

Carver County Board of Commissioners  
 Regular Session  
 July 14, 2009  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

			PAGE
9:15 a.m.	1.	<ul style="list-style-type: none"> <li>a) <b>CONVENE</b></li> <li>b) <i>Pledge of Allegiance</i></li> <li>c) <i>Public participation (comments limited to five minutes)</i></li> <li>d) <i>Introduction of New Employees</i></li> </ul>	
	2.	Agenda review and adoption	
	3.	Approve minutes of July 7, 2009 Regular Session .....	1-4
	4.	Community announcements	
9:15 a.m.	5.	<b>CONSENT AGENDA</b>	
	5.1	Payment of emergency claims .....	5-12
	5.2	Approval of out of state travel.....	13
	5.3	Resolution in support of funding Highway 212 and Highway 5.....	14-15
	5.4	Sheriff's office donations .....	16
	5.5	Grant application: Homelessness Prevention and Rapid Re-housing program.....	17
	5.6	Acceptance Valley Fair ticket donation.....	18
	5.7	Joint Powers Agreement between Carver County and City of Waconia for CSAH 10/TH 284 roundabout construction .....	19
	5.8	Community Social Services' warrants .....	NO ATT
	5.9	Commissioners' warrants.....	SEE ATT
9:20 a.m.	6.	<b>ADMINISTRATIVE SERVICES</b>	
	6.1	Approval of Resolution supporting fiber optic stimulus funding and project update.....	20-21
9:45 a.m.	7.	<b>FINANCIAL SERVICES</b>	
	7.1	Resolution calling for a public hearing on the issuance of Housing Development Bonds by Carver County Community Development Agency which are General Obligations of Carver County .....	22-23

- 10:00 a.m.           8.       **COMMUNITY SOCIAL SERVICES**
- 8.1     Emergency Assistance policy revision ..... 24-29
- 10:15 a.m.           **ADJOURN REGULAR SESSION**
- BOARD REPORTS**
- 10:15 a.m.           1.       Chair
2.       Board Members
3.       Administrator
- 10:30 a.m.           4.       Adjourn

David Hemze  
County Administrator

### **Work Session Agenda**

- 10:30 a.m.           **A.       PUBLIC WORKS**
1.       Road projects update and ARRA funding discussion..... 30

REGULAR SESSION  
July 7, 2009

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on July 7, 2009. Chair Gayle Degler convened the session at 9:17 a.m.

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

Members absent: Tim Lynch.

The following amendment was made to the agenda:

Move 5.4 to 6.3-Courthouse Campus Two Plat-associated property transfers.

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

Ische moved, Degler seconded, to approve the minutes of the June 23, 2009, Regular Session and the minutes of the June 23, 2009, Board of Appeal and Equalization. Degler, Ische, Workman voted aye. Maluchnik abstained as he was absent. Laurie Engelen, Taxpayer Services, also submitted her approval of the June 23, 2009, Board of Appeal and Equalization minutes. Motion carried.

Community announcements were made by the Board.

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

Memorandum of agreement with LELS regarding holiday compensation.

Resolution #44-09, Juvenile Accountability Block Grant 2009-2010.

Authorized the Sheriff's Office acceptance of McDonalds donations to Get Real Prevention Program.

Appointed Kenneth Wencil to a three year term on the Riley Purgatory Bluff Creek Watershed District Board.

Awarded Carver County Project No. 0914, furnishing bituminous material, to Flint Hill Resources in the amount of \$165,709.85.

Adopted the Findings of Fact and to issue Order #PZ2009008 for the issuance of Conditional Use Permit #PZ2009008, Kevin Tritz and Kevin Nordby, San Francisco Township.

Resolution #45-09, Approving the Preliminary Plat of Stenzel Woods.

Approved the following abatements:

M04-950-0016 James Abraham  
M30-951-0260 Stephen Schmidt



75-519-0060 Carmen Bradshaw  
25-050-0250 Nicholas Pekarek (2007, 2008, 2009)

Resolution #46-09, Minnesota Astronomical Society Charitable Gambling Application.

Renewed Cooperative Crisis Agreement for grant funding.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Dave Drealan, Land and Water Services, requested the Board approve a contract for recycling electronics at the Environmental Center.

Mike Lein, Land and Water Services, shared a graph highlighting the increased growth in consumer electronics recycling within the metro area. He added they have been collecting household hazardous waste since the early 1990's and have kept adding materials to be collected. He pointed out electronic recycling and the Environmental Center have been popular programs with residents.

He explained for the first six months of 2008, they were charging fees for the electronics disposal as the County was paying the contractor for the recycling costs. New legislation in mid 2008, required manufacturers to help with these costs. He noted the program changes and since manufacturers have met their statutory obligations on recycling numbers, the County has to start again paying for electronic disposal. He stated they asked five companies for bids and three were received. Lein indicated the key element with the contract with Dynamic is the County would own 80% of the credits. He stated the future marketability of the credits is uncertain at this time. He stressed they needed to get a contract in place and have a discussion on fees in the future.

Ische moved, Workman seconded, to approve a contract for electronic waste recycling with Dynamic Recycling. Motion carried unanimously

Drealan appeared before the Board to review Comprehensive Plan elements. He noted they have been bringing several pieces of the plan before the Board for their review and the Land Use Plan has now been sent to the Townships for their review.

Paul Moline, Land and Water Services, distributed copies of the draft Parks System Plan and Trail and Bike Systems Plan. He explained the adjustments that have been made to the Parks Systems Plan. He stated the Crow River Regional Park search area has been removed as well as the designation of the two remaining regional park search areas. He referenced the text that would now be included and the actual circles removed. Moline stated he was uncertain if the Met Council was willing to accept the text as a replacement for the search areas.



Moline indicated the Coney Island park area is included in the existing 2020 plan and listed as an expansion of the Lake Waconia Regional Park. He indicated the City has been supportive of this area being a park at some point but acknowledged development would be very difficult. Moline added this had been designated for ten plus years and to his knowledge this has not caused any issues. He agreed that the seminary fen should also be included in the Plan.

He pointed out the revised version of the Trail and Bikeway Systems Plan. Moline pointed out the existing trails and corridors were noted on the map. He explained the linking trails follow the existing road right of ways. Moline indicated the destination trails are those that link communities or where people go to access the trail. He clarified additional language would be developed to go along with the map. Moline pointed out the option to adopt the Met Council map.

Drealan reviewed the septic system piece of the plan. He noted the plan had not changed a lot since the 2020 plan. He pointed out the goals of the SSTS program and stated the direct discharge program will be the highest priority for resources.

Drealan highlighted the housing plan. He stated the focus is on accommodating the people that arrive and making sure there is adequate housing stock. He indicated the key piece is workforce housing. Drealan indicated the plan is set up to focus on what the CDA is doing and as part of that, they have included the CDA's mission statement and strategic plan.

Drealan stated there had been minor edits related to historic preservation. He stated the focus of the plan element is to establish the framework for historic resource management. Drealan indicated the Historical Society will be the primary implementing agency and the main focus has not changed since their work session.

He clarified today he was asking for authorization to send the two maps and three plan elements out for review. Drealan indicated there may be future changes based on the comments they receive.

Neal Johnson, representing Watertown Township, stated he was fine with waiting to comment until this is sent out to the townships and they have had an opportunity to review.

Drealan stated they hoped to get this back out to the Townships and Cities next week and planned to bring this back to the Board in August.

Ische moved, Maluchnik seconded, to authorize Land and Water Services to send out the draft Comprehensive Plan elements out to the Townships and Cities for their review and comment. Motion carried unanimously.

Steve Taylor, Administrative Services, requested the Board adopt a Resolution approving the Courthouse Campus Two plat and related land transfers and acceptances.

He explained, as part of the Courts expansion approval, the City of Chaska requested that the County re-plat the property. He stated the new plat would allow the flood control property to be retained by

the City and the property the City owns and the County uses, would be deeded to the County. Noting the additional easements on the property, Taylor indicated there were a number of items that needed to be cleaned up and this is what the replatting does.

Taylor acknowledged the associated landfill issue. He indicated the landfill was operated by the City in 1940 and closed in 1971. He indicated the lease the County currently has over a portion of this property would be eliminated and the County would now own the property. He pointed out a Phase I environmental assessment was done and reviewed the findings. Taylor referenced the Minnesota's Environmental Response and Liability Act stating that the party responsible for environmental damage is strictly liable for the damage they cause. He added the County is protected whether it owns or leases the land, but there always the potential for a claim.

Jim Keeler, County Attorney, stated from a liability standpoint, the issue of leasing or ownership does not change their concern. He clarified MPCA recommended, but did not require, a Phase II study.

Workman offered the following Resolution, seconded by Maluchnik:

Resolution #47-09  
Approving Courthouse Campus Two Plat and  
Associated Land Transfers and Acceptance

On vote taken, all voted aye.

Ische moved, Maluchnik seconded, to go into closed session at 10:35 a.m. to discuss labor negotiations strategies. Motion carried unanimously

The Board adjourned the closed and Regular Session.

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.)





**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

297316

**AUTHORIZATION**  
**PAYMENT OF EMERGENCY CLAIM**

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

VENDOR: Kirk & Sheri Anderson *max*

ACCOUNT: 01-090-000-1101-6379

AMOUNT: \$495.40

REASON: Crime victims / flight expense

Department Head Signature: *James W. Keeler Jr.*

Chairman of County Board

Gayle Degler

County Administrator

Dave Hemze

County Attorney

James W. Keeler Jr.

Date: 6/29/09



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297317

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Best Western - 10384

ACCOUNT: 01-090-000-1101-6379

AMOUNT: \$ 342.00

REASON: Crime victim / lodging for trial

Department Head Signature: *James W. Keeler*

Chairman of County Board

Gayle Degler

County Administrator

*Dave Hemze*  
Dave Hemze

County Attorney

*James W. Keeler Jr.*  
James W. Keeler Jr.

Date: 6/29/09





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297318

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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VENDOR: Best Western - ~~10384~~ muse

ACCOUNT: 01-090-000-1101-6379

AMOUNT: \$ 342.00

REASON: Crime Victim / Lodging

Department Head Signature: James W. Keeler

Chairman of County Board

Gayle Degler

County Administrator

Dave Henze  
Dave Henze

County Attorney

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

Date: 6/29/09



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297319

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: BP Chanhassen MND

ACCOUNT: 01-090-000-1101-6379

AMOUNT: \$ 30.82

REASON: end of grant \$ - gas card for victims

Department Head Signature: James W. Keeler Jr.

Chairman of County Board

Gayle Degler

County Administrator

Dave Hemze

County Attorney

James W. Keeler Jr.

Date: 6/29/09



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297320

**AUTHORIZATION**

**PAYMENT OF EMERGENCY CLAIM**

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

VENDOR: Brandondale LTD - #19192

ACCOUNT: 01-090-000-1101-6379

AMOUNT: \$367.00

REASON: Crime victim / housing expense

Department Head Signature: *James W. Keeler Jr.*

Chairman of County Board

Gayle Degler

County Administrator

*Dave Hemze*  
Dave Hemze

County Attorney

*James W. Keeler Jr.*  
James W. Keeler Jr.

Date: 6/29/09





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297321

**AUTHORIZATION**

**PAYMENT OF EMERGENCY CLAIM**

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

VENDOR: BP Oil Chanhassen 21184

ACCOUNT: 01-090-000-1101-6379

AMOUNT: \$ 100.00

REASON: Crime victim / gas card

Department Head Signature: James W. Keeler Jr.

Chairman of County Board

Gayle Degler

County Administrator

Dave Hemze

County Attorney

James W. Keeler Jr.

Date: 6/29/09

297315



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**AUTHORIZATION**

**PAYMENT OF EMERGENCY CLAIM**

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

VENDOR: Bene Tek Corp

ACCOUNT: 11-420-650-4401-6020

AMOUNT: \$666.10

REASON: Cost effective insurance premium to maintain coverage for client medical costs.

Department Head Signature: Joe R Brouck

Chairman of County Board

Gayle Degler

County Administrator

David Hemze

County Attorney

James W. Keeler, Jr.

Date: 6/29/09



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297322

**AUTHORIZATION**

**PAYMENT OF EMERGENCY CLAIM**

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

VENDOR: Jennifer Luebke MPA

ACCOUNT: 01-090-000-1101-6379

AMOUNT: \$ 476.80

REASON: Crime victim / hotel + gas expense

Department Head Signature: *James W. Keeler Jr.*

Chairman of County Board

Gayle Degler

County Administrator

*Dave Hemze*  
Dave Hemze

County Attorney

*James W. Keeler Jr.*  
James W. Keeler Jr.

Date: 6/29/09





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Approval of Out-Of-State Travel.**

Originating Division: Land & Water – Env. Services

Meeting Date: July 14, 2009

Amount of Time Requested:

Attachments for packet: Yes X No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The North Dakota Solid Waste and Recycling Association has asked Land & Water [ES] staffer Marcus Zbinden to make a presentation on organics composting at their annual conference in Minot on September 16<sup>th</sup> and 17<sup>th</sup>. The residential organics program continues to get regional and national attention since winning three major awards over the past year.

The North Dakota Association will pay his expenses such as mileage, registration, and hotel. I would recommend approval of this out of state travel request in the interest of Marcus's career development and sharing information on a program where we are recognized as national leaders.

**ACTION REQUESTED: Approval of Out-Of-State Travel for Marcus Zbinden.**

**FUNDING**

County Dollars = \$

Other Sources & Amounts = \$

= \$

**TOTAL** = \$

**FISCAL IMPACT**

None

*Included in current budget*

Budget amendment requested

Other:

*Related Financial Comments* – The North Dakota Solid Waste and Recycling Association will pay Mr. Zbinden's expenses.

Reviewed by Division Director

Date: July 6, 2009



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Resolution in Support of Funding Highway 212 & Highway 5

Originating Division: Administration

Meeting Date: July 14, 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:

The Southwest Corridor Transportation Coalition has submitted a request for an appropriation in the Transportation and HUD Appropriations bill for \$2 million to continue with design work on US Highway 212 between Chaska and Norwood Young America to make it a continuous four lane highway.

The Coalition also has a second request for \$13 million to make improvements on Highway 5 between Chanhassen and Norwood Young America. These improvements would include shoulder work, turn lanes and intersection modifications.

Passage of the attached resolution would demonstrate Carver County's support of the Coalition's requests.

**ACTION REQUESTED:** Approve the resolution in support of funding for Highway 212 and Highway 5.

### 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: July 6, 2009

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

DATE July 14, 2009

RESOLUTION NO. \_\_\_\_\_

MOTION BY COMMISSIONER \_\_\_\_\_

SECONDED BY COMMISSIONER \_\_\_\_\_

**Resolution in Support of Funding for Highway 212 and Highway 5**

**WHEREAS** Highway 212 is a major US highway serving the southwest portion of the state and has been in need of expansion for decades;

**WHEREAS** the current highway poses serious safety problems as it switches from a four lane facility west of Chaska to a two-lane highway, then switches back to a four lane highway around Cologne and back to a two-lane highway from Cologne to Norwood Young America and would be much safer and much better able to handle present and projected traffic flows if it were a continuous four-lane highway through this area;

**WHEREAS** the expanded Highway 212 from Eden Prairie to Chaska has been successfully completed, bringing additional traffic to the section of highway between Chaska and Norwood Young America which needs to be improved for safety reasons;

**WHEREAS** Highway 5 is a major roadway serving commuters between Chanhassen and Norwood Young America;

**WHEREAS** Highway 5 is in need of improvements to intersections and shoulders to improve safety and traffic flows;

**WHEREAS** the Carver County Board does not support federal politicized ear-marking of funds for local projects, but supports selection of projects based on a prioritization of needs;

**NOW, THEREFORE, BE IT RESOLVED** that the Carver County Board of Commissioners strongly supports the federal funding requests made by the Southwest Corridor Transportation Coalition.

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

STATE OF MINNESOTA  
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 14th day of July, 2009, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14<sup>th</sup> day of July, 2009

\_\_\_\_\_  
County Administrator





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Donations**

Originating Division: Sheriff

Meeting Date: 7-14-09

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 Residential Mortgage Group (RMI) of \$300.00 for their "Refer a friend. Build your Community" program on behalf of:

Bob and Libby Fairchild  
Tammy and Benjamin Nye  
John and Julie Mettler

**ACTION REQUESTED:**

Motion to approve \$300.00 donation to the Sheriff's Office.

**FUNDING**

County Dollars = \$

Other Sources & Amounts =  
= \$

**TOTAL** = \$

*Related Financial Comments:*  
01-201-201-0000-5756 Gifts Restricted

**FISCAL IMPACT**

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

Reviewed by Division Director

Date: 07-02-09

Report Date: July 2, 2009



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Grant Application: Homelessness Prevention and Rapid Re-housing Program (HPRP)

Originating Division: Community Social Services

Meeting Date: 7/14/09

Amount of Time Requested:

Attachments for packet: Yes No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Community Social Services is seeking Carver County Board Approval to apply for the Homelessness Prevention and Rapid Re-housing Grant from September 15<sup>th</sup> 2009- September 30<sup>th</sup> 2011. This grant would not require any Carver County levy to be involved in the application or the implementation of this grant. There is a 2.5% administrative fee that would be granted to Carver County.

If approved through the Minnesota Department of Human Services via the Office of Economic Opportunity this program will assist singles and families who are homeless or at imminent risk of homelessness through direct temporary housing subsidies and case management in both Carver and Scott Counties. The HPRP will require support and innovation through multiple agencies to create a community wide response system to focus not only on prevention but it will also target the rapid re-housing if homelessness does occur. The sub-grantees include Community Action Program (CAP) and Safe Haven with a collaboration between Carver and Scott counties in the training and clinical supervision of one of the housing case managers that will be employed through the grant by CAP.

The target populations will be families, homeless youth, persons experiencing chemical health and mental health issues, domestic violence, families in both Carver and Scott County child protection systems and corrections.

The goal of the program will be to stabilize singles and families in existing homes, or to provide the safety net to reduce the amount of time a person is homeless out of the county or in hotels within Carver or Scott County and to reduce the episodes of homelessness. The services and assistance provided will include direct support for such things as rental assistance, costs for homeless placements, utility assistance, and security deposits just to name a few assistance areas.

**ACTION REQUESTED:** Motion authorizing the submittal of the Homelessness Prevention and Rapid Re-housing Program (HPRP) Grant application.

### FUNDING

County Dollars = \$  
Other Sources & Amounts = \$766,638.50  
= \$

**TOTAL** = \$766,638.50

### FISCAL IMPACT

None

*Related Financial Comments:* If granted, will result in \$383,319.25 per year for each of the 2 years to be utilized by Carver and Scott Counties to help meet the goal of diminishing the impact and duration of homelessness.

Reviewed by Division Director

*Mary Bork*

Date: 6-30-09



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Acceptance of Valley Fair Ticket Donation**

Originating Division: Employee Relations

Meeting Date: 7/14/09

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:**

Valley Fair has given the Employee Club (2) free tickets in appreciation for selling employee discounted tickets. These tickets are valued at \$ 25.50 each.

**ACTION REQUESTED:**

Request approval for donation of the above-listed tickets to be given away at next Employee Club event.

**FUNDING**

County Dollars = \$

Other Sources &amp; 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: 7/6/09





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Joint Powers Agreement between Carver County and City of Waconia for CSAH 10/TH 284 Roundabout Construction

Originating Division: Public Works

Meeting Date: July 14, 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:** The reconstruction of the County State Aid Highway (CSAH) 10 and TH 284 intersection is included in the 2009-2010 Capital Improvement Program. The project includes construction of a roundabout at this intersection. The City of Waconia will be the lead agency for this project. This Joint Powers Agreement formalizes the project responsibilities including the Engineering/project development, right of way acquisition, and project funding. The project schedule includes project letting/start in 2009 with construction completion by end of 2010.

This agreement is as per the County general terms with specific project details added.

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

### FUNDING - COUNTY

County Levy	= \$	0.00
County	= \$	0.00
CSAH	= \$	838,375.00
<b>TOTAL</b>	= \$	<b>838,375.00</b>

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* These are County budgeted funds for the total project costs including engineering (\$167,675.00), construction (\$670,700.00) and right of way (\$0.00). At this time, the project construction cost is estimated to be \$2,012,000.00. Mn/DOT and the City of Waconia will be funding the remaining construction costs.

Reviewed by Division Director

*William Weckma*

Date: *6/26/09*

S:\R&B\GRM\CSAH\10 & 284\JPA with City of Waconia - baf



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Approval of Resolution Supporting Fiber Optic Stimulus Funding & project update**

Originating Division: Administrative Services

Meeting Date: July 14, 2009

Amount of Time Requested: 15 minutes

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

The American Recovery and Reinvestment Act of 2009 appropriated \$7.2 billion and directed the Department of Agriculture's Rural Utilities Service (RUS) and The Department of Commerce's National Telecommunications Information Administration (NTIA) to expand broadband access to un-served and underserved communities across the U.S., increase jobs, spur investments in technology and infrastructure, and provide long-term economic benefits. Staff understands that applications to request part of the \$7.2 billion are being accepted from July 14 through August 14, 2009.

Staff will be requesting stimulus funding for two related fiber projects:

1. Funding for the 85 mile base ring which connects the County's eleven cities totaling \$1.8 million.
  - a. In December 2008 the Board approved the fiber optic project and a contract with Jaguar Communications to install a redundant fiber backbone.
  - b. The current plan calls for the 72 strand fiber optic ring will be funded by eliminating existing costs for T-1 lines. These expenses would then be directed toward annual debt payments.
  - c. Further, if this project is awarded the full amount, approximately \$200,000 in annual levy dollars would be available for other County priorities.
  - d. Jaguar Communications will maintain the fiber ring at no cost to the County
  - e. Jaguar is interested in providing fiber to residents and businesses in Carver County
  - f. One caveat to the process is that grant applicants must provide documentation that the project would not have been implemented during the grant period without federal grant assistance.
  
2. Funding for laterals to city, township, and school facilities that tie into the base ring totaling \$3 million.
  - a. Includes laterals to more than 80 facilities including fire stations, community centers, 800 megahertz towers, public works buildings, lift stations and elementary schools for a total of \$2.9M.
  - b. Staff also plans to request funding to establish a lateral from the ring near the Government Center across the river to Scott County which would provide the County with high-speed connectivity to other jurisdictions – this totals approximately \$100,000.

If approved by the County Board, a similar resolution will be sent to local government jurisdictions in the County for their respective governing bodies to approve in support of the application process.

Additionally, staff will update the Board on the status of the fiber optic project.

**ACTION REQUESTED:** Motion to approve the resolution.

**FUNDING**

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

**FISCAL IMPACT**

- None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:*

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE July 14, 2009 RESOLUTION NO. \_\_\_\_\_  
 MOTION BY COMMISSIONER \_\_\_\_\_ SECONDED BY COMMISSIONER \_\_\_\_\_

Whereas, the American recovery and Reinvestment Act of 2009 appropriated \$7.2 billion and directed the Department of Agriculture's Rural Utilities Service (RUS) and The Department of Commerce's National Telecommunications Information Administration (NTIA) to expand broadband access to un-served and underserved communities across the U.S., increase jobs, spur investments in technology and infrastructure, and provide long-term economic benefits; and

Whereas, Carver County desires to build a fiber optic loop connecting county facilities, libraries, school district facilities, city buildings and other important local government buildings through a public/private partnership to provide service to residents and businesses; and

Whereas, the County of Carver will benefit by reducing operating expenses, improving connectivity and having an additional economic development asset in the community; and

Whereas, the residents and business owners in County of Carver will benefit through this public/private partnership by having an opportunity to obtain a broadband connection and increase competition amongst telecommunication companies.

Now, Therefore, Be It Resolved, the County of Carver hereby supports the fiber optic funding request being made by Carver County through the American Recovery and Reinvestment Act of 2009.

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 23rd day of June, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of July, 2009

\_\_\_\_\_  
 County Administrator



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : RESOLUTION CALLING A PUBLIC HEARING ON THE ISSUANCE OF HOUSING DEVELOPMENT BONDS BY CARVER COUNTY COMMUNITY DEVELOPMENT AGENCY WHICH ARE GENERAL OBLIGATIONS OF CARVER COUNTY**

Originating Division: Financial Services

Meeting Date: July 14, 2009

Amount of Time Requested: 15 minutes

Attachments for packet:  Yes  No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The Carver County Community Development Agency (the "CDA") plans to issue approximately \$6.5M Housing Development Bonds to finance an approximately 50-unit senior housing project known as the Oak Grove Dairy Project. To reduce interest costs and increase marketability to a level equivalent to the County issuing the bonds, the CDA has requested that the County Board pledge its General Obligation of the full faith and credit of the County's tax base as security for the CDA's bonds.

The Public Hearing would be held Tuesday August 4<sup>th</sup> at 9:15 am. after notice of the public hearing in the official County newspaper.

Prior to the Public Hearing, the County Board will hold a July 21<sup>st</sup> workshop with the CDA to discuss the Oak Grove Project and the corresponding bond sale.

**ACTION REQUESTED:** Adopt the attached resolution calling for a Public Hearing on a \$6.5M CDA Bond Sale which will be General Obligations of Carver County.

**FUNDING**

County Dollars = \$

Other Sources & Amounts = \$

**TOTAL** = \$

**FISCAL IMPACT**

None

Included in current budget

Budget amendment requested

Other: See Below

*Related Financial Comments:* The potential for a fiscal impact on the County from the CDA's bond sale will be addressed at the July 21<sup>st</sup> workshop.

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

DATE \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

MOTION BY COMMISSIONER \_\_\_\_\_

SECONDED BY COMMISSIONER \_\_\_\_\_

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**RESOLUTION CALLING A PUBLIC HEARING ON  
THE ISSUANCE OF HOUSING DEVELOPMENT BONDS  
BY CARVER COUNTY COMMUNITY DEVELOPMENT AGENCY  
WHICH ARE GENERAL OBLIGATIONS OF CARVER COUNTY**

A. WHEREAS, pursuant to Minnesota Statutes, Section 469.034, Carver County Community Development Agency (the "CDA") may issue housing development revenue bonds which are secured by a pledge of the general obligation of Carver County to finance qualified housing development projects for seniors. The bonds may be issued without an election provided that, among other things, the County approves the issuance of the bonds after holding a public hearing thereon;

B. WHEREAS, the Board of Commissioners will hold a public hearing on August 4th, 2009, on the issuance by the CDA of up to approximately \$6,500,000 Housing Development Bonds (Carver County, Minnesota General Obligation) to finance an approximately 50-unit senior housing project known as the Oak Grove Dairy Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Carver County, Minnesota (the "Board"), as follows:

1. The Board hereby calls for a public hearing on the issuance of the Bonds to be held on Tuesday, August 4th, 2009, at 9:15 a.m.

2. The County Administrator is hereby directed to cause the notice of public hearing to be published at least 10 days before the date of the public hearing in the official newspaper of the County or a newspaper of general circulation in the County.



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Emergency Assistance Policy Revision

Originating Division: Community Social Services

Meeting Date: July 14, 2009

Amount of Time Requested: 10 minutes

Attachments for packet:  Yes  No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Annually CSS designates funds from its' Consolidated MFIP Allocation to provide a very limited amount of emergency assistance to eligible clients. The American Recovery and Reinvestment Act of 2009 passed by Congress in February 2009 provided emergency funds to states that experience increases in their public assistance caseload and emergency assistance expenditures. The Department of Human Services has been informed that MN qualifies for the federal stimulus funding, which is available immediately through September 2010. Any amount of expenditures made for emergency assistance beyond our regularly budgeted amount (\$25,000 annually) will be 100% covered by federal stimulus funds, including administrative costs. Emergency assistance is available to families with minor children whose total household income is less than 200% of the Federal Poverty Level (\$29,140 for a family of 2) and is experiencing an emergency situation. Effective 10/1/2009 EA for families will be the only emergency assistance available, as Emergency General Assistance (EGA) and Emergency MN Supplemental Assistance (EMSA) funding was recently unalotted by the Governor.

Given the availability of the federal stimulus funding, DHS is strongly encouraging counties to expand the allowable services covered in their emergency assistance plan so that more families negatively impacted by the current recession can qualify for emergency assistance. The attached revised plan broadens on an interim basis the types of services and the amounts eligible for emergency assistance through September 30, 2010, reverting back to current policy language after that date. The policy revisions parallel changes made by several of the other metro counties. The major interim changes to the plan include:

- Allowing EA once each 6 month period, vs. once in a lifetime
- Removing the EA eligibility restriction from individuals eligible for EGA & EMSA
- Increasing the EA payment limit from 2x to 6x the grant standard (\$874 to \$2622 for a family of 2)
- Allowing EA for shelter costs when a notice of intent to file an unlawful retainer is received vs. current practice of requiring the unlawful retainer to be issued before qualifying for EA
- Adding a section allowing EA for employment needs including vehicle repair, insurance, licenses, gas vouchers & clothing where required by an employer

**ACTION REQUESTED:** Motion to approve revised Emergency Assistance policy

### FUNDING

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

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* All funds expended via this policy change will be federal funds, & will be processed through the state-wide MAXIS system.

Reviewed by Division Director

Date: July 6, 2009



# **Carver County Emergency Assistance Policy**

## **Effective July 2009**

Emergency Assistance (EA) is an assistance program available in Carver County to a pregnant woman or family unit with children under age 18 or under 19 if they meet the definition of dependent child under MFIP criteria who are in an emergency situation. The criteria for eligibility and the assistance available is defined in the following sections.

### **Eligibility Criteria:**

To be eligible, a family unit must meet **ALL** of the following conditions:

- A child under the age of 18 or under 19 if they meet the definition of dependent child under MFIP criteria must live with a caregiver. The unborn child of a pregnant woman meets this definition.
- An eligible family member must have resided in Carver County for a minimum of 30 consecutive days. There is no exception to the 30 day residency requirement.
- The emergency must not be caused by a family unit member's refusing employment or refusing training for employment without good cause.
- The family unit cannot be under any sanctions, which include but are not limited to employment sanctions, child support sanctions and food support sanctions.
- The family unit must use all available resources to resolve the emergency. These resources include:
  - All liquid assets of the household
  - Income the family unit will receive in time to help with the emergency
  - Other funds for which the family unit is eligible
- At least one child or pregnant woman in the family unit must meet MFIP citizenship requirements.
- Total shelter costs must not exceed 75% of the family unit's net income. This condition will not apply if the emergency need is for utility shut-off only.
- Individuals disqualified from cash assistance or child care assistance due to fraud are ineligible for Emergency Assistance during the disqualification period.
- Emergency Assistance funds as defined in this policy are available only once in a six month period in Carver County for each family unit. Total household income must be less than 200% of Poverty Level. Income is annualized based upon income received in the current month and 1 month prior to application.

### **Verification Requirements for Emergency Assistance**

The following information must be verified in order for an application for EA to be processed:

- The applicant's identity.
- The emergency and the cost of alleviating the emergency. Examples of verification include but are not limited to utility shut-off notices, unlawful detainers and foreclosure notices.
- Verification of assets and income.
- Verification of children's age, immigration status and relationship if questionable.

### **Determining the Amount of Emergency Assistance**

Carver County will determine the amount of EA potentially available to resolve the applicant's emergency situation in the following manner:

1. The minimum amount needed to resolve the family unit's emergency will be determined.

2. The amount of income and assets the family unit has or will have that can apply toward the emergency will be determined. All income will be counted, including but not limited to.
  - The gross income of all family unit members minus up to 25% for deductions, which would cover taxes, transportation, etc.
  - Assets the family unit can convert to cash in time to resolve the emergency. Personal effects and essential household goods are not counted. Assets and income the family unit has or will have that they will need to cover their basic needs are not counted. Basic needs under this provision are defined as rent, utilities and food (allowed at current food support rate for family unit).
3. The availability of other public or private aid will be determined.
4. The available amount of resources determined from #2 and #3 above will be added together. That amount will then be subtracted from the amount needed to resolve the emergency determined in #1 above. This is the maximum amount a family unit may be eligible for.

The family unit may not be eligible for the entire amount determined in # 4 due to additional conditions applied to the receipt of EA as indicated below.

### **Emergency Assistance to Prevent Foreclosure**

Family units may request aid for an arrearage on contract-for-deed or mortgage payments when a foreclosure action occurs. In order for payments to prevent foreclosure to be made, all of the following conditions must be met:

- The family unit must meet all the requirements of the Eligibility Criteria listed above.
- The family unit must own, occupy and maintain the home.
- The family unit's anticipated income must be enough to pay housing costs over the next 12 months.
- The family unit must verify that a lending institution denied refinancing.
- The creditor must accept EA and any other payments as full payment of the arrearage.
- The family unit has paid 40% of its gross income toward housing costs in the month of application and the 3-month period immediately preceding the month of application. The gross income of all family unit members will be counted. There is no excluded income. The only allowable deductions are self-employment expenses from self-employment income. Principal and interest payments on mortgages or contracts for deeds, tax and special assessment costs related to the homestead, balloon payments, mobile home lot payments (if applicable), and homeowner insurance premiums are counted to determine the 40%. Down payments, payments made with loans, or closing costs related to the sale or purchase of real property are not counted.
- The EA payment is limited to six (6) times the MFIP Transitional Standard (Cash Portion Only) that would apply to the family unit if they were eligible.

### **Emergency Assistance for Shelter**

EA for shelter other than mortgage is available under the following conditions:

- The family unit must meet all the requirements of the Eligibility Criteria listed above.
- A notice of intent to file an unlawful detainer and/or an unlawful detainer is required. A notice from a relative or friend to vacate the premises is not an acceptable notice of eviction unless supported by Carver County Community Social Services. If eligible for EA, the actual costs involved for the unlawful detainer would be above the maximum payment allowed.
- For family units facing loss of shelter, the county will determine if a family unit's income is enough to pay the rent and utility costs of their present residence. If there is not enough income, EA will be denied.



- For family units with no existing shelter, EA is available for shelter costs, which may include damage deposits.
- The EA payment is limited to six (6) times the MFIP Transitional Standard (Cash Portion Only) that would apply to the family unit if they were eligible.

### **Emergency Assistance for Moving Expenses**

Moving expenses include costs for transportation of personal property, utility hookups and deposits. The client must be able to afford the new housing. EA for moving expenses is available under the following circumstances:

- The family unit must meet all the requirements of the Eligibility Criteria listed above.
- The move is due to denial of EA to pay existing shelter costs and the county has determined that moving will resolve the emergency.
- The EA payment is limited to six (6) times the MFIP Transitional Standard (Cash Portion Only) that would apply to the family if they were eligible.
- The county must authorize expenses before the family unit incurs them.

### **Emergency Assistance for Utility Bills**

EA for utility costs is available under the following circumstances:

- The family unit must meet all the requirements of the Eligibility Criteria listed above
- The family unit has received a final shut-off notice.
- Utility costs are defined as expenses for natural gas, electricity, fuel oil, and firewood.
- The utility service must verify it will continue or restore service based on receipt of the EA payment and any other payment.
- The percentage of the family unit's gross income paid toward utility costs in the month of application and the prior 3-months must be verified. Actual months can be used if the family unit had no utility obligations for part of this period.
- Low Income Home Energy Assistance Program (LIHEAP) payments or other payments made on the family unit's behalf are not counted as payments made by the family unit.
- The family unit must have paid at least 8% of its gross income toward utility costs in order to be eligible for EA.
- The EA payment is limited to six (6) times the MFIP Transitional Standard (Cash Portion Only) that would apply to the family unit if they were eligible.
- All other resources available must be utilized prior to Emergency Assistance, including but not limited to Energy Assistance Programs available through the Community Action Program.

### **Emergency Assistance for Special Needs**

- EA is not available for Special needs.

### **Emergency Assistance for Home Repairs**

EA for home repairs is available under the following conditions:

- The family unit must meet all the requirements of the Eligibility Criteria listed above.
- A member of the family unit must own and live in the home.
- The client must document the need for the repair.
- The request must be to repair the roof, foundation, wiring, heating system (including chimney), or water and sewer system.
- The EA request must be reasonable when considering the condition of the home against alternative cost-effective housing.
- The family unit must be denied refinancing of their mortgage to cover repair costs.



- The county agency must determine if alternative resources are available for all or part of the repair cost.
- The county must verify the client has insufficient liquid assets or assets that can be liquidated in time to help to pay for the repair. Clients must apply all available assets toward the cost of the repair with the county paying the remaining allowable portion.
- The client must provide at least one estimate of the repair cost. The county may require two additional estimates if it determines the first one is excessive.
- There must be a written agreement between the county and the vendor regarding the repair needs and cost of repair. The vendor must complete the work before payment is made.
- EA funds can only be used when the county authorized the payment before the repair was made, unless the emergency need for the repair occurred when the county was closed (i.e., a broken water pipe on a weekend).
- The EA payment is limited to six (6) times the MFIP Transitional Standard (Cash Portion Only) that would apply to the EA family unit if they were eligible.

### **Emergency Assistance – Employment Needs**

EA for employment needs is available under the following conditions:

- The family unit must meet all the requirements of the Eligibility Criteria listed above.
- The county must verify the client has insufficient liquid assets or assets that can be liquidated in time to help to pay for costs. Clients must apply all available assets toward the cost with the county paying the remaining allowable portion.
- The client must document the need for these costs:
- Funding would be available for the following:
  - Vehicle repair – A member of the family unit must own the vehicle in need of repair, and the request must be reasonable when considering the condition of the vehicle. The county will determine if alternative resources are available for all or part of the repair cost.
    - The client must provide at least one (1) estimate of the repair cost. The county may require two (2) additional estimates if it determines the first is excessive.
    - There must be a written agreement between the county and the vendor regarding the repair needs and cost of repair. The vendor must complete the work before payment is made.
  - Vehicle insurance – The client must provide at least one (1) quote for the cost of insurance. The county may require two (2) additional quotes if it determines the first is excessive. The quote must include a monthly and six month quote at minimum. The EA payment cannot exceed 6 months
    - There must be a written agreement between the county and the vendor regarding the insurance payments.
  - Drivers and professional licenses – The client must provide documentation of the need for licenses, license tabs, and cost of obtaining such.
    - There must be a written agreement between the county and the vendor regarding the payment for any licenses.
  - Clothing – The client must provide documentation of the need for clothing for employment purposes. This includes the need for uniforms and other clothing necessary to begin employment.
    - The client must provide at least one (1) estimate of the cost of clothing needed prior to employment as required by the employer.



- The County agency will utilize all resources available for purchase of clothing including but not limited to Used Clothing Stores, Consignment Stores, etc.
- There must be a written agreement between the county and the vendor regarding the payment for clothing.
- Gas voucher – The client must document the need for a gas voucher. This will include but will not be limited to proof of new employment or return to employment after lay-off.
  - The limit for gas voucher is \$100.
  - The county will provide payment directly to local service stations for costs.
  - A written voucher will be provided to the client to present to the vendor for the approved costs.
- EA funds can only be used when the county authorized the payment before the cost was incurred.

The EA payment is limited to six (6) times the MFIP Transitional Standard (Cash Portion Only) that would apply to the EA family unit if they were eligible

### **Emergency Assistance – Processing**

EA information and a CAF will be provided to an individual the same day they inquire about the program. Inquiries include communication through the mail, telephone or in person by a person or their authorized representative. Upon receipt of an application for EA, an interview will be conducted by the county in a timely fashion. The county will notify the family unit in writing within seven days of receipt of their application, or sooner if the immediacy and severity of the situation warrants it, indicating that their application was approved, denied or pended.

### **Emergency Assistance – Method of Payment**

All emergency assistance payments will be made in the form of vendor payments.

### **Return of Rent or Utility Deposits**

The county will not request the return of damage deposits and utility deposits paid by EA when a client moves.

### **Interim Nature of Changes**

The changes made to the Carver County Emergency Assistance Policy are interim only, effective the date of approval by the County Board through September 30, 2010. Effective October 1, 2010, the Carver County Emergency Assistance Policy will revert back to the language in effect prior to the adoption of the July 2009 interim changes.



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Road Projects Update and ARRA Funding Discussion

Originating Division: Public Works

Meeting Date: July 14, 2009

Amount of Time Requested: 30 min

Attachments for packet:  Yes  No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The projects that will be receiving ARRA (stimulus) funds have been determined. ARRA Projects that Carver County Public Works will be involved in include mill and overlay projects on CSAH's 15, 17, and 10 and the Dakota Rail Phase one pavement project that was awarded TE (Transportation Enhancement) ARRA funds.

The cities of Mayer, Carver, and Watertown have also been awarded ARRA funding for projects in their communities. These cities are not state-aid cities (under 5,000 in population), so Carver County Public Works will need to have involvement in these projects also.

The purpose of this workshop is to 1.) update the County Board on the status and funding status of projects presently under design and construction; 2.) update the County Board on the ARRA funded projects and the County's obligations for those projects; 3.) review proposals for budget adjustments within the road and bridge capital projects program funds and show what impacts the ARRA funding has had on the program funding.

**ACTION REQUESTED:** No action requested at this time. This is an information update session which will include information on needed future actions.

### FUNDING

County Dollars = \$

Other Sources & Amounts =  
=\$

**TOTAL** = \$

*Related Financial Comments:*

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Interim Division Director  
William J. Weckman

Date: July 2, 2009

S:R&B/ Engineering/RBA-Board Project Funding Update ARRA -070209