

Carver County Board of Commissioners
 Regular Session
 March 3, 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"> a) CONVENE b) <i>Pledge of Allegiance</i> c) <i>Public participation (comments limited to five minutes)</i> d) <i>Introduction of New Employees</i> 	
	2.	Agenda review and adoption	
	3.	Approve minutes of February 24, 2009 Regular Session.....	1-5
	4.	Community announcements	
9:15 a.m.	5.	CONSENT AGENDA	
	5.1	Appointment to the Minnesota Extension Committee and Mental Health Advisory Committee	6-7
	5.2	Community Social Services' warrants	NO ATT
	5.3	Commissioners' warrants.....	SEE ATT
9:20 a.m.	6.	ADMINISTRATION	
	6.1	Presentation by The Community Foundation of Carver County	8
9:40 a.m.	7.	PUBLIC WORKS/PARKS	
	7.1	Resolution supporting grant application for Dakota Rail Trail	9-10
10:00 a.m.		ADJOURN REGULAR SESSION	
10:00 a.m.		BOARD REPORTS	
	1.	Chair	
	2.	Board Members	
	3.	Administrator	
10:15 a.m.	4.	Adjourn	

David Hemze
 County Administrator

Work Session Agenda

10:15 a.m.

A. COMMUNITY SOCIAL SERVICES

1. Discussion of Carver County involvement with
EdCampus Twin Cities..... 11

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on February 24, 2009. Chair Gayle Degler convened the session at 9:15 a.m.

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

Members absent: None.

Under public participation, Kathy Anderson, Hollywood Township, stated she was present to voice her concerns related to the comp plan. She reviewed the Resolution that Hollywood Township had adopted back in 2006 related to mapping areas and zoning and given to the County. Anderson pointed out the language in the comp plan that discusses strategies to acquire the land. She stated she wanted this off the map unless a landowner knows they are being zoned this way and how it is being done. She questioned how this occurred and who was responsible. Chair Degler acknowledged the work session held last week where they went over the same concerns. David Hemze, County Administrator, clarified they planned to bring these issues back to the Board in the future.

Jim Walter, Benton Township, asked that the Board vote to change Board meetings to the evening so that citizens do not have to take off work to address the Board. He also asked that the Board videotape public participation to allow citizens to see what issues are brought up. He also believed that the majority of County residents were unaware the County purchased the Lakeside Ballroom.

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

Ische moved, Workman seconded, to approve the minutes of the February 17, 2009, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

Mario Cortolezzis, Program Director for the Search and Find Emergency Responders (S.A.F.E.R.) program, explained the use of the transmitter and tracking device that assists in finding missing special needs children and vulnerable adults who may wander or get lost. He noted the support groups and safety programs that have been created to assist families and stated he was present to get more information out to families. He explained the cost of the transmitter and indicated grants were available. He indicated children need to have a medical or school diagnosis to qualify for the program. Cortolezzis suggested families can go to their website for more information or contact them by phone.

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

Payment of emergency claim in the amount of \$13,800.

Authorized Taxpayer Services Division Director to open bank accounts for State of Minnesota deposits and Carver County fee account for the Chanhassen Service Center at the Chanhassen Branch of Community Bank.

Approved the following abatements:

65-318-0920	Dorothy Dedi (2007, 2008)
25-422-0070	Joseph Dorn
25-187-0340	Andrew Gartside (2007, 2008)
30-951-0285	CMH, Inc. (2007, 2008)
75-271-0100	Kevin Buesgens
09-031-0310	William Arockiasamy (2007, 2008)

Accepted quote from Midstates for 90,000 pounds of WR Nuvo 3405 crack sealant for a total cost of \$49,750.

Resolution #11-09, Authorize the Use of Facility Reservations and Annual Parking Permits for Marketing and Promotion of Facilities by the Carver County Parks Department.

Authorized the Chair to sign the grant agreement with the Board of Water and Soil Resources to implement TMDL's, to extend the temporary water technician position to December 31, 2011, or when funds from the agreement are expended, whichever comes first and related Land and Water Services budget amendment increasing BSWR revenue \$120,000 and increasing staff costs - water technician \$120,000.

Resolution #12-09 Minnesota Pilot Sign Project Agreements between Carver County and each Carver County Township for Town Road Sign Replacement Program.

Established March 24, 2009, at 1:30 p.m. as the date and time for the opening of bids for the township signing program and authorized the County Administrator and the Interim County Engineer or their delegated representative to open said bids.

Approved Memorandum of Agreement with AFSCME to provide license based wage differentials for employees who have attained those licenses in the Appraiser II and Senior Appraiser job classifications.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Bill Weckman, Public Works, requested the Board authorize staff to finalize the agreement with Lancer Hospitality for the continuation of the ballroom and event service at the Lake Waconia Regional Park. He stated the Parks Department spent a lot of time coordinating the reviews with the County Attorney, Risk, Department of Health and other agencies to develop the terms of the agreement.

Martin Walsh, Parks Director, highlighted the background leading to today's request and proposed agreement to continue service. He indicated they did secure funding from the Met Council to purchase the site and closed on the purchase in June of 2008. He explained the current operator will be providing service until the end of March. Walsh noted the demonstrated public desire to continue the ballroom service. He stated rfp's were sent out and four proposals were submitted, followed by an interview process. Walsh indicated Lancer Hospitality was deemed to be the lead candidate and they had a financial wherewithal and business plan that was superior to all other candidates.

He stated they discussed the improvements that needed to be made and indicated Lancer wanted to continue with a full service approach. Walsh pointed out the code issues that needed to be addressed made the kitchen remodel cost prohibitive. He stated they then looked at the next level to bring the essential elements up to code and Lancer made the business decision to cater in the food service and potentially take the dishes out.

Walsh reviewed the terms of the agreement that was drafted that addressed the improvements that were needed and indicated it was a six year lease. He stated the insurance issues were discussed in great detail with the County Attorney and Risk Management and Carver County would be listed as an additional insured. He indicated the County does not have liquor liability exposure and the County was not in the business of serving, selling or furnishing liquor. Walsh reviewed the answers he received from the Liquor Control Board related to dram shop insurance.

He pointed out the septic service was an issue for the Park beach restroom facilities and he saw this as opportunity to permanently address the septic issues through different options. Walsh noted that Met Council funds may be available to address the septic as this was a Parks issue.

He reviewed Lancer's and the County's financial role in the agreement and stated the agreement would begin on April 1st, with the first half of property taxes the County's responsibility. He highlighted the projected revenue and offsetting costs. Walsh explained the County's investment to bring items up to code and indicated this would be paid from savings from other projects. Weckman clarified the cash flow projections were based on the terms of the agreement as it stands today.

The Board questioned the septic system for the property. Weckman clarified the existing system was inspected and they do have a certificate of compliance on the system. The Board questioned if they could rely on the compliance report considering the condition of the site. Jim Keeler, County Attorney, clarified the purpose of having a licensed inspector by the State was so that the parties can retain a licensed inspector and be able to rely on the licensed inspector's report. He added they have no guarantee the system will not fail in the future based on the inspector's report. He stated the inspection is a snapshot in time and today the system was in compliance.

Bruce Schwichtenberg, Dahlgren Township, explained he met with the County Attorney regarding this issue and stated the laws are clear on compliance. He pointed out issues he saw with the current system which he believed made the system out of compliance

Gerald Trende, Cologne, stated the former owners of the ballroom did a great job for a broken down system.

Roger Lehrke, Mayor of the City of Waconia, stated last evening they had a special meeting and passed a Resolution strongly supporting the continuation of the ballroom. He added that the majority of the residents he speaks with are also in favor of this.

Susan Arntz, Waconia City Administrator, indicated they have been working in this area to bring out septic and water systems. She stated Waconia's system was sized to handle the capacity and they were ready to have these conversations.

Kellie Sites, representing the Waconia Chamber of Commerce, stated they were in support of continuing the operation of the ballroom. She stated this was an important part of the community. She pointed out the facility hosted large scale events that brings business to their community. Sites submitted a petition of over 200 signatures supporting the continuation of the ballroom.

Jim Walter, Benton Township, stated he read the rfp and believes no businessman could agree with it. He stated there was a problem with the septic system and believed the installer who initially installed the system should not be inspecting it. He stated people were not in favor of it and the majority of people do not know the County purchased the site.

Paul Melchert, Waconia, stated the facility was a great asset for Waconia and the only remaining facility in the County to hold large gatherings. He stressed the facility was not only good for Waconia but for the business of other retail locations in the County as well. Melchert added he saw other septic problems around the lake but he never saw anything by the ballroom.

Clark Miller, owner of Waconia American Inn, pointed out the percentage of ballroom visitors that use their hotel and if it was not there it would be a major issue.

The Board discussed the current septic system and the cost to replace. Walsh acknowledged they would need to address the septic system for the present Park facility at some point and suggested they could begin to develop a plan that would permanently address the septic systems.

The Board acknowledged that while the County purchased the ballroom, the County was reimbursed by the Met Council. Board members explained their reasons they could and could not support the request. They discussed directing staff to research the option to hook up to a system or look at other options and associated costs.

Hemze clarified the action requested was to direct staff to finalize the agreement. He stated they would be back in the future for water treatment options but not with the agreement.

Lynch moved, Ische seconded, to direct staff to finalize the agreement between Lancer and Carver County; to authorize the Chair and County Administrator to sign the agreement upon favorable review of Risk Management and the Attorney's Office, and to direct staff to look into municipal hookups and costs. Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay. Motion carried.

David Frischmon, Financial Services, reviewed proposed 2008 State aid cut budget strategy. He explained the Governor cut by unallotment the County's 2008 State aid payment by \$761,036. To close the gap left in the 2008 budget, County Administration was recommending undesignating the reserve funds that had been set aside for land acquisition and bringing them back into the general fund. He indicated they were also asking that \$120,034 remaining amount be designated for the Mn/DOT joint truck facility.

Workman moved, Lynch seconded, to undesignate the remaining \$881,070 of reserve funds that had been set aside for land acquisition to the Public Works Headquarters in Cologne as of 12/31/08 as follows: \$761,036 to the 2008 General fund budget to offset the 2008 State Aid unallotment and \$120,034 to be designated to the Mn/DOT joint truck facility project. Motion carried unanimously.

Lynch moved, Workman seconded, to adjourn the Regular Session at 11:50 a.m. Motion carried unanimously.

David Hemze
County Administrator

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



REQUEST FOR BOARD ACTION

AGENDA ITEM: Appointment to the Minnesota Extension Committee

Originating Division: Administration

Meeting Date: 3/3/09

Amount of Time Requested:

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

There is one vacancy on the Minnesota Extension Committee in Commissioner District 3. An application to fill this vacancy has been received from:

Florence Olson, residing in Commissioner District 3

ACTION REQUESTED: Motion appointing Florence Olson to a three year term on the Minnesota Extension Committee.**FUNDING**

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL

= \$

FISCAL IMPACT None Included in current budget Budget amendment requested Other:*Related Financial Comments:* Reviewed by Division Director

Date: 2/17/09



REQUEST FOR BOARD ACTION

AGENDA ITEM: Appointments to the Mental Health Advisory Committee

Originating Division: Administration

Meeting Date: 3/3/09

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:

There are currently three vacancies on the Mental Health Advisory Committee. Applications have been received from the following:

Kathleen Donohue
Christine Dondlinger
June Henning

Ms. Donohue has just completed her first term and is eligible to reapply for another three year term. Ms. Dondlinger and Ms. Henning have served nine years and the Board policy currently limits committee members to three consecutive terms. Because it has been difficult to recruit for these mandated positions, Administration is recommending that Ms. Dondlinger and Ms. Henning be given an additional one year term at this time. This would preserve the integrity of the Board's policy and fill these mandated positions.

ACTION REQUESTED: *Appoint Kathleen Donohue to a three year term on the Mental Health Advisory Committee and appoint Ms. Dondlinger and Ms. Henning to a one year term on the Mental Health Advisory Committee.*

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL

= \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date: 2/2/09



REQUEST FOR BOARD ACTION

AGENDA ITEM: Presentation by The Community Foundation for Carver County

Originating Division: Administration

Meeting Date: 3/3/09

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:

Mary Langworthy, Executive Director of The Community Foundation for Carver County, has requested an opportunity to give a presentation to the Board regarding their Foundation. They are not affiliated with the government of Carver County, but rather are a local organization working to support local nonprofits and initiatives that benefit those living and working in Carver County.

ACTION REQUESTED: No action requested, informational only.

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: 3/3/09



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution supporting Grant Application for Dakota Rail Trail

Originating Division: Public Works

Meeting Date: March 3rd, 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 attached resolution shows support for the Dakota Rail Trail Project and is required as part of an additional Federal Trail Grant in which Carver County is asking for the maximum grant amount of \$150,000.00. This federal grant application would fall into the category of trails with both motorized and non-motorized use since portions of the Dakota Rail Trail could permit snowmobiling in the winter months.

Carver County plans to develop the first half of the Dakota Rail Trail beginning in 2010. Carver County has received one grant for the project already in the amount of \$1,044,000.00, which is the maximum amount which could be acquired for this grant. Carver County Regional Rail Authority Funds in the amount of \$300,000 are also programmed for this project.

The initial project cost estimate for this project for Phase 1, 6.9 miles from the East County Line to Mayer, was \$1,269,000. It is now estimated that the total costs of Phase I will be \$2,040,000 due to deteriorated trestles that will need to be replaced or repaired. County staff is developing options for the County Board to consider in response to the increased cost of the project as part of the 2010 Budget process.

ACTION REQUESTED: It is recommended that the Carver County Board Chair authorize the County Administrator to sign the Resolution showing the support of the Carver County Board for this project.

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:

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

Date: _____
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

WHEREAS, Carver County supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Grant Program. The application is to construct six and one half (6.5) miles of paved trail for the Carver County Parks Department. The trail project includes the eastern half of the Dakota Rail Trail from the Hennepin/Carver County boundary east to Mayer and

WHEREAS, Carver County recognizes the fifty (50) percent match requirement for the Federal Recreational Trail grant program, and can use approved federal transportation enhancement funds as a local match up to 95% of the project. The remaining 5% of the local match would come from funds already programmed from the Carver County Regional Rail Authority.

NOW, THEREFORE, BE IT RESOLVED, if Carver County is awarded a grant by the Minnesota Department of Natural resources, Carver County agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. Carver County will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, the Board of Commissioners of Carver County names the fiscal agent for Carver County for this project as:

David Frischmon
Finance Director
Carver County
600 East 4th Street
Chaska, MN 55318

BE IT FURTHER RESOLVED, Carver County hereby assures the Dakota Rail Trail will be maintained for a period of no less than 20 years or until such time as appropriate disposition actions are approved by the Minnesota Department of Natural Resources.

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 3 day of March, 2009, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3 day of March, 2009.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM: Discussion of Carver County involvement with EdCampus Twin Cities

Originating Division: Community Social Services

Meeting Date: 3/3/09

Attachments for packet: Yes No

Amount of Time Requested: 30 minutes

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: EdCampus Twin Cities, the innovative higher education facility planned for Chaska, has expressed interest in involving our Workforce Service Center with their program offerings. Career assessment and job placement activities have been identified as desirable services that would complement the higher education offerings of the enterprise.

EdCampus will provide information on their planned facility & educational model, along with opportunities for partnership with our Workforce Service Center.

ACTION REQUESTED: Discussion and direction from the 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: 2/17/2009