

Carver County Board of Commissioners
 Regular Session
 August 28, 2007
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:00 a.m.

1. a) **CONVENE**
- b) *Pledge of Allegiance*
- c) *Introduction of New Employees*
2. Agenda review and adoption
3. Approve minutes of August 14, 2007 Regular Session 1-4
4. Public participation (Comments limited to five minutes)
5. Community announcements

9:05 a.m.

6. **CONSENT AGENDA**
- 6.1 Payment of emergency claims 5-6
- 6.2 Information Services-appointment to Metro GIS
 Coordinating Committee 7
- 6.3 Sheriff's Office -9-1-1 Dispatcher re-instatement 8
- 6.4 Re-instate Heather Krug to autism specialist position 9
- 6.5 Contract with Seaya Diving 10
- 6.6 Mobile imaging services 11
- 6.7 Veterans Service Office-MNDVA Operational Grant..... 12-13
- 6.8 Solid Waste dump contract 14
- 6.9 Authorize contract for legal retainer for water, wetland and
 drainage issues 15
- 6.10 Extension of planning tech position through 2008 16
- 6.11 Abatements/additions 17-22
- 6.12 Renewal application for on-sale and Sunday liquor license for
 Island View Golf Club, Inc. 23
- 6.13 Concurrence in award of bid for CSAH 14 (Pioneer Trail)
 Extension-Proj SAP 10-614-07 24-27
- 6.14 Community Social Services' warrants NO ATT
- 6.15 Commissioners' warrants SEE ATT

9:05 a.m.

7. **ATTORNEY**
- 7.1 *Public hearing* – proposed Carver County Social Host
 Ordinance No. 59-2007 28-34

	7.2	Approval of amendment to Intergovernmental Exchange Agreement with Hennepin County.....	35
9:50 a.m.		ADJOURN AS COUNTY BOARD AND CONVENE AS CARVER COUNTY DITCH BOARD	
9.50 a.m.	8.	PROPERTY RECORDS/TAXPAYER SERVICES	
	8.1	County Ditch #4 viewers appointment	36
10:00 a.m.		ADJOURN CARVER COUNTY DITCH BOARD	
		BOARD REPORTS	
10:00 a.m.	1.	Chair	
	2.	Board Members	
	3.	Administrator	
10:30 a.m.	4.	Adjourn	

David Hemze
County Administrator

Work Session Agenda

10:30 a.m.	A.	PUBLIC WORKS	
	1.	County Comprehensive 2030 Transportation Plan.....	37

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on August 14, 2007. Chair Gayle Degler convened the session at 9:05 a.m.

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

Members absent: None.

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

Ische moved, Maluchnik seconded, to approve the minutes of the August 7, 2007, Regular Session, with the revision to strike "Dahlgren Township" and insert "Benton Township" on page 1. Motion carried unanimously.

Community announcements were made by the Board.

Under public participation, James Kuhl, San Francisco Township, stated he wanted to emphasize the Board did not have authority to authorize projects that were not part of the capital improvement plan. He stated the CIP has not been updated, that was incumbent upon them to prepare a new CIP and to get one that meets Statutes and includes all the projects that are being considered.

He noted the pollution that could be traced back to failing septic systems and curtain drains. He acknowledged curtain drains were experimental and something allowed before the present Board members were in office. Kuhl believed this issue was the County's problem because the County allowed them. He pointed out the undesignated fund balance and suggested part of that money should be used to rectify failing septic system problems.

He also suggested that when there is a public hearing, a copy of the public hearing notice published in the newspaper should be included in the Board's packet.

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

Payment of emergency claim in the amount of \$1,996.24.

Accepted and expended grant funds from the Minnesota Department of Health in the amount of \$2,000 for the purpose of carrying out the Quality Improvement grant project.

Resolution #78-07, Professional Service Agreement between Applied Environmental Sciences, Inc., and Carver County for Asbestos and Hazardous Materials Survey at the Mittelstaedt Home Site Along the Crow River.

Authorized the Sheriff's Office Dive Team acceptance of \$7,500 donation.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Ische moved, Maluchnik seconded, to open the public hearing on revisions to County Code Chapter 51, Regulating Hazardous Waste Management. Motion carried unanimously.

Dave Drealan, Land and Water Services, entered into the record the public hearing notice, the information included in the Board's packet, a summary of the changes to the ordinance and the ordinance. He noted the County has regulated hazardous waste for a number of years and the proposed amendments will bring the ordinance up to date with changes at the Federal and State level.

Joe Enfield, Land and Water Services, explained in the mid 1980's the State mandated the seven counties to develop an ordinance to manage hazardous waste in their individual county. He indicated the EPA makes rule changes that come down to the PCA and the County needs to make these changes as well. He indicated the PCA has to be as stringent as the EPA and therefore the County has to be as stringent as the PCA. He noted the majority of changes deal with the special waste pilot project developed in the mid 1990's. Enfield stated other metro counties have similar ordinances and they have tried to be as consistent as possible.

No public testimony was received.

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

Maluchnik moved, Ische seconded, to adopt Ordinance 60-2007, amending Chapter 51 of the County Code. Motion carried unanimously.

Gary Bork, Community Social Services, pointed out August was Child Support Awareness Month. He noted the proclamation received from the Governor to recognize child support staff who work to ensure that children are receiving the support they deserve. Bork stated counties are responsible for providing child support services and over the last year eight million dollars in child support was collected. Chair Degler read the Governor's proclamation into the record and thanked staff for the work they did.

Steve Taylor, Administrative Services, requested approval of construction manager and architectural contracts for County facilities. He explained a request for proposal was sent out for construction management and several firms responded. Taylor indicated after a meeting was held with the firms, they were recommending Kraus Anderson because of their qualifications and experience.

He stated he was asking for approval of contracts with Wold Architects and Bentz to assist Kraus Anderson in building out the schedule and refining the budget numbers. Taylor indicated the Steering Committee has been looking at several projects including the Chanhassen License Center,

remodeling of the Chaska License Center, the Justice Center basement, the West Administration Building and additional footage over the Courts. He identified the work to be done by the construction management firm and reviewed possible construction timetables. Taylor anticipated being able to come back with a schedule and budget number in three weeks.

Ische moved, Lynch seconded, to approve the selection of Kraus-Anderson Construction as the construction manager for projects outlined and to approve a contract with Kraus Anderson for a not to exceed amount of \$15,900 to provide preconstruction estimating and construction scheduling. Motion carried unanimously.

Ische moved, Lynch seconded, to approve a contract amendment with Wold Architecture of a not to exceed amount of \$7,500 for pre-design efforts. Motion carried unanimously.

Ische moved, Lynch seconded, to approve a contract amendment with Bentz/Thompson/Rietow Architects for pre-design efforts totaling a not to exceed number of \$4,200. Motion carried unanimously.

David Hemze, County Administrator, pointed out the Space Planning Committee has been looking at facility needs over the next 15 years. He noted when the preliminary levy is discussed in September; they will not only talk about the next year but the next 5-15 years as well. He added he would be bringing in some recommendations on handling the financial burden at that time.

Keith Carlson, representing Metropolitan Inter County Association, explained he was present to summarize the past legislative session. He noted the session started with high expectations but ended with little results. Carlson pointed out the legislature's disagreement related to the budget surplus.

He stated increases were seen in the areas of economic development, environment, veterans and modest increases in education spending. Carlson acknowledged even if the tax bill had been signed by the Governor, the effects would have been small. He stated the legislature is not able to provide meaningful property tax relief with current resources.

John Tuma, Claudio Brewington and Bob Vanasek, MICA legislative liaison, updated the Board on changes in the areas of public safety, health and human services and transportation.

Carlson acknowledged the upcoming discussions related to transportation issues and indicated the Executive Committee would be meeting to review what they know to date and future transportation funding. He stated they would continue to communicate with their members and County Administrators to update them on what their plans are to make sure what comes from the legislature is not a stop gap package. Carlson stated they also planned a legislative conference in November and January.

Carlson explained the makeup of MICA. He stated one of their primary objectives is coming together and developing a consensus of common objectives with other levels of government and advancing those objectives through representation at the legislature.

REGULAR SESSION
August 14, 2007

Maluchnik moved, Lynch seconded, to adjourn the Regular Session at 10:55 a.m. and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Lynch moved, Ische seconded, to adopt Carver County Regional Rail Authority Resolution #02-07, Professional Service Agreement between SRF Consulting Group, Inc. and Carver County for Design and Engineering Services for the Dakota Rail Regional Trail. Motion carried unanimously.

Ische moved, Workman seconded, to adjourn as the Carver County Regional Rail Authority. 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.)

2169865



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: B.C. Burdick Enterprises

ACCOUNT: 30-965-000-0000-6601

AMOUNT: \$396,455.52

REASON: Purchase land in Chanhassen Closing 8/10/07 and just rec'd closing statement

Department Head Signature: Steven H. Tz

Chairman of County Board

Gayle Degler
Gayle Degler

County Administrator

Steven H. Tz (for DA)
David Hemze

County Attorney

Toni Beitz
~~Michael A. Fahey~~ TONI BEITZ

Date: 8/7/07

26992.0



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600 East Fourth Street
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AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Buena Vista Apartments

ACCOUNT: 11-429-710-3640-6041

AMOUNT: \$ 750⁰⁰

REASON: First months rent to obtain housing for a client with three children.

Department Head Signature: Dan Banker

Chairman of County Board

Gayle Degler

County Administrator

Steven H. Taylor (per DA)
Dave Hemze

County Attorney

Bri Beitz
~~Michael~~ Toni Beitz

Date: 8/9/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Information Services – Appointment to Metro GIS Coordinating Committee

Originating Division: Administrative Services

Meeting Date: 8/28/2007

Amount of Time Requested: consent

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Information Services – Appointment of Peter Henschel to Metro GIS Coordinating CommitteeDetails of Request

For the past several years Dave Drealan has served as the County representative on the Metro GIS Coordinating Committee.

In his role as Division Director of Land and Water Services; Dave's ability to continue to serve the Metro GIS Coordinating Committee representing Carver County is becoming increasingly difficult. Mr. Drealan has recommended the appointment of GIS Lead, Peter Henschel, to serve as Metro GIS Coordinating Committee. Mr. Henschel; GIS Lead for Carver County attends many of the Metro GIS technical committee meetings and has taken on an expanding role as the County GIS Unit representative.

Carver County will experience the most benefit with the appointment of Peter Henschel as the County Metro GIS Coordinating with Mr. Drealan serving as the alternate.

ACTION REQUESTED: Motion for approval of appointment of Peter Henschel as Carver County representative to the Metro GIS Coordinating Committee with Dave Drealan serving as alternate.**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: 8/7/2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : Sheriff's Office - 9-1-1 Dispatcher Re-instatement

Originating Division: Sheriff

Meeting Date: August 28, 2007

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: This is a request to have Dawn Frederiksen re-instated as a 9-1-1 Dispatcher for the Carver County Sheriff's Office pursuant to personnel rules and regulations section 2-B 'Re-instatement'. I further request that Ms. Frederiksen be re-instated with previous benefits and seniority and be compensated at pay grade 10, \$15.69, her previous rate of pay.

Dawn will fill the vacancy created when she left June 20, 2007.

ACTION REQUESTED: Motion to reinstate Dawn Frederiksen as a 9-1-1 Dispatcher, Step 10, \$15.96/hour.

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: August 16, 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM: Reinstate Heather Krug to Autism Specialist Position

Originating Division: Community Social Services

Meeting Date: 8/28/2007

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: Heather Krug, Autism Specialist resigned from her position to follow her husband who was transferred overseas. They have returned, her position was to be recruited for, the Union has waived the posting and the Division is requesting that Heather be reinstated to her former position. The Autism Specialist is a very specialized position. One of the Division's client growth area is in children diagnosed with Autism Spectrum Disorders.

County Personnel Rules and Regulations require Board Approval to reinstate an employee. The Division is requesting that the reinstatement be retroactive to August 20, 2007 since she is currently working in a temporary capacity pending formal approval.

ACTION REQUESTED: To reinstate Heather Krug to the Autism Specialist position effective August 20, 2007.

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: 8/15/2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : Contract with Seaya Diving

Originating Division: Sheriff

Meeting Date: next available meeting

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:

New contract with Seaya Diving, owner/instructor Scott Teis. The contract would provide yearly maintenance or repair on dive equipment and instructor fees for the Carver County Dive Team. We currently use SeaYa Diving for equipment maintenance and repair. We also use SeaYa Diving for teaching and certification instruction that is mandatory for Dive Team members to maintain. We have not had a contract with Seaya Diving in the past and by agreeing to prices on repairs, maintenance and teaching fees for the duration of this contract, the Sheriff's Office can save money and plan for future budget needs.

ACTION REQUESTED: I am asking the board motion to approve contract with SeaYa Diving

FUNDING

County Dollars = \$5000.

Other Sources & Amounts =

= \$

TOTAL

= \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date:



REQUEST FOR BOARD ACTION

AGENDA ITEM : Mobile Imaging Services

Originating Division: Sheriff

Meeting Date: 8/28/08

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 is asking to enter into an agreement with DMS imaging. The contractor will provide on site imaging for X-ray, EKG and ultrasound for our inmates. This contract will be cost effective since we will not have any transportation cost for taking inmates out of the facility to have these services completed. The term of this agreement is for three years.

ACTION REQUESTED: Approve a motion to allow the Carver County Sheriffs office to enter into a agreement with DMS imaging to provide on site inmate X-rays.

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: 8/8/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Veterans Service Office, MNDVA Operational Grant for 2007

Originating Division: Administrative Services

Meeting Date: August 28, 2007

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 Veterans Service Officer has received certification through the Department of Veterans Affairs and is thereby eligible to receive a County Veterans Service Officer Operational Improvement Grant for this fiscal year in the amount of \$4200.00. The amount is based on the current veteran population of Carver County as reported by the United States Department of Veteran Affairs.

The Veterans Service Office intends to utilize grants funds for the purchase of Blackberry Cellular Phones with one year talk time, Software licensing of Veterans Information Management Software (VIMS), Publicity Items, Reference materials, and training per the MNDVA authorized items list.

ACTION REQUESTED:

Motion to accept County Veterans Service Officer Operational Improvement Grant for this fiscal year in the amount of \$4200.00

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:

BUDGET AMENDMENT REQUEST FORM

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

DEPARTMENT: Veterans Affairs

Date of County Board Session: 8/28/07

Fund: General

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Veteran's Service Officer Operational Improvement Grant	\$ 4,200	Cell phones, VIMS, training, etc. (See details on RBA)	\$ 4,200
TOTAL:	\$ 4,200	TOTAL:	\$ 4,200

A. Reason for Request: See Board Action.

B. Financial Impact: (To be filled out by Controller)

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

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

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

F. Prepared/Requested By: Chuck Churchill/Gary Bork

G. Recommend Approval: Finance

H. County Board Decision: Approval/Disapproval



REQUEST FOR BOARD ACTION

AGENDA ITEM : Solid Waste Dump Contract

Originating Division: Land Water Services

Meeting Date: August 28, 2007

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: Environmental Services has assisted property owners for the past several years in the removal of solid waste dumps on their property. The removal of these dumps is important to eliminate any soil and ground water contamination as well as potential breeding grounds for mosquitoes, which transmit encephalitis. Environmental Services has budgeted \$15,000 for the Solid Waste Dump Clean Up Program in 2007. The recipient shall be reimbursed 50% of the clean-up costs upon approval of the claim by the Environmental Services Department, but not to exceed a total of \$1,500. The Board has approved funding for the dump clean up program for the past several years.

ACTION REQUESTED: Motion to approve the 2007 Financial Assistance Agreement with Paul Haas.

FUNDING

County Dollars = \$1,500.00

Other Sources & Amounts =

= \$

TOTAL = \$1,500.00

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: Environmental Services budgeted \$15,000 for the Solid Waste Dump Clean-up Program in 2007. The recipient shall be reimbursed 50% of the clean-up costs upon approval of the claim by the Environmental Services Department, but not to exceed a total of \$1,500.

Reviewed by Division Director

Date: August 13, 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM: Authorize Contract for Legal Retainer for Water, Wetland, & Drainage Issues

Originating Division: Land Water Services/Property
Records & Taxpayer Services

Meeting Date: August 28, 2007

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:

Rinke-Noonan has provided legal advisory services for the County in the past on a project-by-project basis and has demonstrated a high level of knowledge in the ditch management and water law areas. They currently are on retainer for many Counties around the State, and would provide the Land & Water services and Property/Taxpayer services Divisions with a consistent, readily available source of information on these issues as they arise. This Agreement covers the following as related to Drainage Law (MN Statute 103E), Water management law, Wetland Conservation Act, TMDL's and other water related issues:

- Unlimited phone calls and emails from County Board members or County Staff primarily the County Attorney, the County Auditor, County Land & Water Services (which includes the Carver Soil & Water Conservation District).
- Short opinion letters
- Updates on proposed changes in law and regulation.
- Information concerning grants available to Counties.

Staff from LWS Division and the Property Records/Taxpayer Services Division have consulted on this matter and are requesting that this retainer agreement be approved with Rinke Noonan Attorney's at Law for the period commencing Sep 1, 2007 and terminating on December 31, 2009. The cost of this Agreement shall be based on a monthly rate of \$200.00/month. Services not covered by this agreement shall be determined as needed per Work Order basis not to exceed \$10,000 per calendar year over and above the retainer fee, unless authorized by Board approval of the water levy, general budgets, one-time capital projects, projects authorized under MN Statute 103E, and outside grants received in 2008 & 2009.

ACTION REQUESTED: Motion to approve contract with Rinke Noonan Attorney's at Law, and authorize signature of all related documents by the Carver County Board Chair and County Staff.

FUNDING

2007 Funding:	Watershed Levy =	\$ 400
	Property Records/ Taxpayer Services =	\$ 400
	TOTAL =	\$ 800

FISCAL IMPACT

- None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Funds have been previously budgeted for 2007. 2008 and 2009 funding is dependent on future Board approval of water levy, budgets, and if required, one-time capital projects, and outside grants received.

Reviewed by Division Directors

Date: August 17, 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : Extension of Planning Tech Position Through 2008

Originating Division: Land Water Services

Meeting Date: 28 August 2007

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: Jon Solberg is returning from military duty to County payroll status in September. His position, (Associate Planner) has been filled in the interim by a Planning Tech (currently filled by Sharon Wheeler.) I am requesting that this position be extended through December 31, 2008. A set of circumstances has arisen that makes retaining this position through 2008 critical to Division operations.

Since the Planning Tech in the water area (now the P&WM Dept) was eliminated in late 2005, Paul Moline has had primary responsibility for virtually all of the water rules and water management activities, including the development review process. In the short term we were able adjust to the FTE loss by shifting resources from other parts of the Division but this is not a viable long term solution. The workload in other areas of the Division is increasing and it is not always possible to shift the necessary resources.

The development of the 2030 Comprehensive Plan is probably the single most important task the Division has had or will have in some time. The retention of the current personnel in a temporary Planning Tech position will permit Paul Moline to devote the necessary time to the Comprehensive Plan process. The 2007 Legislature made changes to the Wetland Conservation Act that will generate additional work load for Land & Water Services. The extended Planning Tech would also assume this work load and assume tasks under the TMDL implementation program. The need for this position beyond 2008 will be reevaluated in the 2009 budget process – continuing this position would need specific approval.

Funding – the remainder of 2007 can be funded by the difference between Solberg’s salary & the Planning Tech salary for the first 8 months of the year and from funds from other Division vacancies. Funding in 2008 would be provided by a combination of TMDL grant funds, new BWSR WCA grant funds, existing BWSR NRB grant funds, and the use of professional services and other funds from the Water Management area. The exact mix of funding will depend upon the level of new BWSR funds available. The bottom line is this position will not affect next year’s general levy request.

ACTION REQUESTED: Motion authorizing a temporary Planning Tech position in the LWS - Planning & Water Management Department through December 31, 2008.

FUNDING

County Dollars =	\$20,439
Other Sources & Amounts =	
=	\$
TOTAL	= \$20,439

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: No amendment is needed; funding is included in current approved Division budget and utilizes funding from positions that were vacant for a time.

Reviewed by Division Director

Date: 20 August 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services Meeting Date: 08/28/07
 Amount of Time Requested: 0 minutes Attachments for packet: Yes No
 Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: See Attached.**ACTION REQUESTED:****FUNDING**

County Dollars = \$ - 7,028.93
 Other Sources & Amounts = -31,920.07
 =
TOTAL = \$-38,949.00

FISCAL IMPACT

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

Related Financial Comments: Reviewed by Taxpayer Services Manager

Date: 8-17-07



**CARVER
COUNTY**

Office of County Assessor
Angela Johnson
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, Minnesota 55318-2102
Phone: (952) 361-1960
Fax: (952) 361-1959

**Abatements presented to the
Carver County Board of Commissioners**

The following properties are to receive the homestead credit for the 2006 assessment payable 2007, this is recommended for approval by the County Assessor.

11-028-0810	Russell Goetze	Residential
25-635-0067	Olin Lippincott	Residential
25-635-0153	Olin Lippincott	Residential

The following properties are to receive the homestead credit for the 2005 assessment payable 2006, and also the 2006 assessment payable 2007, these are recommended for approval by the County Assessor.

30-098-1020	Robert Finney	Residential
75-270-0410	Landon Ziemke	Residential

The following property is to receive the homestead credit for the 2004 assessment payable 2005, 2005 assessment payable 2006, and the 2006 assessment payable 2007, these are recommended for approval by the County assessor.

04-021-0910	Keri Breeggemann	Residential
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The following property is warranted a reduction in value, due to a missed split for the following years, 2004 assessment payable 2005, 2005 assessment payable 2006, and 2006 assessment payable 2007, these are recommended for approval by the County Assessor.

85-050-3290	James Nolan	Residential
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The following property is to have an added tax due to a missed split for the following years 2004 assessment payable 2005, 2005 assessment payable 2006, and 2006 assessment payable 2007, these are recommended for approval by the County Assessor.

85-050-3293 Cheryl May Residential

The following property is warranted a disaster credit, due to a fire that occurred in 2006 assessment for taxes due and payable in 2007, this is recommended for approval by the County Assessor.

25-160-1110 Lawrence Veltkamp Residential

The following property is to have an added tax, as the owner is living out of the Country, this is for the 2006 assessment payable 2007, and this is recommended for approval by the County Assessor.

65-295-0120 John Strosahl Residential

The following properties are warranted a reduction in value due to the % of completion, as of January 2, 2006, this is recommended for approval by the County Assessor. The parcels are owned by Stone Creek Office Group, LLC and they are classified as Commercial, the following parcel numbers are.

25-772-0102	25-772-0113	25-772-0202	25-772-0213
25-772-0103	25-772-0115	25-772-0203	
25-772-0104	25-772-0121	25-772-0204	
25-772-0112	25-772-0124	25-772-0212	

The following properties are to receive the Tax Exempt status, as they are owned by the City of Victoria, for the following years, 2004 assessment payable 2005, 2005 assessment payable 2006, and the 2006 assessment payable 2007, they are recommended for approval by the County Assessor.

65-548-0380	City of Victoria	Agricultural
65-548-0390	City of Victoria	Agricultural
65-548-0410	City of Victoria	Agricultural

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The following property is warranted a reduction in value, as the incorrect information was given by the park owner for the following, year built, make and model , and size of the Mobile Home, this is for the following years, 2005 assessment payable 2005, 2006 assessment payable 2006, and the 2007 assessment payable 2007.

09-951-0007 Patrick McCaw Residential



**CARVER
COUNTY**

Taxpayer Services Department
Government Center - Administration Building
600 East 4th Street
Chaska, MN 55318-2102
Phone (952) 361-1910
Fax (952) 361-1919
www.co.carver.mn.us

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

**Abatements presented to the
Carver County Board of Commissioners
August 28, 2007**

Payable Year	Parcel Number	Name	Original Tax Amount	Adjusted Tax Amount	County Dollars Abated	Total Amount of Adjustment
2005	04.0210910	THOMAS A & KERI L BREEGGEN	2,026.00	1,854.00	-93.97	-172.00
2006	04-0210910	THOMAS A & KERI L BREEGGEN	3,048.00	2,966.00	-40.57	-82.00
2007	04-0210910	THOMAS A & KERI L BREEGGEN	3,252.00	3,192.00	-27.84	-60.00
2005	85-0503290	JAMES P & BRIDGETTE NOLAN	2,422.00	2,302.00	-47.33	-120.00
2006	85-0503290	JAMES P & BRIDGETTE NOLAN	3,130.00	3,026.00	-33.11	-104.00
2007	85-0503290	JAMES P & BRIDGETTE NOLAN	3,052.00	2,950.00	-33.61	-102.00
2005	85-0503293	Cheryl May	0.00	136.00	53.85	136.00
2006	85-0503293	Cheryl May	0.00	122.00	40.74	122.00
2007	85-0503293	Cheryl May	0.00	116.00	38.57	116.00
2006	30-0981020	ROBERT S FINNEY	1,974.00	1,756.00	-89.89	-218.00
2007	30-0981020	ROBERT S FINNEY	2,172.00	1,962.00	-80.96	-210.00
2007	11-0280810	RUSSELL P GOETZE	1,966.00	1,818.00	-82.58	-148.00
2007	25-7720213	STONE CREEK OFFICE GROUP I	12,582.00	6,556.00	-930.64	-6,026.00
2007	25-7720212	STONE CREEK OFFICE GROUP I	6,274.00	3,520.00	-423.16	-2,754.00
2007	25-7720204	STONE CREEK OFFICE GROUP I	8,804.00	4,602.00	-648.51	-4,202.00
2007	25-7720203	STONE CREEK OFFICE GROUP I	4,358.00	2,718.00	-248.45	-1,640.00
2007	25-7720202	STONE CREEK OFFICE GROUP I	8,804.00	4,602.00	-648.51	-4,202.00
2007	25-7720124	STONE CREEK OFFICE GROUP I	4,804.00	2,892.00	-290.69	-1,912.00
2007	25-7720121	STONE CREEK OFFICE GROUP I	4,804.00	2,892.00	-290.69	-1,912.00
2007	25-7720115	STONE CREEK OFFICE GROUP I	6,274.00	3,520.00	-423.16	-2,754.00
2007	25-7720113	STONE CREEK OFFICE GROUP I	6,552.00	3,640.00	-447.33	-2,912.00
2007	25-7720112	STONE CREEK OFFICE GROUP I	6,274.00	3,520.00	-423.16	-2,754.00
2007	25-7720104	STONE CREEK OFFICE GROUP I	4,602.00	2,842.00	-266.43	-1,760.00
2007	25-7720103	STONE CREEK OFFICE GROUP I	4,358.00	2,718.00	-248.45	-1,640.00
2007	25-7720102	STONE CREEK OFFICE GROUP I	3,248.00	3,094.00	-65.45	-154.00
2005	65-5480410	City of Victoria	10.00	0.00	-4.20	-10.00
2006	65-5480410	City of Victoria	14.00	0.00	-5.31	-14.00
2007	65-5480410	City of Victoria	18.00	0.00	-4.91	-18.00
2005	65-5480390	City of Victoria	10.00	0.00	-4.20	-10.00



**CARVER
COUNTY**

Taxpayer Services Department
 Government Center - Administration Building
 600 East 4th Street
 Chaska, MN 55318-2102
 Phone (952) 361-1910
 Fax (952) 361-1919
 www.co.carver.mn.us

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

2006	65-5480390	City of Victoria	14.00	0.00	-5.31	-14.00
2007	65-5480390	City of Victoria	18.00	0.00	-4.91	-18.00
2005	65-5480380	City of Victoria	36.00	0.00	-15.74	-36.00
2006	65-5480380	City of Victoria	48.00	0.00	-18.46	-48.00
2007	65-5480380	City of Victoria	60.00	0.00	-16.84	-60.00
2006	25-1601110	Lawrence Veltkamp	3,392.00	1,377.00	-695.21	-2,015.00
2005	M09.9510007	Patrick McCaw	326.00	138.00	-91.74	-188.00
2006	M09.9510007	Patrick McCaw	338.00	142.00	-85.57	-196.00
2007	M09.9510007	Patrick McCaw	340.00	144.00	-79.37	-196.00
2006	75.2700410	LANDON M & KAREN L ZIEMKE	1,620.00	1,372.00	-95.24	-248.00
2007	75.2700410	LANDON M & KAREN L ZIEMKE	1,688.00	1,444.00	-86.44	-244.00
2007	25.6350067& 25.6350153	OLIN W & DIANNE L LIPPINCOT	2,062.00	1,842.00	-80.41	-220.00
2007	65.2950120	JOHN R STROSAHL TRUSTEE OF J R STROSAHL TRUST	4,828.00	4,878.00	16.26	50.00
						0.00
			\$119,602.00	\$80,653.00	-\$7,028.93	-\$38,949.00



REQUEST FOR BOARD ACTION

AGENDA ITEM: Renewal Application for On-Sale and Sunday Liquor License for Island View Golf Club, Inc.

Originating Division: Property Records Taxpayer Services Meeting Date: August 28, 2007
Amount of Time Requested: 0 minutes Attachments for packet: Yes X No
Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: Cliff Stahlke, as Coordinator for Island View Golf Club, Inc. has applied for renewal of their On-Sale and Sunday liquor license. Island View Golf Club is located at 7795 County Road 30, Waconia, MN 55387. There are no delinquent real estate taxes on this property.

ACTION REQUESTED:

FUNDING

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

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Laurie Engelen, Taxpayer Services Manager

Date:

Laurie Engelen 8-22-07



REQUEST FOR BOARD ACTION

AGENDA ITEM : CONCURRENCE IN AWARD OF BID FOR CSAH 14 (PIONEER TRAIL) EXTENSION - PROJ. SAP 10-614-07

Originating Division: Public Works

Meeting Date: August 28, 2007

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: Bids for CSAH 14 Extension Project were opened on August 14, 2007 by the City of Chaska. The project includes extending CSAH 14 from Shady Oak Drive to Bavaria Road by constructing new roadway and widening existing roadways. The City/County agreement requires the City to obtain concurrence of award of the bid prior to City award of the project. On August 20, 2007, the City awarded the project to Northwest Asphalt, Inc. contingent on the County's concurrence.

ACTION REQUESTED: It is recommended that the County Board concur in the award of the contract to Northwest Asphalt, Inc. in the amount of \$4,830,662.63.

FUNDING

County Dollars (Local) =	\$3,980,000.00
County Dollars (SAR) =	\$ 420,000.00
City =	\$ 600,000.00
TOTAL =	\$5,000,000.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: The funding includes \$3,900,000 in County highway bond sale principal and interest revenue. The sale of \$3.625 million in highway bonds for the partial funding of this project will be managed by County Finance along with \$300,000 from interest earned from the 2005 Bond sale.

Reviewed by Division Director

[Signature]
(Finance Director)
for RMG

Date: 8/23/07

BUDGET AMENDMENT REQUEST FORM

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

DEPARTMENT: Public Works

Date of County Board Session: 8/28/07

Fund: Roads

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Interest earned from '05 Bond Sale	\$ 300,000	CSAH 14 Extension Project*	\$ 800,000
State Aid	\$ 420,000		
Local Levy	\$ 80,000		
* Additional revenue will come from \$3,625,000 bond sale that was authorized but not issued in 2005.			
TOTAL:	\$ 800,000	TOTAL:	\$ 800,000

A. Reason for Request: See Board Action.

B. Financial Impact: (To be filled out by Controller)

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

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

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

F. Prepared/Requested By: Chuck Churchill/Gary Bork

G. Recommend Approval: Finance

H. County Board Decision: Approval/Disapproval

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

RECEIVED

AUG 20 2007

2335 Highway 36 W
St. Paul, MN 55113
Tel 651-636-4600
Fax 651-636-1311
www.bonestroo.com

CARVER COUNTY PUBLIC WORKS



August 14, 2007

Honorable Mayor and City Council
City of Chaska
1 City Hall Plaza
Chaska, MN 55813-1962
Attn: Bill Monk

Carver County Board of Commissioners
11360 Hwy 212 West
Suite 1
Cologne, MN 55322
Attn: Roger Gustafson

Re: Pioneer Trail Street Extension Project
Project No. 000092-05168-0
Bid Results

Dear Honorable Mayor, City Council, and County Board:

Bids were opened for the Project stated above on Tuesday, August 14, 2007 at 10 A.M. Transmitted herewith is a copy of the Bid Tabulation for your information and file. Copies will also be distributed to each Bidder once the Project has been awarded.

There were a total of seven Bids. The following summarizes the results of the Bids received:

	<u>Contractor</u>	<u>Total Base Bid</u>	<u>Alternate No. 1 Colored Concrete Walk</u>
Low	Northwest Asphalt, Inc.	\$4,830,662.63	\$2,556.00
#2	S. M. Hentges & Sons, Inc.	\$4,907,114.20	\$2,700.00
#3	Eureka Construction, Inc.	\$5,051,017.45	\$2,394.00
#4	Ames Construction, Inc.	\$5,108,069.25	\$3,600.00
#5	Hoffman Construction Company	\$5,388,766.18	\$6,840.00
#6	Park Construction Company	\$5,476,005.68	\$2,844.00
#7	Veit & Company, Inc.	\$5,519,322.10	\$1,242.00

The low Bidder on the Project was Northwest Asphalt, Inc. with a Total Base Bid of \$4,830,662.63. This compares to the Engineer's Estimate of \$5,535,000.00. These Bids have been reviewed and found to be in order.

St. Paul
St. Cloud
Rochester
Milwaukee
Chicago

26

Engineers
Architects
Planners

If the City Council and County Board wish to award the Project to the low Bidder, then Northwest Asphalt, Inc. should be awarded the Project on the Total Base Bid Amount of \$4,830,662.63.

Should you have any questions, please feel free to contact me at (651) 604-4893.

Sincerely,

BONESTROO



Eric S. Lembke, P.E.

Enclosure

CC: Bill Weckman



REQUEST FOR BOARD ACTION

AGENDA ITEM : Proposed Carver County Social Host Ordinance No. 59-2007

Originating Division: Attorney

Meeting Date: August 28, 2007

Amount of Time Requested: 45 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The Social Host Ordinance is scheduled for public hearing on August 28, 2007.

The Social Host Ordinance is a collaborative effort between the County Attorney's Office, the Chaska Police Department, and the Carver County Sheriff's Office seeking Board approval for an ordinance which imposes criminal responsibility on an individual who hosts or allows an event on private or public property where the host knows or reasonably should know that persons under age 21 are possessing or consuming alcohol.

A Social Host Ordinance Survey was conducted at the Carver County Fair from August 8, 2007- August 12, 2007. The results of the survey are attached.

Notice of the Public Hearing was published in the Chaska Herald, the legal newspaper for Carver County, on August 16, 2007 pursuant to statute. In addition, articles on the Social Host Ordinance indicating the date of the public hearing appeared in the Chaska Herald, the Norwood Young America Times, the Carver County News, the Waconia Patriot and the Carver County Citizen on August 16, 2007. Notice of the Public Hearing was also published in the Chanhassen Villager on August 16, 2007 and will be published in the Waconia Patriot, the Norwood Young America Times, and the Carver County News on August 23, 2007.

ACTION REQUESTED:

Public hearing and request for a vote on the Social Host Ordinance.

FUNDING

County Dollars = \$0

Other Sources & Amounts =

= \$

TOTAL

= \$0

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other: No immediate fiscal impact. Ordinance may result in more citations being issued and prosecuted. No additional staff is necessary or anticipated. Fine revenue may increase.

Related Financial Comments:

Reviewed by Division Director

Joni Fitz

Date:

August 21, 2007

Report Date: August 21, 2007

SOCIAL HOST ORDINANCE SURVEY RESULTS

The results from the Social Host Ordinance Survey conducted at the Carver County fair from August 8-12, 2007 are as follows:

35 people filled out surveys.

9 people were opposed to the ordinance (all were Carver County residents). Of the 9 people who opposed the ordinance, 6 thought underage drinking was a major problem in the county, 1 thought underage drinking was not a problem in the County, and 2 did not know if underage drinking was a problem in the County.

26 people were in support of the ordinance (three were not Carver County residents). Of the 26 people who supported the ordinance, 16 thought underage drinking was a major problem in the county, 6 thought underage drinking was a minor problem in the county, and 4 did not know if underage drinking was a problem in the County.

Written comments received from people who opposed the ordinance:

“We already have laws to address this issue. Ordinance unnecessary.”

“Bad language 1) Regardless of who supplied alcohol 2) Even if I’m not present?? Dumb.”

“Its your private property. Take respo[n]sibilities.”

Written comments received from people who supported the ordinance:

“Great idea! I like it and support it.”

“I agree with this and hope the county board will do something about it.”

“Thanks.”

“A young man died a few houses down. He was drunk at an underage party. I have to believe, but am not certain that the parents of the house were out of town. The young man went into a pond and drown. Perhaps

this is a civil matter, but a criminal law might of have prevented this tragic occurrence.”

“[Name withheld] need to say more.”

“ATOD Member”

“I’m an ER worker, and this may cut down on trauma!”

“Very important for adults to understand what underage drinking means.”

“Underage drinking is a problem and should be kept under control. Parents need to know what their children are doing.”

“Work in Carver County.”

“I support an ordinance that clearly defines what a social host is, and removes the wording ‘reasonably should know.’ To ambiguous. It is a problem.”

COUNTY OF CARVER, STATE OF MINNESOTA

AN ORDINANCE AMENDING TITLE XIII: GENERAL OFFENSES OF THE CARVER COUNTY CODE OF ORDINANCES IMPOSING CRIMINAL RESPONSIBILITY ON PERSONS WHO HOST UNDERAGE DRINKING PARTIES.

NOW, THEREFORE, THE COUNTY BOARD OF COMMISSIONERS OF CARVER COUNTY, MINNESOTA, ORDAINS THAT:

The Code of Ordinances, Title XIII: General Offenses, Chapter 131, is amended as follows:

CHAPTER 131: SOCIAL HOST ORDINANCE

Section	
131.01	Purpose and Findings
131.02	Authority
131.03	Definitions
131.04	Prohibited Acts
131.05	Exceptions
131.06	Enforcement
131.07	Severability
131.08	Penalty
131.09	Effective Date

§131.01 **Purpose and Findings.** The Board of Commissioners of Carver County intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The Board of Commissioners of Carver County finds that:

- (a) Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty-one are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.

- (b) Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.
- (c) Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.
- (d) Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and, condone the activity, and in some circumstances provide the alcohol.
- (e) Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.
- (f) A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs.

§131.02 **Authority.** This ordinance is enacted pursuant to Minn. Stat. §145A.05 subdivision 1.

§131.03 **Definitions.** For purposes of this ordinance, the following terms have the following meanings:

- (a) Alcohol. "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.
- (b) Alcoholic beverage. "Alcoholic beverage" means alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- (c) Event or gathering. "Event or gathering" means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- (d) Host. "Host" means to aid, conduct, allow, entertain, organize, supervise, control, or permit a gathering or event.
- (e) Parent. "Parent" means any person having legal custody of a juvenile:
 - (1) As natural, adoptive parent, or step-parent;
 - (2) As a legal guardian; or
 - (3) As a person to whom legal custody has been given by order of the court.
- (f) Person. "Person" means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.

- (g) Residence or Premises. "Residence" or "premises" means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.
- (h) Underage Person. "Underage person" is any individual under twenty-one (21) years of age.

§131.04 Prohibited Acts.

- (a) It is unlawful for any person(s) to;
 - (1) host or allow an event or gathering;
 - (2) at any residence, premises, or on any other private or public property;
 - (3) where alcohol or alcoholic beverages are present;
 - (4) when the person knows or reasonably should know that an underage person will or does
 - (i) consume any alcohol or alcoholic beverage; or
 - (ii) possess any alcohol or alcoholic beverage with the intent to consume it; and
 - (5) the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).
- (b) A person is criminally responsible for violating Subdivision 4(a) above if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.
- (c) A person who hosts an event or gathering does not have to be present at the event or gathering to be criminally responsible.

§131.05 Exceptions.

- (a) This ordinance does not apply to conduct solely between an underage person and his or her parents while present in the parent's household.
- (b) This ordinance does not apply to legally protected religious observances.
- (c) This ordinance does not apply to retail intoxicating liquor or 3.2 percent malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minn. Stat. §340A.503 Subd.1(a)(1).
- (d) This ordinance does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

§131.06 Enforcement. This ordinance can be enforced by any police officer or sheriff's deputy in the county.

§131.07 **Severability.** If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

§131.08 **Penalty.** Violation of §131.04 is a misdemeanor.

§131.09 **Effective Date.** This ordinance shall take effect thirty (30) days following its final passage and adoption.

READ, CONSIDERED, PASSED AND APPROVED by a majority vote at a regular meeting of the County Board of Commissioners of Carver County, Minnesota, on the _____ day of September, 2007.

COUNTY OF CARVER

BY:

Chair of the Board, Gayle Degler

BY:

Clerk of the Board/County Administrator, Dave Hemze

APPROVED AS TO FORM: Carver County Attorney's Office

BY:

First Assistant County Attorney, Toni Beitz



REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of Amendment to Intergovernmental Exchange Agreement with Hennepin County

Originating Division: Attorney

Meeting Date: August 28, 2007

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: The original Intergovernmental Employee Exchange Agreement with Hennepin County for the services of Toni Beitz as First Assistant Carver County Attorney will terminate on August 28, 2007. Because it is anticipated that the new County Attorney appointed by this Board will not commence employment on that date, it is requested that the Agreement be amended to extend the term until September 22, 2007, to try to assure that the duties of the First Assistant are fulfilled up until the date that the newly appointed County Attorney is able to assume the responsibilities of the Office of County Attorney. It is not anticipated that this extension will affect the "not to exceed" financial limits of the original Agreement.

ACTION REQUESTED: Motion to approve Amendment to Agreement between Carver County, Hennepin County, and Toni Beitz.

FUNDING

County Dollars = \$40,000 (not to exceed)
Other Sources & Amounts =
= \$
TOTAL = \$

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date: August 20, 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : County Ditch #4 viewers appointment

Originating Division: Prop. Rec./Taxpayer Serv.

Meeting Date: 8/28/07

Amount of Time Requested: 10 minutes

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

On August 7, 2007 the County Ditch Board passed a resolution approving the re-viewing and re-determination of benefits on County Ditch #4.

ACTION REQUESTED: Appointment of the following as viewers for County Ditch #4;**Jim Wiedmann, 41480 Ideal Ave., Belview, MN.****Duane Bendixen, 39739 State Hwy. 68, Morgan, MN.****William Moldestad, 38870 Justice Ave., Redwood Falls, MN.****Alternate;****Ron Ringquist, 402 Valley View Dr., Redwood Falls, MN****FUNDING**

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:*Related Financial Comments: All costs of this project will be paid by the County #4 Ditch system.* Reviewed by Division Director 

Date: 8-14-07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Public Works Topics

Originating Division: Public Works Meeting Date: August 28, 2007
 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:

❖ Transportation

30 Minutes

- County Comprehensive 2030 Transportation Plan (Highways)
 - Roadway Corridor Locations
 - Traffic Forecasts
 - Functional Classifications
 - Access Management

ACTION REQUESTED:

No action is requested.

FUNDING

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

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Division Director

RMG

Date: August 23, 2007