

**Carver County Board of Commissioners  
 March 15, 2011  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota**

**County Board Work Session Agenda**

<b>Time</b>	<b>Topic</b>	<b>Page</b>
4:00 p.m.	1. <b>PUBLIC HEALTH AND ENVIRONMENT</b>	
	1.1 Changes to sub surface treatment system ordinance .....	1
4:30 p.m.	2. <b>PUBLIC WORKS/PARKS</b>	
	2.1 Resolutions of support for grant applications to the DNR .....	2-5
5:00 p.m.	3. <b>COUNTY ADMINISTRATION</b>	
	3.1 Proposed changes to provide more open County government.....	6-11
5:30 p.m.	Board and Administrator Reports	

David Hemze  
 County Administrator

<b>UPCOMING MEETINGS</b>
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March 22, 2011	9:15 a.m. Board Meeting
March 29, 2011	No Board Meeting
April 5, 2011	9:15 a.m. Board Meeting



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Changes To Sub Surface Treatment System Ordinance [SSTS]

Originating Division: Land and Water Services

Meeting Date: March 15, 2011

Amount of Time Requested: 30 minutes

Attachments for packet: Yes X No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** In early 2008 the Minnesota Pollution Control Agency [MPCA] made major revisions to the State SSTS [septic system] regulations, Chapter 7080. These revisions included splitting the old Chapter 7080 into multiple chapters and other detailed changes. Counties and local governments were initially given two years [February 2010] to update local ordinances to be consistent with the changes. Local ordinances must be at least as restrictive as the State regulations. This date was later extended that date to February of 2012. The MPCA has moved ahead with the rules changes. They will be in effect on March 14, 2011.

Our ordinance has historically been more restrictive than the State regulations. Therefore most of the State adopted changes do not have a major impact on our program. There are also several changes that we feel would be beneficial to our residents and contractors. We discussed these changes last year with the County Board but did not move ahead with the amendment process due to pending legislation which resulted in the extended deadline. We would like review the changes with the County Board. The major changes include;

- A 15% reduction to the 36 inch seasonally water table separation for some existing systems.
- Not requiring further soils verification on existing systems if 2 independent verifications have been done.
- Numerous "technical" adjustments to design standards such septic tanks sizes, pumps, etc.
- More specific site evaluation criteria.
- Additional training for some SSTS professionals.
- Changes to construction practices including insulation of septic tanks and addition of effluent filters.

We will discuss these changes and others at the work session. We recommend moving ahead with the amendment process so that these changes can be in effect for the 2011 construction season and to avoid further delays in meeting the 2012 deadline. Most of our neighboring counties have adopted these rules. This would provide some consistency for local SSTS contractors.

**ACTION REQUESTED:** *Direction on ordinance and adoption process. Recommend consideration of public hearing by Planning Commission on April 19, 2011.*

### FUNDING

County Dollars = \$  
 Other Sources & Amounts =  
 = \$0

### FISCAL IMPACT

X None  
 Included in current budget  
 Budget amendment requested  
 Other:

**TOTAL** = \$0

*Related Financial Comments:* Environmental Services collects fees for SSTS permits. 2010 revenue was \$47,800.



# REQUEST FOR BOARD ACTION

## AGENDA ITEM: Resolutions of Support for Grant Applications to the DNR

Originating Division: Public Works/Parks

Meeting Date: March 15<sup>th</sup>, 2011

Amount of Time Requested: 20 Minutes

Attachments for packet:  Yes  No

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

### BACKGROUND/EXPLANATION OF AGENDA ITEM:

Grant applications are being prepared for DNR Legacy Park and Trail Grant Programs. These programs are funded with dedicated sales tax proceeds from the constitutional amendment for Clean Water, Habitat, Parks and Trails, and the Arts. Below are the proposed applications.

#### 1-Grant for Dakota Rail Regional Trail – Phase II Development (2012)

- The grant request amount is for \$400,000 as a local match to \$1,000,000 in approved Federal Transportation Enhancement funds. If approved, the grant would reduce the County's local match by \$400,000 further minimizing the County's/CCRRA contribution to \$100,000.

#### 2 – Grant for development of a creative play area at Lake Waconia Regional Park as indicated in the park master plan (2011-12)

- The grant request is for an amount of \$500,000. If successful, a local match of \$125,000 would be contributed by Carver County. Total project cost is estimated at \$625,000.

#### 3 – Grant combining the two boat accesses at Lake Minnewashta Regional Park into one access as indicated in the park master plan (2011-12)

- The grant request is for an amount of \$430,500. If successful, a local match of \$107,000 would be contributed by Carver County. Total project cost estimated \$537,500.

Should a grant or grants be awarded to the County, the County could choose to enter into agreement for the award. It would be proposed that the local match to any awarded grants come from Designated Park Funds or budget for the projects in a future CIP of the County.

### Schedule

March 2, 2011 Public Hearing on grant applications at the Park Commission Meeting.

March 15, 2011 County Board Workshop to review grant application and public comments

March 22, 2011 County Board meeting to approve resolutions for grant applications

March 31, 2011 grant applications due

**ACTION REQUESTED:** No Action is requested. At a later date it may be requested that Carver County Board pass the attached resolutions for the grant applications and the County Administrator sign.

### FUNDING

County Dollars = \$

Other Sources & Amounts =\$

=\$

### TOTAL

=\$

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: See the below Financial Comment

*Related Financial Comments: It is not known if the grant applications would be successful. If all three grants are successful, the County's estimated contribution would be \$320,000. The Board would need to approve any budget amendments or budget requests and agreements for any successful grant applications at a later date.*

Reviewed by Division Director

Date: February 28, 2011



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

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

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

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

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

WHEREAS, Carver County supports the grant application made to the Minnesota Department of Natural Resources for the Parks and Trails Legacy Grant Program. The application is to construct five (5) miles of paved trail for the Dakota Rail Regional Trail Phase II – Mayer west to McLeod County Line and

WHEREAS, Carver County recognizes the twenty-five (25) percent match requirement for the Parks and Trails Legacy Grant Program, and has secured the matching funds

NOW, THEREFORE, BE IT RESOLVED, if Carver County is awarded a grant by the Minnesota Department of Natural resources, the Carver County Board agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. Carver County will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, the County Board of Carver County names the fiscal agent for Carver County for this project as:

David Frischman  
Finance Director  
Carver County  
600 East 4<sup>th</sup> Street  
Chaska, MN 55318

BE IT FURTHER RESOLVED, the County of Carver hereby assures the Dakota Rail Regional Trail will be maintained for a period of no less than 20 years.

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 8<sup>th</sup> day of March, 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 \_\_\_\_\_, 20\_\_\_\_\_

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



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

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

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

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

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

BE IT RESOLVED that Carver County act as legal sponsor for the Lake Minnewashta Regional Park Boat Access Redevelopment project contained in the Park Legacy Application to be submitted on March 31<sup>st</sup>, 2011 and that Marty Walsh – Parks Director is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of Carver County

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

BE IT FURTHER RESOLVED that Carver County has not incurred any development costs described on Item 5b and has not entered into a written purchase agreement to acquire the property described on Item 5a.

BE IT FURTHER RESOLVED that upon approval of its application by the state, Carver County may enter into an agreement with the State of Minnesota for the above-referenced project, and that Carver County certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for outdoor recreation uses into perpetuity.

NOW, THEREFORE BE IT RESOLVED that the Carver County Board Chair is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

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 8<sup>th</sup> day of March, 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 \_\_\_\_\_, 20\_\_\_\_\_

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



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

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

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

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

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

BE IT RESOLVED that Carver County act as legal sponsor for the Lake Waconia Regional Park Playground Development project contained in the Park Legacy Application to be submitted on March 31<sup>st</sup>, 2011 and that Marty Walsh – Parks Director is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of Carver County

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

BE IT FURTHER RESOLVED that Carver County has not incurred any development costs described on Item 5b and has not entered into a written purchase agreement to acquire the property described on Item 5a.

BE IT FURTHER RESOLVED that upon approval of its application by the state, Carver County may enter into an agreement with the State of Minnesota for the above-referenced project, and that Carver County certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for outdoor recreation uses into perpetuity.

NOW, THEREFORE BE IT RESOLVED that the Carver County Board Chair is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

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 8<sup>th</sup> day of March, 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 \_\_\_\_\_, 20\_\_\_\_\_

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



# REQUEST FOR BOARD ACTION

## AGENDA ITEM: Proposed Changes to Provide More Open County Government

Originating Division: County Administration

Meeting Date: 3/15/11

Amount of Time Requested: 20 minutes

Attachments for packet:  Yes  No

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

### BACKGROUND/EXPLANATION OF AGENDA ITEM:

Based upon Commissioner request, County Administration is seeking Board input on proposed changes to provide more open County government and better opportunities for public involvement during County Board meetings.

The recommendations include making the following changes to the Board Operating rules which are summarized in Attachment #1.

- Use the term "Public Comment" instead of "Public Participation" to better describe this portion of the agenda.
- Videotape the Public Comment section of County Board meetings.
- Clarify that Regional Rail Authority, Ditch Authority, and Public Health Board meetings are also be videotaped.

A related proposed change is to begin using a sign-in sheet (Attachment #2) and guidelines (Attachment #3) to clarify how public comments will be handled.

A survey of how metro counties and cities within Carver County handle this portion of their agenda is provided as Attachment #4.

The final recommendation is to revise the 2011 Board meeting schedule to provide for regularly scheduled late-day/early evening regular session. The proposed changes to the schedule are summarized in Attachment #5. While Board Operating rules state that, "evening meetings may be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items," the proposed schedule change will ensure a *regularly* scheduled late day/evening meeting.

### ACTION REQUESTED:

Board direction on the proposed changes.

#### FUNDING

County Dollars = \$

Other Sources & Amounts = \$

**TOTAL** = \$0

#### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date:

# **Attachment #1: Proposed changes to the 2011 Board Operating Rules**

## **IV. County Board Meetings:**

### **H. Cable casting**

All regular meetings of the Carver County Board of Commissioners, with the exception of public participation, are videotaped from calling to order of the meeting to the adjournment of the meeting's regular session. Regional Rail Authority, Ditch Authority, and Public Health Board meetings are also videotaped from calling to order to adjournment of the meeting.

## **VII. County Board Agenda:**

### **B. Order of Business**

The Order of Business for each regular meeting of the County Board shall be as follows:

1. Call to Order (start of cablecast)
2. Pledge of Allegiance
3. Public Participation Comment (cablecast break)
4. Introduction of New Employees
5. Approval of Agenda
6. Approval of Minutes
7. Community Announcements
8. Consent Agenda
9. Regular Agenda
10. Adjourn Regular Session (end of cablecast)
11. Board Reports





CARVER  
COUNTY

Attachment #2:  
Carver County  
Board of Commissioners  
Request to Speak at  
Board Meeting

If you would like to make comments at today's meeting, please sign in below and refer to the Board's guidelines:

Name

Address

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**Attachment #3:  
Carver County Board of Commissioners  
Guidelines for Public Comments at Meetings**

Thank you for attending this Carver County Board of Commissioners meeting. We appreciate your interest and welcome audience input. We simply ask that you follow the below guidelines.

1. For items that are on the agenda, please wait until that item is being discussed by the Board and the Board Chair will request public input.
2. For items that are not on the agenda, the Public Comment portion of the agenda is an opportunity for individuals to voice their opinions and concerns. The Board will not take action on items presented during the Public Comment period. The Board or staff will follow-up on concerns if necessary.
3. Anyone wishing to speak will be acknowledged by the Board Chair. Please come to the podium and state your name and address. Comments are limited to five minutes.
4. Please be courteous in your language and presentation. The Board Chair will determine if a speaker is being disruptive or disrespectful or otherwise impedes the orderly conduct of any Board meeting.

Thank you for participating in open government!

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

## Attachment #4: Public Participation Survey February 10, 2011

COUNTY/ CITY	OPEN MIKE	ITEM LISTED ON AGENDA	TIME LIMIT	VIDEOTAPE	SIGN IN
Anoka	No				
Carver	Yes	Public Participation	5 minutes	No	No
Dakota	Yes	Audience	Limited to 5 minutes	Yes	Sign in sheet for name/topic
Hennepin	No				
Ramsey	No				
Scott County	Yes	Recognition of Interested Citizens	Limit to 5 minutes	Yes	Sign in sheet
Washington County	Yes	Comments from the public	Try to limit to 5 minutes	Yes	Sign in card for name/address/topic
Chanhassen	Yes	Visitor Presentation	Try to limit to 5 minutes	Yes	Sign in sheet
Chaska	Yes	Visitor Presentation	No set time limit	Yes	Sign in sheet for name, but not always used
Norwood Young America	Yes	Introductions/Proclamations/ Presentations/Awards and Public Comment	3 minutes	Yes	Sign in sheet
Victoria	Yes	Open Forum	5 minutes	Yes	Sign in sheet
Waconia	Yes	Visitor's Presentations, Petitions, Correspondence	5 minutes	Yes	Sign in sheet, request to speak, but not always done

## Attachment #5: Proposed changes to the 2011 Board Meeting Schedule

On January 4, 2011, the Board adopted the following meeting schedule:

First, second and fourth Tuesdays of the month at 9:15 a.m., work sessions to be held on the third Tuesday of the month at 4:00 p.m., and no Board meetings the fifth Tuesdays of the month.

Administration is asking the Board to consider the following 2011 meeting schedule:

First and fourth meetings of the month at 9:15 a.m., the third Tuesday of the month at 4:00 p.m., with work sessions to be held on the second Tuesdays of the month beginning at 9:15 a.m., and no Board meetings the fifth Tuesday of the month.

### Example of April Calendar

April 2011						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5 9:15 a.m. Board Meeting	6	7	8	9
10	11	12 9:15 Board Work Session	13	14	15	16
17	18	19 4:00 p.m. Board Meeting	20	21	22	23
24	25	26 9:15 a.m. Board Meeting	27	28	29	30