

Carver County Board of Commissioners
 Organizational Session
 January 3, 2006
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:00 a.m.

1. ***Pledge of Allegiance***
2. CALL TO ORDER BY THE COUNTY ADMINISTRATOR
3. Nomination and election of Chair for 2006
4. Nomination and election of Vice Chair for 2006
5. Agenda review and adoption
6. 2006 Board Operating Rules and budget amendment1-15
7. Adopt schedule of Regular Board meetings for the year 2006 16
8. Appointments of Commissioners to commissions, committees and boards, appointment of voting members to Association of Minnesota Counties, delegates to Minnesota Counties Computer Consortium and Board appointment as County's SNS requestor17-19
9. Appointments to advisory committees and boards20-24
10. Approve minutes of December 20, 2005, Regular Session25-29
11. Public participation (Comments limited to five minutes)
12. Community announcements

10:00 a.m.

13. ***CONSENT AGENDA***
 - 13.1 AFSCME Local #2789-labor agreement-Assistant County Attorneys.....30
 - 13.2 Request for Commissioner contingency funds in Employee Relations.....31-32
 - 13.3 Sheriff's office off duty work contracts.....33-34
 - 13.4 Contract with the Scott-Carver-Dakota CAP Agency.....35
 - 13.5 United Behavioral Health Facility participation agreement.....36
 - 13.6 Senior Health promotion consultant contract renewal-Lutheran Social Service of Minnesota37
 - 13.7 Teen Seat Belt challenge coalition facilitator contract.....38
 - 13.8 2006 contract for police service with the City of Watertown39
 - 13.9 Award bid for official newspaper40
 - 13.10 Contract with Southwest Newspapers41
 - 13.11 Information Services-MCCC payroll software ratification42
 - 13.12 Delegate Commissioner Claims and Social Service Client Claims approval.....43

		13.13	Community Social Services' warrants.....	NO ATT
		13.14	Commissioners' warrants	SEE ATT
10:00 p.m.	14.		LAND AND WATER SERVICES	
		14.1	Zumbro River Constructors' request for grading/filling	44-48
10:10 a.m.	15.		ADJOURN REGULAR SESSION – CONVENE AS CARVER	
			COUNTY REGIONAL RAIL AUTHORITY	
		15.1	Appointment of Chair, Vice Chair and Secretary/Treasurer.....	49
10:15 a.m.			ADJOURN CARVER COUNTY REGIONAL RAIL AUTHORITY	
10:15 a.m.			<i>NEW BUSINESS</i>	
			<i>BOARD REPORTS</i>	
10:15 a.m.		1.	Chair	
		2.	Board Members	
		3.	Administrator	
10:45 a.m.		4.	Adjourn	

David Hemze
County Administrator

Auditor, Treasurer, Recorder Reorganization Work Session
January 5, 2006
5:00 p.m.
County Board Room
Carver County Government Center

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: 2006 Board Operating Rules

Originating Department: Administration

Agenda Date: 1/3/06

Amount of Time Requested: 15 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, benefits and recommendations)

Section II of the current Carver County Board Operating Rules reads: "During the statutory meeting, the County Board shall review, amend if necessary, and adopt the operating rules for the year."

Proposed changes or additions are indicated by double underline and deletions by ~~strikethrough~~. Changes are proposed to the monthly expense allowance section and the cable casting policy previously adopted by the Board is included as a recommended addition to the rules. Other proposed changes are updates based on statutory changes or language clarifications.

Motion to amend 2006 Board Operating Rules as proposed.

FINANCIAL IMPLICATIONS

Funding:
 County Dollars = \$ 6,000
 Other Sources & Amounts = _____
 _____ = \$ _____
 _____ = \$ _____
TOTAL = \$6,000

Budget Information (Appropriate Items):
 Budgeted: \$3,000
 Not Budgeted: \$3,000
 Amendment Required: X
 (requires controller signature)

Related Financial Comments: A recommended budget amendment transfers \$3,000 from Commissioner Contingency to Commissioner's budget line item #01-001-6211 (telephone) to establish a budget for cell phone reimbursement. A transfer of \$3,000 from Information Services budget to Commissioner's budget line item #01-001-6211 (telephone) establishes a budget for remote access reimbursement.

REVIEWS AND APPROVALS AS REQUIRED (Signatures)



 DEPARTMENT HEAD APPROVAL

12/27/05

 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: Administration

DATE: 1/3/06

Revenue

Description of Account funds are to be transferred from:	Amount	Description of Account funds are to be transferred to:	Amount
Contingency 2006	\$ 3,000	Services & Charges	\$ 3,000
TOTAL:	\$ 3,000	TOTAL:	\$ 3,000

A. Reason for Request: See Board Action.

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

C. Contingency Acct. Beginning Bal (01/01/04): \$ 300,000

D. Contingency Acct. Current Bal.: \$ 300,000

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

F. Requested By:

G. Recommend Approval: Finance Director

H. County Board Decision: Approval/Disapproval

Board of Commissioners
Board Operating Rules



**CARVER
COUNTY**

January 3, 2006

I. Overview

A. Purpose

The Carver County Board of Commissioners is the body charged by law with the management of the affairs of Carver County. The County Board operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the County within the confines of state and federal law.

The County Board functions within the statutory framework of Minnesota law. General duties, powers and responsibilities are found in Minnesota Statutes, especially but not exclusively Chapters 370, 373, and 375. Minnesota Statutes supersede all bylaws, rules and policies established by the Board.

B. Statement of Principles

The Operating Rules intend to strike a procedural balance that considers all principles and enunciates a specific process by which those principles interact and work. The rules are representative of the ~~organization's values and mission~~ following Carver County mission and values.

Mission Statement

The mission of Carver County is to meet the basic service requirements and special needs of our residents in a fiscally responsible and caring way. We will plan the county's growth to preserve its uniqueness and will encourage rural and urban compatibility. We will further endeavor to protect our historic past while planning for a dynamic future.

~~On April 12, 1994, Carver County adopted the following Value Statement:~~

Value Statement

The following values are fundamental to the fulfillment of the mission of Carver County:

Carver County affirms the value of each individual and will strive to meet the needs of citizens of all ages from diverse cultural, social and economic experiences.

We believe in good stewardship of public funds and will provide services in a responsive, cost-effective manner based on available resources.

We will serve the public with respect, concern, courtesy and responsiveness.

We will demonstrate the highest ethical standards of professional and personal integrity and honesty, as these are the foundation of public trust and confidence.

We believe in a government that is accountable and accessible; one that listens to and communicates with its residents. We encourage and value public participation by the citizens we serve.

We recognize the delicate balance between growth and the protection of our natural resources. We are committed to maintaining this environmental balance.

We will communicate and cooperate with other units of government to achieve better understanding and to accomplish common goals.

We recognize our employees as our most valuable resource in providing service to the public. They will be encouraged to be creative and innovative in fulfilling our responsibilities to the people of Carver County.

We will provide progressive and visionary leadership to better plan and prepare for changing county needs as we move into the next century.

C. Effective Date

These rules shall become effective upon passage by the County Board.

II. Amendments to the Operating Rules

During the statutory meeting, the County Board shall review, amend if necessary, and adopt the operating rules for the year.

Any time throughout the year, the County Board may amend (or suspend) the operating rules by an affirmative vote of the members. Changes shall be effective immediately upon passage.

Any member of the County Board or the County Administrator may initiate action to amend the operating rules. ~~Amendments to the operating rules may also be initiated by the County Administrator.~~

~~The statute references included in the text are current as of the adoption of the operating rules.~~ Any changes in statute or law affecting the rules are effective immediately and will be reflected in the next draft of the rules.

III. County Board Organization

A. Membership

The County Board of Commissioners consists of five (5) members elected from single-member districts apportioned on the basis of population as provided by law.

B. Commissioner Districts

The boundaries of commissioner districts, including the procedures to follow in the event that a redistricting is needed, are established pursuant to Minn.esota Stat.ute §375.025.

C. Terms of Office

The term of each Board member is four years, except as otherwise established pursuant to Minn.esota Stat.ute §375.03.

D. Vacancy

A vacancy in the office of County Board is filled at a special election not less than 30 nor more than 60 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election but the special election shall be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term.

If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at the general election for the ensuing term. That person shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office (Minn.esota Stat.ute §375.01).

E. Officers

The County Board, at its statutory meeting (first Tuesday after the first Monday of each year), elects from its members a Chair and a Vice-Chair. The Chair presides at the County Board meetings, decides on questions of order, subject to vote of the County Board, and signs all documents requiring signature of the County Board. The Chair's signature, attested to by the County Administrator or designee, is binding as the signature of the County Board.

The County Board elects from its membership a vice-chair at the same time and place and in the same manner as provided for the election of the chair. The vice-chair performs the duties of the chair when the chair is unable to perform those duties.

If the Chair and Vice-Chair are absent from any meeting, the members present shall choose one of their members as temporary Chair, and all documents requiring the signature of the County Board shall be signed by a majority of it and attested to by the Clerk to the Board (Minn.esota Stat.ute §375.13).

At the statutory meeting (and if applicable during the year), the Chair of the County Board shall have the authority to recommend committee chairs, appointment of members of the County Board to standing committees and other County Board-member appointed committees, organizations and groups, subject to approval by the County Board.

F. Compensation

County Board members receive as compensation for services an annual salary as set by resolution of the County Board. (The salary must be established prior to the end of the preceding year and is effective January 1 of the new year.)

Prior to the effective date of a new salary, each County Board member shall have the option to accept or reject any salary increase in writing in a form prescribed by the County Board.

G. Monthly Expense Allowance

Each member of the County Board is allowed a monthly ~~sum~~ expense allowance as determined by the County Board for expense while doing business for Carver County. (This expense allowance is provided for under Minnesota Laws, Chapter 66, adopted in 1981.) Typical expenditures for this allowance are mileage, parking, ~~telephone calls~~ and meals while in the seven county metropolitan area for conferences, seminars and meetings. Expenses included in this ~~account~~ allowance are generally considered to be ones that the Board Member deems to be necessary in order to fulfill the duties of office.

The County Board, by resolution, determines the annual expense ~~account~~ allowance level. Within the seven county metropolitan area, this allowance is in lieu of traditional reimbursement plans including per diem expenses. The expense allowance ~~account~~ is paid to the Board Members in twelve equal monthly installments.

Outside the seven county metropolitan area, all costs deemed necessary by the Board Member to fulfill the duties of office, are covered by County Personnel Policy reimbursement guidelines. This would include reimbursement for actual costs while performing duties of the office of County Commissioner.

All overnight accommodations expenses associated with conferences, seminars, legislative attendance, and meetings are costs eligible for reimbursement. In addition, cell phone and remote computer access expenses are costs eligible for reimbursement according to County Personnel Policy reimbursement guidelines.

H. County Board Budget

The County Board is allocated an annual budget which includes salary and benefits and general operating expenses (office supplies and other miscellaneous expenses).

IV. County Board Meetings

A. Regular Meetings

At the annual statutory meeting, the County Board shall adopt a schedule of regular board meetings for the upcoming year. The schedule will include the location, date and time of the meetings. During the year the schedule may be amended by vote of the County Board.

Unless otherwise stated, all regular meetings of the County Board will be convened at the Carver County Government Center. The Board Room is located on the second floor of the Human Services Building. All regular meetings of the County Board are open to the public.

B. Statutory Meeting

The County Board meets in the County Board Room located at the Carver County Government Center, for the transaction of business on the first Tuesday after first Monday in January. The County Board transacts organizational business during this meeting, including:

1. Adminstrate oath of office (if required)
2. Elect officers
3. Appoint commissioners to commissions, committees and boards
4. Appoint voting members to AMC
5. Appoint members to Metropolitan Counties Computer Consortium
6. Appoint advisory committee members

C. Open Meeting Law

All meetings of the Carver County Board of Commissioners and other Board Committees are subject to the Open Meeting Law (Minn.esota Stat.ute Chap. 13D).

D. Closed Meetings

The County Board may by motion convene in closed session for the purposes of transacting business. Business which may be considered in closed session is as follows.

- In accordance with the attorney/client privilege
- To consider strategy for labor negotiations
- To consider real estate negotiations
- To consider security measures
- Or as otherwise required or permitted by the Minnesota Open Meeting Law

E. Special/Emergency Meetings

The Carver County Board may establish a special or emergency meeting. Procedures to schedule a special or emergency meeting shall be in accordance with Minn.esota Stat.ute Chap. 13D.

Adjourned or reconvened meetings may be held at any specific time, date and place the Board may adopt without additional notice. However, the time, date and place must be publicity specified by the Board prior to adjourning the meeting in which the time, date and place are established.

Members of the County Board are entitled to ten days' notice of Board meetings. A meeting cannot be held without such notice unless each member has consented to holding a special meeting (~~Minnesota Stat.~~ Minn.esota Stat.ute §375.07).

The County Board may schedule work sessions, retreats, forums or additional meetings at such times and concerning such subjects. A schedule of such meetings shall be maintained in the County Administration Office. Work sessions and other informal meetings of the Board, not regularly held, shall be subject to the same notice requirements of the Minnesota Open Meeting Law.

A joint meeting with the County Board and any other political subdivision may be held within the boundaries of either subdivision as will be specified in the meeting notice.

F. Public Hearings

From time to time, the County Board conducts formal public hearings. In addition to those required by law, the

County Board may hold public hearings on matters of business when it decides that such hearings are in the best interest of the general public or issues under consideration.

The order of business for public hearings generally follows this procedure:

1. Presiding officer opens the hearing and states the purpose
2. Brief description of issue by County staff or other appropriate persons
3. Presentation, if applicable, by affected or interested persons
4. Public hearing closed by the Board
5. Decision of the County Board

At any time during the process, the County Board may address any questions as deemed appropriate.

The County Board may alter the public hearing procedure as needed to assure that the hearings are conducted in an orderly, fair and expeditious manner, including establishing reasonable time limits for speakers individually or on each side of the issue before the Board.

Rules adopted for public hearing procedures are intended to promote an orderly discussion, to give every person an opportunity to be heard and to ensure that no individual is embarrassed by exercising the right to free speech.

All comments by proponents, opponents, or members of the public shall be made at the microphones and individuals making comments shall first give their name and address. This is required for an official record of the public hearing. ~~All members of the public interested in addressing the County Board are requested to register on forms available upon entering the hearing room.~~

G. Meeting Conduct

The following meeting conduct rules shall apply for all public hearings:

1. Respect the dignity of each individual.
2. Respect one another's facts, opinions and right to speak.
3. We realize that our thinking processes are shaped by our backgrounds. None of us can be completely objective as a result. We all have our natural biases that we may not even be aware of. We must respect that in one another. Backgrounds are neither right nor wrong; they just are. Diversity, differences, conflict are all inevitable.
4. We choose to deal with conflict in a healthy

manner. Therefore there will be no name calling and putdowns of individuals or ideas. This does not mean you can't openly disagree and support your ideas, opinions and facts.

5. Listen respectfully - no interruptions.
6. In the interest of time, time limits may be established.
7. Questions may be asked of the presenters during the time allotted.

H. Audience/Citizens Requests

The County Board prefers all business matters initiated by citizens coming before them to first be reviewed by staff and scheduled for discussion on the appropriate agenda.

If an individual seeks to appear before the County Board he/she should notify the County Administration Office of his/her intention and the issue to be presented. Staff will confer with the individual, address the issue and, if necessary, schedule the issue accordingly on the appropriate agenda.

For an individual who appears at a County Board meeting unaware of Board operating procedure, a public participation section is included on the meeting agenda for both agenda and non-agenda items. Maximum length of time for an item to be presented in this section is five minutes. In general, before taking action, the County Board will direct the item to the appropriate Committee or staff for further review and recommendation.

I. Public Attendance

The public is invited and encouraged to attend and participate in County Board meetings. All approved minutes of Board meetings are published in the official county newspaper and are available on the County website at www.co.carver.mn.us.

J. Cable casting

All official meetings of the Carver County Board of Commissioners will be videotaped from the convening of the meeting to the adjournment of the meeting's regular session.

These tapes will then be broadcast on cable television channels to allow for public viewing. Efforts will be made to use cable channels that provide the most complete coverage possible across the entire geographic areas of Carver County.

Tapes will be available for check-out through the Carver

County library system. Tapes will also be available for purchase by the general public. The cost of tapes will be set by the County Board and included in the County's Fee for Service Schedule.

The Carver County Administration Department will retain a copy of the tape for a period of two years and one week after the taping date. These videotaped recordings are not the official minutes of the Carver County Board of Commissioners.

K. Quorum

A quorum shall be necessary for the transaction of business. A majority of the members of the Board shall constitute a quorum and no business shall be transacted unless voted on by a majority (three votes) of the whole County Board (MN Stat. Minnesota Stat.ute §375.07). Less than a majority of members may convene a meeting, but no business may be transacted.

Any County Board member who, for any reason, anticipates or plans an absence at any regular or special meeting is encouraged to contact the County Board Chair or the County Administrator to indicate his or her planned absence.

L. Role of Presiding Officer

The presiding officer of the meeting will be the Chair. In the absence of the Chair, the presiding officer will be the Vice-Chair. The duties and powers of the presiding officer shall include the following:

1. Preside at all meetings of the County Board.
2. Preserve order and decide questions raised by members subject to appeal to the Board.
3. Require the vote on all questions regularly moved and to announce the result.
4. Review and comment on the draft agenda for each regular and special meeting of the Board.
5. Serve as representative of the Board in execution of contracts, orders, resolutions, determinations and minutes of the Board and certification of tax rolls.

The Chair of the Board may make a motion and has the same voting rights and responsibilities as other members.

M. Addressing the Chair

Formal protocol will be used when speaking to the County Board. The County Board Chair shall be addressed as "Mr./Madam Chair." Members of the County Board shall be addressed as "Commissioner (last name)."

Any member of the County Board or members of the public may speak on any matter before the County Board when recognized by the Chair and within established procedures as outlined in these Rules.

N. County Administrator

The County Administrator or designee shall attend all meetings of the County Board. The County Administrator represents the staff at the meetings. The County Administrator may participate in the discussion or recommend a resolution or action to the County Board. A member of the Board may call on the County Administrator to participate in the discussion or provide a verbal recommendation on any subject pending before the Board.

The County Administrator or designee shall prepare a written agenda for all regular and special meetings of the County Board. The County Administrator or designee shall also: 1) make regular entries of all Board resolutions and decisions upon all questions; 2) record the vote of each member on any question submitted to the Board; 3) preserve and file all business acted upon by the Board; 4) certify copy any and all resolutions or decisions of the Board; and 5) perform such further duties as designated by the Board.

V. CONDUCT OF DEBATE

A. Principles

The Rules of Parliamentary Practice embodied in Robert's Rules of Order shall guide the Board in all cases applicable, except as modified by the rules herein and applicable Minnesota Statutes. In all cases, except where Minnesota Statutes dictates, a majority vote will prevail when deciding a question.

B. Parliamentarian

The Rules of Order governing County Board meetings shall be referred to the County Board Chair for interpretation and enforcement. The County Board Chair may consult with

Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

C. Role of the Chair

The Chair shall preside over the debate, ensuring equality and fairness in discussion. If necessary, the Chair may restate or ask the County Administrator or designee to restate who made the motion, who seconded the motion,

and announce the result of the vote.

D. Suspension of the Rules

Any member of the Board may make a motion for a suspension of the rules at any time during the debate; and, if in order and duly seconded, the Board will vote on the request.

E. Main Motion

The main motion in the form of a resolution shall be considered by the Board. A member may make only one main motion at a time. The Board member(s) may present an initial motion on the resolution and subsequently debate the question; or the Board member(s) may call upon staff for additional information prior to introduction of the motion.

The introduction of a main, or substantive motion, is out of order while another main motion is pending. While the question is under debate, no other motion shall be received or entertained except for procedural motions permitted in the Rules.

F. Second Required

All motions before the Board shall be seconded prior to consideration by the Board. The second may occur after brief informal discussion. Subsequent to the second of the motion, formal debate may ensue between the members of the Board prior to the formal vote being called.

G. Amended Motion

Any motion may be amended at any time before it is adopted. The amended motion shall have precedence over an existing motion and may be discussed prior to being voted upon. If the amended motion fails, the main motion may proceed for consideration. If the amended motion passes, the amended motion becomes the main motion and may proceed for consideration. Once an amended motion is voted upon, a second amended motion may be entertained.

H. Division of the Question

Upon the request of any Board member, a resolution in debate may be divided and separated into more than one action provided that the Chair rules that the resolution will allow such a division. Each of the resulting resolutions must be complete to allow independent consideration and action.

I. Withdrawal of Motion

After a motion has been stated by the Chair, it is deemed to be in the possession of the Board, but may be withdrawn by the member introducing the motion at any time before a vote. The Chair must accept or reject the withdrawal request. This motion cannot be debated or amended. If the motion is withdrawn, the effect is the same as if it had never been made.

J. Discussion Procedures

The following operating rules shall guide debate:

1. Any Commissioner desiring to speak shall address the Chair, and not proceed until being recognized. When two or more members address the Chair at the same time, the Chair shall designate the order of speaking.
2. Upon recognition of the Chair, the Board member making the motion has precedence to address the Board first, with the option of explaining the reasons why the motion is made. Subsequently the floor is open to any member of the Board. There is no time limit for comments from individual Board members.
3. A member, once recognized, shall not be interrupted when speaking, unless it is to call that member to order. No member shall interrupt another in debate without his/her consent. To obtain such consent, he/she shall first address the Chair.

K. Adoption

A motion or resolution shall be adopted if approved by a majority of the whole Board (~~MN Stat. Minn.~~ ~~esota Stat. ut~~ §375.07).

L. Procedural Motion

In addition to the substantive motions, the following procedural motions shall be in order. This is a partial list of those motions from Robert's Rules that are most often used. It is not intended to be a complete list.

These motions shall be considered in the following order of precedence as taken from Robert's Rules of Order:

1. Motion to Adjourn
2. Motion to Recess
3. Motion to Suspend the Rules
4. Motion for Division of the Question
5. Motion to Defer Consideration (Motion to Lay on the Table)
6. Call of the Previous Question
7. Motion to Postpone to Certain Time or Day

8. Motion to Refer to Committee
9. Motion to Amend
10. Motion to Reconsider

M. Voting

It is the duty of every member to vote. Voting shall be recorded as a "yes" or "no" vote by the County Administrator and duly noted in the minutes. Unless a Commissioner signifies an abstention or vote in the negative on any given issue, the County Administrator shall be directed to record that each Commissioner has voted in the positive on that particular matter which is before the Board. A roll call, if requested by any member, shall be called by the County Administrator or the Chair, in a predetermined order based on the seating of the members and rotating with each resolution voted upon.

VI. TYPES OF COUNTY BOARD ACTION

A. Resolution

The County Board takes formal action by resolution (~~MN Stat. Minn.esota Stat.ute~~ §373.02) or ordinance (~~MN Stat. Minn.esota Stat.ute~~ §375.51) only, both of which are initiated through a motion. A motion may be introduced by any member of the County Board.

The main motion in the form of a resolution is the means by which a member may present a substantive proposal to the County Board for consideration and action. Since it is the basic motion for the transaction of business, only one subject may be considered at a time and the main motion may be proposed only when no other motion is before the County Board. (See Section IV.)

B. Ordinance

The County Board may take formal action by ordinance (~~MN Stat. Minn.esota Stat.ute~~ §375.51). An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the county. County Board action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

C. General Consensus

The County Board provides informal direction by consensus. Informal direction is most often used to provide staff with preliminary Board perspective on a matter which will require future formal action by resolution or ordinance.

Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy or authorize action.

D. Policy Development

Authority for the development of policies in Carver County is granted to the County Board through Minn. Stat. Chapter 373 (Counties, Powers, Duties, and Privileges) and Minn. Stat. Chapter 375 (County Boards) and in other statutes. With the powers granted within these statutes, the County Board may delegate certain authority, as appropriate, through Board resolutions. These delegations of authority may be rescinded at any time by the Board.

E. Notice of Resolution

Any member of the Board may introduce a resolution for consideration and action pursuant to general rules and operating procedure. A copy is provided to other Board members and the County Administrator with as much advance notice as reasonable and practical.

The introduction of resolutions and ordinances during the Board meeting occurs by motion and second as more fully set forth in Section IV. Resolutions not included on the printed Board Agenda are referred to the discussion portion of the agenda, unless they are included within one of the following categories, whereupon they may be considered by the Board without referral:

1. Resolutions of commendation;
2. Resolutions recommended for immediate approval by the County Administrator;
3. Resolutions which no member objects to being considered; or
4. Resolutions on a matter of an urgent nature, or if some consequence or crisis will result due to inaction at the meeting.

The County Board may at any time refer an item or resolution to a Committee for further review and deliberation.

VII. COUNTY BOARD AGENDA

A. Preparation and Distribution

The County Administrator shall prepare the agenda and supporting material for each regular and special meeting. Members of the Board may direct that an item be placed on the Agenda by informing the County Administrator. The

County Administrator shall include an item on the agenda if a member directs that the item be placed on the agenda at least three (3) days prior to the meeting for which the agenda is to be prepared.

The Board agenda packet, including the meeting agenda and supporting material, shall be received by each member of the Board no later than the Monday preceding the regular Tuesday meeting.

Copies of the agenda and supporting material shall be made available to the County staff, public and media as appropriate. A distribution list shall be maintained in the County Administration Office. Members of the public who are interested in following issues considered by the Board may register their name and address with County Administration for placement on the agenda distribution list.

If possible and if time avails, Board members are encouraged to identify and request future agenda topics within the agenda section entitled "Board Reports." Early identification of future agenda items informs the Board that a particular subject will be discussed and provides staff an opportunity to conduct any research, study and background sufficient to support the Board discussion.

B. Order of Business

The Order of Business for each regular meeting of the County Board shall be as follows:

1. Call to Order
2. Pledge of Allegiance (Optional)
3. Introduction of New Employees
4. Approval of Agenda
5. Approval of Minutes
6. Audience (Citizen Comment)
7. Community Announcements
8. Consent Agenda
9. Regular Agenda
10. Adjourn Regular Session
11. Discussion
12. New Business
13. Board Reports

The Order of Business may be changed as needed to accomplish objectives and priorities of the meeting. The Order of Business may be changed at the recommendation of the Chair, any member of the Board or the County Administrator subject to County Board consensus.

C. Consent Agenda

The Consent Agenda will consist of routine agenda items which are not likely to require additional debate and discussion. Examples of consent agenda items include, but

in no circumstances are limited to, tax abatements (penalty and interest claims), minor budget amendments, personnel actions, tax forfeiture actions, and miscellaneous contract renewals.

The Consent Agenda shall be considered as one item of business. The Board may approve all items on the consent agenda by adopting one motion. In the minutes of the meeting, the items passed in the Consent Agenda shall be recorded individually.

Prior to approval of the Consent Agenda, any member can remove an item on the Consent Agenda for further discussion and/or for the purposes of separate consideration. The Chair shall determine the location on the agenda for the item of business which will subsequently be considered.

D. Regular Agenda

The Regular Agenda will consist of items which are likely to and/or require additional discussion and review. Items of business within the Regular Agenda shall be considered individually and in the order of business as noted on the agenda.

E. County Board Discussion

The general purpose and function of the discussion portion of the Board agenda is to facilitate the review, analysis and review of major issues of County business prior to formal Board action.

The Board may establish a special Committee as deemed necessary. A special Committee shall advise the Board as directed and may report recommendations to the Board for appropriate action. Unless expressly stated in the creation of the special Committee, it shall automatically dissolve when its work is accepted by the Board.

F. Official Records

The County Administrator or designee shall prepare the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statute in order to provide an accurate record of County Board actions. The record is not intended to be a verbatim transcript of all discussion and debate; the record is primarily a compilation of official actions.

The minutes of the County Board meeting shall be prepared and submitted for approval at the next succeeding County Board Meeting. Official proceedings of County Board meetings shall be published in the official County newspaper (~~Minnesota—Statutes~~ Minn.esota Stat.ute

§375.12). The Official Board Proceedings are also distributed to staff and interested parties and are also available on the Carver County website at www.co.carver.mn.us.

The official public record of County Board meetings shall be available in the County Administration Office.

The resolutions shall be numbered consecutively followed by the last two digits of the calendar year.

VIII. ADVISORY COMMITTEES

A. Policy

The County Board appoints individuals to various boards, committees or commissions, (hereinafter referred to as Committees) which have been established by the County Board or pursuant to Minnesota Statute. Authority for establishment of the committees is prescribed in Minnesota Statutes and in Board Policy. The County Administrator will maintain a complete list of committees and their underlying source of creation.

~~The current~~ A list of committees is includes, but is not limited to:

1. Board of Adjustment
2. Housing & Redevelopment Authority
3. Library Board
4. Mental Health Advisory Committee
5. Minnesota Extension Committee
6. Park Commission
7. Personnel Board of Appeals
8. Planning Commission
9. Senior Services Advisory Committee
10. ~~Solid Waste Advisory Committee~~
10. Water, Environment, Natural Resource

B. Role and Purpose of the Committees

Each Committee serves a statutory, policy, or operational purpose within Carver County. Each committee has specific staff assigned and designated to support its function. The function and reporting relationship to the Board will vary from committee to committee.

Committees are established to serve a variety of functions. The fundamental purposes for utilizing Committees in support of County government are:

1. To involve members of the public in the decision-making process.

2. To meet requirements of state law.
3. To ask residents to help define community standards and norms.
4. To provide technical expertise in certain areas.
5. To serve as advocates for the County.
6. To provide an independent sounding board for issues, ideas, and policy matters.

C. Operating Procedures

An open appointment policy governs the process for recruiting applicants to committees. The actual appointments are made by the County Board.

Individuals appointed by the Board to Committees receive a per diem reimbursement for attendance at regular or special meetings of such committees unless otherwise stated by the County Board. Individuals who are appointed to committees to represent a governmental unit are not eligible to receive a per diem. The per diem level is established from time to time by Board and/or Minnesota Statute.

D. Appointments

Appointments to the extent possible will be made by commissioner district. The Board will use discretion in this area and instances may occur when appointments will not follow district boundaries due to the target group the committee represents, availability of applicants, or other factors. The Carver County Board will attempt to select those candidates who will best represent the county and the committee's needs.

When a vacancy exists due to resignation or other reasons, the Board will follow the open appointment process. For the purpose of maintaining uniform length of terms the new appointee's partial term will be assumed to be a full term regardless of actual time remaining in the unexpired term.

E. Attendance Policy

Advisory committee members missing three (3) consecutive meetings in a year without the formal consent of the advisory committee shall be deemed to constitute a resignation of a member and a vacancy thus created shall be filled thereafter as provided by the open appointment process.

F. Residency Requirement

Applicants are not restricted to Carver County residents only.

G. Notification

County staff shall inform all appointees to committees at the initial yearly meeting or at the first meeting attended by a member of the contents of all applicable attendance policies, residency requirements and other pertinent information needed to perform the duties of a committee member.

H. Terms

Unless mandated statutorily the County Board has standardized the length of term and number of terms each member to serve. The length of term is 3 years and the maximum number of consecutive terms each member may serve is 3.

I. Appointment of Chairs

Chairs of various committees are selected according to committee bylaws.

J. Reporting Requirements

The Committees shall report their activities to the appropriate designated Board Committee member or the County Board as needed or on a periodic basis.

IX. CODE OF ETHICS

It is the belief of the County Board that the trust bestowed upon them as elected officials is of utmost importance in the relationship between themselves and the public. With this belief, the following statements further emphasize the priority and commitment the County Board has placed on Ethical Standards.

In the execution of their official duties, all County Board Members shall strive to:

- Observe the highest moral and ethical standards.
- Maintain and respect the confidentiality of private and confidential information.
- Avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, sexual orientation, marital status, place of residence, or status with regard to public assistance.
- Comply with the ethical obligations imposed by law, including Minn. Stat. §10A.07, 10A.071, 382.18, 471.87-.895, including, where appropriate, disclosing conflicts of interest, abstaining from decision-making, eliminating

- conflicts of interest, and declining gifts.
- Work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- Allow citizens, staff, or colleagues sufficient opportunity to present their views. Be tolerant, respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, staff or colleagues.
- Place cooperation, trust, and respect at the heart of all that is done.
- Behave ethically as daily responsibilities are carried out.
- Support one another at and beyond the County Board table.
- Operate as an effective team, continually improving that effectiveness.
- Work for “win-win” situations instead of “win-lose.”
- Actively listen, keep an open mind and suspend judgment.
- Be pro-active in the exercise of the office.
- Do the best to answer questions posed by one another, the employees, and the community.
- Honor “discussion” before “decisions.”
- Be consistent in process and operation.
- Be honest and candid with one another.
- Focus on working “with” instead of “for” or “under.”
- Not take differences of opinion personally.
- Disagree agreeably and professionally.
- Realize that people make mistakes – forgive and forget.
- Realize and honor varying work styles, personalities, and process needs.
- Share information and avoid surprises.
- Maintain a sense of levity – public service should be fun as well as work.

X. CITIZENS

A. Open Meeting Law

~~All regular and committee meetings and Notice of Meetings of the County Board are subject to the Open Meeting Law (MN Stat. 13D.)~~

~~The County Board may hold closed meetings as authorized by MN Stat. 13D. Before closing a meeting, the Board will state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.~~

County Board meetings may be closed under the following circumstances:

1. ~~To consider strategy for labor negotiations;~~
2. ~~To evaluate the performance of an individual under the authority of the County Board;~~
3. ~~For preliminary consideration of allegations or charges against an individual subject to the County Board's authority;~~
4. ~~To discuss subjects which involve non-public data listed in MN Stat. 13D, subd. 1d(b);~~
5. ~~If otherwise expressly authorized by statute or permitted by the attorney-client privilege.~~

B A. Audience Participation at Board Meetings

It is the intention of these rules to support the interest of the general public in following Board business during their meetings.

1. Audience/Citizen's comments:

Included within every County Board meeting agenda is an audience section where the Board has designated an opportunity for citizens to appear and speak on any issue or topic related to County Board business. Input will be encouraged and recognized.

To the extent possible, interested citizens shall notify the County Administrator of their interest to speak at the meeting and the issue to be discussed. The County Administrator will notify the Chair. In an effort to encourage efficiency and early resolution of issues, the County Board recommends that citizens first contact staff to try to resolve matters before coming formally to the County Board meeting. Questions directed to the Board may not be answered immediately, however, whenever possible, all appropriate questions will be responded to in a timely and effective manner by the Board and/or County staff.

2. Distribution of Agenda

Members of the public who are interested in following issues considered by the County Board may register their name and address with the County Administration office to be placed on the agenda distribution list. The agendas are mailed the Thursday before the regularly scheduled County Board meeting. The agenda is also available on the Carver County website at www.co.carver.mn.us.

C B. Responding to Correspondence/Inquiry/Processing of Complaints from Citizens

County Board members and staff are committed to

customer service and will endeavor to provide timely and efficient response and communication to the citizens of Carver County.

Upon receipt of a written inquiry, request for information, or complaint about County business which has been sent to a Board member, upon notification and direction from County Administrator or designee, staff will confer with the member to determine the appropriate course of action. The inquiry will be handled timely as directed with the County Administrator or designee advising the Board member upon completion. Incoming telephone calls requesting a specific Board member should be forwarded to the Board Member per his/her instructions. Administration staff will periodically review with Board members the preferred method of handling telephone inquiries. Every effort will be made to maintain open lines of communication between the Board members and their constituents.

Telephone calls requesting information about specific areas of County business are forwarded to the appropriate department. Customer service is of primary importance to the County Board and staff and an appropriate method of tracking the information requests and responses will be utilized.

XII. Staff

A. County Administrator

The County Board adopted the County Administrator form of government on August 6, 1985.

The position of County Administrator is established pursuant to MN Minn. Stat. §375A.06. The County Administrator is the administrative head of the County, responsible for the administration of the affairs of the County delegated to him/her by Minnesota Statute and the County Board. The County Board has approved a job description which outlines in detail the duties and responsibilities of the County Administrator.

In general, the County Administrator shall exercise supervision of the divisions and departments which function under the jurisdiction of the Carver County Board. The County Administrator shall coordinate the various activities of the County, unify the management of its affairs, and make recommendations to the Board regarding the structure of County departments and functions, including reporting relationships, physical facilities and locations. The County Administrator is accountable for hiring, training, advising, motivating, and appraising the performance of subordinates. The County

Administrator recommends the annual budget and long range capital expenditure programs to the Board for approval.

The County Administrator recommends to the Board proposed policies concerning the administrative affairs of the County. The County Administrator will keep the Board informed, make recommendations, and comment upon legislative initiatives which affect the County and, as directed by the Board, will represent the County in its relations with other governments. The County Administrator will serve as the leader of the County Management teams, recommend short and long term goals to the Board, and periodically measure organizational and individual accomplishments against goals, objectives, and timetables.

B. Role of Staff

The County Administrator with the support of staff will, in a timely and responsible manner, answer inquiries and requests regarding issues and concerns brought by Board members or the citizens of Carver County. In certain instances Board members may want assistance or County staff involvement in evaluating policy and/or programmatic changes. Board members who wish to initiate policy or program change are encouraged to first present such requests to the appropriate Department for

Functions which are deemed routine such as interpretation of policy and procedure, general constituent business, and/or research which require minimal time may be directed, by the Board or individual member, to the County Administrator or designee for action.

C. Legislative Protocol for Staff and Citizen Members of Appointed Boards

This following policy applies to all staff/citizen members and respective appointed Board members that lobby as a representative of Carver County.

Staff/citizen members who choose to lobby on a policy issue that would affect the operations of the County, are expected to confine their efforts to the County's current legislative agenda.

Staff/citizen member participation should be immediately communicated to the Board appointed designee or the County Administrator.

If the issue has not been addressed by the County's legislative agenda, a County Board position should be sought prior to any lobbying effort on your part.

If a member of staff or citizen member lobbies in a professional capacity, either at the request of a legislator or a professional association, s/he must note in testimony s/he is speaking as a professional, not as a county representative.

The Board appointed designee, County Administrator, or designated personnel, will organize the county's efforts. Staff/citizen members should presume that s/he speak for the County Board, unless s/he has reviewed their positions or have checked with them on specific issues.

When the County is paying the dues for membership in a professional association, staff/citizen members shall not take a position within that professional association that is inconsistent with County Board policy.

All staff/citizens members and appointed representatives shall notify the County Board and/or the County Administrator of a pending appointment to an advisory board or task force initiated outside of the scope of County Board authority.

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Adopt schedule of regular Board meetings for the year 2006

Originating Department: Administration

Agenda Date: 1/3/06

Amount of Time Requested: 10 minutes

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, benefits and recommendations)

Section IV, County Board Meetings (A. Regular Meetings) the Carver County Board Operating Rules reads as follows:

“At the annual statutory meeting, the County Board shall adopt a schedule of regular Board meeting for the upcoming year.”

Board Action/Motion Requested:

Request that the County Board either adopt a revised scheduled of regular Board meetings for the year 2006 or re-affirm the Board's current meeting schedule for 2006.

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)

/s/David Hemze

12/27/05

DEPARTMENT HEAD APPROVAL

Date

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Appointments of Commissioners to commissions, committees and boards, appointment of voting members to Association of Minnesota counties, delegates to the Minnesota Counties Computer Consortium and Board appointment as County's SNS requestor

Originating Department: Administration

Agenda Date: 1/3/06

Amount of Time Requested: 20 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, benefits and recommendations)

Administration is requesting that the Board make committee assignments for 2006 as well as appoint voting members to the Association of Minnesota Counties, delegates to the Minnesota Counties Computer Consortium and name a Board member as the County's SNS requestor.

Motion appointment Board members to various commissions committees and boards, motion appointing voting members to AMC and MCCC and name a Board member as the County's SNS requestor.

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)

/s/ David Hemze 12/22/05

DEPARTMENT HEAD APPROVAL

Date

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

Committee/Board	2005 Commissioner Appointee	2006 Commissioner Appointee
Area Agency on Aging	Degler	
Association of Minnesota Counties	Delaney, Alt. Workman	
AMC Environment & Natural Resources Policy Committee	Ische	
AMC General Government Policy Committee	Degler	
AMC Health & Human Services Policy Committee	Lynch	
AMC Transportation & Agricultural Policy Committee	Workman	
CAP Agency Board of Directors	Delaney & Degler	
Carver County HRA	Delaney	
Community Leaders (Eastern)	Degler & Workman	
CROW Joint Powers Board	Lynch	
Emergency Medical Services Committee	Ische, Alt. Lynch	
Fair Board	Ische, Alt. Lynch	
Historical Society Committee	Delaney, Alt. Lynch	
Inter-Agency Early Intervention Committee	Degler	
Justice Advisory Committee	Workman, Alt. Degler	
Law Library Board	Degler	
Library Board	Degler	
Lower Minnesota River Watershed	Degler	
MELSA	Degler	
Mental Health Advisory Committee	Lynch	
Metro GIS Policy Board	Delaney, Alt Workman	
Metro Transitways Development Board (formerly LRT Joint Powers)	Delaney, Alt. Workman	
Metropolitan Emergency Services Board	Ische & Delaney	
Metropolitan Emergency Services Executive Board	Ische	
Metropolitan Emergency Services Cost Allocation Committee	Delaney	
Metropolitan Emergency Services Board Radio Technical Operations Committee	Steve Schoenbauer, Peter Sauter Alt.	
Metropolitan Inter-County Association (MICA)	Workman & Delaney	
Minnehaha Creek Watershed District	Delaney	
Minnesota Extension Committee	Degler & Lynch	
Minnesota River Basin Joint Powers	Ische, Alt. Delaney	
Minnesota Valley Regional Rail Authority	Workman, Alt. Degler	

<i>Mosquito Control District</i>	<i>Ische, Delaney</i>	
<i>911 Technical Operations Committee</i>	<i>Nanci Ekum, Pam Raser</i>	
<i>Park Commission</i>	<i>Lynch</i>	
<i>Planning Commission</i>	<i>Degler</i>	
<i>Public Health Emergency Preparedness Workgroup</i>	<i>To be determined</i>	
<i>Riley-Purgatory-Bluff Creek Watershed</i>	<i>Degler</i>	
<i>Senior Services Advisory Committee</i>	<i>Ische</i>	
<i>Soil and Water</i>	<i>Ische, Alt. Degler</i>	
<i>Solid Waste Management Coordinating Board (SWMCB)</i>	<i>Workman & Ische</i>	
<i>Southwest Corridor Transportation Coalition (SWCTC)</i>	<i>Workman & Delaney</i>	
<i>State CHS Advisory Committee</i>	<i>Ische, Alt. Del Hurt</i>	
<i>Transportation Advisory Board – TAB (formerly Metro Transportation Board)</i>	<i>Workman, Alt. Delaney</i>	
<i>WENR Committee</i>	<i>Ische, Alt Lynch</i>	

Ditches

Joint Ditch #1 Ische, Lynch, Degler
 Joint Ditch #4 Ische, Lynch, Workman
 Joint Ditch #5 Ische, Lynch, Delaney
 Joint Ditch #21 Ische, Lynch, Workman, Degler
 Joint Ditch #22 Ische, Lynch, Delaney
 Joint Ditch #24 Ische, Lynch, Degler

Appointment of voting members to Association of Minnesota Counties:

Gayle Degler Gary Delaney James Ische
 Tim Lynch Tom Workman Roger Gustafson
 David Hemze Gary Bork

Appointments to Minnesota Counties Computer Consortium:

David Hemze Rhonda Lynch
 Alt – Fred Boethin Alt – Laurie Engelen

Appointment as County's Strategic National Stockpile (SNS) Requestor

Gayle Degler
 David Hemze
 Del Hurt

**CARVER COUNTY CITIZEN ADVISORY
COMMITTEE APPOINTMENTS FOR 2006**

HOUSING & REDEVELOPMENT AUTHORITY (5-year terms)

Current members:

Sarah Carlson - resides Commissioner District 1
Clark Arneson - resides Commissioner District 3
Norman Bauer - resides Commissioner District 4
Bob Lano - resides Commissioner District 5

Current vacancies: 1

Applications received to-date:

Dan Steinhagen - resides Commissioner District 4
Mike Schachterle – resides Commissioner District 2 (has served two unexpired terms
and one full five year term)

LIBRARY BOARD (3-year terms)

Current members:

Richard Kvittek – resides Commissioner District 1
Linda Landsman - resides Commissioner District 2
Carol Vadnais – resides Commissioner District 3

Current vacancies: 2

Applications received:

James Dodson - resides Commissioner District 4
Sandey Elzea - resides Commissioner District 5
Fern Lindemeier - resides Commissioner District 5
Joanne Johnson - resides Commissioner District 5

MENTAL HEALTH ADVISORY COMMITTEE (3-year terms)

All appointments are mandated.

Current members:

Rita Brand – resides Commissioner District 5
Lorie Reller – resides Commissioner District 2
Kim Wolf – resides Commissioner District 5
Christine Ullom – Service Provider
Cris Leindecker – works in schools

Current vacancies: 4

Applications received:

June Henning - resides Commissioner District 3
Christine Dondlinger - resides Commissioner District 5

(U of M) EXTENSION SERVICE COMMITTEE (3-year terms)

Current members:

Peter Moe - resides Commissioner District 2
Cliff Johnson - resides Commissioner District 5
Bill Lueth - resides Commissioner District 5

Current vacancies: 3

Applications received to-date:

Larry Enter - resides Commissioner District 4

PARK COMMISSION (3-year terms) -

Current members:

Richard Kvittek – resides Commissioner District 1
Thomas Witek – resides Commissioner District 2
Chad Eischens – resides Commissioner District 5

Current vacancies: 4

Applications received to-date:

Gail VonBargen – resides Commissioner District 5
Neil Wingert – resides Commissioner District 1

PERSONNEL BOARD OF APPEALS (3-year terms)

Current members:

Rick Ford – resides Commissioner District 1
Kelly Schiffman - resides Commissioner District 4

Current vacancies: 1

Applications received to-date:

Gino Businaro - resides Commissioner District 3

PLANNING COMMISSION (3-year terms) - Current members:

Mark Senn - resides Commissioner District 2
Randy Maluchnik – resides Commissioner District 3
Gene Miller – resides Commissioner District 5
Brad Schrupp – (township appointment)

Current vacancies: 2

Applications received to-date:

Si Tesch – resides Commissioner District 4

SENIOR SERVICES ADVISORY COMMITTEE (3-year terms)

Current members:

Evelyn Grimm – resides Commissioner District 3
Eugene Tirk – resides Commissioner District 3
Jane M. Borer – resides Commissioner District 4
Janice Buckentine – resides Commissioner District 5
Diane Johnson – School District rep
Sharon Brahee – Health Provider rep

Current vacancies: 3

Applications received to-date:

Pat McGough – resides Commissioner District 1
Barbara Colhapp – resides Commissioner District 1

WATER, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE (3-year terms)

Current Commissioner District Appointments:

Scott Hoese—resides Commissioner District 4, representing Commissioner District 1
Chris Bonick—resides Commissioner District 4, representing Commissioner District 2
Curtis Wolter – resides Commissioner District 5

Current City and Township Representatives

Bill Monk, City of Chaska
Lori Haak, City of Chanhassen
David Poggi, City of Waconia
Gene Miller, Dahlgren Township
Vern Richter, Watertown Township

4 County residents (one from each watershed area)

Robert Beduhn – resides in Carver Creek watershed
Gail VonBargen – resides in Bevens Creek watershed
Mike Foslien – resides E/W Chaska Creek

Vacancies as follows:

Two “Commissioner District representative” vacancies
One “City/Township representative” vacancy
One “County resident to represent Crow River watershed” vacancy

Applications received:

Wayne Johnson - resides in Commissioner District 4 and Crow River watershed
Daniel Palmer – resides in Commissioner District 4 and Carver Creek watershed
Mary Hershberger Thun – resides Commissioner District 3 and Minnehaha Creek watershed
James Aiken – resides in Commissioner District 1 and East Chaska Creek
Rebecca Bowers – seeking reappointment as City of Norwood/Young America representative

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on December 20, 2005. Chair James Ische convened the session at 9:03 a.m.

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

Members absent: None.

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

Delaney moved, Degler seconded, to approve the minutes of the December 13, 2005, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved agreement between Public Health and Gracia Hegener in the amount of \$35,000.

Agreement between Public Health and RV Wixon and Associates, Inc., in the amount of \$52,000.

Agreement between Public Health and Richard Scott in the amount of \$45,000.

Accepted buffer zone protection plan grant to purchase equipment for the Sheriff's Office SERT Term and related Sheriff's budget amendment increasing grant revenue \$48,378 and increasing equipment expenditure \$48,378.

Resolution #120-05, Right of Way Acquisition CSAH 10 (SP 10-610-30) Negotiated Settlements/Revised Offer 8.

2006 Joint Powers Agreement prosecution contracts with the cities of Carver, Chaska, Cologne, Hamburg, Mayer, New Germany, Norwood/Young America, Victoria, Waconia and Watertown.

Immunization registry grant contract with the Minnesota Department of Human Services and related Public Health budget amendment increasing grant revenue \$2,755 and increasing professional services \$2,755.

Approved Teen Seat Belt Challenge grant contract and related Public Health budget amendment increasing grant revenue \$6,000 and increasing professional services \$5,000 and supplies \$1,000.

Deleted three chemical health specialist positions and maintained .1 FTE chemical health specialist position through the conclusion of the grant to perform evaluation and reporting functions.

Approved transit grant with the Met Council in the amount of \$284,432 for January 1, 2006, through December 31, 2006.

Authorized Community Social Services acceptance of Christmas gift donations for children in foster care from the West Carver Lioness Club.

Resolution #121-05, Professional Service Agreement Between SRF Consulting Group, Inc. and Carver County for Consultant Services to Develop a Regional Trail Master Plan for the Former Dakota Rail Line.

Approved tobacco license for Century Wine & Spirits, LLC.

Delegated County Administrator the authority to approve Commissioner claims for the week of December 27, 2005, when the Board does not meet.

Approved the Sheriff's Office \$10,000 re-allocation of 2005 budgeted dollars in budget line #01-201-239-6660 to budget line 01-201-239-6480 for the purchase of a forensic computer system.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

The Board held the continued public hearing on proposed revisions to the Carver County Water Management Rules.

Paul Moline, Land and Water Services, stated since the last public hearing, they have had an opportunity to review the remaining issues and had made some revisions. He entered into the record the letter received from Westwood Engineering dated December 13th.

He explained the requirements for accounting for soil compaction and increased runoff from developments. Moline indicated the rules were revised to clarify the deep ripping requirement and additional options were added to raise runoff amounts, including the option to provide another 12" of topsoil.

Moline indicated the second issue related to hydrologic soil groups and infiltration requirements. He stated they attempted to clarify what the infiltration/filtration/bioretenion requirements are and have included reference to the Minnesota Stormwater Manual in the rules. He acknowledged stormwater issues will continue to evolve and they would probably need to come back at some future point to make revisions based on what is learned.

Moline stated they have not done a detailed analysis of the added costs but they disagreed on the costs suggested at the previous public hearings.

He clarified the infiltration/filtration requirement will apply to all developments. He indicated the on-site information will determine what best management practices to use and believed the issue of hydrologic soil groups will not become a point of contention between the applicant and County.

John Rask, Hans Hagen Homes, stated they still had disagreements on certain items but they are in agreement with some of the alternative methods that have been suggested. He suggested the associated costs were more than the County's estimate but believed the options presented would bring the costs down. Rask stated the flexibility in implementing stormwater management practices was important to them. He noted the scope of best management practices having been expanded was also a positive change. Rask acknowledged there were still items they don't agree on and encouraged the Board to revisit the issues in a year.

Mike Wanous, Carver County Soil and Water Conservation District, read a letter into the record in support of the proposed revisions.

Moline stated he was asking the Board to close the public hearing and would return to the Board for approval after the final edits are made to the Rules.

Delaney moved, Lynch seconded, to close the public hearing on revisions to the Water Management Rules. Motion carried unanimously.

The Board agreed the rule revisions would be brought back to them when the edits are complete and requested that staff submit their best estimates of the costs.

Mark Lundgren, County Auditor, reviewed legislation passed titled "Help America Vote Act" and indicated they would be demonstrating the equipment that would be used. He indicated the intent was to give every voter the opportunity to vote privately and independently regardless of any disability.

Workman moved, Degler seconded, to open the public hearing on the HAVA Election Equipment Plan. Motion carried unanimously.

Mike Hoversten, representing ES&S Automark, reviewed the equipment features and demonstrated the Automark voting equipment.

Lundgren stated the equipment would be required in each of the precincts in 2006 and a grant was received from the federal government to purchase the units. He indicated the County's share totaled \$240,019 and there was an opportunity for additional funds through a second grant. Lundgren noted, with the first grant, there would be excess funds and reviewed options for the use of those funds.

He indicated meetings were held with election work groups to develop the plan. Lundgren referenced the local equipment plan and reviewed the responsibilities of both the County and municipalities.

Lundgren indicated an option for the second grant would be an upgrade to the current Optech Eagle equipment. He explained the election equipment plan would be submitted to the Secretary of State for their comments. After those comments are received, he stated he would come back before the Board and explain in more detail the final plan.

Lundgren clarified, at this time, he was asking the Board to continue the public hearing until comments are received back from the Secretary of State's office.

No public testimony was received.

Workman moved, Degler seconded, to continue the public hearing on the HACA equipment plan to January 17, 2006. Motion carried unanimously.

Gary Bork, Community Social Services, reviewed the Metro County Grant Application for long term homelessness and requested Board authorize the signing of the Inter-Agency agreement.

He reviewed the legislative actions aimed at homelessness issues and amount of funds appropriated for the project. Bork stated the metro directors formed a work group to respond to the request for proposals and indicated priority would be given to submittals on behalf of multi county partnerships. He indicated the metro directors proposed to have the seven metro counties sign a letter of agreement that would form the basis of the collaboration. He stated Hennepin County would act as the lead agency. Bork reviewed the extent of homelessness in Carver County.

Degler moved, Delaney seconded, to authorize the Board Chair to sign the Inter-Agency Agreement for the seven metro counties for the Metro Counties Long Term Homelessness Supportive Services Program. Motion carried unanimously.

Doris Krogman, Employee Relations, requested Board set the 2006 compensation level for the County Treasurer. She noted the proposed Resolution set the 2006 compensation at the 2005 level as well as maintained existing benefits.

The Board acknowledged the County Attorney's opinion gave them limited legal options with regard to reducing the salary.

Ische offered the following Resolution, seconded by Degler, setting the 2006 compensation level for the Carver County Treasurer at the 2005 level:

Resolution #122-05
2006 Elected Official (County Treasurer) Compensation

On vote taken, Degler, Ische, Lynch, Workman voted aye. Delaney voted nay.

The Board acknowledged receipt of a letter from the County Recorder which clarified he did not request or receive additional compensation when the vital statistics function was moved from Court Administration to his office.

Kari Myrold, County Attorney Chief Deputy, stated the Board would need to rescind its previous motion if they wished to change the Recorder's 2006 compensation.

Delaney moved, Degler seconded, to rescind Resolution #115-05. Motion carried unanimously.

Delaney offered the following Resolution, seconded by Degler, increasing the 2006 County Recorder compensation 2%:

Resolution #123-05
Setting County Recorder Compensation for 2006

On vote taken, all voted aye.

County Board Chair Ische recapped highlights of 2005 County Board actions. He stated they were all fortunate and blessed to live in Carver County and he was proud to serve the residents of the County. Chair Ische also thanked fellow Board members for the opportunity to Chair the Board in 2005.

Degler moved, Lynch seconded, to adjourn the Regular Session at 11:25 a.m. Motion carried unanimously.

David Hemze
County Administrator

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: AFSCME Local #2789 - Labor Agreement – Assistant County Attorneys

Originating Department: Employee Relations

Agenda Date: January 3, 2006

Amount of Time Requested:

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)

Carver County and AFSCME Local 2789, Assistant County Attorney Unit, have concluded negotiations for the Collective Bargaining Agreement and a Memorandum of Agreement for the period of January 1, 2004 through December 31, 2006. The Memorandum of Agreement relates to a one-step adjustment to the Attorney III salary scale in response to market data. The Summary of the Collective Bargaining Agreement includes:
 A 1% general adjustment 7/1/04, 1.5% general adjustment 1/1/05 and a 2.0% general adjustment 1/1/06;
 A one-time additional salary step for employees in the Attorney II and Attorney III classifications; and
 Clarifying language regarding layoff seniority, choice of remedy in grievance resolution, and use of sick leave.

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

Motion to approve the Labor Agreement and Memorandum of Agreement between Carver County and the AFSCME Assistant County Attorney Local 2789 Unit for the period of January 1, 2004 through December 31, 2006.

FINANCIAL IMPLICATIONS

Funding:

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

Budget Information (✓ appropriate items):

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

Related Financial Comments:

The 2006 budget includes the basic salary adjustments. The differential adjustment, approximately \$21,800.00 would be paid out of salary contingency funds.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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

 Doris M. Krogman _____ 12/19/05 _____

DEPARTMENT HEAD APPROVAL (Signature)

Date

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Request for Commissioner Contingency Funds in Employee Relations

Originating Department: Employee Relations

Agenda Date: January 3, 2006

Amount of Time Requested:

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)

The Human Resources Department budget (department 050) within the Employee Relations Division was not sufficient to cover the expenditures for 2005. The category that exceeded the budgeted amount is Services and Charges, accounts 6200 – 6399. The individual accounts within the category that created this overage are:
 6260 - Professional & Technical Fees for Services where the Labor Relations Attorneys and Arbitrators payments were the reason for the overage. Early in the year, the County went to Arbitration on some Collective Bargaining Agreements. We have also gone to one recent Grievance Arbitration.
 6271 – Medical Fees where the hiring more employees than anticipated for the Sheriff's Office has caused this line item to exceed the budget.
 At this point, the anticipated amount of the category overage for the year 2005 is \$28,000.

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

Motion to approve the movement of \$28,000 from the Commissioner Contingency fund to the Employee Relations, Human Resources Budget for 2005.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$28,000.00
 Other Sources & Amounts = \$0
TOTAL \$28,000.00

Budget Information (✓ appropriate items):

Budgeted: _____
 Not Budgeted: X
 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 X Other _____

Doris Krogman

12/19/05

DEPARTMENT HEAD APPROVAL (Signature)

Date

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

12/19/2005

BUDGET AMENDMENT REQUEST FORM

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

DEPARTMENT: Human Resources

DATE: 1/3/06

Revenue

Description of Account funds are to be transferred from:	Amount	Description of Account funds are to be transferred to:	Amount
Contingency 2005	\$ 28,000	Services & Charges	\$ 28,000
TOTAL:	\$ 28,000	TOTAL:	\$ 28,000

A. Reason for Request: See Board Action.

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

C. Contingency Acct. Beginning Bal (01/01/04): \$ 300,000

D. Contingency Acct. Current Bal.: \$ 190,296

E. Current Balance After Adj.: \$ 162,296

F. Requested By:

G. Recommend Approval: Finance Director

H. County Board Decision: Approval/Disapproval

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Contract between James Zangl and the Carver County Sheriff's Office

Originating Department: Sheriff - (Sgt. Jason Kamerud)

Agenda Date: 1-10-2016

Amount of Time Requested: 0

Supp. Doc. Attached: 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)

James Zangl requests to contract with Sheriff's Dep uties to keep the peace during retrieval of personal property pursuant to an Order for Protection.

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

The Carver County Board approves the off-duty contract between James Zangl and the Carver County Sheriff's Office.

FINANCIAL IMPLICATIONS

Funding:

County Dollars	=		=\$.00
Other Sources & Amounts	=		\$
_____	=	\$	
TOTAL	=	<u>\$</u>	\$.00

Budget Information (✓ appropriate items):

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

Related Financial Comments: Costs to County billed to contractee.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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

Sheriff Byron 'Bud' Olson (or Designee)

Date

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

CARVER COUNTY CONTRACT REVIEW

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Contract between City of Norwood/Young America and the Carver County Sheriff's Office

Originating Department: Sheriff - (Sgt. Jason Kamerud)

Agenda Date: 1-10-2014

Amount of Time Requested: 0

Supp. Doc. Attached: 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)

The City of Norwood/Young America would like to utilize the services of the Carver County Sheriff's Office for an off-duty event. The detail consists of providing security, traffic control, crowd control, and enforcing all local, state, and federal laws at the requested event.

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

The Carver County Board approves the off-duty contract between City of Norwood/Young America and the Carver County Sheriff's Office .

FINANCIAL IMPLICATIONS

Funding:

County Dollars	=	\$.00
Other Sources & Amounts	=	\$	_____
_____	=	\$	_____
TOTAL	=	<u>\$</u>	.00

Budget Information (✓ appropriate items):

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

Related Financial Comments: Costs to County billed to contractee.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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

Sheriff Byron 'Bud' Olson (or Designee)

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 the Scott-Carver-Dakota CAP Agency

Originating Department: Community Social Services

Agenda Date: 1/3/06

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)

The Scott-Carver-Dakota CAP Agency is interested in continuing to provide home-delivered meals to Alternative Care and Medical Assistance Waiver clients and noon meals to Carver County Care Center. In addition it will continue to provide Chore Services and Minor Home Adaptations to Alternative Care and Medical Assistance Waiver clients in Carver County.

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

To approve the attached contract with Scott-Carver-Dakota CAP Agency for the period, January 1, 2006 to December 31, 2006.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$ 16,668.00
Other Sources & Amounts =	\$
<u>MA Waiver Funds</u> =	\$ 98,432.00
TOTAL =	\$ 115,100.00

Budget Information (_ appropriate items):

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

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item United Behavioral Health Facility Participation Agreement

Originating Department: CSS Mental Health

Agenda Date: 1/3/06

Amount of Time Requested NONE

Supp. Doc. Attached (y/n):

Previous County Board Action, If Any none

Item Type: Consent X Regular Session _____ Discussion Session _____

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

This is a new contract relating to the fees received re: services that the Crisis Team provides. This contract will more than double the amount the Crisis Team will be billing for it's initial services to clients in the community that are covered with Medica Health Insurance. It will also allow the Crisis Team to do follow up "stabilization" visits that we will be able to bill for under this contract that we can not bill for with out this contract. This contract will allow us to go from our current rate of \$200 for an Assessment/ Intervention to \$500 per A/I and \$250 for each follow-up visit. Medica is the health insurance that is most prevalent in the County.

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

It is suggested that the Board vote for approval of this contract.

FINANCIAL IMPLICATIONS

Funding:
 County Dollars = \$00000
 Other Sources & Amounts =
 State grants/ M.A. fees = \$00000
 Insurance and fees = \$26,000
TOTAL = \$26,000

Budget Information (✓ appropriate items):
 Budgeted:
 Not Budgeted: **X**
 Amendment Required:
 (requires controller approval)

Related Financial Comments:
 New contract this is an estimate. **X**

REVIEWS AND APPROVALS AS REQUIRED

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

DEPARTMENT HEAD APPROVAL (Signature) _____

Date _____

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Senior Health Promotion Consultant Contract Renewal- Lutheran Social Service of Minnesota

Originating Department: Public Health

Agenda Date: January 3, 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)

The Metropolitan Area Agency on Aging (MAAA) renewed the grant award to Public Health in the amount of \$50,000 to carry out the Health Promotion Project, "Healthy Living Education Series for Seniors." These MAAA funds support senior health promotion and education related to nutrition, physical activity, medication management, mental health issues, and additional topics affecting elders such as arthritis, cardiovascular disease, and stress management. Public Health is requesting to renew the contract with Lutheran Social Service of Minnesota in the amount of \$47,000 to provide overall coordination and educational efforts for this project. The contract dates are January 1, 2006 through December 31, 2006 (effective when signed by all parties).

BOARD ACTION/MOTION REQUESTED (In proper format)

Motion to approve Senior Health Promotion Consultant Contract Renewal with Lutheran Social Service of Minnesota to coordinate and carryout educational efforts for the grant-funded MAAA Health Promotion Project, "Healthy Living Education Series for Seniors."

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$ _____
 Other Sources & Amounts = \$ _____ 47,000
TOTAL = \$ _____ 47,000

Budget Information (✓ Appropriate Items):

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

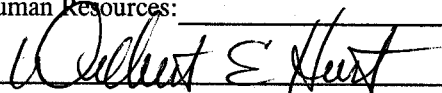
Related Financial Information:

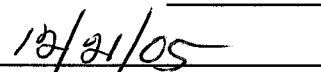
Contract expense has been included in the Public Health 2006 Budget in account 01-460-463-2365-6271.

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 2006 CONTRACT FOR POLICE SERVICE

Item Name: 2006 CONTRACT FOR POLICE SERVICE

Originating Department: Sheriff's

Agenda Date: January 3, 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):

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

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

2006 Contract for Police Service between Carver County and the City of Watertown.

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

FINANCIAL IMPLICATIONS

Funding:

County Dollars =
 Other Sources & Amounts = \$
Municipalities = \$222,345.95
 _____ = \$
TOTAL = \$222,345.95

Budget Information (_ appropriate items):

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

Related Financial Comments: Revenues receipted into program 01-201-201-0000-5574 Police Contracts

REVIEWS AND APPROVALS AS REQUIRED

_ All Reviews and Approvals Received:

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

Sheriff Byron 'Bud' Olson by Pamela Raser, Manager

12-27-05

DEPARTMENT HEAD APPROVAL (Signature)

Date

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: 2006 Carver County Official Newspaper

Originating Department: Administration

Agenda Date: 1/3/06

Amount of Time Requested: 5 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 X Regular Session _____ Discussion Session _____

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

Administration sought bids for publishing the following:

- Publication of delinquent real estate tax list
- Publication of county board proceedings
- First publication financial statement
- Second publication financial statement
- Publication of county board of equalization proceedings
- Official county newspaper for 2006

Bid notices were published in the Waconia Patriot, Carver County News, Norwood Young America Times, Chaska Herald and Chanhassen Villager.

The following bids were received:

Chaska Herald-\$2.52 per column inch, provided the copy to be published in the Chaska Herald is submitted electronically, emailed and submitted in a generic text format or as a Microsoft Word document.

Chanhassen Villager, \$7.27 per column inch, provided the copy to be published in the Chanhassen Villager is submitted electronically, emailed and submitted in a generic text format or as a Microsoft Word document. For the second publication of the financial statement, the Chanhassen Villager submitted a bid of \$3.25 per column inch.

No bids were received from the Waconia Patriot, Carver County News or Norwood Young America Times.

The 2005 bid for the official 2005 County newspapers was awarded to the Chaska Herald in the amount of \$2.86 per column inch and the second publication of the financial statement was awarded to the Chanhassen Villager in the amount of \$3.49 per column inch.

Motion to award bid for official 2006 Carver County newspaper to the Chaska Herald in the amount of \$2.52 per column inch and award bid for second publication of the financial statement to the Chanhassen Villager in the amount of \$3.25 per column inch.

FINANCIAL IMPLICATIONS

Funding:

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

Budget Information (Appropriate Items):

Budgeted: X
 Not Budgeted:
 Amendment Required:
 (requires controller signature)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

/s/David Hemze	12/27.05
DEPARTMENT HEAD APPROVAL	Date

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Contract with Southwest Newspapers

Originating Department: Administrative Services

Agenda Date: 1/03/06

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):

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

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

In 2005, the County published two Citizen newsletters (September and November) through a contract with Southwest Suburban Publishing. The budget for the two editions was \$11,400 with \$1,600 designated for miscellaneous expenses. The actual cost to produce the 44,000 newsletters was \$11,427.

For 2006, staff recommends producing six newsletters (February, April, June, August, October and December) in a similar format. The costs for 2006, after taking into account expected postage, paper, and labor increases is estimated to be \$5,800 per issue or \$34,800.00 for the six issues. It is also requested that \$2,000 be approved to cover the costs of circulation growth and for miscellaneous expenses. Staff will closely monitor and evaluate any expenses should they exceed \$34,800.

It is recommended that we enter into a similar contractual agreement with Southwest Suburban Publishing to assist staff in newsletter development and distribution. Lisa Steinbauer, editor and manager of Southwest Suburban, would serve as our resource and contact person. Ms. Steinbauer has worked at Southwest Suburban since 2004 and is the project manager for several government publications, including *Chaska Today*, *City of Chanhassen Maple Leaf*, and *Eden Prairie's Life on the Prairie*. Prior to her current position, she was the marketing and communications manager for Ridgeview Medical Center and was responsible for their advertising, public relations, marketing, writing, editing and publication coordination. Ms. Steinbauer is a former member of the Cologne City Council and Cologne Planning Commission.

The County will have two opportunities to review the publication prior to the final printing. Further, it is anticipated that that April edition will allow County residents to provide feedback on the usefulness of the newsletter and what improvements can be made.

BOARD ACTION/MOTION REQUESTED (In proper format)

Motion to approve contract with Southwest Newspapers.

FINANCIAL IMPLICATIONS

Funding:
 County Dollars = \$36,800
 Other Sources & Amounts = _____ = \$
 _____ = \$
TOTAL = \$36,800

Budget Information (✓ Appropriate Items):
 Budgeted: X
 Not Budgeted:
 Amendment Required:
 (requires controller signature)

Related Financial Comments: Other funding sources will be pursued such as educational grant funding through Environmental Services.

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

County Attorney: _____ Risk Management: _____
 Human Resources: _____ Controller: _____
Steven H. Taylor 12/27/05
 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): Information Services – MCCC Payroll Software Ratification

Originating Department: Information Services

Agenda Date: 1/03/2006

Amount of Time Requested: With Consent

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)

This board action is a recommendation to ratify the MCCC Agreement for the replacement of the current MCCC member counties solution to payroll/employee relations application. The current application runs on the AS400 platform and is not keeping pace with the need for employee self service, employee relations data base management, report generation, and applicant tracking needs. Through the county membership with MCCC an RFP for solution was issued, vendor demos, interviews, site visit, and customer reference were conducted, and finally a recommendation to the MCCC full financial user group for replacement of our current MCCC payroll application solution. The final product recommendation is Optimum Payroll/Employee Relations Solution and will continue to run on the county existing AS400 platform. Carver County played an active role in the process with committee members from both Finance and Employee Relations; and I.S. worked with the MCCC technical committee to determine county technical requirements. The functionality of the Optimum product is better suited for Carver County than our current payroll only software and is what is referred to as more state of the art in design and technical approach. The total license purchase price and first twelve months of maintenance is \$117,239. The license purchase and first year maintenance funds exist as part of Information Services 2005 budget.

Payroll Processing Software Modules include -

- Human Resources Software
- Applicant Tracking Software
- Employee Self Service Software
- Opti Alerts Software (ex., electronic open enrollment notification to employees)
- Cognos Software (report design and creation software)

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

With consent, motion for county board chair to sign the software ratification as a member of MCCC.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	\$ 117,239
Other Sources & Amounts =	
_____ =	\$
TOTAL =	\$ 117,239

Budget Information (✓ appropriate items):

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

Related Financial Comments: Purchased approved within the Information Services department 2005 budget process.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

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

DEPARTMENT HEAD APPROVAL (Signature)

Date

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Delegate Commissioner Claims and Social Service Client Claims Approval

Originating Department: Administration

Agenda Date: 1/3/06

Amount of Time Requested: NA

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)

The County Board will be setting their 2006 County Board meeting schedule at their organizational session. In the event the Board does not meet a particular week, and in order to process the Social Service client claims which are reimbursing clients for out of pocket expenses, the Social Service claims to vendors for services that have immediate impact, as well as the weekly Commissioner claims on a timely basis, the County Administrator is requesting authority to approve the Commissioner Claims, the Social Service client claims and the Social Service vendor claims for client services the weeks in 2006 the County Board does not meet. The Board would formally approve these claims at a following Board meeting.

Board Action/Motion Requested:

Motion to delegate the County Administrator the authority to approve Commissioner claims, Social Service client claims and Social Service vendor claims for client services for the weeks in 2006 when the Board does not meet.

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)

/s/ David Henze 12/27/05
DEPARTMENT HEAD APPROVAL **Date**

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

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Zumbro River Constructors' (ZRC) request for grading/filling

Originating Division: Land & Water Services, Land Management

Agenda Date: January 3, 2006

Amount of Time Requested: 10 minutes

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

Previous County Board Action, If Any):

Item Type: Consent ___ Regular Session X Discussion Session

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

File #PZ20050067. The Planning Commission recommended approval of ZRC's request for the placement of approximately 200,000 cubic yards of material (muck) on Dave & Stephanie Gestach's property, located in Section 25 of Laketown Twp. The muck is being removed from the new Hwy 212 & Hwy 101 intersection, located in Chanhassen. The project is intended to improve the farmland on the westerly side of Gestach's property and would return to crop/hay production as soon as possible in 2006. ZRC plans to haul 24 hours per day in an effort to complete the project this winter. The Planning Commission directed ZRC to provide notice to the landowners along the new haul route of the extended hours and heavy truck traffic. ZRC indicated that the notices would be mailed on December 23rd and they have scheduled a public informational meeting on December 29th, at 6:00 p.m., at the Chaska Community Center. Laketown Township recommended approval of the applicant's request, noting that township roads would not be utilized.

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

A motion adopting findings of fact and issuing Order #PZ20050067 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 APPROVAL (Dave Drealan)

27 Dec 05
 Date

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

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20050067

RESOLUTION #: 05-47

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

FILE #: PZ20050067

APPLICANT: Zumbro River Contractors

OWNER: David & Stephanie Gestach

SITE ADDRESS: 10075 Guernsey Ave, Chaska

PERMIT TYPE: Land Reclamation (Filling)

PURSUANT TO: County Code, Chapter 152, Section 152.080 C4

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 07-025-0100

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of December 20, 2005; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Dave & Stephanie Gestach own eighty (80) acres located in Section 25 of Laketown Township. The property is located in the Agricultural Zoning District, Agricultural Preserve Program (until 2011) and the Carver County Water Resource Management Area (CCWRMA) – West Chaska Creek.
2. The applicant, Zumbro River Constructors (ZRC), is requesting a Conditional Use Permit (CUP) for the grading and placement of approximately 200,000 cubic yards of fill material. The material to be placed on the Gestach property would be hauled from the newly designed TH 212 road project. The requested CUP is pursuant to Section 152.080 C4 of the Carver County Zoning Code.
3. The project is considered "land reclamation" and based on the volume of material being moved it is appropriate to consider the request as a conditional use. The strict mining standards would not necessarily apply to this type of request.
4. Zumbro River Constructors is in the process of constructing the new TH 212 bypass extending from Eden Prairie to the existing TH 212/Co Rd 147 intersection. The fill material is approximately 200,000 cubic yards of excess material from the road project in the Chanhassen area at Hwy 101. The muck material that would be hauled to the Gestach property would be utilized to fill an area on the westerly portion of the property. The fill would allow the property owner to better farm the land by reducing some of the steep slopes. The applicant is anticipating beginning site grading as soon as possible after CUP approval and would likely complete all restoration activities by the end of 2006.
5. The operation (hours, etc.) would be in conjunction with the highway construction. The proposed hours of operation would be 7:00 a.m. to 7:00 a.m. (24 hours a day), except that no hauling would occur from 7:00 p.m. Saturdays to 7:00 a.m. Mondays. The Chanhassen City Council approved ZRC's request, to allow for nighttime work, at their December 12, 2005 meeting. The applicant has stated that the reason for proposing 24 hour hauling is to help minimize daytime traffic on the existing roads. The applicant has indicated that water tight tri-axle, quads, end dumps and side dumps will be utilized to deliver the material to the site. The applicant has been working with the City of Chanhassen, Chaska and Carver County to allow for this activity. The Planning Commission has directed the applicant to provide notification to landowners along the new haul route (i.e. Chaska & Laketown) to alert them to the extended hours and

periods of heavy hauling. The applicant has indicated that they have a "hot line" that the public can call with concerns and complaints. The hauling would take place approximately January through March 2006.

6. The Carver County Public Works Department has an approved permit with Zumbro River Constructors, LLC for the use of Carver County Roadways as haul roads for the TH 212 design build project. That permit allows for hauling of construction materials to and from the TH212 Design/Build project on certain roadways. County Road 11 is not on that approved permit; however, according to Bill Weckman, Assistant County Engineer, the permit can be amended to include additional roads. As part of the Public Works permit, ZRC must supply the County reports on daily loads on these routes as completed under the permit. Information in the hauling reports would include roadways used along with direction of loaded material, number of loads, material hauled, and truck type.
7. The project would be considered a Level 3 Water Rules project. The applicant has submitted the application and paid the application fee. The grading, storm water management & erosion control plans have had a preliminary review by the Carver Soil & Water Conservation District (SWCD) and County Consultant Engineer (Wenck & Assoc). Before hauling would be authorized, detailed plans with construction specifications would need to be submitted and approved by SWCD and County Land & Water Services. SWCD has stated that a drain tile system may be needed under the fill area to collect seepage from the heavily saturated material. Final grades, sediment controls, turf establishment (seeding) and overall restoration and temporary/permanent drainage controls would be addressed by the "Level 3" review.
8. The Laketown Town Board recommended approval of the Conditional Use Permit request at their November 14, 2005, Town Board Meeting.

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:

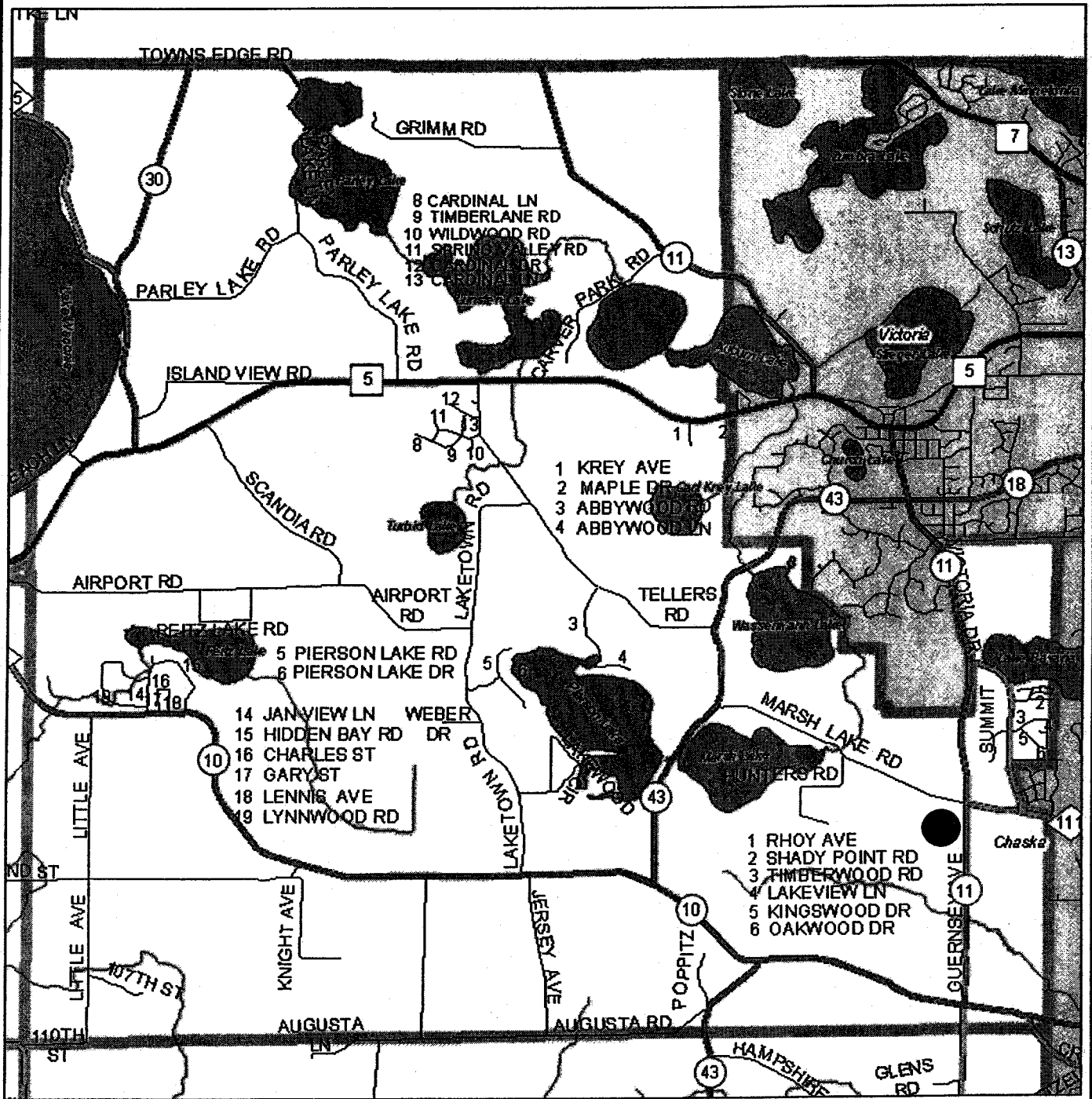
1. The permit is subject to administrative review.
2. Operations shall be substantially in accordance with the application letter (dated: 12/6/05) and the submitted site plans. The hours of operation would be 7:00 a.m. to 7:00 a.m. (24 hours a day), except that hauling shall not occur from 7:00 p.m. Saturdays to 7:00 a.m. Mondays. Notification shall be provided to landowners on the hearing notice list and along the new haul route to alert them to the extended hours, periods of heavy hauling and the existence of the company "hot line". The hauling of soil (i.e. muck) to the site shall be completed by April 30, 2006.
3. The Permittee shall obtain the appropriate access permit and/or approval(s) from Carver County Public Works before hauling commences. The construction access shall be considered temporary in nature and must be restored to a field access driveway when the project is completed. Measures must be implemented to minimize tracking onto the County Road and a sweeper shall be utilized immediately if the need arises.
4. Compliance with the "Level 3" Water Rules standards is required. A Grading Plan (including restoration), Erosion/Sediment Control Plan and Stormwater Management Plan shall be prepared and implemented in accordance with the Water Rules before any work commences. Permittee shall obtain an NPDES (National Pollution Discharge Elimination System) permit as required by the MPCA. The plans shall include a survey of the existing conditions. An "as-built" survey shall be prepared by the Permittee, which must be submitted to Carver County Land & Water Services before the restoration would be considered for approval. Said plans may be subject to revisions and modifications by Carver County Land & Water Services Division.
5. The recommendations from SWCD (12/11/05) and Wenck Associates (12/19/05) shall be attached to and considered part of the permit. As determined by SWCD, an appropriate drain tile design may be required under the fill area to collect seepage.
6. A 5:1 or flatter slope is required for the finished grade.

7. Compliance with the Wetland Conservation Act (WCA) is required (wetland avoidance is mandatory). Applicant must contact the SWCD office for wetland verification/determination.
8. Permittee shall provide a \$10,000 performance security in a form acceptable to the County, naming the County as obligee. The obligor and its sureties hereby indemnify and save the County harmless from all losses, costs, and charges that may occur to the County because of default.
9. The Permittee shall furnish to the County a certificate of Insurance providing coverage by an insurance company duly licensed by the State of Minnesota indicating that the Permittee has in force coverage for public liability, vehicle liability, loading and unloading, completed operations liability, explosion and collapse of underground operations liability, and bodily injury liability in the amount of at least \$1,000,000 for injury of any one person in any one occurrence. Property damage insurance coverage shall be in force with a minimum amount of at least \$1,000,000. Further, the Permittee shall furnish proof of workman's compensation coverage. Insurance certificate(s) described above shall carry an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
10. Insurance coverage required above shall be kept in effect for the duration of the permit. If the permit is to be terminated, insurance shall be maintained until the completion of restoration and return of the performance security.

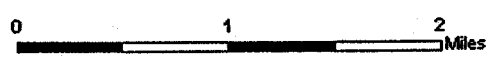
ADOPTED by the Carver County Planning Commission this 20th day of December, 2005.

Randy Maluchnik
Planning Commission Chair

Laketown 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
 April 21, 2005

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Semi annual meeting of the Carver County Regional Rail Authority

Originating Department: Administration

Agenda Date: 1/3/06

Amount of Time Requested: 5 minutes

Supp. Doc. Attached (y/n)

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)

In 1987, the Carver County Regional Rail Authority was established. The Regional Rail Authority needs to appoint a Chair, Vice Chair and Secretary/Treasurer to the Carver County Regional Rail Authority for 2006.

Motion appointing Chair, Vice Chair and Secretary/Treasurer for 2006.

FINANCIAL IMPLICATIONS

Funding:

County Dollars = \$

Other Sources & Amounts = \$

_____ = \$

_____ = \$

TOTAL = \$

Budget Information (Appropriate Items):

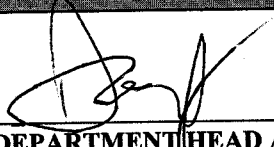
Budgeted:

Not Budgeted:

Amendment Required:
(requires controller signature)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED (Signatures)


12/27/05
 _____ Date

DEPARTMENT HEAD APPROVAL

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