

Carver County Board of Commissioners  
 Regular Session  
 March 25, 2008  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

PAGE

9:15 a.m.

1.     *a) CONVENE*
- b) Pledge of Allegiance*
- c) Public participation (comments limited to five minutes)*
- d) Introduction of New Employees*
2.     Agenda review and adoption
3.     Approve minutes of March 11, 2008 Regular Session..... 1-4
4.     Community announcements

9:15 a.m.

5.     **CONSENT AGENDA**
- 5.1    Payment of emergency claim ..... 5
- 5.2    Set bid opening date for 21008 County State Aid Highway  
        Bituminous Resurfacing Program (overlays)..... 6
- 5.3    Set bid opening date for 2008 County Road Bituminous  
        Resurfacing program (overlays)..... 7
- 5.4    Carver County Project No. 0803-metal culverts and  
        corrugated polyethylene pipe ..... 8-9
- 5.5    Carver County Project No. 0804-mineral aggregates ..... 10-11
- 5.6    Carver County Project No. 0805-limestone rock ..... 12-13
- 5.7    Carver County Project No. 0806-plant mixed asphalt ..... 14-15
- 5.8    Carver County Project No. 087-rock salt ..... 16-17
- 5.9    Carver County Project No. 0808-application of reflectorized  
        Pavement markings ..... 18-19
- 5.10   Carver County Project No. 0809-rental equipment..... 20-21
- 5.11   CSAH 10-negotiated settlements ..... 22-23
- 5.12   McLeod County boarding contract ..... 24
- 5.13   2008 police service contract ..... 25-26
- 5.14   MPCA grant agreement to implement fecal TMDL..... 27-28
- 5.15   Approval of land registration action..... 29-30
- 5.16   Community Social Services' warrants ..... NO ATT
- 5.17   Commissioners' warrants..... SEE ATT

9:20 a.m.	<b>6.</b>	<b>FINANCIAL SERVICES</b>	
	6.1	Resolution denying the imposition of transit taxes.....	31-33
9:30 a.m.	<b>7.</b>	<b>ADMINISTRATION</b>	
	7.1	Library Legislation Resolution .....	34-38
9:50 a.m.		<b>ADJOURN REGULAR SESSION</b>	
9:50 a.m.	1.	Chair	
	2.	Board Members	
	3.	Administrator	
10:15 a.m.	4.	Adjourn	

David Hemze  
County Administrator

***Work Session***

10:15 a.m.	<b>1.</b>	<b>LAND AND WATER SERVICES</b>	
	1.1	Presentation of CDA rail facility study .....	39-40

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on March 11, 2008. Chair James Ische convened the session at 9:17 a.m.

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

Members absent: None.

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

Degler moved, Maluchnik seconded, to approve the minutes of the March 4, 2008, Regular Session Motion carried unanimously.

Community announcements were made by the Board.

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

Resolution #27-08, Acceptance of Donation from Get Your Gear.

Resolution #28-08, Rescinding Resolution Revoking County Highway 110.

Resolution #29-08, Resolution Revoking County Highway 110.

Approved UCare for Seniors Group Employer Agreement for 2008 plan year.

Agreement between ESRI and Carver County for Enterprise License.

Contract with Norma Cadena De Hinderer to provide professional and paraprofessional community based services from October 1, 2007, through December 31, 2012.

Approved Kawasaki's 2008 mule utility vehicle user relations loan program between Cities Edge Motor Sports and the Sheriff's Office.

Approved the Yamaha WaveRunner law loan program agreement between Cities Edge Motor Sports and the Sheriff's Office.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.



Steve Just, Land and Water Services, reviewed proposed Resolution granting the petition for an EAW for the proposed L.G. Everist transload facility. He noted the County Attorney's office has reviewed the Resolution and pointed out the letter received from the L.G. Everist attorney. Just clarified the standard is may have potential for significant environmental effects and reviewed the material submitted.

Jason Kuboushek, Esq, representing the County, stated fly ash was mentioned as a possible expansion in the application and one of the possible future activities. He stated that is one of the items that Wenck looked at and the possible cumulative effects. He indicated there would be a more expansive review as part of the EAW and the EAW will look at items proposed.

Maluchnik offered the following Resolution, seconded by Degler:

Resolution #30-08  
Granting the Petition for an Environmental Assessment  
Worksheet (EAW) for the Proposed L.G. Everist, Inc.  
Rail Transload Facility

On vote taken, Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay.

Peggy Booth, representing the DNR, requested the Board approve the DNR's purchase of 106.08 acres located in Chanhassen that is part of an area commonly known as the Seminary Fen. She stated, if the Board approved the purchased, 32.9 acres would be added to the Raguet Wildlife Management Area and 73.1 acres would be designated as the Seminary Fen Scientific and Natural Area. She reviewed the public activities that could occur on each site.

She stated the Seminary Fen had been identified as a priority for DNR protection and the DNR reached an agreement with the landowner. Ms. Booth noted the County and other local jurisdictions will receive a payment in lieu of taxes. She clarified the purchase has not been completed but the landowner has made a commitment to sell to the State. She stated they have received permission from the landowner for the work they are presently doing at the site.

Degler offered the following Resolution, seconded by Workman:

Resolution #31-08  
Review of Proposed State Land Acquisition

On vote taken, all voted aye.

The Board considered appointments to the Water, Environment and Natural Resource Committee.

Lynch moved, Maluchnik seconded, to appoint Scott Hoese as the Crow River Watershed representative on the WENR Committee. Motion carried unanimously.

Workman moved, Degler seconded, to appoint Robert Burandt to represent Commissioner District 2 on the WENR Committee. Motion carried unanimously.

David Frischmon, Financial Services, reviewed the 2008 Omnibus Transportation Bill recently passed by the Legislature. He noted the primary resource for that was the gas tax increase. He reviewed the County's current funding gap, the increase in State aid and the need for the bond sale for current projects. Frischmon stated the transit sales tax only becomes effective with County Board approval. He indicated staff has been reviewing issues related to the joint powers agreement.

James Keeler, County Attorney, pointed out one of the issues under the transit tax legislation is whether any of the seven metro counties can opt in at a later date. He believed the intent of the legislation was to allow the metro counties to opt in at a later, but it was unclear under what procedure. He suggested these decisions may be made by the counties that sign up now and partner in drafting the joint powers agreement.

Roger Gustafson, Public Works, explained the new distribution formula, new revenue streams and the impacts to Carver County. He indicated discussion has also occurred on what the transit tax can be spent on.

The Board recognized the feedback they have received related to the transit tax and the difficult economic times.

David Hemze, County Administrator, stated as the transit tax is being looked at questions are being asked and it was important that the County pays attention to the issues even if the County was not looking to implement the tax. He proposed bringing back a Resolution at a future Board meeting that clarifies what the County would like to see as it relates to getting in and out and influencing that process.

Frischmon requested the Board set the public hearing date on the intention to issue bonds and to adopt the CIP Plan. He reviewed the proposed 8.8 million bond sale based on current projects, as well as the option for the Board to consider authorizing 7.5 million for future road and bridge projects in the CIP Plan. Frischmon pointed out the option to include Laketown Road and County Road 20 to the 2008 bond sale proceeds for a total of \$11.45 million. He stated, in addition to setting the public hearing date, he was asking the Board to set the preliminary amount for the bond sale.

Carolyn Drude, Ehlers and Associates, stated if a governmental unit anticipates issuing more than 10 million in tax exempt securities in a given year they are unable to designate them as bank qualified. She noted it was generally more advantageous to have bonds bank qualified. Frischmon clarified the decision on the bond authorization amount could be made after the public hearing on April 8<sup>th</sup>.



Workman offered the following Resolution, seconded by Degler:

Resolution #32-08  
Resolution Calling Public Hearing on the Intention to  
Issue General Obligation Capital Improvement Bonds and the  
Proposal to Adopt a Capital Improvement Plan Therefore

On vote taken, all voted aye.

Maluchnik moved, Workman seconded, to approve 2008 preliminary bond sale proceeds of \$8.8 million plus an additional authorized project list of \$7.5 million. Motion carried unanimously.

Ische moved, Lynch seconded, to add \$750,000 for Laketown Road to the 2008 preliminary bond sale proceeds (total proceeds of \$9.55M). Motion carried unanimously.

Lynch moved, Maluchnik seconded, to add \$1.9M for Highway 20 to the 2008 preliminary bond sale proceeds (total proceeds of \$11.45). Motion carried unanimously.

Frischmon requested the Board set a public hearing date on the proposed Lyman Boulevard Tax Abatement. He stated the tax base increase from the new development would assist paying for the Lyman Boulevard project and reviewed the financial impact.

Workman offered the following Resolution, seconded by Maluchnik:

Resolution #33-08  
Resolution Calling Public Hearing on  
Property Tax Abatement for  
Lyman Boulevard Improvements.

On vote taken, Ische, Lynch, Maluchnik, Workman voted aye. Degler abstained due to a possible conflict of interest.

Frischmon stated after the April 8<sup>th</sup> public hearing he would be asking the Board to adopt the CIP and determine the bonding amount. He stated competitive bids would be opened May 13<sup>th</sup> and bond proceeds would be received in June.

Workman moved, Degler seconded, to adjourn the Regular Session at 10:40 a.m. to go into a work session with Land and Water Services. Motion carried unanimously.

David Hemze  
County Administrator

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



**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:** Courtland Real Estate Services, Lakeview Apartments  
Suite 474, MD-12, 1107 Hazeltine Blvd, Chaska, MN 55318

**ACCOUNT:** 01-0120-000-1112-6033 (Homelessness Grant Veterans Service)

**AMOUNT:** \$875.00

**REASON:** Emergency rental assistance for \_\_\_\_\_ to assist with back rent.  
Veteran is in jeopardy of becoming homeless. Other resources are going  
to assist with future rent, (FHPAP and MAC-V)

Department Head Signature: *Jan Pireman*

Chairman of County Board

James M. Ische

County Administrator

*David Hemze*  
David Hemze

County Attorney

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

Date: March 4, 2008



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Set Bid Opening Date for 2008 County State Aid Highway Bituminous Resurfacing Program (Overlays)

Originating Division: Public Works

Meeting Date: March 25, 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 2008 resurfacing program includes resurfacing about 5 miles of roadway in the County. The work has been divided into a County State Aid Highway Project and a County Road Highway Project.

**ACTION REQUESTED:** It is requested that the County Board of Commissioners establish 2:30 PM, Tuesday, April 29, 2008, as the time and date for the opening of the Carver County 2008 County State Aid Highway Bituminous Resurfacing project. Further, it is hereby requested that the authority to open these bids be given to the County Administrator and the County Engineer or their delegated representative. The bids are to be publicly opened at the time and place specified in the official advertisement for this project.

### FUNDING

County Dollars = \$500,000.00

Other Sources & Amounts =

= \$

**TOTAL** = \$500,000.00

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date:

3/17/08

S:\Projects\Overlays\2008\BAF-set b-o date - CSAH





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Set Bid Opening Date for 2008 County Road Bituminous Resurfacing Program (Overlays)**

Originating Division: Public Works

Meeting Date: March 25, 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 2008 resurfacing program includes resurfacing about 10 miles of roadways in various locations of the County. The work has been divided into a County State Aid Highway Project and a County Road Highway Project.

**ACTION REQUESTED:** It is requested that the County Board of Commissioners establish 2:30 PM, Tuesday, April 29, 2008, as the time and date for the opening of the Carver County 2008 County Road Bituminous Resurfacing project. Further, it is hereby requested that the authority to open these bids be given to the County Administrator and the County Engineer or their delegated representative. The bids are to be publicly opened at the time and place specified in the official advertisement for this project.

**FUNDING**

County Dollars = \$1,000,000.00

Other Sources & Amounts =

= \$

**TOTAL**

= \$1,000,000.00

**FISCAL IMPACT**

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date:

3/17/08

S:\Projects\Overlays\2008\BAF-set b-o date - CR



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Carver County Project No. 0803 - Metal Culverts & Corrugated Polyethylene Pipe**

Originating Division: Public Works

Meeting Date: March 25, 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 purpose of this project is to obtain competitive prices for metal culverts and corrugated polyethylene pipe for Carver County and various instrumentalities. The following instrumentalities are parties to this undertaking in addition to Carver County:

Benton Township  
Hancock Township  
San Francisco Township  
Young America Township  
City of Cologne  
City of NYA  
City of Watertown

Camden Township  
Hollywood Township  
Waconia Township  
City of Chanhassen  
City of Mayer  
City of Victoria

Dahlgren Township  
Laketown Township  
Watertown Township  
City of Chaska  
City of New Germany  
City of Waconia

**ACTION REQUESTED:** Recommend to accept all quotations.

**FUNDING**

County Dollars = \$85,000  
Other Sources & Amounts = \$  
**TOTAL = \$85,000**

**FISCAL IMPACT**

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* The total 2008 general supplies (03-304-000-0000-6501) budget is \$85,000. The purchase of culvert materials by Carver County will be charged against this account. Other purchases charged against this account include items such as culvert liners, crack sealer, guardrail, street brooms, mailboxes and safety clothes.

*FMK*

Reviewed by Division Director

Date: 3/13/08

S:\Seasonals\BAF-Award\2008\0803 - Culverts & Pipes



# CARVER COUNTY - ABSTRACT OF BIDS

## PROJECT NO. 0803

### QUOTES FOR METAL CULVERTS AND CORRUGATED POLYETHYLENE PIPE (5/1/08 - 4/30/09)

*Bid Letting:*  
Thurs., March 6, 2008  
2:30 P.M.

	All Steel Products PO Box 73 Chaska, MN 952-448-3985		Metal Culverts 1102 Sykes Street Albert Lea, MN 507-373-3726		Johnston Fargo Culvert 3575 85th Ave. NE St. Paul, MN 55126 763-780-1760	
<b>METAL CULVERTS:</b>	Riveted	Spiral	Riveted	Spiral	Riveted	Spiral
12" 16 Ga. CMP/Culvert (Ft.)	9.25	8.00	8.28	8.28	9.49	9.49
/Band (Bd.)	15.00	12.00	12.42	12.42	14.21	14.21
/Apron (Ea.)	54.00	54.00	44.95	44.95	55.00	55.00
15" 16 Ga. CMP/Culvert (Ft.)	11.40	10.00	10.42	10.42	11.74	11.74
/Band (Bd.)	17.00	15.00	15.63	15.63	17.61	17.61
/Apron (Ea.)	68.00	68.00	57.15	57.15	68.00	68.00
18" 16 Ga. CMP/Culvert (Ft.)	13.50	12.00	12.37	12.37	13.90	13.90
/Band (Bd.)	21.00	18.00	15.63	15.63	20.85	20.85
/Apron (Ea.)	80.00	80.00	74.00	74.00	88.00	88.00
21" 16 Ga. CMP/Culvert (Ft.)	16.00	14.00	14.32	14.32	16.07	16.07
/Band (Bd.)	24.00	21.00	21.48	21.48	24.10	24.10
/Apron (Ea.)	95.00	95.00	89.10	89.10	108.00	108.00
24" 16 Ga. CMP/Culvert (Ft.)	18.00	16.00	16.55	16.55	18.13	18.13
/Band (Bd.)	26.00	28.00	24.83	24.83	27.19	27.19
/Apron (Ea.)	130.00	130.00	110.45	110.45	133.00	133.00
30" 14 Ga. CMP/Culvert (Ft.)	27.00	27.00	25.58	25.58	28.43	28.43
/Band (Bd.)	41.00	41.00	38.37	38.37	42.65	42.65
/Apron (Ea.)	230.00	230.00	186.30	186.30	240.00	240.00
36" 14 Ga. CMP/Culvert (Ft.)	32.00	32.00	30.50	30.50	33.78	33.78
/Band (Bd.)	48.00	48.00	45.75	45.75	50.68	50.68
/Apron (Ea.)	330.00	330.00	300.30	300.30	388.00	388.00
48" 12 Ga. CMP/Culvert (Ft.)	61.00	61.00	57.10	57.10	61.80	61.80
/Band (Bd.)	96.00	96.00	85.65	85.65	123.60	123.60
/Apron (Ea.)	600.00	600.00	659.25	659.25	850.00	850.00
60" 10 Ga. CMP/Culvert (Ft.)	95.00	95.00	91.60	91.60	97.44	97.44
/Band (Bd.)	200.00	200.00	183.20	183.20	194.88	194.88
/Apron (Ea.)	950.00	950.00	1,171.95	1,171.95	1,500.00	1,500.00
72" 10 Ga. CMP/Culvert (Ft.)	110.00	110.00	110.75	110.75	116.49	116.49
/Band (Bd.)	220.00	220.00	221.50	221.50	349.47	349.47
/Apron (Ea.)	1,100.00	1,100.00	1,396.60	1,396.60	1,788.00	1,788.00
84" 10 Ga. CMP/Culvert (Ft.)	140.00	140.00	128.65	128.65	140.08	140.08
/Band (Bd.)	280.00	280.00	257.30	257.30	420.24	420.24
/Apron (Ea.)	1,300.00	1,300.00	1,650.50	1,650.50	2,100.00	2,100.00
<b>CORR. POLYETH. PIPE:</b>	Corr. Inside	Dual - Wall	Corr. Inside	Dual - Wall	Corr. Inside	Dual - Wall
10" Smooth Pipe (Ft.)					7.40	7.40
10" Coupling Band (Ea.)					7.40	7.40
12" Smooth Pipe (Ft.)					8.00	8.00
12" Coupling Band (Ea.)					8.00	8.00
15" Smooth Pipe (Ft.)					10.00	10.00
15" Coupling Band (Ea.)					12.00	12.00
18" Smooth Pipe (Ft.)					16.00	16.00
18" Coupling Band (Ea.)					18.00	18.00
24" Smooth Pipe (Ft.)					25.00	25.00
24" Coupling Band (Ea.)					30.00	30.00
<i>Delivery Charge Per Mile</i>	\$3.00		No Bid		\$2.50	
<i>Location of Loading Point</i>	Chaska, MN		Albert Lea, MN		Blaine, MN	
<i>No Bidders Bond is Required</i>						

*Recommendation:*           Accept quotes from all bidders

*Awarded To:*





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Carver County Project No. 0804 - Mineral Aggregates

Originating Division: Public Works

Meeting Date: March 25, 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 purpose of this project is to obtain competitive prices for mineral aggregates for Carver County and various instrumentalities. The following instrumentalities are parties to this undertaking in addition to Carver County:

Benton Township  
Hancock Township  
San Francisco Township  
Young America Township  
City of Chaska  
City of New Germany  
City of Waconia

Camden Township  
Hollywood Township  
Waconia Township  
City of Carver  
City of Cologne  
City of NYA  
City of Watertown

Dahlgren Township  
Laketown Township  
Watertown Township  
City of Chanhassen  
City of Mayer  
City of Victoria

**ACTION REQUESTED:** Recommend award to Wm. Mueller & Sons, Inc. and Knife River Corp.

### FUNDING

County Dollars = \$100,000  
Other Sources & Amounts =  
= \$  
**TOTAL** = \$100,000

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* The 2008 sand (03-304-000-0000-6504) is \$20,000 and aggregate (03-304-000-0000-6505) budget is \$80,000. The purchase of sand and mineral aggregates throughout the year by Carver County will be charged against this account.

Reviewed by Division Director

Date:

3/13/08

S:\Seasonals\BAF-Award\2008\0804 - Mineral Aggregates

# CARVER COUNTY - ABSTRACT OF BIDS

## PROJECT NO. 0804

### MINERAL AGGREGATES

Bid Letting:

Thurs., March 6, 2008

2:30 P.M.

	Knife River Corp. 4787 ShadowWood Dr. Sauk Rapids, MN	Wm. Mueller & Sons 831 Park Avenue Hamburg, MN	Barton Sand & Gravel PO Box 210 Newport, MN	Sibley Aggregates 26239 State Hwy. 25 Belle Plaine, MN
<b>SUPPLIER LOADS:</b>				
(1) F.A. 1 Sand (ton)	No Bid	\$3.65	No Bid	\$3.65
(2) F.A. 2 Buckshot (ton)	No Bid	\$11.45	No Bid	\$9.90
(3) F.A. 3 Buckshot (ton)	No Bid	No Bid	No Bid	No Bid
(4) F.A. 4 Buckshot (ton)	No Bid	No Bid	No Bid	No Bid
(5) Crushed Gravel Class 1 (ton)	No Bid	\$5.15	No Bid	\$4.75
(6) Crushed Gravel Class 5 (ton)	\$4.65/Jordan-Schmitz Pit \$5.25/Holthaus Pit	\$4.65	\$5.75	\$4.35
<b>COUNTY/INSTRUMENTALITY LOADS:</b>				
(7) Crushed Gravel Class 5	\$4.65/Jordan-Schmitz Pit \$5.25/Holthaus Pit	No Bid	No Bid	No Bid
Haul Per Ton Mile	\$9.75	\$0.60	No Bid	No Bid
Loading Site	Jordan/Schmitz Pit 952-492-5822 Holthaus Pit, Monticello 763-295-6996	Duffy's Pit - Belle Plaine 952-873-2788 Carver Pit - Carver 952-448-4175	3460 W. 130th St. Shakopee, MN	Sibley County Faxon Twp. Inters. CR 6 & 60 952-873-6326
\$500.00 Bid Bond Needed	yes	yes	yes	no

Recommend Award To:

Knife River Corp. and Wm. Mueller & Sons

Awarded To:





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Carver County Project No. 0805 - Limestone Rock

Originating Division: Public Works

Meeting Date: March 25, 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 purpose of this project is to obtain competitive prices for limestone rock for Carver County and various instrumentalities. The following instrumentalities are parties to this undertaking in addition to Carver County:

Benton Township  
Hancock Township  
San Francisco Township  
Young America Township  
City of Chaska  
City of New Germany  
City of Waconia

Camden Township  
Hollywood Township  
Waconia Township  
City of Carver  
City of Cologne  
City of NYA  
City of Watertown

Dahlgren Township  
Laketown Township  
Watertown Township  
City of Chanhassen  
City of Mayer  
City of Victoria

**ACTION REQUESTED:** Recommend award to Bryan Rock Products.

### FUNDING

County Dollars = \$250,000

Other Sources & Amounts =

= \$

**TOTAL**

= \$250,000

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

*Related Financial Comments:* The 2008 seal coating and aggregate (03-304-000-0000-6550) budget is \$250,000. The purchase of limestone rock throughout the year by Carver County will be charged against this account.

Reviewed by Division Director *[Signature]*

Date: *3/13/08*

S:\Seasonals\BAF-Award\2008\0805 - Limestone Rock



# CARVER COUNTY - ABSTRACT OF BIDS

## PROJECT NO. 0805

### LIMESTONE ROCK

Bid Letting:		Bryan Rock Products	Southern MN Constr.
Thurs., March 6, 2008		PO Box 215	1905 Third Ave.
2:30 P.M.		Shakopee, MN 55379	Mankato, MN 56001
Quarried Pit Run Riprap	(ton)	\$27.25	\$18.00
1 1/2" to Dust Crushed Rock	(ton)	\$9.75	\$10.00
3/4" to Dust Crushed Rock	(ton)	\$9.75	\$6.50
3/4" Clean Crushed Rock	(ton)	\$16.07	\$10.00
1 1/2" Clean Crushed Rock	(ton)	\$16.07	\$10.00
3" Crushed Stone	(ton)	\$9.75	\$10.00
3" Clean Crushed Rock	(ton)	\$16.07	\$10.00
5/16" or 3/8" Washed Chip for Seal Coat	(ton)	\$16.07	\$18.00
Haul Per Ton Mile		\$1.30 (*)	\$0.30
Location of Pit & Phone No.		Shakopee Quarry (off Hwy 169) 952-445-1997	Kasota Quarry, Mankato  Owatonna Quarry, Owat.
Bidders Bond - \$500.00		yes	yes

(\*) Riprap would have additional delivery charge - based on size

Recommend Award To:

Bryan Rock Products (about \$35/load less when figuring labor & fuel costs)

Awarded To:



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Carver County Project No. 0806 - Plant Mixed Asphalt

Originating Division: Public Works

Meeting Date: March 25, 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 purpose of this project is to obtain competitive prices for plant mixed asphalt for Carver County and various instrumentalities. The following instrumentalities are parties to this undertaking in addition to Carver County:

Benton Township  
Hancock Township  
Watertown Township  
City of Chaska  
City of New Germany  
City of Waconia

Camden Township  
Hollywood Township  
City of Carver  
City of Cologne  
City of NYA  
City of Watertown

Dahlgren Township  
Laketown Township  
City of Chanhassen  
City of Mayer  
City of Victoria

**ACTION REQUESTED:** Recommend award to Wm. Mueller & Sons, Inc. and Knife River Corp.

### FUNDING

County Dollars = \$12,000  
Other Sources & Amounts =  
= \$  
**TOTAL** = \$12,000

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* The 2008 asphalt (03-304-000-0000-6515) budget is \$12,000. The purchase of asphalt throughout the year by Carver County will be charged against this account.

Reviewed by Division Director

Date:

3/13/08

S:\Seasonals\BAF-Award\2008\0806 - Plant Mixed Asphalt



# CARVER COUNTY - ABSTRACT OF BIDS

## PROJECT NO. 0806

### PLANT MIXED ASPHALT

Bid Letting: Thurs., March 6, 2008 2:30 P.M.	Wm. Mueller & Sons 831 Park Avenue Hamburg, MN	Knife River Corp. 4787 ShadowWood Dr. Sauk Rapids, MN	Commercial Asphalt PO Box 210 Newport, MN	Sibley Aggregates 26239 State Hwy. 25 Belle Plaine, MN
Plant Mixed Asphalt (Course) (ton) 5.5% Bituminous Content	\$37.00	\$42.00	\$41.90*	\$39.65
Plant Mixed Asphalt (Fine) (ton) 5.5% Bituminous Content	\$38.00	\$43.80	\$44.20*	\$46.35
Plant Mixed Asphalt (Fine) (ton) 8.0% Bituminous Content	\$40.00	\$51.00	No Bid	\$56.75
Tack Oil (gallon)	\$1.55/Hamburg Shop	\$5.00	\$35.00/per 5 gallon pail*	\$2.50
Haul Per Ton Mile	\$0.60	No Bid	No Bid	No Bid
Location of Pit	Carver Pit 10460 Co. Rd. 40 952-448-6565	Hanover/19795 Greenfield Rd., Greenfield 763-498-8056 or Jordan/Old Hwy 169	12351 Chestnut Blvd. Shakopee, MN 952-445-9206	Sibley Co. Faxon Twp. Inters. of CR 6 & 60
\$500.00 Bid Bond Needed	yes	yes	yes	no

\* tax is not included

Recommend Award To:

Wm. Mueller & Sons & Knife River Corp.

Awarded To:





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Carver County Project No. 0807 – Rock Salt**

Originating Division: Public Works

Meeting Date: March 25, 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:** It is the purpose of this project to obtain bids for rock salt for Carver County and various instrumentalities, The following instrumentalities are parties to this undertaking in addition to Carver County.

City of Carver  
City of Cologne  
City of Waconia

City of Chanhassen  
City of NYA  
City of Watertown

City of Chaska  
City of Victoria

**ACTION REQUESTED:** Recommend award to Cargill, Inc.

**FUNDING**

County Dollars = \$200,000  
Other Sources & Amounts =  
= \$  
**TOTAL** = \$200,000

**FISCAL IMPACT**

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* The total 2008 road salt (03-304-000-0000-6540) budget is \$200,000 for Carver County.

Reviewed by Division Director

Date:

3/13/08

S:\Seasonals\BAF-Award\2008\0807 - Rock Salt

# CARVER COUNTY - ABSTRACT OF BIDS

## PROJECT NO. 0807

### ROCK SALT

Bid Letting:

Thurs., March 6, 2008  
2:30 P.M.

		Cargill Inc. 24950 Country Club Blvd. North Olmsted, OH		North America Salt Co. 9900 W. 109th St. Overland Park, KS		Morton Salt 123 N. Wacker Drive Chicago, IL	
		Approx. Quantity					
<b>SECTION A: BASE PRICE</b>							
Rock Salt, Bulk	7,045	51.49	<b>\$362,747.05</b>	54.05	\$380,782.25	54.32	\$382,684.40
Treated Rock Salt, Bulk	1,205	64.74	<b>\$78,011.70</b>	68.05	\$82,000.25	0.00	\$0.00
6.5% Sales Tax			\$28,649.32		\$30,080.86		\$24,874.49
<b>TOTAL DOLLARS - SECTION A</b>			<b>\$469,408.07</b>		<b>\$492,863.36</b>		<b>\$407,558.89</b>
<b>SECTION B: DELIVERY CHARGE</b>							
<b>ROCK SALT</b>							
Carver County at Chaska	3,500	4.02	\$14,070.00	5.74	\$20,090.00	5.68	\$19,880.00
City of Carver	200	3.59	\$718.00	6.22	\$1,244.00	6.16	\$1,232.00
City of Chanhassen	1,400	4.18	\$5,852.00	5.42	\$7,588.00	5.24	\$7,336.00
City of Chaska	800	3.54	\$2,832.00	5.74	\$4,592.00	5.68	\$4,544.00
City of NYA	475	4.02	\$1,909.50	7.45	\$3,538.75	7.20	\$3,420.00
City of Victoria	100	3.96	\$396.00	5.74	\$574.00	5.68	\$568.00
City of Waconia	350	3.90	\$1,365.00	7.04	\$2,464.00	6.15	\$2,152.50
City of Watertown	220	4.55	\$1,001.00	7.45	\$1,639.00	7.20	\$1,584.00
<b>TREATED ROCK SALT</b>							
Carver County at Chaska	500	4.02	\$2,010.00	5.76	\$2,880.00	0.00	\$0.00
City of Carver	100	3.59	\$359.00	6.24	\$624.00	0.00	\$0.00
City of Chanhassen	100	4.18	\$418.00	5.31	\$531.00	0.00	\$0.00
City of Chaska	100	3.54	\$354.00	5.76	\$576.00	0.00	\$0.00
City of Cologne	30	4.02	\$120.60	7.80	\$234.00	0.00	\$0.00
City of Victoria	75	3.96	\$297.00	6.24	\$468.00	0.00	\$0.00
City of Waconia	250	3.90	\$975.00	6.76	\$1,690.00	0.00	\$0.00
City of Watertown	50	4.55	\$227.50	7.80	\$390.00	0.00	\$0.00
<b>TOTAL DOLLARS - SECTION B</b>			<b>\$32,904.60</b>		<b>\$49,122.75</b>		<b>\$40,716.50</b>
<b>TOTAL BID - SECTIONS A &amp; B</b>			<b>\$502,312.67</b>		<b>\$541,986.11</b>		<b>\$448,275.39</b>
Pick Up Location	(STND) Port Cargill 12105 Lynn Ave. S., Savage (TRTD) US Salt Inc. 1020 Black Dog Rd., Burnsville		(STND) Dakota Bulk 925 Hardman Ave., S. St. Paul (TRTD) Great Western Dock 1031 Childs Rd., S. St. Paul		925 Harding Ave. S. S. St. Paul		
\$500.00 Bidder's Bond	yes		yes		yes		

Recommend Award To: Cargill, Inc. (They bid on both items (rock salt & treated rock salt) which are both needed)

Awarded To:

3/13/2008  
1:08 PM





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Carver County Project No. 0808 - Application of Reflectorized Pavement Markings**

Originating Division: Public Works

Meeting Date: March 25, 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:** It is the purpose of this project to obtain bids for pavement markings for Carver County and various instrumentalities. The following instrumentalities are parties to this undertaking in addition to Carver County.

- City of Carver
- City of Chaska
- City of Victoria
- City of Waconia

**ACTION REQUESTED:** Recommend award to Traffic Marking Service.

**FUNDING**

County Dollars = \$156,000  
 Other Sources & Amounts =  
 = \$  
**TOTAL** = \$156,000

**FISCAL IMPACT**

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

*Related Financial Comments:* The total 2008 traffic marking services (03-304-000-0000-6287) budget is \$156,000 for Carver County.

*zmk*

Reviewed by Division Director *[Signature]*

Date: *3/13/08*

S:\Seasonals\BAF-Award\2008\0808 - Pavement Markings



# CARVER COUNTY - ABSTRACT OF BIDS

## PROJECT NO. 0808

### APPLICATION OF LATEX PAINT PAVEMENT MARKINGS

Bid Letting:

Thurs., March 6, 2008  
2:30 P.M.

		Approx. Quant.	Engineer's Estimate	Traffic Marking Service 621 Division Street East Maple Lake, MN 55358	AAA Striping Service PO Box 339 Rogers, MN 55374
Yellow Paint Applied/Gal.		5,050	\$10.00	\$48,783.00	9.84
White Paint Applied/Gal.		7,925	\$9.85	\$75,129.00	9.67
<b>TOTAL BID</b>			\$128,561.25	\$123,912.00	\$126,326.75
-----					
Carver County	Yellow	4,400	10.00	\$44,000.00	9.84
	White	7,500	9.85	\$73,875.00	9.67
	<b>Total</b>			<b>\$117,875.00</b>	<b>\$115,821.00</b>
City of Carver	Yellow	100	10.00	\$1,000.00	9.84
	White	0	9.85	\$0.00	9.67
	<b>Total</b>			<b>\$1,000.00</b>	<b>\$984.00</b>
City of Chaska	Yellow	275	10.00	\$2,750.00	9.84
	White	250	9.85	\$2,462.50	9.67
	<b>Total</b>			<b>\$5,212.50</b>	<b>\$5,123.50</b>
City of Victoria	Yellow	125	10.00	\$1,250.00	9.84
	White	125	9.85	\$1,231.25	9.67
	<b>Total</b>			<b>\$2,481.25</b>	<b>\$2,438.75</b>
City of Waconia	Yellow	150	10.00	\$1,500.00	9.84
	White	50	9.85	\$492.50	9.67
	<b>Total</b>			<b>\$1,992.50</b>	<b>\$1,959.50</b>
-----					
Proposal Guaranty (5%)				Yes	Yes

Recommend Award To: Traffic Marking Service

Awarded To:





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Carver County Project No. 0809 - Rental Equipment**

Originating Division: Public Works

Meeting Date: March 25, 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 purpose of this project is to obtain competitive prices on behalf of Carver County for vendors to furnish types of equipment during the period of this agreement.

**ACTION REQUESTED:** Recommend to accept all quotations.

**FUNDING**

County Dollars = \$31,200

Other Sources & Amounts =

= \$

**TOTAL**

= \$31,200

**FISCAL IMPACT**

None

Included in current budget

Budget amendment requested

Other:

**Related Financial Comments:** The total 2008 equipment rental (03-304-000-0000-6340) budget is \$31,200. The cost of actual rental use will be charged against this account.

*Fmk*

Reviewed by Division Director

Date:

*3/13/08*

S:\Seasonals\BAF-Award\2008\0809 - Rental Equipment



# CARVER COUNTY - ABSTRACT OF BIDS

## PROJECT NO. 0809

### QUOTE FOR RENTAL EQUIPMENT

(5/1/08 - 4/30/09)

Bid Letting: Thurs., March 6, 2008 2:30 P.M.

<b>Bidder's Name</b>	<b>Address</b>	<b>Contact</b>	<b>Phone Numbers</b>	<b>Time Frame (COI) (on file - current)</b>
Henning Excavating	17510 62nd St., New Germany, MN 55367	Dennis Henning	952-353-2119 612-719-0736	2/15/08 - 2/15/09
Hertz Equipment Rental	800 Industrial Circle S., Shakopee, MN 55379	Anthony Gonnella	952-445-6996	1/1/07 - 1/1/08
Olson Construction Co.	6970 Inwood Road, Cologne, MN 55322	Ron Olson	952-448-6674	4/1/07 - 4/1/08
Wickenhauser Demo & Exc.	13650 County Road 41, Cologne, MN 55322	Don Wickenhauser	952-466-2231	5/13/07 - 5/13/08
Wm. Mueller & Sons, Inc.	831 Park Ave., Hamburg, MN 55339	Richard Wendlandt, etc.	952-467-2720	4/1/07 - 4/1/08
<b>No Bid Bond is Required</b>				

Recommendation: Accept all quotes

Awarded To:



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : CSAH 10 - Negotiated Settlements (4)

Originating Division: Public Works

Meeting Date: 3/25/08

Amount of Time Requested: None

Attachments for packet:  Yes  No

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

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

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

### FUNDING

County Dollars = \$69,400

Other Sources & Amounts =

= \$

### TOTAL

= \$69,400

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

*JMK*

Date:

*3/13/08*

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



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

Date: March 25, 2008  
Motion by Commissioner: \_\_\_\_\_

Resolution No: \_\_\_\_\_  
Seconded by Commissioner: \_\_\_\_\_

---

**CSAH 10 – Negotiated Settlements (4)**

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

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

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

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

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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STATE OF MINNESOTA  
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 25th day of March, 2008 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2008.

---

David Hemze                      County Administrator



# REQUEST FOR BOARD ACTION

## AGENDA ITEM: McLeod County Boarding Contract

Originating Division: **Select One**

Meeting Date: 3/25/08

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 Carver County Sheriffs Office would like to enter into a inmate boarding agreement with McLeod County. The attached contract will allow McLeod County to have eight secure beds for their use. We have had a long history of providing bed space for McLeod County and this contract will provide two years of gaurenteed commitment by both agencies.

**ACTION REQUESTED:** Approve a motion to allow the Sheriffs Office to contract and provide guaranteed bed space to McLeod County.

### FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

**TOTAL** = \$

Related Financial Comments:

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director 

Date: 3/4/08





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : 2008 Police Service Contract

Originating Division: Sheriff

Meeting Date: March 25, 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:

2008 Police Service Contract with Clearwater Middle School in Waconia MN.

The Sheriff's Office has entered into a new contract with District #110 Clearwater Middle School in Waconia MN. The contract provides a School Resource Deputy in the school for 4 hours each day during the school year.

### ACTION REQUESTED:

Approve the 2008 Police Service Contract with Clearwater Middle School in addition to hiring .30 FTE.

### FUNDING

County Dollars =	\$
Other Sources & Amounts =	
	= \$31,884.40
<b>TOTAL</b>	<b>= \$31,884.40</b>

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

### Related Financial Comments:

Increase revenue in Sheriff's Office 2008 budget 01-201-248-1733-5280  
Increase expense account in the Sheriff's Office 2008 budget 01-201-248-1733-6111

Reviewed by Division Director JDE

Date: 2/20/2008

# BUDGET AMENDMENT REQUEST FORM

**Submit to Finance Office one week prior to County Board Session.**

**DEPARTMENT: Sheriff's Office**

**Date of County Board Session: 3/25/2008**

**Fund: 01**

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Clearwater Middle School Police Contract	\$ 31,884	Sheriff salaries	\$ 31,884
<b>TOTAL:</b>	<b>\$ 31,884</b>	<b>TOTAL:</b>	<b>\$ 31,884</b>

**A. Reason for Request:** See accompanying Board Action.

**B. Financial Impact: (To be filled out by Finance Director)**

**C. Contingency Acct. Beginning Bal.:** \$ 300,000

**D. Contingency Acct. Current Bal.:** \$ -

**E. Current Balance After Adj.:** \$ 300,000

**F. Prepared/Requested By:** Jeff Enevold

**G. Recommend Approval:** Finance

**H. County Board Decision:** Approval/Disapproval

S:\Excel\SHELLS\[Budget Amendment Forms.xls]Revenue Form





# REQUEST FOR BOARD ACTION

## AGENDA ITEM: MPCA Grant Agreement to Implement Fecal TMDL

Originating Division: LWS Division

Meeting Date: 03/25/08

Amount of Time Requested:

Attachments for packet:  Yes xNo

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The 2006 Clean Water Legacy Non-point Source Restoration and Protection Grant and Loan (CWL) funds were approved by the state legislature in 2006. The County applied for and received \$300,000 to begin implementation of several Total Maximum Daily Load Plans(TMDL's). Due to the nature of the funding and the extended time period PCA took to process the agreement, the grant agreement is finally ready for approval by the Board. However, the grant will cover program expenses incurred since February 2007.

The Carver County request is aimed at funding staff in the LWS division, primarily at the SWCD, providing buffer incentives, and covering monitoring costs. This is separate from 2007 Clean Water Legacy funds awarded to Carver County earlier this year.

Staff is requesting that the Board to approve the grant agreement and the subsequent budget amendments.

### ACTION REQUESTED:

Motion to authorize the chair to sign the grant agreement with the MN Pollution Control Agency to implement Fecal TMDL's; and authorize the following budget amendments to the 2008 budget:

Increase Year 2008 Budget Item 01-123-127-1537-5820 by \$300,000 (MPCA Funds)

Increase Year 2008 Budget Item 01-123-127-1537-6111 by \$ 30,000 (LWS staff)

Increase Year 2008 Budget Item 01-123-127-1537-6260 by \$270,000 (SWCD Costs, Lab Costs & Incentives – primarily buffers.)

### FUNDING

County Dollars = \$85,575 in-kind  
Other Sources & Amounts = \$300,000 MPCA FUNDS  
= \$  
**TOTAL = \$385,575**

### FISCAL IMPACT

None  
 Included in current budget  
 Budget amendment requested  
 Other:

*Related Financial Comments:* Part of the grant match will include septic loan funds which combine loans available through the Environmental Services and Carver SWCD programs.

X Reviewed by Division Director

Date: 03/14/08

# BUDGET AMENDMENT REQUEST FORM

**Submit to Finance Office one week prior to County Board Session.**

**DEPARTMENT:** Land & Water

**Date of County Board Session:** 3/25/2008

**Fund:** 01

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
MPCA Fecal TMDL Grant	\$ 300,000	Land & Water salaries	\$ 30,000
		SWCD expenses	\$ 270,000
<b>TOTAL:</b>	<b>\$ 300,000</b>	<b>TOTAL:</b>	<b>\$ 300,000</b>

**A. Reason for Request:** See accompanying Board Action.

**B. Financial Impact: (To be filled out by Finance Director)**

**C. Contingency Acct. Beginning Bal.:** \$ 300,000

**D. Contingency Acct. Current Bal.:** \$ -

**E. Current Balance After Adj.:** \$ 300,000

**F. Prepared/Requested By:** Dave Draelen

**G. Recommend Approval:** Finance

**H. County Board Decision:** Approval/Disapproval

S:\Excel\SHELLS\Budget Amendment Forms.xls\Revenue Form





# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Approval of land registration action

Originating Division: Administrative Services

Meeting Date: March 26, 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:

Until recently, the County owned 3.43 acres (legally described as Outlot A, Lake Riley Woods, Carver County, MN, Section 25, Township 116, Range 23) originally acquired in the late 1980's resulting from the realignment of CR14 just north of Lake Riley Woods 2<sup>nd</sup> Addition. The properties affected are to the south and east of Pioneer Circle which is a cul-de-sac, just east of Highway 101. After discussing this issue informally with the County Board, Administrative Services requested subdivision approval to create parcels which could then be conveyed to adjacent property owners to provide the abutting parcels access to Pioneer Trail (CR 14) without crossing County property.

The City of Chanhassen did approve the subdivision, breaking Outlot A (formerly owned by the County) into six smaller outlots (see attachment). Outlots A & E are potential sites for stormwater-related improvements that would improve water quality and reduce erosion potential.

In summary, the creation of the outlots permits the transfer of property to alleviate a problem of lack of frontage on public roads for the four homes south of the subdivision which was created by the County realigning CR14.. Additionally, the City, in conjunction with the County, would continue to own parcels for storm water improvements and potentially wetland creation (Outlots A & E).

The current issue is a small piece of land with unknown ownership hereafter referred to as the gap. The gap must be corrected and registered to the homeowners impacted prior to all the title work being completed. This land registration action will be performed by Melchert, Hubert, Sjodin via a contract for a not-to-exceed of \$12,000.

### ACTION REQUESTED: Motion to:

1. Formally approve the conveyance of county owned land to the four homeowners and;
2. Approve a land registration action to correct the unknown ownership land issue.

### FUNDING

County Dollars = \$12,000

Other Sources & Amounts =  
= \$

**TOTAL** = \$12,000

Related Financial Comments:

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: March 12, 2008









# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Resolution Denying the Imposition of Transit Taxes

Originating Division: Financial Services

Meeting Date: March 25, 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:** The Minnesota Legislature recently authorized the metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington to impose taxes for transit improvements. Before the taxes can be collected, a joint powers board made up of the participating counties needs to be formed. Representatives from these metropolitan counties and the Metropolitan Council have been meeting about forming a joint powers board and they have requested that the respective County Boards consider if they are interested in imposing the taxes and participating in a joint powers board.

**ACTION REQUESTED:** Consider adopting the attached resolution denying the imposition of transit taxes.

### FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

**TOTAL** = \$

*Related Financial Comments:*

### FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: March 17, 2008

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

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

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

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## RESOLUTION DENYING THE IMPOSITION OF TRANSIT TAXES

**WHEREAS**, the Minnesota Legislature has, by Laws of Minnesota 2008 Chapter 152, Article 4, Section 2, authorized metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington to impose a one-quarter percent sales and use tax, and an excise tax of \$20 per motor vehicle sale (collectively referred to as "transit taxes") to be made available for the development and operation of transitways, including rail and bus rapid transit projects serving the residents and businesses of the Metropolitan Transportation Area; and

**WHEREAS**, Carver County is committed to participating in the development of a system of transitways to better serve the residents and businesses of the Twin Cities Metropolitan Area and to efficiently move people and goods throughout the region;

**WHEREAS**, the southwest metropolitan transportation region including most of Carver County does not have a single light-rail or commuter rail route identified in either the State's, the Metropolitan Council's, or the County's 2020 Comprehensive Plans; and

**WHEREAS**, Carver County is in the process of developing its first transit plan element as part of the 2030 Comprehensive Plan Update; and

**WHEREAS**, the transit plan element of the 2030 Carver County Comprehensive Plan Update is expected to include the need for:

- expansion of the current transit service area to cities currently not served by transit,
- increased number and size of transit hubs and Transit Oriented Development (TOD's) sites,
- planning for financing and associated land use planning around future commuter rail service,
- increased access to rural service such as the current CART system, and
- creation of a feeder transit service system, if the Southwest Light Rail Corridor that ends in Hennepin County is developed; and

**WHEREAS**, the transit plan element of the 2030 Carver County Comprehensive Plan Update is subject to review, comment, and approval; and

**WHEREAS**, it is unclear if and how the imposition of transit taxes in Carver County could provide the capital and operating resources necessary to implement Carver County's transit plan; and



**WHEREAS**, imposing transit taxes during the current difficult economic times is especially hard to justify.

**NOW, THEREFORE, BE IT RESOLVED** by the Carver County Board of Commissioners denies the imposition of transit taxes in Carver County at this time.

**BE IT FURTHER RESOLVED** that the Carver County Board of Commissioners expresses its interest in further discussion with any and all parties on the best and fairest way to implement the County's forthcoming Transit Plan consistent with the development of a transitway system for the Twin Cities Metropolitan Area.

**BE IT FURTHER RESOLVED** that the Carver County Board of Commissioners may reconsider the decision to impose transit taxes in the future based on more specific identification of benefit to the citizens of Carver County.

YES

ABSENT

NO

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA  
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 25<sup>th</sup> day of March, 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 March, 2008

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



# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Library Legislation Resolution**

Originating Division: Administration

Meeting Date: 3/25/08

Amount of Time Requested: 20 minutes

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

The County Board has adopted a number of 2008 legislative priorities including proposed legislation to transfer the administrative and policy authority of the Library Board to the County Board. A number of related documents are attached including:

- Summary of legislative issue as it was adopted in legislative platform.
- Proposed resolution.
- Proposed legislation.

The proposed legislation provides for the transfer of the financial and legal authority of the Library Board to the County Board. The setting of policies and rules governing library operations remains with the Library Board.

On March 11, 2008 the Carver County Library Board unanimously adopted a motion to support the proposed library legislation and related County Board resolution as it is included in this packet. Senator Ortman and Representative Hoppe have agreed to author this legislation and have introduced it into the legislative process.

The action requested below clarifies the intent of the County Board and addresses a number of additional details which are listed in the resolution.

**ACTION REQUESTED:**

Motion to adopt resolution to Support Special Legislation Transferring Certain Authorities of the Carver County Library Board to the Carver County Board.

**FUNDING**

County Dollars = \$

Other Sources &amp; Amounts =

= \$

**TOTAL**

= \$

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

*Related Financial Comments: The intent of this legislation is to increase efficiencies which will result in long-term fiscal savings.*

 Reviewed by Division Director

Date: 3/13/08





## Issue #6: Transfer of Administrative & Policy Authority of the Carver County Library Board to the Carver County Board

### **Background**

Recently Washington County has successfully received approval to transfer the administrative and policy authority of the County Library Board to the County Board, retaining the Library Board in an advisory capacity. With Scott and Hennepin County having undertaken similar actions, Carver County is also recommending a similar legislative change. The proposed legislation would allow the Carver County Board to direct, operate, and manage the Carver County library system, establish that the library board shall provide advice and make recommendations on pertinent policy matter regarding the library system to the county board. The legislation would also establish that the library director shall exercise the powers and perform the duties delegated to it by the county board.

Benefits of the proposed legislation include:

- Increases direct citizen accountability
- Greater integration with the County's priorities and plans especially in the areas of new library facilities and services
- Preserves the important influence of the Library Board in matters of intellectual freedom
- Allows for more efficient management and response schedule (County Board meets more frequently than Library Board)
- Creates more integrated culture between the County and County Library staff
- Increases the visibility of the library system
- Regularized communication with those elected to represent the people of the County
- Increases efficiency – reduces duplication (accounting functions, technology etc.)

### **Requested Position**

Support legislation to transfer the administrative and policy authority of Carver County library board to the Carver County Board.



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

Date: \_\_\_\_\_

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

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

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

**Resolution to Support Special Legislation Transferring Certain Authorities of the Carver County Library Board to the Carver County Board**

**WHEREAS**, the Carver County Board of Commissioners is committed to preserving the tradition of the Carver County's library system and its exemplary history of service to the public which is a tribute to the excellent work of the Carver County Library Board; and

**WHEREAS**, the Carver County Board of Commissioners believes the County's library system will continue to expand as the County develops and that the increasingly costly fiscal and complex legal decisions related to the growth in the library system should more clearly be the responsibility of the Carver County Board of Commissioners; and

**WHEREAS**, the Carver County Board of Commissioners is interested in further promoting efficiency in library operations and enhancing service to the public; and

**WHEREAS**, the County Board has taken initial steps to improve the governance of the library system by supporting a legislative platform which includes transferring certain authorities of the Carver County Library Board to the Carver County Board; and

**WHEREAS**, the County Board believes that additional consolidation and reallocation of duties would best be accomplished through special legislation; and

**WHEREAS**, the County Board believes that the citizens of Carver County would benefit by this proposed legislation.

**NOW, THEREFORE BE IT RESOLVED**, that the Carver County Board of Commissioners proposes special legislation to improve the governance of the Carver County library system listed as Attachment #1: Proposed Legislation.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that effective upon passage of this resolution and adoption of the special legislation, the Carver County Board of Commissioners shall delegate to the newly formed library board the authority to:

1. Establish operating hours.
2. Expand the library system within the budget approved by the County Board.
3. Ensure that library facilities meet the Minnesota State library standards.
4. Establish rules governing library operations.
5. Assist the Administrative Services Division Director in filling any vacancy in the Library Director position.
6. Provide advice and make recommendations on any other matters pertaining to the library system to the Library Director and Carver County Board of Commissioners.
7. Be responsible for any other duties delegated to it by the Carver County Board of Commissioners.



**Library Board Special Legislation Resolution**  
**Page 2**

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that effective upon passage of this resolution and adoption of the special legislation, that in addition to those authorities and duties outlined in the special legislation the Carver County Board of Commissioners shall:

1. Appoint the incumbent Library Board members to the newly created Library Board.
2. Appoint the incumbent Library Director as a County employee who reports to the Administrative Services Division Director.
3. Be responsible for any other library duties not delegated to the library board.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**STATE OF MINNESOTA**  
**COUNTY OF CARVER**

I, David J. 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 <sup>th</sup> 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 <sup>th</sup> day of , 2008

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

**Attachment #1: Proposed Legislation**  
**3/12/08**

relating to Carver County; making the library board advisory to the county board.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **CARVER COUNTY LIBRARY.**

The Carver County Board shall be the authority over all aspects of the Carver County library system except those authorities and responsibilities specifically assigned to the library board in this Section or otherwise delegated to the library board from the County Board. The county library board consisting of five members who reside in the county library service area shall be appointed by the County Board. The County Board shall be responsible for appointing a qualified library director and other staff as necessary, establishing the compensation of employees, and removing any of them for cause. The County Board shall be the authority over and be responsible for the fiscal operations of the library board in all financial areas including, but not limited to, budgeting and receipt and expenditure of funds. The County Board shall also be responsible as the legal authority over the library board. The library board shall be responsible for the establishment of policies and rules governing library operations, review of the annual operating budget and five-year capital plan for submission to the county board, development of long-range plans and any other duties delegated to it by the County Board. The library board shall be responsible for the acceptance of gift and trust funds and notifying the County Board of the acceptance of those funds. The library board shall have the sole authority and discretion in maintaining and developing the collections of the library system. The library board shall also be responsible for the use of library meeting rooms.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day after the governing body of Carver County complies with Minnesota Statutes, section 645.021, subdivision 3.





# REQUEST FOR BOARD ACTION

**AGENDA ITEM : Presentation of CDA Rail Facility Study**

Originating Division: Land Water Services

Meeting Date: 25 March 2008

Amount of Time Requested: 60 minutes

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

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The Board has identified economic development as a high priority in its vision statement and economic development has become one of the focal points of the comprehensive planning process. In response to the Board's vision the CDA established an economic development department several years ago. The department has been very active and successful in its efforts. In working with existing and potential businesses, the CDA has found that railroad access with the potential for transload facilities has a high potential to support economic development. At the same time the TC&W Railroad has become very active in pursuing new business opportunities which would include transload facilities.

In order for any meaningful planning to be done by TC&W, the CDA, the County or any of the cities, information regarding suitable sites needed to be developed. Not all rail line frontage is suitable for facilities. A number of factors such as topography, soils, road access, natural resource features, regional location, physical characteristics of the track, and other factors all need to be taken into account when planning for transload facilities. The CDA and TC&W Railroad have collaborated on a study to identify sites along the rail line that, based on the factors in the study, would be candidates to be planned for transload facilities. This study provides a factual basis for further discussion, land planning and economic development efforts. A presentation outline is attached. It includes information on what factors were included in the study.

The study results will be presented at the work session.

**ACTION REQUESTED:** The staff will be looking to the Board for guidance on how to incorporate the into the planning process, particularly into the land use plan and economic development efforts.

**FUNDING**

County Dollars = \$

Other Sources &amp; Amounts =

= \$

**TOTAL** = \$0

Related Financial Comments: NA

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

Date: 14 March 2008

Outline of Presentation to Carver County Board  
On Multimodal Facility- March 25, 2008

1. Dave Drealan- Carver County Director of Land and Water Services:  
Need and planning process for multimodal facility
2. John Sullivan- Carver County CDA Economic Development Director:  
Role of multimodal facility in economic development in Carver County  
And Loucks' study
3. Robert Henry- Twin Cities & Western Railroad Co. V.P. of Marketing/Sales:  
Demand for multimodal facility
4. John Bergh- Loucks Associates Principal Designer
  - a. Study approach
    - i. Size requirements
    - ii. Location requirements
      1. Railroad access
      2. Road access
      3. Outside of cities' 2030 growth boundaries
    - iii. Site Suitability Considerations
  - b. Site suitability considerations
    - i. Railroad access
    - ii. Road access
    - iii. Topography
    - iv. Soils
    - v. Wetlands
    - vi. Sanitary Sewer
    - vii. Water
    - viii. Vegetation
    - ix. Agriculture preservation status
    - x. Cultural resources
5. Questions, comments, discussion
6. Wrap-up and Board direction