

Carver County Board of Commissioners  
 Regular Session  
 June 23, 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 June 9, 2009 Regular Session .....   | 1-6     |
|            | 4.   | Community announcements   |         |
| 9:15 a.m.  | 5.   | <b>CONSENT AGENDA</b>   |         |
|            | 5.1  | Payment of emergency claim .....  | 7       |
|            | 5.2  | Sheriff's Office FTE changes .....  | 8       |
|            | 5.3  | Cooperative agreement for regional distribution node .....                                    | 9       |
|            | 5.4  | Biennial CCWMO engineering contracts .....  | 10      |
|            | 5.5  | July 4 <sup>th</sup> Fireworks Launch requests .....  | 11-12   |
|            | 5.6  | Charitable gambling application for exempt permit-West Metro<br>Chapter Delta Waterfowl ..... | 13-14   |
|            | 5.7  | Tobacco license.....  | 15-18   |
|            | 5.8  | Resolution authorizing LWS Director to extend time limit for<br>system installation.....      | 19-20   |
|            | 5.9  | Community Social Services' warrants .....   | NO ATT  |
|            | 5.10 | Commissioners' warrants.....  | SEE ATT |
| 9:20 a.m.  | 6.   | <b>LAND AND WATER SERVICES</b>  |         |
|            | 6.1  | <i>Public hearing</i> on NPDES Phase II annual report for<br>Carver County .....              | 21-29   |
| 9:30 a.m.  | 7.   | <b>EMPLOYEE RELATIONS</b>   |         |
|            | 7.1  | Appointment of County Engineer (Public Works Division<br>Director) .....                      | 30      |
|            | 7.2  | Summary County Administrator performance evaluation .....                                     | 31      |
| 10:00 a.m. |      | <b>ADJOURN REGULAR SESSION</b>  |         |

**BOARD REPORTS**

- 10:00 a.m.            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.     **PUBLIC HEALTH**
- 1.1    Community Health Assessment..... 32

**County Board of Equalization Meeting**

**June 23, 2009 - 1:00 p.m.**

**County Board Room  
Carver County Government Center  
Chaska, Minnesota**

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on June 9, 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, Mark Larson, Waconia Township, stated his home was built in 1999 and at the time the County inspector had approved a mound septic system for the property. He indicated, in 2008, he sought a building permit and was told the system was out of compliance. He stated, upon further research, he found that the inspector that originally came out was in error and approved the wrong system. He stated he took the case to Court and that while the Judge agreed with him there was negligence, the County was immune from liability. He stated he was therefore seeking a variance from the existing regulations unless the system became an imminent public health. Chair Degler directed staff to review the issue.

Suzanne Hunt, Chanhassen resident, Library Employee and AFSCME President, explained she did not intend to offend anyone with the alternative plans they presented related to the budget adjustments. She stated their proposal is an attempt to collaborate and not compete with the County. She indicated the three proposals put forth reflect their desire to save money and jobs and commented on sustainability. She noted the impact of staff layoffs and suggested service would not remain the same.

Leanne Kunze, Laketown Township resident and staff representative for AFSCME, referenced the email she sent to Board members explaining the options. She noted there were multiple options there for the next 18 months to ensure the appropriate number of staff provide the appropriate level of service.

The following amendments were made to the agenda:

Add:

- 5.16 Resolution in Recognition of the Importance of Andrew Peterson's Journals on Preserving History
- 8.0 Resolution Recommending and Supporting Commissioner Randy Maluchnik for the Position of Second Vice President of the Association of Minnesota Counties

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

Maluchnik moved, Ische seconded, to approve the minutes of the June 2, 2009, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved Wellness Policy with incentives.

Concurred with the City of Carver in the award of contract to S.M. Hentges & Sons, Inc. in the amount of \$9,040,265.45.

Resolution #32-09, Right of Way Settlement-CSAH 10.

Resolution #33-09, Vacation of a Portion of County Highway 40.

Approved submittal of applications for Federal Transportation Funds for the Lyman Blvd (CSAH 18) and Pioneer Trail (CSAH 14) proposed projects.

Resolution #34-09, Application for Federal Surface Transportation Program Funding TH 101 from Lyman Boulevard (CSAH 18) to Pioneer Trail (CSAH 14).

Resolution #35-09, In Support of City of Chanhassen's Application for Transportation Enhancement (TE) Funds for Trunk Highway (TH) 5 Bicycle/Pedestrian Underpass and Trails.

Accepted donation of the Chanhassen Hazmat Trailer and contents from the City of Chanhassen.

Approved the sale of public safety equipment (e.g. light bars, radar units) through public safety associations and affiliations and forgo the public auction requirements of policy for the equipment.

Approved the following abatements:

07-250-0060 John Peacock  
85-274-0570 Erik Olson  
25-422-0300 Jewel Turcotte  
25-417-0400 Timothy Arlnd  
30-078-0206 Duane Johnson  
30-062-0560 Louis Hiller (2007, 2008 and 2009)  
65-355-0120 Brett Brakemeier (2008, 2009)  
30-951-0262 Nancy Rogas (Cedar Creek Homes)  
75-353-0190 Paul Strong (2008, 2009)  
85-290-0400 Taylor Sommerfeld (2008, 2009)  
25-403-0360 Cheryl Niebeling

Authorized the Chair to sign deeds conveying individual lots of Lake Riley Woods 4<sup>th</sup> Addition to the owners of adjacent property.

Approved amendment to emergency fund grant for crime victims.

Approved the Sheriff's Office purchase of ATV and related budget amendment increasing State grant revenue \$7,867 and increasing Mule ATV equipment purchase \$7,867.

Resolution #36-09, in Recognition of the Importance of Andrew Peterson's Journals on Preserving History.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

David Hemze, County Administrator, noted the Board's previous action to table the 2009-2010 budget adjustments to allow the Board additional time to consider the proposals. He acknowledged the AFSCME proposal but stressed this was about policy choices. He noted the continued economic uncertainty and did not think they should be looking at policy choices in a departmental or by union basis. He suggested, if they were interested, they take additional time to reconsider and not look at individual department issues. Hemze stressed the strategy to reduce 2.5 million and the big question is how much State aid will be reduced.

He noted the pressure on the revenue side with market value decreases and permit and fees declining. Hemze acknowledged the continued health insurance costs on the expense side and the federal and state mandates that continue.

Hemze indicated his recommendation included eliminating 4.8 vacancies and reviewed the number of employees impacted by layoffs. He pointed out the recommendation to combine two divisions with the new division to be named Public Health and Environment.

James Keeler, County Attorney, stated he has had the privilege of serving as the Carver County Attorney for 21 months and requested an opportunity to address the Board to explain how he arrived at his proposal. He stated he evaluated every division and operation in his office and used the services of the business analyst to identify existing staff to improve office efficiencies. He indicated he streamlined the County contracting process and assigned each attorney to a specific area of responsibility. Keeler noted the Board's direction to evaluate budget cuts that were to be sustainable beyond 2011 and stated he has done that. He pointed out the Governor's unallotment process beginning last December and the need to respond to that.

He reviewed his proposed staffing cuts. Keeler stated he was committed in continuing the current high level of service to crime victims and will build on efficiencies. He indicated he would cross train staff to ensure a continued high level of service. Keeler stated he understood the importance of

a front staff desk and he acknowledged these cuts were not without pain but he did believe these cuts were sustainable.

Keeler acknowledged he needed to be responsive to the current circumstances and must be responsible to the taxpayers of the County. He stated he considered the proposal brought forward by the Union including unpaid time off, re-organization as well as the other options. He clarified, both internally and through the division directors, unpaid time off had been considered but it was deemed to be not sustainable. He recognized the AFSCME proposal and agreed while this was a laudable proposal, he did not believe it was sustainable and he would not be able to maintain the same level of service.

Hemze stated there have been many discussions related to the difficult decisions in front of the Board. He stressed the strategy to add stability to the organization. He noted they will need to continue to look for cost saving ideas as part of the employee suggestion program; savings related to the voluntary unpaid leave policy and have set goals for the new Public Works Director and for the Public Health and Environment Division Director to arrive at budget reductions within their divisions.

Leanne Kunze, Laketown Township resident, staff representative for AFSCME, asked the Board to reflect back on their proposal that breaks down the various options that could continue the same level of service.

Doris Krogman, Employee Relations, explained the need to create the jail clerk position due to the number of hours worked. She indicated, under law, he was deemed to be an employee.

Kunze suggested under the public employee labor relations act they were not required to create a permanent employee and asked that be re-evaluated.

Melissa Brechon, Library Director, recognized the direction they were given to flatten their administration and reduce staffing without a service reduction. She noted the increased use of the libraries during these economic times and a library's return on value to the public.

Reed Ashpole, Jail Administrator, stated jail visitation is a requirement by the State of Minnesota and reviewed the responsibilities of the position.

Maluchnik offered the following Resolution, seconded by Lynch:

Resolution #37-09  
County Board Adoption of  
2009-10 Budget Adjustments  
For Carver County

Ische moved to amend the Resolution to preserve the two part-time legal administrative positions in the County Attorney's office. Motion failed for lack of a second.

The Board discussed the past State aid cuts, the uncertainty of continued State aid and the possibility of additional cuts. They acknowledged this was a difficult decision for them and applauded the Union for coming up with ideas and suggestions. They recognized they may be facing more difficult decisions in the months ahead and may need more ideas.

On vote taken, on above Resolution, all voted aye.

Steve Taylor, Administrative Services, requested Board approval to apply for an energy efficiency and conservation block grant. He explained this was a program administered by the Department of Energy and the County was allocated \$365,800 based on a formula. He reviewed the goals of the grant and indicated a task force was put together to identify projects that meet the criteria of the grant.

He explained the recommended projects included expending funds on energy efficient windows, insulation and upgrades to digital controls; a public relations campaign to encourage energy conservation and developing a long term energy plan for the County. Taylor clarified they attempted to identify items in the CIP project list that would allow them to reduce future expenses. He indicated they needed to apply for the grant by June 25<sup>th</sup> and noted the possibility for a second round of grants.

Taylor clarified the grant allowed 25% of the total for administrative costs. He stated the grant would not obligate the County to pay additional dollars and the only stipulation is to fulfill the grant requirements. He clarified the grant requires them to identify how and what the funds are spent on and to document the outcomes.

Maluchnik offered the following Resolution, seconded by Lynch:

Resolution #38-09  
Energy Efficiency and Conservation Block Grant

On vote taken, all voted aye.

The Board considered the Resolution supporting Commissioner Maluchnik for the Second Vice President of the Association of Minnesota Counties.

Ische offered the following Resolution, seconded by Lynch:

Resolution #39-09  
Recommending and Supporting  
Commissioner Randy Maluchnik for the Position of  
Second Vice President of the Association of Minnesota Counties

On vote taken, all voted aye.

Lynch moved, Ische seconded, to go into closed session at 10:55 a.m. under Minnesota Statute 13D.05, Subd. 3, for the purpose of evaluating the performance of Administrator Hemze. 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.)



296425



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: Excel Energy

ACCOUNT: 11-423-710-3440-6042

AMOUNT: \$1,400<sup>00</sup>

REASON: To have electricity turned on for client with children; client has signed a promissory note.

Department Head Signature: Gayle Degler 6-08-09

Chairman of County Board

Gayle Degler

County Administrator

David Hemze  
David Hemze

County Attorney

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

Date: 6/8/09



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : FTE Changes

Originating Division: Sheriff

Meeting Date: June 23 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:

The City of Norwood Young America reduced the funding of a liaison sergeant in the community to a liaison deputy. This reduces our Sergeant FTE count by 1 and increases our Deputy FTE count by 1.

### ACTION REQUESTED:

Approve the request to reduce the Sheriff's Office Sergeant FTE count by 1 and increase the Deputy FTE count by 1.

### FUNDING

|                           |          |
|---------------------------|----------|
| County Dollars =          | \$       |
| Other Sources & Amounts = |          |
| Revenue =                 | \$12,846 |
| <b>TOTAL</b> =            | \$       |

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments: Zero budget impact – decrease revenue line 01-201-0000-5574 by \$12,846. Take an offsetting amount primarily from expenditure account 01-201-236-0000-6111.*

Reviewed by Division Director JDE

Date: 6/2/2009



CARVER  
COUNTY

# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Cooperative Agreement for Regional Distribution Node

Originating Division: Public Health

Meeting Date: 6/23/2009

Amount of Time Requested:

Attachments for packet:  Yes  No

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

### BACKGROUND/EXPLANATION OF AGENDA ITEM:

The Metropolitan Statistical Area is in need of a Regional Distribution Node (RDN) in the event the State requests transfer of Strategic National Stockpile (SNS) medical materials. The Local Entities (county and city public health) are empowered by the State of Minnesota to distribute such SNS medical materials from the RDN to each of their individual jurisdictions in the event of an emergency. The Metropolitan Airports Commission (MAC) is willing to host the RDN on MAC property and to provide certain services with respect to the storage and distribution of the SNS medical materials. MAC and the Local Entities wish to enter into this Agreement to facilitate the cooperative use of MAC property as a RDN site.

The Cooperative Agreement for Regional Distribution Node contract requests commitment from each participating party for the term of the contract. The contract term is from when signed by all parties to 4/30/2014. Parties to the Agreement are Metropolitan Airports Commission (MAC) and Local Public Health Departments in Counties (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington) and Cities (Bloomington, Edina, Minneapolis, Richfield).

**ACTION REQUESTED:** Motion for Community Health Board to approve the Cooperative Agreement for Regional Distribution Node.

### FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

**TOTAL** = \$

Related Financial Comments:

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: see below

Reviewed by Division Director

Date: June 15, 2009



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Biennial CCWMO Engineering Contracts

Originating Division: Land Water Services

Meeting Date: 06.23.09

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:

With the implementation of the County Water Management plan, there are programs which require the need of engineering services. As part of identifying engineering service needs for the next 2-year period and responding to MN state statute 103B.227 Subd. 5 (requires the CCWMO to seek proposals from engineering firms every 2 years), staff sent out requests for proposals directly to appropriate firms. A team comprised of County and SWCD staff reviewed and ranked six proposals submitted, and have agreed on a recommendation to retain Wenck Associates, Barr engineering, SRF Consulting and Emmons & Olivier Resources Inc. as the primary consultants for the 2-year period. Wenck Assoc. is the primary firm which handles stormwater review; Barr & EOR have existing grant projects which are not yet complete, and SRF will be able to assist in upcoming planning and design projects. Project needs will likely arise during the next two years and other consultants may be requested to submit quotes for service as needed. Those contracts would follow County approval procedures.

Staff is requesting that retainer contracts be approved with Wenck Associates Inc, Barr Engineering, SRF consulting and Emmons & Olivier Resources for the period of July 1, 2009 to June 30, 2011. Identified funds are from the water levy, grants, fees and specific project cost share funds that have been budgeted for 2009. Future funds are dependent on future Board approval of water levy, budgets, one-time capital projects, and outside grants received for 2010 & 2011, and are not identified or approved at this time.

**ACTION REQUESTED:** Motion to approve retainer contracts with Wenck Associates Inc, Barr Engineering, and SRF Consulting, and Emmons & Olivier Resources, and authorize signature of all related documents by the Carver County Board Chair and County Staff.

### FUNDING

|                           |                                 |
|---------------------------|---------------------------------|
| County Dollars =          | \$20,000                        |
| Other Sources & Amounts = | \$25,000(Outside grant funding) |
|                           | = \$                            |
| <b>TOTAL</b>              | <b>= \$45,000</b>               |

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* 2009 Funds have been previously budgeted and are part of the CCWMO levy, metropolitan council, MPCA and DNR grants. 2010 and 2011 funding is dependent on future Board approval of CCWMO water levy, Annual budgets, one-time capital projects, and outside grants received.

Reviewed by Division Director

Date: June 15, 2009



# REQUEST FOR BOARD ACTION

**AGENDA ITEM :** July 4<sup>th</sup> Fireworks Launch Requests

Originating Division: Public Works-Parks

Meeting Date: 6/23/09

Amount of Time Requested: 0

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 Parks Department has received a request to launch July 4<sup>th</sup> fireworks from within Lake Minnewashta Regional Park in 2009. The request is from a group of homeowners on Lake Minnewashta who are requesting the use of boat access #2 at Lake Minnewashta Regional Park to launch fireworks. Boat access #2 would be closed at 8 p.m. on July 4<sup>th</sup> to establish a clear zone for Americana Fireworks Display Company to set up the display. A special use permit fee of \$250.00 is being charged to the homeowners for the use of the park facility and to offset the costs of staff time. The homeowners and Americana Fireworks Display Company are responsible for obtaining permits from the City of Chanhassen and the Chanhassen Fire Department and coordinating water patrol services through the Carver County Sheriff's Office. In the event of bad weather, high winds out of the west or north, extremely dry conditions the fireworks display will be cancelled and can be rescheduled.

The County has approved past fireworks displays sponsored by the homeowners on Lake Minnewashta. Past displays have been conducted satisfactory.

**ACTION REQUESTED:** It is recommended the County Board pass the resolution in support of the firework display at Lake Minnewashta Regional Park with the understanding that the County receives the following items before the event takes place:

- Signed Permit with indemnification Language
- Permit Fee
- Current Certificate of Insurance

**FUNDING**

County Dollars = \$

Other Sources & Amounts = \$

= \$

**TOTAL** = \$

Related Financial Comments:

**FISCAL IMPACT**

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 6/5/09

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

Date: June 23<sup>th</sup>, 2009

Resolution No: \_\_\_\_\_

Motion by Commissioner: \_\_\_\_\_

Seconded by Commissioner: \_\_\_\_\_

**RESOLUTION AUTHORIZING LAKE MINNEWASHTA LAKE ASSOCIATION  
TO USE LAKE MINNEWASHTA REGIONAL PARK  
FOR STAGING AREA  
FOR JULY 4, 2009 FIREWORKS DISPLAY**

**BE IT RESOLVED**, that the Carver County Board of Commissioners hereby authorize the Board Chair to approve a fireworks display to be set up and discharged from Lake Minnewashta Regional Park.

YES

ABSENT

NO

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STATE OF MINNESOTA  
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified as 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 23<sup>rd</sup> day of June, 2009, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 23<sup>rd</sup> day of June, 2009.

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



# REQUEST FOR BOARD ACTION

**AGENDA ITEM:** Charitable Gambling Application for Exempt Permit - West Metro Chapter Delta Waterfowl.

Originating Division: Property Records Taxpayer Services      Meeting Date: June 23, 2009  
 Amount of Time Requested: 0 minutes      Attachments for packet:  Yes  No  
 Item Type:  Consent  Regular Session  Closed Session  Work Session  Ditch/Rail Authority

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** A Charitable Gambling application was received from West Metro Chapter Delta Waterfowl. They plan to hold a raffle on Thursday, August 27, 2009, at Lake Waconia Event Center, 8155 Paradise Lane, Waconia, MN 55387.

**ACTION REQUESTED:** See Attached Resolution.

**FUNDING**

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

**FISCAL IMPACT**

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

Related Financial Comments:

Reviewed by Laurie Engelen, Taxpayer Services Manager

Date:

6-12-09

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

**CARVER COUNTY, MINNESOTA**

WHEREAS, the West Metro Chapter Delta Waterfowl seeks approval of a Lawful Gambling License; and

WHEREAS, the West Metro Chapter Delta Waterfowl will hold a raffle at the Lake Waconia Event Center, 8155 Paradise Lane, Waconia, MN 55387; and

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

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

Adopted on \_\_\_\_\_, 2009.

Attest:

\_\_\_\_\_

YES

ABSENT

NO

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STATE OF MINNESOTA  
COUNTY OF CARVER

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

Dated this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
David Hemze, Carver County Administrator





# REQUEST FOR BOARD ACTION

**AGENDA ITEM:** Tobacco License

Originating Division: Property Records Taxpayer Services      Meeting Date: 6/23/09  
 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:**

Attached is a list of businesses that have applied for a Tobacco License in compliance with the Carver County Tobacco Ordinance. The owners request Carver County Board of Commissioner approval to sell tobacco products. There are no delinquent taxes on these parcels.

**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: 6-11-09

**Tobacco License Applications to Be Approved by County Board**

|  |   |
|--|---|
| <p><b>License #10-627</b><br/> <b>Kwik Trip, Inc dba Kwik Trip #492</b><br/>                 Donald P. Zietlow, President<br/>                 8921 Crossroads Blvd<br/>                 Chanhassen, MN 55317</p>  | <p><b>License # 10-626</b><br/> <b>Southern Sands Inc. dba Down South Bar &amp; Grill</b><br/>                 Jilann Paehlke, Owner<br/>                 360 Broadway St<br/>                 New Germany, MN 55367</p>            |
| <p><b>License # 10-625</b><br/> <b>Victoria Street, LLC dba Victoria Bar and Grill</b><br/>                 Michael R. Meents<br/>                 7900 Quamoclit<br/>                 Victoria, MN 55386</p>  | <p><b>License # 10-624</b><br/> <b>Kleinprintz Liquors, LLC dba MGM Liquor Warehouse</b><br/>                 Jason Kleinprintz<br/>                 7856 Market Blvd<br/>                 Chanhassen, MN 55317</p>                 |
| <p><b>License # 10-623</b><br/> <b>Thaemert, Inc. dba T-Road Tavern</b><br/>                 Michael Thaemert, Owner<br/>                 110 Broadway St E<br/>                 New Germany, MN 55367</p>   | <p><b>License # 10-620</b><br/> <b>Chanhassen Winner Co. dba Chanhassen Marathon Co.</b><br/>                 Estephan Hark, President<br/>                 380 Lake Drive E<br/>                 Chanhassen, MN 55317</p>          |
| <p><b>License # 10-619</b><br/> <b>B&amp;B Hospitality dba HI-5 Market</b><br/>                 Deepinder Singh Baveja, Owner<br/>                 1510 Commercial Ave.<br/>                 Victoria, MN 55386</p>  | <p><b>License # 10-616</b><br/> <b>TTK Inc. dba Carver Liquor</b><br/>                 Tu Pham, President<br/>                 309 Broadway N<br/>                 Carver, MN 55315</p>   |
| <p><b>License # 10-614</b><br/> <b>Holiday Stationstores, Inc. dba Holiday Stationstore #390</b><br/>                 Cindy Zierhut, License Administrator<br/>                 2960 82nd St<br/>                 Chanhassen, MN 55317</p>                   | <p><b>License # 10-613</b><br/> <b>Casey's Retail Company dba Casey's General Store #2655</b><br/>                 Eli J. Wirtz, Secretary<br/>                 300 Co Rd 40 E<br/>                 Carver, MN 55315</p>            |
| <p><b>License # 10-611</b><br/> <b>Last Call Properties, LLC dba Last Call Too</b><br/>                 Diane Henning, Owner<br/>                 118 Main St E<br/>                 NYA, MN 55397</p>   | <p><b>License # 10-610</b><br/> <b>KLMS Group LLC dba Century Blvd BP</b><br/>                 Mark Leutem, President<br/>                 7755 Century Blvd<br/>                 Chanhassen, MN 55317</p>                          |
| <p><b>License # 10-608</b><br/> <b>Alouls Fuel &amp; Food Service dba Chanhassen BP</b><br/>                 Khaled Aloul, President<br/>                 7905 Great Plains Blvd<br/>                 Chanhassen, MN 55317</p>                               | <p><b>License # 10-607</b><br/> <b>Snyder's Drug Stores, Inc. dba Snyder's Drug Store #5040</b><br/>                 Malcolm Neal Wahlman, President<br/>                 309 North Faxon Rd<br/>                 NYA, MN 55368</p> |
| <p><b>License # 10-606</b><br/> <b>Harvey's Bar &amp; Grill Inc</b><br/>                 Laura Niesche, President<br/>                 220 N Broadway<br/>                 Carver, MN 55315</p>  | <p><b>License # 10-605</b><br/> <b>Walgreen Co dba Walgreens #9728</b><br/>                 Margarita Kellen, Assistant Secretary<br/>                 600 W 79th St<br/>                 Chanhassen, MN 55317</p>                  |
| <p><b>License # 10-604</b><br/> <b>Holiday Stationstores, Inc. dba Holiday Stationstore #371</b><br/>                 Cindy Zierhut, License Administrator<br/>                 502 N Faxon Rd<br/>                 Norwood Young America, MN 55368-9734</p> | <p><b>License # 10-603</b><br/> <b>Century Wine &amp; Spirits, LLC</b><br/>                 Daniel J. Herbst, President<br/>                 2689 West 78th St<br/>                 Chanhassen, MN 55317</p>                        |
| <p><b>License # 10-602</b><br/> <b>KTTC, Inc. dba Crossroads Restaurant &amp; Bar</b><br/>                 Timothy G. Worm, Owner<br/>                 320 Highway 212 W<br/>                 NYA, MN 55368</p>  | <p><b>License # 10-600</b><br/> <b>CVS Corporation dba CVS/Pharmacy #1747</b><br/>                 Ruth M. Paredes, License Coordinator<br/>                 7765 Galpin Blvd<br/>                 Chanhassen, MN 55317</p>         |

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| <b>License # 10-598</b><br><b>Inn Town Wine &amp; Spirits</b><br>Terri Hardel, Manager<br>102 Lake St W<br>Cologne, MN 55322  | <b>License # 10-596</b><br><b>Champlin 2005 LLC dba Cub Foods #31564</b><br>Doyle Troyer, VP Corporate Tax<br>7900 Market Blvd<br>Chanhassen, MN 55317     |
| <b>License # 10-594</b><br><b>Holiday Stationstores, Inc dba Holiday Stationstore #360</b><br>Cindy Zierhut, License Administrator<br>1793 Arboretum Blvd<br>Victoria, MN 55386-7706    | <b>License # 10-581</b><br><b>Kenzoil Station</b><br>Kenneth H. Schwalbe, Owner<br>17535 Hwy 7<br>New Germany, MN 55367                                    |
| <b>License # 10-578</b><br><b>Kwik Trip, Inc dba Kwik Trip #402</b><br>Donald P. Zietlow, President<br>2201 W 78th St<br>Chanhassen, MN 55317   | <b>License # 10-567</b><br><b>J &amp; R Entertainment dba Da' Boars Bar &amp; Grill</b><br>Jeffrey Cronin, Owner<br>610 Lake St W<br>Cologne, MN 55322     |
| <b>License # 10-566</b><br><b>Schoknecht, Inc dba Lisa's Place</b><br>Lisa M Schoknecht, Owner<br>205 Broadway North<br>Carver, MN 55315  | <b>License # 10-558</b><br><b>Mayer Oil Co of Mayer Inc dba Mayer MobilMart</b><br>Richard A. Cohrs, President<br>308 Ash Ave N<br>Mayer, MN 55360         |
| <b>License # 10-557</b><br><b>TBI Liquors Two, Inc dba Cheers Wine &amp; Spirits</b><br>Michael G. Baier, President<br>530 W 79th St<br>Chanhassen, MN 55317                            | <b>License # 10-543</b><br><b>Speedway SuperAmerica LLC dba SuperAmerica #4366</b><br>Ronald Edmiston, Treasurer<br>2391 Hwy 7<br>Excelsior, MN 55331-9788 |
| <b>License # 10-541</b><br><b>Plocher's Inc dba Floyd's</b><br>Lois Plocher, Owner<br>1758 Arboretum Blvd<br>Victoria, MN 55386   | <b>License # 10-540</b><br><b>Bluff Creek Golf Association</b><br>Darin Radke, Manager<br>1025 Creekwood<br>Chaska, MN 55318                               |
| <b>License # 10-535</b><br><b>Harms Bar</b><br>Linda Harms, Owner<br>227 Elm Street West<br>NYA, MN 55368   | <b>License # 10-526</b><br><b>R E Smith Oil &amp; Tire Co, Inc</b><br>Russell E Smith, Owner<br>503 Faxon Road N<br>Norwood Young America, MN 55368        |
| <b>License # 10-523</b><br><b>Mid-County Coop dba Cenex Convenience Store Cologne</b><br>William F. Reimers, General Manager<br>409 Paul Avenue North<br>Cologne, MN 55322              | <b>License # 10-519</b><br><b>Ivan's Convenience Store, Inc.</b><br>Ivan C. Johnson, President<br>7910 Dakota Ave<br>Chanhassen, MN 55317                  |
| <b>License # 10-518</b><br><b>Inn Town II Enterprises, Inc</b><br>Terri Hardel, Manager<br>114 Paul Avenue South<br>Cologne, MN 55322   | <b>License # 10-517</b><br><b>Hollywood Sports LLC</b><br>Joseph Peter Swartzler, Jr., Owner<br>15950 Co Rd 122<br>Watertown, MN 55388                     |
| <b>License # 10-515</b><br><b>Holiday Stationstores, Inc dba Holiday Stationstore #199</b><br>Cindy Zierhut, License Administrator<br>441 79th Street West<br>Chanhassen, MN 55317-9530 | <b>License # 10-513</b><br><b>Good Time Liquors</b><br>Dale E Bruers, Owner<br>400 Faxon Road<br>Norwood Young America, MN 55368                           |

|   |  |
|---|--|
| <p><b>License # 10-509</b><br/> <b>Nash Finch Company dba Econofoods #318</b><br/> Kathleen M. Mahoney, SVP &amp; Secretary<br/> 710 Faxon Road<br/> NYA, MN 55368</p>                    | <p><b>License # 10-508</b><br/> <b>Dahlgreen Golf Club, Inc</b><br/> Steve Tessman, Restaurant Manager<br/> 6940 Dahlgren Road<br/> Chaska, MN 55318</p>               |
| <p><b>License # 10-506</b><br/> <b>Byerly Beverages, Inc. dba: Byerly's Wine &amp; Spirits</b><br/> Frederic M. Miller, VP of Finance<br/> 780 West 80th St<br/> Chanhassen, MN 55317</p> | <p><b>License # 10-501</b><br/> <b>American Legion Post #580 – Chanhassen</b><br/> Kenneth Larson, General Manager<br/> 290 Lake Drive E<br/> Chanhassen, MN 55317</p> |



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Resolution Authorizing LWS Director to Extend Time Limit for System Installation

Originating Division: Land & Water Services

Meeting Date: June 23, 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:** One of the SSTS contractors has contacted the Division regarding the possibility of extending the time limit for installation of new systems resulting from the 2008 Direct Discharge program. He is installing systems for a number of property owners and will likely not be able to get all of the systems installed by the deadline of June 30, 2009. The time line was established as part of the program the Board adopted so the Board can change the time line if it chooses to do so.

The staff recommends that the Board authorize the LWS Director or designee to extend the time period so system installation if the installer and/or property owner specifically requests the extension, a permit has been applied for and issued prior to June 30 2009, and all other deadlines have been met..

### ACTION REQUESTED:

Motion adopting the attached resolution.

### FUNDING

County Dollars = \$

Other Sources & Amounts = \$

**TOTAL** = \$

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: No Financial Impact

Reviewed by Division Director

Date: 16 June 2009

**COUNTY OF CARVER**

**BOARD OF COMMISSIONERS**

DATE 23 June 2009

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

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

**A RESOLUTION AUTHORIZING THE LWS DIRECTOR TO EXTEND DIRECT DISCHARGE REPLACEMENT INSTALLATION**

**Whereas,** the Direct Discharge program adopted by the Board in 2008 includes a requirement that all systems installed under this program must be installed by June 30, 2009; and

**Whereas,** some installers may not be able to meet the deadline; and

**Whereas,** it is in the best interest of the County that the replacement systems get installed and the property owner be able to retain the benefits of the program;

**THEREFORE, BE IT RESOLVED,** By the Carver County Board of Commissioners that the Land & Water Services Division Director or designee is hereby authorized to extend the time limit for the installation of 2008 Direct Discharge Program replacement systems if the installer and/or property owner specifically requests the extension, a permit has been applied for and issued prior to June 30 2009, and all other deadlines have been met...

| YES   | ABSENT | NO    |
|-------|--------|-------|
| _____ | _____  | _____ |
| _____ | _____  | _____ |
| _____ | _____  | _____ |
| _____ | _____  | _____ |

STATE OF MINNESOTA  
COUNTY OF CARVER

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Public Hearing on NPDES Phase II Annual Report for Carver County

Originating Division: Land Water Services

Meeting Date: 23 June 2009

Amount of Time Requested: 5 min

Attachments for packet:  Yes  No

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** As required by a 1987 amendment to the federal Clean Water Act, Carver County submitted an application to receive a general permit to discharge stormwater in June 2006. This permit requires an annual report and public hearing on the Stormwater Pollution Prevention Plan (SWPPP) developed as a part of the permit application. Many of the BMP's and implementation items are similar or match what is contained in the annual report approved in April by the County Board and submitted to the Board of Water and Soil Resources, but the formats and requirements for the MPCA report are different. Staff is working on ways to streamline this process in the future. Attached is a summary of the SWPPP and annual report. The annual report will be submitted after consideration of any public comments received.

**ACTION REQUESTED:** Open public hearing to consider the Stormwater Pollution Prevention Plan. Motion to close public hearing. Authorize signature of the Carver County NPDES Phase II permit 2008 annual report by the County Board Chair and approve submittal of the report to the MN Pollution Control Agency.

### FUNDING

County Dollars = \$0

Other Sources & Amounts = \$

**TOTAL** = \$0

*Related Financial Comments:*

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 15 June 2009

# Carver County 2008 NPDES Phase II Stormwater Pollution Prevention Plan (SWPPP) Best Management Practices (BMP) Summary

*(The following have been developed for each of these BMP Activities: an implementation schedule, measurable goals, responsible department & position, and Audience/Educational Goals if applicable. These details are not included in this summary but are available upon request.*

- 1) BMP Activity Title:** Presentations to Local Government Units in the Carver County Water Resource Management Area

**Description:** Carver County staff will give presentations to LGUs regarding the Carver County Water Management Plan and the Water Rules. The presentations will include both locally developed materials and MN PCA BMP Manual components.
- 2) BMP Activity Title:** Regular News Releases

**Description:** Carver County will publish educational news articles, releases and other print materials that are aimed at a broad audience. These materials could include educational material related to any of the 6 Minimum Control Measures.
- 3) BMP Activity Title:** Shoreland Education Program

**Description:** Carver County will coordinate education programs for citizens in targeted watersheds of residential lakes. Among the topics addressed will be BMPs including nutrient use, storm water control and vegetation management. This program may also include the existing U of M Extension Volunteer & Re-vegetation workshops.
- 4) BMP Activity Title:** Metro Children's Water Festival

**Description:** Carver County will assist in the coordination of and make available to schools in Carver County, this interactive educational program for K-12 schools. The Metro Children's Water Festival provides interactive learning for students and teachers about the value, management and conservation of water resources.
- 5) BMP Activity Title:** Clean & Green Urban BMP Campaign

**Description:** Carver County will provide delivery of education in various formats in regards to Urban Best Management Practices. Areas of focus will include zero/low phosphorus fertilizer use and implications, individual home lot storm water BMPs and other efforts focused on individual homeowners.
- 6) BMP Activity Title:** Sixth Grade Conservation Days

**Description:** Carver County and the Carver Soil and Water Conservation District will coordinate an outdoor, hands-on, interactive learning event for 6<sup>th</sup> grade students in the county. Topics addressed will include water management, soils, conservation, wildlife, recycling, waste and forestry.
- 7) BMP Activity Title:** Volunteer Stream Monitoring Program

**Description:** Carver County will coordinate and implement a volunteer stream monitoring program with area high schools and other community organizations. The stream monitoring activities will include biological, chemical and natural resource community assessments.
- 8) BMP Activity Title:** Water, Environment and Natural Resources citizen advisory Committee

**Description:** The citizen advisory committee was established for the development and implementation of the Carver County Water Management Plan. Members are appointed by County Commissioners and serve for 3 years. The committee meets quarterly with subcommittees meeting more often. All meetings are open to the public. The Carver County SWPPP will be addressed at a committee meeting



annually. County policies for public notice will be followed.

- 9) **BMP Activity Title:** Regulation of Individual Sewage Treatment Systems (ISTS)  
**Description:** In accordance with the Water Management Plan, Carver County will implement and enforce the existing ISTS ordinance. This ordinance regulates the design, location, installation, construction, alteration, extension, repair and maintenance of ISTSs. The ordinance includes a "point-of-sale" provision which requires that ISTSs must be inspected and, if necessary, repaired when the property is sold.
- 10) **BMP Activity Title:** Implement ISTS Monitoring Program  
**Description:** The monitoring system is incorporated with the County Property Information System which the County will maintain. The County will distribute ISTS pumping notices on a continual 3 year schedule with one-third of owners notified each year.
- 11) **BMP Activity Title:** Pursue and obtain financial assistance opportunities for ISTS owners.  
**Description:** There are several possible sources of financial assistance available for owners of ISTSs. The main source of funding is the Revolving Loan Fund administered by the County with start-up funds from the Department of Agriculture. The Carver SWCD also allocates funds for ISTS upgrades. The County will pursue additional funding for owners as opportunities arise.
- 12) **BMP Activity Title:** Illegal Solid Waste Dumping  
**Description:** Carver County will enforce the existing Solid Waste Ordinance including the illegal dumping provision. The County will respond to illegal dumping when alerted by submissions on its website or by calls to a toll-free number. The County will also provide cost-share to homeowners cleaning up illegal dumps on private property.
- 13) **BMP Activity Title:** Implement Hazardous Waste Ordinance  
**Description:** Carver County will implement its Hazardous Waste Ordinance which addresses hazardous waste generation from businesses to ensure proper management of hazardous waste.
- 14) **BMP Activity Title:** Monitor & Inspect feedlots  
**Description:** Carver County will continue to monitor and inspect feedlots to insure compliance with the existing feedlot ordinance and to minimize potential surface water pollution.
- 15) **BMP Activity Title:** Carver County Environmental Center  
**Description:** In an effort to provide alternatives to illegal dumping of hazardous materials, Carver County operates a recycling center where residents can drop off household hazardous wastes, recyclable materials, yard waste and special wastes such as appliances, tires and electronic goods.
- 16) **BMP Activity Title:** Used Oil Recycling  
**Description:** Carver County will provide opportunities for used oil recycling to residents throughout the county.
- 17) **BMP Activity Title:** Administer Community Grant Program  
**Description:** Carver County will provide grant funds to cities and townships in the County to be used for Community Clean-up Days or similar activities.
- 18) **BMP Activity Title:** Monitor Water Quality  
**Description:** Carver County will conduct regular water quality monitoring. Ecoregion standards

will be used to compare stream data collected with ranges that are expected within the Carver County Water Resource Management Area (CCWRMA). Various simple methods will be used to assess the quality of lakes with the CCWRMA.

**19) BMP Activity Title:** Implementation of Carver County Water Resource Management Area (CCWRMA) Rules

**Description:** Carver County will enforce and implement the CCWRMA Rules adopted January 20, 2006. These rules apply to construction projects in the entire Carver County Water Resource Management Area. There are detailed erosion control and stormwater management provisions in the Rules. See attachments. Portions of the urbanized area of the County are within other watershed jurisdictions. Construction projects in these areas are subject to the requirements of those jurisdictions or LGUs.

**20) BMP Activity Title:** Update Carver County Water Management Plan

**Description:** The current Carver County Water Management Plan was adopted in 2001 with the intent of adopting an update within a 5 year time frame. The Plan will be updated by 2007 to add a capital improvement plan, to address NPDES and any adopted TMDL's and to include other suggestions from the Water, Environment and Natural Resources committee, the County Board, citizens, and LGUs.

**21) BMP Activity Title:** Coordinate with Carver Soil & Water Conservation District

**Description:** Carver County will coordinate with the Carver Soil & Water Conservation District (SWCD) for the implementation of the Carver County Water Resource Management Rules. The Carver SWCD will provide technical assistance in the development of erosion and stormwater controls. The Carver SWCD will also monitor development sites for compliance with the erosion control standards of the Rules.

**23) BMP Activity Title:** Website development

**Description:** Carver County Planning and Zoning will develop and maintain a website on which a variety of water related material will be available.

**24) BMP Activity Title:** Storm Water System Map

**Description:** Carver County will create a map of the County owned storm water conveyance system, including the County owned highways and parks. The County will coordinate the mapping of the system with cities and townships within the County.

**25) BMP Activity Title:** County Highway Sweeping

**Description:** Carver County will ensure that urban sections of County highways will be pick-up swept annually. Rural sections will be swept to shoulder.

**26) BMP Activity Title:** Road Salt and Stockpile Storage

**Description:** Carver County will review and assess current practices of road salt storage and Handling as well as exposed stockpile storage and material handling areas. Based on the review, the County will develop and implement best management practices.

**27) BMP Activity Title:** Road Salt Application

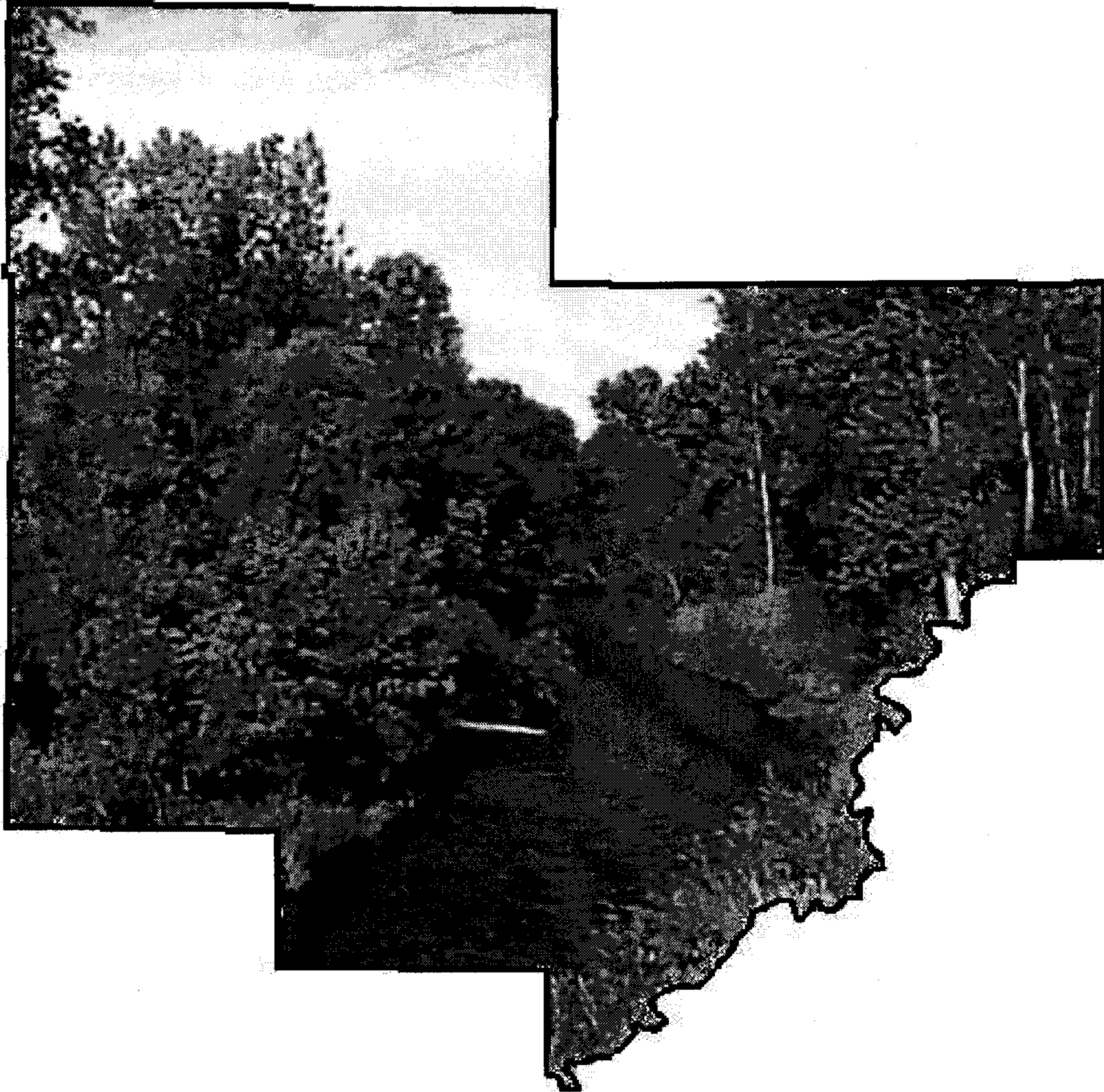
**Description:** Carver County will review current practices of road salt applications in relationship to alternative products, calibration of equipment, inspection of vehicles, and staff training. Based on results of the review, recommendations for future practices will be developed.

- 28) BMP Activity Title:** Public Works Used Oil Recycling  
**Description:** Carver County will review current practices in the disposal of used oil from vehicles maintained by Public Works.
- 29) BMP Activity Title:** Public Works Vehicle and Equipment Maintenance  
**Description:** Carver County will review current practices to protect against spills and leaks during the maintenance of vehicles and equipment. Based on the review, the County will make any recommended changes in practices.
- 30) BMP Activity Title:** Public Works Vehicle and Equipment Washing  
**Description:** Carver County will review current practices to control runoff from the washing of vehicles and equipment. The County will construct an indoor vehicle wash bay which drains to the sanitary sewer at the Public Works Headquarters site near Cologne, MN.
- 31) BMP Activity Title:** Landscaping and Lawn Care Practices  
**Description:** Carver County will evaluate current practices in the use of fertilizer application, pesticide and herbicide application, mowing and discharge operations, grass clipping collection, mulching and composting for County parks and highways. Based on the evaluation, Carver County will develop best management practices to prevent storm water pollution.
- 32) BMP Activity Title:** Training for Public Works staff  
**Description:** Carver County will provide its Public Works department staff with training in locating, inspecting, and installing construction site erosion control measures consistent with best management practices.
- 33) BMP Activity Title:** Quality of Life Report  
**Description:** Carver County will coordinate with U of M Extension to continue to produce and update the Quality of Life Indicators report. This report tracks data relating to a variety of indicators, including water resource indicators, for informational and decision-making purposes. The original report was adopted in 2000 and will be updated in 2003. Carver County will update the QOL indicators every two years and update the data annually.
- 34) BMP Activity Title:** Carver County citizen survey  
**Description:** County-wide citizen surveys were conducted in 1997 and 2001. Some questions on the survey addressed water resource concerns, perceptions, etc. The County's intent is to continue surveying citizens for a variety of issues including water resource related topics.
- 35) BMP Activity Title:** Joint Agencies Members (JAM)  
**Description:** Joint Agencies Members is an informal group of department, agency and organizational members who work in and around Carver County on issues and projects that often have overlapping roles. The most significant of these are associated with land and water resources, rules, plans and projects.
- 36) BMP Activity Title:** 20% Inspections  
**Description:** Carver County will work with the cities within its urbanized area to ensure that 20% of outfalls, sediment basins and ponds are inspected each year of the permit.

# 2008 Annual Report

## Carver County Water Management Organization (CCWMO)

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Carver County Water Management Organization  
Planning and Water Mgmt Dept  
Government Center - Administration Building  
600 East 4<sup>th</sup> Street  
Chaska, Minnesota 55318  
Phone: 952-361-1820  
Fax: 952-361-1828  
[www.co.carver.mn.us/water](http://www.co.carver.mn.us/water)

## SUMMARY REPORT

FULL REPORT AVAILABLE ONLINE AT [www.co.carver.mn.us/water](http://www.co.carver.mn.us/water)

### Purpose of Report

The Carver County Water Management Organization (CCMWO) is responsible for performing management tasks including, planning, funding, regulation, and implementation of the Carver County Water Management Plan. The CCMWO includes the following watersheds; Bevens Creek, Carver Creek, East and West Chaska Creek, Pioneer-Sarah, and the Crow River.

This report is intended to provide an annual look at the activities accomplished as well as challenges encountered by the Carver County Water Management Organization (CCMWO).

Multiple county departments in the Land & Water Services Division help implement the CCMWO plan.

### 2008 successes

- Direct discharge SSTS program
- Joint powers agreement with PCA for construction site monitoring
- Outside funding for TMDL development and implementation demonstrate that CCMWO funds and organization can leverage state and federal funding.
- Greater success in larger cost share projects were realized in 2008.
- 100<sup>th</sup> filtration basin (following WMO stormwater standards) was installed in 2008.

### 2008 challenges

- Cost share projects eliminated due to budget cuts.
- Staffing vacancies and leaves hindered many CCMWO operations.
- State agency coordination: reporting and uncertainty of review time/process of TMDL documents.

### 2008 Activity Summary for Major Plan Issues

- **Feedlots** - 394 Feedlots registered; 81 site compliance inspections; 7 open lot compliance plans implemented; Newsletter titled "Feedback" was distributed to all feedlot owners ; Worked on 22 feedlot sites for evaluating pollution potential; Worked on 8 nutrient management plans for producers.
- **Subsurface Sewage Treatment Systems** - 1,086 systems pumped; 100 permits issued; 75 systems replaced, 8 repaired; 182 Septic Systems installed; 276 sites visited; 47 participants in the Direct Discharge Cost-share incentive program; 20 of these systems were in TMDL sub-priority watersheds;
- **Construction Site Erosion & Sediment Control** - 306 open NPDES permits; conducted 477 compliance inspections that were prioritized on level of activity and sensitivity; 38 Plat reviews were completed for stormwater protection; 32 pre-construction meetings were attended.
- **Land use Practices for Urban & Rural Areas** - installed practices in 2008 include CCRP filter strips = 50.7 Acres; CCRP wetland restoration and buffer = 60.2Acres; CCRP Back Forty for wildlife = 21.0 Acres; currently 325 active CRP contracts which total 3,520 acres; Water & Sediment Control projects= 5; Grassed Waterway projects = 4 ; Installation of plants for Foxford Road (Chan) rain gardens; Sold 23,000 trees to 218 individuals through tree program
- **Groundwater** - 3 well sealing requests approved; continued working with MGS on the groundwater atlas program (2009 completion); Reviewed wellhead protection plans for 3 cities.
- **Waste** - identification, licensing for 300 and inspection of 100 hazardous waste generators; Continued collection of household hazardous waste and solid waste at the Environmental Center; Expanded recycling program developed for western Carver County.

- **Stormwater Management** - 37 CCWMO Development projects reviewed and approved; Annual NPDES Phase II MS4 report submitted; Reviewed and approved updated Local Water Management Plans for cities of Carver, NYA, Waconia, and Watertown; Reviewed Non-degradation plans for cities of Chaska and Chanhassen; Committed to funding 10 stormwater treatment cost share projects; 4 stormwater treatment cost share projects completed including
  - Pervious pavement demonstration project at Carver County Government Center.
  - Lake Waconia Stormwater Retrofit structures
  - Lake St bioretention in Waconia
  - Mayer City Hall rain garden
  
- **Wetland Management** - 176 landowners were provided with wetland related technical assistance; 15 site plan reviews; 34 meetings on inspection sites with 12 acres of wetland avoided due to meetings; 21 sites in the Wetlands Conservation Act Program; 2 wetland banking projects; 40 potential violation sites investigated, 6 enforcement actions pursued; Continued involvement in the BWSR Wetland Banking Road Replacement Program; 2 millionth acre addition into the Wetlands Reserve Program ceremony, held in Carver County; Assisted with large wetland restorations on the MN Valley Trust Land; Crane Creek Wetland Restoration Project - finalized design Received approval from County Ditch Board to impound water, finalized most Landowner Agreements for the Crane Creek Wetland Restoration Project.
  
- **Water Quality Assessment** - Continued water sampling program for phosphorus, nitrogen, fecal coliform, and total suspended solids: 14 lakes sampled, 12 active sampling stream sites (including Bio-monitoring), 12 infiltration/filtration sites monitored; Continued monitoring for TMDL development and implementation: 21 sites for fecal coliform, 15 stream sites for turbidity, 13 lakes sites for nutrient.
  
- **Natural Resource Management** - Completed LCMR MLCCS project; Developed three GIS models to assess and prioritize natural areas in the county; developed the Natural Resource Assessment model identifies high priority natural resources; integrated efforts into DRAFT 2030 Carver County Comprehensive Plan
  
- **Education** - Continued successful K-12 education programs including Children's Water Festival, Volunteer Stream Monitoring Partnership River Summit, Wetlands Education Program, and Envirothon; TMDL public process with Burandt Lake and 5 Lake TMDLs; Land & Water Services insert in the Citizen in August & October; Contribution (\$3,000) to Metro watershed Partners - including Metro media Campaign; Partnered with Blue Thumb: Planting for Clean Water Partnered with Minnehaha Creek Watershed to do Stormwater U forums in the Southwest Metro; Partnered with NEMO for stormwater education of local officials and staff; Continued Water, Environment, and Natural Resources committee tour and education; Maintained County WMO website and displayed educational materials at the Carver County Fair and the City of Victoria's Volksfest; Creation of "How you can help website" describing homeowner methods to keep water clean, with 12,000 site views the two months after creation. *NOTE: LWS education coordinator position vacant from Jan 08 to April 08. As a result, some early year workplan and activities were curtailed.*
  
- **Total Maximum Daily Loads** - Funding for Phase II Carver, Bevens and Silver Creek Fecal Bacteria Implementation received; Funding for Lake TMDL development received; Lake TMDL Final Draft sent to the MPCA; Burandt Lake TMDL approved; Met Council SWAT model for Carver Creek completed for Bevens and Carver Creek Turbidity TMDL.

## 2008 WMO Financial Summary

The Carver County WMO activity is funded partially by property taxes within the WMO coverage area and by grants from the Board of Water & Soil Resources (BWSR), Pollution Control Agency (PCA), Natural Resources, (DNR), Metro Council, Department of Agricultural (USDA), Clean Water Legacy and other sources. Revenue is used to fund operations including salaries, equipment, and engineering. Each individual watershed also has a tax levy for projects within the watershed.

## CARVER COUNTY WMO 2008 FINANCIAL REPORT

| Revenue/Expenditure Category                        | 1 Jan 2008<br>Adopted Budget | Adopted Plus<br>Carryover<br>From 2007 | Revenue/<br>Expenditures | Remaining   |
|---|------------------------------|--|--------------------------|-------------|
| <b>Revenue</b>                                      |                              |  |                          |             |
| Taxes   | \$ (459,481)                 | \$ (459,481)                           | \$ (435,110)             | \$ (24,371) |
| Permits/Fees/Cost Recovery                          | \$ (44,500)                  | \$ (44,500)                            | \$ (42,470)              | \$ (2,030)  |
| <b>Total Revenue</b>                                | \$ (503,981)                 | \$ (503,981)                           | \$ (477,580)             | \$ (26,401) |
| <b>Operational Expenditures</b>                     |                              |  |                          |             |
| Personnel Costs - Mileage, Conf/Trng                | \$ 155,213                   | \$ 155,213                             | \$ 155,213               | \$ -        |
| Advisory Committee Costs                            | \$ 2,500                     | \$ 2,500                               | \$ 120                   | \$ 2,380    |
| General Engineering, Local Plan Review, Plan Update | \$ 34,000                    | \$ 60,900                              | \$ 42,149                | \$ 18,751   |
| Development Review                                  | \$ 22,500                    | \$ 22,500                              | \$ 23,616                | \$ (1,116)  |
| Groundwater Atlas                                   | \$ 20,000                    | \$ 20,000                              | \$ 25,750                | \$ (5,750)  |
| Monitoring Costs                                    | \$ 3,000                     | \$ 3,000                               | \$ 1,648                 | \$ 1,352    |
| Miscellaneous Supplies                              | \$ 1,000                     | \$ 1,816                               | \$ 485                   | \$ 1,331    |
| Education   | \$ 7,300                     | \$ 7,300                               | \$ 9,616                 | \$ (2,316)  |
| Indirect Costs (Overhead)                           | \$ 34,000                    | \$ 34,000                              | \$ 34,000                | \$ -        |
| <b>Total Operational Expenses</b>                   | \$ 279,513                   | \$ 307,229                             | \$ 292,597               | \$ 14,632   |
| Carver SWCD   | \$ 89,968                    | \$ 89,968                              | \$ 89,968                | \$ -        |
| Crow River JPA TMDL Cash Match                      | \$ 2,500                     | \$ 2,500                               | \$ 2,129                 | \$ 371      |
| City Planning Assistance                            | \$ -                         | \$ 16,779                              | \$ -                     | \$ 16,779   |
| <b>Total Grant &amp; Assistance Expenses</b>        | \$ 92,468                    | \$ 109,247                             | \$ 92,097                | \$ 17,150   |
| <b>General and Watershed Project Funds</b>          |                              |  |                          |             |
| Low Impact Conservation Project Fund                | \$ 5,000                     | \$ 9,143                               | \$ -                     | \$ 9,143    |
| Bevens Creek  | \$ 20,000                    | \$ 114,778                             | \$ 5,000                 | \$ 109,778  |
| Carver Creek  | \$ 40,000                    | \$ 161,437                             | \$ 69,811                | \$ 91,626   |
| Crow River  | \$ 35,000                    | \$ 108,633                             | \$ 213                   | \$ 108,420  |
| East Chaska creek                                   | \$ 10,000                    | \$ 54,428                              | \$ -                     | \$ 54,428   |
| West Chaska Creek                                   | \$ 7,500                     | \$ 20,783                              | \$ -                     | \$ 20,783   |
| Pioneer Sarah                                       | \$ -                         | \$ 2,343                               | \$ -                     | \$ 2,343    |
| <b>Total Project Funds</b>                          | \$ 117,500                   | \$ 471,545                             | \$ 75,024                | \$ 396,521  |
| Funds Dedicated to Projects not yet Completed       |                              |  |                          | \$ 341,191  |
| <b>Total Remaining Project Funds</b>                |                              |  |                          | \$ 55,330   |

\*Note: Numbers are unaudited.

For more information, visit the CCWMO website at <http://www.co.carver.mn.us/water>



# REQUEST FOR BOARD ACTION

## AGENDA ITEM: Appointment of County Engineer (Public Works Division Director)

Originating Division: Employee Relations

Meeting Date: 6/23/09

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:

Minnesota Statute 163.07 authorizes the County Board appointing the County Engineer.

Over the past few months, Employee Relations has conducted a process to recruit and screen candidates for this position. The top candidate is Lyndon Robjent, the current Crow Wing County Engineer. He has indicated that he is willing to accept the four-year appointment as the Carver County Engineer / Public Works Division Director with the following compensation and benefits:

Salary, Grade 22 step 8, \$117,978 per year, \$450 per month auto allowance, and a \$3,000 relocation allowance. Benefits: two weeks of vacation upon arrival with vacation accruals at the 10 year service level (18 days per year) in recognition of directly related public sector experience.

Lyndon Robjent has a strong in background in Public Works, having worked as a Deputy County Engineer for over eight years with Anoka County and prior to becoming the County Engineer in Crow Wing County. Prior to those positions, he worked for Private Engineering firms for several years. He is licensed as a professional engineer by the State of Minnesota and holds a Civil Engineering degree from the University of Birmingham in England.

If the Board approves his appointment today, he will begin work here on August 3, 2009

### ACTION REQUESTED:

Motion to appoint Lyndon Robjent to the Carver County Engineer / Public Works Division Director position, effective August 3, 2009.

#### FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

**TOTAL** = \$

#### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

#### Related Financial Comments:

The 2009 Budget includes the necessary expenses for this hiring.

Reviewed by Division Director  
Doris M. Krogman, Employee Relations

Date: 6/15/09





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Summary County Administrator Performance Evaluation**

Originating Division: Employee Relations

Meeting Date: 6/23/09

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:**

Carver County Personnel Rules & Regulations require that all staff receive annual Performance Evaluations.

Minnesota Statute 13D.05, Subd. 3. allows the County Board to meet in a closed session for purposes of evaluating the performance of an individual who is subject to the Board's authority. The County Administrator reports directly to the County Board. The Board conducted that closed session on June 9, 2009.

The statute further requires a summary statement reflecting the conclusions reached during the closed session to be presented for the public record at the next regular meeting. The Chairman has a statement to read into the record reflecting the conclusions of the closed session.

**ACTION REQUESTED:**

Motion to accept the summary statement regarding Mr. Hemze's most recent Performance Evaluation as County Administrator.

**FUNDING**

County Dollars = \$

Other Sources &amp; Amounts =

= \$

**TOTAL** = \$**FISCAL IMPACT**NoneIncluded in current budgetBudget amendment requestedOther:*Related Financial Comments:*Reviewed by Division Director  
Doris M. Krogman, Employee Relations

Date: 6/15/09



CARVER  
COUNTY

# REQUEST FOR BOARD ACTION

**AGENDA ITEM :** Community Health Assessment- Carver County Community Health Board

Originating Division: Public Health

Meeting Date: 6/23/09

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:** The presentation will include information about the community health assessment including the responsibilities and requirements as mandated from the Minnesota Department of Health. Information will include a summary of the current assessment process, some of the data collected, resulting issues and main concerns, and next steps for Public Health. This presentation also meets a requirement of local public health agencies to present to their Community Health Board.

**ACTION REQUESTED:** The Community Health Board/Board of Commissioners will be given information about the community health assessment.

**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: June 5, 2009