

Carver County Board of Commissioners  
 Regular Session  
 June 3, 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"> <li>a) <b>CONVENE</b></li> <li>b) <i>Pledge of Allegiance</i></li> <li>c) <i>Public participation (comments limited to five minutes)</i></li> <li>d) <i>Introduction of New Employees</i></li> </ul>	
	2.	Agenda review and adoption	
	3.	Approve minutes of May 27, 2008 Regular Session .....	1-3
	4.	Community announcements	
9:15 a.m.	5.	<b>CONSENT AGENDA</b>	
	5.1	Thomas Stronczer-request for an equestrian facility .....	4-7
	5.2	Ryan Gilbertson-request for an equestrian facility .....	8-11
	5.3	Tom Nowlan-Rural Service District Business .....	12-16
	5.4	CCWMO funding for NYA stormwater project.....	17-20
	5.5	Salary Adjustment; Librarian Classification; Library System	21
	5.6	Community Social Services' warrants .....	NO ATT
	5.7	Commissioners' warrants.....	SEE ATT
9:20 a.m.	6.	<b>EMPLOYEE RELATIONS</b>	
	6.1	Minnesota Counties Insurance Trust 2008 member report for Carver County by MCIT staff .....	22
9:50 a.m.	7.	<b>PUBLIC WORKS</b>	
	7.1	Approval of temporary construction license-Lyman project with TC&W Railroad .....	23-24
	7.2	Approval of encroachment agreement with Magellan Pipeline for CR 18-Lyman Boulevard project .....	25-26

10:15 a.m.

**ADJOURN REGULAR SESSION**

10:15 a.m.

1. Chair
2. Board Members
3. Administrator
4. Adjourn

10:45 a.m.

David Hemze  
County Administrator

ACCEL Meeting  
June 5, 2008, 7:00-8:30 p.m.  
Cologne Community Center

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 27, 2008. Vice Chair Tim Lynch convened the session at 9:15 a.m.

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

Members absent: James Ische.

The following amendments were made to the agenda:

Delete 5.2 Salary adjustment, Library Classification; Library System

Add: 9.1 Rescind and adopt revised Resolution in Support of Funding for Highway 212.

Degler moved, Maluchnik seconded, to approve the agenda as amended. Motion carried.

Workman, Degler seconded, to approve the minutes of the May 13, 2008, Regular Session Motion carried.

Community announcements were made by the Board.

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

Payment of emergency claim in the amount of \$1,000 and \$8,444.

Resolution #52-08, to Approve the City of Watertown Surface Water Management Plan.

Resolution #53-08, to Approve the City of Carver Surface Water Management Plan.

Professional service agreement between Carver County and Ridgeview Medical Center.

Resolution #54-08, Professional Service Agreement between Minnetonka Community Education and Carver County for Lifeguard Services at Lake Minnewashta and Lake Waconia Regional Parks.

Service agreement between Carver County and Precision Sealcoating in the amount of \$29,655.

Authorized the Sheriff's Office to donate 12 Visar portable radios and miscellaneous belt clips to the Motley Police Department.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried.

Bill Weckman, Public Works, requested the Board award bid for Lyman Boulevard reconstruction project. He identified the 1.3 mile segment to be reconstructed. Weckman indicated the project has been on the fast track since last year and was a joint project with the Cities of Chaska and Chanhassen. He stated the City of Chaska concurred with the award last Monday evening and he was asking the Board to award the bid today contingent on the City of Chanhassen's approval at tonight's meeting.

He stated construction would start June 9<sup>th</sup> and reviewed upcoming road closures. Weckman explained three bids were received and the intent is to have the project completed by the end of July 2009.

Workman moved, Maluchnik seconded, to award the SAP 10-618-09 Lyman Boulevard Reconstruction to S.M. Hentges & Sons in the amount of \$7,412,207.34 contingent on the concurrence of the City of Chanhassen and related Public Works budget amendment increasing City of Chanhassen revenue \$3,327,694, City of Chaska revenue \$562,985, ISD 112 revenue \$833,333 and increasing Lyman Boulevard reconstruction expenditure account \$4,724,012. Lynch, Maluchnik, Workman voted aye. Degler abstained due to a possible conflict of interest. Motion carried.

Paul Moline, Land and Water Services, noted the Board's previous action approving a list of questions to be used in conducting a County survey and indicated today they would be sharing those results. He stated this was the fourth survey the County has done and noted the most recent survey was conducted concurrently with other counties giving them the ability to share costs and compare results.

Shannon Hayden, National Research Center, explained the background of the study and methodology. She noted they completed approximately 500 surveys, with results adjusted proportionally according to age and gender, with a margin of error of +/-4%.

Hayden summarized the responses received related to quality of life, the most serious issues facing the County and the overall quality of County services.

Moline noted the full report was available on the County's website and a press release was being prepared. He indicated they would also be trying to include some of the results into the comp plan.

Steve Taylor, Administrative Services, explained he had spent the last several months looking at the best ways to replace the infrastructure needs at the Government Center complex. He pointed out the age and condition of the current boiler and chiller units and highlighted the results of the energy audit that was completed. He reviewed the estimated replacement costs and anticipated savings with new equipment.

Taylor requested approval of contracts with the County's existing construction manager and architect to oversee and design the central plant. He explained the expected annual payments if 15-year tax

exempt lease purchase agreements were used to finance the project. He anticipated being able to bid in September and at that point would expect they would know of all the costs that would be involved.

Workman moved, Degler seconded, to approve contract amendment with Kraus Anderson Construction to provide construction management services at a flat rate equal to 2.75% of construction costs or a total of \$110,000; on site superintendent costs not to exceed \$125,140 and \$9,000 for reimbursables; to approve contract amendment with Wold Architecture to provide design services for a total fee of \$315,000; with a maximum of \$25,000 for reimbursables; to delegate authority to the Administrative Services Director to approve and contract for general condition costs up to \$50,000 and architectural contract design contingency up to \$75,000 for potential charges in scope and to direct the Finance Director to begin the process to secure tax-exempt lease purchase financing for the project. Motion carried.

David Hemze, County Administrator, noted Resolution #51-08 that the Board previously adopted relating to the support of federal funding for Highway 212. He acknowledged the Board's request to rescind that Resolution and include additional language to also not support the politicizing of the federal transportation formula.

Workman moved, Maluchnik seconded, to rescind Resolution #50-08 and to adopt Resolution #55-08, in Support of Funding for Highway 212. On vote taken, all voted aye.

Workman moved, Degler seconded, to adjourn the Regular Session at 11:06 a.m. 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.)



# REQUEST FOR BOARD ACTION

**AGENDA ITEM:** Thomas Stronczer - request for an equestrian facility

Originating Division: Land Water Services

Meeting Date: June 3, 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:** File #PZ20080014. The Planning Commission recommended approval of the Equestrian Facility Conditional Use Permit for Thomas Stronczer. The proposed indoor riding arena would be approximately 82' X 150 (12,300 sq. ft.) and would be attached to the existing barn. The Stronczer's indicated that there would not be any commercial boarding and that the structure is for their personal use of their two horses. Environmental Services reviewed and approved the manure management plan for the property. The Laketown Town Board recommended approval of the request.

**ACTION REQUESTED:** A motion to adopt the Findings of Fact and to issue Order #PZ20080014 for the issuance of a Conditional Use Permit

**FUNDING**

County Dollars = \$-0-  
Other Sources & Amounts = -0-  
= \$  
**TOTAL** = \$-0-

**FISCAL IMPACT**

None  
 Included in current budget  
 Budget amendment requested  
 Other:

Related Financial Comments:

Reviewed by Division Director *GDH*

Date: 22 230'

COUNTY OF CARVER

***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20080014**

**RESOLUTION #: 08-08**

**WHEREAS**, the following application for a Conditional Use Permit has been submitted and accepted:

**FILE #:** CU-PZ20080014

**APPLICANT:** Thomas Stronczer

**SITE ADDRESS:** 8110 Airport Rd, Waconia MN 55387

**PERMIT TYPE:** Equestrian Facility

**PURSUANT TO:** County Code, Chapter 152, Section(s) 152.079 C5

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 07-020-1100

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 20, 2008; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Thomas and Jeanne Stronczer own a 40 acre property located in the East Half (E1/2) of the Northeast Quarter (NE1/4) of Section 20 in Laketown Township. The site is located within the Agricultural Zoning District and the CCWRMA Carver Creek. The property is improved with a home with attached garage and a horse barn.
2. The applicants are applying for a Conditional Use Permit for an equestrian facility pursuant to Section 152.079 C5 & 152.077 C of the Carver County Code.
3. The applicant would like to construct a 70' x 150' riding arena with an attached 12' x 150' lean-to for storage of hay and equipment. The applicant has indicated the structure would be used strictly for personal use and that no commercial boarding or training activity would take place on the property.
4. According to the site and operational plans (dated 4/3/08), the proposed facility will be attached to the south side of the existing barn and the lean-to will face southerly. The riding arena will have a dirt floor and will not be insulated, but will have electrical service in the riding arena and lean-to for lighting.
5. Currently there are only two horses and six sheep on the property and the applicant has submitted a manure management plan indicating the frequency and location of manure spreading on the property. Mr. Stronczer has indicated that he may add additional animals in the future. If Mr. Stronczer has more than 9 animal units on the property, he will be required to contact Environmental Services to ensure his management plan is sufficient.
6. The Laketown Town Board heard the request at their April 14, 2008, Town Board meeting and recommended approval of the application for personal use only.

**THEREFORE, BE IT RESOLVED**, THAT The Carver County Planning Commission hereby recommends the issuance of the Conditional Use Permit for an Equestrian Facility on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The structures shall be used only by the occupants of the residence and their guests. The structure shall be utilized for: a personal riding arena, keeping of animals and appurtenant equipment and supplies, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and as otherwise permitted as an accessory structure. Guest quarters and/or additional dwelling units are strictly prohibited. No products or services shall be offered for sale, pay or similar remuneration except as permitted for a home occupation or as otherwise regulated by this Ordinance.
3. The equestrian facility shall be operated in accordance with the operational plans (dated 4/3/08). These plans shall be attached to and become part of this permit. No public or commercial activities shall be permitted on the site.
4. A maximum of nine (9) animal units shall be allowed on the site without a feedlot registration. If the applicant exceeds nine (9) animal units, he/she will be required to comply with the Carver County Feedlot Ordinance and/or appropriate permit(s). A manure management plan must be submitted by the applicant and must be approved by the Environmental Services (E.S.) Department prior to the issuance of a building permit for any animal related structure permitted by this CUP.
5. Any required building and septic permit(s) must be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary. All structures shall meet the applicable State Building Code requirements.

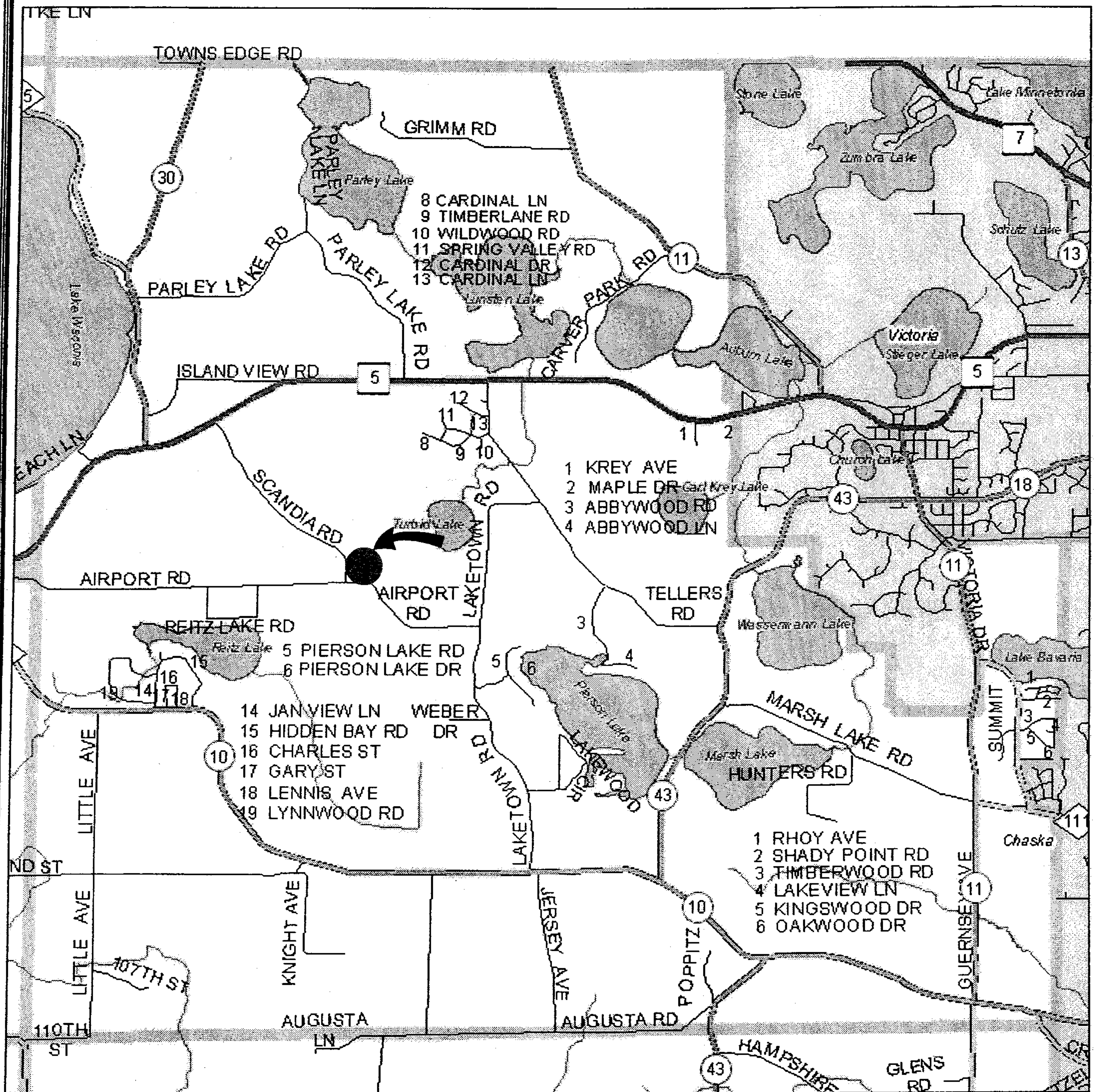
**ADOPTED** by the Carver County Planning Commission this 20th day of May, 2008.

---

**Ted Beise**  
**Planning Commission Chair**



# Laketown Township



This map was created using Carter County's Geographic Information Systems (GIS). It is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carter County is not responsible for any inaccuracies contained herein.



Map Created by Carter County GIS  
Apr 21, 2005



# REQUEST FOR BOARD ACTION

**AGENDA ITEM: Ryan Gilbertson- request for an equestrian facility**

Originating Division: Land Water Services

Meeting Date: June 3, 2008

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:** File #PZ20080015. The Planning Commission recommended approval of the Oversize Accessory Structures and an Equestrian Facility Conditional Use Permit for Ryan Gilbertson. The proposed Equestrian Facility will consist of an approximate 100' X 200' riding arena and an approximate 60' X 100' barn with tack room, bathrooms, and kitchenette. The accessory structures would consist of an approximate 80' X 100' personal storage shed and a 30' X 30' pool house. The total square footage of all personal accessory and equestrian structures on the property will be approximately 35,000 sq. ft. Mr. Gilbertson has indicated that the structures are for personal use only and that no commercial activity will take place on site. Environmental Services reviewed and approved the manure management plan for the property. The Watertown Town Board recommended approval of the request with the condition that the applicant maintain the road and provide dust control while building permits for the approved buildings remain open.

**ACTION REQUESTED:** A motion to adopt the Findings of Fact and to issue Order #PZ20080015 for the issuance of a Conditional Use Permit

**FUNDING**

County Dollars = \$-0-  
 Other Sources & Amounts = -0-  
 = \$  
**TOTAL** = \$-0-

**FISCAL IMPACT**

None  
 Included in current budget  
 Budget amendment requested  
 Other:

Related Financial Comments:

 Reviewed by Division Director 

Date: 22 May 08

COUNTY OF CARVER

***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20080015**

**RESOLUTION #: 08-09**

**WHEREAS**, the following application for a Conditional Use Permit has been submitted and accepted:

**FILE #:** CU-PZ20080015

**APPLICANT:** Ryan Gilbertson

**SITE ADDRESS:** 1675 Neal Ave, Watertown MN 55388

**PERMIT TYPE:** Equestrian Facility

**PURSUANT TO:** County Code, Chapter 152, Section(s) 152.079 C5

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 10-002-2000

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 20, 2008; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Ryan Gilbertson owns a 79 acre property located in the South Half (S1/2) of the Northeast Quarter (NE1/4) of Section 2 in Watertown Township. The site is located within the Agricultural Zoning District and Pioneer Creek Watershed. The property is currently being improved with a home with attached garage.
2. The applicants are applying for a Conditional Use Permit for an equestrian facility pursuant to Section 152.079 C5 & 152.077 C and 152.073A3 of the Carver County Code.
3. The applicant would like to construct a 100' x 200' riding arena and a 60' x 100' barn to be used for stalls, tack room, and storage. In addition to the equestrian facilities, the applicant is proposing to build an 80' x 100' storage shed and a 30' x 30' pool house. The applicant's letter (dated April 30, 2008) states that the buildings will be used strictly for personal storage and recreation. There are no plans for commercial boarding or training activity on the site.
4. Mr. Gilbertson has proposed approximately 35,000 sq. ft of equestrian and accessory structures on his property. As a result of the size of the combined construction site size and potential run-off being created, a complete Level 3 Water Rules application and approval will be required before any construction occurs on the property
5. Currently, the applicant is only planning on having six horses on the property for which he has submitted a manure management plan indicating the frequency and location of manure spreading on the property. In the future, if Mr. Gilbertson has more than 9 horses on the property, he will be required to contact Environmental Services to ensure his management plan is sufficient
6. Paul Vogstrom, the applicant's builder has indicated that construction on the site will take place during the next two years. The home, barn and riding arena will be built this year and the accessory structure will be built next year.
7. The Watertown Town Board recommended approval of the application on condition that the applicant agrees to providing road maintenance and dust control for Neil Avenue as long as he has open building permits.

**THEREFORE, BE IT RESOLVED,** THAT The Carver County Planning Commission hereby recommends the issuance of the Conditional Use Permit for an Equestrian Facility on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

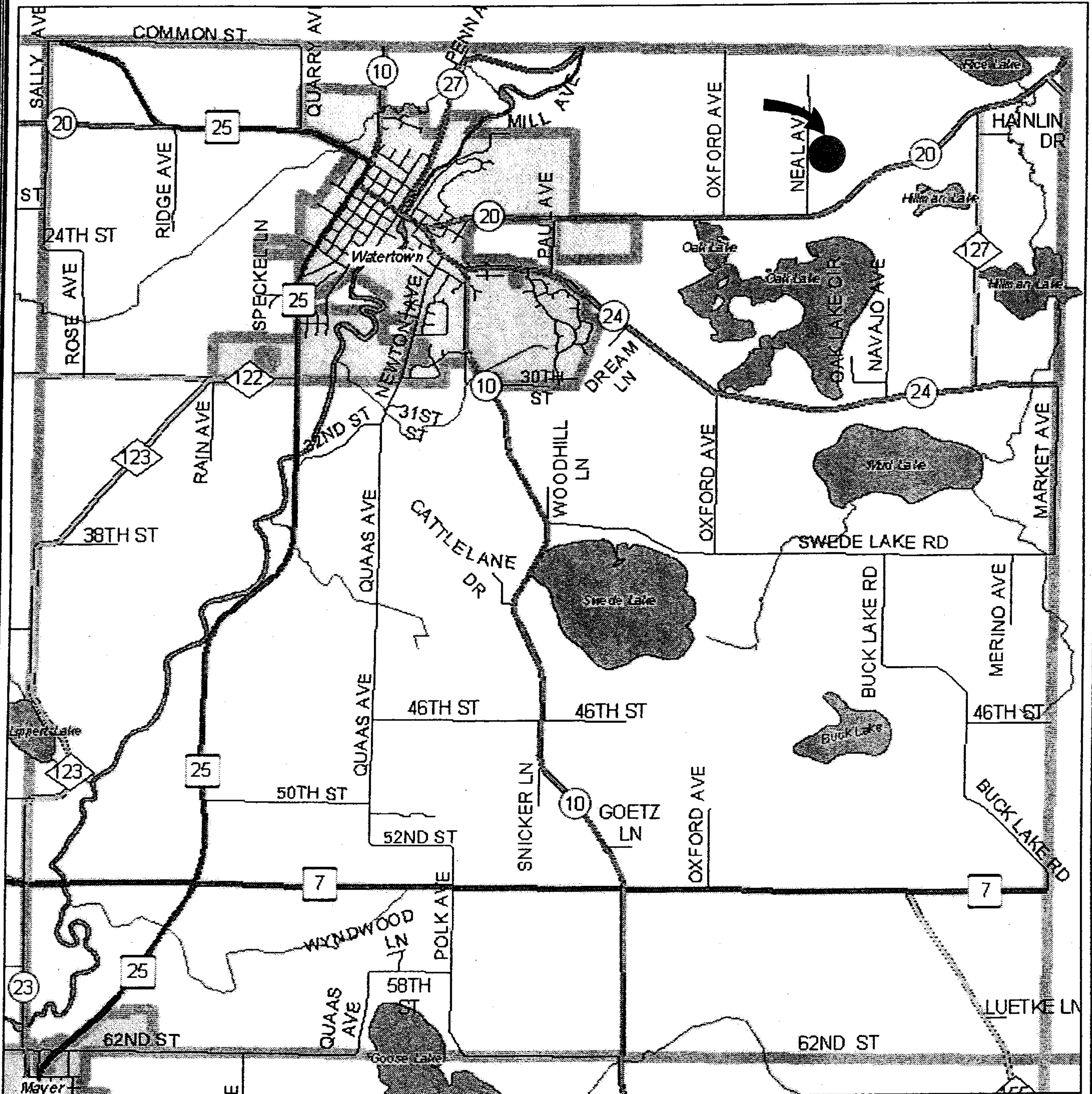
1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The structures shall be used only by the occupants of the residence and their guests. The structure shall be utilized for: a personal riding arena, keeping of animals and appurtenant equipment and supplies, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and as otherwise permitted as an accessory structure. Guest quarters and/or additional dwelling units are strictly prohibited. No products or services shall be offered for sale, pay or similar remuneration except as permitted for a home occupation or as otherwise regulated by this Ordinance.
3. The equestrian facility shall be operated in accordance with the operational plans (dated 4/30/08). These plans shall be attached to and become part of this permit. No public or commercial activities shall be permitted on the site. No riding club activities shall be permitted on the property with an administrative permit issued by the County.
4. A maximum of nine (9) animal units shall be allowed on the site without a feedlot registration. If the applicant exceeds nine (9) animal units, he/she will be required to comply with the Carver County Feedlot Ordinance and/or appropriate permit(s). A manure management plan must be submitted by the applicant and must be approved by the Environmental Services (E.S.) Department prior to the issuance of a building permit for any animal related structure permitted by this CUP.
5. Any required building and septic permit(s) must be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary. All structures shall meet the applicable State Building Code requirements.
6. The permittee shall comply with Township standards for road maintenance and dust control on Neil Avenue as long as building permits for structures authorized by this permit remain open on the property.

**ADOPTED** by the Carver County Planning Commission this 20th day of May 2008.

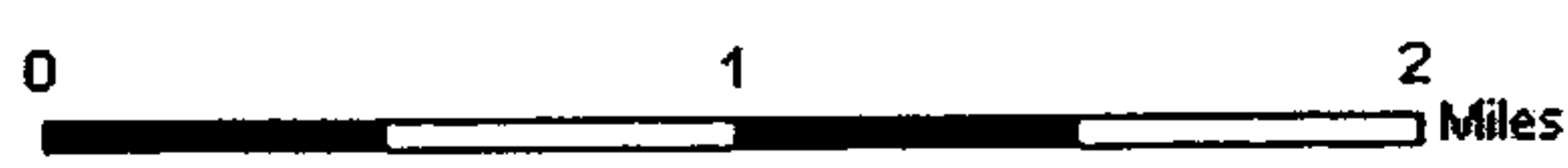
---

**Ted Biese**  
**Planning Commission Chair**

# Watertown Township



This map was created using Carver County's Geographic Information Systems (GIS). It is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS  
Apr 21, 2005



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Tom Nowlan – Rural Service District Business

Originating Division: Land & Water Services

Meeting Date: June 3, 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:

File #PZ20080013. The Planning Commission recommended approval of a Conditional Use Permit (CUP) in the Hollywood Rural Service District for Tom Nowlan's business. His request is to operate a custom cabinet manufacturing operation (Gallopig Cabinets) from the property, which he is purchasing from Kenneth & Germaine Pawelk (Section 15, Hollywood Township). The property is approximately 38 acres total, of which, about 21 acres is within the RSD. The proposed operation would include a large "shop" building and storage structure, and the potential for future expansion. The business provides services to customers within the County and surrounding communities. Also, a local farming operation utilizes the saw dust the operation produces. The Hollywood Town Board recommends approval of the request.

### ACTION REQUESTED:

A motion to adopt the Findings of Fact and to issue Order #PZ20080013 for the issuance of a Conditional Use Permit.

### FUNDING

County Dollars = \$-0-  
Other Sources & Amounts = -0-  
= \$  
**TOTAL** = \$-0-

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

Related Financial Comments:

Reviewed by Division Director *[Signature]*

Date: 22 May 08

COUNTY OF CARVER  
***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20080013**

**RESOLUTION #: 08-07**

**WHEREAS**, the following application for a Conditional Use Permit has been submitted and accepted:

**FILE #:** PZ20080013

**APPLICANT:** Thomas Nowlan

**OWNER:** Kenneth & Germaine Pawelk

**SITE ADDRESS:** Co Rd 122

**PERMIT TYPE:** RSD Business (light manufacturing)

**PURSUANT TO:** County Code, Chapter 152, Section(s) 152.097

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 06-015-1300

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 20, 2008; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. The applicant, Thomas Nowlan (Galloping Cabinets, LLC) has a purchase agreement for a 38 acre parcel from Kenneth & Germaine Pawelk. The property is located within the Hollywood (Sports Complex) Rural Service District (RSD), on the westerly side of Co Rd 21. The Rural Service District bisects the property with 21 acres inside the RSD and 17 acres outside the RSD boundaries. The proposed business activity would be within the RSD boundaries. The Property is within the CCWRMA -Crow River watershed and is currently unimproved.
2. Mr. Nowlan's request is to establish his custom cabinet manufacturing business on the site. Conditional uses are allowed in the Rural service Overlay District pursuant to Section 152.097 of the County Code.
3. Galloping Cabinets, LLC. provides custom cabinetry for residences in Carver County and the surrounding communities. The site plan and the applicant's letter & operational plan outline the details of the operation. The applicant has provided a letter with names of customers from the local area as well as the farming operation that uses the saw dust his operation creates. In general, the operation is a light manufacturing type of business, which is specifically allowed in an RSD, by the Zoning Code. The applicant has agreed to record an appropriate easement or covenant on the subject parcel prohibiting "Adult Uses" in the future.
4. The business operates between the hours of 7 a.m. and 7 p.m., 6 days per week. The operation currently has 6 employees but Mr. Nowlan is hoping to be able to expand up to 10 employees. The business utilizes 3 vehicles, which includes 2 delivery trucks and a pickup truck. Additionally, the applicant has a forklift and skid-steer loader which he uses for moving raw materials and finished products.
5. The applicant is proposing an approximate 80' x 187' shop and 50' X 80' storage building for trucks and equipment. He would also like the ability to build an approx. 80' x 100' addition in the future, depending on business growth. The applicant has indicated that the office building may include a brick front and natural colors to make it more attractive and to match the buildings owned by Neaton Bros Erosion, LLC and Burns Excavating, Inc. The proposed parking areas would be more than adequate to accommodate the use.

6. The applicant will have materials such as stains and finishes located on site, therefore Carver County Environmental Services will require Mr. Nowlan to contact their office to determine if a Hazardous Waste Generator's license is applicable.
7. The applicant has proposed screening on the northern perimeter of the property consisting of a berm with evergreens. Mr. Nowlan has indicated he will store his trucks inside the proposed 50' x 80' storage shed or in the shop but if those options do not work, he will park his trucks on the Northwest side of the building. The only other outside storage would be limited to a dust collection system attached to the shop with a gravity box located below.
8. Carver County Public Works has been contacted regarding Mr. Nowlan's proposal for access to his property. They have indicated that a right turn lane would be the safest approach for traffic entering the property. A driveway easement & maintenance agreement should be recorded on the properties to define the joint responsibilities for the two property owners if Mr. Nowlan utilizes the shared Burns/Neaton access. Otherwise, a separate driveway, meeting the required access standards, would be allowed off of Co. Rd. 122.
9. A 4' x 8' sign has been proposed at the entrance to the property from the Burns/Neaton properties. Mr. Nowlan has indicated that the sign will be informational in nature with his business name.
10. The size of the construction area for the applicant's proposal will require a Level 3 Water Rules application and must be approved before any construction occurs on the property. A drainage easement and pond maintenance agreement may be required if the applicant proposes sharing the storm water retention pond, given the fact that stormwater management would be handled jointly.
11. Traffic at the site would generally consist of employees reporting to and leaving the site. Traffic originating from deliveries would be low and inconsistent. One week may result in two deliveries and the next week there may not be any deliveries leaving the site.
12. The Hollywood Town Board recommended approval of the request at its April 14, 2008 meeting.

**THEREFORE, BE IT RESOLVED,** THAT The Carver County Planning Commission hereby recommends the issuance of the subject permit on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The operational plan and site plan for Galloping Cabinets shall be attached to and considered a part of this permit. The hours of operations shall substantially conform to the hours of 7 a.m. to 7 p.m. There shall be no operations on Sundays.
3. Building and on-site sewer permits must be obtained prior to the construction of the shop/office or accessory structure. The alternate septic site must be staked and roped off during construction to protect the site from heavy construction equipment and vehicles. Additionally, no trees may be planted on the alternate site.
4. A Level 3 Water Rules application, including attachments, must be submitted and approved before any construction occurs on the property. An appropriate easement shall be drafted and recorded on the property to address the shared drainage and pond maintenance responsibilities.
5. The Permittee shall comply with the access permit(s) as authorized by the responsible road authority. If a shared access is utilized, an appropriate easement shall be drafted and recorded on the property to address the shared driveway and any maintenance responsibilities.



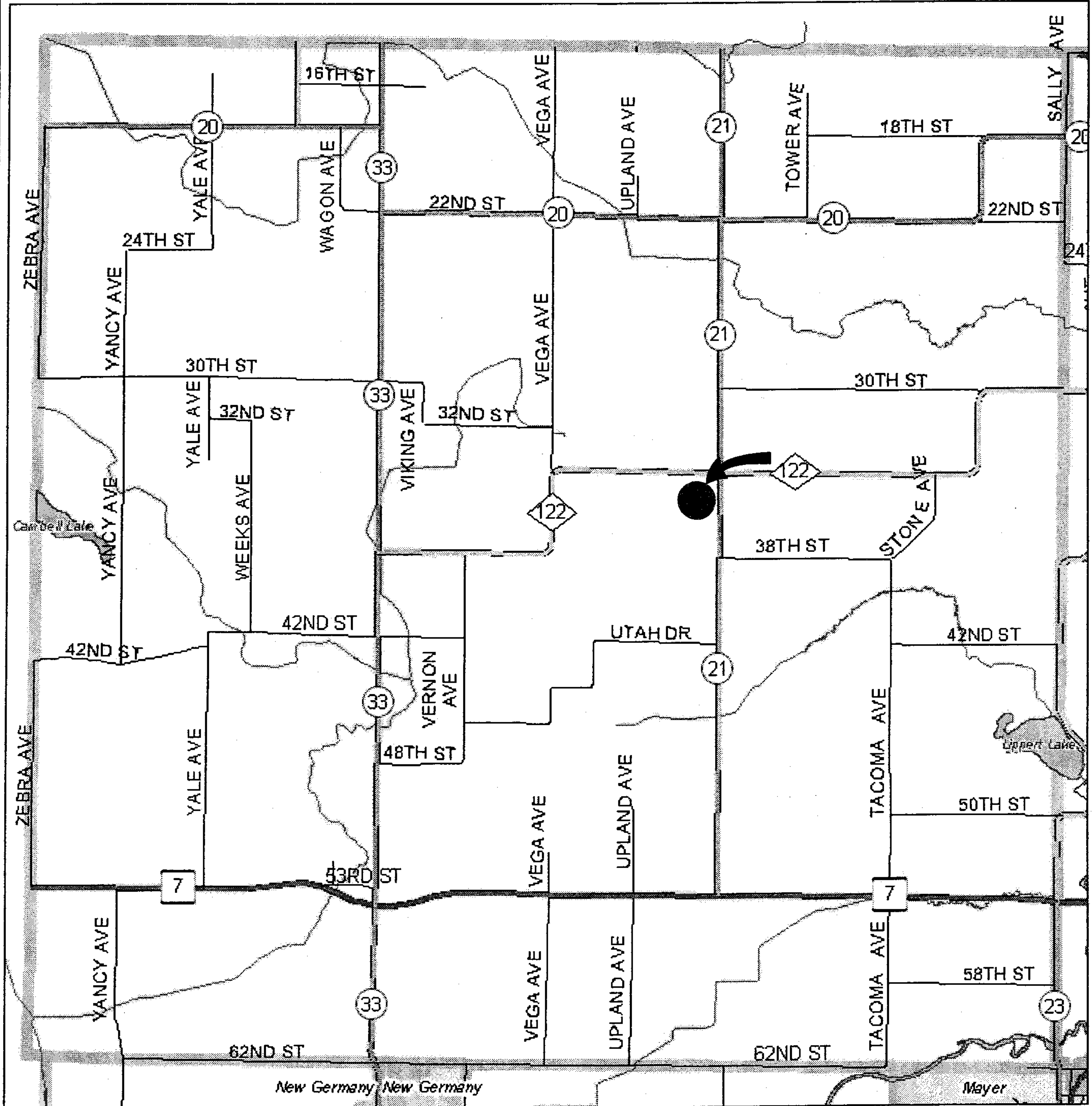
6. Screening shall be established, (constructed and planted) in accordance with the approved site/landscaping plan, within 6 months of the issuance of the Conditional Use Permit. Outside storage of business equipment, supplies and/or vehicles is permitted within the designated area only. Permanent outside storage of vehicles and equipment shall be permitted if the storage is within the designated area and screened from nearby roads and residences.
7. The Permittee shall contact the Environmental Services (E.S.) Department to determine whether or not a Hazardous Waste Generator's License or Non-generator's Certificate will be required.
8. Permittee shall submit a Certificate of Workers' Compensation Insurance and/or proper affidavit to the Land Management Department.
9. Permittee shall record an appropriate easement or covenant on the subject parcel prohibiting "Adult Uses" in the future.

**ADOPTED** by the Carver County Planning Commission this 20th day of May 20, 2008.

---

Ted Beise  
Planning Commission Chair

# Hollywood Township



This map was created using Carver County's Geographic Information Systems (GIS). It is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS  
Apr 21, 2005



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : CCWMO Funding for NYA Stormwater Project

Originating Division: Land Water Services

Meeting Date: 3 Jun 2008

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:** The Carver County WMO has received a request from the City of NYA for cost sharing on a demonstration stormwater project. The project would construct a porous pavement parking lot in a planned city park which would greatly reduce runoff amounts from the paved area and provide a visible location to demonstrate this technology. A copy of the request letter is attached and contains more information.

The city is estimating the additional cost of the porous pavement to be \$32,983.50, and is requesting the CCWMO to fund this cost difference. Construction is scheduled for summer of 2008.

The (WENR) advisory committee has reviewed this project request and is recommending funding based on its high ranking for water quality/quantity benefit and primarily in its demonstration capacity. Based on WENR committee and staff rankings of other projects, there are funds available from the existing Bevens Creek capital fund.

Staff is proposing that the CCWMO approve funding of this project along with conditions that the city provide commitment to construct, final approved plans, as-builts, a maintenance plan, cooperation with educational/demonstration materials prior to release of funds.

**ACTION REQUESTED:** Motion to authorize the expenditure of \$33,000 of Bevens Creek capital funds to fund the NYA porous pavement project along with conditions that the city provide final approved plans, as-builts, a maintenance plan, cooperation with educational/demonstration materials prior to release of funds.

### FUNDING

County Dollars =	
Other Sources & Amounts =	\$26,000 City of NYA
CC WMO Project Fund =	\$33,000
<b>TOTAL</b>	<b>= \$59,000</b>

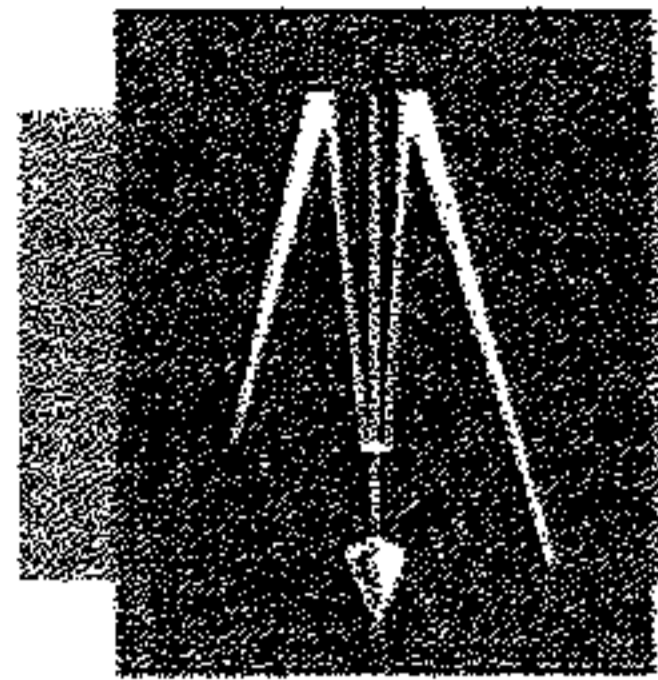
### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* The \$33,000 is drawn from the existing Bevens Creek Watershed Capital/Project Fund.

Reviewed by Division Director

Date: 5/23/08

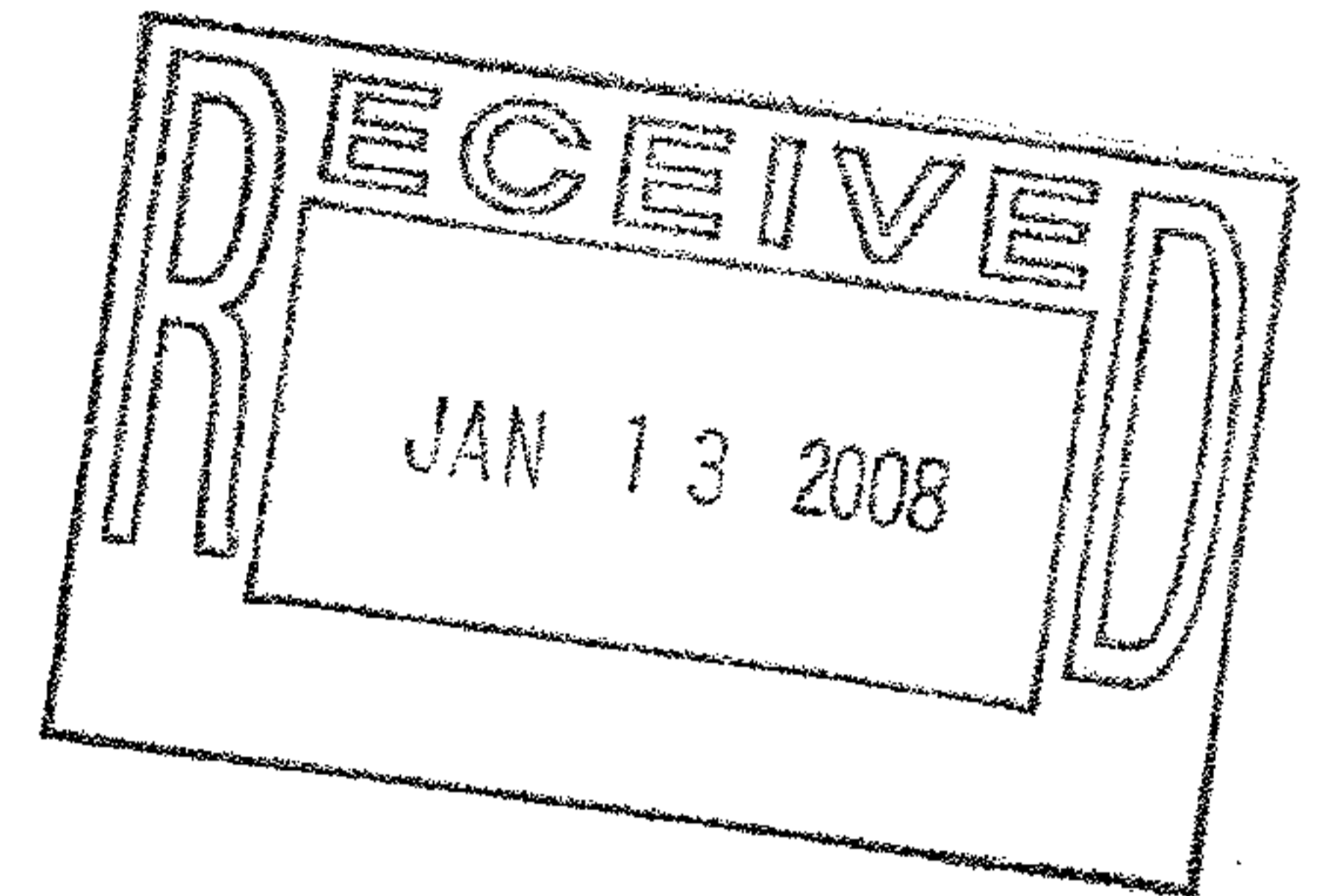


**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318  
Phone: 952.448.8838 • Fax: 952.448.8805

January 11, 2008

Carver County Planning and Zoning  
Attn: Paul Moline  
Government Center, Administration Building  
600 East 4<sup>th</sup> Street  
Chaska, MN 55318



**RE: Norwood Young America Funding Request – 2008 Infrastructure Rehab.  
Porous Parking Lot**

Dear Mr. Moline,

The City of Norwood Young America is in the process of evaluating the feasibility of 2008 infrastructure improvements. As part of the study the city is looking at improving Prairie Dawn Park with a picnic shelter, basketball court, volleyball court, disc golf course and parking lot. The City is requesting funding from the County to cover the increased costs associated with creating a porous asphalt parking lot in lieu of a traditional impervious surface.

The proposed parking lot area is shown in the attached Figure 1. The porous area would cover approximately 831 SY and would include a 10" thick rock storage bed and 6" draintile discharging to an existing wetland area. The void space in the storage bed will hold approximately 4" of runoff, but due to site soil conditions drain tile will be necessary to ensure drawdown.

The estimated cost for the construction of the porous pavement section is \$58,843.00, while the cost estimate for a traditional paved parking lot is \$25,859.50 (these are not total construction costs associated with the parking lot, but only the pavement section costs). Therefore, the additional project costs to change from an impervious surface to a pervious surface are estimated at \$32,983.50 (construction only). The City of Norwood Young America requests County funds to cover the costs of the difference, or \$32,983.50.

Please contact our office for additional information.

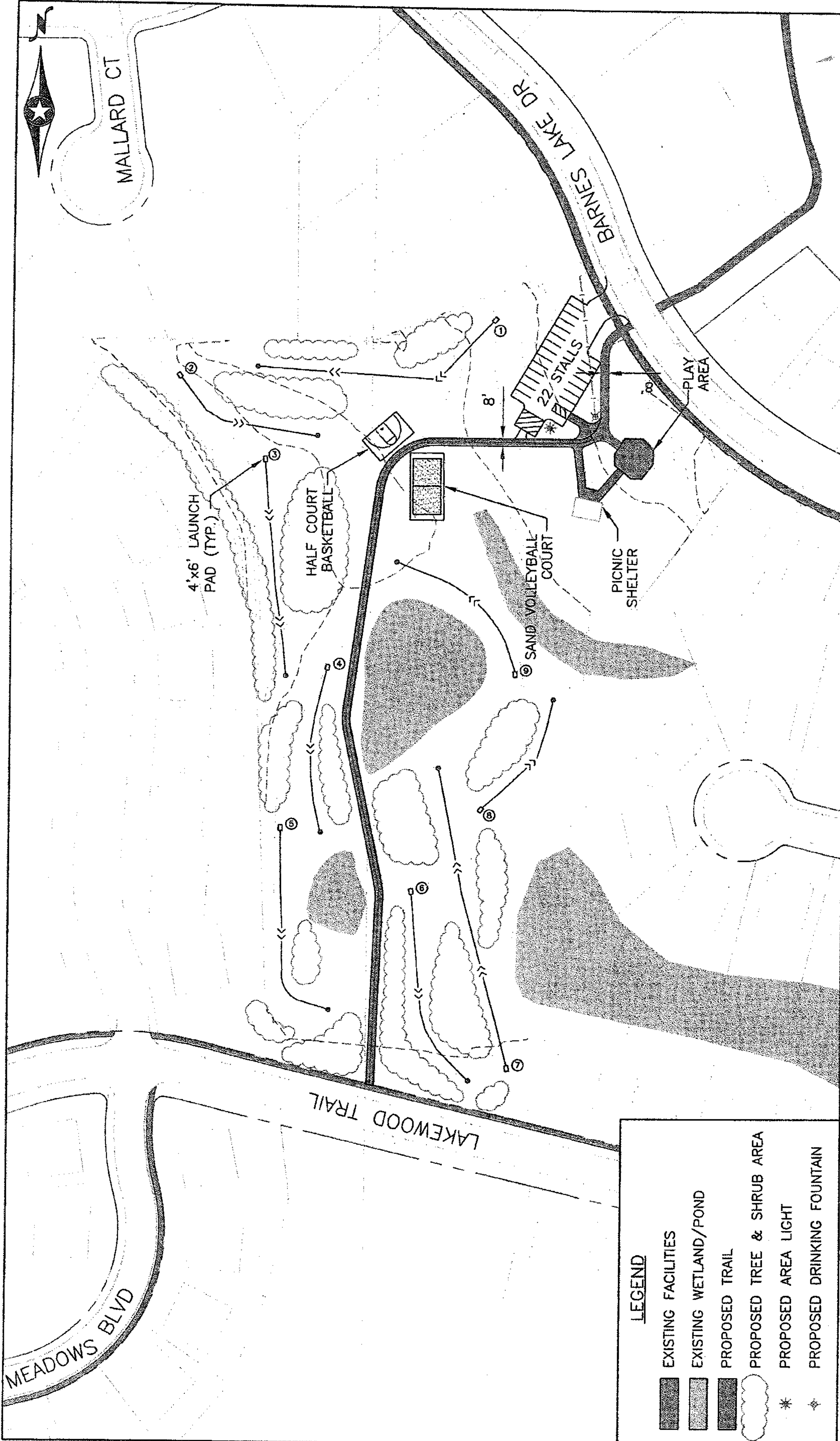
Sincerely,  
**BOLTON & MENK, INC.**



David M. Poggi, P.E.

**DMP/dlp**

cc: Dave Drealan, Carver Planning and Zoning  
Tom Simmons, City of Norwood Young America  
File



**LEGEND**

- EXISTING FACILITIES
- EXISTING WETLAND/POND
- PROPOSED TRAIL
- PROPOSED TREE & SHRUB AREA
- PROPOSED AREA LIGHT
- PROPOSED DRINKING FOUNTAIN



©Bolton & Menk, Inc. 2007. All Rights Reserved  
 H:\NOVA\C1238807\LAYOUT\PRAIRIE\_DAWN.dwg 1-10-08 10:01 am

**BOLTON & MENK, INC.**  
 Consulting Engineers & Surveyors  
 MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN  
 BURNSVILLE, MN CHASKA, MN RAMSEY, MN AMES, IA

**CITY OF NORWOOD YOUNG AMERICA**  
 PRAIRIE DAWN PARK  
 PARK IMPROVEMENTS

JANUARY, 2008  
 FIGURE NO. 6



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Salary Adjustment; Librarian Classification; Library System

Originating Division: Administrative Services

Meeting Date: 6/3/2008

Amount of Time Requested: Consent

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 the Library department reorganization plan for 2008, the Library system is moving toward a professional classification structure incorporating a classification more reflective of the current responsibilities and role expectations of these "Librarian" professionals who have system-wide and collection management responsibilities. The change would reclassify seven of the eight occupied "Librarian I" positions and five occupied "Librarian II" positions into a single classification which best describes the positions needed by the Library department to deliver quality library services at present and to position the Library for the future. One remaining "Librarian I" will transferred to an Associate Librarian classification to fill paraprofessional needs of the library. The Associate Librarian position will be similar to the Librarian I job description and remain at the current Librarian I grade level. The hiring of future professional librarian staff would work in this new "Librarian" classification.

In evaluating the "Librarian" classification, it was assigned a grade level 12 consistent with the current grade level of the "Librarian II" classification. The net effect is to adjust the salaries of those seven individuals (5.5 FTE's) and one vacant position (.60 FTE) from the "Librarian I" classification (grade level 11) to the "Librarian" classification (grade level 12). The Associate Librarian position will remain a grade level 11.

### ACTION REQUESTED:

Motion to approve changing seven qualified professionals currently occupying the Librarian I positions & five qualified professionals currently occupying the Librarian II positions to the new Librarian classification; adjusting the current Librarian I salaries (grade 11) to the Librarian salary range (grade 12), and retaining one current Librarian I as a paraprofessional transferring to the Associate Librarian classification effective as of 6/8/08.

### FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

**TOTAL** = \$

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

### Related Financial Comments:

The adjustment to the annual salaries and benefits for the affected positions is included in the 2008 Library personnel budget by not filling the current Librarian I vacancy. The estimated cost of this change in 2009 is \$25,000.

Reviewed by Division Director

Date: 5/29/2008

Doris M. Krogman, Employee Relations

Steve Taylor, Administrative Services



# REQUEST FOR BOARD ACTION

**AGENDA ITEM :** Minnesota Counties Insurance Trust (MCIT) 2008 Member Report for Carver County by MCIT Staff.

Originating Division: Employee Relations

Meeting Date: June 3, 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:** Staff from MCIT, along with the Risk/Emergency Management staff, would like to provide a member update to the County Board in reference to the risk management program with MCIT and in Carver County. The discussion will look at the overall performance of MCIT, past performance and future goals of Carver County in the risk management area as it relates to MCIT.

**ACTION REQUESTED:** Provide any additional input and/or direction to MCIT and the Risk/Emergency Management staff in the areas discussed.

**FUNDING**

County Dollars = \$

Other Sources & Amounts = \$

**TOTAL** = \$0

Related Financial Comments:

**FISCAL IMPACT**

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

Reviewed by Division Director

Date: 05/02/08





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : APPROVAL OF TEMPORARY CONSTRUCTION LICENSE - LYMAN PROJECT WITH TC&W RAILROAD

Originating Division: Public Works

Meeting Date: June 3, 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:** Project SAP 10-618-09 includes reconstruction of 1.3 miles of Lyman Blvd. (CSAH 18) from Galpin Blvd. (CSAH 15) to Audubon Road north in Chaska and Chanhassen. Completion of this project requires obtaining a temporary construction license from TC&W Railroad to complete roadway work within the TC&W Railroad Right of Way. The license includes the terms, conditions and stipulations for completion of this roadway work within the railroad right of way.

**ACTION REQUESTED:** The County Board adopt the attached resolution authorizing signing of the agreement.

### FUNDING

County Dollars =	\$
=	\$
=	\$
<b>TOTAL</b>	<b>=\$</b>

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

Related Financial Comments:

Reviewed by Division Director

Date:

S:\Projects\SAP 10-618-09\TC&W RR - Temp. Construction License Agmt. - baf

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

Date: June 3, 2008

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

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

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

**TEMPORARY CONSTRUCTION LICENSE  
BETWEEN  
CARVER COUNTY  
AND  
TWIN CITIES & WESTERN RAILROAD  
FOR  
THE CSAH 18 (LYMAN BLVD) RAILROAD RIGHT-OF-WAY**

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorizes the Board Chair and the County Administrator to execute the temporary construction license between Carver County and Twin Cities and Western Railroad for roadway work within the railroad right of way on CSAH 18 (Lyman Blvd.), subject to final review by the County Attorney and Risk Management.

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 3<sup>rd</sup> day of June, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3<sup>rd</sup> day of June, 2008.

\_\_\_\_\_  
Dave Hemze

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



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : APPROVAL OF ENCROACHMENT AGREEMENT WITH MAGELLAN PIPELINE CO. FOR CR 18 - LYMAN BLVD. PROJECT

Originating Division: Public Works

Meeting Date: June 3, 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:** Project SAP 10-618-09 includes reconstruction of 1.3 miles of Lyman Blvd. (CSAH 18) from Galpin Blvd. (CSAH 15) to Audubon Road north in Chaska and Chanhassen. Completion of this project requires obtaining an Encroachment Agreement from Magellan Pipeline Co. to complete roadway work within the Magellan Pipeline easement. This encroachment agreement allows for the continued road encroachment over the pipeline easement and allows for the construction of the CSAH 18 roadway and facility improvements within the pipeline easement. No actual work will be completed on the pipeline. Roadway and utility work will be completed by the County's contractor over and around the pipeline.

**ACTION REQUESTED:** The County Board adopt the attached resolution authorizing signing of the agreement.

### FUNDING

County Dollars =	\$
=	\$
=	\$
<b>TOTAL</b>	<b>=\$</b>

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:*

Reviewed by Division Director

Date:

S:\Projects\SAP 10-618-09\Magellan Encroachment Agmt. Approval - baf

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

Date: June 3, 2008

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

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

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

**ENCROACHMENT AGREEMENT  
BETWEEN  
CARVER COUNTY  
AND  
MAGELLAN PIPELINE CO.  
FOR  
THE CSAH 18 (LYMAN BLVD) PROJECT**

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorizes the Board Chair and the County Administrator to execute the encroachment agreement between Carver County and Magellan Pipeline Company for CSAH 18 (Lyman Blvd.), subject to final review by the County Attorney and Risk Management.

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 3<sup>rd</sup> day of June, 2008, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3<sup>rd</sup> day of June, 2008.

\_\_\_\_\_  
Dave Hemze

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