



Carver County Board of Commissioners
 March 20, 2012
 Regular Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

4:00 p.m.	1.	a) CONVENE b) Pledge of allegiance c) Public comments (limited to five minutes) d) Introduction of New Employees	
	2.	Agenda review and adoption	
	3.	Approve minutes of March 6, 2012 Regular Session	1-2
	4.	Community Announcements	
4:00 p.m.	5.	CONSENT AGENDA	
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
		5.1 Acceptance of Urban Area Security Initiative Grant	4-5
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i>	
		5.2 Request to extend deadline for submission of Local Water Management Plans to the CCWMO	5-10
		<i>Connections: Develop strong public partnerships and connect people to services and information</i>	
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		5.8 Synergy graphics election services agreement	17
		5.9 Authorization to accept donation for program prizes (PH&E)	18
		<i>Culture: Provide an organizational culture which fosters individual responsibility to achieve goals and sustain public trust and confidence in County government</i>	
		5.10 Approval to reallocate FTE budget to increase Public Health nurse .8 FTE to 1.0 FTE (PH&E)	19
		5.11 County Internship program	20
		5.12 Reconfigure Crisis Therapists FTE's	21
		5.13 Convert two part time social worker positions to a full time position	22

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

- 5.14 Community Social Services warrants NO ATT
- 5.15 Commissioners' warrants..... SEE ATT

- 4:05 p.m. **6. COMMUNITIES: Create and maintain safe, healthy and livable communities**
 - 6.1 **Public hearing** – Ordinance 73-2012 (changes to Open Burning Ordinance – Chapter 53 of County Code of Ordinances) 23-32
 - 6.2 **Public hearing** – Adoption of Carver County Solid Waste Master Plan 2012 – 2030 and the Regional Solid Waste Master Plan 33-42
 - 6.3 Resolution for equitable distribution of Parks and Trails funds 43-46

- 4:45 p.m. **7. GROWTH: Manage the challenges and opportunities resulting from growth and development**
 - 7.1 Proposed amendments to Carver County Ordinance 153: Water Resource Management..... 47-48
 - 7.2 Resolution to approve Carver County Right of Way Plat 18 49-50
 - 7.3 **Closed Session** – Land acquisition for CSAH 11 construction Project #SP 10-611-06..... 51

6:00 p.m. ADJOURN REGULAR SESSION

- 6:00 p.m. **BOARD REPORTS**
 - 1. Chair
 - 2. Board Members
 - 3. Administrator
 - 4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

- | | |
|----------------|------------------------------|
| March 27, 2012 | No Meeting |
| April 3, 2012 | 9:00 a.m. Board Meeting |
| April 10, 2012 | 9:00 a.m. Board Work Session |
| April 17, 2012 | 4:00 p.m. Board Meeting |

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on March 6, 2012. Chair James Ische convened the session at 9:16 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, Degler seconded, to approve the minutes of the February 28, 2012, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Grant agreement #SG-2011-084 with the Metropolitan Council and authorized the Chair to sign the agreement.

Professional services agreement with Short Elliot Hendrickson, Inc. and authorized the Chair and Administrator to sign the agreement subject to review by the County Attorney and Risk Manager.

Resolution #16-12, Cancer Awareness Day in Carver County.

Approved request for on-sale, off-sale and Sunday liquor license for Hollywood Roadhouse.

Approved request for renewal of the set-up license for Marsh Lake Hunting Preserve, Inc.

Accepted donations for the 2012 Carver County Health and Safety Fair.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Jim Running, Information Services, requested the Board approve a joint powers agreement between Carver and Scott Counties for the iSeries consolidation. He noted the project was approved last year and the agreement outlines the responsibilities of the two counties.

Degler moved, Lynch seconded, to approve the joint powers agreement between Carver County and Scott County for operational and disaster recovery responsibilities. Motion carried unanimously.

REGULAR SESSION
March 6, 2012

Rhonda Lynch, Information Services, requested the Board approve the Microsoft Enterprise Agreement. She indicated the agreement was for six years with no increase in cost. She stated the metro IT Directors did attempt to make a metro county wide purchase. She explained Microsoft did not offer a reduced price but the County will contain the cost of licensing they have.

Lynch moved, Degler seconded, to authorize the Chair to sign the six years Microsoft Software Enterprise License Agreement in the amount of \$1,436,438.48 covering the year 2012 through 2017. Motion carried unanimously.

Workman moved, Lynch seconded, to adjourn the Regular Session at 9:27 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:

Acceptance of Urban Area Security Initiative (UASI) Grant

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

This Urban Area Security Initiative (UASI) grant was awarded by the State of Minnesota, Department of Public Safety - Homeland Security & Emergency Management Division. It will be used to support the Carver County Hazardous Materials Response Group with specialized response equipment, and the City of Chaska with interoperable communications equipment (squad car mobile data computers). These projects will enhance both public safety and safety of the responders.

Carver County will be required to pay for these projects and will then be reimbursed by the State of Minnesota from the UASI Grant funds.

The grant contract is effective through December 31, 2013.

ACTION REQUESTED:

Approval and acceptance of the Urban Area Security Initiative Grant contract for \$61,169.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
UASI Grant	\$61,169.00
Total	\$61,169.00

FTE IMPACT:

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1079

Budget Amendment Request Form



Agenda Item:
Acceptance of Urban Area Security Initiative (UASI) Grant

Department:
t:

Meeting Date: 3/20/2012

Fund:

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

Requested By:
Ken Carlson

Description of Accounts	Acct #	Amount
Emergency Services (CFDA 97.067)	01-280-280-1908-54...	\$61,169.00
TOTAL		\$61,169.00

Description of Accounts	Acct #	Amount
Software	01-280-280-1908-62...	\$7,435.00
General Operating Supplies	01-280-280-1908-64...	\$6,250.00
Noncapitalized Equipment	01-280-280-1908-64...	\$4,850.00
Equipment Purchase	01-280-280-1908-66...	\$11,725.00
Grants and Subsidies	01-280-280-1908-69...	\$30,909.00
TOTAL		\$61,169.00

Reason for Request:

Addition of grant revenue and expenditure to the 2012 budget for Emergency Management.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request to Extend Deadline for Submission of Local Water Management Plans to the CCWMO

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Carver County Watershed Management Organization (CCWMO) completed an update to its Watershed Management Plan in October 2010. Local governments within the CCWMO must update their Local Water Management Plans (Local Plan) to be consistent with the CCWMO Plan within two years of the adoption of the WMO Plan. Local Plans must meet the requirements of the CCWMO Plan as well as the general requirements of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410. Attached is the section of the adopted Plan which addresses Local Water Management Plan requirements.

Based on the revision of the CCWMO Water Management Rules, currently in process, and conversations with municipalities in the WMO, staff is requesting that the deadline for this update be extended from October 31, 2012 to June 30, 2013. The Water, Environment and Natural Resource Committee recommended the deadline extension to the County Board at their Jan 31, 2012 meeting.

ACTION REQUESTED:

Motion to extend the deadline for submission of the Local Water Management Plans to the Carver County Water Management Organization from October 31, 2012 to June 30, 2013

FISCAL IMPACT:

If "Other", specify:

FUNDING
County Dollars =

FTE IMPACT:

Total \$

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1061

4. LOCAL WATER PLANS

4.1. Projects/Concerns

The County realizes that this Plan cannot identify all existing or future problems, opportunities or issues. Additional issues from citizens and/or LGUs may be addressed as they arise and evaluated through workplan review and adoption. Currently, the County will entertain petitions for action not identified in the plan from a municipal LGU or township board. Petitions must be made in writing, clearly stating the issue, desired outcome of any action, and with adequate supporting documentation. Citizen group or organization requests for actions should begin on the LGU or township level with a request that the council or board submit a petition stating the problem and reason for requesting assistance from the County. The request will be reviewed by staff and the WENR; and a recommendation will be given to the County Board regarding further action. The County Board will then take such action it deems appropriate based on the Plan which could include use of existing program or project funding, consideration as part of an annual workplan and CIP planning, plan amendments, or authorization of emergency work.

4.2. CCWMO Rules to Administer and Enforce this Plan

The County recognizes that primary control and determination of appropriate land uses is the responsibility of the LGUs. However, it is the intention of the County to ensure that land or water alterations within the CCWMO proceeds in conformity with this Plan, in addition to conforming with the plans and ordinances adopted by LGUs. The County shall exercise control over land or water alterations through the County's Rules and Ordinances that will ensure the stability or improvement of watershed systems in order to preserve them for the present and future.

The County rules associated with this Plan will be part of the Carver County Code and will specify the administration and enforcement procedures required to implement this Plan.

4.3. Local Plan Content

LGUs are responsible for adopting Local Water Plans (LWP) that implement the Water Plan. Local water management plans are required to conform to Minnesota Statutes Chapter 103B.235, Minnesota Rules 8410, and this Plan. Minnesota Rules 8410.0160 establishes the structure the LWMP must follow; Section 8410.0170 describes the required sections in more detail.

8410.0160 GENERAL STRUCTURE. Each local plan must, at a minimum, meet the requirements for local plans in Minnesota Statutes, section 103B.235, except as provided by the watershed management organization plan under part 8410.0110, subpart 3. Each local plan must include sections containing a table of contents; purpose; water resource related agreements; executive summary; land and water resource inventory; establishment of goals and policies; relation of goals and policies to local, regional, state, and federal plans, goals, and programs; assessment of problems; corrective actions; financial considerations; implementation priorities; amendment procedures; implementation program; and an appendix. Each community should consider including its local plan as a chapter of its local comprehensive plan.

The policies and goals established by the local water management plan must be consistent with this Plan. The local water management plan must include in its assessment of problems those problems identified in this Plan that affect the community. The assessment must also include an analysis of the maintenance and management issues identified in Minnesota Rules 8410.0100.

Since the adoption of the Water management Plan in 2001, all the cities within the WMO have all developed and adopted local water management plans consistent with the County WMO Plan. The Townships adopted the County WMO plan as their local plan. The Townships have the option to adopt the County plan as their local water management plan or develop a separate local plan which would need to conform to the County plan and the state requirements for content.

The general standards for local water management plan content incorporating the requirements of Minnesota Statutes 103B.235, subdivision 2, and this Plan, are as follows:

1. *Describe the existing and proposed physical environment and land use.*
2. *Define drainage areas and the volumes, rates, and paths of stormwater runoff, including a map of the stormwater system.*
3. *Include a stormwater system map that shows ponds, streams, lakes and wetlands that are part of your system; structural pollution control devices (grit chambers, separators, etc.) that are part of your system; pipes and pipe sizes and other conveyances in your system; and outfalls and all other points of discharge from your system that are outlets.*
4. *Identify areas and elevations for stormwater storage adequate to meet performance standards established in the subwatershed plans.*
5. *Identify areas of known flooding. Local plans must assess whether the risk of occasional flooding is acceptable or should be addressed, and set forth a plan for making improvements as necessary.*
6. *Identify land-locked subwatershed units and basins and strategies to manage water volumes in those land-locked areas to minimize flooding.*
7. *Define water quality and water quality protection methods adequate to meet performance standards established in the WMO plan and ordinances.*
8. *Identify specific steps the LGU will take to achieve the load reductions based on adopted TMDL's and implementation plans*
9. *Assess the consistency of the LGUs wetland regulation, including any wetland classification system and specific wetland classifications, with the management classifications, classification system and proposed regulation set forth in this Plan.*
10. *Set forth an implementation program, including a description of official controls and, as appropriate, a capital improvement program.*

11. Describe the LGUs permitting process for land and wetland alteration work, including an assessment of the adequacy of current official controls and a plan and schedule for the amendment of those controls as necessary.
12. If the LGU is a designated MS4 community, describe the LGUs conformance with NPDES requirements for MS4s including TMDL and Nondegradation requirements. The local plan must include the LGU's Stormwater Pollution Prevent Plan (SWPPP) or a summary of its contents.

4.4. Requirements for Authorizing LGUs to Implement CCWMO Rules

Application of CCWMO rules and permit requirements is governed by Minnesota Statutes §103B.211, subdivision 1(a)(3), which authorizes the WMO to:

...regulate the use and development of land in the watershed when one or more of the following conditions exists:

- i. the local government unit exercising planning and zoning authority over the land ... does not have a local water management plan approved and adopted in accordance with the requirements of section 103B.235 or has not adopted the implementation program described in the plan;*
- ii. an application to the local government unit for a permit for the use and development of land requires an amendment to or variance from the adopted local water management plan or implementation program of the local unit; or*
- iii. the local government unit has authorized the organization to require permits for the use and development of land;*

In accordance with this statute, on the request of a city or township in its local plan, the WMO will cease to apply its rules and permit requirements within the boundaries of that LGU on its approval of the local water plan. To approve a local plan, however, the WMO must find that the local permit program is at least as protective of water resources as the WMO rules. An LGU may meet this standard, in accordance with §103B.211, subdivision 1(a)(3)(iii), by stating in its local plan that it is authorizing the WMO to continue to apply its rules within the locality. Alternatively, if an LGU wishes to assume the sole regulatory role, the local plan must include the following:

1. Identify those WMO rules for which it wishes to assume sole regulatory authority. This includes some or all of the WMO's Rules (Erosion Control, Wetland Protection, and Stormwater Management).
2. For those rules for which the LGU wishes to assume sole regulatory authority, the local plan must include existing or proposed ordinances for a WMO determination that they are at least as protective of water resources as the rules. WMO staff will provide checklists of substantive requirements and other WMO guidance to LGUs for their use in understanding the standards that must be met. A proposed ordinance need not be submitted in final form provided there is adequate detail for a determination. In its plan or its ordinances, the LGU must confirm that work of the LGU will be subject to the same substantive permitting standards as other work.

- a. Existing or proposed ordinances for a WMO determination that they are at least as protective of water resources as WMO rules.
3. Include procedural details of local ordinances (relating to, for example, permit processing, hearings or public notice) may differ from WMO rules provided they do not compromise water resource protection.
4. Describe a compliance monitoring and enforcement program in adequate detail.
5. For those rules for which the LGU wishes to assume sole authority, it must describe the technical expertise it has or will acquire to implement its ordinances, describe how it will monitor and enforce compliance, and present an estimate of its annual cost to implement its program.
6. State that within one year after the WMO provides notice that it has significantly revised a WMO rule, the LGU will submit for WMO approval, adopt and put into effect a revised ordinance consistent with the WMO rule change. If the LGU chooses not to make the revision, it can simply authorize the District to apply its revised rule within LGU boundaries.
7. If an LGU chooses to exercise sole regulatory authority with respect to one or more WMO's rules, the WMO's approval of the local plan will be given effect through a memorandum of understanding (MOU) executed by the WMO and the LGU. The MOU will:
 - a. Describe the regulatory roles of each party;
 - b. State, in accordance with §103B.211, subdivision 1(a)(3)(ii), that the WMO must approve the granting of any variance to a water resource ordinance by the LGU;
 - c. Reserve the WMO's ability to exercise its regulatory authority within LGU boundaries if the LGU is not implementing its regulatory program in accordance with its local plan;
 - d. Describe a phased-in approach to delegating permitting authority to demonstrate effectiveness of the local permitting program and to ensure compliance with CCWMO rules;
 - e. Specify ongoing or periodic communication and auditing process between the WMO and the LGU to allow for WMO awareness of the LGU's water resource permitting activity.

4.5. County Administration and Enforcement of LWPs

The LGU can choose to adopt the Plan without local specifications and defer to the County for review, approval, inspection, and enforcement. For those LGUs that assume the authority to administer and enforce their LWP, the County reserves the right to make inspections to view the actions of the LGU in order to make sure the Plan is being followed. If the LGU fails to properly implement an adopted LWP, the Rules should specify the enforcement actions for the County.

4.6. Local Water Plan Review & Approval by CCWMO

Local Water Plans must be submitted to the CCWMO and other entities in accordance with MN Statute 103B.235 and MN Rule 8410.0160. Local Water Plan updates must be completed and approved by the CCWMO within two years of approval of the CCWMO Plan by the BWSR Board. The CCWMO will consider alternative local plan amendment and update schedule requests from LGUs and will try to be flexible on due dates to accommodate the update schedules of other WMOs when LGUs are within the jurisdiction of more than one WMO. All plan updates must be submitted to the WMO at least 120 days prior to the due date in order to provide time for review and approval. LGUs will not be eligible for WMO Cost Share Funds if a local plan is determined to be expired.

5. WMO PLAN ADOPTION & AMENDMENT PROCEDURES

Adoption of CCWMO Plan

This CCWMO Plan was adopted by the County Board on October 26, 2010. The plan was approved by the Board of Water and Soil Resources on October 27, 2010. This Plan cannot extend beyond 10 years after BWSR approval.

CCWMO General Plan Amendments

All amendments to the adopted plan shall be submitted to the towns, cities, county, the Metropolitan Council, the state review agencies, and the Board of Water and Soil Resources for review in accordance with the provisions of Minnesota Statute 103B.231, subdivisions 7, 8, and 9. Minor amendments to a plan shall be reviewed in accordance with standards described in the section “CCWMO Minor Plan Amendments” of this Plan.

CCWMO Minor Plan Amendments

Minor Plan amendments as defined by Minnesota Rule 8410-0020, Subp. 10 defines Minor Plan Amendments as follows:

...items such as recodification of the plan, revision of a procedure meant to streamline administration of the plan, clarification of the intent of a policy, the inclusion of additional data not requiring interpretation, or any other action that will not adversely affect a local unit of government or diminish a water management organization's ability to achieve its plan's goals or implementation program.

Minnesota Rule 8410-0140, Subp. 3 also considers minor amendments to an approved Plan's capital improvement program as minor Plan amendments if:

- A. *the original plan set forth the capital improvements, but not to the degree needed to meet the definition of “capital improvement program” as provided in Minnesota Statutes 103B.205, Subp.3; and*
- B. *the affected county or counties have approved the capital improvement in its revised, more detailed form.*

Upon completion of minor Plan amendments, the County will submit to the appropriate review authorities in a format consistent with Minnesota Rules 8410.0140 Subp.4 and make proper notice in accordance with Minnesota Rules 8410.0140, Subp.2.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Adoption of Resolution

Primary Originating Division/Dept: Sheriff

Meeting

Date: 3/20/2012

Contact: David M. Williams Title: Lieutenant

Item Type:

Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The U.S. Department of Justice offers and Equitable Sharing program that allows law enforcement agencies to share in asset forfeiture proceeds and equipment seized during joint investigations with federal agencies. The Sheriff's Office has received forfeited assets through this program in the past and this proposed resolution allows the Sheriff's Office to continue the relationship and defines Sheriff Jim Olson and County Administrator Dave Hemze as the authorizes persons to sign the agreements. The resolution indicates who has the authority to sign the agreement which has already been signed.

ACTION REQUESTED:

Adoption of the resolution

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1018

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE February 21, 2012

RESOLUTION NO. _____

MOTION BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

Equitable Sharing Program with U.S. Department of Justice

WHEREAS, the County of Carver desires to continue participation in the above program with the Federal Government of the United States of America.

NOW THEREFORE BE IT RESOLVED, THAT THE Carver County Sheriff and County Administrator are authorized to sign the compliance letter, made a part hereof, between the County of Carver and the U.S. Department of Justice.

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

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling application was received from Waconia Knights of Columbus #2506

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:

A Charitable Gambling application for Exempt Permit was received from Waconia Knights of Columbus #2506. They plan to hold a raffle on Friday, June 22, 2012 at Knights of Columbus Park located at 9055 Klein Drive, Waconia, MN 55387.

ACTION REQUESTED:

Waconia Knights of Columbus #2506 seeks approval of a gambling application to hold a raffle at Knights of Columbus Park located at 9055 Klein Drive, Waconia, MN 55387.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1047

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling application received from Zoar United Church of Christ

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:

A Charitable Gambling application was received from Zoar United Church of Christ. They plan to hold a raffle on Saturday, October 13, 2012 at Zoar United Church of Christ located at 7030 Highway 212, Chaska, MN 55318.

ACTION REQUESTED:

Zoar United Church of Christ seeks approval of a gambling application to hold a raffle at Zoar United Church of Christ located at 7030 Highway 212, Chaska, MN 55318.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1049

Carver County Board of Commissioners Request for Board Action



Agenda Item:

On-Sale Temporary Liquor License for St Peter Lutheran Church, Watertown

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:

St Peter Lutheran Church, 3030 Navajo Ave, Watertown, is planning a 1 day festival on May 20th, 2012 and they would like to request an On-Sale Temporary Liquor License for the event. They plan to have this event on their church grounds and parking lot. This is the 4th year that the Church Board Members have requested this License. The Church Board Members are Dale Muhs, President, Brenda Dressel, Vice-President, Deborah Muhs, Secretary, Joyce Denomme, Treasurer. There are no delinquent taxes on this property (exempt).

ACTION REQUESTED:

Approval of the Request for an On-Sale Temporary Liquor License for St Peter Lutheran Church, Watertown for Sunday May 20, 2012.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

License Fee: On-Sale Temporary Liquor License \$100.00 each event

Office use only:

RBA 2012- 1065

Carver County Board of Commissioners Request for Board Action



Agenda Item:

On-Sale Temporary Liquor License for St Peter Lutheran Church, Watertown

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:

St Peter Lutheran Church, 3030 Navajo Ave, Watertown, is planning an event to be held on October 27, 2012 and they would like to request an On-Sale Temporary Liquor License for the event. They plan to have this event in their church dining hall. This is the 4th year that the Church Board Members have made this request. The Church Board Members are Dale Muhs (President), Brenda Dressel (Vice-President), Deborah Muhs (Secretary), and Joyce Denomme (Treasurer). There are no delinquent taxes on this property. (exempt)

ACTION REQUESTED:

The Board's approval of the request for an On-Sale Temporary Liquor License for St Peter Lutheran Church, Watertown for Saturday October 27th, 2012.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

License Fee: On-Sale Temporary Liquor License \$100.00 each event

Office use only:

RBA 2012- 1068

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Synergy Graphics Election Services Agreement

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:

Election Services Agreement for ballot layout and printing and to maintain the prices for a minimum of four years. Synergy Graphics in the largest vendor in the State of Minnesota and has served Carver County for the past four elections.

ACTION REQUESTED:

Approve the Election Services Agreement for ballot layout and printing.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Total amount of the contract will be dependent on the number of ballot styles and number of ballots needed. This is the same procedure as in past years with funds budgeted in 040-065-6260 and 6460.

Office use only:

RBA 2012- 1058

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Authorization to Accept Donations for Program Prizes (PH&E)

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:

The Public Health Department is leading a six-week physical activity challenge for Carver County worksites and cities. Participants will track their minutes of physical activity and receive prizes for participation. The Division requests authorization to accept several donations to be distributed as prizes to participants during this event April 30 - June 10, 2012.

Local businesses have donated the following prizes to be distributed during the physical activity program:

- 10 Pairs of Mn Landscape Arboretum VIP Admission Passes (20 passes total - \$240 value)
- One Family Pass to the Chaska Community Center (\$20 value)
- Four Single/Family Monthly Memberships to the Victoria Recreation Center (\$200 value)
- Two Activity Passes from Three Rivers Park District (\$80 value)
- Two 3-month memberships to Life Time Fitness (\$490 value)
- One 4-month membership to Snap Fitness in Chanhassen (\$292 value)

NOTE: Carver County employees participating in this physical activity program are not eligible to receive these prizes.

ACTION REQUESTED:

Approval to accept donations from local businesses to be used a prizes given away to residents participating in Public Health physical activity program April 30 - June 10, 2012.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1078

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval to Reallocate FTE budget to Increase Vacant Public Health Nurse .8 FTE to 1.0 FTE (PH&E)

Primary Originating Division/Dept:

Meeting
Date:

Contact: Title:

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:

The Public Health Department has been working with local hospitals and clinics to better identify and serve new moms, newborn babies and other children, who may be at-risk clients with special needs or those who may be uninsured or underinsured. With these efforts, the Public Health Department has seen a 13% increase in these client referrals for public health nursing services.

The Minnesota Department of Health (MDH) has also increased the work requirements focused on home visiting within the following grants:

- Birth Defect Information System (BDIS) follow-up work,
- Temporary Assistance for Needy Families (TANF) teen pregnancy prevention work, and
- Early Hearing Detection and Intervention (EHDI).

Therefore, the Division would like to increase a vacant .8 FTE Public Health Nurse (PHN) to 1.0 FTE, to allow for an increase in necessary home visiting services. The additional cost for a .2 FTE PHN is approximately \$12,087 and would be paid by reallocating the Division's current budget for personnel costs. The Division would reduce a vacant .6 FTE Administrative

ACTION REQUESTED:

Approval to reallocate Division funding to allow for a vacant .8 FTE Public Health Nurse increased to a 1.0 FTE and a vacant .6 FTE Administrative Assistant decreased to a .5 FTE.

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Reallocating FTE budget to increase a vacant .8 FTE public health nurse to 1.0 FTE and decrease a vacant .6 FTE administrative assistant to a .5 FTE (re-allocation of FTE funding is equal to \$12,087).

Office use only:

RBA 2012- 1073

Carver County Board of Commissioners Request for Board Action



Agenda Item:

County Internship Program

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

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:

Administrative Services along with County Administration is requesting the continuation of an internship program. The program would hire one college student to assist with conducting research, drafting correspondence, assisting with communication activities and completing special assignments and project activities for various county divisions and departments.

The ideal candidate would be in a graduate program studying public administration or a related field with a career interest in local government. The approximately two to four month internship would provide the County with the knowledge and energy of an emerging leader while providing the student meaningful experience.

ACTION REQUESTED:

Motion to authorize the requested internship in Administrative Services to support county-wide projects.

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Administrative Services plans to use funds from the departments 2012 professional services budget to fund the internship. The anticipated pay rate for the intern is \$10 per hour.

Office use only:

RBA 2012- 1054

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Reconfigure Crisis Therapist FTE's

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Mike Tanguay, .8 FTE Crisis Therapist has requested a reduction in hours to .6 FTE. Birdie Briener and Jane Fleming have each requested an increase in hours from .8 FTE to .9 FTE. The Division is recommending these requests be granted. The remaining .2 FTE from Mike's position be used for the increase in hours for Birdie and Jane. The Division is also requesting that .3 FTE from the Casual Intermittent Crisis Therapist pool (.7 FTE) be added to a vacant .5 FTE Crisis Therapist position. This reconfiguration would result in a .8 FTE Crisis Therapist and reduce the Casual Intermittent Crisis Therapist pool to .4 FTE. The Division has historically had a difficult time recruiting the Casual Intermittent Crisis Therapist and scheduling them to work the open shifts due to time off.

ACTION REQUESTED:

To approve the employees' requests to reduce a .8 FTE Crisis Therapist to .6 FTE, and two increases from .8 FTE to .9 FTE.

To create a .8 FTE Crisis Therapist from a .5 FTE Crisis Therapist position, the remaining and .3 FTE from the Casual Intermittent Crisis Therapist pool.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	\$0.00
Earned Revenue & Me...	\$65,500.00
FFP 8%	\$5,695.00
Total	\$71,195.00

FTE IMPACT:

Related Financial/FTE Comments:

The salary of a Pay Grade 14 Crisis Therapist is currently fully funded through the Adult Mental Health Grant, Earned Revenue (Medical Assistance and Health Insurance) and 8% Federal Financial Participation.

Office use only:

RBA 2012- 1075

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Convert Two Part Time Social Worker Positions to a Full Time Position

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

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:

On July 26, 2011 the Board Approved splitting a 1.0 Social Worker III (Pay Grade 14) into a .5 FTE Social Worker III and .6 FTE Social Worker II (Pay Grade 13). Both positions were filled but the re-employed Social Worker III resigned in early February to pursue full time employment. The Child and Family Department has determined that they can provide the clinical supervision within the Department. The incumbent in the .6 FTE Social Worker II is willing to work full time. The Division is requesting to delete the .5 FTE Social Worker III and .6 FTE Social Worker II and create a 1.0 FTE Social Worker II.

ACTION REQUESTED:

Motion to delete a .5 FTE Social Worker III and a .6 FTE Social Worker II.

Motion to create a 1.0 FTE Social Worker II.

Motion to reclassify the incumbent .6 FTE Social Worker II to a 1.0 FTE Social Worker II.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	\$30,265.00
Targeted Case Mgmt.	\$55,000.00
FFP 8%	\$7,414.00
Total	\$92,679.00

Related Financial/FTE Comments:

Given the timing of the 7/26/2011 Board Action, the budget for a full time Social Worker III was not changed for CY 2012 so their is sufficient funding for the above action. The above funding is calculated based on Family Health Insurance.

Office use only:

RBA 2012- 1066

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Public Hearing - Ordinance 73-2012 [Changes to Open Burning Ordinance - Chapter 53 of County Code of Ordinances]

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The County Board reviewed proposed changes to the Open Burning Ordinance [Chapter 53 of the County Code of Ordinances] at the work session held on February 14, 2012. The Board directed Environmental Services to schedule and advertise a Public Hearing on the proposed changes for the March 20, 2012 regular session. Notice of the public hearing was published in all Carver County newspapers.

Environmental Services currently manages the open burning permit program in cooperation with the MN Department of Natural Resources [DNR] and a system of local fire wardens. Most burning permits are issued by the local fire wardens - usually a resident or township official of each township. Residents drive to the fire warden's home or the town hall, pay a permit fee, and receive a 30 day paper permit. The resident calls a phone number and leaves a message each time a fire is started.

The DNR has developed an electronic internet based permit system that is being used in many other counties. This has been demonstrated for the County Board and township officials on several occasions. It allows residents to log on to the DNR website, obtain a \$5 permit that is valid for one year, and activate the permit for each burn. This system is more convenient for many [but not all] residents and enables the DNR, Environmental Services staff, and local law enforcement and fire officials to have more accurate data on the location of active burns. Based on direction from the County Board and positive response from township officials, we have worked with the DNR and our County Attorney's office to draft changes to Chapter 53 of the County Code.

The proposed ordinance [73-2012] is attached. The changes allow for internet based permits as well as continuing the current

ACTION REQUESTED:

Open Public Hearing. Adoption of Resolution Adopting Ordinance 73-2012 - Open Burning

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

The Environmental Services Department currently collects about \$200 per year in open burning permits fees from residents who choose to come to the Government Center to obtain a permit. This revenue will likely decrease as a result of the internet

Office use only:

RBA 2012- 1070

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

DATE _____, 2012 RESOLUTION NO. _____
MOTION BY COMMISSIONER _____ SECONDED BY COMMISSIONER _____

**A RESOLUTION ADOPTING ORDINANCE 73-2012, AMENDING CHAPTER 53 of the COUNTY
CODE OF ORDINANCES – OPEN BURNING REGULATION.**

WHEREAS, the county has the authority to adopt this chapter under M.S. § 145A.05, as it may be amended from time to time: and

WHEREAS, This chapter is intended to support and promote the health, welfare and safety of the public pursuant to M.S. Chapters 115A, 145A, 375, 400 and 473, as they may be amended from time to time.

WHEREAS, the County wished to implement a system to implement on-line issuance of open burning permits in collaboration with the Minnesota Department of Natural Resources [MDNR]; and

Whereas, the County has discussed and reviewed the implementation of the MDNR on-line permit system with local governments, the Carver County Sheriff’s Department, and local fire chiefs; and

WHEREAS, the County and MDNR wish to clarify parts of the existing ordinance as it pertains to regulation of open burning in Carver County;

WHEREAS, testimony on these proposed amendments was duly considered at a public hearing held by the Carver County Board at its regular meeting of March 20, 2012, and the Carver County Board of Commissioners finds as follows:

- 1. The amendments are in conformance with Minnesota Statutes, Chapters 115A, 145A, 375, 400, and 473.
- 2. The amendments are not in conflict with any other official controls.
- 3. The amendments will not be detrimental to the health, safety or general welfare.

THEREFORE, BE IT RESOLVED, THAT The Carver County Board of Commissioners hereby adopts Ordinance 73-2012, amending Chapter 53 of the County Code of Ordinances.

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 20th day of March, 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

ORDINANCE 73-2012

COUNTY OF CARVER COUNTY, STATE OF MINNESOTA

**AN ORDINANCE AMENDING THE CARVER COUNTY CODE OF ORDINANCES
CHAPTER 53: OPEN BURNING**

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 53.01 of the Code is amended as follows:

§ 53.01 PURPOSE, SCOPE AND AUTHORITY.

(B) This subchapter establishes standards for the regulation of open burning activities in Carver County, Minnesota. This subchapter requires that appropriate permits be obtained from ~~Carver County~~ the Department of Natural Resources (DNR) for the purpose of open burns.

SECTION 3. Chapter 53.02 of the Code is amended as follows:

§ 53.02 GENERAL PROVISIONS.

(A) *Definitions.* The following words and phrases, when used in this subchapter, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section.

DEPARTMENT OF NATURAL RESOURCES (DNR). The Minnesota Department of Natural Resources. The DNR is charged with conserving and managing the state's natural resources.

LAW ENFORCEMENT. Means any licensed peace officer.

RUNNING FIRE. An open burn that is not confined to piled materials but is meant to consume materials over an unconfined area. Running fires include but are not limited to, open burning conducted to clear or maintain small areas of land surrounded by tilled agricultural land, open burning to maintain wildlife habitat in managed wildlife areas, and open burning conducted by a local government unit to maintain road rights-of-way. Permits for all running fires ~~of over five acres in size~~ must be reviewed and approved by the ~~county~~ DNR.

SNOW COVERED. The ground has a continuous unbroken cover of snow, to a depth of three inches or more, surrounding the immediate area of the fire.

(E) *Right of entry.* Whenever necessary to perform an inspection, to enforce any of the provisions of this subchapter, or whenever the ~~Department~~ DNR, Department, DLA or Law Enforcement has reasonable cause to believe that prohibited materials are being burned upon the premises, the DNR, Department, DLA or Law Enforcement ~~or its authorized agent~~ may enter such premises at all reasonable times to inspect the same or to perform any duty imposed upon the DNR, Department, DLA and Law Enforcement by this subchapter, provided that if such premises be occupied, the authorized agent shall first present proper credentials and demand entry; and if such premises be unoccupied, the DNR, Department, DLA or Law Enforcement shall first make a

reasonable effort to locate the owner or other persons having charge or control of the premises and demand entry. If such entry is refused, the DNR, Department, DLA, or Law Enforcement shall have recourse to every remedy provided by law to secure entry including administrative search warrants.

SECTION 4. Chapter 53.04 of the Code is amended as follows:

§ 53.04 ADMINISTRATION AND ENFORCEMENT.

(A) *Duties of the Department.* The Department shall be responsible for the administration and enforcement of this subchapter. The Department's duties shall include, but are not limited to, the following:

~~(7) The Department shall issue permits for all open burning related to demolished buildings.~~

(C) *Duties of designated local authority.* Referred to hereafter as DLA shall have the following duties:

(4) The DLA shall issue burning permits in accordance with instructions received from the ~~local forest officer~~ DNR;

(6) The DLA shall report all unauthorized fires through 911, ~~the County Sheriff or local DNR Forestry Office~~ and the Department;

~~(9) At a minimum, 12 spot inspections shall be conducted in each township during the calendar year;~~

~~(10) (9) The DLA shall attend an annual training meeting or an alternative meeting approved by the~~ provided by the DNR or Department;

~~(11) (10) A DLA who moves outside of their assigned commission area would not be authorized to continue writing permits. DLA who is no longer interested in working for the fire prevention program may simply request to be decommissioned. In addition, an individual may be decommissioned for failure to properly carry out the duties and responsibilities assigned to them;~~

~~(12) (11) The DLA shall insure that the permit holder understands all the regulations associated with conducting an open burn;~~

(12) A DLA shall only issue permits within their assigned commission area.

SECTION 5. Chapter 53.05 of the Code is amended as follows:

§ 53.05 PERMIT HOLDER RESPONSIBILITY.

(A) *Responsibility.*

(3) After completing the burning permit online service application, the permit holder will be able to save an electronic copy and will be asked to print the permit. The printed permit must be present while conducting the burn.

(C) *Notification.*

(1) ~~The permit holder shall be responsible for calling the DNR Forestry Burn Permit Activation Line within one hour prior to burning in order to activate the permit. The permit holder cannot conduct the burn until they have requested activation as instructed on the permit. The permit holder may activate on-line during the application process, or by calling the DNR burn activation line. Activation will only be possible if burning conditions are favorable to allow open burning; the permit holder will receive an activation code that they must write on their permit in the space provided.~~

~~(2) Prior to starting an open burn, the permit holder shall be responsible for calling the Carver County Open Burn Permit Activation Line within one hour prior to burning and provide the following information: name, address, permit number, phone number and general location of the burn.~~

(E) *Inspections.*

(1) It is the responsibility of the permit holder to have a valid permit, on site and, available for inspection by the Department, ~~the DLA, and/or DNR, or Law Enforcement Forest Officer.~~

(2) The permit holder shall allow the Department, ~~and the DLA, DNR or Law Enforcement~~ access on site for inspection prior to burning, while conducting the burn, as well as after the burn as referenced in division (E).

SECTION 6. Chapter 53.06 of the Code is amended as follows:

§ 53.06 PROHIBITED MATERIALS.

(F) Structures. No person shall conduct, cause or permit the open burning of a structure except as provided in § 53.08.

SECTION 7. Chapter 53.07 of the Code is amended as follows:

§ 53.07 PERMIT REQUIRED FOR OPEN BURNING.

(C) Snow cover. A permit is required at all times throughout the year, even when the ground is snow covered.

SECTION 8. Chapter 53.08 of the Code is amended as follows:

§ 53.08 PURPOSES ALLOWED FOR OPEN BURNING.

(A) When all alternative utilization methods for brush has been deemed not practicable, open burning will be permitted. This decision shall be made by the DLA, the Department, or the DNR Forest Officer.

(B) Open burn permits may be issued only for the following purposes:

(1) *Fire or health hazard.* Elimination of fire or health hazard that cannot be abated by other practical means.

The Commissioner may allow burning of prohibited materials when the commissioner of health or the local board of health has made a determination that the burning is necessary to abate a public health nuisance.

(3) *Disposal.*

(b) Disposal of diseased trees ~~generated on site~~, diseased or infected nursery stock, and diseased bee hives, all generated on site.

(d) Disposal of wet hay windrowed in a field or pasture.

(e) Disposal of bailing twine and paper feed sacks without plastic liners.

(4) *Fire department training.*

(a) Permits for structures can only be issued by the DNR.

(b) The property owner or project contractor shall obtain a demolition permit from the local unit of government.

(c) All required paperwork provided by the Minnesota Pollution Control Agency shall be completed.

~~(b) Prior to burning, all fire departments shall submit a current permit to the Department.~~

~~(d)~~ (d) Fire departments shall ensure that the property owner properly dispose of all debris following permitted burns. Receipts, showing proper disposal, shall be submitted to the county-retained by the fire department for the period of three years upon removal of the debris.

SECTION 9. Chapter 53.09 of the Code is amended as follows:

§ 53.09 PERMIT APPLICATION FOR OPEN BURNING AND PERMIT FEES.

(A) *Application.* Open burning permits shall be obtained by making application through the DNR's burning permit online service or on a form prescribed by the Department and adopted provided by the DNR. ~~The permit application shall be presented in person to a DLA for reviewing and processing said applications.~~

(B) *Permit fee.*

(1) A permit fee is collected at the time of applying for a permit on the DNR's burning permit online service. The burning permit online service fee shall be set by the DNR.

~~(1) An open burning permit may require an application fee or permit fee.~~ (2) Application and permit fees for permits reviewed or issued by the Department shall be set by resolution of the Carver County Board of Commissioners. The Board of Commissioners may, at other times, amend its resolution setting the fees as it deems necessary. The fees established by the Board of Commissioners resolution shall continue to be the required fee until amended by a resolution.

~~(2)~~ (3) A DLA may require application or permit fees for permits issued in their jurisdiction. These fees may be set and amended by resolution by the DLA as it deems necessary.

SECTION 10. Chapter 53.10 of the Code is amended as follows:

§ 53.10 PERMIT PROCESS FOR OPEN BURNING.

(A) *Review, approval and attached conditions.*

(2) Permits for all running fires of more than five acres and structures must be reviewed and approved by the ~~Department~~ DNR. Permits for other permitted materials may be reviewed and issued by the Department or DLA. A Department or DNR representative may inspect the proposed burn site and may deny the issuance of the permit based upon finding that a practical alternative method of disposal exists, or safety, pollution or nuisance conditions may result.

~~(3) A DLA must receive Department approval before issuing a permit for a series of closely spaced running fires of under five acres in size that have the effect of allowing for more than five acres of running fire at the burn site.~~

~~(4)~~ (3) A permit for a running fire may be issued for the purpose of maintaining wildlife habitat, establishing and/or maintaining a prairie, maintenance of road rights-of-way, and for maintenance of small areas of land surrounded by tilled agricultural land.

~~(5) Permits for running fires, set to maintain road rights of way, may be issued only to local governmental units.~~

(B) *Permit length.*

(1) ~~The permit for any open burn may be issued for a period not to exceed 14 days. The duration of the burning permit shall be at the discretion of the DLA or the Department in consideration of the materials to be burned, weather conditions, or concern for safety, pollution, or nuisance conditions.~~ Permits obtained through the DNR burning permit online service or through a DLA are valid for the calendar year in which they are purchased, but must be activated each day burning occurs.

~~(2) If conditions arise that are beyond the control of the permit holder, a seven day extension to the permit may be issued by the DLA.~~

(C) *Specific activity.* ~~With prior Department approval, permits for periods of time longer than 14 days may be issued for specific activities or projects that would require a number of fires of a~~

~~similar nature over a longer period of time. These activities or projects may include, but are not limited to, utility right of way maintenance and large public road construction projects.~~

SECTION 11. Chapter 53.11 of the Code is amended as follows:

§ 53.11 REVOCATION OF OPEN BURNING PERMIT.

The open burning permit and the right to conduct an agricultural fire is subject to revocation at the discretion of a ~~DNR Forest Officer~~, the Department, ~~or a DLA~~, or Law Enforcement. Reasons for revocation include, but are not limited to: discovery of inappropriate materials at a open burn site, a fire hazard existing or developing during the course of the burn, any of the conditions of the permit being violated during the course of the burn, pollution or nuisance conditions developed during the course of the burn, or a fire smoldering with no flame present.

SECTION 12. Chapter 53.13 of the Code is amended as follows:

§ 53.13 BURNING BAN, BURNING RESTRICTIONS OR AIR QUALITY ALERT.

No open burn or agricultural fires will be permitted when the Department or DNR has officially declared burning restrictions. A variance to permit open burning, however, may be obtained for special circumstances through the DNR.

SECTION 13. This ordinance shall be effective upon its passage.

Adopted by the Carver County Board of Commissioners 20 March, 2012.

COUNTY OF CARVER

BY:

Chair of the Board, James Ische

BY:

County Administrator, David Hemze

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Public Hearing - Adoption of Carver County Solid Waste Master Plan 2012 - 2030 & the Regional Solid Waste Master Plan 2011-2030.

Primary Originating Division/Dept: Public Health & Environment

Meeting Date: 3/20/2012

Contact: Michael Lein

Title: Environmental Services Man...

Item Type:

Regular Session

Amount of Time Requested: 30 minutes

Presenter: Michael Lein

Title: Environmental Services Manag...

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Minnesota Pollution Control Agency [MPCA] amended and adopted the Metropolitan Solid Waste Policy Plan in 2011. The Metropolitan Plan includes policies and goals for solid waste management in the Twin Cities Metro Area over a 20 year time frame going forward to 2030. Carver County and the six other metro counties are now required by State statute to update county Solid Waste Master Plan's to implement the State Policy Plan. For example, the State Policy Plan sets a goal of increasing recycling in the Metro Area from an actual 2008 level of 41% to within a range of 45% to 48% by 2015.

The Solid Waste Management Coordinating Board [SWMCB] developed a regional Solid Waste Master Plan that details how the SWMCB member counties [Anoka, Carver, Dakota, Hennepin, Ramsey, and Washington] will work together via the joint powers agreement to meet regional goals. The Regional Master Plan was unanimously adopted and recommended for approval by member counties by the SWMCB Board on December 14, 2011. It was developed with extensive input from staff, commissioners, the general public, and the waste management industry. Each metro county must now develop a county specific plan that details how the county will assist the region in meeting waste management goals. These six county Master Plans will then be bundled with the Regional Master Plan and submitted to the MPCA for approval.

The County Board reviewed the DRAFT Carver County Solid Waste Master Plan 2012 - 2030 and Regional Plan at the work session held on February 14, 2012. The Board directed Environmental Services to schedule a Public Hearing on for the March 20, 2012 regular session. Notice of the public hearing was published in all Carver County newspapers. In addition, both the Draft Carver County Plan and the Regional Plan were made available via the County's website and notices of the public hearing were emailed to all cities, townships, and licensed solid waste haulers.

State statute outlines the process that counties must use to adopt the Master Plan. This includes seeking input from local governments, the public, industry and business, and the waste management industry including haulers and facility operators. Environmental Services staff have reviewed drafts of the Carver County Master Plan with these groups including meeting one on one with many cities and solid waste haulers. Staff have reviewed the plan with the Water Environment & Natural Resources Committee several times. On January 31, 2012 the committee reviewed and commented on a list of existing and new policies for solid waste programs. A copy of the Draft Master Plan was submitted to the MN Pollution Control Agency for review on March 2, 2012.

The Solid Waste Master Plan has two major parts. One is a description of the existing solid waste management system in Carver County. The second is a list of policies and programs that will be needed to meet the waste management goals. Most of these represent enhancements to existing programs such as the Environmental Center. The introduction and summary of the Plan are attached.

ACTION REQUESTED:

Open Public Hearing. Approval of Resolution Adopting the Carver County Solid Waste Master Plan 2012 - 2030 and the Solid Waste Management Coordinating Board Regional Solid Waste Master Plan 2011 - 2030.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	
Solid Waste Service Fee	\$950,000.00
Fees, commodity sales,...	\$250,000.00
State SCORE Grant	\$224,000.00
State LRDG Grant	\$210,000.00
Total	\$1,634,000.00

Related Financial/FTE Comments:

The budget for Solid Waste Management Programs is included in the Environmental Services budget adopted yearly by the County Board. Solid waste programs are funded via a combination of the County Solid Waste Service Fee, State grants, license fees, commodity sales, and user fees. These are approximate numbers subject to yearly variations and County Board action.

Office use only:

RBA 2012- 1072

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

DATE _____, 2012 RESOLUTION NO. _____

MOTION BY COMMISSIONER _____ SECONDED BY COMMISSIONER _____

A Resolution Adopting The Carver County Solid Waste Master Plan 2012-2031 And The Regional Solid Waste Master Plan 2011-2030.

WHEREAS, Carver County is required by Minn. Stat. §115A and §473.803 to revise the county’s Solid Waste Management Master Plan; and

WHEREAS, the Metropolitan Solid Waste Management Policy Plan, adopted by the Minnesota Pollution Control Agency on April 6, 2011 provides the framework for the county waste management planning in the metropolitan region; and

WHEREAS, the Solid Waste Management Coordinating Board joint powers agreement addresses preparation of county waste management master plans for member counties in the region; and

WHEREAS, Carver County is an active member of the Solid Waste Management Coordinating Board, participated in the preparation and review of the Regional Solid Waste Master Plan 2011-2030, along with the other five member counties of Anoka, Dakota, Hennepin, Ramsey, and Washington; and

WHEREAS in preparing the county master plan, input was solicited from local governments, the waste management industry and local governments; and

WHEREAS the Draft master Plan was reviewed by the Carver County Water Environmental and Natural Resources Committee; and

WHEREAS the County Board of Commissioners reviewed the Draft Master Plan at the February 14, 2012 Work Session; and

WHEREAS, the Solid Waste Management Coordinating Board adopted the Regional Solid Waste Master Plan, 2011-2030 on December 14, 2011 and recommended adoption by member counties; and

NOW, THEREFORE, BE IT RESOLVED, That the Carver County Board of Commissioners hereby adopts the Carver County Solid Waste Master Plan 2012-2030 including the Regional Solid Waste Master Plan 2011-2030; and

BE IT FURTHER RESOLVED, That the Carver County Board of Commissioners hereby directs that the Solid Waste Master Plan 2012-2030 be submitted to the Minnesota Pollution Control Agency Commissioner for final review and approval.

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 20th day of March, 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

Carver County Solid Waste Master Plan 2012-2030

Prepared by the Carver County Public Health & Environment Division
Environmental Services Department

DRAFT



Acknowledgements

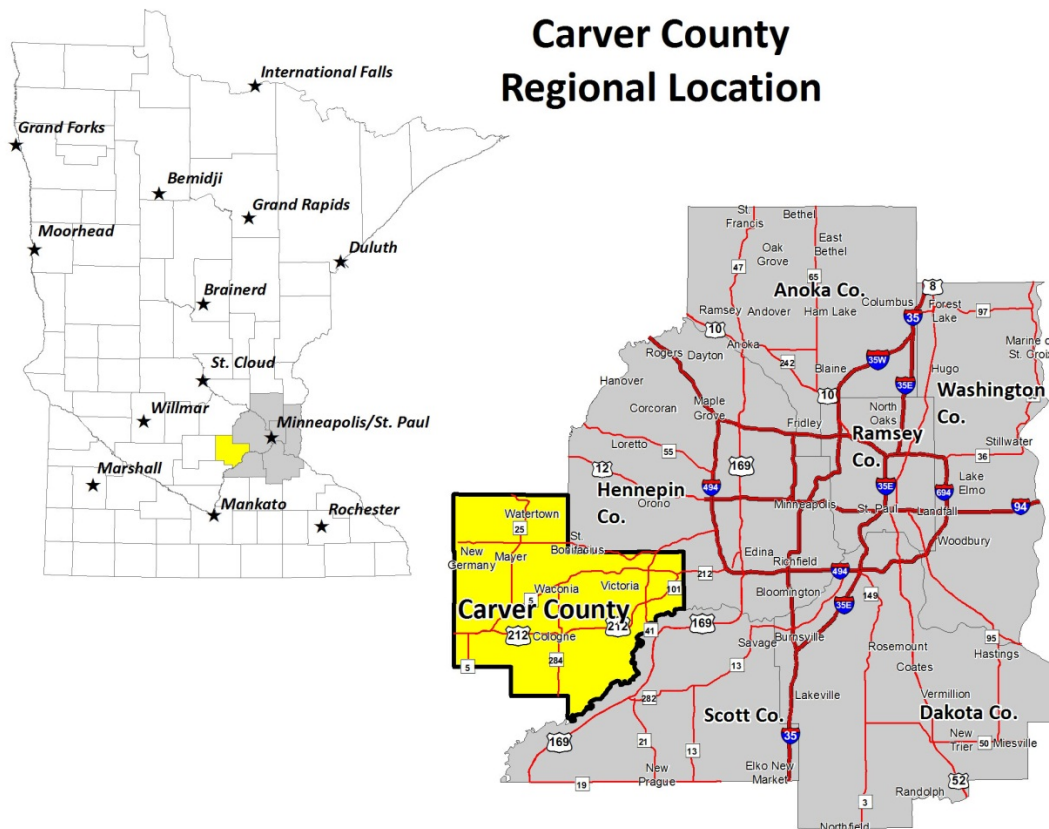
The Carver County Solid Waste Master Plan represents the collective efforts of many individuals and organizations. The Plan was drafted by staff of the Environmental Services Department of the Public Health & Environment Division with input from the members of the Water, Environment, & Natural Resources Committee, citizens, business leaders, local elected officials, and the solid waste management industry. Carver County staff and Commissioners also worked collaboratively with County Commissioners, staff, and consultants via the Metropolitan Solid Waste Management Coordinating Board (SWMCB) and the Minnesota Pollution Control Agency (MPCA).

2012 Carver County Board of Commissioners

Gayle Degler, District 1
Tom Workman, District 2
Randy Maluchnik, District 3 (Chair)
Tim Lynch, District 4 (Vice Chair)
James Ische, District 5

Adopted by the Carver County Board of Commissioners on XXXX, 2012.

Approved by the Minnesota Pollution Control Agency on XXXX, 2012.



Carver County Public Health & Environment

600 4th Street East | Chaska, MN 55318 | www.co.carver.mn.us | 952-361-1800

This report is available in alternative formats upon request, and online at www.co.carver.mn.us

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Summary

This document was prepared by the Environmental Services Department of the Public Health and Environment Division, with assistance from the Water, Environment, & Natural Resources Committee, representatives from communities in the County, and representatives of the waste management industry. The Plan was approved by the County Board of Commissioners on XXXX, 2012.

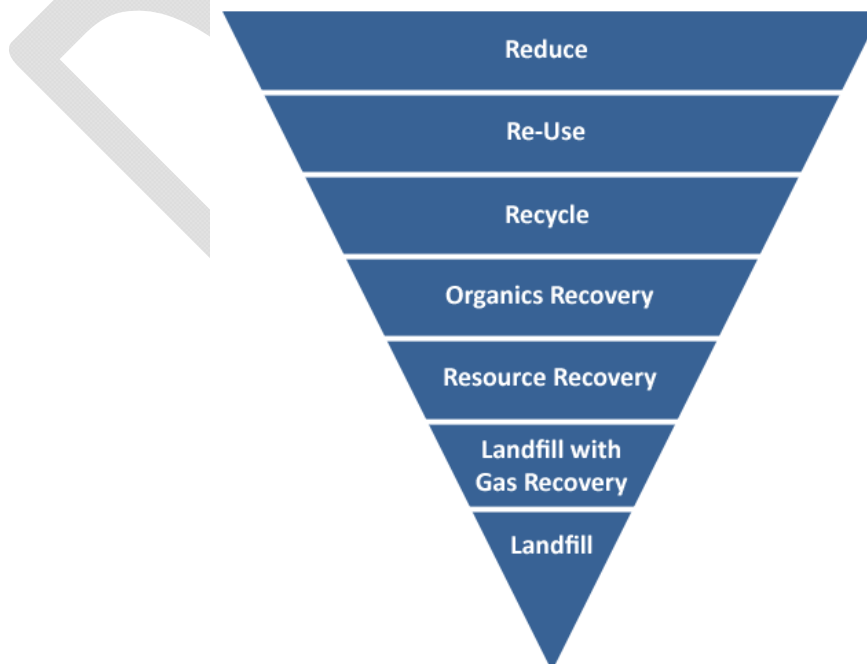
This Plan was submitted to the Minnesota Pollution Control Agency (MPCA) for the purpose of outlining Carver County's plan for managing solid waste generated within the County until the year 2030. This Plan reaffirms the commitment of the County to cost effective, environmentally responsible, waste management policies and programs. This Plan also updates the data, programs and policies established in the previous Plan. Although this Plan lays out a framework for waste management for the next 20 years, its primary objective is to guide waste management by the County through the next five years, when the next major plan revision is expected.

Carver County has a history of cooperating with other metro counties in solid waste management programs as well as neighboring non-metro counties. This includes membership in the Solid Waste Management Coordinating Board (SWMCB). The SWMCB is a joint powers organization developed by the participating metro counties to collaborate on metro-wide solid waste management issues. The current membership is Anoka, Carver, Dakota, Hennepin, Ramsey, and Washington Counties.

The SWMCB completed and adopted the 2011-2030 Regional Solid Waste Master Plan. This plan provides implementation strategies for the Region as well as programs and policies the County intends to initiate.

Carver County will strengthen existing programs in order to assist in achieving the strategies established in the Regional Master Plan.

Carver County is committed to implementing the strategies of this Plan to protect and enhance its natural resources for the health and enjoyment of its citizens now and in the future. The County plans to do this by adhering to the state's waste management practices hierarchy as delineated in Minn. Stat. §115A.02:



Part One:

Introduction

Metropolitan counties are required by the Minnesota Waste Management Act, Minn. Stat. §473.803, to revise their solid waste master plans, following the Minnesota Pollution Control Agency's (MPCA) adoption of the Metropolitan Solid Waste Management Policy Plan (Policy Plan). This regional plan guides the development of county solid waste master plans, ordinances, and proposals for waste management programs such as waste reduction, recycling and waste processing in the metropolitan area. The MPCA and the Solid Waste Management Coordinating Board (SWMCB) jointly prepared the 2011-2030 Regional Plan. The SWMCB is a joint powers board made up of individual member metropolitan counties that include Anoka, Carver, Dakota, Hennepin, Ramsey, and Washington Counties.

After the adoption of the MPCA's Regional Plan, Carver County is required to prepare and submit a revised county solid waste plan to the MPCA. The plan outlines how the County will implement the goals and policies outlined in the Regional Solid Waste Plan as well as its own specific programs.

Purpose of the Plan

This Plan establishes the framework for managing Carver County's solid waste for the next 20 years (2012-2030) and was prepared in accordance with the requirements of Minn. Stat. §473.803. It replaces the previous Plan that was adopted in December 2004.

Preparation of the Plan

County staff worked with other metropolitan counties through the SWMCB to ensure consistency with the Regional Plan and other counties' plans. Staff met on a regular basis to exchange information and review each county's individual portions of the Master Plan.

Metropolitan counties are required to consult an advisory committee to aid in the preparation of the Plan. The advisory committee must consist of citizens and representatives from municipalities and private waste management firms. The County utilized the existing Water Environmental & Natural Resources Committee (WENR) for development of this Plan and directly solicited input from solid waste haulers and other related businesses. The WENR Committee representatives include private citizens, local elected officials, and staff of cities and townships.

The plan was sent for comment to all haulers, townships, and cities throughout the County. The WENR committee, along with input from citizens, private organizations, and public and nonprofit groups, developed strategies that provide a framework for how the County will manage solid waste. The committee has envisioned a series of environmental initiatives, or results, that are to be achieved in response to the strategies. These initiatives and strategies address issues such as recycling, resource recovery, and toxicity reduction.

MPCA staff was given drafts of this plan and assisted staff and the WENR Committee with the preparation of this Plan. A public meeting was held on March 20, 2012 to solicit comments on the Plan. Upon approval by the MPCA, the County Board adopted the Plan by resolution.

Implementation of the Plan

Once approved by the MPCA and County Board, copies of the Plan will be distributed to all libraries, municipalities and townships, and other government agencies within the County. Notice of availability of this Plan will also be sent to licensed refuse haulers and licensed solid waste facilities. The final version will be made available on the County's website.

DRAFT

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution for Equitable Distribution of Parks and Trails funds

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

In 2008, voters approved the Legacy Amendment to provide 3/8ths of 1% sales tax for Outdoor Heritage, Clean Water, Parks and trails and Arts. The amendment was implemented in July of 2009 and will remain in effect for 25 years. Funds collected are to supplement traditional funding sources for parks and trails. The amendment collects approximately of \$200,000,000 in sales tax proceeds depending on actual sales tax collection. The allocation to Parks and Trails is 14.25 % of the the funds collected. Sixty four percent of this sales tax is generated in the seven-county Twin Cities Metro area by 54 percent of the State's population, with 36 percent generated in Greater Minnesota by 46 percent of the State's population.

The Metro Regional Parks system has been in existence for over 40 years with 90 percent of its operations funding generated from local property taxes and fees. There were a documented 40.867 million visits to the Metro Regional Parks System in 2010 with more than 40 percent of those visits by non-local visitors. An estimated 10 million visits are made to DNR and non-DNR outstate parks and trails of greater Minnesota annually, or ¼ of Metro regional park visits.

The Fiscal year 2010/11 Parks & Trails Legacy bill split Metro / DNR / statewide grants as 43 / 43 /14 percent.

Fiscal year 2012/13 Parks & Trails Legacy bill allocates 41 percent to the DNR / 40 percent to Metro / and 19 percent to Greater Minnesota in FY 2012 and 38 percent to the DNR / 42 percent to Metro / and 20 percent to Greater Minnesota in FY 2013.

Estimates of actual legacy dollars spent in the Metro and Greater Minnesota result in 59 percent spending in Greater Minnesota and 41 percent in the Metro in the 2012-13 bienniums.

The above information shows a growing disparity of use between the Metro area for park services and use in Greater Minnesota. It also points out that funding is disproportionately distributed to Greater Minnesota.

ACTION REQUESTED:

It is requested that the Board approve a resolution that the County support the ten implementing agencies of the Metropolitan Regional Park System in their efforts to obtain a more equitable distribution of Parks and Trails funds, a distribution that more adequately recognizes population, where the funds are being collected, where people are recreating today and where it is predicted they will recreate in the future.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =

Total

Related Financial/FTE Comments:

An equitable distribution of Parks and Trails funds would increase funding for the regional park system of Carver County.

Office use only:

RBA 2012- 1067

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

Date: _____ Resolution No: _____
Motion by Commissioner: _____ Seconded by Commissioner: _____

LEGACY AMENDMENT FUNDING

RESOLUTION FOR EQUITABLE DISTRIBUTION OF PARKS AND TRAILS FUNDS

WHEREAS, the Minnesota Clean Water, Land and Legacy State Constitutional Amendment (Legacy Amendment) to add 3/8 of 1 percent sales tax and dedicate the proceeds to Outdoor Heritage, Clean Water, Parks and Trails, and Arts and Cultural Heritage, was approved by voters in 2008 and began July 1, 2009, for a period of 25 years, to supplement but not supplant traditional sources of funding, and

WHEREAS, the Parks and Trails portion of the Legacy Amendment comprises 14.25 percent of the total of funds generated by the Legacy Amendment, and

WHEREAS, the Legacy Amendment is projected to generate more than \$200 million per year for 25 years, depending on economic conditions, and

WHEREAS, 64 percent of this sales tax is generated in the seven-county Twin Cities Metro area by 54 percent of the State's population, with 36 percent generated in Greater Minnesota by 46 percent of the State's population, and

WHEREAS, Metro Regional Parks is a 40+ year system with 90 percent of its operations funding generated from local property taxes and fees, and

WHEREAS, there were a documented 40.867 million visits to the Metro Regional Parks System in 2010 with more than 40 percent of those visits by non-local visitors,

WHEREAS, an estimated 10 million visits are made to DNR and non-DNR outstate parks and trails annually, or ¼ of Metro regional park visits, and

WHEREAS, the FY 2010/11 Parks & Trails Legacy bill split Metro / DNR / statewide grants as 43 / 43 /14 percent.

WHEREAS, the FY 2012/13 Parks & Trails Legacy bill allocates 41 percent to the DNR, / 40 percent to Metro / and 19 percent to outstate in FY 2012 and 38 percent to the DNR / 42 percent to Metro / and 20 percent to outstate in FY 2013, and

WHEREAS, estimates of actual dollars spent in the Metro and outstate Minnesota result in 59 percent spending in outstate and 41 percent in the Metro in the 2012-13 biennium, and

NOW, THEREFORE, BE IT RESOLVED, that the Carver County Board supports the ten implementing agencies of the Metropolitan Regional Park System in their efforts to obtain a more equitable distribution of Parks and Trails funds — distribution that more adequately recognizes population, where the funds are being collected, where people are recreating today and where it is predicted they will recreate in the future.

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 _____ 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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Proposed Amendments to Carver County Ordinance 153: Water Resource Management

Primary Originating Division/Dept: <input type="text" value="Public Health & Environment - Planning/Water"/>	Meeting Date: <input type="text" value="3/20/2012"/>
Contact: <input type="text" value="Paul Moline"/> Title: <input type="text" value="PWM Manager"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="10"/> minutes Presenter: <input type="text" value="Paul Moline"/> Title: <input type="text" value="PWM manager"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No

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

BACKGROUND/JUSTIFICATION:

Proposed Amendments to Carver County Ordinance 153: Water Resource Management - As required by Minnesota Statutes §103B.231, the CCWMO adopted an updated watershed management plan (Plan) on October 27, 2010 and must update regulatory controls that implement the Plan within two years of adopting the Plan. Ordinance 153 was initially adopted by the Board in 2001, and last updated in 2006. Proposed changes to the ordinance are the result of the CCWMO's plan revision and experience applying the current ordinance. Many of the proposed changes clarify the current standards, incorporate into the ordinance interpretations that have developed over time, and address gaps or specific problem areas that have become apparent since the last ordinance was adopted. The proposed changes also incorporate some of the concepts and approach to stormwater management known as Minimal Impact Design (MID); statewide MID standards are currently under development by the MPCA.

Ordinance Revision Process - To assist with the development and review of a revised ordinance, the CCWMO established a Technical Advisory Committee (TAC) consisting of technical representatives of government agencies, municipalities, and citizen representatives in December 2010. The TAC has provided review and comment throughout the ordinance revision process. The County Water, Environment and Natural Resource Committee recommended the proposed draft language for consideration by the Board on Jan. 31, 2012. The Board discussed the proposed ordinance revisions at the March work session. Staff is requesting that the Board authorize distribution of the Draft Carver County Water Management Rules Revisions to affected parties and communities for a 60-day review and comment period, and to set a public hearing date for June 5, 2012 to consider adoption of the Rules as revised.

ACTION REQUESTED:

Motion to authorize distribution of the Draft Carver County Water Management Rules Revisions to affected parties and communities for a 60-day review and comment period, and to set a public hearing date for June 5, 2012 to consider adoption of the Rules as revised.

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

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1077

Proposed Amendments to Carver County Ordinance 153: Water Resource Management

Why are changes needed?

As required by Minnesota Statutes §103B.231, the CCWMO adopted an updated watershed management plan (Plan) on October 27, 2010. As required by Minn. Statute, the CCWMO must update regulatory controls that implement the Plan within two years of adopting the Plan.

The proposed changes to the ordinance are the result of the CCWMO's plan revision and experience applying the current ordinance. Many of the proposed changes clarify the current standards, incorporate into the ordinance interpretations that have developed over time, and address gaps or specific problem areas that have become apparent since the last ordinance was adopted. The proposed changes also incorporate the concepts and approach to stormwater management known as Minimal Impact Design (MID); statewide MID standards are currently under development by the MPCA.

Ordinance Revision Process

The CCWMO's current ordinance was adopted on January 10, 2006, and took effect upon its passage. To assist with the development and review of a revised ordinance, the CCWMO established a Technical Advisory Committee (TAC) consisting of technical representatives of government agencies, municipalities, and citizen representatives in December 2010. The TAC has provided review and comment throughout the ordinance revision process.

What types of changes are proposed?

The proposed revisions encompass the following:

- Increasing the total phosphorus requirement to 90% removal
- Increasing the total suspended solids requirement to 90% removal
- Adding a 0.5 inch volume control requirement
- Clarifying requirements for mitigating upstream and downstream impacts
- Adding a requirement to establish wetland transition setbacks for projects meeting the threshold for a stormwater management permit
- Clarifying floodplain alteration requirements
- Clarifying the application of the stormwater management rule new development, redevelopment, and linear projects
- Updating the list of activities that are exempt from all or portions of the ordinance
- Updating the project thresholds for review and approval
- Providing more specific criteria on the form of security allowed
- Updating the financial security section to allow partial release of the security
- Clarifying/reducing number of submittal requirements
- Revising existing definitions and adding new terms
- Created Appendix A to outline best management practices eligible for volume control and water quality
- Created Appendix B to specify maintenance requirements

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution to approve Carver County Right of Way Plat 18

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

CSAH 11 from CSAH 61 to CSAH 10 is scheduled for construction in the summer of 2012. The County Surveyor has prepared Carver County Right of Way Plat 18 to simplify the writing of legal descriptions and to identify to the public the County's interest in the highway right of way.

ACTION REQUESTED:

Adopt a resolution to approve Carver County Right of Way Plat 18 and authorize the Chair of the County Board to sign the plat.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1059



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: _____

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Carver County Right of Way Plat 18

WHEREAS, Carver County will be constructing CSAH 11 between CSAH 61 and CSAH 10 on new and existing alignments; and

WHEREAS, the County Surveyor has prepared Carver County Right of Way Plat 18 to simplify the writing of legal descriptions and to identify to the public the County's interest in the highway right of way; and

NOW, THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners approves Carver County Right of Way Plat 18 and authorizes the Chair of the County Board to sign the plat.

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 20th day of March, 2012, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 20th day of March, 2012

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Land acquisition for CSAH 11 construction project #SP 10-611-06

Primary Originating Division/Dept:

Meeting

Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

CSAH 11 from CSAH 61 to CSAH 10 is scheduled for construction in the summer of 2012. The design and environmental documentation are in the final stages of completion. Public Works is currently in the process of acquiring right of way/easement necessary for the project. Appraisals are complete and offers were made to property owners on February 24, 2012.

Staff will discuss the status of the right of way negotiations for the project and discuss confidential appraisal data and offer details for parcels numbers 3 through 23A of Carver County Right of Way Plat 18.

ACTION REQUESTED:

Motion to enter into closed session according to Minnesota Statute 13D.05 to review confidential appraisal data and develop updated offers as necessary for parcel numbers 3 through 23A of Carver County Right of Way Plat 18.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Related Financial/FTE Comments:

Office use only:

RBA 2012- 1056