

**County Board Legislative Breakfast  
December 21, 2010 – 7:30 a.m.  
American Legion, Chanhassen, Minnesota**

Carver County Board of Commissioners  
*December 21, 2010 – 9:30 a.m.*  
**Regular Session**  
County Board Room  
Carver County Government Center  
Human Services Building  
Chaska, Minnesota

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9:30 a.m.	1.	<ul style="list-style-type: none"> <li>a) <b>CONVENE</b></li> <li>b) <i>Pledge of Allegiance</i></li> <li>c) <i>Public participation (comments limited to five minutes)</i></li> <li>d) <i>Introduction of New Employees</i></li> </ul>	
	2.	Agenda review and adoption	
	3.	Approve minutes of December 14, 2010 Regular Session .....	1-7
	4.	Community announcements	
9:30 a.m.	5.	<b>CONSENT AGENDA</b>	
	5.1	Supplemental FWD testing – CSAH system .....	8
	5.2	Delegation of donations and off duty contracts.....	9
	5.3	Approval of donation to Sheriff’s Office .....	10-11
	5.4	Administrative permit for special event – All Day Blizzard Blitz for Better Hearing .....	12-17
	5.5	Approval of Metro West Inspection Services, Inc. for County Building Official.....	18
	5.6	AFSCME Memoranda of Agreement Voluntary Unpaid Leave .....	19
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	5.8	Community Social Services’ warrants .....	NO ATT
	5.9	Commissioners’ warrants.....	SEE ATT
9:30 a.m.	6.	<b>ADMINISTRATION</b>	
	6.1	Approval of Fair Board funding.....	21-22

9:40 a.m.	<b>7. PUBLIC WORKS/PARKS</b>	
	7.1 Trail Master Plan for Union Pacific Rail Line .....	23
10:15 a.m.	<b>ADJOURN REGULAR SESSION AND CONVENE AS THE CARVER COUNTY REGIONAL RAIL AUTHORITY</b>	
	<b>8. PUBLIC WORKS/PARKS</b>	
	8.1 Agreement to lead the acquisition of the Union Pacific Railroad line .....	24
10:30 a.m.	<b>ADJOURN CARVER COUNTY REGIONAL RAIL AUTHORITY</b>	
10:30 a.m.	<b>BOARD REPORTS</b>	
	1. Chair	
	2. Board Members	
	3. Administrator	
11:00 a.m.	4. Adjourn	

David Hemze  
County Administrator

<b>UPCOMING MEETINGS</b>
--------------------------

December 28, 2010	No Board Meeting
January 4, 2011	9:15 a.m. Organizational Session

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on December 14, 2010. Chair James Ische convened the session at 9:15 a.m.

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

Members absent: None.

Under public participation, Roger Gutzke, questioned how the County hires its employees. He suggested only the poor were being prosecuted and white color crimes were being ignored. He stated he went through the chain of command to receive a report and questioned the information included in the report. Gutzke stated he would continue to pursue his issue and would not stop until he was at the top.

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

Workman moved, Maluchnik seconded, to approve the minutes of the November 23, 2010, Regular Session and December 2, 2010 Budget Public Hearing. Motion carried unanimously.

Community announcements were made by the Board.

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

Payment of emergency claims in the amount of \$50, \$900, \$836, \$550 and \$50.

Memorandum of Agreement between Carver County and the University of Minnesota from January 1, 2011 through December 31, 2011, in the amount of \$171,160.

Approved City of Mayer recycling drop off facility ground lease agreement effective through December 31, 2015.

Approved the 2011 Assurance and Agreements as part of the Local Public Health Act as the Community Health Board.

Adopted the Findings of Fact and issued Order #PZ201000022 for the issuance of Conditional Use Permit #PZ201000022, William McDonald, Hollywood Township.

Approved mobile diagnostic service agreement.

Approved juvenile board contract with Scott County.

Authorized the Chair and County Administrator to sign professional service agreement for Watertown River Crossings study.

Approved finalizing contract on Laketown Road construction project with Wm. Mueller & Sons and accepted the project as complete.

Authorized Chair and County Administrator to sign Amendment No. 1 to Contract #08-025, SRF Consulting.

Resolution #54-10, Granting of Easement on Unsold Tax-Forfeited Property.

Authorized the Parks Department accepting Christmas tree donations.

Authorized the issuance of a Certificate of Zoning Compliance (#A20100530) for the Points Unknown Dog Mushing Workshop.

Contract with Fabor House for group residential housing.

Contract with Adult Training and Habilitation Center, Inc.

Approved Carver County Attorney's 2011 prosecution contracts.

Approved finalizing contract for 2010 overlay projects accepting project as complete and authorized final payment of \$47,734.92 to Wm. Mueller & Sons.

Approved the AFSCME Local 2789 General Unit Collective Bargaining Agreement for 2010-2011.

Approved the AFSCME Local 2789 Public Works Unit Collective Bargaining Agreement for 2010-2011.

Approved the AFSCME Local 2789 Social Services Unit Collective Bargaining Agreement for 2010-2011.

Approved the Teamsters Local 320, Detention Deputies, 911 Dispatchers and TAC Officer Memorandum of Agreement for 2011 vacation cash out.

Approved the Teamsters Local 320, Detention Sergeants, Memoranda of Agreement for vacation cash out benefit.

Approved the LELS Deputy Sheriff Memorandum of Agreement to provide the 2011 cafeteria benefits.

Approved the LELS Local 289 Sergeants Collective Bargaining Agreement for 2010-2011.

Approved the Supervisors and Managers Association of Carver County initial Collective Bargaining Agreement for 2010-2011.

Approved the following abatements:

85-952-0022	Unoccupied pad
85-951-0067	Unoccupied pad
85-951-0045	Unoccupied pad
30-951-0437	Unoccupied pad
65-262-0170	Douglas Graunke
30-005-4700	Lance Kusske (2008, 2009, 2010)
06-017-1060	Mark Strader (2008, 2009, 2010)
06-017-1040	Mark Strader (2008, 2009, 2010)

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay. Motion carried.

Lynch moved, Maluchnik seconded, to open the public hearing on the 2011 fee for service schedule. Motion carried unanimously.

David Frischmon, Finance, explained Statutes allows the County to charge fees to cover its costs and each year the fees are reviewed. He pointed out there were no significant changes to the current fees.

No public testimony was received.

Maluchnik moved, Workman seconded, to close the public hearing. Motion carried unanimously.

Maluchnik moved, Lynch seconded, to approve the Carver County's 2011 fee for service schedule as presented. Motion carried unanimously.

Frischmon requested the Board approve the final 2011 property tax levy and budget. He pointed out the Board's direction to decrease the tax impact on an average value home as well as to develop a plan to deal with a potential unallotment in 2011. He referenced the preliminary levy adopted in September which was \$600,000 less than the 2010 levy. Frischmon stated cuts were made across the divisions and summarized the levy savings. He noted the cuts were all sustainable and not one time cuts. He indicated four divisions were reorganized.

He summarized the overall 2011 budget. He noted the increase in capital outlay for non levy funded projects and the tax levy dollars allocated for capital equipment. He indicated no dollars had been allocated for Buildings CIP. Frischmon explained how County Program Aid would be allocated if received. He explained his recommendation to lower reserves vs. financing to pay for projects

previously approved. He stated he was also recommending that funds be moved out of reserves to pay off the Chaska License Center lease at a future date.

Frischmon highlighted the tax levy impact on an average value home and commercial properties. He explained the tax burden shift that occurs when commercial properties and other properties decrease faster than residential properties.

He highlighted the 2012 Long Term Financial Plan. He acknowledged the Board's direction to connect financial strategies to long term strategic goals and objectives. He stated the long term plan was non binding and looks at future intent. He stated the plan relies on regional funding and tax base growth. Frischmon stated the plan includes a five year equipment replacement schedule. He also noted the plan identifies operating budget challenges and looks at strategies to keep them in control.

Degler offered the following Resolutions, seconded by Lynch:

Resolution #55-10  
Certifying 2011 Property Tax Levy

Resolution #56 -10  
County Board Adopting of the 2011 Budget  
For Carver County

On vote taken, Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay.

Degler offered the following Resolution, seconded by Lynch:

Resolution #57-10  
County Board Adoption of the  
2012 Long Term Financial Plan  
For Carver County

On vote taken, Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay.

Doris Krogman, Employee Relations, requested the Board adopt a Resolution setting the 2011 Commissioner compensation. She noted the Board had not increased the salary since 2008 and she was recommending an increase of ½% of 1% over that amount. She reviewed the Commissioner salaries throughout the metro counties, as well as Sherburne and Wright Counties.

Maluchnik offered the following Resolution, seconded by Degler, reducing the Commissioners current salaries ½% of 1% for 2011:

Resolution #58-10  
Setting 2011 Commissioner Compensation

On vote taken, all voted aye.

Krogman requested the Board adopt a Resolution setting 2011 compensation for the County Attorney and County Sheriff. She explained the Board is obligated to set the salaries for the elected officials and reviewed the salaries for these positions set by other metro counties.

She explained, under Statutes, the factors to be considered included responsibilities, experience, qualifications and performance. Krogman reviewed the salaries ranges of other County Division Directors with similar responsibilities. She stated in 2007 a pay grade was assessed to the positions when the positions were evaluated by the compensation consultant. She pointed out there were three ranges for Division Directors with a minimum and maximum salary for each range.

County Attorney Elect Mark Metz stated he had set out his proposal in his meeting with the Board. He stated he was privileged to serve as the next Carver County Attorney and would make his decision on the law and what is fair and just. He stated he looked forward to working together with the Board, the County Attorney employees, the various Divisions and the citizens of Carver County.

The Board discussed the pay ranges and the difficulty of setting salaries for the elected officials.

Maluchnik offered the following Resolution, seconded by Degler, setting the 2011 County Attorney salary at \$115,000:

Resolution #59-10  
Setting 2011 County Attorney Compensation

On vote taken, all voted aye.

Workman offered the following Resolution, seconded by Lynch, setting the 2011 County Sheriff salary at \$115,000:

Resolution #60-10  
Setting 2011 County Sheriff Compensation

On vote taken, all voted aye.

Krogman requested the Board set 2011 non-bargaining compensation. She stated there currently was a slight difference between the bargaining unit and non bargaining unit pay grades and reviewed her recommendation to have those equalized.

Maluchnik offered the following Resolution, seconded by Lynch:

Resolution #61-10  
Setting 2011 Non-Bargaining Employee Compensation

On vote taken, Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay.

Krogman requested the Board approve revisions to the Personnel Policies. She explained the proposed changes related to the maximum amount of nonexempt comp time accrual in lieu of overtime payment, addresses extended leaves of absences and severance compensation following a leave.

Lynch moved, Degler seconded, approve the revisions to the Personnel Policies as presented. Motion carried unanimously.

Lyndon Robjent, Public Works, requested approve to enter into an agreement to purchase a 315CL hydraulic excavator. He pointed out their large upcoming work program and the amount they have spent in the past year renting the equipment. He indicated that Ziegler agreed to credit the 2010 rental charge if the excavator were purchased.

Workman moved, Degler seconded, to enter into a purchase agreement with Zeigler, Inc., in the amount of \$63,760.56 for a Caterpillar 2005 315CL hydraulic excavator and related budget amendment decreasing Commissioners contingency \$63,761 and increasing Public Works Equipment purchases \$63,761. Motion carried unanimously.

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

David Frischmon, Finance, requested the Rail Authority set the final levy and budget. He explained he was requesting the levy amount of \$120,000 which has been the same since 2008. He stated the amount would be used to accumulate the necessary funding for the acquisition, development, preservation and maintenance of Rail property.

Lynch offered the following Resolution, seconded by Degler:

CCRRA #01-10  
Certifying 2011 Property Tax Levy and  
Adoption of 2011 Budget

On vote taken, all voted aye.

Marty Walsh, Parks, requested the Rail Authority approve an addendum to the agreement with Pump and Meter Services for the removal and disposal of two fuel tanks. He explained the need to investigate and if found, remove the tanks located on rail property adjacent to the old garage building.

He added, if tanks are found and there is contamination, the cleanup costs would be eligible for reimbursement through the Minnesota Petro Fund.

Lynch moved, Maluchnik seconded, to approve Addendum #1 to Pump and Meter Services, Inc. agreement and authorized the Chair to sign. Motion carried unanimously.



Degler moved, Lynch seconded, to go into closed session at 11:14 a.m. according to Minnesota Statutes 13D.05 to discuss confidential appraisal data and to update the Authority on the status of activities concerning the Dakota Rail property. Motion carried unanimously.

The Rail Authority adjourned the closed session and the Rail Authority meeting at 11:40 a.m.

David Hemze  
County Administrator

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



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Supplemental FWD Testing - CSAH System

Originating Division: Public Works

Meeting Date: December 21, 2010

Amount of Time Requested: n/a

Attachments for packet:  Yes  No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Braun Intertec has entered into an agreement with the Minnesota Department of Transportation to complete Falling Weight Deflectometer (FWD) Testing and Analysis on various County State Aid Highways in every county in the State of Minnesota. The County State Aid Highway system is paying for the testing on 1/3 of the County State Aid Highway system in every county. The agreement that Braun Intertec has with Mn/DOT provides for completion of this testing and analysis on other County State Aid Highways and County Roads in the county at the county's expense. We would like to complete this testing and analysis on most all of the County roadway system. The Supplemental Agreement with Braun Intertec would allow for this additional testing in Carver County. The estimated cost to complete this work requested is \$32,000.00.

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

### FUNDING

County Dollars = \$32,000.00

Other Sources & Amounts =\$

=\$

**TOTAL** =\$32,000.00

### 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\GRM\Agmt with Braun for FWD contract 111910 - baf



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Delegation of Donations and Off-Duty Contracts**

Originating Division: Sheriff

Meeting Date: 12-21-10

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:** Each year the Sheriff's Office accepts donations for books, magazines and newspapers for the jail library. These donations are received weekly by jail staff. They are used items with little monetary value. The Sheriff also uses a county approved off-duty contracting request form to fulfill contracts with private residents and vendors throughout the year. This board action is a request to accept the donations and off-duty contracts of this nature for 2011.

**ACTION REQUESTED:**

Motion to approve delegation of authority for approval of donations and authority to sign Off-Duty contracts to the County Administrator or his designee.

**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: 12-13-10



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Approval of Donation to Sheriff's Office**

Originating Division: Sheriff's Office

Meeting Date: December 21, 2010

Amount of Time Requested:

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

Donation of 10 Olympus TP-7 Telephone Recording Devices by the Sexual Assault Interagency Council of Carver County (SAIC).

**ACTION REQUESTED:**

Board approval of donation of 10 Olympus TP-7 Telephone Recording Devices from SAIC.

**FUNDING**

County Dollars = \$

Other Sources &amp; Amounts =

= \$

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

01-201-201-0000-5756 Gifts Restricted

 Reviewed by Division Director

Date: 12.13.10



**CARVER COUNTY SHERIFF'S OFFICE  
DONATION FORM**

606 E. 4<sup>th</sup> Street  
Chaska, MN 55318  
952-361-1212

I would like to donate the following item(s) to the Carver County Sheriff's Office. I am aware that all donated items become the property of the Sheriff's and will not be returned.

Please list donated item(s):

- (10) 1) Olympus TP-7 Telephone Recording Devices
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_

If you are interested in a specific use for this donation please let us know:

For Investigative Unit

Signature: Kathryn Robinson Date: \_\_\_\_\_

Your Name and Address:

Kathryn Robinson SAIC  
500 Pine St Suite 203 (Sexual Assault  
Chaska MN 55318 Interagency Council  
of Carver City)

**Thank you for your donation to the Carver County Sheriff's Office.**



# REQUEST FOR BOARD ACTION

**AGENDA ITEM :** Administrative Permit for Special Event – All Day Blizzard Blitz for Better Hearing

Originating Division: Public Health & Environment

Meeting Date: 12/21/10

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 #A20100532. This request is for an Administrative Special Event Permit for the All Day Blizzard Blitz for Better Hearing to be held on January 17, 2011. The event is being coordinated by Lisa Bjork on behalf of the Starkey Hearing Foundation and the Adrian Peterson All Day Foundation to help provide the gift of hearing to children all over the world. The event will be held on Lake Waconia, at Lola's Lakehouse and the In Towne Marina in Waconia. Parking will be held in Laketown Township at Lake Waconia Regional Park, thus the permit request. Activities for the event include an ice fishing event for adults and children and VIP dinner at Lola's Lakehouse with Adrian Peterson and other local celebrities.

The one-day event will begin at 10:00 a.m. and conclude at approximately 7:00 p.m. The only activity taking place within the unincorporated areas of Carver County is parking. Approximately 300-500 vehicles will be parking at property owned by Lake Waconia Regional Park. Persons will then be shuttled from the Lake Waconia Regional Park to Lola's Lakehouse in Waconia. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 B6 of the Carver County Code.

The conditions on the permit are: that the permit is only issued to Lisa Bjork/Starkey Hearing Foundation for a one-day event on January 17, 2011; the event shall be conducted in accordance with the submitted operation and site plans; a Certificate of Insurance listing Carver County and Laketown Township as additional insured shall be submitted to Land Management prior to commencement of the event; The permittee shall comply with any requirements from the Carver County Parks Department and Laketown Township.

**ACTION REQUESTED:** A motion authorizing the issuance of a Certificate of Zoning Compliance (#A20100532) for the All Day Blizzard Blitz for Better Hearing.

**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

Date: 12/13/2010

**COUNTY OF CARVER**  
**CERTIFICATE OF ZONING COMPLIANCE**

**FILE/CERTIFICATE # A20100532**

**DATE ISSUED: December \_\_\_\_, 2010**

**TYPE OF CERTIFICATE: ONE TIME SPECIAL EVENT – All Day Blizzard Blitz for Better Hearing**

This permit certificate is issued for the All Day Blizzard Blitz for Better Hearing to be held on January 17, 2011. The event is being coordinated by Lisa Bjork on behalf of the Starkey Hearing Foundation and the Adrian Peterson All Day Foundation and will be held on Lake Waconia, Lola’s Lakehouse and In Towne Marina. Parking will be held at Lake Waconia Regional Park, thus the permit request. Activities for the event include an ice fishing event for adults and children, VIP dinner at Lola’s Lakehouse with Adrian Peterson and other local celebrities.

The one-day event will begin at 10:00 a.m. and conclude at approximately 7:00 p.m. The only activity taking place within the unincorporated areas of Carver County is parking. Approximately 300-500 vehicles will be parking at property owned by Lake Waconia Regional Park. Persons will then be shuttled from the Lake Waconia Regional Park to Lola’s Lakehouse in Waconia. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 B6 of the Carver County Code. **This certificate is issued to:**

**Lisa Bjork/Starkey Hearing Foundation  
6700 Washington Avenue South  
Eden Prairie, MN 55344**

**And is not transferable to another person or to another parcel of property.**

**Purpose of Certificate:** To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold the All Day Blizzard Blitz for Better Hearing event on January 17, 2011 at Lake Waconia Regional Park. The event shall take place in Laketown Township in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 B6 of the Carver County Code.

**THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:**

1. The Permit is valid only for January 17, 2011.
2. The event shall be conducted in accordance with the submitted operation and site plans. These plans shall be attached to and be considered part of this permit.

3. A Certificate of Insurance listing Carver County and Laketown Township as additional insured shall be submitted to Land Management prior to commencement of the event.
4. The permittee shall comply with any requirements from the Carver County Parks Department and Laketown Township.

\_\_\_\_\_  
Amanda Schwabe  
Associate Planner

**THIS CERTIFICATE IS ISSUED FOR JANUARY 17, 2011, AND IS NOT EFFECTIVE UNTIL SIGNED:**

I HAVE READ THE ABOVE CONDITIONS AND AGREE TO FOLLOW THEM. I REALIZE THAT FAILURE TO ABIDE BY THE CONDITIONS IS A VIOLATION OF THE ZONING ORDINANCE. I AGREE THAT THE ZONING ADMINISTRATOR OR A DESIGNATED REPRESENTATIVE MAY ENTER UPON THE SUBJECT PROPERTY TO CHECK FOR COMPLIANCE OR FOR REVIEW PURPOSES. I AGREE THAT BY SIGNING BELOW I AM RESPONSIBLE TO OBTAIN COMPLIANCE WITH BUILDING AND FIRE CODES, FOOD HANDLING REQUIREMENTS AND LIQUOR LICENSURE REQUIREMENTS FROM ANY AND ALL LOCAL AND STATE AGENCIES. I ALSO UNDERSTAND THAT THIS IS NOT A BUILDING PERMIT AND THAT OTHER PERMITS MAY BE REQUIRED.

\_\_\_\_\_  
Signature of Certificate Holder

\_\_\_\_\_  
Date





**Event Name:** All Day Blizzard Blitz for Better Hearing

Benefiting the Adrian Peterson All Day Foundation and the Starkey Hearing Foundation.

This one day event called the All Day Blizzard Blitz for Better Hearing is to raise money for the Starkey Hearing Foundation and the Adrian Peterson All Day Foundation to help provide the gift of hearing to children all over the world. The Ice Fishing event will be a 3 hour contest where there will be adults and children's categories for winners. A special sponsor VIP dinner will follow at Lola's Lakehouse with Adrian Peterson and other local celebrities.

**Location:** On Lake Waconia between Lola's Lakehouse and In Towne Marina

Parking at Lake Waconia Regional Park for approximately 300-500 vehicles. Parking at Lake Waconia Regional Park due to location of event. Not enough parking spots at Lola's Lakehouse to accommodate 500-750 people.

**Date:** Monday, January 17, 2011 – Martin Luther King Day

**Time:** 10:00am – 7:00pm

**Estimated Attendance:** 500-750 Total Adults and Children

**Event Coordinator:** Lisa Bjork - Starkey Hearing Foundation  
**Phone:** Work 952-828-9144, Cell 612-708-0144  
**Email:** [lisa\\_bjork@starkey.com](mailto:lisa_bjork@starkey.com)

**Activities for Day:** 12:00pm – 3:00pm Ice Fishing Contest (On Lake Waconia)  
InTowne Marina to manage Ice Fishing Event

10:00am – 1:00pm Children's Educational Area (Lola's Lakehouse)

4:00pm – 6:00pm VIP Sponsor Dinner (Lola's Lakehouse)

**Name of Property/Liability Insurer:**

Carver County will require an insurance policy that names Carver County as additional insured. The Starkey Hearing Foundation Controller will send insurance policy this week.

**Date of Contract with Laketown Township:**

12/2 contacted Karen with Laketown Township. They require an insurance policy that names Laketown Township as additional insured. The Starkey Hearing Foundation Controller will send insurance policy this week. A copy of event flyer going to Laketown Township.

**Adverse Impact on the Environment:**

No adverse impact on the environment from our event. Designating parking at the Lake Waconia Regional Park with shuttle service to Lola's Lakehouse. Submitted a permit request from the DNR for a Catch and Release ice fishing contest. All contestants to follow Minnesota License laws and regulations. Attendees will NOT be accessing the Lake from the Lake Waconia Regional Park, but will be shuttle busing over to Lola's Lakehouse. MinBiffs will be on the lake and at Lola's Lakehouse and In Towne Marina. No MiniBiffs will be needed at the Lake Waconia Regional Park.

**Proposed Access, Traffic Flow and Parking for Event:**

Traffic to enter the Lake Waconia Regional Park from Hwy 5. Clear directions signage for parking will be on Hwy 5 as within the park. Volunteers will be stationed within the park to help coordinate parking as well as helping get people to shuttle buses. Shuttles buses to run continually from Lake Waconia Regional Park to Lola's Lakehouse from 10:00am to 7:00pm. Shuttle buses will pick up attendees by Waconia Events Center, and bring to event by Lola's Lakehouse. Sheriff's department has been contacted to help with traffic flow for this event.

**Proposed Structures:**

No proposed structures in the Lake Waconia Regional Park. Only on Lake Waconia between Lola's Lakehouse and In Towne Marina. There will be a main event and contest area with tent structures as well a stage.

# 2008 Aerial



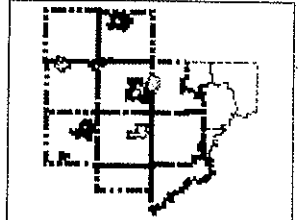
This map was created using Cassi County's Geographic Information Systems (GIS). It is a compilation of information and data from Cassi County, State, and Federal offices. This map is not a survey or legal recorded map and is intended to be used as a reference. Cassi County is not responsible for any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

Map Date: 11/19/2010



## Legend

- Parcel Boundary
- Waconia Events Center
- Lake Waconia Regional Park





# REQUEST FOR BOARD ACTION

**AGENDA ITEM: Approval of Metro West Inspection Services, Inc for County Building Official**

Originating Division: Public Health and Environment

Meeting Date: 12/21/10

Amount of Time Requested:

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

This is a standard three year contract for Metro West Inspection Services, Inc. to act as the County Building Official, on behalf of Carver County, where the County has Building Code responsibility, On November 23, 2010, the County Board authorized the Division to negotiate a contract with Metro West.

This contract is effective January 1, 2011 through December 31, 2013.

**ACTION REQUESTED:**

Approval of contract with Metro West Inspection Services, Inc. to act as the County Building Official.

**FUNDING**County Dollars = \$50,000 to \$100,000  
Other Sources & Amounts = \$**TOTAL =****FISCAL IMPACT**

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

**Related Financial Comments:**

Funding amount is an approximation, based on revenue collected. Approximately 35% of revenue collected will fund this Building Inspector contract, from budget line item #01-123-160-000-6260.

 Reviewed by Division Director

Date: 12/14/10



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : AFSCME Memoranda of Agreement (MoA) Voluntary Unpaid Leave

Originating Division: Employee Relations

Meeting Date: 12/21/10

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:

In 2009 the Board approved the use of voluntary unpaid leave, allowing employees to take a limited number of hours off without pay while keeping their benefits in place. The savings in these situations includes wages and the employer share of Social Security and PERA. In 2009 voluntary unpaid leave saved the County over \$40,000.00 and in 2010 it has saved nearly \$50,000.00. Granting the unpaid leave works much like vacation or PTO with employees requesting it and needing supervisory approval. It is not be approved in situations where granting the leave would require overtime payments to other employees, diminish grant or other funding streams or create customer service problems.

AFSCME had the MoA associated with the 2007 – 2009 collective bargaining agreement and wishes to continue the process in 2011.

The action requested is approval of the AFSCME MoA to grant AFSCME Social Service, General and Public Works Units extending voluntary unpaid leave in 2011.

### ACTION REQUESTED:

Motion to approve the MoA to extend Voluntary Unpaid leave for 2011 with AFSCME Social Service, General and Public Works Units.

### FUNDING

County Dollars = \$0

Other Sources & Amounts = \$

**TOTAL = \$0**

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

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

Related Financial Comments:

Reviewed by Division Director  
Doris M. Krogman, Employee Relations

Date: 12/14/10



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : AFSCME Memoranda of Agreement (MoA) Working out of Class

Originating Division: Employee Relations

Meeting Date: 12/21/10

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:

The AFSCME 2010 – 2011 collective bargaining agreements (CBAs) for Public Works, Social Services and the General Unit address compensation for working out of class assignments, but have not addressed the situation of an employee working as a “working out of class supervisor” (WOC). The MoA outlines that the county will notify the union of such an assignment in writing; the WOC Supervisor is a unit member and continues to pay dues; the union will represent the WOC supervisor if he or she wishes to file a grievance; if the WOC supervisor initiates an investigation and /or discipline the union will represent the employee (not the WOC supervisor) that the out of class supervisor, and the union will represent the employee in a grievance.

The action requested is approval of the AFSCME MoA to clarify county and union responsibilities in situations where a unit member is working out of class as a supervisor.

### ACTION REQUESTED:

Motion to approve the AFSCME MoA to clarify county and union responsibilities in situations where a unit member is working out of class as a supervisor.

#### FUNDING

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

#### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other: Included in the Administrator's 2011 Budget recommendation.

Related Financial Comments:

Reviewed by Division Director  
Doris M. Krogman, Employee Relations

Date: 12/14/10



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Approval of Fair Board Funding**

Originating Division: Administration

Meeting Date: Dec 21, 2010

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:**

Based upon Commissioner request, this agenda item would increase the 2011 funding for the Fair Board. The current 2011 County Board adopted budget for the Fair Board is \$27,500 which was based on a 50% reduction from their 2010 budgeted amount of \$55,000.

In comparison, the Commissioner requested level funding of \$52,600 is based upon a 4.3% reduction in the 2010 budgeted amount of \$55,000. The 4.3% reduction was allocated across all divisions as part of a 2011 budget shortfall solution.

County funding for the Fair Board has historically been used for capital improvements to the fair grounds. The Fair Board has identified over \$1 million in capital projects over the next five-year period.

**ACTION REQUESTED:**

Motion to increase 2011 funding for the Fair Board from \$27,500 to \$52,600.

**FUNDING**

County Dollars = \$52,600

Other Sources & Amounts =  
=\$**TOTAL** =\$52,600**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:

*Related Financial Comments:* The difference between the requested funding level of \$52,600 and the current funding level of \$27,500 is \$25,100. The recommended funding source is 2010 Commissioner Contingency.

 Reviewed by Division Director

Date: 12/14/10

# BUDGET AMENDMENT REQUEST FORM

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

Division: County Board

Date of County Board Session: 12/21/10

Fund: 01

Description of Account to be Adjusted:	Debit Amount	Credit Amount
2011 Fair Board Contribution	\$ 25,100	
2010 Commissioner Contingency		\$ 25,100
<b>TOTAL:</b>	<b>\$ 25,100</b>	<b>\$ 25,100</b>

**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.:** \$ 236,239

**E. Current Balance After Adj.:** \$ 211,139

**F. Requested By:** County Board

**G. Recommend Approval:** Finance Director

**H. County Board Decision:** Approval/Disapproval





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Trail Master Plan for Union Pacific Rail Line

Originating Division: Public Works/Parks

Meeting Date: December 21, 2010

Amount of Time Requested: 20

Attachments for packet:  Yes  No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The Union Pacific Railroad Line, also known as the Chaska Industrial Lead which extends 5.6 miles from United Sugars in Chaska to the Merriam Junction in Scott County is planned to be acquired by the Regional Railroads of Carver and Scott counties. Rail traffic ceased in 2007 with the collapse of a bridge on the rail line in Scott County. Consistent with the cities of Chaska's, Carver's and Carver County's comprehensive plans, a regional trail is planned on a portion of the rail corridor. The planned regional trail would be an extension of the existing Minnesota River Bluffs Regional Trail and also connect to the existing city trail system in Chaska and planned Southwest Regional Trail at Athletic Park. This planned trail is approximately 3.9 miles in length and would extend west to the City of Carver and to the Merriam Junction in Scott County.

In the City of Carver, it is also planned that the regional trail would also incorporate the City's Kenneth Frey trail which runs on top of the levee and connects to the Union Pacific Railroad corridor and is approximately ¼ mile in length. The incorporation of the trail is consistent with the County Comprehensive Plan.

The master plan is titled the Minnesota River Bluffs Extension and Scott County Connection Regional Trail Master Plan. Significant elements of the plan include the alignment of the trail in the Union Pacific Railroad corridor, trail width of 10 feet, surface can be either of aggregate or bituminous. The plan does state that bituminous is preferred due to the durability, dependability and paved surfaces accommodates a wide variety of trail uses including hiking and running along with non motorized wheeled activities. Additionally, the planned trail would connect to existing pave trails at Athletic Park in Chaska and at the Kenneth Frey Trail in Carver.

Planned uses of the trail include: bicycling, walking, running, in-line skating, skateboarding, kick scooters, bird watching, and dog walking. Consistent with the urban environment and city ordinances, motorized and equestrian uses are not planned. Trailhead facilities may be incorporated on existing city properties of Athletic Park in Chaska, Depot and Riverside parks in Carver.

The City of Chaska has reviewed the proposed trail master plan and has provided a resolution of support. The City of Carver's Park Commission recommended approval of the Master Plan to Carver's City Council. The City Council of Carver has reviewed the master plan and finds the trail consistent with city plans. It is also providing additional comments for consideration and incorporation into the document.

**ACTION REQUESTED:** It is requested that the Board approve the Draft Minnesota River Bluffs Extension and Scott County Connection Regional Trail Master Plan contingent upon the approval of the Metropolitan Council.

### FUNDING

County Dollars = \$

Other Sources & Amounts = \$

**TOTAL** = \$

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

*Related Financial Comments:* Approval of the regional trail master plan by the Metropolitan Council allows the development and acquisition costs related to the regional trail to be eligible for regional funding available through state and regional funding sources.

Reviewed by Division Director

Date:



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Agreement to Lead the Acquisition of the Union Pacific Railroad Line

Originating Division: Public Works/Parks

Meeting Date: December 21, 2010

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:** Carver County and Scott County Regional Railroad Authorities have negotiated a purchase price for acquisition of the Union Pacific Railroad corridor. The railroad line, also known as the Chaska Industrial Lead extends 5.6 miles from United Sugars in Chaska to the Merriam Junction in Scott County. Rail traffic on the line ceased in 2007 with the collapse of a bridge in Scott County. The agreement outlines that the Carver County Regional Railroad Authority is the lead agency in the acquisition of the rail line. This is consistent with the Joint Powers agreement previously entered into by both Carver and Scott County Regional Railroad Authorities in 2008.

Stated uses of the Union Pacific Railroad corridor include: trail, future transportation, right-of-way for County Road 61, utilities and road crossing.

The corridor would be rail banked, meaning that should a rail service want to bring back rail to the corridor that it would be possible to re-establish the corridor for rail use. As such, the rail authorities are precluded from disposing of this property without agreeing to do so and also go through an abandonment process subject to the Surface Transportation Board.

The agreement provides a cost participation structure by the two rail authorities and the Metropolitan Council. The acquisition cost of the railroad corridor is \$2,000,000. Proposed funding:

Scott County	\$407,500
Carver Co. Regional Railroad Authority	\$602,500
Metropolitan Council	\$990,000
	\$2,000,000

Note: This requested action does not bind the Carver County Regional Railroad Authority ("CCRRA") to acquiring the Union Pacific Rail Line. The purchase of the line is contingent on an executed purchase agreement and outside funding from the Metropolitan Council.

**ACTION REQUESTED:** It is requested that the Board approve the agreement and authorize the Board Chair, County Administrator and County Attorney Office to sign.

### FUNDING

County Dollars =	\$602,500
Other Sources & Amounts =	\$1,397,500
	= \$
<b>TOTAL</b>	<b>= \$</b>

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments: It is anticipated that CCRRA's initial investment of \$602,500 will be offset by \$320,000 of contributions from other organizations in revenue derived from easements for sewer and electric utilities. The CCRRA's anticipated net contribution of \$282,500 is included in the CCRRA's 2011 Budget. As the lead agency, Carver County will act as the bank by using its Board designated park land acquisition reserves to advance fund the \$2,000,000 rail line corridor acquisition on behalf of the other participating organizations. No Carver County tax dollars will ultimately be used to pay for the railroad corridor acquisition.*

Reviewed by Division Director

Date:

# BUDGET AMENDMENT REQUEST FORM

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

**Division: Public Works**

**Date of County Board Session: 12/21/10** **Fund: 15/34**

Description of Account to be Adjusted:	Debit Amount	Credit Amount
UP railroad corridor land acquisition - (Fund #34)	\$ 1,717,500	
CCRRA land acquisition (Fund #15)	\$ 282,500	
Designated reserves for park land acquisition-cash (#34)		\$ 1,717,500
CCRRA land acquisition - cash (Fund #15)		\$ 282,500
(Carver County is advance funding the purchase on behalf of a JPA created to acquire the corridor. The County is expected to be reimbursed 100% of the \$1,717,500 by other organizations. - see Board Action for more details)		
<b>TOTAL:</b>	<b>\$ 2,000,000</b>	<b>\$ 2,000,000</b>

- 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.: \$ 236,239
- E. Current Balance After Adj.: \$ 211,139
  
- F. Requested By: Lyndon Robjert - Public Works Director
  
- G. Recommend Approval: Finance Director
  
- H. County Board Decision: Approval/Disapproval