

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

PAGE

9:15 a.m.	1.	<ul style="list-style-type: none"> a) CONVENE b) <i>Pledge of Allegiance</i> c) <i>Public participation (comments limited to five minutes)</i> d) <i>Introduction of New Employees</i> 	
	2.	Agenda review and adoption	
	3.	Approve minutes of March 8, 2011 Regular Session	1-3
	4.	Community announcements	
9:15 a.m.	5.	CONSENT AGENDA	
	5.1	Payment of emergency claims	4-5
	5.2	Abatements/additions	6-9
	5.3	Charitable gambling application for exempt permit – Carver County Ducks Unlimited	10-11
	5.4	Sheriff’s Office donations	12-13
	5.5	2011 Police Service Contracts	14
	5.6	Approval of Board of Water and Soil Resources Clean Water Legacy Grants 2011	15-16
	5.7	Approval of final payment on ARRA funded Project SP 10-596-04; 10-610-41 (City of Watertown).....	17-18
	5.8	Amendment No. 1 to Professional Services Agreement – Water Resources Design and Engineering for CSAH 11	19
	5.9	Teamsters Local 320 initial labor agreement: non-licensed Management and PSAP supervisors unit	20
	5.10	Resolution to acquire easement for the Dakota Rail Regional Trail.....	21-22
	5.11	Award of bid for SAP 010-611-009: repair of Bridge No. 70532 on CSAH 11 on Minnesota River.....	23-24

		5.12	Community Social Services' warrants	NO ATT
		5.13	Commissioners' warrants.....	SEE ATT
9:15 a.m.	6.		PUBLIC HEALTH AND ENVIRONMENT	
		6.1	Approval of Solid Waste Management Coordinating Board 2011 special project budget	25-27
9:35 a.m.	7.		COUNTY ADMINISTRATION	
		7.1	Proposed changes to provide more open County Government	28-33
9:50 a.m.	8.		PUBLIC WORKS	
		8.1	Federal grant applications	34
		8.2	Resolution of support for grant application to the DNR ...	35-36
		8.3	<i>Closed Session</i> - Union Pacific Rail Line Chaska Industrial Lead	37
		8.4	<i>Closed Session</i> - Land acquisition Lake Waconia Regional Park.....	38
11:30 a.m.			ADJOURN REGULAR SESSION	
11:30 a.m.			BOARD REPORTS	
		1.	Chair	
		2.	Board Members	
		3.	Administrator	
12:00 p.m.		4.	Adjourn	

David Hemze
County Administrator

UPCOMING MEETINGS

March 29, 2011	No Board Meeting
April 5, 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 March 8, 2011. Vice Chair Tim Lynch convened the session at 9:16 a.m.

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

Members absent: Randy Maluchnik.

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

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

Community announcements were made by the Board.

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

Approved request for one day temporary on sale liquor license for St. Peter Lutheran Church, Watertown, for Sunday, May 22, 2011 and Saturday, October 15, 2011.

Approved the deletion of a .6 FTE and .4 FTE support service aide and creating a 1.0 FTE support services aide position effective March 14, 2011, and transferring the remaining part-time incumbent to the 1.0 FTE position.

Approved the acceptance of the Urban Area Security Initiative Grant contract for \$56,324 and related Public Health and Environment budget amendment increasing Urban Area Security Initiative Grant revenue \$56,324 and increasing Emergency Management professional/technical fees \$56,324.

Accepted the Equestrian Subcommittee Report.

Appointed Kent Francis to the Lower Minnesota River Watershed District for a three year term.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Randy Wolf, Public Health and Environment, requested the Board adopt a Resolution declaring a State of Emergency in anticipation of significant spring flooding. He pointed out the meetings the Governor was holding around the State to discuss flooding. He stated due to a number of factors that have occurred, including flooding that occurred last fall resulting in saturated grounds, they needed to take some precautions to protect the County from flooding this spring.

Ken Carlson, Emergency Management, reviewed current projections for the Minnesota River and South Fork of the Crow River. He stated there was a 40% chance of exceeding 1965 flood levels. Carlson indicated this suggests there will be higher river levels this spring resulting in a longer high water event that could impact the County and which raises the question of insurance. He stated, whenever one of the cities declares an emergency, the State requests that the County do so as well. He noted the City of Carver declared an emergency last evening and approved a plan to raise the levy.

Doris Krogman, Employee Relations, reviewed the proposal for flood insurance. She explained there were two pieces to the flood insurance she was recommending that the County purchase. She stated with the first piece there was a 30 day waiting period for \$500,000 in coverage. Krogman pointed out they needed to have that in place before they can purchase excess coverage in the amount of five million and that amount is in place immediately.

David Hemze, County Administrator, stated they have had several discussions on the chances of something happening and while they believe it is low, if there was ever a chance this would be the year. He explained this was about managing risk and worth the premium.

Carlson stated the emergency declaration is a formality and allows flexibility for staff to act without having to follow purchasing requirements. He noted the declaration also opens the door for FEMA reimbursement and for State funds if funds become available.

Ische offered the following Resolution, seconded by Degler:

Resolution #22-11
Declaring a State of Emergency

On vote taken, all voted aye.

Krogman reviewed the coverage limits through MCIT and pointed out the aggregate of \$20,000,000.00 for all member counties. Hemze added they did address the question of canceling the insurance prior to one year but they were not recommending that because of the risk for higher premiums in the future.

Workman moved, Degler seconded, to approve the purchase of flood insurance: NFIP \$500,000 coverage for \$4,252.00 and excess flood coverage of \$5,000,000.00 for \$51,540 to supplement the MCIT coverage and related budget amendment transferring \$55,792 from Commissioners contingency to excess flood insurance premiums. Motion carried unanimously.

Lyndon Robjent, Public Works, requested the Board approve a joint powers agreement with the City of Carver for improvements to CSAH 11 and 61. He stated he had been working with the City of Carver for a number of months negotiating the improvements at the Intersection of 11 and 61. He indicated over the years the City prepared three Alternative Urban Areawide Reviews that guides future development in their City. Robjent identified the first phase of the Carver Freeway

Commercial District and reviewed the traffic impacts. He stated the Fleet Farm site was the first development as part of that District and that alone requires road improvements to CSAH 11 and 61. He outlined the required road improvements and estimated the cost at 1.6 million for the improvements.

He clarified this was a development driven project not identified in the five year CIP and it did not have an identified funding source. Because of this, he stated part of the cost could be allocated to the development. He stated the City was using TIF District legislation that expires this year to fund some of the improvements. Robgent reviewed the details of the cost share and noted part of the north leg of CSAH 11 was already programmed and funding was set aside for that.

David Frischmon, Finance, clarified \$851,000 would be the County's responsibility and he was recommending they use the State Statute that allows the County to add its costs to the City's TIF District. He reviewed the County's reimbursement through the TIF District or tax abatement process, noting one way or the other, the development tax base would be used to pay for the County's portion.

He pointed out three options for financing the County's contribution and indicated those options would be brought back before the Board in the future for final approval.

Ische moved, Degler seconded, to approve the joint powers agreement for construction of the intersection of CSAH 11 and CSAH 61 and to authorize the Chair and County Administrator to sign the agreement subject to review by the County Attorney and to approve that the County use any available tax increment from the City of Carver's TIF District No. 1-8 to finance County road improvements on CSAH 11 and 61 pursuant to MN Statutes, Section 469.175, Subd 1a. Motion carried unanimously.

Degler moved, Ische seconded, to adjourn the Regular Session at 10:10 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.)

3070924



CARVER COUNTY

Office of Finance Director
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1509
Fax: 952 361-1308

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

Motion passed by the Board of County Commissioners at their February 24, 1987 meeting has authorized the issuance of a check upon the consensus of the Chairman of the Board, County Administrator and the County Attorney (with a minimum of two).

VENDOR: Arouna Mahachay # 22127

ACCOUNT: 6379

AMOUNT: \$179.24

REASON: Impound fees - MV Theft

Department Head Signature: [Signature]

Chairman of County Board

Gayle Degler

County Administrator

[Signature]
David Hemze

County Attorney

[Signature]
Mark Metz

now for Mark Metz

Date: 3-4-11

321155



Office of Finance Director
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1509
Fax: 952 361-1308

AUTHORIZATION
PAYMENT OF EMERGENCY CLAIM

Motion passed by the Board of County Commissioners at their February 24, 1987 meeting has authorized the issuance of a check upon the consensus of the Chairman of the Board, County Administrator and the County Attorney (with a minimum of two).

VENDOR: Steele County Attorney's Office
ACCOUNT: 6379 01-090-000-1101-6379
AMOUNT: \$150.00
REASON: gas card for victim's family
Department Head Signature: Mark Metz

Chairman of County Board

Gayle Degler

County Administrator
Fin. Dir.

David Hemze Friseman

County Attorney

Mark Metz

Date: 3.10.11



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 3/22/2011
 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: See Attached.**ACTION REQUESTED:**

Recommend to approve.

FUNDING

County Dollars = \$ -90.55
 Other Sources & Amounts = \$ -237.45
TOTAL = \$ -328.00

FISCAL IMPACT

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

Related Financial Comments: Reviewed by Taxpayer Services Manager

Date:



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 3/22/2011
 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: See Attached.

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: 3-14-11



REQUEST FOR BOARD ACTION

AGENDA ITEM : Charitable Gambling Application for Exempt Permit - Carver County Ducks Unlimited Chapter 128

Originating Division: Property Records Taxpayer Services Meeting Date: 03/22/11
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: Charitable Gambling application for Exempt Permit was received from Carver County Ducks Unlimited Chapter 128. They have requested to have the thirty day waiting period waived. They plan on holding a raffle on Friday, April 15, 2011, at the Lake Waconia Event Center, located at 8155 Paradise Lane, Waconia, MN 55387.

ACTION REQUESTED: See attached resolution.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Laurie Engelen, Taxpayer Services Manager

Date: 3-1-11

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

WHEREAS, the Carver County Ducks Unlimited Chapter 128 seeks approval of a Lawful Gambling License Application; and

WHEREAS, the Carver County Ducks Unlimited Chapter 128 will hold a raffle at the Lake Waconia Event Center, with an address of 8155 Paradise Lane, 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 period of time.

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, 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



CARVER
COUNTY

REQUEST FOR BOARD ACTION

AGENDA ITEM : Donations

Originating Division: Sheriff

Meeting Date: 3.22.11

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:

Donation of \$100.00 from Robin and Suzanne Oxley through "Refer a Friend" Residential Mortgage Group

ACTION REQUESTED:

Motion to approve \$100.00 donation to the Sheriff's Office.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

\$100.00 01-201-201-0000-5756 Gifts Restricted

Reviewed by Division Director

Date: 3.2.11



Expert Home Financing. *Guaranteed.*SM

A DIVISION OF **Alerus**
FINANCIAL

December 9th, 2010

Carver County Sheriff's Office
606 East Fourth Street
Chaska, MN 55318

Dear Carver County Sheriff's Office,

RMG has a charitable donation program called "Refer a friend. Build *your* community."TM We are extremely excited about this exclusive initiative and have enclosed information explaining how this program works.

Enclosed you will find a check payable to your organization. Our client or referral source has selected your organization to be a beneficiary in conjunction with their loan closing with us. Congratulations! We hope there will be more to come. The donor who has selected you is:

Robin and Suzanne Oxley
2222 Stone Creek Lane East
Chanhassen, MN 55317

Every loan that RMG closes can result in up to \$100 donated to the school, police or fire department in their local community. To date, we have donated over a half of a million dollars for this program. We believe everyone in our communities will benefit. Please contact me if you have any questions on how this program works.

Sincerely,

Kim Pedersen
Mortgage Banker
952-417-8466
kimp@rmgmn.com

Enclosures
cc: Robin and Suzanne Oxley

RESIDENTIAL MORTGAGE GROUP
11100 Wayzata Boulevard, Suite 570
Minnetonka, MN 55305
PHONE 952.593.1169 FAX 952.593.1634
rmgmn.com

Learn more about Alerus'
banking and wealth management
services at alerusfinancial.com



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2011 Police Service Contracts

Originating Division: Sheriff

Meeting Date: March 22, 2011

Amount of Time Requested: N/A

Attachments for packet: Yes NoItem 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 Chanhassen, Carver and Watertown Township. This will allow the Sheriff's Office to continue to provide police services to our contract customers in 2011.

ACTION REQUESTED:

Make a motion to 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: Reviewed by Division Director

JDE #803

Date: 3/10/11



REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of Board of Water and Soil Resources (BWSR) Clean Water Legacy Grants 2011

Originating Division: Public Health and Environment

Meeting Date: 3/22/11

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 State of Minnesota, through its Board of Water and Soil Resources (BWSR) has awarded Carver County with two Clean Water Grants.

- 1) The Reitz Lake restoration project began several years ago with the development and subsequent adoption of a Total Maximum Daily Load (TMDL) to clean up Reitz Lake. With its approval, the County was able to apply for MN Clean Water Legacy Funds and has secured implementation funds (\$127,551) to:
 - a. Treat approximately 100 acres of agricultural runoff on the north side of the lake with a filtration feature,
 - b. Treat 1900 acres of mixed agricultural land on the east side of the lake by adding a sediment basin, filter, and fish barrier (prevent carp spawning)
 - c. Restore several shorelines to help buffer surface water run-off from lawns and driveways.
 As a result of these projects, it is estimated that nearly 8 tons of sediment and 200 pounds of phosphorus per year will be kept from entering the lake.

- 2) The Carver, Bevens creek Fecal Implementation Phase IV, is a continuation of previous grants which implement reduction in bacteria loads in Carver, Bevens, and Silver creeks. MN Clean Water Legacy Funds (\$178,571) will be used to continue the full time Marketing Technician at the Carver Soil & Water Conservation District to work with landowners to implement buffer strip incentives, septic system upgrades, manure management, wetland restorations, tillage options and any other state or federal program that might work on their particular parcel (CRP, RIM, etc.). To date, the Marketing Technician has made more than 1,000 site visits with over 125 failing septic systems updated and installation of over 15 miles of buffers. Initial results after 5 years of the targeted approach for all sub-watersheds have seen decreases ranging from 1 – 59 % in bacteria (E.coli).

ACTION REQUESTED:

Motion to approve and sign the grant agreements with the Board of Water and Soil Resources (BWSR) and authorize the attached 2011 budget amendment request.

FUNDING

County Dollars = \$85,000 in-kind staff time & CCWMO funds

Other Sources & Amounts = \$300,000 (MN State Dept of Ag loan funds) \$306,122 (MN State BWSR Clean Water Legacy funds)

TOTAL = \$691,122

FISCAL IMPACT

- None
- Included in current budget
- Budget amendment requested
- Other:

Related Financial Comments: County Grant match of \$85,000 for both projects includes in-kind staff time for feedlot and SSTS program assistance; and previously budgeted and approved CCWMO funds for SSTS Direct Discharge, and restoration projects.

Reviewed by Division Director

Date: 2/28/11

BUDGET AMENDMENT REQUEST FORM

Submit to Finance Office one week prior to County Board Session.

DEPARTMENT: Public Health and Environment

Date of County Board Session: 3/8/11

Fund: 01

Description of Revenue Account funds are to Increased/(Decreased):	2011 Amount	Description of Expenditure Account funds are to Increased/(Decreased):	2011 Amount
BWSR Grant for Reitz Lake 01-123-124-1572-5320	\$ 127,551	Professional/Technical Fees 01-123-124-1572-6260	\$ 127,551
BWSR Grant for TMDL Impl IV 01-123-124-1573-5320	\$ 178,571	Professional/Technical Fees 01-123-124-1573-6260	\$ 178,571
TOTAL:	\$ 306,122	TOTAL:	\$ 306,122

A. Reason for Request: See accompanying Board Action.

B. Financial Impact: (To be filled out by Finance Director)

C. Contingency Acct. Beginning Bal.: \$ 250,000

D. Prior Contingency Adjustment: \$ (55,792)

E. Current Contingency Adjustment: \$ -

F. Remaining Balance: \$ 194,208

G. Requested By: Paul Moline

H. Recommend Approval: Finance Director

I. County Board Decision: Approval/Disapproval



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of final payment on ARRA Funded Project SP 10-596-04, 10-610-41 (City of Watertown)

Originating Division: Public Works

Meeting Date: March 22, 2011

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: Project SP 10-596-04, 10-610-41 is an ARRA Funded project that includes the reconstruction of TH 25 from Territorial St. to State St. in the City of Watertown. This project also included improvements at the intersections of TH 25 and CSAH 10.

The original project contract amount was \$832,077.34. The total of all work completed to date by Wm. Muellers & Sons is \$877,341.24. Presently, the total amount paid to Wm. Mueller & Sons for work done by them is \$872,954.53. This total is after reducing the total of all work completed by the contractor by 0.5% as retainage (\$4,386.71). (Previous board action reduced retainage from 5% to 0.5% to cover minor punchlist items and the two year warranty period on trees and shrubs.)

All work, including punchlist items, for this project was completed during the 2010 construction season. The issues left on this project are warranty items. The warranty items include trees and shrubs at a total cost of \$1503.20. Wm. Muellers & Sons has issued a maintenance bond to Carver County in the amount of \$1,503.20 and is sufficient to furnish and install any of the warranty items by someone other than the contractor, if needed. The Maintenance Bond is in effect for two years after July 1, 2010, which is the required time under the project specifications.

Wm. Mueller & Sons is requesting that final payment be made for this project and based on the project specifications, staffs evaluation and the maintenance bond provided by the contractor; it is staff's recommendation to release the 0.5% retainage and to make final payment of \$4,386.71. The City of Watertown concurs with this action and has approved the project as final and approved the release of the retainage as final payment.

Final payment consists of the release of retainage withheld on the contract to Wm. Mueller & Sons. Board Action is needed to release retainage as final payment and finalize the contract.

ACTION REQUESTED: Approve Board Action and adopt resolution accepting the project as complete and authorizing final payment of \$4,386.71 to Wm Mueller & Sons.

FUNDING

County Dollars	=\$ 22,886.44
ARRA	=\$704,000.00
Watertown	=\$150,454.80
TOTAL	=\$ 877,341.24

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: ARRA Federal Stimulous Money is the Funding Source

Reviewed by Division Director

Date: 03/03/2011

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

Date: March 22, 2011

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ACKNOWLEDGMENT
SP 10-596-04, 10-610-41
(CITY OF WATERTOWN)
FINAL PAYMENT**

Whereas, the construction project SP 10-596-04, 10-610-41 (ARRA Funded Project), have in all things been completed, and the County Board being fully advised in the premises, now then be it resolved, that we do hereby accept said completed project for and on behalf of the County of Carver and authorize final payment to Wm. Mueller & Sons in the amount of \$4,386.71.

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 22nd 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 22nd day of March, 2011.

Dave Hemze

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Amendment No. 1 to Professional Services Agreement - Water Resources Design and Engineering for CSAH 11 - SP 10-611-06 Project

Originating Division: Public Works

Meeting Date: March 1, 2011

Amount of Time Requested: None

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: SRF Consulting Group, Inc. (SRF) is under contract to complete water resources design, environmental and wetland mitigation work on the CSAH 11 - SP 10-611-06 road project. An Environmental Assessment needs to be completed for the project. The Environmental Assessment notice, review, and determination process needs to be completed. Amendment No. 1 to this contract provides for SRF to assist Carver County Engineering in completing the Environmental Assessment process.

ACTION REQUESTED: We would request that the County Board authorize the Board Chair and County Administrator to sign Amendment No. 1 to Contract #10-369.

FUNDING

County Dollars = \$53,395.00

Other Sources & Amounts =

=\$

TOTAL

=\$53,395.00

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date: 2/11/11

S:\Projects\SP 10-611-06\PSA - SRF Water Resources Eng. - 2-10-11 - Amndmt 1 - baf



REQUEST FOR BOARD ACTION

AGENDA ITEM : Teamsters Local 320 Initial Labor Agreement: Non-Licensed Management & PSAP Supervisors Unit

Originating Division: Employee Relations

Meeting Date: 3/22/2011

Amount of Time Requested: Consent

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Carver County and Teamsters Local 320, Non-Licensed Management and PSAP Supervisors Unit have concluded negotiations for the initial Collective Bargaining Agreement (CBA), the associated Appendices and Memoranda of Understanding for the period January 1, 2011 - December 31, 2011.

The highlights of the terms agreed to are:

2010, wages remained at 2009 rates;

2011, 0.5% increase for employees at the top of the salary range effective 1/1/2011;

Standard recognition, management rights, union security, seniority, discipline and grievance procedures;

The Cafeteria Model for Employee benefits delivery;

A flexible paid time off (PTO) model rather than separate vacation, sick leave, floating holidays and funeral leave with conversion effective April 25, 2011;

Injury on duty and uniforms consistent with other Sheriff's Office CBAs;

A provision for future consideration of post employment health care savings plan (PEHCSP) contributions

Language throughout the agreement is consistent with an exempt unit.

The action requested is to approve the terms of the 2011 CBA with the Teamsters Non-Licensed Management and PSAP Supervisors Unit.

ACTION REQUESTED:

Motion to approve the Teamsters Local 320, Non-Licensed Management and PSAP Supervisor Unit Collective Bargaining Agreement for January - December 2011.

FUNDING

County Dollars = \$00,000

Other Sources & Amounts =

= \$

TOTAL

= \$00,000

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

The 2011 budget includes the terms and conditions in the CBA, and exceeds the 2010 amounts for current members of the unit by approximately \$3,400.00.

Reviewed by Division Director

Date: 3/15/2010

Doris M. Krogman



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution to acquire easement for the Dakota Rail Regional Trail

Originating Division: Public Works/Parks

Meeting Date: March 22, 2011

Amount of Time Requested: None

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Carver County is planning to replace the County Road 10 Bridge over the Dakota Rail Regional Trail during the 2011 construction season. Additionally, the Dakota Rail Regional Trail Master Plan indicates that a trail connection from County Road 10 near the bridge to the Dakota Rail Regional Trail is needed for access to the trail. It is proposed that land rights needed to access the Dakota Rail Regional Trail from County Road 10 be obtained in concert with land rights needed for the County Road 10 Bridge project. There are efficiencies in considering both the work for the bridge and trail project at the same time. These efficiencies include dealing with the landowner for both the bridge project and trail connection project at one time versus needing to come back at a later date to acquire rights for the trail. Further, if rights are obtained for the bridge and trail, work to construct both the bridge and trail can be done at the same time and economies of scale would be realized for the project as well as having just one construction period for the two projects. Thus the area is only disturbed once with construction activities

ACTION REQUESTED: It is requested that the Board adopt a resolution to acquire a transportation and trail easement for County Road 10 and the Dakota Rail Regional Trail.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: At a later date the board will be asked to approve a settlement agreement with the property owner.

Reviewed by Division Director

Date: March 10, 2011

S:\Parks\BA-RES\Dakota Rail\ County Road 10 Trail Connection\Board Action Rocskes



REQUEST FOR BOARD ACTION

AGENDA ITEM : AWARD OF BID FOR SAP 010-611-009: REPAIR OF BRIDGE NO. 70532 ON CSAH 11 ON MINNESOTA RIVER

Originating Division: Public Works

Meeting Date: March 22, 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: Bids for the SAP 010-611-009: Repair of Bridge No. 70532 on CSAH 11 on Minnesota River were opened on Friday, March 4, 2011 by Carver County.

On March 1, 2011, the County Board by resolution authorized the Carver County Engineer to accept quotes for completion of this emergency repair work without advertising for bids.

Six (6) bids were received with the low bidder being S.M. Hentges & Sons. The engineers estimate was \$250,000.00. The low bid amount is \$170,800.00. An abstract of bids is attached.

ACTION REQUESTED: It is recommended that the County Board award the contract in the amount of \$170,800.00 to S.M. Hentges and Sons.

FUNDING

County Dollars =	\$ 21,516.00
Scott County =	\$ 21,516.00
State Bridge Bonds	= \$ 127,768.00
TOTAL	= \$ 170,800.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date: March 14, 2011

S:\Projects\Bridge No. 75032\BAF - Award Bid.docx

**CARVER COUNTY - ABSTRACT
SAP 010-611-009
BRIDGE NO. 75032 SLOPE PROTECTION**

BID OPENING: FRIDAY, MARCH 4, 2011 - 10:30AM

Item No.	Item Description	Unit	Quantity	Engineer's Estimate		S. M. Hentges & Sons Jordan, MN		Wm. Mueller & Sons Hamburg, MN		NW Asphalt Shakopee, MN		Chard Tiling & Exc. Belle Plaine, MN		Minnowa Construction Harmony, MN	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
2021.5	Mobilization	LS	1	\$11,000.00	\$11,000.00	\$3,800.00	\$3,800.00	\$12,200.00	\$12,200.00	\$12,500.00	\$12,500.00	\$2,300.00	\$2,300.00	\$19,000.00	\$19,000.00
2401.6	Slope Preparation	LS	1	\$19,000.00	\$19,000.00	\$3,200.00	\$3,200.00	\$6,250.00	\$6,250.00	\$2,500.00	\$2,500.00	\$2,970.00	\$2,970.00	\$4,000.00	\$4,000.00
2501.51	Course Filter Aggregate	CY	1,400	\$25.00	\$35,000.00	\$27.00	\$37,800.00	\$20.00	\$28,000.00	\$36.00	\$50,400.00	\$27.95	\$39,130.00	\$24.00	\$33,600.00
2511.5	Random Riprap, Class III	CY	500	\$45.00	\$22,500.00	\$42.00	\$21,000.00	\$52.50	\$26,250.00	\$43.00	\$21,500.00	\$55.21	\$27,605.00	\$40.00	\$20,000.00
2511.5	Random Riprap, Class V	CY	2,500	\$65.00	\$162,500.00	\$42.00	\$105,000.00	\$54.00	\$135,000.00	\$43.00	\$107,500.00	\$55.21	\$138,025.00	\$58.00	\$145,000.00
					\$250,000.00		\$170,800.00		\$207,700.00		\$194,400.00		\$210,030.00		\$221,600.00



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Solid Waste Management Coordinating Board 2011 Special Project Budget.

Originating Division: Public Health & Environment

Meeting Date: March 22, 2011

Amount of Time Requested: 10 minutes

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:**

Since 1993 Carver County has been a member of the Solid Waste Management Coordinating Board [SWMCB] – a joint powers board made up of six of the seven Metropolitan counties. The mission of the SWMCB is to increase the efficiency and environmental effectiveness of the region’s solid waste management system.

Funding for the SWMCB has historically come from two sources. Each member county pays yearly dues of about \$18,000 per county. The SWMCB has also received \$1 million per year from the Minnesota Pollution Control Agency [MPCA] since 1998. The funds originate from the Metropolitan Landfill Abatement Account [MLAA] - a \$6.66 per ton fee charged at landfills in the Metro Area. County contributions and MPCA funding have allowed this organization to carry out many significant projects including development of the “Rethink Recycling” – trademarked solid waste public education campaign, consistent hazardous waste regulations, household hazardous waste programs, and a region wide solid waste master plan.

The SWMCB usually negotiates work plan with the MPCA for the grant funds. However, the SWMCB was informed in 2010 that State grant guidelines changed and a more formal process was needed. SWMCB staff and Commissioners were unable to develop a 2011 work plan that satisfied MPCA staff. Ramsey County Commissioner Victoria Reinhart, current Chair of the SWMCB, met privately with newly appointed MPCA Commissioner Paul Assen to break this stalemate. They were able to reach an agreement.

Each county already receives a direct allotment of MLLA funds via the Local Recycling Development Grant. The MPCA Commissioner agreed to increase the counties LRDG grant allotment by the amount requested by the SWMCB for 2011 [\$988,377]. The member counties could then increase their SWMCB funding to accomplish the 2011 work plan. Carver County will receive its usual LRDG allotment of \$112,081. We have also received an additional \$84,865 as a result of this agreement. LRDG funds must be used to enhance or improve local solid waste programs.

The SWMCB Board considered and unanimously approved a 2011 Work Plan, including a Special Project Assessment for each member county on February 23, 2011. The work plan addresses joint programs including development of a regional master plan, collaborative activities in communication, household hazardous waste, and other areas. Carver County’s assessment is \$72,006 or about 85% of the additional LRDG allotment. The assessment is based on a statutorily derived formula.

ACTION REQUESTED:

Approve 2011 Solid Waste Management Coordinating Board 2011 Special Project Budget and related budget amendments.

FUNDING

County Dollars =	\$
Other Sources & Amounts =	
New LRDG Grant Funds =	\$84,864.74
TOTAL	= \$84,864.74

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

The new LRDG funds must be spent to support local recycling and yard waste programs. They require a 1 to 1 match by the County. The match will be satisfied by Solid Waste Service Fee funds already budgeted for grants to cities and townships, Environmental Center operations, and City drop-off site operations. No additional or new County funds are needed.

Reviewed by Division Director

Date: 3/14/11

BUDGET AMENDMENT REQUEST FORM

Submit to Finance Office one week prior to County Board Session.

DEPARTMENT: Public Health and Environment

Date of County Board Session: 3/22/11

Fund: 01

Description of Revenue Account funds are to be Increased:	2011 Amount	Description of Expenditure Account funds are to be Increased:	2011 Amount
01-123-130-0000-5391 Other Intergovernmental Revenue	\$ 84,865	01-123-130-0000-6240 Dues	\$ 72,006
		01-123-131-0000-6260 Env. Center Professional Services	\$ 12,859
TOTAL:	\$ 84,865	TOTAL:	\$ 84,865

A. Reason for Request: See accompanying Board Action.

B. Financial Impact: (To be filled out by Finance Director)

C. Contingency Acct. Beginning Bal.: \$ 250,000

D. Prior Contingency Adjustment: \$ (55,792)

E. Current Contingency Adjustement: \$ -

F. Remaining Balance: \$ 194,208

G. Requested By: Mike Lein

H. Recommend Approval: Finance Director

I. County Board Decision: Approval/Disapproval



REQUEST FOR BOARD ACTION

AGENDA ITEM: Proposed Changes to Provide More Open County Government

Originating Division: County Administration

Meeting Date: 3/22/11

Amount of Time Requested: 20 minutes

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:**

During the March 15 work session, the Board discussed 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:

Motion to adopt the proposed changes to provide more open county government effective immediately.

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



**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



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2011 Federal Grant Applications

Originating Division: Public Works

Meeting Date: March 22, 2011

Amount of Time Requested: 15 mins

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Every two years the Metropolitan Council solicits for projects to be funded with federal funds through their Regional Solicitation Process. This is a competitive application process with several funding categories. Applications for federal fiscal year 2015 and 2016 funding are due in June, 2011. Most categories require a 20% local match.

Carver County has been successful in receiving federal funds through this process for several highway, bridge and trail projects including CSAH 10 construction from Chaska to Waconia, CSAH 11 (Guernsey Ave) realignment and the Dakota Regional Trail to name a few.

Public Works has assembled potential candidate projects for funding consideration. Some projects are repeat applicants and some are new. Candidates were chosen based on traffic safety, traffic capacity and regional needs. Preliminary analysis was performed on the candidates to help determine their eligibility and competitiveness. These have been discussed at two County Board Work Sessions on November 16, 2010 and February 14, 2011 and a final list of recommendations has been determined.

It is recommended that grant applications be prepared for the following projects:

- CSAH 10 from CSAH 30 to TH 7
- CSAH 14 (Pioneer Trail) from Bavaria to TH 41
- CSAH 18 (Lyman Blvd) from TH 41 to Galpin
- CR 122 Extension from TH 25 to CSAH 10 with new River Crossing

- CSAH 10 Regional Trail from CSAH 32 to Dakota Regional Trail
- MN River Bluffs Regional Trail from Chaska Athletic Park to MN River (Old UPRR line)

ACTION REQUESTED: Authorize the County Engineer and Parks Director to prepare and submit federal funding applications to the Metropolitan Council for CSAH 10,14,18, CR 122 ext, CSAH 10 Regional Trail, and MN River Bluffs Regional Trail.

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: February 28, 2011



REQUEST FOR BOARD ACTION

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

Originating Division: Public Works/Parks

Meeting Date: March 22, 2011

Amount of Time Requested: None

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The County Board at its March 15, 2011 workshop meeting reviewed possible grant applications for the DNR Legacy Park and Trail Grant Program. This grant program is funded with dedicated sales tax proceeds from the constitutional amendment for clean water, habitat, parks and trails, and the arts. Carver County residents pay into this designated DNR fund for clean water, habitat, parks and trails and the arts through sales tax placed on goods and services residents purchase. Applying for grants through the DNR is a way that Carver County residents can receive benefit from the sales tax proceeds.

The proposed grant applications included:

- 1) Grant for Dakota Rail Regional Trail – Phase II Development
- 2) Grant for development of a creative play area at Lake Waconia Regional Park as indicated in the park master plan
- 3) Grant combining the two boat accesses at Lake Minnewashta Regional Park into one access as indicated in the park master plan

The County Board directed staff to apply for phase II of the Dakota Rail Regional Trail. The grant request amount is for \$397,500 as a local match to \$1,120,000 in approved Federal Transportation Enhancement Funds. If successful, the grant would reduce the County's local match by \$397,500 and reducing the County's/CCRRA local contribution to a projected amount of \$132,500.

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 grant application and resolution of support
- March 31, 2011 grant applications due

ACTION REQUESTED: Motion to approve a Parks and Trails Legacy Grant Application to the Minnesota Department of Natural Resources for the Dakota Rail Regional Trail and approve resolution of support.

FUNDING

County Dollars =	\$
Other Sources & Amounts =	\$
To be Determined	=\$132,000
TOTAL	=\$132,000

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 application will be successful. If the application is successful funding options for the local match include County Regional Railroad Authority levy, General Fund levy, County Designated Park Fund for Land Acquisition and Metropolitan Council CIP.

Reviewed by Division Director

Date: March 17, 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 4th 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 22nd 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 : Union Pacific Rail Line Chaska Industrial Lead

Originating Division: Public Works/Parks

Meeting Date: 3-22-10

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

On January 23, 2008, Carver County Regional Rail Authority, Scott County Regional Rail Authority, the City of Chaska and City of Carver entered into a joint powers agreement and formed an entity entitled the Minnesota River Valley Rail Line (MRVL), to consider the possible acquisition of the 5.6 mile stretch of the Union Pacific Rail Line Chaska Industrial Lead which extends from Chaska (Mile post 33.0) to Merriam (Milepost 38.6) in Scott and Carver Counties, Minnesota. This agreement provides the ability for MRVL to enter into negotiations with the Union Pacific to obtain an agreement to acquire the rail right of way for public and/or trail use under federal law, rules and provisions.

In early 2009 an offer was made by MRVL to Union Pacific for the corridor. That offer was rejected. Union Pacific has responded with their opinion of value for the corridor. Another offer to Union Pacific has been made and is being considered by Union Pacific Railroad for property identified as the Chaska Industrial Lead, which extends 5.6 miles from Chaska (Milepost 33.0) to Merriam (Milepost 38.6) in Scott and Carver Counties, Minnesota.

County Staff has been working on a Donation Purchase and Sale Agreement with Union Pacific Railroad and wishes to update the Board on negotiations pertaining to this agreement.

ACTION REQUESTED: Motion to enter into closed session according to Minnesota Statutes Section 13D.05 in order to discuss confidential information of offers or counter offers for the purchase of real property.

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: March 14, 2011

S:Parks/BA-RES/Union Pacific Railroad Chaska Industrial Lead March 22, 2011



REQUEST FOR BOARD ACTION

AGENDA ITEM : Land Acquisition Lake Waconia Regional Park

Originating Division: Public Works/Parks

Meeting Date: March 22, 2011

Amount of Time Requested: 25 Minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: An appraisal report was prepared for parcel 070181000 located at 809 Old Beach Lane in 2009 for possible use to negotiate a purchase price for the 19 acre parcel. An offer was not made at that time.

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

The Carver County Board had previously considered acquisition of the parcel as a part of its 2011 legislative platform.

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

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: March 14, 2011

S:Parks/BA RES/LWP /Pauls Parcel