



Carver County Board of Commissioners
 November 17, 2015
 Board Meeting
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

- 4:00 p.m. 1. a) **CONVENE**
 b) **Pledge of allegiance**
 c) **Public comments (limited to five minutes)** *Anyone wishing to address the Board of Commissioners on an item not on the agenda may come forward at this time. Please limit your comments to five minutes.*
 d) **New Employee Introduction** 1
2. Agenda review and adoption
3. Approve minutes of November 3, 2015 Regular Session 2-4
4. Community Announcements
- 4:05 p.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy and livable communities*
- 5.1 Agreement with MnDOT for TH 101 maintenance between CSAH 61 and CSAH 18 5
- 5.2 Amendment to Professional Services Agreement with SRF Consulting Group Inc. for CSAH 10 Engineering Services 6
- Connections: Develop strong public partnerships and connect people to services and information*
- 5.3 IT Data Center Uninterruptible Power Supply 7
- 5.4 Agreement to upgrade ARMER system with payment starting in 2016 8
- 5.5 Suburban Counties Facilitation Contract 9-10
- 5.6 Resolution Designating November 15-21, 2015 American Education Week 11-12
- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.7 Transfer Planning & Zoning Authority to City of Waconia 13-16
- 5.8 Payment for Right-of-way Acquisition for Southwest Reconnection Project 17-21
- Finances: Improve the County's financial health and economic profile*
- 5.9 Certificate of County Board of Classification of Forfeited Lands 22-24
- 5.10 Review Social Services/Commissioners Warrants NO ATT
- 4:10 p.m. **RECESS AS COUNTY BOARD AND CONVENE AS THE CARVER COUNTY DITCH BOARD**
- 4:10 p.m. 6. **GROWTH: Manage the challenges and opportunities resulting from growth and development**
- 6.1 Ditch Assessments for Pay 2016 25

ADJOURN AS THE CARVER COUNTY DITCH BOARD AND RECONVENE AS THE CARVER COUNTY BOARD

- 4:15 p.m. 7. **CULTURE: Provide an organizational culture which fosters individual accountability to achieve goals**
7.1 Appointment of Carver County Surveyor 26
- 4:30 p.m. 8. **CONNECTIONS: Develop strong public partnerships and connect people to services and information**
8.1 2016 Legislative Priorities 27-34
- 4:45 p.m. 9. **FINANCES: Improve the County's financial health and economic profile**
9.1 Small Library Fines Not Collected from Inactive Patrons 35-37
9.2 **Closed Session** - Potential Sale of Property 38
- 5:15 p.m. 10. **COMMUNITIES: Create and maintain safe, healthy and livable communities**
10.1 **Closed Session** - Land Acquisition/Donation of Services at Lake Waconia Regional Park..... 39
- 6:00 p.m. **ADJOURN REGULAR SESSION**
- 6:00 p.m. **BOARD REPORTS**
1. Chair
2. Board Members
3. Administrator
4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

November 24, 2015 8:00 a.m. Board Work Session
November 24, 2015 10:00 a.m. Southwest Reconnection Bridge Opening Ceremony
December 1, 2015 9:00 a.m. Board Meeting
December 3, 2015 6:00 p.m. 2016 Budget Public Hearing
December 8, 2015 No Meeting AMC Conference
December 15, 2015 4:00 p.m. Board Meeting
December 22, 2015 No Work Session
December 29, 2015 No Board Meeting

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Introduction of new Public Works Staff - Program Delivery

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Darin Mielke"/> Title: <input type="text" value="Assistant Public Works Director"/>	Item Type: <input type="text" value="New Employee Intro"/>
Amount of Time Requested: <input type="text" value="5"/> minutes Presenter: <input type="text" value="Bill Weckman"/> Title: <input type="text" value="Program Delivery Manager"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government"/>	

BACKGROUND/JUSTIFICATION:

Public Works - Program Delivery has a new employee:

Program Delivery - Program Delivery Group (by Bill Weckman)

Kevin Joyce - Civil Engineer

ACTION REQUESTED:

None

FISCAL IMPACT: <input type="text" value="None"/> <i>If "Other", specify:</i> <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/> <input checked="" type="checkbox"/> Insert additional funding source
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3635

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on November 3, 2015. Chair Randy Maluchnik convened the session at 9:04 a.m.

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

Members absent: None.

The following amendment was made to the agenda:

Delete: 5.5 IT Data Center Uninterruptible Power Supply

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

Lynch moved, Ische seconded, to approve the minutes of the October 20, 2015, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Resolution #57-15, Authorizing Payment of Settlement of Compensation to Landowner for Easements Required for CSAH 17/Pleasantview Road Intersection Improvements, Project # SAP 010-617-023.

Contract with the Bridge for Runaway Youth pending finalization of the contract review process.

Authorized the Sheriff's Office acceptance of \$50 donation.

Resolution #58-15, Veterans Service Operational Grant.

Resolution #59-15, Jurisdictional Reversion ("Turnback") Agreement with the State of Minnesota (Amendment Number 1).

Resolution #60-15, Joint Powers Agreement No. 1001243 with State of Minnesota for TH 212 Corridor Access, Safety and Phasing Plan (Renewal to JPS 03991).

Adopted the Findings of Fact and issued Order #PZ20150055 for the issuance of Conditional Use Permit #PZ20150055, August Kreye, Waconia Township.

Adopted the Findings of Fact and issued Order #PZ21050056 for the issuance of Conditional Use Permit #PZ20150056, Tom Engelen, Dahlgren Township.

Resolution #61-15, To Approve the Local Water Management Plan for the City of Chaska.

Approved contract with Kusske Construction subject to County Attorney/Risk Management approval.

Approved the AFSCME Public Works 2015-2106 Collective Bargaining Agreement.

Approved the Memorandum of Agreement with the AFSCME Assistant County Attorney bargaining unit for 2016 cafeteria plan contributions.

Approved the special retiree contributions toward health insurance at the cafeteria rates, not to exceed the premium for the coverage the retirees select in 2016.

Approved the appointment of Rod Franks as AMC voting delegate at the AMC Conference.

Approved the following abatements:

30.9520082	Lucy Merly Arenas Marinos
58.6530150	Brittany Baker
25.5630340	Nicholas Thomas
30.6590530	Gregg Murray
25.0640230	Veniamin Savchuk

Reviewed October 27, 2015, Community Social Services' actions/Commissioners' warrants in the amount of \$481,872.86 and reviewed November 3, 2015, Community Social Services' actions/Commissioners' warrants in the amount of \$251,076.71.

Motion carried unanimously.

Rod Franks, Health and Human Services, requested the Board acknowledge County Financial Worker and Case Aide Day and endorse the Governor's Proclamation.

He explained financial workers determine eligibility for all financial programs and the programs have increased in numbers and complexity. Franks pointed out the case aides support the work in child protection and the work of home and community based workers.

Chair Maluchnik thanked them for the work performed and recognized these workers assist the neediest people in our County.

Ische moved, Degler seconded, to thank these employees and to endorse the Governor's Proclamation which had designed October 28th as "County Financial Worker and Case Aid Day." Motion carried unanimously.

Paul Moline, Public Services, requested the Board hold a public hearing on the draft groundwater plan.

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

Moline entered into the record the Affidavit of Publication and the final draft of the Carver County Groundwater Plan, including Appendix D.

Nate Kabat, Public Services, explained the purpose of the plan was in support of the implementation of the 2030 comp plan and 2020 water plan. He stated the plan defines the County's role in groundwater management and addresses Statute guidelines.

He reviewed the process followed to date and noted the public comment period closed October 2nd. Kabat indicated after BWSR endorsement, the Plan would be back before the Board for final adoption in 2016. He explained the three goals included in the Plan. He pointed out 64 comments were received and summarized the comments and responses.

No public testimony was received.

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

Ische moved, Workman seconded, to approve submission of the draft Carver County Groundwater Plan to the Board of Water and Soil Resources for final approval. Motion carried unanimously.

Degler moved, Lynch seconded, to go into closed session at 9:40 a.m. pursuant to Minnesota Statute Section 13D.05 in order to discuss the potential sale of property PID #30082700. Motion carried unanimously.

The Board adjourned the closed and Regular Session at 10:25 a.m.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Agreement with MnDOT for TH 101 maintenance between CSAH 61 and CSAH 18

Primary Originating Division/Dept: <input type="text" value="Public Works - Operations"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Michael Legg"/> Title: <input type="text" value="Operations Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

Carver County has entered into a master partnership agreement (Agreement No. 03827) with the State of Minnesota that allows each agency to perform routine work for one another. Individual work tasks are handled via work orders.

This work order is for routine maintenance of the section of TH 101 between CSAH 61 (Flying Cloud Drive) and CSAH 18 (Lyman Blvd.). Under this agreement, Carver County Public Works Operations Division will not own the roadway but be paid to maintain the road and state rights of way.

ACTION REQUESTED:

Approve Work Order 2 to Agreement No. 03827 with State of Minnesota for routine maintenance of TH 101.

FISCAL IMPACT: <input type="text" value="None"/> <i>If "Other", specify:</i> <input type="text"/>	FUNDING <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>State funds</td> <td style="text-align: right;">\$63,000.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$63,000.00</td> </tr> </table> <input checked="" type="checkbox"/> Insert additional funding source	County Dollars =	\$0.00	State funds	\$63,000.00	Total	\$63,000.00
County Dollars =	\$0.00						
State funds	\$63,000.00						
Total	\$63,000.00						
FTE IMPACT: <input type="text" value="None"/>							

Related Financial/FTE Comments:

The state will pay the county on an annual basis.

Office use only:

RBA 2015 - 3586

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment to Professional Services Agreement with SRF Consulting Group Inc. for CSAH 10 Engineering Services

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Scott Smith"/> Title: <input type="text" value="Design Engineer"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

Carver County solicited proposals for preliminary and final design services for the reconstruction of approximately 3 miles of CSAH 10 located north of Waconia, MN from Carver County CSAH 30 to MN State Hwy. 7. SRF Consulting Group, Inc. was selected to perform the work. The construction project is essentially complete.

The professional services contract with SRF needs amending for additional services requested by Carver County to design and develop several alternatives for CSAH 10 to minimize relocation of an Xcel Energy Transmission Line and minimize impacts to individual parcels of property along the corridor. In addition, out of scope work was performed by SRF for the CSAH 10 ROW plat and for determining a design for the Dakota Rail Trail parking area that was used for placing excess fill from the project.

Based on the additional amount of \$118,589.00 for out of scope work, the revised total contract amount will be \$445,066.00

Construction cost is approximately \$5.7 million. The total design fee is approximately 7.8% which lower than typical. (Design fee ranges for linear projects: 8-12%)

ACTION REQUESTED:

Approve an amendment to professional services agreement number 15-504 with SRF Consulting Group, Inc. in the amount of \$118,589.00 pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> <i>If "Other", specify:</i> <input type="text"/>	FUNDING <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>CSAH (Gas Tax, etc)</td> <td style="text-align: right;">\$118,589.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$118,589.00</td> </tr> </table>	County Dollars =	\$0.00	CSAH (Gas Tax, etc)	\$118,589.00	Total	\$118,589.00
County Dollars =	\$0.00						
CSAH (Gas Tax, etc)	\$118,589.00						
Total	\$118,589.00						
FTE IMPACT: <input type="text" value="None"/>	<input type="checkbox"/> Insert additional funding source						

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3632

Carver County Board of Commissioners Request for Board Action



Agenda Item:

IT Data Center Uninterruptible Power Supply

Primary Originating Division/Dept: <input type="text" value="Public Services - IT"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Jim Running"/> Title: <input type="text" value="Infrastructure Supervisor"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

The existing Uninterruptible Power Supply (UPS) in the IT Data Center is over 12 years old. It is beyond its designed life and poses a risk to the continuous operation of the Data Center. The County's Information Technology Department (IT) proposes to replace the UPS to avoid disruption to the power for County IT systems. The County's Master Electrician will install the new UPS, yielding savings on the project. The IT Department obtained quotes from three firms. After offering a local vendor the chance to compete, pursuant to the County's local vendor preference policy, the staff selected the most affordable proposal.

ACTION REQUESTED:

Motion to approve purchase of a new UPS from Parallel Technologies using existing IT budgeted funds.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> <i>If "Other", specify:</i> <input type="text"/>	FUNDING County Dollars = <input type="text" value="\$44,476.00"/> <hr/> Total <input type="text" value="\$44,476.00"/> <input type="checkbox"/> Insert additional funding source
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:

Funds available in existing IT capital budget. Fund 30-957-000-0000-6660.

Office use only:

RBA 2015 - 3598

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Agreement to upgrade ARMER system with payment starting in 2016

Primary Originating Division/Dept: Sheriff <input type="text"/>	Meeting Date: 11/17/2015 <input type="text"/>
Contact: Jim Olson <input type="text"/> Title: Sheri <input type="text"/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	
Strategic Initiative: Connections: Develop strong public partnerships and connect people to services and information <input type="text"/>	

BACKGROUND/JUSTIFICATION:

The statewide radio system (ARMER) is in need of an upgrade statewide. The upgrade will occur over the next five years. Motorola has agreed to a 20% discount if counties start paying for the upgrade in 2016 apportioned over five years. This will save Carver County \$131,269.00 over the life of the project.

ACTION REQUESTED:

Formal Board support for Carver County to upgrade the ARMER system in Carver County and to start annual payment to Motorola in 2016 and end in 2020.

FISCAL IMPACT: None <input type="text"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> \$584,867.00 <hr/> Total <input type="text"/> \$584,867.00 <input type="checkbox"/> Insert additional funding source
FTE IMPACT: None <input type="text"/>	

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3630

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Suburban Counties Facilitation Contract

Primary Originating Division/Dept: Administration (County) <input type="text"/>	Meeting Date: 11/17/2015 <input type="text"/>
Contact: David Hemze <input type="text"/> Title: County Administrator <input type="text"/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: Connections: Develop strong public partnerships and connect people to services and information <input type="text"/>	

BACKGROUND/JUSTIFICATION:

This agenda item requests approval of a facilitation services agreement between the Suburban Counties group (Anoka, Carver, Dakota, and Scott) and CraigRapp LLC. The goal of the facilitated meetings is to achieve a consensus position on reform of the Metropolitan Council, and specifically, metropolitan governance in the twin cities. The Suburban Counties group will also be inviting a number of metropolitan municipalities to these facilitated sessions.

ACTION REQUESTED:

Motion to approve Suburban County joint powers agreement to contract with CraigRapp LLC to provide facilitation services related to Metropolitan Council governance. This agreement is subject to final review by the County Attorney and Risk Management offices.

FISCAL IMPACT: Commissioner contingency form <input type="text"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> \$2,462.50 <input type="text"/> Total <input type="text"/> \$2,462.50 <input type="checkbox"/> Insert additional funding source
FTE IMPACT: None <input type="text"/>	

Related Financial/FTE Comments:

The total cost of the agreement is \$9,850 and will be shared equally between the four counties. The funding source is the Commissioner Contingency account.

Office use only:

RBA 2015 - 3638

Commissioner Contingency Request Form



Submit AFTER RBA submittal

Agenda Item:

Suburban Counties Facilitation Contract

Department: <input type="text"/>	Meeting Date: 11/17/2015
Requested By: David Hemze	Fund: 01 - General <input type="text"/>

Description of Revenue Accounts	Acct #	Increase/ (Decrease) Amount	Description of Expenditure Accounts	Acct #	Increase/ (Decrease) Amount
			Commissioner Contingency	01-001.6829	(\$2,463.00)
			professional services	01-30.6260	\$2,463.00
TOTAL		\$0.00	TOTAL		\$0.00

Reason for Request:

To approve a facilitation services agreement between the Suburban Counties group (Anoka, Carver, Dakota, and Scott) and CraigRapp LLC. The goal of the facilitated meetings is to achieve a consensus position on reform of the Metropolitan Council, and specifically, metropolitan governance in the twin cities. The Suburban Counties group will also be inviting a number of metropolitan municipalities to these facilitated sessions. Carver County's portion of this agreement was not budgeted for in 2015, requesting to use the Commissioner Contingency account

Financial Impact(to be filled out by Finance Director)

Commissioner Contingency Beginning of the Year Balance	\$200,000.00
Commissioner Contingency Current Adjustment	(\$2,463.00)
Commissioner Contingency Previous Adjustment	-68,000.00
Remaining Balance After Adjustment	\$129,537.00

County Board Decision:

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Designating November 15-21, 2015 American Education Week

Primary Originating Division/Dept: <input type="text" value="County Board"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Randy Maluchnik"/> Title: <input type="text" value="Chair"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

Chair Maluchnik requested the Board adopt a Resolution designating November 15-21, 2015, American Education Week.

ACTION REQUESTED:

Adopt Resolution.

FISCAL IMPACT: <input type="text" value="None"/> <i>If "Other", specify:</i> <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/> <input checked="" type="checkbox"/> Insert additional funding source
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3643



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: November 17, 2015 Resolution No.: _____
Motion by Commissioner: _____ Seconded by Commissioner: _____

Whereas, the Schools represent a major investment by any community; and

Whereas, Teachers are a most important part of our community's leadership; and

Whereas, Schools represent the best possible avenue of improving the quality of life in our Country; and

Whereas, Involved citizens provide a most important facet in the community schools; and

Whereas, There is a need for better communication and a more cooperative relationship between professional educators and the community;

Now, Therefore, the Carver County Board of Commissioners, does hereby designate and declare November 14-21, 2015, to be AMERICAN EDUCATION WEEK and do urge all citizens to reaffirm their commitment to improving and supporting education at all levels and translate this commitment into action by visiting our local schools.

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 17th day of November, 2015, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Transfer Planning & Zoning Authority to City of Waconia

Primary Originating Division/Dept: <input style="width: 90%;" type="text" value="Public Services - Land Mgmt."/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Steve Just"/> Title: <input type="text" value="Dept. Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

The City of Waconia (City) and Waconia Township (Township) have entered into an Orderly Annexation Agreement (OAA), dated November 7, 2015, for the annexation of approximately 70 acres of land by the City. The purpose of the annexation is to facilitate the construction of the new Waconia High School and athletic fields by Independent School District #110. A significant portion of the new school building will be located on a parcel that is already within the City limits. The annexation area (township parcel) includes a portion of the new building and integral facets of the land use and land subdivision (plat). The City has forwarded the OAA documents to the Minnesota Boundary Adjustment Unit for review and approval; however, the annexation may not be completed for a month or more. The City and School District have completed the preliminary and final plat for the property, and the construction plans for the footings and foundation have been submitted with a building permit application. Since the annexation is still pending, the City is unable to sign off on these crucial documents. Therefore, pursuant to the OAA, the City and Township have requested the transfer of Planning, Zoning, Land Subdivision, and Wetland Conservation Act authority from the County to the City. The County has taken similar actions in the past to promote an effective and efficient transition to urbanization (e.g., Waconia, Chaska, and Watertown). A draft County Board resolution is attached, with an Exhibit A and Exhibit B identifying the subject parcel.

ACTION REQUESTED:

A motion adopting a resolution transferring Planning and Zoning authority to the City of Waconia for the property legally described in the attached Exhibit A.

FISCAL IMPACT: <input type="text" value="None"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3605

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

Date:

Resolution #

Motion by Commissioner

Seconded by Commissioner

=====

**A RESOLUTION TRANSFERRING PLANNING, ZONING, LAND SUBDIVISION, AND WETLAND
CONSERVATION ACT AUTHORITY IN A PORTION OF WACONIA TOWNSHIP
TO THE CITY OF WACONIA**

WHEREAS, the County exercises Planning, Zoning, Land Subdivision, and Wetland Conservation Act (Planning and Zoning) authority in Waconia Township, and

WHEREAS, the City of Waconia and Waconia Township have adopted an Orderly Annexation Agreement (OAA), dated November 7, 2015, to annex the land described in **Exhibit A** and as depicted with shading on **Exhibit B** (the “Land”), and the City of Waconia has forwarded the annexation to the Minnesota Boundary Adjustment Unit for review and approval, and

WHEREAS, the OAA specifically provides for Waconia Township’s consent and request for the transfer of Planning and Zoning authority to the City of Waconia, and

WHEREAS, Independent School District No. 110, the owner of the Land, has petitioned for the annexation and is desirous of immediately commencing construction on the Land, which would not be possible without the transfer of Planning and Zoning authority to the City of Waconia, and

WHEREAS, the transfer of Carver County’s Planning and Zoning authority to the City of Waconia for the land described on **Exhibit A** will allow for platting of the Land and enable construction to begin prior to final annexation.

NOW, THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners, as of November 17, 2015, hereby transfers its Planning and Zoning authority over the Land described in **Exhibit A**, to the City of Waconia. The County retains all other authority it currently has including, but not limited to, Building Code, SSTS and Feedlot Management.

YES

NO

ABSENT

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 17th day of November, 2015, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of November, 2015.

David Hemze, County Administrator

EXHIBIT A
Legal Description of Land

Parcel 1:

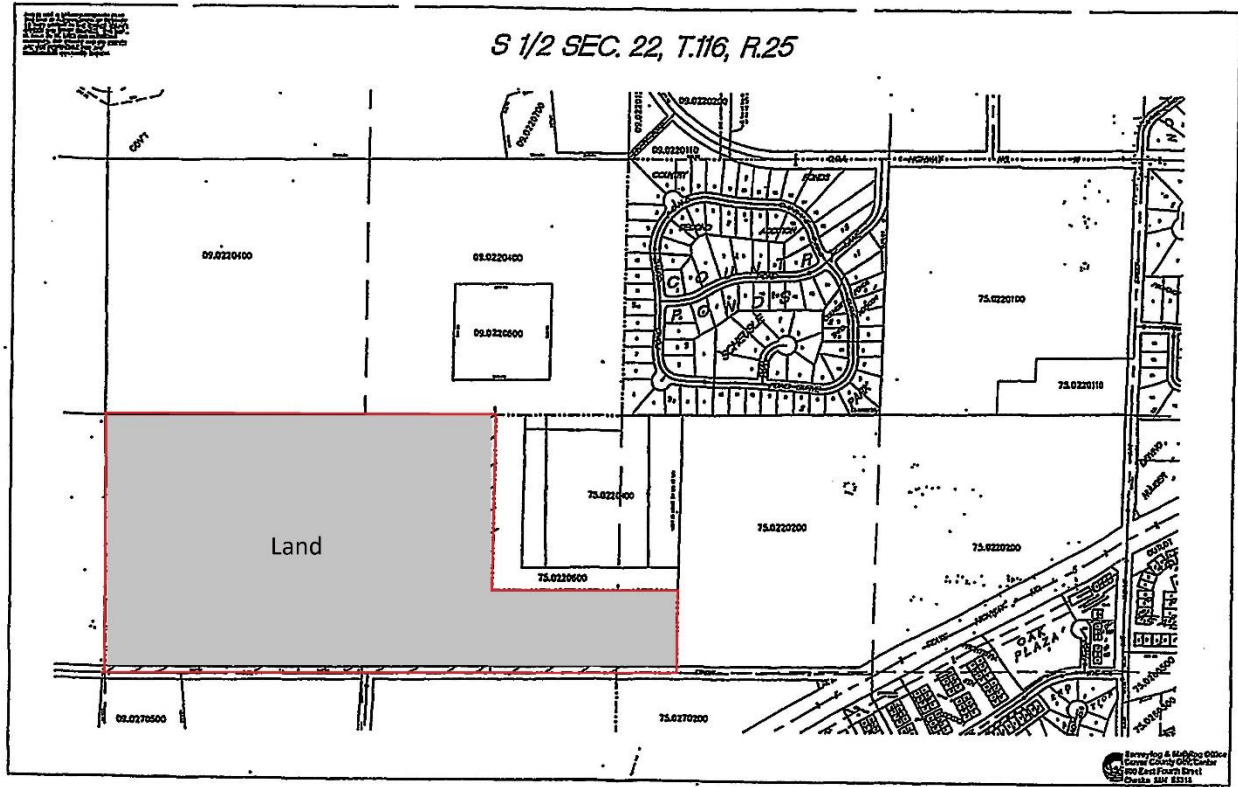
The South Half of the Southwest Quarter of Section 22, Township 116, Range 25, Carver County, Minnesota, **EXCEPTING THEREFROM** the following described parcel:

The East 659.44 feet of the Southeast Quarter of the Southwest Quarter of Section 22, Township 116, Range 25.

Parcel 2:

That part of the east 659.44 feet of the Southeast Quarter of the Southwest Quarter which lies south of the north 894.89 feet thereof; together with that part of the west 10.00 acres of the Southwest Quarter of the Southeast Quarter which lies south of the north 894.86 feet thereof; all in Section 22, Township 116, Range 25, Carver County, Minnesota.

EXHIBIT B
Diagram of Land



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Payment for Right-of-way Acquisition for Southwest Reconnection Project

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right-of-Way Agent"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

Carver County is the lead agency for the Southwest Reconnection Project which includes the reconstruction of CSAH 61 from 600 feet west of Bluff Creek Drive to 1,800 feet east of Great Plains Blvd and the new 4225 foot long 101 bridge from CSAH 61 to Shakopee.

Additional right-of-way was needed to complete this project. Carver County Public Works has negotiated a settlement with a property owner for the acquisition of right-of-way easements along the CSAH 61 and TH 101 corridors at PID #25.0351300.

ACTION REQUESTED:

Adopt a resolution to authorize payment of compensation based on a negotiated settlement for easements at PID #25.0351300 required for the Southwest Reconnection Project.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> County Turnback Funds <input type="text" value="\$157,500.00"/> CSAH Funds (Gas Tax etc) <input type="text" value="\$52,500.00"/> Total <input type="text" value="\$210,000.00"/> <input type="checkbox"/> Insert additional funding source
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3637

**BOARD OF COMISSIONERS
CARVER COUNTY, MINNESOTA**

RESOLUTION NO. 15-_____

**A Resolution Approving Settlement of Condemnation Claims Relating to Acquisition of
Easement Required for the
TH101 Bridge and CSAH 61 ‘Y’ Intersection Project, also known as the Southwest
Reconnection Project – Parcel 15-780 Flying Cloud Drive, Chanhassen**

WHEREAS, the Board of Commissioners of Carver County is the official governing body of Carver County (“County”); and

WHEREAS, the County is constructing roadway and related improvements as part of the TH101 and CSAH 61 ‘Y’ Intersection Project aka The Southwest Reconnection Project (“Project”); and

WHEREAS, on September 3, 2013, by its Resolution No. 13-47, the Board of Commissioners approved Carver County Right of Way Plat No. 21 (County State Aid Highway No. 61) to identify right of way required by the County to construct the Project; and

WHEREAS, thereafter, the Board of Commissioners adopted its Resolution No. 13-67, authorizing its attorneys to commence eminent domain proceedings to acquire right of way which was required for the Project and could not be acquired voluntarily consistent with independent appraisal evidence available to the County; and

WHEREAS, the County has acquired an easement encumbering Parcel 15 which is legally described in Exhibit A attached hereto for the Project in eminent domain proceedings, and agents and attorneys for the County have now reached a proposed Stipulation of Final Settlement with the owners of Parcel 15, resolving all claims by the owners resulting from the County’s acquisition of that easement; and

WHEREAS, having been provided with a copy of the proposed Stipulation of Final Settlement between the owners of Parcel 15 and the County, the Board of Commissioners finds the proposed terms of settlement to be reasonable and in the best interests of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CARVER IN REGULAR MEETING ASSEMBLED, that the Board of Commissioners hereby approves the Stipulation of Final Settlement, including payment of \$210,000 (less amounts previously paid) to Skipper S. Cook and Teri A. Cook, husband and wife, fee owners of Parcel 15, as compensation for the easement described in Exhibit A, attached hereto, and settlement of all claims by the owners arising from the County's acquisition of the easement encumbering Parcel 15 in the eminent domain proceeding; and

BE IT FURTHER RESOLVED, that the Board Chair and County Administrator are authorized and directed to execute the Stipulation of Final Settlement on behalf of the County, and legal counsel representing the County and the County Engineer are authorized and directed to take all steps necessary to implement the provisions of the proposed Stipulation of Final Settlement.

Adopted this ___ day of November, 2015 by the Carver County Board of Commissioners.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
STATE OF MINNESOTA)		
) ss.		
COUNTY OF CARVER)		

I, Dave 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 17th day of November, 2015, now on file in the office of the County Administrator, and have found the same to be a true and correct copy thereof.

Dated this 17th day of November, 2015.

Dave Hemze County Administrator

Subscribed and sworn to before me
this ____ day of November, 2015.

Notary Public

My Commission Expires _____

Notary Stamp

Chair, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners

EXHIBIT A

Parcel 15

Abstract Property (P.I.D. No.: 25-035-1300)

Property Address: 780 Flying Cloud Drive, Chaska, MN 55318

Description of Taking:

A temporary easement over Parcel 7, Carver County Right of Way Plat No. 21, County State Aid Highway No. 61 (containing 0.28 acres, more or less).

According to the plat thereof on file and of record in the Office of the County Recorder in and for Carver County, Minnesota.

Said temporary easement shall commence on April 1, 2014 and terminate on October 31, 2016.

Names and Description of Interests to be Encumbered:

Name	Nature of Interest
Skipper S. Cook, aka Skip S. Cook and Skip Cook and Teri A. Cook	Fee Owners

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention herein to encumber all interests owned by the named respondents in the above-described real estate.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Certificate of County Board of Classification of Forfeited Lands

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services - Property Taxation"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Kathy Smith/Sarah Rivers"/> Title: <input type="text" value="Taxation Analyst/LRT"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Finances: Improve the County's financial health and economic profile"/>	

BACKGROUND/JUSTIFICATION:

Parcel 85.4450550 in Carver County forfeited on October 13, 2015 to the State of Minnesota in Trust due to non-payment of delinquent property taxes. Per MS 282.01, all parcels of tax forfeited land must be classified as conservation or non-conservation land by the County Board.

It is necessary for the County Board of Commissioners to adopt the *Certificate of County Board of Classification of Forfeited Lands* resolution approving said classification of tax forfeited land. The resolution also requests approval from the Minnesota Department of Natural Resources for the sale of said lands. This resolution will allow us to continue the necessary steps toward a tax forfeiture sale.

Also attached is the *Certificate of County Board of Classification of Forfeited Lands*, one certificate for the City of Watertown in which this tax forfeited parcel exists. After the County Board has approved the classification, the city must approve the sale of this tax forfeited property or withhold it from sale.

ACTION REQUESTED:

1. Motion to Approve the Certificate of County Board of Classification of Forfeited Lands resolution assigning the classification of this tax forfeited parcel as non-conservation.
2. Motion to approve forwarding the tax forfeited property to the Department of Natural Resources for their approval of sale of said land.
3. Sign the original Certificate of County Board of Classification of Forfeited Lands and return to Taxpayer Services Department.

FISCAL IMPACT: <input type="text" value="None"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3629

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

Date: November 17, 2015

Resolution No.

Motion by Commissioner:

Seconded by Commissioner:

CARVER COUNTY, MINNESOTA

CERTIFICATE OF COUNTY BOARD OF CLASSIFICATION OF FORFEITED LANDS

WHEREAS, the County Board of Commissioners of the County of Carver, State of Minnesota, desires to offer for sale a certain parcel of land, as listed on the attached Certificate, that has forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcel of land has been reviewed by the County Board of Commissioners and has been classified as conservation or non-conservation land as provided for in MN Statutes 282.01.

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

BE IT FURTHER RESOLVED, that the Carver County Board of Commissioners hereby approves the conservation/non-conservation land classification of said tax forfeited parcel of land and request approval from the Minnesota Department of Natural Resources for the sale of said lands.

Dated this _____ day of _____, 2015

Chairman, Carver County Board of Commissioners

Attest: _____
Administrator

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 ____ day of _____, 2015, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this ____ day of _____, 2015.

David Hemze, Carver County Administrator

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

To the Board of the City of Watertown

We, the members of the County Board of the County of CARVER, Minnesota, do hereby certify that the parcels of land hereinafter listed are all of the lands which have been classified by us as conservation/non-conservation Lands, from the list of lands forfeited to the State of Minnesota for non-payment of taxes for the years **2011** through **2014** as provided by Minnesota Statutes 1945, Section 282.01 as amended.

PIN	Legal Description	Appraised Value of Land	Conservation / Non-Conservation
85.4450550	Section 9 Township 117 Range 25 Outlot B, Tuscany Village	\$TBD	NON-CONSERVATION

In witness whereof we have hereunto subscribed our names this _____ day of _____, 2015.

Randy Maluchnik, Chair

Gayle O Degler

Tom Workman

Tim Lynch

Jim Ische

Attest: Laurie Davies,
Carver County Taxpayer
Services Manager

The foregoing classification and sale is hereby approved on _____, 2015.

By the Board of the City of Watertown

Filed this _____ day of _____, 2015.

Laurie Davies, Carver County Taxpayer Services Manager

By:
Deputy

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Ditch Assessments for Pay 2016

Primary Originating Division/Dept: <u>Property & Financial Services - Property Taxation</u>	Meeting Date: <u>11/17/2015</u>
Contact: <u>David Frischmon</u> Title: <u>Division Director</u>	Item Type: <u>Ditch/Rail Authority</u>
Amount of Time Requested: <u>10</u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u>Frischmon</u> Title: <u>Division Director</u>	

Strategic Initiative:

Growth: Manage the challenges and opportunities resulting from growth and development

BACKGROUND/JUSTIFICATION:

County and Joint Ditches are periodically cleaned out and services performed. 100% of the out-of pocket/direct cost for the work is assessed to the individual ditches by the Ditch Authority.

The following payable 2016 one year assessments with 0% interest are requested:

		<u>Payable 2016 Assessment</u>	<u>Prior One Year Assessment payable 2015 (FYI)</u>
County Ditch	4A	\$20,000	\$21,600
County Ditch	6	10,000	16,000
County Ditch	10	5,000	0
Joint Ditch	2	0	5,000
Joint Ditch	4	10,000	10,000

The following is a multiple year assessment. The terms were previously approved by the Joint Ditch Board. In April 2015, landowners were notified of the upcoming assessment caused by the redetermination of JD3A and were given the opportunity to pay the full/partial assessment in advance or to have a lien against their parcel with a 5 year assessment. The initial assessment amount is indicated below. The following 5 year assessment with 4% interest is requested for the landowners that did not pay their assessment amount in advance and will be assessed on their pay 2016 taxes through 2020:

		<u>Payable 2016 Assessment</u>	<u>Prior One Year Assessment payable 2015 (FYI)</u>
Joint Ditch	3A	\$130,000	\$10,130

ACTION REQUESTED:

Approve the assessments to the respective ditches as presented.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =	<input style="width: 95%;" type="text"/>
	<input style="width: 95%;" type="text"/>
Total	\$0.00

FTE IMPACT: None

Related Financial/FTE Comments:

The ditches are responsible for their individual expenses. No county dollars are affected.

Office use only:

RBA 2015 - 3640

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Appointment of Carver County Surveyor

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="David Frischmon"/> Title: <input type="text" value="Division Director"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="10"/> minutes Presenter: <input type="text" value="David Frischmon"/> Title: <input type="text" value="Property & Financial Services Divi"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government"/>	

BACKGROUND/JUSTIFICATION:

The County Surveyor is appointed by the Board of County Commissioners in accordance to Minnesota Statutes 389.011 for a term not to exceed four years. The County's current surveyor, Mr. John Freemyer, began his service in 1990 and will be retiring at the end of this year.

To continue the services of a County Surveyor, it is recommended that Luke Kranz, the Assistant County Surveyor, be appointed as the Carver County Surveyor to a four-year term commencing on January 1, 2016.

ACTION REQUESTED:

Recognize and thank John Freemyer for his dedicated 25 years of service as the County's Surveyor and appoint Luke Kranz as the Carver County Surveyor effective January 1, 2016.

FISCAL IMPACT: <input type="text" value="None"/> <i>If "Other", specify:</i> <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$0.00"/> <input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3634

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2016 Legislative Priorities

Primary Originating Division/Dept: Administration (County) <input type="text"/>	Meeting Date: 11/17/2015 <input type="text"/>
Contact: David Hemze <input type="text"/> Title: <input type="text"/>	Item Type: Regular Session <input type="text"/>
Amount of Time Requested: 15 <input type="text"/> minutes Presenter: David Hemze <input type="text"/> Title: County Administrator <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: Connections: Develop strong public partnerships and connect people to services and information <input type="text"/>	

BACKGROUND/JUSTIFICATION:

Carver County Legislative Priorities are objectives that the County is seeking state legislative assistance to accomplish. Carver County Division Directors submitted recommendations for 2016 Legislative Priorities. The Carver County Legislative Committee reviewed the priorities. The priorities proposed for 2016 are:

1. Transportation Revenue
2. Eminent Domain Statute
3. Capital Improvement Funding for Regional Parks
4. Tax Forfeiture Parcel in Watertown
5. Chaska Library Construction Grant

The Carver County Legislative Committee will be working with the County Administrator to guide the County's legislative efforts during the 2016 session. In addition, Carver County contracts with Scott County for legislative services. Carver County will host a breakfast early in 2016 to discuss these priorities with local legislators.

ACTION REQUESTED:

Motion to approve Carver County's 2016 Legislative Priorities.

FISCAL IMPACT: None <input type="text"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text"/> \$0.00
FTE IMPACT: None <input type="text"/>	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3624

DRAFT
11/5/15



CARVER
COUNTY

2016

Legislative Platform

Item numbering is not a priority listing

Top priorities:

1. Transportation Revenue
2. Eminent Domain Statute
3. Capital Improvement Funding for Regional Parks
4. Tax Forfeiture Parcel in Watertown
5. Chaska Library Construction Grant



Issue #1: Transportation Revenue

Background

Building and maintaining a safe, efficient and effective transportation system is one of the most basic and vital services provided by all levels of government. Counties are a critical element of the state's transportation system. Over 45,000 miles of Minnesota's 143,000 miles of roads and highways are under county jurisdiction.

Counties and other local units of government oversee 14,700 bridges - 75% of all bridges in the state. The 2008 Legislature enacted a comprehensive transportation funding bill that provided new, dedicated revenues for bridges, roads and transit - at both the state and local levels of government. However as MnDOT's projections make clear, much of that new funding will be exhausted by 2016 and what remains will only be available for maintenance of existing roads. That means new transportation projects in both the metropolitan area and greater Minnesota will continue to be delayed.

Minnesota's transportation system is a critical element of the state's economic vitality. It gets people to and from work and school and gets goods and services to markets. With today's just-in-time inventory management and Minnesota's expanding role in the global economy, speedy delivery is critical to the state's competitiveness. Unfortunately, much of the state's transportation infrastructure is not up to the task. The time that Twin Cities' commuters and shippers spend trapped in traffic is growing at a faster rate than that in other metropolitan areas. And the financial resources available to expand the capacity of the state transportation system will literally nose-dive in 2016.

There are four major transportation priorities in Carver County that require an increase in transportation funding. Three out of the four priorities involve the state Trunk Highway system which is clearly underinvested in Carver County.

1. Address County Turnback Account shortfall.

5% of the Minnesota Highway Users Tax Distribution Fund (HUTDF) or approximately \$97 million annually is allocated to the Town Bridge, Town Road and Flexible Highway Account. The Flexible Highway Account is allocated 53.5% or approximately \$53 million annually which is used for the restoration of former Trunk Highways turned back to Counties or Cities. The problem is there is not enough funding in the County Turnback Account (part of Flexible Highway Account) to restore these highways which typically become the most travelled county highways and have the most safety and congestion issues. This is a significant problem in Carver County where there are many projects waiting for funding including portions of TH101 (now CSAH 101) and TH212 (now CSAH 61).

The County is the lead agency for the 101 Bridge and 61 "Y" reconstruction project, also known as the Southwest Reconnection Project and is responsible to finance \$18 Million of the State share of the project as the County Turnback Account does not have available funding. The next

segment of highway 61 east of the “Y” is funded; however, there remains \$70 million in unfunded Turnback projects on 101 and 61.

2. Improve deficient MnDOT A-Minor Arterials (TH 212, TH 5, TH 41)

These highways are the most significant trunk highways in Carver County. They carry the most vehicular and freight traffic, yet all are deficient in geometry which has caused significant congestion and safety issues. None of them, however, have been identified for expansion in the 2040 Transportation Policy Plan (TPP) or the State Highway Investment Plan (MnSHIP).

3. Provide flood mitigation funding for highway projects.

Damage to state and local roadways and bridges from flooding is occurring more and more frequently. Carver County, Scott County, MnDOT and other partners have studied options to reduce the impact of flooding in the Minnesota River Valley on the transportation system including highways 101 and 41. The 101 bridge is under construction but TH 41 remains a significant flood risk every year. The benefit to cost ratio for construction of a new TH 41 river bridge is over 3.0. The estimated cost for the flood protection bridge is \$20 million.

4. Increase funding to the Local Bridge Bonding Program

Carver County estimates \$2 million in annual bridge replacement needs over the next 5 years. The local bridge bonding program augments the budgets of counties and cities statewide by supplying between 50% and 100% of bridge replacement construction costs for deficient structures. The program is first come first serve which rewards project readiness; however large earmark projects have recently dominated the program which jeopardizes the funding for smaller ready to go projects. If large earmark projects are funded the program needs to be grow to support all local bridges.

Carver County will assist with these priorities and is already investing significant local funding in the state transportation system but this is not sustainable without the resulting degradation of the local county transportation network and considerable burden on the local tax base.

Requested Position

Carver County urges the legislature to pass a transportation funding bill that includes the following provisions:

- A. Provide trunk highway bonding for highways planned to be turned back to counties like TH 101 and increase funding to the county turnback account for roadways already turned back to the county like CSAH 61.
- B. Provide trunk highway bonding for the Corridors of Commerce program to fund projects like TH 212 between Chaska and Norwood Young America.
- C. Provide general obligation bonds for the local bridge replacement program at a level to fund all project ready local bridges.
- D. Provide bonding for flood mitigation projects on state and local roadways.
- E. Distribute all the proceeds from the Leased Motor Vehicle Sales Tax 50-50 between Greater MN Transit and the 5 Metropolitan Suburban Counties.
- F. Retain the 1/2¢ Local Option Sales Tax for All Transportation Purposes for the Currently Authorized 82 Counties and Expand It to the Five Remaining Counties.
- G. Oppose any increase in sales tax for transit only.



Issue #2: Eminent Domain Statute

Background

Carver County requests revisions to Chapter 117, Eminent Domain, to mitigate the unintended consequences of the legislation which provides procedures, definition, remedies and limitations for condemning authorities when exercising the power of eminent domain for public use or public purpose.

The 2006 revisions to the eminent domain law has resulted in a significant cost increase related to attorney fees and interest payments incurred by agencies implementing public transportation improvements which has put an unreasonable and unintended burden on transportation funding. Wholesale rewrites or challenges will likely be unsuccessful given the political sensitivity with the law. However, discussion and controversy remains in several areas including: attorney's fees, owner appraisals, land commissioner qualifications, response to offers, and timing and schedules. The modest changes proposed below would give condemning authorities a chance to respond to new information that may come to light in the owner's appraisal, possibly totally avoiding the need acquire the property through the exercise of eminent domain authority.

Requested Position

Carver County recommends adding a definition to Section 117.025 to define the Last Written Offer (referred to in 117.031 Attorneys Fees) as the last offer for compensation made in writing by the Condemning Authority to the Owner a maximum of 20 days following the receipt of the Owner's appraisal. Carver County recommends revising Section 117.195 to determine the annual interest on award based on the secondary market yield of one year United States Treasury bills rounded to the nearest one percent.



Item #3: Capital Improvement Funding for Regional Parks

Background

Carver County receives Capital Improvement Program (CIP) funds from the Metropolitan Council and State for the Regional Parks it owns and operates. The Metropolitan Council, on behalf of the 10 regional park implementing agencies, has submitted a CIP request to the State. The 2016-17 portion of the Metropolitan Council's Regional Park CIP is based on the issuance of up to \$7.33 million of Metropolitan Council bonds to provide a 40% match to a 2016 State bond request of \$11 million. This results in a 2016-17 CIP total of \$18.33 million for the Regional Park System.

Requested Position

Support legislation which matches with \$7.33 million of Metropolitan Council bonds to 11 Million of State Bonds for a combined total of \$18.33 million for the Regional Parks System Capital Improvement Program. It is anticipated that Carver County would receive \$498,000 for previous land acquisition expenses for Waconia Regional Park if this legislation is passed.



Item #4: Tax Forfeiture Parcel in Watertown

Background

Parcel 85.4450550 located in Watertown was forfeited to the State of Minnesota in Trust on October 13, 2015 for non-payment of taxes. Carver County and the City of Watertown have a desire to acquire the 3.5 acre parcel for a wetland development project.

The Minnesota Department of Natural Resources has determined (according to Minn. Sta. 282.018, Subd. 1), the parcel must be withdrawn from sale because the waterfront exceeds 150 feet. Special legislation will be needed for the county and city to proceed with the acquisition of the parcel.

Requested Position

Carver County supports and encourages the Legislature to pass the special legislation necessary for Carver County and the City of Watertown to proceed with the acquisition of the property.



Item #5: Chaska Library Construction Grant

Background

In Carver County, libraries are a collaborative effort where the city provides the building and the County provides the library service (staffing, books, and furniture). The City of Chaska plans to construct a new library in downtown Chaska to open in 2018.

A bill for a Library Construction Grant program is being proposed for this session of the State Legislature. The Library Construction Grant program is a competitive dollar-for-dollar matching grant program. The program provides public libraries with funding for renovation, construction, and improvement projects that result in more accessible library facilities. The City of Chaska will be applying for said grant and Carver County supports their efforts.

Requested Position

Carver County encourages support from the Legislature on the Chaska Library Construction Grant.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Small Library Fines Not Collected from Inactive Patrons

Primary Originating Division/Dept: <u>Public Services - Library</u>	Meeting Date: <u>11/17/2015</u>
Contact: <u>Heidi Hoks</u> Title: <u>Director</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <u>10</u> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <u>Heidi Hoks</u> Title: <u>Library Director</u>	

Strategic Initiative:

Finances: Improve the County's financial health and economic profile

BACKGROUND/JUSTIFICATION:

The Carver County Library has former patrons who have become "inactive." That is, they have not borrowed materials for five or more years. Among such inactive patrons are those who have borrowed but failed to return materials. The Library has attempted to notify such patrons that their failure to return such materials necessitates a small fine. A number of inactive patrons have never responded to Library notices of the small fines over five or more years.

The staff proposes to delete such inactive patrons from the Library system and to "write off" their debts. The staff proposes limiting this "debt forgiveness" action to patrons whose fines **total less than \$25**. The cost of recovering such debts through a collection agency would exceed the fines owed.

The Library last forgave such fines and removed inactive patrons in 2011. Before 2011, the previous practice had been to undertake the removal of inactive patrons and forgiveness of their small fines every year. The Library proposes to return to that practice beginning this year.

The staff recommends "erasing" such small fines, and removing inactive patrons from the Library system, for several reasons:

1. In most cases, the Library is never contacted again by patrons who have been inactive for five years. (Some are deceased. Others have moved out of Carver County. Still others never lived in the County and used its service just once.) Removal of the patrons' names from the system, along with the forgiveness of the debts under \$25, recognizes the high probability that such former patrons will remain inactive.
2. If the materials missing are the Library's last copies, it still has the bibliographic record of the item missing on its database (the bibliographic record has to remain in order to allow the fine to remain). In that case, the Library not only has people placing requests for an item that is missing, but the "interlibrary loan" system will show the item in its system. Yet in these instances, the interlibrary loan system refuses to honor requests for the item, since the system shows that Carver County "owns" the item -- and that it is "checked out." This proposed action would remove those problems from the interlibrary loan system.
3. As it stands, the Library has a false number of patrons in its system. When the Library submits grant applications or comparisons with other library systems, its figures are not up-to-date and accurate.
4. These inactive patrons have received reminder notices about their upcoming due dates, overdue notices, and bills for five years or more. Many of the fees occurred prior to the County adopting the recovery system. The proposed action recognizes that the Library has made many efforts to recover the materials or small fines and is highly unlikely to succeed.

Forgiving fines of \$25 or less from accounts that have not been active the past five years affects the numbers of patrons and dollar amounts tallied in the attached table. Patrons who owe nothing have been omitted.

The Library's fine debt threshold for recovery agency work is \$50. At that level, the Library can be sure that its investment in debt collection pays off. None of the items proposed to be "written off" would approach the level at which the debt recovery would financially justified sending the patron accounts to the debt recovery service. In other words, if the County did use the debt collection service, it would spend more to recover the debt than to simply "write it off."

ACTION REQUESTED:

Motion to "write off" the debts of library patrons who have not checked out materials in over 5 years and who have fines totaling less than \$25 and to remove their names from the Library patron system.

FISCAL IMPACT: None

If "Other", specify:

In its budgeting, the Library has not assumed that it would receive these fines.

FUNDING

County Dollars =	
Total	\$0.00

FTE IMPACT: None

Related Financial/FTE Comments:

After three years of no action on such debts, the accumulated total amount of the "write-off" would be \$43,810.66 for 6,918 inactive patrons. While the Library budgets for fine revenues, these are fines that most likely will never be collected, and that is factored into the budget. The Library staff has found that this is the "normal" rate of non-payment that would occur for a three-year cycle of inaction. Hence, the Library would still be able to meet revenue targets with this "write-off." Moreover, the Finance Office did not book the fines as outstanding receivables.

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RBA 2015 - 3527

Carver County Library

Money Owed Up to \$25.00

Forgiving fines of \$25.00 or less from accounts that have not been active the past five years affects the following number of patron accounts and dollar amounts. Inactive patrons who owe nothing are omitted from the table below.

Year	Cumulative Number of Patrons	Cumulative Total Fines Owed by All Patrons	Average Fines Owed per Patron
2007	2114	\$ 13,835.47	\$ 6.52
2008	4429	\$ 29,239.21	\$ 6.60
2009	6918	\$ 43,810.66	\$ 6.33

The Library's account threshold for fines owed is \$50.00, since the return on the investment of using the debt recovery arrives at that level. Even if the debt collection service yielded payment, none of the accounts included above would yield a fine payment that justified sending the patron account to the debt recovery service. That is, the County would pay more to recover the debt than to "write it off."

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Closed Session - Potential Sale of Property

Primary Originating Division/Dept: <input type="text" value="Public Services"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Nick Koltavy"/> Title: <input type="text" value="Deputy Director"/>	Item Type: <input type="text" value="Closed Session"/>
Amount of Time Requested: <input type="text" value="15"/> minutes Presenter: <input type="text" value="Nick Koltavy"/> Title: <input type="text" value="Deputy Director of Public Service"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Finances: Improve the County's financial health and economic profile"/>	

BACKGROUND/JUSTIFICATION:

Carver County is working with the City of Chaska Economic Development Authority (EDA) to discuss the potential sale of the former Public Works property in Chaska (850 Chaska Blvd., PID #300082700) to the EDA in order to make it available for the City's preferred uses. The staff presented an appraisal for the property on 10/20/15 and additional information on 11/3/15. The Board asked for more information as it weighs the options for the property.

ACTION REQUESTED:

Motion to enter into closed session pursuant to Minnesota State Statute Section 13D.05 in order to discuss the potential sale of property PID #300082700.

FISCAL IMPACT: <input type="text" value="Other"/> <i>If "Other", specify:</i> <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

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RBA 2015 - 3639

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Land Acquisition/Donation of Services at Lake Waconia Regional Park

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="11/17/2015"/>
Contact: <input type="text" value="Marty Walsh"/> Title: <input type="text" value="Parks Director"/>	Item Type: <input type="text" value="Closed Session"/>
Amount of Time Requested: <input type="text" value="30"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text" value="Marty Walsh/Bob McGillivray"/> Title: <input type="text" value="Parks Director/Senior Project Ma"/>	
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

Staff desires to update the County Board with information concerning the possible purchase of real property related to parcel 093000081.

The acquisition of the parcel is consistent with County and Regional planning documents.

ACTION REQUESTED:

Motion to enter into closed session according to Minnesota Statutes Section 13D.05, Subd. 3(c)(3) in order to develop or consider offers or counteroffers for the purchase or sale of real property to the County .

FISCAL IMPACT: <input type="text" value="None"/> If "Other", specify: <input type="text"/>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total \$0.00
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2015 - 3636