

Carver County Board of Commissioners
 December 14, 2010
 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"> <i>a) CONVENE</i> <i>b) Pledge of Allegiance</i> <i>c) Public participation (comments limited to five minutes)</i> <i>d) Introduction of New Employees</i> 	
	2.	Agenda review and adoption	
	3.	Approve minutes of November 23, 2010 Regular Session and December 2, 2010, Budget Public Hearing	1-4
	4.	Community announcements	
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5.28	Commissioners’ warrants.....	SEE ATT

9:15 a.m.

6. FINANCE

6.1	<i>Public Hearing</i> – Carver County Fee for Service Schedule	47-49
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10:10 a.m.	7.	EMPLOYEE RELATIONS	
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	8.1	Approval of purchase agreement with Zeigler, Inc. for 315CL hydraulic excavator	73-74
10:45 p.m.		ADJOURN REGULAR SESSION AND CONVENE AS THE CARVER COUNTY REGIONAL RAIL AUTHORITY	
	9.	RAIL AUTHORITY	
	9.1	Regional Rail Authority 2011 Final levy and budget.....	75-77
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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

December 21, 2010 7:30 a.m. Legislative Breakfast, American Legion, Chanhassen

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on November 23, 2010. Chair James Ische convened the session at 9:19 a.m.

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

Members absent: None.

Under public participation, Ken Wencil, Chanhassen, invited Board members to attend the Riley Purgatory Bluff Creek Watershed's "Evening at the watershed" event scheduled for November 30th. He stressed the importance of keeping water clean and not wasting water. Wencil referenced his handout on aeration. He stated he was working to promote a partnership with the City of Chanhassen on aeration and encouraged individuals to work on these issues together.

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

Maluchnik moved, Workman seconded, to approve the minutes of the November 2, 2010, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved contract with Dorglass in the amount of \$60,000 and related \$12,800 Facilities budget amendment.

Authorized Public Health and Environment employee to attend a national Public Health Emergency Medical Countermeasures Enterprise workshop, at NACCHO's expense, in Washington, D.C.

Authorized the Board Chair to sign the application for Carver County NPDES/MS4 permit reissuance and approve submittal to the Minnesota Pollution Control Agency.

Approved the 2011 BWSR Natural Resource Block Grant and authorized the Chair to sign the grant agreement accepting \$78,147 in grant funds.

Authorized the issuance of a Certificate of Zoning Compliance (#A20100490) for the 2010 AMA/District 23 Hare Scrambles.

Authorized the expenditure of \$6,000 of East Creek capital funds to distribute funds to the Veterans Park Stormwater Treatment Porous Pavement Project along with conditions that the applicant provide final approved plans, as-built, a maintenance plan and cooperation with educational/demonstration materials prior to the release of funds.

Approved final payment of construction ARRA funded project SAP 10-630-27 (City of Mayer) and accepted the project as complete.

Accepted monetary gift made to the Encore Adult Day Care Services program.

Approved the Sheriff's Office contract with the Carver-Scott Educational Cooperative and District 110 Waconia Schools for placement of a full time deputy sheriff as a School Resource Officer in the schools.

Approved the following abatements:

30-951-0024	Brandondale/Mobile Home MN
30-951-0190	Brandondale/Mobile Home MN
30-952-0111	Daryl Sutter
07-057-0010	Cathy Mackenthun
25-887-0010	Rick Uglum
30-635-0450	Jason Kirsch
04-016-1010	Keith Kooiman (2008, 2009, 2010)
58-011-3700	Kathleen Koopman (2008, 2009, 2010)
30-580-0160	Victoria A. Sloan
30-951-0055	Bradley C. Peterson

Approved tobacco license #10-633, Northern Tier Retail LLC d/b/a SuperAmerica #4366.

Approved contracts with CenterPoint Energy Services, Inc. and directed the County Administrator to execute a 12-month contract within ten business days of this action for Chaska and Cologne commercial meters.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Steve Just, Public Health and Environment, requested the Board approve an agreement for building code services for 2011-2013. He explained an RFP was issued and they received five proposals. Just reviewed the criteria they used in evaluating the proposals, with the greatest weight put on cost and customer service.

He reviewed his recommendation to accept the Metro West proposal. Just noted the opportunity to cut costs 10% or more as well as an opportunity to reduce turnaround time.

Degler moved, Maluchnik seconded, to authorize staff to negotiate a professional services agreement with Metro West Inspection Services, Inc., for building code services for the years 2011-2013. Motion carried unanimously.

Degler moved, Maluchnik seconded, to go into closed session pursuant to Minnesota Statutes 13D.05, Subd. 3(b) to discuss attorney-client privileged matter regarding the settlement of Meuleners litigation. Motion carried unanimously.

The Board adjourned the closed session and reopened the public meeting at 10:07 a.m.

Lynch moved, Degler seconded, to approve the Meuleners Feedlot consent decree that constitutes the parties stipulated settlement, which shall also be approved for submission to the Court. Motion carried unanimously.

David Hemze, County Administrator, requested the Board approve the County's 2011 Legislative Priorities. He noted the work session held earlier to review these in detail. He acknowledged the upcoming legislative session would be difficult and stated they have focused on issues important for the organization. Hemze pointed out the majority of the priorities related to roads and bridges.

He noted the meeting to be held on December 21st to discuss these with the County's legislative delegation. Hemze summarized each of the County's priorities, pointing out they were not in priority order.

Degler moved, Workman seconded, to adopt Carver County's 2011 legislative priorities. Motion carried unanimously.

Lynch moved, Degler seconded, to adjourn as the County Board and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Marty Walsh, Parks, requested the Rail Authority authorize the demolition of the Feed Mill and Coal Storage buildings in New Germany on Rail property. He stated they had some environmental work done and receive a proposal to remove the hazardous items before the buildings come down. He indicated that proposal was for less than \$3,000 and he was asking the Rail Authority to authorize the removal of items and authorize the County Administrator to sign that agreement.

Maluchnik moved, Lynch seconded, to authorize the demolition of the Feed Mill and Coal Storage building in New Germany, to authorize the County Administrator to sign the agreement with Wuetherich Excavating for the work and to authorize the County Administrator to execute the contract for the removal of the hazardous material. Motion carried unanimously.

Degler moved, Maluchnik seconded, to adjourn as the Carver County Regional Rail Authority at 10:25 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.)

A public hearing on the proposed 2011 budget was held at the Government Center in Chaska on December 2, 2010. Chair Ische convened the meeting at 6:00 p.m.

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

Commissioners absent: None.

Chair Ische explained the purpose of the meeting was to take public comments on the County's proposed 2011 budget and not market values. He stated if members of the public had questions related to their property values, the Assessor's Office was available to address those concerns. He clarified the Board would not be setting the budget tonight and would be doing that at the December 14th Board meeting.

David Frischmon, Financial Services, reviewed a timeline related to the setting of property taxes. He noted January 1, 2010, market values set by the Assessor are based on sales that had occurred in the last half of 2008 and first half of 2009. He stated, based on those values, the County develops its budget.

He reviewed the 2011 budget strategy noting the Board's direction to decrease the tax impact for 2011 on an average valued home and develop a plan to deal with a potential unallotment in 2011.

Frischmon highlighted the 2011 preliminary levy adopted by the Board on September 7th and the 1.3% decrease in the property tax levy from 2010. He noted the increase in the area of capital for non levy funded projects and explained the levy for capital replacement and capital projects. Frischmon explained the plan to handle State aid unallotments and stated they had not been included in operating budgets. He reviewed the recommendation to lower reserves and use cash for projects vs. issuing debt.

He highlighted the tax levy impact to an average value home and commercial properties. He stated an average valued home decreased 4.6% compared to an overall market value decrease of 7% which resulted in a tax burden shift.

Frischmon highlighted the 2012 long term financial plan. He stated the plan was non binding and starting point vision for the future. He noted future budget challenges and strategies to address them.

Public comments were received from Rolland Neve, Frank Long, John Siegfried, Tom Devine, Beverly Foster, Mike Burns, Patrick Munger and Mike Klingelutz.

The meeting was adjourned at 7:29 p.m.

David Hemze
County Administrator



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 minimum of two).

VENDOR: KBIC Tribal Historic Preservation Office

ACCOUNT: NEW

AMOUNT: \$ 50.00

REASON: Tribal research fee for fiber project

Department Head Signature: x Steven H. Taylor

Chairman of County Board

James Ische

County Administrator

Steven H. Taylor (for DA)
Dave Hemze

County Attorney

Arthur. aka Jim Keeler.
James Keeler Jr

Date: 11/29/10



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VENDOR: Ketegitigaaning Ojibwe Nation TAPD

ACCOUNT: NEW

AMOUNT: \$50.00

REASON: Tribal research fee for fiber project

Department Head Signature: Steven H. Taylor

Chairman of County Board

James Ische

County Administrator

Steven H. Taylor (Board)

Dave Hemze

County Attorney

AD7002 for Jim Keeler

James Keeler Jr

Date: 11/29/10

317363



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AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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VENDOR: Scott Anderson

ACCOUNT: 11-423-710-3440-6040

AMOUNT: \$900.00

REASON: Reimburse client for rent to a sober house facility for a mother with small children for November and December.

Department Head Signature: Ray Bar

Chairman of County Board

James Ische

County Administrator

Steve A. Taylor (for DA)
Dave Hemze

County Attorney

Attorney for Jim Keeler
James Keeler Jr

Date: 11/29/10

316829



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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 minimum of two).

VENDOR: BCBS of Alabama Attn: Payment Processing

ACCOUNT: 11-420-650-4801-6020
4401

AMOUNT: \$836

REASON: Payment of insurance premium to maintain continuation of health care coverage for client.

Department Head Signature: *Gay Bank*

Chairman of County Board
James Ische

County Administrator
Dave Hemze
Dave Hemze

County Attorney
APPROVE FOR SIR KEELER
James Keeler Jr

Date: 11/17/10

316830



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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 minimum of two).

VENDOR: Country Cove Apartments

ACCOUNT: 11-429-710-3640-6041

AMOUNT: \$550

REASON: One time rental assistant for working mother with a small child for monthly rent.

Department Head Signature: *Gay Bok*

Chairman of County Board

James Ische

County Administrator

Dave Henze
Dave Henze

County Attorney

James Keeler Jr
James Keeler Jr

Date: 11/16/10



REQUEST FOR BOARD ACTION

AGENDA ITEM : Memorandum of Agreement between U of M Extension and Carver County

Originating Division: Administrative Services

Meeting Date: December 14, 2010

Amount of Time Requested: NA

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

On an annual basis Carver County and the University of Minnesota enter into a Memorandum of Agreement (MOA) to fund the local Extension office. The MOA between the University of Minnesota and Carver County contain provisions regarding allocation funds for University positions and local programs. Please refer to attached (Table A) which provides detail on all positions and programs requested for this MOA.

The MOA for 2011 is \$179,360 minus \$8,200 in revenue for a net budget impact of \$171,160. This amount is the same as the 2010 MOA. Furthermore, in order to meet the 2011 budget reduction goal, the Mn/Extension Office has reduced their budget in line items that are outside of the MOA.

The approval of the agreement is pending the approval of the 2011 budget.

ACTION REQUESTED: Motion to approve the Memorandum of Agreement between Carver County and the University of Minnesota from January 1, 2011 through December 31, 2011.

FUNDING

County Dollars = \$171,160

Other Sources & Amounts =

= \$

TOTAL = \$171,160*Related Financial Comments:***FISCAL IMPACT** None Included in current budget Budget amendment requested Other: Reviewed by Division Director

Date: 11/30/10

Table A - Carver County MOA Summary

Position	2011 University Costs and Revenue	2011 County Costs	Funding to Support
1.0 4H Program Coordinator	\$64,900 -\$4,500 4H Federation	\$60,400	4-H Youth Development programs carried out in Carver County
.4 Master Gardener Coordinator	\$25,960 -\$2,000 MG	\$23,960	Coordinate Carver County Master Gardeners and their programs
.5 Agriculture Educator	\$41,700 -\$1,200 Ag Revenue	\$40,500	Agriculture education program for Carver County citizens
.5 Financial Resource Management Educator	\$41,700 -\$500 Partners, Fees	\$41,200	Financial Management programs for targeted audiences in Carver County
4H Summer Intern	\$5,100	\$5,100	Supplemental 4H support for summer programming in Carver County

Total County Cost	\$171,160
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REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of City of Mayer Residential Recycling Facility Ground Lease Agreement

Originating Division: Public Health and Environment

Meeting Date: 12/14/2010

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 Public Health & Environment Division would like to expand residential recycling and composting services in the Mayer, New Germany and Watertown areas. This Lease Agreement is for Carver County to open a new recycling site at the City of Mayer water treatment property located on County Road 30, to serve the residents of Mayer, New Germany and surrounding townships. Carver County, through the Environmental Services Department, will establish, construct and operate a residential recycling drop-off facility on this property owned by the City of Mayer. Carver County has agreed to provide property improvements and services in lieu of rent payments made to the City of Mayer. Many of these improvements will need to be made prior to the facility accepting materials from residents.

The Division will then close the existing, smaller, less efficient recycling site in New Germany and expand at this new location. The Division develops the site with gravel operations area, driveway, oil storage tank and fences the area. Though the City of Mayer will provide some manpower for supervision of the facility, the Division will hire civic groups such as boy scouts and 4-H to staff the site on Saturdays (busiest time), provide containers for the recyclables and contract for hauling the filled containers to the Watertown Adult Training & Habilitation Center (ATHC) site or elsewhere. This will increase the amount of recycling, help the County meet State mandates consistent with our Solid Waste Master Plan and educate civic groups (usually children and parents) about recycling.

This City property lease term is 5 years, effective January 1, 2011 through December 31, 2015.

ACTION REQUESTED: Approve and sign City of Mayer Recycling Drop-off Facility Ground Lease Agreement, effective through December 31, 2015.

FUNDING

County Dollars = \$0
Other Sources & Amounts =

TOTAL = \$0

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other: see comments below

Related Financial Comments:

Funds for the site construction (gravel area, fence, storm water pond, etc.) and the ongoing operational costs are budgeted in the current 2010 Environmental Services Budget. Funds for the construction activities (approximately \$25,000) come from the County Solid Waste Service Fee and will likely have to be carried over to 2011 due to seasonal construction issues. Funds for ongoing operational costs of about \$14,000 per year (civic group staff, hauling, utilities) are budgeted yearly as part of the Environmental Services Department budget. The operating costs funds are a combination of the State Select Committee On Recycling & Environment Grant (SCORE - about \$5,000 per year) and Local Recycling Development Grant (LRDG - about \$3,000 per year) and the County Solid Waste Service Fee (about \$6,000 per year).

Reviewed by Division Director 

Date: 12/3/10



REQUEST FOR BOARD ACTION

AGENDA ITEM : Local Public Health Act Funding - 2011 Assurances and Agreements - Carver County Community Health Board

Originating Division: Public Health and Environment

Meeting Date: 12/14/10

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 2011 Assurances and Agreements are from the Minnesota Department of Health for the Local Public Health Act. The Local Public Health Act outlines the public health responsibilities of state and local governments in Minnesota. Each year the Carver County Community Health Board is required to review and sign the Assurances and Agreements.

Effective dates for the Local Public Health Act funding are January 1, 2011 to December 31, 2011.

ACTION REQUESTED:

Motion to approve the 2011 Assurances and Agreements as part of the Local Public Health Act, as the Community Health Board.

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: 12/3/10



REQUEST FOR BOARD ACTION

AGENDA ITEM : William McDonald – Request for Recreational Activity

Originating Division: Public Health & Environment

Meeting Date: 12/14/10

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: File #PZ20100022. The Planning Commission recommended approval of a Conditional Use Permit (CUP) for a recreational activity with unique land or location requirements for William McDonald. The McDonald family owns 231.27 acres located in Section 2, Hollywood Township. Mr. McDonald is requesting to modify the existing CUP "Wings of Watertown" to operate a small shooting preserve/game farm on the property. The facility would be utilized by pheasant hunters, dog training groups, corporate groups entertaining potential clients and their employees. The field hunting would be set up in order to allow for a morning hunting session and an afternoon hunting session. Each session would be limited to a maximum of 14 persons, in addition to family members, at any given time. Any shooting taking place by family members will be excluded from the recreational activity requirements. The permittee would be allowed two (2) annual special events which attract/involve up to 25 customers as part of the large scale activity without Count Board approval. The game farm would be allowed to operate annually from September 1st through March 31st. The hours of operation shall be 8:00 a.m. until 5:00 p.m. (seven days a week). The request identifies three (3) hunting fields that will be utilized as part of the operation. The Department of Natural Resources (DNR) requires public and private shooting preserves/game farms to obtain and maintain a license to raise, release and hunt pheasants. This permit shall terminate and supercede (Cup #PZ20070009) any/all prior CUP's on the subject property. The Hollywood Town Board supports the request.

ACTION REQUESTED: A motion to adopt the Findings of Fact and to issue Order #PZ20100022 for the issuance of the Conditional Use Permit.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director *[Signature]*

Date: 12/3/10

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

COPY

FILE #: PZ20100022

RESOLUTION #: 10-05

WHEREAS, the following application for a Conditional Use Permit has been submitted and accepted:

FILE #: PZ20100022

APPLICANT: William McDonald

OWNER: Philip & Abigail McDonald

SITE ADDRESS: 15950 Co Rd 20, Watertown

PERMIT TYPE: Recreational Activity with Unique Land or Location Needs

PURSUANT TO: County Code, Chapter 152, Section(s) 152.075 & 152.080 C7

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 06-002-1200, 1300 & 1320

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of November 16, 2010; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. William McDonald's parents, Philip & Abigail McDonald, own 231.27 acres located in the West Half (W½) of Section 2, Hollywood Township. The acreage consists of two (2) separate parcels: the 153.77 acre parcel is improved with an existing farmstead (home & ag buildings), agricultural production land and wetlands; the 77.5 acre parcel consists of agricultural production land and woods. William & Lis McDonalds' 3.5 acre parcel, which includes one (1) building eligibility (B.E.) located off of Tower Avenue, will also be included as part of the application request. The property also has a Conditional Use Permit (CUP) recorded on the property (#PZ20070009). The existing permit is for the operation of Wings of Watertown, which is a licensed hunting preserve. The properties are located in the Agricultural Zoning District, Conservation Reserve Program (CRP) and the CCWRMA (Crow River).
2. The applicant is requesting to amend the current CUP #PZ20070009, to operate a Recreational Activity pursuant to Section(s) 152.075 & 152.080 C7 of the Carver County Zoning Code. Currently, Mr. McDonald is allowed to operate two (2) days a week, Saturday and Sunday with a maximum of eight (8) customers, in addition to family members, at any given time. The new request is to increase the number of days from two (2) to seven (7), and increase the number of customers allowed at any given time from eight (8) to fourteen (14). This permit shall terminate and supercede any/all prior CUP's on the subject property. The request to amend and operate a Recreational Activity pursuant to Section(s) 152.075 & 152.080 C7 of the Carver County Zoning Code.
3. Mr. McDonald has been operating a licensed hunting preserve/game farm (Wings of Watertown) from the family farm since September 2008 (CUP #PZ20070009). The existing farmstead is occupied by Bill & Lis McDonald, and the tillable land within the other two (2) properties has been rented to an area farmer in the past 25+ years. In July 2007, the Agricultural Preservation status on the two (2) properties expired, and the properties have been placed into the Conservation Reserve Program (CRP) program, which ultimately locks the properties up for the next 15 years.
4. The facility is utilized by pheasant hunters, dog training groups, corporate groups entertaining potential clients and their employees. Mr. McDonald believes there is a need for a hunting preserve for the general public to utilize in this area. This operation attracts hunters not only from neighboring towns, but also from the Twin Cities area. The majority of the existing game farmers are over an hour drive from the Twin Cities area which makes Mr. McDonald's facility a desirable destination to many hunters. This facility is located approximately 40 minutes west of the Minneapolis/St. Paul (MSP) International Airport.

5. Over the past few years, Mr. McDonald has determined that there is a need for change in the way business is done in order to operate more efficiently. Mr. McDonald has determined that being limited to operating only on Saturdays and Sundays and the number of customers are self-imposed limitations which do not allow the business to expand. They are at the point of having learned how the business must operate in order to be profitable, while keeping the scope of the changes to what they feel are minimal. By allowing some flexibility of scheduling, Mr. McDonald can more accurately make improvements to the overall operation. At this time, Mr. McDonald would like to have more flexibility for weekday hunting and allow for all three (3) fields to be utilized on the farm during hunting hours. There are factors out of Mr. McDonald's control (i.e. weather and number of customers in hunting party) which drastically reduces the number of customers utilizing the farm on any given weekend.
6. All fields are clearly marked with "No Shooting Beyond This Point" signs to ensure shots stay a safe range from homes. According to the Minnesota Department of Natural Resources (DNR), no hunting can take place within 500' of an existing home nor can shooting take place across public roads. Hunting parties will be given a map of the property prior to hunting, instructing them as to where they may or may not shoot. The request identifies three (3) fields that will be utilized as part of the operation (Fields A, B & C). The fields have been kept large enough to allow a safe distance between hunting parties on the three (3) fields with no overlap. The applicant has stated no trap shooting will be allowed as part of the game farm operation.
7. The Permittee has been in contact with the DNR every year in regard to the permitting process required by the State. The DNR requires private and public shooting preserves/game farms to obtain and maintain a license to raise, release and hunt pheasants. Mr. McDonald has indicated he has complied with this requirement.
8. The main parking area for the facility will be on the original farmstead site. There will be no field parking access points located off of Co Rd 20 or 21. In order to hunt Field A or C, the hunters will access the field area through the farmstead site. Field B will be accessed by off of Tower Avenue. The Township is in favor of allowing the field accesses located off of the Township Road to be utilized for hunting purposes.
9. The Permittee has constructed water features within some of the field areas to allow water to fill depressions on the property making effective wildlife habitat. The construction of these features consisted of grading and closing existing field tile. All construction which took place on the properties was implemented according to the Carver County Water Management guidelines. The Carver SWCD was also involved during the Water Management process.
10. The applicant has indicated that the nature of the operation is to remain very small scale; however, the improvements requested will allow for better efficiency of the overall operation. The field hunting would be set up in order to allow for a morning hunting session and an afternoon hunting session. This large scale activity will be limited to a maximum of 14 persons, in addition to family members, at any given time. Any shooting taking place by family members on the property will be excluded from the large scale activity requirements. Hours of operation shall be 8:00 a.m. until 5:00 p.m. (seven days a week). Parking on the farmstead and Field B appear to be more than adequate.
11. The Hollywood Town Board reviewed and recommended approval of the "Large Scale Activity" request at their October 11, 2010, Town Board Meeting.

THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20100022 on the subject permit on the land described in Exhibit "A" of the permit application. This permit shall terminate and supersede (CUP #PZ20070009) any/all prior Conditional Use Permits on the subject property. The Planning Commission further recommends that the following conditions be attached to the permit:

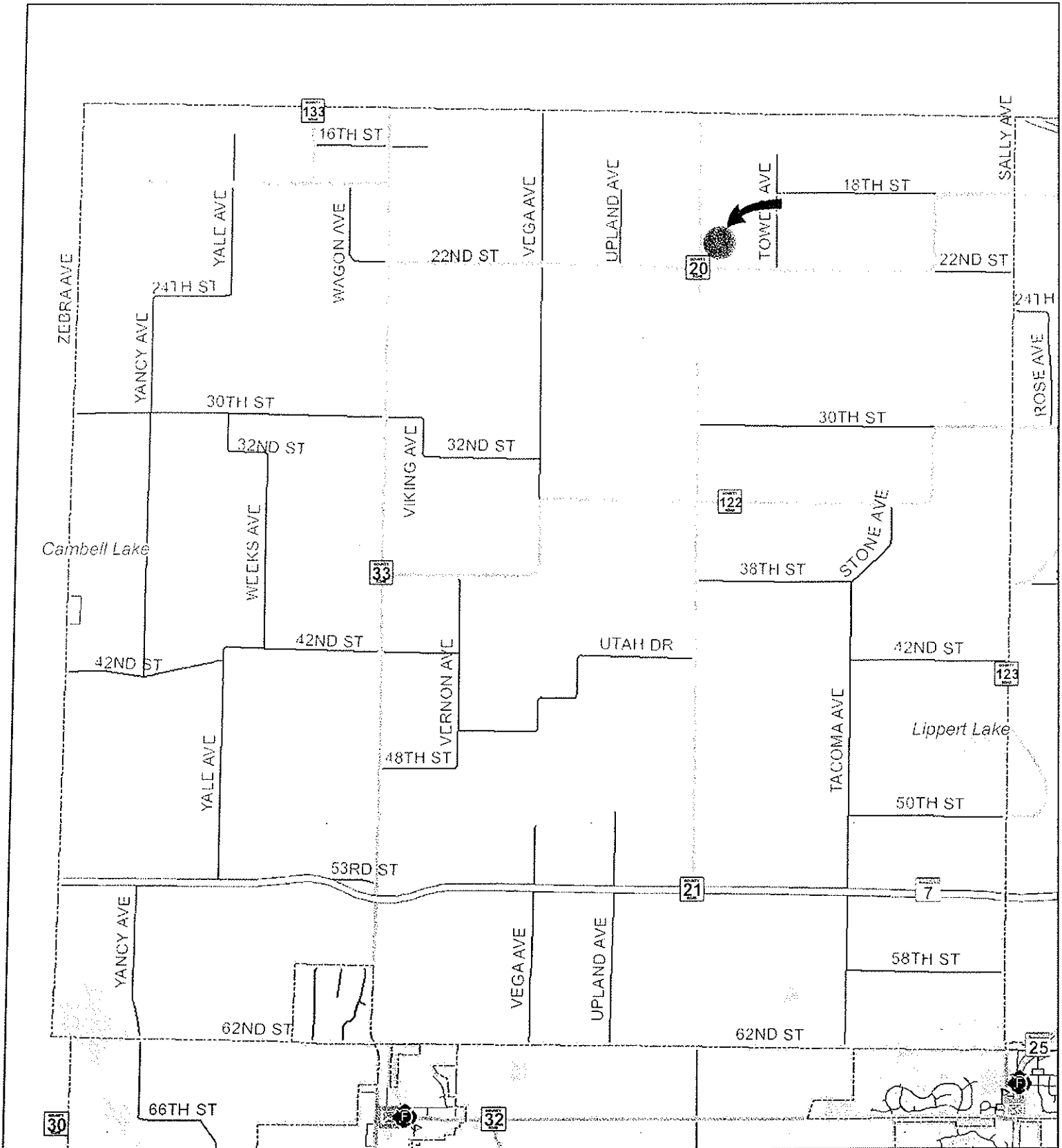
1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by the Land Management Department for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact the Land Management Department as early on in the timeline of the proposed change as possible.

2. The operation shall be in accordance with the submitted operational plan (dated: 10/11/10) & site plan (dated: 8/10/10). These plans shall be attached to and become part of this permit. The field hunting would be set up in order to allow for morning hunting sessions and afternoon hunting sessions. Except for the special events noted herein, this large scale activity will be limited to a maximum of 14 persons, in addition to family members, at any given time. Any hunting taking place by family members on the property will be excluded from the large scale activity requirements. The hours of operation shall be 8:00 a.m. until 5:00 p.m. (seven days a week). The Permittee must apply to amend the permit if the size and/or scope of the operation intensify, as determined by the Land Management Department.
3. The Permittee shall be allowed two (2) annual special events which attract/involve up to 25 customers as part of the large scale activity without County Board approval. The two (2) annual events shall be reviewed and approved by Carver County Land Management and the Hollywood Town Board. Any type of special event attracting or involving more than the number of people stipulated under the large scale activity in the operational plan and/or CUP #PZ20100022, shall require approval by the Carver County Board of Commissioners.
4. Only the hunting of pheasants & chuckers shall take place as part of this permit. The authorized activity shall be limited to steel shot only (no lead shot shall be utilized).
5. The Permittee must obtain permission from the Carver County Public Works Department in order to access the properties from Co Rd 20 & 21. The Permittee must also obtain permission from the local road authority to access the properties from the Township Road (Tower Avenue). The Permittee shall comply with any dust/traffic controls or access requirements as specified by the responsible road authority, if applicable.
6. The Minnesota Department of Natural Resources (DNR) is the regulatory authority for the licensing of the hunting preserves/game farms. The Permittee is responsible to the DNR for compliance with any/all license(s) for the duration of the use. Any County notification that is required by the licensing of the hunting preserve/game farm should be sent to the Carver County Land Management Department. The operation shall at all times comply with state and federal requirements.
7. All garbage/waste shall be handled/removed from the property pursuant to Chapter 50 & Chapter 52 provisions of the Carver County Code.
8. Any grading and/or filling activity on the properties shall be completed in accordance to the Carver County Water Resource Management guidelines and the Wetland Conservation Act (WCA).
9. The Permittee shall submit a copy of the workers compensation insurance or sign an affidavit stating that he/she will not have any employees to the Land Management Department. The Permittee shall also submit a copy of the Certificate of Property Insurance and a Certificate of Liability Insurance to the Land Management Department.
10. Any required building and septic permit(s) must be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Land Management Department to determine if an amendment to the CUP is necessary. All structures shall meet the applicable State Building Code requirements.

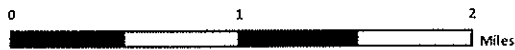
ADOPTED by the Carver County Planning Commission this 16th day of November 2010.

Ted Biese, Chair
Planning Commission

HOLLYWOOD TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.





REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Mobile Diagnostic Service Agreement

Originating Division: Sheriff

Meeting Date: December 28 ,2010

Amount of Time Requested: XX minutes

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

Professional Portable X- Ray provides onsite chest X-Ray's which are required by the State and Immigration and Customs Enforcement. We have had a long history of working with this group to provide this service. The majority of these services are directly billed to Immigration.

ACTION REQUESTED:

Approve a motion to allow the Carver County Sheriff to use Professional Portable X-Ray to do onsite X-rays for the Carver County Jail.

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: 12/02/2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Approval Of Scott County Juvenile Contract

Originating Division: Sheriff

Meeting Date: December 14, 2010

Amount of Time Requested: XX minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Carver and Scott County have had a long history of contracting for juvenile bed space. This contract will provide Scott County with 365 guaranteed bed days at a of \$120.00 per day or \$43,800.00 annually.

ACTION REQUESTED: Approve a motion to allow the Carver County Sheriff to provide juvenile boarding for Scott County.

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: 11/15/2010



REQUEST FOR BOARD ACTION

AGENDA ITEM: Professional Services Agreement for Watertown River Crossings Study

Originating Division: Public Works

Meeting Date: December 14, 2010

Amount of Time Requested: n/a

Attachments for packet: Yes No

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

The recently completed Carver County Roadway System plan identifies the need for a new Crow River crossing on the south side of the City of Watertown. The engineering consulting firm Bolton and Menk, Inc. has been selected to complete a river crossing study to determine potential location and roadway alignments for a new river crossing. The contract includes options to also have preliminary roadway design work and official mapping of a corridor completed when a future crossing location is determined. This study work is included in the Public Works capital improvement program.

ACTION REQUESTED: It is requested that the County Board authorize the Board Chair and the County Administrator to sign this agreement.

FUNDING

County Dollars = \$121,000.00

Other Sources & Amounts =\$
=\$

TOTAL =\$121,000.00

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date: 11/19/10

S:\R&B\Eng\Co Hwy Agmts\PSA with Bolton for Watertown River Crossings Study - 111910 - baf



REQUEST FOR BOARD ACTION

AGENDA ITEM: APPROVAL TO FINALIZE CONTRACT ON LAKETOWN ROAD CONSTRUCTION PROJECT (CP 09-LAKETOWN, JOB NO. 8608)

Originating Division: Public Works

Meeting Date: December 14, 2010

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:

The Laketown Road Construction Project included improvements on Laketown Road from CSAH 10 to TH 5. This project was funded using Carver County Dollars. The original contract was for \$705,879.00. The final cost for all work done by the contractor is \$778,728.58. Final payment consisted of payment for work done as well as the release of all retainage. Final payment was made previously as part of Pay Request #3, so no additional money is owed to Wm. Mueller & Sons under this contract.

Before finalizing the project contract, Board Action is needed.

ACTION REQUESTED: Approve Board Action and adopt resolution accepting the project as complete and to finalize contract between Carver County and Wm Mueller & Sons.

FUNDING

County Dollars = \$778,728.58
Other Sources & Amounts =

TOTAL = \$778,728.58

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Division Director

Date: 12-01-10

S:\Projects\Laketown Road\BAF-Finalize Contract on Laketown Rd_CP 09_Job 8608.docx



REQUEST FOR BOARD ACTION

AGENDA ITEM : Amendment No. 1 to Professional Services Agreement - Design of Bridge 5837 on CSAH 10

Originating Division: Public Works Meeting Date: December 7, 2010
 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 the design and construction plan for Bridge 5837 located on CSAH 10 over the Dakota Rail. Construction funding for this project has been secured. Final construction plans and specifications need to be developed. Also, Public Works Engineering does not presently have adequate staff to complete the contract administration and construction inspection and surveying for this project. Amendment No. 1 to this contract provides for completion of this work by SRF Consulting.

ACTION REQUESTED: We would request that the County Board authorize the Board Chair and County Administrator to sign Amendment No. 1 to Contract #08-025.

FUNDING

County Dollars = \$145,600.00
 Other Sources & Amounts =
 =\$
TOTAL =\$145,600.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date: November 10, 2010

S:\Projects\SAP 10-610-37 - Bridge No 10543 - CSAH 10 Old Bridge No 5837\PSA for Design of Bridge - SRF - Amndmt 1 - baf



REQUEST FOR BOARD ACTION

AGENDA ITEM : Permanent Municipal Utility Easement to City of Hamburg

Originating Division: Public Works

Meeting Date: December 14, 2010

Amount of Time Requested: None

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: The City of Hamburg desires to acquire a municipal utility easement on a parcel of unsold tax-forfeited land and Minnesota Statutes, § 282.04 Subd. 4 provides authority for the County, upon approval of the County Auditor, to grant this easement. The easement document has been prepared by the City of Hamburg and reviewed by the County Attorney's office.

ACTION REQUESTED: It is requested the County Board pass this resolution.

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: November 29, 2010

S:\EngStaff\Richard\MiscNonProject\Other\MiscTempData\HamburgEsmtRBA

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

Date: December 14, 2010
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

GRANTING OF EASEMENT ON UNSOLD TAX-FORFEITED PROPERTY

WHEREAS, Carver County has acquired rights to manage, maintain and convey, unsold tax-forfeited property in Hamburg; and

WHEREAS, Minnesota Statutes, 282.04, Subd. 4 allows for granting of a utility easement on said parcel; and

WHEREAS, the City of Hamburg desires to acquire said easement.

NOW THEREFORE BE IT RESOLVED, by the County Board of Carver County, that the Board Chair, the County Administrator, and the County Auditor are authorized to execute the necessary easement document.

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 14th day of December, 2010 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of December, 2010.

David Hemze

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Donation to Parks Department

Originating Division: Public Works/Parks

Meeting Date: 12/14/2010

Amount of Time Requested: 0

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: The Parks Department asks the County Board to authorize the acceptance of two (2) Christmas Trees (estimated value \$125) for use at the Santa in the Park event on December 18th, 2010 at Lake Minnewashta Regional Park. The trees have been donated by The Mustard Seed Landscape and Garden Center in Chaska.

ACTION REQUESTED: The County Board authorize acceptance of donation.

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
MW

Date: 12/6/10

S:\Parks\BA and RES\Misc\Donations\BA - tree donation 2010.doc



REQUEST FOR BOARD ACTION

AGENDA ITEM: Administrative Permit for Special Event – Points Unknown Dog Mushing Workshop

Originating Division: Public Health & Environment

Meeting Date: December 14, 2010

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:

File #A20100530. This request is for an Administrative Special Event Permit for the Points Unknown Dog Mushing Workshop to be held on January 15-16, 2011. The event is being coordinated by the property owner, Linda Newman, in conjunction with the Three Rivers Park District. The event will be held at 11325 County Road 20 in Watertown Township.

A total of three workshops will be conducted over the course of the two-day event. The first workshop is January 15th from 9:00 a.m. – noon, and the second from 1:00 p.m. – 4:00 p.m. The third and final workshop will be conducted on January 16th from 9:00 a.m. – noon. Each workshop consists of six participants who will learn how to properly interact and harness the sled dogs as well as how to safely run a two-three dog team. The event will take place on the southern portion of the property by the dog kennels and will extend out onto a small portion of Oak Lake in front of the dog kennels. The Applicant estimates two additional vehicles at the property during each workshop, in addition to her personal vehicles.

The conditions on the permit are: that the permit is only issued to Linda Newman for a two-day event on January 15-16, 2011; that each workshop is limited to six participants; and the event shall be conducted solely on property owned by the permittee, or public property, unless written documentation from other land owners is provided to Land Management stating permission has been given.

ACTION REQUESTED: A motion authorizing the issuance of a Certificate of Zoning Compliance (#A20100530) for the Points Unknown Dog Mushing Workshop.

FUNDING

County Dollars = \$-0-

Other Sources & Amounts = -0-

= \$

TOTAL = \$-0-

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 12/3/2010



Details for the January 15th-16th Dog Mushing workshop

Name of Event – Points Unknown Dog Mushing Workshop. I am working in cooperation with the Three Rivers Park District to host three women's introduction to dog sledding workshops at my home in Watertown, TWP in conjunction with their women's winter event on the dates listed in the title.

Location – 11325 County Road 20, Watertown, MN 55388
This event will take place mainly on the southern portion of the property by the dog kennels but will then extend out onto the little portion of Oak Lake in front of the dog kennels.

Dates – The event will take place on Saturday, January 15th from 9AM-12Noon and from 1PM until 4PM with the last session taking place on Sunday, January 16th from 9AM-12Noon.

Estimated Attendance – There will be a limit of six women in each of the three time slots arriving in two cars.

Name of Event Coordinator – Linda Newman

Contact Information – Phone 952.955.3883 Cell Phone 612.327.6965 Email linda@points-unknown.com

Activities Planned - Each group of six women will learn how to properly interact with the sled dogs, learn how to harness them and learn how to safely run a two – three dog team on the small portion of Oak Lake supported by the other women, myself and helpers.

Name of Property/Liability Insurer – CNA Insurance, Agent: Dennis Stowers
1.800.686.2663

Date of contract with TWP – I placed a phone call to Silas Tesch from Watertown TWP on Sunday, November 28th to discuss. He saw no issues.

Adverse Impact Discussion – This event will have very low impact on the surroundings. Bathroom facilities are in my home and available for use by the participants. Cheers of support from everyone involved might be the only noise involved when each person gets a turn to run their small team on the lake.

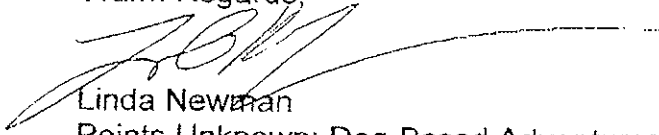


Proposed Parking - There will be two vehicles. in addition those that live here, onsite for this event.

Proposed Structures - None.

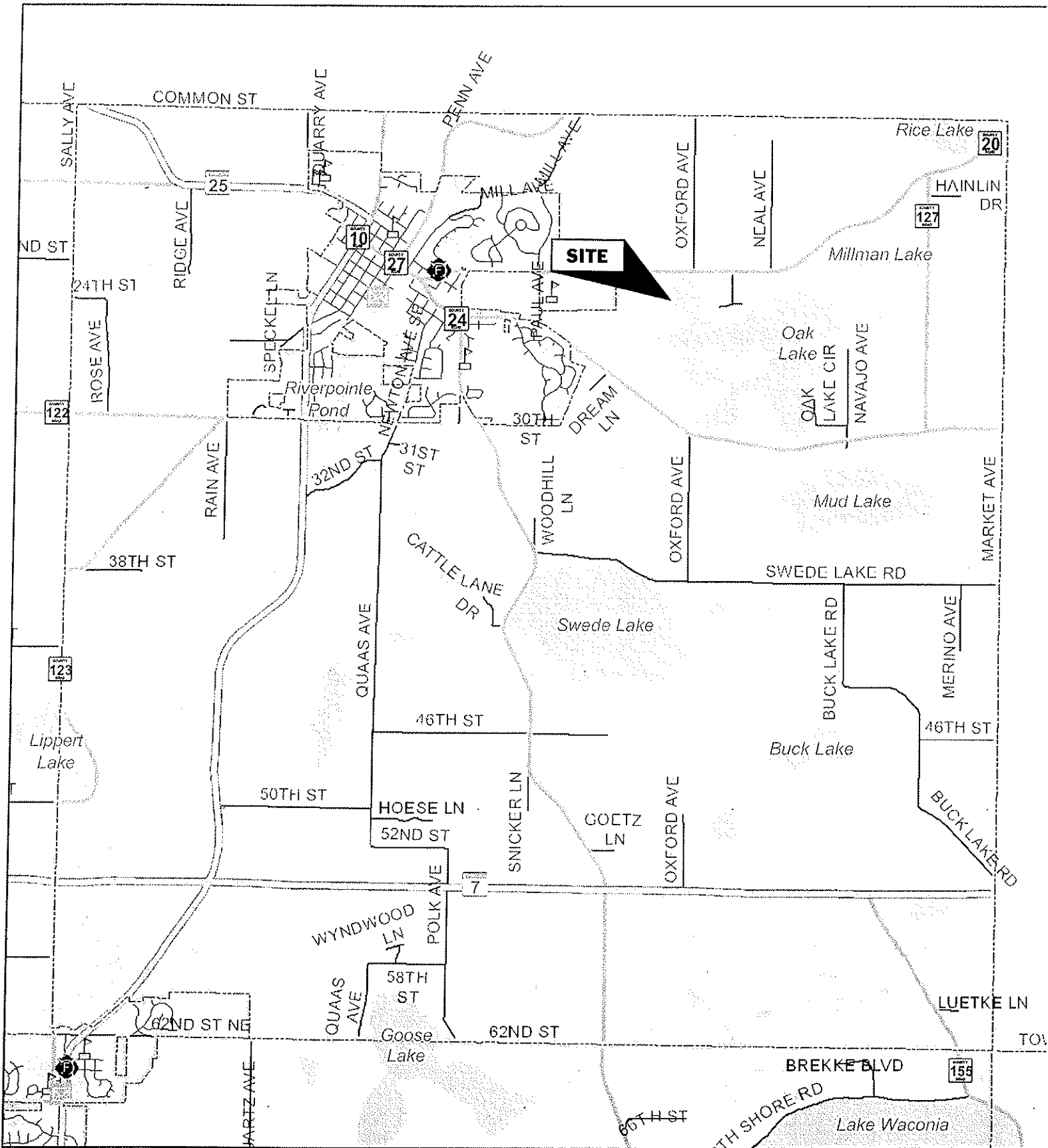
If there are any questions or concerns regarding anything contained in this document, please don't hesitate to contact me.

Warm Regards,

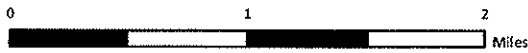
A handwritten signature in black ink, appearing to read "Linda Newman", with a long horizontal line extending to the right.

Linda Newman
Points Unknown; Dog-Based Adventures
952.955.3883

WATERTOWN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approve Contract for Group Residential Housing for Faber House

Originating Division: Community Social Services

Meeting Date: 12/14/2010

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: This contract develops a relationship whereby Carver County Community Social Services can authorize the placement and payment for low income persons placed in a facility licensed as a Group Residential Housing program (GRH). The payment for these placements is provided through the state GRH payment system.

The program being contracted with is Faber House, a sober living situation in Chaska.

ACTION REQUESTED: To approve the contract with Faber House for Group Residential Housing.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: The funding is for these placements is state funds.

Reviewed by Division Director

Date: 12/08/2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approve Contract with Adult Training and Habilitation Center, Inc.

Originating Division: Community Social Services

Meeting Date: 12/14/2010

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: The contract is with Adult Training and Habilitation Center, Inc., doing business as Douglas Kugler Eco- Site for servises provided to clients in Carver County. Clients are in Medical Assistance Home and Community Based Waiver Services Programs.i

ACTION REQUESTED: To approve the contract with Adult Training and Habilitation Center, Inc.

FUNDING

County Dollars =	\$0	
Other Sources & Amounts =		
MA Waiver Programs	=	\$250,000
TOTAL	=	\$250,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: There is no fiscal impact to the County. All funding for this contract is provided through the Medical Assistance Home and Community Based Waiver Programs.

Reviewed by Division Director

Date: 12/08/2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2011 Prosecution Contracts

Originating Division: Attorney's Office

Meeting Date: December 14, 2010

Amount of Time Requested: 0 minutes

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

Prosecution Contracts for January 1, 2011, through December 31, 2011, for the Minnesota cities of: Carver; Chaska; Cologne; Hamburg; Mayer; New Germany; Norwood Young America; Victoria; Waconia; and Watertown.

ACTION REQUESTED:

Motion to approve Carver County Attorney's Office 2011 Prosecution Contracts.

FUNDING

County Dollars (Subsidy) =	\$24,014
Other Sources & Amounts (Fine Revenue) =	\$94,922
(Contract Revenue)	= \$84,994
TOTAL	= \$203,930

FISCAL IMPACT

X None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

 Reviewed by Division Director

Date: 12/3/10



REQUEST FOR BOARD ACTION

AGENDA ITEM: APPROVAL TO FINALIZE CONTRACT FOR 2010 OVERLAY PROJECTS (CP 10-10, CP 10-14, & CP 1010)

Originating Division: Public Works

Meeting Date: December 14, 2010

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:

The improvements for the 2010 OVERLAY PROJECTS included: C.P. 10-10 on CSAH 10 from 1715' south of CSAH 32 to 1030' north of CSAH 30, CP 10-14 on CSAH 14 from Bavaria Road to CSAH 15, and for CP 1010 – Sheet patching on various county roadways. This project was funded using Carver County Dollars. The original contract was \$985,194.24. The final cost for all work done by the contractor is \$954,698.43. Final payment will consist of the release of all retainage to Wm. Mueller & Sons in the amount of \$47,734.92.

Before final payment and acceptance of the project as complete, Board Action is needed. Approve resolution accepting project as complete and authorizing final payment

ACTION REQUESTED: Board action approving resolution accepting project as complete and authorizing final payment of \$47,734.92 to Wm Mueller & Sons.

FUNDING

County Dollars = \$954,698.43

Other Sources & Amounts =

TOTAL = \$954,698.43

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 12-03-10

S:\Projects\Overlays\2010\BAF-Final Payment_2010 Overlay Project.docx



REQUEST FOR BOARD ACTION

AGENDA ITEM : AFSCME 2010 – 2011 General Unit Collective Bargaining Agreement

Originating Division: Employee Relations

Meeting Date: December 14, 2010

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:

Carver County and the AFSCME Council 65, Local 2789, General Unit have concluded negotiations for the Collective Bargaining Agreement (CBA), Appendices and Memoranda of Agreement for the period January 1, 2010 - December 31, 2011.

The highlights of the revised terms agreed to are:

2010, no wage increases, either general adjustments or within range (step) movement;
2011, the greater of \$0.25 per hour or 1% wage increase for employees at the top of the salary range effective the first full pay period of 2011; 2.75% within range wage increase for employees whose salaries are not yet at the top of the range, following the employee's anniversary date.

Cafeteria benefits with monthly employer contributions of \$150.00 in 2010 and in 2011 for employees who waive health coverage; \$625.00 in 2010 and \$650.00 in 2011 for those selecting single health insurance; and \$1,125.00 in 2010 and \$1,150.00 for those selecting family health insurance in 2011. HRA contributions are \$750.00 for employees selecting single Plan B or \$1,500.00 for employees selecting family Plan B, with a rollover of 75% of the unused HRA from 2010 to 2011; or, HSA contributions of \$1,000.00 for employees selecting single Plan D or \$2,000.00 for employees selecting family Plan D.

Other non-economic revisions including seniority language, discipline language, and clarification of time reporting and severance.

The action requested is to approve the 2010 - 2011 CBA with the AFSCME Local 2789 General Unit.

ACTION REQUESTED:

Motion to approve the AFSCME Local 2789 General Unit Collective Bargaining Agreement for 2010 - 2011.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other: Consistent with the Administrator's recommended 2011 budget

Related Financial Comments:

The 2010 budget and the 2011 Administrator's recommended budget include these amounts.

Reviewed by Division Director
Doris M. Krogman

Date: December 6, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM: AFSCME 2010 – 2011 Public Works Unit Collective Bargaining Agreement

Originating Division: Employee Relations

Meeting Date: December 14, 2010

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:

Carver County and the AFSCME Council 65, Local 2789, Public Works Unit have concluded negotiations for the Collective Bargaining Agreement (CBA), Appendices and Memoranda of Agreement for the period January 1, 2010 - December 31, 2011.

The highlights of the terms agreed to are:

2010, no wage increases, either general adjustments or within range (step) movement;

2011, the greater of \$0.25 per hour or 1% wage increase for employees at the top of the salary range effective the first full pay period of 2011; 2.75% within range wage increase for employees whose salaries are not yet at the top of the range, following the employee's anniversary date.

Cafeteria benefits with 2011 monthly employer contributions of \$150.00 for employees who waive health coverage; \$650.00 for those selecting single health insurance; and \$1,150.00 for those selecting family health insurance in 2011. HRA contributions are \$750.00 for employees selecting single Plan B or \$1,500.00 for employees selecting family Plan B, with a rollover of 75% of the unused HRA from 2010 to 2011; or, HSA contributions of \$1,000.00 for employees selecting single Plan D or \$2,000.00 for employees selecting family Plan D.

Paid Time off replaces vacation, sick leave, funeral leave and floating holidays beginning in 2011, with the same accruals and severance pay-out as the non-bargaining staff, and a Memorandum outlining the conversion.

Other non-economic revisions including seniority language, discipline language, and clarification of time reporting and severance.

The action requested is to approve the 2010 - 2011 CBA with the AFSCME Local 2789 Public Works Unit.

ACTION REQUESTED:

Motion to approve the AFSCME Local 2789 Public Works Unit Collective Bargaining Agreement for 2010 - 2011.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$0

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: Consistent with the Administrator's recommended 2011 budget

Related Financial Comments:

The 2010 budget and the 2011 Administrator's recommended budget include these amounts.

Reviewed by Division Director
Doris M. Krogman

Date: December 6, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM: AFSCME 2010 – 2011 Social Services Unit Collective Bargaining Agreement

Originating Division: Employee Relations

Meeting Date: December 14, 2010

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:

Carver County and the AFSCME Council 65, Local 2789, Social Services Unit have concluded negotiations for the Collective Bargaining Agreement (CBA), Appendices and Memoranda of Agreement for the period January 1, 2010 - December 31, 2011.

The highlights of the terms agreed to are:

2010, no wage increases, either general adjustments or within range (step) movement;

2011, the greater of \$0.25 per hour or 1% wage increase for employees at the top of the salary range effective the first full pay period of 2011; 2.75% within range wage increase for employees whose salaries are not yet at the top of the range, following the employee's anniversary date.

Cafeteria benefits with monthly employer contributions of \$150.00 in 2010 and in 2011 for employees who waive health coverage; \$625.00 in 2010 and \$650.00 in 2011 for those selecting single health insurance; and \$1,125.00 in 2010 and \$1,150.00 for those selecting family health insurance in 2011. HRA contributions are \$750.00 for employees selecting single Plan B or \$1,500.00 for employees selecting family Plan B, with a rollover of 75% of the unused HRA from 2010 to 2011; or, HSA contributions of \$1,000.00 for employees selecting single Plan D or \$2,000.00 for employees selecting family Plan D.

Other non-economic revisions including seniority language, discipline language, and clarification of time reporting and severance.

The action requested is to approve the 2010 - 2011 CBA with the AFSCME Local 2789 Social Services Unit.

ACTION REQUESTED:

Motion to approve the AFSCME Local 2789 Social Services Unit Collective Bargaining Agreement for 2010 - 2011.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$0

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: Consistent with the Administrator's recommended 2011 budget

Related Financial Comments:

The 2010 budget and the 2011 Administrator's recommended budget include these amounts.

Reviewed by Division Director
Doris M. Krogman

Date: December 6, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM: Teamsters Local 320 Memorandum of Agreement Vacation Cash-out

Originating Division: Employee Relations

Meeting Date: December 14, 2010

Amount of Time Requested: 0 minutes

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

Carver County and Teamsters Local 320, Detention Deputies, 9-1-1 Dispatchers and TAC Officer Unit are parties to a Collective Bargaining Agreement (CBA) for the period January 1, 2010 - December 31, 2011. Since reaching that agreement one additional issue has surfaced where to equate their benefits to that of other units. Specifically it is the opportunity for members to cash-out vacation time under certain circumstances consistent with the law.

The County and the Teamsters have developed a Memoranda of Agreement to offer the vacation cash-out benefit to their members.

The action requested is to approve the Memoranda of Agreement for vacation cash-out benefit with the Teamsters Detention Deputies, 9-1-1 Dispatchers and TAC Officer unit.

ACTION REQUESTED:

Motion to approve the Teamsters Local 320, Detention Deputies, 9-1-1 Dispatchers and TAC Officer Memorandum of Agreement for 2011 Vaction Cash-out.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$0**FISCAL IMPACT** None Included in current budget Budget amendment requested Other: The Administrator's 2011 budget recommendation includes these amounts.*Related Financial Comments:*

The 2011 Administrator's recommended budget includes any associated cost.

 Reviewed by Division Director
Doris M. Krogman

Date: December 7, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : Teamsters Local 320 Memorandum of Agreement: Detention Sergeants

Originating Division: Employee Relations

Meeting Date: December 14, 2010

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:

Carver County and Teamsters Local 320, Detention Sergeants Unit are parties to a Collective Bargaining Agreement (CBA) for the period January 1, 2010 - December 31, 2011. Since reaching that agreement one additional issue has surfaced where to equate their benefits to that of other units. Specifically it is the opportunity for members to cash-out vacation time under certain circumstances consistent with the law.

The county and the Teamsters have developed a Memoranda of Agreement to offer the vacation cash-out benefit to their members.

The action requested is to approve the Memoranda of Agreement for vacation cash-out benefit with the Teamsters Detention Sergeants unit.

ACTION REQUESTED:

Motion to approve the Teamsters Local 320, Detention Sergeants, Memoranda of Agreement for vacation cash-out benefit .

FUNDING

County Dollars = \$0

Other Sources & Amounts = \$

TOTAL = \$0

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: Included in the 2011 Administrator's recommended budget

Related Financial Comments:

There is no additional financial impact in 2010; any 2011 costs are included in the Administrator's budget recommendation.

Reviewed by Division Director
Doris M. Krogman

Date: Dec. 7, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : LELS 287 Memorandum of Agreement: Cafeteria Plan & Vacation Cash-out

Originating Division: Employee Relations

Meeting Date: December 14, 2010

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:

Carver County and the Law Enforcement Labor Services (LELS) 287 Deputy Sheriff bargaining unit have not yet concluded negotiations for the successor collective bargaining agreement covering 2011 terms and conditions. The insurance enrollment and related financial commitments need to be in place for 2011 benefits before the beginning of the benefit plan year. The Memorandum of Agreement (MoA) addresses the employees in this unit and provides them with the same benefits levels as other settled units and the non-bargaining staff.

The terms are:

The cafeteria model for employee benefits delivery with monthly 2011 employer contributions of \$150.00 for employees who waive health coverage, \$650.00 for employees selecting single health insurance, and \$1,150.00 for employees selecting family health insurance in 2011; and the option to cash-out up to 40 hours of vacation provided the option is exercised by making an irrevocable election during open enrollment and taking a block of 40 hours and retaining at least 40 hours after the cash-out. Annual HRA contributions are \$750.00 for employees selecting single Plan B or \$1,500.00 for employees selecting family Plan B, with a rollover of 75% of the unused HRA from 2010 to 2011. Annual HSA contributions are \$1,000.00 for employees selecting single Plan D or \$2,000.00 for employees selecting family Plan D in 2011.

The action requested is to approve the 2011 Cafeteria Plan MoA with the LELS Deputy Sheriff bargaining unit to provide the benefits outlined above.

ACTION REQUESTED:

Motion to approve the LELS Deputy Sheriff MoA to provide the 2011 cafeteria benefits.

FUNDING

County Dollars = \$

Other Sources & Amounts =

=

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: included in 2011 budget recommendation

Related Financial Comments:

The 2011 Administrator's recommended budget includes these amounts.

Reviewed by Division Director
Doris M. Krogman

Date: December 7, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : LELS Local 289 Collective Bargaining Agreement –Licensed Sergeants

Originating Division: Employee Relations

Meeting Date: December 14, 2010

Amount of Time Requested: 0 minutes

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

Carver County and the Law Enforcement Labor Services Local 289 Sergeants Unit have concluded negotiations for the Collective Bargaining Agreement (CBA) and associated Appendices and Memoranda of Understanding for the period January 1, 2010 - December 31, 2011.

The highlights of the terms agreed to are:

2010, no wage increases, either general adjustments or within range (step) movement;

2011, 1% wage increase for employees at the top of the salary range effective 1/1/2011; 2.75% wage increase for employees whose salaries are not yet at the top of the range, effective with the employee's anniversary date. The 2.75% increase is the 2011 "step" movement for these employees.

There is a cost-neutral movement of funds from tuition reimbursement to base wages for 2011, as well.

The cafeteria benefits model is included, with 2011 monthly employer contributions of \$150.00 for employees who waive health coverage; \$650.00 for those selecting single health; and \$1,150.00 for those selecting family health insurance. HRA contributions are \$750.00 for employees selecting single Plan B or \$1,500.00 for employees selecting family Plan B, with a rollover of 75% of the unused HRA from 2010 to 2011; or, HSA contributions of \$1,000.00 for employees selecting single Plan D or \$2,000.00 for employees selecting family Plan D.

Other clarifications on seniority, 12-hour shifts and shift assignments.

The action requested is to approve the 2010 - 2011 CBA with the LELS Sergeants unit.

ACTION REQUESTED:

Motion to approve the LELS Local 289 Sergeants Collective Bargaining Agreement for 2010 - 2011.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$0**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:*Related Financial Comments:*

The financial impact is included in the 2010 budget and the Administrator's 2011 budget recommendation.

Reviewed by Division Director
Doris M. Krogman

Date: December 7, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM: Supervisors & Managers Association of Carver County (SMACC) - Initial Labor Agreement

Originating Division: Employee Relations

Meeting Date: December 14, 2010

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:

Carver County and the Supervisors & Managers Association of Carver County (SMACC) have concluded negotiations for the initial Collective Bargaining Agreement (CBA) for 2010 - 2011.

The highlights of the terms agreed to are:

2010, wages remain at 2009 rates, 2011, 0.5% increase for employees at the top of the salary range effective the first full pay period of 2011, and 2.75% within range movement for those not at the top following their classification anniversary dates;

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

Cafeteria benefits with monthly county contributions of \$150.00 for those waiving health insurance, \$650.00 for those selecting single health insurance and \$1,150.00 for those selecting family health insurance;

A paid time off (PTO) model rather than separate vacation, sick leave, floating holidays and funeral leave with implementation in April, 2011 with a residual bank of vacation hours for a few members for an additional year;

HRA contributions are \$750.00 for employees selecting single Plan B or \$1,500.00 for employees selecting family Plan B, with a rollover of 75% of the unused HRA from 2010 to 2011; or, HSA contributions of \$1,000.00 for employees selecting single Plan D or \$2,000.00 for employees selecting family Plan D. Language is consistent with a unit of supervisory employees, the vast majority of whom are exempt.

The action requested is to approve the terms of the 2010 - 2011 CBA with the SMACC.

ACTION REQUESTED:

Motion to approve the Supervisors & Managers Association of Carver County (SMACC) initial Collective Bargaining Agreement for 2010 - 2011.

FUNDING

County Dollars = \$75,000

Other Sources & Amounts =

= \$

TOTAL

= \$75,000

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: included in the Administrator's recommended 2011 budget

Related Financial Comments:

There is no additional financial impact in 2010; the 2011 estimated cost is \$75,000 more than 2010.

Reviewed by Division Director
Doris M. Krogman

Date: December 8, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 12/14/2010
 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 = \$ -533.06
 Other Sources & Amounts = \$ -1,252.94
TOTAL = \$ -1,786.00

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Taxpayer Services Manager

Date:

12-8-10



Property Records & Taxpayer Services Division
 Government Center - Administration Building
 600 East 4th Street
 Chaska, MN 55318-2102

Laurie Engelen, Taxpayer Services Manager
 Phone: (952) 361-1907
 Email: lengelen@co.carver.mn.us

Angela Johnson, Carver County Assessor
 Phone: (952) 361-1961
 Email: ajohnson@co.carver.mn.us

**Abatements presented to the
 Carver County Board of Commissioners
 December 14, 2010**

**Abatement approval is recommended by the Carver County Assessor & Taxpayer Services Manager
 on the following properties for the reasons listed.**

Payable Year	Parcel Number	Name	Reason for Abatement	Original Tax Amount	Adjusted Tax Amount	County Dollars Abated	Total Amount of Adjustment
2010	85-952-0022	Unoccupied Pad	Tax Exempt	46.00	0.00	-6.30	-46.00
2010	85-951-0067	Unoccupied Pad	Tax Exempt	512.00	0.00	-132.27	-512.00
2010	85-951-0045	Unoccupied Pad	Tax Exempt	524.00	0.00	-140.50	-524.00
2010	30-951-0437	Unoccupied Pad	Tax Exempt	270.00	0.00	-72.66	-270.00
2010	65-262-0170	Douglas Graunke	Homestead	5,014.00	4,972.00	-13.64	-42.00
2008	30-005-4700	Lance Kusske	Homestead	3,052.00	2,932.00	-50.98	-120.00
2009	30-005-4700	Lance Kusske	Homestead	2,946.00	2,818.00	-54.65	-128.00
2010	30-005-4700	Lance Kusske	Homestead	2,838.00	2,694.00	-62.06	-144.00
Grand Total				\$15,202.00	\$13,416.00	-\$533.06	-\$1,786.00



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 12/14/2010
 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 = \$ -937.92
 Other Sources & Amounts = \$ -1,250.08

TOTAL = \$ -2,188.00

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Taxpayer Services Manager

Date:



Property Records & Taxpayer Services Division
 Government Center - Administration Building
 600 East 4th Street
 Chaska, MN 55318-2102

Laurie Engelen, Taxpayer Services Manager
 Phone: (952) 361-1907
 Email: lengelen@co.carver.mn.us

Angela Johnson, Carver County Assessor
 Phone: (952) 361-1961
 Email: ajohnson@co.carver.mn.us

Abatements presented to the
 Carver County Board of Commissioners
 December 14, 2010

Abatement approval is recommended by the Carver County Assessor & Taxpayer Services Manager
 on the following properties for the reasons listed.

Payable Year	Parcel Number	Name	Reason for Abatement	Original Tax Amount	Adjusted Tax Amount	County Dollars Abated	Total Amount of Adjustment
2008	06.0171060	Mark Strader	Correction for Ag Preserve	1,104.00	454.00	-284.63	-650.00
2009	06.0171060	Mark Strader	Correction for Ag Preserve	1,146.00	494.00	-286.51	-652.00
2010	06.0171060	Mark Strader	Correction for Ag Preserve	1,428.00	660.00	-316.44	-768.00
2008	06.0171040	Mark Strader	Correction for Ag Preserve	2,034.00	2,004.00	-13.26	-30.00
2009	06.0171040	Mark Strader	Correction for Ag Preserve	2,038.00	1,984.00	-22.82	-54.00
2010	06.0171040	Mark Strader	Correction for Ag Preserve	2,208.00	2,174.00	-14.26	-34.00
Grand Total				\$9,958.00	\$7,770.00	-\$937.92	-\$2,188.00



REQUEST FOR BOARD ACTION

AGENDA ITEM: Carver County Fee For Service Schedule

Originating Division: Financial Services

Meeting Date: 12/14/10

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: A public hearing has been scheduled for proposed revisions to the County's fee for service schedule (including the Carver County Regional Rail Authority). State Law allows the County and the Rail Authority to charge fees to cover its costs. Notice of this public hearing has been placed in the County's legal newspaper.

A summary of the proposed changes is attached; none of the proposed changes are considered significant. The complete 2011 proposed Fee For Service Schedule is available on the County's homepage.

ACTION REQUESTED:

1. *Open the public hearing, take public comments, close the public hearing.*
2. *Motion approving the Carver County 2011 Fee for Service Schedule*

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$**FISCAL IMPACT** None Included in current budget Budget amendment requested Other: Included in Administrator's Recommended 2011 Budget*Related Financial Comments:* Reviewed by Division Director

Date: 12/9/10

Summary of Changes for 2011 Fee Schedule

Countywide:

- *New listings:* Fees added for photocopying documents > 11" x17," requests for 10 or more electronic documents, and laminating documents based on customer requests

Information Services

- 2011 Arial Photography flight added

Library

- Slight increase for photocopies

Social Services

- *New listings:* Step-parent adoption fees added
- New daily rate for Encore Adult Day Services Program/new rate schedule on page 51
- *New Listings:* Forensic Psychological Evaluation fee and Failed Appointment/Late Cancellation fee added under First Street Center services.
- *New listings:* Stabilization fee and Community Intervention fee added under Crisis Services
- SmartLink Fare Card changed to \$22.50 for 10 tickets (no discount); Senior discount eliminated

Court Services

- Fee increases for Adult Supervision, Case Transfer Out, Safe Streets Restored fees, UA fees, program fees, and Pre-Trial Services fees
- *New listing:* STS Program fee added

Property Records & Taxpayer Services

- Abatement Requested by Entity fee and description changed
- *New listing:* Added court costs fee for Confession of Judgment
- Increases for Escrow Processing, Special Assessment Entry, and TIF Per Parcel fees
- Moving Manufactured Home collection fee to new Financial Services Division section since Finance collects the fee
- Increased fees for Vital Record non-certified copies from book, certified birth certificates, additional copies, and marriage licenses
- Notary Public Commission Recording fee reduced from \$100 to \$20
- *New listing:* Abstract Department bulk document transfer

Planning and Water Management

- Removal of Ravine and Bluff study, Crow River NRI, and Quality of Life dated reports

Land Management

- *New listing:* Building Permit Fees rate table will be included in the 2011 schedule
- Fee increase for mechanical/heating, mechanical/air conditioning, mechanical/air exchanger, plumbing, and re-side, re-roof, or re-window permits to offset state surcharge

increases

- *New listing:* Demolition permit fee for Fire Departments only
- Changing descriptions for Residential-Related, Home-Based Business, Large-Scale Activities, and Interim Use Permits

Parks

- *New listing:* Explanation of new provision that will allow the Parks Director to discount park fees for promotional events when authorized to do so
- Fee increases for vehicle permits and meets
- Simplification of group camping rates and elimination of utility camping site rates
- Increase in Baylor Park camping fees
- *New listing:* Addition of ice sales at Baylor Park
- Increase in ski gear rental fees

Sheriff's Office

- Change to Conceal/Carry Permit late fee description to clarify charges
- Fee increases for Civil Posting of Notices and Request of Process Returned
- Replevin description changed and fees changed to \$57.17 per hour per deputy + mileage for Replevin, Writ of Execution, Writ of Recovery, and Off-Duty Deputy Fee
- *New listings:* Storage of Levied Property fee and Radio Programming for Outside County Entities fee
- Fee increases for fees for mortgage Foreclosure Sales, Lien Sales, Uniform Commercial Code, Abandoned Property, and Judgment and Degree
- *New listing:* New Postponement of Scheduled Mortgage Foreclosure Sales fee added



REQUEST FOR BOARD ACTION

AGENDA ITEM : Final 2011 Property Tax Levy and Budget

Originating Division: Financial Services

Meeting Date: December 14, 2010

Amount of Time Requested: 30 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: The County Administrator's Recommended 2011 Budget Book fulfills the County Board's direction to connect financial strategies to the County's short-term strategic goals and objectives.

2011 Budget process began at a May 18th, 2010 workshop where the County Board directed staff to implement the Administrator's Recommended 2011 Budget Strategy to:

- * Decrease the 2011 tax levy impact on the average value home
- * Reduce the 2011 property tax levy by \$600K compared to 2010
- * Identify \$2M in levy savings from a 4.3% across the board cut

The County Board and Staff have had several workshops, Board meetings and a Public Hearing to discuss the 2011 Property Tax Levy and Budget.

The Administrator's Recommended 2011 Budget Book can be viewed on the County's web site.

ACTION REQUESTED: Motion to approve 2011 Property Tax Levy and Budget Resolutions

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: The County Administrator's recommended 2011 Levy of \$46,179,720 is a 1.3% decrease compared to 2010. Consistent with the 2011 Budget Strategy developed at the May 18th Board workshop, the impact from the 2011 levy on the average value home will be a slight decrease in County property taxes in 2011 compared to 2010.

Reviewed by Division Director

Date: December 6, 2010

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

Date: December 14, 2010

Resolution: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**CERTIFYING
2011 PROPERTY TAX LEVY**

WHEREAS, the County of Carver, State of Minnesota, requires an Ad Valorem Property Tax to provide needed and necessary services to the citizens of Carver County; and

WHEREAS, the Carver County Board of Commissioners has reviewed budget requests from various divisions and agencies of the County and has made a determination of the Ad Valorem Property Tax required to support county operations for the Calendar Year 2011.

NOW, THEREFORE, BE IT RESOLVED by the Carver County Board of Commissioners that there by, and hereby is, levied upon the taxable property of the County of Carver the following sums for the respective purposes indicated herein for the calendar year commencing January 1, 2011, to wit:

GENERAL FUND	\$29,016,720
ROAD & BRIDGE FUND	4,183,998
COMMUNITY SOCIAL SERVICES FUND	7,563,651
PARK & TRAIL CAPITAL IMPROVEMENT FUND	50,000
ROAD & BRIDGE CAPITAL IMPROVEMENT FUND	1,500,000
DEBT SERVICES FUND	3,761,351
UNESTAD TAX ABATEMENT	<u>104,000</u>
TOTAL LEVY COUNTY	<u>\$46,179,720</u>
CARVER WATERSHED MANAGEMENT ORGANIZATION	524,984
TOTAL COMBINED LEVY	<u>\$46,704,704</u>

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 14th day of December, 2010, now on file in the Administration Office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of December, 2010.

David Hemze

County Administrator

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

Date: December 14, 2010

Resolution: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ADOPTION OF THE
2011 BUDGET
FOR CARVER COUNTY**

WHEREAS, the annual operating and capital budgets (the "Budget") for Carver County, which have been prepared by division directors and reviewed by the County Board of Commissioners, provided the basis for determining the allocation of available County resources and the property tax levy of Carver County necessary to fund the various functions of Carver County for the coming year; and

WHEREAS, the Carver County Board of Commissioners has established the property tax levy for Carver County which serves as a major funding source for County operations and capital projects; and

WHEREAS, the budgets as reviewed and amended by the County Board of Commissioners are within all limits of the afore-referenced levy as prescribed by law; and

WHEREAS, it is the stated purpose of the Budget to serve as a management tool for division directors and the County Board of Commissioners and sets the authorized expenditure limits for the 2011 budget year; and

WHEREAS, the Budget fulfills the County Board's direction to "connect financial strategies to the County's short-term strategic goals and objectives"; and

WHEREAS, the revenue and expenditure budget totals by fund are set forth below:

2011 CARVER COUNTY BUDGETS

	<u>REVENUE</u>	<u>EXPENDITURE</u>
General Revenue Fund	\$46,268,441	\$46,268,441
Road and Bridge Fund	6,389,998	6,389,998
Community Social Services Fund	21,413,719	21,413,719
Buildings CIP Fund	280,000	280,000
Road & Bridge CIP Fund	10,732,060	10,732,060
Parks & Trail CIP Fund	3,310,000	3,310,000
Debt Service Fund	4,180,351	4,180,351
County Ditch Fund	1,270	1,270
Self-Insurance Revolving Fund	<u>972,276</u>	<u>972,276</u>
TOTAL OPERATING	\$93,548,115	\$93,548,115

NOW, THEREFORE, BE IT RESOLVED by the Carver County Board of Commissioners that the 2011 operating and capital budgets are hereby adopted and placed on file in the Carver County Taxpayer Service's Office.

BE IT FURTHER RESOLVED, individual Department Budgets cannot be exceeded in total.

BE IT FURTHER RESOLVED, any adjustments to the approved budget, requested by originating departments, can be approved by the Finance Director after review for adequate transfer of existing budget or addition of new revenue sources.

BE IT FURTHER RESOLVED, capital expenditures that have been itemized in the 2011 budget when purchased must conform with State Statute 471.345 as amended. Any capital expenditure (object code 6600's) greater than \$10,000 not itemized in the budget must have prior County Board approval for purchase. Items classified as building improvements (code 6640) which are needed on an emergency basis may be purchased without prior Board approval but subsequent Board ratification will be required.

BE IT FURTHER RESOLVED, all position changes which are itemized and approved in the 2011 budget will not be required to be brought before the County Board for prior approval to fill. All salary and benefit issues will be funded and accounted for on a full accrual basis in accordance with GAAP.

BE IT FURTHER RESOLVED, that the County Administrator is delegated the authority to fill newly created classifications or remove incumbents from existing classifications which are eliminated within this budget on a timeframe within year 2011 as deemed appropriate by the Administrator.

BE IT FURTHER RESOLVED, the County Sheriff and County Attorney are authorized to expend funds from their respective contingency accounts for the purpose of travel to secure suspects, prisoners or other individuals at odds with the justice system upon presentation of a properly executed claim form to the office of the County Finance Director.

BE IT FURTHER RESOLVED, that the County Administrator is authorized at his discretion to expend County funds prior to board approval for purchases within an approved budget line item to qualify for a cash discount from early payment.

BE IT FURTHER RESOLVED, the 2011 budget is adopted on a GAAP basis by fund at the function level for the General Fund and the Special Revenue Funds; for the Capital Projects Funds the 2011 budget is adopted by the life of the project and remaining balances shall be carried over from the prior year and for the Debt Service Fund according to bond commitments. Budget appropriations for operating funds can be extended to a subsequent year upon approval of the County Administrator.

BE IT FURTHER RESOLVED, the percentage of funds designated as working capital is lowered from 40% to a maximum of 37% of the next year's Operations Budget (General, Community Social Services and Road & Bridge). The decrease in required working capital of approximately \$2.83 million will be used to finance the projects listed below. Any undesignated reserves over 37% of the subsequent year's expenditure operating budgets shall be transferred to the General Fund at year-end. An additional 5% of the subsequent year's expenditure for all funds may be designated in the General Fund as the Year-End Savings ("Y.E.S.") Account to accumulate funds for future one-time capital purchases and/or significant budget variances.

Sources:

40% to 37% Working Capital Reserve	\$2.830m
Cash saved for Fiber Ring and MnDot projects	.639m
2010 and 2011 \$150K debt service levy	.300m
Total	<u>\$3.769m</u>

Uses:

2010 Fiber Ring Project – County %	\$1.500m
2010 MnDot Joint Truck Facility – County %	1.739m
2011 Other – County %*	.530m
Total	<u>\$3.769m</u>

*Fire equip. grant, IT, building security, interest income loss & pay-off chaska license center lease early. See 2011 New Capital Projects schedule for more details.

BE IT FINALLY RESOLVED, that copies of this resolution and individual division budgets be forwarded to division directors of Carver County.

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 14th day of December, 2010, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of December, 2010.

David Hemze
County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2012 Long Term Financial Plan

Originating Division: Financial Services

Meeting Date: December 15, 2009

Amount of Time Requested: 15 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: The 2012 Long Term Financial Plan fulfills the County Board's direction to connect financial strategies to the County's long-term strategic goals and objectives. This Plan is not a budget but rather a non-binding intent to allocate future County resources. Individual elements of the Plan will systematically be rolled forward until they are brought into the Annual Budget for approval and implementation.

The County Administrator's Recommended 2012 Long Term Financial Plan can be viewed on the County's web site.

ACTION REQUESTED: Motion to approve the 2012 Long Term Financial Plan Resolution

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: Projects listed in the Plan are financial placeholders only. Projects are not considered approved until they are included in the Annual Budget process. .

Reviewed by Division Director

Date: December 6, 2010

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

Date: December 14, 2010

Resolution: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ADOPTION OF THE
2012 LONG TERM FINANCIAL PLAN
FOR CARVER COUNTY**

WHEREAS, the Long Term Financial Plan (the "Plan") fulfills the County Board's direction to "connect financial strategies to the County's long-term strategic goals and objectives"; and

WHEREAS, the Plan which has been prepared by division directors and reviewed by the County Board of Commissioners provides the basis for determining the non-binding intent to allocate future County resources; and

NOW, THEREFORE, BE IT RESOLVED by the Carver County Board of Commissioners 2012 Long Term Financial Plan is hereby adopted and placed on the County's website.

BE IT FINALLY RESOLVED, that copies of this resolution be forwarded to division directors of Carver County.

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 14th day of December, 2010, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of December, 2010.

David Hemze
County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution Setting 2011 Commissioner Compensation

Originating Division: Employee Relations

Meeting Date: 12/14/10

Amount of Time Requested: 5 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The County Board has the authority to set compensation for the County Commissioners.

The attached Resolution provides for an increase of ½ of 1% over the rates that have been in effect since January of 2008 for the County Commissioners.

Based on the market rates for Commissioners in other similar counties, the experience levels of the individual commissioners, and the frozen salaries of the past three years, it is reasonable to increase Commissioner salaries more than the amount recommended for 2011. The minimal increase is influenced by the local economy.

The Resolution provides for annual salaries of \$44,000.83, cafeteria benefits at the same rate as other employees and expense allowances of \$615.00 for the Chair, \$540.00 for the Vice-Chair, and \$515.00 for the other Commissioners.

ACTION REQUESTED:

Motion to approve the Board Resolution setting 2011 County Commissioner compensation at \$44,000.83 per year, with monthly expense allowances of \$615.00 for the Chair, \$540.00 for the Vice-Chair, and \$515.00 for the other members.

FUNDING

County Dollars = \$325,000

Other Sources & Amounts =

= \$

TOTAL = \$325,000

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: Included in the Administrator's 2011 Budget recommendation

Related Financial Comments:

The compensation described above is included in the 2011 budget as recommended by the County Administrator.

Reviewed by Division Director
Doris M. Krogman, Employee Relations

Date: 12/7/10

**BOARD OF COUNTY COMMISSIONERS
CARVER COUNTY, MINNESOTA
Resolution Setting 2011 County Commissioner Compensation**

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

WHEREAS, the Carver County Board of Commissioners has authority to establish compensation levels for the County Commissioners; and

WHEREAS, the Carver County Board of Commissioners intends to establish 2011 salaries and other forms of compensation for the County Commissioners.

THEREFORE, BE IT RESOLVED, County Commissioners shall receive the following compensation, effective January 1, 2011:

- A. County Commissioner salary levels shall be set at \$44,000.83 annually.
- B. The monthly expense allowance shall be set as follows: Chair \$615; Vice Chair \$540; Other Commissioners \$515.
- C. The County will provide County Commissioners with core benefits of employer-sponsored life insurance, single preventive dental insurance, long-term disability coverage, minimal short-term disability coverage and funds toward all elective benefits within the Cafeteria Plan for in the following monthly amounts based on their selections of Employer-sponsored health insurance: \$150.00 for those who waive, \$650.00 for those who select Single insurance or \$1,150.00 for those who select Family insurance.

BE IT FURTHER RESOLVED, any portion of said compensation for year 2011 may be waived by Commissioners upon written notification to Employee Relations.

BE IT FURTHER RESOLVED, the County will reserve the right to make adjustments to benefits by amendment to the Carver County Personnel Policies or by future Board actions.

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 14th day of December, 2010, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of December, 2010.

County Administrator Date



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution Setting 2011 Elected Official Compensation

Originating Division: Employee Relations

Meeting Date: 12/14/10

Amount of Time Requested: 5 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The County Board has the authority to set compensation for elected County officials including the County Attorney and the County Sheriff.

The attached Resolution addresses the 2011 compensation for these two newly elected officials.

Since both elected officials are new in 2011, the recommendation for their compensation is based on a number of factors including market comparisons of the salaries of these office holders in similar counties, the duties of their respective offices, prior Carver County salaries, the salaries of their direct reports, the elected officials' qualifications, experience and previous Carver County salaries, and the salaries of other Division Directors.

The recommended salary for each newly-elected official is in the range of \$112,000 - \$117,000 in 2011.

The action requested is the setting of the salary for the County Attorney and the County Sheriff.

ACTION REQUESTED:

Motion to approve the Board Resolution setting 2011 compensation for County Attorney and the County Sheriff.

FUNDING

County Dollars = \$290,000

Other Sources & Amounts =

= \$

TOTAL = \$290,000

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: Included in the Administrator's 2011 Budget recommendation.

Related Financial Comments:

The funds necessary to pay the compensation listed above are included in the 2011 Budget, as recommended by the County Administrator.

Reviewed by Division Director
Doris M. Krogman, Employee Relations

Date: 12/7/10

**BOARD OF COUNTY COMMISSIONERS
CARVER COUNTY, MINNESOTA
Resolution Setting 2011 Elected Official Compensation**

DATE _____
MOTION BY COMMISSIONER _____

RESOLUTION NO. _____
SECONDED BY COMMISSIONER _____

WHEREAS, the Carver County Board of Commissioners has authority to establish compensation levels for the newly-elected County Attorney and the County Sheriff; and

WHEREAS, the Carver County Board of Commissioners intends to establish 2011 salaries and other forms of compensation for the County Attorney and the County Sheriff;

WHEREAS, the Minnesota Statutes 387.20 and 388.18, related regulations and case law outline the process for setting the salaries of these elected officials; and

WHEREAS, The current County Attorney and Sheriff will continue to serve in those offices a few days into 2011, and the Board has the authority and intent to establish their compensation for those few days of 2011; and

THEREFORE, BE IT RESOLVED, the newly-elected County Attorney and the County Sheriff shall receive the following compensation effective January, 2011:

- A. The County Attorney shall receive salary of _____ (\$112,000 - \$117,000), which takes into account the duties of the office, the economy, the market, his experience and qualifications.
- B. The County Sheriff shall receive salary of _____ (\$112,000 - \$117,000), which takes into account the duties of the office, the economy, the market, his experience and qualifications.
- C. The County will provide the County Attorney and Sheriff with core benefits of employer-sponsored life insurance, single preventive dental insurance, long-term disability coverage, minimal short-term disability coverage and funds toward all elective benefits within the Cafeteria Plan for in the following monthly amounts based on their selections of Employer-sponsored health insurance: \$150.00 for those who waive, \$650.00 for those who select Single insurance or \$1,150.00 for those who select Family insurance..
- D. The 2010 County Attorney and Sheriff shall receive a pro-ration of their 2010 annual rates of \$123,382 and \$123,614 respectively for the four (4) days of 2011 that they continue to serve.

BE IT FURTHER RESOLVED, a portion of compensation for year 2011 may be waived by the County Attorney or the County Sheriff upon written notification to Employee Relations.

BE IT FURTHER RESOLVED, the County reserves the right to make other adjustments to compensation or benefits by amendment to the Carver County Personnel Policies or future Board Actions.

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 14th day of December, 2010, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of December, 2010

County Administrator

Date



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution Setting 2011 Non-Bargaining Employee Compensation

Originating Division: Employee Relations

Meeting Date: 12/14/10

Amount of Time Requested: 5 minutes

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

The County Board has the authority to set compensation for County employees.

Most employees' salaries are set through the collective bargaining process, and that process for 2011 is completed for the vast majority of employees with the various Unions. The division directors and a few confidential managers and staff members are not represented by a union.

The Employee Relations Division is recommending that the 2011 non-bargaining salary range maximums be increased to match the majority of other employees' salary rates (about 1/2 of 1% increase). Employee Relations is further recommending that there be no general salary adjustment for 2011, with employees receiving one of the following salary increases, depending where they are in the current range: for those at the top of the current range, an increase to the new salary maximum effective the first full pay period of 2011, or for non-bargaining employees within the salary range, an increase of 2.75% the first full pay period following their classification anniversary date.

The motion requested is approval of the Board Resolution setting 2011 non-bargaining compensation and the 2011 salary rates attached for non-bargaining employees.

ACTION REQUESTED:

Motion to approve the Board Resolution setting 2011 non-bargaining employee compensation and approval of the 2011 salary rates.

FUNDING

County Dollars = \$75,000.00

Other Sources & Amounts =

= \$

TOTAL = \$75,000.00**FISCAL IMPACT** None Included in current budget Budget amendment requested Other: included in the 2011 budget*Related Financial Comments:*

The funding information above lists only the wage increases over 2010 rates, and those funds are included in the 2011 Budget, as recommended by the County Administrator.

 Reviewed by Division Director
Doris M. Krogman, Employee Relations

Date: 12/6/10

**BOARD OF COUNTY COMMISSIONERS
CARVER COUNTY, MINNESOTA
Resolution Setting 2011 Non-Bargaining Employee Compensation**

DATE _____
MOTION BY COMMISSIONER _____

RESOLUTION NO. _____
SECONDED BY COMMISSIONER _____

WHEREAS, the Carver County Board of Commissioners has authority to establish compensation levels and amend personnel policies for non-bargaining employees; and

WHEREAS, the Carver County Board of Commissioners intends to establish 2011 salaries and other forms of compensation for non-bargaining employees.

THEREFORE, BE IT RESOLVED, non-bargaining employees shall receive the following compensation, effective for 2011:

- A. For employees at the top of the 2010 rates, an increase to the top of the new range, approximately 1/2 of 1%, effective the first full pay-period in 2011.
- B. For employees within the salary range, a 2.75% salary increase effective the first full pay-period following their classification anniversary date.
- C. The County will provide full-time employees with core benefits of employer-sponsored life insurance, single preventive dental insurance, long-term disability coverage, minimal short-term disability coverage and funds toward all elective benefits within the Cafeteria Plan for in the following monthly amounts based on their selections of Employer-sponsored health insurance: \$150.00 for those who waive, \$650.00 for those who select Single insurance or \$1,150.00 for those who select Family insurance.
- D. The County will provide part-time employees with \$250.00 per month toward the cost of Employer-sponsored Single health insurance, with no other core benefits.

BE IT FURTHER RESOLVED, the County reserves the right to make other adjustments to compensation or benefits by amendment to the Carver County Personnel Policies or future Board Actions.

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 14th day of December, 2010, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of December, 2010.

County Administrator Date



REQUEST FOR BOARD ACTION

AGENDA ITEM : December 2010 Personnel Policy Revisions

Originating Division: Employee Relations

Meeting Date: December 14, 2010

Amount of Time Requested: 5 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The Personnel Policies were last revised in May of this year. The recommended revisions address two matters: The first is a "technical correction" that should have been included in May to clarify that the maximum balance of non-exempt compensatory time in lieu of cash overtime payment is 80 hours.

The second addresses statutory language to allow an elected official who is a county employee to take an extended leave of absence from their employee status to serve in the elected role. The policy language recommended is consistent with statute for the elected official. An extension of the required language is also included to allow an employee to take an extended leave of absence from their employee role to serve in an unclassified position as the first assistant or chief deputy of an elected official. This policy language allows the leave of absence, but does not require it.

Related to the second item above is severance compensation language allowing for the payment of leave balances following such a leave of absence. It is consistent with statute for the elected official and contingent on the extended leave being granted for the unclassified position.

The action requested is to approve the Personnel Policy recommendations.

ACTION REQUESTED:

Motion to approve the revisions to the Personnel Policies as presented.

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
Doris M. Krogman

Date: December 7, 2010

Hours of Work & Time Reporting

Purpose

Work schedules are designed to meet the needs of the citizens. Division Directors, managers and supervisors determine employee work schedules. The County intends to pay exempt and non-exempt staff consistently with the intent of the Fair Labor Standards Act (FLSA), while meeting a reasonable level of public accountability regarding their work time.

Policy

Division Directors or their designees shall schedule the work hours of employees to meet the service delivery needs of the citizens, division and departments.

The Employee Relations Division in collaboration with the Financial Services Division shall design and provide timecards or other time reporting documents and instructions to facilitate the accurate recording and approval of each employee's hours worked.

Regular and punctual attendance at work shall be required of all employees. Employees shall comply with the established attendance requirements, time recording and time reporting procedures within their Division or Office. Each Division Director is responsible to ensure compliance with these procedures within their division.

The County shall pay exempt and non-exempt non-bargaining staff in a consistent manner with their appointment as a full-time or part-time employee and in compliance with the Federal Fair Labor Standards Act (FLSA) and Minnesota Statutes.

Any employee who fails to observe attendance or time reporting requirements shall be subject to disciplinary action up to and including termination.

Procedure

Non-Exempt Employee Scheduling and Time Reporting

1. The Division Director or designee shall determine the work schedule for non-exempt employees, including rest periods of fifteen (15) minutes for each four (4) hour period of work and an unpaid meal period, not to exceed one (1) hour in length.
2. Non-Exempt employees shall prepare, sign and submit their time each pay period indicating their work time, including time in and out each day, as well as any use of paid leave, either on paper or electronically.
3. The foundation of time reporting for non-exempt staff is a 40-hour-work-week for the defined seven day periods within the two-week pay period. Flexing time within each seven day period may be permitted with supervisory approval.

4. Paid time and paid leave shall be accounted for in blocks of 15 minutes or quarter-hours unless the leave bank is being exhausted at the time leave is taken and there are fractions of hours smaller than a quarter of an hour available in the leave bank.
5. For purposes of computing overtime, the workweek shall begin at 12:01 AM Monday. The Sheriff may establish different work periods consistent with FLSA requirements within the Sheriff's Office.
6. Any hours worked beyond the normal 40 hour workweek require prior supervisory approval.
7. Non-compensated leave of absence hours shall not be included in the worked hours per week required to qualify for overtime.
8. Non-exempt employees may elect to accrue compensatory time at the rate of one and one-half times the hours worked in lieu of being paid for overtime. At no time shall the balance of non-exempt compensatory time hours for an employee exceed 80. If the employee has selected compensatory time and the balance of compensatory time is 80 hours, any additional overtime shall be paid to the employee.
9. If a non-exempt employee promotes to an exempt position, their compensatory hours shall either be cashed out at the non-exempt rate just prior to promotion or scheduled and used within a specific period of time following the promotion.
10. At no time shall an employee use compensatory time in the same seven day period as overtime is earned. The compensatory time taken early in the week shall be reduced or eliminated based on hours worked or Paid Time Off taken later in the week.

Exempt Employee Scheduling and Time Reporting

1. The Division Director or designee shall determine the work schedule for exempt employees.
2. Exempt employees shall prepare, sign and submit their time, either on paper or electronically, each pay period indicating their work time and any use of paid leave.
3. The foundation of time reporting for full-time exempt staff is an average of 80 hours per two-week pay period. Flexing time between the weeks within a pay period is appropriate (e.g. working 50 hours one week and 30 hours the next week).
4. Paid time and paid leave shall be accounted for in blocks of one (1) hour or more with no fractions of hours unless the leave bank is being exhausted at the time leave is taken and there are fractions of hours in the leave bank.

5. Under no circumstances shall an exempt non-bargaining employee receive non-exempt overtime paid at time and one half.
6. In situations where an exempt non-bargaining employee is required to work in excess of 80 hours in a pay period the employee may earn flex time to be used at a later date. Flex time shall accrue on an hour for hour basis.
7. Flex time balances may accrue to a maximum of 80 hours.
8. Flex time shall have no cash value, either during an employee's career with the County or upon resignation or retirement.
9. The scheduling of flex time off shall be at the direction of the immediate supervisor, or the request of the employee with supervisory approval, subject to the staffing needs of the division. Flex time is intended to be used for intermittent absences, not for large blocks of time.

Alternative Work Schedules

An employee may request an alternative work schedule by submitting the request in writing to the immediate supervisor who will either recommend the Division Director approve or deny the request based on the needs of the unit. The request will include the reason for the request, proposed schedule change and the duration of the request. The Division Director's decision to approve or deny the request is final. Once approved or denied, the Division Director shall provide a copy of the written request and their decision to Employee Relations.

Severance Compensation

Purpose

Carver County provides compensation to employees in a consistent manner when they terminate employment with the County to meet legal obligations and to recognize employees that have not used all of their paid leave over their years of service with the County.

Policy

Carver County provides employees who resign or retire in good standing with compensation upon their leaving the organization. The amount and method of payment varies based on the most recent hire date for the employee, their years of continuous employment with the County, their leave or PTO balances, and their FLSA status (exempt or non-exempt).

The County reserves the right not to make the post-employment payment of unused leave or PTO if an employee is terminated for cause or if the employee is in any way indebted to the County or in possession of County equipment or property.

If an employee dies prior to resignation or retirement, the employee's spouse or estate shall receive post-employment compensation upon the employee's death.

Severance shall be paid out to an employee who has taken an extended leave of absence to serve in the unclassified or elected service at the rate which reflects pay in the regular classification when an employee began the extended leave of absence, plus all salary adjustments for that job class during the leave, regardless of whether the individual returns to the previously held position prior to termination following such leave of absence.

Procedure for Non-bargaining Employees Terminating Employment after 9/26/2010

Exempt and non-exempt non-bargaining employees who leave the County in good standing by providing adequate notice shall receive post-employment compensation at the rate of pay on their last paid day. This will normally be handled in a separate payment during the first pay period following their final payment for hours worked and in accordance with the table below for retirements and resignations after September 26, 2010. In no case will the County pay out more than 700 hours of PTO.

Accrued, unused, compensatory time shall be paid for non-exempt employees in cash.

Exempt & Non-Exempt, Non-bargaining Post-Employment Compensation

Years of	%age of PTO paid out upon Resignation	Paid in cash or to a Post-
-----------------	--	-----------------------------------

Service	or Retirement (based on maximum of 700 hours)	Employment Health Care Savings Plan (PEHCSP) *
< 5	30%	Cash
5 - < 7	50%	PEHCSP *
7	55%	PEHCSP *
8	60%	PEHCSP *
9	65%	PEHCSP *
10 - < 12	70%	PEHCSP *
12 - < 14	75%	PEHCSP *
14 - < 16	80%	PEHCSP *
16 - < 18	90%	PEHCSP *
18 - < 20	95%	PEHCSP *
20 +	100%	PEHCSP *

***Note:**

In all cases, if an employee has fewer than 80 unused PTO hours upon resignation or retirement, the percentage will apply, but the entire amount shall be paid out in cash.

For retirees who were employed prior to June 2010, depending on their leave balances upon conversion to PTO, there may be an additional benefit at retirement. At the time of conversion, Employee Relation shall inform the affected individuals of this benefit and document the amount of the potential benefit. The PTO Policy describes the conversion in detail.

In the event post-employment severance compensation is paid as the result of death prior to separation, the employee's spouse or estate shall receive death benefits as defined above depending on the employee's date of hire and years of service, but in those cases the amount will be paid in cash rather than a post employment health care savings plan.

The Plan documents for the Post Employment Health Care Savings Plan are on file in Employee Relations.

Note:

Eliminate table of Pre-September 27 Severance language

Leaves of Absence

Purpose

The County needs to define specific situations that may require an employee's absence from work, and the character (paid or unpaid) and quantity of the leave time for those situations.

Policy

There are specific situations in which the County grants paid or unpaid time off work.

- ~~1. Funeral Leave: Leave with pay not deducted from sick leave, vacation or compensatory time, to a maximum of five (5) days shall be granted upon the occasion of the death of a spouse or child; three (3) days shall be granted upon the occasion of the death of a remaining member of the employee's immediate family. For purposes of this policy, immediate family includes step-children, ward, parents and siblings. Sick time may be granted for additional days related to such a funeral.~~

~~An employee may use up to three (3) days of sick leave when a death occurs outside the immediate family to the in-laws of the persons listed in item number one above. An employee may also use up to three (3) days of sick leave if the employee can establish a relationship with the deceased similar to that of the immediate family. Such leave shall be granted at the discretion of the supervisor.~~

~~An employee may use one (1) day of sick leave at the death of a grandparent or spouse's grandparent, or a grandchild.~~

~~A non-bargaining employee may use one (1) day of sick leave, per calendar year when a death occurs beyond their members listed above, to include aunts, uncles, nieces, nephews, or godchildren.~~

~~A non-bargaining employee may be granted up to three (3) hours of leave with pay, not deducted from sick leave, vacation or comp time, upon the death of a co-employee, subject to the needs of the division as determined by the supervisor.~~

2. Military Leave: In accordance with State and Federal laws, any employee required by official military orders or related authority to attend Military Reserve Training shall receive full pay at base wage rate for the period of active duty required for such training, not to exceed fifteen (15) consecutive days per year. Military leave in excess of fifteen (15) days in a calendar year may be provided without pay.

Extended Military Leave: In accordance with State and Federal laws, employee shall be entitled to a military leave of absence without pay of up to four (4) years for service in the armed forces of the United States. Reinstatement to a comparable position shall be made upon the request of an employee within ninety (90) days of their discharge from active duty.

3. Court Appearances: Employees called for jury duty shall receive their normal compensation for days they are scheduled to work. Any payments, per diem or fees, excepting expenses, shall be remitted to the County. If an employee is excused from court duty prior to the end of the work shift, the employee shall return to work as directed by the County or make arrangements for a leave, with or without pay.

Employees subpoenaed as a witness in an official capacity or for County related business will receive their normal compensation, less any fees exclusive of expenses, unless the action is instituted by the employee.

Any other absence to testify in litigation, not in the status of an employee, shall not qualify for any compensation and the employee shall arrange for a leave, with or without pay. Any party to a lawsuit, not connected to County duties shall not qualify for compensation and the employee shall arrange for a leave, with or without pay.

4. The Employee Relations Director shall grant a leave of absence, not to exceed 10 years, to a regular employee to permit the employee to accept a full-time elected position, consistent with Minnesota Statute. The elected official shall be reinstated to their previously held position, provided the employee applies for reinstatement within 30 days of the elected term ending and the position continues to exist in the county. Upon reinstatement, the employee shall have the same rights with respect to seniority, paid-time-off and other benefits as if employed during the leave.

The Employee Relations Director may grant a leave of absence, not to exceed 10 years, to a regular employee to permit the employee to accept a full-time, unclassified appointment with the County. The employee in this situation may be reinstated to their previously held position, provided the employee applies for reinstatement within 30 days of the unclassified appointment ending, the position continues to exist in the county, and there is a vacancy. Upon reinstatement, the employee will have the same rights with respect to seniority, paid-time-off and other benefits, as if employed during the leave. If no vacancy is available at the time of the application for reinstatement, the employee may return to a vacant, previously held position or be placed on a recall list for the position held immediately prior to the unclassified service.

5. Personal Leaves Without Pay: An employee may request a personal leave of absence (for reasons other than disability) in writing. A Division Director may approve a personal leave of absence for a maximum of ten (10) work days. A request for leave of more than ten (10) days, up to and including thirty (30) days, shall require the approval of the Employee Relations Division Director. A leave in excess of thirty (30) days shall require the approval of the County Administrator. Such leaves shall not exceed one (1) year, unless extended by mutual agreement of the County Administrator, the employee, and the Division Director. Upon return from an unpaid leave of absence, the employee will be offered the first available like or similar position.

PTO, vacation leave, compensatory time and floating holidays must be exhausted prior to approval of any unpaid personal leave, excepting a leave of absence for a campaign for political office.

PTO, sick leave, vacation and seniority shall not accumulate during any unpaid leave of absence exceeding 30 days. Health insurance benefits shall cease at the end of the month in which the leave begins and will resume upon completing the eligibility and/or waiting period requirement. Subject to applicable law and insurance policy provisions, the employee may maintain coverage, at the employee's total expense, during the personal leave. Failure to comply with the return-to-work date established for the leave or failure to request an extension from the Division Director within five (5) days prior to the expiration of the leave shall be grounds for termination.

6. Work Related Injury: An employee temporarily disabled from work due to an injury or illness sustained directly in the performance of the employee's work with the County shall be eligible for Worker' Compensation subject to the following: All injuries or illness must be reported to the supervisor on the date of the injury or as soon as possible thereafter.
7. Sheriff's Office Line of Duty Injury: A Sheriff's Chief Deputy who is injured in the line of duty will continue to receive full pay for the first ninety (90) working days lost due to the injury, less any workers' compensation or other benefits paid to the Chief Deputy. The Chief Deputy may, after the first ninety (90) working days, use accumulated PTO, sick leave and vacation to supplement other compensation up to the equivalent of full pay.

If a Chief Deputy performs services as required by the Sheriff's rules, whether or not "on Duty" and is injured in the course of performing such duties, the Chief Deputy will be eligible for the benefits outlined in this paragraph.

The aforementioned ninety (90) days must be used within twelve (12) months of the date of the injury.



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Purchase Agreement with Zeigler Inc. for 315CL Hydraulic Excavator

Originating Division: Public Works

Meeting Date: December 14,2010

Amount of Time Requested:5minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Public Works has many highway maintenance projects that require a hydraulic excavator including ditch cleaning, culvert replacement, erosion/washout repairs, and miscellaneous unplanned excavations and operations. An excavator is typically rented for these operations, however with increased use, it has been determined that purchasing an excavator would increase efficiency and allow scheduling flexibility.

Analysis of the last four years of rental charges shows an average rental cost of \$82/hour. In 2010 we used an excavator for 300 hours. Research has shown that an excavator will typically run 9,000 hours without significant maintenance cost.

Public Works rented a CAT 315CL excavator from Zeigler Inc. in 2010 and received a quote from them to purchase the unit for \$59,659.00 plus tax which has been discounted by the 2010 rental charge of \$19,340. This is a 2005 unit with 3800 hours of use. Expected remaining life without significant cost besides routine maintenance is about 5200 hours or 17 years at 2010 rate of use.

Purchasing the unit outright for \$59,659 would take 3 years of rental charges at 2010 usage rates.

Cost of similar units (Year and hours) were compared with quotes or advertised pricing:

2005 CAT 315CL with 3657 hours - \$78,950 from Altorfer Inc (Cedar Rapids, IA)

2005 CAT 315CL with 5067 hours - \$65,600 from Fabco Equip (Milwaukee, WI)

2007 CAT 315CL with 2400 hours - \$102,000 from General Tractor (Shakopee)

2004 CAT 315CL with 300 hours - \$90,000 from John's construction (NYA)

ACTION REQUESTED: Approval to enter into a purchase agreement with Zeigler Inc. in the amount of \$63,760.56 (\$59,208.00 +\$4101.56 tax) for a Caterpillar 2005 315CL Hydraulic Excavator.

FUNDING

County Dollars = \$63,760.56

Other Sources & Amounts =

= \$

TOTAL

= \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: Funding is proposed to come from the 2010 Commissioner's Contingency account.

Reviewed by Division Director

Date: 11-29-2010

BUDGET AMENDMENT REQUEST FORM

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

Division: Public Works

Date of County Board Session: 12/14/10

Fund: 01/03

Description of Account to be Adjusted:	Debit Amount	Credit Amount
Public Works Equipment Purchases ('05 Cat. Excavator)	\$ 63,761	
Commissioners Contingency		\$ 63,761
TOTAL:	\$ 63,761	\$ 63,761

A. Reason for Request: See Board Action.

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

C. Contingency Acct. Beginning Bal.: \$ 300,000

D. Contingency Acct. Current Bal.: \$ 300,000

E. Current Balance After Above Adj.: \$ 236,239

F. Requested By: Lyndon Robient - Public Works

G. Recommend Approval: Finance Director

H. County Board Decision: Approval/Disapproval



REQUEST FOR BOARD ACTION

AGENDA ITEM : Regional Rail Authority ("CCRRA") 2011 Final Levy and Budget

Originating Division: Rail Authority

Meeting Date: December 14, 2010

Amount of Time Requested: 15 minutes

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: The CCRRA is requesting \$120,000 levy for 2011. The amount remains unchanged since 2008. This levy amount will be used to accumulate the necessary local funding for activities related to the acquisition, development, preservation of infrastructure, and maintenance of CCRRA property.

Federal funding has been approved to a construct a pedestrian trail on the former Dakota Regional Rail Line. These Federal funds provide up to 80% of the construction cost to build the Dakota Rail Regional Trail. The other 20% of construction, plus the preliminary design and engineering fees will be paid for by the CCRRA. Phase I is expected to be completed by the end of December 2010 and Phase II is planned to begin construction in 2012.

The 2011 CCRRA Budget includes \$71,000 for land stewardship activities in the Cities of Mayer and New Germany at the former depot locations by removing buildings, purchasing property, and developing longer term plans for these locations.

Additionally, CCRRA is negotiating with others of the Minnesota River Valley Rail Line Joint Powers Agreement to acquire the Chaska industrial lead of the Union Pacific Rail Line in Carver and Scott Counties. The CCRRA's contribution of \$282,500 is proposed to be paid from the 2011 CCRRA levy and accumulated reserves.

ACTION REQUESTED: Adopt a motion approving the CCRRA's 2011 final levy and budget resolution.**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: 12/6/10

**CARVER COUNTY REGIONAL RAIL AUTHORITY
CARVER COUNTY, MINNESOTA**

Date: December 14, 2010 Resolution: _____
Motion by Commissioner: _____ Seconded by Commissioner: _____

CERTIFYING 2011 PROPERTY TAX LEVY

WHEREAS, the County of Carver, State of Minnesota, requires an Ad Valorem Property Tax to provide needed and necessary services to the citizens of Carver County; and

WHEREAS, the Carver County Regional Rail Authority Board has reviewed budget requests and has made a determination of the Ad Valorem Property Tax required to support Authority operations for the Calendar Year 2011.

NOW, THEREFORE, BE IT RESOLVED by the Carver County Regional Rail Authority Board that there by, and hereby is, levied upon the taxable property of the County of Carver the following sums for the respective purposes indicated herein for the calendar year commencing January 1, 2011, to wit:

CARVER COUNTY REGIONAL RAIL AUTHORITY \$120,000

ADOPTION OF 2011 BUDGET

WHEREAS, the annual operating and capital budgets for the Carver County Regional Rail Authority, which have been prepared by Public Works Director and reviewed by the Carver County Regional rail Authority Board, provided the basis for determining the allocation of available County resources and the property tax levy of Carver County necessary to fund the various functions of Carver County Regional Rail Authority Board for the coming year; and

WHEREAS, the Carver County Regional Rail Authority Board has established the property tax levy for Carver County which serves as a major funding source for Rail Authority operations; and

WHEREAS, the budgets as reviewed and amended by the Carver County Regional Rail Authority Board are within all limits of the afore-referenced levy as prescribed by law; and

WHEREAS, it is the stated purpose of the Rail Authority budget to serve as a management tool for division directors and the Carver County Regional Rail Authority Board and sets the authorized expenditure limits for the 2011 budget year; and

WHEREAS, the revenue and expenditure budget totals by fund are set forth below:

	<u>Revenue</u>	<u>Expenditures</u>	<u>Reserves</u>
Carver County Regional Rail Authority	<u>\$120,000</u>	<u>\$356,000</u>	<u>\$236,000</u>

NOW, THEREFORE, BE IT RESOLVED by the Carver County Regional Rail Authority Board that the 2011 budget is hereby adopted and placed on file in the Carver County Taxpayer Service's Office.

BE IT FURTHER RESOLVED, funds are hereby appropriated for the execution of the aforementioned 2011 budgets.

BE IT FURTHER RESOLVED, budget cannot be exceeded by category for any fund.

BE IT FURTHER RESOLVED, any adjustments to the approved budget, requested by originating departments, can be approved by the Finance Director after review for adequate transfer of existing budget or addition of new revenue sources.

BE IT FURTHER RESOLVED, capital expenditures that have been itemized in the 2011 budget when purchased must conform with State Statute 471.345 as amended. Any capital expenditure (object code 6600's) greater than \$5000 not itemized in the budget must have prior Regional Rail Authority Board approval for purchase. Items classified as building improvements (code 6640) which are needed on an emergency basis may be purchased without prior Board approval but subsequent Board ratification will be required.

BE IT FURTHER RESOLVED, in recognition that the Regional Rail Authority does not maintain any staff and meets on an infrequent basis, the Carver County Board and staff are authorized to conduct Regional Rail Authority day to day business on behalf of the Regional Rail Authority including the payment and approval of Regional Rail Authority claims and invoices and the signing of contracts consistent with the authority delegated to County staff in the County's Administrative Policy Manual.

BE IT FINALLY RESOLVED, that copies of this resolution and individual division budgets be forwarded to division directors of Carver County.

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 Carver County Regional Rail Authority Board, Carver County, Minnesota, at its session held on the 14th day of December, 2010, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of December, 2010.

David Hemze
County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Addendum #1 to PSA Pump and Meter Services Inc.

Originating Division: Public Works/Parks

Meeting Date: 12/14/2010

Amount of Time Requested: 0

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Carver County has a professional service agreement in place with Pump and Meter Services Inc. to perform fuel tank work at the Public Works Building in Cologne. In addition to the fuel tank work in Cologne, there is a need to investigate and if found remove two fuel tanks located on railroad property adjacent to the old service station building in New Germany. It is not known if the fuel tanks have or have not been removed. Staff has been unable to find any documentation that confirms the tanks have been removed and contact with an area representative and preliminary work to investigate if the tanks exist would suggest that the tanks have not been removed. The attached addendum is for the removal and disposal of the two fuel tanks and any fluid or sludge within them.

Two Proposals for the work where received:

	Tank Removal	Per/gallon disposal Fee	Worst case total
Pump and Meter Services	\$1,751.18	\$2.50/fuel \$7.50/sludge	\$4,251.18
Stevens Drilling and Environmental	\$3,000.00	\$3.00/fuel \$8.00/sludge	\$6,000.00

Based on the lowest price it is recommended that Pump and Meter Services perform the work. Pump and Meter Service Inc. will have additional testing to determine what if any contamination has occurred at the site.

Should it be determined that there has been contamination, the estimated cost to determine the extent of the problem ranges between \$8,000 and \$10,000. Up to 90% of the cost to determine the extent of the contamination through sampling and monitoring in accordance with MPCA regulations would be eligible for reimbursement through the Minnesota Petro Fund. Any additional cost to remediate contamination would also be eligible for up to 90% of the cost from the Minnesota Petro Fund.

ACTION REQUESTED:

It is recommended the CCRRA approve Addendum #1 and authorize the Rail Authority Chair to sign.

FUNDING

County Dollars = \$
 Other Sources & Amounts =
 CCRRA Funding = \$4,251.18
TOTAL = \$4,251.18

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Actual price is not to exceed the \$4,251.18. The total could be less than the amount depending on if the tanks have been removed and or the amount of fuel or sludge material found.

Reviewed by Division Director

Date: December 1, 2010



REQUEST FOR BOARD ACTION

AGENDA ITEM : Appraisal of Garage Building in New Germany

Originating Division: Public Works/Parks

Meeting Date: December 14, 2010

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:

On May 25th staff made presentation to the County Board about a number of topics concerning the Dakota Rail corridor. One of the recommended directions by the board was to have the old garage building New Germany appraised for possible consideration for acquisition. The address of the building is 151 Broadway Street East, New Germany, MN 55367 with a PID number of 550040100.

The appraisal work has been completed. Staff updated the board on the appraisal information and other costs pertaining to the removal of buildings on the Dakota Rail corridor on October 5, 2010.

At the closed session on October 5th, the Board directed staff to further explore what the costs would be related to the potential removal of fuel storage tanks adjacent to the garage building. Staff is proposing to update the Board on potential costs of acquiring the building and potential removal of fuel storage tanks and requests direction on extending an offer to the owner of the garage building.

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 activities concerning the Dakota Rail 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: December 1, 2010

S:\Parks\BA-Res\Dakota Rail\Buildings\Garage\ Closed Session December 14