	Carver County Board of Commissioners
	Regular Session
•	September 4, 2007
•	County Board Room
	Carver County Government Center
•	Human Services Building

			Human Services Building Chaska, Minnesota
9:00 a.m.	1.	a)	PAGE CONVENE
	— -	b)	Pledge of Allegiance
		c)	Introduction of New Employees
	2.		la review and adoption
	3.		ve minutes of August 28, 2007 Regular Session
	4.	~ ~	participation (Comments limited to five minutes)
	5.		unity announcements
9:05 a.m.	6.		SENT AGENDA
J.OJ W.III.	•	6.1	VTI Security Integrators/camera system at the
		0.1	Environmental Resource Management Center
		6.2	Daleiden Painting & Prefinishing contract8
		6.3	Century Fence/furnish and install chain link fence at
		0.5	PWHQ impound lot9
		6.4	Professional service agreement for off leash dog area
		0.4	fencing
		6.5	2007 In-lane rumble strip installation pilot project 12-13
	•	6.6	Final payment of 2007 overlay program
		6.7	Emergency fund grants – contract with Minnesota
		0.7	Department of Public Safety
		6.8	Budget amendment for grant agreement with Carver Scott
		0.0	Educational Cooperative
		6.9	Amendments to Minnesota Pollution Control Agency Organics
		0.9	and Yard Waste Composting project contract
		6.10	Patrick and Deana Riley-request for an equestrian facility 20-23
			Steve Anderson – personal use landing strip/recreational
	•	6.11	Activity
•		6.12	William Swanson-request for a contractor's yard 28-32 Metropoliton Council Local Planning Assistance Grant
		6.13	Metropolitan Council Local Planning Assistance Grant 33-34
		6.14	Lamar companies contract

				.
		6.15	Freedom to Breathe Act donation	36
		6.16	Community Social Services' warrants	NO ATT
		6.17	Commissioners' warrants	SEE ATT
9:05 a.m.	7.	LANI	O AND WATER SERVICES	
		7.1	Contract with Solid Waste Management Coordinating	
			Board and Carver County for MN Paint Demonstratio	n
			Project Coordinator	37-40
		7.2	Approval to hire Environmentalist 1 for the duration of	of the MN
	•		Paint Demonstration project	41
9:20 a.m.	8.	EMP	LOYEE RELATIONS	
		8.1	County attorney appointment	42-43
9:25 a.m.		ADJC	OURN REGULAR SESSION	
BOARD REPORTS				
9:25 a.m.		1.	Chair	
		2.	Board Members	
		3.	Administrator	
9:45 a.m.		4.	Adjourn	
			Dav	vid Hemze
			County Adr	ninistratoı
	•			
		·	ORK SESSION AGENDA	
•				
9:45 a.m.	A	FINA	NCE	
, , ,	~ ~ •	1	Budget	44-4

•

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on August 28, 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:

Add:

8.2 Minnesota Pipeline Agreement

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

Workman moved, Ische seconded, to approve the minutes of the August 14, 2007, Regular Session Motion carried unanimously.

Community announcements were made by the Board.

Under public participation, James Kuhl, San Francisco Township, stated he was present at last week's County Attorney candidate interviews and read that Mr. Keeler would be offered the position in the newspaper. He stated he was troubled with Keeler's comment that he would be working for the Board of Commissioners and not the citizens of the County. Kuhl pointed Keeler had been a resident of the County for 17 years and if he was interested in the position he would have had many opportunities to run for the elected office. He noted all questions submitted by the citizens had not been asked and believed citizens had a right to know the responses.

He stated he would continue to ask Mr. Keeler questions if items are not handled properly. He indicated citizens have concerns in the county although they don't say it. He suggested he would be a spokesperson for those people out there who have concerns and do not come before the Board.

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

Payment of emergency claims in the amount of \$396,455.52 and \$750.

Approved the appointment of Peter Henschel as the County's representative to the Metro GIS Coordinating Committee with Dave Drealan serving as the alternate.

Re-instated Dawn Frederiksen as a 9-1-1 Dispatcher, Step 10.

Re-instated Heather Krug to the autism specialist position effective August 20, 2007.

Contract with SeaYa Diving.

Authorized the Sheriff's Office to enter into an agreement with DMS Imaging to provide on site inmate X-rays.

Accepted County Veterans Service Officer Operational Improvement Grant in the amount of \$4,200 and Veterans Service budget amendment increasing grant revenue \$4,200 and increasing cell phones, VIMS, and training expenditures \$4,200.

Financial assistance agreement with Paul Haas for solid waste dump clean up.

Contract with Rinke Noonan Attorneys at Law and authorized signatures of Chair and County staff of all related documents.

Authorized temporary Planning Tech position in Land and Water Services Division through December 31, 2008.

Approved the following abatements:

04-0210910	Thomas A & Keri L Breeggemann (2005, 2006, 2007)
85-0503290	James P & Bridgette Nolan (2005, 2006, 2007)
85-0503293	Cheryl May (2005, 2006, 2007)
30-0981020	Robert S Finney (2006, 2007)
11-0280810	Russell P Goetze
25-7720213	Stone Creek Office Group LLC
25-7720212	Stone Creek Office Group LLC
25-7720204	Stone Creek Office Group LLC
25-7720203	Stone Creek Office Group LLC
25-7720202	Stone Creek Office Group LLC
25-7720124	Stone Creek Office Group LLC
25-7720121	Stone Creek Office Group LLC
25-7720115	Stone Creek Office Group LLC
25-7720113	Stone Creek Office Group LLC
25-7720112	Stone Creek Office Group LLC
25-7720104	Stone Creek Office Group LLC
25-7720103	Stone Creek Office Group LLC
25-7720102	Stone Creek Office Group LLC
65-5480410	City Of Victoria (2005, 2006, 2007)
65-5480390	City Of Victoria (2005, 2006, 2007)
65-5480380	City Of Victoria (2005, 2006, 2007)
25-1601110	Lawrence Veltkamp
M09.9510007	Patrick Mccaw (2005, 2006, 2007)
75.2700410	Landon M & Karen L Ziemke (2006, 2007)
25.6350067, 25.6350153	Olin W & Dianne L Lippincott
65.2950120	John R. Stroshahl, Trustee of JR Strosahl Trust

Approved the renewal application for on-sale and Sunday liquor license for Island View Golf Club, Inc.

Concurred in the award of the contract to Northwest Asphalt, Inc., in the amount of \$4,830,662.63 for CSAH 14 (Pioneer Trail) Extension, Project SAP 10-614-07 and approved Public Works budget amendment increasing the following revenue accounts: interest earned from 2005 bond sale \$300,000; State aid \$420,000, local levy \$80,000 and increasing CSAH 14 extension project expenditure \$800,000.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Ische moved, Lynch seconded, to open the public hearing on proposed Social Host Ordinance No. 59-2007. Motion carried unanimously.

Janet Cain, County Attorney's Office, explained the ordinance was a collaborative effort between the Sheriff's Office, Chaska Police Department and the County Attorney's Office. She indicated approximately a year ago they started discussing this issue and put a lot of research into it. She stated they reviewed the statistics on underage consumption, obtained an Attorney's General's Opinion and consulted with a number of other agencies.

Cain noted the work session held in July and the direction to perform a public survey at the County fair. She stated they received 35 responses, with nine individuals opposing the ordinance and 26 supporting it. She pointed out informational sheets had been developed on the ordinance, that all newspapers had included information and the Citizen newsletter included an article to raise public awareness.

She acknowledged there was some concern that there would be additional involvement from the Sheriff's office into an individual's personal life. She clarified the ordinance itself would not bring any more involvement from the Sheriff's office than there is at this time. Cain explained what officers are currently allowed to do under existing laws. She stated the ordinance would give the officers another tool once they get to a scene. She indicated they would not hold hosts responsible if they did not know and the ordinance focuses on knowledge. She added they were not looking to go after more people but looking at reducing the number of underage parties.

Cain pointed out alcohol was the drug of choice for many young people and the leading cause of death. She stated the ordinance was to discourage people from allowing underage parties and an effort to change the social values in the County.

Sheriff Olson stated he knew individuals that were both for and against this ordinance. He pointed out the number of citations for underage DWIs, consumption and possession. Olson acknowledged they have a law that deals with procurement but this ordinance holds people accountable who knowingly or had reason to know they were hosting an underage drinking party. He stated they would not be taking an aggressive approach but it would give them another tool when they have underage drinking situations.

Greg Reinhardt, Chaska Police Department, stated he was a street officer and deals with these issues on a routine basis. He stated he sees the effects of alcohol and the ordinance was needed. He stated they know consuming and possession is illegal, they know what the effects of alcohol are and in light of that, this ordinance makes sense. Reinhardt believed the ordinance would give them another tool to combat the problem.

Jim Wolter, Cologne, suggested the public hearing should have been held in the evening. He explained he was a former bar owner and familiar with Dram Shop Rules. He cited an example of individuals going to a number of parties in the same neighborhood and bringing alcohol in and thereafter law enforcement showing up. He questioned who would be held responsible in those instances. He stated he did not support underage drinking but suggested this was an invasion of privacy. Wolter believed there were other ways of handling this issue, including education.

Sheriff stated they always respond when there is a complaint and he didn't believe officers have gone to homes without a complaint. He stated he understood the fears but the intent is to discourage underage parties from happening in the first place. He also noted they cannot make assumptions on who the social host might be and have to get credible facts. Sheriff explained educational efforts in the past and that they have been working on the underage drinking problem for a number of years. He stated the ordinance was another step that was reasonable in trying to protect youth from making unfortunate choices and holding people responsible.

Olson reviewed the handling of calls when they receive a complaint on an event and stated they have to have credible information that they know or have reason to know there were underage violations.

Reinhadt explained the Chaska Police's response to complaints, noting the ordinance would not change their response but would allow them to go after those that host the parties. He stated those that host these parties do not know when an individual has too much to drink, when a person may be in danger and there were many liabilities the host is assuming.

Sheriff acknowledged this has been an acceptable community practice but believed people hosting the parties don't realize the risks.

Wolter pointed out the difficulty in proving who brought alcohol to a party and the possibility of a minor turning in an innocent homeowner and the homeowner needing to defend himself He believed there were already tools in place and there were better ways of handling the issue.

Cain pointed the officer's job is to do a thorough investigation and, as a prosecutor, she needed to prove a case beyond a reasonable doubt. She recognized the possibility of charging someone for

contributing to the delinquency of a minor but stated that was a vague Statute. She stated through the ordinance people understand what their responsibilities are.

Sheriff Olson stated he would be discussing the ordinance with Sheriffs around the State and the possibility of bringing it to local legislators to see if there is interest in enacting at the State level.

Steve Chepokas, Chanhassen, stated he was the parent of a 17½ daughter and commented on personal situations he had been involved in related to underage drinking. He stated responsibility needs to start at home and it was their job, as parents, to keep youth safe. He believed parents should lead by example. Chepokas stressed parents needed to be held responsible for hosting parties and he was strong advocate of having an ordinance where parents are held responsible.

Bob Nicklaus, Cologne, stated they all know that underage drinking is against the law and the only thing that is going to convince individuals is if they have something they have to fear. He stated the State Legislature should be implementing this law but, as he was doubtful the Legislature would, the County should. He felt the statistics were clear and they needed to pass an ordinance. He suggested the possibility of including jail time in certain instances and the need to send a message. Nicklaus added that the County should take a lead in enforcing this ordinance and believed they would be seeing a reduction of these situations.

James Kuhl stated if this is a major issue the County should try and get this adopted at the State level. He pointed out the effects of peer pressure on young people and that there should be an effort on the State level to have uniformity among the Counties.

Sheriff commented on laws that currently include diversion programs and if those programs could be applied to this ordinance.

Cain agreed there could be some flexibility on penalties and it would be important to deal with the number of offenses differently. She stated they could also look at sentencing options.

The Board questioned the option to include diversion programs or restorative justice programs in the ordinance and sentencing options if there was more than one offense. The Board also acknowledged current social values and the possibility of youth going to surrounding counties where there is no ordinance.

Cain stated restorative conferencing is currently only available for juveniles and she would need to look at what types of diversion programs are viable. She agreed these were all options they could look into.

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

Ische moved, Maluchnik seconded, to direct the County Administrator to bring the social host ordinance back at a future work session along available options. Motion carried unanimously.

Doris Krogman, Employee Relations, requested approval to amend intergovernmental exchange agreement with Hennepin County for services of Toni Beitz as First Assistant County Attorney. She stated the current agreement ends today and they are asking for an extension as the new County Attorney appointment will not commence until sometime in September.

Ische moved, Lynch seconded, to approve amendment to agreement between Carver County, Hennepin County and Toni Beitz. Motion carried unanimously.

Lynch moved, Ische seconded, to adjourn as the County Board at 11:30 a.m. and convene as the Carver County Ditch Authority. Motion carried unanimously.

Mark Lundgren, Taxpayer Services, requested the Ditch Board appoint viewers for County Ditch #4. He noted Jim Wiedemann explained the process for the re-viewing at a previous Board meeting and they were asking for the appointment of three individuals plus an alternate.

Ische moved, Lynch seconded, to appoint Jim Wiedmann, Duane Bendizen and William Moldestad as viewers for County Ditch #4 and to appoint Ron Ringquist as an alternate. Motion carried unanimously.

Lundgren requested approval of a contract with Minnesota Pipeline. He explained Minnesota Pipeline was constructing a pipeline through a portion of Carver County extending a little over six miles. He indicated the pipeline was allowing \$500 per mile as reimbursement for the compliance officer to make sure nothing is altered.

Ische moved, Lynch seconded, to authorize Chair to sign Minnesota Pipeline Agreement after internal review and addition of any necessary amendments. Motion carried unanimously.

Maluchnik moved, Workman seconded, to adjourn the Carver County Ditch Board, 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 AUG 2 1 2007

AGENDA ITEM: VTI Security Integrators/Camera S Center (ERMC).	System at the Environmental Resource Management			
Originating Division: Administrative Services	Meeting Date: 09/04/2007			
Amount of Time Requested:	Attachments for packet: Yes No			
Item Type: ⊠Consent □Regular Session □Clos	sed Session			
integrators (VTI) to install camera systems throughout ERMC was identified in 2006 and budgeted for in 2007 VTI will provide and install cameras to the following are Yard coverage (location not determined); Inside Door	eas: Yard Gate Area; Back Yard area; Drive way and/or 4. VTI will provide and install the cameras and the DS			
, ,	or administration and review will be provided and a small ed. Also included will be training for the Carver County VR.			
Two additional quotes were received for this project: Pro-Tec Design, Inc. submitted a proposal of \$9,774.08; and Appollo Systems \$9,415.67; VTI was low quote at \$6,180.00.				
ACTION REQUESTED: Approve Contract with VTI in equipment.	the amount of \$6,180.00 for camera and recording			
FUNDING County Dollars = \$ Other Sources & Amounts = = \$ TOTAL = \$ Related Financial Comments: \$6,180.00 to be paid from Security Camera Purchase and Install.	FISCAL IMPACT None Included in current budget Budget amendment requested Other: om Facilities Account 01-110-000-0000-6640 CIP 110-22			
⊠Reviewed by Division Director	Date: 8/27/07			

WAR WAS TO YOU



AGENDA ITEM: Daleiden Painting & Prefinishing/Jail Pai	nting
Originating Division: Administration	Meeting Date: September 4, 2007
Amount of Time Requested: -0-	Attachments for packet: ☐Yes ☒ No
Item Type: ⊠Consent □Regular Session □Closed Sess	sion
BACKGROUND/EXPLANATION OF AGENDA ITEM: Facilities Prefinishing to provide labor and materials for painting the followal square feet – two walls; paint walls and floors of Women's price for this work is a not to exceed cost of \$9,000.00. An additional youngdale, in the amount of \$9,770.00, which did not include the request a revised paint proposal from Swanson & Youngdale for already higher than Daleiden Painting without the Women's Second	wing: 22 visitor cubicles; 7 metal doors and frames; s Segregation area, (day room and cells). The litional quote was received from Swanson & he Women's Segregation Area. Facilities did not or the additional identified work because they were
ACTION REQUESTED: Motion to approve Contract with Carvand Prefinishing in the amount of \$9,000.00.	er County Facilities Services and Daleiden Painting
FUNDING County Dollars = \$9,000.00 Other Sources & Amounts = = \$ TOTAL = \$9,000.00 Related Financial Comments: To be paid from Facilities Accounts	FISCAL IMPACT None Included in current budget Budget amendment requested Other: ont 01-110-000-0000-6640 CIP 110-15 Painting.
Reviewed by Division Director	Date:



AGENDA ITEM: Century Fence/Furnish and install chain	ink fence for PWHQ Impound Lot.
Originating Division: Administration	Meeting Date: 9/4/2007
Amount of Time Requested:	Attachments for packet: Yes No
Item Type: ⊠Consent □Regular Session □Closed Ses	sion
BACKGROUND/EXPLANATION OF AGENDA ITEM:	
Carver County Facility Services wishes to contract with Centur approximately 425 l.f. of 11' high overall chain link fence with be galvanized wire. Line posts shall be 2 ½" OD Schedule 40 and foot of the fence shall consist of three stands of barbed wire at slide gate 14' wide by 11' high with barbed wire. This project is Public Works, in Cologne.	arbed wire. Fabric shall be 2" mesh, 9 guage dispaced a maximum of 10' on centers. The top 1 ached to 45 degree arms. Also included is a single
Quotes were received from two vendors: Century Fence with a with a quote of \$24,360.36.	quote of \$13,488.00; and Dick Ertl Construction
-	
•	
ACTION REQUESTED: Motion to approve Contract with Cent	ury Fence in the amount of \$13,488.00.
FUNDING County Dollars = \$13,488.00 Other Sources & Amounts = = \$ TOTAL = \$13,488.00 Related Financial Comments: \$13,488.00 to be paid from Fact 42/Impound lot.	FISCAL IMPACT None Included in current budget Budget amendment requested Other: ilities Account 01-110-000-0000-6640 CIP 110-
⊠Reviewed by Division Director	Date: 8/27/07

Report Date: August 27, 2007



AGENDA ITEM: Professional Service Agree	ement for Off Leash Dog Area Fencing			
Originating Division: Public Works	Meeting Date: 8/28/07			
Amount of Time Requested: 0	Attachments for packet: ☐Yes ☒ No			
Item Type: ⊠Consent □Regular Session	☐Closed Session ☐Work Session ☐Ditch/Rail Authority			
BACKGROUND/EXPLANATION OF AGENDA ITEM: The Parks Department continues the development of the off leash dog area at Lake Minnewashta Regional Park. Fencing is needed to establish the physical border of the off leash area. Two quotes where received for the materials and installation of woven wire field fencing for the off leash area:				
K-Fence: \$14,743.59 Alpine Fence, LLC :\$30,760.00				
Based on the lowest of the two bids, staff recommends K-fence furnish and install the fencing for the off leash area.				
ACTION REQUESTED: It is recommended that the County Board author the Professional Service Agreement.	orize the County Board Chair and the County Administrator to sign			
FUNDING County Dollars = \$ Other Sources & Amounts = \$14,743.59 Fund 30-528-6610 TOTAL = \$14,743.59 Related Financial Comments: This planned expense is to be reimbursed by the	FISCAL IMPACT □None □Included in current budget □Budget amendment requested □Other: The City of Chanhassen and City of Shorewood per agreement.			
Reviewed by Division Director	Date: 8-6-07			

S:\Parks\BA and RES\RBA - K-Fence.doc

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: August 28 th , 2007 Motion by Commissioner:	Resolution No: Seconded by Co	· · · · · · · · · · · · · · · · · · ·
	PROFESSIONAL SERVICE AG BETWEEN K-FENCE AND CARVER CO OR MATERIALS AND INSTALLATION LEASH DOG AREA AT LAKE MINN	DUNTY ON OF FENCING
the Board Chair Agreement Betwee	, that the Carver County Board of Co and the County Administrator to e en K-Fence and Carver County for nnewashta Regional Park.	execute the Professional Service
YES	ABSENT	NO
STATE OF MINNESOTA COUNTY OF CARVER		
	of this resolution with the original minutes of on held on the 28 day of August	ounty of Carver, State of Minnesota, do hereby certify that the proceedings of the Board of County Commissioners, 2007, now on file in the Administration office, and
Dated this 28 day of August	, 2007.	

County Administrator



AGENDA ITEM :	2007 In-lane Ru	ımble Strip Installa	tion Pilot Proec	t
Originating Division: Public V	Works	Mee	ting Date: Septer	nber 4, 2007
Amount of Time Requested:	None	Atta	chments for pack	et: ⊠Yes □ No
Item Type: ⊠Consent □F	Regular Session	Closed Session	Work Session	Ditch/Rail Authority
BACKGROUND/EXPLANATI	ON OF AGENDA I	TEM:		
A pilot project to evaluate perfe highway corridor is depicted be CSAH 20 from the west county	y the attachment. T			•
Five approaches to stop sign rumble strips would be installe		ions would have in	n-lane rumble str	ips installed. These sets of
 Eastbound lane of CS Westbound lane of CS Northbound lane of CS Southbound lane of CS Eastbound lane of CS 	SAH 20 approaching SAH 21 approaching SAH 21 approaching SAH 20 approaching	g CSAH 33, the g CSAH 20, the g CSAH 20, and the TH 25.	•	
The attachment illustrates the	locations for the co	nstruction of the run	nble strips.	
ACTION REQUESTED: A motion to approve an in-lane rumble strip pilot project on the CSAH 20 corridor between the west county line and TH 25 and the installation of in-lane rumble strips on five approaches to stop signs at four intersections (CSAH 20 eastbound at CSAH 33, CSAH 20 westbound at CSAH 33, CSAH 21 northbound at CSAH 20, and CSAH 20 eastbound at TH 25).				
Other Sources & Amounts = = TOTAL = Related Financial Comments:	\$ = \$	□No □Inc □Bu □Ot	cluded in current udget amendment ther:	t requested
The work will be accomplished funds within the current highways	• •	•	Department and a	any needed venders utilizing
Reviewed by Division Dire	ector Caps Suffig	Date	: 8/27/0	7

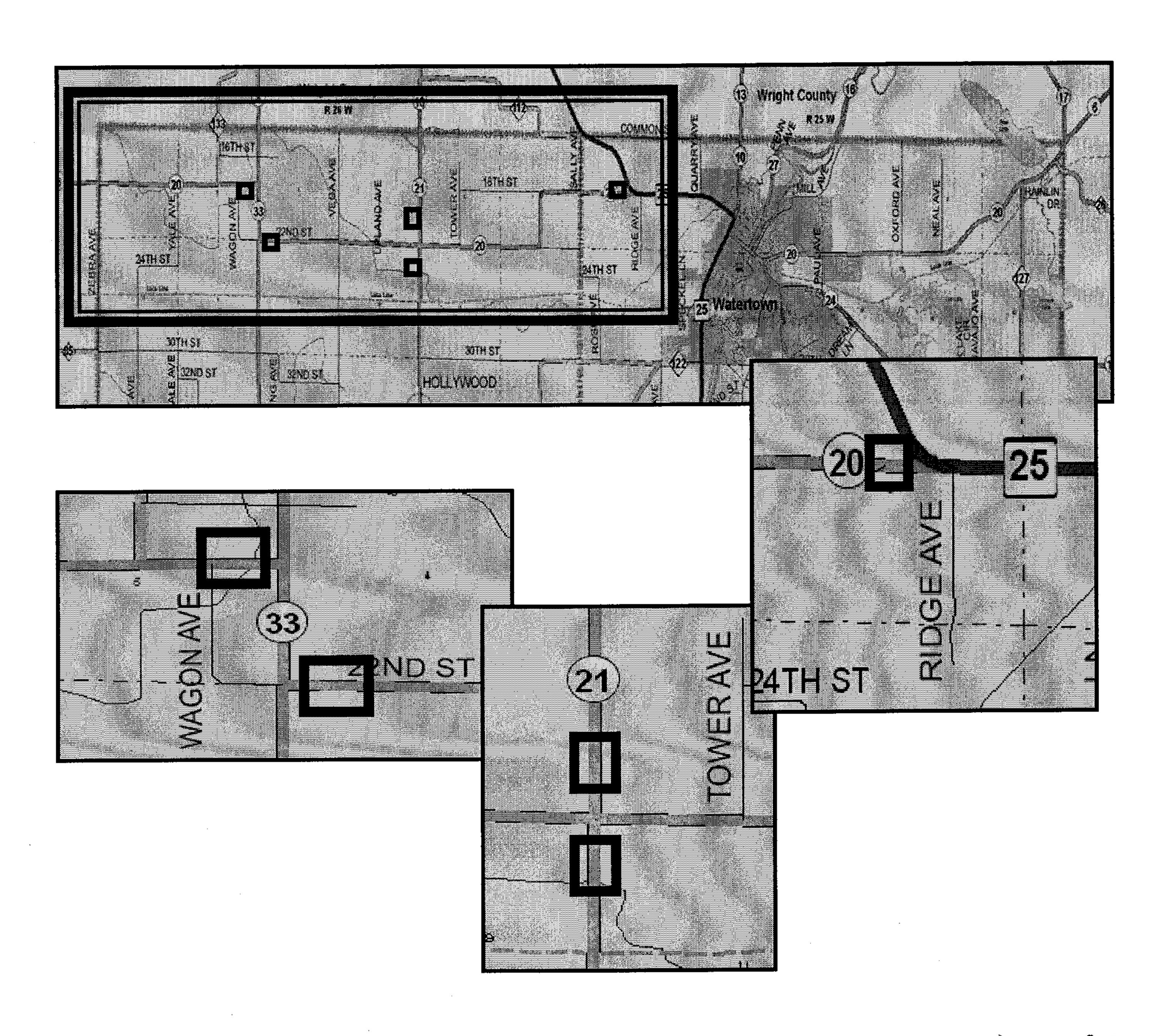
S:/PW./Roger/Rumble Strips – Pilot Project – CSAH 20 – 07 ½ 0914 - BAF

Report Date: August 17, 2007

2007 In-Lane Rumble Strip Installation Pilot Project

CSAH 20 Corridor (West County Line to TH 25)

Location Map





AGENDA ITEM: FINAL PAYMENT OF 2007 OVER	LAY PROGRAM
Originating Division: Public Works	Meeting Date: 09/04/07
Amount of Time Requested:	Attachments for packet: ⊠Yes ☐ No
Item Type: ⊠Consent □Regular Session □Clo	sed Session
of both contracts involved. Final payment consists of	: The 2007 Overlay Program has been completed at 100% the release of retainage withheld on the contracts. Board and finalizing the contracts of the 2007 Overlay Program.
ACTION REQUESTED: Adopt resolution accepting p \$53,252.02.	project as complete and authorizing final payment of
FUNDING County Dollars = \$14,368.23 Other Sources & Amounts = 38,883.79 = \$ TOTAL = \$53,252.02 Related Financial Comments: Contracts (Initial): \$1,000 Contracts (Final Certified): \$1,000 Paid To Date: \$1,000 Retainage: \$	065,040.15 011,788.13
Reviewed by Division Director	Date: 8/27/07

S:Projects/Overlays/2007/FINAL PAYMENT - BAF

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

	09/04/07 n by Commissioner:	Resolution No: Seconded by Commissioner:	
		COUNTY BOARD ACKNOWLEDGMENT 2007 OVERLAY PROGRAM FINAL PAYMENT	
	10-641-04) have in premises, now then behalf of the Countamount of \$53,252	Overlay Program contracts (CP 07-SHEET, CP 07-152, SAP 10-632-15, SAP all things been completed, and the County Board being fully advised in the n be it resolved, that we do hereby accept said completed project for and on ty of Carver and authorize final payment to Wm. Mueller & Sons, Inc. in the 2.02.	
	YES	ABSENT NO	
STATE	OF MINNESOTA		-
that I lead that Commission and have	I, David Hemze, duly appeared the foregoing compared the foregoing sioners, Carver County, I	ppointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereb going copy of this resolution with the original minutes of the proceedings of the Board of Minnesota, at its session held on the 4th day of September, 2007, now on file in the Administration rue and correct copy thereof. 2007.	County
		County Administrator	<u> </u>



AGENDA ITEM: Emergency Fund Grants - Contract with I	MN Department of Public Safety
Originating Division: Attorney	Meeting Date: 9/4/07
Amount of Time Requested: 1 minutes	Attachments for packet: ⊠Yes ☐ No
Item Type: ⊠Consent □Regular Session □Closed Sess	ion
BACKGROUND/EXPLANATION OF AGENDA ITEM: Contract	ct for crime victim funds in the amount of \$8,000.00
ACTION REQUESTED: Approve acceptance of funds payable	to the treasurer for placement in County Attorney
budget for disbursement to crime victims.	
FUNDING	FISCAL IMPACT
County Dollars = \$ Other Sources & Amounts =	⊠None ⊠Included in current budget
= \$8,000.00 - \$8,000.00	Budget amendment requested Other:
TOTAL = \$8,000.00 Related Financial Comments:	
Reviewed by Division Director Bu Du	Date: (lug. 22, 2007



AGENDA ITEM: Budget Amendment for Grant Agreement	with the Carver Scott Educational Cooperative
Originating Division: Community Social Services	Meeting Date: 9/04/2007
Amount of Time Requested: NA	Attachments for packet: ⊠Yes ☐ No
Item Type: ⊠Consent □Regular Session □Closed Sess	ion
BACKGROUND/EXPLANATION OF AGENDA ITEM: The Grace Cooperative was approved at the April 3, 2007 Board Meeing we payments to provide collaborative services. The Division will be provide under our Purchase of Services Contact which was also amendment will adjust our 2007 Budget for these transactions.	vill require the Division to provide quarterly grant ill the Cooperative quarterly for services we
ACTION REQUESTED: To approve the budget amendment to services expenditures for the grant agreement between the Car Social Services.	·
FUNDING County Dollars = \$ Other Sources & Amounts = = \$ TOTAL = \$ Related Financial Comments:	FISCAL IMPACT None Included in current budget Budget amendment requested Other:
⊠Reviewed by Division Director	Date: 8-27-2007

Report Date: August 27, 2007

BUDGET AMENDMENT REQUEST FORM

Submit to Finance Office or				ession		
DEPARTMENT: Community Date of County Board Sessi						
Description of Revenue Account funds are to Increased/(Decreased):	An	ount	Description of Account ful Increased/(D	nds are to	A	mount
Coop fees	\$	537,064	Coop co	ntract	\$	537,064
TOTAL:	\$	537,064	TOTAL:		\$	537,064
A. Reason for Request:	See acc	companying	C3Board Action.			
B. Financial Impact: (To be filled	d out by	Controller				
C. Contingency Acct. Beginning	g Bal.:		\$	300,000		
D. Contingency Acct. Current B	al.:	•	\$			
E. Current Balance After Adj.:			<u>\$</u>	300,000		
F. Prepared/Requested By:	Chuck (Churchill/Ga	ary Bork			
G. Recommend Approval:	Finance					

Approval/Disapproval

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

H. County Board Decision:



AGENDA ITEM: Amendments to Minnesota Pollution Control Agency Organics and Yard Waste **Composting Project Contract**

Originating Division: Land and Water Meeting Date: September 4, 2007

Amount of Time Requested: NA Attachments for packet: yes

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

Carver County, through the Environmental Services Department, has entered into an agreement with the Minnesota Pollution Control Agency to conduct a demonstration project regarding the collection and composting of residential organics. The Amendment will allow the County to add material including M.A Gedney rejected cucumbers and material from the University of Minnesota Landscape Arboretum Cafeteria to the project.

ACTION REQUESTED: Motion to approve the contract amendments between Carver County and Minnesota Pollution Control Agency for the organics composting project.

FUNDING

County Dollars = \$0.00

Other Sources & Amounts = \$

TOTAL

= \$0.00

FISCAL IMPACT

None

Included in current budget X Budget amendment requested

Other:

Related Financial Comments: There are no financial implications to the amendment.

Reviewed by Division Director

Date: 23 August 01



AGENDA ITEM: Patrick & Deana Riley - request for an	equestrian facility			
Originating Division: Land Water Services	Meeting Date: September 4, 2007			
Amount of Time Requested: None	Attachments for packet: ⊠Yes ☐ No			
Item Type: ⊠Consent □Regular Session □Closed Ses	sion			
BACKGROUND/EXPLANATION OF AGENDA ITEM: File #PZ20070037. The Planning Commission recommended approval of the Conditional Use Permit for Patrick & Deana Riley. The proposed equestrian facility would include the existing barn with nine stalls, a proposed approximate 6,000 sq ft indoor riding arena, and three fenced pasture areas. The Riley's would like to board horses along with the horses they own. Environmental Services inspected the site and determined that it is an existing feedlot due to the history of the property, and that twenty horses should be a maximum for the facility due to a steep slope on one pasture and shoreland and floodplain over much of the property. Conditions on the permit were designed with the help of Environmental Services to mitigate those concerns. Watertown Town Board recommended approval of the request.				
ACTION REQUESTED: A motion to adopt the Findings of Fact and to issue Order #PZ20070037 for the issuance of a Conditional Use Permit				
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: 27 Ay 0]			

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COUNTY OF CARVER

PLANNING COMMISSION RESOLUTION

FILE #: PZ20070037

RESOLUTION #: 07-22

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

FILE #: CU-PZ20070037

APPLICANT: Patrick and Deana Riley

SITE ADDRESS: 2590 Hutchinson Rd, Watertown

PERMIT TYPE: Equestrian Facility

PURSUANT TO: County Code, Chapter 152, Section 152.079 C5

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-008-0400

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of August 21, 2007; and,

WHEREAS, the Carver County Planning Commission finds as follows:

- 1. Patrick and Deana Riley own a 40.06 acre property located in the West Half (W½) of the Northwest Quarter (NW¼) of Section 8 in Watertown Township. The property is improved with a home with attached garage and a barn. The site is located within the Agricultural Zoning District, partially in the Shoreland and Floodplain Overlay Districts, and the Crow River Watershed.
- 2. The applicants are applying for a Conditional Use Permit for an equestrian facility pursuant to Section 152.079 C5 of the Carver County Code.
- 3. The applicants are proposing to operate a horse boarding facility. They would like to construct a 60' x 100' riding arena for indoor riding in the winter months. The existing barn has nine stalls and would house most of the horses. The Rileys currently own seven horses and would like to keep up to twenty horses on the site. Operating hours would be 10:00 a.m. to 8:00 p.m. Monday through Friday, and 8:00 a.m. to 8:00 p.m. on the weekends. The operation would have no employees outside members of the family. Approximately four to six trips in and out are expected each day. Parking is available on the west and north sides of the existing barn.
- 4. Ginger's Party Ponies was operated on this site by the previous owner Virginia Dixon from 1999 to 2004. She received a CUP for a recreational activity which included day camps and field trips to teach children how to care for farm animals. She also took her animals off-site to give pony rides and provide a petting zoo.
- 5. Environmental Services reviewed the operational plan and evaluated the site to determine if twenty animal units should be allowed in a sensitive area (pastures in shoreland and floodplain). They determined that because the use under the previous owner was sufficient to be considered a feedlot, and because their concerns could be mitigated by conditions on the permit, twenty horses would be acceptable at this site. Pasture 1 is of greatest concern because it drains to a ditch that runs to the Crow River. Six inches of vegetation will be required to be present on this pasture at all times, and overgrazing must be avoided.
- 6. The CUP requirement for existing feedlots in Shoreland is addressed here with the pasture management plan. The

proposed improvements on the site would not be located within either the Shoreland or the Floodplain Overlay District.

7. The Watertown Town Board heard the request at their July 2, 2007, Town Board meeting and recommended approval.

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

- 1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
- 2. The equestrian facility shall be operated in accordance with the operational plan and site plan. These plans shall be attached to and become part of this permit. Hours of operation shall be from 10:00 a.m. to 8:00 p.m. Monday through Friday, and from 8:00 a.m. to 8:00 p.m. on the weekends.
- 3. A maximum of twenty (20) animal units (horses) shall be allowed on the site at any time. The Permittees must at all times comply with the requirements stated in the Environmental Services letter dated August 13, 2007 and the Carver County Feedlot Ordinance.
- 4. The hillside pasture south of the riding arena shall be managed to keep vegetation present at a minimum height of six inches in order to avoid erosion into the wetland. The Permittees shall take care to not overgraze this pasture.
- 5. Dust control must be undertaken when necessary, as directed by the Township as Road Authority.
- 6. Any required building and septic permit(s) must be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary. All structures shall meet the applicable State Building Code requirements.

ADOPT	ED by 1	the Carver	County PI	lanning C	Commission 1	this 21	st day o	f August, 20	07.
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Gene Miller	
Planning Commission Chair	

Watertown Township COMMON ST. Maxi Lake ANE <u>38T</u>H ST SWEDE LAKE RD S) results **Laide** 46TH ST 46TH ST <u>46TH ST</u> 50TH ST SNICKER GOETZ **52ND ST** 25 58TH LUETKE LIV 62ND ST 62ND ST Ш This map was creaked using Carver County's Geographic Information Systems (CISS, Hisa compliation of tribunation and data from various Miles City, County, State, and federal offices. This map is not a surveyed or legally recorded map and is triended to be used as a reference. Carret Countries not responsible for any inacouracies contained herein. Map Created by Cauer Court GIS Apr 21, 2006



AGENDA ITEM: Steve Anderson – Personal Use Landin	g Strip/Recreational Activity			
Originating Division: Land & Water Services	Meeting Date: September 4, 2007			
Amount of Time Requested: None	Attachments for packet: ⊠Yes ☐ No			
Item Type: ⊠Consent □Regular Session □Closed Ses	ssion			
BACKGROUND/EXPLANATION OF AGENDA ITEM:				
File #PZ20070034. The Planning Commission recommended approval of the Conditional Use Permit (CUP) for Steve Anderson. His request is to fly powered parachutes from a property he is purchasing in Camden Twp. He would use a circular area of approximately 350 ft in diameter for taking off and landing, which would be located on the north end of the property, and would build a 5,000 sq ft shed on the south end of the site. The shed would house the machines, tractors, plow, and a few personal items. Three old agricultural buildings would be demolished. Mr. Anderson owns two powered parachutes, and has a few friends that own the machines and would fly from his property. A maximum of ten people would be allowed on the property at one time for the purpose of flying; any more people would require a special event administrative permit. Because wind conditions limit the amount of time that flying is possible, Mr. Anderson would not expect to fly more than forty hours in a year. His hours of operation would be 8:00 a.m. to sunset. In response to questions about the noise of the machines, the Planning Commission recommended compliance review for the first year of the operation, and if no problems have been identified, the permit would revert to administrative review. The Camden Town Board supports the request.				
ACTION REQUESTED:				
A motion to adopt the Findings of Fact and to issue Order #PZ20070034 for the issuance of the Conditional Use Permit.				
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: 27 1240/			

Report Date: August 24, 2007

COUNTY OF CARVER PLANNING COMMISSION RESOLUTION

FILE #: PZ20070034

RESOLUTION #: 07-21

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

FILE #: PZ20070034

APPLICANT: Steve Anderson OWNER: Roberta Venske

SITE ADDRESS: 16040 Co Rd 32

PERMIT TYPE: Personal Use Landing Strip/Recreational Activity with Unique Land or Location Needs

PURSUANT TO: County Code, Chapter 152, Section(s) 152.080 C1&7

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 02-015-0300

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of August 21, 2007; and,

WHEREAS, the Carver County Planning Commission finds as follows:

- 1. Steve Anderson has a purchase agreement to buy Roberta Venske's 40 acre property located in the East Half (E½) of the Southeast Quarter (SW¼) of Section 15, Camden Township. The property is improved with a house, a detached garage and several old agricultural buildings. It is located in the Agricultural Zoning District, partially in the Shoreland and Floodplain Overlay Districts, and the CCWRMA (Crow River).
- 2. The applicant is requesting a Conditional Use Permit (CUP) to operate a Personal Use Landing Strip/Recreational Activity pursuant to Section(s) 152.080 C1 and 7 of the Carver County Zoning Code.
- 3. Mr. Anderson is proposing to use the property for flying powered parachutes. He owns two of these machines, and would use an area in the north part of the property for take off and landing. He also would like to construct a 50' x 100' storage building near the house. This use fits under a combination of personal use landing strip and recreational activity that requires a location in a rural area.
- 4. Mr. Anderson's letter states that he typically flies about 40 hours a year, and his hours of operation would be from 8:00 a.m. to sunset. The machines can only be flown in light wind and they make a noise that is similar to a leaf blower.
- 5. Mr. Anderson will use an area in the north of the property for take-off and landing, though any mowed area of sufficient size would work. Mr. Anderson's letter states that a 500' x 500' square would be used, however in further discussion, Mr. Anderson stated that this much area is not necessary, and a circular area of approximately 350 ft in diameter was designated on the staff-drawn site plan.
- 6. The landing area is within the Floodplain Overlay District, and landing strips are a permitted use in the Floodplain.

 The proposed building is not located in either Shoreland or Floodplain.
- 7. The accessory structure would house the powered parachutes on occasion, and would store two tractors, a plow, a boat, and at some point in the future a motor home. It would be cold storage only and would have no bathroom. Three of the ag buildings would be removed. Mr. Anderson's site plan shows two possible sites for the building, but since then, the southerly option has been dropped due to the location of the septic drainfield. A multiuse ag, recreation, and

personal storage structure is appropriate for this property considering farming will continue on the site, personal storage would be minimal, and the new building would be an upgrade to the property.

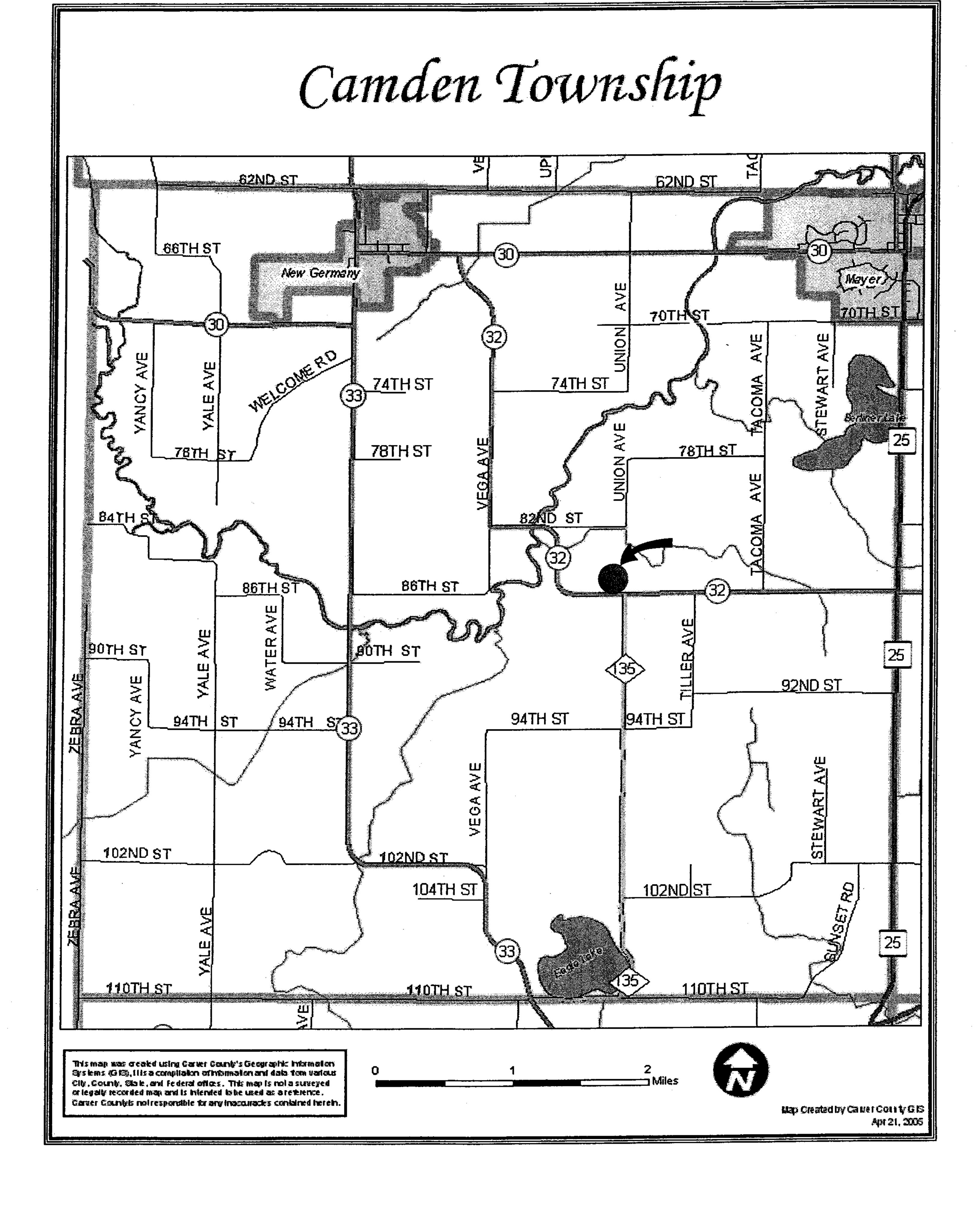
- 8. The applicant has submitted a letter from the Minnesota Department of Transportation Office of Aeronautics stating that neither they nor the FAA require powered parachutes to be licensed. It further states that it is not necessary for a person flying powered parachutes to obtain a license as a private airport.
- O. Mr. Anderson has stated that he knows only a few other people that own powered parachutes, and would not have more than ten people on his property at one time for the purpose of flying. He has been informed that if he ever wanted to hold an event with more than ten people, he would be required to obtain a special event administrative permit first.
- 10. Carver County Public Works Department was given the opportunity to comment on the proposal, and had not made any comments by the date of the Planning Commission meeting.
- 11. The Camden Town Board reviewed and recommended approval of the request at their August 8 Town Board Meeting. A Town Board Supervisor was present at the Public Hearing.

THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20070034 on the subject permit on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

- 1. The permit is subject to compliance review. If the review is satisfactory, the permit shall revert to administrative review. If the review indicates changes to the permit are necessary, the Permittee shall return to the Planning Commission for possible amendments to the permit or other appropriate action. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
- 2. The operation shall be in accordance with the submitted operational plan (one letter dated 7/11/07 and one undated letter) and site plan. These plans shall be attached to and become part of this permit. This Large Scale activity will be limited to a maximum of 10 people on the property for the purpose of flying at any one time. The hours of operation shall be 8:00 a.m. until sunset. The Permittee must apply to amend the permit if the size and/or scope of the operation intensify, as determined by the Land Management Administrator.
- 3. The Permittee must comply with Carver County Public Works Department's access requirements, if any.
- 4. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Resource Management guidelines and the Wetland Conservation Act (WCA). No grading or filling is allowed in the floodplain.
- 5. Any type of special event that will attract or involve more than the ten people permitted herein shall require a special event permit and approval by the Carver County Board of Commissioners.
- 6. Any required building and demolition permits must be applied for and issued prior to construction. The structure shall meet the applicable State Building Code requirements. No other structures are permitted without amendment to this permit.

ADOPTED by the Carver County Planning Commission this 21st day of August, 2007.

Gene Miller
Planning Commission Chair





AGENDA ITEM: William Swanson – Request for Contracto	or's Yard				
Originating Division: Land Water Services	Meeting Date: September 4, 2007				
Amount of Time Requested: None	Attachments for packet: ⊠Yes ☐ No				
Item Type: ⊠Consent □Regular Session □Closed Sess	ion				
BACKGROUND/EXPLANATION OF AGENDA ITEM: File #PZ20070027. The Planning Commission recommended approval of the Conditional Use Permit (CUP) for William Swanson. The request is to operate a Contractor's Yard (landscaping company) from the property he owns in Section 16, Camden Township. The property consists of two (2) separate parcels (10 acres & 50 acres), which is improved with a home and "old" existing farm site. The applicant would like to operate his tree farming & growing nursery stock business from the 50 acre site. The two separate parcels are considered one for zoning purposes and can not be sold separately. The existing pole sheds & garage(s) will be utilized for equipment storage, the barn will be utilized for storage of greenhouse and landscaping materials and the "old" home will be utilized for office storage and computer office space. The business employs up to 25 people in addition to the owner/operater of the business. (The majority of the employees are seasonal.) The business will utilize a maximum of 6 business related vehicles and the hours of operation will be 7:00 a.m. to 6:00 p.m. (during the summer) and 8:00 a.m. to 4:30 p.m. (during the winter). The Camden Town Board supports the request.					
ACTION REQUESTED: A motion to adopt the Findings of Fact and to issue Order #PZ20070027 for the issuance of a Conditional Use Permit.					
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 Q ←	Date: 27 12407				

Report Date: August 24, 2007

COUNTY OF CARVER PLANNING COMMISSION RESOLUTION

FILE #: PZ20070027

RESOLUTION #: 07-20

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

FILE #: PZ20070027

APPLICANT: William Swanson

OWNERS: William & DelRae Swanson

SITE ADDRESS: 8380 Vega Ave, New Germany

PERMIT TYPE: Contractor's Yard

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

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 02-016-0400 & 02-016-0420

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of June 19, 2007, July 17, 2007 and August 21, 2007; and,

WHEREAS, the Carver County Planning Commission finds as follows:

- William Swanson owns 60 acres located in the Southeast Quarter (SE¼) of Section 16, Camden Township. The acreage actually consists of two (2) separate parcels (10 acres & 50 acres). The 10 acre parcel is improved with a home w/attached garage (constructed in 2006). The 50 acre parcel is improved with agricultural land and the original farmstead (agricultural buildings and home). The home on the 50 acres can not be utilized as a dwelling due to there only being one (1) building eligibility on the entire 60 acres, which has been utilized by the newly constructed home. The parcels are located in the Agricultural Zoning District, Shoreland Overlay District of the Crow River, Floodplain Overlay District of the Crow River, and CCWRMA Crow River.
- 2. The applicant is requesting a Conditional use Permit (CUP) to operate a Contractor's Yard pursuant to Section 152.079 C10 of the Carver County Zoning Code.
- 3. The applicant's operational plan and site plan which were submitted as part of the application provide the details for the proposed use of the property. The use of the existing buildings on the 50 acre site are as follows: The existing pole sheds & garage(s) are utilized for equipment storage, the barn is utilized for storage of greenhouse and landscaping materials, and the "old" house will utilized for office supply storage and computer office space. The property would be utilized for tree farming and growing nursery stock, which would be utilized for Mr. Swanson's landscaping company, The Botanical Gardens, Inc.
- 4. The summer (April 15th through November 1st) hours of operation are 7:00 a.m. to 6:00 p.m., daily, with some evening field work for tilling and land care. The winter hours are generally 8:00 a.m. to 4:30 p.m. The operation consists of 6 commercial vehicles which come and go from the site. The number of employees reporting to the farm site would vary from 15 to 25 depending on weather and crews that generally meet on the job site. There are two (2) family members in the business. Twelve trips would generally by generated from the farm on a daily basis. Employee vehicles generally number between 6-8 since most of the employees share car pooling. The only access to the farm site other than owners will be employees. Customers would only be invited by appointment to view potential plant material that have been designed into their landscaping plans.

- 5. The applicant has indicated that he would like to keep the appearance as it has been for the past 70+ years (rural farm). The existing structures are being utilized in their existing form. The operational area is centered around the farm buildings, so nothing stands out differently from a farm operation. Nursery stock is also maintained around the building site location. Thousands of trees are being grown in the fields; however, about 500 trees are being transplants on the site to screen wind, views and the new house. The trees will be completely moved by December 2007. Outdoor materials that are stored on site are plant materials, boulders, and mulch. Mr. Swanson is creating a large landscape display garden that will utilize some of his landscape materials. Well water irrigation for fields and nursery are being used for the operation.
- 6. In 2006, the 10 acre parcel was created knowing that the only building eligibility would be utilized on that parcel. A new home has been constructed on the 10 acre site, which means the "old" farmhouse located on the 50 acre parcel can not be utilized as a dwelling unit. The "old" farm house would need to be made uninhabitable; however, Mr. Swanson would like to utilize the structure as an office/storage space for his business. The conditions of the permit can allow for this; however, the structure will need to meet State Building Code and no person(s) shall occupy the building.
- 7. The 10 acre site with Mr. Swanson's newly constructed home and the 50 acre with the existing farm site (& CUP) would be considered one for zoning purposes. The reason being, the 50 acre parcel (w/CUP) does not have a building eligibility and could not operate without an eligibility according to the Carver County Zoning Code Contractor's Yard section. Therefore, the two (2) parcels could not be sold separately unless the Conditional Use Permit were terminated.
- 8. A general waste management company has been hired to pickup waste containers on a weekly basis. Signage is not used on the site, as the farm is not open to public admittance.
- 9. The Camden Town Board reviewed the request at their May 2007 and July 2007, Town Board meetings. Virgil Stender, Camden Township Chairman, stated that Mr. Swanson appeared at their meeting and agreed to the dust control requirements they set in place. He also indicated that they were going to conduct traffic counts to determine a cost for additional maintenance to the township road. The township would recommend approval and he reiterated the township's position that the former house may be used as an office (w/bathroom) and is not to be used as a second dwelling or living quarters.

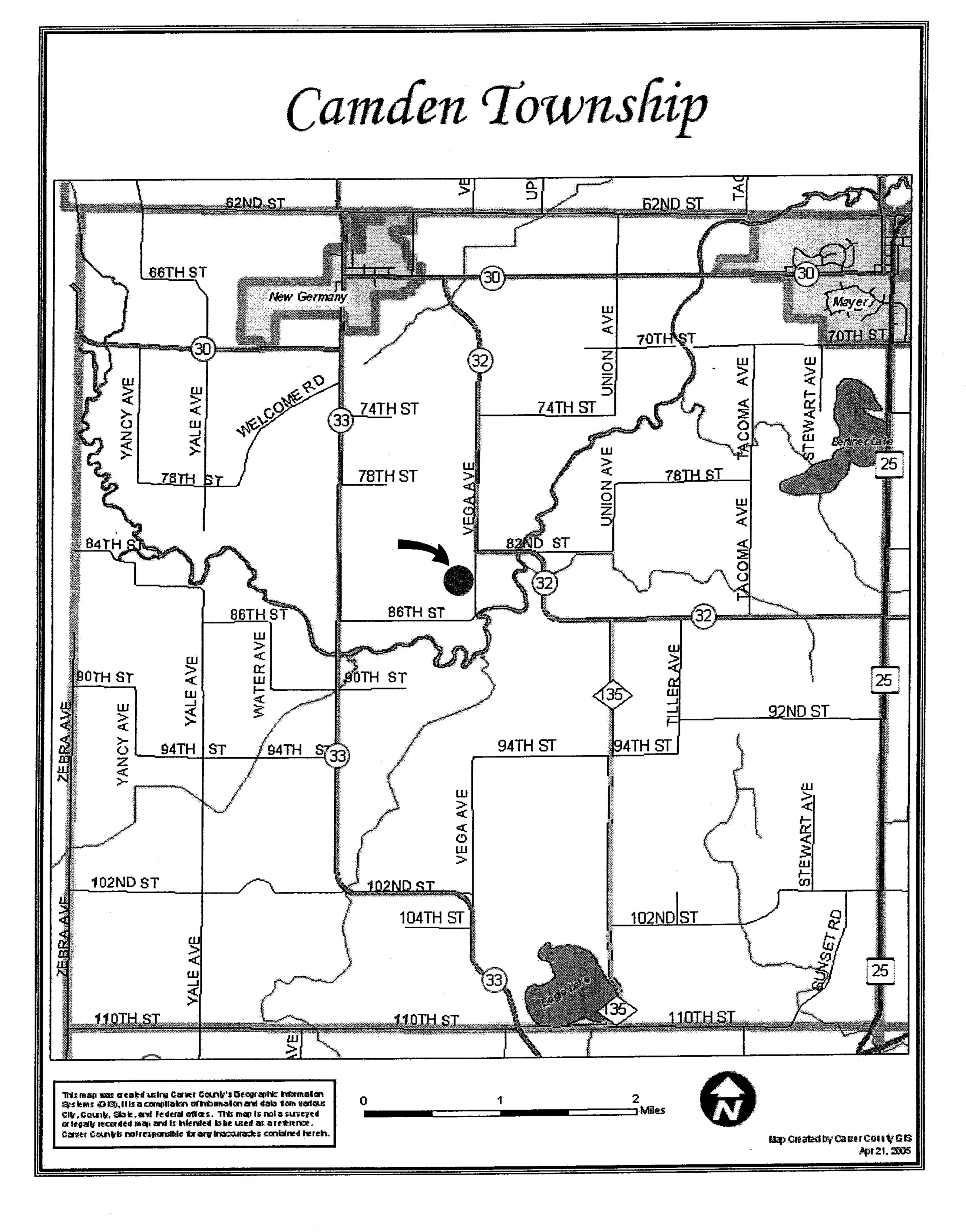
THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of CUP #20070027 for a Contractor's Yard on the subject permit on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

- 1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
- 2. The approved Operational Plan & Site Plan shall become part of the permit. A maximum of six (6) business vehicles area allowed. Permittee must apply to amend the permit if the size and/or scope of the operation intensifies as determined by the Land Management Department.
- 3. The operation shall consist of no more than 25 employees in addition to the owner/operator of the business and family of the owner/operator residing in the home located on the 10 acres. The employees are allowed to work on-site as part of the horticultural farming activity. Permittee must apply to amend the permit if the number of employees on the site intensifies as determined by the Land Management Department.
- 4. The Permittee shall submit a Certificate of Workers' Compensation Insurance to the Land Management Department.

- 5. Permittee shall contact the Environmental Services (E.S.) Department to determine whether or not a Hazardous Waste Genterator's License will be required.
- 6. The "old" house shall only be utilized as an office and/or storage space for the "Botanical Garden" operation. The structure must conform to the State Building Code requirements, and shall not be occupied as a dwelling unit. No sleeping quarters allowed. Permittee shall obtain the appropriate building permit(s) and on-site sewer permits (if required) prior to utilizing the building. The Permittee must submit and record an Affidavit identifying that the "old" home is not being used as a dwelling unit. The structure shall not be converted into a retail store and the exterior shall not be modified to appear as such. Business activities shall remain wholesale in nature.
- 7. All structures used in conjunction with the Contractor's Yard operation shall meet State Building Code, as determined by the Building Official. New accessory structures and/or expansions of existing structures shall not be permitted, unless an amendment is approved by the County Board of Commissioners.
- 8. Outside storage shall be screened from public roads and neighboring properties. Storage will be limited to commercial vehicles, equipment and landscaping materials.
- 9. One business sign shall be permitted, no larger than 32 sq. ft. per side, or 64 sq. ft. two-sided.
- 10. The Permittee must comply with the Camden Township road requirements (ex. dust control and north exit route only).
- 11. The 10 acre parcel & 50 acre parcel shall be considered one for zoning purposes. The two (2) parcels shall not be sold separately unless the Conditional Use Permit is terminated.

ADOPTED by the Carver	County Planning	Commission this 21°	day of August, 2007.
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Gene Miller	
Planning Commission Chair	





CARVER COUNTY

REQUEST FOR BOARD ACTION

AGENDA ITEM: Metropolitan Council Local Planning Ass	sistance Grant			
Originating Division: Land Water Services	Meeting Date: 4 Sep 2007			
Amount of Time Requested: NA	Attachments for packet: ⊠Yes ☐ No			
Item Type: ⊠Consent □Regular Session □Closed Sess	sion			
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. The County Board approved a resolution on July 24, 2007 which authorized the Land & Water Services Division to submit an application to the Metropolitan Council for Local Planning Assistance grant funds and to execute a grant agreements as may be necessary to implement the project on behalf of the County. A workplan has been developed as part of the grant agreement and is presented to the board along with an acceptance of the awarding of the grant. Funds will be used for professional assistance and staff time towards the natural resources, historic resources, land use & economic development elements of the plan.				
ACTION REQUESTED: Motion to accept the 2007 Local Planning \$50,000 grant, authorize the Board chair to sign the grant agreeement with the Metropoltian Council, and approve the following budget amendments Increase 01-123-000-1560-5308 by \$50,000 - Grant contract Revenue Increase 01-123-000-1560-6260 by \$50,000 - Professional Services: Comp Plan Development				
FUNDING County Dollars = \$0 Other Sources & Amounts = Met Council Local Planning Grant = \$50,000 TOTAL = \$50,000 Related Financial Comments:	FISCAL IMPACT ☐ None ☐ Included in current budget ☑ Budget amendment requested ☐ Other:			
⊠Reviewed by Division Director	Date: Sep 4 2007			

Report Date: August 20, 2007

BUDGET AMENDMENT REQUEST FORM

Submit to Finance Office o	ne week prior t	o County Board Session.	
DEPARTMENT: Land & Wa	iter Services		
Date of County Board Sess	ion: 9/04/07	V V V V V V V V V V V V V V V V V V V	Fund: 01
Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Met Council Planning Grant	\$ 50,00	0 Professional Services - Comp Plan	\$ 50,000
TOTAL:	\$ 50,00	0 TOTAL:	\$ 50,000
A. Reason for Request:		ng Board Actions.	
B. Financial Impact: (To be fille	d out by Controlle	er)	
C. Contingency Acct. Beginning	g Bal.:	\$ 300,000	
D. Contingency Acct. Current E	Bal.:	<u>\$</u>	-
E. Current Balance After Adj.:		\$ 300,000	
F. Prepared/Requested By:	Dave Draelen		
G. Recommend Approval:	<u>Finance</u>		
H County Board Decision:	Approval/Disappi	roval	

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



AGENDA ITEM: Lamar Companies Contract							
Originating Division: Public Health	Meeting Date: September 4, 2007						
Amount of Time Requested:	Attachments for packet: ☐Yes ☒ No						
Item Type: ⊠Consent □Regular Session □Closed Session □Work Session □Ditch/Rail Authority							
BACKGROUND/EXPLANATION OF AGENDA ITEM: Public Health is requesting approval to purchase space and production of a public health billboard poster from Lamar Companies. The billboard poster will be displayed on two billboards located in St. Bonifacius and Norwood Young America. Public Health will be using this advertising space to promote influenza vaccinations as one of the priorities of Public Health responsibilities from October 25, 2007 to December 25, 2007.							
ACTION REQUESTED: Motion to approve contract with Lamar Companies.							
FUNDING County Dollars = \$2,060 Other Sources & Amounts = = TOTAL = \$2,060 Related Financial Comments: Contract expense is budgeted in	FISCAL IMPACT □ None ☑ Included in current budget □ Budget amendment requested □ Other: 01-460-460-2399-6241 (Advertising).						
⊠Reviewed by Division Director	Date: August 20, 2007						

Report Date: August 24, 2007



AGENDA ITEM: Freedom to Breathe Act Donation					
Originating Division: Public He	alth	Meeting Date: 9/04/07			
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: Public Health is requesting approval to accept dollars up to \$20,000 from the Partnership for a Smoke Free Scott County, which is a project of the Hennepin Medical Society. This donation would be used to cover associated expenses prior to October 1, 2007, for our efforts to provide Freedom to Breathe education to Carver County businesses and communities.					
ACTION REQUESTED: Motion a Smoke Free Scott County.	to accept and expend Freedo	m to Breathe Act donation from the Partnership for			
FUNDING County Dollars =	\$	FISCAL IMPACT None			
Other Sources & Amounts = =	\$up to 20,000	☐Included in current budget ☑Budget amendment requested			
	\$up to 20,000	Other:			
Related Financial Comments: Budget Amendment to increase final amount of the award is ava	•	penditures up to \$20,000 will be requested when the			
⊠Reviewed by Division Direc	tors	Date: August 23, 2007			



AGENDA ITEM: Contract With Solid Waste Management Coordinating Board [SWMCB] and Carver County for MN Paint Demonstration Project Coordinator [Leslie Wilson]						
Originating Division: Land Water Services Amount of Time Requested: 10 minutes Attachments for packet: ☑Yes ☐ No Item Type: ☐Consent ☑Regular Session ☐Closed Session ☐Work Session ☐Ditch/Rail Author						
BACKGROUND/EXPLANATION OF AGENDA ITEM: For a number of years the Solid Waste Management Coordinating Board (SWMCB) has been involved in a project to manage unused paint at both the local and national levels. Leslie Wilson of Env. Services has played an important role in the SWMCB efforts. The effort has been succesful; the paint manufacturers have agreed to support a pilot project in Minnesota. Because of her experience in this project and with household hazardous waste, the SWMCB has requested that Leslie Wilsion be appointed to manage the project. This assignment would take about 75% of her time for the next 18 months. Funding would be provided by a combination of the SWMCB, MPCA, and manufacturers. The cost to Carver County will be \$0.00. A memo with further explanation is attached.						
ACTION REQUESTED: Motion approving the Contract and authorizing the Chair of the Carver County Board of Commissioners to sign the Contract between the Solid Waste Management Coordinating Board and Carver County for the Services of the Minnesota Paint Demonstration Project Coordinator and to sign any other necessary documents, and approving the attached budget amendment.						
FUNDING County Dollars = \$ Other Sources & Amounts = \$74,809.00 TOTAL = \$74,809.00 Related Financial Comments: The budget amendment provide expenditure for the interim Environmentalist I being requseted						
⊠Reviewed by Division Director	⊠Reviewed by Division Director Date: 27 Aug 2007					

DATE: August 27, 2007

TO: Carver County Board of Commissioners

FROM: Michael Lein, Environmental Services Manager

RE: MN Paint Stewardship Demonstration Project - Coordinator Position

Leslie Wilson of my staff has represented the Solid Waste Management Coordinating Board (SWMCB) on a state and national paint product stewardship initiative for a number of years. Paint industry representatives involved in the initiative have agreed to help create a national paint management system for the waste that their products create. Local governments across the country have been solely responsible for millions of dollars of residential leftover paint management costs annually. Carver County spent well over \$100,000 managing leftover paint in 2006. Implementation of the national system is expected to cover all these paint management costs.

Minnesota was chosen by dialogue representatives to demonstrate a statewide paint management system to help prepare for the national program roll out. Leslie has been asked by the SWMCB and the Minnesota Pollution Control Agency (MPCA) to manage this demonstration project for approximately 1.5 to 2 years. Goals of the project are to create an industry run paint stewardship organization and financing model, new infrastructure where it is needed, effective consumer education and recycled paint marketing. She will be traveling across the state and country to attend meetings and give presentations, help connect some 80 dialogue representatives including federal, state and local governments, paint producers, retailers, association representatives and recyclers to design the project and assist all 87 MN counties in implementing the project. The US Environmental Protection Agency flew Leslie to Washington DC for evaluation training in early August and she will be traveling to British Columbia and Washington State later in September to visit similar programs and meet with the larger paint dialogue group.

This project may set an important precedent for other waste streams that government is currently solely responsible for. Product stewardship is a concept that local governments across the country are beginning to embrace. There is a growing recognition that local governments are charged with financing the clean up of products that they had no decision in designing – and receive no financial benefit in managing.

Leslie will remain a Carver County employee. Carver County will be reimbursed by the SWMCB and MPCA for approximately 75% of her current salary and benefits. The paint industry will also likely help fund travel expenses. Leslie will spend the remaining 25% of her time on essential Carver County duties. The contract term extends into June 2008 to track the State's funding cycle. We will be back with an additional contract in early summer 2008 to fulfill the term of the project.

Commissioners Ische and Workman represent Carver County at the SWMCB and have supported the development of this project. Leslie and I will be at the Board meeting to answer your questions.

Key to this proposal is hiring a temporary employee to assist Environmental Services in managing other programs that Leslie has been involved in. The funding for this position will be drawn from dollars reimbursed to Carver County for Leslie's paint coordinator position. Again, this is temporary position with the need created by Leslie's work outside of Carver County. The fall collection season at the Environmental Center is the second busiest of the year. Filling this temporary position will help insure quality customer service and coverage of our other environmental programs.

Please feel free to contact Leslie or me if you have questions.

BUDGET AMENDMENT REQUEST FORM

Submit to Finance Office on	<u>le week prior to</u>	o County Board Session.		
DEPARTMENT: Land & Wat	ter Services			
Date of County Board Sessi	on: 9/04/07		<u>Func</u>	d: 01
Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):		Amount
SWMCB Grant for providing Paint Project Coordinator (Leslie Wilson)		Environmental I FTE*	\$	74,
* Position subject to continued fund	ding by the SWMC	B for Paint Project Coordinator		
TOTAL:	\$ 74,809	TOTAL:	\$	74,
A. Reason for Request:	See accompanying	ng Board Actions.		
B. Financial Impact: (To be filled	out by Controlle	r)		
C. Contingency Acct. Beginning	Bal.:	\$ 300,000	ı	
D. Contingency Acct. Current Ba	ai.:	\$; F	
E. Current Balance After Adj.:		\$ 300,000	1	
F. Prepared/Requested By:	<u>Dave Draelen</u>			
G. Recommend Approval:	<u>Finance</u>			
H. County Board Decision:	Approval/Disappro	<u>oval</u>		
S:\Excel\SHELLS\[Budget Amendment For	rms.xls]Revenue Form	1		



AGENDA ITEM: Approval to Hire Interim Environmentalist I for the Duration of the MN Paint Demonstration Project.					
Originating Division: Land Water Services	Meeting Date: 4 Sept 2007				
Amount of Time Requested: 5 minutes	Attachments for packet: ⊠Yes ☐ No				
Item Type: ☐Consent ☑Regular Session ☐	Closed Session				
[Environmentalist III] has been asked by the MN Polorodinating Board to coordinate the MN Paint Mathe SWMCB will be used to hire an "entry level" Enprograms such as Environmental Center operation projects that Leslie was working on will be temporal	EM: Environmental Services employee Leslie Wilson collution Control Agency and the Solid Waste Management magement Project [see previous agenda item]. The funds from evironmentalist I position to assist the department in carrying out and complaint resolution in Leslie's absence. Higher level arily managed by other existing staff. Intalist 1 is at least \$5,000 less than the reimbursement from the				
ACTION REQUESTED: Motion approving the hiring of an Environmentalist I for the duration of the Paint Project, subject to continued funding by the Solid Waste Management Coordinating Board [SWMCB].					
FUNDING County Dollars = \$					
Reviewed by Division Director	Date: 27August 2007				



AGENDA ITEM: County Attorney Appointm	nent				
Originating Division: Employee Relations	Meeting Date: September 4, 2007				
Amount of Time Requested: 5 minutes	Attachments for packet: ☐Yes ☒ No				
Item Type: ☐Consent ⊠Regular Session	☐Closed Session ☐Work Session ☐Ditch/Rail Authority				
BACKGROUND/EXPLANATION OF AGENDA	A ITEM:				
F .	zes the Board's desire to appoint James W. Keeler, Jr. to fill the duly elected attorney assumes the role, on January 1, 2011.				
Mr. Keeler holds a Bachelor of Arts from the Ur Journalism and a Juris Doctorate from William	niversity of Minnesota with majors in Political Science and Mitchell College of Law.				
He is a long-time resident of Carver County. He	e and his family have a home in Chanhassen.				
Prior to this appointment, Mr. Keeler has served 1996 where he most recently worked as the Cri	d as an Assistant County Attorney in Carver County from 1990 - iminal Division Head in that Office.				
He has also worked as an attorney for Hennepi	in and Sherburne Counties, the City of Mankato and a private firm.				
ACTION DECILESTED:					
ACTION REQUESTED: Motion to approve the Board Resolution appointing James W. Keeler Jr. Carver County Attorney, effective September 14, 2007.					
FUNDING County Dollars = \$ 38,545.00 Other Sources & Amounts = 0 = \$0 TOTAL = \$38,545.00	FISCAL IMPACT None Included in current budget Budget amendment requested Other:				
Related Financial Comments:					
	ounty's cost of family health and dental insurance through the				
X Reviewed by Division Director Doris M. Krogman, Employee Relations	Date: August 29, 2007				

Report Date: August 29, 2007

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Appointment of County Attorney

		ESOLUTION NO				
MOTION BY COMMISSIONERS		SECONDED BY COMMISSIONER				
		ver County Attorney tendered to the sty, effective at 4:00 PM on Market				
WHEREAS, the County B	soard met its obligation to	declare the related vacancy,	and			
-	nas completed an open comper ofill the vacated term unt	etitive recruitment and select and December 31, 2010,	ion process to			
·		aring on Friday, September 14, be filled by James W. Keeler,				
	that Mr. Keeler shall rece cate of \$106,413.00 or a to	eive compensation for the remandate of \$31,778.11	inder of 2007 as			
single coverage with an	the County shall provide accompanying medical pool toward the total premium of	insurance contributions by mai contribution of \$30 per month of family coverage.	ntaining full or contributing			
	any compensation for year on to Employee Relations.	2007 may be waived by the Cou	nty Attorney			
BE IT FURTHER RESOLVED, compensation or benefits	the County will reserve the by amendment to the Carv	he right to make other adjustmer County Personnel Rules and	ents to Regulations.			
YES	ABSENT	NO				
						
			-			
· · · · · · · · · · · · · · · · · · ·						
I, David Hemze, duly ap certify that I have compared the Commissioners, Carver County, I	foregoing copy of this resolution with	nistrator of the County of Carver, State of the original minutes of the proceedings 4th day of <u>September</u> , 2007, now on f	of the poard of Court			
certify that I have compared the Commissioners, Carver County, I office, and have found the same to	foregoing copy of this resolution with Minnesota, at its session held on the	h the original minutes of the proceedings 4th day of <u>September</u> , 2007, now on f	of the poard of Count			



AGENDATIFEM:	
Originating Division: Financial Services	Meeting Date: September 4, 2007
Amount of Time Requested: 1 hour	Attachments for packet: ⊠Yes ☐ No
•	Closed Session ⊠Work Session □Ditch/Rail Authority
Board adopt a 2008 Preliminary Property Tax Levy Final Property Tax Levy which will be adopted in Denigher. Individual Divisions have presented their burequested increase in the 2008 Property Tax Levy for increase of 22% compared to the 2007 Property Tax would be approximately \$158.	to finance 2008 County Operations and Capital Projects. The ecember can be lower than the Preliminary Levy but cannot be adget requests during public hearings in July and August. The for Operations is 16% and Capital Projects is 6% for a total x Levy. The impact on a homeowner with a \$334,000 house eliminary property tax and a budget summary which will be tember 11 th , the Board will then be asked to adopt a 2008
preliminary property tax levy.	
In October, the County Adminstrator will present a country tax levy.	detailed budget based on the adopted 2008 preliminary
In December, the County Board will hold a "Truth-in	n-Taxation" Public Hearing and adopt the 2008 Final Budget.
ACTION DECILECTED. High level overview of the	recommended 2008 property tax levy, the Operating Budget
and Capital Projects.	, iccommitted zood proporty tak to ty, and a proporty
FUNDING County Dollars = \$ Other Sources & Amounts = \$ = \$	FISCAL IMPACT None Included in current budget Budget amendment requested
TOTAL = \$	Other:
Related Financial Comments:	
	44
Report Date: August 30, 2007	
⊠Reviewed by Division Director	Date: 8/29/07

	Requested	Approved	ffing Changes for 200	Requested	Requested		Approved
Department	FTE's	FTE's	Position	Net (\$)	Net (\$)		Net (\$)
2008 New Positions						· .i· ·. ·: ::::	
Administrative Services	0.10		P.O.C Support Personnel	\$ 3,139			<u> </u>
Attorney	0.80		Victim Witness Assistant	61,071	61,071		
Attorney	1.00		Attorney I	77,588	77,588		
Attorney	1.00		Records Mgmt. Specialist	58,089	58,089		
CSS	1.00		Social Worker - Master's	75,902		- Ju	
CSS	1.00		Social Worker II - Adult	71,252	35,626	*	-
CSS	1.00		Crisis Therapist	75,902	-		
CSS	0.93	 	Nurse Case Mgr/Social Worker II	66,919		7	
CSS	1.00		Support Services Aide	46,467	35,036		
CSS	1.00		Support Services Specialist	50,900	38,298	*	
Employee Relations	1.00	-	Employee Relations Generalist	73,357	73,357		<u></u>
Environmental Services	1.00		Environmentalist I	68,787	<u>.</u>	**	
Financial Services	1.00		Contracts & Grants Coordinator	76,446	76,446		· · · · · · · · · · · · · · · · · · ·
Financial Services	(1.00)		Accountant	(81,491)			-
Information Services	1.00		Business Analyst	103,064	19,298		
Information Services	1.00		Business Analyst	103,064	19,298	-	–
Information Services	1.00		Project Manager	112,767	19,298	**	
Library	1.00		Collection Development Librarian	71,831	71,831		-
Library	0.50		Library Assistant - Technical Services		18,299		
Library	0.50		Library Assistant - ILL	18,299	18,299		-
Library	0.60		Librarian I	32,325	32,325		
Library	0.05		Librarian I	2,694	2,694		-
Library	0.30	-	Library Assistant	11,479	11,479		-
Parks	0.43		Sledding Hill Attendents	9,004	9,004		
Public Health	1.00		Environmental Health Specialist	87,242			
Public Health	1.00		Public Health Nurse	82,894	82,894		-
Public Health	0.50		Registered Nurse (Jail Health)	45,453	45,453		
Public Health	1.00		Public Health Nurse	82,894	82,894		<u> </u>
Public Health	1.00		Grant Writer	81,491	81,491		_ _
Public Health	1.00		Public Health Planner	88,613	59,613	*	
Public Health	1.00		Support Services Supervisor	76,754	76,754		_
Public Works	1.00		Highway Sign Worker	55,569	55,569		
Public Works	1.00	-	Mechanic's Assistant	54,540	54,540		
Risk Management	0.63	_	Administrative Aide	26,661	26,661		
Sheriff	1.00	-	9-1-1 Dispatcher	53,856	53,856		
Sheriff	0.00		Detention Deputy	1,200	1,200		
Sheriff	0.00		Detention Sergeant	2,400	2,400		-
Sheriff	1.05		Deputy Sheriff	62,288	62,288		
Sheriff	1.00	· · · · · · · · · · · · · · · · · · ·	Deputy Sheriff - Baliff	59,964	59,964		
Sheriff	1.00	-	Deputy Sheriff - Recreational	59,964	59,964		-
Sheriff	1.05		Sergeant	83,157	83,157		-
Taxpayer Services	1.00	_	License Center Supervisor	67,916	67,916	ļ <u>.</u>	-
Taxpayer Services	(1.00)	_	License Center Service - Senior	(57,469)	(57,469)		-
Taxpayer Services	1.00	_	License Center Supervisor	67,916	-	*	-
Taxpayer Services	1.00	-	License Center Clerk	50,438	<u> </u>	*	_
Taxpayer Services	1.00	-	License Center Clerk	50,438	-	*	-
Taxpayer Services	0.50	-	License Center Clerk	18,378	-	*	· _
Taxpayer Services	0.50	-	License Center Clerk	18,378	<u>-</u>	*	
Taxpayer Services	0.50	-	License Center Clerk	18,378		*	<u>-</u>
Veteran Services	0.20	-	Van Driver	8,396	8,396		
U of M Ext. Services	0.05	-	On-call Support Personnel	1,345	1,345		-

^{*} These positions receive non-levy funding to offset the gross cost as indicated

^{**} These positions have consulting contractual agreements which will offset the gross cost as indicated