

Carver County Board of Commissioners
 Regular Session
 June 12, 2007
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

			PAGE
9:00 a.m.	1.	a) CONVENE	
		b) <i>Pledge of Allegiance</i>	
		c) <i>Introduction of New Employees</i>	
	2.	Agenda review and adoption	
	3.	Approve minutes of June 5, 2007, Regular Session	1-6
	4.	Public participation (Comments limited to five minutes)	
	5.	Community announcements	
9:05 a.m.	6.	CONSENT AGENDA	
	6.1	Application for low impact conservation fund cost share	7-9
	6.2	Jail health nurse	10
	6.3	Professional services agreement with Wuetherich Excavating, Inc.	11-12
	6.4	Approval of tire clean-up grant with the Metropolitan Mosquito Control District	13
	6.5	Amendments to Municipal Solid Waste contracts.....	14-16
	6.6	Approval of Community grants for solid waste projects...	17-18
	6.7	TMDL Implementation plan and landowner incentives....	19-20
	6.8	Developer's contract for North Shore Farm	21-23
	6.9	Tobacco license.....	24
	6.10	Bridge replacement/rehabilitation funding and project Commitment	25-26
	6.11	2007 Roadside right of way weed spraying agreement	27
	6.12	Concurrence in award of bid for CSAH 15 expansion Project.....	28-29
	6.13	Addendum No. 1 to Joint Powers Agreement with Chaska CSAH 15 Expansion.....	30-31
	6.14	Community Social Services' warrants	NO ATT
	6.15	Commissioners' warrants.....	SEE ATT
9:05 a.m.	7.	PUBLIC HEALTH	
	7.1	Carver County Public Health Emergency Preparedness and Response.....	32

9:30 a.m.	8.	ATTORNEY	
	8.1	Request for full time permanent Attorney 1	33
9:35 a.m.	9.	PUBLIC WORKS	
	9.1	Mittelstaedt property acquisition	34-37
10:00 a.m.		ADJOURN AS COUNTY BOARD AND CONVENE AS	
		CARVER COUNTY REGIONAL RAIL AUTHORITY	
10:00 a.m.	10.	PUBLIC WORKS/PARKS	
	10.1	Union Pacific Railroad Abandonment of the Union Pacific Rail Line in Carver and Scot Counties, STB Docket NO. AB 33 (Sub No. 255).....	38-44
10:30 a.m.		ADJOURN CARVER COUNTY REGIONAL RAIL AUTHORITY	
		BOARD REPORTS	
10:30 a.m.	1.	Chair	
	2.	Board Members	
	3.	Administrator	
11:00 a.m.	4.	Adjourn	

David Hemze
County Administrator

County Board of Equalization Meeting
Tuesday, June 12, 2007, 1:30 p.m.
County Board Room

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on June 5, 2007. Chair Gayle Degler convened the session at 9:00 a.m.

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

Members absent: None.

The following amendment was made to the agenda:

Delete 11.1 Request for part-time attorney

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

Workman moved, Ische seconded, to approve the minutes of the May 22, 2007, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Payment of emergency claims in the amount of \$1,653.08, \$840 and \$210.

Authorized sending letter to Senator Norm Coleman from the Board Chair supporting federal funds to assist the City of Carver in certifying their levee.

Resolution #47-07, Minnesota Valley Regional Rail Authority.

Authorized the Chair to sign letter of support for Glencoe Municipal's airport inclusion in the National Plan of Integrated Airport Systems.

Accepted donation of school buses and drivers from Positive Connections to transport WWII veterans and spouses.

Accepted Public Works Headquarters lighting upgrade proposal from Daniel Schmidt Lighting and contract in the amount of \$9,724.46.

Accepted existing National Joint Powers Agreement contract in place with Staples Office Products for central purchasing of office supplies.

Accepted existing State contract use of professional services contract in place with ESRI and available through the State of Minnesota.

Approved Federal Boating Safety Supplement grant agreement.

Approved Minnesota Annual County Board and Water Safety Grant Agreement.

Authorized the Sheriff's office accepting cake donation; \$200 donation and \$10,000 donation to be used for the Sheriff's Dive Team.

Resolution #48-07, Professional Service Agreement between Sheryl Blaisdell d/b/a Sweet Surrender and Carver County for Mobile Concession Services at Lake Waconia Regional Park.

Resolution #49-07, Professional Service Agreement between Brauer & Associates LTD and Carver County for Comprehensive Park Planning and Park Systems Planning.

Resolution #50-07, Professional Service Agreement for Septic Tank Installation at Baylor Regional Park.

Resolution #51-07, Professional Service Agreement between Robb's Electric and Carver County for Removal of Overhead Power Lines and Trenched in New Connection to Pole Shed.

Awarded Carver County Project No. 0715, furnishing bituminous material, to Flint Hill Resources in the amount of \$116,324.63.

Approved contract for the Medical Reserve Corp grant and related Public Health budget amendment increasing grant revenue \$10,000 and increasing professional fees, conference and supplies \$10,000

Authorized the issuance of a Certificate of Zoning Compliance (A20070123), Lake Waconia Triathlon.

Approved Teamsters Local 320, Detention Deputies, 911 Dispatchers and TAC Officer Collective Bargaining Agreement for 2007-2009.

Authorized the Chair to sign the quit claim deed conveying the abandoned roadway easement to the underlying property owner.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Steve Just, Land and Water Services, reviewed ZRC's conditional permit request on Terry Hanson's property in San Francisco Township that would allow them to place 75,000 cubic yards of fill material on the northerly portion of the property. He indicated the hauling would be in conjunction

with the removal of sand for the 212 project that would be coming out of the existing pit that is permitted by a CUP that was authorized several years ago. Just explained the operational plan and double hauling route. He noted the County Engineer reviewed the request and the request had been reviewed for the water rules.

The Planning Commission public hearing lasted two months and approval was recommended. Just reviewed the twelve conditions recommended by the Planning Commission. He stated hauling would begin no sooner than June 7th and completed by August 30th. Just reviewed the condition related to the end dump restriction and indicated that Mr. Billing, roadway engineer for ZRC, was requesting that this restriction be modified.

Just acknowledged the receipt of a letter dated May 31st from Brenda Harris and letter dated June 4th from Char Kraus.

Maidie Felton, San Francisco Township Chair, stated the Township was concerned for the safety and welfare of its citizens. She pointed out the added access and the need to consider safety. She stated large scale activities mandate a traffic study be done. Felton noted while the County and State are the regulatory authorities for the road, the Township is responsible for emergency services. She stated the number of near accidents has been entered into the record and the Township hears about safety concerns every day. She pointed out the number of CUPs on the property and believed a traffic study should be done that considers all of these CUPs. Felton urged the Board to deny the CUP until a traffic study was done.

Joe Walto, Carver Highlands Drive, read into a record a letter submitted by Phillip Solseng dated June 4th. Walto noted their disappointment with the Planning Commission meeting. He pointed out the CUP that had been previously denied. Walto indicated they were opposing a plan that could result in a larger operation and that history forced them to voice their concerns here again. He stated that the owner had not been present at the meetings and believed the bluffs should be preserved. He questioned why the community should be disrupted by one person and stated the neighboring property owners were embracing the land for the future.

Mike Kirk, High Bluff Circle, pointed out the problem with people passing trucks on a hill. He noted trucks often get to the mine at the same time and when that occurs, they stop traffic trying to get into the mine. Kirk stated there have been concerns with residents being rear ended and stated egress and ingress would be increased at a very specific area. He also suggested operating hours were being violated and hoped the Board would deny the permit.

Mike Billing, representing ZRC, outlined the limits of the current mining allowed. He explained their request to be allowed to use 30% end dumps due to the tight excavation in certain areas. Billing stated they have three employees self policing the truck operation and the pointed out the project hotline for complaint calls.

Roger Gustafson, Public Works, stated as part of the process going forward, the contractor will need to obtain an access permit that will further refine the plan presented by the ZRC engineer.

Just indicated the information provided stated the screening berms were for the horse operation. He clarified the Township will regulate if an expanded mining operation is allowed. He explained under the Township ordinance the existing operation is grandfathered in and any new mining would have to go through the Township. Robert Hendricks, Assistant County Attorney, clarified the applicants were not required to determine the purpose of the berm and any expansion would have to be approved by the Township.

Amy Gestach, Dutoit Road, stated there were problems with the current CUP and that no one was watching the trucks. She stated they have been putting up with the noise, dust, and the trucks needed to abide by the rules.

Larry Schmitt, San Francisco Township Supervisor, stated with the last CUP request the main reason for the denial was safety and he believed they were back to the same issues.

Chuck Tuma, Carver Highlands, suggested while there are not additional trucks, the opportunities for incidents are doubled.

Felton stated a traffic study must be done by an engineer as there were now three accesses that would be affected by this proposal. She suggested this was an opportunity for them to make the road safer by requiring a traffic study.

Ted Niskanen questioned why Hanson had not showed up at the meetings to answer any of the questions. He stated there were a number of black marks on the pavement from near misses and suggested Hanson should put in his road to make all of their lives safer.

Steve Anderson, County Road 45, stated with the berm to be built 6 to 15 feet, they would be cutting off the vision of all the residents. He suggested the berm would also create a snow hazard in the winter.

Linda Turnquist stated with the opening of the new Wildlife Refuge Visitor Center, the traffic on 45 was only going to get worse. She stated there were a number of jake brakes occurring as the trucks go down the hill and questioned the soil conditions of the material to be hauled in for the berms.

The Board acknowledged the concerns of the neighbors and that the operating hours would need to be followed. They also recognized the need to find a location for the excess material, that the sand and gravel was going to be removed under an existing CUP and there were advantages to the double hauling.

Lynch moved, Degler seconded, to adopt the Findings of Fact and issue Order #PZ20070016 for the issuance of Conditional Use Permit #PZ20070016, Zumbro River Constructors, San Francisco Township. Degler, Lynch, Workman voted aye. Ische, Maluchnik voted nay. Motion carried.

Gary Bork, Community Social Services, requested Board approval of the West Metro Cooperative Agreement for adult crisis services. He stated the four west metro counties had the opportunity to apply for this grant and the counties would need to approve a joint powers agreement to receive the grant funds. He stated they were recommending that Don Heywood be appointed as the County's representative on the Administrative Committee that oversees the spending and other administrative aspects of the grant.

Bork indicated the health navigators associated with the grant would make sure that the individuals seen in crisis situations follow up with the suggested referrals so they are not in a crisis situation again.

Workman moved, Ische seconded, to approve the Cooperative Agreement for Anoka, Carver, Hennepin and Scott Counties to receive grant funds to provide enhanced mental health crisis and follow up services for adults in the west metro area and to appoint Donald Heywod, Behavior Health Manager to the Administrative Committee. Motion carried unanimously.

Bork requested approval to create two health navigator positions to be funded by the grant. He noted the Carver Scott Crisis Team will receive \$120,000 from the grant for these two positions for two years. He indicated they are hoping for continued funding after that.

Ische moved, Workman seconded, to approve two 1.0 FTE Health Navigator positions to be funded by the Adult Crisis grant and related Social Services budget amendment increasing grant revenue \$120,000 and increasing salaries \$120,000. Motion carried unanimously.

Steve Taylor, Administrative Services Division Director, explained the new website for the County would roll out next week. He noted the contract earlier approved by the Board and the Web Committee that was formed to work on the website. Taylor pointed out the online survey that was performed and, based on the results of that survey, they determined they needed to update the look of the website. He noted the website had lacked a search function and citizens wanted more information and easier navigation.

Nancy Southorn, Webmaster, highlighted the changes that have taken place. She pointed out the major difference with the search function and the program that citizens can sign up for to be notified when there is an update to a web page. Southorn stated the public would see the new website beginning Monday.

Kevin Maas, Facilities, requested contract approval for the Public Works storage project. He stated they received two bids after advertising and Ram Buildings was the recommended low bidder. He indicated, as part of this project, it made sense to include grading for the impound storage lot expansion. He noted, under this contract, they would also get the preliminary and final grading done for the impound lot. Maas added the project would also bring them to current standards for stormwater runoff. He noted the contact would be subject to the approval of both Risk Management and County Attorney.

Ische moved, Lynch seconded, to award bid for Public Works Headquarters storage facilities to RAM Building, Inc.; the approval of contracts between Carver County and Ram Building; a transfer of \$15,000 from the Impound Lot project to the Public Works Headquarters storage project; to approve a total budget of \$669,000 (\$558,042 to RAM, \$42,000 for design services, \$25,000 for owner/general conditions and \$43,958 in contingency) and to authorize the Administrative Services Division Director the authority to approve change orders up to the budgeted contingency of \$43,958. Motion carried unanimously.

Doris Krogman, Employee Relations, explained as a follow up to the Board's decision to conduct an open competitive process to fill the vacant County Attorney position she was requesting the Board approve a pay grade. She stated the compensation consultant came back with a pay grade 22 for the position.

Workman moved, Ische seconded, to place the County Attorney salary at grade 22 on the non-bargaining scale from this point forward. Motion carried unanimously.

Krogman requested the Board appoint two Commissioners to participate as the hiring authority in determining how they will screen County Attorney applicants and how they will narrow down applicants if they receive a larger number of applications. She stated the two Commissioners may participate in the initial interview process but the entire Board would interview the finalists.

Ische moved, Maluchnik seconded, to appoint Gayle Degler and Tom Workman to serve on the recruitment and selection task force to appoint a County Attorney through an open competitive process. Motion carried unanimously.

Ische moved, Degler seconded, to adjourn the Regular Session at 11:19 a.m. Motion carried unanimously.

David Hemze
County Administrator

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



REQUEST FOR BOARD ACTION

AGENDA ITEM: Application For Low-Impact Conservation Fund Cost Share

Originating Division: Land Water Services

Meeting Date: 06/12/07

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 2001, the County established a water stewardship cost-share program (referred to in current budget as the low impact conservation fund) for the purpose of promoting water resource protection in the County and encourage landowners to implement conservation practices on their land. The funds used to create the program were from BWSR NRBG grants and the County water levy.

Staff has received an cost share application from Southwest Transit Commission (SWTC) to construct two stormwater rain gardens as part of a new park and ride facility at TH41 which is attached. The total project cost is \$11,000 with the County share equaling \$5,000

The criteria adopted by the Board in 2001 indicated that projects where County fund share exceeds \$2250, require approval by the County Board. The SWCD board has typically reviewed and recommended these cost share applications and indicated support for the SWTC application.

Staff is recommending approval of this application due to several factors: 1) the additional stormwater treatment (above typical MNDOT ROW requirements) achieved, 2) the proximity to East Creek, 3) the willingness of SWTC to construct a quality treatment practice, and 4) the high visibility of the site by the public.

ACTION REQUESTED: Motion approving the SWTC application and funds for water stewardship cost share and authorizing disbursement of funds upon presentation of a bill and installation of the project.

FUNDING

County Dollars =	\$5,000
Other Sources & Amounts =	\$6,000 SWTC
	= \$
TOTAL	= \$11,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: The Low impact conservation fund is made up of BWSR NRBG grants and CCWMO levy funds.

Reviewed by Division Director

Date:

1 June 07

**Carver County Planning & Zoning
Application For Water Stewardship Cost Share**

600 East Fourth Street
Chaska, MN 55318
952-361-1820

Applicant Information (MAIN CONTACT)

Name & Telephone #'s: Len Simich

Street Address: 13500 Technology Drive, Eden Prairie, MN

City/Township: Eden Prairie, MN Zip: 55344

PID (You can obtain from tax statement or Planning & Zoning): MnDOT ROW, to be reconveyed in future

Applicant Information (other landowners involved)

Name & Telephone #'s: N/A

Street Address: _____

City/Township: _____ Zip: _____

PID (You can obtain from tax statement or Planning & Zoning): _____

Applicant Information (other landowners involved)

Name & Telephone #'s: N/A

Street Address: _____

City/Township: _____ Zip: _____

PID (You can obtain from tax statement or Planning & Zoning): _____

Applicant Information (other landowners involved)

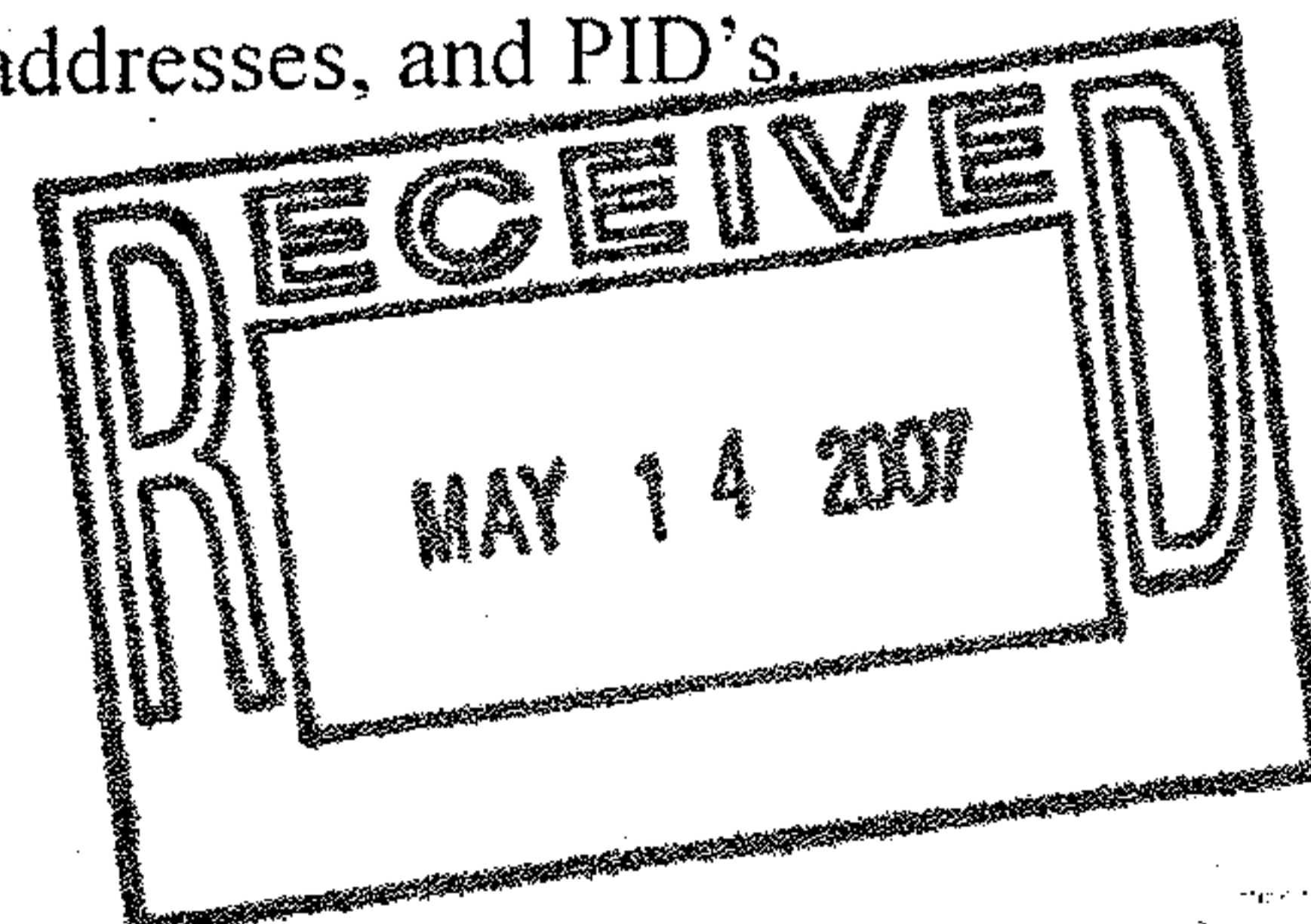
Name & Telephone #'s: N/A

Street Address: _____

City/Township: _____ Zip: _____

PID (You can obtain from tax statement or Planning & Zoning): _____

If more landowners are involved, please attach additional names, addresses, and PID's.



Project Location

Street Address(s): Southwest corner of TH 41 and the new TH212

City/Township: Chaska, MN

PID (You can obtain from tax statement or Planning & Zoning): MnDOT ROW, to be reconveyed in future

Adjacent Water Body MnDOT detention pond from TH212/ TH41 off ramp

Project Description

Please provide a complete description of the proposed project including: (attach maps, designs, or further description which helps explain project). See attached drawings

Area involved (number of feet or acres) Approximately 4.6 acres

Type of work to be done

Construct two rain gardens in the middle of a 250 car park and ride transit station lot, with overflow to a storm system connecting with the MnDOT detention pond serving this site and TH212

Expected outcomes and benefits to adjacent water body

Reduce the amount of storm water entering and therefore being treated by the detention pond and pre-treat the water that does enter the pond.

Other parties/agencies involved (i.e. consultants, conservation groups, etc.)

LSA Design, architect, Ernst Assoc, landscape architect; Master Civil, civil engineer,

Project Estimates

\$ 11,000

TOTAL PROJECT COST

\$ 5,000

Cost share amount requested (\$5,000 per project)

\$ 6,000

Match Amount (Landowner contributions)

Office use only:

Priority: high

JAM Recommendation: SWCO recommend approval

Board Action: Approve Deny Date:

Return application to: Paul Moline
Carver County Planning & Water Mgmt
600 East Fourth Street
Chaska, MN 55318

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):

[Handwritten Signature] 5/11/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Jail Health Nurse

Originating Division: Public Health

Meeting Date: 6/12/2007

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: In order to provide an adequate shift relief and maintain and continue to improve practices of the medical unit at Carver County Jail, an increased RN FTE of 0.5 is necessary. The Jail is mandated to provide health coverage by the Department of Corrections. Staffing has been managed by a temporary on-call nurse, however, that resource is predicted to be depleted by September, 2007.

The Carver County Jail Health Unit is currently staffed with 1.0 FTE RN. The Carver County Jail Health RN has made significant improvements to the delivery of medical services to inmates of Carver County since 2004 when this position was hired. This RN has improved documentation systems, medication management and delivery systems and provided streamlined communications between county departments, other jails, health care providers and other health services. The RN has participated in the revision of the medical portion of the DOC Rules Governing Adult Detention Facilities, Rule 2911, as well provided input to organizations tasked with improving and standardizing health care delivery throughout the state.

Employee Relations, the Sheriff's Office and Administration have been involved in the discussions regarding this issue and support the request for a .5 FTE.

ACTION REQUESTED: Motion to approve 0.5 FTE RN for Public Health to provide consistency in delivery of jail health services.

FUNDING

County Dollars = \$8,600

Other Sources & Amounts =

= \$

TOTAL

= \$8,600

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: The projected cost for this position for the period 9-1-07 to 12-31-07 is approximately \$8600. Public Health's existing salary budget will cover the additional expense as a result of dollars available due to staff vacancies in 2007.

Reviewed by Division Directors
Del Hurt, Bud Olson, Doris Krogman ✓

Date: June 1, 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : Professional Services Agreement with Wuetherich Excavating, Inc.

Originating Division: Public Works-Parks

Meeting Date: June 5th, 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 Parks Department is planning the demolition, and removal of debris from the farm site at Lake Waconia Regional Park. Staff sent out seven invitations to local excavating/demolition companies for the work. Six proposals were submitted:

- Wuetherich Excavating Inc. \$15,779.50
- Wickenhauser Excavating Inc. \$16,000.00
- RTB Land Services \$34,106.00
- Zaback Excavating \$38,000.00
- Henning Excavating \$41,700.00
- Advanced Excavating \$79,706.00

Additionally staff contacted two companies for estimates to pump, crush and backfill in the septic holding tanks on the site.

- Jim's Excavating \$3,100.00 (Does not include septic tank removal)
- Wuetherich Excavating \$3,300.00 (Includes removal of septic tank)

Staff recommends that the Board approve the Professional Service Agreement with Wuetherich Excavating Inc. for the demolition and related removal of buildings and septic system for a total price of \$19,079.50.

ACTION REQUESTED:

It is recommended that the County Board authorize the County Board Chair and the County Administrator to sign the Professional Service Agreement.

FUNDING

County Dollars = \$19,079.50
 Other Sources & Amounts =
 = \$
TOTAL = \$19,079.50

FISCAL IMPACT

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

Related Financial Comments: Expenses for the demolition of the former farm site and related costs are budgeted in the Parks Department CIP. The Parks Department will seek reimbursement of these expenses in a future CIP of the Metropolitan Council.

Martin W. ...
 Reviewed by Division Director

Date: 5-18-07

S:\Parks\BA and RES\RBA - Wuetherich Excavating Inc.doc

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

Date: June 5th, 2007

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**PROFESSIONAL SERVICE AGREEMENT
BETWEEN
WUETHERICH EXCAVATING INC. AND CARVER COUNTY
FOR THE DEMOLITION AND DISPOSAL OF BUILDINGS AND SITE DEBRIS
AND THE PUMPING AND REMOVAL AND BACKFILLING OF THE SEPTIC TANKS
AT 8065 PARADISE LANE**

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorize the Board Chair and the County Administrator to execute the Professional Service Agreement between Wuetherich Excavating Inc. and Carver County. Work is to include the demolition and disposal of the buildings, removal of site debris, septic tank, removal and backfilling.

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 5th day of June, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 5th day of June, 2007.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of tire clean-up grant with the Metropolitan Mosquito Control District

Originating Division: Land Water Services

Meeting Date: June 11, 2007

Amount of Time Requested: N/A

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Environmental Services has money available to fund tire dump clean up undertaken by the Metropolitan Mosquito Control District (MMCD). The MMCD will provide the equipment and labor to collect waste tires illegally dumped in Carver County and deliver them to Greenman Technologies in Savage. They will also provide documentation indicating the number of tires collected and the location they were found.

ACTION REQUESTED: Motion to approve 2007 Metropolitan Mosquito Control District tire clean-up grant.

FUNDING

County Dollars =	\$3,000
Other Sources & Amounts =	
	= \$
TOTAL	= \$3,000

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: The \$3,000 has been budgeted as part of the special project portion of Environmental Services budget.

Reviewed by Division Director *[Signature]*

Date: 4 June 07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Amendments to Municipal Solid Waste Contracts

Originating Division: Land and Water

Meeting Date: June 11, 2007

Amount of Time Requested: NA

Attachments for packet: yes

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Carver County, through the Environmental Services Department, has distributed funds to cities and townships since 1989 for solid waste abatement and other environmental related programs. In 2006, Environmental Services budgeted \$85,000 for this program, of which \$73,877.33 was spent. The \$11,122.67 that remains is due to a number of municipalities not spending their entire allotment. There were however, nine municipalities that exceeded the amount specified in the grant agreement. For example, the City of Chaska spent an additional \$2,588.25 for their annual clean up event and the City of Waconia spent an additional \$594.00 for their yard waste drop off program. For your reference, I have attached a table listing all communities and their respective grant expenditures for 2006.

Although the County has no obligation to award any further grant funds for 2006 activities, I would recommend that the County disperse the remaining \$11,122.67 to the cities that have implemented successful solid waste abatement programs and spent over the original grant amount. This would entail no new budget requests; Environmental Services would simply distribute funds already budgeted.

ACTION REQUESTED: Motion to approve the contract amendments between Carver County and municipalities to allow unspent grant funds to be distributed to municipalities.

FUNDING

County Dollars =	\$11,122.67
Other Sources & Amounts =	\$
	= \$
TOTAL	= \$11,122.67

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: The County had this money budgeted for the 2006 Solid Waste Grant program for Cities and Townships. It was carried over to the 2007 budget.

Reviewed by Division Director

Date: 4 June 07



Office of Environmental Services
Land & Water Division
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, Minnesota 55318-2102
Phone: (952) 361-1800
Fax: (952) 361-1828

**CARVER
COUNTY**

TO: Mike Lein, Environmental Services Manager
FROM: Marcus Zbinden, Solid Waste Specialist III
SUBJECT: Community Grant Contract Amendments
DATE: January 26, 2007

Carver County, through the Environmental Services Department, has distributed funds to cities and townships since 1989 for solid waste abatement and other environmental related programs. In 2006, Environmental Services budgeted \$85,000 for this program, of which \$73,877.33 was spent. The \$11,122.67 that remains is due to a number of municipalities not spending their entire allotment. There were however, nine municipalities that exceeded the amount specified in the grant agreement. For example, the City of Chaska spent an additional \$2,588.25 for their annual clean up event and the City of Waconia spent an additional \$594.00 for their yard waste drop off program. For your reference, I have attached a table listing all communities and their respective grant expenditures for 2006.

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2006 COMMUNITY GRANT PROGRAM

COMMUNITY	PROJECT FUNDED	GRANT AMOUNT	AMOUNT PAID	AMOUNT REMAINING ON GRANT	ADDITIONAL SPENT	ADDITIONAL PROPOSED
<u>Cities</u>						
Carver	Brush clean up, Environmental Ctr Coupo	\$3,142.00	\$273.24	\$2,868.76		
Chanhassen	Recycling/Environmental Education,	\$13,017.00	\$13,017.00	\$0.00	\$4,155.00	\$1,726.93
Chaska	Two clean-up days	\$11,353.00	\$11,353.00	\$0.00	\$2,588.25	\$1,726.93
Cologne	Community clean-up day	\$2,986.00	\$2,986.00	\$0.00	\$603.19	\$603.19
Hamburg	Compost Site, Community Clean-up	\$2,800.00	\$1,725.00	\$1,075.00		
Mayer	Compost Services	\$2,798.00	\$2,798.00	\$0.00	\$1,942.55	\$1,726.92
New Germany	Compost box at the city shed, clean-up	\$2,714.00	\$2,038.59	\$675.41		
NYA	Provide leaf/branch/grass recycling for	\$6,680.00	\$6,680.00	\$0.00	\$14,821.64	\$1,726.93
Victoria	Fall Leaf and Brush Compost Days,	\$4,684.00	\$4,684.00	\$0.00		
Waconia	Operation of a brush and yard waste site	\$5,760.00	\$5,760.00	\$0.00	\$594.00	\$594.00
Watertown	City clean-up day	\$4,066.00	\$4,066.00	\$0.00	\$3,047.70	\$1,726.93
CITY GRANT PORTION:		\$60,000.00	\$55,380.83	\$4,619.17	\$27,752.33	\$9,831.83

Townships:

Benton	ROAD CLEAN-UP PROGRAM	\$2,500.00	\$2,500.00	\$0.00		
Camden	ROAD CLEAN-UP PROGRAM	\$2,500.00	\$2,500.00	\$0.00		
Dahlgren	ROAD CLEAN-UP PROGRAM	\$2,500.00	\$1,468.50	\$1,031.50		
Hancock	ROAD CLEAN-UP PROGRAM	\$2,500.00	\$1,700.00	\$800.00		
Hollywood	Environmental Clean-up Programs	\$2,500.00	\$2,500.00	\$0.00	\$753.15	\$753.15
Laketown	Road clean-up pand leaves/brush disposal	\$2,500.00	\$2,500.00	\$0.00	\$537.69	\$537.69
San Francisco	ROAD CLEAN-UP PROGRAM	\$2,500.00	\$946.00	\$1,554.00		
Waconia	ROAD CLEAN-UP PROGRAM	\$2,500.00	\$1,129.58	\$1,370.42		
Watertown	Township Clean-Up Day	\$2,500.00	\$1,724.42	\$775.58		
Young America	ROAD CLEAN-UP PROGRAM	\$2,500.00	\$1,528.00	\$972.00		
TOWNSHIP GRANT PORTION:		\$25,000.00	\$18,496.50	\$6,503.50	\$1,290.84	\$1,290.84
TOTALS		\$85,000.00	\$73,877.33	\$11,122.67	\$29,043.17	\$11,122.67



REQUEST FOR BOARD ACTION

AGENDA ITEM: Approval of Community Grants for Solid Waste Projects

Originating Division: Land Water Services

Meeting Date: June 11, 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: The Board has approved a similar grant program since 1992. Funds are budgeted each year to cities and townships for solid waste related projects. Please see attached summary of proposed projects.

ACTION REQUESTED: Request motion to approve funding for the 2007 Community Grant program and authorize Chair to sign grant agreements.

FUNDING

County Dollars = \$85,000

Other Sources & Amounts =

= \$

TOTAL

= \$85,000

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: The funds for these grants are derived from the Solid Waste Service Fee assessment and SCORE Grant passed through to us via the State.

Reviewed by Division Director

[Signature]

Date:

4 Jun 07

2007 COMMUNITY GRANT PROGRAM

COMMUNITY	PROJECT FUNDED	GRANT AMOUNT
<u>Cities</u>		
Carver	Brush clean up, Special Waste Coupons	\$3,142.00
Chanhassen	Recycling Coupon Program, Recycling/Environmental Education, Recycling Materials	\$13,017.00
Chaska	Two Clean-Up Days	\$11,353.00
Cologne	Community Clean-Up Day	\$2,986.00
Hamburg	Compost Site, Community Clean-up	\$2,800.00
Mayer	Compost Services	\$2,798.00
New Germany	Compost box at the city shed, Clean-up days for the city and wood chipping	\$2,714.00
NYA	Provide leaf/branch/grass recycling for city residents; monitor and manage recycling activities within the city	\$6,680.00
Victoria	Recycling Coupon Program, Spring and Fall Leaf and Brush Compost Days, Waste receptacles in city parks	\$4,684.00
Waconia	Operation of a brush and yard waste site for city residents, Environmental Center Coupons	\$5,760.00
Watertown	City clean-up day	\$4,066.00
CITY GRANT PORTION:		\$60,000.00
<u>Townships:</u>		
Benton	Road Clean-up Program	\$2,500.00
Camden	Road Clean-up Program	\$2,500.00
Laketown	Road clean-up program and leaves/brush disposal	\$2,500.00
Dahlgren	Road Clean-up Program	\$2,500.00
Hancock	Road Clean-up Program	\$2,500.00
Hollywood	Environmental Clean-up Programs	\$2,500.00
San Francisco	Road Clean-up Program	\$2,500.00
Young America	Road Clean-up Program	\$2,500.00
Waconia	Road Clean-up Program	\$2,500.00
Watertown	Township Clean-up Day	\$2,500.00
TOWNSHIP GRANT PORTION:		\$25,000.00
TOTALS		\$85,000.00



REQUEST FOR BOARD ACTION

AGENDA ITEM : TMDL Implementation Plan & Landowner Incentives

Originating Division: Land Water Services

Meeting Date: June 12, 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:

TMDL IMPLEMENTATION PROGRAM – The Public, including Carver County Citizens, have continually expressed concern with water quality issues. The level of concern is illustrated by the 2006 allocation to the County of \$300,000 to support the Total Maximum Daily Load (TMDL) Implementation Plan for the Bevens, Carver, & Silver Creek Watersheds.

The implementation plan calls for a reduction of fecal loads sources in the watersheds, mainly agricultural manure source runoff and direct discharge ISTS systems. State of MN severely limits funding for ISTS incentives, therefore staff is proposing to enhance the current ISTS incentive program in order to meet TMDL goals. A memo is attached which describes the program set to begin in three areas of the impaired watersheds (Goose Lake, Reitz Lake, and A Silver Creek Sub-watershed). Highlights include:

- Focused promotion of the low-interest loan programs in the three sub-watersheds
- Incentive grant of \$2,000 available to systems which directly discharge to surface waters

The SWCD Board and the Water, Environment, Natural Resources Committee have reviewed and recommended this approach. At this time, staff is recommending that the Board support the ISTS incentive program and authorize incentive expenditures. Upon receipt of the Clean Water Legacy grant agreement from the state, staff will return to the Board with the full work program and authorization of the grant agreement.

ACTION REQUESTED: Motion to support the ISTS incentive program to implement the Bevens, Carver and Silver Fecal TMDL plan, and authorize expenditures from Bevens and Carver Creek Water Levy, and the BWSR NRBG 2007 and low impact conservation fund grants.

FUNDING

County Dollars =

Other Sources & Amounts = \$70,000

Bevens and Carver Creek Water Levy, and the BWSR NRBG 2007 and low impact conservation fund grants

TOTAL = \$ 70,000

Related Financial Comments: No general levy dollars are requested. Incentives funds come from 2007-2009 water levy funds in Bevens & Carver Creek & additional funds from the BWSR NRBG 2007 and low impact conservation fund grants.

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: June 4, 2007

Memo

TO: Carver County Board of Commissioners

From: Land and Water Services Staff

Re: TMDL Sub-Watershed ISTS Loan/Incentive Program

In 2003, with significant State and Federal support, Carver County began a process (TMDL – Total Maximum Daily Load) to assess the problem of fecal Coliform bacteria in Carver and Bevens Creeks. Staff have held workshops outlining the problems, the process to get there and sharing our next steps. It was discovered that the majority of the fecal Coliform entering our streams was from direct discharge (and failing) septic systems, inadequate manure management and non-buffered run-off (open tile intakes, farming to stream edge). These sources are not listed in order and the amount they contribute varies based on time of the year and weather conditions.

The main objective throughout this process was to implement practices on the ground and begin to reduce pollutant sources. Over the next two years, staff will be focusing efforts on the sub watershed level in three separate areas of Carver County (Goose Lake area, Reitz Lake area, and Silver Creek). During that time staff from the County and/or Soil and Water Conservation District (SWCD) will visit every landowner within those three sub watersheds to review any and all options available to improve the quality of water leaving their property by reviewing various programs, loans and incentive programs.

The SWCD as several existing programs and significant funds available for a variety of agricultural practices. These practices will be described in the final workplan and Clean Water Legacy funding work plan to be presented to the Board when received by the State. The ISTS portion of the project focuses on upgrading direct discharge systems and is a critical component of meeting the TMDL goals.

In March of this year, discussion with the Board on TMDL included the topic of how to get direct discharge ISTS systems fixed including using regulatory and incentive measures. Additional information was sent to the Board in May via email resulting from a commissioner inquiry. Based on these discussions, staff is recommending that the County begin with a focused, intensive incentive plan to be implemented along with existing programs.

Failing septic systems **in one of the three sub watersheds that directly discharge** to a stream, ditch or tile line will be eligible for the following:

- Carver County Low Interest Loan program, this program allows a homeowner to receive a low interest loan (1.5%) from the County that is paid back over 5 years via property taxes.
- SWCD Low Interest Loan program, this program will give homeowners a low interest loan (3%) from the SWCD via Agstar bank. This loan application operates more like a conventional bank loan.
- TMDL ISTS incentive program, this program will provide \$2000.00 grant towards the upgrade of a failing ISTS. Funds for the incentive program will come from the 2007-2009 Carver and Bevens Creek Water Levy project funds, the 2007 BWSR NRBG fund and the BWSR low impact conservation fund. **This is available for systems with a direct discharge or systems classified as imminent public health threat only.**
- Funds are limited for each of these programs and will be awarded on a first come first served basis for qualifying homeowners and must be awarded within the 1st year of the program.

Other landowners that do not have a direct discharge to surface waters or do not live in the sub-watersheds, will still be eligible for the loan programs, but would not be offered the \$2000 incentive. Staff is recommending an approval of the incentive portion of the program finalized before the first sub-watershed landowner meeting (Goose Lake) to be held in July 2007. The incentive portion of the implementation plan is crucial to meet the goals of the TMDL and will be a great tool to gain interest and trust in the TMDL program.



REQUEST FOR BOARD ACTION

AGENDA ITEM: Developer's Contract for North Shore Farm (road construction).

Originating Division: Land Water Services

Meeting Date: June 12, 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 # PZ20070007: The preliminary plat was approved on April 3, 2007. The road for this development will serve 3 wooded lots off of North Shore Road in Section 1 of Waconia Twp. The road would be constructed to township standards and would be privately maintained by the homeowners. The County Attorney's Office and Risk Management have reviewed and approved the developer's contract. The Assistant County Engineer, Bill Weckman, has approved the road plans and construction cost estimate (letter attached). The developer will be providing a \$10,000 surety in accordance with Water Rules requirements. The Waconia Town Board has signed the contract.

ACTION REQUESTED: A motion authorizing the County Board Chair's signature on the Development Contract/Improvement Agreement.

FUNDING

County Dollars = \$-0-

Other Sources & Amounts = -0-

= \$

TOTAL = \$-0-

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 6 Jun 07

Report Date: June 6, 2007

June 6, 2007

To: Steve Just, Land Management Dept. Manager

From: Bill Weckman, Assistant County Engineer

Subject: Construction Plans
North Shore Farm
Waconia Township

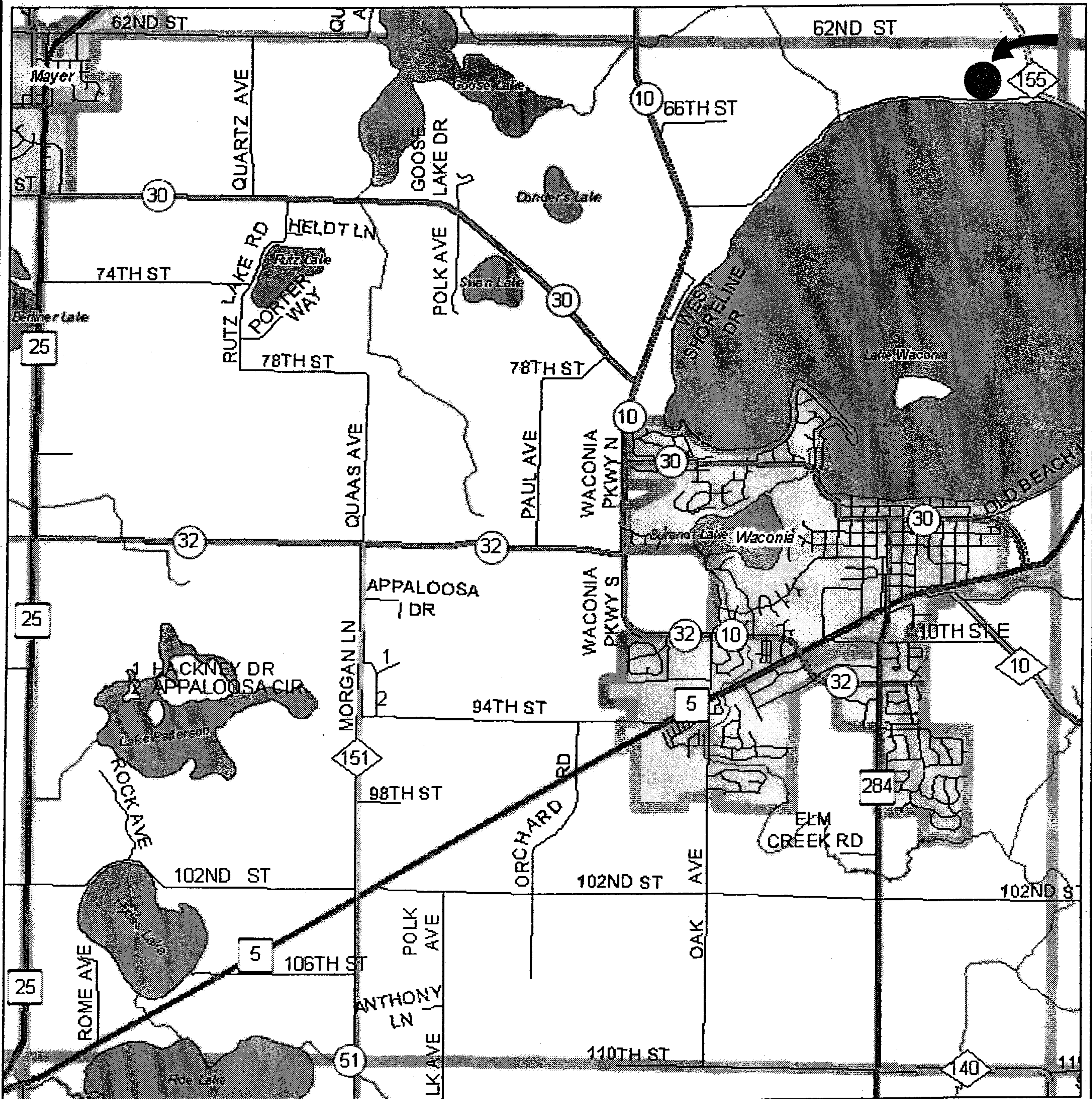
Construction Plans and Specifications

The North Shore Farm roadway construction plans (the last revision signed on May 24, 2007) prepared by Paul Otto (P.E. 40062) of Otto and Associates appear consistent with the requirements of the Carver County Subdivision Ordinance and with the comments to date of staff and review officials. The construction plans are, therefore, approved with the stipulation given to the developer and his engineer that compliance with the Carver County Subdivision Ordinance remains the sole obligation of the developer, and construction shall be accomplished in a manner meeting Mn/DOT Standard Specifications for Construction, 2005 Edition as most recently revised.

Construction Cost Estimate

The developer's engineer has provided an engineer's estimate of cost for the project. It is recommended that this engineer's estimate of \$ 245,447.00 be accepted for incorporation into the appropriate provisions of the developer's agreement with Carver County.

Waconia Township



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



Map Created by Carter County GIS
Apr 21, 2005



REQUEST FOR BOARD ACTION

AGENDA ITEM: Tobacco License

Originating Division: Auditor

Meeting Date: June 12, 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:

Application for a Tobacco License in compliance with the Carver County Tobacco Ordinance for B&B Hospitality dba HI-5 Market, 1510 Commercial Ave., Victoria, MN 55386. The owners are requesting approval by the Carver County Board of Commissioners for them to sell tobacco products from June 12, 2006 through June 30, 2006. There are no delinquent taxes on this parcel.

ACTION REQUESTED:

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:



REQUEST FOR BOARD ACTION

AGENDA ITEM : BRIDGE REPLACEMENT/REHABILITATION FUNDING AND PROJECT COMMITMENT

Originating Division: Public Works

Meeting Date: June 12, 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: Hollywood Township is planning to replace Bridge No. 10J14 on Vega Avenue and would like to use bridge bonding funds for this project. Approval of the attached resolution is needed to acquire bride bonding funds.

ACTION REQUESTED: It is requested that the County Board approve the attached resolution.

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:

6/1/07

S:\Township\Hollywood\Bridge No. 10J14 Funding Commitment - baf

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

Date: June 12, 2007

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**BRIDGE REPLACEMENT/REHABILITATION FUNDING
AND
PROJECT COMMITMENT**

WHEREAS, Carver County has determined that the following deficient bridge on the Township Road System is a high priority and requires replacement or rehabilitation within the next five (5) years, and

<u>Bridge Number</u>	<u>Road Number</u>	<u>Estimated Proj. Cost</u>	<u>Federal Funds</u>	<u>Local Funds</u>	<u>Bond Funds Needed</u>	<u>Proposed Const. Year</u>
<i>Hollywood Township</i>						
10J14	Vega Avenue	100,000	N/A	20,000	80,000	2007

WHEREAS, local roads play an essential role in the overall state transportation network and local bridges are the critical component of the local road systems, and

WHEREAS, State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the Townships to proceed with the replacement or rehabilitation of the high priority deficient bridges described above, and

WHEREAS, Carver County intends to proceed with replacement or rehabilitation of these bridges as soon as possible when State Transportation Bond Funds are available,

BE IT RESOLVED, that Carver County commits that it will proceed with the design and contract documents for these bridges immediately after being notified that funds are available in order to permit construction to take place within one year of notification.

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 12th day of June, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 12th day of June, 2007.

David Hemze

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : 2007 ROADSIDE RIGHT-OF-WAY WEED SPRAYING AGMT (CP #0716)

Originating Division: Public Works

Meeting Date: June 12, 2007

Amount of Time Requested: n/a

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: This agreement is for the spraying of county road rights-of-way for noxious weeds, thistle and brush. Quotes from AG Enterprises and Mid-County Coop were obtained. Staff has evaluated the two quotes and is recommending a contract be awarded to Mid County Coop. Mid County Coop has done this type of work for Carver County in the past and is familiar with the areas along the county roads where weed, thistle and brush problems exist. Staff also is of the opinion that the chemical prices are in line with what is needed for this work.

ACTION REQUESTED: Approve service agreement between Carver County and Mid County Coop with a not-to-exceed amount of \$31,200.00.

FUNDING

County Dollars = \$31,200.00

Other Sources & Amounts =
=\$

TOTAL = \$31,200.00

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date:

6/1/07

S:\Seasonals\BAF-Award\2007\0716 - Weed Spraying - Mid County Coop



REQUEST FOR BOARD ACTION

AGENDA ITEM : CONCURRENCE IN AWARD OF BID FOR CSAH 15 EXPANSION PROJECT

Originating Division: Public Works

Meeting Date: June 12, 2007

Amount of Time Requested: none

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Bids for CSAH 15 Expansion Project were opened on May 30, 2007 by the City of Chaska. The project includes widening of CSAH 15 (Audubon Road) from TH 212 to CSAH 10 (Engler Blvd.). The City/County agreement requires the City to obtain concurrence of award of the bid prior to City award of the project. On June 4, 2007, the City awarded the project to Northwest Asphalt, Inc. contingent on the County's concurrence.

ACTION REQUESTED: It is recommended that the County Board concur in the award of the contract to Northwest Asphalt, Inc. in the amount of \$232,747.60.

FUNDING

County Dollars =	\$
State Aid - Town =	\$177,747.60
City =	\$ 55,000.00
TOTAL =	\$232,747.60

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: A copy of the Project Engineer's recommendation for award is attached to this Board Action Form.

Reviewed by Division Director

Date:

S:\R&B\Engineering\CoHwyAgreements\CSAH 15\JPA with City of Chaska - CSAH 15 Expansion - Concurrence in Award - baf

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

RECEIVED

JUN 02 2007

CARVER COUNTY PUBLIC WORKS



May 30, 2007

Honorable Mayor and City Council
City of Chaska
1 City Hall Plaza
Chaska, MN 55318-1962

Re: CSAH 15 Turn Lane Construction Project
City Project No. 523-9040
Project No. 000092-06180-0
Bid Results

Bids were opened for the Project stated above on Wednesday, May 30, 2007. Transmitted herewith is a copy of the Bid Tabulation for your information and file. Copies will also be distributed to each Bidder.

There were a total of 6 Bids. The following summarizes the results of the Bids received:

	<u>Contractor</u>	<u>Bid Amount</u>
Low	Northwest Asphalt, Inc.	\$232,747.60
#2	Valley Paving, Inc.	\$243,991.10
#3	Bituminous Roadways, Inc.	\$248,412.50
#4	Hardrives, Inc.	\$263,014.25
#5	Knife River Corporation – North Central	\$275,087.65
#6	Wm. Mueller & Sons, Inc.	\$276,666.90

The low Bidder on the Project was Northwest Asphalt, Inc. with a Base Bid of \$232,747.60. This compares to the Engineer's Estimate of \$268,000. These Bids have been reviewed and found to be in order.

If the City Council wishes to award the Project to the low Bidder, then **Northwest Asphalt, Inc.** should be awarded the Project on the **Base Bid Amount of \$232,747.60.**

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

Sincerely,

BONESTROO

Eric S. Lembke, P.E.

Enclosure

St. Paul
St. Cloud
Rochester
Milwaukee
Chicago



REQUEST FOR BOARD ACTION

AGENDA ITEM : ADDENDUM NO. 1 TO JOINT POWERS AGREEMENT WITH CHASKA - CSAH 15 EXPANSION

Originating Division: Public Works

Meeting Date: June 12, 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: Carver County and the City of Chaska have been working in cooperation in the development of a plan for the expansion of CSAH 15 (Signed 17/Audubon Road) and CSAH 10 (Engler Boulevard). The agreement defines the roles, responsibilities, and financial liabilities of the City and the County for completion of this project. Addendum No. 1 to the agreement increases the City's cost participation in the construction from \$30,000.00 to \$55,000.00. All other provisions of the agreement remain the same.

ACTION REQUESTED: The County Board is requested to approve the attached resolution authorizing signing of the agreement addendum.

FUNDING

County Dollars =	\$
City of Chaska	\$ 55,000.00
Carver County State Aid	=\$
TOTAL	=\$55,000.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

Date:

S:\R&B\Engineering\CoHwyAgreements\CSAH 15\JPA with City of Chaska - CSAH 15 Expansion Addndm #1 - baf

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

Date: June 12, 2007

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**ADDENDUM NO. 1 TO
JOINT POWERS AGREEMENT
BETWEEN
CARVER COUNTY AND THE CITY OF CHASKA
FOR
CSAH 15 (Signed CR 17 / Audubon Road) EXPANSION
BETWEEN
OLD TRUNK HIGHWAY 212 AND CSAH 10**

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorize the County Chair and the County Administrator to execute the Addendum No. 1 to agreement between Carver County and the City of Chaska for design and construction of the CSAH 15 (Signed CR 17 / Audubon Road) expansion project between Old Trunk Highway 212 and CSAH 10 (Engler Boulevard).

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 12th day of June, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 12th day of June, 2007.

David Hemze

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Carver County Public Health Emergency Preparedness and Response

Originating Division: Public Health

Meeting Date: June 12, 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: Carver County Public Health is required by the Federal and State funding agencies for Public Health Preparedness to provide an annual status report to the Community Health Board on Public Health Emergencies as to the level of preparedness, plan development and implementation regarding Carver County's Public Health Preparedness Plan prior to the end of this current grant funding cycle that ends in August 2007.

ACTION REQUESTED: Provide Guidance and direction to Public Health and to the work of Public Health Preparedness and Response Plan.

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: 05/24/07



REQUEST FOR BOARD ACTION

AGENDA ITEM : Request for full-time permanent Attorney I.

Originating Division: Attorney

Meeting Date: June 12, 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:

Last week this office was going to request the assistance of a part-time, temporary civil legal attorney due the vacancy of the county attorney position. After further evaluation by management staff, this appeared to not be the most efficient request at this time.

A full-time civil attorney is needed and was going to be requested in the 08 budget. We experimented with three temporary, part-time staff last year to see if the need was for part-time or full-time staff and found that in one case we could not get adequate applicants. For the other two positions we went through the hiring and training processes only to go through them again when we hired the permanent staff. This caused significant delay and additional costs and staff time for interviewing and training. We feel that hiring a permanent position at this time would be the most efficient and productive.

There will be no negative financial implications for 2007 as there are sufficient funds remaining in our personnel budget due to the County Attorney vacancy as well as the Law Office Administrator position and a 07 position for a Legal Administrative Assistant being vacant for a portion of 07. These vacancies have left funds in the approximate amount of \$100,000. The cost to fill an Attorney I position for the remainder of the year will be approximately \$50,000.00 or less depending on date of hire.

Mr. Fahey had reassigned the criminal matters he had been handling and although the caseloads in all areas are increasing, the Criminal Division indicates they should be appropriately staffed for the remainder of 07 barring any major events.

This permanent position will allow the split Juvenile/Civil attorney position to become a full-time juvenile position (this is our fastest growing caseload). There have been difficulties with calendars overlapping and other areas of conflict for this position. This was one of the main reasons for the request for the 08 budget civil position.

A temporary attorney would cost approximately \$30,000.00, but double the time for interview process and training.

ACTION REQUESTED: Motion to approve hiring of a permanent full-time attorney for the Civil Division of the Carver County Attorney's Office.

FUNDING

County Dollars = \$25,000.00 (2007)
Other Sources & Amounts = \$25,000.00 (reimbursement for juvenile position will increase and use of forfeiture dollars will continue)

TOTAL = \$50,000.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: We use forfeiture and IV-E and IV-D dollars for positions that fit within those categories (Civil and Juvenile). This position would cost approximately \$100,000.00 in 2008 (minus the forfeiture and IV-E costs associated with the position – 1/2 to 3/4 of the cost).

Reviewed by Division Director

Date: 05/29/07

Report Date: June 6, 2007



REQUEST FOR BOARD ACTION

AGENDA ITEM : Mittelstaedt Property Acquisition

Originating Division: Public Works/Parks

Meeting Date: June 12, 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: The Mittelstaedt's have a home, farm structures and 30 acres of property that is located in the floodway and flood fringe areas of the Crow River. This property is subject to regular flooding. Staff from Land and Water Services and County Public Works are recommending purchase of the site for the following reasons and benefits.

- Property owners are willing sellers
- Acquisition of the site is consistent with County Water Management Plan
- Removes a dwelling unit from the floodway reducing risk of flood damage to property and persons
- Allows for the removal of a physical blockage in the floodway
- Allows for the removal of septic and animal waste from the site improving water quality for the Crow River
- Allows for the sealing of a well improving ground water protection
- Acquisition of the site is consistent with Regional Park Systems Statement supporting recreation opportunities near the Crow River,
- Provides a public water access to the Crow River, allowing opportunities of fishing, small water craft launching/boating, nature observation, picnicking and other forms of passive recreation.
- Majority of funding for this acquisition provided by non-County funds.

ACTION REQUESTED: A motion adopting the "Local Government Resolution", required for the Flood Hazard Mitigation Grant. Authorize Board Chair and County Administrator to sign General Obligation Bond Proceeds Metro Greenways Grant Agreement for the Mittelstaedt Project, Minnesota DNR Flood Damage Reduction Grant, purchase agreement between Carver County and the Mittelstaedt's.

The Board also authorizes County Administrator or the Administrators designee to sign such other documents that may be necessary to complete the transaction between Carver County and Mittelstaedt's. Approve a budget transfer of funds from Parks line item 520-6610 to 520-6601.

FUNDING

County Dollars =	\$50,000
Metro Greenways =	\$100,000
DNR Flood Damage	=\$150,000
TOTAL	=\$300,000

FISCAL IMPACT

- None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Acquisition cost of land and property is \$270,000. Grant proceeds finance \$250,000 of land and property acquisition. Carver County contributes \$20,000 for land acquisition and an additional estimated \$30,000 in in-kind labor and other expenses related to site cleanup and restoration. Staff recommends \$20,000 be transferred from Parks line item 520-6610 to 520-6601 to cover the anticipated costs.

Reviewed by Division Director

Date:

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE June 12, 2007
MOTION BY COMMISSIONER _____

RESOLUTION NO. _____
SECONDED BY COMMISSIONER _____

Mittelstaedt Property Acquisition

GENERAL OBLIGATION BOND PROCEEDS METRO GREENWAYS GRANT AGREEMENT, DNR FLOOD REDUCTION GRANT, PURCHASE AGREEMENT WITH MICHAEL AND BETTY MITTELSTAEDT

BE IT RESOLVED, The Board passes a motion adopting the "Local Government Resolution", required for the Flood Hazard Mitigation Grant. The Board authorizes Board Chair and County Administrator to sign General Obligation bond Proceeds Metro Greenways Grant Agreement for the Mittelstaedt Project, Minnesota DNR Flood Damage Reduction Grant, purchase agreement between Carver County and the Mittelstaedt's. The Board also authorizes County Administrator or the Administrator's designee to sign such other documents that may be necessary to complete the transaction between Carver County and the Mittelstaedt's. Funds of \$20,000 are to be transferred from Parks line item 520-6610 to 520-6601 to cover the County's portion of land acquisition. Other related costs will be funded by Parks Budget line item 520-6610.

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 12th day of June, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 12th day of June, 2007.

David Hemze County Administrator

Exhibit B

Local Government Resolution

BE IT RESOLVED that _____, hereinafter referred to as the "Applicant" act as legal sponsor
(Applicant)
for the project contained in the
Flood Damage Reduction Grant Assistance Program Application to be submitted on _____ and
(Month-Day-Year)
that _____ is hereby authorized to apply for the Department of Natural Resources
(Title of Authorized Official)
for funding of this project on behalf of the Applicant.

BE IT FURTHER RESOLVED that the Applicant has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate acquisition, maintenance and protection of the proposed project.

BE IT FURTHER RESOLVED that the Applicant has not incurred any costs, and has not entered into any written agreements to purchase property proposed by this project.

BE IT FURTHER RESOLVED that the Applicant has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Applicant may enter into an agreement with the State of Minnesota for the above- references project, and that the Applicant certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

NOW, THEREFORE BE IT RESOLVED that _____ is hereby authorized to execute such
(Title of Authorized Official)
agreements as are necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the _____ of
(City Council, County Board, etc)
_____ on _____
(Applicant) (Date)

SIGNED:

WITNESSED:

(Signature)

(Title)

(Date)

(Signature)

(Title)

(Date)

BUDGET AMENDMENT REQUEST FORM

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

DEPARTMENT: Public Health

Date of County Board Session: 6/12/07

General

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Metro Greenways Grant	\$ 100,000	Land Acquisition	\$ 270,000
DNR Flood Damage Grant	\$ 150,000		
Site Improvements -6610	\$ 20,000		
TOTAL:	\$ 270,000	TOTAL:	\$ 270,000

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

H. County Board Decision: Approval/Disapproval

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



REQUEST FOR REGIONAL RAIL AUTHORITY BOARD ACTION

AGENDA ITEM : Union Pacific Railroad Abandonment of the Union Pacific Rail Line in Carver and Scott Counties, STB Docket No. AB 33(Sub No. 255)

Originating Division: Public Works/Parks

Meeting Date: June 12, 2007

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 Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Chaska Industrial Lead from Milepost 38.6 near Merriam to Milepost 33. near Chaska, a distance of 5.6 miles in Carver and Scott Counties, Minnesota. In the letter dated May 11, 2007 from Union Pacific Railroad, from Mr. Chuck Saylor, It asks local and or regional planning agencies to state whether the proposed action of abandonment is consistent with existing land use plans and to describe any inconsistencies.

The planned request to abandon the Chaska industrial lead is inconsistent with the County Comprehensive plan which identifies the Union Pacific Rail Line in Carver County as a possible future trail corridor.

ACTION REQUESTED: Staff recommends that the Board Chair sign the letters to the Surface Transportation Board and Union Pacific Railroad Company stating a Request for Public Use Condition and Request for Interim Trail Use on the Chaska Industrial Lead.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL

= \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments: The proposed letter would allow 180 days for the Regional Railroad Authority to negotiate the terms for acquiring the railroad corridor.

Reviewed by Division Director

Date:

S:Parks/BA-RES/ RBA Union Pacific Rail Public Use Condition Trail use

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

Date: June 12, 2007

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**Union Pacific Railroad Abandonment of the Union Pacific Rail Line in Carver and Scott
Counties, STB Docket No. AB 33(Sub No. 255)**

BE IT RESOLVED, The Carver County Regional Railroad Authority authorizes the Board Chair to sign the letters to the Surface Transportation Board and Union Pacific Railroad Company stating a Request for Public Use Condition and Request for Interim Trail Use on the Chaska Industrial Lead.

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 12th day of June, 2007, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

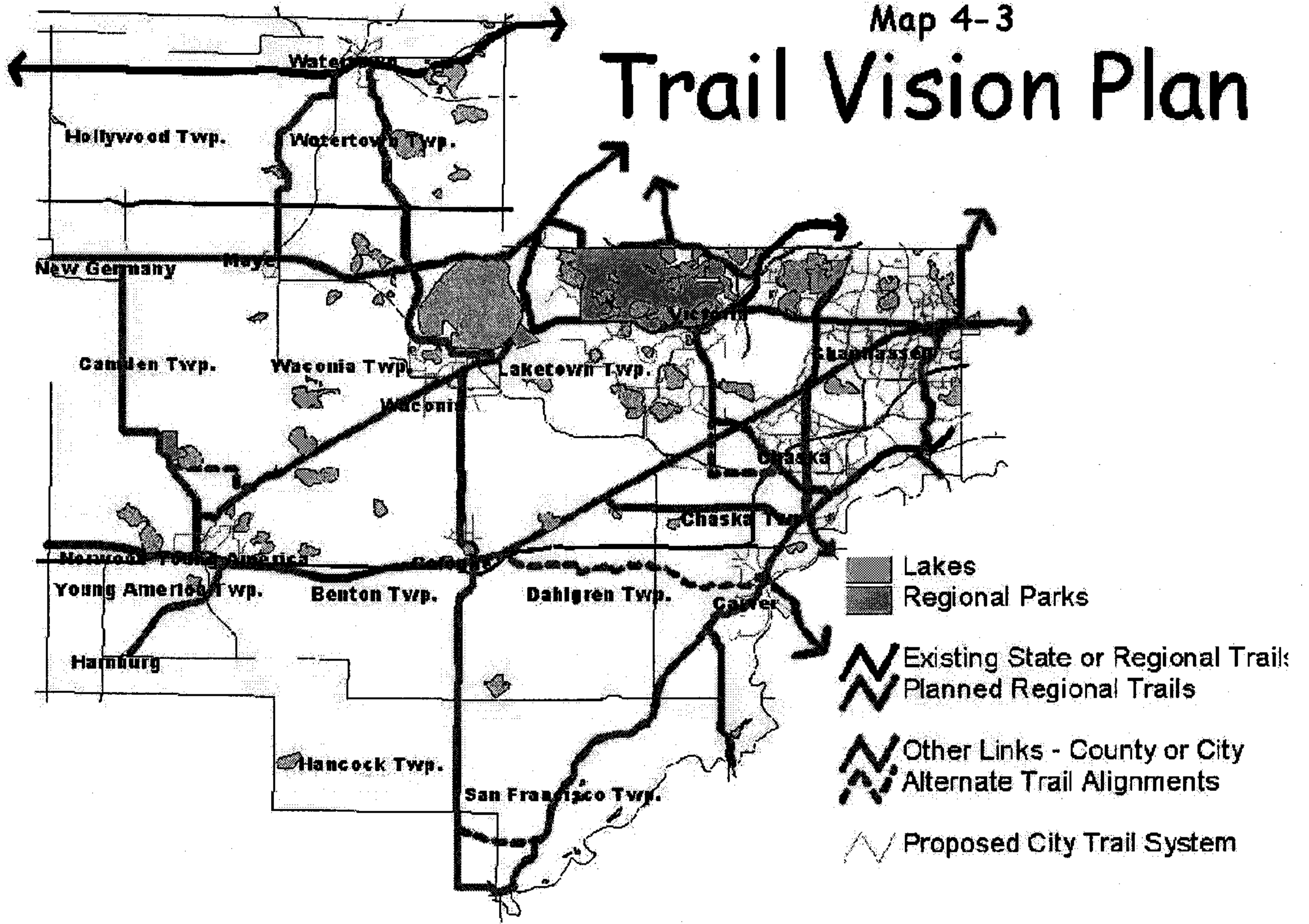
Dated this 12th day of June, 2007.

David Hemze

County Administrator

Map 4-3

Trail Vision Plan



Page 4-25

June __, 2007

Charles W Saylor
Union Pacific Railroad
1400 Douglas Street
STOP 1580
Omaha, NE 68179-1580

Re: Union Pacific Railroad Abandonment of the Union Pacific Rail Line in Carver and Scott Counties, STB Docket No. AB 33(Sub No. 255)

Dear Secretary:

This request is filed on behalf of Carver County Regional Railroad Authority, which is a county government agency interested in transportation and recreation hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization of the Chaska Industrial Lead from Mile post 38.6 near Merriam to Milepost 33.0 near Chaska, a distance of 5.6 miles in Carver and Scott Counties, Minnesota.

A. Request For Public Use Condition

Proponent asks the STB to find that this property is suitable for other public use, specifically trail use, future rail use and other public transportation uses, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. Justification for this condition is: the rail corridor in question is planned for future transportation and recreation purposes and will connect to the metropolitan area regional trail system. The corridor will make an excellent interim trail and is a part of the Carver County Comprehensive Plan. In addition, the corridor provides important wildlife habitat and open space and its preservation as an interim recreational trail is consistent with those purposes. In addition, the Carver County Regional Railroad Authority has not had time to review title information or commence negotiations with Union Pacific Railroad. The time period sought is 180 days from the effective date of the abandonment authorization.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period sought is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Request For Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME

FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, Carver County Regional Railroad Authority is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Union Pacific Railroad Company.

The property, known as the Chaska Industrial Lead from Milepost 38.6 near Merriam to Milepost 33 near Chaska, a distance of 5.6 miles in Carver and Scott Counties, Minnesota. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-33 (Sub-No. 255).

A map depicting the right-of-way is attached.

Carver County Regional Railroad Authority acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signatures below, I certify service upon Union Pacific Railroad Company, 1400 Douglas Street, STOP 1580, Omaha , NE 68179-1580 by U.S. Mail, postage pre-paid, first class, this ____ day of June, 2007.

Respectfully submitted,

_____, Board Chair

On behalf of: Carver County Regional Railroad Authority

June __, 2007

Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

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_____, Board Chair

On behalf of: Carver County Regional Railroad Authority