

Carver County Board of Commissioners  
 Regular Session  
 January 27, 2009  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

			PAGE
9:15 a.m.	1.	<i>a) CONVENE</i>	
		<i>b) Pledge of Allegiance</i>	
		<i>c) Public participation (comments limited to five minutes)</i>	
		<i>d) Introduction of New Employees</i>	
	2.	Agenda review and adoption	
	3.	Approve minutes of January 13, 2009 Regular Session .....	1-3
	4.	Community announcements	
9:15 a.m.	5.	<b>CONSENT AGENDA</b>	
	5.1	Payment of emergency claims .....	4-6
	5.2	Agreement with Southwest Newspapers for County newsletter .....	7
	5.3	Approval of Amendment 4 to Joint Powers Agreement with PCA for construction site erosion control inspections .....	8-9
	5.4	Accept donation of various tickets/passes for 2009.....	10
	5.5	Tobacco license.....	11
	5.6	Central plant capital project lighting upgrade-bid award to Mendota Electric .....	12-13
	5.7	Community Social Services' warrants .....	NO ATT
	5.8	Commissioners' warrants.....	SEE ATT
9:20 a.m.	6.	<b>TAXPAYER SERVICES</b>	
	6.1	Service Center advertising opportunity .....	14
9:40 a.m.	7.	<b>EMPLOYEE RELATIONS</b>	
	7.1	Final action on employee complaint.....	15
9:50 a.m.		<b>ADJOURN REGULAR SESSION</b>	

9:50 a.m.

1. Chair
2. Board Members
3. Administrator

10:15 a.m.

4. Adjourn

David Hemze  
County Administrator

***Board Tour of Government Center Remodeling Project  
Will Be Held Immediately After Board Meeting***

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on January 13, 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.

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

Workman moved, Lynch seconded, to approve the minutes of the January 6, 2009, Organizational Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Authorized the Sheriff's Office acceptance of \$50 donation to the Sheriff's K-9 program.

Approved delegation of authority for approval of Sheriff's Office donations and authority to sign off duty work contracts to the County Administrator or his designee.

Resolution #03-09 CSAH 30 Easement Assignments.

Authorized Public Works reallocation of funds to purchase Trimble VX spatial station package.

Resolution #04-09, Charitable Gambling Application for Waconia Lions Club.

Resolution #05-09, Coroner Contract Renewal.

Authorized Commissioner Maluchnik's out of state travel request.

Accepted donations made to the Encore Adult Day Services program.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Jim Stark, Metropolitan Mosquito Control Executive Director, appeared before the Board to present their 2008 program summary and 2009 work plan. Stark introduced Renee Wagener, Scott -Carver Operations Center group leader.

Ms. Wagener explained the staffing levels at the Center and the number of acres controlled. She pointed out the black fly inspections that were completed and the monitoring that is done for ticks. Wagener stated locations for west nils habitat were identified and they will continue to treat these areas as necessary. She pointed out they will also continue their outreach efforts with schools, website, media and adult service groups.

Stark explained Mosquito Control was primarily a larval control program and reviewed their treatment methods. He pointed out their lyme disease public education program and stated environmental conditions have significant impacts on mosquitoes. Stark indicated they step up surveillance efforts if a bird with west nils is found.

He reviewed their maximum levy authority and their 2009 budget, representing a 1% increase from 2008. Stark indicated they were under budget in prior years which allowed them to increase programs while continuing to keep the levy amount at a minimum. He reviewed plans for 2009 that included further refining disease risk reduction services, expanding treatment capacity, improving outreach and ensuring that treatments have minimal impact on the environment.

Joan Schwartz, Employee Relations, recognized Carver County Engineer Roger Gustafson for his 24 years of service, and requested the Board appoint William Weckman as the interim County Engineer.

Ische moved, Workman seconded, to appoint William Weckman interim County Engineer from January 16, 2009, until the Board takes subsequent action. Motion carried unanimously.

Steve Taylor, Administrative Services, requested the Board approve the final bids for the Government Center project and final project budget. He indicated they received 16 bids for the five different divisions. He stated they were recommending the second lowest bid for the tile work as the lowest bidder based their bid on an alternative material that came with a fair degree of not matching the existing material.

He clarified the project was approximately 50% complete and some services will need to be relocated. Taylor stated, although the Board has seen the budget before, he was asking the Board to adopt these final number and asking for approval of the contingency and general conditions as outlined.

Taylor explained work that had been previously identified and approved in the Facilities capital budget that would now be completed as part of the Government Center project. Taylor indicated he was also requesting that those budgeted funds be transferred to this project at this time.

He reviewed the budget line items totaling 8.4 million and indicated they were looking at an April completion for the majority of the work.

David Hemze, County Administrator, clarified the \$211,000 was a rollover of capital project funds and indicated they will be looking closely at the 2008 to 2009 rollovers.

Ische moved, Lynch seconded, to approve the following bid awards pending contract review by County Attorney/Risk Management:

CD Tile	\$56,180.00
WTG Terrazzo & Tile	\$19,200.00
Appollo Systems	\$89,600.00
Dascom Systems	\$115,324.59
VTI Security	\$93,323.00

Motion carried unanimously.

Ische moved, Workman seconded, to approve the Government Center project in the amount of \$8,411,000, contingency in the amount of \$177,892, general conditions in the amount of \$514,400 and \$211,000 transfer of Facilities capital to Government Center capital project. Motion carried unanimously.

Lynch moved, Workman seconded, to adjourn as the County Board at 9:55 a.m. and reconvene as the Carver County Rail Authority. Motion carried unanimously.

Hemze requested the Rail Authority contribute funding to join the Minnesota Valley Regional Rail Coalition to focus on economic development efforts. He indicated the funding request was based on the breakdown of the miles that are in each County.

Workman moved, Ische seconded, to join the Minnesota Valley Regional Rail Coalition. Motion carried unanimously.

Ische moved, Workman seconded, to adjourn as the Regional Rail Authority. 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.)

290341



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

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Kirk Walker #20933

ACCOUNT: 11-423-710-3440-6040

AMOUNT: \$1,100.<sup>00</sup>

REASON: Rent January/February - Facing eviction & return of children from foster care

Department Head Signature: Nancy Bork

Chairman of County Board

James Ische

County Administrator

Steven H. Taylor (for DA)  
David Hemze

County Attorney

James W. Keeler, Jr.  
James W. Keeler, Jr.

Date: 1-2-09



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290786

## AUTHORIZATION

### PAYMENT OF EMERGENCY CLAIM

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

**VENDOR:** Sandalio Garza  
341 East First Street  
Waconia, Minnesota 55387

**ACCOUNT:** 01-0120-000-1112-6033 (Homelessness Grant Veterans Service)

**AMOUNT:** \$800.00

**REASON:** Emergency rental assistance for veterans W.S. to assist with rent in the amount of \$800.00 Veteran has been laid off from previous employer for five weeks. He is seeking rental assistance to help avoid becoming homeless. The veteran is working with the CVSO for further assistance through the Veterans Administration and other agencies for additional assistance.

Department Head Signature: \_\_\_\_\_

Chairman of County Board

  
James M. Ische

County Administrator

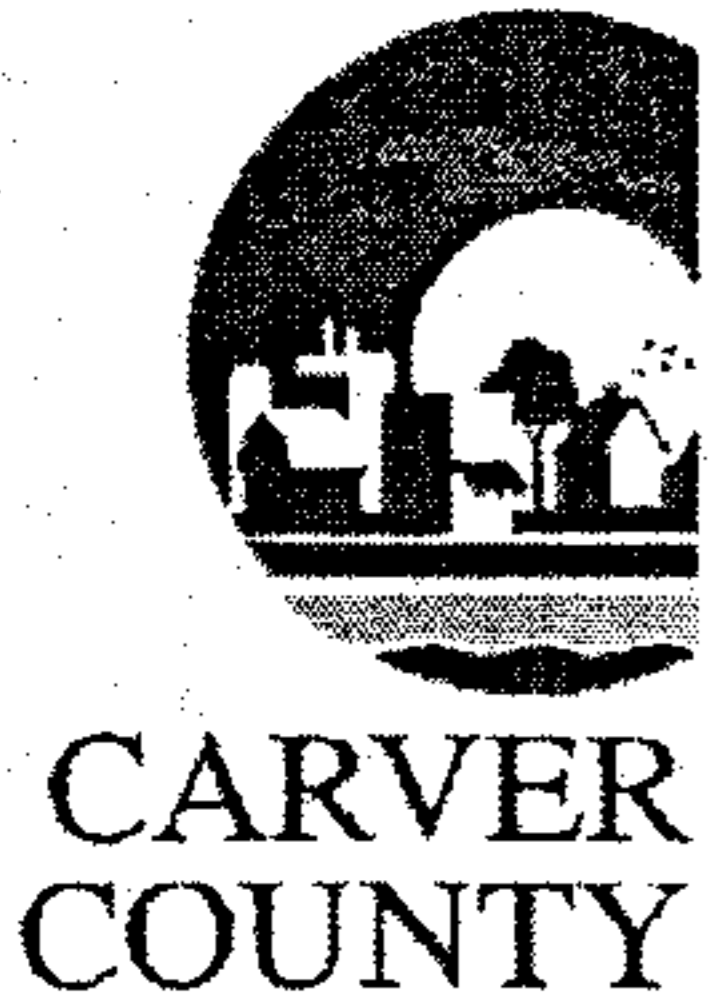
  
David Hemze

County Attorney

  
James W. Keeler, Jr.

Date: October 8, 2008

290787



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

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Riverside Terrace - Scott Richter

ACCOUNT: 11-423-710-3440-6040

AMOUNT: \$500

REASON: Client with children need to make \$500 payment on rent to prevent eviction.

Department Head Signature: Gayle Degler

Chairman of County Board

~~James W. Keeler, Jr.~~ Gayle Degler

County Administrator

David Hemze  
David Hemze

County Attorney

James W. Keeler, Jr.  
James W. Keeler, Jr.

Date: 1/13/09





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Agreement with Southwest Newspapers for County Newsletter

Originating Division: Administrative Services

Meeting Date: 1/27/09

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:

In 2008, six issues of the County's *Citizen* newsletter were produced. As part of the budget cuts for 2009, production will be reduced from six to four issues. The intent of the publication is to serve as an important communication tool for residents regarding services, activities, events and programs the County provides. Over 44,000 copies of each issue are printed and delivered. Staff has received positive feedback from residents regarding articles, events and seasonal activities.

For 2009, staff recommends continuing the production of the *Citizen* but reducing the number of issues from six to four issues (February, May, August, and November). The costs for 2009 are estimated to be \$6,000 per issue or \$24,000 for the four issues. This is a decrease in overall costs from 2008. The contract provides flexibility in case the number of issues needs to be reduced due to budget constraints. Included in the \$24,000 is a request for \$1,000 to cover miscellaneous expenses. Staff will closely monitor and evaluate any expenses.

In addition to the four issues, Land and Water places an insert in one issue and Parks and Land and Water Services are partnering to place inserts in two additional issues. The cost to provide these three inserts is approximately \$8,890.

It is recommended that we enter into a similar contractual agreement with Southwest Newspapers to assist staff in newsletter development and distribution. Lisa Steinbauer, editor and manager of Southwest Suburban, would serve as our resource and contact person. Ms. Steinbauer has worked at Southwest Suburban since 2004 and is the project manager for several government publications, including *Chaska Today*, *City of Chanhassen Maple Leaf*, and *Eden Prairie's Life on the Prairie*. Prior to her current position, she was the marketing and communications manager for Ridgeview Medical Center and was responsible for their advertising, public relations, marketing, writing, editing and publication coordination. Ms. Steinbauer is a former member of the Cologne City Council and Cologne Planning Commission.

**ACTION REQUESTED:** Motion to approve the contract with Southwest Newspapers.

#### FUNDING

County Dollars =	\$32,890
Other Sources & Amounts =	
Grants =	\$
<b>TOTAL</b>	<b>= \$32,890</b>

#### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* As mentioned above, the cost for the four issues will be approximately \$24,000. The special inserts for Land and Water and Parks are anticipated to cost \$8,890 for the three inserts.

Reviewed by Division Director

Date: 1/8/09



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Approval of Amendment 4 to Joint Powers Agreement with PCA for Construction Site erosion Control Inspections**

Originating Division: Land Water Services

Meeting Date: 27 January 2009

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:** In 2004 the County and SWCD executed a Joint Powers Agreement with MPCA to conduct review of storm water pollution prevention plans (SWPP's), review erosion control plans, and perform inspections on construction sites. The County and SWCD have received \$180,000 to date to perform this service. Funding ended on November 30, 2008. This amendment provides an additional \$30,000 to the County and SWCD to operate the program through June 30, 2009. It is expected that the PCA will propose a new agreement this spring to continue the program.

**ACTION REQUESTED:** Motion approving the Amendment and authorizing the Board Chair to sign all necessary documents.

**FUNDING**

County Dollars =	\$
Other Sources & Amounts =	
MPCA	= \$30,000
<b>TOTAL</b>	<b>= \$30,000</b>

**FISCAL IMPACT**

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:*

Reviewed by Division Director 

Date: 13 Jan 2009

# BUDGET AMENDMENT REQUEST FORM

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

**DEPARTMENT: Land & Water Services**

**Date of County Board Session: 01/27/09**

**Fund: 01**

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
MPCA Grant Revenue	\$ 30,000	Construction Site Erosian Control	\$ 30,000
<b>TOTAL:</b>	<b>\$ 30,000</b>	<b>TOTAL:</b>	<b>\$ 30,000</b>

**A. Reason for Request:** See accompanying Board Action.

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

**C. Contingency Acct. Beginning Bal.:** \$ 250,200

**D. Contingency Acct. Adjustment:** \$ -

**E. Current Balance After Adj.:** \$ 250,200

**F. Prepared/Requested By:** Dave Drealen

**G. Recommend Approval:** Finance

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



# REQUEST FOR BOARD ACTION

## AGENDA ITEM: Accept Donation of Various Tickets/Passes for 2009

Originating Division: Employee Relations

Meeting Date: 1/27/09

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:

Each year Employee Relations receives donations of complimentary tickets & passes for various free admissions. These tickets & passes are in appreciation for our selling employee discounted tickets.

The complimentary tickets & passes are generally received from: The Park at Mall of America, Valleyfair, MN Renaissance Festival, MN State Fair, AMC Theatres & Cinema Theatres and range in value from \$7.50 to \$23.50 each.

Request that the Carver County Board of Commissioners accept the above donations as they are received during the year. The Carver County Employee Club will hold a drawing at their next Employee Club event scheduled to distribute them as they are received.

### ACTION REQUESTED:

Request approval for donation acceptance of various tickets & passes from: The Park at Mall of America, Valleyfair, MN Renaissance Festival, MN State Fair, AMC Theatres & Cinema Theatres.

#### FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

**TOTAL** = \$

#### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director  
Doris M. Krogman, Employee Relations

Date: 1/20/09



# REQUEST FOR BOARD ACTION

**AGENDA ITEM:** Tobacco License

Originating Division: Property Records Taxpayer Services      Meeting Date: 1/27/09  
 Amount of Time Requested: 0 Minutes      Attachments for packet:  Yes  No  
 Item Type:  Consent    Regular Session    Closed Session    Work Session    Ditch/Rail Authority

**BACKGROUND/EXPLANATION OF AGENDA ITEM:**

The following business is now under new ownership and has applied for a Tobacco License in compliance with the Carver County Tobacco Ordinance. The owner is requesting approval by the Carver County Board of Commissioners to sell tobacco products. There are no delinquent taxes on this parcel.

**License #10-625**  
**Victoria Street, LLC dba Victoria Bar and Grill**  
 7900 Quamoclit  
 Victoria, MN 55386

**ACTION REQUESTED:**

Approval

**FUNDING**

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

**FISCAL IMPACT**

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

*Related Financial Comments:*

Reviewed by Taxpayer Services Manager

Date: 1-20-09



# REQUEST FOR BOARD ACTION

**AGENDA ITEM:** Central Plant Capital Project Lighting Upgrade – bid award to Mendota Electric

Originating Division: Administrative Services

Meeting Date: January 27, 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:** This bid is a part of the \$5.5M Central Plant Capital project that the Board approved on November 4, 2008. The majority of the work involves removing and replacing light fixtures, ballasts, and lamps. The work reduces the number of types of fixtures from 75 to 43. The work reduces electrical consumptions by 66.4kva which equates to an estimated \$140,000 per year reduction in electrical costs. Furthermore, the City of Chaska is recognizing the project for approximately \$36,500 in rebate dollars. The work reduces carbon by 3.6 million pounds annually.

Wold Architects completed the design, bid package and Kraus Anderson is managing construction. Bids were opened January 6, 2008. Twelve bids were received (8 of which were below the budget estimate) and Mendota Electric of Eagan, MN, is the apparent low bidder recommended for contract. The amount of the contract is \$189,740. Mendota Electric has submitted the necessary Performance Bond, Insurance and executed contract. Mendota Electric has worked successfully in the past with Wold, KA and completed the electric work for the Courtroom #4 addition.

Construction is expected to begin in February and be complete by May 2009. The estimated budget for the work by our engineers and K/A was \$281,000.

**ACTION REQUESTED:** Motion to approve contract with Mendota Electric in the amount of \$189,740.

**FUNDING**

County Dollars = \$189,740  
Other Sources & Amounts =  
= \$  
**TOTAL** = \$189,740

**FISCAL IMPACT**

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:*

Reviewed by Division Director

Date: January 20, 2009





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Service Center Advertising Opportunity

Originating Division: Prop. Rec./Taxpayer Serv.

Meeting Date: January 27, 2009

Amount of Time Requested: 20 minutes

Attachments for packet:  Yes  No

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

### BACKGROUND/EXPLANATION OF AGENDA ITEM:

Presentation and discussion concerning advertising opportunity at both the Chaska and Chanhassen Service Centers. This will allow us to project revenue as well as utilize space for County public service announcements.

**ACTION REQUESTED:** Allow Taxpayer Services to proceed with advertising agreement pending contract approval by County Attorneys office.

### 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: 1/21/09





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Final Action on Employee Complaint**

Originating Division: Employee Relations

Meeting Date: 1/27/09

Amount of Time Requested: minutes

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

In November of 2008, an employee filed a complaint reporting conduct on the part of a high ranking County employee that was allegedly in violation of County Policy. That same employee later submitted a document claiming retaliation as a whistleblower.

The County took this allegation and claim seriously. We moved forward by hiring an objective independent investigator to investigate the facts of the situation. The investigator reviewed the related materials and conducted a number of interviews. He has now completed the investigation and sent his report to the Chairman of the County Board who has shared it with all of the Commissioners. The investigator's findings of fact do not support either the allegation or the claim. The investigator found no violation of County Policy and no retaliation.

The motion requested is to accept the final report from the investigator and close the investigation with no disciplinary action. If that motion is passed, the findings of fact, allegation and claim are considered private data within the Minnesota Data Practices Act, and may not be shared further.

**ACTION REQUESTED:**

Motion to accept the investigator's report and close the investigation with no disciplinary action resulting from a November 2008 employee complaint.

**FUNDING**

County Dollars = \$

Other Sources &amp; Amounts =

= \$

**TOTAL** = \$**FISCAL IMPACT**NoneIncluded in current budgetBudget amendment requestedOther:*Related Financial Comments:*

The 2008 Budget included the necessary funds to complete the investigation.

Reviewed by Division Director  
Doris M. Krogman, Employee Relations

Date: 1/21/09