

Carver County Board of Commissioners
 Regular Session
 April 4, 2006
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:00 a.m.

1. a) **CONVENE**
- b) ***Pledge of Allegiance***
- c) ***Introduction of New Employees***
2. Agenda review and adoption
3. Approve minutes of March 28, 2006 Regular Session1-2
4. Public participation (Comments limited to five minutes)
5. Community announcements

9:05 a.m.

6. **CONSENT AGENDA**
 - 6.1 2006 Crack sealing agreement (CP #0616)3
 - 6.2 Carver County Project No. 0614-dump body and hydraulic system.....4-5
 - 6.3 Right of way acquisition –CSAH 10 – negotiated settlements ..6-7
 - 6.4 Kevin Lebens-request for an accessory structure.....8-11
 - 6.5 Timothy Hammers-request for an accessory structure12-15
 - 6.6 Ed Foley-request for lakeshore lots16-20
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 - 6.8 Mathews Lawn Service22
 - 6.9 Consultant/trainer-Arthur T. Himmelman23
 - 6.10 Health Resources and Services Association for the bioterrorism hospital preparedness program contract24-25
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 - 6.12 Family foster home contract27
 - 6.13 Out of state conference for attorney’s office.....28-30
 - 6.14 Sheriff’s office donation.....31-32
 - 6.15 Approval of appraised values and classification of tax forfeited lands.....33-36
 - 6.16 Community Social Services’ warrants..... NO ATT
 - 6.17 Commissioners’ warrants SEE ATT

9:05 a.m.

7. **SHERIFF**
 - 7.1 National Public Safety Telecommunications Week, April 9-15, 200537-38

9:15 a.m.

8. ADMINISTRATION

- 8.1 Notice of Intent to establish Offices of Auditor, Treasurer and Recorder as appointive39-41

9:45 a.m.

ADJOURN REGULAR SESSION

9:45 a.m.

NEW BUSINESS

BOARD REPORTS

9:45 a.m.

- 1. Chair
- 2. Board Members
- 3. Administrator
- 4. Adjourn

10:15 a.m.

David Hemze
County Administrator

County Board Retreat Continued
April 4, 2006 – 12:00 p.m. – 4:00 p.m.
Carver County Historical Society Museum
Waconia, Minnesota

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on March 28, 2006. Chair James Ische convened the session at 9:00 a.m.

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

Members absent: None.

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

Delaney moved, Workman seconded, to approve the minutes of the March 21, 2006, Regular Session Motion carried unanimously.

Community announcements were made by the Board.

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

Payment of \$1,000 emergency claim.

Authorized Chair to sign WebGIS-Solutions software license contract.

Authorized the Sheriff's Office acceptance of \$500 donation to Explorer Post program.

Accepted all quotations for Carver County Project No. 0603, metal culverts and corrugated polyethylene pipe.

Awarded bid for Carver County Project No. 0604, mineral aggregates, to Wm. Mueller & Sons, Inc., and Sibley Aggregates.

Awarded bid for Carver County Project No. 0605, limestone rock, to Bryan Rock Products.

Awarded bid for Carver County Project No. 0606, plant mixed asphalt, to Sibley Aggregates and Wm. Mueller & Sons, Inc.

Awarded bid for Carver County Project No. 0607, rock salt, to Cargill, Inc.

Awarded bid for Carver County Project No. 0608, application of reflectorized pavement markings, to AAA Striping Service.

Accepted all quotations for Carver County Project No. 0609, rental equipment.

Resolution No. 26-06, Accept the Donation of Parcel 258860040 From Valentine Wirtz to Carver County for Inclusion into Lake Minnewashta Regional Park.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Degler moved, Workman seconded, to adjourn the Regular Session at 9:15 a.m. Motion carried unanimously. Future agenda items were discussed until 10:35 a.m.

David Hemze
County Administrator

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):

2006 CRACK SEALING AGREEMENT (CP #0616)

Originating Department: Public Works

Agenda Date: March 28, 2006

Amount of Time Requested: None

Supp. Doc. Attached (y/n): Yes

Previous County Board Action, If Any (include other parties which were advised, if any): None

Item Type (X Only One): Consent Regular Session Discussion Session

EXPLANATION OF AGENDA ITEM *(Include a description of background, benefits, and recommendations)*

This proposal is for labor and equipment to place approximately 40,000 lbs. of rubberized crackfiller, that the County has purchased, on various county roads. \$25,000 has been approved as the budget for this work. Proposals are based on per pound price to install this product. Proposals are as follows -

- * Astech Asphalt \$0.5800 per lb.
- * Precision Sealcoating \$0.6990 per lb.
- * Barga Inc. \$0.8290 per lb.

Astech Asphalt has done work for us in past years. We had no problems.

BOARD ACTION/MOTION REQUESTED *(In proper format)*

Approve service agreement between Carver County and Astech Asphalt from St. Cloud, MN.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$25,000.00
Other Sources & Amounts =	
=	
=	
Total	\$25,000.00

Budget Information *(Appropriate Items):*

- Budgeted
- Not Budgeted
- Amendment Required
(requires controller signature)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED *(Signatures)*

County Attorney: _____ Risk Management: _____

Human Resources: _____ Controller: _____


DEPARTMENT HEAD APPROVAL

3/14/06
Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):

Carver County Project No. 0614 - Dump Body & Hydraulic System

Originating Department: Public Works	Agenda Date: April 4, 2006
Amount of Time Requested: None	Supp. Doc. Attached (y/n): Yes
Previous County Board Action, If Any (include other parties which were advised, if any): None	
Item Type (X Only One): <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Regular Session <input type="checkbox"/> Discussion Session	

EXPLANATION OF AGENDA ITEM (include a description of background, benefits, and recommendations)

Quotes for this equipment were opened and reviewed on March 23, 2006. See attached abstract.

BOARD ACTION/MOTION REQUESTED (in proper format)

Recommend Board accept quote from Midland Equipment.

<p>Funding:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">County Dollars =</td> <td style="width: 20%;"></td> <td style="width: 50%; text-align: right;">\$41,150.00</td> </tr> <tr> <td>Other Sources & Amounts =</td> <td></td> <td></td> </tr> <tr> <td>=</td> <td></td> <td></td> </tr> <tr> <td>=</td> <td></td> <td></td> </tr> <tr> <td>Total</td> <td></td> <td style="text-align: right;">\$41,150.00</td> </tr> </table>	County Dollars =		\$41,150.00	Other Sources & Amounts =			=			=			Total		\$41,150.00	<p>Budget Information (Appropriate Items):</p> <p><input checked="" type="checkbox"/> Budgeted</p> <p><input type="checkbox"/> Not Budgeted</p> <p><input type="checkbox"/> Amendment Required (requires controller signature)</p>
County Dollars =		\$41,150.00														
Other Sources & Amounts =																
=																
=																
Total		\$41,150.00														

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

County Attorney: _____ Risk Management: _____

Human Resources: _____ Controller: _____

Roger M. Gustafson by WJW _____ 3/27/06
DEPARTMENT HEAD APPROVAL **Date**

Admin. Dept. Use Only: Approved ___ Denied ___ Tabled ___ Other ___

**CARVER COUNTY - ABSTRACT OF QUOTES
PROJECT NO. 0614 - ONE DUMP BODY & HYDRAULIC SYSTEM
QUOTES RECEIVED: MARCH 23, 2006**

BASE BID	Aspen Equipment 9150 Pillsbury Ave. S. Bloomington, MN	Midland Equipment Co. 21980 Kenrick Ave. Lakeville, MN 55044	Crysteel Truck Equipment 52248 Ember Road Lake Crystal, MN 56055
TOTAL QUOTE AMOUNT	\$42,991.92	\$41,150.00	\$49,559.78

Delivery Date	8/1/06	60-90 days after delivery	10-11 weeks after receipt of order
Warranty Period	1 year parts & labor	1 year body & hydr 2 year - hoist	5 year - box, 3 year - hoist, 1 year - hydraulics
Service Facility	Bloomington	Lakeville	Lake Crystal

RECOMMEND AWARD TO: Midland Equipment

AWARDED TO:

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):

Right of Way Acquisition CSAH 10 - Negotiated Settlements

Originating Division: Public Works

Agenda Date: 4/4/06

Amount of Time Requested: None

Supp. Doc. Attached (y/n): No

Previous County Board Action, If Any (include other parties which were advised, if any): Approve initial offers and authorize negotiations.

Item Type (X Only One): Consent Regular Session Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations)

Negotiated settlements have been arrived at with two additional land owners that require Board approval. Major reasons for the increases are trees not given much value in the initial appraisal and increasing land values since the original appraisals.

BOARD ACTION/MOTION REQUESTED (In proper format)

It is recommended the County Board pass this resolution.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	31,200
Other Sources & Amounts =	
=	
=	
Total	31,200

Budget Information (Appropriate Items):

- Budgeted
- Not Budgeted
- Amendment Required
(requires controller signature)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

County Attorney: _____ Risk Management: _____

Human Resources: _____ Controller: _____

Roger M. Gustafson by WGN
DEPARTMENT HEAD APPROVAL

3/27/06
Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

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

Date: April 4, 2006
 Motion By Commissioner: _____

Resolution No: _____
 Seconded by Commissioner: _____

**Right of Way Acquisition CSAH 10 (SP 10-610-30)
 Negotiated Settlements/Revised Offer 9**

**WHEREAS, the Carver County Board authorized by resolution, the Public Works Division to negotiate right of way for this project, and
 WHEREAS, negotiated settlements have been arrived at with Richard and Joan Carlson and Robert and Lori Jo Neises, and
 WHEREAS, these settlements require approval of the County Board,
 NOW THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners approve the above negotiated right of way settlements**

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 4th day of April 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of April, 2006.

 County Administrator

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Kevin Lebens - request for an accessory structure

Originating Department: Land & Water Services Division,
Land Management Department

Agenda Date: April 4, 2006

Amount of Time Requested: None

Supp. Doc. Attached (y/n): yes

Previous County Board Action, If Any (include other parties which were advised, if any): None

Item Type (✓ Only One): Consent Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

File #PZ20060010. The Planning Commission recommended approval of the Conditional Use Permit for Kevin Lebens. The proposed accessory structure is approx. 40' x 80' and would be utilized for the storage of vehicles and personal belongings etc. The total proposed personal storage area on the property will be approximately 4,580 sq. ft. The San Francisco Town Board had no objection to the request.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

A motion to adopt the Findings of Fact and to issue Order #PZ20060010 for the issuance of a Conditional Use Permit

FINANCIAL IMPLICATIONS: None

Funding:

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

Budget Information (✓ appropriate items):

Budgeted:
Not Budgeted:
Amendment Required:
(requires controller approval)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____


DEPARTMENT APPROVAL (Steve Just)


Division Director

3-27-06
Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20060010

RESOLUTION #: 06-04

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

FILE #: PZ20060010

APPLICANT: Kevin Lebens

OWNER: Kevin Lebens

SITE ADDRESS: 7630 Joyce Rd, Carver, MN 55397

PERMIT TYPE: Accessory Structure

PURSUANT TO: County Code, Chapter 152, Section(s) 152.073 A3 & 152.077 A1

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 08-004-1200

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 21, 2006; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Mr. Lebens owns a 9.83 acre parcel located in the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 4, San Francisco Township. The property is improved with a home with an attached garage. The property is located in the Agricultural Zoning District and the CCWRMA (Bevens Creek).
2. The applicant is requesting a Conditional Use Permit (CUP) to construct an accessory structure (approx. 3,200 sq. ft.) pursuant to Section 152.073 A3 and 152.077 A1 of the Carver County Zoning Code.
3. Section 152.073 A2 of the Zoning Code allows a total of 3,000 sq. ft. in a combination of garages and accessory structures, (without a Conditional Use Permit) on parcels of this size. The request is for the construction of an approximate 40' x 80' (3,200 sq ft) accessory structure. The attached garage is approximately 1,280 sq. ft. including the attic, and there is an existing 10' x 10' shed on the property. The proposed total square footage for accessory structure space on the property will be approximately 4,580 sq. ft., which is 1,580 sq. ft. larger than the Zoning Code allows without a CUP for a property of this size.
4. The applicant's letter states the proposed accessory structure will be utilized for storage of personal property including a boat, antique cars, tractors, lawn equipment, a motorcycle, a four wheeler and miscellaneous equipment.
5. The San Francisco Town Board reviewed the request at their March 20, 2006 Planning Commission Meeting and had no objection.

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

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Planning & Zoning for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Planning & Zoning as

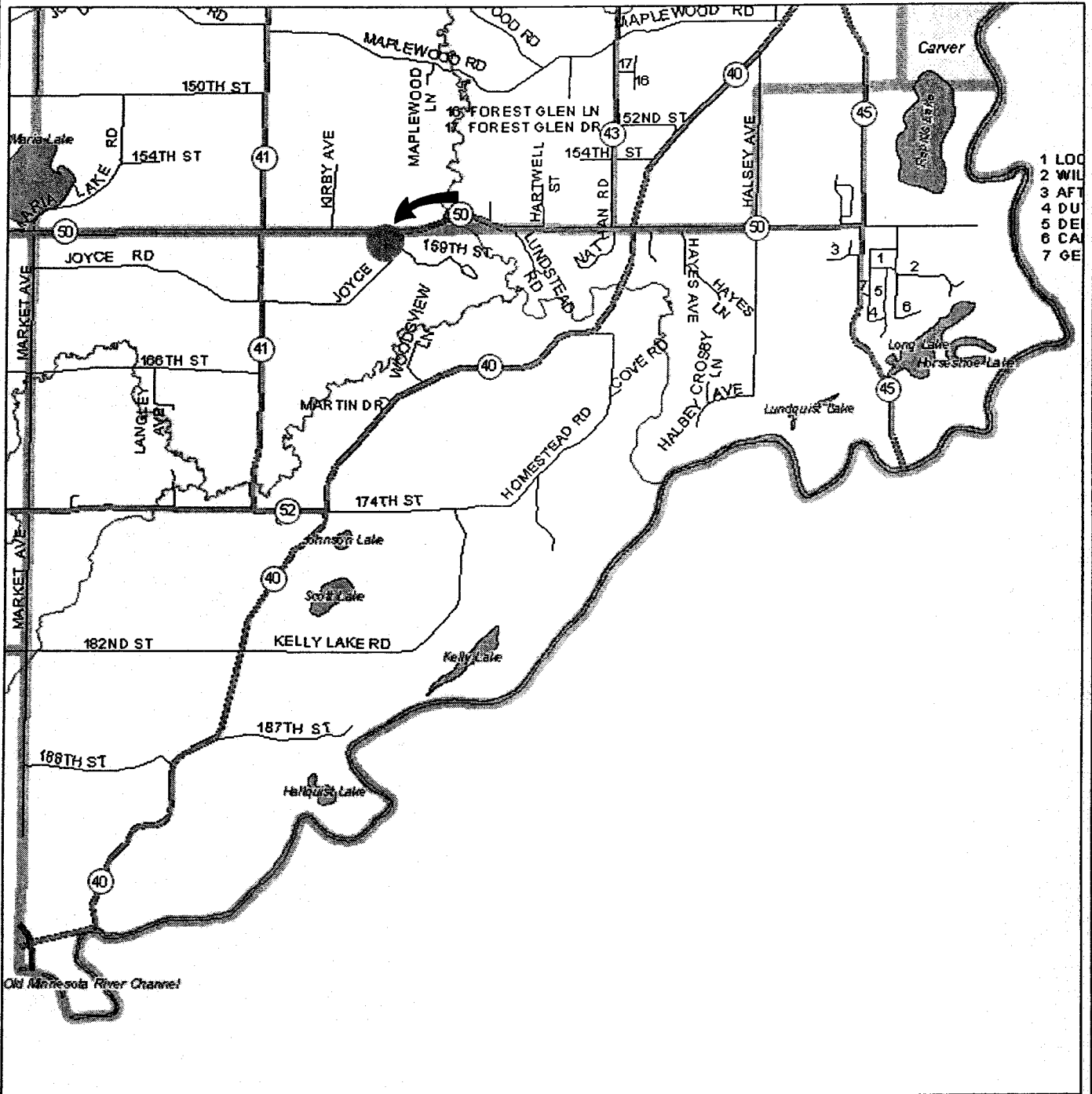
early on in the timeline of the proposed change as possible.

2. This structure shall be used only by the occupant(s) of the residence for a Home Occupation, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance. Guest quarters and/or additional dwelling units are strictly prohibited. No products or services shall be offered for sale or pay or similar remuneration except as permitted for a home occupation or as otherwise regulated by this Code.
3. All building permits shall be obtained prior to the construction of the accessory structure.

ADOPTED by the Carver County Planning Commission this 21st day of March 2006.

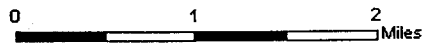
Randy Maluchnik
Planning Commission Chair

San Francisco Township



- 1 LOC
- 2 WIL
- 3 AFT
- 4 DU
- 5 DE
- 6 CA
- 7 GE

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



Map Created by Carver County GIS
Apr 21, 2005

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Timothy Hammers - request for an accessory structure

Originating Department: Land & Water Services Division,
Land Management Department

Agenda Date: April 4, 2006

Amount of Time Requested: None

Supp. Doc. Attached (y/n): yes

Previous County Board Action, If Any (include other parties which were advised, if any): None

Item Type (✓ Only One): Consent Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

File #PZ20060007. The Planning Commission recommended approval of the Conditional Use Permit for Timothy Hammers. The proposed accessory structure is approx. 40' x 80' and would be utilized for the storage of vehicles used for his home occupation. The total proposed personal storage area on the property will be approximately 3,772 sq. ft. Erosion control measures as recommended by SWCD will be required with the building permit. The Dahlgren Town Board recommended approval of the request.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

A motion to adopt the Findings of Fact and to issue Order #PZ20060007 for the issuance of a Conditional Use Permit

FINANCIAL IMPLICATIONS: None

Funding:

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

Budget Information (✓ appropriate items):

Budgeted:
Not Budgeted:
Amendment Required:
(requires controller approval)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____


DEPARTMENT APPROVAL (Steve Just)


Division Director

3-27-06
Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20060007

RESOLUTION #: 06-03

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

FILE #: PZ20060007

APPLICANT: Timothy Hammers

OWNER: Timothy Hammers

SITE ADDRESS: 7390 Maplewood Rd. Cologne, MN

PERMIT TYPE: Accessory Structure

PURSUANT TO: County Code, Chapter 152, Section(s) 152.073 A2 & 152.077 A1

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 04-028-1300

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 21, 2006; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Timothy Hammers owns a 3.78 acre parcel located in the Southeast Quarter (SE ¼) of Section 28, Dahlgren Township. The property is improved with a home with attached garage. The property is located in the Agricultural Zoning District and the CCWRMA (Bevens Creek).
2. The applicant is requesting a Conditional Use Permit (CUP) to construct an accessory structure (approx. 3,200 sq. ft.) pursuant to Section 152.073 A2 and 152.077 A1 of the Carver County Zoning Code.
3. Section 152.073 A2 of the Zoning Code allows a total of 2,500 sq. ft. in a combination of garages and accessory structures, (without a Conditional Use Permit) on parcels of this size. The request is for the construction of an approximate 40' x 80' (3,200 sq ft) accessory structure. Currently, the applicant has a 22' x 26' (572 sq ft) garage. The proposed total square footage for accessory structure space on the property will be approximately 3,772 sq. ft., which is 1,272 sq. ft. larger than the Zoning Code allows without a CUP for a property of this size.
4. The applicant stated that the proposed accessory structure will be utilized for storage of two bobcats, a tandem truck, a pickup and two trailers. Mr. Hammers hauls during the summer months and he along with his dad and brother plow snow in the winter. Mr. Hammers has stated that he utilizes the tandem truck for hauling construction equipment approximately twice a month and makes about four trips per day. The pickup and bobcats leave the site during snowstorms in the winter. Mr. Hammers stated that no employees report to the site. These activities would qualify under the Zoning Code's home occupation requirements.
5. The applicant received a CUP in June 2005 for a 40'x 70' structure, but the CUP expired. Now he would like to build the structure with additional square footage.
6. The Dahlgren Town Board reviewed and recommended approval of the request at their February 13, 2006 Town Board meeting.

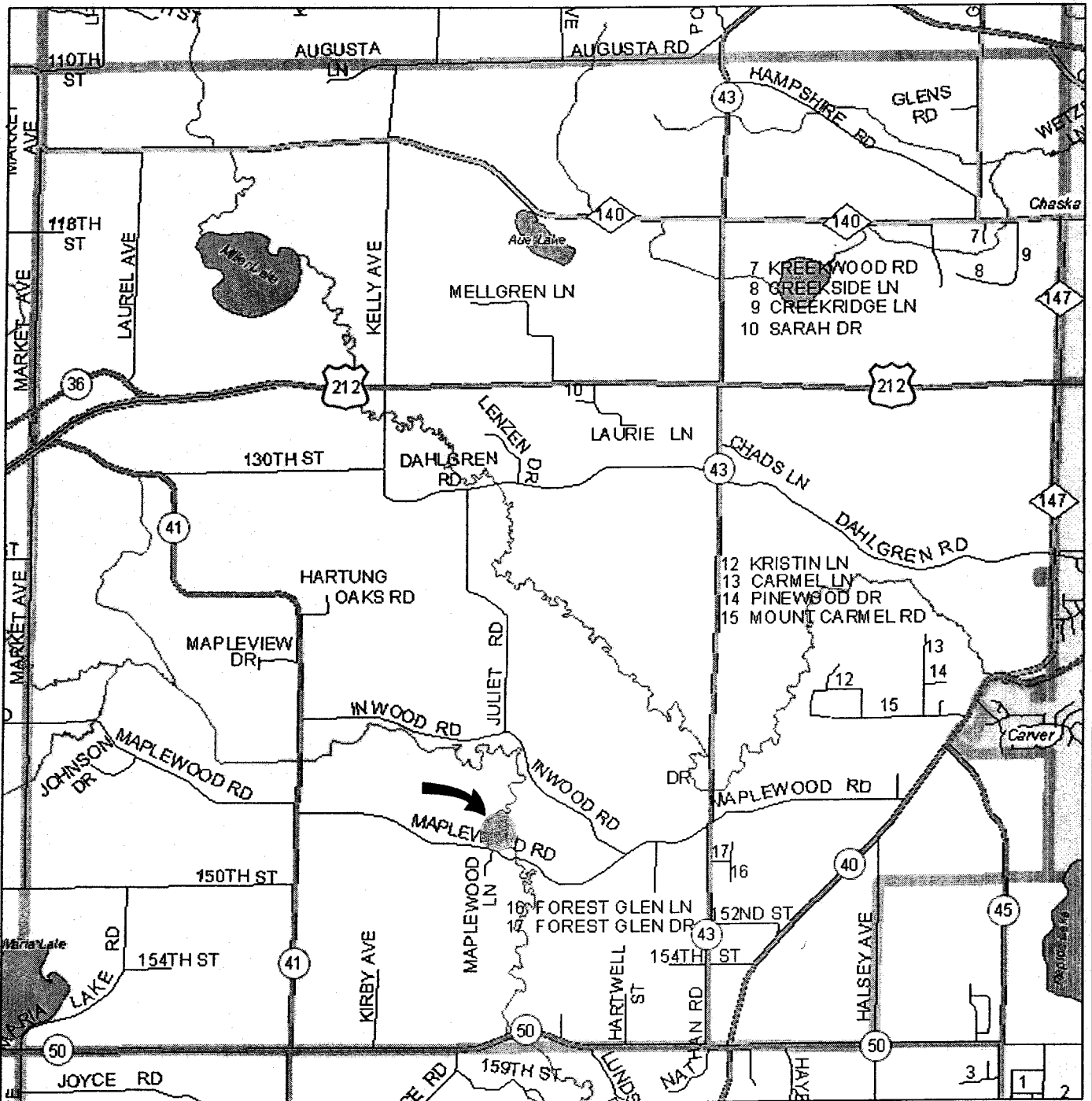
THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20060007 for an oversized accessory structure on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following 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 Planning & Zoning for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Planning & Zoning as early on in the timeline of the proposed change as possible.
2. This structure shall be used only by the occupant(s) of the residence for a Home Occupation, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance. Guest quarters and/or additional dwelling units are strictly prohibited. No products or services shall be offered for sale or pay or similar remuneration except as permitted for a home occupation or as otherwise regulated by this Code.
3. The business shall not require alterations to the exterior of the residence or change the residential character thereof.
4. No more than one employee other than members of the family living on the premises may be employed on the premises. Employees shall not report to the premises in order to travel to work off the site.
5. No more than 1 single or double-faced sign with a maximum area of two square feet per side is allowed.
6. The Home Occupation shall conform to the Operational Standards pursuant to the Carver County Zoning Code.
7. All equipment and supplies utilized in conjunction with the Home Occupation must be stored inside the building. No outside storage of business equipment is permitted and no more than 1 business vehicle is allowed.
8. All building permits shall be obtained prior to the construction of the accessory structure, and shall include a requirement that drainage from the new building shall be diverted per SWCD recommendations away from the ravine.

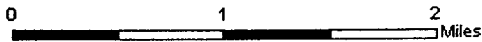
ADOPTED by the Carver County Planning Commission this 21st day of March, 2006.

Randy Maluchnik
Planning Commission Chair

Dahlgren Township



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Map Created by Carver County GIS
Apr 21, 2005

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Ed Foley - request for lakeshore lots

Originating Department: Land & Water Services Division,
Land Management Department

Agenda Date: April 4, 2006

Amount of Time Requested: None

Supp. Doc. Attached (y/n): yes

Previous County Board Action, If Any (include other parties which were advised, if any): None

Item Type (✓ Only One): Consent Regular Session _____ Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

File #PZ20060011. The Planning Commission recommended approval of the Conditional Use Permit for Ed Foley's proposed residential development on Oak Lake. Schoell & Madson (Tom Goodrum) is providing the consulting services for the "High Amenity" lot project. The development would include 5 lakeshore lots and a new township road that crosses the Luce Line Trail. All of the detailed plans would need to be provided with the preliminary plat submittal. The Watertown Town Board recommended approval of the request.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

A motion to adopt the Findings of Fact and to issue Order #PZ20060011 for the issuance of a Conditional Use Permit

FINANCIAL IMPLICATIONS: None

Funding:

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

Budget Information (✓ appropriate items):

Budgeted:
Not Budgeted:
Amendment Required:
(requires controller approval)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney ___ Risk Management ___ Human Resources ___ Controller ___ Other


DEPARTMENT APPROVAL (Steve Just)


Division Director

3-27-06
Date

Admin. Dept. Use Only: Approved ___ Denied ___ Tabled ___ Other ___

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20060011

RESOLUTION #: 06-05

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

FILE #: PZ20060011

APPLICANT: Schoell & Madson, Tom Goodrum

OWNER: Ed Foley

SITE ADDRESS: 11015 Co Rd 20

PERMIT TYPE: Additional Density (High Amenity Option)

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

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-011-1210, 1300, 1400

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 21, 2006; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Mr. Foley's property is approximately 117 acres located on the northerly side of Oak Lake, in the NW¼ of Section 11 of Watertown Twp. The property is improved with a house and large shed near Oak Lake. An old house has been removed from the northeasterly corner of the property. Also, the Luce Line Trail bisects the property. It is in the Agricultural Zoning District, Shoreland Overlay District and the CCWRMA-Crow River watershed.
2. The applicant, Tom Goodrum of Schoell & Madson, is proposing to develop 5 lakeshore lots, which would include Mr. Foley's existing home site. In addition, there would be two building eligibilities available on the agricultural land located on the north side of the Luce Line Trail. The applicant is requesting a Conditional Use Permit (CUP) pursuant to Section 152.78 of the Carver County Zoning Code
3. Watertown Township has provided for High Amenity lots in its chapter of the Comprehensive Plan. The Foley property, being on Oak Lake, is considered to be eligible land. The Town Board has agreed to the development of a newly constructed public road. An application has been submitted to the DNR-et al (by the applicant), on behalf of the Township for a public road crossing on the Luce Line Trail. The public (township) crossing would need to be established as a part of the Preliminary Plat submittal.
4. Section 152.078A(3) of the Zoning Code prohibits multiple applications for additional density on the same property, as the parcels laid on July 1, 1974. The intent of that provision, for example, is to prohibit the development of wooded lots and high amenity lots on the same property. The applicant has submitted an addendum that would allow an application for a CUP amendment to specifically address the high amenity potential for the Burns property, which is the 43 acres directly to the west of the subject property. The Burns property and a portion of the Foley property were one 86 acre parcel in 1974 so the status of the Burns property could be in question unless the CUP provides for future considerations. It appears that this request is reasonable because it would not result in overlapping developments nor would it result in the same land being developed twice.
5. The applicant is proposing five (5) residential lakeshore lots that would each exceed 2.5 acres. The "residential area" would not have any impact on long term ag land. The five (5) lots would be located on the south side of the Luce Line

Trail including the proposed road, which would provide the necessary frontage. The remaining land would include all of the production land and is considered the "agricultural area" for the development. Mr. Foley has indicated that he would likely build a new house on the north side of the Luce Line Trail. Also on the easterly side of the property, an outlot would be created on Oak Lake to provide access for the ag area. It appears that the outlot would essentially fall into the "unusable land" category and it would be considered 1 parcel for zoning purposes with the other ag parcels. Assuming Mr. Foley builds a house, there would be 1 building eligibility remaining on the property that could be subdivided by re-plat, or by minor subdivision procedures in the future.

6. During the preliminary platting process, the applicant will need to document a suitable 1 acre building site for each lot. The applicant has retained a licensed contractor (Swedlund) to conduct preliminary soil borings for the on-site sewer locations on the lots. The sketch plan illustrates the existing lake level, which is slightly lower than the ordinary high water (OHW) elevation of 960.1 feet. A 150' setback from the actual OHW would result in smaller building site areas than the sketch plan indicates.
7. A road will need to be constructed as part of the platting process and according to a developer's contract. The road must be constructed to Township standards. The Township has previously ruled that a road would need to be privately maintained until the development has at least three (3) homes constructed. The sketch plan illustrates a road configuration over the existing driveway with a 66' right-of-way. The Luce Line Trail crossing would be 50', which would accommodate the required road surface width. County policy discourages permanent dead end roads, but in this particular case it is not practical to require an extension.
8. The development would fall into the category of a Level 3 Water Rules project, which would be reviewed by the County's consulting engineer (Wenck Assoc.) A wetland delineation has already been conducted and approved by the County. The applicant is prepared to address any wetland impacts and/or degradation in accordance with the Wetland Conservation Act (WCA).
9. The entire layout as proposed will properly be addressed during the preliminary plat process.
10. The Watertown Town Board supports the request.

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

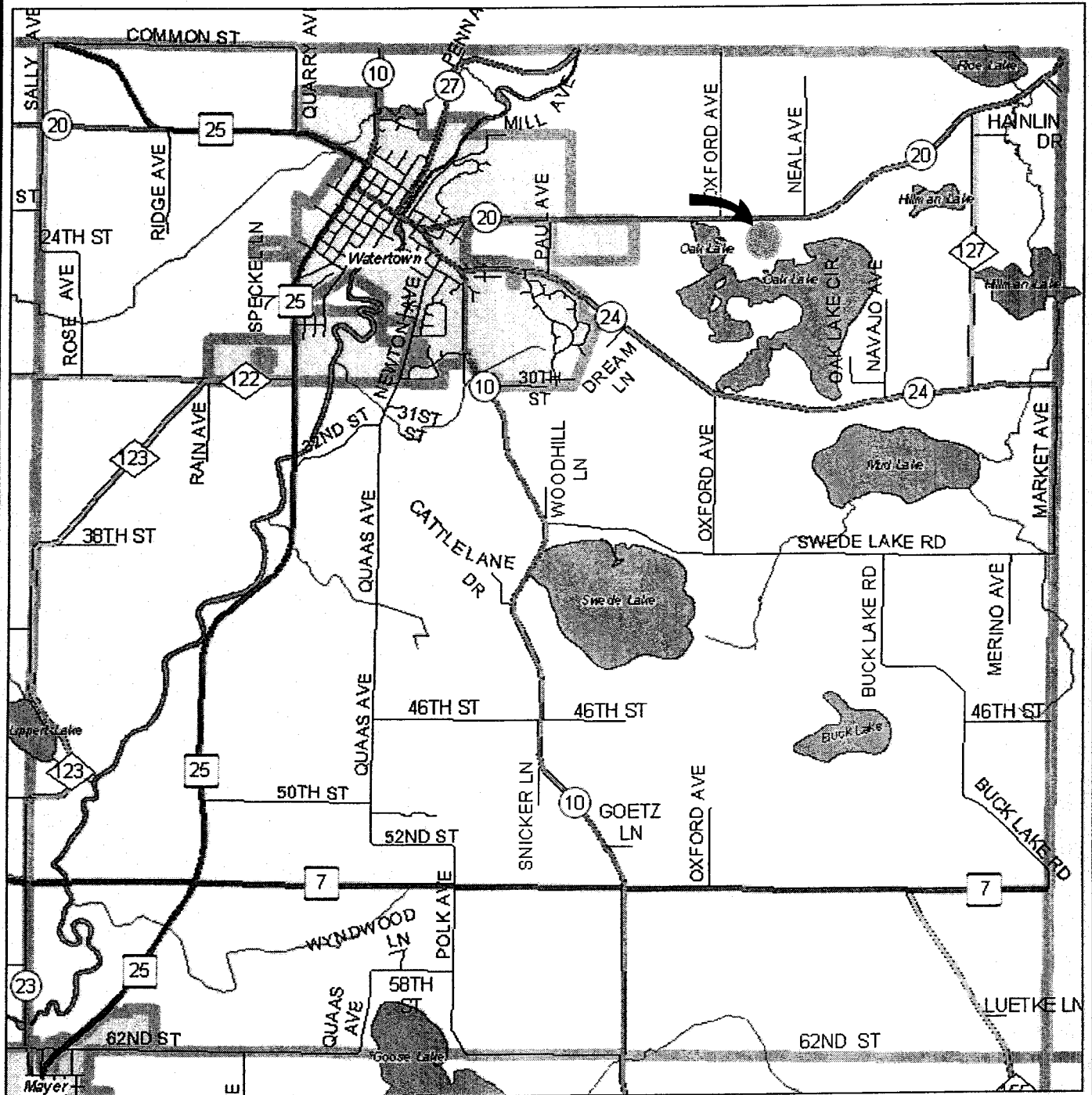
1. 5 lakeshore lots are permitted within the residential area, provided the building site definition and minimum lot standards are satisfied. Two building eligibilities shall be retained in the agricultural area. The entire subject property shall be platted in accordance with M.S. Chapter 505 and the Carver County Code.
2. An access permit must be obtained from Carver County Public Works for the proposed road. A public (township) crossing across the Luce Line Trail would need to be established (documented) as a part of the Preliminary Plat submittal.
3. The lots shall be laid out on the preliminary plat substantially as agreed upon by the Township, the County, and the Developer during the Conditional Use Permit (CUP) process. The CUP shall be redrafted and recorded with the final plat stipulating, at a minimum, the building eligibility status for each parcel; the restrictions in the residential and agricultural areas; the statement regarding agricultural uses; the protection of environmentally sensitive land(s); and the allowance for an application to amend the CUP specifically to address the high amenity potential for the 40 acres directly to the west of the subject property (i.e. Burns' property amendment).
4. Each residential lot within the plat must show a designated building site as defined by Section 151.10 (Building Site) of the Zoning Ordinance. Soil borings and percolation tests for the two sewer locations on each building site must be submitted with the application for preliminary plat. The building sites must be located so that all buildings and sewer systems can meet County Code setback requirements.

5. As a part of the platting process the applicant will develop covenants to be filed with the plat. The covenants will address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any lot in the residential area.
 - B. A covenant stating that the area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notification must be provided regarding "odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities". Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the "A" district:
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he will have to submit percolation tests and soil borings for another site before any building permit will be issued.
 - E. The lot owners shall maintain the road until such time as the Township agrees to accept the road and assume maintenance responsibility.
6. The above-required covenants shall become part of the permit.
7. A road plan, drainage plan, erosion control plan, and storm water management plan shall be submitted with the preliminary plat. A completed Carver County "Level 3" Water Rules application, with required attachments, shall be submitted with the Preliminary Plat application.
8. The boundaries of the identified wetlands must be included on the preliminary plat so appropriate drainage easements may be determined. If necessary, a wetland mitigation plan and application shall be submitted with the preliminary plat application.
9. The Permittee must enter into an improvement agreement with the County and the Township covering construction and maintenance of the proposed road and any drainage structures that may be found necessary during the platting process.
10. Streets and drainage ways will be designed so that public utilities can be installed at a later date.

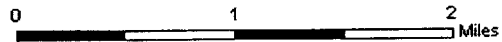
ADOPTED by the Carver County Planning Commission this 21st day of March, 2006.

Randy Maluchnik
Planning Commission Chair

Watertown Township



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



Map Created by Carter County GIS
Apr 21, 2005

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item: Rebound Flooring Group, LLC

Originating Department: Facilities

Agenda Date: April 4, 2006

Amount of Time Requested:

Supp. Doc. Attached (y/n): N

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

As part of 2006 identified improvements, Facilities wishes to contract with Rebound Flooring Group, LLC, to remove and dispose of existing flooring, prepare floors for new flooring, and provide and install flooring in the following areas: Carver County Jail training room; Carver County Historical Society Building; and Carver County Courts ground level corridor. The cost for this Contract is \$18,753.05. Rebound Flooring was low quote obtained through the State Cooperative Purchasing Program.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

Motion to approve Contract with Rebound Flooring Group, LLC in the amount of \$18,753.05.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$ 18,753.05

Other Sources & Amounts =

_____ = \$ _____
 _____ = \$ _____

TOTAL = \$ 18,753.05

Budget Information (✓ appropriate items):

Budgeted:

Not Budgeted: _____

Amendment Required: _____
 (requires controller approval)

Related Financial Comments: To be paid from Facilities account 01-110-000-0000-6640 – \$11,661.09 from CIP 110-04-Carpet Replacement ; and \$7,091.15 from CIP 110-24 Jail Flooring.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____

Paul E. Samuel / Steven H. Taylor
 DEPARTMENT HEAD APPROVAL (Signature) _____ Date *3-24-06*

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item: Mathews Lawn Service

Agenda Date: April 4, 2006

Originating Department: Facilities

Amount of Time Requested:

Supp. Doc. Attached (y/n): N

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

Facilities wishes to contract with Mathews Lawn Service to provide lawn care for the Carver County Buildings grounds. This includes grounds for: Government Center; Environmental Center; First Street Center in Waconia; Carver County Historical Center; U of MN Extension Building; and Public Works Headquarters. Bid procedure was followed with bid opening on March 3, 2006. This contract is a two year contract, beginning on April 20, 2006 and terminating on April 1, 2008. Mathews Lawn Service had a low bid of \$15,234.00 per year with a total bid of \$30,468.00 for two years; Creekside Inc., bid \$25,294.50 per year with a total bid of \$50,589.00; and Priority 1 Outdoors, Inc., bid \$26,900.00 per year with a two year bid of \$53,800.00. Services include: mowing, fertilizing, applied 4 times per year, fall cleanup and aeration.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

Motion to approve Contract with Mathews Lawn Service, in the amount of \$30,468.00, to be paid over two years, beginning in 2006, and ending in 2008.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$ 30,468.00

Other Sources & Amounts =

_____ = \$ _____
 _____ = \$ _____

TOTAL = \$ 30,468.00

Budget Information (✓ appropriate items):

Budgeted:

Not Budgeted: _____

Amendment Required: _____
 (requires controller approval)

Related Financial Comments: To be paid from Facilities Account 01-110-000-0000-6260/professional and technical fees for service.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____

[Signature] / *[Signature]* 3-24-06
 DEPARTMENT HEAD APPROVAL (Signature) Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Consultant/Trainer – Arthur T. Himmelman

Originating Department: Public Health

Agenda Date: April 4, 2006

Amount of Time Requested:

Supp. Doc. Attached (y/n): n

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One) Consent Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits and recommendations)

Contract with Arthur T. Himmelman to provide training and consultation services to the Public Health Division, The Community Foundation for Carver County, and the Carver County Health Partnership in the area of building and sustaining collaborative community partnerships as outlined in the Local Public Health Grant mandates approved by the board on 3/14/2006. Contract dates run from March 1, 2006 through December 31, 2006 at a cost not to exceed \$7,500.

BOARD ACTION/MOTION REQUESTED (In proper format)

Motion to approve Consultant/Trainer contract with Arthur T. Himmelman.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$ not to exceed \$7,500

Other Sources & Amounts = \$ _____

TOTAL = \$ not to exceed \$7,500

Budget Information (✓ Appropriate Items):

Budgeted: _____

Not Budgeted: _____

Amendment Required: _____

(requires controller signature)

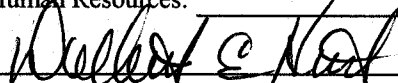
Related Financial Information:

Expenses are budgeted in 01-460-460-2399-6260.

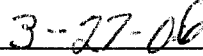
REVIEWS AND APPROVALS AS REQUIRED (Signatures)

County Attorney: _____ Risk Management: _____

Human Resources: _____ Controller: _____



DEPARTMENT HEAD APPROVAL



Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Health Resources and Services Association (HRSA) for the Bioterrorism Hospital Preparedness Program (BHPP) Contract

Originating Department: Public Health

Agenda Date: April 4, 2006

Amount of Time Requested:

Supp. Doc. Attached (y/n): n

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One)

Consent

Regular Session

Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits and recommendations)

Contract between Hennepin County and Carver County Public Health for Public Health to complete objectives related to the Health Resources and Services Association (HRSA) for the Bioterrorism Hospital Preparedness Program (BHPP). Public Health will work with local Carver County clinics to develop clinic partnerships, a clinic Emergency Operations Plan, and a clinic resource inventory database. This agreement fulfills Local Public Health Grant mandates, as approved by the board on 3/14/2006, related to public health's role in Emergency Preparedness. Contract term is from 9/1/05-8/31/06.

BOARD ACTION/MOTION REQUESTED (In proper format)

Motion to accept the contract and to expend funds for the Health Resources and Services Association (HRSA) for the Bioterrorism Hospital Preparedness Program (BHPP).

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$ _____

Other Sources & Amounts = \$ 8,333

Hennepin County

TOTAL = \$ 8,333

Budget Information (✓ Appropriate Items):

Budgeted: _____

Not Budgeted:

Amendment Required:

(requires controller signature)

Related Financial Information:

Add to 2006 Revenue: 01-460-462-2399-5508 Public Health Nursing Fees \$8,333

Add to 2006 Expense: 01-460-462-2399-6260 Professional & Tech. Fees for Services \$7,000

01-460-462-2399-6432 Public Health Supplies 1,000

01-460-462-2399-6421 Food & Beverage 333

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

County Attorney: _____ Risk Management: _____

Human Resources: _____ Controller: _____

 _____ 3-27-06 _____

DEPARTMENT HEAD APPROVAL

Date

Admin. Dept. Use Only: Approved Denied Tabled Other

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):

Approve contract with Lifeline Systems, Inc.

Originating Department: Community Social Services	Agenda Date:
Amount of Time Requested:	Supp. Doc. Attached (y/n): Yes

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (Only One): Consent Regular Session Discussion Session

EXPLANATION OF AGENDA ITEM (include a description of background and benefits)

Carver County Community Social Services is interested in continuing to contract with Lifeline Systems, Inc. for the provision of personal emergency response services for eligible Alternative Care and Medical Assistance Waiver clients in Carver County. Pursuant to current rules, Carver County needs to have a contract with the provider in order to use the Alternative Care and Medical Assistance Waiver Programs to fund this service.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (include motion in proper format)

To approve the attached contract with Lifeline Systems, Inc. for the period January 1, 2006- December 31, 2006

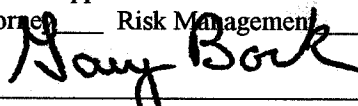
FINANCIAL IMPLICATIONS

<p><i>Funding:</i></p> <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td>Other Sources & Amounts =</td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td><u>MA Waiver Funds</u> =</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">50,000.00</td> </tr> <tr> <td>TOTAL =</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">50,000.00</td> </tr> </table>	County Dollars =	\$		Other Sources & Amounts =	\$		<u>MA Waiver Funds</u> =	\$	50,000.00	TOTAL =	\$	50,000.00	<p><i>Budget Information (_ appropriate items):</i></p> <table style="width: 100%;"> <tr> <td>Budgeted:</td> <td style="text-align: right;"><u> X </u></td> </tr> <tr> <td>Not Budgeted:</td> <td style="text-align: right;"><u> </u></td> </tr> <tr> <td>Amendment Required:</td> <td style="text-align: right;"><u> </u></td> </tr> </table> <p>(requires controller approval)</p>	Budgeted:	<u> X </u>	Not Budgeted:	<u> </u>	Amendment Required:	<u> </u>
County Dollars =	\$																		
Other Sources & Amounts =	\$																		
<u>MA Waiver Funds</u> =	\$	50,000.00																	
TOTAL =	\$	50,000.00																	
Budgeted:	<u> X </u>																		
Not Budgeted:	<u> </u>																		
Amendment Required:	<u> </u>																		

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

All Reviews and Approvals Received:
 County Attorney Risk Management Human Resources Controller Other


3/22/06

DEPARTMENT HEAD APPROVAL (Signature) Date

Admin. Dept. Use Only: Approved Denied Tabled Other

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):

Approve contract with Katherine and Steven Mach Family Foster Home

Originating Department: Community Social Services

Agenda Date:

Amount of Time Requested:

Supp. Doc. Attached (y/n): Yes

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (Only One): Consent X Regular Session ___ Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

The Machs are interested in continuing to provide Family Adult Foster Care Services at their home to eligible clients funded by the State and Federal-funded Medical Assistance Waiver programs. Pursuant to current rules, Carver County needs to have a contract with the provider in order to use Medical Assistance Waiver Programs to fund these services.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

To approve the attached contract with Katherine and Steven Mach for the period January 1, 2006- December 31, 2006

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$	
Other Sources & Amounts =	\$	
MA Waiver Funds =	\$	90,000.00
TOTAL =	\$	90,000.00

Budget Information (_ appropriate items):

Budgeted:	<u> X </u>
Not Budgeted:	___
Amendment Required:	___
(requires controller approval)	

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

 All Reviews and Approvals Received:

County Attorney ___ Risk Management ___ Human Resources ___ Controller ___ Other

Gay Bork

3/22/06

DEPARTMENT HEAD APPROVAL (Signature)

Date

Admin. Dept. Use Only: Approved ___ Denied ___ Tabled ___ Other ___

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Out of state conference for attorney's office

Originating Department: Attorney

Agenda Date: 04/04/06

Amount of Time Requested: 5 Minutes

Supp. Doc. Attached (y/n): Yes

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (include a description of background and benefits)

The County Attorney's Office would like to send one of the Assistant County Attorneys to a seminar covering DNA Fingerprinting. Due to the impact these issues have on our cases, we feel it is vital to have additional training in this area. The training is offered through the American Prosecutors Research Institute in Chicago and is not available locally. Registration and lodging is included in acceptance of this course.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (include motion in proper format)

Motion to allow Assistant County Attorney to attend an out of state training on April 24, 2006, through April 28, 2006, in Chicago, Illinois.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$300.00
Other Sources & Amounts =	
_____ =	\$ _____
_____ =	\$ _____
TOTAL =	\$300.00

Budget Information (✓ appropriate items):

Budgeted:	<input checked="" type="checkbox"/>
Not Budgeted:	_____
Amendment Required:	_____
(requires controller approval)	

Related Financial Comments: We will be requesting that funding for this training will come out of conferences and training. This amount represents the approximate cost of airfare, meals, and airport transportation.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____

[Signature]
DEPARTMENT HEAD APPROVAL (Signature)

3/22/06
Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

File:

TRUE IDENTITY: DNA



DNA Fingerprinting
on the
Witness Stand

 **APRI**

Chicago, Illinois

April 25–28, 2006

Welcome and Conference Overview

TRUE IDENTITY: DNA Fingerprinting on the Witness Stand

offers prosecutors a solid foundation in the basic science of DNA and the practical application of DNA evidence in the courtroom.

The course emphasizes the coordination between the prosecutor and the DNA analyst that is crucial to properly interpret and apply DNA evidence in any given criminal case. The course brings the abstract and often confusing application of DNA evidence to life through case scenarios taught in tandem by nationally recognized experts in DNA typing and prosecution.

This course is free of charge for prosecutors, and the American Prosecutors Research Institute will pay for those participants who require lodging in Chicago. Transportation arrangements are the responsibility of each individual participant.

Preliminary Topics

- ▶ Understanding Lab Reports
- ▶ Identification, Collection and Submission of DNA evidence
- ▶ Nuclear DNA
- ▶ Mitochondrial DNA Analysis
- ▶ Y-STR Analysis
- ▶ Plant and Animal DNA Analysis
- ▶ Understanding Statistics
- ▶ CODIS
- ▶ Discovery
- ▶ Ethical Issues
- ▶ Defense Expert Witnesses
- ▶ Third Party Defense Motions
- ▶ Admissibility of DNA Evidence and Expert Scientific Testimony
- ▶ Preparation of the DNA Expert and Prosecutor for Trial
- ▶ Strategic Voir Dire and the CSI Effect
- ▶ Qualifying and Questioning the DNA Analyst
- ▶ Effective Cross-examination of the Defense Expert
- ▶ Anticipation and Rebuttal of Potential Defense Challenges
- ▶ Investigation and Prosecution of a Cold Hit Case
- ▶ Post Conviction Case Considerations
- ▶ And More...

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Donation

Originating Department: Sheriff's Office

Agenda Date: 4/3/06

Amount of Time Requested:

Supp. Doc. Attached (y/n):

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent X Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

Donation of a MN Vikings football autographed by Daunte Culpepper to be given as a prize in the annual Sheriff's Office 'Take a Kid Fishing Day'.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

Board moves to accept donation.

FINANCIAL IMPLICATIONS

Funding:

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

Budget Information (✓ appropriate items):

Budgeted: _____
 Not Budgeted: _____
 Amendment Required: _____
 (requires controller approval)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____


 DEPARTMENT HEAD APPROVAL (Signature)

3/27/06
 Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

File:



**CARVER COUNTY SHERIFF'S OFFICE
DONATION FORM**

606 E. 4th Street
Chaska, MN 55318
952-361-1212

I would like to donate the following item(s) to the Carver County Sheriff's Office. I am aware that all donated items become the property of the Sheriff's and will not be returned.

Please list donated item(s):

- 1) 1 Vikings football signed by Daunte Culpepper
- 2) _____
- 3) _____
- 4) _____
- 5) _____

If you are interested in a specific use for this donation please let us know:

'Take a Kid fishing' prize

Signature: Accepted by Reed Ashjale Date: 3/23/06

Your Address:

John Wilhoit

7129 Washington Ave S.

Edina, MN

Thank you for your donation to the Carver County Sheriff's Office.

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda): **Approval of Appraised Values & Classification of Tax Forfeited Lands**

Originating Department: **Auditor**

Agenda Date: **4/4/06**

Amount of Time Requested: **0 minutes**

Supp.. Doc. Attached (y/n): **N**

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent **XX** Regular Session _____ Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

To proceed with the sale of Tax Forfeited Lands it is necessary for the County Board to adopt the attached resolution approving the appraised value & classification of tax forfeited lands. This resolution will allow us to continue the necessary steps toward a tax forfeiture sale.

Also attached are 2 Certificates of County Board of Classification of Forfeited Lands which must be signed by the Carver County Commissioners.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

FINANCIAL IMPLICATIONS

Funding:

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

Budget Information (✓ appropriate items):

Budgeted:
 Not Budgeted:
 Amendment Required:
 (requires controller approval)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____

DEPARTMENT HEAD APPROVAL (Signature)

Date

3-24-06

Admin.. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

**CERTIFICATE OF COUNTY BOARD OF CLASSIFICATION OF FORFEITED LANDS AS PROVIDED BY
CHAPTER 386, LAWS 1935
AS AMENDED.**

To the Board of the City of Watertown

We, the members of the County Board of the County of **CARVER**, Minnesota, do hereby certify that the parcels of land hereinafter listed are all of the lands which have been classified by us as conservation/non-conservation Lands, from the list of lands forfeited to the State of Minnesota for non-payment of taxes for the year or years **2001** as provided by Minnesota Statutes 1945, Section 282.01 as amended.

PID#/Legal Description	Appraised Value of Land	Conservation / Non-Conservation
85.3850010 Lot 1, Block 1, Reo Acres 3 rd Addition	\$100.00	Non Conservation
85.3580020 Lot 2, Block 1, Reo Acres 3 rd Addition	\$100.00	Non Conservation
85.3580030 Lot 3, Block 1, Reo Acres 3 rd Addition	\$100.00	Non Conservation
85.3580040 Lot 4, Block 1, Reo Acres 3 rd Addition	\$100.00	Non Conservation

In witness whereof we have hereunto subscribed our names this _____ day of _____, 2006.

James M Ische, Chair

Gary M Delaney

Tom Workman

Gayle O Degler

Tim Lynch

Attest: Mark Lundgren

Carver County Auditor

The foregoing classification and sale is hereby approved on _____, 2006.

By the Board of the City of Watertown.

Filed this _____ day of _____, 2006.

Mark Lundgren, Carver County Auditor

By:
Deputy

**CERTIFICATE OF COUNTY BOARD OF CLASSIFICATION OF FORFEITED LANDS AS PROVIDED BY
CHAPTER 386, LAWS 1935
AS AMENDED.**

To the Board of the City of Chaska

We, the members of the County Board of the County of CARVER, Minnesota, do hereby certify that the parcels of land hereinafter listed are all of the lands which have been classified by us as conservation/non-conservation Lands, from the list of lands forfeited to the State of Minnesota for non-payment of taxes for the year or years 2001 as provided by Minnesota Statutes 1945, Section 282.01 as amended.

PID#/Legal Description	Appraised Value of Land	Conservation / Non-Conservation
30.1390070 Lot 4, Block 2, Cortina Woods 5 th Addition according to the recorded plat thereof, Carver County, Minnesota. Except that part of Lot 4 lying Northeasterly of the following described line and its Northwesterly extension. Commencing at the most southerly corner of Lot 4, Block 2; thence North 47 degrees 33 minutes 06 seconds East, assumed bearing, along the southeasterly line of Lot 4 a distance of 61.89 feet to point of beginning of the line to be described; thence North 43 degrees 43 minutes 12 seconds West a distance of 152.36 feet to the northwest line of said Lot 4 and there terminating.	\$ 700.00	Non Conservation

In witness whereof we have hereunto subscribed our names this _____ day of _____, 2006.

James M Ische, Chair

Gary M Delaney

Tom Workman

Gayle O Degler

Tim Lynch

Attest: Mark Lundgren

Carver County Auditor

The foregoing classification and sale is hereby approved on _____, 2006.

By the Board of the City of Chaska.

Filed this _____ day of _____, 2006.

Mark Lundgren, Carver County Auditor

By:
Deputy

Drafted By: Carver County Auditor's Office, Government Center, Administration Bldg., 600 E 4th St, Chaska, MN 55318 -2102

COUNTY BOARD RESOLUTION

WHEREAS, The County Board of Commissioners of the County of Carver, State of Minnesota, desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes, and

WHEREAS, Said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in MN Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED That the Carver County Board of Commissioners hereby certify that all parcels of land on the attached lists have been viewed and comply with the provisions of MN Statutes 85.012, 92.461, 282.01, subd. 8 and 282.018, subd. 2 (1990) and other statutes that require the withholding of tax-forfeited lands from sale. The County Board of Commissioners hereby certifies that the Soil and Water Conservation Board has reviewed the attached land sale list and identified any and all non-forested marginal land and wetlands.

BE IT FURTHER RESOLVED, That the Carver County Board of Commissioners hereby request approval from the MN Department of Natural Resources for the sale of said lands.

Dated this _____ day of _____, 2006

Chairman, Carver County
Board of Commissioners

Attested by:

Clerk

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM: *Proclamation*

Item Name : National Public-Safety Telecommunications Week April 9 – 15, 2006

Originating Department: **Sheriff's**

Agenda Date: April 4, 2006

Amount of Time Requested: 5 minutes

Supp. Doc. Attached (y/n): Y

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent ___ Regular Session X Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

April 9-15 is National Public-Safety Telecommunications Week. The week has been designated to recognize and honor the men and women who provide the vital link between those in need of help and our Police-Fire-EMS responders.

Please acknowledge the 9-1-1 Telecommunicators (Dispatchers) of Carver County to show your appreciation to these HEROES for their special week!

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

See attached Resolution.

FINANCIAL IMPLICATIONS

Funding:

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

Budget Information (✓ appropriate items):

Budgeted:
 Not Budgeted:
 Amendment Required:
 (requires controller approval)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney ___ Risk Management ___ Human Resources ___ Controller ___ Other

Sheriff Byron 'Bud' Olson, by Manager Pamela Raser

March 27, 2006

DEPARTMENT HEAD APPROVAL (Signature)

Date

Admin. Dept. Use Only: Approved ___ Denied ___ Tabled ___ Other ___

WHEREAS, Carver County's dedicated 9-1-1 dispatchers serve the citizens of the Carver County area 24 hours a day, 7 days a week, by answering calls for police, fire and emergency medical services, by coordinating and dispatching the appropriate public safety assistance as quickly as possible; and

WHEREAS, professional 9-1-1 dispatchers work to improve the emergency response capability of these communications systems through their dedication, leadership, training and participation in related public safety activities that enhance 9-1-1 services; and

WHEREAS, the services and functions performed by 9-1-1 dispatchers is a vital link between our citizens and our emergency services providers; and

WHEREAS, the week of April 9-15, 2006 has been set aside nation-wide to recognize 9-1-1 telecommunicators, call takers and dispatchers for the crucial role they play in the protection of life and property for all citizens.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, do hereby acknowledge the week of April 9 -15, 2006 as

“Public-Safety Telecommunicators Week”

in Carver County in honor and recognition of the valuable contribution made by our 9-1-1 Dispatchers to the safety and well being of our citizens.

Jim Ische, Chair
Carver County
Board of Commissioners

April 4, 2006

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda): Notice of Intent to Establish Offices of Auditor, Treasurer, and Recorder as Appointive

Originating Department: Administration

Agenda Date: 4/4/06

Amount of Time Requested: 30 Minutes

Supp. Doc. Attached (y/n): Yes

Previous County Board Action, If Any (include other parties which were advised, if any): Approved submittal of special legislation to State legislature

Item Type (✓ Only One): Consent _____ Regular Session x Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

The attached special legislation has been approved by the State legislature and authorizes the County Board to fill the offices of Carver County Auditor, Treasurer, and Recorder by appointment. (This bill is expected to be signed by the Governor prior to the April 4 Board meeting. If not, the recommendation is to table this issue for an additional week.)

This legislation requires the notification of intent to make this change which is provided in the attached resolution. The notice of intent resolution also provides the following.

- Publication of the resolution (April 13 and 20)
- An opportunity for additional public comment (9 a.m. on April 25)
- Opportunity for petition (April 21 through May 21)

A resolution will be presented April 25 recommending formal adoption of the appointment option and direction to the County Administrator to develop the specific recommended organizational structure.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

Motion to approve resolution providing notice of intent to establish the offices of Carver County Auditor, Treasurer, and Recorder as appointive.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =

Other Sources & Amounts =

_____ = \$ _____

TOTAL = See financial comments

Budget Information (✓ appropriate items):

Budgeted: _____

Not Budgeted: _____

Amendment Required: _____

(requires controller approval)

Related Financial Comments: Short-term savings depend on final organizational structure and employment agreements adopted by the Board. The objective is to develop a structure that is at least cost neutral in the short-term. Additional savings are anticipated over the long-term through the continued development of a more efficient structure.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Human Resources _____ Controller _____ Other _____

 _____
DEPARTMENT HEAD APPROVAL (Signature)

3/24/06

Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

A bill for an act relating to Carver County; providing for the county board to appoint county recorder, county auditor, and county treasurer; providing for a referendum option to determine if an office is appointive in Carver County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. CARVER COUNTY; AUDITOR, TREASURER, AND RECORDER MAY BE APPOINTED.

Subdivision 1. Authority to make offices appointive. Notwithstanding Minnesota Statutes, section 382.01, upon adoption of a resolution by the Carver County Board of Commissioners, the offices of county auditor, county treasurer, and county recorder are not elective but must be filled by appointment by the county board as provided in the resolution.

Subd. 2. Board controls; may change as long as duties done. Upon adoption of a resolution by the Carver County Board of Commissioners and subject to subdivisions 3 and 4, the duties of the elected official required by statute, whose office is made appointive as authorized by this section, must be discharged by the Board of Commissioners of Carver County acting through a division head appointed by the board for that purpose. A reorganization, reallocation, delegation, or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. Incumbents to complete term. The person elected at the last general election to a position made appointive under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. Publishing resolution; petition, referendum. The county board may provide for the appointment of the county auditor, county treasurer, and the county recorder, as permitted in this section if the resolution to make the office appointive is approved by at least 80 percent of the members of the county board. Before the adoption of the resolution, the county board must publish a resolution notifying the public of its intent to consider adopting the option once each week for two consecutive weeks in the official publication of the county. Following the publication, the county board must provide an opportunity at its next regular meeting for public comment relating to the option, before formally adopting the option. The resolution may be implemented without the submission of the question to the voters of the county unless, within 30 days after the second publication of the resolution, a petition requesting a referendum, signed by at least ten percent of the voters registered in the last general election of the county, is filed with the county auditor. If a petition is filed, the resolution may be implemented unless disapproved by a majority of the voters of the county voting on the question at a regular or special election.

Subd. 5. Effective date; local approval. This section is effective the day after the governing body of Carver County and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Notice of Intent to Establish the Offices of Carver County Auditor, Treasurer, and Recorder as Appointive

Date: _____

Resolution No.: _____

Motion by Commissioner: _____ Seconded by Commissioner: _____

WHEREAS, Laws of Minnesota 2006, Chapter 173, authorizes the Carver County Board of Commissioners to fill the offices of Carver County Auditor, Treasurer, and Recorder by appointment rather than by election; and

WHEREAS, this legislation was enacted at the request and with the approval of the Carver County Board of Commissioners by Resolution #19-06; and

WHEREAS, in order to implement the change authorized by this legislation, notice of intent to establish the appointments is necessary.

NOW, THEREFORE BE IT RESOLVED, that pursuant to Laws of Minnesota 2006, Chapter 173, this serves as notice that the Carver County Board of Commissioners intends on establishing the offices of Carver County Auditor, Treasurer, and Recorder as appointive rather than elective; and

BE IT FURTHER RESOLVED, that County Board will provide opportunity for additional public comment on this issue at 9:00 a.m. on April 25, 2006; and

BE IT FURTHER RESOLVED, that the County Administrator is hereby directed to publish this resolution once each week for two consecutive weeks in the official County newspaper, also notifying citizens of the County that they have the right to file with the County Auditor a petition requesting a referendum signed by at least 10 percent of the voters registered in the last general election of the County, within 30 days after the second publication of this resolution; and

BE IT FURTHER RESOLVED, that the intended change in office of the County Auditor, Treasurer, and Recorder referred to in this resolution would be effective the day following the completion of the term of office of the person elected to be County Auditor, Treasurer, and Recorder at the last County general election, unless a vacancy occurs in the office prior to this date, in which event this change would be effective immediately as it relates to the vacant office, or unless a petition requesting a referendum on this issue is filed, in which event the change would be implemented unless disapproved by a majority of the voters of the County, voting on the question at a special election.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA COUNTY OF CARVER

I, David J. Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 4th day of April, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of April, 2006.

County Administrator