

Carver County Board of Commissioners
 February 22, 2011
 Regular Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:15 a.m.

- 1. *a) CONVENE*
- b) Pledge of Allegiance*
- c) Public participation (comments limited to five minutes)*
- d) Introduction of New Employees*
- 2. Agenda review and adoption
- 3. Approve minutes of February 8, 2011 Regular Session 1-2
- 4. Community announcements

9:15 a.m.

- 5. **CONSENT AGENDA**
- 5.1 Delegation of public hearing to the County Park
Commission 3
- 5.2 Charitable gambling application from Ridgeview
Foundation 4-5
- 5.3 Charitable gambling application for exempt permit – West
Metro Chapter Delta Waterfowl..... 6-7
- 5.4 Abatement 8-9
- 5.5 Scott Carver Joint Powers Transit Agreement amendment.... 10
- 5.6 2011 police service contracts 11
- 5.7 Resolution to request DEED funding for CSAH 10,
Engler Boulevard reconstruction 12-13
- 5.8 Approval of Joint Powers Agreement with the State of
Minnesota, DPS, BCA and Sheriff’s Office 14
- 5.9 Resolution recognizing The American Legion 15-16
- 5.10 Community Social Services’ warrants NO ATT
- 5.11 Commissioners’ warrants..... SEE ATT

9:15 a.m.

- 6. **FINANCE**
- 6.1 *Public Hearing* – Pledging Carver County’s General
Obligation to the Carver County Community Development
Agency Lake Grace Refinancing Housing Bonds 17-19

9:45 a.m.	7.	ADMINISTRATION	
	7.1	Appointment to the Community Development Agency	20
10:00 a.m.		BOARD REPORTS	
	1.	Chair	
	2.	Board Members	
	3.	Administrator	
10:30 a.m.	4.	Adjourn	

Immediately after the meeting, Board members will be invited
to meet in the Government Center computer lab
to review the Commissioners SharePoint site

David Hemze
County Administrator

UPCOMING MEETINGS

March 1, 2011	9:15 a.m. Board Meeting
March 1, 2011	11:00 a.m. Highway 5 Meeting, Victoria Community Room
March 8, 2011	9:15 a.m. Board Meeting
March 15, 2011	4:00 p.m. Work Session
March 22, 2011	9:15 a.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on February 8, 2011. Vice Chair Tim Lynch convened the session at 9:18 a.m.

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

Members absent: Randy Maluchnik.

The following amendment was made to the agenda:

6.2 CDA application.

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

Workman moved, Degler seconded, to approve the minutes of the February 1, 2011, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved Public Health Manager to attend the Multi-State Learning Collaborative National meeting in New Orleans, LA.

Approved software maintenance agreement between Manatron and Carver County for the period of January 1, 2011, through December 31, 2015.

Accepted quote from Midstates for 92,000 pounds of NUVO 3405 crack sealant for a total of \$53,980.43.

Resolution #12-11, 2011 Seasonal Road Restrictions.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

David Hemze, County Administrator, requested the Board approve the 2011 Strategic Plan. He explained the Plan had been worked on in a number of ways over the years. Hemze pointed out the meetings held last fall with the Division Directors and the January meeting with the Board members.

He stated they worked hard to make the Plan practical and wanted to create a Plan that focused on the organization. He pointed out the slight changes made to the Vision and Mission Statements.

Hemze summarized each of the goals that were established noting they were not in any priority order. He highlighted examples of the strategies and tasks and stated the action plans get back to the practical aspect of this. Hemze added that implementation was the most important step and he would be looking for continuous input.

Ische moved, Degler seconded, to approve the Carver County Strategic Plan as outlined. Motion carried unanimously.

The Board considered an appointment to the Community Development Agency acknowledging the two applicants.

Workman nominated Mark Senn to serve on the Community Development Agency. Motion died for lack of a second.

Degler moved to table the CDA appointment indefinitely. Motion died for lack of a second.

The Board discussed their options if they did not appoint today. Hemze clarified the current appointee, Mr. Schachterle, would continue to serve until an appointment is approved. He stated this was Commissioner Workman's nomination but by tradition the majority of the Board votes to appoint.

The Board agreed to move the appointment to the February 22nd Board meeting to allow them to additional time to review the applicants.

Degler moved, Ische seconded, to go into closed session at 9:44 a.m. to discuss labor negotiation strategies. Motion carried unanimously. The Board adjourned the closed and Regular Session at 10:50 a.m.

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.)



REQUEST FOR BOARD ACTION

AGENDA ITEM : Delegation of Public Hearing to the County Park Commission

Originating Division: Public Works/Parks

Meeting Date: February 22nd , 2011

Amount of Time Requested: None

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: The Parks Department intends to submit grant applications to the Parks and Trails Legacy Grant Program of the DNR. This program is funded with dedicated sales tax proceeds from the constitutional amendment for Clean Water, Habitat, Parks and Trails, and the Arts. Two grant applications are proposed. The first grant application is for the development of a playground area at Lake Waconia Regional Park. The development of a playground would be consistent with the park master plan. The proposed application would be \$500,000. If successful, Carver County's match to the project would be \$125,000 for a total project value of \$625,000.

The second application is for the redevelopment of a boat access on Lake Minnewashta Regional Park. Consistent with the Master Plan for Lake Minnewashta Regional Park, it is proposed that the two boat accesses in the park be combined into one boat access. The number of parking stalls would remain the same at 35 vehicles with trailer stalls which is consistent with the Conditional Use Permit by the City of Chanhasseen. The proposed application would for an amount of \$430,500 to redevelop Boat Access No. 1. If successful, Carver County would need to contribute \$107,000 for a total project value of \$537,500.

If the County is successful at securing grants for the playground and or boat access projects it does not commit the County to accepting the grant award. Should the County choose to accept a grant award, it would be proposed that the County use designated Park Funds or budget for the projects in a future CIP of the County.

As a part of the grant application process a public hearing must be held on the projects.

ACTION REQUESTED: The Board delegate to the County Park Commission the public hearing process to apply for Parks and Trails Legacy Grants.

FUNDING

County Dollars = \$

Other Sources & Amounts =\$

=\$

TOTAL

=\$

FISCAL IMPACT None Included in current budget Budget amendment requested Other:*Related Financial Comments:* Reviewed by Division Director

Date: 2/6/2011

S:\Parks\BA-RES\Grants\2011 Parks and Trails Legacy Grant Program



REQUEST FOR BOARD ACTION

AGENDA ITEM: Charitable Gambling Application from Ridgeview Foundation

Originating Division: Property Records Taxpayer Services

Meeting Date: 02/22/2011

Amount of Time Requested: 0 minutes

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: An application has been received from Ridgeview Foundation for an Exempt Permit. A golf event has been planned for Monday, June 27, 2011, at Island View Country Club, located at 7795 Laketown Parkway, Waconia, MN 55387. Raffle tickets will be sold.

ACTION REQUESTED: See attached Resolution

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Laurie Engelen, Taxpayer Services Manager

Date:

2-8-11

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

WHEREAS, the Ridgeview Foundation seeks approval of an Application for Exempt Permit; and

WHEREAS, the Ridgeview Foundation will hold the raffle at the Island View Golf Club, 7795 County Road 30, Waconia, MN 55387, which is located in Laketown Township;

WHEREAS, the Minnesota Gambling Control Board requires the County Board of Commissioners to specifically approve or deny a resolution for each applicant each year they apply.

NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners does approve the renewal of said license upon compliance with Code of Ordinance, Title XI, Chapter 112, Section 112.02.

Adopted on _____, 2011.

Attest:

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 ____ day of _____, 2011, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this ____ day of _____, 2011.

David Hemze, Carver County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM: Charitable Gambling Application for Exempt Permit - West Metro Chapter Delta Waterfowl.

Originating Division: Property Records Taxpayer Services Meeting Date: February 22, 2011

Amount of Time Requested: 0 minutes Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: A Charitable Gambling application was received from West Metro Chapter Delta Waterfowl. They plan to hold a raffle on Thursday, August 18, 2011, at the Lake Waconia Event Center, 8155 Paradise Lane, Waconia, MN 55387.

ACTION REQUESTED: See Attached Resolution.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: Not Budgeted

Reviewed by Laurie Engelen, Taxpayer Services Manager

Date:

2-1-11

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

WHEREAS, the West Metro Chapter Delta Waterfowl seeks approval of a Lawful Gambling License; and

WHEREAS, the West Metro Chapter Delta Waterfowl will hold a raffle at the Lake Waconia Event Center, 8155 Paradise Lane, Waconia, MN 55387; and

WHEREAS, the Minnesota Gambling Control Board requires the County Board of Commissioners to specifically approve or deny a resolution for each applicant for a period of one year.

NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners does approve the new license upon compliance with Code of Ordinance, Title XI, Chapter 112, and Section 112.02.

Adopted on _____, 2011.

Attest:

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 ____ day of _____, 2011, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this ____ day of _____, 2011.

David Hemze, Carver County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 2/22/2011
 Amount of Time Requested: 0 minutes Attachments for packet: Yes No
 Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: Due to a death in the family, Wendy Lestiko (17505 Kelly Lake Rd, Carver, MN 55315 – PID #08.0150200 & 75.0501150) is requesting that the County Board abate the penalty, interest & costs applied to Pay 2010 delinquent taxes for the parcels listed above. More information on file and available in the Taxpayer Services Department upon request.

ACTION REQUESTED:

Recommend to approve.

FUNDING

County Dollars = \$
 Other Sources & Amounts = \$

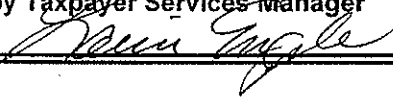
TOTAL = \$

FISCAL IMPACT

- None
- Included in current budget
- Budget amendment requested
- Other: Not Budgeted

Related Financial Comments:

Reviewed by Taxpayer Services Manager



Date:

2-10-11



REQUEST FOR BOARD ACTION

AGENDA ITEM : Scott Carver Joint Powers Transit Agreement Amendment

Originating Division: Community Social Services

Meeting Date:

Amount of Time Requested:

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: In December of 2008 the County Board entered into a Joint Powers Agreement with Scott County for the operation of transit services within the two counties. Called SmartLink, this collaborative venture for transit between the two counties has worked extremely well the past two years, increasing the service level for Carver county residents along with the eliminating the County's tax levy contribution to the program.

Staff from both counties are recommending slight changes to the agreement that includes primarily clarification of duties, budgetary responsibility, and indemnification and insurance matters.

ACTION REQUESTED: Motion to approve amended Scott Carver Joint Powers Transit Agreement.

FUNDING

County Dollars = \$

Other Sources & Amounts =

Donations = \$

TOTAL = \$**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:

Related Financial Comments: Through this partnership the Division has eliminated the prior County tax levy of \$56,200 for the past two calendar years.

 Reviewed by Division Director

Date:



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2011 Police Service Contracts

Originating Division: Sheriff

Meeting Date: 2/14/2011

Amount of Time Requested: N/A

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM:

2011 Police Contracts for service between Carver County and the cities and townships of: Carver, Cologne, Hamburg, Laketown TWP, Mayer, New Germany, Victoria, Waconia, Watertown. This will allow the Sheriff's Office to continue to provide police services to our contract customers in 2011.

ACTION REQUESTED:

Approve the 2011 Police Service Contracts.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: No reduction or increase in FTE count

Reviewed by Division Director JDE

Date: 2/3/2011



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution to request DEED funding for CSAH 10, Engler Boulevard reconstruction

Originating Division: Public Works

Meeting Date: February 22, 2011

Amount of Time Requested:

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The City of Chaska is proposing to reconstruct CSAH 10 (Engler Boulevard) west of TH 212 to near its city limits to a 4-lane highway to accommodate future development in the area. The County and City are working on the design details and cost sharing agreement for the project with a goal to begin construction in the fall of 2011 with completion in the summer of 2012.

Funding is available from the Department of Employment and Economic Development (DEED) through the Business Development Public Infrastructure (BDPI) program that would assist in the construction cost for the project. The City of Chaska has proposed a joint application with Carver County for \$900,000. The funding is allocated on a first come first serve basis to eligible projects.

The total project cost is estimated at \$2,683,425. The County Board is required to adopt the attached resolution to be eligible for funding. The estimated county share with the grant is approximately \$1,500,000. Without the grant the county share is approximately \$1,900,000. It should be noted that these amounts are still approximate subject to a final cost participation agreement with Chaska.

ACTION REQUESTED: Adopt a resolution approving an application for a Business Development Infrastructure Grant for the reconstruction of Engler Boulevard.

FUNDING

County Dollars =
Other Sources & Amounts =
=
TOTAL =

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date: 2-09-2011

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

Date: _____
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

**A RESOLUTION APPROVING THE APPLICATION FOR A
BUSINESS DEVELOPMENT INFRASTRUCTURE GRANT**

BE IT RESOLVED that the County of Carver act as the legal sponsor for project(s) contained in the Business Development Infrastructure Application to be submitted in February 2011 and that the County Board Chair and County Administrator are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the County of Carver.

BE IT FURTHER RESOLVED that the County of Carver has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure matching funds, adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the County of Carver has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the County of Carver may enter into an agreement with the State of Minnesota for the above referenced project(s), and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the County of Carver will commit \$1,250,000 toward the local match requirement.

BE IT FURTHER RESOLVED that the County of Carver will repay the grant if milestones are not realized by the completion date identified in the Application.

The County of Carver certifies that it will comply with all applicable laws, regulations, and rules of the Business Development Infrastructure Application.

NOW, THEREFORE BE IT RESOLVED that the County Board Chair and County Administrator, or their successors in office, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

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

STATE OF MINNESOTA
COUNTY OF CARVER

S:\L.yndon\Business Development Infrastructure Grant - resol

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 _____, 2011, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2011.

Dave Hemze

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Joint Powers Agreement with the State of MN, DPS, BCA and Sheriff's Office

Originating Division: Sheriff's Office

Meeting Date: February 22, 2011

Amount of Time Requested:

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Under MN Stat. 299C.46 the BCA must provide a criminal justice data communications network to benefit criminal justice agencies in MN. The agency is authorized by law to utilize the criminal justice data communications network pursuant to the terms set out in this agreement. In addition, BCA either maintains repositories of data or has access to repositories of data that benefit criminal justice agencies in performing their duties. This Joint Powers Agreement supersedes any and all prior agreements between the BCA and Carver County regarding access to and use of systems and tools provided by BCA.

ACTION REQUESTED:

Approval of State of Minnesota Joint Powers Agreement with the Department of Public Safety, Bureau of Criminal Apprehension (BCA) and Sheriff's Office to access and use the systems and tools provided by the BCA.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL

= \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 2-11-2011



REQUEST FOR BOARD ACTION

AGENDA ITEM: Resolution recognizing The American Legion

Originating Division: Administration

Meeting Date: 2/22/11

Amount of Time Requested: NA

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Chair Maluchnik has requested the Board adopt the attached Resolution.

ACTION REQUESTED:

Adopt Resolution

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 2/17/22



Recognition of The American Legion and National Commander Jimmie Foster

Whereas, The American Legion was founded in 1919 and is the veterans organization of the United States armed forces founded to benefit those veterans who served during a wartime period; and

Whereas, The American Legion has nearly three million members in over 14,000 Posts worldwide, including seven posts in Carver County located in the Cities of Chaska, Chanhassen, Norwood Young America, New Germany, Waconia, Watertown and Victoria; and

Whereas, The American Legion influences national leaders on issues of global significance; supports military families struggling through wartime and economic sacrifices, fights to protect and enhance veterans benefits and hosts social events throughout communities; and

Whereas, Jimmie Foster, is the 2011 National Commander of The American Legion and has 28 years of American Legion experience that includes offices and appointments at all levels;

Now, therefore, the Carver County Board of Commissioner values the importance of The American Legion in supporting the interests of veterans and service members and recognizes National Commander Jimmie Foster for his dedication and service.

Dated this 22nd day of February, 2011.

BOARD OF COMMISSIONERS

Randy Maluchnik, Chair
Tim Lynch, Vice Chair
Gayle Degler
James Ische
Tom Workman

Carver County Board Chair



CARVER COUNTY

REQUEST FOR BOARD ACTION

AGENDA ITEM : Public Hearing on Pledging Carver County's General Obligation to the Carver County Community Development Agency Lake Grace Refinancing Housing Bonds

Originating Division: Financial Services

Meeting Date: February 22, 2011

Amount of Time Requested: 15 minutes

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: At a January, 2011 County Board workshops, the CDA presented the Lake Grace refinancing project to the County Board. Minnesota Statutes, Section 469.034, Subd. 2, authorizes the CDA to issue housing bonds backed by the full faith and credit of Carver County, Minnesota, (the "County") to refinance a housing development project following (a) a determination by the CDA that pledged revenues will equal or exceed 110% of the principal and interest due on such bonds for each year, and (b) approval by the County of the principal amount of the Bonds following a public hearing.

ACTION REQUESTED:

1. Open Public Hearing and take any public comments.
2. Adopt the attached resolution approving the County's General Obligation pledge to the CDA's Lake Grace Refinancing Housing Bonds.

FUNDING

County Dollars = \$0

Other Sources & Amounts = \$

TOTAL = \$0

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: See below

Related Financial Comments: The CDA will pay for all County out-of-pocket costs.

Reviewed by Division Director

Date: February 14th, 2011

**BOARD OF COUNTY COMMISSIONERS
CARVER COUNTY**

Date: _____

Resolution No. _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Approving the issuance by the Carver County Community Development Agency of its Housing Development Revenue Bonds and approving the pledge of the full faith and credit of Carver County thereto

WHEREAS, the Carver County Community Development Agency (the "CDA"), is authorized to issue bonds backed by revenues of a housing development project and by the full faith and credit of Carver County (the "County") to finance or refinance a qualified housing development project, following (a) a determination by the CDA that pledged revenues will equal or exceed 110% of the principal and interest due on such bonds for each year during which they remain outstanding, and (b) approval by the County of the principal amount of the bonds following a public hearing; and

WHEREAS, the CDA has previously issued revenue bonds to finance the acquisition and rehabilitation of a 91-unit multifamily rental housing facility in the City of Chaska, Minnesota, known as the Lake Grace Apartments (the "Project"); and

WHEREAS, the Project is a "qualified housing development project" because it provides housing for persons and families with incomes not greater than 80% of median family income, as determined by HUD; and

WHEREAS, the CDA proposes to issue its Governmental Refunding and Development Bonds (the "Bonds") to refinance the Project and to make certain improvements thereto; and

WHEREAS, the CDA has determined that it is in the best interest of the public health, safety and welfare that it issue the Bonds in an aggregate principal amount not exceeding \$4,000,000 and that it pledge the full faith and credit of the County to the Bonds; and

WHEREAS, on the date hereof, the Board of Commissioners of the County held a public hearing, for which notice was published at least 15 days in advance, regarding the issuance by the CDA of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CARVER COUNTY, MINNESOTA as follows:

1. That the County hereby approves (i) the issuance by the CDA of the Bonds in an aggregate principal amount up to \$4,000,000 to refinance the Project and make certain improvements thereto and (ii) the pledge by the CDA of the full faith and credit of the County to such Bonds.

~~Such approval is subject to final determination by the CDA to be made in the CDA's resolution approving the sale of the Bonds that the projected revenues pledged to the payment of the Bonds will equal or exceed 110% of the principal and interest due on the Bonds for each year of their term.~~

2. That the County hereby approves the pledge by the CDA of some portion of its annual special benefits tax to the Bonds, as provided in the final indenture of trust relating to the Bonds.
3. The Commissioners, officers and staff of the County are authorized and directed to execute and deliver such documents and certificates, including without limitation, the indenture of trust and a continuing disclosure agreement, as are necessary or convenient to provide for the issuance of the Bonds.

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 22nd day of February, 2011, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 22nd day of February, 2011.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Appointment to Community Development Agency

Originating Division: Administration

Meeting Date: 2/22/11

Amount of Time Requested: 5 minutes

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM:

At the previous meetings, the Board agreed to hold the remaining appointment to the CDA. Below is a list of current members and the applications received.

COMMUNITY DEVELOPMENT AGENCY (5-year terms)

Current members:

Sarah Carlson – Commissioner District 1
Cindy Monroe - Commissioner District 3
Darrel Sudheimer - Commissioner District 4
Bob Lano - Commissioner District 5

Current vacancies: 1, Commissioner District 2

Applications received:

Michael Schachterle – resides Commissioner District 2
Mark Senn – resides Commissioner District 2

ACTION REQUESTED:

Appointment to the Community Development Agency.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 2/8/11