

Carver County Board of Commissioners
 Regular Session
 February 6, 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 January 23, 2007, Regular Session1-2
4. Public participation (Comments limited to five minutes)
5. Community announcements

9:05 a.m.

6. **CONSENT AGENDA**
- 6.1 2007 Highway Department Seasonal Supplies3
- 6.2 Set bid opening date for 2007 County Road bituminous
resurfacing program.....4
- 6.3 Set bid opening date for 2007 County State Aid Highway
bituminous resurfacing program (overlays)5
- 6.4 Lake Minnewashta Park caretakers lease.....6-7
- 6.5 2007 Seasonal road restrictions8-9
- 6.6 Professional services agreement with Precision Appraisals of
Minnesota, Inc.10-11
- 6.7 Absentee Ballot Board.....12-13
- 6.8 Authority to abate tax penalties 14
- 6.9 Abatements/Additions15-17
- 6.10 Contract for Medtronic Saving Hearts in our Communities
coordinator 18
- 6.11 Carver County and Motorola, Inc., 2007 maintenance and
support services 19
- 6.12 2007 Police contracts.....20-21
- 6.13 Delegation of donations and off duty contracts22
- 6.14 Out of state training request.....23-25
- 6.15 Professional service agreement between Carver County and
Ridgeview Medical Center (Ridgeview Business Health).....26
- 6.16 Contracts with Chaska Herald and Chanhassen Villager.....27

6.17 Wayne and Betty Wachholz-request for three lakeshore lots.28-32
6.18 Shawn Killian-request for a contractor's yard33-37
6.19 Professional service contracts-electric and chiller service 38
6.20 Information Services-contract for temporary technical
support staff..... 39
6.21 Community Social Services' warrants..... NO ATT
6.22 Commissioners' warrants SEE ATT

9:05 a.m.

7. LAND AND WATER SERVICES

7.1 TCW Disposal (Thaemert) request for a contractor's yard and
waste management facility.....40-61

10:00 a.m.

8. PROPERTY RECORDS/TAXPAYER SERVICES

8.1 Carver County tax abatement policy.....62-66

10:20 a.m.

9. ADMINISTRATION

9.1 Advisory Committee Appointments67
9.2 *Closed Session*-CSAH 30 corridor land acquisition.....68-69

11:40 a.m.

ADJOURN REGULAR SESSION

BOARD REPORTS

11:40 a.m.

1. Chair
2. Board Members
3. Administrator

12:15 p.m.

4. Adjourn

David Hemze
County Administrator

REGULAR SESSION
January 23, 2007

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on January 23, 2007. Chair Gayle Degler convened the session at 9:02 a.m.

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

Members absent: None.

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

Ische moved, Maluchnik seconded, to approve the minutes of the January 9, 2007, Regular Session Motion carried unanimously.

Community announcements were made by the Board.

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

Resolution #04-07, Professional Service Agreement between Steve and Margo McClellan and Carver County for Caretaker Services at Baylor Regional Park.

Contract with the Minnesota Center for Survey Research.

Contract for the Citizen Corp Program Grant and related Public Health budget amendment increasing grant revenue \$2,902 and increasing advertising \$1,000, conference and professional expenditures \$150 and supplies \$1,752.

Contract with the United First Aid and Safety.

Contract between the Sheriff's Office and Paul Wheeler for the completion of required background investigation services.

Authorized the Sheriff to attend the National Sheriffs Association MidWinter Conference in Washington D.C. for purposes of being sworn in as a Member of the NSA Board of Directors.

Set June 12, 2007, at 1:30 p.m. as the date and time for the County Board of Appeals and Equalization.

Resolution #05-07, Approving the Final Plat of Cannon Woods.

Authorized Chair to sign the completed 2007 Pay Equity Implementation Report, authorized Employee Relations to send the signed report to the State of Minnesota and to post the Notice for 90 days.

Approved the agreement establishing a Joint Powers Board for the Metro Alliance for Healthy Families.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Marty Walsh, Parks, requested the Board approve amendments to the sledding hill operations plan. He stated the Parks Department had a chance to observe the hill and were recommending that the gate be removed due to operational issues. Walsh indicated they were also seeking approval to change the hours of operation. He noted they will continue to observe and fine tune the operations plan.

Ische moved, Lynch seconded, to approve an amendment to the sledding hill operations plan changing the hours of operation from weekends and holiday break periods between 10:00 a.m. and 3:30 p.m. and by appointment during the week to 10:00 a.m. to 5:00 p.m. all days of the week. Motion carried unanimously.

Ische moved, Maluchnik seconded, to go into closed session at 9:16 a.m. to discuss labor negotiations strategies. Motion carried unanimously.

The Board adjourn the closed session and Regular Session at 10:20 a.m.

David Hemze
County Administrator

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



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2007 Highway Department Seasonal Supplies

Originating Division: Public Works

Meeting Date: Feb. 6, 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: The seasonal supplies included in this request are metal culverts, mineral aggregates, limestone rock, plant mixed asphalt, rock salt, application of reflectorized pavement markings and rental equipment.

ACTION REQUESTED: It is requested that the County Board of Commissioners establish 2:30 PM, Thursday, March 8, 2007, as the time and date for the opening of highway department seasonal supplies. 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.

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

JMK

William J. Weckman for RMG

Date:

1/29/07

S:\Seasonals\BAF-set bid opening\2007\0703-0709



REQUEST FOR BOARD ACTION

AGENDA ITEM :**Set Bid Opening Date for 2007 County Road Bituminous Resurfacing Program (Overlays)**

Originating Division: Public Works

Meeting Date: Feb. 6, 2007

Amount of Time Requested: None

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The 2007 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, March 13, 2007, as the time and date for the opening of the Carver County 2007 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*Wmk William J. Weckner for RMB*Date: *1/29/07*

S:\Projects\Overlays\2007\BAF-set b-o date - CR



REQUEST FOR BOARD ACTION

AGENDA ITEM :**Set Bid Opening Date for 2007 County State Aid Highway Bituminous Resurfacing Program (Overlays)**

Originating Division: Public Works

Meeting Date: Feb. 6, 2007

Amount of Time Requested: None

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The 2007 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, March 13, 2007, as the time and date for the opening of the Carver County 2007 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*JMC**William J. Weckman for RMB*

Date:

1/29/07

S:\Projects\Overlays\2007\BAF-set b-o date - CSAH



REQUEST FOR BOARD ACTION

AGENDA ITEM : Lake Minnewashta Park Caretakers Lease

Originating Division: Public Works/Parks

Meeting Date: 2-6-07

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: Following a public advertisement, application and interview process, caretakers have been selected to provide caretaker service at Lake Minnewashta Regional Park. Minnewashta Regional Park has had caretaker service dating back to the 1980's. The caretaker in the park provides the services of opening and closing park gates, closing of restroom and concession buildings and provides an on site presence through daily monitoring of activities in the park. Other activities the caretakers provide include minor maintenance of park grounds and facilities and provide cross country ski rental when weather conditions permit. This service essential precludes the caretakers from having extended stays of a day or longer away from the park during May through October and December through March.

For the service requested, housing in the park is provided at a reduced cost. The caretaker is not an employee of the County, but a contracted service provider and receives no other compensation or benefits.

The rental amount for housing is \$500.00 per month.

The caretaker service continues to be efficiency for the County by reducing the need for staffing or contracting for park patrol service.

ACTION REQUESTED: Authorize the Board Chair and County Administrator to sign the lease agreement with Thomas and Amy Mullen.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: The agreement would generate \$6,000 in annual rental revenue.

Reviewed by Division Director

JMK

William J. Weckroner RMB

Date:

1/29/07

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

Date: February 6, 2007
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

LAKE MINNEWASHTA PARK CARETAKER LEASE AGREEMENT
BETWEEN
THOMAS AND AMY MULLEN AND CARVER COUNTY

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorize the Board Chair and the County Administrator to execute the Lease Agreement between Thomas and Amy Mullen and Carver County for the caretaker services at Lake Minnewashta Regional Park.

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 6th day of February, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of February, 2007.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2007 SEASONAL ROAD RESTRICTIONS

Originating Division: Public Works

Meeting Date: 2/6/07

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:

ACTION REQUESTED: Authorizing the posting of maximum load limit signs on Carver County Roads.

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

WJC William J. Weckman for RME

Date:

1/29/07

S:\Road Restrictions/Board Action Form

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

Date: February 6, 2007
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

2007 SEASONAL ROAD RESTRICTIONS

BE IT RESOLVED, that the seasonal road restrictions in Carver County be established in accordance with Chapter 169, Laws of Minnesota, at the ton per axle limitations of the 2007 Seasonal Road Restriction map for Carver County, and

BE IT FURTHER RESOLVED, that the County Engineer be and hereby is authorized to impose and to increase or decrease said restrictions whenever conditions warrant pursuant to Chapter 163, Section 163.02, Subdivision 3, Laws of Minnesota.

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 6th day of February, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of February, 2007.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM: Professional Services Agreement with Precision Appraisals of Minnesota, Inc.

Originating Division: Select One

Meeting Date: 2/13/07

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: Contract for subsequent appraisals for properties over 40 acres along the CSAH 10 reconstruction project. This contractor did the initial appraisals and these reports will be used for Land Commissioner Hearings and further negotiations.

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

FUNDING

County Dollars =	\$30,000
Other Sources & Amounts =	\$
=	\$
=	\$

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

TOTAL = \$30,000

Related Financial Comments:

Reviewed by Division Director

FMC

William J. Weckman for RMA

Date:

1/29/07

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

Date: February 13, 2007
Motion By Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

**Professional Services Agreement
For
Real Estate Appraisal Services
With
Precision Appraisals of Minnesota, Inc.**

BE IT RESOLVED, that the County Board Chair and the County Administrator are authorized to sign the professional services agreement, made a part hereof, between the County of Carver and Precision Appraisals of Minnesota, Inc, for real estate appraisal services.

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 13th day of February, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 13th day of February, 2007.

County Administrator

S: EngStaff\Richard\MiscNonProject\Contracts\PrecisionRes07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Absentee Ballot Board

Originating Division: Property Records Taxpayer Services Meeting Date: 2-6-07

Amount of Time Requested: 0

Attachments for packet: Yes

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Minnesota Statute 203B.13, Subd. 1 allows the County Board to authorize the Taxpayer Services Manager (County Auditor) and staff to serve as an Absentee Ballot Board. This has been past practice within Carver County and is done with a Joint Powers agreement between the County and the participating townships/cities.

ACTION REQUESTED: Adoption of attached resolution.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$0

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 1-18-07

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

**APPROVAL OF TAXPAYER SERVICES MANAGER (COUNTY AUDITOR) AND STAFF
TO ACT AS ABSENTEE BALLOT BOARD
CARVER COUNTY, MINNESOTA**

- WHEREAS, The County Auditor's office is directed by Minnesota Statute to conduct all county elections; and
- WHEREAS, Minnesota Election Laws allow for absentee balloting; and
- WHEREAS, Minnesota Statute 203B.13, Subd. 1 allows the County Board to authorize the Taxpayer Services Manager (County Auditor) and staff to serve as the Absentee Ballot Board; and
- WHEREAS, It may be necessary to appoint election judges to serve in this process;
- NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners approves the establishment of an Absentee Ballot Board and delegates authority to the Taxpayer Services Manager (County Auditor) to sign any necessary agreements and appoint election judges.

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 6 day of February, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this day of , 2007.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Authority to Abate Tax Penalties

Originating Division: Property Records Taxpayer Services

Meeting Date: 2-6-07

Amount of Time Requested: 0

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Minnesota Statute 279.01, subd. 2 reads as follows: Abatement of Penalty. The County Board may, with the concurrence of the County Treasurer, delegate to the County Treasurer the power to abate the penalty provided for the late payment of taxes in the current year. Notwithstanding Section 279.07, if any County Board so elects, the County Treasurer may abate penalty on finding that the imposition of the penalty would be unjust and unreasonable.

The above has been the practice followed by previous boards.

ACTION REQUESTED:

The County Board hereby grants the authority to the Property Tax Manager (Auditor-Treasurer) to abate penalty on current year taxes so long as she believes that the penalty would be unjust and unreasonable; as stated in M.S. 279.01, Subd. 2. This penalty abatement authority is limited to \$1,000 per PID number. In addition, a listing will be kept of all penalty abatements and a report will be submitted each January listing each abatement allowed in the previous year.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Report Date: January 17, 2007

Reviewed by Division Director

Date: 1-17-07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Property Records Taxpayer Services

Meeting Date: 2/6/07

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 =	\$ - 603.41
Other Sources & Amounts =	-1,183.59
	= \$
TOTAL	= \$-1,787.00

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Taxpayer Services Manager
 Division Director *Ralph Engel*

Date: 1-28-07



**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 parcel is to receive the homestead credit for the 2005 assessment payable 2006, this is recommended for approval by the County Assessor.

25-757-0630 Mark Brooks Residential

The following abatement is for a disaster credit, due to a fire which occurred 7/18/2006; this is for the 2005 assessment for taxes due and payable 2006. This is recommended for approval by the County Assessor.

25-396-0430 Glenn Vandergalien Residential



REQUEST FOR BOARD ACTION

AGENDA ITEM: Contract for Medtronic Saving Hearts in Our Communities (SHOC) Coordinator -
Maureen Farrell

Originating Division: Public Health

Meeting Date: February 6, 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: Public Health is contracting with Maureen Farrell for her services as a Medtronic Saving Hearts in Our Communities (SHOC) Coordinator. Her original contract timeline was April 1, 2006 to December 31, 2006. The grant timeline has been extended to March 31, 2007 in order to complete additional activities to meet grant objectives. The SHOC coordinator will complete agreement specifications as outlined in this contract. Contract effective dates: January 1, 2007 to March 31, 2007.

ACTION REQUESTED: Motion to approve contract for the Medtronic Saving Hearts in Our Communities (SHOC) Coordinator

FUNDING

County Dollars =	\$2,278
Other Sources & Amounts =	
Medtronic Grant =	\$4,554
TOTAL	= \$6,832

FISCAL IMPACT

None
 Included in current budget (\$2,278)
 Budget amendment requested
 Other: Carryover 2006 budget \$4,554

Related Financial Comments: Contract expenses are budgeted in 01-460-462-2366-6271 and 01-460-460-2399-6260.

Reviewed by Division Director

Date: 01/25/07



REQUEST FOR BOARD ACTION

AGENDA ITEM: Carver County and Motorola, Inc. 2007 Maintenance and Support Services

Originating Division: Sheriff

Meeting Date: 02-06-07

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: Approval of the 2007 Maintenance and Support Services between Carver County and Motorola, Inc. Repair services include all Carver County 800 MHz radios (portable and mobile) in operation on the system. Departments covered under this service includes the Sheriff's Office, Public Works, CART, Environmental Services and Risk and Emergency Management.

The services also covers the Sheriff's Office OnSite Infrastructure response for Control Center/CEB only, Infrastructure repair with Advanced Replacement for Control Center/CEB only and Control Station/Consolette Radio Repair Service (RSC).

Pricing is from Contract #432054, Release No. S-914(5) between the State of Minnesota and Motorola, Inc.

ACTION REQUESTED: Motion to approve 2007 Maintenance and Support Services between Carver County and Motorola, Inc.

FUNDING

County Dollars =	\$24,156.84
Other Sources & Amounts =	
	= \$
TOTAL	= \$24,156.84

FISCAL IMPACT

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

Related Financial Comments: Service fees are budgeted within the respective departments 2007 county budget. Each department will be bill separately.

Reviewed by Division Director 

Date: 1/24/2007



REQUEST FOR BOARD ACTION

AGENDA ITEM: 2007 Police Contracts

Originating Division: Sheriff

Meeting Date: February 6, 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: 2007 Police Contract for Service between Carver County and the cities of Carver, Waconia and Watertown. Attached to the board action is a 2007 Police Contract Summary sheet with the three remaining contracts bolded.

With the approval of these three contracts, all police contracts for 2007 will have been executed for a total revenue of \$2,728,467.61.

ACTION REQUESTED: Approve 2007 Police Contracts between Carver County and the Cities of Carver, Waconia and Watertown.

FUNDING

County Dollars =	\$
Other Sources & Amounts =	934,796.06
	= \$
TOTAL	= \$934,796.06

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Revenue receipted into the Sheriff's 2007 budget 01-201-201-0000-5574 Police Contracts.

Reviewed by Division Director

Date: 1-24-07

2007 Police Contract Summary

2007 Community	Deputy	Cprl	Sgt	SRO	CSO HRS	PTL HRS	FTE	TOTAL COST	1ST HALF PAYMENT	INVOICE #	DATE PAID	2ND HALF PAYMENT	INVOICE #	DATE PAID
Carver	1.5				260			\$143,931.42	\$71,965.71			\$71,965.71		
Chanhassen	10	2	1					\$1,204,895.10	\$602,447.55			\$602,447.55		
Cologne					260	730		\$46,149.70	\$23,074.85			\$23,074.85		
Hamburg					130	182.5		\$13,422.43	\$6,711.21			\$6,711.22		
Laketown					39	547.5		\$30,088.28	\$15,044.14			\$15,044.14		
Mayer					364	1095		\$68,470.55	\$34,235.27			\$34,235.28		
New Germany						182.5		\$9,652.43	\$4,826.21			\$4,826.22		
N.Y.A.								\$182,276.16	\$91,138.08			\$91,138.08		
Victoria					364			\$238,716.90	\$119,358.45			\$119,358.45		
Waconia					2080			\$562,703.74	\$281,351.87			\$281,351.87		
Watertown								\$228,160.90	\$114,080.45			\$114,080.45		
Total	23	4	1	0	3497	2737.5		\$2,728,467.61	\$1,364,233.79			\$1,364,233.82		



REQUEST FOR BOARD ACTION

AGENDA ITEM : Delegation of Donations and Off-Duty Contracts

Originating Division: Sheriff

Meeting Date: 2-6-2007

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: Each year the Sheriff's Office accepts donations for books, magazines and newspapers for the jail library. These donations are received weekly by jail staff. They are used items with little monetary value. The Sheriff also uses a county approved off-duty contracting request form to fulfill contracts with private residents and vendors throughout the year. This board action is a request to accept the donations and off-duty contracts of this nature for 2007.

ACTION REQUESTED:

Motion to approve delegation of authority for approval of donations to the County Administrator.

Motion to approve delegation of authority to sign Off-Duty contracts to the Sheriff.

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

Bud Olson

Date:

1-23-07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Out of State Training Request (Ft. Collins Colorado)

Originating Division: Sheriff

Meeting Date: 2/6/2007

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: Detective Kahlow is assigned to the Sheriff's Office Crime Lab. His assignment requires him to have specialized training in crime scene processing, photography, evidence collection and fingerprint analysis. Detective Kahlow has been successful in solving a number of cases because of his skills in analyzing finger prints. For example in 2006 he processed a burglary scene for Chaska P.D. and lifted one latent print that came from the suspect. Due to the identification the suspect confessed to the burglary. He also assisted the South West Metro Drug Task Force in examining evidence seized in a search warrant. Dan was able to lift a latent print and match it to the suspect. In 2006 Detective Kahlow identified 35 suspects through analyzing fingerprints. Fingerprint analysis is an important tool for solving crimes and the techniques are evolving. This specialized course is not offered in Minnesota and it is important to send Detective Kahlow to this training to keep him informed and trained in the latest techniques for analyzing and identifying fingerprints.

ACTION REQUESTED: Motion to approve the out of state training request for Detective Dan Kahlow.

FUNDING

County Dollars =	\$1495.00
Other Sources & Amounts =	
Schools =	\$
TOTAL	= \$1495.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: The funds are allocated in our training budget -01-201-201-1603-6335.

Reviewed by Division Director 

Date: 1/11/2007



**CCSO Crime
Laboratory**

Memo

To: Sgt. Mark Williams
From: Detective Daniel Kahlow CCSA, Lead Crime Lab. Deputy.
Date: January 9, 2007
Re: Request for Out-State Training

Ridgeology Science Workshop

-April 23rd - 27th, 2007 Ft. Collins Colorado

Ridgeology Science, a 40-hour workshop, is one of several classes offered by Forensic Identification Training Seminars (FITS) to meet the needs & requirements of forensic specialists. Unfortunately advanced courses such as this are rarely held in the Midwest as they are numbers driven. They are typically held in or near large metropolitan areas that are serviced by large forensic laboratories.

The benefits of attending this class are numerous. First of all, as a certified analyst, I am bound by quality assurance guidelines created by the International Association for Identification (IAI). These guidelines were created to insure that through continued training a high level of proficiency is maintained in the laboratory setting.

-Credentialing in the field of forensics is paramount as it assists the court when determining whether or not you are qualified to present expert testimony.

-By attending this class as well as others offered in the field of forensics we are establishing policy and/or work rules regarding training.

-the greatest benefactor would be the citizens of Carver County because they are receiving a service provided by certified forensic specialists.

A counterpart of mine, Glen Langenburg, who presently works for the MNBCA and FITS will be instructing this class. A portion of the lecture & practical exercises for this specific class is stemming from a work related meeting I had with Glen. After talking to me Glen decided to incorporate digital imaging into the class.

Course Synopsis

This course combines detailed lecture on the scientific bases for friction ridge identification with intense exercises emphasizing correct comparison techniques. Lecture topics include the philosophy and "ACE-V" methodology of comparing and identifying latent prints. Students are equipped to explain the reasons behind the fundamental principles of permanence and individuality through a special emphasis on human embryological friction ridge development and friction ridge structure. Training is also given in the recognition of ridge pattern clues to help students identify which finger or which area of skin made a particular latent impression. This is an excellent course to help the student prepare for the IAI certification examination.

Forensic Identification Training Seminars, LLC

FITS was first organized in 1997 by Pat Wertheim, a respected and nationally recognized expert in the area of friction ridge skin. The company is located in Tucson Arizona. FITS coordinates classes for both active and retired law enforcement professionals teaching in their specialties. Each instructor is widely recognized as an expert by peers in his or her discipline and is an experienced instructor as well.



REQUEST FOR BOARD ACTION

AGENDA ITEM: Professional Service Agreement Amendment between Carver County and Ridgeview Medical Center (Ridgeview Business Health)

Originating Division: Employee Relations

Meeting Date: 2/6/07

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: Agreement with Ridgeview Business Health to conduct Pre-placement Assessments and Health Surveillance Services. Please note that no changes have been made to this contract and that the renewal letter/price list serves as a contract amendment. The 2005 contracts are available for reference in Employee Relations.

Please note: No signatures required.

ACTION REQUESTED: Approve the attached Professional Service Agreement Amendment (2007 price list) between Carver County and Ridgeview Medical Center (Ridgeview Business Health).

FUNDING

County Dollars = \$45,000

Other Sources & Amounts =

= \$

TOTAL = \$45,000

Related Financial Comments: Not to exceed \$45,000

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 1/24/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Contracts with Chaska Herald and Chanhassen Villager

Originating Division: Administration

Meeting Date: 2/6/07

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:

At the January 2nd Organizational Session, the 2007 bid for the Carver County legal newspaper was awarded to the Chaska Herald. The Chanhassen Villager was awarded the bid for the second publication of the financial statement. County Administration is now requesting that the Board approve the 2007 contracts with these newspapers.

ACTION REQUESTED: Approve contracts with the Chaska Herald and Chanhassen Villager.

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: 1/24/07



REQUEST FOR BOARD ACTION

AGENDA ITEM: Wayne & Betty Wachholz – Request for three (3) Lakeshore Lots

Originating Division: Land & Water Services

Meeting Date: February 6, 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:

File #PZ20060060. The request is for a Conditional Use Permit that would allow the creation of three (3) lakeshore lots on a 76.24 acre property. The development would consist of a plat with three (3) residential building sites and one (1) 1 per 40 building eligibility available. A privately maintained township road will be constructed to access the lots. The road will need to be constructed according to township standards (typically 9 ton road). The Planning Commission recommended approval of the request at their January 16, 2007, meeting. The Waconia Town Board also supports the request.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and Order #PZ20060060 for the issuance of a Conditional Use Permit.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

OCU

Date: *24 Jan 07*

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20060060

RESOLUTION #: 07-03

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

FILE #: PZ20060060

APPLICANT: Wayne Wachholz

OWNER: WB Wachholz Trust

SITE ADDRESS: No Address Assigned

PERMIT TYPE: Lakeshore Lots

PURSUANT TO: County Code, Chapter 152, Section(s) 152.078 B

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 09-019-0100

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 16, 2007; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Wayne and Betty Wachholz own an approximate 76.24 acre parcel that is located in the South Half (S¹/₂) of Section 19, Waconia Township. The property has road frontage off of State Hwy 25. The parcel is located in the Agricultural Zoning District, the Patterson Lake Shoreland Overlay District, and the CCWRMA - Carver Creek.
2. The applicant is proposing to develop three (3) lakeshore lots. There is one (1) 1 per 40 acre building eligibility available on the parcel. The applicant is requesting a Conditional Use Permit (CUP) pursuant to Section 152.078 (A&B) of the Carver County Zoning Code.
3. The parcel from which the lots would be subdivided was a parcel of more than 40 acres on July 1, 1974, and was under one ownership at that time. Waconia Township has provided for lakeshore lots in its chapter of the Comprehensive Plan and Patterson Lake is eligible for additional density.
4. The applicant is proposing three (3) lakeshore lots that would each exceed the 2.5 acre minimum lot size. The three (3) lots would be located along the easterly portion of the property (on Patterson Lake), which would be well over ½ mile east of State Hwy 25. Each proposed lot would meet the minimum lot standards provided by the Zoning Code. There is one (1) 1 per 40 acre building eligibility remaining on the parcel, which can be utilized anywhere on the property according to the Carver County Zoning Code; however, access will need to be obtained off of the proposed township road.
5. During the Preliminary plat process, the applicant will need to document a suitable 1 acre building site for each lot. The County Soil Survey indicates primarily loam soil types which have only moderate limitations for septic/building suitability. The proposed development meets the requirement that no more than four (4) homes be located in a quarter-quarter section. No more than 2 acres of prime agricultural production land and no more than 2.5 acres of Long Term Ag Land may be included in any lakeshore lot.

6. A road will need to be constructed as part of the platting process and according to a developer's contract. The road must be constructed to Township standards (typically 9 ton) and it would need to be privately maintained. The concept plan illustrates the proposed road configuration which would include a turn-around. County policy discourages permanent dead end roads. The new 66' right-of-way would need to be dedicated and would allow for continuance of the roadway in the future (to the north). The road plans and alignment would be considered in detail as part of the platting process. The Minnesota Department of Transportation (MnDOT) will need to approve the road access location.
7. The entire layout as proposed will properly be addressed during the preliminary plat process.
8. The Waconia Town Board reviewed and recommended approval of the application request at their November 27, 2006, Town Board meeting. The Town Board has agreed that the road will allow the public road dedication on the condition that the lot owners would be responsible for all maintenance and upkeep. The road will also need to be constructed to Township standards (9 ton w/turnaround area).

THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20060060. This permit would allow for the creation of three (3) Lakeshore Lots on Patterson Lake in Section 19, Waconia Township. The subject permit is on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

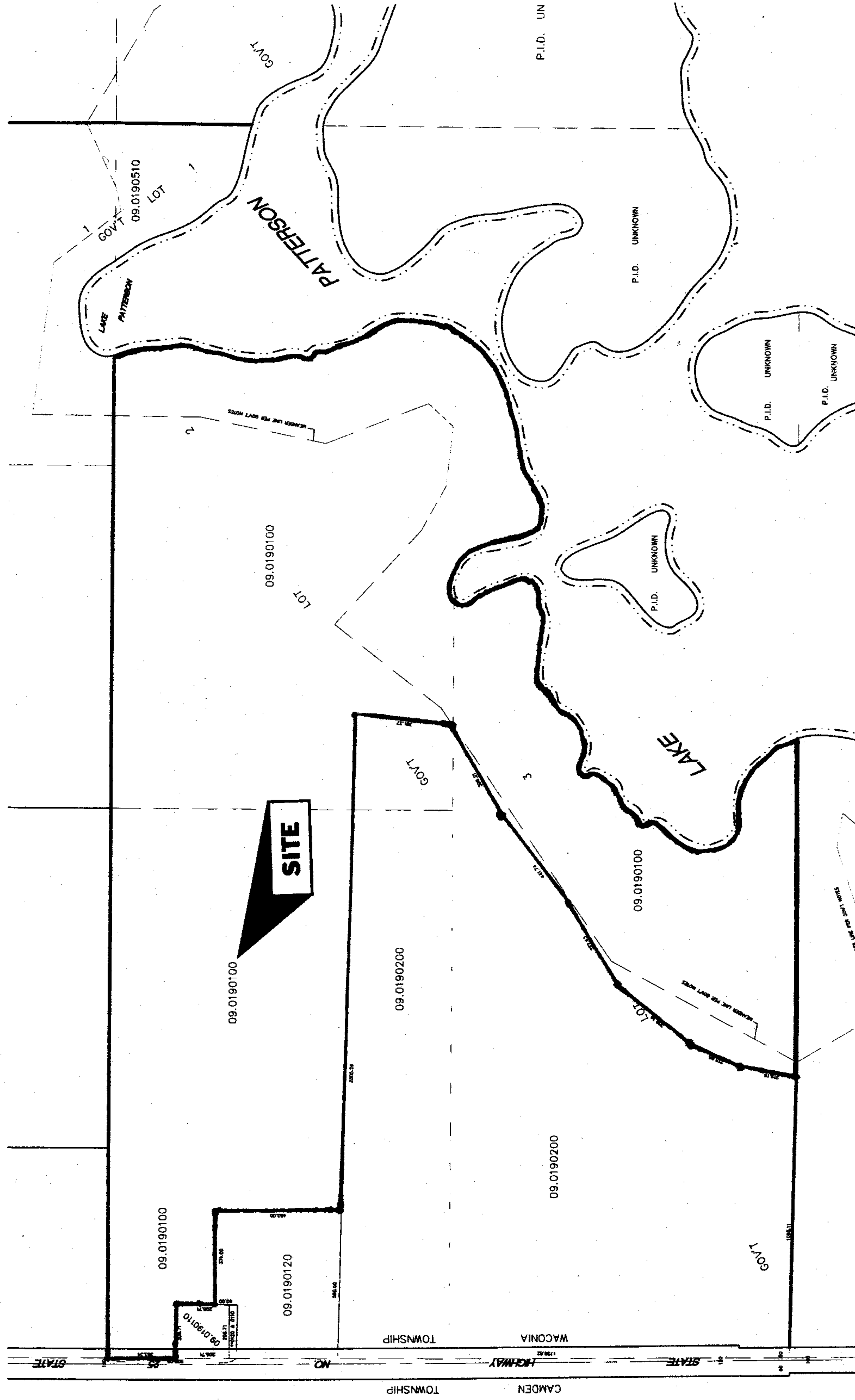
1. Three (3) lakeshore lots and one (1) 1 per 40 acre building eligibility are permitted. The property (residential lots & road) shall be platted in accordance with M.S. Chapter 505, Carver County Zoning Code 152 and the County "Manual of Standards for Subdivisions".
2. An access permit for the proposed road must be obtained from the Minnesota Department of Transportation (MnDOT).
3. The lots shall be laid out on the preliminary plat substantially as agreed upon by the Township, the County, and the Developer during the Conditional Use Permit process.
4. Each residential lot within the plat must show a designated building site as defined by the Zoning Code. Soil borings and percolation tests for the two sewer locations on each building site must be submitted with the application for preliminary plat. The building sites must be located so that all buildings and sewer systems can meet the County Code setback requirements.
5. As a part of the platting process the applicant will develop covenants to be filed with the plat. The covenants will address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development.
 - B. A covenant stating that the area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notification must be provided regarding "odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities". Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he will have to submit percolation tests and soil borings for another site before any building permit will be issued.

- E. The lot owners shall maintain the road until such time as the Township agrees to accept the road and assume maintenance responsibility.
6. The above-required covenants shall become part of the permit.
 7. A road plan, drainage plan, erosion control plan, and storm water management plan shall be submitted with the preliminary plat. A completed Carver County "Level 3" Water Rules application, with required attachments, shall be submitted with the Preliminary Plat application.
 8. The property must be analyzed by a professional wetland delineator to determine where wetlands exist. The boundaries of the identified wetlands must be included on the preliminary plat so appropriate drainage easements may be determined. If necessary, a wetland exemption request or mitigation plan and application shall be submitted with the preliminary plat application.
 9. Permittee must enter into an improvement agreement with the County and the Township covering construction and maintenance of the proposed road and any drainage structures that may be found necessary during the platting process.
 10. Streets and drainage ways will be designed so that public utilities can be installed at a later date.

ADOPTED by the Carver County Planning Commission this 16th day of January, 2007.

Gene Miller
Planning Commission Chair

S 1/2 SEC. 19, T.116, R.25



THIS IS NOT A LEGALLY RECORDED PLAT. AS THEY APPEAR IN THE CARVER COUNTY OFFICES AND OTHER SOURCES. THE MAP IS FOR INFORMATIONAL PURPOSES. THE COUNTY AND ITS AGENTS ARE NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED THEREIN.



REQUEST FOR BOARD ACTION

AGENDA ITEM: Shawn Killian - Request for a Contractor's Yard.

Originating Division: Land Water Services

Meeting Date: February 6, 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: File #PZ20060059. The Planning Commission recommended approval of the Conditional Use Permit (CUP) for Shawn Killian. The request is to operate a Contractor's Yard (concrete and masonry business) from the property he owns in Section 28, Watertown Township. The property is 29.41 acres, which is improved with a home with an attached garage and a shed. The applicant would like to build a 6,416 sq ft building with a heated area for repair and maintenance and cold storage for vehicles and equipment. Some supplies and equipment would be kept in an outside storage area under a 10' x 80' overhang on the south side of the new building. The business employs four (4) people, uses three (3) vehicles, and operates from 6:00 a.m. to 6:00 p.m. Monday through Friday from approximately March through December. The Watertown Town Board supports the request.

ACTION REQUESTED: A motion to adopt the Findings of Fact and to issue Order #PZ20060059 for the issuance of a Conditional Use Permit.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director *[Signature]*

Date: 24 Jan 07

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20060059

RESOLUTION #: 07-02

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

FILE #: PZ20060059

APPLICANT: Shawn Killian

OWNER: Shawn Killian

SITE ADDRESS: 4840 Snicker Lane, Watertown

PERMIT TYPE: Contractor's Yard

PURSUANT TO: County Code, Chapter 152, Section 152.079 C10

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-028-0500

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 16, 2007; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Shawn and Joanne Killian own 29.41 acres of property located in the East half (E ½) of the Northeast quarter (NE¼) of Section 28 of Watertown Township. The property is improved with a house with attached garage, and a shed. The property is in the Ag Zoning District and the CCWRMA (Crow River Watershed).
2. The applicant is requesting a Conditional Use Permit (CUP) to operate a Contractor's Yard pursuant to Section 152.079 C10 of the Carver County Zoning Code.
3. The applicant's request appears to meet the standards for a Contractor's Yard. Mr. and Mrs. Killian homestead the property and own a small concrete and masonry business that is currently storing equipment in Corcoran. The business would operate from 6:00 am to 6:00 pm Monday through Friday from approximately March to December. Currently there are four employees in addition to Mr. and Mrs. Killian, two of which would meet at the Snicker Lane site, and two would meet at the job site. The business utilizes two flatbed trucks and one dump truck.
4. The property has an existing 30' x 48' pole shed which is being used for personal storage. The applicant would like to build a 54' x 104' storage building with a 10' overhang running 80' along the south side of the building (total of 6,416 sq. ft.). The building would have an insulated and heated 32' x 54' room for repair and maintenance of business and personal equipment. A small percentage of the heated area would be used for personal use (approximately 400 sq ft). The remainder of the building would be cold storage for business vehicles, equipment and supplies, which include two skid steers, troweling machines, and forms. The building would have a water supply in the insulated area, but no bathroom.
5. The number of trips generated by the business currently is ten for a typical work day--four ADT for the two employees and six ADT for three business vehicles. The new gravel lot would allow for three parking spaces, but employees would typically park their vehicles inside the new building.
6. The applicant requests the ability to expand the business to a maximum of four vehicles and ten employees. For this operation at any given time, regardless of the number of employees, approximately half of the employees would meet at the business site and the other half would meet at the work site, so the maximum number that would report to the property would be five.

7. The operational plan describes a 10' x 80' covered storage area on the south side of the new building. Concrete blocks, planks, and some poured wall forms would be stored in this area under the 10' overhang. Screening does not appear to be necessary at this time, however if a house was to be built on the property directly south of the shed location, the screening noted on the operational plan would need to be established.
8. There would be no signage for the business, and customers would not come to the site.
9. The applicant has contacted Kyle Christiansen and Dean Mau, building officials specializing in commercial structures. After hearing a description of the use, the officials stated that a bathroom will most likely not be necessary, but they will make a definite determination after receiving the building and operational plans.
10. The applicant has contacted Environmental Services in regard to a Hazardous Waste Generator's License, and it was determined that the amount of waste to be generated will not necessitate a license. The applicant will submit a Non-generator's Certificate to Land Management.
11. The Watertown Town Board reviewed the request at their December 4, 2006 Town Board meeting and recommended approval.

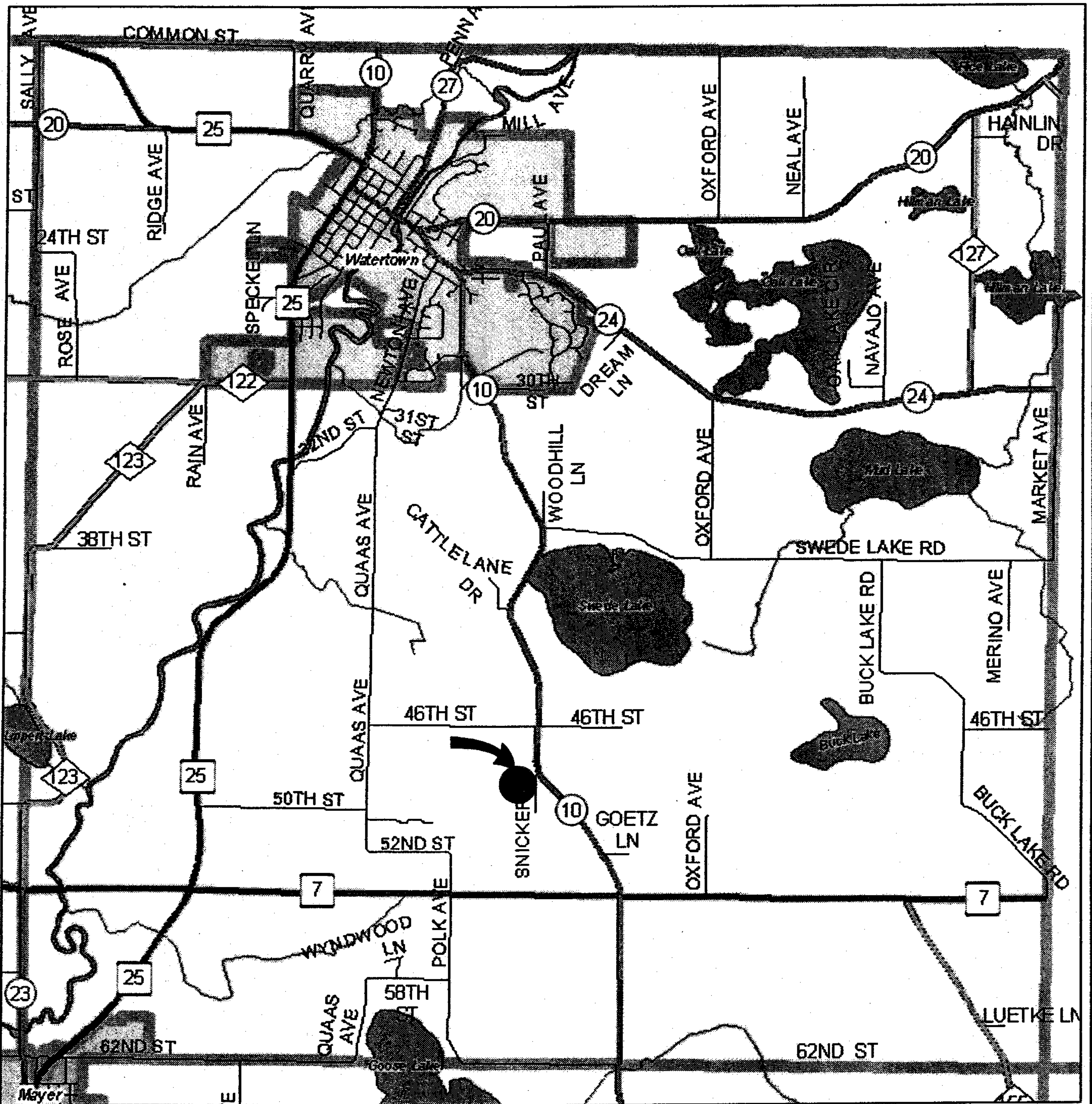
THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of the subject permit on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The operation shall be in accordance with the submitted operational & site plans (dated: 12/4/06). These plans shall be attached to and become part of this permit.
3. Permittee shall obtain the appropriate building permit(s) and on-site sewer permits (if required) prior to the construction of the 54' x 104' structure with overhang. All structures used in conjunction with the contractor's yard operation shall meet the requirements of the Minnesota State Building Code.
4. Any other buildings proposed for the property in the future will require an additional or amended conditional use permit, with the exception of agricultural structures in accordance with County Zoning Code.
5. Permanent outside storage of equipment and supplies is permitted only in the outside storage area indicated on the site plan. Natural plantings as illustrated in the operational plan shall be established at such time that home(s) are constructed on the property to the south of the shed location. From that time on, trees/plantings shall be preserved and/or replaced if necessary.
6. No more than four business vehicles and five employees that report to the site shall be permitted.
7. The Permittee shall maintain the Non-generator's Certificate or contact the Environmental Services (E.S.) Department to obtain a Hazardous Waste Generator's License if there is an increase in hazardous waste generated at the site.
8. Permittee shall submit a Certificate of Workers' Compensation Insurance and/or proper affidavit to the Land Management Department.

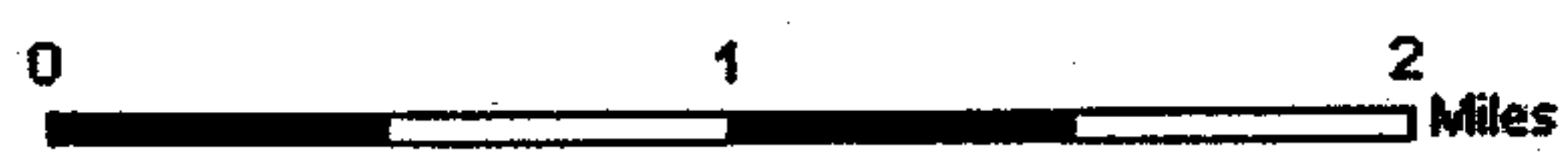
ADOPTED by the Carver County Planning Commission this 16th day of January, 2007.

Gene Miller
Planning Commission Chair

Watertown Township



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



37

Map Created by Carver County GIS
Apr 21, 2005



REQUEST FOR BOARD ACTION

AGENDA ITEM : Professional Service Contracts – Facilities – Electric & Chiller Service in Chaska

Originating Division: Administrative Services

Meeting Date: February 6, 2007

Amount of Time Requested: 0

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Facility Services requests three related service agreements be approved by the Board.

1. The first is a service agreement for the chiller system located at the Government Center. Facility Services requests that the York Chiller Equipment be maintained by Johnson Controls over the next five years. The annual cost in 2007 is \$2,440 with slightly escalating costs in 2008 – 2011. The total service cost for the 5-year period is \$12,951.00. This service was competitively bid with Johnson Controls having the most responsive and responsible quote.

2. Agreements two and three are a result of a request for proposal/qualifications issued for the purposes of Master Electrician services. In order to allow county maintenance personnel to perform certain electrical repairs, MN Statute requires a Master Electrician license to be engaged with our personnel. Facilities Services mailed out RFP/Q's to seven local electrical firms, of which two submitted proposals. Staff is recommending acceptance of the proposals with Lano Electric holding the master license. We further recommend a contract with Laketown Electric Corporation to allow for an alternative and qualified company to quote emergency repairs or be available to perform work in timely manner required by Statute.

All contracts are subject to Risk Management and County Attorney review and approval.

ACTION REQUESTED: Motion to approve three contracts:

1. Johnson Controls (\$2,440 in 2007 and \$12,951 for the five year period),
2. Lano Electric (estimated to be \$6,000) and
3. Laketown Electric Corporation (time & material basis)

FUNDING

County Dollars =	\$
Johnson Controls	\$ 2,440.00
Lano Electric	\$ 6,000.00
Laketown Electric	\$ T&M
Other Sources & Amounts =	= \$
TOTAL	= \$8,440.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date: 01/29/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Information Services – Contract for Temporary Technical Support Staff

Originating Division: Administrative Services

Meeting Date: 2/6/2007

Amount of Time Requested:

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Information Services requests approval of an agreement with Manpower Professional for temporary Support Staff.

Background – Information Services has had recent staff turnover and work assignment adjustments. The support workload continues to expand and we are not able to meet the demands. In the past we have addressed management of support backlog with our intern program, however, current workload demand and required skill set does not allow for the normal 6-8 week training effort allowed in our intern program. Therefore, the County Divisions will be best served with outsourced professional technical support. The hourly cost for this service will be in a range of \$30-\$41 an hour.

This professional service agreement is expected to last approximately six months to complete and will be funded from 2007 professional services budget.

ACTION REQUESTED: Motion for county board chair to sign Man Power professional services contract.**FUNDING**

County Dollars = \$42,600

Other Sources & Amounts =

= \$

TOTAL = \$42,600*Related Financial Comments:* Part of 2007 budget.**FISCAL IMPACT** None Included in current budget Budget amendment requested Other: Reviewed by Division Director

Date: 12/14/2006



REQUEST FOR BOARD ACTION

AGENDA ITEM : TCW Disposal (Thaemert) – request for a Contractor’s Yard & Waste Management Facility

Originating Division: Land & Water Services

Meeting Date: February 6, 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: File #PZ20060047. The Planning Commission recommended approval of an amended conditional use permit for David & Bonnie Thaemert’s operation, which is located in Young America Twp, next to the City of Hamburg. The applicant’s business involves the route pickup of municipal solid waste and recyclables (TCW Disposal) and a post frame building construction business (TCW Construction). Their operation would include 9 trucks total, which would meet the standards for a Contractor’s Yard. The Planning Commission has recommended denial of Thaemert’s request to sort recyclables in one of the hoop buildings on the property. Recycling and/or transferring on-site would be classified as a Waste management Facility. Thaemert’s have withdrawn their previous requests for a transfer station and yard waste composting site. The Planning Commission’s recommendation corresponds with the City of Hamburg’s position is that it would not be reasonable to locate a Waste Management Facility next to a residential neighborhood. City officials did state an expansion of the operation strictly as a contractor’s yard would be acceptable. During the process, Young America Twp has consistently recommended approval of the applicant’s requests. The applicant is requesting a waiver of a requirement that he must construct a right turn lane on CSAH 50. The Planning Commission determined that the County Engineer should make the final decision on the requirement for an access permit and the turn lane.

Before the Board makes a decision, the applicants have indicated that they would like to discuss the denial of the proposed recycling activities and the requirement to construct a right turn lane. Representatives from the City of Hamburg would likely be interested in commenting on the applicant’s proposal also.

ACTION REQUESTED: A motion directing staff to draft an appropriate order for the issuance of a conditional use permit.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director *[Signature]*

Date: 24 Jan 07

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20060047

RESOLUTION #: 07-01

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

FILE #: CU-PZ20060047

APPLICANT: TCW, Inc. (David & Bonnie Thaemert)

SITE ADDRESS: 953 Park Ave., Hamburg, MN 55339

PERMIT TYPE: Waste Management Facility, Contractor's Yard

PURSUANT TO: County Code, Sections 152.054, 152.079

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 11-028-0511 & 1900

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meetings of September 19, 2006; October 17, 2006; November 21, 2006; December 19, 2006; and January 16, 2007; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Mr. & Mrs. Thaemert own approximately 22.36 acres located in Section 28 of Young America Township (adjacent to City of Hamburg). The property consists of two separate tax parcels but they are considered one property for zoning purposes. The existing homestead along with 2.22 acres was recently annexed back into the Township from the City of Hamburg. The primary parcel, which is 20.14 acres contains several agricultural outbuildings and a 60' x 108' commercial structure that was authorized in 2002 for their Contractor's Yard (TCW Construction). The property is located in the Agricultural Zoning District and the Bevens Creek Watershed.
2. On April 3, 2002, a variance was issued (Order #12931) allowing for a contractor's yard within 500 feet of 10 or more homes. On July 1, 2002, Conditional Use Permit (CUP) #PZ20020011 was issued for the post frame building construction business that included up to 6 trucks and 8 fulltime employees.
3. TCW, Inc is requesting an amended Conditional Use Permit (CUP) to operate TCW Disposal in conjunction with their current contractor's yard for TCW Construction. Environmental Services conducted a site inspection and discovered that TCW Disposal has been operating from the site. Carver County Land & Water Services has been working with the applicants to get them into compliance with the various permitting & licensing requirements. Originally, the proposed facility would have included municipal solid waste (MSW) hauling, transfer station, yard waste composting and recycling operation. The applicants withdrew their earlier requests for yard waste processing, composting and an MSW transferring station. According to the applicants, the post frame construction business has been scaled back to the point that it is only a small part of their company.
4. TCW is not in compliance with the existing CUP, which will need to be rectified under an amended CUP, if approved. The areas of non-compliance include: TCW Disposal (MSW hauling) is not authorized; the operation exceeds the scope of a Contractor's Yard and would be classified as a Waste Management Facility if transferring of MSW and/or sorting of recyclables is occurring; TCW Construction was a 6 truck maximum operation, which has grown to 9 or more trucks according to their Solid Waste License application; and two hoop style agriculture-only buildings are being utilized for commercial storage.

5. The Zoning Code allows for Waste Management Facilities (Sections 152.050, 152.052 & 152.054) and Contractor's Yards (Section 152.079) as conditional uses, as follows:

§ 152.050 SCOPE.

(A) Public and quasi-public uses such as utilities, transportation, government operations, communication, water management, waste treatment or disposal, public parks and similar uses that serve a public need, or are deemed beneficial or essential to the public health and safety are considered essential services. These land uses, being necessary for the public health, safety, and welfare, and serving a public good, may be located in any area where it is essential to perform their function, provided the applicant demonstrates that the location is essential to perform the function and an appropriate siting process is utilized. The factors to be considered in the siting process include those set forth in the comprehensive plan and other factors applicable to the nature of the activity being proposed. The provisions of the zoning and overlay districts may be given consideration when considering an application for a conditional use permit when one is required, but the provisions shall not prohibit the location of essential services in any district.

§ 152.052 CONDITIONAL USE PERMIT REQUIRED.

(A) Unless specifically exempted herein, all activities in this section shall be conducted only under a conditional use permit issued pursuant to this chapter. A conditional use permit is not needed under this section to maintain, reconstruct or relocate existing lines or facilities where the general line and confirmation thereof remains essentially the same unless the construction is within the traveled roadway. When the proposed activity is within the traveled roadway, a permit or other authorization shall be obtained from the responsible road authority. Emergency work otherwise requiring a filing or application shall be accomplished provided filing or application is made as soon thereafter as possible.

(B) The application for the conditional use permit shall outline the siting process that was utilized to select the site and shall address the relationship of the site to the following factors:

- (1) Site requirements for the facility;
- (2) Use of prime agricultural land and environmentally sensitive land;
- (3) Traffic generation, road access;
- (4) Adverse effects on the environment, especially those that cannot be mitigated and/or reversed;
- (5) Potential for the pollution of air, groundwater, surface water;

(6) Agricultural preserve status of the land. Agricultural preserve land may be used for essential services only if no other alternatives exist, and then only after an eminent domain proceeding ordering the land removed from agricultural preserve. When ten or more acres of agricultural preserve land will be used, the procedure in the statute will be followed in making the determination. In cases where the Environmental Quality Board review provisions of the statute do not apply (the land is less than ten acres), the need shall be considered as part of the consideration of the conditional use permit or other approval process. Release from agricultural preserve will be accomplished by the filing of the appropriate court documents indicating that the use is in fact a public purpose and ordering termination of the preserve;

- (7) Effects on existing and planned land uses in the area;
- (8) Need for services and infrastructure.

§ 152.054 PUBLIC/QUASI-PUBLIC FACILITIES.

The following shall be considered public or quasi-public facilities requiring a conditional use permit:

(D) Waste management facilities. The following are considered waste management facilities or operations for this section: private- or government-owned or operated sites for: solid waste land disposal facility, transfer station, demolition debris land disposal facility, recycling facility, incinerator, public or private tree or yard waste utilization site, application of biosolids or bioremediated materials, or similar materials are considered waste management facilities under this section. Operations that would be considered a contractor's yard are exempt from this section and would need to be considered under the appropriate provisions. The following standards shall apply to activities under this provision:

(1) The facility/operation is in compliance with the county solid waste regulations, comprehensive plan, Groundwater and Surface Water Management Plans, the Solid Waste Master Plan and any other applicable ordinance or rule;

(2) The facility/operation shall be on a hard surfaced road (bituminous or concrete) unless written approval for the location on a gravel township road is given by the affected township;

(3) The site shall not be located within the Shoreland or Floodplain Districts;

(4) Any required environmental assessment documents have been developed and required review procedures have been completed;

(5) Any required county, state, or federal licenses have been issued;

(6) The facility/operation is in compliance with all applicable Minnesota Pollution Control Agency and U.S. Environmental Protection Agency rules and regulations;

(7) An operational plan shall be developed and the activity conducted in accordance with the operational plan;

(8) The permit shall be subject to annual renewal. Renewal shall occur during the same month as county license renewal;

(9) Special provisions for the land application of biosolids or bioremediated materials;

(10) Permits involving biosolids or bioremediated materials that are to be applied to agricultural land for agricultural purposes at agronomic rates are exempt from the prohibition on permit issuance on AG preserve land.

§ 152.079 CONDITIONAL USES--ACTIVITIES CENTERED AROUND A HOME OR A HOME/FARM COMBINATION.

(A) Minimum criteria for issuance of permit:

(1) Minimum five acre lot size; unless another size is specified under a particular provision;

(2) Sewage can be managed in accordance with Chapter 52 of this code of ordinances;

(3) Land is not subject to the land use restrictions of an AG preserve covenant;

(4) The activity shall be located on a hard surfaced (blacktop or concrete) road unless written approval for location on a township road is given by the affected township or townships. The town board may condition its approval

of access to a gravel road on agreements with the applicant regarding dust control, maintenance, or similar issues. The terms of the agreement shall be such that the agreement is in force so long as the permit is in effect;

(5) There is a single-family home on the parcel occupied as a homestead by a principal of the activity; or a single-family home will be constructed or homesteaded before the CUP for the activity is issued;

(6) The scale and operational characteristics of the proposed activity shall be such that it can be operated on the proposed site and within the current levels of support services and infrastructure. Activities that will have service needs—traffic capacity or roads, waste disposal or management, fire or police protection, sewage disposal—that will exceed those available in the area should locate in municipalities where the services are available.

(C) Activities

(10) Contractor's yards.

(a) This subsection is intended to provide for contractor's yards established after January 1, 1989. A contractor's yard is a site used for storage of equipment and supplies by a contractor in the operation of his or her business. For purposes of this subsection a contractor is a person whose business is contracting work in any of the building trades, landscaping, road building, sewer installation, or has at least two trucks, but fewer than ten used to supply a service to local communities.

(b) The operational area is not located within 500 feet of ten or more homes or the residential parcels of a platted area existing prior to location of the business on the site and if a new lot is created not more than two acres can be SCS Class I or II land.

(c) Site shall not be located within the Shoreland Overlay District or the Floodplain Overlay District.

(d) Employees, except office personnel, report to the site only for the purpose of picking up equipment and supplies, necessary fabrication and general maintenance.

6. The basic operation consists of route pickup & hauling of MSW (garbage) and recyclables. The proposed operation would include 9 employees, 6 family members and 11 trucks (per application). The hours would typically be 6:00 a.m. to 5:30 p.m., but would extend occasionally until 9:00 p.m. The business is usually closed on weekends. As a Contractor's Yard, the business would be limited to a 9 truck maximum operating from the site. The Essential Services provision states: Operations that would be considered a contractor's yard are exempt from this section and would need to be considered under the appropriate provisions. TCW could meet all of the standards for a Contractor's Yard as long as they do not process or transfer waste, or recyclables and do not exceed the 9 truck limitation.
7. The City of Hamburg has recommended denial of the request for a Waste Management Facility, citing incompatibility with the neighborhood, interference with City planning efforts, and concerns about traffic, noise, dust and debris in close proximity to a residential area (resolution adopted 11/14/2006 by City). There were concerns expressed by the City that the stigma of this type of facility could result in decreased property values. The City's Consulting Planner, Ann Perry, has also provided a memo to the City Council recommending denial. The City Administrator, Jeremy Gruenhagen, submitted a letter dated January 10, 2007 reaffirming the recommendation for denial of a Waste Management Facility. However, the City is not opposed to a contractor's yard as long as waste and/or recyclables are not handled, stored or transferred on the property.
8. On December 13, 2006, the applicant submitted a 4-page rebuttal and clarification to the City's positions and the County's turn lane requirement. The City of Hamburg has maintained their position that it would make no sense to have a waste handling operation so close to a great number of homes and the potential effect it may have on future growth. The County Public Works Department has also maintained the position that a right turn lane would be

required, citing safety concerns based on the growth of the operation, traffic volume, road design, and the urban setting, among others.

9. Young America Township met with the applicant on August 8th and provided a recommendation of approval based on the limited information that was available at that time. The applicant attended the Township's December 12, 2006 regular meeting and the Town Board re-affirmed their recommendation of approval for the current TCW operations.
10. Public Works (Roger Gustafson) has specified that a right turn lane must be constructed. TCW submitted a letter, dated October 23, 2006 that they would comply with the recommendations of the road authority but their letter dated December 13, 2006 reverses that position. The applicant's letter(s) disputing the need for a turn lane has been reviewed by the County Engineer. The Assistant County Engineer indicated that a comparison to the Burns/Neaton operations in Hollywood Township was not definitive. The 2003 traffic count on CR 21 and CR 122 in Hollywood Twp is 850 and 400. Also, that is a rural / agricultural area where a motorist would have a higher expectation of coming upon a slower moving, turning vehicle. It is not a true comparison to the 1250 vehicles on CR 50 entering an urban area (Hamburg). These are just some of the parameters that may have been considered when reviewing the Burns/Neaton request.
11. Environmental Services has been working with the applicant on the applicable Solid Waste Licensing and Hazardous Waste Licensing requirements. Environmental Services submitted a letter, dated November 14, 2006, stating that the applicant could operate as an MSW hauler under a Contractor's Yard CUP rather than as a Waste Management Facility, provided they do not transfer at their facility. Also, from a Zoning Code standpoint the sorting of recyclables would not be appropriate exclusively under the Contractor's Yard provisions. Several questions and issues regarding hazardous waste generator's requirements have been inspected and resolved. Environmentalist, Kathy Dyess, submitted a memo on January 9, 2007 regarding the inspection and the completion of the necessary paperwork and licensing requirements.
12. Carver SWCD Technician, Kory Kosek, inspected Thaemert's property and reported that a pollution discharge was not identified. Thaemerts have stated that they do not wash the inside container portions of their trucks on-site. Any washing should be typical exterior cleaning of the wheels, etc. Mr. Kosek's letter, dated January 9, 2007, recommends that a future inspection be conducted if there is any increase in the impervious surfaces on the property. Any storm water or other runoff from the business operational area would not be allowed to enter surface intakes conveying water to the drain tile(s).
13. Building Official, Kyle Christensen, stated that building permits will be required for the hoop buildings if they are approved for commercial storage under an amended CUP. A building permit application(s) and additional information on the structures would need to be submitted by the applicant, as determined by the Building Official.

THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of an amended conditional use permit, which would supersede CUP #PZ20020011 on the land described in Exhibit "A" of the permit application. The applicant's revised request is for a 9 truck (total) Contractor's Yard for TCW Disposal & TCW Construction that would include the sorting of recyclables in one of the hoop buildings. The requests for a transfer station and yard waste composting activities have been withdrawn. They are also requesting a waiver of the requirement for a right turn lane. The Planning Commission concurs with the City's position that it would not be reasonable to locate a Waste Management Facility next to a residential neighborhood. An expansion of the operation strictly as a contractor's yard would be acceptable. The County Engineer should make the final decision on the requirement for a right turn lane. The Planning Commission further recommends that the following conditions be attached to the permit:

1. Operations shall be in accordance with the Contractor's Yard standards and shall not be expanded in any way as a Waste Management Facility. The amended and approved operational plan and site plan shall be attached to and considered part of the permit. The hours of operation shall typically be from 6:00 a.m. to 5:30 p.m., except for emergencies or special circumstances. Operations are not allowed on weekends, except for pickup service for special occasions such as fairs or similar events. On a daily basis, the trucks shall be required to leave the site

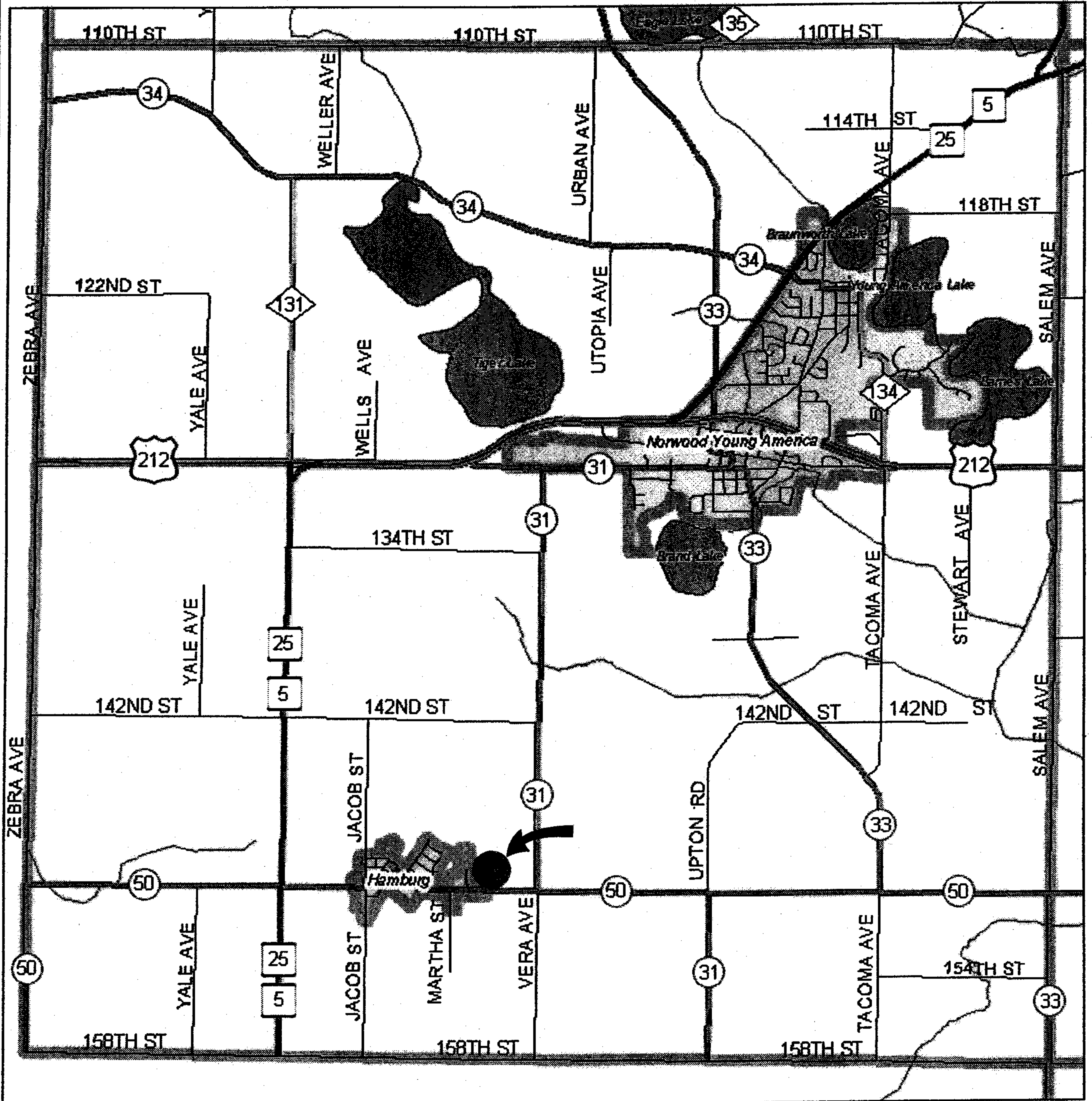
empty and return to the site empty, except for an occasional emergency or special circumstance. The permit must be amended if the size or scope of the operation changes, such that, the Zoning Administrator determines it to be necessary.

2. A maximum of 9 business trucks may be stored on-site and/or utilized for the operation. An Access Permit application shall be submitted to Carver County Public Works within 30 days of the issuance of this permit and a right turn lane shall be constructed according to County specifications within 180 days. The driveway shall be treated for dust control at such time that any dust problems are verified by the Land Management Department.
3. The two taxed parcels (in Young America Township) shall be considered one parcel for zoning purposes and shall not be sold separately or the CUP shall be considered null and void. The properties must remain Homesteaded by the Permittee and/or Permittee's family.
4. Any structure used in conjunction with the Contractor's Yard business shall meet the requirements of the Minnesota State Building Code. Appropriate permits must be obtained for the hoop buildings within 60 days of the issuance of this permit. No additional structures of any kind shall be allowed to be constructed on either tax parcel, unless the Permittee amends the Conditional Use Permit by submitting a new application, which would be heard by the Planning Commission or appropriate Board.
5. All business related trucks and/or equipment shall be stored inside the building or behind screening. Screening shall be provided pursuant to Section 2.0410 of the Carver County Zoning Ordinance No. 32S.
6. Permittee must submit a Certificate of Workers' Compensation Insurance or proper affidavit to the Land Management Department annually or upon request.
7. Permittee shall maintain current licenses as a Solid Waste Hauler within the County and as a Hazardous Waste Generator and shall comply with all applicable conditions specified by the Environmental Services Department.
8. The transferring of municipal solid waste (MSW) as a licensed transfer station shall be prohibited. The processing and/or sorting of recycleables on-site shall be prohibited. Yard waste, Christmas tree collections or similar activities and/or processing shall be prohibited.
9. Permittee shall not wash the inside container portions of the trucks on-site. Any washing shall be limited to typical exterior cleaning of the wheels and truck exteriors. Prior to any proposal to increase impervious surfaces or change drainage patterns is approved, Permittee must submit plans for review by Carver SWCD and Carver County Land Management, and all required permits must be obtained before work begins. Direct runoff from the business operational area shall not be allowed to enter surface intakes conveying water to drain tile(s).
10. The permit shall be subject to compliance review, which would include notification to the City of Hamburg in addition to Young America Township. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Planning & Zoning for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Planning & Zoning as early on in the timeline of the proposed change as possible.

ADOPTED by the Carver County Planning Commission this 16th day of January 2007.

Gene Miller
Planning Commission Chair

Young America Township



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



Map Created by Carter County GIS
Apr 21, 2005

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Bradley W. Solheim*
J. Michael Melchert
Thomas W. Larkin
Kelly C. Dohm
Thomas M. Johnston
Kent F. Spellman**
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Amanda A. Bloomgren
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Of Counsel:
Luke L. Melchert
Mac R. Willemsen

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*Real Property Specialist
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January 29, 2007

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Reply to:
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Chaska, Minnesota 55318

Steve Just
Carver County Department of
Land Management
Carver County Government Center
600 East Fourth Street
Administration Building
Chaska, Minnesota 55318

Re: City of Hamburg/Thaemert Application for Conditional Use Permit
File No. CU-PZ20060047

Gentlemen:

I am City Attorney for the City of Hamburg. I have been asked to send this letter and the enclosed materials to you for inclusion in the packet to be given to the Carver County Board of Commissioners for their meeting on Tuesday, February 6, 2007. As Mr. Just is aware, the City of Hamburg strongly opposes the Thaemerts' application for a Conditional Use Permit for the use of their property for any waste management activities. It is the position of the citizens of Hamburg, along with its City Council, that this location is completely inappropriate for any type of waste management activity.

With this letter I enclose the following:

1. **Copy of Resolution 2006-07 of the Hamburg City Council Dated November 14, 2006.**

This Resolution was adopted by the Hamburg City Council following a public hearing at which the Thaemerts and many citizens gave testimony. As you and the County Board will note, there are nineteen separate Findings of Fact, along with an appended and incorporated Memorandum from Resource Strategies (Hamburg's outside planning

David Hemze
Steve Just
January 29, 2007
Page 2

consultant) concerning why any attempted use of the Thaemerts' property for waste management should not be allowed.

2. **Carver County Zoning Code, Section 152.050.**

I am providing this to the County Board (although I would assume that the County Attorney's Office may do likewise), since it shows that for "essential services" not only must the services be essential, but the area must be found to be "where it is essential to perform their function...." In addition, the applicant must demonstrate "that the location is essential to perform the function and an appropriate siting process is utilized."

3. **Pertinent Copies of Portions of the City of Hamburg's Comprehensive Plan Adopted March 9, 1982.**

As shown in the Carver County Zoning Code, Section 152.050, the siting process must consider factors "including those set forth in the Comprehensive Plan...." The Thaemerts' property is clearly shown as being planned for future residential purposes.

4. **Half Section Plat Map Showing the City of Hamburg and the Thaemerts' Property.**

This plat map graphically shows how many homes are adjacent to and in proximity of the Thaemerts' property, as well as the area where natural growth will take place in the future. Carver County estimates that the City of Hamburg will almost double its population in the next 15 – 20 years.

Thank you very much for your attention to this matter.

Very truly yours,



Mac R. Willemsen

MRW/lle
Enclosures

cc Jeremy Gruenhagen

**CITY OF HAMBURG, MINNESOTA
RESOLUTION NUMBER 2006-07**

WHEREAS, A regular meeting of the Hamburg City Council was held at the Hamburg City Hall on the 14th day of November, 2006. Councilmembers in attendance were as follows: .

WHEREAS, one of the items to come before the City Council was the continued discussion of the Application for Conditional Use Permit from David and Bonnie Thaemert which would:

...allow Thaemerts to operate a waste management facility (TCW Disposal) in conjunction with their existing contractor's yard (TCW Construction). The facility would include a transfer station, recycling and yard compost on the [Thaemerts'] property.

WHEREAS, this matter had come before the City Council on September 13, 2006, at which time the City Council noted significant citizen opposition to the Thaemerts' Application for Conditional Use Permit. Following the September 13, 2006, Council meeting, members of the City Council, Jeremy Gruenhagen, City Administrator, and Mac R. Willemsen, City Attorney, attended and presented testimony at a hearing of the Carver County Planning Commission on September 19, 2006, at the Carver County Government Center.

WHEREAS, at said meeting of the Carver County Planning Commission the matter was continued pursuant to the joint request of the City of Hamburg, the Thaemerts and Carver County officials.

WHEREAS, representatives of the Thaemerts then met with officials of the City of Hamburg and the Hamburg City Council to discuss the Application for Conditional Use Permit. A public hearing was held at the Hamburg City Hall on October 24, 2006, at which hearing the City Council heard testimony and concerns from citizens of the City of Hamburg and explanations from the Thaemerts concerning the proposed nature of their business.

WHEREAS, at the regularly scheduled City Council meeting of October 24, 2006, the City Council discussed the matter further. Discussion was had as to whether or not to enter into an agreement with various conditions to be accepted by the City of Hamburg and the Thaemerts. Following discussion on the matter, Councilmember Trebesch moved and Councilmember Mueller seconded the motion that the City of Hamburg take a position in opposition to the Thaemerts' Application for a Conditional Use Permit and to provide testimony, both in writing and in person, at the next meeting of the Carver County Planning Commission regarding the Thaemerts' Application for Conditional Use Permit. Upon a vote being taken (said vote being 4 "ayes" and 1 abstention), this motion was passed.

WHEREAS, at the regular meeting of the Hamburg City Council of November 14, 2006, the City Council of the City of Hamburg discussed and concluded that the following facts necessitate the City of Hamburg taking a position in opposition to the Thaemerts' Application for a Conditional Use Permit:

1. That a waste facility on property directly adjacent to the City limits of the City of Hamburg and contiguous with residential property and homes owned by the citizens of Hamburg would constitute a potential health hazard.
2. That such a facility is contrary to the Comprehensive Plan of the City of Hamburg which has been in existence for almost twenty-five (25) years.
3. That the demographics provided by Carver County indicate that the City of Hamburg will almost double its population in the next fifteen (15) years or so.
4. That the Thaemerts' property is located in the area in which residential growth is anticipated to take place (to the north and east of the existing City limits of the City of Hamburg).
5. That the City County is concerned about increased traffic and noise created by waste trucks driving on City streets and going into and coming from the Thaemerts' property.
6. That the size of the Thaemerts' property is too small to provide insulation and protection from possible contamination, blowing debris, smells and the like from the applicants' property to the neighboring and adjoining residential properties.
7. That the City of Hamburg specifically notes the current Conditional Use Permit for a Contractor's Yard included a variance from Carver County's requirement of at least a five hundred foot distance from such a facility to ten or more homes. A review of a map of the City of Hamburg shows that if the County's requirement of five hundred feet would apply to a Contractor's Yard (and by simple logic, such a concern should be evident with a waste and garbage facility), the Application should be denied.
8. That the number of trucks going on to the Thaemerts' gravel driveway could create a dust problem.
9. That there would need to be a change on the striping and turn lanes on the highway in front of the Thaemerts' property.
10. That while the City of Hamburg peacefully co-existed with the Thaemerts' use of the facility pursuant to a Conditional Use Permit for a Contractor's Yard, this current Application is for an altogether different and much larger waste facility business.
11. That citizens of Hamburg have legitimate concerns and worries about a decrease in the value of their homes being located either adjacent to or near a waste and garbage facility.

12. That the City Council of the City of Hamburg specifically notes that this Application on the part of the Thaemerts came about because of monitoring by Carver County which found the Thaemerts were violating their existing CUP for a Contractor's Yard by operating a "Waste Facility" on their property.
13. That the City Council of the City of Hamburg was advised by Ann Perry, its outside expert consultant on City planning matters, that two things are particularly noteworthy and disturbing about the Thaemerts' Application:
 - a. That Ms. Perry, as an expert on planning matters, is unaware of any waste facility located in a place adjacent to residential property such as proposed by this Application; and
 - b. That from a planning standpoint, such a location for a waste facility makes no sense at all.
14. That the City Council of the City of Hamburg has concerns that a CUP for a waste facility could potentially stretch into perpetuity and be transferable by the Thaemerts to a much larger waste management operation.
15. That the Thaemerts' request to be permitted to have 120 cubic yards of waste material per day on their property represents (by their own testimony) a doubling of their current, non-authorized use of the property as a waste facility.
16. That the City of Hamburg actively opposed the initial siting of the "MinnCan" pipeline because of its potential and real impact on the growth of the City of Hamburg to the north and east. The Council recognizes that this application by the Thaemerts for a waste facility has a much more negative impact that could stunt the natural growth of the City of Hamburg.
17. That the City of Hamburg would like to begin additional planning for future growth and use of land in the areas of Young America Township directly adjacent to and contiguous with the City limits of the City of Hamburg. Such planning may be done, ideally, through a Joint Powers arrangement with Young America Township. The alternative would be to utilize the provisions set forth in the Minnesota Statutes for municipal planning and zoning in areas not yet incorporated within the City limits. Such planning would clearly provide for this area of Hamburg and Young America Township to be residential and not industrial (and certainly not having a waste facility).
18. That a contemplated waste facility this close to numerous existing and future homes in the City of Hamburg would not be land "planning" for the benefit of the citizens of Carver County and the City of Hamburg.
19. That it must be remembered that the Application by the Thaemerts for this waste facility is a completely different application than the original one for a "Contractor's Yard". This Application represents a drastic change in the

Thaemerts' business and has a much more negative impact upon the City of Hamburg than the existing "Contractor's Yard".

WHEREAS, at the regular meeting of the Hamburg City Council of November 14, 2006, the City Council of the City of Hamburg received and accepted a memorandum from Resource Strategies (Ann Perry) recommending the City Council request Carver County Planning Commission and County Board **Deny** the Conditional Use Permit request by TCW Disposal for the Solid Waste Disposal Facility. (See Attached Memo)

THEREFORE, BE IT RESOLVED, following the discussion and the finding of the above-enumerated facts, Councilmember _____ moved and Councilmember _____ seconded the motion that the City of Hamburg take a position in opposition to the Thaemerts' Application for a Conditional Use Permit. Upon a vote being taken (said vote being "ayes"; "nays"; and abstentions), it was

FURTHER RESOLVED by the City of Hamburg as follows:

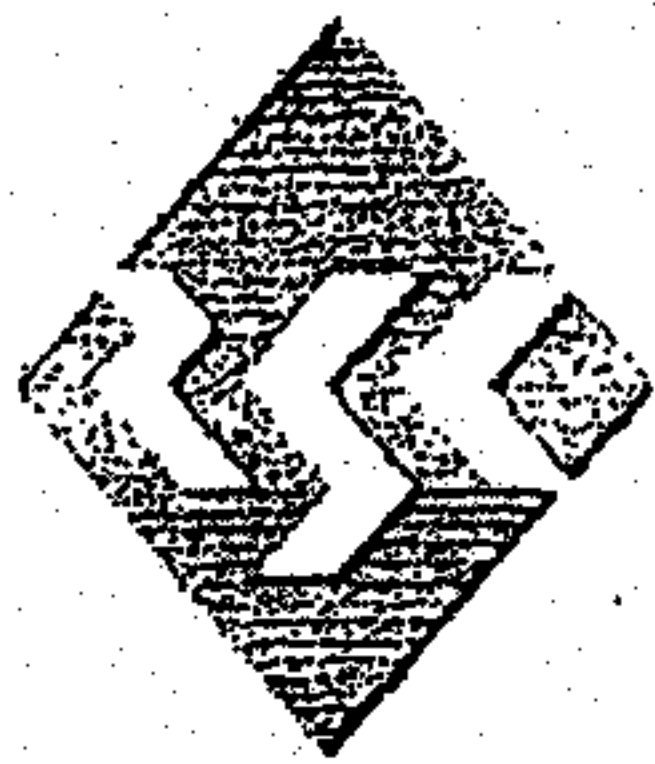
1. That the City of Hamburg continues to oppose the granting of a Conditional Use Permit to David and Bonnie Thaemert to operate a waste management facility on their property directly adjacent to the City limits of the City of Hamburg;
2. That the City of Hamburg shall send representatives to the hearings of the Carver County Planning Commission and the Carver County Board of Commissioners to present this Resolution and voice the City's and its citizens' opposition to the granting of a Conditional Use Permit for the Thaemerts to operate a waste management facility; and
3. That the City of Hamburg shall take all necessary and proper action in opposition to the Thaemerts' Application for a Conditional Use Permit to operate a waste management facility.

I CERTIFY THAT the above resolution was adopted by the City Council of Hamburg, Carver County, Minnesota this 14th day of November, 2006.

Michael Buckentin, Mayor

Attest:

Jeremy Gruenhagen, City Clerk



RESOURCE
STRATEGIES
CORPORATION

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rscmn@spacestar.net

To: Hamburg City Council
From: Ann Perry (RSC), Consulting Planner
Date: November 6, 2006
Subject: Thaemert Conditional Use Permit

The following memorandum is in response to the request to Carver County by David and Bonnie Thaemert for a conditional use permit to operate a waste management facility (TCW Disposal) in conjunction with their existing contractor's yard (TCW Construction). The City Council should review this memorandum at their November 14, 2006 meeting in preparation for the County Planning Commission consideration of the conditional use permit on November 21, 2006.

In review of City and County information, I understand that the Thaemert's have held a conditional use permit since 2002 for operation of a construction yard that included four trucks, a semi-truck and eight full-time employees. The County granted a variance to allow the construction yard to be located within 500' of a residential neighborhood.

It was discovered that the Thaemert's were out of compliance with the terms of the conditional use permit when additional vehicles were added to the TCW fleet and municipal solid waste disposal activities were observed on the site.

The Thaemert property is located in Young America Township and abuts the eastern Hamburg boundary a distance of about 1,150'. Six residential lots align the western border and four residential homes align the south border of the Thaemert property.

When the current Comprehensive Plan was adopted, the southern portion of the Thaemert property was located within the municipal limits and designated for single family residential uses. A limited area for future growth (due to the limited capacity of the waste water treatment plant) was shown in the plan for areas north of County Road 50 within Young America Township. The City has recently initiated the process to update the current Comprehensive Plan to reflect current growth trends and City values.

I have reviewed the City's planning documents and the County regulations pertaining to the Thaemert request and present the following recommendations for City Council consideration:

1. Incompatible with Residential Neighborhood

The operation of a municipal solid waste disposal facility on the Thaemert property is not compatible with the existing residential neighborhood. The backyards of the homes located along Williams Street and County Road 50

have a direct view of the "yard area" of the Thaemert property. There is no topographical grade change or landscaping that separates the residential homes and yards from the existing and proposed use. Therefore, noise generated from the trucks accessing the Thaemert property and activities associated with the waste handling and facilities will impact the nearby homes.

Additionally, garbage and other debris that may escape from the activities will be readily visible, and may enter the residential properties. There is also the potential for odors from solid waste transfers and storage. I am unaware of any location in Carver County where a solid waste disposal facility is in such close proximity to an existing residential neighborhood.

2. Interference with City Planning Efforts

There is little vacant property remaining for development within the current Hamburg municipal boundaries. If future growth is to occur within the Hamburg area, it must take place on property currently located in Young America Township and be annexed to the City.

Future growth and development in Hamburg is dependent upon the ability of the City to expand the capacity of its wastewater facility and attract new development. The City growth projections indicate that there is a need for over 400 new homes between 2000 and 2030 within the Hamburg area that equates to approximately 145 acres based upon the assumptions in the wastewater treatment study.

The logical direction of future growth is in a northerly direction because of the natural boundary formed by the public ditch and wetlands located to the south of the existing municipal limits. Property that is directly adjacent to the City boundaries is planned for development because of the cost effectiveness in extending municipal services.

The siting of a municipal solid waste disposal facility on property directly adjacent to the City will prevent the City from determining the best use of the property as part of its current planning efforts. Further, it will be difficult to plan for and attract new residential development that is compatible with the surrounding existing single family neighborhood if it must be located near a solid waste disposal facility.

The conditional use permit request for the solid waste disposal facility on the Thaemert property affects the City's planning efforts to determine the best use of the property by limiting future land use choices, influencing the ability to attract compatible residential land uses and planning for future cost effective city services.

3. Effect on County Long Range Planning

The County Highway department has been conducting traffic forecasting activities in conjunction with the cities during the past year to anticipate long-range highway improvements. These efforts include identifying the potential growth areas around the cities, including Hamburg. Such long-range planning

by the City and the County is severely limited by consideration for the proposed conditional use permit on Hamburg's eastern border. This is because it is difficult to site new development near a solid waste disposal facility.

4. Non-compliance with the Existing Conditional Use Permit

The applicants have not complied with the conditions of the existing conditional use permit as evidenced by the increase in the number of trucks on the property and the expansion into municipal solid waste activities. In fact, the applicants have only recently told governmental officials that a very small part of their business involves contracting activities, the purpose for the original conditional use permit, while they have been operating a solid waste disposal business for some time.

With the intensification of use of the property, there is greater concern over the need to adhere to County requirements and commitments of the applicant. The lack of compliance will create impacts to adjacent residential properties and inconvenience to residents that must report lack of compliance with requirements. As the business continues to grow, there is the potential for lack of time to adhere to commitments and County requirements.

In conclusion, I recommend that the City Council request that the County Planning Commission and County Board deny the conditional use permit request for the solid waste disposal facility. The proposed conditional use permit request is not compatible with the existing residential neighborhood, will affect current and future local and County planning activities, and may result in enforcement problems similar to the existing conditional use permit.

Plantings may be utilized for screening purposes provided the plantings are of a type that will attain six to eight feet in height and 50% opacity throughout the year within two growing seasons after planting. Screening shall not be placed across an easement.

(Ord. 47, passed 7-23-02)

ESSENTIAL SERVICES

§ 152.050 SCOPE.

(A) Public and quasi-public uses such as utilities, transportation, government operations, communication, water management, waste treatment or disposal, public parks and similar uses that serve a public need, or are deemed beneficial or essential to the public health and safety are considered essential services. These land uses, being necessary for the public health, safety, and welfare, and serving a public good, may be located in any area where it is essential to perform their function, provided the applicant demonstrates that the location is essential to perform the function and an appropriate siting process is utilized. The factors to be considered in the siting process include those set forth in the comprehensive plan and other factors applicable to the nature of the activity being proposed. The provisions of the zoning and overlay districts may be given consideration when considering an application for a conditional use permit when one is required, but the provisions shall not prohibit the location of essential services in any district.

(B) An essential service would typically fall into one or more of the following categories of activities:

(1) *Governmental uses, buildings, and storage.* Governmental services such as office buildings, garages, temporary open space, open storage when not a principal use, fire and police stations, parks and recreational areas, training centers, correctional facilities or other essential uses proposed by federal, state, county, local, special districts, and school districts, except that schools shall not be permitted under this provision.

(2) *Public or private utility uses.* Underground or overhead electrical, gas, steam or water distribution systems, collection, communications, supply or disposal system, including poles, wire, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, or other similar equipment and accessories; but not including buildings or transmission services.

(3) *Public or private utility uses, transmission services, buildings, structures, towers, and storage.* Transmission services such as electrical power lines of a voltage of 35 KV or greater, or bulk gas or fuel being transferred from station to station and not intended for en-route consumption or other similar equipment and accessories.

(Ord. 47, passed 7-23-02)

CITY LIMITS-1 Jan 79

APPROX. SEWER SERVICE LIMIT

DEVELOPMENT AREA BOUNDARY

DEVELOPMENT POLICY AREAS

RESIDENTIAL R-A THRU R-F

COMM/INDUST CDB, C/I-1, C/I-2

FUTURE LAND USE

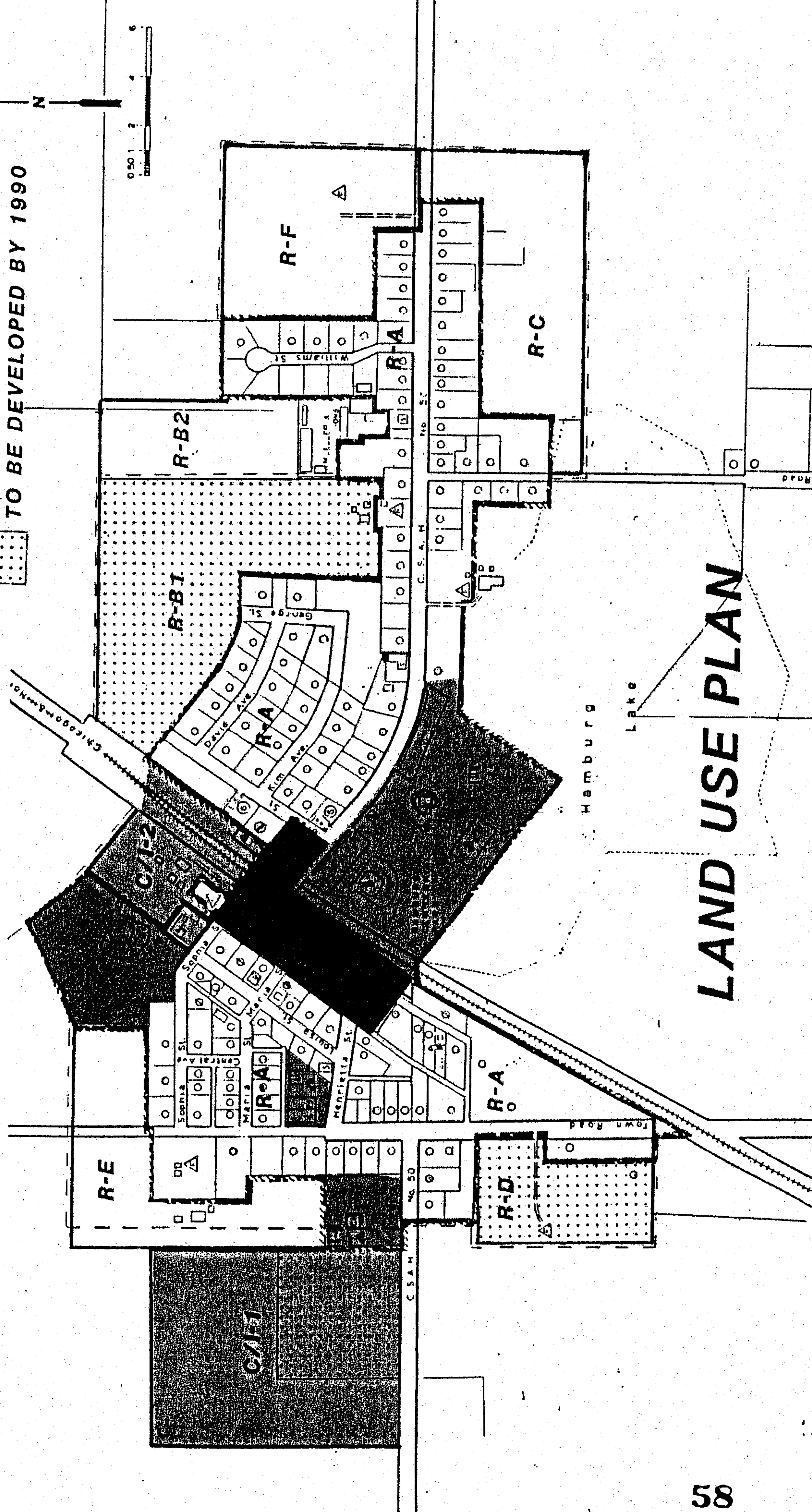
RESIDENTIAL

CENTRAL BUSINESS DIST.

COMMERCIAL/INDUSTRIAL

PUBLIC USE(Parks, Buildings)

TO BE DEVELOPED BY 1990



LAND USE PLAN

Residential Areas C, D, & E

Area	Acres	Holding Capacity (at 3 d.u./acre)
C	13	39 d.u.
D	4.5	13 d.u.
E	10.	30 d.u.

Residential Areas C, D, and E are suitable for residential development but due to size and locational factors development in these areas is of a lower priority. Areas C, D, or E are within the sewer service area and can be or are sewered with other public facilities. All of the areas have soil conditions that vary from good to seasonally wet. There are no other natural constraints on development. The areas are contiguous to existing residential development. Two factors must be taken into account in the development policy. In the past, residential development has tended to occur on a lot by lot basis with the lots fronting on an existing street. This practice makes the development of interior lots difficult and should be avoided in the future.

Development Policy

Areas C, D, & E - Priority - Intermediate

Areas 2, 3, & 4 will be developed as low and medium density residential areas.

The areas will be developed utilizing an internal circulation system.

Development shall occur in accordance with the environmental policies and the public facilities plan.

Residential Area F - 11 acres - 33 dwelling units

Area F consists of 11 acres on the eastern end of the City. The area is sewerable by extension of the existing gravity system. The soil conditions are suitable for development. The physical and service availability characteristics of the area could give the area a high development priority. However, development at this time would further extend the City along CSAH #50, further elongating the City. The area is also the site of an active farmstead with substantial investment in facilities. Encouraging development of the area while several other areas are accessible for development would be in conflict with several other City policies.

Development Policy

Priority: Long term

Use: Ultimate use of the area will be residential if the demand for residential use will probably not occur before 1990.

Policies 2 and 3 of the Second Priority residential areas also apply to this area should development occur.

LAND USE PLAN

The land use plan consists of both policy statements relating to the use of land, housing and environmental issues, and a Development Plan implementing these policies.

Land Use Policies

The City has adopted the following policies to guide development and the use of land in and around Hamburg.

General Development

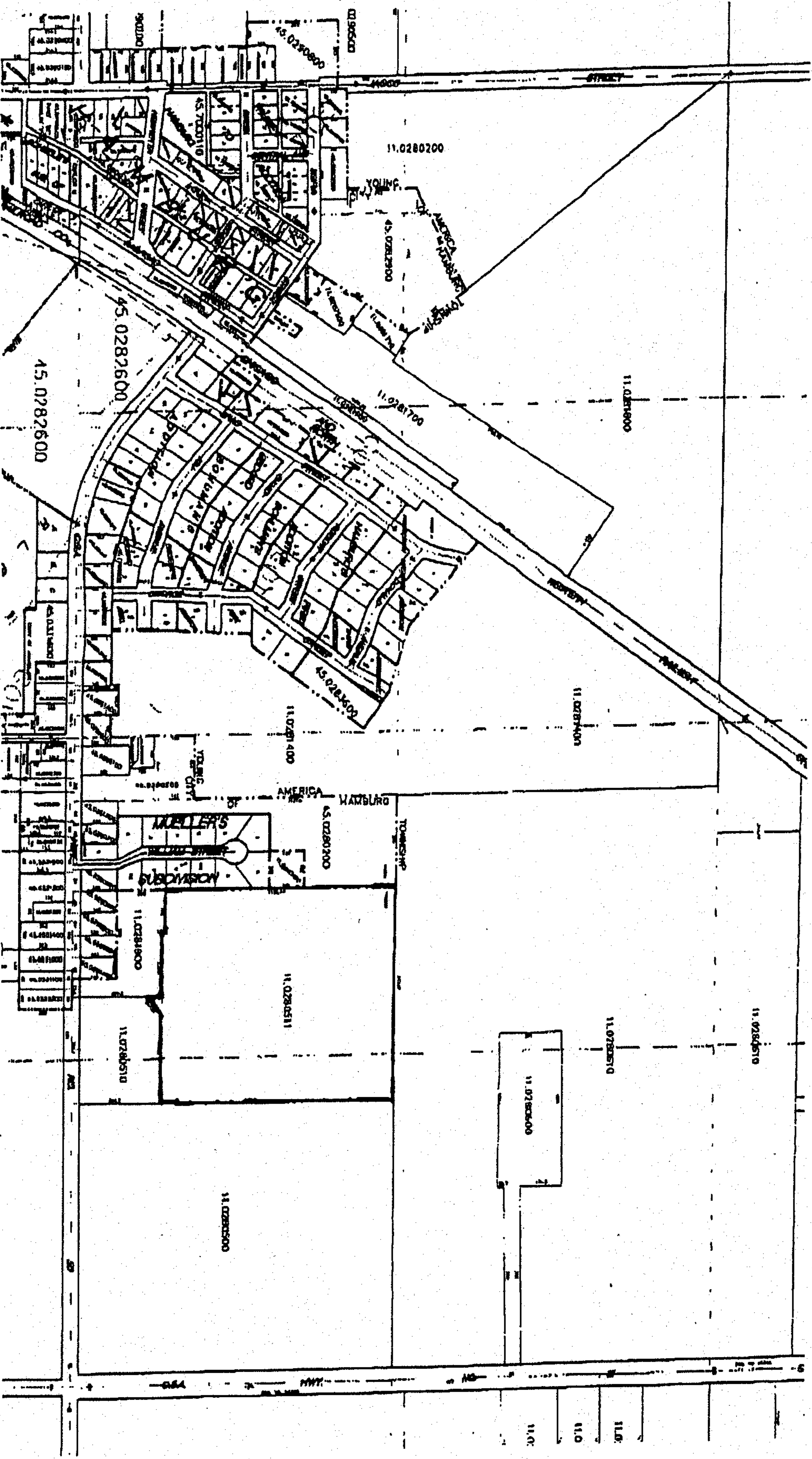
1. Development will be located within the sewerable area as outlined in the sewer element.
2. The Development Areas as outlined in the Land Use Plan will be used as the basis for future development and redevelopment in Hamburg.

Residential

1. New residential areas are to locate in areas where impact from commercial/ industrial areas will be minimized; existing residential neighborhoods are to be protected from the detrimental effect of incompatible land uses.
2. Residential areas are to be located and developed to take maximum advantage of the natural features and systems while minimizing detrimental effects of development on the environment.
3. Housing types other than detached single family are regarded as an acceptable housing type and will be integrated into the housing fabric of the community. Mixed developments should be encouraged by allowing Planned Unit Development, controlled by density zoning and performance standards. Multi-family dwellings are acceptable forms of development in designated areas.
 - a. Multi-family development should be located to minimize the impact of traffic generated by such development on residential streets.
 - b. Multi-family dwellings may be used as a buffer between lower density development and non-residential land uses. However, this situation should be avoided if possible.
 - c. Multi-family dwellings developed for use by senior citizens should be located within easy walking distance of the downtown.
 - d. The City will discourage any proposed project which does not meet residential standards in site planning, structural quality, and population density as stated in this Comprehensive Plan.
 - e. The City will not discourage innovative housing designs that address the issues of cost and energy efficiency assuming they do not compromise policy 3d. above.

4. Mobile homes shall be located in mobile home parks that are subject to standards and regulations. They shall be planned and sited so as to become part of a residential neighborhood. Controls shall be developed and enforced to insure proper maintenance and preserve the integrity of the development.

THIS MAP IS A SUMMARY OF THE RECORDS OF THE COUNTY CLERK'S OFFICE AND IS NOT A SUBSTITUTE FOR THE ORIGINAL RECORDS. IT IS THE RESPONSIBILITY OF THE USER TO VERIFY THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.



S 1/2 SEC. 28, T.115, R.26

Surveying & Mapping Office
County Clerk's Office
228 East Park Street
Casper, WY 82501



REQUEST FOR BOARD ACTION

AGENDA ITEM : Carver County Tax Abatement Policy

Originating Division: Property Records Taxpayer Services

Meeting Date: 2/6/07

Amount of Time Requested: 20 minutes

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 Board has had two workshops discussing a Tax Abatement Policy. Representatives from Ehlers & Associates and County staff members have participated and presented draft policies in these workshops. From this input a final policy has been developed.

ACTION REQUESTED: Adoption of Carver County Tax Abatement Policy as presented at this meeting.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$

Related Financial Comments: \emptyset

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 1-26-07

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

Date: February 6, 2007

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

Adoption of Carver County Tax Abatement Policy

WHEREAS, Minnesota Statute 469.1812 to 469.1815 allows the Carver County Board of Commissioners to grant economic development grants; and

WHEREAS, the intention of this policy is to provide the legal and statutory guidelines in utilizing economic development incentives through the Tax Abatement Policy; and

WHEREAS, the above statute provides that the consent of the Carver County Board of Commissioners must be given prior to granting any Tax Abatements;

NOW, THEREFORE, BE IT RESOLVED, that the Carver County Board of Commissioners approves and adopts the Carver County Tax Abatement Policy.

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 6th day of February 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of February, 2007.

County Administrator

Carver County Tax Abatement Policy

Background.

Subject to certain restrictions and limitations, the Carver County Board of Commissioners may grant economic development abatements as authorized by Minnesota Statutes Sections 469.1812 to 469.1815. The County Board will consider abatements on a case by case basis. The intention of the policy is to provide the legal and statutory guidelines for the County Board to utilize economic development incentives pursuant to requirements in M.S. 469.1812 to 469.1815. The adoption of this policy is a prerequisite to determining the level of and extent, if any, Carver County participation in economic development incentive programs.

Statutory Criteria for Abatement.

The County Board is authorized by M.S. 469.1812 to 469.1815 to grant an abatement of the taxes imposed by the political subdivision on a parcel of property, or defer the payments of the taxes and abate the interest and penalty that otherwise would apply, if:

1. The expected benefits of the proposed abatement agreement to the County equal or exceed the amount of County taxes subject to the abatement agreement; and,
2. The abatement is in the public interest because it will:
 - a) Increase or preserve tax base;
 - b) Provide employment opportunities in Carver County;
 - c) Provide or help acquire or construct public facilities;
 - d) Redevelop or renew blighted areas;
 - e) Provide access to services for residents of Carver County;
 - f) Finance or provide public infrastructure; or
 - g) Phase in a property tax increase on the parcel resulting from an increase of 50 percent or more in one year on the estimated market value of the parcel, other than increase attributable to improvement of the parcel.
3. The request complies with statutory duration limits as described in M.S. 469.1813 Subd.6. A political subdivision may grant an abatement for a period no longer than fifteen years. The duration may increase to twenty years in the event one political subdivision chooses to decline the abatement or if 90 days pass after receipt of the abatement request without a written response.
4. The request complies with statutory individual parcel and cumulative financial limitations. The total abatements granted by a political subdivision in any one year may not exceed the greater of 10% of its total property tax levy for the current year; or \$200,000.

County Criteria - Conditions and Fiscal Limitations.

The Carver County Board will place additional criteria and limitations on all proposed abatements and will consider the following in making its determination:

1. The expected benefits of the proposed abatements are equal to or exceed the amount of the County taxes and cost subject to the abatement.
2. The County Board will only utilize abatement for public infrastructure further defined as county roads and right-of-way improvements.
3. The County Board will limit the annual total of all approved abatements to five percent of the County tax spread levy, after the reduction for the fiscal disparity distribution and HACA for that year.
4. If the incentive is a tax abatement, the abatement will be on the taxes collected on the value of the new improvements (buildings) to the property; taxes collected on the value of the land will not be abated. The County reserves the right to cap the dollars of the value to be abated.
5. Proposed parcels may not be included in a Tax Increment Financing District.

Because it is not possible to anticipate every type of project which may in its context and time present desirable community building or preservation goals and objectives, Carver County retains the right pursuant to statute in its sole discretion to approve projects and subsidies which may vary from the principles and criteria of the Policy.

Evaluation Standards

The approval process for a specific County infrastructure project will be guided by the following project goals:

1. The extent to which the goals meet the requirements set forth within the Carver County Economic Development Tax Abatement Policy.
2. The extent to which the public is benefited through county public infrastructure or facilities.
3. The extent to which the County's budgetary items, such as roads, traffic control, law enforcement, and human services and other areas are affected.

Procedures:

All proposals must include the following to be considered:

1. Completion of County application including required attachments submitted to the Taxpayer Services Manager.
2. A copy of public hearing minutes, a resolution and/or business subsidy approval regarding the abatement proposal.
3. A map or site plan showing the boundary of the project and the property identification number(s) and legal description(s) of the parcels subject to the proposed abatement.
4. Statements identifying the public benefits of the proposal.

Economic Tax Abatement usage in Metropolitan Counties

County	Policy	County Participation	Dollar Impact Pay 2006	Abate Fiscal Disparities Tax?	Comments
Anoka	Yes	No	n/a	No	Restrictive policy.
Dakota	Yes	No	n/a	No	One inquiry only.
Hennepin	Yes	Yes	n/a	No	1 granted associated with Metrodome parking. One significant application pending in Brooklyn Park.
Ramsey	No	No	n/a	No	No requests to date have generated county interest in participation.
Scott	Yes	Yes	\$72,793	No	Granted 4. Must require significant benefit. Duration limited to 3-7 years.
Washington	Yes	Yes	unavailable	No	Restrictive policy used for infrastructure improvements only. 1 st was approved pre-1997 which did not include limitations and has exceeded anticipated tax impact. A second ahs been granted since.



REQUEST FOR BOARD ACTION

AGENDA ITEM: Advisory Committee Appointments

Originating Division: Administration

Meeting Date: 2/6/07

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:

Administration has received the following applications for vacancies on various advisory committees:

Library Board (vacancy in Commissioner District 2)

Applicants:

Donna Thayer (resides Commissioner District 3)

Mark Peterson (resides Commissioner District 2)

WENR Committee (Appointment needs to be a Township supervisor)

Applicant:

Virgil Stender (resides in Commissioner District 5)

Park Commission (Three vacancies need to be filled, one unexpired term and two unexpired terms)

Applicants:

Thomas Herrmann (resides in Commissioner District 5)

Wayne Jacobson (resides in Commissioner District 4)

Personnel Board of Appeals (One vacancy)

Applicant:

Gary Boyle (resides in Commissioner District 3)

ACTION REQUESTED:

Board motion appointing members to advisory committees.

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: 1/29/07

Report Date: February 1, 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : CSAH 30 Corridor Land Aquisition

Originating Division: Administration

Meeting Date: 2/6/07

Amount of Time Requested: 60 Minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: County Administration and Public Works will present information regarding an offer from Plowshares Developers to purchase land that could be used a a future north to south highway corridor for CSAH 30. This corridor, as shown on the attached map, is part of the Interlaken Lake Development project just to the south east of Waconia.

ACTION REQUESTED: Closed session according to Minn.Stat.§13D.05, Subd. 3 (c) (3) to develop or consider offers or counteroffers for the purchase or real estate.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

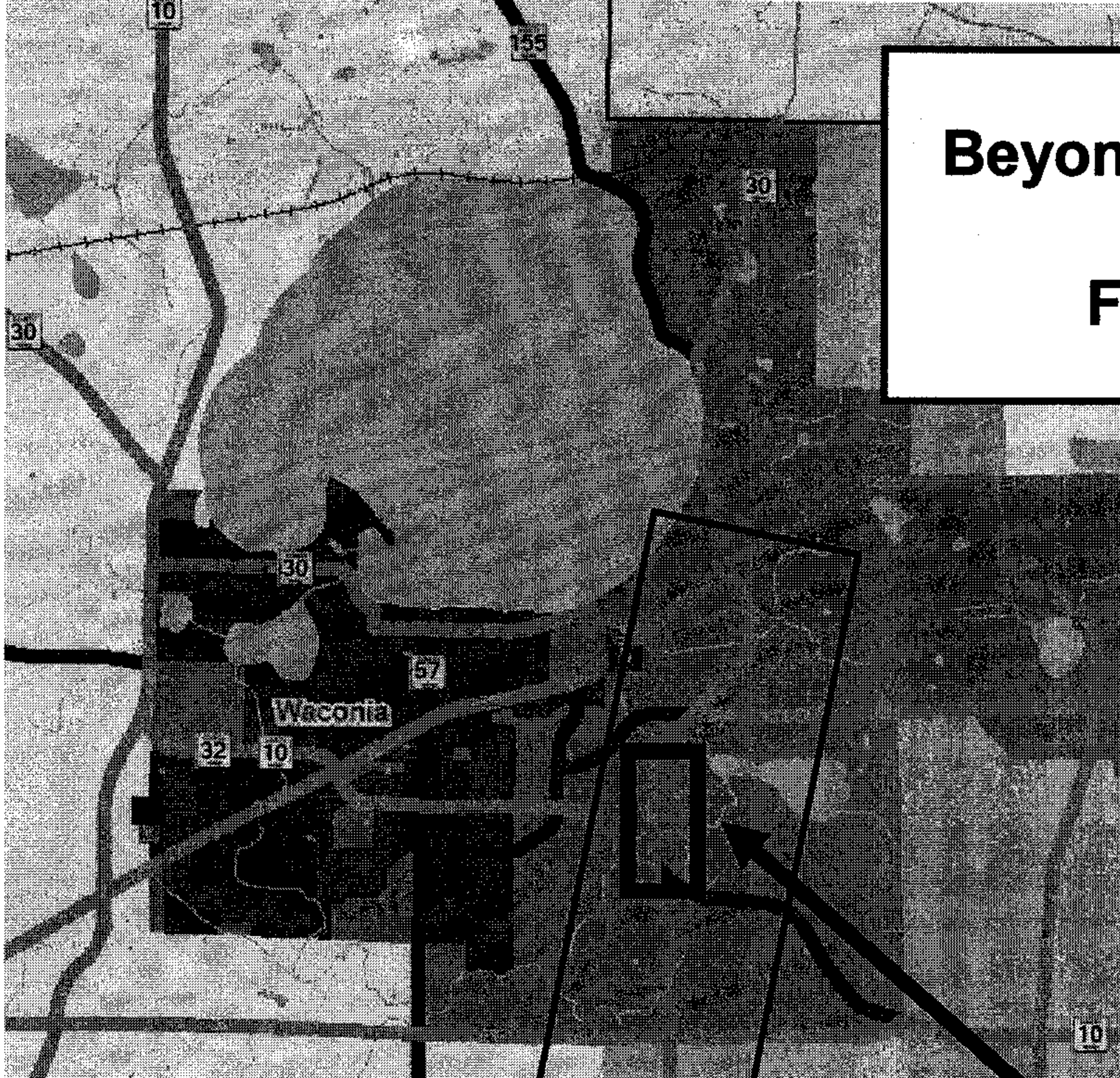
Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 1/29/07

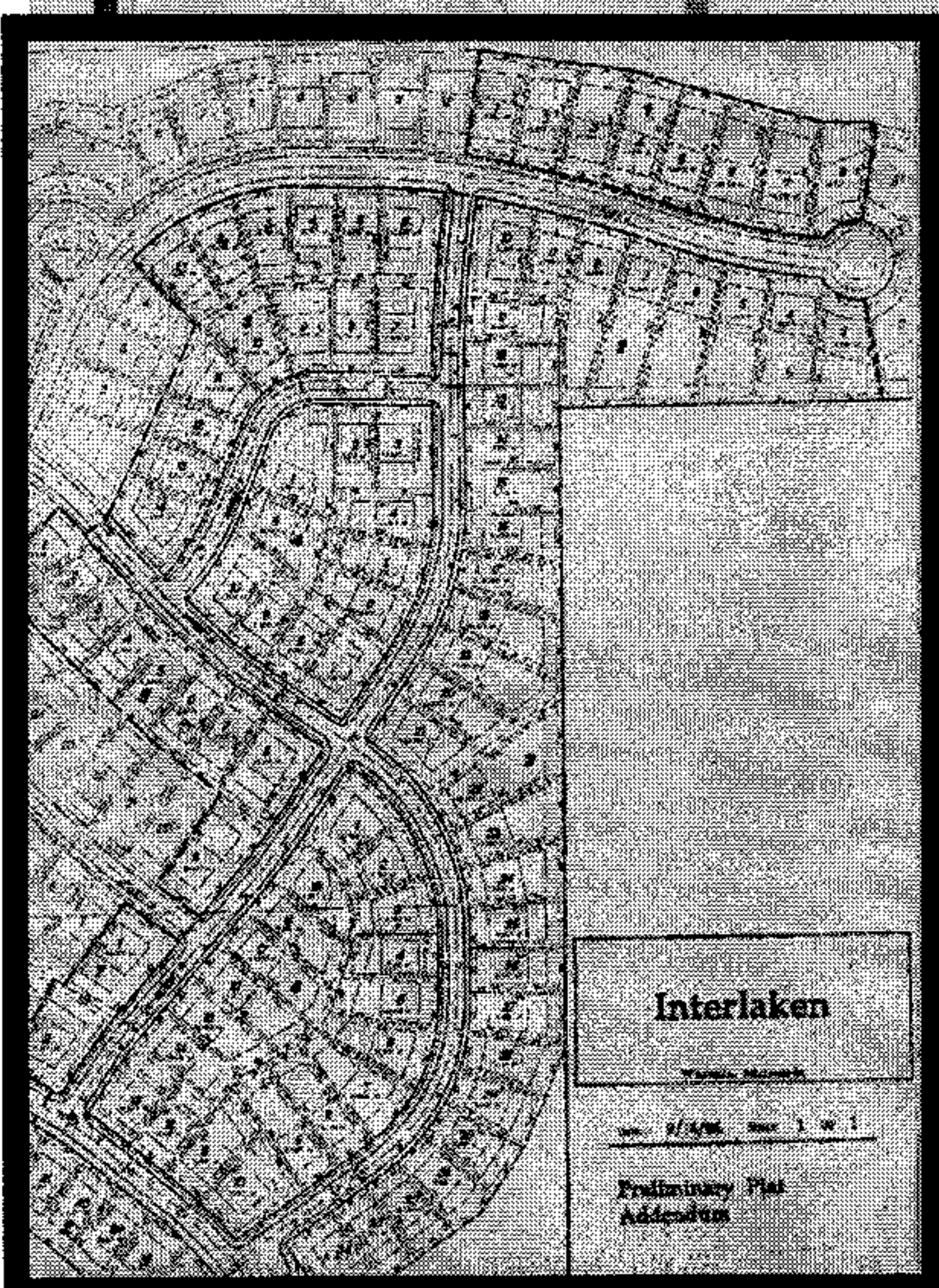


**Beyond 2030 Roadway System
and
Future Growth Areas**

**InterLaken Plat – Plowshares
Preservation
of
Highway Corridor**

Note Date: 12/12/06

**North – South
Minor Arterial
Highway
Corridor**



**InterLaken Plat – Plowshares - Amendment Request
Highway Corridor Preservation changed to Residential Housing Lots**

Note Date: 12/12/06