

County Board of Equalization Meeting  
 June 18, 2012  
 5:00 p.m.  
 County Board Room



Carver County Board of Commissioners  
 June 19, 2012  
 Regular Session  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

PAGE

4:00 p.m.	1.	<ul style="list-style-type: none"> <li>a) <b>CONVENE</b></li> <li>b) <b>Pledge of allegiance</b></li> <li>c) <b>Public comments (limited to five minutes)</b></li> <li>d) <b>Introduction of New Employees</b></li> </ul>	
	2.	Agenda review and adoption	
	3.	Approve minutes of June 5, 2012 Regular Session .....	1-3
	4.	Community Announcements	
4:00 p.m.	5.	<b>CONSENT AGENDA</b>	
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
	5.1	Amendment #3 to grant agreement for recreation and open space development.....	4
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i>	
	5.2	John Buckentine – Resolution approving 31.60 acre parcel in ag preserves .....	5-7
		<i>Connections: Develop strong public partnerships and connect people to services and information</i>	
	5.3	Termination of minimum value assessment agreement with Norwood Young America EDA .....	8-10
	5.4	Donations for the Ride the Trail Event on June 16 <sup>th</sup> .....	11
	5.5	Tobacco licenses .....	12-15
		<i>Culture: Provide an organizational culture which fosters individual responsibility to achieve goals and sustain public trust and confidence in County government</i>	
	5.6	Sheriff's Office donation.....	16
	5.7	Reorganization in Public Works Division (Parks Department) .....	17
		<i>Finances: Improve the County's financial health and economic profile</i>	
	5.8	Community Social Services warrants .....	NO ATT
	5.9	Commissioners' warrants.....	SEE ATT
4:05 p.m.	6.	<b>PUBLIC HEALTH &amp; ENVIRONMENT</b>	
	6.1	<b>Public Hearing</b> – Adoption of Ordinance #74-2012 – Solid Waste Management and Fee for Service Schedule .....	18-23

4:35 p.m. ADJOURN REGULAR SESSION

- 4:35 p.m. **BOARD REPORTS**
1. Chair
  2. Board Members
  3. Administrator
  4. Adjourn

David Hemze  
County Administrator

### UPCOMING MEETINGS

June 26, 2012	9:00 a.m. Board Meeting
July 3, 2012	No Meeting
July 10, 2012	9:00 a.m. Work Session
July 17, 2012	4:00 p.m. Board Meeting
July 24, 2012	9:00 a.m. Board Meeting
July 31, 2012	No Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on June 5, 2012. Chair James Ische convened the session at 9:06 a.m.

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

Members absent: Randy Maluchnik.

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

Workman moved, Lynch seconded, to approve the minutes of the May 22, 2012, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved the one percent salary increase for the Chief Deputy Attorney and County Attorney's Executive Assistant effective July 2, 2012.

Authorized Public Health & Environment employee to attend CDC/ASTHO workgroup meeting in Arlington, VA on June 13, 2012.

Awarded contract to Henry G. Meigs, LLC in the amount of \$196,266.64 for the supply of bituminous material for the 2012 County Wide seal coat program.

Authorized the issuance of a Certificate of Zoning Compliance (#20120272) for the Lola's Lake Waconia ½ Marathon and 5K event

Reset the public hearing date to consider adoption of the proposed amendments to Carver County Ordinance 153: Water Resource Management, as revised, for June 26, 2012.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Martin Walsh, Parks, requested the Board award the contract for Phase II of the Dakota Rail Regional Trail. He explained in 2002 the property was acquired and in 2006 a Master Plan was adopted. He stated Phase I included the construction of seven miles of trail and pointed out the number of user visits. Walsh stated Phase II would complete an additional five miles and reviewed the work to be performed.

He highlighted the bids received and indicated the apparent low bidder had requested their bid be withdrawn due to substantial calculation errors. Walsh summarized the construction cost and proposed financing. He indicated, to bring the project to the financing capabilities, he was recommending that the bridge painting be removed from the project.

Walsh clarified McLeod County has expressed an interest in extending the trail in the future.

Lynch moved, Degler seconded, to approve the request by Eagle Construction to withdraw its bid. Motion carried unanimously.

Lynch moved, Degler seconded, to award a contract to Sunram Construction, Inc., in the amount of \$1,785,520, contingent on Attorney and Risk Management approval of the contract, performance bond and insurance. Motion carried unanimously.

Lynch moved, Degler seconded, to approve a supplemental agreement with Sunram Construction, Inc., to delete bridge painting work of \$118,408 and authorize Engineer to sign the agreement. Motion carried unanimously.

Gary Bork, Community Social Services, requested approval to delete a 1.0 FTE child and family supervisor and create a long term care manager and supervisor. He reviewed the current and proposed organizational charts. He stated a long term care department has been an emerging issue for quite some time. Bork indicated the proposal would be budget neutral.

Degler moved, Lynch seconded, to delete a 1.0 FTE Child and Family Supervisor effective July 1, 2012. Motion carried unanimously.

Degler moved, Lynch seconded, to create a 1.0 FTE Long Term Care Manager. Motion carried unanimously.

Degler moved, Lynch seconded, to delete a supervisory position and create a Long Term Supervisor after the Manager is filled from an existing supervisory position. Motion carried unanimously.

Bork requested approval to establish a Signs of Safety reserves account. He pointed out the County has been very active with the Signs of Safety program and has sent individuals out of state to train others. He stated they are in a position where they can sell their work and were trying to determine how they can handle travel and staff costs.

Dave Frischmon, Financial Services, clarified having a reserve account would allow the funds to go in and out all in one place.

The Board agreed they would like to see a review of the account in six months.

Degler moved, Lynch seconded, to approve the establishment of a reserve account for Signs of Safety. Motion carried unanimously.

Bork requested approval of contract with the University of Baltimore to assist with Signs of Safety training. He stated they are asking for assistance to put their curriculum together. He clarified the initial agreement is only for the University's current fiscal year which ends this month and another contract would follow at the end of the month.

Workman moved, Degler seconded, to approve the agreement for Carver County Community Social Services to provide consultation services on the Signs of Safety for the University of Maryland at Baltimore and related budget amendment. Motion carried unanimously.

Bork requested approval of request for out of state travel for two staff to participate in a discussion of improving child safety. He stated Casey Family Programs was willing to pay airfare, hotel and meals.

Workman moved, Lynch seconded, to approve out of state travel for two Social Services staff to attend the Child Safety and Preventing Fatalities discussion in Nashville, Tennessee at Casey Family Programs' expense. Motion carried unanimously.

Lynch moved, Degler seconded, to adjourn the Regular Session at 10:15 a.m. Motion carried unanimously.

David Hemze  
County Administrator

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Amendment #3 to Grant Agreement for Recreation and Open Space Development**

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="6/19/2012"/>
Contact: <input type="text" value="Marty Walsh"/> Title: <input type="text" value="Parks Director"/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

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

**BACKGROUND/JUSTIFICATION:**

In October 2009, Carver County signed a grant agreement which provides \$205,000 to construct Phase I of the Dakota Rail Regional Trail. The funding was generated by legislation for Parks and Trails and is distributed by the Metropolitan Council.

The grant was amended two previous times for the funds to be used on trail projects.

The second amendment allowed funds to be used on for the County Road 10 trail connection to the Dakota Rail Regional Trail. Efforts to reach agreement with the property owner for land needed for the trail have been delayed until a property value is established.

The third amendment will allow the funds to be used for both the Dakota Rail Regional Trail and the Lake Minnewashta TH 41 Trail and Underpass project.

Funding for the County Road 10 trail connection would be considered in the future when an agreement is reached with the property owner and funding made available through a future Parks and Trails Grant or capital improvement allocation.

**ACTION REQUESTED:**

Approve the Third Amendment to Grant SG-2009-043 between the Metropolitan Council and Carver County Parks for Recreation and Open Space Development and authorize the Board Chair to sign.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> <b>County Dollars =</b> <input type="text"/>				
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<table style="width: 100%;"> <tr> <td style="width: 70%;">Metropolitan Council</td> <td style="width: 30%; text-align: right;">\$205,000.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$205,000.00</b></td> </tr> </table>	Metropolitan Council	\$205,000.00	<b>Total</b>	<b>\$205,000.00</b>
Metropolitan Council	\$205,000.00				
<b>Total</b>	<b>\$205,000.00</b>				

**Related Financial/FTE Comments:**

This grant agreement has been previously approved and a budget amendment is not needed. The amendment changes where funds from the grant can be appropriated.

*Office use only:*

RBA 2012- 1226

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**John & Jeanne Buckentine- resolution approving 31.60 acre parcel in Ag Preserves.**

Primary Originating Division/Dept: <input type="text" value="Public Health &amp; Environment - Land Mgmt."/>	Meeting Date: <input type="text" value="6/19/2012"/>
Contact: <input type="text" value="Steve Just"/> Title: <input type="text" value="Dept. Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

John & Jeanne Buckentine own a 31.60 acre parcel which includes the farmstead, approximately 17 acres of prime tillable land, and an active registered feedlot (129.5 animal units). The property is located in Section 15 of Dahlgren Township. The family farm was enrolled in Ag Preserve and this parcel was sold to (son) John & Jeanne for estate planning purposes. John, Jeanne & their son, Mike, are the main employees of the farming operation. John & Jeanne Buckentine are requesting continued enrollment into the Ag Preserve program, but their parcel no longer meets the 40 acre size requirement for administrative entry into the program. The Board has previously adopted standards (Resolution #16-94) for the approval of ag preserve for parcels of 20 to 39.9 acres as provided by MS§ 473H.03, Subd. 4. In general, the land must be at least 75% ag production (or < 75% ag production with a feedlot) and at least 60% prime or good farmland. The parcel meets or exceeds the standards the Board has set for entry into the program. The farmland in Dahlgren Twp is an essential part of the agricultural region within the County. A resolution is attached for the Board's consideration.

**ACTION REQUESTED:**

A motion to adopt a resolution approving the designation of PID# 04.0151100 as an Agricultural Preserve parcel.

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

Related Financial/FTE Comments:

*Office use only:*

RBA 2012- 1237

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

Date: June 19, 2012

Resolution #

Motion by Commissioner  
Seconded by Commissioner

=====

***A RESOLUTION APPROVING THE DESIGNATION OF A PARCEL AS AN AGRICULTURAL PRESERVE***

WHEREAS, MS 473H.03 provides for the entry of parcels of at least 20 acres and less than 40 acres into the Agricultural Preserve(s) Program provided: the land is predominately SCS Class 1, 2, 3, or irrigated Class 4; the land was at least 20 acres of record on 1 January 1980 or was part of an Agricultural Preserve; the land is considered by the County Board to be an essential part of the agricultural region; the County Board approves by resolution the entry of the parcel(s) into the program, and;

WHEREAS, the County Board has adopted by resolution certain standards for determining whether a parcel is an "essential part of the agricultural region", and;

WHEREAS, John & Jeanne Buckentine have requested that the following individual parcel be declared eligible for designation as Agricultural Preserve(s):

TOWNSHIP	PID#	OWNERS	# of Acres	% Tillable	Feedlot	% Class 1-3 Soils
Dahlgren Section 15	04.0151100	Buckentine, John & Jeanne	31.60	54% (17 ac.) ag production	129.5 a.u. registration	100% prime/good

WHEREAS, the above referenced parcel meets the requirements for entry into the Agricultural Preserve Program;

THEREFORE BE IT RESOLVED, the above referenced parcels are hereby approved for entry into the Agricultural Preserve program pursuant to MS 473H.03.

=====

<b>YES</b>	<b>NO</b>	<b>ABSENT</b>
------------	-----------	---------------

=====

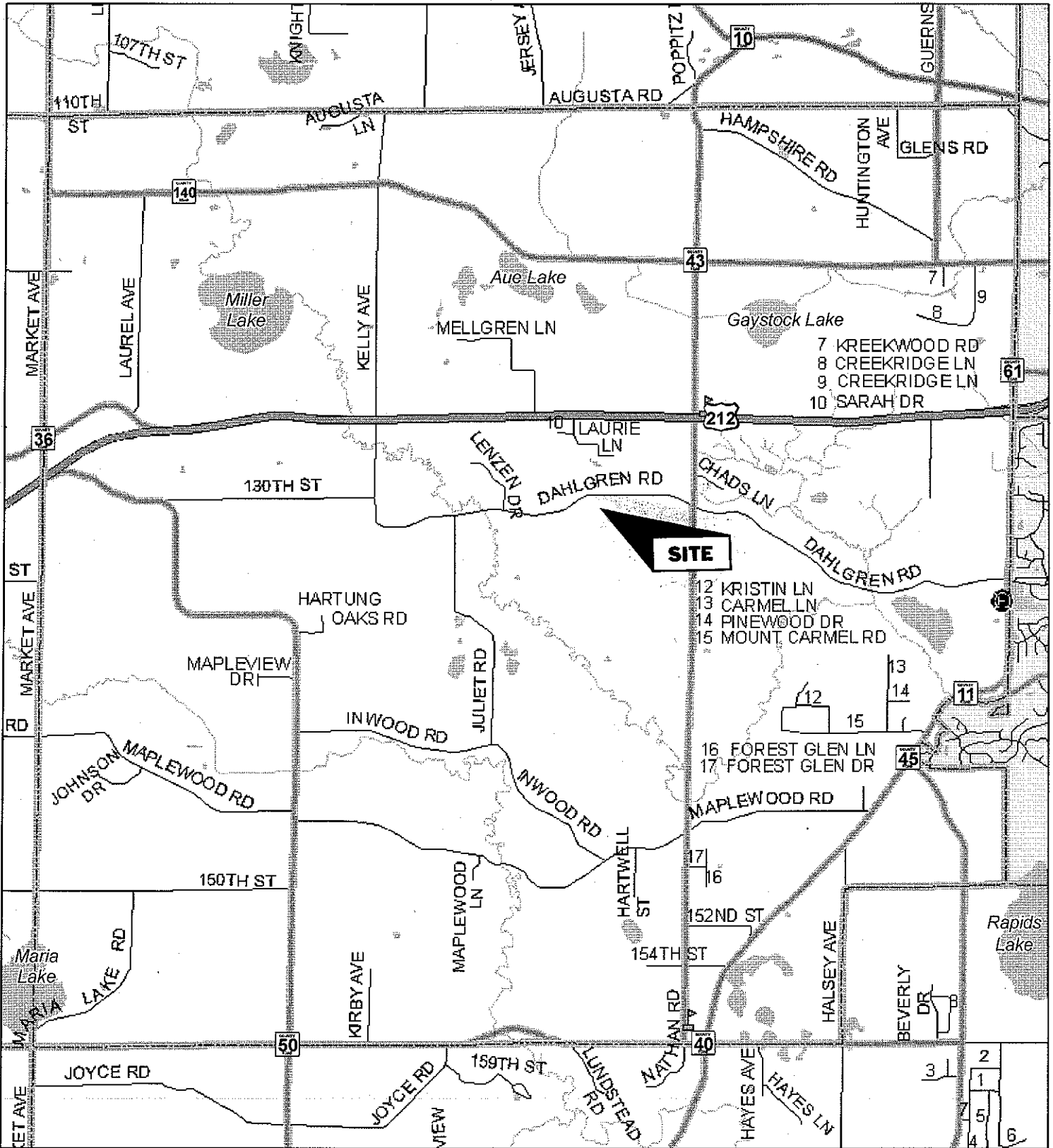
I, Dave Hemze, County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on June 19, 2012, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 19<sup>th</sup> day of June, 2012.

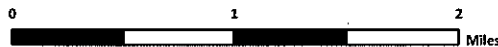
\_\_\_\_\_  
County Administrator



# 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.



Map Created by Carver County GIS

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Termination of minimum value assessment agreement with Norwood Young America EDA**

Primary Originating Division/Dept:

Meeting

Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

Strategic Initiative:

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

**BACKGROUND/JUSTIFICATION:**

In 2007, the EDA and Par Real Estate, LLC (the "Redeveloper") entered into a Purchase and Redevelopment Contract for Lot 2, 2, Tacoma West Industrial Park, and the City established TIF District No. 3-1 made up of this parcel. As part of the original busi deal, the EDA and Redeveloper entered into an Assessment Agreement, which established a minimum assessed value (\$2 milli the parcel and the Redeveloper's improvements. The County Assessor signed off on the Assessment Agreement at the time it executed, and it is recorded as Document No. A466915. Property values have decreased since the Assessment Agreement was executed such that the value established in the Assessment Agreement is now higher than the value that would be set for the without such an agreement in place (approximately \$1.6 million)

The Redeveloper has requested and the EDA has agreed, to terminate the Assessment Agreement so that the property taxes p the Redeveloper are based on the actual assessed value of the parcel, rather than the artificially inflated value. While the EDA the Redeveloper are the current parties to the agreement and have mutually agreed to terminate it, the TIF Act also requires t County and School District to sign off. This is an area we have no authority to deny and may seem somewhat of a formality to the resolution.

The termination of the Assessment Agreement will have no impact on either the County or the School District. As you know, a as a TIF District exists, property taxes paid on property within the TIF District are tax increment and may only be spent as auth by the TIF Plan. The County and School District do not receive any property taxes on the parcel until the TIF District is decertifi parcel in a TIF District is emcumbered by an assessment agreement, the assessment agreement automatically terminates as c the TIF District is decertified. Thus any property taxes paid after decertification of the TIF District are based on the assessed va the parcel and are not affected by any assessment agreements.

The County Attorney as well as Risk Management have reviewed the documents and are fine with them.

**ACTION REQUESTED:**

Norwood Young America EDA has requested that the County Board of Commissioners approve the attached resolution termin the Assessment Agreement. County staff is in agreement with signing the document.

**FISCAL IMPACT:**

**FUNDING**

If "Other", specify:

County Dollars =

**FTE IMPACT:**

**Total**  \$

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1221

**CARVER COUNTY  
STATE OF MINNESOTA**

Resolution No. \_\_\_\_\_

**RESOLUTION APPROVING TERMINATION OF AN ASSESSMENT AGREEMENT  
BETWEEN THE NORWOOD YOUNG AMERICA ECONOMIC DEVELOPMENT  
AUTHORITY AND PAR REAL ESTATE, LLC**

BE IT RESOLVED by the Board of Commissioners (the “Board”) of Carver County, Minnesota (the “County”) as follows:

Section 1.     Recitals.

1.01. The Norwood Young America Economic Development Authority (the “Authority”) and PAR Real Estate, LLC (the “Redeveloper”) entered into that certain Assessment Agreement dated June 25, 2007 (the “Assessment Agreement”), which established a minimum market value for certain improvements constructed on property legally described as Lot 2, Block 2, Tacoma West Industrial Park (the “Property”), pursuant to Minnesota Statutes, Sections 469.174 to 469.1799 (the “TIF Act”) and a Purchase and Redevelopment Contract between the Authority and Redeveloper dated as of June 25, 2007 (the “Contract”).

1.02. The Authority and Redeveloper have agreed that economic conditions after execution of the Contract have resulted in decreased property values throughout the City of Norwood Young America, and that the minimum market value established for the Property in the Assessment Agreement is greater than the estimated market value resulting from the most recently available assessment of the Property.

1.03. In order to lessen the financial burden on the Redeveloper resulting from the Assessment Agreement, the parties have negotiated a First Amendment to the Contract, providing for termination of the Assessment Agreement by mutual consent of the Authority and Redeveloper, pursuant to Minnesota Statutes, Section 469.177, subdivision 8 (the “Act”).

1.04. The Act requires approval of termination of the Assessment Agreement by the governing bodies of the City of Norwood Young America, Carver County, and Independent School District No. 108, because termination of the Assessment Agreement will result in an estimated market value for the Property as of the most recently available assessment that is less than the minimum market value established for the Property in the Assessment Agreement.

Section 2.     Termination Approved.

2.01. The Board hereby approves the termination by the Authority and Redeveloper of the Assessment Agreement.

Approved by the Board of Commissioners of Carver County this \_\_ day of \_\_\_\_\_,  
2012.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Clerk

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Donations for the Ride the Rail Event on June 16th**

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="6/19/2012"/>
Contact: <input type="text" value="Marty Walsh"/> Title: <input type="text" value="Parks Director"/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text" value="Parks Director"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The County Park Department will receive donated items for the Ride the Rail bicycling event to be held in Mayer, June 16th. Donations have been offered by the following vendors: Cub Foods(Gift card for bananas), Holiday Gas Station(Gift card for raffle), Kwik Trip #460 (40 lbs of bananas), Mackenthun's Meats & Deli Inc.(Discounted Products), Panera Bread (Bagels & Coffee).

**ACTION REQUESTED:**

Approve accepting the donations for the Ride the Rail event.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> <tr> <td>Donations Estimate</td> <td style="text-align: right;">\$300.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$300.00</b></td> </tr> </table>	County Dollars =	<b>\$0.00</b>	Donations Estimate	\$300.00	<b>Total</b>	<b>\$300.00</b>
County Dollars =	<b>\$0.00</b>						
Donations Estimate	\$300.00						
<b>Total</b>	<b>\$300.00</b>						
<b>FTE IMPACT:</b> <input type="text" value="None"/>							

Related Financial/FTE Comments:

*Office use only:*

RBA 2012- 1235

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Tobacco Licenses**

Primary Originating Division/Dept:

Meeting

Date:

Contact:

Title:

Item Type:

Consent

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Attached is a list of businesses that have applied for a Tobacco License in compliance with the Carver County Tobacco Ordinance. The owners are requesting Carver County Board of Commissioners approval to sell tobacco products.

**ACTION REQUESTED:**

Attached is a list of businesses that have applied for a Tobacco License in compliance with the Carver County Tobacco Ordinance. The owners are requesting Carver County Board of Commissioners approval to sell tobacco products.

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Related Financial/FTE Comments:

*Office use only:*

RBA 2012- 1227

**Tobacco License Applications To Be Approved by County Board**

<p><b>License #10-501</b>  <b>American Legion Post #580</b>  Kenneth Larson, Hospitality Director  290 Lake Drive E  Chanhassen, MN 55317</p>	<p><b>License # 10-508</b>  <b>Dahlgreen Golf Club, Inc</b>  David Tessman, General Manager  6940 Dahlgren Road  Chaska, MN 55318</p>
<p><b>License # 10-509</b>  <b>Nash Finch Company dba Econofoods #318</b>  Kathleen M. Mahoney, SVP &amp; Secretary  710 Faxon Road  NYA, MN 55368</p>	<p><b>License # 10-513</b>  <b>Good Time Liquors</b>  Dale E Bruers, Owner  400 Faxon Road  Norwood Young America, MN 55368</p>
<p><b>License # 10-515</b>  <b>Holiday Stationstores, Inc dba Holiday Stationstore #199</b>  Cindy Zierhut, License Administrator  441 79th Street West  Chanhassen, MN 55317-4505</p>	<p><b>License # 10-518</b>  <b>Inn Town II Enterprises, Inc</b>  Richard Hardel  114 Paul Avenue South  Cologne, MN 55322</p>
<p><b>License # 10-519</b>  <b>Ivan's Convenience Store, Inc.</b>  Ivan C. Johnson, President  7910 Dakota Ave  Chanhassen, MN 55317</p>	<p><b>License # 10-523</b>  <b>Mid-County Coop dba Holiday Stationstore #3577</b>  William F. Reimers, General Manager  409 Paul Avenue North  Cologne, MN 55322</p>
<p><b>License # 10-526</b>  <b>R E Smith Oil &amp; Tire Co, Inc</b>  Russell E Smith, Owner  503 Faxon Road N  Norwood Young America, MN 55368</p>	<p><b>License # 10-535</b>  <b>Harms Bar</b>  Linda L. Harms, Owner  227 Elm Street West  NYA, MN 55368</p>
<p><b>License # 10-540</b>  <b>Bluff Creek Golf Association dba Bluff Creek Golf Course</b>  Michael Cohrs, General Manager  1025 Creekwood  Chaska, MN 55318</p>	<p><b>License # 10-541</b>  <b>Plocher's Inc dba Floyds</b>  Lois Plocher, Owner  1758 Arboretum Blvd  Victoria, MN 55386</p>
<p><b>License # 10-557</b>  <b>TBI Liquor Two, Inc dba Cheers Wine &amp; Spirits</b>  Michael G. Baier, President  530 W 79th St  Chanhassen, MN 55317</p>	<p><b>License # 10-566</b>  <b>Schoknecht, Inc dba Lisa's Place</b>  Lisa M Schoknecht, President  205 Broadway North  Carver, MN 55315</p>
<p><b>License # 10-567</b>  <b>J &amp; R Entertainment dba Da' Boars Bar &amp; Grill</b>  Jeffrey Cronin, Owner  610 Lake St W  Cologne, MN 55322</p>	<p><b>License # 10-578</b>  <b>Kwik Trip, Inc dba Kwik Trip #402</b>  Donald P. Zietlow, President  2201 W 78th St  Chanhassen, MN 55317</p>
<p><b>License # 10-594</b>  <b>Holiday Stationstores, Inc dba Holiday Stationstore #360</b>  Cindy Zierhut, License Administrator  1793 Arboretum Blvd  Victoria, MN 55386-7706</p>	<p><b>License # 10-596</b>  <b>Champlin 2005 LLC dba Cub Foods #31564/1644</b>  Doyle Troyer, VP Corporate Tax  7900 Market Blvd  Chanhassen, MN 55317</p>
	<p><b>License # 10-603</b>  <b>Century Wine &amp; Spirits, LLC</b>  Daniel J. Herbst, President  2689 West 78th St  Chanhassen, MN 55317</p>

<p><b>License # 10-604</b>  <b>Holiday Stationstores, Inc. dba Holiday Stationstore #371</b>  Cindy Zierhut, License Administrator  502 N Faxon Rd  Norwood Young America, MN 55368-9734</p>	<p><b>License # 10-605</b>  <b>Walgreen Co dba Walgreens #09728</b>  Margarita Kellen, Assistant Secretary  600 W 79th St  Chanhassen, MN 55317</p>
<p><b>License # 10-606</b>  <b>Harvey's Bar &amp; Grill Inc.</b>  Laura Niesche, Owner  220 N Broadway  Carver, MN 55315</p>	<p><b>License # 10-608</b>  <b>Alouls Fuel &amp; Food Service dba Chanhassen BP</b>  Khaled Aloul, President  7905 Great Plains Blvd  Chanhassen, MN 55317</p>
	<p><b>License # 10-611</b>  <b>Last Call Properties, LLC dba Last Call Too</b>  Diane R. Henning, Owner  118 Main St E  NYA, MN 55397</p>
<p><b>License # 10-613</b>  <b>Casey's Retail Company dba Casey's General Store #2655</b>  Terry W. Handley, President  300 Co Rd 40 E  Carver, MN 55315</p>	<p><b>License # 10-614</b>  <b>Holiday Stationstores, Inc. dba Holiday Stationstore #390</b>  Cindy Zierhut, License Administrator  2960 82nd St  Chanhassen, MN 55317</p>
<p><b>License # 10-616</b>  <b>TTK Inc. dba Carver Liquor</b>  Tu Pham, Owner  309 Broadway N  Carver, MN 55315</p>	<p><b>License # 10-619</b>  <b>B&amp;B Hospitality dba HI-5 Market</b>  Deepinder S. Baveja, Owner  1510 Commercial Ave.  Victoria, MN 55386</p>
<p><b>License # 10-620</b>  <b>Chanhassen Winner Co. dba Chanhassen Marathon</b>  Estephan Hark, President  380 Lake Drive E  Chanhassen, MN 55317</p>	<p><b>License # 10-623</b>  <b>Thaemert, Inc. dba T-Road Tavern</b>  Michael Thaemert, Owner  110 Broadway St E  New Germany, MN 55367</p>
<p><b>License # 10-624</b>  <b>Kleinprintz Liquors, LLC dba MGM Liquor Warehouse</b>  Jason Kleinprintz, Managing Member  7856 Market Blvd, PO Box 412  Chanhassen, MN 55317</p>	<p><b>License # 10-625</b>  <b>Victoria Street, LLC dba Victoria Bar and Grill</b>  Michael R. Meents, Owner  7900 Quamoelit  Victoria, MN 55386</p>
<p><b>License # 10-626</b>  <b>Southern Sands Inc. dba Down South Bar &amp; Grill</b>  Jilann Paehlke, Owner  360 Broadway St  New Germany, MN 55367</p>	<p><b>License # 10-627</b>  <b>Kwik Trip, Inc. dba Kwik Trip #492</b>  Donald P. Zietlow, President  8921 Crossroads Blvd  Chanhassen, MN 55317</p>
<p><b>License # 10-628</b>  <b>Walgreen Co. dba Walgreens #12434</b>  G. D. Wasson, President &amp; CEO  2499 Highway 7  Excelsior, MN 55331-9701</p>	<p><b>License # 10-631</b>  <b>Crossroads Liquor of Victoria LLC dba Crossroads Liquor</b>  Paul Schindler and Cindy Poppitz, Partners  7999 Victoria Drive  Victoria, MN 55386</p>
<p><b>License # 10-632</b>  <b>The Dog House II Saloon dba The Dog House</b>  Mark Anhalt, Owner  313 N Broadway  Carver, MN 55315</p>	<p><b>License # 10-633</b>  <b>Northern Tier Retail LLC dba SuperAmerica #4366</b>  Karla Bigham, Paralegal/Public Affairs Coordinator  2391 Hwy 7  Excelsior, MN 55331</p>



<b>License # 10-634</b> <b>GMB Enterprise, LLC dba Inn Town Wine &amp; Spirits</b> Gary Bjurstrom, Owner 102 Lake St W Cologne, MN 55322	<b>License # 10-635</b> <b>Jamen, LLC, dba Schmidty's New Germany</b> Jeff Malikowski, Co-Owner 17535 State Highway 7 New Germany, MN 55367
<b>License # 10-636</b> <b>Schmidt C-Stores, Inc, dba Schmidty's Mayer</b> Thomas R Schmidt 308 Ash Ave N Mayer, MN 55360	<b>License # 10-637</b> <b>Fleet and Farm of Green Bay, dba Mills Gas Mart</b> Ronald Obeidzinsk 1921 Levi Griffin Road Carver, MN 55315
<b>License #</b>	<b>License #</b>
<b>License #</b>	<b>License #</b>
<b>License #</b>	<b>License #</b>
<b>License #</b>	<b>License #</b>
<b>License #</b>	<b>License #</b>
<b>License #</b>	<b>License #</b>
<b>License #</b>	<b>License #</b>

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Donations**

Primary Originating Division/Dept: Sheriff

Meeting  
Date: 6/19/2012

Contact: Leslie Michel Title: Admn Svcs Manager

Item Type:  
Consent

Amount of Time Requested: minutes

Attachments:  Yes  No

Presenter: Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Donation of \$1,000.00 from the Minnesota Sheriff's Association for Sheriff Jim Olson to attend the National Sheriff's Association Educational Conference in June of 2012.

**ACTION REQUESTED:**

Approve donation of \$1,000.00 from Minnesota Sheriff's Association for Sheriff Olson's attendance at the National Sheriff's Association Conference in Nashville, TN.

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

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

**FTE IMPACT:** None

**Related Financial/FTE Comments:**

\$1,000.00 to 02-201-000-0000-5756 Gifts Restricted/Donations

*Office use only:*

RBA 2012- 1220

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Reorganization in Public Works Division (Parks Department)**

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="6/19/2012"/>
Contact: <input type="text" value="Marty Walsh"/> Title: <input type="text" value="Parks Director"/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

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

**BACKGROUND/JUSTIFICATION:**

The position of Parks Coordinator was recently evaluated by BCC Consulting services for consideration as a supervisory position within the Parks Department.

BCC concluded its evaluation based on a revised job description which includes supervisory responsibilities which have been assigned to a new position of Parks and Trails Supervisor.

Primary responsibilities of the Parks and Trails Supervisor include: Leads and directs internal and external communications for the Department; Leads and directs park operations; Supervises the work activities and function of full and part-time staff in the operations of the campground, revenue collection, rental operations, volunteer programs, recreation programs, and caretaker services; Creates, leads, directs and coordinates recreational programs and services; Develops plans, performs assorted managerial, project coordination and public processes.

The Park Coordinator Position was a pay grade 12 with a non exempt status. The proposed Parks and Trails Supervisor position has a pay grade of 13 and has exempt status.

**ACTION REQUESTED:**

Approve the reorganization in the Public Works Division, Parks Department, with the addition of the Parks and Trails Supervisor, salary grade 13 and elimination of the Parks Coordinator, salary grade 12.

<p><b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/></p> <p>If "Other", specify: <input type="text"/></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> </td> <td> </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>			<b>Total</b>	<b>\$0.00</b>
County Dollars =	<b>\$0.00</b>						
<b>Total</b>	<b>\$0.00</b>						
<p><b>FTE IMPACT:</b> <input type="text" value="Other staffing change (grade, classification, hours, etc.)"/></p>	<p> </p>						

**Related Financial/FTE Comments:**

In the long term the budget impact will be greater than it is today based on the higher salary grade. In the short term it is anticipated there will be a budget savings as the Parks Coordinator position recently became vacant. The previous employee had an annual salary of \$62,982.00 plus some overtime. The new position, even with a higher grade is expected to be filled at a lower salary (mid point for a grade 13 is \$56,617.00 per year).

*Office use only:*

RBA 2012- 1211

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Public Hearing - Adoption of Ordinance #74-2012 - Solid Waste Management and Fee-For-Service Schedule.**

Primary Originating Division/Dept: <input type="text" value="Public Health &amp; Environment"/>	Meeting Date: <input type="text" value="6/19/2012"/>
Contact: <input type="text" value="Michael Lein"/> Title: <input type="text" value="Env. Services Manager"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="30"/> minutes Presenter: <input type="text" value="Michael Lein"/> Title: <input type="text" value="Environmental Services Manager"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

**BACKGROUND/JUSTIFICATION:**

Carver County has historically managed solid waste via various ordinances including a specific Solid Waste Ordinance. These regulations have typically forbidden the on-site disposal of solid waste including household garbage and demolition waste – the wood, concrete, plaster, and other materials generated by demolishing buildings and other structures. These regulations have been largely based on State rules and statutes. With very few exceptions, the County has to be at least as restrictive as the State.

Minnesota Statutes section 17.135 was recently amended by the Legislature to exempt the burial of concrete and reinforcing bar generated from the demolition of a building or structure located on land used for farming from most provisions of existing solid waste land disposal regulations. The exemption is very specific to these two materials from farm structures. Generally speaking, it allows the burial of these materials without State permits and without regard to depth to water table, setbacks to homes or property lines, and many of the other conditions that apply to other wastes. It does require recording the burial location in property records so that it would be noted or discovered as part of title or record search.

At least one Carver County resident has expressed interest in burying concrete and reinforcing bar on-site. The attached ordinance would adopt changes to the Solid Waste Management Ordinance to allow this practice subject to several conditions. This language has been discussed with the staff of local municipalities, provided to township clerks, and placed on notice in all local papers. The amendments include a change to the Fee-For-Service Schedule to include a \$100 permit fee to allow for the inspection of the burial site and recording of the location on the property records.

Note that the State Statute change was very specific to *“concrete and reinforcing bar generated from the demolition of a building or structure located on land used for farming”*. The burial must take place on *“land used for farming”*. The statute does not allow for the burial of demolition waste in general or the burial of concrete and reinforcing bar from residential or commercial buildings.

A copy of the prosed amendments and a resolution for the adoption of Ordinance #74-2012 is attached.

**ACTION REQUESTED:**

Open Public Hearing. Adoption of Resolution Adopting Ordinance 74-2012 - Solid Waste Management and Fee-For-Service Schedule.

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

Related Financial/FTE Comments:

The proposed changes allow for a \$100 fee for the burial of farm related concrete and reinforcing bar. It is unknown how many residents will use this option if it is approved. It is likely to be very few with no noticeable or a very small impact on overall fee revenues. Existing staff will carry out the inspections and document recording as part of their normal duties.

*Office use only:*

RBA 2012- 1229

**ORDINANCE # 74-2012**

**COUNTY OF CARVER COUNTY, STATE OF MINNESOTA**

**AN ORDINANCE AMENDING THE CARVER COUNTY CODE OF ORDINANCES, CHAPTER 50 - SOLID WASTE MANAGEMENT; AND ADDING A CORRESPONDING FEE TO THE FEE-FOR-SERVICE SCHEDULE.**

**THE CARVER COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS:**

**SECTION 1.** Changes to the Code are shown as follows: additions are underlined; deletions are ~~overstruck~~.

**SECTION 2.** Chapter 50.046 of the Code is amended as follows:

§ 50.046 EXEMPTIONS.

(A) Publicly Owned Facilities - The Board may, by resolution, waive any of the license requirements established in this chapter for publicly-owned facilities.

(B) Farm Generated Concrete and Reinforcing Bar – The license requirements established in this chapter do not apply to the burial of concrete and reinforcing bar generated from the demolition of a building or structure located on land used for farming, provided the requirements of Section 50.071 are met.

**SECTION 3.** Chapter 50.071 of the Code is amended as follows:

§ 50.071 DEMOLITION DEBRIS.

Licensing, design, and operating requirements for demolition debris land disposal facilities are established herein, except that a person may bury concrete and reinforcing bar generated from the demolition of a building or structure located on land used for farming provided that the following requirements are met;

- (1) A complete application and all applicable fees as per the County Fee Schedule must be received and approved by the Department prior to burial of concrete and reinforcing bar;
- (2) The concrete and reinforcing bar must originate from a building or structure located on land used for farming and shall not include concrete and reinforcing bar from residential or commercial structures or activities;
- (3) No other solid waste or other material governed by this Chapter or Minnesota Statutes may be buried;
- (4) The application shall include an accurate description of the burial site, the estimated amount of concrete and reinforcing bar to be buried, the dimensions of the excavation including cover, a site restoration plan, and any other information requested by the Department needed to review the application due to site specific conditions;
- (5) The burial site must be located on property classified as agricultural land by the County Assessor's Office and on the same parcel of property as the structure or building that the concrete and reinforcing bar was generated from;

- (6) The burial site location must not be located within the boundaries of any municipality, in any Transition Area, or Shoreland Impact Zone and shall not be located within fifty [50] feet of any wetland, floodplain, bluff, public right-of-way or property line;
- (7) At least three feet of cover must be placed over the concrete and reinforcing bar and the site must be graded and restored to prevent erosion and settling;
- (8) The owner of the property must provide 48 hour notice to the Department prior to the burial of the concrete and reinforcing bar and must allow the Department access to the property to inspect the burial site prior to covering;
- (9) Pursuant to this Chapter and Minnesota Statutes section 17.135, within 90 days of completion of the burial, an affidavit containing a legal description of the property and a map drawn from available information showing the boundary of the property and the location of concrete and reinforcing bar buried on the property shall be recorded with the County Recorder. The County Recorder will record the affidavit required under this paragraph in a manner that ensures its disclosure in the ordinary course of a title search of the subject property.

**SECTION 4.** The County Fee-For-Service Schedule shall be amended to include the following fee: Environmental Services Department; Solid Waste; \$100 application fee for the burial of farm structure concrete and reinforcing bar.

**SECTION 5.** This ordinance shall be effective upon its passage.

Adopted by the Carver County Board of Commissioners 19 June, 2012.

COUNTY OF CARVER

BY:

---

Chair of the Board, James Ische

BY:

---

County Administrator, David Hemze





\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 19<sup>th</sup> day of June, 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

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

Hemze, Administrator