

Carver County Board of Commissioners
 Regular Session
 July 24, 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 July 10, 2007, Regular Session 1-3
4. Public participation (Comments limited to five minutes)
5. Community announcements

9:05 a.m.

6. **CONSENT AGENDA**
- 6.1 Payment of emergency claims 4-5
- 6.2 Authorize County cost share for sealing abandoned well.... 6-10
- 6.3 Approval of Emergency Management Performance Grant
 from State of Minnesota/FEMA..... 11
- 6.4 Carver County Transit donation..... 12
- 6.5 Charitable Gambling Application for exempt permit for
 West Metro Chapter Delta Waterfowl 13-14
- 6.6 Juvenile Accountability Block Grant acceptance and
 Resolution 15-16
- 6.7 Donation of two Valley Fair tickets 17
- 6.8 Resolution to support Local Planning Assistance Grant ... 18-20
- 6.9 .8 FTE Sheriff's Office 9-1-1 Dispatcher 21
- 6.10 Sheriff's Office re-alignment of job duties and
 responsibilities 22-24
- 6.11 Community Social Services' warrants NO ATT
- 6.12 Commissioners' warrants..... SEE ATT

9:05 a.m.

7. **LAND AND WATER SERVICES**
- 7.1 *Public hearing* on NDPES Phase II annual report for
 Carver County 25-30
- 7.2 Creation of Land and Water Services Education Coordinator
 position to replace the Extension Educator..... 31-35

9:20 a.m.	8.	COMMUNITY SOCIAL SERVICES	
		8.3	Grant for Carver County Transit and Scott County Transit... 36
9:40 a.m.	9.	FINANCIAL SERVICES	
		9.1	Wheelage tax..... 37-43
10:20 a.m.	10.	ADMINISTRATIVE SERVICES	
		10.1	Land acquisition purchase agreement for Chanhassen License Center 44-46
10:50 a.m.	11.	EMPLOYEE RELATIONS	
		11.1	Update on the hiring process for County Attorney 47
11:10 a.m.		ADJOURN REGULAR SESSION	
BOARD REPORTS			
11:10 a.m.		1.	Chair
		2.	Board Members
		3.	Administrator
11:40 a.m.		4.	Adjourn

David Hemze
County Administrator

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on July 10, 2007. Chair Gayle Degler convened the session at 9:00 a.m.

Members present: Gayle Degler, Chair, James Ische, Vice Chair, and Randy Maluchnik.

Members absent: Tim Lynch, Tom Workman.

The following amendments were made to the agenda:

Add:

6.14 Professional services agreement-2007 Solicitation Submittals for Federal Transportation Project Funding.

8.2 Approval of Intergovernmental Exchange Agreement with Hennepin County

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

Degler moved, Ische seconded, to approve the minutes of the June 26, 2007, Regular Session and June 26, 2007, Board of Equalization. Motion carried.

Under public participation, James Kuhl, San Francisco Township, noted the article he distributed from a local newspaper relating to the County Attorney vacancy. He acknowledged the item on today's agenda relating to the vacancy and stated his concern with handling the vacancy in the same manner as they would in hiring a County Administrator. He suggested they handle the vacancy differently because it was an elected position. Kuhl felt it would be appropriate if citizens were made aware that there would be a hearing and, if they had any concerns, that citizens would be allowed to submit questions to the Board that could be asked of the candidate.

Community announcements were made by the Board.

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

Payment of emergency claim in the amount of \$1,439.50.

Appointed Robert Lamkin to represent Commissioner District 2 on the Planning Commission to serve a three year term expiring December 31, 2009.

Contract with the Jonas Center for a temporary therapist to provide coverage for an employee's medical leave.

Contract with Schneider Consulting Associates, Inc.

Adopted the Findings of Fact and issued Order #PZ20070026 for the issuance of Conditional Use Permit #PZ20070026, Jason Dennis, Dahlgren Township.

Resolution #61-07, Application for Federal Surface Transportation Program Funding (TH 101 from Lyman Boulevard (CSAH 18) to Pioneer Trail (CSAH 14).

Resolution #62-07, Right of Way Acquisition CSAH 11 (SP 10-611-04) Negotiated Settlements.

Resolution #63-07, Joint Powers Agreement Between Carver County and the City of Chanhassen and City of Chaska for CSAH 15 (Audubon Road) and Bluff Creek Blvd./Butternut Drive Intersection Construction.

Approved the LELS Local 289, Sergeants Memorandum of Understanding.

Affirmed the emergency expenditure to EMS Environmental for lawn service between May 11, 2006, and July 3, 2007, at \$375 per property and approved a two year contract with Property Upkeep Services.

Resolution #64-07, Certificate of County Board of Classification of Forfeited Lands.

Resolution #65-07, County Board Approval for Submission of Tax Forfeit Lands to MN DNR.

Resolution #66-07, Agreement between Carver County and SRF Consulting Group, Inc.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried.

Gary Bork, Community Social Services, requested Board approval to create a case aide position. He explained the previous conversion of a case aide position to a social worker position within the developmental disabilities unit and the changes that have taken place since that time that forces them to look at staffing. He noted the consumer support grant that allows families to structure their own care and the billing changes made by the State. Bork indicated a case aide position would be a more cost effective way of collecting the revenue from the State and stated the cost of the position could be paid by the consumer support grant and other waiver allocations.

Ische moved, Maluchnik seconded, to create a 1.0 FTE case aide position and related budget amendment transferring \$9,434 from salary contingency to salaries and wages. Motion carried.

Kari Myrold, County Attorney's Office, requested approval of an agreement with legal counsel to assist the County Attorney's office with land use items. She noted the unanticipated vacancy in the office and pointed out the firm they were recommending was familiar with land use issues. She noted the contract is through December 31st but they can discontinue the contract when someone is hired.

Ische moved, Maluchnik seconded, to approve agreement between Carver County, the County Attorney's office and Iverson Reuvers, LLC and related budget amendment transferring \$60,500 from personal services and \$139,500 from salary contingency to professional services. Motion carried.

Myrold requested approval of intergovernmental exchange agreement with Hennepin County. She indicated the temporary First Assistant County Attorney appointment had to be revoked and that Hennepin County has offered a staff person to serve as the First Assistant. Myrold introduced Toni Beitz with the Hennepin County Attorney's office.

Ms. Beitz reviewed her previous work experience within various divisions and indicated her primary responsibility has been in the area of the Sheriff's office for the last year. She stated she looked forward to the opportunity to work with the County Board.

Myrold pointed out the statutory authority that allows for sharing of employees and indicated the contract included a not to exceed amount of \$40,000.

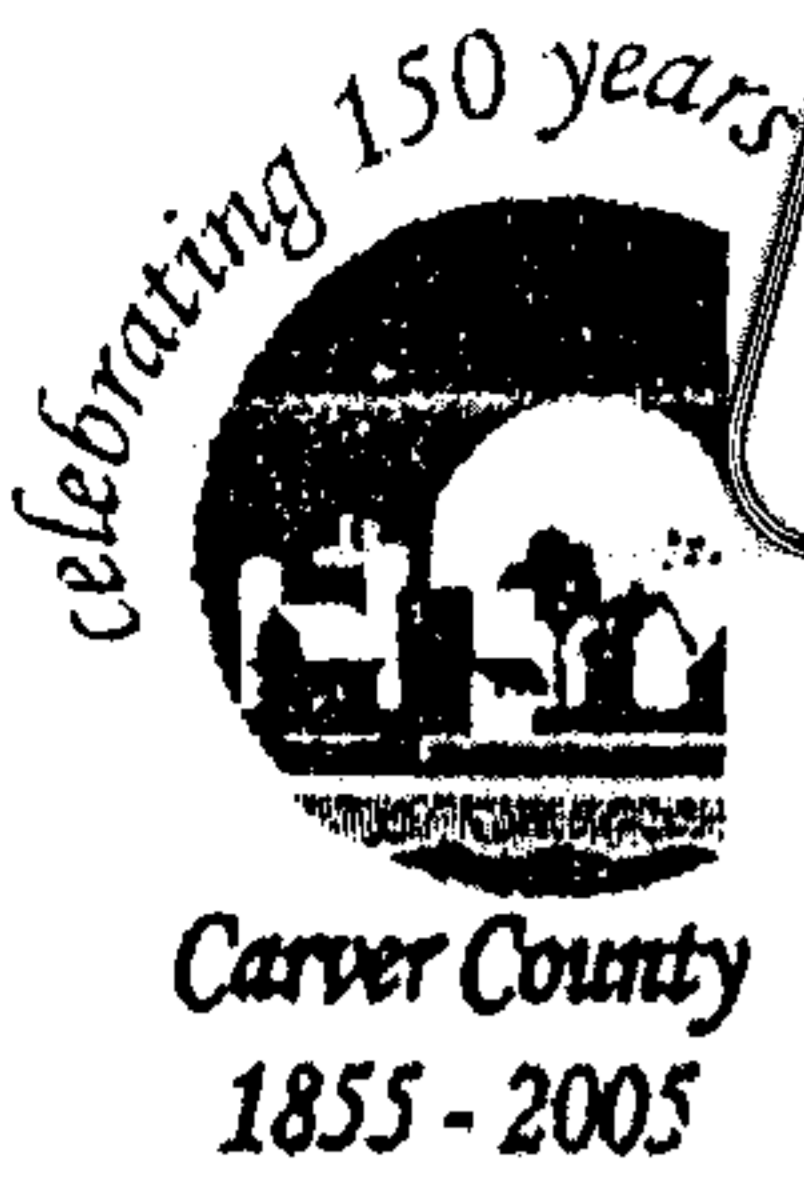
Maluchnik moved, Ische seconded, to approve agreement between Carver County, Hennepin County and the assigned employee. Motion carried.

The Board recognized Ms. Myrold's last day with the County would be Friday and thanked her for her service to the County.

Ische moved, Degler seconded, to adjourn the Regular Session at 9:35 a.m. Motion carried.

David Hemze
County Administrator

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



Office of Finance Director
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, MN 55318-2102
Phone: 952 361-1509
Fax: 952 361-1308
E-mail: fboethin@co.carver.mn.us
Website: www.co.carver.mn.us

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Matthew Shuster

ACCOUNT: 11 420 650 4401 6020

AMOUNT: \$ 2093.⁰⁰

REASON: Cost Effective Health Insurance

Department Head Signature: Gary Bork

Chairman of County Board

James Ische

County Administrator

Dave Henze

County Attorney

Michael A. Fahey

Date: 6-29-07



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Chaska, MN 55318-2102
Phone: 952 361-1509
Fax: 952 361-1308
E-mail: fboethin@co.carver.mn.us
Website: www.co.carver.mn.us

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

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

VENDOR: Susan Reich

ACCOUNT: 11 420 650 4401 6020

AMOUNT: \$ 857.78

REASON: Cost Effective Health Insurance

Department Head Signature: Gary Bahr

Chairman of County Board

James Ische

County Administrator

Dave Hemze

County Attorney

Michael A. Fahey

Date: 6-29-07



REQUEST FOR BOARD ACTION

AGENDA ITEM: Authorize County cost share for Sealing Abandoned Well

Originating Division: Land Water Services

Meeting Date: 07/24/07

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: In December, 1999 the Board adopted a resolution establishing an abandoned well sealing program including procedure and eligibility requirements (attached). A one time Natural Resources Block Grant from BWSR was used to establish this fund. Two applications have been received from Edward Dehn Jr. for sealing two abandoned wells at 12235 Co. Rd. 32 in Waconia Twp. The Joint Agency Members (JAM) reviewed the applications and recommended funding for sealing the wells.

ACTION REQUESTED: Motion approving application and funds for sealing of two wells at 12235 Co. Rd. 32, Waconia Twp (PID 090160200) and authorizing disbursement of funds upon presentation of a bill and well sealing log.

FUNDING

County Dollars =	\$0
Other Sources & Amounts =	\$500.00 BWSR grant
Owner =	\$840.00
TOTAL	= \$1340.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Funds are from a one-time Natural Resources Block Grant from the State Board of Water and Soil Resources which set aside dollars specifically for sealing abandoned wells.

Reviewed by Division Director 

Date: 12 24 07

Carver County Planning & Zoning
Application For Well Sealing Cost Share

600 East Fourth Street
Chaska, MN 55318
612-361-1820

Applicant Information	
Name & Telephone #'s:	<u>EDWARD T DEHN JR</u> C. 952-412-0434 H. 952-442-2754
Street Address:	<u>12235 COUNTY RD 32</u>
City/Township:	<u>WACONIA / WACONIA TOWNSHIP</u> Zip: <u>55387</u>
PID (You can obtain from tax statement or Planning & Zoning):	<u>090160200</u>

Well Location	
Street Address:	<u>12235 Co RD 32</u>
City/Township:	<u>WACONIA WACONIA TOWNSHIP</u>
PID (You can obtain from tax statement or Planning & Zoning):	_____

Well Information		
<i>(If Known - your well contractor may be able to help)</i>		
Depth <u>205</u>	Diameter <u>3"</u>	Casing depth <u>201</u>
Aquifers penetrated (if known) <u>UNKNOWN</u>	_____	
Construction information (ex. ungrouted, open hole, etc.) <u>ungrouted</u>	_____	
Well condition (ruptured casing, rusting, etc.) <u>rusted</u>	_____	
Approximate year constructed <u>50's</u>	_____	

Well Sealing Estimates		
Number unused wells to be sealed: <u>2</u>	_____	
1. \$ <u>632.00</u>	Company name:	<u>Moteko Well Drilling</u>
2. \$ <u>735.00</u>	Company name:	<u>Moteko well Drilling</u>

D HOUSE
WELL 4"
D
ND MILL
ELL
"

Office use only:	Return application to: Paul Moline
Priority: _____	Carver County Planning & Zoning
JAM Recommendation: _____	600 East Fourth Street
Board Action: <u>Approve</u> <u>Deny</u> Date: _____	Chaska, MN 55318

Well Questionnaire

The questionnaire below will enable us to prioritize the wells for sealing. Please answer as many questions as possible to the best of your knowledge. A contractor may provide valuable assistance.

- 1. Is an above or below ground fuel storage tank within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 2. Is a barnyard feedlot within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 3. Is there any manure storage within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 4. Is a fertilizer storage area within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 5. Is a chemical storage area within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 6. Is there an irrigation system within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 7. Are there household or farm refuse disposal sites w/in the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 8. Is there a sewage treatment system (ex. septic) w/in the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 9. Is a cesspool, dry well or leaching pit within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 10. Is a lake, pond, river, stream, or ditch within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 11. Is the well within a low lying flood prone area? Y N
- 12. Is there a threat of contamination from surface water runoff? Y N

Explain:

- 13. Is the well in a pit? Y N
- 14. Is there danger of someone or an animal falling into the well? Y N
- 15. Reason well is no longer used: 3" WELL OLD WINDMILL TYPE - NOT USED OVER

16. Any comments: WINDMILL WELL IS NO LONGER USED HASN'T BEEN USED 30+ YEARS IT IS A DRY WELL, JUST NOT CAPPED PUMP IS MOUNTED ON TOP (ABOVE GROUND) ON WOOD PLATFORM WITH MAN HOLE COVER NEXT TO IT FOR ACCESS HOLDING TANK FOR WATER AFTER WINDMILL PUMPS THE WATER. (SISTERN TYPE)

As owner of the above listed property, I/we apply for cost-share funds to have the unused well(s) sealed.

Property Owner Signature(s): Edward T. Rohlf

Please Note: This is the application to enter the evaluation process. This is not the contract that guarantees reimbursement. Your well will be evaluated and you will be notified if your well is chosen for the cost-share program.

OLD WIND MILL WELL WAS CAPPED 6-6-07 ALL ABOVE GROUND PUMP MOTOR REMOVED AND WELL AREA OR PIT OR WHATEVER YOU WANT TO CALL IT IS FILLED IN LEVEL TO TOP GROUND THAT NO ANIMAL OR HUMANS CAN FALL INTO THE PIT

Carver County Planning & Zoning
Application For Well Sealing Cost Share

600 East Fourth Street
Chaska, MN 55318
612-361-1820

Applicant Information	
Name & Telephone #'s:	<u>Same</u>
Street Address:	_____
City/Township:	_____ Zip: _____
PID (You can obtain from tax statement or Planning & Zoning):	_____

Well Location	
Street Address:	_____
City/Township:	_____
PID (You can obtain from tax statement or Planning & Zoning):	_____

Well Information	
<i>(If Known – your well contractor may be able to help)</i>	
Depth <u>146</u>	Diameter <u>4"</u> Casing depth <u>138</u>
Aquifers penetrated (if known) <u>unknown</u>	_____
Construction information (ex. ungrouted, open hole, etc.) <u>ungrouted</u>	_____
Well condition (ruptured casing, rusting, etc.) <u>ruptured casing</u>	_____
Approximate year constructed <u>70's</u>	_____

Well Sealing Estimates	
Number unused wells to be sealed:	_____
1. \$ _____	Company name: _____
2. \$ _____	Company name: _____

Office use only:	Return application to: Paul Moline
Priority: _____	Carver County Planning & Zoning
JAM Recommendation: _____	600 East Fourth Street
Board Action: <u>Approve</u> <u>Deny</u> Date: _____	Chaska, MN 55318

Well Questionnaire

The questionnaire below will enable us to prioritize the wells for sealing. Please answer as many questions as possible to the best of your knowledge. A contractor may provide valuable assistance.

- 1. Is an above or below ground fuel storage tank within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 2. Is a barnyard feedlot within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 3. Is there any manure storage within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 4. Is a fertilizer storage area within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 5. Is a chemical storage area within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 6. Is there an irrigation system within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 7. Are there household or farm refuse disposal sites w/in the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 8. Is there a sewage treatment system (ex. septic) w/in the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 9. Is a cesspool, dry well, or leaching pit within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 10. Is a lake, pond, river, stream, or ditch within the vicinity of the well? Y N
If so, approximate distance. _____ feet. _____ direction.
- 11. Is the well within a low lying flood prone area? Y N
- 12. Is there a threat of contamination from surface water runoff? Y N
- 13. Is the well in a pit? Y N
- 14. Is there danger of someone or an animal falling into the well? Y N
- 15. Reason well is no longer used: Ruptured CASING
- 16. Any comments: OLD HOUSE WELL CAPPED 6-6-07

As owner of the above listed property, I/we apply for cost-share funds to have the unused well(s) sealed.

Property Owner Signature(s): Edward T. DeLuca

Please Note: This is the application to enter the evaluation process. This is not the contract that guarantees reimbursement. Your well will be evaluated and you will be notified if your well is chosen for the cost-share program.



REQUEST FOR BOARD ACTION

AGENDA ITEM : Approval of Emergency Management Performance Grant from State of Minnesota/FEMA.

Originating Division: Employee Relations

Meeting Date: 7/24/07

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: This is an annual grant we receive from the Federal Government (FEMA) and is passed through the State to partially fund the emergency management program in Carver County. These funds are used to assist in offsetting the staffing and administration costs for the emergency management program. Costs are based on overall program operations and are variable.

ACTION REQUESTED: Authorize the Board Chair and Tim Walsh, Safety Officer to sign the 2007 Emergency Management Assistance Grant for \$30,505.00

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: The funding is revenue budgeted in anticipation of receiving this annual grant.

Reviewed by Division Director

Date: 7/12/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Carver County Transit Donation

Originating Division: Community Social Services

Meeting Date: 7/18/07

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:** Carver County Transit received a donation in the amount of \$653 from the Albert Thiesfeld family from his memorial. Albert was a volunteer for the program in 1995.**ACTION REQUESTED:** Motion to accept donation of \$653 from the Albert Thiesfeld memorial.**FUNDING**

County Dollars =	\$	
Other Sources & Amounts =		
Donations	=	\$653.00
TOTAL	=	\$653.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Reviewed by Division Director

Date: 7/03/2007



REQUEST FOR BOARD ACTION

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

Originating Division: Property Records Taxpayer Services Meeting Date: July 24, 2007
 Amount of Time Requested: 0 minutes Attachments for packet: Yes No
 Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: A Charitable Gambling application was received from West Metro Chapter Delta Waterfowl. They want to hold a raffle on Thursday, August 23, 2007, at Lakeside Ballroom, 8155 Paradise Lane, Waconia, MN 55387.

ACTION REQUESTED: See Attached Resolution.

FUNDING

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

FISCAL IMPACT

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

Related Financial Comments:

Reviewed by Taxpayer Services Manager

Date: 7-5-07

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

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

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

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

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

Adopted on 2003.

Attest:

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the ____ day of _____, 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.

David Hemze, Carver County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Juvenile Acctountability Block Grant Acceptance & Resolution

Originating Division: Sheriff

Meeting Date: 7/10/07

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: For the past several years Carver County has been awarded a Juvenile Accountability Block (JAB) Grant from the MN Department of Public Safety - Office of Justice Programs.

The Carver County Sheriff's Office was again awarded the JAB Grant for July 1, 2007 - June 2008 for the amount of \$12,713 with a match of \$1413. The amount awarded will be used to supplement the current 0.6 FTE Restorative Practices Coordinator position within the Sheriff's Department. The Coordinator is responsible for coordinating community based restorative conferences between juveniles offenders, victims of crime, as well families and any affected community members. The Coordinator is also responsible for training volunteers in facilitating the restorative confereces to help sustain the program in the absense of funding.

The MN Department of Public Safety sent three copies of the grant to be executed.

ACTION REQUESTED: Be it resolved that Carver County will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety.

(Resolution authorizing Execution , attached to the agreement, must be signed)

FUNDING

County Dollars =	\$1413.00
Other Sources & Amounts =	
JAB Grant	= \$12,713.00
TOTAL	= \$14,126.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Financial accounts already set up in 01-201-232-0000-XXXX.

**RESOLUTION AUTHORIZING EXECUTION OF
AGREEMENT**

Be it resolved that Carver County Sheriff's Office will enter into
(Name of your organization)
a cooperative agreement with the Office of Justice Programs in the
Minnesota Department of Public Safety.

Gayle Degler, Chair is hereby authorized to execute
(Title of authorized official)
such agreements and amendments, as are necessary to implement
the project on behalf of Carver County Sheriff's Office
(Name of your organization)

I certify that the above resolution was adopted by the

Carver County Board of Carver County on
(Executive Body) (Name of your organization)

_____ (Date)

SIGNED:

WITNESSETH:

_____ (Signature)

_____ (Signature)

Chair

_____ (Title)

_____ (Title)

_____ (Date)

_____ (Date)



REQUEST FOR BOARD ACTION

AGENDA ITEM: Accept donation of 2 Valley Fair Tickets

Originating Division: Employee Relations

Meeting Date: 7/24/07

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: Valley Fair has given the Carver County Employee Club two free admission tickets in appreciation for selling employee discount tickets. These tickets are valued at \$23.50 each. Request that the Carver County Board of Commissioners accept the donation. The Carver County Employee Club will hold a drawing at our next Employee Club event to distribute these tickets.

ACTION REQUESTED: Request approval to accept the donation of 2 tickets for Valley Fair.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: 0

 Reviewed by Division Director

Date: 7/2/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution to Support Local Planning Assistance Grant

Originating Division: Land Water Services

Meeting Date: 24 July 2007

Amount of Time Requested: NA

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: During the 2007 session, the MN Legislature authorized the Metropolitan Council to distribute up to \$1 million to eligible jurisdictions for assistance in completing Comprehensive Plans. Carver County is eligible to apply for a \$50,000 grant. Attached is a required resolution which authorizes the Land & Water Services Division to submit an application to the Metropolitan Council for Local Planning Assistance grant funds and to execute grant agreements and other documents as may be necessary to implement the project on behalf of the County. A workplan will be developed as part of the grant agreement and will be presented to the Board upon awarding of the grant. Funds will be used for professional assistance and staff time towards the natural resources, historic resources, transit, public safety, land use & economic development elements of the plan.

ACTION REQUESTED: Motion to adopt resolution to submit an application to the Metropolitan Council for Local Planning Assistance grant funds towards completion of the 2030 Comprehensive Plan and approving the following budget amendment contingent upon receipt of the grant:

Increase 01-123-000-1545-5285 by \$50,000 and Increase 01-123-000-1545-6260 Professional Services by \$50,000.

FUNDING

County Dollars = \$0
Other Sources & Amounts =
Met Council Local Planning Grant = \$ 50,000
TOTAL = \$50,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date: 17 July 2007

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

Date: July 24, 2007

Resolution #

Motion by Commissioner
Seconded by Commissioner

**A Resolution to Identify the Need for Funding to Complete its 2030 Comprehensive Plan and Authorizing
and Application for Local Planning Assistance Grant Funds**

WHEREAS, Carver County must review and update its comprehensive plan as required by the “decennial” review provision of MN statutes section 473.864, subdivision 2, and;

WHEREAS, in 2007, the Metropolitan Council adopted need-based eligibility criteria for awarding available local planning program assistance and established maximum grant amounts for eligible grantees to help review and update their comprehensive plans as required by the “decennial” review provision of MN statutes section 473.864, subdivision 2, and;

WHEREAS, Carver County is an eligible County in the metropolitan area as defined in MN Statutes section 473.121 and the grant criteria.

THEREFORE, BE IT RESOLVED, THAT The Carver County Board of Commissioners, hereby authorizes the Land & Water Services Division to submit, on behalf of the County, an application to the Metropolitan Council for Local Planning Assistance grant funds for the decennial review and update of the City’s local comprehensive plan required under MN statutes section 473.864; and execute such agreements as may be necessary to implement the project on behalf of the County.

YES

NO

ABSENT

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 24th day of July, 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.

David Hemze, County Administrator

BUDGET AMENDMENT REQUEST FORM

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

DEPARTMENT: Land and Water Services

DATE: 7/24/07

Revenue

Description of Account funds are to be transferred from:	Amount	Description of Account funds are to be transferred to:	Amount
Grants	\$ 50,000	Professional Services	\$ 50,000
TOTAL:	\$ 50,000	TOTAL:	\$ 50,000

A. Reason for Request: See Board Action.

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

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

D. Contingency Acct. Current Bal.:

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

F. Requested By:

G. Recommend Approval: Finance Director

H. County Board Decision: Approval/Disapproval



REQUEST FOR BOARD ACTION

AGENDA ITEM : .8 Part Time Sheriff's Office 9-1-1 Dispatcher

Originating Division: Sheriff

Meeting Date: 07-24-07

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: Currently the Sheriff's Office 9-1-1 Communications Center utilizes On Call personnel to assist in coverage of the dispatch center. We are working with Employee Relations regarding the Public Employee Relations Act (PELRA) and are requesting a .8 Part Time 9-1-1 Dispatcher to be added effectively immediately due to service demands being placed on the center.

ACTION REQUESTED:

FUNDING

County Dollars =	\$14,999
Other Sources & Amounts =	
	= \$
TOTAL	= \$14,999

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: In the past we have utilized dollars allocated for Sheriff's Office FTE's not filled to accommodate the on call personnel expenditures in Communications. The designated .8 PT would be funded beginning July 30, 2007 for a cost of \$14,999 through these resources.

Reviewed by Division Director

Date: 07-18-07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Re-Alignment of Job Duties and Responsibilities

Originating Division: Sheriff

Meeting Date: July 24, 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: With the retirement of our Administrative Services Manager, we are looking at ways to redistribute a heavy work load assigned to this position. We are also responding to the changing needs of our Emergency 9-1-1 system by creating a management position that will be directly responsible for our Emergency Communications Center.

Since 1999, each time a vacancy occurs in the Sheriff's Office, we evaluate the need for the position, the work load of the position, and the needs of the Office. We have routinely requested changes to our table of organization to meet the work load needs of the daily operations. This re-alignment is consistent with our internal process.

The new table of organization (8/2007) will vacate the Administrative Coordinator/Records Manager position and create a Manager of Communication Services. The current duties of the Administrative Coordinator/Records Manager will be redistributed to the Administrative Services Manager position. The Commander of Jail and Administrative Services will oversee these positions.

ACTION REQUESTED: County Board to adopt the re-alignment of job duties and responsibilities

FUNDING

County Dollars = \$3,324.00

Other Sources & Amounts =

= \$

TOTAL

= \$3,324.00

FISCAL IMPACT

None

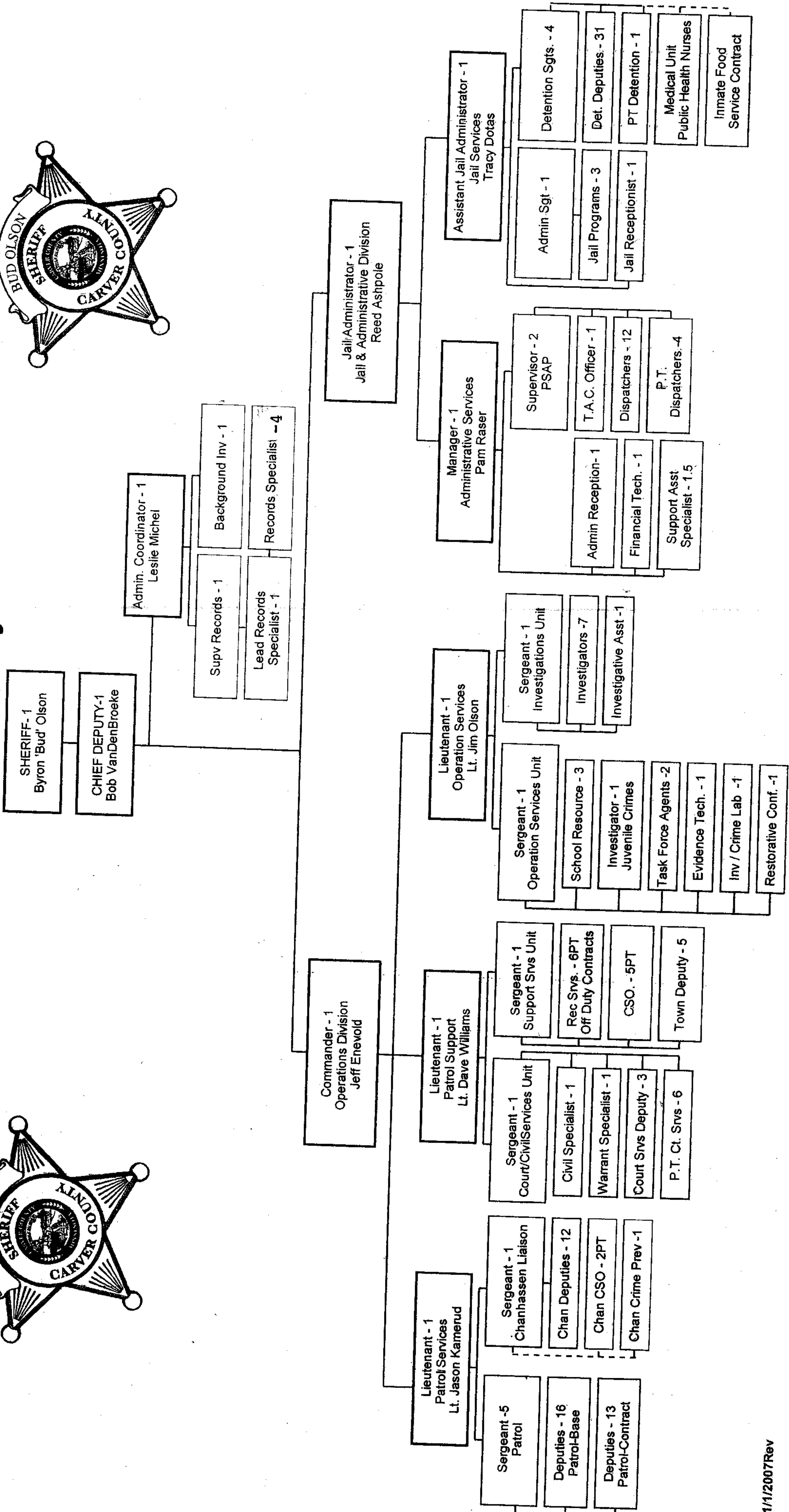
Included in current budget

Budget amendment requested

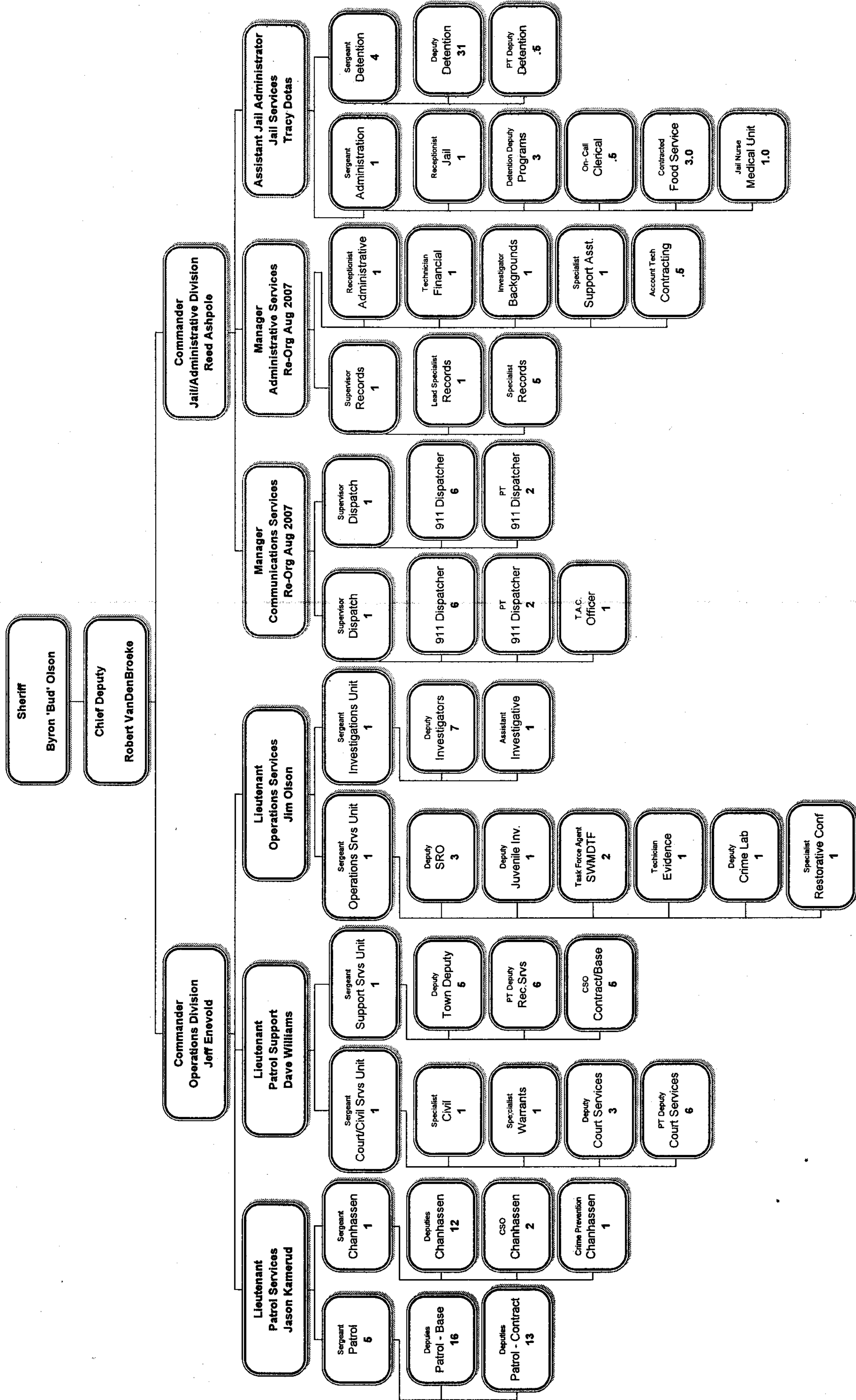
Other:

Related Financial Comments: Financial impact will be approx. \$3,324.00.

OFFICE OF THE SHERIFF Carver County



Office of the Sheriff Carver County



Red = Reclassification Positions
Blue = Indirect Reports

Draft



REQUEST FOR BOARD ACTION

AGENDA ITEM : Public Hearing on NPDES Phase II Annual Report for Carver County

Originating Division: Land Water Services

Meeting Date: 24 July 2007

Amount of Time Requested: 5 min

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: As required by a 1987 amendment to the federal Clean Water Act, Carver County submitted an application to receive a general permit to discharge stormwater in June 2006. This permit requires an annual report and public hearing on the Stormwater Pollution Prevention Plan (SWPPP) developed as a part of the permit application. Attached is a summary of the SWPPP. The annual report will be submitted after consideration of any public comments received.

ACTION REQUESTED: Open public hearing to consider the Stormwater Pollution Prevention Plan. Motion to close public hearing. Authorize signature of the Carver County NPDES Phase II permit 2006 annual report by the County Board Chair and approve submittal of the report to the MN Pollution Control Agency.

FUNDING

County Dollars = \$0

Other Sources & Amounts =

= \$

TOTAL

= \$0

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date:

Carver County 2006 NPDES Phase II Stormwater Pollution Prevention Plan (SWPPP)

Best Management Practices (BMP) Summary

(The following have been developed for each of these BMP Activities: an implementation schedule, measurable goals, responsible department & position, and Audience/Educational Goals if applicable. These details are not included in this summary but are available upon request.)

- 1) BMP Activity Title:** Presentations to Local Government Units in the Carver County Water Resource Management Area

Description: Carver County staff will give presentations to LGUs regarding the Carver County Water Management Plan and the Water Rules. The presentations will include both locally developed materials and MN PCA BMP Manual components.
- 2) BMP Activity Title:** Regular News Releases

Description: Carver County will publish educational news articles, releases and other print materials that are aimed at a broad audience. These materials could include educational material related to any of the 6 Minimum Control Measures.
- 3) BMP Activity Title:** Shoreland Education Program

Description: Carver County will coordinate education programs for citizens in targeted watersheds of residential lakes. Among the topics addressed will be BMPs including nutrient use, storm water control and vegetation management. This program may also include the existing U of M Extension Volunteer & Revegetation workshops.
- 4) BMP Activity Title:** Metro Children's Water Festival

Description: Carver County will assist in the coordination of and make available to schools in Carver County, this interactive educational program for K-12 schools. The Metro Children's Water Festival provides interactive learning for students and teachers about the value, management and conservation of water resources.
- 5) BMP Activity Title:** Clean & Green Urban BMP Campaign

Description: Carver County will provide delivery of education in various formats in regards to Urban Best Management Practices. Areas of focus will include zero/low phosphorus fertilizer use and implications, individual home lot storm water BMPs and other efforts focused on individual homeowners.
- 6) BMP Activity Title:** Sixth Grade Conservation Days

Description: Carver County and the Carver Soil and Water Conservation District will coordinate an outdoor, hands-on, interactive learning event for 6th grade students in the county. Topics addressed will include water management, soils, conservation, wildlife, recycling, waste and forestry.
- 7) BMP Activity Title:** Volunteer Stream Monitoring Program

Description: Carver County will coordinate and implement a volunteer stream monitoring program with area high schools and other community organizations. The stream monitoring activities will include biological, chemical and natural resource community assessments.
- 8) BMP Activity Title:** Water, Environment and Natural Resources citizen advisory Committee

Description: The citizen advisory committee was established for the development and implementation of the Carver County Water Management Plan. Members are appointed by County Commissioners and serve for 3 years. The committee meets quarterly with subcommittees meeting more often. All meetings are open to the public. The Carver County SWPPP will be addressed at a committee meeting

annually. County policies for public notice will be followed.

- 9) **BMP Activity Title:** Regulation of Individual Sewage Treatment Systems (ISTS)
Description: In accordance with the Water Management Plan, Carver County will implement and enforce the existing ISTS ordinance. This ordinance regulates the design, location, installation, construction, alteration, extension, repair and maintenance of ISTSs. The ordinance includes a "point-of-sale" provision which requires that ISTSs must be inspected and, if necessary, repaired when the property is sold.
- 10) **BMP Activity Title:** Implement ISTS Monitoring Program
Description: The monitoring system is incorporated with the County Property Information System which the County will maintain. The County will distribute ISTS pumping notices on a continual 3 year schedule with one-third of owners notified each year.
- 11) **BMP Activity Title:** Pursue and obtain financial assistance opportunities for ISTS owners.
Description: There are several possible sources of financial assistance available for owners of ISTSs. The main source of funding is the Revolving Loan Fund administered by the County with start-up funds from the Department of Agriculture. The Carver SWCD also allocates funds for ISTS upgrades. The County will pursue additional funding for owners as opportunities arise.
- 12) **BMP Activity Title:** Illegal Solid Waste Dumping
Description: Carver County will enforce the existing Solid Waste Ordinance including the illegal dumping provision. The County will respond to illegal dumping when alerted by submissions on its website or by calls to a toll-free number. The County will also provide cost-share to homeowners cleaning up illegal dumps on private property.
- 13) **BMP Activity Title:** Implement Hazardous Waste Ordinance
Description: Carver County will implement its Hazardous Waste Ordinance which addresses hazardous waste generation from businesses to ensure proper management of hazardous waste.
- 14) **BMP Activity Title:** Monitor & Inspect feedlots
Description: Carver County will continue to monitor and inspect feedlots to insure compliance with the existing feedlot ordinance and to minimize potential surface water pollution.
- 15) **BMP Activity Title:** Carver County Environmental Center
Description: In an effort to provide alternatives to illegal dumping of hazardous materials, Carver County operates a recycling center where residents can drop off household hazardous wastes, recyclable materials, yard waste and special wastes such as appliances, tires and electronic goods.
- 16) **BMP Activity Title:** Used Oil Recycling
Description: Carver County will provide opportunities for used oil recycling to residents throughout the county.
- 17) **BMP Activity Title:** Administer Community Grant Program
Description: Carver County will provide grant funds to cities and townships in the County to be used for Community Clean-up Days or similar activities.
- 18) **BMP Activity Title:** Monitor Water Quality
Description: Carver County will conduct regular water quality monitoring. Ecoregion standards

will be used to compare stream data collected with ranges that are expected within the Carver County Water Resource Management Area (CCWRMA). Various simple methods will be used to assess the quality of lakes with the CCWRMA.

19) BMP Activity Title: Implementation of Carver County Water Resource Management Area (CCWRMA) Rules

Description: Carver County will enforce and implement the CCWRMA Rules adopted January 20, 2006. These rules apply to construction projects in the entire Carver County Water Resource Management Area. There are detailed erosion control and stormwater management provisions in the Rules. See attachments. Portions of the urbanized area of the County are within other watershed jurisdictions. Construction projects in these areas are subject to the requirements of those jurisdictions or LGUs.

20) BMP Activity Title: Update Carver County Water Management Plan

Description: The current Carver County Water Management Plan was adopted in 2001 with the intent of adopting an update within a 5 year time frame. The Plan will be updated by 2007 to add a capital improvement plan, to address NPDES and any adopted TMDL's and to include other suggestions from the Water, Environment and Natural Resources committee, the County Board, citizens, and LGUs.

21) BMP Activity Title: Coordinate with Carver Soil & Water Conservation District

Description: Carver County will coordinate with the Carver Soil & Water Conservation District (SWCD) for the implementation of the Carver County Water Resource Management Rules. The Carver SWCD will provide technical assistance in the development of erosion and stormwater controls. The Carver SWCD will also monitor development sites for compliance with the erosion control standards of the Rules.

23) BMP Activity Title: Website development

Description: Carver County Planning and Zoning will develop and maintain a website on which a variety of water related material will be available.

24) BMP Activity Title: Storm Water System Map

Description: Carver County will create a map of the County owned storm water conveyance system, including the County owned highways and parks. The County will coordinate the mapping of the system with cities and townships within the County.

25) BMP Activity Title: County Highway Sweeping

Description: Carver County will ensure that urban sections of County highways will be pick-up swept annually. Rural sections will be swept to shoulder.

26) BMP Activity Title: Road Salt and Stockpile Storage

Description: Carver County will review and assess current practices of road salt storage and Handling as well as exposed stockpile storage and material handling areas. Based on the review, the County will develop and implement best management practices.

27) BMP Activity Title: Road Salt Application

Description: Carver County will review current practices of road salt applications in relationship to alternative products, calibration of equipment, inspection of vehicles, and staff training. Based on results of the review, recommendations for future practices will be developed.

- 28) BMP Activity Title:** Public Works Used Oil Recycling
Description: Carver County will review current practices in the disposal of used oil from vehicles maintained by Public Works.
- 29) BMP Activity Title:** Public Works Vehicle and Equipment Maintenance
Description: Carver County will review current practices to protect against spills and leaks during the maintenance of vehicles and equipment. Based on the review, the County will make any recommended changes in practices.
- 30) BMP Activity Title:** Public Works Vehicle and Equipment Washing
Description: Carver County will review current practices to control runoff from the washing of vehicles and equipment. The County will construct an indoor vehicle wash bay which drains to the sanitary sewer at the Public Works Headquarters site near Cologne, MN.
- 31) BMP Activity Title:** Landscaping and Lawn Care Practices
Description: Carver County will evaluate current practices in the use of fertilizer application, pesticide and herbicide application, mowing and discharge operations, grass clipping collection, mulching and composting for County parks and highways. Based on the evaluation, Carver County will develop best management practices to prevent storm water pollution.
- 32) BMP Activity Title:** Training for Public Works staff
Description: Carver County will provide its Public Works department staff with training in locating, inspecting, and installing construction site erosion control measures consistent with best management practices.
- 33) BMP Activity Title:** Quality of Life Report
Description: Carver County will coordinate with U of M Extension to continue to produce and update the Quality of Life Indicators report. This report tracks data relating to a variety of indicators, including water resource indicators, for informational and decision-making purposes. The original report was adopted in 2000 and will be updated in 2003. Carver County will update the QOL indicators every two years and update the data annually.
- 34) BMP Activity Title:** Carver County citizen survey
Description: County-wide citizen surveys were conducted in 1997 and 2001. Some questions on the survey addressed water resource concerns, perceptions, etc. The County's intent is to continue surveying citizens for a variety of issues including water resource related topics.
- 35) BMP Activity Title:** Joint Agencies Members (JAM)
Description: Joint Agencies Members is an informal group of department, agency and organizational members who work in and around Carver County on issues and projects that often have overlapping roles. The most significant of these are associated with land and water resources, rules, plans and projects.
- 36) BMP Activity Title:** 20% Inspections
Description: Carver County will work with the cities within its urbanized area to ensure that 20% of outfalls, sediment basins and ponds are inspected each year of the permit.

2005 ENVIRONMENTAL EDUCATION ACCOMPLISHMENTS:

K12 Environmental Education Programs:

- **Wetlands Education Program** – Coordinated the delivery of 6 days of program. Revised 1 of the 4 curriculums for the Program. 509 6th grade participants this fall.
- **NYA Summer Day Camp** – Provided 1 day of water education instruction for the Annual NYA Summer Day Camp Program 100 participants.
- **Volunteer Stream Monitoring Program** – continued to coordinate our involvement of one high school team from Chaska High School (~50 students per year). Assisted in the coordination of Metro wide VSMP Programs and the Annual River Summit - ~200 participants.
- **Metro Children's Water Festival (CWF)** co-coordinated the 2005 CWF, serving predominately as volunteer coordinator (125 volunteers). CWF served +1300 5th graders. Carver County participants ~250 participants: Guardian Angels, Chaska Elementary, and St. Bernard's.
- **Best Practices for Environmental Field Day Programs** – Assisted in the coordination and instruction at 2 State workshops (60 participants), participated in the Program Team in publishing the Curriculum, Guidebook, and CD ROM. Assisted in the evaluation components, and other Team activities.

Water Quality Education:

- **TMDL Public Input Forums** – *Total Maximum Daily Load Water Quality Standards* – coordinated 4 public input forums for these plans. +150 local citizens participated. Public input incorporated into final TMDL Plans.
- **Watershed Education KIOSK** – coordinated a pilot program for the KIOSK Program. Currently still being housed at the Chaska Library. 3400 recorded visitors to date.
- **Carver County Fair Education Building** – coordinated Carver County Services Building with County Administration.
- **Water, Environment, and Natural Resource Tour for Decision Makers** – September 2005. 25 participants.
- **Crane Creek Watershed Restoration Projects** – coordinated citizen input forums and meetings. Assisted with project management and grant applications. 25 citizens and 10 staff.
- **Metro WaterShed Partners** – in 2005 I have served as the Partnership Coordinator while also serving as one of Carver County's representatives. Development of urban clean water messages: brochures, posters, print, and radio PSA's. Coordinated Watershed Exhibit at the State Fair.
- **Stormwater Infiltration & Biofiltration Workshop** – Chaska – March 2005. 63 participants: contractors, developers, engineers, and LGU staff



REQUEST FOR BOARD ACTION

AGENDA ITEM : Creation of a Land & Water Services Education Coordinator Position to replace the Extension Educator

Originating Division: Land Water Services

Meeting Date: 24 July 2007

Amount of Time Requested: 10 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: John Bilotta, who held the Environmental Education Coordinator Extension Educator position here recently moved to another job within Extension, leaving the position vacant. Division staff met several times to determine whether to request another Extension Educator or to create a position within LWS to perform this function. After much discussion Division staff felt that the Division's needs could best be met by a position within the Division. The Extension Educator position is funded in part by County Extension from the County Grant to Extension. The remainder of the position is funded by Land & Water Services funds from a grant and the WMO levy. The position has been graded at level 13. The cost of the County position is a bit lower than that of the Extension Educator. This position will not result in an increase in expenditures – approval of the position would result in a shift of expenditure from the Extension budget to the LWS budget.

One of the concerns with the proposed change expressed both by LWS staff and the Extension committee was the loss of the connections to the Extension system. The Extension Educator (Bilotta), was the principal connection to Extension. A more direct connections between LWS and Extension is proposed – creation of a position on the WENR Committee for the Extension Committee, involvement of the Committee in the development of the annual education work plan, maintain direct communication between LWS and Extension.

The education coordinator position is essential to several current activities - 6th Grade World of Wetlands at the Arboretumem, Children's Water Festival, TMDL landowner meetings and education, etc. The 2007 extension and LWS budgets funded the Extension Educator position for all of 2007. These funds have not been expended since Mr. Bilotta left at the end of April. This request includes a provision to transfer 3 months of unexpended funds from the Extension budget to LWS to fund the LWS Educator position from an expected hire date of 1 October to the end of the year. The Extension and LWS budget requests for 2008 would be adjusted to reflect the change.

I have attached for your information a letter from Cliff Johnson, Extension Committee Chair and my letter to Pat Morreim & the Extension Committee regarding this matter.

ACTION REQUESTED: Motion approving creation of the LWS Education Coordinator position in the Land & Water Services Division; authorizing hiring of the position and transferring \$15,600 from the 2007 Extension budget for salary for the remainder of the year.

FUNDING

County Dollars = \$70,000
Other Sources & Amounts =
= \$
TOTAL = \$70,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Funding for the Extension Educator position is already included in the 2007 budget and the 2008 budget request. Establishment of the LWS position would not result in an overall increase in in the 2008 budget request; the change would be a movement of funds from Extension to LWS.

Reviewed by Division Director 

Date: 16 July 2007

BUDGET AMENDMENT REQUEST FORM

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

DEPARTMENT: Land and Water Services

DATE: 7/24/07

Revenue

Description of Account funds are to be transferred from:	Amount	Description of Account funds are to be transferred to:	Amount
MN Extension Salaries	\$ 15,600	LWS Salaries	\$ 15,600
TOTAL:	\$ 15,600	TOTAL:	\$ 15,600

A. Reason for Request: See Board Action.

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

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

D. Contingency Acct. Current Bal.:

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

F. Requested By:

G. Recommend Approval: Finance Director

H. County Board Decision: Approval/Disapproval



**Land & Water Services Division
Carver County Government Center
600 East 4th Street
Chaska, Minnesota
(952) 361-1820 fax (952) 361-1828**

Date: 9 July 2007

Patricia A. Morreim
Regional Director, Andover
University of Minnesota Extension
Andover Regional Center
550 Bunker Lake Blvd. NW Suite L-1
Andover, MN 55303

Subject: Carver County Environmental Educator Position

Pat,

As you know from our conversations, I have decided to pursue the creation of an Environmental Education Coordinator as a County position as opposed to requesting another Extension Educator to replace John Bilotta. I would like to express my regret to you and the Extension Committee over how this matter has unfolded.

When John announced his departure, we had a number of meetings with the staff responsible for the various Land & Water Services Division programs that John worked with – Planning & Water Management, Environmental Services, and SWCD. We weighed a variety of options and considered their advantages and disadvantages. Based on staff input, I decided to pursue the option of a County position and begin discussions with you, Renee Pardello and the Extension Committee. Unfortunately this decision was made late in the day before the Committee's last meeting and wasn't well communicated to the Committee. I have since had the opportunity to discuss this with both you and Renee, but unfortunately not the Committee. If a Committee member wishes to discuss this matter I would be happy to meet with them at their convenience.

The proposed change is clearly not intended to reduce educational efforts. Education is critical not only to the Water Management Plan but also to other areas of Division responsibility such as Solid Waste and Recycling. I realize that by internalizing the position we lose the connections to Extension John Bilotta provided. The proposed change provides the opportunity to establish a more direct relationship between the Division and Extension. I am proposing the following actions to maintain an effective relationship between the Division and Extension:

- Request the County Board establish a seat on the Water, Environment, & Natural Resources (WENR) Committee for the Extension Committee or their designee.
- Involve the Committee in the development of the annual educational work plan;
- Attend Extension Committee meetings and provide quarterly or otherwise agreed upon updates on educational activities.

- Ensure that the Education Coordinator maintains a productive relationship with Extension.
- Explore other opportunities for cooperation between Land & Water Services and Extension.

At this time I plan on going to the County Board with the request to make the position a County position on July 24th. The request will include a request to allocate that portion of the 2007 Extension budget necessary to pay the pro rated cost of the position from date of hire to the end of the year. Based on an October 1 hire date, \$15,600 is requested to be allocated from Extension to Land & Water Services. The LWS and Extension 2008 budget requests would also need to be adjusted to reflect the change. I propose a transfer of \$52,600 from the Extension request of \$65,600 to the LWS 2008 budget request. The difference between the 2008 request and the proposed transfer is \$13,000 – this reflects the funds that the Extension Committee has allocated to make up for the loss of U of M Water Resource Center funding since 2005.

Assuming the request is approved, we would move immediately into the hiring process. I would welcome Extension involvement in the selection process. John Bilotta's involvement would be appreciated as would the participation of you, Renee or Extension Committee members as appropriate.

I would like to attend your September Extension Committee meeting to address any concerns the Committee members may have. I would also like to discuss how LWS and Extension can continue to work together to meet the County's education needs. Please advise me of the meeting schedule.

Sincerely,

Dave Drealan, LWS Director

cc: Extension Committee, Renee Pardello, Steve Taylor

Dave Drealan

From: Cliff Johnson [cliffjohnson1@mac.com]
Sent: Friday, July 13, 2007 8:41 PM
To: Dave Drealan
Cc: Steve Taylor; Dave Hemze; Pat Morreim
Subject: Carver County Environmental Educator Position

Attention: Dave Drealan, LWS Director

Thank you for your 9 July 2007 letter to Pat Morreim outlining Carver County's plans for the Environmental Education Coordinator position.

Our Extension Committee would prefer that this position continue as an Extension position. We understand the county's rationale for making this a LWS position, however, and accept your decision that this alignment is best for the county.

We appreciate your department's recognition that the \$13,000 is an Extension Committee allocation and that it will remain a part of the Extension Committee budget, to be used to fill programming gaps left by John Bilotta's departure and/or to support other educational programs.

We look forward to developing a productive working relationship with the new county educator and will welcome him/her at future Extension Committee meetings.

Sincerely,
Cliff Johnson, Chair
UofM Extension Committee
Carver County



REQUEST FOR BOARD ACTION

AGENDA ITEM : Grant for Carver County Transit & Scott County Transit

Originating Division: Community Social Services

Meeting Date: 7/24/07

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: Carver County Transit along with Scott County Transit is requesting your approval to pursue a grant with the Metropolitan Council, that would allow the two properties to look at more cooperative efforts up to and including a merger of the two systems. The grant would allow for a way to pay for transition costs. We would apply for the grant in August 2007, with reimbursement from the grant to begin in April 2008.

ACTION REQUESTED: Motion to allow Carver County Transit and Scott County Transit apply for the grant.

FUNDING

County Dollars =	\$
Other Sources & Amounts =	200,000.00
	= \$
TOTAL	= \$200,000.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: No fiscal impact at this time until we find out if we received the grant.

Reviewed by Division Director

Date: 7/9/2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : Wheelage Tax

Originating Division: Financial Services

Meeting Date: 7/24/07

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: Wheelage Tax - See attached summary

ACTION REQUESTED: Consider adopting the attached resolution to authorize the imposition of a Wheelage Tax effective 1/1/08 to provide funding for approved but not yet funded ("pending") road and bridge expansion projects in the County's Capital Improvement Plan.

FUNDING

County Dollars =	\$
Other Sources & Amounts =	
W. tax	= \$315,000 *
TOTAL	= \$315,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other: 2008 Budget

Related Financial Comments: *Includes ongoing State administrative costs of approximately .12 (2.45%) for each Wheelage Tax collected. Does not include one-time State set-up fee that will not exceed \$43,000.

Reviewed by Division Director

Date: July 9th, 2007

RESOLUTION # _____

RESOLUTION AUTHORIZING IMPOSITION OF WHEELAGE TAX

WHEREAS, Carver County's transportation infrastructure forms the backbone of the county's economy and has a direct impact on future economic development; and,

WHEREAS, the County's 2007 highways and bridges five-year capital improvement plan has been significantly impacted by increasing costs and demands for new highways and identifies substantial needs for increased transportation funding to support implementation of the County's transportation plans; and

WHEREAS, Minn. Stat. § 163.051, subd. 1, provides, in part, that the board of commissioners of each metropolitan county is authorized to levy a wheelage tax of \$5.00 on each motor vehicle, except motorcycles as defined in Minn. Stat. § 169.01, subd. 4, which is kept in such county when not in operation and which is subject to annual registration and taxation under Chap. 168; and,

WHEREAS, wheelage tax monies collected for Carver County stay in Carver County; and,

WHEREAS, Minn. Stat. § 163.051 further provides that the board may provide by resolution for collection of the wheelage tax by county officials or it may request that the tax be collected by the state registrar of motor vehicles, and the state registrar of motor vehicles shall collect such tax on behalf of the county if requested; and,

WHEREAS, Minn. Stat. § 163.051, subd. 2, provides, in part, that the wheelage tax levied by any metropolitan county, if made collectible by the state registrar of motor vehicles, shall be certified by the county auditor to the registrar not later than August 1 in the year before the calendar year or years for which the tax is levied, and the registrar shall collect such tax with the motor vehicle taxes on the affected vehicles for such year or years; and,

WHEREAS, Minn. Stat. § 163.051, subd. 4, provides that the treasurer (Financial Services Division Director) of each metropolitan county receiving proceeds from the wheelage tax is to deposit such proceeds in the county road and bridge fund, which monies shall be used for purposes authorized by law which are highway purposes within the meaning of the Minnesota Constitution, Article 14; and,

WHEREAS, utilization of a user fee, such as the wheelage tax, would provide additional funding for the County's highway and bridges capital improvement plan, without increasing reliance upon the property tax; and

WHEREAS, the Carver County Board of Commissioners desires to implement such a wheelage tax and have the state registrar of motor vehicles collect the same.

NOW, THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby authorizes and imposes a wheelage tax as provided for in Minn. Stat. § 163.051 of \$5.00 for the year 2008 and each subsequent year thereafter, on each motor vehicle, except motorcycles as defined in Minn. Stat. § 169.01, subd. 4, which is kept in Carver County when not in operation and which is subject to taxation and annual registration under Chapter 168.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby requests that the wheelage tax be collected by the State Registrar of Motor Vehicles, as provided for in Minn. Stat. § 163.05, subd. 1.

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby directs the county auditor (Taxpayer Services Manager) to certify the tax to the State Registrar of Motor Vehicles for collection on or before August 1, 2007.

WHEELAGE TAX

Executive Summary

Transportation infrastructure is well recognized as being the backbone of the economy and having a direct impact on future economic development. For a growing county like Carver, financing and building a transportation infrastructure that will serve the needs of future residents for many years is a significant challenge and opportunity.

In the County's 5-year Capital Improvement Plan, "pending" expansions to the County's transportation infrastructure have been approved by the County Board (see **Exhibit A** for pending project map) but have a current funding gap of \$8 to \$10 million. This gap has been growing over the last few years as the cost and number of transportation projects has been increasing faster than available revenues. In addition, the County's Public Works Director has identified "emerging" transportation projects that may need to be considered by the County Board in the near future (see **Exhibit B** for emerging project map). The price tag and funding gap for these potential projects is not known at this time.

For Carver County, the wheelage tax would be expected to raise an estimated \$315,000 (see **Exhibit C**) for "pending" road and bridge expansion projects that have been approved but not funded in the County's Capital Improvement Plan.

7 County Metro Wheelage Tax Updates (Source: 7 County Metro Staff)

Washington, Dakota and Anoka County adopted the \$5 wheelage tax effective January 1, 2007 to address transportation funding shortages in their respective counties. The counties acknowledged that the wheelage tax was not adequate to meet their county's transportation needs but that it was a step in the right direction. Relatively few issues have arisen from the implementation of this new tax according to the County staff. Scott County Board is currently considering adopting the wheelage tax for 2008. Ramsey and Hennepin County staff have had initial discussions with their Boards but indicated that adopting a wheelage tax for 2008 is unlikely.

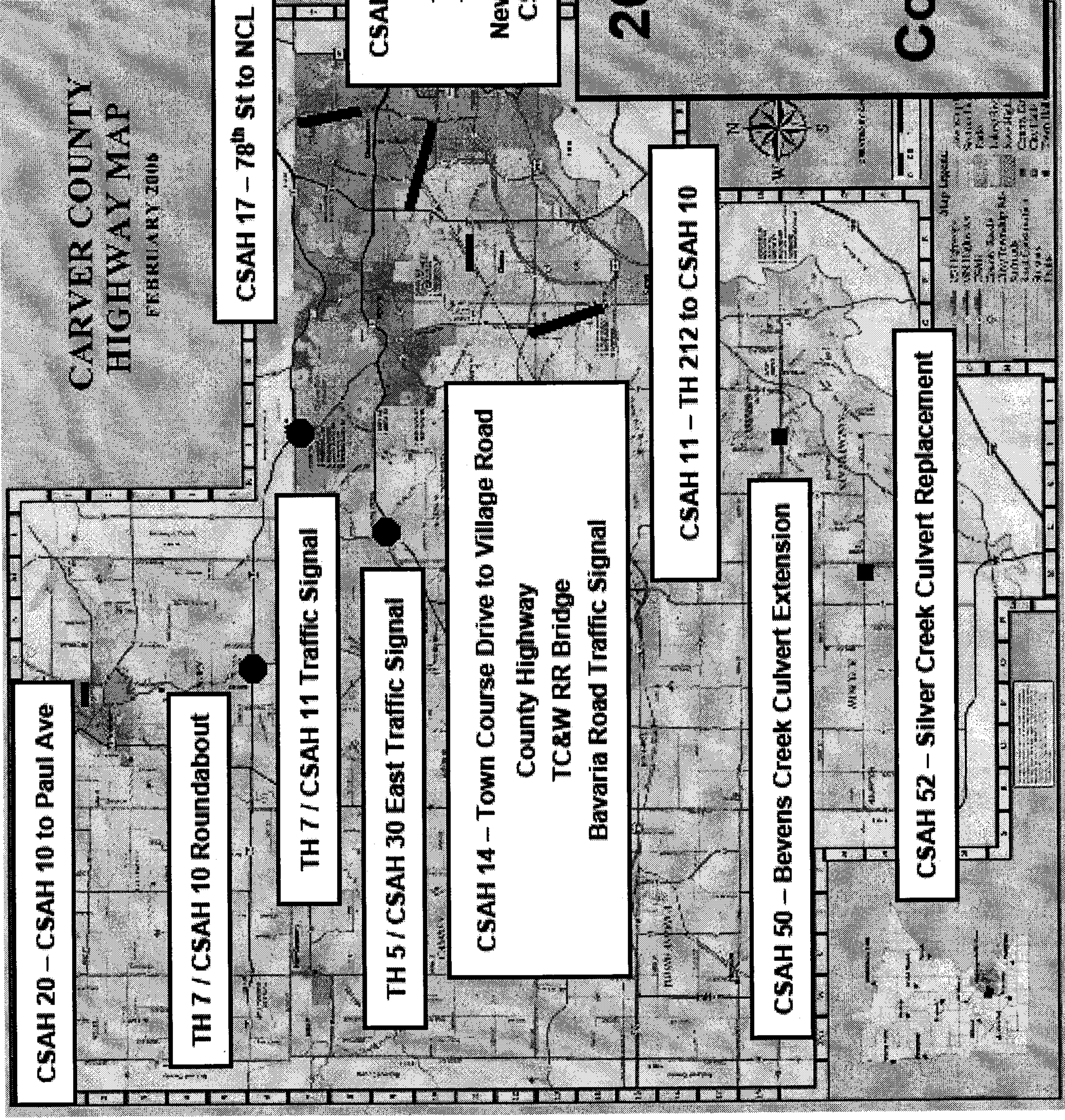
Arguments for the Wheelage Tax (Source: Dakota County Website)

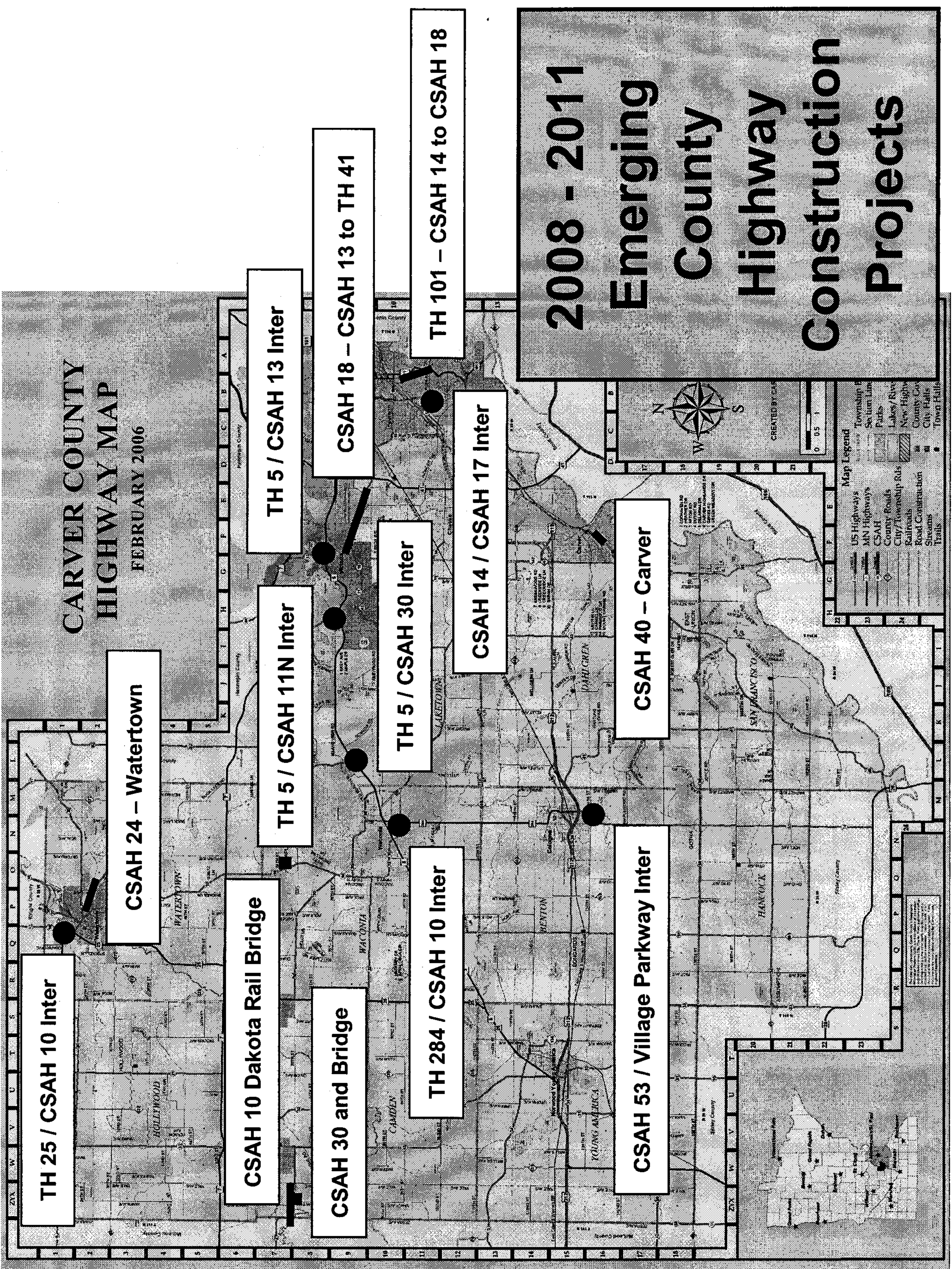
- ✓ Instead of relying on higher property taxes to address the transportation funding shortage, the wheelage tax is a "user fee". It is paid only by vehicle owners who use the roads.
- ✓ The wheelage tax proceeds will be used only for highway and bridge purposes and will offset the increasing use of property taxes for transportation improvements.
- ✓ The state sales tax on gas sold in the County returns very little revenue to the County. (Most of it goes to other parts of the state).
- ✓ The County will receive all funds from the wheelage tax except for administrative costs.

Arguments Against the Wheelage Tax (Source: Anecdotal)

- ✓ New taxes are generally not popular with taxpayers.
- ✓ The wheelage tax will not solve the County's transportation funding gap.
- ✓ Thus, overcoming the resistance to new taxes is not worth addressing only a portion of the County's transportation funding gap.

Frequently Asked Questions: See **Exhibit D** (Source: MN Driver and Vehicle Services)





MN DRIVER AND VEHICLE SERVICES 2006 DATABASE
CARVER COUNTY:

Exhibit C

DESCRIPTION	VEHICLE COUNT
PASSENGER*	49,870
PICK UP TRUCK*	11,541
DULUTH BUS*	0
BUS*	18
CLASS 2 CITY BUS*	0
RECREATONAL TRAILER	1,435
INTERCITY BUS*	0
MOTORCYCLE	3,264
RECREATIONAL VEHICLE*	354
SCHOOL BUS*	59
FARM TRUCK*	271
LARGE REC TRAILERS	0
PRORATE (MN TRAILER)	1
URBAN TRUCK	0
MOPED*	204
PRORATE TRUCK*	99
CONTRACT TRAILER	3,521
SEMI TRAILER	773
TRAILER (FARM)	43
COMM'L ZONE TRUCK*	0
VAN POOL*	2
COMMERCIAL TRUCK*	2,300
PRORTE FOREIGN TRUCK*	0
STATE OWN TAX EXEMPT	9
TAX EXEMPT	461
UTILITY TRAILER	14,319
STREET ROD	65
PIONEER	163
CLASSIC	7
COLLECTOR	1,630
MOTORCYCLE (CLASSIC)	82
NO REGISTRATION	0

CO -----
 COUNTY TOTAL 90,491

Est. Total subject to wheelage tax (*)	64,718
Est. Wheelage tax gross yield (\$5)	\$ 323,590
Approximate admin. costs (\$.12)	(7,928)
Est. Wheelage tax net yield (\$4.88)	<u>\$ 315,662</u>

Est. one-time participation fee(1) \$ 43,000

(1) Reimburse Dakota County who upfront paid the one-time cost for MN DVS to reprogram their computers to administer and distribute the wheelage tax. Amount could be less depending on participation by additional metro counties and a possible State contribution.

<p>What is a wheelage tax?</p>	<p>A wheelage tax is one levied by a metropolitan county board of commissioners on vehicles kept in their county. (Reference: Minnesota Statutes, section 163.051)</p>
<p>How does the county use the tax?</p>	<p>Wheelage tax funds are distributed to the appropriate county and are used for transportation needs, including highway preservation projects, expansion projects and transit improvement.</p>
<p>Is the wheelage tax permanent?</p>	<p>No. County boards can decide when the tax is no longer needed in their county.</p>
<p>To what types of vehicles does the tax apply?</p>	<p>The tax applies to vehicles that are required to be registered annually, such as passenger vehicles, mopeds, trucks and some trailers.</p> <p>Vehicles that do not require annual registration, such as semi-trailers or small utility trailers with lifetime registration do not pay the wheelage tax.</p> <p>Motorcycles are exempt from wheelage tax.</p>
<p>I live in Ramsey County but work in Anoka County, is the tax due?</p>	<p>No. The tax is based on where the vehicle is kept, not parked during the course of the day.</p>
<p>Can I get a refund if I move to a county that does not have a wheelage tax after I've already paid it?</p>	<p>No. The tax is due at the time of registration and is based on where the vehicle is kept at that time.</p>
<p>Do I need to pay the tax if I live in Washington County but my vehicle is kept at my cabin up north?</p>	<p>No, because the vehicle is not kept in Washington County. Indicate on your renewal notice that the vehicle is kept in the county where the cabin is located. If your renewal notice includes the wheelage tax, you may deduct it from the amount due.</p>
<p>Why does the tax only apply to vehicles kept in the counties of Anoka, Dakota, or Washington?</p>	<p>At this time, only these three metropolitan counties have elected to levy a wheelage tax.</p>
<p>I don't know which county I live in, can you tell me?</p>	<p>Yes. For a City/County listing click here.</p>



CARVER COUNTY

REQUEST FOR BOARD ACTION

AGENDA ITEM: Land acquisition purchase agreement for Chanhassen license center

Originating Division: Administrative Services

Meeting Date: July 24, 2007

Amount of Time Requested: 15 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Staff recommends approval of purchase agreement to acquire 42,253 square feet of land located at 7808 Kerber Blvd, Chanhassen, Minnesota for \$9.50 per square foot or a total of \$401,403.50.

Additionally the purchase agreement calls out for the County to pay certain costs related to the closing:

- 1) Title Insurance- the County is responsible for the cost of the title insurance policy: \$1,200
 - 2) Closing Costs- the County agreed to pay 1/2 of closing costs with the Seller paying the other 1/2: \$1,050.
- Examples of closing costs include state deed tax, title examination etc.

These costs are estimated at this point and we will not know the exact amount until we get closer to the actual closing date.

All of the costs itemized above are standard and customary. Therefore the total cost of land acquisition is about \$403,653.30.

The seller has agreed to be responsible for any special assessments on the property and the County would be responsible for special assessments levied subsequent to closing.

The County has contracted with a geotechnical engineering firm to provide soil borings for testing purposes; the firm has committed to a completion date of no later than July 31st. The title company has agreed to provide the necessary title insurance and title work in time for an early August closing assuming there are no issues with the soil investigation.

As discussed in prior meetings, the anticipated construction and project cost of a 5,000 s.f. facility would be approximately \$1,462,500 and a 10,000 s.f. is estimated to cost \$2,275,000. These costs also include "soft costs" such as furniture, fixtures & equipment, professional fees, Q-Matic software and hardware (to better manage the overall customer flow), contingency, permits, etc. The construction estimates exceed the available budget as indicated in the *Related Financial Comments* below. The funding source still needs to be determined by the Board, with recommended option being the YES account and/or bonding.

A determination has not been made at this writing whether the facility should be one or two stories. If it were assumed a commercial lease rate of \$17/s.f., the County could generate about \$7,100/month \$85,000 per year in rental income. I have spoken with the City of Chanhassen staff about assisting with possible tenants and have not heard back at this point.

Plans call for a drive-thru operation and a construction schedule of 9 – 12 months. We plan to hire a Construction Manager shortly who will provide the County with cost estimating, cost and schedule control, contract administration, document control, value engineering, quality control etc. The CM would also bid-out all the work for the new Chanhassen License Center, the Chaska License Center remodel/renovation effort as well as all the work associated with the Service Delivery Master Plan which includes the Government Center/Justice Center remodel and addition of new space.

ACTION REQUESTED: Motion to approve the purchase agreement to acquire the property at 7808 Kerber Blvd, Chanhassen, Minnesota for a total of \$401,403.50 with an additional \$2,250 for closing and insurance costs.

FUNDING

County Dollars =	\$403,653.30
Other Sources & Amounts = \$	
= \$	
TOTAL	=\$403,653.30

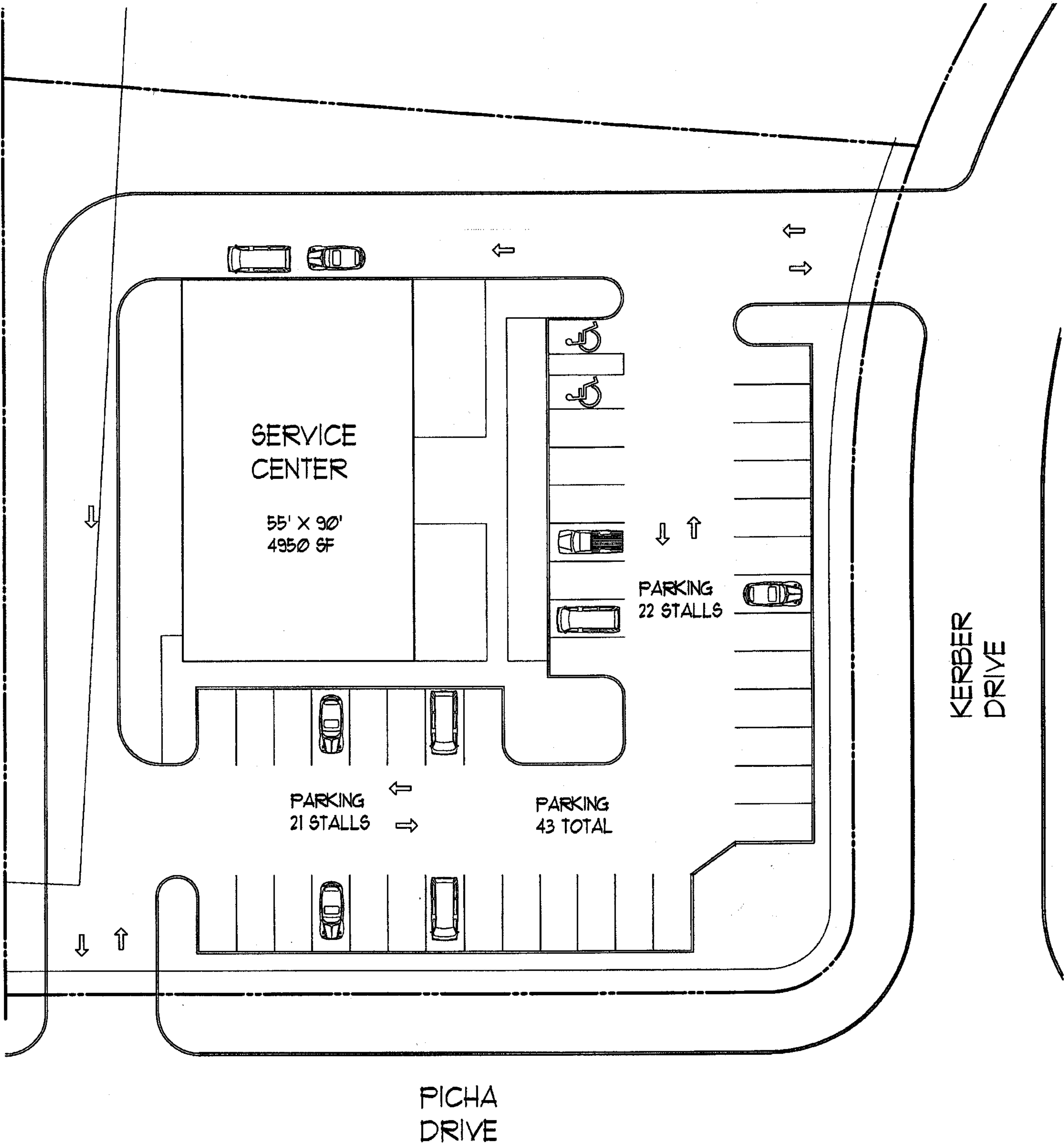
FISCAL IMPACT

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

Related Financial Comments: The original budgeted of \$1 million now stands at approximately \$550,000 once the land purchase agreement and architectural fees (contract approved by the Board last year) are accounted for.

Reviewed by Division Director

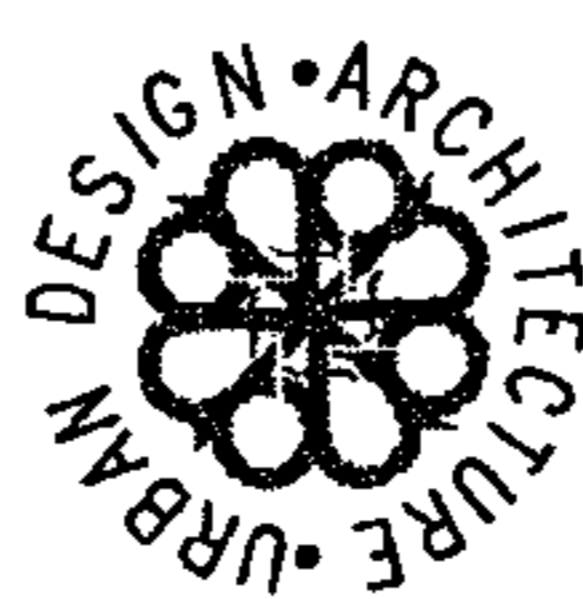
Date: 7/16/07



FREDERICK BENTZ / MILO THOMPSON / ROBERT RIETOW INC. 1123 IDS CENTER MINNEAPOLIS, MINNESOTA 55402 (612) 332-1234

BURDICK PARK ADDITION
SERVICE CENTER

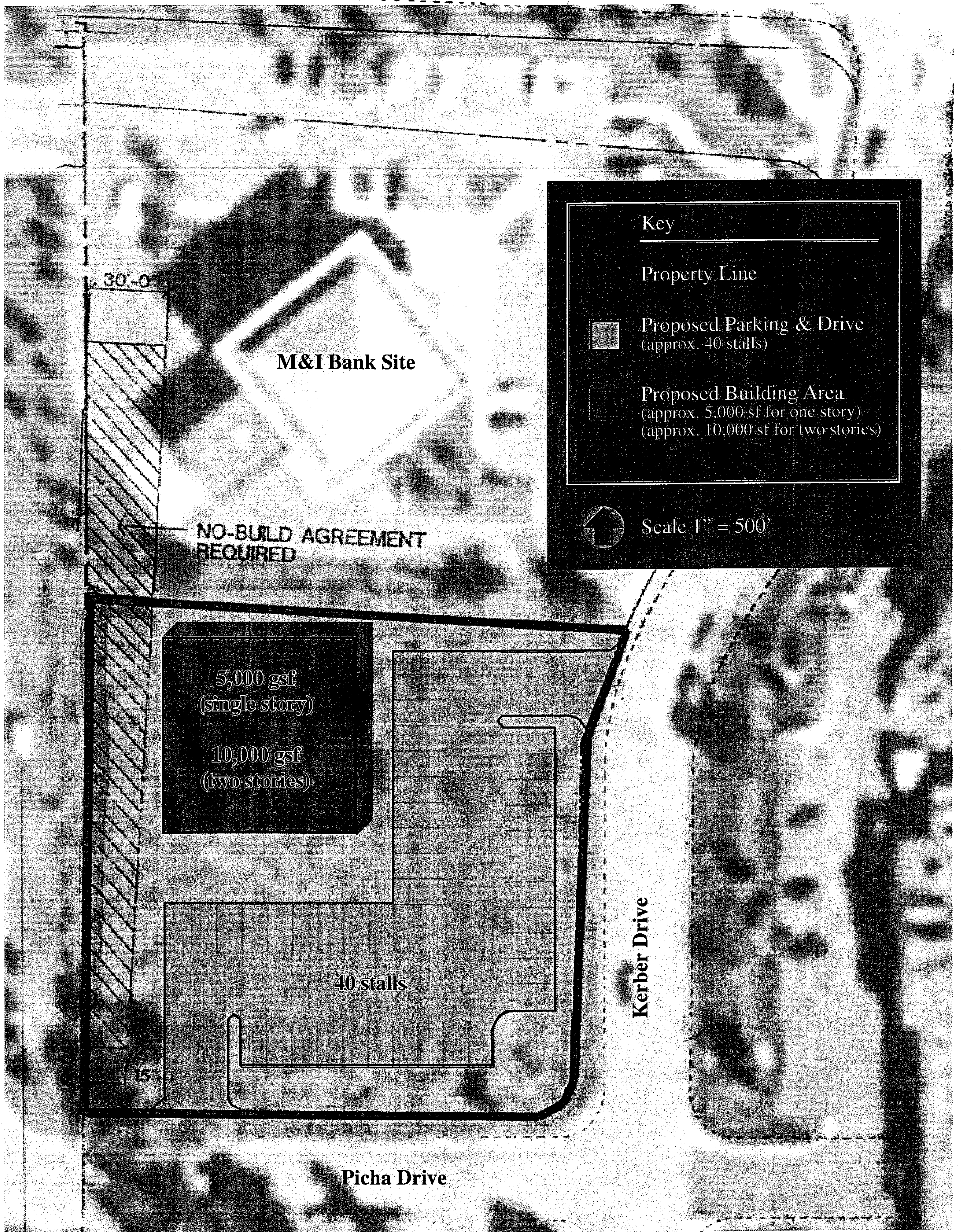
JUNE 26, 2007



SITE PLAN

0547







REQUEST FOR BOARD ACTION

AGENDA ITEM: Update on the hiring process for County Attorney

Originating Division: Employee Relations

Meeting Date: July 24, 2007

Amount of Time Requested: 10 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Provide an update on hiring process for the County Attorney.

ACTION REQUESTED: None

FUNDING

County Dollars = \$0

Other Sources & Amounts = 0

= \$0

TOTAL = \$0

Related Financial Comments: None

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: