

Carver County Board of Commissioners
 Regular Session
 November 28, 2006
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

- | | | | | |
|------------|-----|------|--|---------|
| 9:00 a.m. | 1. | a) | CONVENE | |
| | | b) | <i>Pledge of Allegiance</i> | |
| | | c) | <i>Introduction of New Employees</i> | |
| | 2. | | Agenda review and adoption | |
| | 3. | | Approve minutes of November 14, 2006 Regular Session | 1-2 |
| | 4. | | Public participation (Comments limited to five minutes) | |
| | 5. | | Community announcements | |
| 9:05 a.m. | 6. | | CONSENT AGENDA | |
| | | 6.1 | Replenishment of funds in statutory contingency account..... | |
| | | 6.2 | Resolution of conveyance of County owned property | |
| | | 6.3 | Abatements/additions | |
| | | 6.4 | Flooring contract-Lake Minnewashta Regional Park..... | |
| | | 6.5 | Professional service agreement for hazardous materials survey | |
| | | 6.6 | Deep Rock Water Company contract | |
| | | 6.7 | Safe and Sober grant..... | |
| | | 6.8 | Information Services-digital photo copy equipment maintenance.. | |
| | | 6.9 | Community Social Services' warrants..... | NO ATT |
| | | 6.10 | Commissioners' warrants | SEE ATT |
| 9:05 a.m. | 7. | | ADMINISTRATION | |
| | | 7.1 | Carver County Year 2007 Legislative Priorities..... | |
| 9:25 a.m. | 8. | | ADMINISTRATIVE SERVICES | |
| | | 8.1 | Library request for 2007 budget appeal..... | |
| 9:45 a.m. | 9. | | LAND AND WATER SERVICES | |
| | | 9.1 | Inform Board of successful outcomes in the Hanson mine and
Kuhl feedlot cases | |
| 10:00 a.m. | 10. | | EMPLOYEE RELATIONS | |
| | | 10.1 | Commercial drivers license policy..... | |
| 10:20 a.m. | 11. | | ADMINISTRATION | |
| | | 11.1 | Presentation by Metropolitan Mosquito Control | |
| 10:45 a.m. | | | ADJOURN AS COUNTY BOARD AND CONVENE AS
CARVER COUNTY DITCH AUTHORITY | |

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on November 14, 2006. Chair James Ische convened the session at 9:05 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.

Degler moved, Workman seconded, to approve the minutes of the November 7, 2006, Regular Session. Motion carried unanimously.

Under public participation, James Kuhl, San Francisco Township, brought to the Board's attention a recent article on new transportation services being available to residents. He stated this raised the question of transportation services that are being offered by the County. He explained how the CART buses calculated trips and suggested they should be tracking the number of citizen served instead. Kuhl also questioned if buses were really needed and if vans should be used instead.

Community announcements were made by the Board.

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

Contract for professional services with Richard Neubarth.

Resolution #106-06, Professional Service Agreement between Metro Air and Carver County for Lake Minnewashta Caretaker House Furnace Replacement.

Contract for continuation of immunization registry grant funding.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Martin Walsh, Parks, outlined the status of the proposed sliding hill at Lake Waconia Regional Park. He noted a sliding hill had been originally identified in the Park's master plan and indicated the surplus material from the TH 5 project was used enhance the hill for sliding purposes.

Walsh explained a site analysis was done, the grade work was completed and erosion control is in place. He indicated they have been visiting with MCIT personnel and the County Attorney's office related to loss control as well as developing signage and creating an emergency access. Walsh indicated they will next be evaluating the performance of the hill and, in the interim, are recommending that the hill be closed. He stated MCIT is recommending that the Board adopt an operations plan and draw a public awareness that the hill is closed at this time. He stated, if the conditions were right, they may be able to open a later date.

Lynch moved, Workman seconded, to implement phase one of the hill management plan by officially designating the hill as closed until further notice. Motion carried unanimously.

David Hemze, County Administrator, requested the Board adopt 2007 legislative priorities. He noted they previously reviewed the issues in a work session and he was now asking them to formally adopt. Hemze stated the intent is to work on the list with the local legislative delegation.

Hemze summarized the eleven issues and the financial effects to Carver County. The Board discussed if the priorities would result in asking support for a tax increase and whether they needed to be more specific in the area of funding. Hemze stated establishing priorities was about what the County was interested in seeing occurring.

The Board requested further information be gathered related to the financial impacts of the legislative priorities and that the matter be brought back in two weeks.

Degler moved, Lynch seconded, to go into closed session at 10:07 to discuss labor negotiations. Motion carried unanimously.

The Board adjourned the closed session and Regular Session at 11:10 a.m.

David Hemze
County Administrator

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



REQUEST FOR BOARD ACTION

AGENDA ITEM : Replenishment of funds in statutory contingency account

Originating Division: Attorney

Meeting Date: 11/28/06

Amount of Time Requested: 5 minutes

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: Requesting replenishment of 2006 funds with an additional \$7,500.00. Attached is a printout of funds used this year. The need for expert witness testimony and review of records for various cases is the reason this account needs to be replenished. We are anticipating that additional funds may be needed from this account before the end of 2006.

ACTION REQUESTED: Motion approving an additional \$7,500.00 to account 01-090-000-0000-6822, County Attorney Contingency.

FUNDING

County Dollars = \$7,500.00

Other Sources & Amounts =

= \$

TOTAL = \$7,500.00

Related Financial Comments:

FISCAL IMPACT None Included in current budget Budget amendment requested Other: Reviewed by Division Director*Michael H. Fahney*

Date:

11/19/06

01-090-000-0000-6822 ATTORNEY CONTINGENT

DISB BRUGGEMEYER MD/KAREN	18483	5/06	060505-333	252318	5/05/06	4,800.00	EXPERT WITNESS
DISB HACKETT M.D., P.A./M	12480	10/06	061020-333	258547	10/20/06	8,400.00	EXPERT WITNESS
DISB MIDWEST MONITORING A	14871	9/06	060901-333	256691	9/01/06	26.50	MONITOR/FE0623835
DISB MIDWEST MONITORING A	14871	9/06	060922-333	257412	9/22/06	164.30	AUG06 MONITOR
DISB MIDWEST MONITORING A	14871	10/06	061027-333	258666	10/27/06	159.00	GPS MONITOR
DISB MIDWEST MONITORING A	14871	11/06	061117-333	259650	11/17/06	164.30	OCT06 GPS-CAR
DISB RINKE NOONAN ATTORNE	18804	9/06	060922-333	257417	9/22/06	277.50	DOC REVIEW O-06-24159
* 01-090-000-0000-6822 ATTORNEY CONTINGENT				TOTAL...		13,991.60	* YTD

6800 - 6899 OTHER EXPENDITURES TOTAL... 13,991.60 ... SUBTOTAL BY OBJECT RANGE ...

BUDGET AMENDMENT REQUEST FORM

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

DEPARTMENT: Attorney

Date of County Board Session: 11/28/06

Revenue

Description of Account funds are to be transferred from:	Amount	Description of Account funds are to be transferred to:	Amount
Contingency	\$ 7,500	Attorney Contingency	\$ 7,500
TOTAL:	\$ 7,500	TOTAL:	\$ 7,500

A. Reason for Request: See Board Action.

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

C. Contingency Acct. Beginning Bal (01/01/05): \$ 300,000

D. Contingency Acct. Current Bal.: \$ 253,800

E. Current Balance After Adj.: \$ 253,800

F. Requested By:

G. Recommend Approval: Finance Director

H. County Board Decision: Approval/Disapproval



REQUEST FOR BOARD ACTION

AGENDA ITEM : Resolution of conveyance of County owned property

Originating Division: Administrative Services

Meeting Date: November 28, 2006

Amount of Time Requested: N/A

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: At the November 7, 2006 meeting, the Board agreed to support the conveyance of 6.26 County owned land to the City of Carver to facilitate the construction of a sewer line which will connect the City into the MCES system. The purchase price for the parcel will be \$10,105.00.

The conveyance to the City by the County would be subject to an easement reserved by the County along the northwesterly portion for future expansion of CSAH #40. The City will, once the County has approved the conveyance (but before the conveyance actually occurs) approach the United States Fish and Wildlife Service and offer to convey the parcel the City acquires from the County to USFWS in exchange for a roadway right of way easement in favor of the County over an adjoining parcel owned by USFWS to facilitate future expansion of CSAH # 40.

Additionally, the City of Carver has agreed to pay the County the difference between the value of the right of way easement and the value of the land being conveyed to the City. We expect this to total approximately \$10,000.00 as the land itself is unbuildable and is steeply sloped.

ACTION REQUESTED: Motion to adopt resolution to authorize conveyance of County owned property to the City of Carver

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:

Related Financial Comments: The City of Carver has agreed to pay the County \$10,105.00 for the purchase of the property.

 Reviewed by Division Director

Date: 11/15/06

CARVER COUNTY BOARD RESOLUTION NO.: _____

RESOLUTION PERMITTING THE CHAIRMAN OF THE CARVER COUNTY BOARD TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF REAL PROPERTY

**State of Minnesota
County of Carver**

WHEREAS, the City of Carver desires to acquire from Carver County real property located in the City of Carver.

WHEREAS, Carver County will receive the sum of \$10,105.00 and other good and valuable consideration for the real property.

WHEREAS, the County Board finds that it would be in the public interest to convey the real property to the City of Carver.

THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners authorizes the sale of the real property and further authorizes James Ische, Chairman of the Carver County Board of Commissioners, to sign on behalf of Carver County certain documents related to the sale of the property.

ADOPTED BY THE CARVER COUNTY BOARD OF COMMISSIONERS ON NOVEMBER ____, 2006.

James Ische, Chair
Carver County Board of Commissioners

ATTESTED TO:

Dave Hemze
Carver County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Abatements/Additions

Originating Division: Auditor

Meeting Date: 11/28/2006

Amount of Time Requested: 0 minutes

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** See Attached**ACTION REQUESTED:****FUNDING**

County Dollars = \$-1,006.30
 Other Sources & Amounts = -2,259.70
 = \$
TOTAL = \$-3266.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other: Not Budgeted

Related Financial Comments: Reviewed by Division Director

Date: 11-17-06



Office of County Auditor
 Carver County Government Center
 Administration Building
 600 East Fourth Street
 Chaska, Minnesota 55318-2102
 Phone (952) 361-1910
 Fax (952) 361-1919
 www.co.carver.mn.us

Mark Lundgren
 County Auditor
 Phone: (952) 361-1905
 Email: mlundgren@co.carver.mn.us

Laurie Engelen
 Assistant County Auditor
 Phone: (952) 361-1907
 Email: lengelen@co.carver.mn.us

**Abatements presented to the
 Carver County Board of Commissioners
 November 28, 2006**

Payable Year	Parcel Number	Name	Original Tax Amount	Adjusted Tax Amount	County Dollars Abated	Total Amount of Adjustment
2004	20-4500050	Christian & Jeanne Andersen	4,032.00	3,212.00	-243.49	-820.00
2005	20-4500050	Christian & Jeanne Andersen	3,896.00	3,168.00	-223.97	-728.00
2004	65-4770090	Kenneth Lever	4.00	0.00	-1.48	-4.00
2005	65-4770090	Kenneth Lever	6.00	0.00	-2.69	-6.00
2006	65-4770090	Kenneth Lever	6.00	0.00	-2.06	-6.00
2006	M30-9510248	Cory & Jason Cross	252.00	172.00	-32.56	-80.00
2006	65.1000250	David & Cheryl Heitkamp	1,596.00	1,468.00	-61.93	-128.00
2006	58-6510040	Mylo Leistiko	656.00	434.00	-94.23	-222.00
2006	30-2430010	Betty Schindler	2,230.00	2,000.00	-95.62	-230.00
2006	30-0053220	Brian Collins	4,560.00	4,372.00	-77.67	-188.00
2006	25-4810030	Larry & Lisa Nelson	3,324.00	3,202.00	-52.81	-122.00
2006	30-4300190	John & Gladys Warren	2,092.00	1,360.00	-117.79	-732.00
						0.00
			\$22,654.00	\$19,388.00	-\$1,006.30	-\$3,266.00



Office of County Assessor
Angela Johnson
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, Minnesota 55318-2102
Phone: (952) 361-1960
Fax: (952) 361-1959

**Abatements presented to the
Carver County Board of Commissioners**

The following parcels are to receive the homestead credit for the 2005 assessment payable 2006, they are recommended for approval by the County Assessor.

25-481-0030	Larry Nelson	Residential
30-005-3220	Brian Collins	Residential
30-243-0010	Betty Schindler	Residential
58-651-0040	Mylo Leistiko	Residential
65-100-0250	David Heitkamp	Residential

The following parcel is to receive a reduction in the building value as there was an error on the sq. footage; this is for the 2003 assessment payable 2004, and also 2004 assessment payable 2005. These are recommended for approval by the County Assessor.

20-450-0050	Christian Anderson	Residential
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The following abatement is for a parcel that was dedicated to the public for a road, it is to be classified as Tax Exempt for the 2003 assessment payable 2004, 2004 assessment payable 2005, and 2005 assessment payable 2006. This is recommended for approval by the County Assessor.

65-477-0090	Kenneth Lever	Residential
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The following abatement is for a property that had fire damage; this is for the 2005 assessment payable 2006. This is recommended for approval by the County Assessor.

30-430-0190 John Warren Residential

The following abatement is for a Mobile Home, where the owners failed to apply for the homestead credit, this is for the 2006 assessment payable 2006. This is recommended for approval by the County Assessor.

30-951-0248 Cory Cross Residential



REQUEST FOR BOARD ACTION

AGENDA ITEM : Flooring Contract - Lake Minnewashta Regional Park

Originating Division: Public Works/Parks

Meeting Date: November 7, 2006

Amount of Time Requested: None

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: Kitchen, garage entry and front entry flooring of the Caretaker house at Lake Minnewashta Regional Park is worn and in need of replacement. The proposed project replaces the existing 20 year old vinyl flooring. Replacement maintains home for the caretaker service. Caretakers are not employees of the County, but receive a reduced rent for the services of opening and closing the park, performing minor maintenance duties, locking of buildings, coordination with groups and maintaining a visible presents in the park.

The following proposals were received.

Yetzer's \$2,786.3

Robert Leistiko \$ 3,552.90

ACTION REQUESTED: Motion to have the Board Chair sign the agreement with Yetzer's Floor To Ceiling Store..

FUNDING

County Dollars = \$ 2,786.3

Other Sources & Amounts = \$

TOTAL = \$ 2,786.3

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date:

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

Date: _____

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

PROFESSIONAL SERVICE AGREEMENT
BETWEEN
YETZER'S FLOOR TO CEILING STORE AND CARVER COUNTY
FOR THE INSTALLATION OF FLOORING AT
LAKE MINNEWASHTA REGIONAL PARK

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorize the Board Chair to execute the Professional Service Agreement between Yetzer's Floor to Ceiling Store and Carver County for the installation of flooring at the Lake Minnewashta Regional Park Caretaker Residence.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 7th day of November, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7th day of November, 2006.

County Administrator

s\parks\BA RES\ Yetzers LMP Caretaker Flooring



REQUEST FOR BOARD ACTION

AGENDA ITEM : Professional Service Agreement for Hazardous Materials Survey

Originating Division: Public Works - Parks

Meeting Date: 11/14/2006

Amount of Time Requested:

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The Parks Department is gathering information on the costs for the demolition of the buildings at the former Carver Scott Coop site within Lake Waconia Regional Park. It needs to be determined if there is any hazardous materials like asbestos which would need to be removed from the buildings before the buildings could be demolished or burned. Three proposals for the site inspection and hazardous material identification were received.

Applied Environmental Sciences, Inc - \$1,300.00
Nova Consulting Group, Inc - \$2,036.00
ENSR - \$4,000.00

Based on the lowest quote for the service, it is recommended that the board approve the professional service agreement with Applied Environmental Services, Inc. for the asbestos and hazardous materials survey of the former Carver Scott Coop Site.

ACTION REQUESTED: It is recommended the County Board authorize the Board Chair and County Administrator to sign the agreement.

FUNDING

County Dollars = \$
Other Sources & Amounts =
Met Council Grant SG -05-79 =\$1,300.00
TOTAL =\$1,300.00

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director

gmc

Date:

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

Date: 11/14/2006

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

PROFESSIONAL SERVICE AGREEMENT
BETWEEN
APPLIED ENVIRONMENTAL SCIENCES, INC. AND CARVER COUNTY
FOR ASBESTOS AND HAZARDOUS MATERIALS SURVEY AT THE OLD CARVER
SCOTT COOP FARM SITE.

BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorize the Board Chair and the County Administrator to execute the Professional Service Agreement between Applied Environmental Sciences, Inc and Carver County to replace the asbestos and hazardous materials survey at old Carver Scott coop. farm site.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 14 day of November, 2006, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14 day of November, 2006.

County Administrator



REQUEST FOR BOARD ACTION

AGENDA ITEM : Deep Rock Water Company/Preventative Maintenance Program for RO Units

Originating Division: Administration

Meeting Date: November 28, 2006

Amount of Time Requested: -0-

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:**

Facilities wishes to contract with Deep Rock Water Company to provide Preventative Maintenance Program for the 12 Reverse Osmosis Units/Water Coolers. The units serves various areas for potable water in the Carver County Government Center. The company has experienced acquisitions and new management. As a result Facilities found it necessary to revise and resubmit a contract for these services.

ACTION REQUESTED: Approve Contract with Deep Rock Water Company in the amount of \$3,600.00 for preventative maintenance for 3 years (\$1,200.00 per year).

FUNDING

County Dollars = \$3,600.00

Other Sources & Amounts =

= \$

TOTAL

= \$ 3,600.00

FISCAL IMPACT None Included in current budget Budget amendment requested Other:

Related Financial Comments: To be paid from Facilities account 01-110-000-0000-6260.

 Reviewed by Division Director

Date: 11/13/06



REQUEST FOR BOARD ACTION

AGENDA ITEM : Safe & Sober Grant

Originating Division: Sheriff

Meeting Date: 11/28/2006

Amount of Time Requested: 0

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: The Sheriff's Office is seeking approval to enter into contract with the State of MN for a Safe & Sober grant. The grant provides supplemental money to be used for increased traffic education and enforcement efforts. The grant requires specific traffic details that will be worked in conjunction with statewide efforts during the same time period. The grant begins on 10/1/2006 and concludes on 9/30/2007. This grant does not require matching fund contribution.

ACTION REQUESTED: Approval of grant and delegation of authority for Sheriff Olson to sign the agreement.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

= \$

TOTAL = \$*Related Financial Comments:***FISCAL IMPACT** None Included in current budget Budget amendment requested Other: Reviewed by Division Director

Date: 11/13/2006



REQUEST FOR BOARD ACTION

AGENDA ITEM : Information Services – Digital Photo Copy Equipment Maintenance

Originating Division: Administrative Services

Meeting Date: 11/21/2006

Amount of Time Requested:

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Information Services requests approval of agreement with Metro Sales for maintenance on county digital photo copy equipment.

The rate is based on maximum use allowance plus cost per copy in excess of maximum monthly volume allowance.

Cost - \$7,920 (annual cost, billed quarterly) and available in existing budget.

ACTION REQUESTED: Motion for county board chair to sign maintenance contract with Metro Sales.**FUNDING**

County Dollars = \$7,920

Other Sources & Amounts =

= \$

TOTAL = \$7,920*Related Financial Comments:* Part of 2006 budget.**FISCAL IMPACT** None Included in current budget Budget amendment requested Other: Reviewed by Division Director

Date: 10/30/2006



REQUEST FOR BOARD ACTION

AGENDA ITEM : Carver County Year 2007 Legislative Priorities

Originating Division: Administration

Meeting Date: 11/28/06

Amount of Time Requested: 20 minutes

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: The Board reviewed the attached legislative priorities during a November 14 regular session. Additional information was requested related to the tax impact of certain priorities. Responses to that request are also attached.

ACTION REQUESTED: Motion to adopt Carver County's 2007 legislative priorities.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL

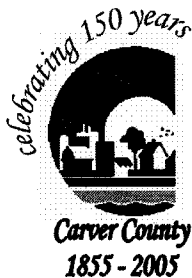
= \$

FISCAL IMPACT None Included in current budget Budget amendment requested Other:

Related Financial Comments: Each of the legislative issues has a significant financial impact that is summarized in the document.

 Reviewed by Division Director

Date: 11/21/06



**Land & Water Services Division
Carver County Government Center
600 East 4th Street
Chaska, Minnesota
(952) 361-1820 fax (952) 361-1828**

Date: 16 November 2006

To: Carver County Board of Commissioners; County Administrator
From: Dave Drealan, LWS Director; Mike Lein Env. Services Manager
Subject: E-Waste Legislation

We were asked to answer the following question regarding proposed E-Waste (Electronic Waste) legislation:

“will the requested legislative position translate into a tax or fee increase at some level of government?”

The short answer is “No”. The intent of the legislation is to reduce the amount of funds government has to expend in order to properly recycle and dispose of electronic waste (e-waste).

In order to answer the question there needs to be an understanding of the economics of the process. There a certain cost associated with the processing of an electronic item. This cost is the sum of the costs of the processes necessary to recycle & dispose of any given item. The legislation would have no immediate, direct effect on this cost. The cost is reduced by the value of any reusable materials produced during processing. The remaining cost is paid for by someone - in the current system the cost is borne partly by the consumer as a disposal fee when the device is accepted at the collection point. The remaining costs are typically paid by the governmental unit operating the collection facility by variety of fees and/or taxes - solid waste service fees, General Levy funds, and a mix of State funds derived from a variety of waste related sources. Currently the manufacturers and retailers have no part in the funding of the processing of e-waste processing (other than their role as taxpayers). The intent of the legislation is to move some of the processing cost from local government to the manufacturers and retailers. The net effect of this action would be to reduce the taxes or fees that government at whatever level will need to contribute to the cost of e-waste processing.

The idea behind this is that government and consumers should not be the only ones paying for the cost of electronics recycling – it should at least be shared with the retailers and manufacturers.

Right now Carver County provides electronics recycling at the Env. Center, Special Waste collections, and several cooperative efforts with local governments. We also collect illegally dumped electronics. These efforts are entirely paid for with fees from citizens/businesses, solid waste related grants from the State, our own Solid Waste Service Fee, and General Levy tax dollars. Even citizens that do not use these services are paying for electronics management via Solid Waste Service Fee and General Levy funds. Manufacturers and retailers provide no financial support and have no incentive to make electronics less hazardous or easier to recycle.

It is hoped that participation by retailers and manufacturers would lower our costs and thus result in stable or reduced collection fees and County collected funds. Manufacturers and retailers would likely pass some of these costs on to consumers. But this would create incentives for manufacturers/retailers to maintain a competitive edge by lowering these costs.

The system that almost made it thru the 2006 legislature would have required manufacturers/retailers to pay a registration fee to the State and provide disposal of electronics we collected. This would have resulted in reduced management costs at the Environmental Center which in turn would have resulted in stable or reduced user fees or reduced reliance on other County collected funds.

Dave Hemze

From: Bud Olson
Sent: Monday, November 20, 2006 10:03 AM
To: Dave Hemze
Subject: Legislative Agenda
Importance: High

Dave

In answer to Commissioner Workman's question "will the requested legislative position translate into a tax or fee increase at some level of government?"

Although we cannot predict legislative action, it is likely that at some point there would be a tax or fee increase, most likely on a statewide level. Most statewide radio systems have an operating subsidy from the state to lower user fees and to ensure participation from local agencies, without which the system would not be a success. The tax or fee increase could come from a variety of sources, such as the 911 fee.

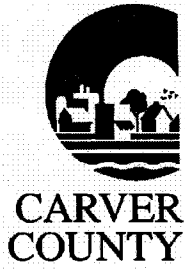
Previously the Metropolitan Radio Board (MRB) did fund these fees however after the sunset of the MRB and the creation of the Metropolitan Emergency Service Board (MESB), these funds were no longer fully available to assist the public safety agencies.

Bud

Sheriff Bud Olson
Carver County Sheriff's Office
606 E. 4th Street
Chaska, MN. 55318
Phone: 952-361-1212
bolson@co.carver.mn.us

"Our Mission is to serve everyone with Respect and Dignity and to do so with honor, integrity, and pride."

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2007 Carver County Legislative Priorities

11/14/06 (proposed)



Executive Summary

This document represents Carver County's legislative priorities for the year 2007. The County requests the support of the entire legislative delegation in on the following issues.

- Issue #1: Wheelage Tax**
- Issue #2: Mn/DOT Chaska Truck Station**
- Issue #3: Local Bridge Repair & Replacement Program**
- Issue #4: Federal FY 2008 Transportation Appropriations**
- Issue #5: Park and Open Space Funding Operation and Maintenance**
- Issue #6: State Funding for Federal Deficit Act Reduction Revenue Losses**
- Issue #7: MR/RC Waiver County Allocation Over Spending Repayment**
- Issue #8: Support Full Funding for the Local Implementation of the Local Public Health Act for Support of the Public Health Infrastructure**
- Issue #9: E-Waste -- Getting Rid of Old TVs and Computers Responsibly**
- Issue #10: Clean Water Legacy Act Impaired Waters Program Funding**
- Issue #11: 9-1-1 Funds to Help Off-Set Radio User Fee**

The background and requested position related to each of these issues is described in this document. Carver County looks forward to working directly with its legislative delegation to successfully enact this list of priorities.

Commissioner James Ische
Chair, Carver County Board of Commissioners

David Hemze
Carver County Administrator



CARVER
COUNTY

Issue #1: Wheelage Tax

Background

Current law allows counties in the metropolitan area to impose a wheelage tax. However, the law mandates that counties must reduce their transportation levy by the amount of revenue raised by the tax. It also limits the maximum tax to \$5 per vehicle and limits the proceeds to only being spent for highway purposes. The wheelage tax option should be extended to all counties and the levy offset, and the \$5 cap should be repealed. The revenues raised should be allowed to be used for both highway and transit purposes. The 2005 Legislature authorized counties to impose a county wheelage fee of up to \$20 per vehicles and eliminated the transportation levy offset. However, Governor Pawlenty vetoed the transportation funding package that included this provision.

Requested Position

Support legislation repealing the transportation levy offset and the \$5 per vehicle tax cap in the current county wheelage tax law.



**CARVER
COUNTY**

Issue #2: Mn/DOT Chaska Truck Station

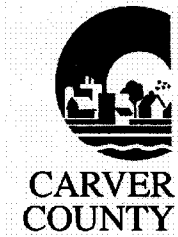
Background

Over the past couple years, Mn/DOT has discussed the possibility of partnering with Carver County in the establishment of a joint use truck station located in the area of the New TH 212 interchange and CSAH 11 (Formerly CR 147). The proposed co-tenancy in the new maintenance facility would provide the opportunity for the relocation of the County's Chaska Highway Maintenance operations from its current location.

State funding of the truck station facility was considered by the 2006 State Legislature but not included as part of the approved bonding package for State building facilities.

Requested Position

Support legislation funding the construction of the Mn/DOT Chaska truck station.



Issue #3: Local Bridge Repair & Replacement Program

Background

Carver County has experienced significant population growth and has bridges that may be structurally sound but are no longer capable of handling increased traffic volume. These operationally deficient bridges should be eligible for funding under the State bridge funding program. Bridges that are functionally obsolete or structurally deficient and new bridges on new or existing alignment should be eligible for funding under this program.

Requested Position

Support legislation adding a "new bridge" category to the Local Bridge Repair & Replacement Program to fund the construction of new bridges on new or existing county highway alignments where new bridges are needed to address highway network deficiencies caused by significant population growth and traffic volume increases.



Issue #4: Federal FY 2008 Transportation Appropriations

Background

Southwest Corridor Transportation Coalition submits requests to members of the Minnesota Congressional delegation for legislation to fund various transportation projects impacting Carver County and the surrounding area.

Requested Position

Support Southwest Corridor Transportation Coalition initiatives seeking federal legislation to fund various transportation projects impacting Carver County and the surrounding area.



Issue #5: Park and Open Space Funding Operation and Maintenance

Background

Metro Council and Regional Park Implementing Agencies are considering a legislative change to operations and maintenance funding.

Requested Position

Support legislation to change the State's funding for the operation and maintenance of the Metropolitan Area Regional Parks as defined by the finalized position of the Metropolitan Parks and Open Space Commission and the Metropolitan Council.



Issue #6: State Funding for Federal Deficit Reduction Act Revenue Losses

Background:

Congress passed the Deficit Reduction Act (DRA) in January 2006. DRA impacted a number of federal revenue sources that funded services provided by county social services departments. The largest of the impacts was to Targeted Case Management that is funded through Medical Assistance (Medicaid). For Carver County this amounts to a projected loss of \$750,000 in federal revenue that reimbursed case management services provided by county social workers to children and families, mentally ill persons, developmentally disabled individuals and vulnerable adults. Federal and state laws mandate services to these populations but the feds removed the funding and left the mandates. The County also projects that \$20,000 will be lost in federal revenue for social rehabilitation services for mentally ill adults. The DRA discontinued the practice of using federal child support incentive dollars to claim standard child support Federal Financial Participation (FFP) at 66%. The Paternity FFP of 90% was lowered to the standard child support FFP of 66%. The child support provisions are effective October 1, 2007. The CY2007 impact of the child support provisions is \$27,000. Annualized, that translates to \$108,000. If the county or state does not replace the lost federal revenue then the impact is \$80,000 for 2007 or \$320,000 on an annual basis.

The 2006 Legislature did not pass any legislation that provided funding to offset the loss of federal revenue from the DRA. The services are mandated. In essence, the state has let the loss of federal revenue slide down to the counties.

Requested Position

Support legislative changes that provide state funding to replace some or all of the federal revenue that has been reduced by the Deficit Reduction Act.



Issue #7: MR/RC Waiver County Allocation Over Spending Repayment

Background:

For CY2004 nine counties spent in excess of their Mental Retardation/Related Conditions (MR/RC) Waiver Allocation were required to reimburse the federal and non-federal share of the excess expenditures to the Department of Human Services. The statewide expenditure for the MR/RC Waiver was \$18 million under the statewide allocation.

As part of the State's budget crisis solutions, legislation was passed in the 1st Special Session in 2003 that made County agencies responsible for 100 percent of any spending in excess of the MR/RC Waiver Allocation. In CY2004 nine counties over spent their county allocation. The statewide spending for the MR/RC Waiver was under spent by \$18 million. Counties were given an opportunity to make case specific appeals to the Department of Human Services. The Department evaluated the appeals, forgave some of the over expenditures and three counties, Carver, Fillmore and St. Louis County were still required to reimburse the state of its over expenditures. In the 2006 Legislative Session the legislature granted a one year re-payment moratorium until May of 2007 for the over spending counties.

Carver County's CY2004 over expenditure amount is \$540,710. Carver County has challenged the state's methodology in setting our MR/RC Waiver allocation and the rebasing that has occurred as a result of the state budget crisis. Carver has the lowest per waiver average of the seven metro counties and the third lowest waiver average of the 20 largest counties in the state. Our MR/RC Waiver spending in CY2004 was the lowest amount per waiver of the seven metro counties and below the statewide average. The state's methodology of using actual expenditures to determine the new allocation would have an adverse affect on Carver County. In 2001 the state allowed an unprecedented open enrollment into the MR/RC Waiver. Carver County was caught short staffed and lacked providers, yet our waiver clients grew from 76 to 141. Individual service plans were formulated but the resources were not in the county to meet the client's needs. When the state took its expenditure "snap shot" in 2003 Carver County's service plans were not fully implemented. Those plans were fully implemented in 2004 but the waiver allocation had been revised. For 2002 Carver County was \$1.6 million under its waiver allocation.

Requested Position

Support legislative changes that allow reallocation of resources within the MR/RC statewide allocation and only seek repayment from over spending counties if the statewide spending exceeds the statewide allocation.



Issue #8: Support Full Funding for the Local Implementation of the Local Public Health Act for Support of the Public Health Infrastructure

Background:

In 2003, several state and federally funded public health programs were consolidated into one omnibus source for local public health activities, and then subsequently reduced by relying heavily on local property tax dollars to finance the public health system in Minnesota. The decrease was more than 30 percent in 2003.

The allocation of funding to each county was based on a dated formula that did not consider changing demographics and rapid population growth. Consequently, the 2004 Legislature asked the Minnesota Department of Health to do a study on the public health formula and consider making a recommended formula change; unfortunately, the proposed --and more equitable-- formula recommendation was not enacted into law in 2005.

In Carver County, state funding for public health services decreased by approximately 30 percent in 2003; state and federal funding levels have remained stable (at the decreased amount) in 2004, 2005, and 2006. At the same time, the Carver County population increases have increased the demands and needs for disease investigation, surveillance, and disease prevention; an increase in risk behavior outcomes for youth and adolescents; and, at-risk mothers and babies.

Requested Position

Support the allocation of additional Local Public Health Grant dollars to Carver County and provide indexing factors to our funding to account for inflationary factors.



Issue #9: E-Waste -- Getting Rid of Old TVs and Computers Responsibly

Background

Metropolitan counties know it's vital to give residents easy, convenient options for recycling old electronics. But today, there is a patchwork of recycling options that makes it a challenge for citizens to properly get rid of unwanted electronics. Metro counties, working together through the Solid Waste Management Coordinating Board, don't believe that government alone should assume this responsibility

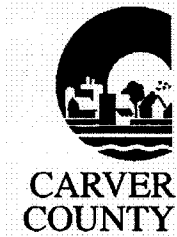
The Minnesota State Legislature recently prohibited putting TVs and computer monitors containing CRTs in the garbage, effective July 1, 2006. Therefore, there is a pressing need for easy, convenient options for recycling waste electronics, or e-waste. Also, Minnesota is not alone. Recent actions in other states and countries are building momentum for electronics recycling.

As the problem of e-waste grows, metro counties support a solution that involves consumers, government and electronics manufacturers in addressing the problem. The SWMCB wants consumers to seek recycling options for e-waste, government to help citizens find good options, and manufacturers to share the cost of collecting and recycling of products they produce.

Requested Position

Support electronic waste legislation that incorporates the following features:

- **Shared responsibility among manufacturers, retailers, generators as well as local governments that choose to participate in the management of electronic waste.**
- **Reliable and convenient recycling services for citizens.**
- **Recycling services for a broad range of electronic components including video display devices (VDD), central processing units, and associated peripheral products such as keyboards, mice, and printers.**
- **Responsible recycling and management of electronic wastes.**
- **The costs of recycling should be borne by manufacturers, retailers, consumers, or a combination thereof, without end-of-life fees. The cost of recycling should not be borne solely by local government.**



Issue #10: Clean Water Legacy Act Impaired Waters Program Funding

Background

The Federal Clean Water Act Legacy (CWLA) requires states to determine whether their lakes and rivers meet quality standards. Waters that do not meet those standards are considered impaired and the State must develop plans that determine pollution sources and reduce overall pollution to a level that allows the water to return to a healthy condition. Until impaired waters are effectively restored to meet Federal standards, community economic development opportunities in Minnesota (including job creation and tax base enhancements) are compromised.

- Funding would provide for the continued assessment of the state's waters, determine pollution causes and sources, and fund clean up of our water.
- Some of the resources would go to the Minnesota Pollution Control Agency (MPCA) for assessment of Total Maximum Daily Loads (TMDLs) that would benefit urban, suburban, township and rural residents by helping to determine the sources of pollutants, and a fair, scientifically sound and reasonable plan for reducing pollutant loads.
- The CWLA also creates new funding for communities to deal with existing and new regulatory requirements, including money for small communities to replace failed septic systems; subsidized loan funding for municipal wastewater, stormwater, and drinking water infrastructure.
- The TMDL testing will also ensure that as lakes and rivers recover, they are removed from the impaired waters list, eliminating the permitting restrictions of those areas as long as the water continues to meet standards.

Requested Position

Appropriate general fund monies to fund the assessment of the state's surface waters, prepare and implement TMDL (total maximum daily load) reports/projects, and remediate non-point sources of pollution within the state that are causing TMDL's to be exceeded.



Issue #11: 9-1-1 Funds to Help Off-Set Radio User Fee

Background:

The Metropolitan Emergency Services Board (MESB) was notified in 2005 that it would no longer receive funds from the 9-1-1 surcharge which had previously been used to pay for the ongoing operational and maintenance costs of the metro area Minnesota Allied Radio Maxtrix for Emergency Response (ARMER) system, of which Carver County is a partner. Without this funding source, the MESB must collect higher fees to pay for the system's cost. It should be noted that the fee does not include MESB board administration costs. These costs are directly assessed to the participating counties and the City of Minneapolis. The costs which are included in the user fee are leases, utilities, Motorola system maintenance, and MnDOT system maintenance.

The Statewide Radio Board (SRB) was created by the legislature in 2005 and agreed to assist the MESB in 2006, at the MESB's request, to lessen the sudden impact by providing up to \$500,000 to help pay for the costs associated with MnDOT system maintenance. In May 2006, the MESB made a request for 2007 financial assistance from the SRB. The MESB requested \$400,000 to again help cover a majority portion of the MnDOT maintenance costs. This amount of funding would have allowed the MESB to maintain the 2006 level of user fees to local public safety users. On June 22, 2006, the SRB allocated only \$325,000 to the MESB to assist with MnDOT system maintenance costs.

Though the MESB did not receive its requested level of funding, at the SRB meeting on July 11, 2006, the SRB voted to purchase for the metropolitan area an interim solution so that the 6.x metro ARMER system would be compatible with the 7.x Phase 3 ARMER system currently under construction. This purchase will cost the SRB approximately \$850,000, which would have otherwise likely been funded by assessments to system users.

In 2005, Carver County was informed by the MESB that 9-1-1 surcharge fees would not be available and we saw a 95% increase in its radio user fee from \$33 per radio to \$64.69 per radio for budget year 2006. For 2007, agencies will see a nearly 10% increase to \$71.03 per radio. There are over 600 radios in use in Carver County. This increase notice which was received after Carver County's 2007 budget submission will have a direct negative impact on next years budget. If user fees costs continue to escalate, many of our agencies using the system may not be able to afford to purchase and use the radios due to the yearly fee.

Requested Position

Support legislative changes that allow 9-1-1 funds to continue to help off-set radio user fees to those using the ARMER system.



REQUEST FOR BOARD ACTION

AGENDA ITEM : Library request for 2007 budget appeal

Originating Division: Administrative Services

Meeting Date: 11/28/06

Amount of Time Requested: 15

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Library Board of Carver County requests to appeal the County Administrator 2007 Library Budget recommendation and to add additional hours to four current library positions:

- Librarian/Teen Services/Outreach to provide service delivery to teens at the Chaska/Chanhassen Branch, .5 FTE to an existing position, adding benefits: \$38,271.00.
- Additional .38 FTE to three Librarian positions in the Western Cluster to equalize hours of service to better meet the needs of the branch libraries in Waconia, NYA and Watertown. No benefits added: \$19,063.

ACTION REQUESTED: Request direction from the Board on the Library appeal.**FUNDING**

County Dollars = \$57,334
 Other Sources & Amounts =
 = \$
TOTAL = \$57,334

FISCAL IMPACT

- None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Reviewed by Division Director

Date: November 19, 2006



REQUEST FOR BOARD ACTION

AGENDA ITEM : Inform Board of Successful Outcomes in the Hanson Mine & Kuhl Feedlot Cases

Originating Division: Land Water Services

Meeting Date: 28 Nov 2006

Amount of Time Requested: 10 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM: The County recently prevailed in 2 major legal cases the Hanson Mine CUP denial and a case regarding feedlot permitting brought by Mr. Jim Kuhl. Both of these cases required substantial time and effort on the part of staff, the County Attorney's Office, and the MCIT attorneys and staff. The Kuhl case in particular, because of its duration and number of venues, required a substantial commitment of County resources. All of the staff involved, Land Management (P&Z) and Environmental Services deserve credit for their work on these cases.

HANSON MINE CASE - this case resulted from a denial by the County Board of an application for a conditional use permit to expand an existing mine of about 19 acres to 135+ acres. The site was adjacent to the Minnesota River Bluffs and across the road from a residential area. The citizens, the applicant, County staff and the Township spend a lot of time and effort on the case. After several months of public hearings, the County Board voted to deny the application. The applicant subsequently took the case to the Court of Appeals. The Court of Appeals upheld the Board's ruling and found that 5 of the Board's findings supported denial. This case was cited in Quinlan Publishing's Zoning Bulletin, a national publication of significant land use decisions. The Land management County Attorney & MCIT staff did an excellent job on this case.

KUHL FEEDLOT CASE- this case stems from the construction of a liquid manure storage basin on the Halquist property across the from Mr. Kuhl's farm. Mr. Kuhl disputed the legality of the basin, cited failure to enforce laws, alleged inverse condemnation and other land use issues relating to the County's ongoing regulation of the Halquist operation. Mr. Kuhl initiated the suit in Federal Court in 2002. The Federal Court considered the suit, dismissed all of the Federal claims, and remanded the remaining claims to State court. The State court subsequently dismissed the inverse condemnation claim with prejudice. A trial took place in District court April 6-11, 2005. On August 26 Judge Kanning issued an order finding the County had complied with all applicable rules, regulations, ordinances, and laws relating to the permitting of the Halquist basin. Mr. Kuhl appealed the decision to the Court of Appeals; The Court upheld the District court ruling. The period to appeal to the Supreme Court has expired so this matter is at an end.

ACTION REQUESTED: None

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

TOTAL = \$

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date: 20 November 2006



REQUEST FOR BOARD ACTION

AGENDA ITEM : Commercial Drivers License Policy

Originating Division: Employee Relations

Meeting Date: 11/28/06

Amount of Time Requested: 5 minutes

Attachments for packet: Yes No

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

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The State of Minnesota changed the Commercial Drivers License (CDL) regulations in 2005 to comply with Federal law. The new regulations are considerably stricter than were the earlier regulations, especially in the area of personal driving violations being taken into consideration for the CDL.

The Public Works Labor Management Committee has studied the regulations, explored the policies of other Counties, and drafted a policy for Carver County which is presented here.

The policy complies with state law, provides guidance for individual situations which may arise, and offers some flexibility in response to an employee who may lose their CDL.

While the CDL policy was drafted by the Public Works LMC, they have sent it to the other area (Social Service Transport) for feedback and comments.

There will be a training session for all staff affected by this policy within two months of its approval.

ACTION REQUESTED:

Motion to approve and implement the Commercial Drivers License Policy in Carver County.

FUNDING

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

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments:

Reviewed by Division Director
Doris M. Krogman, Employee Relations

Date: 11/17/06

Commercial Driver's License (CDL) Policy

Purpose: In order to comply with state and federal statutes and protect County employees and resources, employees of Carver County are expected to retain the valid CDL, including necessary endorsements, required to perform their work as outlined in their job descriptions.

Employees who drive without a valid CDL shall be considered as acting outside the scope of their employment and subject to discipline in accordance with Carver County Personnel Rules & Regulations and the applicable Collective Bargaining Agreement.

Notification: The County shall inform each employee of the license requirement for their job as well as the reporting requirements should that license be suspended, revoked or modified.

Upon hire, the employee shall provide the CDL for the County to copy for its records.

Each employee required to have a CDL shall notify the employer upon renewal or revocation of the license within seven (7) days of that action. If an off-duty or out-of-state action causes revocation or suspension, the employee shall notify his/her immediate supervisor or manager within seven (7) days of the occurrence. The supervisor, manager or division director shall notify Employee Relations.

An employee who is called in to work due to emergency conditions shall notify the employer if s/he is not fit and able to operate the motor vehicle due to impairment.

If the employer decides to subscribe to a service to perform periodic checks on the CDL status of the employees, the employer shall notify the employees of that decision and process prior to implementation.

Training & Education: The employer shall notify each employee required to maintain a CDL of the current requirements to maintain such a license in orientation and again on a periodic basis. The education should include both basic requirements and recent policy or procedure revisions.

Pre-Hearing Loss of Driving Privilege / Alternative Assignment: If an employee who is required to maintain a CDL loses that license temporarily, the employee may be allowed to report to work only when the Department Manager or Division Director determines that work which does not require a CDL is available from the time the license is lost until the hearing is decided. The employee may use vacation, accrued compensatory time, or time without pay for the hours that the employee is unable to work because of license suspension. This does not include working or using compensated time during any disciplinary suspension without pay. Sick time may be appropriate in some situations, including inpatient chemical dependency treatment. The employee shall address these matters with his/her Division Director.

The County may be able to continue the employment of the individual who has lost the CDL in situations where:

- Driving is a minor or occasional part of the job,
- The employee is cooperative and willing to revise schedules or other conditions to modify their assignment while the license is not valid.

Post-Conviction: Once the employee's case has been decided by the DMV or the Courts, the employee may request alternate duties or schedules, a modified work assignment, or a leave of absence to accommodate the time the license is invalid, not to exceed one year. If the alternate work assignment is in a different classification and pay grade, the employee's wages shall be adjusted to reflect that classification for the duration of the assignment. An employee assigned to a temporary classification or alternative assignment, or on a leave of absence is expected to return to their previous classification upon having their CDL restored.

If an employee loses the CDL for a period of time in excess of one year, the employee shall be discharged for just cause.

Multiple Offenses: If an employee who is required to maintain a CDL for work loses their CDL for more than 30 days, more than once within a three (3) year period, the employee shall be discharged for just cause.

Connection with Drug & Alcohol Policy: An employee who is required to have a CDL is also subject to the Carver County Drug & Alcohol Testing Policy which addresses pre-employment, reasonable suspicion, random and follow-up testing.

References:

Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. A. Section 521)

Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. A. Section 113)

Code of Federal Regulations, Title 49, Subt. B, Ch. III, Subch. B. Pt. 383, Subpt. D

Minnesota Statute section 171.165, commercial Driver's License Disqualification



REQUEST FOR BOARD ACTION

AGENDA ITEM : Presentation by Metropolitan Mosquito Control

Originating Division: Administration

Meeting Date: 11/28/06

Amount of Time Requested: 20 minutes

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:** Jim Stark, Metropolitan Mosquito Control District Director, will present their 2006 program summary, 2007 budget and work plan to the County Board.**ACTION REQUESTED:** No action requested, information only.**FUNDING**

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$*Related Financial Comments:***FISCAL IMPACT** None Included in current budget Budget amendment requested Other: Reviewed by Division Director

Date: 11/20/06



REQUEST FOR BOARD ACTION

AGENDA ITEM : County Ditch Board

Originating Division: Auditor

Meeting Date: 11/28/06

Amount of Time Requested: 10 minutes

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:**

Request for clean out on County Ditch # 10 of beaver dam. Approximate cost should not exceed \$1,000.00

Request for repair of a sink hole in the County Ditch # 5 tile system. Since the problem is below ground, an exact estimate cannot be given. Mike Wanous believes it should be less than \$2500.00.

ACTION REQUESTED: Approval to proceed with above repairs on County Ditch # 10 and County Ditch # 5.**FUNDING**

County Dollars = \$

Other Sources & Amounts = \$

TOTAL = \$**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:*Related Financial Comments:* All costs are billed back to the respective ditch funds. Reviewed by Division Director

Date: 11/14/06