

Carver County Board of Commissioners
 Regular Session
 July 7, 2009
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:15 a.m.

1. a) **CONVENE**
- b) *Pledge of Allegiance*
- c) *Public participation (comments limited to five minutes)*
- d) *Introduction of New Employees*
2. Agenda review and adoption
3. Approve minutes of June 23, 2009 Regular Session and June 23, 2009,
 County Board of Appeal and Equalization 1-7
4. Community announcements

9:15 a.m.

5. **CONSENT AGENDA**
- 5.1 LELS Memorandum of Agreement..... 8
- 5.2 Adoption of Resolution and approval of Juvenile Accountability
 Block Grant 2009-2010 9-10
- 5.3 Sheriff's Office donations 11-13
- 5.4 Courthouse Campus Two Plat-associated property
 transfers 14-15
- 5.5 Appointment to the Riley Purgatory Bluff Creek Watershed
 District 16
- 5.6 Carver County Project No. 0914-furnishing bituminous
 material 17-18
- 5.7 Kevin Tritz and Kevin Norby (SET K-2, LLC) request
 for a contractor's yard 19-22
- 5.8 Stenzel Woods-preliminary plat 23-33
- 5.9 Abatements/additions..... 34-35
- 5.10 Charitable gambling application received from Minnesota
 Astronomical Society 36-37
- 5.11 Approval of renewal of Cooperative Crisis Agreement..... 38
- 5.12 Community Social Services' warrants NO ATT
- 5.13 Commissioners' warrants..... SEE ATT

9:20 a.m.	6.	LAND AND WATER SERVICES	
	6.1	Approval of waste management contract with Dynamic Recycling	39-40
	6.2	Review of Comprehensive Plan elements	41-51
10:20 a.m.	7.	EMPLOYEE RELATIONS	
	7.1	<i>Closed Session</i> -labor negotiations strategy	52
11:00 a.m.		ADJOURN REGULAR SESSION	
		BOARD REPORTS	
11:00 a.m.	1.	Chair	
	2.	Board Members	
	3.	Administrator	
11:30 a.m.	4.	Adjourn	

David Hemze
County Administrator

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on June 23, 2009. Chair Gayle Degler convened the session at 9:20 a.m.

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

Members absent: Randy Maluchnik.

The following additions were made to the agenda:

- 5.11 2009 Roadside right-of-way weed spraying agreement
- 8.1 Approval of Resolution supporting MVRRA's capital request

Ische moved, Lynch seconded, to approve the agenda as amended. Motion carried unanimously.

Workman moved, Lynch seconded, to approve the minutes of the June 9, 2009, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Payment of emergency claim in the amount of \$1,400.

Approved the Sheriff's Office request to reduce Sergeant FTE by one and increase the Deputy FTE by one.

Approved the Cooperative Agreement for Regional Distribution Node as the Community Health Board.

Approved retainer contracts with Wenck Associates, Inc., Barr Engineering, SRF Consulting and Emmons & Olivier Resources and authorized the signature of the Chair and County staff on all related documents.

Resolution #40-09, Authorizing Lake Minnewashta Lake Association to use Lake Minnewashta Regional Park for Staging Area for July 4, 2009, Fireworks Display.

Resolution #41-09, Charitable Gambling Application for Exempt Permit-West Metro Chapter Delta Waterfowl.

Approved the following tobacco licenses:

- License #10-501, American Legion Post #580- Chanhassen
- License #10-506, Byerly's Beverages, Inc. dba Byerly Wine & Spirits
- License #10-508, Dahlgreen Golf Club, Inc

License #10-509, Nash Finch Co dba Econofoods #318
License #10-513, Good Time Liquors
License #10-515, Holiday Stationstores, Inc dba Holiday Stationstore #199
License #10-517, Hollywood Sports LLC
License #10-518, Inn Town II Enterprises, Inc
License #10-519, Ivan's Convenience Store, Inc.
License #10-523, Mid-County Coop
License #10-526, R E Smith Oil & Tire Co, Inc
License #10-535, Harms Bar
License #10-540, Bluff Creek Golf Association
License #10-541, Plocher's, Inc dba Floyd's Bar
License #10-543, Speedway SuperAmerica LLC dba SuperAmerica #4366
License #10-557, TBI Liquors Two, Inc. dba Cheers Wine & Spirits
License #10-558, Mayer Oil Co of Mayer dba Mayer MobileMart
License #10-566, Schoknecht, Inc dba Lisa's Place
License #10-567, J & R Entertainment dba Da' Boars Bar & Grill
License #10-578, Kwik Trip, Inc dba Kwik Trip #402
License #10-581, Kenzoil Station
License #10-594, Holiday Stationstores, Inc dba Holiday Stationstore #360
License #10-596, Champlin 2005 LLC dba Cub Foods
License #10-598, Inn Town Wine & Spirits
License #10-600, Chanhassen CVS LLC dba CVS/Pharmacy #1747.
License #10-602, KTTC Inc. dba Crossroads Restaurant & Bar
License #10-603, Century Wine & Spirits, LLC
License #10-604, Holiday Stationstores, Inc. dba Holiday Stationstore #371
License #10-605, Walgreen Co/dba Walgreens #9728
License #10-606, Harvey's Bar & Grill Inc
License #10-607, Snyder's Drug Stores Inc.
License #10-608, Alouls Fuel & Food Service dba Chanhassen BP
License #10-610, KLMS Group LLC dba Century Blvd BP
License #10-611, Last Call Properties, LLC dba Last Call Too
License #10-613, Casey's Retail Company dba Casey's General Store #2655
License #10-614, Holiday Stationstores, Inc. dba Holiday Stationstore #390
License #10-616, TTK, Inc. dba Carver Liquor
License #10-619, B&B Hospitality dba HI-5 Market
License #10-620, Chanhassen Winner Co.
License #10-627, Kwik Trip, Inc. dba Kwik Trip #492
License #10-616, Southern Sands, Inc. dba Down South Bar & Grill
License #10-625 Victoria Street LLC dba Victoria Bar and Grill
License #10-624 Kleinprintz LLC dba MGM Liquor Warehouse
License #10-623 Thaemert, Inc dba T-Road Tavern

Resolution #42-09, Authorizing the LWS Director to Extend Direct Discharge Replacement Installation.

Approved service agreement between Carver County and Ag Enterprises with a not to exceed amount of \$32,000.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Lynch moved, Ische seconded, to open the public hearing on the NPDES Phase II annual report for Carver County. Motion carried unanimously.

Paul Moline, Land and Water Services, explained that the public hearing is a requirement of the National Pollution Discharge Elimination System (NPDES) phase II federal permit. The County initially received a National Pollution Elimination Discharge permit in 2003 and the current permit was updated in 2006.

He entered into the record the Affidavit of Publication of the public hearing, the 2008 NPDES Phase II stormwater pollution prevention plan, and the 2008 Carver County Water Management Organization annual report. He identified the areas of the County covered by the permit. He added the permit also covers the County Road system and anything the County owns and maintains. Moline pointed out the list of best management practices and the focus on the implementation of the water management plan.

No public testimony was received

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

Ische moved, Workman seconded, to authorize the Chair's signature on the Carver County NPDES Phase II Permit 2008 Annual Report and approved submittal of the report to the Minnesota Pollution Control Agency. Motion carried unanimously.

Doris Krogman, Employee Relations, requested the Board approve the appointment of the County Engineer. She pointed out Statute authorizes the Board to appoint the County Engineer and reviewed the qualifications of the candidate. She noted many of the metro counties have two separate positions for the County Engineer and Public Works Director but when they explored that option, a decision was made to stay with the current model and have one person handling the two responsibilities.

The Board inquired on the compensation package. Krogman reviewed the practices of other counties and the candidate's past experience. She suggested the compensation package was appropriate considering his talents and the County's needs.

David Hemze, County Administrator, noted the importance of the position to the organization. He stressed they were diligent in making sure to attract as many candidates with experience as they could. He stated this was the kind of package that was needed to be put together to attract this type of experienced candidate.

Ische moved, Workman seconded, to appoint Lyndon Robjent to the Carver County Engineer/Public Works Division Director position effective August 3, 2009. Motion carried unanimously.

Krogman requested the Board accept the summary statement regarding the County Administrator's performance evaluation. She noted the closed session held on June 9th as allowed under Statute and the requirement to provide a summary statement.

Chair Degler explained, based on written feedback from Commissioners and Administrator's Hemze direct reports and the performance discussion held at the closed session, the following statement summarized Administrator Hemze's performance:

The Board sees Administrator Hemze as doing a good job in a difficult position. He is guided by the Mission and Vision of the organization and hires good people.

He received the highest rankings in the areas of professional attitude and demeanor with strengths noted in the areas of fairness and understanding of County government.

The Board has asked him to continue to build and maintain open lines of communication between staff, the unions and administration, to pursue a stronger employee suggestion program, to avoid the temptation to filter information from various sources, and to address the matter of non-bargaining staff compensation.

Lynch moved, Ische seconded, to accept the summary statement regarding Mr. Hemze's most recent Performance Evaluation as County Administrator. Motion carried unanimously.

The Board considered a Resolution supporting the capital request made by Minnesota Valley Regional Rail's for track rehabilitation as part of the State 2010 bonding bill.

Hemze stated the line extends from Norwood Young America to Hanley Falls and they have been working on rehabilitating the track to spur economic development.

Ische offered the following Resolution, seconded by Workman:

Resolution #43-09
Supporting MVRRA's Capital Request

On vote taken, all voted aye.

REGULAR SESSION
June 23, 2009

Lynch moved, Ische seconded, to adjourn the Regular Session a 9:50 a.m. to go into a work session with Public Health. 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.)

The reconvened meeting of the Carver County Board of Appeal and Equalization was held in the County Government Center, Chaska, on June 23, 2009. Chair Gayle Degler convened the meeting at 1:00 p.m.

Members present: Gayle Degler, Chair, James Ische, Tim Lynch, Tom Workman and Laurie Engelen, Taxpayer Services Manager. Absent: Randy Maluchnik.

Workman moved, Ische seconded, to approve the minutes of the June 15, 2009, County Board of Appeal and Equalization. Motion carried.

The Board considered the appeals made at last week's meeting.

Ische moved, Lynch seconded, to accept the Assessor's recommendation to reduce the value on PID #25.7930140, Larry and Julie Koch, to \$890,200. Motion carried.

Workman moved, Ische seconded, to accept the Assessor's recommendation to reduce the value on PID #30.2630020, Richard Janssen, to \$155,000. Motion carried.

Ische moved, Workman seconded, to reduce the value on PID #20.2400460, David Robb, to \$200,000. Motion carried.

Workman moved to reduce the value on PID #25.6950010, Mark Senn, to \$850,000. Motion failed for lack of a second.

Workman moved to reduce the value on PID #25.6950010, Mark Senn, to \$869,200. Motion failed for lack of a second.

Workman moved, Lynch seconded, to reduce the value on PID #25.6950010, Mark Senn, to \$900,000. Motion carried.

Workman moved, Ische seconded, to accept the Assessor's recommendation to reduce the value on PID #25.2610011, Richard Hanson, to \$520,600. Motion carried.

Ische moved, Lynch seconded, to accept the Assessor's recommendation to reduce the value on Waterford Plat, Corona Waterford LLC, Barzos Tax Group, LLP, to \$2,701,180. Motion carried.

Ische moved, Workman seconded, to accept the Assessor's recommendation to reduce the value on PID #30.4930080, Jonathan Kochel, to \$585,000. Motion carried.

Workman moved, Ische seconded, to reduce the value on PID #30.0620190, Tom Kerber, to \$652,000. Motion carried.

Ische moved, Lynch seconded, to accept the Assessor's recommendations related to properties owned by Chase Real Estate, LLC, located in Coldwater Crossing, Mayer, Fieldstone, Mayer and Oakpointe, Waconia. Motion carried.

Workman moved to reduce the value on PID #04.0010200, Bruce Schwichtenberg, to \$60,000. Motion died for lack of a second.

Lynch moved, Ische seconded, to accept the Assessor's recommended value of \$80,600 on PID #04.0010200, Bruce Schwichtenberg. Degler, Ische, Lynch, Engelen voted aye. Workman voted nay. Motion carried.

Workman left the room at 1:57 p.m.

Ische moved, Lynch seconded, to accept the Assessor's recommended value reductions related to the Chevalle residential development. Degler, Ische, Lynch, Engelen voted aye. Workman was absent. Motion carried.

Lynch moved, Ische seconded, to adjourn at 2:01 p.m. Motion carried.

Laurie Engelen
Taxpayer Services Manager



REQUEST FOR BOARD ACTION

AGENDA ITEM : LELS Memorandum of Agreement

Originating Division: Employee Relations

Meeting Date: 7/07/09

Amount of Time Requested: minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

In order to resolve a grievance the Sheriff's Office, Employee Relations and the Union (Law Enforcement Labor Services) reached an agreement regarding the holiday compensation for Deputies not working on holidays that are work days for the remainder of their work teams. Historically, the entire team worked the holiday. This 2009 schedule change reflects somewhat reduced demand on holidays and is an effort to reduce salary costs in the Office.

For these Deputies, holiday compensation shall be commensurate with shift length, provided all other Deputies on the team are working on that holiday. This achieves savings for the County when compared to the compensation of having the Deputy work the holiday, and an additional four (4) hours of pay for the Deputy.

ACTION REQUESTED:

Motion to approve the Memorandum of Agreement with LELS regarding holiday compensation.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

2009 budget includes necessary funds to pay these holiday hours.

Reviewed by Division Director
Doris M. Krogman

Date: 6/25/09



REQUEST FOR BOARD ACTION

AGENDA ITEM : Adoption of Resolution and Approval of Juvenile Accountability Block Grant 2009-2010

Originating Division: Sheriff's Office

Meeting Date: July 7, 2009

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: Approval for the 2009-2010 JABG which supports the Restorative Practices Program for Carver County. This is a continuation of the program that we have had for several years. It is similar to a diversion program for offenders of crimes such as assault, theft, damage to property, etc. In this program the offender(s) meet with the victim(s) to discuss the impacts of the crime. The offender(s) also pay restitution and a fee to participate in the program.

ACTION REQUESTED: Approval of the contract and the budgetary expenses**FUNDING**

County Dollars =	\$1,475.00
Other Sources & Amounts =	
JABG Grant	=\$13,278.00
TOTAL	=\$14,753.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: The \$1,475.00 is the County's match of the JABG Grant of \$13,278.00.

Reviewed by Division Director

Date:

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Authorization to execute grant agreements can be conferred by

1) Statute, 2) Bylaws, or 3) this Resolution

Resolution is not needed if the authorized officials below are signing the grant agreement. These officials may confer their grant signing authority to others by this resolution, and they are the only acceptable signatures on this form:

Statutory Cities	Mayor and City Clerk
County	Board chair and Clerk of the Board
Non-Profit	Board chair, or official authorized in bylaws

Non-profits: Please attach and highlight your bylaws to document signing authority, whether the resolution is needed or not. You cannot authorize yourself.

Be it resolved that Carver County will enter into a cooperative
(Name of your organization)
agreement with the Office of Justice Programs in the Minnesota Department of Public
Safety.

Lt. Williams is hereby authorized to execute such agreements and
(Title of authorized official)
amendments, as are necessary to implement the project on behalf of

Carver County
(Name of your organization)

I certify that the above resolution was adopted by the Board of Commissioners of
(Executive Body)
Carver County on July 7, 2009.
(Name of your organization) (Date)

SIGNED:

WITNESSETH:

(Signature)

(Signature)

(Title)

(Title)

(Date)

(Date)

REQUEST FOR BOARD ACTION

AGENDA ITEM : Donations

Originating Division: Sheriff

Meeting Date: July 7, 2009

Amount of Time Requested:

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Donation from McDonalds Restaurant, 910 Strong Drive, Waconia, MN 55387 for 5th Grade Get Real Prevention Program (Sheriff's Office Program) at Clearwater Middle School (May & June 2009).

- 2 Containers of Drink Mix
- 325 Cups
- 3000 Ice Cream Cone Coupons
- 23 Dozen Donuts/Cookies

ACTION REQUESTED:

Motion to approve McDonalds donation to Get Real Prevention Program (Sheriff's Office Program) at Clearwater Middle School.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:



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

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):

- 1) 2-Containers of Drink mix. (1- orange, 1- Lemon aid)
- 2) 325 cups.
- 3) 3000 Ice cream cone Coupons
- 4) _____
- 5) _____

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

(5th grade) Coet Real Prevention Program @ Clearwater Middle School

Signature: [Handwritten Signature] Date: 6/2/09

Your Address: McDonalds
910 Strong Drive
Waconia MN 55387

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



CARVER COUNTY SHERIFF'S OFFICE DONATION FORM

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):

- 1) Donuts or cookies (23 Dozen (276))
- 2) _____
- 3) _____
- 4) _____
- 5) _____

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

(5th grade) Get Real Prevention Program @ Clearwater Middle School

Signature: [Handwritten Signature] Date: 5/14/07

Your Address:

MacArthur
851 Market Place Dr.
Waconia

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



REQUEST FOR BOARD ACTION

AGENDA ITEM : Courthouse Campus Two Plat – Associated Property Transfers

Originating Division: Administrative Services

Meeting Date: July 7, 2009

Amount of Time Requested: 0

Attachments for packet: Yes No /Contract

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: As part of the municipal approvals for the Justice Center Expansion the Chaska City Council adopted a conditional resolution that requested the County to re-plat our property. Since the original construction and plat several projects have affected the plat with infrastructure and corresponding easements; the flood control project (Hazeltine Sewer Line), Metropolitan Waste Expansion, First Street Interceptor, street improvements, and the Justice Center financing agreement with the corresponding 100 year land lease.

As a result of this proposed plat, approved by the City of Chaska, the associated infrastructure, access, and Flood Control easements and land leases are eliminated or better depicted to the actual use and conditions of the real property. In many instances this is referred to as "cleaning up" the plat. As a result of this plat the 100 year land lease with the City that overlaps the Justice Center is eliminated.

With the lease being eliminated, the County would take over ownership of land that was decades ago a municipal landfill – all of this property is now a parking lot or undeveloped property. In the unlikely event any issues arise from this municipal use, Minnesota's Environmental Response and Liability Act states that the party responsible for environmental damage is strictly liable for the damage they cause. So long as the County can prove who is responsible for the damage, the liability is imposed on the responsible party regardless to whether or not they acted in a negligent fashion. While there may be defense to potential claims the Minnesota Environmental Response and Liability Act imposition of strict liability would give the County advantages that it would not have in many other law suits.

Staff and the Carver County Attorney are recommending approval of the plat and two Quit Claim Deeds. First, to the City of Chaska and secondly, acceptance of a Quit Claim Deed from the City Chaska. The County gains 2.616 acres of real property in the final plat. Finally, the Metropolitan Council has executed a release of easement in favor of the City and Carver County shall grant and easement to access to their facility over the curbed driveway. The Recorder and Surveyors offices have been active in reviewing the materials and drafting the documents associated with the filing of the plat.

ACTION REQUESTED: Move approval of Resolution approving Courthouse Campus Two plat and associated land transfers and acceptances.

FUNDING

County Dollars = \$0

Other Sources & Amounts =

= \$

TOTAL

= \$0

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: Project costs paid for by Justice Center Expansion Project.

Reviewed by Division Director

Date: July 2, 2009

Carver County, MN

Date: Resolution #

Motion by Second by:

A resolution approving the final Plat for Courthouse Campus Two and associated Deeds and Easements relating to the transfer of property.

WHEREAS, in May of 2008, the Carver County Government Center received approval of a 15,300 square foot building addition to the Justice Center building; and

WHEREAS, a condition included as part of the Courthouse building addition approval is, "The ownership of all property included as part of the Carver County Courthouse Campus, including the parking areas, shall be transferred from the City of Chaska to Carver County prior to obtaining an occupancy permit"; and

WHEREAS, the new plat, Courthouse Campus Two, allows all of the County's buildings and parking areas to be located entirely in Carver County property; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of Carver County, Minnesota, hereby adopts Resolution _____ approving the land transfers associated with the Final Plat for Courthouse Campus Two: and

The Chair and County Administrator are hereby authorized to execute the documents on behalf of the County.



REQUEST FOR BOARD ACTION

AGENDA ITEM: Appointment to the Riley Purgatory Bluff Creek Watershed District

Originating Division: Administration

Meeting Date: 7/7/09

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:**

The Board's current appointment to the Riley Purgatory Bluff Creek Watershed District Board will expire on July 31, 2009. A notice of this vacancy has been published in the County's legal newspaper and in a newspaper published within the watershed district (Chanhassen Villager).

Mr. Kenneth Wencil has submitted has application to continue to serve as the County's appointment. No other applications have been received.

ACTION REQUESTED: Motion to appoint Kenneth Wencil to a three year term on the Riley Purgatory Bluff Creek Watershed District 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: 6/29/09



REQUEST FOR BOARD ACTION

AGENDA ITEM : Carver County Project No. 0914 - Furnishing Bituminous Material

Originating Division: Public Works

Meeting Date: July 7, 2009

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: Bituminous material is to be used for seal coating roads. County Highway Maintenance forces complete the seal coating project using County equipment. The abstract of bids for this project is attached. In the past number of years we have typically received just one bid for the supplyin of this material.

ACTION REQUESTED: Recommend award to Flint Hill Resources in the amount of \$165,709.85

FUNDING

County Dollars = \$165,709.85

Other Sources & Amounts =

=\$

TOTAL

=\$165,709.85

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: Final amount will vary due to amount of actual material used and change in tax rate effective July 1, 2009.

Reviewed by Division Director
William J. Weckman

Date: June 29, 2009

S:\Seasonals\BAF-Award\2009\0914 - Furnish Bit. Matl.

CARVER COUNTY - ABSTRACT OF BIDS

PROJECT NO. 0914

FURNISHING BITUMINOUS MATERIAL

Letting Date: Thurs, June 25, 2009
 PWCR#1 / 2:30 PM

Item Description	Approx. Quan.	Engineer's Estimate	Flint Hill Resources 12101 Yosemite Ave. S. Savage, MN 55378
High Float Emulsion/Ton	370.00	\$192,400.00	\$400.0000 \$148,000.00
Freight Charge	370.00	\$9,990.00	\$20.5300 \$7,596.10
6.5% Sales Tax		\$13,155.35	\$10,113.75
TOTAL BID		\$215,545.35	\$165,709.85

Proposal Guaranty (5%)	yes
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Recommend Award To: Flint Hill Resources

Awarded To:



REQUEST FOR BOARD ACTION

AGENDA ITEM: Kevin Tritz & Kevin Nordby (SET K-2, LLC) – Request for a Contractor’s Yard

Originating Division: Land & Water Services

Meeting Date: July 7, 2008

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 #PZ20090008. The Planning Commission recommended approval of the Conditional Use Permit (CUP) for Kevin Tritz & Kevin Nordby (SET K-2, LLC). They currently own 70.28 acres in Section 1, San Francisco Township that is improved with a house and accessory structures. The applicants would like to lease the property to a local landscaping contractor for the operation of a Contractor’s Yard. The proposed lessee homesteads the property on the southerly side of the subject property. The residence is going to be leased to a third party. A variance to the homesteading requirements of Section 152.079 of the Zoning Code (PZ20090007) was approved on June 3, 2009. The existing site was previously utilized as a commercial yard waste composting facility (CUP PZ20040062 – Terminated). The lessees would utilize the property and existing buildings (not including the barn) for light maintenance and the storage of equipment and materials. Supplies on the property will be stored behind the service building on an existing clay pad and will not be visible from County Road 50. Approximately 10-15 employee vehicles will be parked in or around the service building during business hours. The main contractor operations will occur from May – November with hours generally not exceeding Monday through Saturday, 6:30 a.m. – 7:00 p.m. Operations from December – April will consist primarily of snowplowing off-site properties. Mr. Tritz has agreed to eliminate the additional material storage by SET K-2 from the operational plan. The San Francisco Town Board recommends approval of the request.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and to issue Order #PZ20090008 for the issuance of a Conditional Use Permit.

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 *WCR*

Date: 24 June 09

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20090008

RESOLUTION #: 09-05

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

FILE #: PZ20090008

APPLICANT: Kevin Tritz & Kevin Nordby

OWNERS: Same

SITE ADDRESS: 5525 Co Rd 50

VARIANCE TYPE: Contactor's Yard

PURSUANT TO: Carver County Code: Section 152.079(C)(10)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 08-001-0110 & 0120

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of June 16, 2009; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Kevin Tritz & Kevin Nordby (SET K-2, LLC) own a 70.28 acre property, improved with a house and accessory structures, located in the NW1/4 of Section 1 of San Francisco Township. The property is located in the Agricultural Zoning District and CCWRMA – Beven Creek watershed. The existing site was previously utilized as a commercial yard waste composting facility (CUP PZ20040062 –Terminated).
2. The applicants would like to lease the property to a local landscaping contractor for the operation of a Contactor's Yard. The residence is going to be leased to a third party. A variance to the homesteading requirements of Section 152.079(A)(5) of the Zoning Code (Board of Adjustment Order #PZ20090007) was approved on June 3, 2009. Section 152.079 of the County Code addresses the standards for a Conditional Use Permit for a Contactor's Yard.
3. The proposed contractor (operator) would be Mike Sobraske, the owner of Gardeneer Landscaping Company. Mike & Darcee Sobraske homestead the 13.34 acre property (16125 Halsey Ave), located on the southerly side of the subject property.
4. The applicant's request would meet the standards for a Contactor's Yard, based on the issuance of the variance to the homesteading requirements. Mr. and Mrs. Sobraske would utilize the property and maintenance buildings for their landscape contractors business. The site would be used to stage landscaping equipment including: four (4) pick-up trucks, four (4) dump trucks, a lawn vehicle and several equipment/bobcat trailers. The existing service buildings will be used for equipment storage/security and light maintenance and office activities. The existing barn on the property is not proposed to be part of the operation.
5. Access to the property will be east of the residential driveway off of County Road 50. Approximately 10 -15 employee vehicles will be parked in or around the service building during business hours. The main contractor operations will occur from May – November with hours generally not exceeding Monday through Saturday, 6:30 a.m. – 7:00 p.m. Operations from December –April will consist primarily of snowplowing off-site properties. Mr. Tritz has agreed to eliminate the additional material storage by SET K2 from the operational plan.

6. Landscape supplies stored on the property including mulch, black dirt and stone will be stored behind the service building on the existing clay pad and will not be visible from County Road 50.
7. This property was utilized more intensively in the past and the proposed adaptive reuse should provide a significant increase in security and oversight of the property.
8. Carver County Public Works was notified of the request and did not have any comments or objections.
9. The San Francisco Town Board reviewed the request and recommended approval at their April 20, 2009 Town Board Meeting.

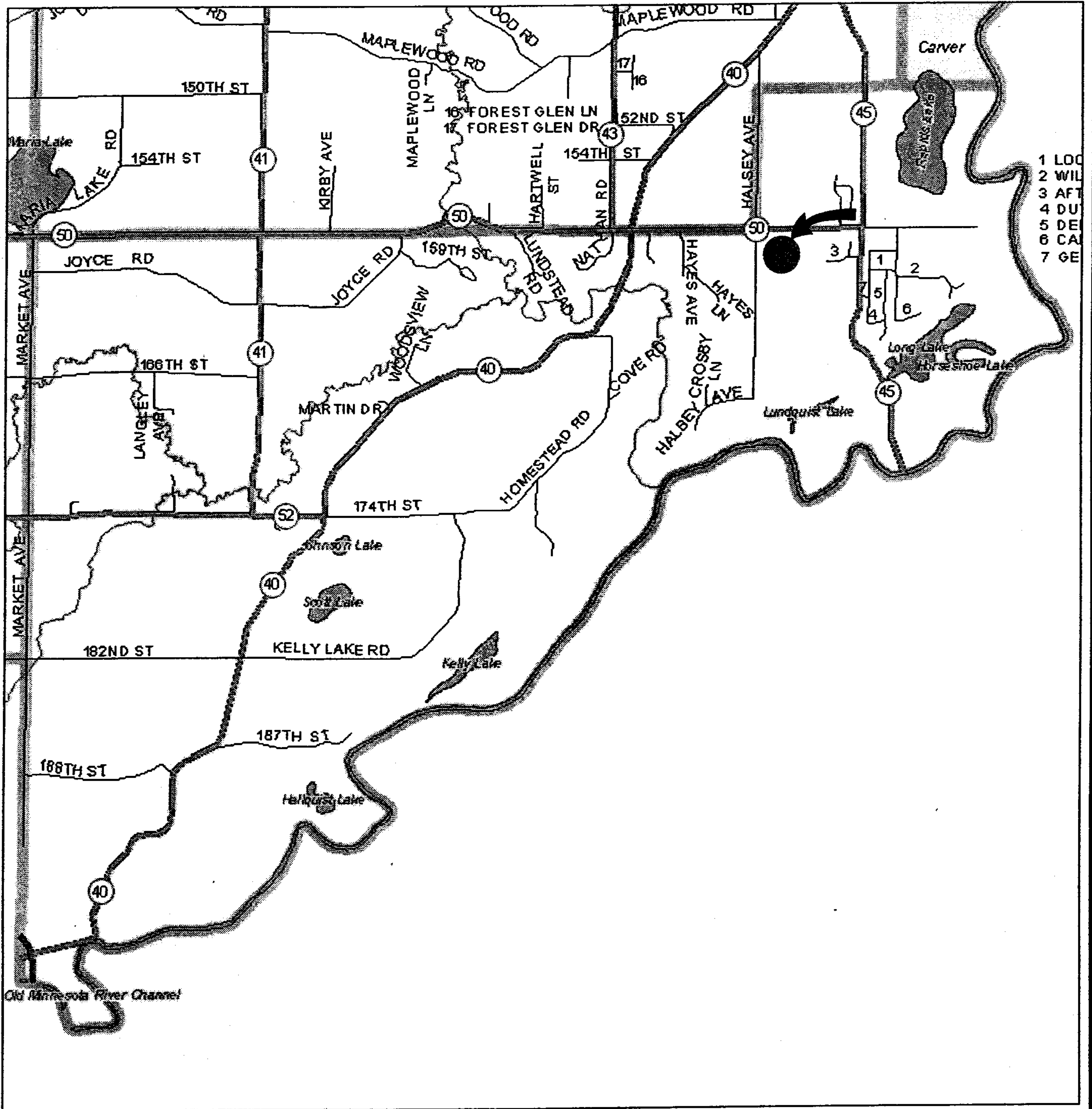
THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of the subject permit on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. A change in the ownership of the property, and/or operator of the business, and/or residence of the operator shall require a Planning Commission application for an amendment to the Conditional Use Permit. The decision on the need for an amendment shall be made by Carver County Land Management upon consultation with the San Francisco Town Board. The two properties (70 acres total) shall be considered one (1) parcel for zoning purposes.
2. The operation shall be in accordance with the approved operational plan & site plan. These plans shall be attached to and become part of this permit. A maximum of nine (9) business vehicles shall be permitted as part of the Contractors Yard activity. No commercial composting/yard waste recycling activities shall be conducted on the property. Material storage shall not be permitted by any party other than the operator.
3. Sewage shall be managed in accordance with Chapter 52 of the County Code. A compliance inspection for the service building is required prior to the commencement of operations.
4. All buildings utilized by the operation shall meet State Building Code. Any future buildings on the property will require an additional or amended conditional use permit, in accordance with County Zoning Code.
5. The Permittee shall contact the Environmental Services (E.S.) Department to obtain a Hazardous Waste Generator's License if there is hazardous waste generated at the site or provide a non-generator's certificate.
6. Permittee shall submit a Certificate of Workers' Compensation Insurance and/or proper affidavit to the Land Management Department.

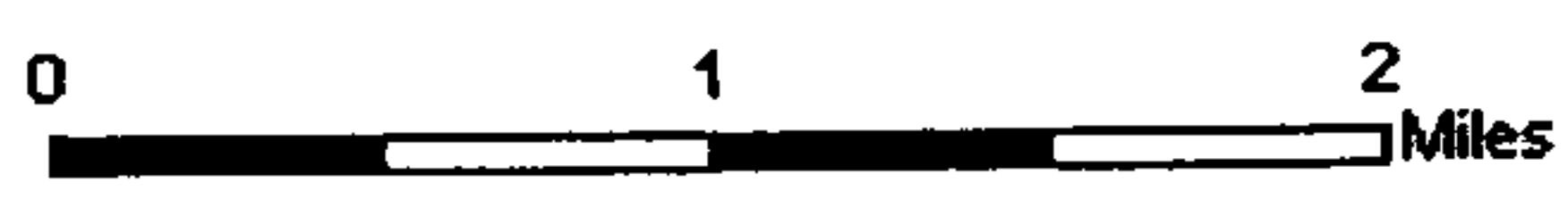
ADOPTED by the Carver County Planning Commission this 16th day of June, 2009.

Ted Beise
Planning Commission Chair

San Francisco 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.



Map Created by Carver County GIS
Apr 21, 2005



REQUEST FOR BOARD ACTION

AGENDA ITEM: Stenzel Woods – Preliminary Plat.

Originating Division: Land Water Services

Meeting Date: July 7, 2009

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 #PZ20090012. The proposed plat is located in the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 25, Camden Township. The platted area includes plans for 3 wooded lots on approximately 15 acres. Each lot consists of 5 acres with road frontage off of 102nd Street. Therefore, the plat will not be required to construct a new township road and will not need a Developer's Agreement. The preliminary plat conforms to the stormwater management, lot requirements and ISTS requirements of the CUP and County Code. The Planning Commission recommended approval and Camden Township supports the request.

ACTION REQUESTED:

A motion to adopt a resolution approving the preliminary plat of Stenzel Woods.

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: ~~July 7, 2009~~ June 27, 2009



COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION
PRELIMINARY PLAT – STENZEL WOODS
(RESOLUTION #09-04)

WHEREAS, the following application for a preliminary plat has been submitted and accepted:

FILE: PP-PZ20090012

APPLICANT: Brian & Neal Klingelhutz

SITE ADDRESS: 14XXX 102nd St (former Stenzel Property)

PURSUANT TO: County Code, Chapter 151 & 152

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL: # 02-025-0820

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meetings of June 16, 2009; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Mr. Brian Klingelhutz and Mr. Neil Klingelhutz were issued Conditional Use Permit (CUP) #PZ20080039 in order to create three (3) wooded residential lots pursuant to Section 152.078 B of the Zoning Code. With the approval of the CUP, the property owners' are requesting approval of the Preliminary Plat "Stenzel Woods" Subdivision. The request will allow them to plat three (3) wooded residential lots (Lots 1-3, Block 1) on approximately 15 acres. The remainder of the property (24.91 acres) which is not included as part of the plat has one (1) 1 per 40 acre building eligibility permitted.
2. The subject parcel consists of 40 acres which is located in the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 25, Camden Township. The property consists of agricultural production land, a Minnesota Department of Natural Resources (DNR) protected wetland, low lying areas (wetlands), approximately 8.5 acres of woods, and a Reinvest in Minnesota (RIM) conversation easement. It is located in the Agricultural Zoning District and the Carver County WMO – Carver Creek watershed. Conditional Use Permit (CUP) #PZ20080039 was issued in January 2009 in order to create three (3) wooded residential lots pursuant to Section 152.078 of the Carver County Zoning Code.
3. Copies of the plat have been sent to the Norwood Young America School District #108 (Administrative Office), Xcel Energy (utility company serving the area), Embarq (local telephone provider), Carver County Soil & Water Conservation District (Will Forborg), Carver County Consulting Engineer (Wenck Assoc. - Kent Torve), Camden Town Board, and the Carver County Attorney's Office (Jennifer Tichey).
4. Each of the three (3) lots are 5 acres in size, which includes areas extending into the DNR protected wetland (below the DNR established 995' 100 yr. flood elevation). Each wooded lot has a minimum of a 1 acre defined building site that conforms to Code requirements, and any home constructed within this site will meet the setback requirements. The wooded residential lots are laid out in such a manner that there are no more than four (4) homes per quarter-quarter (40 acres) as permitted by the density regulations of the Carver County Zoning Ordinance. The plat essentially includes three (3) vacant wooded lot sites. Acceptable soil borings for the primary & alternate septic sites on the three (3) undeveloped lots have been submitted and field verified by Environmental Services staff.

5. This plat will not require the construction of a township road; therefore, no developer's agreement is needed. All proposed lots conform to the Carver County Zoning Code with regard to road frontage. Each lot can allow for a separate driveway access in which a 100-foot separation would be required.
6. The applicant will need to develop covenants as required by the Conditional Use Permit #PZ20080039. The covenants will need to be reviewed and approved by the County Attorney's Office prior to final plat approved. The covenants shall address the preservation of the drainage and/or utility easements and that no obstructions shall be permitted within those areas. The plat indicates the outside boundary of the delineated wetlands, which impacts all proposed lots. The required covenants shall address that each lot will be reviewed in the field prior to issuance of any building permits. The required covenants shall address the concerns of possible drainage of an existing delineated wetland located in the woods; therefore, no vegetative removal within the drainage easement area and/or within the DNR protected wetland shall be allowed.
7. The wetland delineation was completed in March & April 2009. The property has been analyzed by a professional wetland delineator to determine if wetlands exist. Wetlands are present on the site and have been identified in the Wetland Delineation Report. The Notice of Decision and TEP Findings concurs with the findings of the professional delineator hired by the applicant. Appropriate easements for the wetlands and drainage/utilities have been included on the plat.
8. The preliminary plat shows 10-foot utility & drainage easements around each of the three (3) lots. An appropriate drainage easement will be provided for wetlands as part of the final plat. No obstructions shall be permitted in any of the drainage and/or utility easements. The covenants should address the preservation of the drainage easements and that no obstructions shall be permitted within those areas.
9. The Minnesota DNR has been involved with the preliminary plat process since the applicant applied for the wooded lots due to the fact that all three (3) lots extend into a DNR un-named public water wetland. The large wetland area has had a model run by Plowe Engineering (Klingelhutz's hired professional) in order to determine the 100 year flood elevation. Based on the fact that there is a failing control structure located off the property and no OHW established, the DNR ran a model to determine the 100 year flood elevation. The elevation the DNR has specified is 995 feet.
10. The plat is located within the Carver County Water Resource Management Area. Kent Torve, Consultant Engineer from Wenck Associates, has reviewed the project in regards to the Carver County Water Management Rules. The project is considered to be a Level 2 based on no road being constructed, nor infiltration required. Each lot will be reviewed for erosion/sediment control measures as each new home is submitted for construction. Mr. Torve reviewed the model information of both the hired professional from the developer and the DNR. His review concluded minor comments and concurs with the DNR established elevation of 995 feet. Because an emergency overflow appears to be present in the northeast corner of the wetland complex, the low opening of any residence must be at a minimum of 2 feet above the 995 elevation; therefore, the low opening shall be set at 997 feet. (If there were no emergency overflow, the low opening would have been set at 3' above the 995', or 998'.) The lowest floor will need to be maintained at least 1-foot above the 995 feet elevation, or 996 feet.
11. Pursuant to the approved CUP #PZ20080039, each lot needed to determine a home location in which the lowest floor is placed at least 3 feet above the highest known water level, or 3 feet above the Ordinary High Water (OHW) Level. Based on documentation (wetland modeling) submitted as part of the preliminary plat, the lowest floor elevations will be able to meet the requirements of the approved CUP – Wooded Lots.
12. The Carver SWCD, has reviewed the project in regards to the Carver County Water Management Rules as well. Comments will be made at the time the lots are development (home proposed). The overflow swale and openings shall be documented with as-built surveys prior to issuing Certificate of Occupancies. All lots shall be reviewed for erosion/sediment control measures during the building permit process.

13. It appears that the plat would substantially meet the requirements of applicable County Zoning Code except where noted. The areas of deficiency would need to be addressed through conditions placed on the preliminary plat approval that must be complied with prior to acceptance of the final plat.
14. The applicants attended the June 11, 2009, Camden Town Board meeting to show the proposed plat. The Camden Town Board supports the proposed development. All mail boxes, for the three (3) wooded lots, shall be placed in the same location.

THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the approval of the preliminary plat of Stenzel Woods for the land described on the Preliminary Plat. The Planning Commission further recommends that the following conditions be attached to the Preliminary Plat approval:

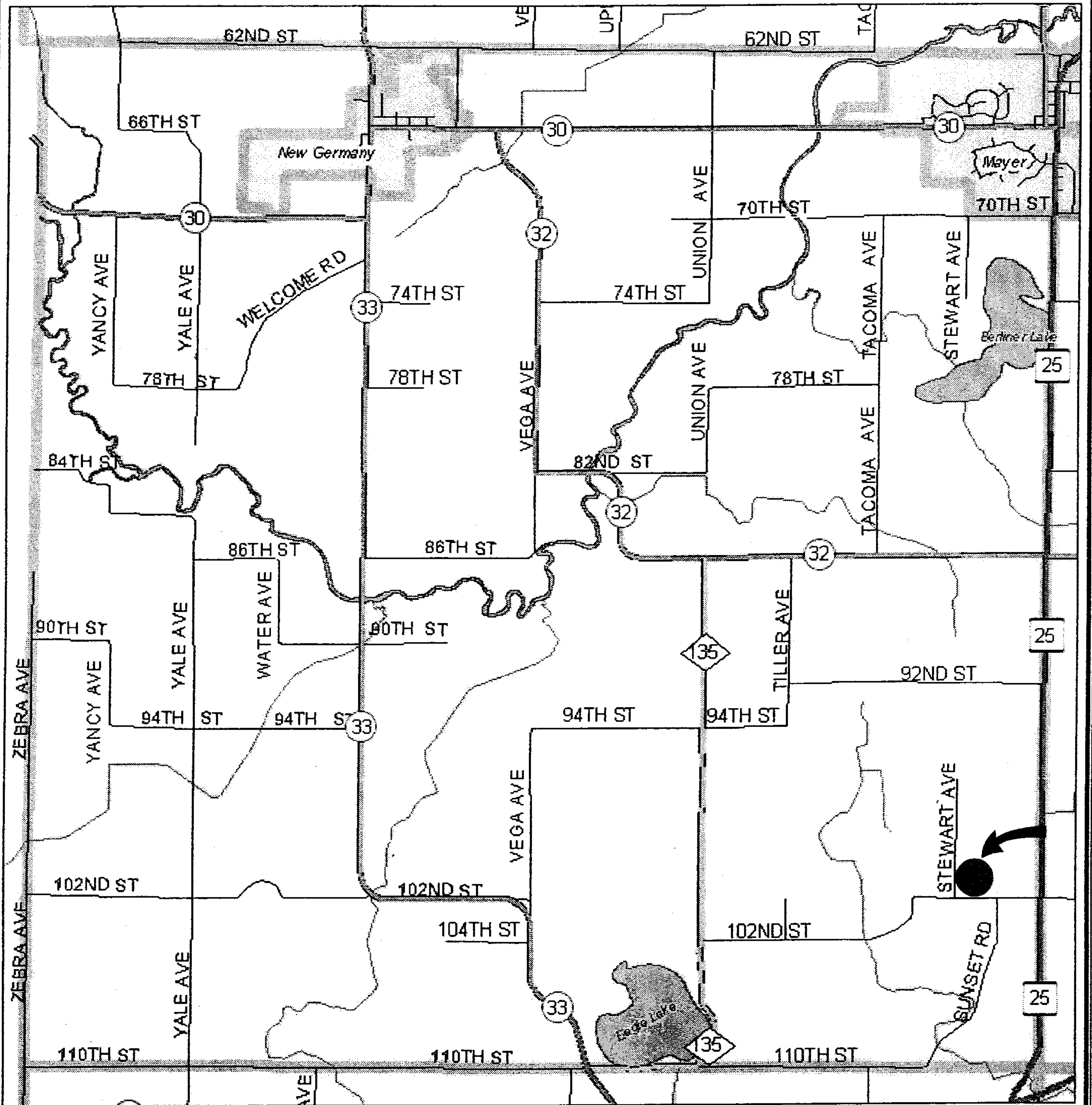
1. Three (3) wooded lots are permitted. The property shall be platted in accordance with M.S. Chapter 505, Carver County Zoning Subdivision Code 151, and the Carver County Zoning Code 152. The existing 1 per 40 building site shall not be included in this plat.
2. The layout of the final plat must substantially conform to the preliminary plat. Any significant departure from the preliminary plat must be approved by the Planning Commission before final plat consideration.
3. The covenants as required by Conditional Use Permit #PZ20080039 must be approved prior to final plat consideration. The Assistant County Attorney shall approve the covenants and title work prior to the final plat consideration by the County Board. As a part of the platting process the applicant will develop covenants to be filed with the final plat. The covenants will address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development.
 - B. A covenant stating that the area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notification must be provided regarding “odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities”. Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. All designated home (building) sites must maintain a 1000’ setback from existing feedlots.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he will have to submit percolation tests and soil borings for another site before any building permit will be issued.
 - E. The plat indicates the outside boundary of the delineated wetlands, which impacts all proposed lots. A covenant must clearly state that each lot must be reviewed in the field prior to the issuance of any building permit and/or septic permit. All drainage and/or utility easements shall be preserved and no obstructions shall be permitted within those areas.
 - F. A covenant stating that a complete Carver County “Level 2” Water Rules application, with required attachments, shall be submitted, reviewed and approved by the Carver County Planning & Water Management and Carver Soil & Water Conservation District prior to the issuance of building permit(s) on individual lots. (An access plan, erosion control plan, general detail of an infiltration/filtration plan, and storm water management application shall be submitted as part of the Water Rules review process.)

- G. A covenant stating the DNR indentifies a 100-year flood elevation of 995 feet. The low opening of any home adjacent to the large DNR un-named public water wetland shall be 997 feet (2' above the HWL). The lowest floor will need to be maintained at least 1-foot above the 995 elevation, or 996 feet.
 - H. A covenant stating the small wooded wetland (between lots 2 & 3) has an overflow swale documented in the model at 1000.07 feet. The HWL for the wetland is 1000.49 feet; therefore, the low opening adjacent to the overflow shall be 1002.49 feet.
 - I. All mail boxes, for the three (3) wooded lots, shall be placed in the same location.
 - J. Each lot must be reviewed in the field prior to the issuance of any building permit(s).
 - K. Concerns of possible drainage of the existing delineated wetland located in the woods; therefore, no vegetative removal within the drainage easement area and/or within the DNR protected wetland shall be allowed.
- 4. The above-required covenants shall be become part of the permit.
 - 5. The Carver County Water Management Rules require the Developer to submit an erosion/sediment control plan at the time of home construction. The overflow drain path or swale from the wetland shall be documented as well as the home openings with an as-built survey prior to issuing a Certificate of Occupancy.
 - 6. Each lot must be reviewed in the field prior to the issuance of any building permit and/or septic permit.
 - 7. Any additional information that is needed by Wenck Associates, Carver SWCD, Carver Water Management and/or Camden Township for review shall be submitted in an acceptable form prior to receiving final plat approval.
 - 8. The driveways for the lots shall conform to the Wetland Conservation Act (WCA), Carver County Land & Water Services and Camden Township requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authorities. An access permit for each driveway off of 102nd Street must be obtained prior to issuance of new home building permit(s).
 - 9. All mail boxes, for the three (3) wooded lots, shall be placed in the same location.
 - 10. As per Section 151.163 of the Carver County Code, all utility facilities are to be located underground. The access and drainage ways will be designed so that public utilities can be installed at a later date.

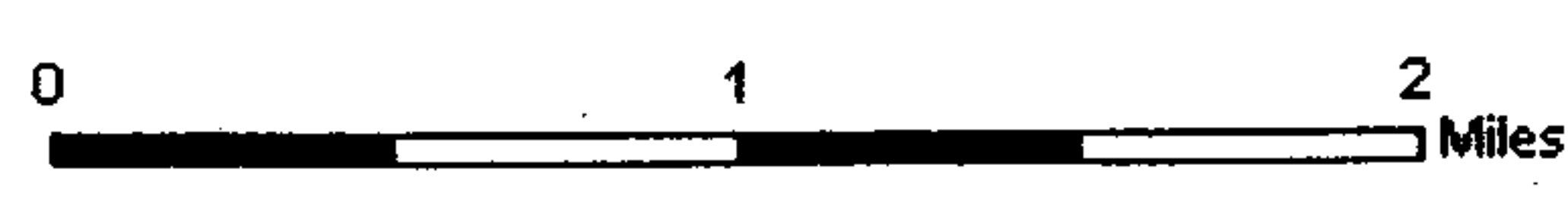
ADOPTED by the Carver County Planning Commission this 16th day of June, 2009.

Ted Beise
Planning Commission Chair

Camden 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.



Map Created by Carver County GIS
Apr 21, 2005

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE: _____ RESOLUTION #: _____
MOTION BY COMMISSIONER: _____ SECONDED BY COMMISSIONER: _____

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF *STENZEL WOODS*

WHEREAS, the following application for a Preliminary Plat has been submitted and accepted:

FILE: PP-PZ20090012

APPLICANT: Brian & Neal Klingelhutz

SITE ADDRESS: 14XXX 102nd St (former Stenzel Property)

PURSUANT TO: County Code, Chapter 151 & 152

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL: # 02-025-0820

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meetings of June 16, 2009 and forwarded to the Carver County Board of Commissioners for action; and

WHEREAS, the County Board has reviewed the recommendations and proposed conditions put forward by the Planning Commission after the public hearings on the matter and concurs with the findings, recommendations and conditions of the Planning Commission; and

WHEREAS, the plat substantially meets the requirements of applicable county ordinances except where noted by Planning Commission Resolution No. 09-04 and the areas of deficiency can be addressed through conditions placed on the preliminary plat that must be complied with prior to acceptance of the Final Plat.

1. Mr. Brian Klingelhutz and Mr. Neil Klingelhutz were issued Conditional Use Permit (CUP) #PZ20080039 in order to create three (3) wooded residential lots pursuant to Section 152.078 B of the Zoning Code. With the approval of the CUP, the property owners' are requesting approval of the Preliminary Plat "Stenzel Woods" Subdivision. The request will allow them to plat three (3) wooded residential lots (Lots 1-3, Block 1) on approximately 15 acres. The remainder of the property (24.91 acres) which is not included as part of the plat has one (1) 1 per 40 acre building eligibility permitted.
2. The subject parcel consists of 40 acres which is located in the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 25, Camden Township. The property consists of agricultural production land, a Minnesota Department of Natural Resources (DNR) protected wetland, low lying areas (wetlands), approximately 8.5 acres of woods, and a Reinvest in Minnesota (RIM) conversation easement. It is located in the Agricultural Zoning District and the Carver County WMO – Carver Creek watershed. Conditional Use Permit (CUP) #PZ20080039 was issued in January 2009 in order to create three (3) wooded residential lots pursuant to Section 152.078 of the Carver County Zoning Code.
3. Copies of the plat have been sent to the Norwood Young America School District #108 (Administrative Office), Xcel Energy (utility company serving the area), Embarq (local telephone provider), Carver County Soil & Water Conservation District (Will Forborg), Carver County Consulting Engineer (Wenck Assoc. - Kent Torve), Camden Town Board, and the Carver County Attorney's Office (Jennifer Tichey).

4. Each of the three (3) lots are 5 acres in size, which includes areas extending into the DNR protected wetland (below the DNR established 995' 100 yr. flood elevation). Each wooded lot has a minimum of a 1 acre defined building site that conforms to Code requirements, and any home constructed within this site will meet the setback requirements. The wooded residential lots are laid out in such a manner that there are no more than four (4) homes per quarter-quarter (40 acres) as permitted by the density regulations of the Carver County Zoning Ordinance. The plat essentially includes three (3) vacant wooded lot sites. Acceptable soil borings for the primary & alternate septic sites on the three (3) undeveloped lots have been submitted and field verified by Environmental Services staff.
5. This plat will not require the construction of a township road; therefore, no developer's agreement is needed. All proposed lots conform to the Carver County Zoning Code with regard to road frontage. Each lot can allow for a separate driveway access in which a 100-foot separation would be required.
6. The applicant will need to develop covenants as required by the Conditional Use Permit #PZ20080039. The covenants will need to be reviewed and approved by the County Attorney's Office prior to final plat approved. The covenants shall address the preservation of the drainage and/or utility easements and that no obstructions shall be permitted within those areas. The plat indicates the outside boundary of the delineated wetlands, which impacts all proposed lots. The required covenants shall address that each lot will be reviewed in the field prior to issuance of any building permits. The required covenants shall address the concerns of possible drainage of an existing delineated wetland located in the woods; therefore, no vegetative removal within the drainage easement area and/or within the DNR protected wetland shall be allowed.
7. The wetland delineation was completed in March & April 2009. The property has been analyzed by a professional wetland delineator to determine if wetlands exist. Wetlands are present on the site and have been identified in the Wetland Delineation Report. The Notice of Decision and TEP Findings concurs with the findings of the professional delineator hired by the applicant. Appropriate easements for the wetlands and drainage/utilities have been included on the plat.
8. The preliminary plat shows 10-foot utility & drainage easements around each of the three (3) lots. An appropriate drainage easement will be provided for wetlands as part of the final plat. No obstructions shall be permitted in any of the drainage and/or utility easements. The covenants should address the preservation of the drainage easements and that no obstructions shall be permitted within those areas.
9. The Minnesota DNR has been involved with the preliminary plat process since the applicant applied for the wooded lots due to the fact that all three (3) lots extend into a DNR un-named public water wetland. The large wetland area has had a model run by Plowe Engineering (Klingelhutz's hired professional) in order to determine the 100 year flood elevation. Based on the fact that there is a failing control structure located off the property and no OHW established, the DNR ran a model to determine the 100 year flood elevation. The elevation the DNR has specified is 995 feet.
10. The plat is located within the Carver County Water Resource Management Area. Kent Torve, Consultant Engineer from Wenck Associates, has reviewed the project in regards to the Carver County Water Management Rules. The project is considered to be a Level 2 based on no road being constructed, nor infiltration required. Each lot will be reviewed for erosion/sediment control measures as each new home is submitted for construction. Mr. Torve reviewed the model information of both the hired professional from the developer and the DNR. His review concluded minor comments and concurs with the DNR established elevation of 995 feet. Because an emergency overflow appears to be present in the northeast corner of the wetland complex, the low opening of any residence must be at a minimum of 2 feet above the 995 elevation; therefore, the low opening shall be set at 997 feet. (If there were no emergency overflow, the low opening would have been set at 3' above the 995', or 998'.) The lowest floor will need to be maintained at least 1-foot above the 995 feet elevation, or 996 feet.
11. Pursuant to the approved CUP #PZ20080039, each lot needed to determine a home location in which the lowest floor is placed at least 3 feet above the highest known water level, or 3 feet above the Ordinary High Water (OHW) Level. Based on documentation (wetland modeling) submitted as part of the preliminary plat, the lowest floor elevations will be able to meet the requirements of the approved CUP – Wooded Lots.

12. The Carver SWCD, has reviewed the project in regards to the Carver County Water Management Rules as well. Comments will be made at the time the lots are development (home proposed). The overflow swale and openings shall be documented with as-built surveys prior to issuing Certificate of Occupancies. All lots shall be reviewed for erosion/sediment control measures during the building permit process.
13. It appears that the plat would substantially meet the requirements of applicable County Zoning Code except where noted. The areas of deficiency would need to be addressed through conditions placed on the preliminary plat approval that must be complied with prior to acceptance of the final plat.
14. The applicants attended the June 11, 2009, Camden Town Board meeting to show the proposed plat. The Camden Town Board supports the proposed development. All mail boxes, for the three (3) wooded lots, shall be placed in the same location.

THEREFORE, BE IT RESOLVED, THAT The Carver County Board of Commissioners hereby approves the Preliminary Plat of Stenzel Woods for the land described on the preliminary plat with the following conditions attached to the preliminary plat approval:

1. Three (3) wooded lots are permitted. The property shall be platted in accordance with M.S. Chapter 505, Carver County Zoning Subdivision Code 151, and the Carver County Zoning Code 152. The existing 1 per 40 building site shall not be included in this plat.
2. The layout of the final plat must substantially conform to the preliminary plat. Any significant departure from the preliminary plat must be approved by the Planning Commission before final plat consideration.
3. The covenants as required by Conditional Use Permit #PZ20080039 must be approved prior to final plat consideration. The Assistant County Attorney shall approve the covenants and title work prior to the final plat consideration by the County Board. As a part of the platting process the applicant will develop covenants to be filed with the final plat. The covenants will address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development.
 - B. A covenant stating that the area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notification must be provided regarding "odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities". Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. All designated home (building) sites must maintain a 1000' setback from existing feedlots.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he will have to submit percolation tests and soil borings for another site before any building permit will be issued.
 - E. The plat indicates the outside boundary of the delineated wetlands, which impacts all proposed lots. A covenant must clearly state that each lot must be reviewed in the field prior to the issuance of any building permit and/or septic permit. All drainage and/or utility easements shall be preserved and no obstructions shall be permitted within those areas.

- F. A covenant stating that a complete Carver County "Level 2" Water Rules application, with required attachments, shall be submitted, reviewed and approved by the Carver County Planning & Water Management and Carver Soil & Water Conservation District prior to the issuance of building permit(s) on individual lots. (An access plan, erosion control plan, general detail of an infiltration/filtration plan, and storm water management application shall be submitted as part of the Water Rules review process.)
 - G. A covenant stating the DNR indentifies a 100-year flood elevation of 995 feet. The low opening of any home adjacent to the large DNR un-named public water wetland shall be 997 feet (2' above the HWL). The lowest floor will need to be maintained at least 1-foot above the 995 elevation, or 996 feet.
 - H. A covenant stating the small wooded wetland (between lots 2 & 3) has an overflow swale documented in the model at 1000.07 feet. The HWL for the wetland is 1000.49 feet; therefore, the low opening adjacent to the overflow shall be 1002.49 feet.
 - I. All mail boxes, for the three (3) wooded lots, shall be placed in the same location.
 - J. Each lot must be reviewed in the field prior to the issuance of any building permit(s).
 - K. Concerns of possible drainage of the existing delineated wetland located in the woods; therefore, no vegetative removal within the drainage easement area and/or within the DNR protected wetland shall be allowed.
- 4. The above-required covenants shall be become part of the permit.
 - 5. The Carver County Water Management Rules require the Developer to submit an erosion/sediment control plan at the time of home construction. The overflow drain path or swale from the wetland shall be documented as well as the home openings with an as-built survey prior to issuing a Certificate of Occupancy.
 - 6. Each lot must be reviewed in the field prior to the issuance of any building permit and/or septic permit.
 - 7. Any additional information that is needed by Wenck Associates, Carver SWCD, Carver Water Management and/or Camden Township for review shall be submitted in an acceptable form prior to receiving final plat approval.
 - 8. The driveways for the lots shall conform to the Wetland Conservation Act (WCA), Carver County Land & Water Services and Camden Township requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authorities. An access permit for each driveway off of 102nd Street must be obtained prior to issuance of new home building permit(s).
 - 9. All mail boxes, for the three (3) wooded lots, shall be placed in the same location.
 - 10. As per Section 151.163 of the Carver County Code, all utility facilities are to be located underground. The access and drainage ways will be designed so that public utilities can be installed at a later date.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the _____ day of _____, 20____, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 20_____.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 07/07/2009
 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 = \$ - 402.25
 Other Sources & Amounts = \$ - 745.75
 =
TOTAL = \$ - 1,148.00

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

Related Financial Comments:

Reviewed by Taxpayer Services Manager

Date:

6-29-09



REQUEST FOR BOARD ACTION

AGENDA ITEM: Charitable Gambling Application received from Minnesota Astronomical Society

Originating Division: Property Records Taxpayer Services Meeting Date: July 7, 2009
 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: A Charitable Gambling Application was received from Minnesota Astronomical Society. They plan to hold a raffle on Saturday, July 25, 2009, at Onan Observatory, located at 10775 County Road 33, Norwood Young America, MN 55397.

ACTION REQUESTED: See Attached Resolution.

FUNDING

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

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Laurie Engelen, Taxpayer Services Manager

Date:

6-22-09

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

WHEREAS, the Minnesota Astronomical Society seeks approval of a Lawful Gambling License; and

WHEREAS, the Minnesota Astronomical Society will hold a raffle at the Onan Observatory, 10775 County Road 33, Norwood Young America, MN 55397; and

WHEREAS, the Minnesota Gambling Control Board requires the County Board of Commissioners to specifically approve or deny a resolution for each applicant for a period of one year.

NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners does approve the new license upon compliance with Code of Ordinance, Title XI, Chapter 112, and Section 112.02.

Adopted on _____, 2009.

Attest:

YES

ABSENT

NO

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the ____ day of _____, 2009, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this ____ day of _____, 2009.

David Hemze, Carver County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Renewal of Cooperative Crisis Agreement

Originating Division: Community Social Services

Meeting Date:

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 is a Renewal of an ongoing Cooperative Agreement between Hennepin., Anoka, Scott and Carver counties. This agreement covers grant money from the Department of Human Services that was received via complete bid to a collaboration of these four counties. This money is utilized by the Crisis Team for some higher cost specialized services that would be generally not affordable through regular reimbursement sources. Hennepin County. is the fiscal agent for this grant. All billing related to this grant are channeled through Hennepin county. The reason for the renewal of this grant is the it has been extended from and its current end date in 2009 to the new end date of June 30, 2016.

ACTION REQUESTED: Motion to approve the renewal of this cooperative agreement for grant funding.

FUNDING

County Dollars =

Other Sources & Amounts = \$0

= \$

TOTAL

= \$

Related Financial Comments: No tax levy.

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date:



REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of Electronic Waste Management Contract with Dynamic Recycling.

Originating Division: Land & Water – Env. Services Meeting Date: July 7, 2009
 Amount of Time Requested: 10 minutes Attachments for packet: X Yes No
 Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: Environmental Services collects waste electronics from residents at the Environmental Center in Chaska and several Special Waste Collections. The attached contract with Dynamic Recycling provides for the transportation and recycling of these items at Dynamic's facility.

ACTION REQUESTED: Approval of Contract for Electronic Waste Recycling with Dynamic Recycling.

FUNDING

County Dollars = \$60,000 [aprox.]
 Other Sources & Amounts =
 = \$
TOTAL = \$60,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Funds for ewaste collection are a blend of State grant funds and County Solid Waste Service Fee funds. As described in the attached memo, a budget amendment is not needed at this time but maybe proposed in the future due to the increased cost of the agreement.

Reviewed by Division Director *UCU* Date: *29 June 09*

DATE: June 25, 2009
TO: Carver County Board of Commissioners
FROM: Michael Lein, Environmental Services Manager
RE: Electronics Waste Management at the Environmental Center

The current contract for the recycling and transportation of electronic expires on June 30, 2009. This contract covers both the electronics collected at the Environmental Center and our one day Special Waste Collections. A total of five electronics recyclers were contacted to provide bids for recycling services. Three companies responded.

The current contractor, **Dynamic Recycling**, was the least expensive when transportation charges, services issues, and recycling fees were considered. Attached is a new contract with Dynamic. We have been very happy with Dynamic and hope to continue our relationship with them through this new contract.

The major change to the contract is pricing. Our previous contract allowed for free recycling of electronic waste – TV's, computer, monitors, and the like. In some cases, we were actually paid for the "ewaste". However, manufacturers have temporarily satisfied their legal requirements for recycling due to the strong responsive to collection programs by residents across the State. Legislative changes made during the 2009 sessions may help this situation, but the actual impact is uncertain. Our proposed contract with Dynamic has a fee schedule of 12 cents per pound for televisions, 10 cents per pound for computer monitors, 11 cents per pound for miscellaneous electronic items [DVD's, VCR's, etc] and a credit or payment of 4 cents per pound for CPUs. Thus the "average" 80 pound television will cost about \$10 to dispose of, a computer monitor about \$3.00 and a CPU will be worth about \$1.25.

We collected 403,181 pounds of electronics in the period of April 08' to April 09'. Under this new pricing structure, recycling and transportation costs would have been about \$54,500. The agreement with Dynamic Recycling allows Carver County or Dynamic to market the "credits" for recycled electronics. In either case, we receive 80% of the revenue for credit sales. This may greatly lower the cost of the program. The actual value of the credits and their marketability is currently unknown given the state of the market and the recent change in State legislation. We will monitor these costs and market trends over the course of the next several months to determine what other changes may be needed in the program.

Again, we recommend approval of the contract with Dynamic Recycling. Please feel free to contact me if you have questions on this matter.



REQUEST FOR BOARD ACTION

AGENDA ITEM : Review of Comprehensive Plan Elements

Originating Division: Land Water Services

Meeting Date: July 7 2009

Amount of Time Requested: 45

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Staff has been redrafting a number of the Comprehensive Plan elements in response to the comments received. The staff would like to review a number of elements and concepts with the Board and get approval to send to townships and cities for their review and comment. A substantial portion of the land Use Plan, the Land Use element, Aggregate Resources and Solar Access have been reviewed by the Board and distributed to the townships. The Historic Resources element has been reviewed by the Board but not yet distributed. The remaining elements of the Land Use Plan are the Housing Plan and the Water Plan. The Water Plan is in the process of being developed. The Housing Plan has been rewritten and is ready for Board review prior to distribution. The Public Facilities Plan consists of the Transportation Plan (Roads & Transit), Wastewater, Airports, and Parks, & Open Space. The Transportation Plan has, with one exception, generated only technical comments. Airports are not an issue in Carver County. The Wastewater element is the plan for addressing SSTS(septic systems) in the County. The plan is to continue current efforts. The Parks Plan is in the process of being substantially rewritten to address the issues that have been raised. How the Plan addresses the parks search areas and future trails is a critical component of the plan. The staff is developing some alternatives to address this issue. We will be presenting these alternatives and our recommendation at the meeting. We will be requesting direction from the Board on the alternative to use to continue drafting the Plan.

Several Plan elements are attached for your review: Wastewater, Housing, and Historic Resources.

ACTION REQUESTED:

Review, comments and direction form the Board. Staff will be asking for authorization to send the draft elleemnts to townships & cities for review & comment.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

TOTAL = \$

Related Financial Comments: No financial issues

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 29 June 2009

SUBSURFACE SEWAGE TREATMENT SYSTEMS (SSTS)

Approximately 4800 of the total of 25,000 households in Carver County utilize systems other than the municipal sewer systems to treat their sewage. Of this 4800, approximately 300 are served by some sort of alternative community system. The remaining 4500 households and businesses are served by Subsurface Sewage Treatment Systems (SSTS) – also known as ISTS, septic systems, on-site sewer systems. Properly sited, designed and operated, SSTS do not pose a risk of contamination to surface water or groundwater. Failing systems can contaminate surface and groundwater with contaminants such as nitrates, phosphorus, harmful bacteria and viruses, and other toxic substances. While some of these systems will be abandoned after the structure is connected to a municipal system as the cities continue to develop, the vast majority of households and business currently served by SSTS will continue to be served by these systems for the foreseeable future.

State statute and rules require that Carver County adopt and implement programs and ordinances to manage SSTS throughout the County. The City of Chanhassen has chosen to adopt and implement its own program. No other cities have chosen to establish their program so the County is responsible for all of the cities and townships with the exception of the City of Chanhassen.

Since the Carver County WMO Plan was adopted 2001, the County has been heavily engaged in the Impaired Waters/TMDL program. As TMDL's have been adopted it is clear that fecal coliform is a significant pollutant in many of the stream in the CCWMO. Research has shown that the major contributors are animal agriculture and direct discharge SSTS. The County has an approved TMDL Implementation Plan for Carver & Bevens Creeks and one of the key components is the elimination of Direct Discharge systems.

The goals of the Carver County SSTS program are:

- **Eliminate all Direct Discharge systems with priority given to those affecting an impaired water**
- **Eliminate all non-conforming systems that are or are likely to become a pollution or health hazard;**
- **Ensure that all ISTS repairs, replacements, and new systems are properly designed and installed**
- **Ensure that all ISTS are properly managed, operated, and maintained to ensure the longest possible successful service life**

POLICIES

- **The elimination of direct discharge systems is the highest priority. The this effort will have the highest priority for resources in the SSTS program.**
- **The maintenance of existing systems is necessary to ensure that the systems are viable over the long term. Carver County will implement programs to promote and encourage proper maintenance of ISTS.**
- **Carver County will maintain up-to-date ordinances as required by Statute and Rule. The County will administer and enforce the ordinance.**
- **The replacement of existing non-conforming systems, particularly those that are failing is critical to protecting the public health and safety. All reasonable, feasible means will be used to eliminate failing systems. The most crucial systems are those in high groundwater sensitivity areas; systems that discharge in to surface water, tile lines or on to the ground surface; seepage pits or cesspools; Shoreland zones.**

IMPLEMENTATION

1. **Continue to follow and implement all state statutes and rules as they are updated.**
2. **Continue to implement the provisions of the County ISTS Ordinance**

3. Continue to require all lot splits and plats to have systems inspected and upgraded if needed.
4. Eliminate ISTS in cities by connection to municipal systems when the municipal system becomes available.
5. Continue to develop and implement programs to ensure proper maintenance of ISTS – education, incentives, notification, inspection.
6. Continue to develop implement programs, including financial incentives, focused on the replacement of direct discharge systems with highest priority given to TMDL implementation.
7. Continue to monitor progress of new ISTS technologies

DRAFT

HOUSING

1. INTRODUCTION

The Carver County Community Development Agency (CDA), as part of its five-year strategic plan, engaged the services of Maxfield Research, Inc. in 2007 to complete a comprehensive Housing Needs Assessment to the year 2030 for Carver County. [Link to study on CDA website] The goal of the study was to enable Carver County and its municipalities to utilize the data for their 2030 comprehensive plans. The information in the Assessment was used in the development of this Plan and is being used by the cities in the county as a key component in their respective Housing Plans.

The Comprehensive Housing Needs Assessment finds that household growth and changes in demographic characteristics and housing preferences will create demand for nearly 47,000 housing units in Carver County from 2005 to 2030. Included in this total is demand for about 39,200 ownership units and 7,800 rental and senior units. This includes demand for about 2,700 rental units from low- and moderate-income households. The studies conducted as part of the Economic Development Plan identified workforce housing as one of the critical components of developing a healthy, diverse economy in Carver County. The Carver County CDA, cities, Carver County, and many other government agencies, public and private funding sources and local businesses will need to work together to ensure future housing needs are met.

2. KEY COUNTY HOUSING ISSUES

The following are key highlights from the findings of the Carver County Comprehensive Housing Needs Assessment:

1. Carver County is experiencing strong population and household growth as the urban fringe of the Twin Cities Metro Area is expanding into the County. The opening of the new Highway 212, which will shorten the drive time to the core of the Twin Cities, will increase the appeal of housing in the County. By 2030, Carver County is projected to have a population of about 200,000 people, up from 70,200 people in 2000.

2. Demand is projected for about 19,100 new housing units in Carver County during the 10-year period between 2005 and 2015, and about 27,900 units during the 15-year period between 2015 and 2030.

Total projected housing demand by community from 2005 to 2030 is as follows:

- Victoria = 8,150 units (17% of housing demand)
- Carver = 7,280 units (15.5%)
- Chaska = 6,525 units (14%)
- Waconia = 6,370 units (13.5%)
- Chanhassen = 4,435 units (10%)
- Norwood Young America = 4,080 units (8.5%)
- Cologne = 3,360 units (7%)
- Mayer = 3,250 units (7%)
- Watertown = 1,880 units (4%)
- New Germany = 875 units (2%)
- Hamburg = 420 units (1%)
- Townships = 335 units (<1%)

Total projected rental demand by community from 2005 to 2030 is as follows:

- Chaska = 1,240 units (18.5% of rental housing demand)
- Victoria = 1,100 units (16%)
- Waconia = 1,085 units (16%)
- Chanhassen = 1,055 units (16%)
- Carver = 865 units (13%)
- Norwood Young America = 550 units (8%)
- Watertown = 370 units (5.5%)
- Mayer = 205 units (3%)
- Cologne = 185 units (2.5%)
- New Germany = 35 units (<1%)
- Hamburg = 25 units (<1%)

3. The projected rental demand of 6,715 units in Carver County from 2005 to 2030 is shown by type below. Affordable units are defined as those affordable to renters earning between 50% and 80% of median income. Subsidized units are those affordable to households earning less than 50% of median income.

- Senior = 3,620 units (54% of the rental demand)
- Market rate general-occupancy = 1,705 units (25%)
- Affordable general-occupancy = 905 units (14%)
- Subsidized general-occupancy = 485 units (7%)

4. A large portion of the senior demand will occur after 2020 when the first baby boomers reach their mid-70s. Between 2005 and 2015, 45% of the rental demand will be senior (1,150 units). Between 2015 and 2030, 60% of the rental demand will be senior (2,470 units).

5. About 10% of total housing demand in Carver County between 2005 and 2030 is expected to be for senior housing. The following is senior housing demand by service level:

	2005 – 2015	2015 – 2030
• Affordable rental =	430 units	890 units
• Adult for-sale =	360 units	705 units
• Market rate rental =	210 units	430 units
• Congregate =	255 units	560 units
• Assisted living	160 units	380 units
• Memory care=	95 units	210 units

6. The strong senior demand is attributable to several factors, including a growing aging population, a greater acceptance of senior housing, and a wider variety of housing types that appeal to a broader pool of potential tenants/buyers.

7. Very few new single-family homes priced under \$325,000 (in 2007 dollars) are projected to be built to satisfy demand from moderate-income buyers – workforce housing. Steps need to be taken to increase the supply of workforce housing if economic development goals are to be met.

3. COUNTY HOUSING GOALS

Carver County residents of all ages will have access to diverse, life cycle housing options and locations that meet individual preferences and provide opportunities for active living, integrated neighborhood and community growth and economic vitality, regardless of physical, social or financial status.

Incorporate innovative ideas into new and redeveloped housing areas allowing for a focus on healthy life styles:

- transit-oriented developments
- lifecycle and diverse housing developments which will create communities for a lifetime
- developments with an “active” connection between housing, transit, commercial and retail areas, parks, services, schools, and open spaces, and a distinct urban and rural boundary.
- Building of healthy homes and businesses with clean air

A broad range of amenities and human services that make housing developments and their surrounding neighborhoods, attractive and safe places to work and live.

Development and redevelopment that:

- Creates safe, healthy and diverse communities.
- Provides a range of affordable housing and employment opportunities;
- Provides connectivity of housing, transit, retail, commercial areas, health services, educational opportunities, parks and open spaces.
- Provides workforce housing to support economic development goals

Policies

The County encourages and supports the operation of federal, state, and regional housing programs which support County land use policies. With the exception of rehabilitation, historic preservation, and on-site sewer system upgrades, housing programs should be conducted exclusively in the municipalities.

The Carver County Community Development Agency (CCCDA) is the agency responsible for the planning, development, and implementation of housing programs on a county-wide basis and works with cities on their individual programs. The County supports the policies of the CCCDA which outline a role of serving housing needs, and centralizing administration and delivery of programs.

The County encourages the maintenance of the existing housing stock and supports programs which rehabilitate existing buildings.

County land use policy limits residential growth in the unincorporated areas, and within the scope of residential growth policies, will adopt no official controls which prevent the construction of low and moderate cost housing.

The County supports and encourages the development of housing that:

- Provides a range of workforce housing
- transit-oriented developments
- lifecycle and diverse housing developments which will create communities for a lifetime
- developments with “active” connection between housing, transit, commercial and retail areas, parks, services, schools, and open spaces,
- life cycle housing options and locations that meet individual preferences and provide opportunities for active living
- Support land use and zoning actions for housing that promote public health by increasing opportunities for every resident to be more physically active. Housing land use and zoning actions could include:
 - sidewalks and street connections to nearby services to promote physical activity such as walking and bicycling and increase social interaction and mobility options.
 - adding pedestrian connections.
 - mixed use buildings.

COUNTY HOUSING IMPLEMENTATION STRATEGIES

Achieving the 2030 housing goals will only be accomplished through the long term collaboration, cooperation, and support of County Divisions, the CCCDA, the cities, civic groups, businesses, and elected officials.

Explore opportunities for joint development or transit oriented development, locating civic uses in mixed-use areas, and leveraging or utilizing existing public assets in urban centers.

Explore opportunities for joint grant applications and other joint ventures and funding strategies between the CDA, Carver County Public Health/Office of Aging, other county departments and public or private agencies.

The Carver County Community Development Agency will be the primary implementation organizations for fulfilling housing goals. The cities’ land use and housing plans will implement the goals in each respective city. The CCCDA will work with the cities to help them meet their goals and is the organization for implementation of housing programs on a county-wide basis. The CCCDA has adopted a housing mission statement and an implementation strategy. This document is included below as it illustrates the current strategy. The CCCDA may change this strategy as necessary to react to new programs, market conditions, opportunities, and changing housing needs.

Carver County CDA Mission Statement:

The Carver County Community Development Agency through collaboration and partnering shall provide affordable housing opportunities for Carver County residents through construction of new housing and maintenance of existing housing and foster Economic and Community Development to cities in Carver County.

The CDA is committed to providing a balanced housing supply to meet the varied needs of residents of all ages, lifecycle stages, household sizes, and socio-economic circumstances in all geographic areas of Carver County.

The county's future housing options should include a broad mix of housing style, size, price, and maintenance option opportunities.

The CDA will continue to support housing types and services that encourage independent living for elderly people. Such housing types and services include apartments, townhomes, condominiums and cooperatives, as well as accessory apartments, shared housing, and personal care homes.

The CDA will support a substantial increase in housing development of varied units toward meeting the future housing demand projections in the Carver County Comprehensive Housing Needs Assessment (2007) for 2015 and 2030.

The CDA will continue to support the retention and upkeep of the County's manufactured housing neighborhoods as a viable and affordable home ownership option.

I. Affordable Housing Initiatives-The following activities and initiatives will be undertaken either individually by the CDA or in collaboration with other committed partners:

a) Continue to support the development of new rental and ownership housing which is affordable to low and moderate-income households to accommodate the County's share of the regional affordable housing needs.

b) Continue to collaborate with city municipalities, regional, state and federal agencies to obtain financial assistance to help address the ever increasing need for more affordable housing for all age groups.

c) Creatively and cooperatively work with developers on residential projects that receive regulatory relief (i.e., increased residential acreages, increased densities, reduced right's-of-way, reduced pavement sections, private roads, reduced setback, fee waivers and expedited processes, etc.) to provide housing opportunities for persons and families of low and moderate income by establishing sales prices and/or rents for housing affordable to low- and moderate-income households.

d) Support property tax policies, which encourage the maintenance and rehabilitation of both owner occupied and rental housing.

e) Continue to promote and support fair housing practices and non-discriminatory practices in the sale and rental of housing units.

II. Carver County CDA Services

The CDA provides several forms of assistance throughout Carver County. These services include:

Carver County Home Ownership

- a) Housing Development, Affordable Financing, Down Payment Assistance, Homebuyer Education & Foreclosure Prevention
- b) The CDA has the experience to develop affordable single-family housing and is prepared to offer all cities in Carver County its expertise and assistance.
- c) The CDA offers homebuyer education and certification to all Carver County residents.
- d) The CDA offers foreclosure prevention counseling and financial assistance, if qualified, to all Carver County residents.
- e) The CDA will continue to seek new sources of funding to commit to its homebuyer education and foreclosure prevention activities, expanding the program to address the increased demand for services.
- f) The CDA is undertaking the expansion of the permanently affordable community land trust program throughout Carver County to address the ever-increasing need for workforce housing.
- g) The CDA will continue to work with participating first-time homebuyer lenders to promote various down payment assistance and closing cost assistance programs and affordable housing lending programs that will work in conjunction with existing programs.

Carver County Homeowner Rehabilitation

The CDA currently administers the following rehabilitation programs in Carver County:

MHFA Deferred Loans

Maximum Income: \$23,000 adjusted
Maximum Loan Amount: \$25,000
Interest Rate: 0%
Deferred 30 year loan

Carver County CDA Home Improvement Loans

Maximum Income: no limit
Maximum Loan Amount: \$5,000
Interest Rate: 2% to 6%
Terms commensurate with repayment ability

As housing stock ages, housing maintenance concerns will continue to rise. The older neighborhoods located throughout the County are very valuable assets. They need to be monitored and assistance needs to be provided as necessary in order to maintain them as desirable places to live. The CDA will continue to apply for existing funding and seek additional sources of funding to address the increasing demand for homeowner rehabilitation programs, i.e. Community Development Block Grants (CDBG), MHFA grants, private foundation grants.

Carver County Rental Housing

- a) New Construction

The Carver County CDA assisted in the formation of the Carver County Housing Development Corporation, a non-profit entity with the ability to partner with private developers to create affordable housing projects and developments such as the successful development of affordable rental housing projects in the Chaska Brickyard

redevelopment, which is 32 units in a mixed use building, and a mix of affordable single-family detached homes and town homes in the East Creek Acres project northeast of downtown Chaska.

b) Tenant-Based Subsidy Programs

Section 8 Rental Assistance Program, Metropolitan Council HRA

The Carver County CDA administers approximately 530 Section 8 Rental Assistance certificates and vouchers for the Metro HRA. The Carver County CDA's operating jurisdiction includes all of Carver County and a portion of Hennepin County.

Shelter Plus Care Rental Program

Shelter Plus Care (S+C) is a program designed to provide housing and supportive services on a long-term basis for homeless persons with disabilities and their families who are living in places not intended for human habitation (e.g. streets) or in emergency shelters.

Housing Trust Fund (HTF) Rental Program

The HTF program is intended to be temporary in nature, and to serve households whose gross income at the time of initial occupancy does not exceed 60 percent of HUD area median income. This program provides affordable rental units while the client seeks out a more permanent assistance program and adjusts to living independently. Funding is provided on an annual basis through Minnesota Housing.

MHFA Bridges Assistance

This subsidy is for persons with serious and persistent mental illness. The CDA continues to apply and secure program funding for five housing units in the area.

Carver County CDA Rental Inventory / HousingLink

The CDA maintains an up-to-date comprehensive inventory of rental units in Carver County as well as the southwest suburban metro area. The inventory is made available to the public and includes information such as vacancies, contact names and phone numbers, rental price ranges, and available amenities.

c) Project-Based Subsidy Programs

Carver County Public Housing Program

The CDA has 81 housing units in their Public Housing Program scattered across Carver County. Households pay 30 percent of their gross income toward their monthly rent payments. The CDA's program is site-based, so the subsidy stays with the unit.

The CDA will continue to support partnerships with Federal and State entities, city municipalities, Carver County employers, the Carver County Office of Aging, Carver County Public Health and others to continue to provide several forms of housing assistance throughout Carver County. The CDA will also continue to seek funding and support to address the increasing demand for home buyer assistance, home owner rehabilitation and rental assistance in Carver County communities.

Historic Resources Management Plan

1.1 The Value of Historic Preservation

On May 2, 2006 the County Board adopted the following vision statement

“Where the future embraces the past in keeping Carver County a great place to live, work and play for a lifetime.”

The vision statement acknowledges that the past is an important component of Carver County’s quality of life. Historic and cultural places and sites are important, irreplaceable resources that enrich our lives on a daily basis. The resources include historic buildings and structures, historic districts, archaeological sites, cultural landscapes, and places of great cultural significance. Through their presence, these resources and places provide a tangible link that connects us to our past. They embody the successes and failures, the triumphs and sorrows, and the hard work and dedication of our forefathers. Within our communities they play a critical role in creating a unique sense of place that adds value to our cities, towns and countryside. Historic resources also guide us as we move forward into the future, for without them we have no measure by which to gauge our progress.

1.2 Overview of Historic Resource Management Efforts

Early historic resource management efforts in Carver County tended to focus on specific properties or small areas. Examples of early efforts in the county include the listing of the Wendell Gimm Homestead on the National Register of Historic Places (NRHP) in 1974 and Coney Island of the West in 1976.

Over the last three decades, Carver County has been the subject of several historic resource surveys:

- 1976 -, the Carver County Historical Society completed a study of rural historic buildings that identified 86 properties as part of a bicentennial project.
- 1977 - when the Minnesota State Historic Preservation Office (SHPO) completed a survey of Carver County as part of a county-by-county survey of the state to identify historic resources. This survey identified and documented 88 archaeological sites and more than 400 buildings and structures. The results of this survey led to the listing of 26 properties on the NRHP on January 4, 1980.
- Studies in limited areas for specific projects such as new US 212
- Studies conducted by the cities of Carver and Chaska

The Cities of Chaska and Carver have significant historic resources concentrated in their downtowns. Both cities have historic preservation commissions and active historic resource management programs. None of the other cities or any of the townships have a concentration of historic resources that will support and active program. The Carver County Historical Society is the principal organization involved in historic resources on a county-wide basis. The Society operated an operates a museum, maintains a collection of historic items and documents, conducts a wide range of education and outreach activities, provides information and guidance to the public, documents historic resources, and works with property owners on historic resource management issues.

3.0 GOALS

The County is expected to experience an increase in population from about 89,00 people in 2008 to 200,000 in 2030 with a commensurate increase in households and jobs. In order to accommodate this growth the amount of land converted to urban uses will more than double. This conversion of land along with the development of associated infrastructure will have a significant impact on historic resources. During the public participation process for this chapter a number of historic resource management issues, challenges and successes were identified. As the process moved forward three key needs emerged:

- 1) the need to identify historic resources,
- 2) the need to develop mechanisms to conserve historic resources, and
- 3) the need to educate the public about historic resources.

Based on these three key needs identified during the public participation process, the following goals were developed for the management of historic resources:

- Develop an overall vision for historic resource management
- Integrate historic resource management issues into the comprehensive, land use, zoning, housing, , and transportation planning processes.
- Identify and evaluate historic resources in the county.
- Designate and manage historic resources in the county.
- Develop incentives to encourage the proper management of historic resources.
- Educate the public about historic resources and use historic resources to encourage tourism in Carver County.

POLICIES

The Carver County Historical Society has and will continue to be primary organization for conservation and management of the County's historic resources. The Historical Society will work with the Historic Preservation Commissions (HPC) in those communities where an HPC has been established.

The County will not adopt or support any policies, ordinances, or implementation programs that will adversely affect the rights of property owners

Historic resource conservation sequencing:

1. If possible protect/preserve the resource
2. Adaptively reuse the resource if it cannot be preserved
3. If there are no feasible alternative other than demolition or significant alteration of the resource, the resource should be documented prior to demolition or altered.

Historic resource conservation should be a component of planning processes

The Historic Society will be the primary source of information and will be the primary repository for information

Implementation

The Historic Society will be the primary implementation organization. Implementation activities may include some or all of the following

- Develop of a strategic plan for historic resource management
- Develop an inventory process and establish priorities for conducting inventories
- Explore and pursue grants and other funding activities
- Explore the development of the function of a county preservation officer
- Explore and potentially pursue the establishment of an Historic Preservation Commission that can serve the communities in the County



REQUEST FOR BOARD ACTION

AGENDA ITEM : Closed Session, Labor Negotiations Strategy

Originating Division: Employee Relations

Meeting Date: 7/07/09

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:

All of the Collective Bargaining Agreements (CBAs) in the County are in place through 2009. Minn. Stat 13D.03 subd. 2 allows a public entity to go into a closed session to plan and discuss its strategy to enter into negotiations of initial and subsequent labor agreements.

For a number of reasons Employee Relations is interested in opening negotiations earlier than usual this year. At this point, Employee Relations will have met with two of the three unions. Proposals have been exchanged with AFSCME.

The requested action is to enter into a closed session to plan and refine the strategy for the 2010 & forward negotiations with AFSCME, LELS and Teamsters.

ACTION REQUESTED:

Motion to go into closed session to discuss Labor Negotiation strategies.
Following the closed session, motion to return to regular session.

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: 6/25/09