

Carver County Board of Commissioners
 Regular Session
 July 22, 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 June 24, 2008 Regular Session	1-3
	4.	Community announcements	
9:15 a.m.	5.	CONSENT AGENDA	
	5.1	Payment of emergency claims	4-11
	5.2	PWHQ data room HVAC and sign shop humidity control	12
	5.3	Tobacco license.....	13
	5.4	Charitable gambling application for exempt permit for West Metro Chapter Delta Waterfowl	14-15
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	5.9	Public Health emergency preparedness grant contract Amendment#2	23
	5.10	Metropolitan Environmental Partnership agreement	24
	5.11	Contract with American Engineering Testing, Inc.....	25
	5.12	Abatements/additions.....	26-27
	5.13	Carver County Comprehensive Transportation Plan Update 2005-2030, Amendment No. 2	28-29
	5.14	Service lease agreement with Procentive.com, Inc.	30
	5.15	Community Social Services' warrants	NO ATT
	5.16	Commissioners' warrants.....	SEE ATT

9:15 a.m.	6.	ATTORNEY	
	6.1	Approval to convert 0.8 victim witness coordinator to a full time Attorney I position.....	31
9:30 a.m.	7.	FINANCE	
	7.1	2007 Financial reports	32
9:45 a.m.	8.	ADMINISTRATIVE SERVICES	
	8.1	Approval of change order for Chaska Service Center	33
10:05 a.m.		ADJOURN REGULAR SESSION	
10:05 a.m.	1.	Chair	
	2.	Board Members	
	3.	Administrator	
10:30 a.m.	4.	Adjourn	

David Hemze
County Administrator

No Board Meeting July 29, 2008
(fifth Tuesday of the month)

Water, Environment and Natural Resources
Summer Pontoon Tour 2008
July 29, 2008, 5:30 p.m. - 8:30 p.m.
Meeting location – In Towne Marina
8 East Lake Street, Waconia, MN

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on July 1, 2008. Chair James Ische convened the session at 9:17 a.m.

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

Members absent: Randy Maluchnik.

Under public participation, Bruce Schwichtenberg, questioned the purchase price of the Lakeside Ballroom considering the market value was considerably less. He also questioned the reasons for the overruns in the estimates submitted for the Chanhassen Service Center. Chair Ische directed that the County Administrator respond to the questions raised related to the ballroom acquisition.

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

Degler moved, Workman seconded, to approve the minutes of the June 24, 2008, County Board of Appeal and Equalization and June 24, 2008, Regular Session Motion carried.

Community announcements were made by the Board.

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

Payment of emergency claims in the amount of \$50 and \$38.86.

Adopted the Findings of Fact and Order PZ#20080020 for the issuance of Conditional Use Permit #PZ20080020, Terrance Johnson, Watertown Township.

Adopted the Findings of Fact and Order PZ#20080019 for the issuance of Conditional Use Permit #PZ20080019, Northwest Asphalt, Inc., Laketown Township.

Approved the following abatements:

58.5250250	Klingelhutz Dev.
85.2740440	Charles Charnston
30.6700420	Hovstone Properties (2006, 2007, 2008)
30.0760020	Daniel Chermak (2006, 2007, 2008)
40.8000080	Michael Schafer
65.1000210	Jennifer Taylor
8.0100700	Jayne Kane
30.0690010	Chad Poppler (2007, 2008)
85.5320390	Carla Fielder
30.0910030	Faith King (2007, 2008)
10.0500160	Brian Donahue (2006, 2007, 2008)
65.2450120	Bernice Hall (2006, 2007, 2008)
85.3980140	Randal Masica
30.9510279	Zacharia Eng

30.9510505	Henry Bell
30.9520149	Brenda Guardado
30.9520070	Keo Duouangchanh
25.6350182	Richard Gardner (2008)
45.0500190	Daniel Thaemert
20.0830660	Robert Brindley
58.7500010	Norwood/Young America City
58.7500020	Norwood/Young America City
58.7500030	Norwood/Young America City
58.7500040	Norwood/Young America City
58.7500060	Norwood/Young America City
58.7500070	Norwood/Young America City
58.7500080	Norwood/Young America City
58.7500090	Norwood/Young America City
58.7500100	Norwood/Young America City
58.7500110	Norwood/Young America City
58.7500120	Norwood/Young America City
58.7500130	Norwood/Young America City
25.6350182	McRostie Family Trust
25.6350182	Richard Gardner (2007)
30.6750070	Richard Anderson
30.6750080	Barbara Colhapp (2007, 2008)
25.0610230	Michael Schwartz
25.0610230	Michael Schafer
5.9500031	Erwin Karnitz
30.6750070	Richard Anderson
75.2550051	Jeff Helstrom
75.293035	Jeff Stuewe (2007, 2008)

Authorized Chair to sign the professional services contract amendment with AGL Consulting.

Authorized the placing of the advertisement for bids and set the bid opening date to August 4, 2008, at 2:30 p.m. for Project SAP 10-599-16.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried.

Degler moved, Workman seconded, to open the public hearing on the NPDES Phase 11 annual report for Carver County. Motion carried.

Paul Moline, Land and Water Services, explained this was a public hearing on the County's stormwater pollution prevention plan and was required based on the permit the County received to discharge stormwater.

He highlighted the summary of the best management practices. Moline indicated the document included what they are doing and the educational efforts. He believed the list would change in the next couple of years as they are updating the water management plan.

No public testimony was received.

Lynch moved, Degler seconded, to close the public hearing. Motion carried.

Degler moved, Workman seconded, to authorize the signature of the Chair on the Carver County NPDES Phase II permit 2007 annual report and approved submittal of the report to the Minnesota Pollution Control Agency. Motion carried.

Workman moved, Degler seconded, to adjourn the Regular Session at 9:37 a.m. to go into a work session with Land and Water Services. Motion carried.

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.)

283324



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: City of Chanhassen

ACCOUNT: 30-965-363-0000-6640

AMOUNT: \$31,489.69

REASON: Foundation permit fee, SAC and water trunk fee-Chanhassen Service Center

Department Head Signature: *Steve H. TSG*

Chairman of County Board

James M. Ische

County Administrator

David Hemze

County Attorney

James W. Keeler, Jr.

Date: 7/8/08

283325



CARVER COUNTY

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

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Darren Rahmeyer

ACCOUNT: 11-423-710-3440-6040

AMOUNT: \$1,300⁰⁰

REASON: Deposit to secure housing for a client with children, Carver County will be reimbursed.

Department Head Signature: Gay Boh

Chairman of County Board

James Ische

County Administrator
Finance Director

David Hemze

County Attorney

James W. Keeler, Jr.

Date: 7/11/08

282553



Office of Finance Director
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, MN 55318-1202
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AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

Motion passed by the Board of County Commissioners at their June 24, 2008 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: Title Mark

ACCOUNT: 01-520-529-5051-6601

AMOUNT: \$2,511,061.08

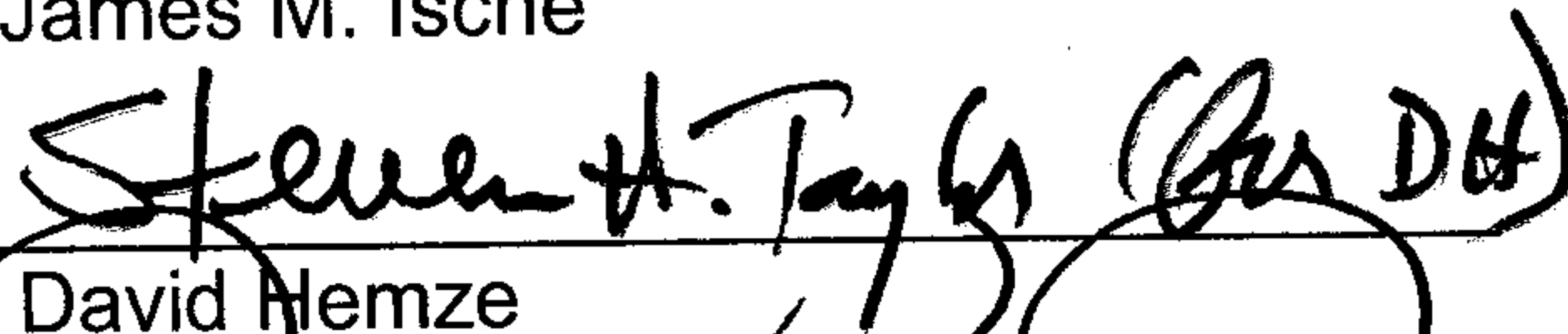
REASON: Land Acquisition for Regional Park Purposes

Department Head Signature: 

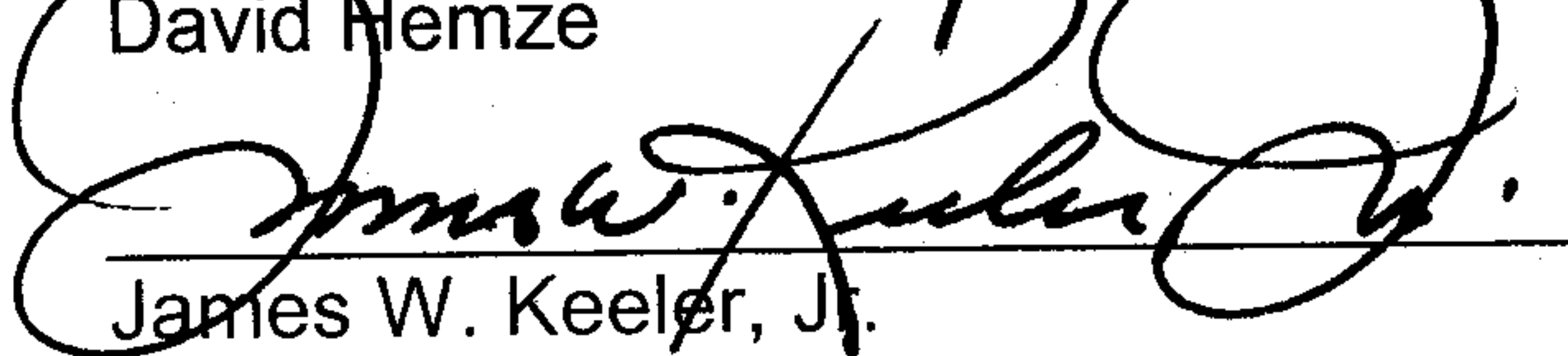
Chairman of County Board

James M. Ische

County Administrator

 (for DA)
David Hemze

County Attorney


James W. Keeler, Jr.

Date: 6/23/08

283081



Office of Finance Director
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, MN 55318-1202
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AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Xcel Energy

ACCOUNT: 11-429-710-3640-6041

AMOUNT: \$554.65

REASON: Restore electricity for family, will
retain children.

Department Head Signature: Gay Bok

Chairman of County Board
James Ische

County Administrator
Finance Director
David Hemze

County Attorney
James W. Keeler, Jr.

Date: 7/7/08

282554



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

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Marathon Mgmt.

ACCOUNT: 6379

AMOUNT: \$300.00

REASON: rent for victim of a crime

Department Head Signature: James W. Keeler, Jr.

Chairman of County Board

James M. Ische

County Administrator

David Hemze
David Hemze

County Attorney

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

Date: 6/23/08

282812



Office of Finance Director
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1500
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: Super America

ACCOUNT: 6319

AMOUNT: \$110.00

REASON: gas card for family of victims

Department Head Signature: [Signature]

Chairman of County Board

[Signature]
James M. Ische

County Administrator

[Signature]
David Hemze

County Attorney

[Signature]
James W. Keefer, Jr.

Date: 6/25/08

282811



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: Best Western - 10384

ACCOUNT: 6379

AMOUNT: \$ 159.75

REASON: hotel stay for family of victim

Department Head Signature: *[Signature]*

Chairman of County Board

James M. Ische

County Administrator

[Signature]
David Hemze

County Attorney

[Signature]
James W. Keeler, Jr.

Date: 6/25/08



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

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Barbary Knoll

ACCOUNT: 11-429-710-3640-6041

AMOUNT: \$695.00

REASON: July Rent for client MB

Department Head Signature: Gay Bank

Chairman of County Board

James Ische
James Ische

County Administrator

Stewart Taylor (for DH)
David Hemze

County Attorney

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

Date: 6-27-08



REQUEST FOR BOARD ACTION

AGENDA ITEM : PWHQ Data Room HVAC & Sign Shop Humidity Control – Award Contract

Originating Division: Administrative Services

Meeting Date: July 22, 2008

Amount of Time Requested: 0

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

This project is a 2007 CIP rollover. Pricing and scoping occurred in 2007 and was suspended due to Service Delivery decisions and potential for changing scope. In addition, additional need for humidity control was identified as an immediate priority for the sign shop. The sign shops vinyl is very sensitive to humid conditions and many new signs have required repair or replacement due to the vinyl prematurely breaking down after installation.

Based upon the quotes obtained in 2007 for specific equipment; verbal requests for proposals were solicited based upon invitations to view the complex. The results of the quotes are as follows:

Corporate Mechanical	\$	36,885.00
Serbus Heating & Cooling	\$	38,310.00
On Site Mechanical	\$	38,714.00

Staff met with Corporate Mechanical to qualify the bid and contractor. Based upon the interview and proposed equipment, staff recommends a contract with Corporate Mechanical, New Hope, MN. The project includes installation of a 5 ton Liebert Challenger and split system AC for the Sign shop. Siemens controls and Lano Electric shall have ancillary charges through existing in service contracts. The construction budget is recommended as follows:

Corporate Mechanical	\$ 34,731*	(*Negotiated Scope & Contract Amount)
Siemens Controls	\$ 2,500	
General Conditions:	\$ 1,700	(Roof)
Contingency	\$ 500	
TOTAL:	\$ 39,431	

Our goal is to complete the installation by September 30, 2008

ACTION REQUESTED: Move approval of the Budget and Contract with Corporate Mechanical to install data room and sign shop HVAC improvements

FUNDING

County Dollars =	\$39,431
Other Sources & Amounts =	= \$
TOTAL	= \$39,431

FISCAL IMPACT

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

Related Financial Comments:

Approved 2007 CIP Rollover:	\$30,000
2008 Facilities Operating Budget	: 9,431

Reviewed by Division Director

Date: 7/14/08



REQUEST FOR BOARD ACTION

AGENDA ITEM: Tobacco License

Originating Division: Property Records Taxpayer Services Meeting Date: 7/22/08
 Amount of Time Requested: Attachments for packet: Yes No
 Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: The following business requests a revised issuance for its Tobacco License in compliance with the Carver County Tobacco Ordinance. The owner is requesting approval by the Carver County Board of Commissioners for him to sell tobacco products. There are no delinquent taxes on this parcel.

License #10-607
Snyders Drug Store
 309 North Faxon Road
 Norwood Young America, MN 55368

ACTION REQUESTED:

Approval

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Taxpayer Services Manager

Date: 7-11-08



REQUEST FOR BOARD ACTION

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

Originating Division: Property Records Taxpayer Services Meeting Date: July 22, 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: A Charitable Gambling application was received from West Metro Chapter Delta Waterfowl. They want to hold a raffle on Thursday, August 21, 2008, at Lakeside Ballroom, 8155 Paradise Lane, Waconia, MN 55387.

ACTION REQUESTED: See Attached Resolution.

FUNDING

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

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Laurie Engelen, Taxpayer Services Manager

Date:

7-308

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

WHEREAS, the, seeks approval of a Lawful Gambling License; and

WHEREAS, the, will hold a raffle at the Lakeside Ballroom, 8155 Paradise Lane, Waconia, MN 55387; and

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

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

Adopted on 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 : Cooperative Agreement - County / Watertown – Highway Corridor Study

Originating Division: Public Works

Meeting Date: July 22, 2008

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 City of Watertown is proceeding with a highway corridor study to evaluate new roadway alignments and identify a locally supported north-south corridor alignment east of the current City limits.

This corridor is shown in the draft 2030 County Comprehensive Roadway System Plan as a minor arterial highway element of the future County State Aid Highway (CSAH) system.

The information and findings generated by this study will be beneficial to further refining the County's future roadway system.

This agreement provides for a lump sum County cost share in completing this City transportation study.

The project consultant is Bolton & Menk, Inc.

ACTION REQUESTED:

It is requested that the County Board approve the attached resolution authorizing signing of the agreement.

FUNDING

County Dollars =	\$ 6,850.00
Other Sources & Amounts =	
City of Watertown =	\$ 6,850.00
TOTAL	= \$13,700.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date: 7/2/08

S:\PW\Cities\Watertown\N-S Corridor Study 2008 – Watertown – JPA - RBA

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

Date: _____
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

**COOPERATIVE AGREEMENT
BETWEEN
CARVER COUNTY AND THE CITY OF WATERTOWN
FOR
HIGHWAY CORRIDOR STUDY**

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorizes the County Chair and the County Administrator to execute the agreement between Carver County and the City of Watertown for completion of a Highway Corridor Study to evaluate new roadway alignments and identify a locally supported alignment east of the current City of Watertown limits.

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 1st day of July, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of July, 2008.

Dave Hemze

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Joint Powers Agreement between Carver County and City of Chaska for Pioneer Trail Overlay

Originating Division: Public Works

Meeting Date: July 22, 2008

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: Pioneer Trail from Bavaria Road to TH 41 has a County State Aid Highway 14 designation. The transfer of jurisdiction from the City of Chaska to Carver County is programmed and will be occurring within the next year. The existing pavement on this segment of Pioneer Trail is deteriorating and in need of repair/maintenance. This agreement provides for completion of this needed repair/maintenance in a timely manner. The City of Chaska will be the lead agency for the project. This agreement formalizes the project responsibilities, including financial, for this project.

ACTION REQUESTED: It is requested that the County Board approve the attached resolution authorizing signing of the agreement.

FUNDING

County Dollars =	\$	110,000
Other Sources & Amounts =		
CITY OF CHASKA	=\$	110,000
TOTAL	=\$	220,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director
JML

Date: 7/14/08

S:\R&B\GRM\CSAH\14\JPA with City of Chaska - baf

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

Date: July 22, 2008

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**JOINT POWERS AGREEMENT
BETWEEN
CARVER COUNTY
AND
CITY OF CHASKA
FOR
PIONEER TRAIL OVERLAY**

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorize the County Chair and the County Administrator to execute the agreement between Carver County and the City of Chaska for the design and construction of CSAH 14 (Pioneer Trail) Overlay between Bavaria Road and the SW Corner of Jonathan Square.

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 22nd day of July, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 22nd day of July, 2008.

County Administrator

S:\R&B\GM\CSAH\14\JPA with City of Chaska - resol



REQUEST FOR BOARD ACTION

AGENDA ITEM : CSAH 10 Right of Way Negotiated Settlement

Originating Division: Public Works

Meeting Date: 7/22/08

Amount of Time Requested: None

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Public Works has reached a negotiated settlement with a land owner along CSAH 10 whose driveway was adversely impacted by the CSAH 10 project and who had survey markers destroyed by construction activities. The settlement has been reduced to writing and been reviewed by County Attorney staff.

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

FUNDING

County Dollars = \$10,000.00

Other Sources & Amounts =

= \$

TOTAL

= \$10,000.00

Related Financial Comments:

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

Date:

7/2/08

S:\Projects\SP10-610-30\RW\BARQuast

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

Date: July 22, 2008
Motion By Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

**CSAH 10 Right of Way (SP 10-610-30)
Negotiated Settlement 21**

WHEREAS, the Carver County Board authorized by resolution, the Public Works Division to negotiate right of way for this project, and

WHEREAS, a negotiated settlement has been arrived at with Merlin Quast relating to driveway construction and right of way marker damage, and

WHEREAS, this settlements requires approval of the County Board,

NOW THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners approve the above negotiated right of way settlement.

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 twenty second day of July, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 22th day of July, 2008.

County Administrator

S: Projects\10-610-30\RW\RWRes21



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Out of State Travel for ESRI GIS Training

Originating Division: Land Water Services

Meeting Date: 22 July 2008

Amount of Time Requested:

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: As part of implementing the CCWMO water management plan and implementing the multiple Total Maximum Daily Load (TMDL) projects, the Planning & Water Mgmt Dept. relies on strong mapping and GIS skills for internal work. An opportunity for Greg Aamodt (Env III) to attend the national ESRI International User conference in San Diego in to receive ongoing training has come up through a vacancy in the GIS dept. This training will provide an excellent opportunity for training to keep GIS knowledge in the dept and division up to date and better utilize current tools to apply to TMDL's and water management.

Funding - the cost of the conference will be covered by the existing county license which pays for conf fee and budgeted dollars in the LWS 2007 conference and training budget.

ACTION REQUESTED: Motion approving out-of-state travel for Greg Aamodt to attend the ESRI 2008 International User Conference .

FUNDING

County Dollars = \$1000

Other Sources & Amounts =
= Co License conf fee paid \$1300

TOTAL = \$2300

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: No amendment is needed; the cost of the conference will be covered by the existing county license which pays for conf fee and budgeted dollars in the LWS 2007 conference and training budget.

Reviewed by Division Director

Date: 2 July 2008



REQUEST FOR BOARD ACTION

AGENDA ITEM : Public Health Emergency Preparedness Grant Contract Amendment #2- Community Health Board

Originating Division: Public Health

Meeting Date: July 22, 2008

Amount of Time Requested:

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: The Minnesota Department of Health has amended the agreement awarded in January to the Carver County Community Health Board for public health preparedness, pandemic influenza, and Cities Readiness Initiative (CRI) activities. This amendment will extend only the time and duties to continue planning for strategic direction, coordination and management in responding to acts of terrorism, outbreaks of infectious diseases and other public health threats and emergencies. This amendment extends the prior effective date of August 9, 2008 to October 31, 2008.

ACTION REQUESTED:

Motion to approve Amendment #2 for the Public Health Preparedness, Pandemic Influenza, and Cities Readiness Initiative grant awards from the Minnesota Department of Health, as the Community Health Board.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

The amendment is for an extension of time and duties only; no additional funding will be received.

Reviewed by Division Director 

Date: 7-8-08



REQUEST FOR BOARD ACTION

AGENDA ITEM : Metropolitan Environmental Partnership Grant Agreement

Originating Division: Land Water Services

Meeting Date: 07.22.08

Amount of Time Requested: NA

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Staff is requesting that the Board authorize the Metropolitan Environmental Partnership grant agreement with the Metropolitan Council in the amount of \$52,984. The Board first approved this grant agreement in the amount of \$100,000 in October 2004. The deadline for use of these funds was dec 2007. The Met Council has agreed to extend these funds until October 2010. The funds are being used for a restoration of the Crane Creek watershed located west of New Germany (drains to Crow River). NO CHANGE IN BUDGET OR FUNDING RESULT FROM THIS agreement.

ACTION REQUESTED:

FUNDING

County Dollars =	\$in-kind
Other Sources & Amounts =	10,000 CCWMO levy
	= \$52,924 MEP grant
TOTAL	= \$

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: NO CHANGE IN BUDGET OR FUNDING RESULT FROM THIS agreement.

Reviewed by Division Director

Date: 06.13.08



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of contract with American Engineering Testing, Inc.

Originating Division: Administrative Services

Meeting Date: 7/22/08

Amount of Time Requested: N/A

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

In early January a request for proposal for the soil boring and construction testing work needed for the Government Center expansion projects was sent to Braun-Interec Corporation and American Engineering Testing Inc. (AET).

Staff and the architect reviewed the two proposals and determined that AET has submitted the lowest total proposal of \$38,004 for both the soil boring work and the construction testing work. Braun-Intertec's proposal was \$43,448.

The project was divided into two phases. The first phase which included the soil boring was approved by the Board in February and has been completed. With construction starting on the Government Center, the second phase is needed. The second phase includes construction testing of earthwork, paving, concrete, masonry and steel.

ACTION REQUESTED: Approve the contract amendment with American Engineering Testing, Inc. for phase II totaling \$28,104.

FUNDING

County Dollars =	\$28,104
Other Sources & Amounts =	
Grants =	\$0
TOTAL	= \$28,104

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Phase I of the contract totaled \$6,500. Phase II is for \$28,104. The total amount of the two phases is \$38,004.

Reviewed by Division Director

Date: 6/18/08



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 7/22/08
 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 = \$ - 23.37
 Other Sources & Amounts = \$ - 48.63
 =
TOTAL = \$ - 72.00

FISCAL IMPACT

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

Related Financial Comments:

 Reviewed by Taxpayer Services Manager

Date: 7-14-08



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
July 22, 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	20.1250010	Michael J & Debora K Dvorak	Homestead	4,852.00	4,762.00	-28.44	-90.00
2007	20.1250010	Michael J & Debora K Dvorak	Homestead	4,830.00	4,738.00	-29.58	-92.00
2006	20.1250010	Michael J & Debora K Dvorak	Homestead	4,548.00	4,448.00	-34.72	-100.00
2008	85.0500132	Hubert Vassar	Non-Homestead	2,048.00	2,258.00	69.37	210.00
							0.00
							0.00
							0.00
							0.00
Grand Total				\$16,278.00	\$16,206.00	-\$23.37	-\$72.00



REQUEST FOR BOARD ACTION

AGENDA ITEM: Carver County Comprehensive Transportation Plan Update 2005-2030
Amendment No. 2 to Mn/DOT - Carver County Agreement No. 88704

Originating Division: Public Works

Meeting Date: July 22, 2008

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:

Carver County and Mn/DOT entered into an agreement in 2005 to provide a comprehensive, multi-jurisdictional and multi-modal transportation plan in Carver County.

The purpose of the Carver County Transportation Plan is to provide direction to the County and other affected jurisdictions in assessing anticipated growth and projected travel needs over the next 25 years.

The agreement between Carver County and Mn/DOT is being modified to change the expiration date from July 25, 2008, to February 28, 2009. The MnDOT authorized representative is also changed from Victoria Nill to Nicole Rosen by this amendment.

There is no change in the cost provisions of the agreement resulting from this amendment.

ACTION REQUESTED: It is recommended that the Carver County Board of Commissioners adopt the attached resolution authorizing the signing of "Amendment Number 2 to Agreement No. 88704 between Carver County and Mn/DOT for the development of a county-wide transportation plan.

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:

7/2/08

S:\Comp Plan\2006\Agmts\MnDOT\MnDOT.County Agmt - 08-0722 - Amendment #2 - BAF

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

Date: _____
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

**AMENDMENT NO. 2
TO
JOINT POWERS AGREEMENT NO. 88704
BETWEEN
CARVER COUNTY, MINNESOTA
AND
STATE OF MINNESOTA
FOR
CARVER COUNTY TRANSPORTATION PLAN**

BE IT RESOLVED, that the Carver County Board Chair and the Carver County Administrator are authorized to sign Amendment No. 2 to Joint Powers Agreement No. 88704 between Carver County and the State of Minnesota for transportation planning services for the development of a comprehensive, multi-jurisdictional and multi-modal transportation plan in Carver County (county-wide Carver County Comprehensive Transportation Plan Update 2005 to 2030).

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 22nd day of July, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 22nd day of July, 2008.

David Hemze County Administrator

REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of Service Lease Agreement with Procentive.com, Inc.

Originating Division: Social Services

Meeting Date: July 22, 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:

Procentive is a web-based, HIPAA compliant behavioral health practice management software system. Bradoc is presently being used at First Street Center. Since the implementation of electronic billing there have been numerous programming issues with the current software. We are looking to move forward with Procentive which will provide us with accurate and timely electronic billing, while also giving the tools to move forward with electronic medical records and reporting which will significantly reduce staff time presently being spent on data collection in this area. Procentive software will provide CSS with many reporting features presently not available with Bradoc.

The Division had the replacement of the current mental health billing system as a CIP Project for CY2008.

ACTION REQUESTED:

Approve service lease agreement with Procentive.com, Inc.

FUNDING

County Dollars = \$1,750 monthly lease
Other Sources & Amounts = \$16,400 set-up fee
= \$
TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Reviewed by Division Director

Date: 7/14/2008



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval to convert 0.8 Victim Witness Coordinator to a full-time Attorney I position.

Originating Division: Attorney

Meeting Date: July 22, 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:

The Carver County Attorney's Office (CCAO) is renewing its request for an Assistant County Attorney I (Civil Division). Approval of this request will not impact the budget in 2008.

The Attorney I position, as well as a 0.8 Victim Witness Coordinator position, was requested by the CCAO in its proposed 2008 budget. The 0.8 Victim Witness Coordinator was approved.

Since September 2007, the CCAO has re-evaluated its current and future needs. As a result, the CCAO has determined that there are unmet legal needs and increasing legal demands in the Civil Division that require immediate attention. Several factors are contributing to this increase, including system-wide changes in the contract review process, an increase in the frequency and complexity of data practices questions and an increase in new civil cases and files opened, especially Child Support cases. Additionally, the CCAO anticipates increased demand for legal advice and services, particularly in the areas of public works and environmental enforcement.

The CCAO requests conversion of the 0.8 Victim Witness Coordinator position included in the 2008 budget to a full-time Attorney I (Civil Division) position. The Finance Division analyzed this request and determined that approval of the Attorney I position will not impact the budget in fiscal year 2008 as of June 15, 2008.

The CCAO is working with the Project Management Office (PMO) to analyze the current 1.0 Victim Witness Coordinator position in order to maximize efficiencies and improve delivery of services to crime victims with existing staff.

ACTION REQUESTED:

Motion to convert the 0.8 victim Witness Coordinator position to a full-time Attorney I (Civil Division) position in the County Attorney's Office.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

There is no budget impact in 2008 for the conversion of this position. The net impact on the 2009 budget is \$13,619. This increase will be included in the 2009 budget process.

Reviewed by Division Director

Date: July 8, 2008



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2007 Financial Reports

Originating Division: Financial Services

Meeting Date: July 22, 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:

The County's 2007 Comprehensive Annual Financial Report (" CAFR" was distributed previously under a separate cover letter) will be presented to the County Board by County staff. The CAFR sets forth the County's financial position and results of operations and cash flows and all disclosures necessary to enable maximum understanding of the County's financial affairs. Responsibility for both the accuracy and completeness of the presented data and the fairness of the presentation, including all disclosures, rests with the County.

The Office of the State Auditor audited the County's financial statements and issued an "unqualified opinion". This means that, in the auditor's opinion, the financial statements conform with applicable accounting standards. In addition to formulating an opinion on the County's financial statements, the Auditor's Office reviewed the County's internal controls, legal compliance, and financial management practices. The Management and Compliance Report which was issued under a separate cover from the Office of the State Auditor, contains the results of that review, including their recommendations for improvements.

The Management and Compliance Report will be formally presented to the County Board by Tim Sweeney from the Office of the State Auditor.

Finally, I would like to acknowledge the professionalism and tremendous effort put forth by the County's Assistant Finance Director, Nathan J. Reinhardt, CPA, MBA who is primarily responsible for preparing the County's CAFR.

ACTION REQUESTED: *No action requested – Information only*

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: July 14, 2008



REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of Change Order for Chaska Service Center

Originating Division: Administrative Services

Meeting Date: July 22, 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:

Upon excavation of the soil as part of the 20 x 75 foot addition to the existing Chaska Service Center a geo-technical engineering firm has determined that the fill and organic soils would not be suitable to support the proposed building foundation. The soil boring found possible fill consisting of sandy silt, lean clay with sand, to depths of 2½ to 6½ feet below grade. Additionally, the naturally-occurring soils capable of supporting engineered fill and foundation loads occur at depths of approximately 9 to 12 feet below grade, based on test borings. The water level was observed from 5½ to 7½ feet below grade.

Three options were presented to the County including traditional soil correction, Geo-piers and Helical piers. The preliminary opinion of the geo-tech firm is the building addition be supported by spread footing foundations bearing on Geo-pier improved soils. Geo-piers could be used to improve the soils under the footings and foundations, as well as under the slab on grade. There was concern that high water table and depth of unsuitable soils would make it difficult to perform a conventional excavate and replace procedure (soil correction) without undermining the existing building foundation. Helical piers could be installed to support the footings, but the floor slab of the addition would bear on uncontrolled fill and organic soils, which could potentially settle.

Costs:

Geo-piers: \$54,446, Helical piers: \$41,505 but would require at least two weeks of additional design time and would likely require additional plumbing costs.

Recommendation: Staff recommends the use of traditional soil correction and to contract with Olson Construction \$39,100. Olson was the excavation firm used for the original license center and used the excavation and replace procedure back in 1994. Olson's scope of work will include a "pad ready" site to the County that includes additional independent soil testing through Allied Testing Company. Olson's cost proposal is a worst case scenario; if costs come in less than the \$39,100 the County will be charged only for costs incurred.

Funding for this change order will come from the Chaska Service Center project as follows:

- Q-Matic – original budget of \$75,000: recent quote of 49,327: apply \$25,000
- 3-Phase Power – original quote from the City of \$15,000: recent cost of \$5,000: apply \$5,000
- Project Contingency of \$27,600: apply \$9,100

ACTION REQUESTED:

Motion to approve change order contract to Olson Construction for a not-to-exceed cost of \$39,100 pending contract review by the County Attorney's Office and Risk Management and to approve reallocating \$9,100 of the project contingency funds and general condition line item savings to fund the change order.

FUNDING

County Dollars = \$39,100
Other Sources & Amounts =

TOTAL = \$39,100

Related Financial Comments:

FISCAL IMPACT

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

Reviewed by Division Director

Date: 7/13/08