

Carver County Board of Commissioners
 Regular Session
 April 8, 2008
 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 April 1, 2008 Regular Session	1-2
	4.	Community announcements	
9:15 a.m.	5.	CONSENT AGENDA	
	5.1	Payment of emergency claim	3
	5.2	Approval of Minnesota Pollution Control Agency Demonstration project agreement	4
	5.3	Charitable gambling application for Waconia Knights of Columbus #2506	5-6
	5.4	Abatements/additions	7-8
	5.5	Carver County Project No. 0813-crack sealant material	9
	5.6	CSAH 10-negotiated settlements (4).....	10-11
	5.7	Motorola Service Agreement	12
	5.8	Appointment to the Lower Minnesota Watershed District Board of Managers	13
	5.9	Community Social Services' warrants	NO ATT
	5.10	Commissioners' warrants.....	SEE ATT
9:20 a.m.	6.	COUNTY ADMINISTRATION	
	6.1	National County Government Weekly	14-15
9:25 a.m.	7.	SHERIFF	
	7.1	Approval of Sheriff's Office Proclamations	16-19
9:30 a.m.	8.	FINANCIAL SERVICES/PUBLIC WORKS	
	8.1	<i>Public hearing</i> on the intent to issue bonds and to adopt the Road and Bridge Capital Improvement Plan	20-37
	8.2	<i>Public hearing</i> for Lyman Boulevard tax abatement.....	38-43

10:00 a.m.	9.	LAND AND WATER SERVICES	
	9.1	<i>Public hearing</i> and adoption of Ordinance 64-2008; Adoption of Program to accelerate sewage treatment system compliance and the elimination of direct discharge systems	44-52
	9.2	Comp plan DRAFT overview	53
11:00 a.m.	10.	ADMINISTRATIVE SERVICES	
	10.1	Approval of bid award for Bid Package 1: Structural work at Justice Center.....	54-60
11:25 a.m.	11.	EMPLOYEE RELATIONS	
	11.1	<i>Closed Session</i> - Administrator's performance evaluation ...	61
	11.2	Summary Administrator's performance evaluation	62
11:50 a.m.		ADJOURN REGULAR SESSION	
11:50 a.m.	1.	Chair	
	2.	Board Members	
	3.	Administrator	
12:30 p.m.	4.	Adjourn	

David Hemze
County Administrator

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on April 1, 2008. Chair James Ische convened the session at 9:18 a.m.

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

Members absent: None.

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

Degler moved, Maluchnik seconded, to approve the minutes of the March 25, 2008 Regular Session, with the following amendment: "Replace Degler as offering Resolution #35-08, with the seconded by Workman." Motion carried unanimously.

Community announcements were made by the Board.

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

Resolution #36-08, Approval of Charitable Gambling License, Zoar United Church of Christ.

Adopted the Findings of Fact and issued Order #PZ20080004 for the issuance of Conditional Use Permit #PZ20080004, Living Rock Church, Young America Township.

Adopted the Findings of Fact and issued Order #PZ20080005 for the issuance of Conditional Use Permit PZ200080005, Robert Drews, Camden Township.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Gary Bork, Community Social Services, explained Carver County is being recognized as a leader in the nation in the implementation of new practices as it related to child protection. He stated child protection was a significant part of their mission and often times Social Services is perceived in a negative light.

Dan Koziolk, Social Services, stated they looked at a new way to approach these families in a different light and in 2004 started learning the Signs of Safety. He stated the program began in Olmsted County. Koziolk shared the work done in the area of child protection by Andrew Turnell and the methods Turnell utilized in his training. He pointed out Turnell has trained workers around the world.

Koziolek explained they now get the family involved in making decisions for their children and play a role in addressing concerns vs. the County stepping in and taking over. He indicated cases are closed when they are confident of the child's future safety. Koziolek highlighted the approaches used by social workers, including the client developing a safety network with family and friends who agree to play an ongoing role to keep the children safe.

Carole Cole, Social Services, stated she has worked in child protection for a number of years and explained how she is now handling a case. She noted previously there was more of an adversarial relationship. Cole explained when a plan is drafted they discuss what is going well, have various tools available and use methods to detect alcohol/drug use. She stated clients know what will happen next if they don't follow the bottom line. She pointed out the approach is more positive for families as clients now see Social Services as being helpful, that there is less court work involved, and safety remains in place after Social Services is gone.

Koziolek stated their new focus has been to be clear about their concerns and not go away until the client has the tools in place and the family knows what they need to do. He pointed out the critical part is to build hope for the future.

Koziolek highlighted additional trainings they have sponsored and pointed out that DHS was getting involved in spreading the Signs of Safety program around Minnesota. He pointed out their work was being recognized worldwide and they are spreading what they have learned across the system. He thanked the Board for their support of this innovative approach.

Workman moved, Degler seconded, to adjourn the Regular Session at 10:42 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.)

279301



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: Park Avenue Center

ACCOUNT: 11-429-710-3640-6041

AMOUNT: \$967.20

REASON: Client has been court ordered for treatment and to pay Social Services Park Center accepted client to begin treatment with immediate payment

Department Head Signature: [Signature]

Chairman of County Board

[Signature]
James Ische

County Administrator

[Signature]
David Henze

County Attorney

[Signature]
James W. Keeler, Jr.

Date: 3/28/88



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Minnesota Pollution Control Agency Demonstration Project Agreement

Originating Division: Land and Water Services

Meeting Date: April 8, 2008

Amount of Time Requested: NA

Attachments for packet: Yes X NoItem Type: X Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: This agreement will allow Carver County to expand the residential organics collection program initiated in 2007. The demonstration site will be located at the City of Mayer's property on County Road 30.

ACTION REQUESTED: Authorize the Board Chair to sign the State of Minnesota Pollution Control Agency Demonstration Project Agreement.

FUNDING

County Dollars = \$0.00

Other Sources & Amounts = 0.00

= \$

TOTAL

= \$0.00

FISCAL IMPACT

X None

 Included in current budget Budget amendment requested Other:

Related Financial Comments: There are no financial implications to this agreement.

 Reviewed by Division Director

Date:

3-28-08



REQUEST FOR BOARD ACTION

AGENDA ITEM: Charitable Gambling Application for Waconia Knights of Columbus #2506

Originating Division: Property Records Taxpayer Services Meeting Date: 04/08/2008
 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: Charitable gambling application was received from the Waconia Knights of Columbus #2506. They want to hold a raffle on Friday, June 20, 2008, at Knights of Columbus Park, County Road 10 East, 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:

3-26-08

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

WHEREAS, the Waconia Knights of Columbus #2506 seeks approval of a Lawful Gambling License; and

WHEREAS, the Waconia Knights of Columbus #2506 will hold a raffle at the Knights of Columbus Park located at County Road 10 East, 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 each year they apply.

NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners does approve the new license upon compliance with Code of Ordinance #29, Title XI, Chapter 112, and Section 112.02.

Adopted on 2008.

Attest:

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the ____ day of _____, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this ____ day of _____, 2008.

David Hemze, Carver County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 4/8/08
 Amount of Time Requested: 0 minutes Attachments for packet: Yes No
 Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: See Attached.

ACTION REQUESTED:

Recommend to approve.

FUNDING

County Dollars = \$ - 2,611.85
 Other Sources & Amounts = \$ - 4,258.15
 =
TOTAL = \$ - 6,870.00

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Taxpayer Services Manager

Date: 3-31-08



CARVER
COUNTY

Property Records & Taxpayer Services Division
Government Center - Administration Building
600 East 4th Street
Chaska, MN 55318-2102

Laurie Engelen, Taxpayer Services Manager
Phone: (952) 361-1907
Email: lengelen@co.carver.mn.us

Angela Johnson, Carver County Assessor
Phone: (952) 361-1961
Email: ajohnson@co.carver.mn.us

Abatements presented to the
Carver County Board of Commissioners
April 8, 2008

Abatement approval is recommended by the Carver County Assessor & Taxpayer Services Manager
on the following properties for the reasons listed.

Payable Year	Parcel Number	Name	Reason for Abatement	Original Tax Amount	Adjusted Tax Amount	County Dollars Abated	Total Amount of Adjustment
2008	02-014-0800	Ronald Kelzer	Homestead	3,122.00	2,855.00	-103.31	-267.00
2008	02-014-0810	Ronald Kelzer	Additional Ag. Credits	1,202.00	382.00	-316.40	-820.00
2007	08-004-1310	Randall Seck	Homestead	4,346.00	4,322.00	-9.76	-24.00
2008	08-004-1310	Randall Seck	Homestead	6,714.00	6,714.00	0.00	0.00
2006	10-031-2600	Daniel Hoese	Value Adjustment	668.00	508.00	-76.01	-160.00
2007	10-031-2600	Daniel Hoese	Value Adjustment	1,114.00	716.00	-184.38	-398.00
2008	10-031-2600	Daniel Hoese	Value Adjustment	1,676.00	980.00	-313.37	-696.00
2006	25-064-0380	Jill Maetzold	Homestead	2,562.00	2,372.00	-74.01	-190.00
2007	25-064-0380	Jill Maetzold	Homestead	2,782.00	2,606.00	-64.90	-176.00
2008	25-064-0380	Jill Maetzold	Homestead	2,764.00	2,589.00	-64.01	-175.00
2006	25-085-0320	Kathleen Delacluyse	Homestead	2,730.00	2,554.00	-67.47	-176.00
2007	25-085-0320	Kathleen Delacluyse	Homestead	3,048.00	2,890.00	-58.82	-158.00
2008	25-085-0320	Kathleen Delacluyse	Homestead	3,026.00	2,871.00	-56.01	-155.00
2008	25-160-1430	Sharon Fischer	Homestead	2,974.00	2,849.00	-54.56	-125.00
2008	25-202-1180	David Techam	Blind, Paraplegic, Veteran, or Disabled	3,020.00	2,911.00	-32.24	-109.00
2008	25-829-0140	Eric Zorn	Classification Change to Non-homestead	8,112.00	8,112.00	0.00	0.00
2006	25-829-0290	U S Home Corp	Exempt	138.00	0.00	-46.83	-138.00
2007	25-829-0290	U S Home Corp	Exempt	206.00	0.00	-64.49	-206.00
2008	25-829-0290	U S Home Corp	Exempt	298.00	0.00	-92.64	-298.00
2006	30-102-0210	Steve Jung	Homestead	2,912.00	2,768.00	-59.48	-144.00
2007	30-102-0210	Steve Jung	Homestead	3,192.00	3,060.00	-50.64	-132.00
2008	30-102-0210	Steve Jung	Homestead	3,184.00	3,053.00	-50.30	-131.00
2008	30-235-0140	Patrick McMahon	Classification Change to Non-homestead	3,354.00	3,463.00	41.70	109.00
2008	30-265-0260	Eugene Sanborn	Blind, Paraplegic, Veteran, or Disabled	2,224.00	2,121.00	-32.69	-103.00
2007	30-385-0260	Eric Sturgis	Homestead	2,382.00	2,190.00	-72.90	-192.00
2008	30-385-0260	Eric Sturgis	Homestead	2,382.00	2,189.00	-74.49	-193.00
2007	50-243-0100	Jenni Lee	Homestead	2,986.00	2,798.00	-51.57	-188.00
2008	50-243-0100	Jenni Lee	Homestead	3,006.00	2,817.00	-50.42	-189.00
2006	75-270-0200	Donna Martin	Homestead	2,432.00	2,246.00	-71.66	-186.00
2008	75-270-0200	Donna Martin	Homestead	2,688.00	2,521.00	-60.69	-167.00
2008	75-275-0050	Caitlyn Klosterman	Homestead	1,316.00	1,043.00	-99.47	-273.00
2006	75-451-0050	Marian Saunders	Homestead	1,574.00	1,322.00	-97.04	-252.00
2007	75-451-0050	Marian Saunders	Homestead	1,792.00	1,556.00	-83.58	-236.00
2008	75-451-0050	Marian Saunders	Homestead	1,784.00	1,547.00	-86.38	-237.00
2008	M-30-951-0217	Jose Rodriguez	Homestead	150.00	107.00	-16.55	-43.00
2008	M-30-951-0409	Darrell Barclay	Homestead	76.00	59.00	-6.12	-17.00
2008	M-58-951-0017	Jose Garcia	Homestead	92.00	67.00	-10.36	-25.00
Grand Total				\$88,028.00	\$81,158.00	-\$2,611.85	-\$6,870.00



REQUEST FOR BOARD ACTION

AGENDA ITEM : Carver County Project No. 0813 – Crack Sealant Material

Originating Division: Public Works

Meeting Date: April 8, 2008

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:

Rubberized sealant material is used to fill cracks in bituminous paved roads to minimize the amount of water that runs through the cracks into the road subgrade. This helps prolong the life of the road.

Four quotes for sealant material were received. Proposals were based on per pound prices and are as follows:

- Midstates - \$0.457/lb (Maxwell Nuvo 3405)
- Midstates - \$0.399/lb (Maxwell Elastoflex)
- Midstates - \$0.469/lb (WR Meadows 3405)
- Brock White - \$0.430/lb (Crafco 241)
- Deery - \$0.370/lb (Deery 3723)

An estimated 69,000 pounds of sealant will be purchased for 2008 pavement maintenance work.

Based on gallons of product verses pounds of material and other costs associated with the use of the materials (dumpster rental, contractor and county labor, clean-up costs, set-up time, and durability), the purchase of approximately 69,000 pounds of Maxwell Nuvo 3405 is recommended.

ACTION REQUESTED:

The County Board accept the quote from Midstates for 69,000 pounds of WR Nuvo 3405 crack sealant for a total cost of \$31,533.00 (+tax)

FUNDING

County Dollars = \$34,000.00
 Other Sources & Amounts =
 = \$
TOTAL = \$34,000.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date:

3/31/08

S:\Seasonals\BAF-award\2008\0813 - Cracksealing Matl.



REQUEST FOR BOARD ACTION

AGENDA ITEM : CSAH 10 - Negotiated Settlements (4)

Originating Division: Public Works

Meeting Date: 4/8/08

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 Public Works Division, thru attorney Jason Kuboushek of the Iverson Reuvers law firm, has negotiated a tentative settlement agreement with a land owner that is in the CSAH 10 condemnation action. This settlement requires Board approval. The original settlement agreement document is awaiting land owner signature and will be forwarded to Administration when it is received. The settlement is higher than other settlements we have made in the area but settlement now will avoid the costs and risks of further litigation, and the settlement reflects the continuing increases in land values in the area caused by the Highway 212 project and other factors. The property is at the northwest corner of the intersection of CSAH 10 and CSAH 11. County Attorney staff has reviewed the settlement document.

ACTION REQUESTED: It is recommended the County Board pass this resolution.

FUNDING

County Dollars =	\$76,178
Other Sources & Amounts =	
	= \$
TOTAL	= \$76,178

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date:

3/31/08

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

Date: April 8, 2008

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

CSAH 10 – Negotiated Settlements (4)

WHEREAS, the County Board has authorized, by resolution, the Public Works Division to negotiate right of way for the CSAH 10 reconstruction project (SP10-610-30) and to initiate condemnation on selected parcels, and

WHEREAS, The Public Works Division and County Attorney's Office has reached a negotiated settlement with Sachiko Bovey, prior to a Land Commissioner hearing, and

WHEREAS, the settlement exceeds the previously approved offer amount and needs approval of the County Board,

NOW THEREFORE BE IT RESOLVED, that the County Board approve the negotiated settlement agreement with Sachiko Bovey and authorize the Board Chair and County Administrator to execute said document on behalf of the County.

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 8th day of April, 2008 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2008.

David Hemze

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Motorola Service Agreement

Originating Division: Sheriff

Meeting Date: April 8, 2008

Amount of Time Requested: 0

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** This is a one year service agreement for service and support of the Carver County radio equipment associated with the Minnesota Metro ARMER System.**ACTION REQUESTED:** A motion to approve the Motorola Service Agreement with the Sheriff's Office.**FUNDING**

County Dollars = \$23,037.39

Other Sources & Amounts =

= \$

TOTAL

= \$23,037.39

FISCAL IMPACT None Included in current budget Budget amendment requested Other:

Related Financial Comments: 01-201-240-0000-6346 \$23,027.39

 Reviewed by Division Director

Date: March 31, 2008



REQUEST FOR BOARD ACTION

AGENDA ITEM : Appointment to the Lower Minnesota Watershed District

Originating Division: Administration

Meeting Date: 4/8/08

Amount of Time Requested: 5 minutes

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

The County has one appointment to the Lower Minnesota Watershed District Board of Managers. Notice of this vacancy was published in the Chaska Herald. The Board must appoint an individual who is a voting resident of the watershed district and is not a public officer of the County, State or Federal government. The appointment is for a three year term ending March 22, 2011.

The current incumbent, William Kent Francis, has re-applied for this vacancy. No other applications have been received.

ACTION REQUESTED: Motion appointing William Kent Francis to the Lower Minnesota Watershed District Board of Managers to a term ending March 22, 2011.

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:



REQUEST FOR BOARD ACTION

AGENDA ITEM : National County Government Week

Originating Division: County Administration

Meeting Date: 4/8/08

Amount of Time Requested: 5 min

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

The National Association of County (NACo) has been celebrating National County Government Week since 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties. The focus of this year's week is "Protecting Our Children."

ACTION REQUESTED: Motion to adopt the resolution declaring the week of April 6 National County Government Week in Carver County.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Reviewed by Division Director

Date: 4/1/08

BOARD OF COUNTY COMMISSIONERS

CARVER COUNTY, MINNESOTA

Date: April 8, 2008

Resolution: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Declaring the week of April 6 National County Government Week

WHEREAS, the nation's 3,066 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, many county government services directly touch the lives of children and families; and

WHEREAS, in 13 states, all or some of the counties are responsible for child welfare and foster care systems; and

WHEREAS, more than 500,000 children are in foster care, removed from their families, as a result of suspected abuse or neglect; and

WHEREAS, one in five girls and one in ten boys will be sexually victimized before adulthood; and

WHEREAS, the National Association of Counties is the only national organization that represents county governments in the United States; and

WHEREAS, the National Association of Counties first celebrated National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

WHEREAS, in recognition of the leadership, innovation and valuable service provided by the nation's counties, especially in the protection and welfare of children,

NOW, THEREFORE, BE IT RESOVLED THAT, the Carver County Board of Commissioners, do hereby proclaim April 6-12, 2008 as National County Government Week in Carver County.

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 8th day of April, 2008, now on file in the Administration Office, and have found the same to be a true and correct copy thereof.

Dated this 8th day of April, 2008.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Sheriff's Office Proclamation's

Originating Division: Sheriff's Office

Meeting Date: April 8, 2008

Amount of Time Requested: 5 minutes

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

April 13-19th is National Public Safety Telecommunications Week. The week has been designated to recognize and honor the men and women who provide the vital link between those in need of help and our Police-Fire-EMS responders.

May 5-11th is National Correction Officers Week. This week has been designated to recognize and honor the men and women who perform the difficult task of supervising the County's inmate population and are professionals in the effective administration of justice.

May 11-17th is designated as National Police Week by the Congress of the United States. They have also designated May 15 as Peace Officer Memorial Day. This is a time to honor our law enforcement officers, the guardians of life and property and their dedication to the preservation of life, liberty and the pursuit of happiness.

ACTION REQUESTED:

Make a motion to adopt the attached Proclamations and authorize their signature by the County Board Chair.

FUNDING

County Dollars = \$None

Other Sources & Amounts =

= \$

TOTAL

= \$None

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

Date: March 31, 2008

WHEREAS, Carver County's dedicated 9-1-1 dispatchers serve the citizens of the Carver County area 24 hours a day, 7 days a week, by answering calls for police, fire and emergency medical services, by coordinating and dispatching the appropriate public safety assistance as quickly as possible; and

WHEREAS, professional 9-1-1 dispatchers work to improve the emergency response capability of these communications systems through their dedication, leadership, training and participation in related public safety activities that enhance 9-1-1 services; and

WHEREAS, the services and functions performed by 9-1-1 dispatchers is a vital link between our citizens and our emergency services providers; and

WHEREAS, the week of April 13-19, 2008 has been set aside nation-wide to recognize 9-1-1 telecommunicators, call takers and dispatchers for the crucial role they play in the protection of life and property for all citizens.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, do hereby acknowledge the week of April 13-19, 2008 as

“Public Safety Telecommunicators Week”

in Carver County in honor and recognition of the valuable contribution made by our 9-1-1 Dispatchers to the safety and well being of our citizens.

Jim Ische, Chair
Carver County
Board of Commissioners

April 8, 2008

WHEREAS, one week each May is officially designated as Correctional Officer's Week by the American Jail Association. This year, Correctional Officer's Week is May 5-11, 2008;

WHEREAS, the Carver County Sheriff's Office supports the proposition that the men and women who perform the difficult task of supervising the County's inmates deserve this recognition;

WHEREAS, the Carver County Sheriff's Office recognizes that our detention staff are professionals equal in status and importance to other professionals in the effective administration of justice.

THEREFORE, BE IT RESOLVED, that we the Carver County Board of Commissioners, do hereby acknowledge the week of May 5-11, 2008 as "*Correctional Officer's Week*" in Carver County in honor of the dedicated professionals who supervise the County's inmate population.

James Ische, Chair
Carver County
Board of Commissioners

April 8, 2008

**PROCLAMATION
POLICE WEEK 2008**

WHEREAS, The Congress and President of the united States have designated May 15, as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the Carver County Sheriff's Office play an essential role in safeguarding the rights and freedoms of Carver County; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement officers, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Carver County Sheriff's Office unceasingly provide a vital public service;

NOW, THEREFORE, we the Carver County Board of Commissioners, call upon all citizen of Carver County to observe the week of **May 11 – 17, 2008 to be Police Week** in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and in so doing have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

We further call upon all citizens of Carver County to observe **May 15, as Peace Officers' Memorial Day** in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of Carver County to be affixed.

Jim Ische, Chair
Carver County
Board of Commissioners

April 8, 2008



CARVER COUNTY

REQUEST FOR BOARD ACTION

AGENDA ITEM : Public Hearing on the intent to issue bonds and to adopt the Road and Bridge Capital Improvement Plan

Originating Division: Financial Services/Public Works

Meeting Date: April 8, 2008

Amount of Time Requested: 15 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Minnesota Statutes, Section 373.40 allow Counties to plan for and finance the acquisition and betterment of roads and bridges. The County must hold a public hearing on the Road and Bridge Capital Improvement Plan (CIP) prior to issuing General Obligation Capital Improvement Bonds to finance capital improvements identified in the Plan

The County's Long Term Financial Plan includes the 2008 - 2012 Road and Bridge CIP which identifies over \$20M in road projects for the next 5 years. The road projects approved for 2008 are: CSAH 14 (Pioneer Trail), CSAH 17 (Powers Boulevard), CSAH 18 (Lyman Boulevard), and CSAH 40 (City of Carver).

At a February 19, 2008 Board workshop, Public Works Director Gustafson recommended that the Board consider increasing the **2008 Bond Sale proceeds to \$8.8 million** so the CSAH 10 / TH 7 Intersection Roundabout project can be added to the 2008 road project list.

Public Works Director Gustafson also requested that the Board consider **authorizing \$7.5 million** in future road and bridge projects in the Road and Bridge Bonding Authorization Capital Improvement Plan. (The individual road and bridge projects and any future bond sales would still need approval from the County Board but the Statutory CIP authorization process would be addressed in one step rather than in multiple steps.)

At the workshop, the County Board discussed Laketown Road and Highway 20. The County's estimated cost for these projects are: Laketown Road "Option A" \$750,000 and Highway 20 \$1.9M. These two projects have been added to the preliminary list of projects to be funded by the 2008 Bond sale.

The additional debt service required to fund the additional projects (CSAH 10 Roundabout, Laketown Rd & Hwy 20) will need to be financed from either an additional property tax levy and/or State aid. **The proposed 2008 bond sale has been structured so that the additional debt service requirements will be \$200,000 in 2009 plus an additional \$240,000 in 2010.** The additional projects will put us over the \$10M Bank Qualified limit which has an incremental impact on the County's interest rate - Carolyn Drude from Ehlers can address this issue at the meeting.

See the Road and Bridge Capital Improvement Plan (**Exhibit A**) for additional information including issuing approximately **\$7.335M to refinance existing bonds** at a lower interest rate.

ACTION REQUESTED:

1. Open Public Hearing and take comments from the Public.
2. Adopt an attached resolution approving 2008 Bond Sale proceeds of **\$8.8M**, the bond sale proceeds of **\$7.335M** to refinance existing debt and an additional Authorized project list of **\$7.5M**.
3. Consider a motion to add \$750K to the Bond Sale proceeds for the Laketown Road project for a total bond sale proceeds of \$9.55M.
4. Consider a motion to add \$1.9M to the Bond Sale proceeds for the Hwy 20 project for a total bond sale of \$11.5M.

FUNDING

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

FISCAL IMPACT

- None (for now)
 Included in current budget
 Budget amendment requested
 Other:

20

Related Financial Comments: See Road and Bridge Capital Improvement Plan Exhibit B.

Reviewed by Division Director

Date: March 23 2008

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE _____

RESOLUTION NO. _____

MOTION BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

RESOLUTION APPROVING ROAD AND BRIDGE CAPITAL IMPROVEMENT PLAN AND PROVIDING FOR THE SALE OF BONDS

WHEREAS, there has been presented to this Board a Road and Bridge Capital Improvement Plan for the County prepared in accordance with Minnesota Statutes, Section 373.40, Subd. 3; and

WHEREAS, in preparing the Plan, this Board considered the factors set forth in Minnesota Statutes, Section 373.40, Subd. 3; and

WHEREAS, a public hearing was duly called and held on the Plan pursuant to the requirements of Minnesota Statutes, Section 373.40.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CARVER COUNTY, MINNESOTA, AS FOLLOWS:

1. The Road and Bridge Capital Improvement Plan is hereby approved.

2. The Board's intent to issue bonds pursuant to the Plan is hereby confirmed. The bonds include \$_____ for current road and bridge projects (including \$3.6 million of prior capital improvement bond authorization and \$1.25 million allocable to proposed abatement bonds), \$7,500,000 for future road projects identified in the plan, and approximately \$7,335,000 to refund outstanding obligations issued for the jail and to finance improvements under a prior capital improvement plan. The issuance of the bonds is subject to a referendum if a petition meeting the requirements of Minnesota Statutes, Section 373.40, Subd. 2 requesting a vote on the issuance is filed with the County Auditor within 30 days after the date hereof. The sale of \$_____ for these purposes shall be held on May 13, 2008, and the County officers and Ehlers and Associates, Inc., as financial consultants, shall take such action as may be necessary for this Board to consider proposals for the purchase of the bonds on May 13.

YES

ABSENT

NO

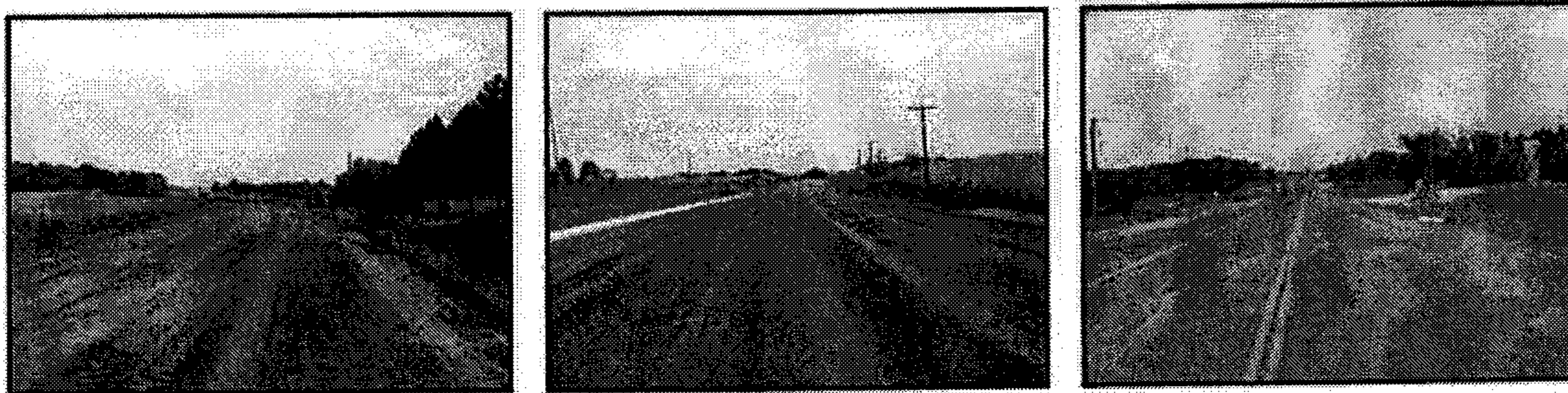
STATE OF MINNESOTA
COUNTY OF CARVER

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 8th day of April, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of April, 2008.

County Administrator

**Road & Bridge
Capital Improvement Plan
Bonding Authorization
M.S. 373.40**



Carver County, Minnesota

Public Hearing: April 8th, 2008

(Tentative) Adopted: April 8th, 2008

CARVER COUNTY, MINNESOTA CAPITAL IMPROVEMENT PLAN/ GENERAL OBLIGATION BONDS

CAPITAL IMPROVEMENT PLAN

Minnesota Statutes, Section 373.40, allows Counties to plan for and finance the "acquisition and betterment of public lands, buildings, and other improvements within the county for the purpose of a county courthouse, administrative building, health or social service facility, correctional facility, jail, law enforcement center, hospital, morgue, library, park, qualified indoor ice arena, and roads and bridges." An improvement must have an expected useful life of five years or more to qualify.

The law requires that a Capital Improvement Plan be prepared which must cover at least the five-year period beginning with the date of the Plan's adoption. The Plan must set forth:

- 1) the estimated schedule, timing and details of specific capital improvements;
- 2) estimated cost of the capital improvements identified;
- 3) the need for the improvements; and
- 4) the sources of revenues needed to pay for the improvements.

Approval of the Capital Improvement Plan and annual amendments must be approved by the County Board after a noticed public hearing.

GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS

This statute also authorizes the issuance of General Obligation Capital Improvement Bonds to finance capital improvements identified in the Plan. The County must publish a notice of intent to issue the Bonds and the date and time of a hearing for public comment. The issuance of the Bonds is subject to reverse referendum; i.e., if a petition requesting a vote on the issuance is signed by voters equal to 5% of the votes cast in the County in the last general election and filed with the County Auditor within 30 days after the public hearing on the bonds, a vote must be held. If no petition is filed, the County may proceed with the issuance of bonds.

ROAD AND BRIDGE CAPITAL IMPROVEMENT PLAN

The County's portion for the road projects that were approved in the 2008 Budget which include Pioneer Trail and Lyman Boulevard was \$9.4 million. The majority of the \$9.4 million was planned to be financed by issuing **\$7.6 million in G.O. Capital Improvement Bonds**. To pay the debt service on this new debt, the 2008 Budget included a new debt service levy allocation of \$300,000 and the new wheelage tax (implemented 1/1/08) which is estimated to generate approximately \$315,000. Finally, up to a \$100,000 tax abatement levy was planned to be levied in pay 2009 for the Lyman Boulevard Road Project. These three new revenue sources totaling \$715,000 was expected to cover the principle and interest payment for the \$7.6 million in new bonds.

At a February 19, 2008 Board workshop:

- Public Works Director Gustafson recommended that the Board consider increasing the 2008 Bond Sale proceeds to \$8.8 million so the CSAH 10 / TH 7 Intersection Roundabout project can be added to the 2008 road project list.
- Public Works Director Gustafson also requested that the Board consider authorizing \$7.5 million in future road and bridge projects in the Road and Bridge Capital Improvement Plan.
- The County Board discussed Laketown Road and Highway 20. The County's estimated cost for these projects are: Laketown Road "Option A" \$750K and Highway 20 \$1.9M.

At the March 11, 2008 Board meeting, Laketown Road and Highway 20 were added to the 2008 project list which increased the total **preliminary 2008 Bond Sale proceeds to \$11.4 million**. See Exhibit 1.00 for the 5 year Road and Bridge Capital Improvement Plan.

DESCRIPTION OF BOND SALE AND AUTHORIZATION

2008 Road Projects: Carver County has \$3,600,000 General Obligation Bond authorization which remains from the 2005 Capital Improvement Bond planning process. Thus, new authorization of \$7,900,000 in General Obligation Bonds is necessary to issue the \$11,505,000 in bonds to finance the 2008 road projects.

Future Road and Bridge Projects: In addition, the Public Works Director is recommending an additional authorization of \$7,500,000 in the Road and Bridge Capital Improvement Plan for future road and bridge projects.

Exhibit 2.00 provides a map and a summary of the \$11.4M 2008 bond proceeds and \$7.5M future authorization.

Exhibit 3.00 reflects the revised plan for a \$11.5 million General Obligation Capital Improvement Bond issue with a 15 year maturity designed to provide \$11.4 million for 2008 road projects with the addition of CSAH 10/TH7 intersection roundabout project, Laketown Road and Highway 20. Additional debt service of approximately \$440,000 is proposed to be provided over two years **by increasing the debt service property tax levy by \$200,000 in 2009 and \$240,000 in 2010**.

Refinancing: In 1997, the Carver County Housing and Redevelopment Authority (HRA) issued \$5,885,000 Jail Facilities Revenue Refunding Bonds to refinance certain maturities of the \$8,000,000 Jail Facility Revenue Bonds of 1992. Carver County plans to issue approximately \$3,430,000 General Obligation Capital Improvement Bonds authorized by this Plan to purchase the facilities from the HRA, now renamed the Community Development Agency (CDA), refinancing the 1997 issue and decreasing annual debt service.

The County also plans to refinance the \$6,595,000 General Obligation Capital Improvement Plan Refunding Bonds issued in 1998 which refunded certain maturities of the \$9,000,000 General Obligation Capital Improvement Bonds of 1992. Approximately \$3,795,000 are planned to be issued for this refunding to lower annual debt service. (See Exhibits 4.00 and 5.00).

PLAN OVERVIEW

Carver County Divisions were asked to look ahead at least five years and to project their capital needs for that timeline. These projected capital needs have been reviewed and are incorporated in the County's Long Term Financial Plan. This Bonding Authorization Capital Improvement Plan includes only the Road and Bridge Capital Improvement Plan in the County's Long Term Financial Plan because it utilizes County bonds as a revenue source. All other capital projects, including the Buildings Capital Improvement Plan, are planned to be funded with pay-as-you-go financing which should not require the issuance of any County bonds.

In adopting the Bonding Authorization Capital Improvement Plan (BACIP), the County finds:

(1) These road and bridge capital projects are necessary to maintain the existing infrastructure of the County and to properly provide for the health, safety and general well-being of its residents.

(2) The County has considered alternatives for undertaking the projects. The proposed projects provide an adequate response to anticipated service demands in each area of operation and protects against undue and/or unnecessary duplication of services.

(3) The County has considered the cost of the projects and the available financial resources and has determined that the projects are within the financial capacity of the County. Further, the County has determined that failure to undertake these capital projects may create a greater financial burden through higher service cost alternatives and increased costs of future project options.

(4) The projects may result in lower operating costs by avoiding future maintenance expense and by providing public services in a cost effective manner. The projects have been designed to keep operating costs at a minimum within safety guidelines.

(6) The Road and Bridge Capital Improvement Plan is designed to make the most effective use of all financial resources available to the County, which includes fund reserves, current or proposed revenues, grants and borrowing. The County's goal is to strike a responsible balance among all of its resources. Any debt incurred in implementing the Road and Bridge Capital Improvement Plan will be within the statutory and financial capacity of the County. However, the County may not be able to meet all of its needs in a timely manner without incurring some debt.

(7) Several financial tools exist for the implementation of a County's Capital Improvement Plan. They include but are not limited to General Obligation Capital Improvement Plan Bonds (Minnesota Statutes, Section 373.40), General Obligation Capital Notes (M.S.373.01), General Obligation Jail Bonds (M.S.641.23), Law Enforcement Lease Revenue Bonds (M.S.641.24), General Obligation State-Aid Road Bonds (M.S.162.181), General Obligation Street Reconstruction Bonds (M.S.475.58), and various types of Lease Purchase Financing (M.S.465.71)

(8) The Lyman Boulevard Road Project is a cooperative effort with the City of Chanhassen for which the County will make a tax abatement levy of approximately \$100,000 per year beginning with taxes collectible in 2009.

Note: A complete copy of M. S. Section 373.40 is included as Appendix D.

COUNTY BOARD'S STATUTORY ROLE

The issuance of bonds must receive a 2/3 vote of a County Board in counties within the metropolitan area. The County Board must also consider the following for each project and for the overall plan:

- 1) the condition of the County's existing infrastructure, including the projected need for repair or replacement;
- 2) the likely demand for the improvement;
- 3) the estimated cost of the improvement;
- 4) the available public resources;
- 5) the level of overlapping debt in the County;
- 6) the relative benefits and costs of alternative uses of the funds;
- 7) operating costs of the proposed improvements; and
- 8) alternatives for providing services more efficiently through shared facilities with other counties or local government units.

STATUTORY LIMITS ON OUTSTANDING DEBT AND DEBT SERVICE

The statutory debt limit for the County (all general obligation bonds outstanding and lease purchases in excess of \$1,000,000 which are payable entirely from property taxes unless exempt from debt limit) is 2% times the 2006/07 Taxable Market Value of \$9,956,626,400 or \$199,132,528.

The limit on the total amount of annual principal and interest payments for all County capital Improvement Bonds outstanding at any time is equal to .05367% of the County's 2006/07 Taxable Market Value of \$9,956,626,400 or \$5,343,721. Issuance of the bonds described in this Plan will not exceed that limit.

As of February 1, 2008, Carver County has \$16,140,000 of total debt outstanding which counts against its statutory debt limit, leaving unused statutory debt limit of \$182,992,528.

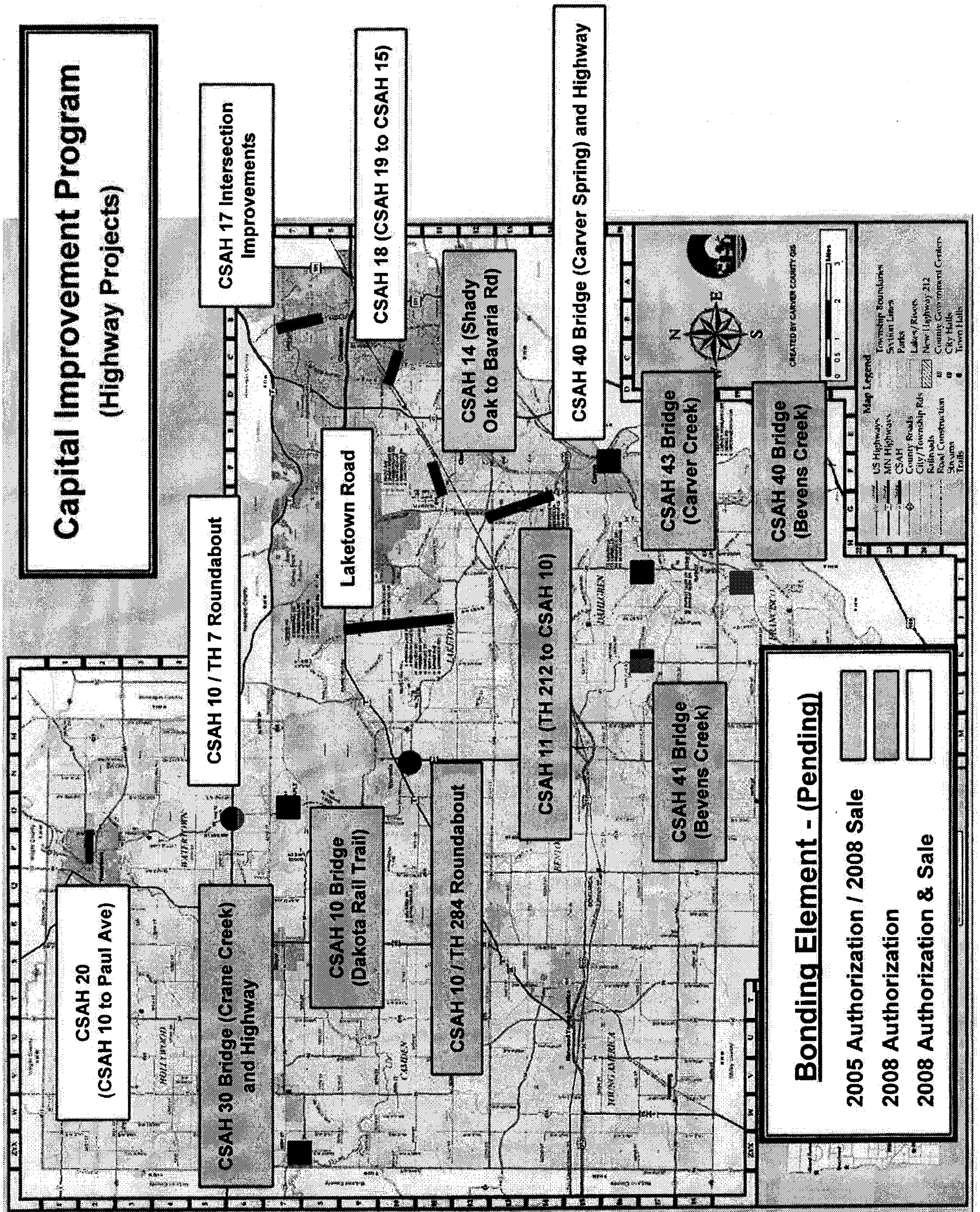


EXHIBIT 2.00 p2

2005/2008 County Bonding

		2005/2008 County Bonding							
	County Annual Levy	2005 Authorization	2005 Sale	Bond Interest	CSAH Regular	CSAH Municipal	Other	Unfunded Amount	TOTAL
	CSAH 14 (Shady Oak Drive to Bavaria Road) - Cheska								
	PROFESSIONAL SERVICES	Yes	0		1,100,000	0	150,000		1,250,000
	CONSTRUCTION	Yes	3,600,000	300,000	420,000	0	600,000		5,000,000
	RIGHT-OF-WAY	Yes	0				88,000		88,000
Total - 2005/2008 County Bonding Package			B 3,600,000	300,000	1,620,000	0	838,000		6,338,000

2008 County Bonding

		2008 County Bonding							
	County Annual Levy	2008 Authorization	2008 Authorization and Sale	Bond Interest	CSAH Regular	CSAH Municipal	Other	Unfunded Amount	TOTAL
	CSAH 10 (TH 284 Intersection - Watonia)								
	PROFESSIONAL SERVICES	0			105,000				105,000
	CONSTRUCTION	400,000							400,000
	RIGHT-OF-WAY	0							0
	CSAH 10 (Bridge 5837 over Dakota Rail Trail)								
	PROFESSIONAL SERVICES	100,000			218,000				318,000
	CONSTRUCTION	807,000					520,000		1,327,000
	RIGHT-OF-WAY								0
	CSAH 10/TH 7 Intersection Roundabout - 0.5 mile								
	PROFESSIONAL SERVICES	0	50,000						50,000
	CONSTRUCTION	200,000	400,000						600,000
	RIGHT-OF-WAY	0	50,000						50,000
	CSAH 11 (TH 212 to CSAH 10) Highway Construction								
	PROFESSIONAL SERVICES	20,000	0		5,000		5,000		30,000
	CONSTRUCTION		2,842,003		135,397		2,622,000		5,400,000
	RIGHT-OF-WAY		0		900,000				900,000
	CSAH 17 (78th Street to North County Line) - Chanhausen								
	PROFESSIONAL SERVICES	20,000	0	0					20,000
	CONSTRUCTION	82,126	0	549,000					631,126
	RIGHT-OF-WAY		0	0					0
	CSAH 18 (TH 41 to TH 101) - Cheska/Chanhausen								
	School Segment - (Section #1) - Roadway Signals Railroad								
	PROFESSIONAL SERVICES	14,000	0	126,000	393,000		727,000		1,250,000
	CONSTRUCTION		0	2,606,000			3,634,000		6,300,000
	RIGHT-OF-WAY		0	345,000			422,000		767,000
	Galpin Segment - (Section #2A-1) - Roadway Signals								
	PROFESSIONAL SERVICES		0	5,000	64,000		101,000		170,000
	CONSTRUCTION		0	342,000			508,000		850,000
	RIGHT-OF-WAY		0	75,000			92,000		167,000
	CSAH 20 (CSAH 10 to Paul Avenue) - Watertown								
	PROFESSIONAL SERVICES		0	262,000		214,000	84,000		560,000
	CONSTRUCTION		0	1,610,000		770,000	420,000		2,800,000
	RIGHT-OF-WAY	26,000	0	0			172,000		200,000
	CSAH 30 (Bridge 7118 over Crane Creek)								
	PROFESSIONAL SERVICES		0		88,000				88,000
	CONSTRUCTION		0		372,000		230,000		602,000
	RIGHT-OF-WAY	16,000	0						16,000
	CSAH 30 (Yancy Avenue to West County Line)								
	PROFESSIONAL SERVICES		200,000						200,000
	CONSTRUCTION		1,243,000						1,243,000
	RIGHT-OF-WAY		250,000						250,000
	CSAH 40 (Bridge L2783 over Carver Spring)								
	PROFESSIONAL SERVICES	73,000	0	0					73,000
	CONSTRUCTION		0	272,000			165,000		437,000
	RIGHT-OF-WAY		0	0					0
	CSAH 40 - Carver Metro Sewer Project								
	PROFESSIONAL SERVICES	56,000	0	0		26,000			84,000
	CONSTRUCTION		0	290,000		130,000			420,000
	RIGHT-OF-WAY		0	0					0
	CSAH 40 (Bridge 4665 over Bevans Creek)								
	PROFESSIONAL SERVICES	129,000	0		47,000				176,000
	CONSTRUCTION		675,000				345,000		1,020,000
	RIGHT-OF-WAY	82,000	0						82,000
	CSAH 41 (Bridge L2784 over Bevans Creek)								
	PROFESSIONAL SERVICES	57,000	0		56,000				113,000
	CONSTRUCTION		416,000				275,000		691,000
	RIGHT-OF-WAY	22,000	0						22,000
	CSAH 43 (Bridge 10501 over Carver Creek)								
	PROFESSIONAL SERVICES	68,000	0		67,000				135,000
	CONSTRUCTION		490,000				343,000		833,000
	RIGHT-OF-WAY	22,000	0						22,000
	Latetown Road (CSAH 10 to TH 5)								
	PROFESSIONAL SERVICES		0	100,000					100,000
	CONSTRUCTION		0	625,000					625,000
	RIGHT-OF-WAY		0	25,000					25,000
Total - 2008 County Bonding Package		891,126	A 7,223,803	C 7,792,000	0	2,460,397	1,140,000	10,665,000	30,172,126

	2008 Authorization	2008 Sale
Summary - County Bonding Package	A + C 15,015,803	B + C 11,382,000

Preliminary - For Discussion Purposes Only

Carver County, Minnesota
Proposed New CIP Authorization for Roads

Bond Information

Dated Date 6/1/2008
1st Interest Pymt 2/1/2009
1st Principal Pymt 2/1/2010

Proposed G.O. Bonds, Series 2008

Par Amount of Bonds 11,505,000
Total Sources 11,505,000
Total Underwriter's Discount 57,525
Costs of Issuance 45,637
Deposit to Capitalized Interest (CIF) Fund 11,400,000
Deposit to Project Construction Fund 1,838
Rounding Amount 11,505,000
Total Uses 11,505,000

Equal Prin
Equal P & I

Exhibit 3

Levy Year	Collect Year	Payment Date	Principal	Rate	Interest	Cap Interest	Net P & I	P & I +5.00%	Wheelage Tax	Tax Abatements	Tax Levy	Surplus/ (Shortfall)
2006	2007	6/1/2008	295,000	2.90%	319,020	-	614,020	644,721	315,000	-	300,000	-29,721
2007	2008	2/1/2009	360,000	2.90%	469,975	-	829,975	871,474	315,000	71,000	500,000	14,526
2008	2009	2/1/2010	660,000	3.10%	459,535	-	1,119,535	1,175,512	315,000	104,000	740,000	-16,512
2009	2010	2/1/2011	680,000	3.35%	439,075	-	1,119,075	1,175,029	315,000	123,000	740,000	2,971
2010	2011	2/1/2012	700,000	3.65%	416,295	-	1,116,295	1,172,110	315,000	123,000	740,000	5,890
2011	2012	2/1/2013	725,000	3.80%	390,745	-	1,115,745	1,171,532	315,000	123,000	740,000	6,468
2012	2013	2/1/2014	755,000	4.00%	363,195	-	1,118,195	1,174,105	315,000	123,000	740,000	3,895
2013	2014	2/1/2015	785,000	4.15%	332,995	-	1,117,995	1,173,895	315,000	123,000	740,000	4,105
2014	2015	2/1/2016	815,000	4.35%	300,418	-	1,115,418	1,171,188	315,000	123,000	740,000	6,812
2015	2016	2/1/2017	850,000	4.45%	264,965	-	1,114,965	1,170,713	315,000	123,000	740,000	7,287
2016	2017	2/1/2018	890,000	4.55%	227,140	-	1,117,140	1,172,997	315,000	123,000	740,000	5,003
2017	2018	2/1/2019	930,000	4.60%	186,645	-	1,116,645	1,172,477	315,000	123,000	740,000	5,523
2018	2019	2/1/2020	975,000	4.65%	143,865	-	1,118,865	1,174,808	315,000	123,000	740,000	3,192
2019	2020	2/1/2021	1,020,000	4.70%	98,528	-	1,118,528	1,174,454	315,000	123,000	740,000	3,546
2020	2021	2/1/2022	1,065,000	4.75%	50,588	-	1,115,588	1,171,367	315,000	123,000	740,000	6,633
2021	2022	2/1/2023	-	-	-	-	-	-	-	-	-	0
2022	2023	2/1/2024	-	-	-	-	-	-	-	-	-	0
2023	2024	2/1/2025	-	-	-	-	-	-	-	-	-	0
2024	2025	2/1/2026	-	-	-	-	-	-	-	-	-	0
2025	2026	2/1/2027	-	-	-	-	-	-	-	-	-	0
			11,505,000		4,462,983		15,967,983	16,766,382	4,725,000	1,651,000	10,420,000	29,618

Carver County HRA

**\$3,485,000 - Proposed Current Refunding of
\$5,885,000 Jail Facilities Revenue Refunding Bonds, Series 1997
Purpose One**

Debt Service Comparison

Date	Total P+i	Net New D/S	Old Net D/S	Savings
02/01/2009	636,675.00	636,675.00	666,875.00	30,200.00
02/01/2010	643,772.50	643,772.50	672,375.00	28,602.50
02/01/2011	647,967.50	647,967.50	675,855.00	27,887.50
02/01/2012	645,452.50	645,452.50	672,255.00	26,802.50
02/01/2013	651,022.50	651,022.50	676,780.00	25,757.50
02/01/2014	653,940.00	653,940.00	684,450.00	30,510.00
Total	\$3,878,830.00	\$3,878,830.00	\$4,048,590.00	\$169,760.00

PV Analysis Summary (Net to Net)

Net FV Cashflow Savings	169,760.00
Gross PV Debt Service Savings	154,233.29
Net PV Cashflow Savings @ 3.774%(AIC)	154,233.29
Contingency or Rounding Amount	(334.49)
Net Present Value Benefit	\$153,898.80
Net PV Benefit / \$3,395,000 Refunded Principal	4.533%
Net PV Benefit / \$3,485,000 Refunding Principal	4.416%
Net PV Benefit / \$3,562,980.30 PV Refunded Debt Service	4.319%
Average Annual Cash Flow Savings	28,293.33

Refunding Bond Information

Refunding Dated Date	6/01/2008
Refunding Delivery Date	6/01/2008

EXHIBIT 5.00

Carver County, MN

\$3,850,000 - Proposed Current Refunding of

\$6,595,000 G.O. Capital Improvement Refunding Bonds, Series 1998

Purpose Two

Debt Service Comparison

Date	Total P+i	Net New D/S	Old Net D/S	Savings
02/01/2009	719,626.67	719,626.67	735,341.26	15,714.59
02/01/2010	713,525.00	713,525.00	730,481.26	16,956.26
02/01/2011	700,980.00	700,980.00	719,156.26	18,176.26
02/01/2012	722,070.00	722,070.00	737,156.26	15,086.26
02/01/2013	720,295.00	720,295.00	738,131.26	17,836.26
02/01/2014	705,840.00	705,840.00	721,912.50	16,072.50
Total	\$4,282,336.67	\$4,282,336.67	\$4,382,178.80	\$99,842.13

PV Analysis Summary (Net to Net)

Net FV Cashflow Savings	99,842.13
Gross PV Debt Service Savings.....	91,298.27
Net PV Cashflow Savings @ 3.774%(AIC).....	91,298.27
Contingency or Rounding Amount.....	(1,442.75)
Net Present Value Benefit	\$89,855.52
Net PV Benefit / \$3,760,000 Refunded Principal...	2.390%
Net PV Benefit / \$3,850,000 Refunding Principal..	2.334%
Net PV Benefit / \$3,858,140.21 PV Refunded Debt Service	2.329%
Average Annual Cash Flow Savings.....	16,640.36

Refunding Bond Information

Refunding Dated Date	6/01/2008
Refunding Delivery Date	6/01/2008

APPENDIX A

**INSERT RESOLUTION ADOPTING THE BONDING AUTHORIZATION CAPITAL IMPROVEMENT
PLAN**

APPENDIX B

OVERLAPPING DEBT¹ AS OF JANUARY 31, 2008

Taxing District	2006/07 Taxable Net Tax Capacity	% In County	Total G.O. Debt	County's Proportionate Share
Carver County	\$ 15,280,664	100.0000%	\$ 14,045,000	\$ 14,045,000
City of Carver	10,348,000	100.0000%	4,245,000	4,245,000
City of Chanhassen	27,524,999	97.2000%	18,367,000	17,852,724
City of Chaska	130,520,000	100.0000%	34,235,000	34,235,000
City of Cologne	1,099,936	100.0000%	4,460,000	4,460,000
City of Hamburg	1,290,259	100.0000%	287,000	287,000
City of Mayer	7,379,725	100.0000%	3,150,000	3,150,000
City of New Germany	680,000	100.0000%	560,000	560,000
City of Norwood Young America	13,400,000	100.0000%	8,780,000	8,780,000
City of Victoria	24,177,274	100.0000%	9,905,000	9,905,000
City of Waconia	3,520,000	100.0000%	19,540,000	19,540,000
City of Watertown	11,082,482	100.0000%	4,999,000	4,999,000
Town of Dahlgren	27,000	100.0000%	27,000	27,000
Town of Laketown	723,998	100.0000%	723,998	723,998
I.S.D. No. 108 (Central Public Schools)	3,155,000	98.3000%	2,175,000	2,138,025
I.S.D. No. 110 (Waconia)	55,080,000	79.9000%	60,225,000	48,119,775
I.S.D. No. 111 (Watertown-Mayer)	35,955,000	76.8000%	51,785,000	39,770,880
I.S.D. No. 112 (Chaska)	231,890,000	100.0000%	231,890,000	231,890,000
I.S.D. No. 276 (Mimmetonka)	88,830,000	17.2000%	39,025,000	6,712,300
I.S.D. No. 424 (Lester Prairie)	1,034,647	0.2000%	535,000	1,070
I.S.D. No. 716 (Belle Plaine)	37,580,000	9.3000%	36,175,000	3,364,275
Carver County HRA	26,936,070	100.0000%	3,860,000	3,860,000
City of Chanhassen HRA	1,875,000	97.2000%	4,115,000	3,999,780
City of Waconia HRA	9,218,441	100.0000%	2,830,000	2,830,000
Metropolitan Council	3,342,207,897	2.7000%	139,410,000 ²	3,764,070
Metro Airports Commission	2,028,242,000	2.7000%	54,762,534	1,478,588
MN Municipal Power Agency	179,689,167	2.7000%	4,851,608	130,993
County's Share of Total Overlapping Debt				<u>\$ 470,869,479</u>

¹ Only those taxing jurisdictions with general obligation debt outstanding are included in this section. Does *not* include non-general obligation debt, self-supporting g.o. revenue debt, short-term general obligation debt, or general obligation tax/aid anticipation certificates of indebtedness.

² The above debt includes all outstanding general obligation debt supported by taxes of the Metropolitan Council. The Council also has general obligation sewer revenue, wastewater revenue, and radio revenue bonds and lease obligations outstanding all of which are supported entirely by revenues and have not been included in the Overlapping Debt or Debt Ratios sections.

Minnesota Statutes 2006, Table of Chapters
Table of contents for Chapter 373

373.40, Minnesota Statutes 2006

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373.40 CAPITAL IMPROVEMENT BONDS.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given.

(a) "Bonds" means an obligation as defined under section 475.51.

(b) "Capital improvement" means acquisition or betterment of public lands, buildings, or other improvements within the county for the purpose of a county courthouse, administrative building, health or social service facility, correctional facility, jail, law enforcement center, hospital, morgue, library, park, qualified indoor ice arena, roads and bridges, and the acquisition of development rights in the form of conservation easements under chapter 84C. An improvement must have an expected useful life of five years or more to qualify. "Capital improvement" does not include light rail transit or any activity related to it or a recreation or sports facility building (such as, but not limited to, a gymnasium, ice arena, racquet sports facility, swimming pool, exercise room or health spa), unless the building is part of an outdoor park facility and is incidental to the primary purpose of outdoor recreation.

(c) "Metropolitan county" means a county located in the seven-county metropolitan area as defined in section 473.121 or a county with a population of 90,000 or more.

(d) "Population" means the population established by the most recent of the following (determined as of the date the resolution authorizing the bonds was adopted):

(1) the federal decennial census,

(2) a special census conducted under contract by the United States Bureau of the Census, or

(3) a population estimate made either by the Metropolitan Council or by the state demographer under section 4A.02.

(e) "Qualified indoor ice arena" means a facility that meets the requirements of section 373.43.

(f) "Tax capacity" means total taxable market value, but does not include captured market value.

Subd. 2. Application of election requirement. (a) Bonds issued by a county to finance capital improvements under an approved capital improvement plan are not subject to the election requirements of section 375.18 or 475.58. The bonds must be approved by vote of at least three-fifths of the members of the county board. In the case of a metropolitan county, the bonds must be approved by vote of at least two-thirds of the members of the county board.

(b) Before issuance of bonds qualifying under this section, the county must publish a notice of its intention to issue the bonds and the date and time of a hearing to obtain public comment on the matter. The notice must be published in the official newspaper of the county or in a newspaper of general circulation in the county. The notice must be published at least 14, but not more than 28, days before the date of the hearing.

(c) A county may issue the bonds only upon obtaining the approval of a majority of the voters voting on the question of issuing the obligations, if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the county in the last general election and is filed with the county auditor within 30 days after the public hearing. The commissioner of revenue shall prepare a suggested form of the question to be presented at the election.

Subd. 3. Capital improvement plan. (a) A county may adopt a capital improvement plan. The plan must cover at least the five-year period beginning with the date of its adoption. The plan must set forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated cost, the need for the improvement, and sources of revenues to pay for the improvement. In preparing the capital improvement plan, the county board must consider for each project and for the overall plan:

- (1) the condition of the county's existing infrastructure, including the projected need for repair or replacement;
- (2) the likely demand for the improvement;
- (3) the estimated cost of the improvement;
- (4) the available public resources;
- (5) the level of overlapping debt in the county;
- (6) the relative benefits and costs of alternative uses of the funds;
- (7) operating costs of the proposed improvements; and
- (8) alternatives for providing services more efficiently through shared facilities with other counties or local government units.

(b) The capital improvement plan and annual amendments to it are not effective until approved by the county board after public hearing.

Subd. 4. **Limitations on amount.** A county, other than Ramsey, may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed 0.05367 percent of taxable market value of property in the county. Ramsey county may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed 0.06455 percent of taxable market value of property in the county. Calculation of the limit must be made using the taxable market value for the taxes payable year in which the obligations are issued and sold. This section does not limit the authority to issue bonds under any other special or general law.

Subd. 5. **Application of chapter 475.** Bonds to finance capital improvements qualifying under this section must be issued under the issuance authority in chapter 475 and the provisions of chapter 475 apply, except as otherwise specifically provided in this section.

Subd. 6.[Repealed, 1994 c 505 art 2 s 7]

Subd. 7.[Repealed, 2001 c 214 s 49]

History: 1988 c 519 s 2; 1988 c 719 art 5 s 84; art 19 s 20; 1989 c 277 art 4 s 30,31; 1989 c 329 art 13 s 20; 1Sp1989 c 1 art 5 s 27; art 17 s 6,7; 1990 c 480 art 9 s 13; 1990 c 592 s 1,2; 1991 c 345 art 2 s 55; 1992 c 511 art 9 s 11; 1995 c 256 s 1; 1997 c 231 art 2 s 31; 1999 c 243 art 5 s 34; 1Sp2003 c 4 s 1; 2005 c 152 art 1 s 7; 1Sp2005 c 1 art 4 s 101,102



REQUEST FOR BOARD ACTION

AGENDA ITEM : Public Hearing for Lyman Boulevard Tax Abatement

Originating Division: Financial Services

Meeting Date: April 8th, 2008

Amount of Time Requested: 5 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Minnesota Statutes, Section 469.1815 to 1815 authorize tax abatements for the County to finance public infrastructure improvements in accordance with the County's Tax Abatement Policy. Tax abatement does not reduce the level of taxes paid by a property but will redirect the county's portion of property taxes received in the future from a specific development to pay for the debt service. The County is expecting to utilize up to \$125,000 per year of taxes from the commercial development near the Lyman Boulevard improvements to pay for the debt service on 2008 General Obligation Capital Improvement Bonds.

See Exhibit A for the projected cash flow.

ACTION REQUESTED:

1. Open Public Hearing and take public comment
2. Approve attached resolution approving Lyman Boulevard Tax Abatement.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

FISCAL IMPACT

None (for now)

Included in current budget

Budget amendment requested

Other: See below

Related Financial Comments: Provides partial debt service funding for 2008 Bond Sale

Reviewed by Division Director

Date: March 23th, 2008



**Undestad Abatement for Lyman Reconstruction
CITY OF CHANHASSEN, MINNESOTA - UNDESTAD ABATEMENT DISTRICT
Watershed 558**

Fiscal Disparities From Outside the District

ABATEMENT CASH FLOW ASSUMPTIONS		
District	New Abatement Project	
County District #		
Inflation Rate - Every _ Years	0.0000%	
General Obligation Bond Interest Rate:	4.2500%	(Assume G.O. Bond rate)
Note Issued Date (Present Value Date):	01-Aug-08	
Total Local Tax Rate	102.2310%	Pay 2008
City of Chanhassen Tax Rate	23.7130%	Pay 2008
Carver County Tax Rate	37.5630%	Pay 2008
School District 112 Tax Rate (excludes 2006 referendum)	35.9700%	Pay 2008
Other Taxing Jurisdictions	4.9850%	Pay 2008 (Assume not abating taxes)
Fiscal Disparities	Inside	
Year District was established	2007	
Assumes First Abatement For District	2009	
Assumes First Abatement For Dev	2009	
Years of Tax Abatement	15	
Assumes Last Year of Tax Abatement	2023	
Fiscal Disparities Ratio	35.0000%	Pay 2008
Fiscal Disparities Metro Wide Tax Rate	119.5300%	
Local Tax Rate - Current	102.2310%	Pay 2007
State Wide Property Tax Rate (Used for total taxes)	44.0000%	
Market Value Tax Rate (used for total taxes)	0.21926%	Pay 2007
Commercial Industrial Class Rate	1.5%-2.0%	Pay 2007
First 150,000	1.50%	
Over 150,000	2.00%	
Rental Class Rate	1.25%	Pay 2007
Residential Class Rate	1.0%-1.25%	
Under \$500,000	1.00%	
Over \$500,000	1.25%	

BASE VALUE INFORMATION - BEFORE DEVELOPMENT										
	Acreage	PID	Property Address	Land Market Value	Building Market Value	Total Market Value	Class Rate	Base Tax Capacity	Local Base Tax Capacity	Date Payable
Lot 1, B 1	2.24	25-2240010	2400 Galpin Ct	129,100	0	129,100	1.5%-2.0%	1,937	1,937	Current
Lot 2, B 1	1.88	25-2240020	2420 Galpin Ct	95,200	0	95,200	1.5%-2.0%	1,428	1,428	Current
Lot 3, B 1	5.91	25-2240030	2440 Galpin Ct	375,800	0	375,800	1.5%-2.0%	6,766	6,766	2006
Lot 1, B 2	3.65	25-2240040	2411 Galpin Ct	375,800	0	375,800	1.5%-2.0%	6,766	6,766	2006
Lot 2, B 2	3.46	25-2240050	2431 Galpin Ct	0	0	0	1.5%-2.0%	0	0	2006
Lot 3, B 2	2.81	25-2240060	2451 Galpin Ct	375,800	0	375,800	1.5%-2.0%	6,766	6,766	2006
Lot 4, B 2	5.06	25-2240070	2471 Galpin Ct	375,800	0	375,800	1.5%-2.0%	6,766	6,766	2006
Lot 5, B 2	3.58	25-2240080	2460 Galpin Ct	375,800	0	375,800	1.5%-2.0%	6,766	6,766	2006
Totals	Totals			2,103,300		2,103,300		37,195	37,195	

PROJECT INFORMATION - POST DEVELOPMENT										
Phase	PID	Total Bldg Sq. Ft.	Property Address	Market Value Bldg Sq Ft	Market Value Pay 2009	Market Value Future	Class Rate	Total New Tax Capacity	Local Tax Capacity	Date Payable
Port. Lot 1	25-2240010	25,300	2400 Galpin	50.00	129,100	1,265,000	1.5%-2.0%	24,550	24,550	2011
Port. Lot 1	25-2240020	46,152	2420 Galpin	50.00	95,200	2,307,600	1.5%-2.0%	45,402	45,402	2010
Lot 1, 2, 3, 1	25-2240030	110,000	2440 Galpin Ct	52.85	5,813,600	5,813,600	1.5%-2.0%	115,522	115,522	2009
Lot 1, B 2	25-2240040	50,000	2411 Galpin Ct	50.00	573,800	2,500,000	1.5%-2.0%	49,250	49,250	2010
Lot 2, B 2	25-2240050		2431 Galpin Ct			0	1.5%-2.0%	0	0	2009
Lot 3, B 2	25-2240060	34,800	2451 Galpin Ct	50.00	489,300	1,740,000	1.5%-2.0%	34,050	34,050	2011
Lot 4, B 2	25-2240070	49,700	2471 Galpin Ct	41.11	2,043,400	2,043,400	1.5%-2.0%	40,118	40,118	2009
Lot 5, B 2	25-2240080	48,000	2460 Galpin Ct	58.61	2,813,100	2,813,100	1.5%-2.0%	55,512	55,512	2009
TOTAL		363,952			11,957,500	18,482,700		364,404	364,404	

Note:
1. Tax estimates are based upon estimated market value for completed buildings for Pay 2008 inflated 10% for Pay 2009 per County Assessor.

TAX CALCULATIONS											
Use	Total Tax Capacity	Local Tax Capacity	Fiscal Disparities Tax Capacity	Local Tax Rate	Fiscal Disparities Tax Rate	State-wide Property Tax Rate	Local Taxes	Fiscal Disparities Taxes	State-wide Property Taxes	Market Value Taxes	Total Taxes
Comm	364,404	236,863	127,541	1.02231	1.19530	0.44000	242,147	152,450	160,338	40,525	595,460
TOTAL	364,404	236,863	127,541	1.02231	1.19530	0.44000	242,147	152,450	160,338	40,525	595,460



CITY OF CHANHASSEN, MINNESOTA - UNDESTAD ABATEMENT DISTRICT
Undestad Abatement for Lyman Reconstruction

TAX ABATEMENT CASH FLOW													
PERIOD BEGINNING			Base Tax Capacity	Local Tax Capacity	Captured Tax Capacity	City Abatement 23.7130%	County Abatement 37.56%	School Abatement 35.97%	Semi-Annual Net Abatement	Semi-Annual Present Value	PAYMENT DATE PERIOD ENDING		
Yrs.	Mth.	Yr.									Yrs.	Mth.	Yr.
0.0	02-01	2007									0.0	08-01	2007
0.0	08-01	2007									0.0	02-01	2008
0.0	02-01	2008	Present Value Date is August 1, 2008										
0.0	08-01	2008	0	0	0		0		0	0	0.0	02-01	2009
0.0	02-01	2009	37,195	228,049	190,854		35,845		35,845	34,369	0.5	08-01	2009
0.5	08-01	2009	37,195	228,049	190,854		35,845		35,845	68,023	1.0	02-01	2010
1.0	02-01	2010	37,195	314,507	277,312		52,083		52,083	115,905	1.5	08-01	2010
1.5	08-01	2010	37,195	314,507	277,312		52,083		52,083	162,790	2.0	02-01	2011
2.0	02-01	2011	37,195	364,404	327,210		61,455		61,455	216,961	2.5	08-01	2011
2.5	08-01	2011	37,195	364,404	327,210		61,455		61,455	270,004	3.0	02-01	2012
3.0	02-01	2012	37,195	364,404	327,210		61,455		61,455	321,944	3.5	08-01	2012
3.5	08-01	2012	37,195	364,404	327,210		61,455		61,455	372,803	4.0	02-01	2013
4.0	02-01	2013	37,195	364,404	327,210		61,455		61,455	422,604	4.5	08-01	2013
4.5	08-01	2013	37,195	364,404	327,210		61,455		61,455	471,368	5.0	02-01	2014
5.0	02-01	2014	37,195	364,404	327,210		61,455		61,455	519,118	5.5	08-01	2014
5.5	08-01	2014	37,195	364,404	327,210		61,455		61,455	565,874	6.0	02-01	2015
6.0	02-01	2015	37,195	364,404	327,210		61,455		61,455	611,657	6.5	08-01	2015
6.5	08-01	2015	37,195	364,404	327,210		61,455		61,455	656,488	7.0	02-01	2016
7.0	02-01	2016	37,195	364,404	327,210		61,455		61,455	700,386	7.5	08-01	2016
7.5	08-01	2016	37,195	364,404	327,210		61,455		61,455	743,370	8.0	02-01	2017
8.0	02-01	2017	37,195	364,404	327,210		61,455		61,455	785,460	8.5	08-01	2017
8.5	08-01	2017	37,195	364,404	327,210		61,455		61,455	826,675	9.0	02-01	2018
9.0	02-01	2018	37,195	364,404	327,210		61,455		61,455	867,031	9.5	08-01	2018
9.5	08-01	2018	37,195	364,404	327,210		61,455		61,455	906,548	10.0	02-01	2019
10.0	02-01	2019	37,195	364,404	327,210		61,455		61,455	945,243	10.5	08-01	2019
10.5	08-01	2019	37,195	364,404	327,210		61,455		61,455	983,132	11.0	02-01	2020
11.0	02-01	2020	37,195	364,404	327,210		61,455		61,455	1,020,233	11.5	08-01	2020
11.5	08-01	2020	37,195	364,404	327,210		61,455		61,455	1,056,562	12.0	02-01	2021
12.0	02-01	2021	37,195	364,404	327,210		61,455		61,455	1,092,135	12.5	08-01	2021
12.5	08-01	2021	37,195	364,404	327,210		61,455		61,455	1,126,968	13.0	02-01	2022
13.0	02-01	2022	37,195	364,404	327,210		61,455		61,455	1,161,077	13.5	08-01	2022
13.5	08-01	2022	37,195	364,404	327,210		61,455		61,455	1,194,475	14.0	02-01	2023
14.0	02-01	2023	37,195	364,404	327,210		61,455		61,455	1,227,179	14.5	08-01	2023
14.5	08-01	2023	37,195	364,404	327,210		61,455		61,455	1,259,202	15.0	02-01	2024
Totals						0	1,773,683	0	1,773,683				
						0	1,259,202	0	1,259,202	0			

NOTES:

1. Amount of abatement will vary depending upon market value, tax rates, class rates, construction schedule and inflation on Market Value.
2. Abatement does not capture state wide property taxes or market value property taxes

NOTICE OF PUBLIC HEARING REGARDING
PROPOSED PROPERTY TAX ABATEMENTS FOR
LYMAN BOULEVARD IMPROVEMENTS IN CHANHASSEN

Notice is hereby given that the Carver County Board of Commissioners will hold a public hearing beginning at 9:15 o'clock A.M. on Tuesday, April 8, 2008 to be held at the Government Center, 600 East Fourth Street in the City of Chaska, Minnesota, on the subject of proposed property tax abatements pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815 (the "Act") and the adoption of an abatement resolution.

It is proposed that the County issue bonds in an amount up to approximately \$1.25 million pursuant to the Act and to finance the costs of the Lyman Boulevard improvements in the City of Chanhassen. The bonds would be payable primarily from abatements granted and retained by the County. The proposed abatements involve 100% of the property taxes to be levied by the County and collected in the years 2009 through 2023 on the properties with the following Parcel Identification Numbers (collectively, the "Property"), all of which are located on Galpin Court in the City of Chanhassen:

25-2240010
25-2240020
25-2240030
25-2240040
25-2240050
25-2240060
25-2240070
25-2240080

The taxes proposed to be abated by the County on the Property for the years 2009 through 2023 are estimated to be not more than \$125,000 per year or a total of \$1,875,000 for the 15 year period. The abatements will not reduce or increase the property taxes payable with respect to any of the foregoing properties as compared to other similar properties in the County.

All interested persons may appear at the April 8th public hearing and present their views orally or in writing.

Dated: March 13, 2008

/s/ David Hemze
County Administrator
Carver County, Minnesota

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE _____

RESOLUTION NO. _____

MOTION BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

RESOLUTION AUTHORIZING PROPERTY TAX ABATEMENT FOR LYMAN BOULEVARD IMPROVEMENTS

BE IT RESOLVED by the Board of Commissioners of Carver County, Minnesota, as follows:

1. The County intends to issue bonds in an amount up to \$1.25 million (the "Bonds") to pay part of the costs of the Lyman Boulevard improvements located in the City of Chanhassen in the County (the "Project"). The Bonds will be payable primarily from the Abatement authorized by this resolution which will be retained by the County for payment of debt service on the Bonds.

2. It is hereby found and determined that the Abatement will finance improvements to the public infrastructure.

3. In accordance with Minnesota Statutes, Section 469.1813, Subd. 1 (1) this Board expects that the benefits to the County of the Abatement will at least equal the costs to the County of the proposed Project.

4. In accordance with Minnesota Statutes, Section 469.1813, Subd. 1 (2) the Board hereby finds and determines that the proposed Abatement is in the public interest because it will finance or provide public infrastructure.

5. Pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815 (the "Act"), the County hereby approves an abatement of 100% of the property tax revenue to be levied by the County and collected in the years 2009 through 2023 for the properties identified with the following property identification numbers:

25-2240010
25-2240020
25-2240030
25-2240040
25-2240050
25-2240060
25-2240070
25-2240080

6. The proceeds of the Abatement will be used by the County as the primary source of payment of the Bonds. The Bonds may be included as a component of an issue of general obligation capital improvement bonds to be offered for sale on May 13, 2008.

7. The amount of abatement proposed for each parcel does not exceed such parcel's local tax rate multiplied by the total net tax capacity of such parcel.

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 8th day of April, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of April, 2008.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM: Public Hearing and Adoption of Ordinance #64-2008; Adoption of Program to Accelerate Sewage Treatment System Compliance and the Elimination of Direct Discharge Systems

Originating Division: Land Water Services

Meeting Date: April 8, 2008

Amount of Time Requested: 30 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Program to Accelerate Sewage Treatment System Compliance & Elimination of Direct Discharge Systems:

A public hearing is required to consider the adoption of Ordinance # 64-2008 amending the County Code. In general, the focus of the Code amendments and overall Program is to attain public health and water quality goals in conjunction with the TMDL Implementation Plan. The result would be to institute more stringent sewage treatment compliance standards, provide appropriate landowner incentives, and to establish the Board's ability to define priority areas & other implementation parameters within the County.

Proposed Code changes: Ordinance # 64-2008 would amend Chapter 52 (Sewage Treatment System Chapter); and Chapter 56 (Individual Sewage Treatment System and Water Well Loan Program Chapter); and Chapter 152 (Zoning Code Chapter). The amended language includes the following key provisions:

- Increased compliance requirements for parcel splits and subdivisions – all new lots (regardless of parcel size) would require a certificate of compliance. Currently there is an exception for properties of 20 acres or more.
- More stringent compliance requirements before any County permit is issued on any parcel with no septic system or drainfield records –comparable to the long standing Shoreland septic system compliance standards.
- Lengthening the amortization timeframe for low interest loans – the payback period would be extended to 10 yrs.
- Granting the Board of Commissioners the authority to specify priority areas within the County, by resolution, that may have additional compliance requirements – the Board will have the ability to prioritize sub-watersheds, provide incentives, establish deadlines, and address special circumstances such as landowner assistance.

The draft Ordinance (& associated resolution), the low interest loan Administrative Plan with changes, and the Resolution establishing the Program and adopting the changed Administrative Plan are attached for the Board's review and adoption. The Program Resolution establishes 3 priority subwatersheds, establishes an incentive program with sunset provisions within the watersheds, and establishes a date for elimination of direct discharge systems in the subwatersheds.

ACTION REQUESTED: Opening of the Public hearing; a motion closing the public hearing; a motion adopting a Resolution & Ordinance # 64-2008; and a motion adopting the Resolution establishing the Program.

FUNDING

County WMO Dollars =	\$53,000
Dept of Ag Low Interest Loans =	210,000
BWSR NRB Grant =	\$16,000
TOTAL	= \$280,000

FISCAL IMPACT

- None
- Included in current budget
- Budget amendment requested
- Other : See comments below

Related Financial Comments: Some of the funds referenced above are already in existing budgets – the County WMO & BWSR grants. The Dept of Ag funds have not yet been received – these funds will be budgeted when the funds are received. The staff will explore additional opportunities to fund this program.

Reviewed by Division Director

Date: March 31, 2008

COUNTY OF CARVER
BOARD OF COMMISSIONERS

DATE April 8, 2008 RESOLUTION NO. _____

MOTION BY COMMISSIONER _____ SECONDED BY COMMISSIONER _____

A RESOLUTION ADOPTING ORDINANCE 64-2008,
AN ORDINANCE AMENDING THE CARVER COUNTY CODE OF ORDINANCES, CHAPTER 52, CHAPTER 56,
AND CHAPTER 152, Accelerate Sewage Treatment System Compliance & Elimination of Direct Discharge Systems:

WHEREAS, the County is authorized by Minnesota Statute to enforce Sewage Treatment System, Zoning, and Water Resource Management standards; and

WHEREAS, certain amendments are warranted to attain public health and water quality goals in conjunction with the Total Maximum Daily Load (TMDL) Implementation Plan, addressed by the Board of Commissioners on June 12, 2007; and

WHEREAS, further discretion is needed which would allow the Board of Commissioners, by resolution, to implement additional compliance requirements such as the ability to prioritize sub-watersheds, provide incentives, establish deadlines, and address special circumstances such as landowner assistance; and

WHEREAS, there is a need for increased compliance requirements for parcel splits and subdivisions, and for more stringent compliance requirements before a County permit is issued on any parcel with no septic system or drainfield records; and

WHEREAS, more flexibility is needed for the amortization timeframes for low interest loans; and

WHEREAS, the amendments were duly considered at a public hearing held by the Carver County Board of Commissioners at its regular meeting of April 8, 2008 and the County Board finds as follows:

1. The amendments are in conformance with the Comprehensive Plan.
2. The amendments are not in conflict with any other official controls.
3. The amendments will not be detrimental to the health, safety or general welfare.

THEREFORE, BE IT RESOLVED, THAT The Carver County Board of Commissioners hereby adopts Ordinance 64-2008, amending the County Code.

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 8th day of April, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2008. _____
County Administrator

ORDINANCE # 64-2008

COUNTY OF CARVER, STATE OF MINNESOTA

AN ORDINANCE AMENDING THE CARVER COUNTY CODE OF ORDINANCES; CHAPTER 52, CHAPTER 56, AND CHAPTER 152

THE COUNTY BOARD OF COMMISSIONERS OF CARVER COUNTY, MINNESOTA ORDAINS:

SECTION 1. Changes to the code are shown as follows: additions are underlined; deletions are ~~strikethrough~~.

SECTION 2. Chapter 52, Section 52.047 of the Code is amended as follows:

§ 52.047 COMPLIANCE INSPECTION.

(C) In order to meet the water quality goals, the County Board may, from time to time, adopt by resolution programs to accelerate Individual Sewage Treatment System (ISTS) compliance. The resolution may identify specific geographic areas, timelines for compliance, establish incentives, target specific system types, and may include such other provisions as necessary to accomplish the goals.

(D) Compliance Inspections shall also be conducted as required by §152.035 and §152.122.

SECTION 3. Chapter 56, Section 56.007 of the Code is amended as follows:

§ 56.07 LOAN FINANCING TERMS.

(B) Term. ~~The term of the loan~~ Loans shall be not more than 5 years from the date of the disbursement of funds. made based on a term to be established by the County Board of Commissioners in the Administrative Plan.

SECTION 4. Chapter 152, Section 152.035 of the Code is amended as follows:

§ 152.035 INDIVIDUAL SEWAGE TREATMENT SYSTEM (ISTS) STANDARDS.

(A) *Treatment required.* All sewage generated by human occupancy, habitation or activity shall be properly managed in accordance with Chapter 52 of this code of ordinances or be treated in a central sewage treatment facility.

(B) *Standard for new systems.* Permits shall be issued, building eligibilities granted, or a site shall be considered suitable for the construction of new residences or other activities requiring sewage treatment by individual sewage treatment system only on land that has a minimum of 12 inches of separation between the seasonal high water table or other limiting factor and the surface of the soil in its original, natural state. This separation shall be demonstrated by the submission of soil borings, provided by a licensed ISTS contractor, identifying a primary and secondary (alternate) treatment site.

(C) *New lots.* New lots less than 20 acres which are intended for a land use which will require an ISTS shall not be created unless a plan showing two soil treatment sites, a primary site and alternate site is submitted. Suitability of the sites shall be documented by the submission of two appropriate and soil borings. The plan shall clearly show the location of both the primary and secondary sites. Lots of 20 acres or more shall contain at least 2 acres of soils that will accommodate a standard ISTS based on the soil map. The Department after consultation with the Environmental Services Department ~~Director~~ may require the identification of two soil treatment sites as provided for lots of greater than 20 acres.

(D) *New lots containing existing uses.* New lots which contain an existing land use required to utilize an ISTS shall not be created unless the existing system is issued a certificate of compliance or

a guarantee is provided that ensures the issuance of a certificate of compliance within 10 months of the application approval date or the time required by the ISTS regulations, which ever is more restrictive. Lots of less than 20 acres shall submit a plan for a secondary (alternate) soil treatment site. The plan shall include a ~~per~~-test-and soil borings report for the site, which has been prepared by a licensed ISTS contractor. A certificate of compliance and a secondary site shall not be required when the lot is the result of a land exchange for purposes of correcting errors in legal descriptions, changing legal descriptions to reflect lines of occupation, or the attachment of land to an existing parcel to provide land to accommodate an ISTS upgrade or to bring a nonconforming lot into conformity. For the purpose of this section, a new lot shall be any parcel, parent parcel, or remnant parcel created as the result of a minor subdivision or plat application, pursuant to Chapter 151 of the County Code. ~~parcel of 20 acres or more that is exempt from the Certificate of Compliance requirements pursuant to the ISTS Ordinance shall not be considered a new lot and therefore shall not be required to undergo a compliance inspection.~~

(E) Issuance of permits; ISTS compliance required. In all districts, for all systems which have been determined to be a direct discharge, imminent health threat, or for which there are no County ISTS records existing on the property at the time of application, a permit shall not be issued unless the requirements of §152.122 are met.

~~(E)~~ (F) *Protection of primary and secondary (alternate) treatment sites.* On parcels where a treatment site plan has been submitted, the sites shall be protected from activities that may render the site unsuitable for future treatment site use. The sites shall be staked and flagged so they are clearly identified. The site shall not be disturbed and shall be left in its natural state until the treatment system is constructed. No buildings shall be erected on the site nor shall the site be used for parking vehicles. Heavy equipment must be kept off the site and no trees shall be planted on the site. If a site has been disturbed or rendered unusable a plan including soil borings identifying a new site shall be submitted.

~~(F)~~ (G) *Permit review.* All permits that include activities that may affect the ability to locate a secondary treatment site on a parcel shall be reviewed to ensure that a feasible secondary site is preserved. The Department, in consultation with the Environmental Services ~~Department Director~~, may require soil borings to identify a suitable secondary treatment site.

~~(G)~~ (H) *Temporary uses.* Temporary uses, such as construction and similar activities, and other uses permitted pursuant to this chapter which may exist for a short period of time and have a number of people on the premises that cannot be accommodated by an existing system may be required to provide additional auxiliary sanitary facilities.

SECTION 5. This ordinance shall be effective upon its passage and publication.

Adopted by the Carver County Board of Commissioners April 8, 2008.

COUNTY OF CARVER

BY:

County Board Chair, James Ische

County Administrator, David Hemze

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

DATE:

RESOLUTION NO.

MOTION BY COMMISSIONER:

SECONDED BY COMMISSIONER:

A Resolution Establishing A Program to Accelerate the Elimination Of Direct Discharge Individual Sewage Treatment Systems (ISTS) In Carver County.

WHEREAS, Approximately 4,500 homes and businesses in Carver County are served by a private sewer system on the property. Of these systems, about 700 are in cities and 3800 in the unincorporated area. Approximately 650 of the systems in the unincorporated area are still served by systems that likely have little or no treatment of sewage prior to discharge into the surface water and are considered Direct Discharge Systems; and

WHEREAS, Carver County is responsible for the management and regulation of ISTS in the County except in cities that have elected to assume responsibility; and

WHEREAS, Carver County is responsible for water management including water quality in the Carver County WMO; and

WHEREAS, EPA and MnPCA regulations require that all lakes, rivers and streams ultimately meet water quality standards; and

WHEREAS, Carver County has conducted a Total Maximum Daily Load (TMDL) study for fecal coliform bacteria contamination in the Carver and Bevens Creek watersheds; and

WHEREAS, the studies have found loads of fecal coliform bacteria substantially in excess of standards in these watersheds and further identified direct discharge of untreated human sewage into the waters of the State as a significant contributor to the load. The County subsequently developed a TMDL Implementation Plan to reduce the fecal coliform bacteria loads to meet standards. The Plan was submitted to MnPCA and the EPA; it was subsequently approved for implementation by both agencies; and

WHEREAS, Carver County has applied for and received a Federal grant for Plan implementation; and

WHEREAS, three subwatersheds were identified as pilots to begin TMDL implementation. Twenty-eight systems (of about 165 total systems) were identified as potential direct discharge systems. A number of the owners were contacted made aware of the \$2,000 incentive grant and a low interest loan for system upgrade; no one took advantage of the offer; and

WHEREAS, the Carver County Board of Commissioners has determined that it is necessary to institute a program to accelerate the replacement of Direct Discharge Systems in order to reach public health and water quality goals;

WHEREAS, the Carver County Code gives the Board the authority to identify priority areas for ISTS compliance including elimination of direct discharge systems, and to establish programs, including incentives and deadlines; and

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby adopts the “Carver County Direct Discharge Elimination Acceleration Program” as follows:

Part I. The County Board identifies subwatersheds in the Carver and Bevens/Silver Creek watersheds as priority subwatersheds: Goose Lake – CC1, G1; Reitz Lake – CC7, R1; Silver Creek – SI4. The Board may, from time to time, identify further subwatersheds as priority subwatersheds and specify appropriate compliance deadlines. From the date of adoption of this resolution until 30 September 2008 the County will provide a low interest loan with an amortization of up to 10 years and a cash grant of 25% of the cost of a new system up to \$2500 for the upgrade of systems identified as a potential direct discharge system. Potential direct discharges systems that have not been issued a permit to upgrade their system by September 30, 2008 shall be required to submit a Compliance Inspection to the County by June 30, 2009.

Part II. The County Code has been amended to:

- A. Provide for the establishment of the amortization time period for low interest loans in the Low Interest Loan Administrative Plan, not in the Code.
- B. Require a compliance inspection for all systems located on any of the parcels resulting from any type of parcel split.
- C. Require that any system with no record of having a drainfield installed be treated the same as a system in the Shoreland Zone regarding the issuance of any County permit.

Part III. The County-wide Direct Discharge incentive as established by the Board on October 23, 2007, will continue.

Part IV. Authorize the Finance Director, in cooperation with Land & Water Services and the Carver County Community Development Agency, to establish a “safety net” loan program to assist property owners with extremely limited financial capability.

THEREFORE, BE IT FURTHER RESOLVED, THAT the Carver County Board of Commissioners hereby adopts the ADMINISTRATIVE PLAN, CARVER COUNTY ISTS REVOLVING LOAN PROGRAM, dated April 8, 2008, which incorporates the changes necessary to implement this program

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 8th day of April, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____

David Hemze, County Administrator

ADMINISTRATIVE PLAN
CARVER COUNTY ISTS REVOLVING LOAN PROGRAM
April 8, 2008

Note: new language is underlined

Enrollment Period

Applications will be accepted on a first-time, first-served basis. ISTS (Individual Sewage Treatment Systems) owners interested in the program will obtain an application from the Carver County Community Development Agency (CDA) or Carver County Environmental Services and return it to the CDA.

Application Review Process:

CDA staff will conduct a preliminary review of applications to ensure repayment ability. They will then forward qualifying candidates to the Environmental Services Department.

Loan Details

Interest Rate:	1.5%.
Application Fee:	As set forth by the Carver County Board of Commissioners <u>in the fee-for-service schedule.</u>
Origination Fee:	As set forth by the Carver County Board of Commissioners in the fee-for-service schedule.
Repayment:	Special Assessment on Property taxes (<i>loans may be prepaid in all or in part <u>without penalty.</u></i>)
Term of Loan:	5 years (<i>actual term may be shorter dependant upon project completion date. Assessed through property taxes for 4 years</i>) <u>Up to 10 years for direct discharge ISTS in TMDL priority sub watersheds as set forth by the Carver County Board of Commissioners' resolution.</u>
Income Limit:	None.
Asset Limit:	None.
Maximum Loan Amount:	\$15,000.

Loan Qualifying Requirements

- Property taxes and mortgage must be current.
- The septic system is failing, located in a sensitive area, or otherwise meeting at least one of the Priority Criteria.

Priority Criteria

- ISTS is a direct risk to public health and safety due to factors such as discharge in or near a sensitive location such as a subdivision, swimming beach, day care, etc.
- ISTS is discharging directly to surface water via tile line, pipe, or direct runoff.

- ISTS is “Failing” according to Chapter 7080 and located with-in a Shoreland zone area.
- ISTS is “Failing” according to Chapter 7080 and located in a ground water high sensitivity area as defined in the Carver County Ground Water Management Plan.
- ISTS is “Failing’ according Chapter 7080 rules but is not located in a Shoreland Zoned Area or ground water high sensitivity area.
- ISTS is greater than 15 years old with no or limited maintenance.
- ISTS is not failing but has the potential to discharge into surface water or is located within a ground water high sensitivity area.
- The Loan Team will also consider geographic location. An effort will be made to install at least two systems in Commissioner Districts 2 and 3 and one system in Commissioner Districts 1, 4, and 5.

Application Procedure

1. Obtain loan application from CDA or Carver County Environmental Services.
2. Complete and return application to the CDA along with the application fee (payable to CCCDA)
- 2a. Also return the origination fee (payable to Carver County) along with the application.
3. CDA notifies applicants of status/ approval.

Installation of System

1. Homeowner has design for new system completed by licensed contractor, obtains two bids from licensed contractors, selects contractor and submits design for permit approval. System is inspected.
2. Permit application is reviewed and approved by Environmental Services (additional information may be needed).
3. Homeowner schedules construction subject to County inspection procedures.
4. System construction is certified by established County inspection process.
5. Contractor/Homeowner submits invoice to Environmental Services for payment.
6. CDA coordinates filing assessment on property for repayment.



REQUEST FOR BOARD ACTION

AGENDA ITEM : Comprehensive Plan DRAFT Overview

Originating Division: Land Water Services

Meeting Date: April 8, 2008

Amount of Time Requested: 15 minutes

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

Staff will be holding open houses in April on the concepts contained in the preliminary DRAFT 2030 Comprehensive Plan. Open Houses are scheduled for April 9 – Chaska, April 16 – Cologne, April 23 – Mayer. The Board will be briefed on a summary of the content available to the public at the open houses. Input from the public will be incorporated into a full DRAFT plan which will be presented to the Board in June 2008 along with public hearings.

ACTION REQUESTED: Motion to proceed with presenting preliminary DRAFT 2030 plan summary information to the public for the purposes of gathering further input.

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: March 31, 2008



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of bid award for Bid Package 1: structural work at Justice Center

Originating Division: Administrative Services

Meeting Date: April 8, 2008

Amount of Time Requested: 10 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: On April 1, 2008 County staff opened Bid Package 1 bids for 1) concrete, 2) masonry, 3) structural steel and 4) steel erection for the second floor addition of the Justice Center. The new second floor will provide for the County's fourth full-service courtroom, Court Services and additional space for the County Attorney.

The solicitation allowed contractors to bid in a combined fashion wrapping concrete and masonry into one bid. Alternatively, bidders could bid separately on each of the four work efforts identified above. The attached bid tabulation and recommendation letter from Kraus-Anderson provides the following low bid information:

Division 1 Concrete – 4 bids (three of which were combined bids with Division 2): Kelleher Construction \$92,825.00

Division 2 Masonry – 4 bids (three of which were combined bids with Division 1): Royal Masonry: \$399,900.00

Division 3 Structural Steel – 1 bid from Central Minnesota Fabricating Inc. of \$202,300.00

Division 4 Steel Erection – 2 bids: Red Cedar Steel Erectors, Inc. of \$103,680.00

Total apparent low bids for Bid Package No. 1 is \$798,705.00. Engineering estimates for this bid package were \$765,000 from the architect and \$776,000 from the construction manager or a difference of \$33,705 and \$22,705 respectively. The lead time for obtaining steel is about 8-10 weeks with the expectation of steel fabrication and delivery on or about June 4th. Construction on the 2nd floor addition is expected to start in earnest mid-June with completion in mid January 2009.

The approximately \$800,000 for structural totals approximately 24.6% of the construction cost of the second floor addition. Staff also requests a 5% or \$40,000 contingency to be set aside for this phase of construction.

Board approval would be contingent upon review and acceptance of contract language from the County Attorney's Office and Risk Management.

ACTION REQUESTED: Motion to approve the following bid awards pending contract review by the County Attorney's Office and Risk Management:

Division 1 Concrete – Kelleher Construction for \$92,825.00

Division 2 Masonry – Royal Masonry: \$399,900.00

Division 3 Structural Steel – Central Minnesota Fabricating Inc. of \$202,300.00

Division 4 Steel Erection – Red Cedar Steel Erectors, Inc. of \$103,680.00

Finally, request a motion to approve \$40,000 in contingency to be set aside for the structural phase.

FUNDING

County Dollars = \$ 798,705

Other Sources & Amounts = \$ 40,000

= \$ 838,705

TOTAL

= \$ 838,705

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: Total cost of bid package No. 1 is \$798,705 plus contingency of \$40,000 totaling \$838,705. The total construction budget of the second floor is approximately \$3.25 million.

Reviewed by Division Director

Date: April 2, 2008



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April 2, 2008

Mr. Steven Taylor
Department of County Administration
Carver County
600 East Fourth Street
Chaska, MN 55318

Re: Carver County Justice Center Courts Addition
BP-1 – Building Envelope
Chaska, MN

Dear Mr. Taylor:

Kraus-Anderson Construction Company has reviewed the bids that were received on April 1, 2008 for Bid Package No. 1 for the Carver County Justice Center Courts Addition in Chaska, MN.

We recommend award of the contracts as listed below based upon the base bids. Listed below are the lowest responsible bidders and their bid amount for these bid divisions.

Bid Division	Contractor, City, State	Bid Amount
1 Concrete	Kelleher Construction, Inc. Burnsville, MN	Base Bid: \$ 92,825.00
2 Masonry	Royl Masonry Company St. Cloud, MN	Base Bid: \$ 399,900.00
3 Structural Steel Supply	Central Minnesota Fabricating, Inc. Willmar, MN	Base Bid: \$ 202,300.00
4 Steel Erection – Structural and Miscellaneous Metals	Red Cedar Steel Erectors, Inc. Menomonie, WI	Base Bid: \$ 103,680.00

Enclosed are a bid analysis and Bid Tabulation Sheets for your review.

Please contact us if you should have any questions regarding these recommendations.

Very truly yours,

KRAUS-ANDERSON CONSTRUCTION COMPANY

A handwritten signature in black ink that reads 'Dave A. Chase'.

Dave A. Chase
Project Manager

DAC/jlh

Encl.

cc: Jennifer Speigelberg, Wold Architects and Engineers

BID ANALYSIS

Kelleher Construction, Inc. has a long standing reputation for on time delivery and quality workmanship. We have discussed the project with them and all work appears to have been included in their bid.

Royl Masonry has performed several projects with Kraus-Anderson Construction Company as the Construction Manager and with the good experience we have had in the past and the interview we performed after the bid opening yesterday we believe they have a complete bid.

Central Minnesota Fabricating has also supplied steel to several other Construction Management projects. They have a quality reputation and they have assured us there is room in their schedule, both for shop drawing preparation and fabrication to accommodate this project.

Red Cedar Steel Erection has a quality reputation with our firm and the industry as a whole also. They were available for erection at the anticipated scheduled date.

We are quite pleased with the bid results although the number of bids is disappointing. The market has moved from concrete contractors and masonry contractor to combination concrete/masonry contractors. We saw that in the bids we received. We offered separate bid divisions to allow a more diversified group of contractors to bid the project. However, since it is a second floor, composite slab it appears that only the more experienced and knowledgeable contractors chose to bid. The three combination bids were not surprising, in that these contractors typically bid both concrete and masonry. We see the low concrete bid as competitive and the masonry bid as very competitive. The combination bids are very close to our budget estimates.

There was only one steel fabrication bid but there were other firms that ordered plans and were expected to bid. One firm in particular simply had other non-public work that took up their ability to work on this project. We believe that with the other public and non-public work that is all bidding during this period that we did not receive the bids we would normally have received but also believe we have a market competitive bid.

We received two bids for structural steel erection; both very knowledgeable erectors that we believe are very competitive bids. There was one other steel erector that also ordered plans but chose not to bid this project. Since the contractors' bids are very close we are confident we have very competitive bids and a good low bid contractor.

In summary although we did not see the expected number of bidders because of circumstances in the bid market we are confident the bids received are competitive and that we have quality contractors.

The total for the four bid divisions is \$798,705.00, as compared to our estimate of \$776,000.00 and the architect's estimate of \$765,000.00

**CARVER COUNTY GOVERNMENT CENTER
 JUSTICE CENTER COURTS ADDITION BP 1**

OWNER: CARVER COUNTY
 CONSTRUCTION MGR.: KRAUS-ANDERSON, CONSTRUCTION COMPANY
 ARCHITECT: WOLD ARCHITECTS & ENGINEERS

**BID TABULATIONS
 Tuesday, April 1, 2 p.m.**

DIVISION 1: Concrete

	BIDDER	Hollenback & Nelson Inc	BIDDER	Northland Concrete & Masonry Co Inc	BIDDER	Stellar Concrete & Masonry	BIDDER	BIDDER
BID SECURITY	Yes	Yes		Yes		Yes		
ADDENDA REC'D	1, 2, 3, 4	1, 2, 3, 4		1, 2, 3, 4		1, 2, 3, 4		
BASE BID COMBINED BASE BID Divisions 1 & 2	\$92,825.00	\$569,700.00		\$649,800.00		\$828,900.00		

**CARVER COUNTY GOVERNMENT CENTER
JUSTICE CENTER COURTS ADDITION BP 1**

OWNER: CARVER COUNTY

CONSTRUCTION MGR.: KRAUS-ANDERSON, CONSTRUCTION COMPANY

ARCHITECT: WOLD ARCHITECTS & ENGINEERS

BID TABULATIONS
Tuesday, April 1, 2 p.m.

DIVISION 2: Masonry

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Royl Masonry Co	Hollenback & Nelson Inc	Northland Concrete & Masonry Co Inc	Stellar Concrete & Masonry	
BID SECURITY	Yes	Yes	Yes	Yes	
ADDENDA REC'D	1, 2, 3, 4	1, 2, 3, 4	1, 2, 3, 4	1, 2, 3, 4	
BASE BID	\$399,900.00				
COMBINED BASE BID Divisions 1 & 2		\$569,700.00	\$649,800.00	\$828,900.00	



REQUEST FOR BOARD ACTION

AGENDA ITEM : Administrator's Performance Evaluation

Originating Division: Employee Relations

Meeting Date: 4/8/08

Amount of Time Requested: 30 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Carver County Personnel Policy requires that all staff members receive annual Performance Evaluations.

Minnesota Statute 13D.05, Subd. 3. allows the 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 Board.

Many other counties use this process on an annual basis to evaluate the performance of the County Administrator.

At the next open meeting a summary statement reflecting the conclusions reached during the closed session will be presented for the public record.

ACTION REQUESTED:

Motion to enter closed session to discuss the performance of Administrator Hemze for the period May, 2007 – April, 2008.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director
Doris M. Krogman, Employee Relations

Date: 3/25/08



REQUEST FOR BOARD ACTION

AGENDA ITEM: Summary Administrator's Performance Evaluation

Originating Division: Employee Relations

Meeting Date: 4/8/08

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 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 Board. The Board and the Administrator have scheduled that closed session earlier on this agenda.

Based on the written feedback and the closed session performance discussion, the Board Chair will prepare and deliver a statement summarizing the Carver County Board's evaluation of Administrator Hemze's job performance during the past year.

ACTION REQUESTED:

Motion to accept the statement delivered by the Board Chair as the summary of Administrator Hemze's performance for the period May, 2007 – April, 2008.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Reviewed by Division Director
Doris M. Krogman, Employee Relations

Date: 4/2/08