

Carver County Board of Commissioners
 Regular Session
 February 28, 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**
 - d) **Recognition of citizen advisory committee members**
2. Agenda review and adoption
3. Approve minutes of February 21, 2006 Regular Session1-3
4. Public participation (Comments limited to five minutes)
5. Community announcements

9:10 a.m.

6. **CONSENT AGENDA**
 - 6.1 MPCA Joint Powers Agreement to complete multiple TMDL's4-6
 - 6.2 Out of state travel and budget amendment7-8
 - 6.3 Agreement with Qwest Corporation for data used to operate the emergency notification system.....9
 - 6.4 Acceptance of Hans Hagen Homes withdrawal of appeal to water management rules.....10-11
 - 6.5 Approval of electronics recycling contract 12
 - 6.6 Professional service agreement for the removal of scrap metal, bicycle and lawn mowers..... 13
 - 6.7 Family Innovations, Inc contract. 14
 - 6.8 Cross Generation contract 15
 - 6.9 Martha Merchant contract 16
 - 6.10 Establish absentee ballot board..... 17-18
 - 6.11 Strategic planning retreat facilitation services 19
 - 6.12 Community Social Services' warrants..... NO ATT
 - 6.13 Commissioners' warrants SEE ATT

9:10 a.m.

7. **ADMINISTRATION**
 - 7.1 **Public hearing**-Auditor, Treasurer, and Recorder Reorganization and related Resolutions.....20-25

REGULAR SESSION
February 21, 2006

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on February 21, 2006. Vice Chair Gary Delaney convened the session at 9:02 a.m.

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

Members absent: James Ische.

The following amendment was made to the agenda:

Add to Item 7.1-HAVA Election Equipment Local Plan Resolution.

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

Workman moved, Degler seconded, to approve the minutes of the February 14, 2006, Regular Session Motion carried.

Community announcements were made by the Board.

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

Contract with United First Aid and Safety, Inc., in the amount of \$5,000.

Contract with Nordic Health and Safety in the amount of \$5,000.

Agreement and Memorandum of Understanding for vehicle use with the County and the cities of Chaska and Victoria.

Agreement with Avtex, Inc. (Citywatch) for an emergency notification system.

Contract with Cazarin in the amount of \$6,000.

Delegated the authority for contracting with an appraiser to the Administrative Services Director for services related to the License/Service Center in the City of Chanhassen.

Accepted the donation of a Garrett Sea Hunter 11 metal detector donated by the friends of Nancy Everson.

Contract with Bill Cagley.

Authorized Assistant County Attorney to attend out of state conference at the National Advocacy Center in South Carolina.

Authorized Chair to sign the grant contract with the National Association of Counties to accept funds for the radon education and mitigation program.

Renewed set up license for Marsh Lake Hunting Preserve, Inc.

Approved tobacco license #10-605 for Wahlgreens #09728.

Resolution #12-06, Approval of Charitable Gambling License, Zoar United Church of Christ.

Resolution #13-06, Approval of Charitable Gambling License, Carver County Ducks Unlimited.

Contract with Aramark FHC to provide inmate meals.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried.

The Board held the continued public hearing on the HAVA Election Equipment Plan.

Mark Lundgren, County Auditor, explained the Help America Vote Act was a federal mandate brought down to the State. He indicated an election officials working group was convened to develop the plan and the plan was presented to the Secretary of State's office for their review. Lundgren reviewed the comments received back from the Secretary of State's office. He stated he consulted with the County Attorney's office to address those comments.

He indicated the County would receive grant funds for the purchase of the Automark machines and the balance of HAVA funds not expended are to be used for HAVA related expenses at the discretion of the County Board. Lundgren indicated they would now apply for a second grant and if it is received, he would come back before the Board with a proposal to upgrade the current optical scan machines.

David Hemze, County Administrator, pointed the Board will be asked to approve the agreements with the cities and townships at a later date. Lundgren confirmed he did not anticipate problems with the contracts as there had been no negative reactions to date.

No public testimony was received.

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

Degler offered the following Resolution, seconded by Workman:

Resolution #14-06

Approval of HAVA Election Equipment Local Plan
Carver County, Minnesota

On vote taken, all voted aye.

Steve Taylor, Administrative Services Division Director, explained the State Auditor visited Carver County in December and one issue discussed was the legislative initiative from the 2005 session that gave local governments the opportunity to propose reforms of state mandates. He indicated the State Auditor encouraged local governments to review State mandates that were in need of reform or repeal which would then be posted on the State Auditor's website. Taylor referenced the items that AMC and MICA identified as being prime candidates for repeal or reform and asked the Board to adopt a Resolution identifying the State mandates.

The Board discussed holding this over for one week to allow them to get additional background on some of the items proposed.

Lynch moved, Workman seconded, to table the proposed mandates to be submitted to the State Auditor for consideration of appeal or reform for one week. Motion carried.

Workman moved, Degler seconded, to adjourn the Regular Session at 9:40 a.m. Motion carried.

David Hemze
County Administrator

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

Date: Feb 28, 2006

Resolution No. _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

A RESOLUTION ENTERING INTO AN AGREEMENT WITH THE MINNESOTA POLLUTION CONTROL AGENCY TO COMPLETE MULTIPLE TMDL'S

WHEREAS, The federal Clean Water Act requires states to adopt water-quality standards to protect the nation's waters and requires states to publish a bi-annual list impaired streams and lakes; and

WHEREAS, the Minnesota Pollution Control Agency (MPCA) has listed several water bodies in Carver County as impaired; and

WHEREAS, the MPCA is implementing the federal requirements through the completion of Total Maximum Daily Load (TMDL) studies and has funds to complete these studies in Carver County; and

WHEREAS, Carver County has completed a 2nd generation Watershed Management plan which identifies setting water quality goals for water bodies as a major policy initiative; and

WHEREAS, Carver County is seeking assistance in completing TMDL's for listed impaired water bodies within the Carver County Water Resource Management Area;

THEREFORE, THE CARVER COUNTY BOARD OF COMMISSIONERS resolves to enter into a Joint Powers Agreement with the Minnesota Pollution Control Agency (MPCA) to complete Multiple TMDL studies for the amount of \$179,800 be provided by the MPCA; and

FURTHER RESOLVES to authorize the Board Chair to sign the Joint Powers Agreement and designate Paul Moline of the Planning and Water Management Department as the TMDL project authorized representative for Carver County.

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, Interim 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 28th day of February, 2006 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of February, 2006.

County Administrator

BUDGET AMENDMENT REQUEST FORM

Submit to Controller's Office one week prior to County Board Session.

DEPARTMENT: Planning & Zoning

Date of County Board Session: 2/28/06

Revenue

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Grant	\$ 179,800	Salaries	\$ 137,500
		Professional Services	\$ 42,300
TOTAL:	\$ 179,800	TOTAL:	\$ 179,800

A. Reason for Request: See Board Action.

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

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

D. Contingency Acct. Current Bal.: \$ 297,000

E. Current Balance After Adj.: \$ 297,000

F. Requested By:

G. Recommend Approval: Controller

H. County Board Decision: Approval/Disapproval

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda): Out of State Travel

Originating Department: Risk/Emergency Management

Agenda Date: February 28, 2006

Amount of Time Requested: n/a

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

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)

The State of Minnesota participated in the deployment of resources through the Emergency Management Assistance Compact (EMAC) to the gulf coast in response to hurricanes Katrina, Rita, and Wilma. EMAC is having a national after action review in an attempt to improve systems from lessons learned. The State of Minnesota has been asked to participate and a representative from the Division of Homeland Security and Emergency Management is attending. Additionally, the State of Minnesota was asked to bring a local responder that participated in the organization of the MN EMAC center and operations and if possible a person that participated in the deployment from an emergency management, fire and hazmat perspective. Scott Gerber was asked to attend this event because of his involvement in the operations of the MN - EMAC center as well as his deployment as a task force commander in the fire task force to Louisiana. The EMAC After Action review will be March 28th and 29th with travel days to and from Atlanta on March 27th and 30th. Costs related to airfare, lodging, parking, taxi/shuttle, and meals will all be reimbursed to Carver County by the EMAC organization. Attendance at this event will help improve the organization and system operations of EMAC in Carver County as well as the State of Minnesota.

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

Approve out of state travel request to attend meeting/training in Atlanta. Georgia.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$ 0
Other Sources & Amounts =	\$ 900.00
Reimbursement from EMAC	
_____ =	\$
TOTAL =	\$ 900.00

Budget Information (✓ appropriate items):

Budgeted:	<u>No</u>
Not Budgeted:	<u>Yes</u>
Amendment Required:	<u>Yes</u>

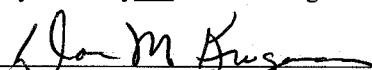
(requires controller approval)

The funding is for airfare, lodging, and meals associated with the event. The expenses will be paid out of the 2006 conference and training line item and then reimbursed by the National EMAC organization. A Budget Amendment is required to increase the expenditures line item 01-280-280-000-0000-6332 by \$900.00 and increase grant revenue line item \$900.00

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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


DEPARTMENT HEAD APPROVAL (Signature)

2/23/06
Date

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

BUDGET AMENDMENT REQUEST FORM

Submit to Controller's Office one week prior to County Board Session.

DEPARTMENT: Emergency Management

Date of County Board Session: 2/28/06

Revenue

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Grant	\$ 900	Training	\$ 900
			\$ -
TOTAL:	\$ 900	TOTAL:	\$ 900

A. Reason for Request: See Board Action.

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

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

D. Contingency Acct. Current Bal.: \$ 297,000

E. Current Balance After Adj.: \$ 297,000

F. Requested By:

G. Recommend Approval: Controller

H. County Board Decision: Approval/Disapproval

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda): Agreement with QWEST Corporation for data used to operate the emergency notification system.

Originating Department: Risk/Emergency Management

Agenda Date: February 28, 2006

Amount of Time Requested: n/a

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

Previous County Board Action, If Any (include other parties which were advised, if any):
Board Approval of grant funds in September, 2004.

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

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

Contract is a user agreement to obtain data to be used with the emergency notification system. This data is the foundation upon which the emergency notification system operates. The data will be obtained from contractor 2 times per year. The emergency notification system and the associated data is being purchased with homeland security grant funds. This project was identified as a high priority by the work group in Carver County and was part of the work plan identified and approved by the Board with the original grant approval in September, 2004. Project needs to be completed by April, 2006.

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

1. Approve the agreement and authorize the Chair to sign the agreement.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$	
Other Sources & Amounts =	\$	4,000
(Homeland Security Grant funds)		
_____ =	\$	
TOTAL =	\$	4,000

Budget Information (✓ appropriate items):

Budgeted:	<u> Yes </u>
Not Budgeted:	<u> n/a </u>
Amendment Required:	<u> n/a </u>
(requires controller approval)	

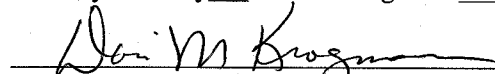
Related Financial Comments:

The costs listed above are for a three year period. The total cost of the data for the emergency notification system was included in the grant request and subsequent approval by the County Board on September 21, 2004. Ongoing maintenance costs are also included in the 2006 risk/emergency management budget.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney Risk Management Human Resources Controller Other



DEPARTMENT HEAD APPROVAL (Signature)

 2/17/06

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):
 Acceptance of Hans Hagen Homes Withdrawal of Appeal to Water Management Rules

Originating Department: Land & Water Services - Planning & Water Mgmt.

Agenda Date: 2/28/06

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): 2/7/06 Motion to close Public Hearing

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

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

In September 2005, Hans Hagen Homes submitted a request for appeal of the County Water Management Rules on the Villages at Cologne site in the City of Cologne. Specifically, the appeal requested that the infiltration/filtration requirement of the Rules be waived for the entire 505 acre development site. The County Board opened the public hearing on November 22, 2005, continued the public hearing on several occasions until closing it on February 7, 2006. Hans Hagen stated on Feb 7, 2006 that the appeal would be withdrawn. A letter was submitted on Feb 10, 2006 stating that the pending appeal is hereby withdrawn (attached)

Staff is recommending that the Board officially recognize and accept the withdrawal of the appeal and enter the letter into file WP20050059.

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

Motion to accept the withdrawal of the Hans Hagen Homes appeal of the Water Management Rules requirements on the Villages of Cologne and direct staff to enter the letter into file WP20050059.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$ 0.00
TOTAL =	\$ 0

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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



 DEPARTMENT HEAD APPROVAL

2/16/05

 Date



 DIVISION DIRECTOR APPROVAL Date

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

02/10/2006 12:31 PM 1633123411 HANS HAGEN HOMES @ 0017001

Hans Hagen Homes

February 10, 2006

Paul Moline
Carver County
Department of Planning and Zoning
600 East Fourth Street
Chaska, MN 55318-2102

Re: Hans Hagen Homes - Village at Cologne Water Management Appeal

Dear Mr. Moline:

Hans Hagen Homes hereby withdraws its pending appeal of our Water Management Rules Permit for The Village at Cologne development. The withdraw of the appeal is based on the County's acceptance of the revised Phase I plans and BMPs outlined in the memorandum from Bonestroo, Rosene, Anderlik & Associates dated January 27, 2006. We further understand that subsequent phases will require a new/revised application in compliance with the Rules, and that pond irrigation will be accepted as an appropriate BMP. Where pond irrigation is not utilized, Hans Hagen Homes will incorporate other approved BMPs to treat storm water runoff prior to discharging the site as required by the County's Rules.

Lastly, it is understood that the Rules that apply to the Village at Cologne site are those that were in existence at the time of LGU preliminary plat approval as provided for in the amended ordinance dated January 27, 2006.

Sincerely,



John Rask
Vice President Land Development

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: **Approval of Electronics Recycling Contract**

Originating Department: Environmental Services	Agenda Date: February 28, 2006
Amount of Time Requested: NA	Supp. Doc. Attached (y/n): Yes
Previous County Board Action, If Any (include other parties, which were advised, if any): Board has approved similar contracts in the past.	

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

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

The electronics recycling industry is constantly changing and companies are becoming more competitive with both costs and services. In the past, Carver County has utilized both Materials Processing and Nxtcycle for recycling electronics collected at the Environmental Center. These companies had both service and cost issues that were not resolved. To rectify the service issues, staff received quotes from a number of electron recycling firms including 5R Processors. Based on cost and referrals from other companies utilizing their service, staff contracted with 5R Processors in 2005.

In order to continue to realize the improved collection services and additional savings on electronics recycling, staff recommends that the County Board approve the attached contract. Payments to 5R totaled about \$30,000 in 2005. These payments and some facility costs were offset by fees.

Staff has consulted both the Minnesota Pollution Control Agency as well as the Federal Environmental Protection Agency regarding 5R Processors. 5R Processors recycles electronics according to all applicable federal and state laws.

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

Requesting approval of contracts for 2006 electronics recycling contract with 5R Processors.

FINANCIAL IMPLICATIONS

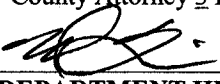
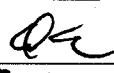
<p><i>Funding:</i></p> <table style="width: 100%;"> <tr> <td style="width: 30%;">County Dollars</td> <td style="width: 10%;">=</td> <td style="width: 20%;">\$30,000 [offset by revenues]</td> </tr> <tr> <td>Other Sources & Amounts</td> <td>=</td> <td>\$</td> </tr> <tr> <td>_____</td> <td>=</td> <td>\$</td> </tr> <tr> <td>_____</td> <td>=</td> <td></td> </tr> <tr> <td>TOTAL</td> <td>=</td> <td>\$30,000 [offset by revenues]</td> </tr> </table>	County Dollars	=	\$30,000 [offset by revenues]	Other Sources & Amounts	=	\$	_____	=	\$	_____	=		TOTAL	=	\$30,000 [offset by revenues]	<p><i>Budget Information (✓ appropriate items):</i></p> <p>Budgeted: <u> X </u></p> <p>Not Budgeted:</p> <p>Amendment Required: (requires controller approval)</p>
County Dollars	=	\$30,000 [offset by revenues]														
Other Sources & Amounts	=	\$														
_____	=	\$														
_____	=															
TOTAL	=	\$30,000 [offset by revenues]														

Related Financial Comments : Fees are charged at the Environmental Center for accepting electronics from residents. These vary from \$20 for a larger console TV or complete computer system to \$2 for a cell phone. These fees offset the 5R contract costs and some facility costs.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney 3 Risk Management 3 Human Resources _____ Controller _____ Other _____



2-14-06
 DEPARTMENT HEAD APPROVAL (Signature) _____ Date _____

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Professional Service Agreement for the Removal of Scrap Metal, Bicycles and Lawn Mowers

Originating Department: Environmental Services

Agenda Date: February 28, 2006

Amount of Time Requested: NA

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

Previous County Board Action, If Any (include other parties, which were advised, if any): The County Board has approved similar contracts with private firms to provide recycling services at the Environmental Center.

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

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

Environmental Services staff in cooperation with the County Attorney's Office as well as the Risk Management Department has prepared a Professional Service Agreement with Roland Dassinger for the removal of scrap metal, lawn mowers and bicycles. The contract is essentially unchanged from our current practice. Mr. Dassinger agrees to remove scrap metal from the Environmental Center on a weekly basis at no cost. The County will reimburse Mr. Dassinger \$2.00 per bicycle and \$3.00 per lawn mower as compensation for processing. He is responsible for removing tires, fluids and other non recyclables from the items prior to recycling. Fees are charged for lawnmowers and bikes to offset payments to Mr. Dassinger and cover some facility costs.

Given the current price for scrap metal, the revenue generated from the sale of the metal would not cover the cost of hauling. As a result, this agreement will save Carver County money by having it picked up and eliminating transportation costs.

The contract is available for Board review in the County Administration office.

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

Motion authorizing the Chair to sign the Agreement between Carver County and Roland Dassinger for the collection of scrap metal, bicycles and lawn mowers.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$3,000 [offset by revenues]

Other Sources & Amounts = _____ =

_____ =

_____ =

TOTAL = \$ 3,000 [offset by revenues]

Budget Information (✓ appropriate items):

Budgeted: X

Not Budgeted:

Amendment Required:

(requires controller approval)

Related Financial Comments : Fees charged at the Env. Center [\$3/bike and \$5/mower] cover the costs of this contract and some other facility costs.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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





2-14-06

DEPARTMENT HEAD APPROVAL (Signature)

Dr. ...

Date

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: **Family Innovations, Inc.**

Originating Department: Community Social Services

Agenda Date:

Amount of Time Requested:

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

Previous County Board Action, If Any (include other parties which were advised, if any): None. This is a request for a new contract for community based treatment services. This agency has had a contract with Anoka County for many years and is CTSS certified to accept MA payments.

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

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

This is a request for a contract with Family Innovations to provide community based treatment services. These services include in-home Signs of Safety skills training services to help prevent out-of-home placement of youth or to return youth home more quickly.

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

Motion to contract with Family Innovations, Inc. for the delivery of community based treatment services beginning January 1, 2006 through December 31, 2006.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = Between 0 and \$250,000
 Other Sources & Amounts = Unknown amount of private insurance or MA
TOTAL = \$80,000 estimated.

Budget Information (appropriate items):

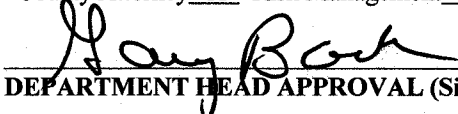
Budgeted:
 Not Budgeted: _____
 Amendment Required:
 (requires controller approval)

Related Financial Comments: Unit costs are \$69 per hour for family therapy services, \$60 per hour for in-home Signs of Safety services provided by Master's prepared staff, \$50 per hour for services provided by bachelor's prepared staff and \$30 per hour for group skills training services. We expect that some of the services Family Innovations provides for Carver County clients will be reimbursed by MA or insurance. Existing budgets for in-home family services will be used to pay for any services that are not MA reimbursable. We have \$400,000 budgeted for in-home services for 2006. While the contract authorizes purchase of up to \$250,000 in services, it does not promise or guarantee that any services will be purchased. Decisions to purchase services are made on a case by case basis where the family's service and cultural needs are matched to the perceived abilities and availability of the selected provider. Rates for purchased in-home therapy services are consistent with other Carver County vendors. While the per hour figure may seem high compared to staff salaries, these vendors don't receive paid time off, health insurance, liability insurance, mileage, training, supervision, office space, computers, cell phones, or office supplies from the County. In addition, they can't bill for all of the time they work and they work a lot of evening and weekend hours. As a result our in-home vendors either have other daytime work besides their contracted work with the County or they would likely jump at a chance to be employed by the County.

REVIEWS AND APPROVALS AS REQUIRED

All Reviews and Approvals Received:

County Attorney Risk Management Human Resources _____ Controller _____ Other _____



2-14-06

DEPARTMENT HEAD APPROVAL (Signature)

Date

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: **CROSS GENERATION**

Originating Department: Community Social Services

Agenda Date:

Amount of Time Requested:

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

Previous County Board Action, If Any (include other parties which were advised, if any): This is a request to contract with Cross Generation to provide community based treatment services. These services include in-home Signs of Safety skills training services to help prevent out-of-home placement of youth or to return youth home more quickly. Jim Jackson is the director of this organization. Jim has worked locally with Tree House for many years and was with Community Link until Cheryl Paulaha took a position with the Carver-Scott Crisis Team and discontinued her community based services contract with the county.

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

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

Cross Generation will provide family and individual therapy to clients in their homes and community settings, and skills training services to help children remain with their family or return to it. Services will be provided to prevent out-of-home placement of children, to prevent more expensive placements, and to return children to their families.

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

Motion to approve a contract with Cross Generation to provide Professional and Paraprofessional Community Based Services from January 1, 2006 through December 31, 2006.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = Between 0 and \$275,000
 Other Sources & Amounts = Unknown amount of private insurance or MA
TOTAL = \$140,000 estimated.

Budget Information (appropriate items):

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

Related Financial Comments: Unit costs are \$69 per hour for family therapy services, \$60 per hour for in-home Signs of Safety services and \$30 per hour for group skills training services. We expect that some of the services Cross Generation provides for Carver County clients will be reimbursed by MA or insurance. Existing budgets for in-home family services will be used to pay for any services that are not MA reimbursable. We have \$400,000 budgeted for in-home services for 2006. While the contract authorizes purchase of up to \$275,000 in services, it does not promise or guarantee that any services will be purchased. Decisions to purchase services are made on a case by case basis where the family's service and cultural needs are matched to the perceived abilities and availability of the selected provider. Rates for purchased in-home therapy services are consistent with other Carver County vendors. While the per hour figure may seem high compared to staff salaries, these vendors don't receive paid time off, health insurance, liability insurance, mileage, training, supervision, office space, computers, cell phones, or office supplies from the County. In addition, they can't bill for all of the time they work and they work a lot of evening and weekend hours. As a result our in-home vendors either have other daytime work besides their contracted work with the County or they would likely jump at a chance to be employed by the County.

REVIEWS AND APPROVALS AS REQUIRED

All Reviews and Approvals Received:

County Attorney Risk Management Human Resources Controller Other _____



2-14-06

DEPARTMENT HEAD APPROVAL (Signature)

Date

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: **Martha Merchant**

Originating Department: Community Social Services

Agenda Date:

Amount of Time Requested:

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

Previous County Board Action, If Any (include other parties which were advised, if any): None. This is a request to contract with Martha Merchant for community based treatment services. Ms. Merchant has previously provided in-home therapy services in Hennepin County.

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

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

This is a request to contract with Martha Merchant to provide community based treatment services. These services include in-home Signs of Safety skills training services to help prevent out-of-home placement of youth or to return youth home more quickly.

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

Motion to renew a contract with Martha Merchant for the delivery of community based treatment services beginning January 1, 2006 through December 31, 2006.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = Between 0 and \$50,000
 Other Sources & Amounts = Unknown amount of private insurance or MA
TOTAL = \$20,000 estimated.

Budget Information (appropriate items):

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

Related Financial Comments: Unit costs are \$69 per hour for family therapy services, \$60 per hour for in-home Signs of Safety services provided by Master's prepared staff, \$50 per hour for services provided by bachelor's prepared staff and \$30 per hour for group skills training services. We expect that some of the services Ms. Merchant provides for Carver County clients will be reimbursed by MA or insurance. Existing budgets for in-home family services will be used to pay for any services that are not MA reimbursable. We have \$400,000 budgeted for in-home services for 2006. While the contract authorizes purchase of up to \$50,000 in services, it does not promise or guarantee that any services will be purchased. Decisions to purchase services are made on a case by case basis where the family's service and cultural needs are matched to the perceived abilities and availability of the selected provider. Rates for purchased in-home therapy services are consistent with other Carver County vendors. While the per hour figure may seem high compared to staff salaries, these vendors don't receive paid time off, health insurance, liability insurance, mileage, training, supervision, office space, computers, cell phones, or office supplies from the County. In addition, they can't bill for all of the time they work and they work a lot of evening and weekend hours. As a result our in-home vendors either have other daytime work besides their contracted work with the County or they would likely jump at a chance to be employed by the County.

REVIEWS AND APPROVALS AS REQUIRED

All Reviews and Approvals Received:

County Attorney Risk Management Human Resources _____ Controller _____ Other _____


 DEPARTMENT HEAD APPROVAL (Signature)

2-14-06
 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): Establish Absentee Ballot Board

Originating Department: **Auditor**

Agenda Date: **2/28/2006**

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 XX Regular Session _____ Discussion Session _____

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

Minnesota Statute 203B.13 allows the County Board to authorize the County Auditor's office to serve as an Absentee Ballot Board. A Joint Powers Agreement between the County and all election jurisdictions is put in place for this process.

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

Adopt attached resolution to authorize an Absentee Ballot Board and delegate authority to County Auditor to sign necessary agreements with all municipalities and appoint election judges.

FINANCIAL IMPLICATIONS

Funding:

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

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)

2-16-06
 Date

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

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

Date:

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

**APPROVAL OF COUNTY AUDITOR AND STAFF
TO ACT AS ABSENTEE BALLOT BOARD
CARVER COUNTY, MINNESOTA**

WHEREAS, The County Auditor's office is directed by Minnesota Statute to conduct all county elections; and

WHEREAS, Minnesota Election Laws allow for absentee balloting; and

WHEREAS, Minnesota Statute 203B.13, Subd. 1 allows the County Board to authorize the County Auditor and staff to serve as the Absentee Ballot Board; and

WHEREAS, It will be necessary to appoint election judges to serve in this process;

NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners approves the establishment of an Absentee Ballot Board and delegates authority to the County Auditor to sign any necessary agreements and appoint election judges.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, David J. Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 28 day of February, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this day of , 2006.

County Administrator

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda): Strategic Planning Retreat Facilitation Services

Originating Department: Administration

Agenda Date: 2/28/06

Amount of Time Requested: na

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

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)

A County Board strategic planning has been scheduled from noon to 4 p.m. on Tuesday, March 14 and Tuesday, April 4 at the Carver County Museum in Waconia. The goal of the retreat will be to discuss and develop a new vision statement for the future of Carver County.

An agreement has been reached with Kim Boyce to facilitate the retreat. Kim is a Regional Extension Educator with the University of Minnesota.

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

Motion to approve professional services agreement with Kim Boyce, Regional Extension Educator with the University of Minnesota, for strategic planning facilitation services at a cost not to exceed \$1,000.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$1,000
 Other Sources & Amounts = _____
 _____ = \$ _____
 _____ = \$ _____
TOTAL = \$1,000

Budget Information (✓ appropriate items):

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

Related Financial Comments: The \$1,000 is a not-to-exceed cost including mileage reimbursement

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney Risk Management Human Resources _____ Controller _____ Other _____

David J. Hemze

2/21/06

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): Auditor, Treasurer, and Recorder Reorganization Public Hearing and Related Resolutions

Originating Department: Administration

Agenda Date: 2/28/06

Amount of Time Requested: 60 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 x Discussion Session ___

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

This is a continued public hearing regarding the reorganization of the Auditor, Treasurer, and Recorder Offices. A proposed resolution to consolidate the Auditor and Treasurer Offices is attached.

In addition, the Board may desire to take a parallel track of submitting special legislation related to these offices. A recommended resolution to take that track and draft special legislation is also attached.

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

1. Motion to close public hearing.
2. Motion to adopt resolution to consolidate the Auditor and Treasurer Offices into one elected office to be called Auditor-Treasurer.
3. Motion to adopt resolution to submit special legislation related to the appointment of the Auditor-Treasurer and Recorder Offices.
4. Motion to appoint two commissioners representatives to serve as legislative liaisons to assist with the process of obtaining and implementing special legislation.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = (\$103,000)
 Other Sources & Amounts = _____
 _____ = \$ _____
TOTAL = (\$103,000)

Budget Information (✓ appropriate items):

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

Related Financial Comments: Annual savings to consolidate the two offices into one elected office is estimated at \$103,000. Cost related to the special legislation would depend on final organizational structure and employment agreements adopted by the Board, but the objective would be to develop a structure that is at least cost neutral.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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



DEPARTMENT HEAD APPROVAL (Signature)

2/22/06

Date

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



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 28, 2006

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution to Consolidate Auditor and Treasurer Offices

WHEREAS, the Carver County Board of Commissioners is interested in promoting efficiency in operations and enhancing service to the public; and

WHEREAS, the County Board has taken initial steps to reorganize the County Auditor, County Treasurer, and County Recorder offices by relying on existing Minnesota Statutes which require the consensus of the elected office holders; and

WHEREAS, the County Board believes that the citizens of Carver County would benefit by further consolidation and reallocation of duties under the elected offices of County Auditor, County Treasurer and the appointive office of Financial Services Division Director; and

WHEREAS, the County Board believes that additional consolidation and reallocation of duties would best be accomplished by combining the Auditor and Treasurer offices into one elected position to be titled the Auditor-Treasurer.

NOW, THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners adopts the following under Minn. Stat. §375A.10 and §375A.12 effective upon passage of this resolution.

1. The consolidation of the elected County Auditor and County Treasurer offices into one elected office to be called the Auditor-Treasurer office.
2. The termination of the County Treasurer office and the Chief Deputy Treasurer position effective upon completion of County Treasurer's current term of office.
3. The requirement to hold a referendum by a petition of a number of voters equal to ten percent of those voting in the county at the last general election that is received by the County Auditor within 30 days after the second publication of this board resolution which orders the combination.
4. The persons last elected to the positions of County Auditor and County Treasurer before adoption of the resolution shall serve in those offices and perform the duties of those offices until the completion of the terms to which they were elected.
5. The duties, functions and responsibilities which are required by statute to be performed by the County Auditor and the County Treasurer shall be vested in and performed by the Auditor-Treasurer without diminishing, prohibiting or avoiding those specific duties required by statute to be performed by the County Auditor and the County Treasurer.

BE IT FURTHER RESOLVED, that fund depository and investment duties are to be reallocated under Minn. Stat. Chap. 118A as follows:

1. These duties are delegated to the Financial Services Division Director (acting as the Chief Financial Officer) effective upon the completion of the County Treasurer's current term of office.
2. A full-time Cash Management Clerk position is created within the Financial Services Department to assist with related cash management and banking duties effective upon passage of this resolution.

**Resolution to Consolidate Auditor and Treasurer Offices
February 28, 2006
Page 2**

BE IT FURTHER RESOLVED, that examination and settling all accounts of the receipts and expenses of the county have been and will continue to be delegated to the Finance Services Division Director (acting as a senior fiscal officer) under Minn. Stat. §375.18.

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 28th day of February, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 28th day of February, 2006

County Administrator



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Resolution to Submit Special Legislation

Date: _____ Resolution No.: _____

Motion by Commissioner: _____ Seconded by Commissioner: _____

WHEREAS, the Carver County Board of Commissioners is interested in promoting efficiency in operations and enhancing service to the public; and

WHEREAS, the County Board has taken initial steps to reorganize the County Auditor, County Treasurer, and County Recorder offices by relying on existing Minnesota Statutes including the consolidation of the Auditor and Treasurer Offices into one elected office to be called the Auditor-Treasurer; and

WHEREAS, the County Board believes that the citizens of Carver County would benefit by further consolidation and reallocation of duties under the elected offices of County Auditor-Treasurer, County Recorder and other departments that have related functions; and

WHEREAS, the County Board believes that additional consolidation and reallocation of duties would best be accomplished by appointing these currently elected offices; and

WHEREAS, this appointment is best accomplished by the passage of special legislation through the State of Minnesota legislature.

NOW, THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners supports special legislation, a draft of which is attached, to fill the offices of County Auditor-Treasurer and County Recorder by appointment.

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 28th day of February, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 28th day of February, 2006.

County Administrator

Minnesota Session Laws – 2006

Key: new language Change language enhancement display.

Legislative history and Authors

CHAPTER – S.F. No.

An act relating to counties; providing a process for making certain county offices 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 Commissions, the offices of county auditor-treasurer and county recorder are not elective but must be filled by appointment by the County Board as provided in the resolution. The abandonment of the elected auditor-treasurer plan shall be allowed and this legislation shall supersede abandonment restrictions specified in Minnesota Statutes, section 375A.12 subd. 6.

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, or 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 appointed 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-treasurer and the county recorder as permitted in this section if the resolution to make the office appointed 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 shall provide an opportunity at its next regular meeting for public comment relating to the option, prior to 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 registered voters 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.

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Proposed Mandates to Be Submitted to State Auditor for Consideration of Repeal or Reform

Originating Department: Administrative Services

Agenda Date: 2/28/06

Amount of Time Requested: 15 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, benefits and recommendations)

Recent legislation provides local units of government the opportunity to propose reforms of state mandates. The provision was included in the State Government Finance Bill House File 1481 (Article 2, Section 3) and states "A county, town, school district, or statutory or home rule charter city may file a written resolution with the state auditor objecting to a state mandate or making recommendations for reforming a state mandate. The state auditor must list on the state auditor's Web site a list of all state mandates cited in a resolution under this section, and the name of the unit of local government citing the mandate."

Local governments have been encouraged by the State Auditor to consider those mandates they believe are in particular need of reform or repeal. They should then submit resolutions to the State Auditor's office for posting. It is hoped that the State Auditor's website will help legislators identify those mandates that are of particular concern to local units of government across the state.

The attached list are the proposals as agreed to by AMC and MICA staff as most relevant to county governments. It contains several proposed reforms of state mandates in a Resolution format for your review and consideration. As of February 7th, eight counties have posted their proposals on-line with the State Auditor. The list is not meant to eliminate any existing service, drastically change how or who delivers existing services or to eliminate any current elective offices. Rather these proposals ask the legislature to make county governments more effective and efficient while preserving existing programs and services. It also urges the legislature to more equitably fund state mandated services. It is not meant to drastically change the property tax and/or how county government is funded.

BOARD ACTION/MOTION REQUESTED (In proper format)

Motion to approve the attached list of mandates to be repealed or reformed by the state legislature

FINANCIAL IMPLICATIONS

Funding:

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

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: _____

Stewart H. Tegen 2/22/06
 DEPARTMENT HEAD APPROVAL /Date

Admin. Dept. Use Only: Approved Denied Tabled Other



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 28, 2006

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Identifying State Mandates for Repeal or Reform

WHEREAS, Minnesota Statutes §6.79 allows local governments to submit to the State Auditor mandate reform proposals; and

WHEREAS, mandate reform proposals will be listed on the State Auditor's website, along with the name of the local government submitting the proposal; and

WHEREAS, the Carver County Board of Commissioners supports the concept of mandate reform and urges the Minnesota Legislature to give serious consideration to all proposals made by Cities, Townships and Counties; and

WHEREAS, the Carver County Board of Commissioners supports actions which could lower costs, improve services to the public, and make expenditures more accountable.

NOW, THEREFORE BE IT RESOLVED, the Carver County Board of Commissioners hereby submits the following mandates to the State Auditor, along with the Statute citations and comments, as candidates for repeal or reform:

Mandate	Statute	Comments
Financial /Administrative Concerns		
Minutes, Financial Statement & Budget Publication	375.12, 375.17 & 375.169	Allowing web publication in lieu of newspaper publication of county board minutes, county financial statements and summary budgets would save \$ _____ for county taxpayers while preserving or even enhancing public access to this information.
Eliminate Budget Appeals and Independent Spending Authority by County Elected Officials Other Than the Board of Commissioners	357.18, subd. 4; 384.151; 385.373; 386.015; 387.20; 388.18	Each of the county elected officials have statutory authority to appeal their budgets. These appeals generally occur after the county levy has been set and require both the elected official and the county to hire outside counsel. In addition, the county recorder has discretion over spending the dedicated county recorder technology fund. The county board is responsible for establishing the county's overall budget and tax levy. The board's accountability to taxpayers demands that it, and it alone, have full control over county spending decisions.

Mandate	Statute	Comments
Eliminate Library Maintenance of Effort	134.34	Eliminate the requirement that in order to receive state grant a county must budget for library operations an amount equal to the 2 nd prior year's level of support unless adjusted net tax capacity decreases. Counties need the ability to respond to changing priorities and needs. When one area of the budget is off limits to reductions, other programs or services and their recipients unfairly bear a disproportionately greater share of any cutbacks when they occur.
Public Safety/Corrections		
Eliminate Extended Juvenile Jurisdiction (EJJ)	260B.130	Eliminate the EJJ program that keeps serious offenders out of adult system & within juvenile system until age 21. Older, serious juvenile offenders should be prosecuted and sanctioned as adults as current law permits (absent diversion to EJJ). Diversion to the juvenile system imposes substantial out of home placement costs on counties. If the state is unwilling to fund this program and these costs (as it has not since 2003), it should be eliminated.
Mandate	Statute	Comments
Eliminate Incarceration of Short-Term Felony Offenders in County Jails	609.105	The shift of short-term (180 days or less) felony offenders from state prisons to county jails should be repealed. Incarceration of felony offenders had always been a state responsibility. County jails are ill-suited to provide the supervision and programming needed for these serious offenders. The state should not shift its bed shortage problem to the counties which are experiencing space problems of their own.

Mandate	Statute	Comments
Human Resources / Employee Benefits		
Either Eliminate or Totally State-Fund Continued Health Insurance For Disabled Peace Officers	299A.465	Employers are required to pay the employer share of disabled peace officers' and their dependents' health insurance until the peace officer reaches age 65 even if the officer gains other employment and health insurance coverage. Since this benefit was created in the late 1990's, there has been a surge in disability retirements. In part because of this, both employer and employee contribution rates to the PERA Police and Fire pension plan are increasing over 50%. When this benefit was originally enacted it was predicated on the state paying 100% of its costs. The state has not kept it part of that bargain for several years. If the state cannot meet that obligation, the mandated payment by the employer should be eliminated

Mandate	Statute	Comments
Human Services		
Eliminate County Share for Medical Assistance Costs for Under-65 Disabled Placed in Nursing homes more than 90 days and for certain ICF/MR and IMD Placements	256B.19	<p>Currently, the state requires counties to pay the indicated portion of the nonfederal share of medical assistance costs for stays in excess of 90 days in the following situations:</p> <ul style="list-style-type: none"> • 10% for individuals placed in intermediate care facilities for the mentally retarded (ICF/MR's) of seven beds or more, • 20% for individuals placed in institutions of mental disease (IMD's), • 20% of for under-65 disabled individuals placed in nursing homes. <p>The state reneged on its commitment to pay all those costs when counties surrendered homestead and agricultural credit aid on a dollar for dollar basis for the state takeover of all income maintenance programs in the early 1990's. These cuts in state funding, enacted in 2003, should be restored now that the state finances are back in the black.</p>
Mandate	Statute	Comments
Eliminate or Equalize Maintenance of Effort Requirement For State Chemical Dependency Grant (CCDTF)	254B.02	Under the state's Consolidated Chemical Dependency Treatment Fund, some counties pay over 60% of chemical dependency treatment costs while others pays as little as 15% under current maintenance of effort (MOE) requirements. The state legislature should gradually narrow this disparity with a goal of ultimately making the MOE uniform for all counties.
Eliminate or Equalize County Match and Maintenance of Effort Requirements for Child Care Assistance	119B.11, Subd. 1 and 4.	Eliminate or equalize the required county match for the basic sliding fee (BSF) childcare program, which is currently equal to the calendar year 1996 required contribution. The average statewide local match for BSF childcare is 3 percent, but some counties pay as much as 14 percent.
Allow Cremation in Lieu of Burial & Eliminate Provision of Funeral Services	256.935	Current statute provides deceased indigent must be buried and further that his or her relatives must be allowed to use a funeral home of their choice. Cremation in lieu of burial should be an option as long as respectful of cultural and religious preferences. Provision of other funeral services should no longer be required.
Mandate	Statute	Comments
Eliminate Biennial Revision or Redraft of CCSA Service Plan	256M.30	Eliminate the required biennial revision or redraft of Children and Community Services Act (CCSA) service plan. The annual effectiveness report under 256M.80 which outlines program outcomes and performance measurements with county-initiated changes of the service plan, as necessary, should suffice to provide adequate planning and oversight.

Environment		
Eliminate Ag Inspection	18.81	Counties are responsible for 'Agriculture Inspection' under Minnesota Statute. All state responsibilities in this area were eliminated in 2003. Noxious weed control requirements should be carried out by cities and towns.

BE IT FURTHER RESOLVED That the Carver County Board of Commissioners requests that the State Auditor take any measures available to aid in the repeal of these mandates.

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 28th day of February, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this ____ day of February, 2006.

County Administrator