



Carver County Board of Commissioners
 May 24, 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 comments (limited to five minutes)</i> d) <i>Introduction of New Employees</i> 	
	2.	Agenda review and adoption	
	3.	Approve minutes of May 17, 2011 Regular Session	1-3
	4.	Community announcements	
9:15 a.m.	5.	CONSENT AGENDA <i>Connections: Develop strong public partnerships and connect people to services and information</i> 5.1 Drainage structure easement agreement for the Dakota Rail Corridor	4-5
		<i>Growth: Manage the challenges and opportunities resulting from growth and development</i> 5.2 Amendment #7 to agreement with SRF Consulting, Inc., for final design services – CSAH 18	6
		<i>Finances: Improve the County's financial health and economic profile</i> 5.3 Community Social Services' warrants	NO ATT
		5.4 Commissioners' warrants.....	SEE ATT
9:15 a.m.	6.	CONNECTIONS: DEVELOP STRONG PUBLIC PARTNERSHIPS AND CONNECT PEOPLE TO SERVICES AND INFORMATION 6.1 Approval of contract – consulting for simulcast fire paging project.....	7-8
9:30 a.m.	7.	COMMUNITIES: CREATE AND MAINTAIN SAFE, HEALTHY, AND LIVABLE COMMUNITIES 7.1 Construction of receiving area canopy at Carver County Environment Center	10-16
9:50 a.m.	8.	GROWTH: MANAGE THE CHALLENGES AND OPPORTUNITIES RESULTING FROM GROWTH AND DEVELOPMENT 8.1 Resolution for 2011 Transportation, Community and System Preservation Program funding for TH 212 Improvements	17-18
10:15 a.m.		ADJOURN REGULAR SESSION	

10:15 a.m.

BOARD REPORTS

1. Chair
2. Board Members
3. Administrator
4. Adjourn

10:45 a.m.

David Hemze
County Administrator

UPCOMING MEETINGS

May 31, 2011	No Board Meeting
June 7, 2011	9:15 a.m. Board Meeting
June 14, 2011	9:15 a.m. Work Session
June 20, 2011	5:00 p.m. Board of Equalization
June 21, 2011	4:00 p.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 17, 2011. Chair Randy Maluchnik convened the session at 4:00 p.m.

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

Members absent: None.

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

Lynch moved, Ische seconded, to approve the minutes of the May 3, 2011, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved contract with PowerObjects for the Microsoft Dynamics XRM property information software system and related Public Health & Environment budget amendment transferring \$24,180 from Information Services and \$66,696 from Public Health & Environment various line items to Public Health & Environment software, line item 01-123-130-0000-6265.

Authorized the reissuance of a Certificate of Zoning Compliance (#A20100490) for the 2011 AMA/District 23 Hare Scrambles which has been rescheduled from May 8, 2011 to May 29, 2011.

Authorized the issuance of a Certificate of Zoning Compliance (#A20110114) for the 2011 Lake Waconia Triathlon.

Approved the following abatements:

25-635-0127	Douglas MacDonald
25-635-0070	Douglas MacDonald
25-790-0040	Anne Jeske
58-051-0090	Miguel Palacios
30-018-0910	George Lenz
85-532-0310	TerryVanwatermulen
04-011-0300	Luallen Kettner
40-441-0090	Brent Theis
58-765-0020	Terry Molitor
40-440-0300	Kathryn Schroeder

Approved request for a one to four day temporary on-sale liquor license for Augusta Ball Club.

Professional services agreement with SRF Consulting Group, Inc., for 2011 federal transportation project funding applications and authorized the Chair and County Administrator to sign the agreement.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Lyndon Robjent, Public Works, reviewed the proposed amended Resolution authorizing the use of eminent domain for only the CSAH 10 bridge replacement project. He noted the previously adopted Resolution had also included the use of eminent domain for the trail connection project.

He identified the construction limits of both projects. Robjent stated they have been working a number of years to replace the structurally deficient bridge and they were asking for eminent domain so the bridge replacement project can be completed this summer. He indicated negotiations were going well but eminent domain would allow them to set a possession date.

Robjent noted Commissioner Lynch's request to remove the trail connection parcel from the eminent domain process. Lynch acknowledged the importance of getting the bridge replaced and stated eminent domain should not be used for the trail connection project.

Lynch moved, Ische seconded, to amend Resolution #33-11 to remove the land acquisition required for the Dakota Rail Regional Trail connection from eminent domain proceedings and restrict the use of eminent domain for the land acquisition required for project SAP 10-61-37, CSAH 10 Bridge reconstruction. Ische, Lynch, Maluchnik voted aye. Degler, Workman voted nay. Motion carried.

Degler moved, Workman seconded, to open the public hearing on Ordinance 67-2010 amending the Carver County Code Chapter 52, sewage treatment system. Motion carried unanimously.

Mike Lein, Environmental Services, entered into the record the affidavit of public hearing notices, the Planning Commission Resolution, the recommended Ordinance for adoption and today's PowerPoint presentation.

He stressed the importance of clean water to public health and explained the sewage treatment system ordinance regulates how sewage is treated. He stated the last major changes in Minnesota regulations were made in 1996. He indicated in 2008 Chapter 7080 was repealed and split into four new rules. Lein stated this was a mandated program for local governments and Environmental Services administers the program for all townships and cities except Chanhassen.

Lein reviewed the initial deadline to adopt and stated this was extended to February, 2012. He pointed out the meetings that were held with contractors, cities and townships, public hearing notices and the internal and external reviews. Lein stated, given that the County's regulations were more strict than the State, the rules have limited impact on Carver County.

He explained the change related to compliance inspections of existing systems and stated this change must be adopted in the local ordinance and each local government must decide whether this works for them. Lein highlighted the rule changes relating to labels, licensing, soils and design and the County differences from Chapters 7080 and 7081. He pointed out what triggers compliances and timelines for upgrades.

No public testimony was received.

Ische moved, Degler seconded, to close the public hearing. Motion carried unanimously.

Degler offered the following Resolution, seconded by Ische:

Resolution #34-11
Adopting Ordinance 67-2010
Amending Chapter 52 Sewage Treatment System

On vote taken, all voted aye.

Dave Hemze, County Administrator, explained the Association of Minnesota Counties asked the Board to adopt a Resolution supporting the Minnesota Accountable Government, Innovation and Collaboration Act. He stated the intent of the Act is to enhance efficiencies and effectiveness and allow counties more local control.

The Board agreed they would like to have further discussion on this and asked that AMC Representative Ryan O'Conner be invited to attend a future Board meeting to review this in greater detail.

Degler moved, Workman seconded, to table the Resolution supporting the Minnesota Accountable Government, Innovation and Collaboration Act. Motion carried unanimously.

Lynch moved, Degler seconded, to adjourn the Regular Session at 4:45 p.m. Motion carried unanimously.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Drainage Structure Easement Agreement For the Dakota Rail Corridor

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 5/24/2011

Contact: Marty Walsh

Item Type: Consent

Presenter: _____

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Construction for phase 1 of the Dakota Rail Regional Trail is nearing completion. Through the construction process a drainage concern was identified at Goose Lake Drive. The grade at Goose Lake Drive prevents water from flowing down the Dakota Rail corridor and trail. A drainage study and design for the drainage improvement have been completed. The proposed improvement would install two culverts at Goose Lake Drive, provide a drainage intake structure and pipe to discharge the additional water received from the west side of Goose Lake Drive. Additionally, the adjacent property owner desires to provide maintenance of the drainage intake free of debris. The owner has agreed that the intake structure would be constructed on his property to allow him access to it and the County will receive an easement over the area of the intake structure to repair, replace and maintain the improvement.

Entering into the easement agreement will resolve a longstanding drainage problem at Goose Lake Drive, discharge additional storm water run-off in a manner satisfactory to the adjacent landowner, and allow for the remaining section of pavement to be installed on the trail.

ACTION REQUESTED:

Motion to approve a drainage easement agreement with David Brockpahler and authorize the Board Chair and County Administrator to sign the agreement subject to approval by the County Attorney.

FISCAL IMPACT: Included in current budget

If "Other", specify: _____

FUNDING

County Dollars =	\$0.00
Federal/Parks and Trails	\$25,367.00
Total	\$25,367.00

FTE IMPACT: None

Related Financial/FTE Comments:

Comments related to fiscal/FTE impact or funding The current project costs including the proposed drainage improvement is \$1,307,758. Funding Sources include \$550,000 ARRA, \$606,207 Federal Transportation Enhancement funds, and \$151,551 Parks and Trails Funds.

Approved by Division Director:

5/11/2011

X Lyndon Robjent

Signed by Irobjent [View details](#)
on Wednesday, May 11, 2011 12:28 PM (Central
Daylight Time)

Office use only:
RBA 2011- 567

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment #7 to Agreement with SRF Consulting Group, Inc. for Final Design Services - CSAH 18 (Lyman Blvd)

Primary Originating Division/Dept: <u>Public Works - Engineering</u>	Meeting Date: <u>5/24/2011</u>
Contact: <u>Bill Weckman</u>	Item Type: <u>Consent</u>
Presenter: <u>[Redacted]</u>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

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

BACKGROUND/JUSTIFICATION:

SRF Consulting Group is under contract to provide design engineering services for the reconstruction of CSAH 18 (Lyman Blvd.). The agreement defines the tasks and services that will be completed and allows for completion of this work. As the project design progressed and Phase 3 of the project was supported by federal funding, there were additional design tasks that had to be added to the consultant work in order to complete this project.

Amendment No. 6 to this agreement supplemented the original agreement to include tasks and services necessary for completion of Phase 3 of this project to meet federal funding requirements.

This Amendment No. 7 provides for additional design and traffic work to analyze potential future traffic impacts to roadways in the project and surrounding area. This information is needed to make detailed recommendations regarding number of lanes, turn lanes, traffic control, etc. for the final design of this project.

ACTION REQUESTED:

Approve Amendment #7 to the CSAH 18 (Lyman Blvd) professional services agreement with SRF Consulting Group and authorize the Board Chair and County Administrator to sign the amendment.

<p>FISCAL IMPACT: <u>Included in current budget</u> If "Other", specify: <u>[Redacted]</u></p> <p>FTE IMPACT: <u>None</u></p>	<p>FUNDING</p> <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$53,000.00</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$53,000.00</td> </tr> </table>	County Dollars =	\$53,000.00			Total	\$53,000.00
County Dollars =	\$53,000.00						
Total	\$53,000.00						

Related Financial/FTE Comments:

<p>Approved by Division Director:</p> <div style="text-align: center;"> <p>X Lyndon Robjert</p> </div> <p>Signed by Irobjert View details on Wednesday, May 11, 2011 3:43 PM (Central Daylight Time)</p>	
--	--

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of Contract: Consulting for Simulcast Fire Paging Project

Primary Originating Division/Dept: <u>Public Health & Environment - Emergency Mgmt.</u>	Meeting Date: 5/24/2011
Contact: Randy Wolf	Item Type: <u>Regular Session</u>
Presenter: Ken Carlson	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County and the Cities of Carver County must upgrade their fire service pagers and the County's activation equipment to comply with the Federal Communications Commission (FCC) narrow-banding requirement, by January 1, 2013.

The City of Cologne received grant money from the Federal Government on behalf of 11 Carver County cities to upgrade the cities' fire departments' pagers and the County's activation equipment, as required by the FCC; as well as improve the system by allowing pages to be sent from multiple tower sites simultaneously, improving coverage and system performance. This will ultimately improve public safety by allowing firefighters to receive pages anywhere in the County, not just within their own city. The County Board approved funding the local match required by the FEMA grant, and this contract falls within the amount authorized by the Board. The Division would like fund this project using the reserves created by reducing the county's working capital from 40% to 37% of next year's budget. The Contractor would be hired as the project manager with the technical expertise to execute this mandatory project for the 11 cities and to protect the County's interests in the project.

This contractor, a professional radio engineering firm, will produce detailed technical design specifications, provide guidance in creating a fair and defensible procurement process and assist in the installation and system acceptance testing of the new simulcast paging and siren activation system. This contract will assist the cities in handling a mandate that is crucial for maintaining the ability to alert volunteer firefighters of emergency calls around the County. The cities do not have the funding to hire the Contractor to accomplish this project.

Without the contract, the City of Cologne will be forced to attempt to manage the project on their own, which may result in less than desirable system performance and potential liability over bidding, purchasing and system failure issues. This may also put the public at risk, as firefighters may not be promptly notified of emergency calls for service.

This contract will be effective through December 31, 2012.

ACTION REQUESTED:

Approval of contract with PSC Alliance, Incorporated for consulting on a simulcast fire paging project.

FISCAL IMPACT: Budget amendment request form

If "Other", specify: _____

FUNDING

County Dollars =	\$38,700.00
Total	\$38,700.00

FTE IMPACT: None

Related Financial/FTE Comments:

Funding for this contract is from the reduction in County reserves for working capital, from 40% to 37% in 2010.

Approved by Division Director:

5/16/2011

X **rwolf**

Signed by rwolf [View details](#)
on Monday, May 16, 2011 10:08 AM (Central
Daylight Time)

Office use only:
RBA 2011-576

Budget Amendment Request Form



Agenda Item:

Approval of Contract: Consulting for Simulcast Fire Paging Project

Department:
t:

Meeting Date: 5/24/2011

Requested By:

Ken Carlson

Fund:

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

Description of Revenue Accounts	Acct #	Increase/ (Decrease) Amount
Fire Pager Project consultant contract		\$38,700.00
TOTAL		\$38,700.00

Description of Expenditure Accounts	Acct #	Increase/ (Decrease) Amount
2010 Working Capital Reserves		\$38,700.00
TOTAL		\$38,700.00

Reason for Request:

Funding for this contract is from the reduction in County reserves for working capital, from 40% to 37% in 2010.

County Board Decision:

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Construction of Receiving Area Canopy at Carver County Environmental Center - Chaska

Primary Originating Division/Dept: <u>Administrative Services - Facilities</u>	Meeting Date: <u>5/24/2011</u>
Contact: Kevin Maas/Mike Lein	Item Type: <u>Regular Session</u>
Presenter: Kevin Maas	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No

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

BACKGROUND/JUSTIFICATION:

The Carver County Environmental Center opened in the summer of 2002 with the mission of providing a convenient year round location for residents and business to recycle and/or responsibly manage household hazardous waste and other special wastes such as tires and appliances. Almost 12,500 visits to the Center were made by residents and business in 2003, the first full year of operation. Almost 25,000 visits were made in 2010, thus doubling participation in eight years of operation.

The increase in participation requires constant reassessment of the Environmental Center operations to remain cost effective and customer friendly. One need that was identified several years ago was a canopy over the receiving area. Currently the receiving area is uncovered and exposed to the elements. This limits both operational efficiencies and customer service during rain, snow, and other weather related events. Funds for a canopy were included in the 2009 Capital Improvement Budget. However, construction has been delayed due to design related concerns from the City of Chaska. These concerns have been addressed and the County has received staff approvals that can allow them to issue a building permit.

Preliminary design and costs estimates were reviewed with the County Board at the April 5, 2011 Work Session. The preliminary estimate was approximately \$127,500. The Board directed the Facilities Department to proceed with obtaining competitive bids for further consideration by the County Board. The Facilities Department worked with Amcon Construction Management to obtain bids/contracts for seven divisions. The low bids for the various areas result in a construction cost of \$123,069 [see attached] which includes a \$10,000 request for contingency purposes. Funds are available in the Capital Improvement budget for the construction.

ACTION REQUESTED:

Motion to approve a construction budget of \$123,069 to construct the Canopy through a Construction Management Contract with Amcon CM, LLC and authorize the County Administrator to execute all Contracts on behalf of the Board including the Steel Division which is greater than \$25,000.

FISCAL IMPACT: Included in current budget

If "Other", specify: _____

FTE IMPACT: None

FUNDING

County Dollars =	
Solid Waste Service Fee	\$123,069.00
Total	\$123,069.00

Related Financial/FTE Comments:

Solid Waste Service Fee Capital Reserve Funds for this project have been budgeted and carried over from previous years budgets. Approved projects that are expected to be completed this year will spend down all of the remaining Solid Waste Service Fee Reserve Funds.

Approved by Division Director:

5/16/2011

 **Steven H. Taylor**

Signed by staylor [View details](#)
on Monday, May 16, 2011 11:58 AM (Central
Daylight Time)

Office use only:
RBA 2011- 584

Enviromental Resource Center Canopy

DIVISION Description	
General Conditions	\$ 16,290
Design	\$ 5,171
CM FEE	\$ 4,137
Contingency	\$ 10,342
City Fees	\$ 569
Grading & Excavation	\$ 5,300
Bituminous Asphalt	\$ 7,989
Concrete/Masonry	\$ 11,900
Steel Fabrication	\$ 22,681
Add Galvination	\$ 6,950
Steel Erection	\$ 6,200
Roof/Steel Install	\$ 15,900
Roof Blocking	\$ 1,500
Paint	\$ 5,140
Electric	\$ 3,000
TOTAL:	<u>\$ 123,069</u>







Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution for 2011 Transportation, Community, and System Preservation Program (TCSP) funding for TH 212 Improvements.

Primary Originating Division/Dept: Public Works

Meeting Date: 5/24/2011

Contact: Lyndon Robjent

Item Type: Regular Session

Presenter: Lyndon Robjent

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

USDOT issued a solicitation on May 6th, 2011 for 11 discretionary transportation grant programs totaling approximately \$422 Million. The memo for the solicitation can be found at:

<http://www.fhwa.dot.gov/discretionary/memo2011.htm>

One of the programs is the Transportation, Community, and System Preservation (TCSP) Program from which TH 212 was awarded \$606,000 in federal funding in 2008. The program is funded at a maximum 80% federal funds and requires a minimum match of 20%.

The Southwest Corridor Transportation Coalition (SWCTC) continuously advocates for the expansion of TH 212 and TH 5 to improve safety and mobility. The SWCTC wishes to submit an application for \$2M to continue project development on TH 212 including but not limited to the following work:

- 212 corridor access management plan which identifies interim access and safety improvements on the corridor.
- Service road study and preliminary design to construct parallel major collector service roadways north and south of TH 212 from CSAH 11 to CSAH 43.
- Detailed phasing plan to construct 212 in manageable sections that accommodate safety and access management solutions while ultimately meeting the vision of completing 212 to a 4-lane expressway.
- Final design and right of way acquisition for Phase 1 of the identified phasing projects.
- Implementation of a right of way acquisition fund to allow purchase of right along TH 212 that is within the adopted official map for the 4-lane expressway.
- Environmental documentation, design, official mapping, right of way acquisition of TH 212 North and South Service Roads.
- Environmental documentation, final design and right of way acquisition for Phase 2-5 for TH 212 phasing plan
- Design, right of way acquisition and construction of interim improvements identified in the 212 Corridor Management Plan.

Carver County needs to sponsor the application which requires commitment to the required local match. The required local match for the application is \$400,000.

Applications are due to FHWA on June 3, 2011. A draft resolution is attached requesting the funding and committing to the local match.

ACTION REQUESTED:

Motion to adopt a resolution to submit a grant application for FY 2011 TCSP funding for the TH 212 corridor and commit to providing the required local match of \$400,000.

FISCAL IMPACT: Other

If "Other", specify: *See below*

FUNDING

County Dollars =	\$400,000.00
Total	\$400,000.00

FTE IMPACT: None

Related Financial/FTE Comments:

The Public Works Director will develop a recommendation for funding the county share as part of the process to develop the 2012 Budget and 2013 – 2017 Long Term Financial Plan. If the grant is awarded the local match will likely be needed in 2012 and 2013.

Approved by Division Director:

[Signature]

X Lyndon Robjert

Signed by Irobjent [View details](#)
on Monday, May 16, 2011 4:43 PM (Central Daylight Time)

Office use only:
RBA 2011- 576

Resolution for Funding US 212 Improvements

WHEREAS US Highway 212 is part of the National Highway System and serves as a key corridor in the State of Minnesota for east/west travel, connecting the Southwestern part of the state with the Twin Cities Metropolitan Area. US Highway 212 has also been designated a High Priority Interregional Corridor by MnDOT for the portion east of Glencoe in McLeod and Carver Counties. Currently, sections of US Highway 212 between Chaska and Norwood Young America pose a real safety hazard as the highway switches from 4 lanes to 2 lanes, back to 4 lanes and then back to 2 lanes again. Eliminating these safety hazards is a high priority for MnDOT, and

WHEREAS federal funding is being requested that would build on work begun with previous federal dollars to improve the safety and effectiveness of this major highway. The eventual goal is to provide a continuous 4-lane divided highway across Carver County from the end of the current New Highway 212 in Chaska through Norwood Young America, and

WHEREAS a preliminary design has been completed and an Environmental Assessment has begun for a 4-lane expressway design for the portion of US Highway 212 between Cologne and Norwood Young America, known as Part A, and

WHEREAS an Environmental Assessment, preliminary design and official mapping has been completed, approved and adopted for a 4-lane expressway design for the portion of US Highway 212 between Chaska and Cologne, known as Part B, and

WHEREAS county, state and federal funds continue to be used to develop a detailed corridor access management plan, a 4-lane expansion phasing plan, a right of way acquisition plan, and a service road study, and

WHEREAS the expansion of US Highway 212 along with major collector service roads running parallel to US Highway 212 would serve the residents and businesses in the US 212 corridor while improving safety by limiting access.

WHEREAS federal grants have been made available through the Transportation, Community, and System Preservation Program (TCSP) to plan and implement strategies which improve the efficiency of the transportation system, reduce environmental impacts of transportation, reduce the need for costly future public infrastructure investments, ensure efficient access to jobs, services and centers of trade, and examine development patterns and identify strategies to encourage private sector development patterns which achieve these goals, and

WHEREAS, construction of the proposed highway expansion and service road infrastructure will create jobs both short-term and long-term while encouraging economic development of businesses serving the new development as well as existing businesses that rely on US Highway 212 to ship products and commodities, and

NOW, THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners requests funding in the amount of \$2,000,000 for US Highway 212 through the FY 2011 Transportation, Community, and System Preservation Program and commits to provide the required matching funds in the amount of \$400,000 from county funds, other funding partners and in-kind work as applicable.