase with time as contractors workload increases. If bids come in too high, the board has the option to reject bids.

**ACTION REQUESTED:**

Authorize the project to be advertised for bid.

**FISCAL IMPACT:** Included in current budget

*If "Other", specify:*

**FTE IMPACT:** Increase budgeted staff

**FUNDING**

County Dollars =	<b>\$0.00</b>
federal	\$1,120,000.00
Parks and Trails Funds	\$722,000.00
CCRRA	\$220,000.00
2011 CPA	\$120,000.00

**Total**

\$2,182,000.00

**Related Financial/FTE Comments:**

It is anticipated that an additional .5 FTE will be requested to maintain the Dakota Rail Regional Trail upon completion of the project. The additional FTE request has been previously forecasted in the 2013 -2017 FTE plan. It is planned that funding for the .5 FTE would be funded by the Carver County Regional Railroad Authority. The proposed FTE increase will be requested in the 2013 Budget.

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# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Land Acquisition for Lake Waconia Regional Park**

Primary Originating Division/Dept: <u>Public Works - Parks</u>	Meeting Date: <u>2/7/2012</u>
Contact: <u>Marty Walsh</u> Title: <u>NA</u>	Item Type: <u>Closed Session</u>
Amount of Time Requested: <u>25</u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u>Marty Walsh/Lyndon Robjent</u> Title: <u>Parks Director/County Engineer</u>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

An appraisal report has been prepared for parcel 070181000 located at 809 Old Beach Lane to use to consider developing a purchase price for the 19 acre parcel.

This area is located within the boundary of Lake Waconia Regional Park. Carver County is an Implementing Regional Park Agency of the Metropolitan Council and works to acquire recreational lands consistent with the approved Metropolitan Council Policy Plan and with approved park master plans.

The Carver County Board, had previously considered acquisition of the parcel as a part of its 2012 legislative platform.

County staff has been corresponding with the property owner and the owner's representatives. Staff will update the Board about the potential acquisition of the identified parcel.

**ACTION REQUESTED:**

Motion to enter into closed session according to Minnesota Statutes Section 13D.05 in order to discuss confidential appraisal data and to update the County Board on the status of the parcel and discussion about it.

**FISCAL IMPACT:** Other

*If "Other", specify:*

*A purchase price has not been recommended at this time*

**FUNDING**

County Dollars =	
<b>Total</b>	<b>\$0.00</b>

**FTE IMPACT:** None

**Related Financial/FTE Comments:**

The acquisition of land in itself is not expected to increase staffing levels.

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