



Carver County Board of Commissioners
 January 5, 2016
 Organizational Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

| | | | PAGE |
|-----------|--|--|------|
| 9:00 a.m. | 1. a) Pledge of allegiance b) CALL TO ORDER BY THE COUNTY ADMINISTRATOR c) Nomination and election of Chair for 2016 d) Nomination and election of Vice Chair for 2016 e) Public comments (limited to five minutes) f) Community announcements 2. Agenda review and adoption 3. 2016 Board Operating Rules 1-14 4. Adopt schedule of Regular Board meetings for the year 2016 15-17 5. Committee appointments 18-20 6. Appointments to advisory committees 21-24 7. Approve minutes of December 15, 2015 Regular Session 25-30 | | |
| 9:45 a.m. | 8. CONSENT AGENDA <i>Communities: Create and maintain safe, healthy and livable communities</i> 8.1 Acceptance of Funds for Paint Stewardship 31-32 8.2 Professional Services Agmt. with Taylor Electric for CSAH 18 Flashing Yellow Arrow Retrofit..... 33 8.3 Final Payment for BRIDGE NO. 10J31 Construction on 166th Street Over Silver Creek to Swenke Ims Contracting 34-35 <i>Connections: Develop strong public partnerships and connect people to services and information</i> 8.4 Authorization for 2016 Park Promotions/Donations & Administrative Passes 36 <i>Culture: Provide organizational culture fostering accountability to achieve goals and sustain public trust/confidence in County government</i> 8.5 Request for approval to contract with Accounting Principals, Inc. 37-38 8.6 Seasonal, Temporary, & On-Call Positions Wage Range Update..... 39-41 <i>Growth: Manage the challenges and opportunities resulting from growth and development</i> 8.7 Professional Services Agreement with Bolton and Menk, Inc. for TH 41 Reconstruction - TH 212 to Pioneer Trail 42 <i>Finances: Improve the County's financial health and economic profile</i> 8.8 Abatements/Additions 43-44 8.9 Review Social Services/Commissioners Warrants NO ATT | | |

| | | |
|------------|--|-------|
| 9:45 a.m. | 9. Connections: Develop strong public partnerships and connect people to services and information | |
| | 9.1 Update from Arts Consortium | 45 |
| 10:05 a.m. | 10. COMMUNITIES: Create and maintain safe, healthy and livable communities | |
| | 10.1 Public hearing - Amendment to County Tobacco Ordinances | 46-50 |
| | 10.2 To provide information to Commissioners on the abilities of Everbridge Mass Notification System/Smart Weather Alert | 51 |
| 10:45 a.m. | 11. Finances: Improve the County's financial health and economic profile | |
| | 11.1 2016 Carver County Newspaper | 52-54 |
| 10:50 a.m. | RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY RAILROAD AUTHORITY | |
| 10:50 a.m. | 12. Connections: Develop strong public partnerships and connect people to services and information | |
| | 12.1 Appointment of Chair, Vice Chair and Secretary/Treasurer | 55 |
| 10:50 a.m. | ADJOURN CARVER COUNTY REGIONAL RAIL AUTHORITY AND RECONVENE AS CARVER COUNTY BOARD | |
| | 13. GROWTH: Manage the challenges and opportunities resulting from growth and development | |
| | 13.1 Closed Session - Right of Way Acquisition for CSAH 61/Highway 101 Southwest Reconnection Project #010-661-002 | 56 |
| 11:30 a.m. | ADJOURN REGULAR SESSION | |
| 11:30 a.m. | BOARD REPORTS | |
| | 1. Chair | |
| | 2. Board Members | |
| | 3. Administrator | |
| | 4. Adjourn | |

David Hemze
County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2016 Board Operating Rules

| | |
|---|--|
| Primary Originating Division/Dept: Administration (County) <input type="text"/> | Meeting Date: 1/5/2016 <input type="text"/> |
| Contact: Dave Hemze <input type="text"/> Title: County Administrator <input type="text"/> | Item Type: Regular Session <input type="text"/> |
| Amount of Time Requested: 5 <input type="text"/> minutes Presenter: Dave 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:

During the statutory meeting, the County Board is required to review, amend if necessary, and adopt operating rules for the year. The proposed 2016 Board Operating Rules are attached. Under VIII. Advisory Committees (B) The Water, Environment, Natural Resource Committee has been changed to "Water Management Organization" to reflect that committee's new name. No other changes are being proposed.

ACTION REQUESTED:

Motion to adopt 2016 Board Operating Rules.

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

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 3620



CARVER
COUNTY

Board of Commissioners
Board Operating Rules
~~Adopted~~ Proposed
~~January 6, 2015~~ January 5, 2016

I. Overview

A. Purpose

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

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

B. Statement of Principles

The Operating Rules intend to strike a procedural balance that considers all principles and enunciates a specific process by which those principles interact and work. The rules are representative of the following Carver County Strategic Plan.

I. Vision

Where the future embraces the past in keeping Carver County a great place to live, work and play for a lifetime.

II. Mission

To meet the service requirements and special needs of our residents in a fiscally responsible and caring way. We will plan the county's growth to preserve its uniqueness and will encourage rural and urban compatibility. We will protect our history while planning for a dynamic future.

III. Goals - Summarized

To help define each goal statement, there is a distinctive and characteristic word which summarizes each goal. These five goals are designed to serve as the foundation for all future strategies, work and priorities of the County.

I. Communities: Create and maintain safe, healthy, and livable communities.

II. Culture: Provide an organizational culture which fosters individual accountability to achieve goals and sustain public trust and confidence in County government.

III. Connections: Develop strong public partnerships and connect people to services and information.

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

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

C. Effective Date

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

II. Amendments to the Operating Rules

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

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

Any member of the County Board or the County Administrator may initiate action to amend the operating rules

Any changes in statute or law affecting the rules are effective immediately and will be reflected in the next draft of the rules.

III. County Board Organization

A. Membership

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

B. Commissioner Districts

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

C. Terms of Office

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

D. Vacancy

A vacancy in the office of County Board is filled at a special election not less than 30 nor more than 90 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election but the special election shall

be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term (Minn. Stat. §375.101).

If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at the general election for the ensuing term. That person shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office (Minn. Stat. §375.101).

E. Officers

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

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

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

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

F. Compensation

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

Prior to the effective date of a new salary, each County Board member shall have the option to accept or reject any salary increase in writing and submit it to Employee Relations.

G. Monthly Expense Allowance

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

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

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

In addition, all overnight expenses associated with conferences, seminars, and meetings are costs eligible for reimbursement. Each Commissioner shall be allocated an annual conference and training budget with an amount to be determined according to the annual budget process. Conference and training funds not used by an individual Commissioner during each respective budgetary year may be used by another Commissioner within that budget year upon mutual agreement between the Commissioner requesting the funds and the Commissioner providing the funds.

Cell phone expenses are costs eligible for reimbursement according to County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. In addition, remote computer access expenses are eligible for cost reimbursement.

H. County Board Budget

The County Board is allocated an annual budget which includes salary and benefits and general operating

expenses (office supplies and other miscellaneous expenses).

IV. County Board Meetings

A. Regular Meetings

Members of the County Board are entitled to ten days' notice of regular Board meetings (Minn. Stat. §375.07). At the annual statutory meeting, the County Board shall adopt a schedule of regular board meetings for the upcoming year. The schedule will include the location, date and time of the meetings. During the year the schedule may be amended by general consensus or a vote if necessary of the County Board. Evening meetings may be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items.

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

B. Statutory Meeting

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

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

C. Open Meeting Law

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

D. Closed Meetings

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

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

E. Special/Emergency Meetings

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

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

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

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

Meetings of the County Board may also be conducted by interactive TV according to Minn. Stat. §13D.02.

F. Public Hearings

From time to time, the County Board conducts formal public hearings. In addition to those required by law, the County Board may hold public hearings on matters of business when it decides that such hearings are in the best interest of the general public or issues under consideration.

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

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

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

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

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

All comments by proponents, opponents, or members of the public shall be made at the microphones and individuals making comments shall first give their name and address. This is required for an official record of the public hearing.

G. Meeting Conduct

The following meeting conduct rules shall apply for all Board meetings:

1. Respect the dignity of each individual.
2. Respect one another's facts, opinions and right to speak.
3. We realize that our thinking processes are shaped by our backgrounds. None of us can be completely objective as a result. We all have our natural biases that we may not even be aware of. We must respect that in one another. Backgrounds are neither right nor wrong; they just are. Diversity, differences, conflict are all inevitable.
4. We choose to deal with conflict in a healthy manner. Therefore there will be no name calling and putdowns of individuals or ideas. This does not mean you can't openly disagree and support your ideas, opinions and facts.
5. Listen respectfully - no interruptions.
6. In the interest of time, time limits may be established.
7. Questions may be asked of the presenters during the time allotted.

H. Cable casting

All regular meetings of the Carver County Board of Commissioners are videotaped from calling to order of the meeting to the adjournment of the meeting's regular session. Regional Rail Authority, Ditch Authority and Public Health Board meetings are also videotaped from calling to order to adjournment of the meeting.

These DVDs are broadcast on cable television channels. Efforts are made to use cable channels that provide the most complete coverage possible across the entire geographic areas of Carver County.

DVDs are available for check-out through the Carver County library system and are available for viewing on the County's website. DVDs are also available for purchase by the general public through the County Administrator's Office. The cost of DVDs are set by the County Board and included in the County's Fee for Service Schedule.

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

I. Quorum

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

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

J. Role of Presiding Officer

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

1. Preside at all meetings of the County Board.
2. Preserve order and decide questions raised by members subject to appeal to the Board.
3. Require the vote on all questions regularly moved and to announce the result.

4. Review and comment on the draft agenda for each regular and special meeting of the Board.
5. Serve as representative of the Board in execution of contracts, orders, resolutions, determinations and minutes of the Board and certification of tax rolls.

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

K. Addressing the Chair

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

L. County Administrator

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

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

V. CONDUCT OF DEBATE

A. Principles

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

B. Parliamentarian

The Rules of Order governing County Board meetings shall be referred to the County Board Chair for interpretation and enforcement. The County Board Chair may consult with Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

C. Role of the Chair

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

D. Suspension of the Rules

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

E. Main Motion

The main motion shall be considered by the Board. A member may make only one main motion at a time. The Board member(s) may present an initial motion on the resolution and subsequently debate the question; or the

Board member(s) may call upon staff for additional information prior to introduction of the motion.

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

F. Second Required

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

G. Amended Motion

Any motion may be amended at any time before it is adopted. The amended motion shall have precedence

over an existing motion and may be discussed prior to being voted upon. If the amended motion fails, the main motion may proceed for consideration. If the amended motion passes, the amended motion becomes the main motion and may proceed for consideration. Once an amended motion is voted upon, a second amended motion may be entertained.

H. Division of the Question

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

I. Withdrawal of Motion

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

J. Discussion Procedures

The following operating rules shall guide debate:

1. Any Commissioner desiring to speak shall address the Chair, and not proceed until being recognized. When two or more members address the Chair at the same time, the Chair shall designate the order of speaking.

2. Upon recognition of the Chair, the Board member making the motion has precedence to address the Board first, with the option of explaining the reasons

why the motion is made. Subsequently the floor is open to any member of the Board.

3. A member, once recognized, shall not be interrupted when speaking, unless it is to call that member to order. No member shall interrupt another in debate without his/her consent. To obtain such consent, he/she shall first address the Chair.

K. Adoption

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

L. Procedural Motion

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

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

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

M. Voting

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

VI. TYPES OF COUNTY BOARD ACTION

A. Resolution

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

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

B. Ordinance

The County Board may take formal action by ordinance (Minn. Stat. §375.51). An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the county. County Board action shall be taken by ordinance when required by law.

C. General Consensus

The County Board provides informal direction by consensus. Informal direction is most often used to provide staff with preliminary Board perspective on a matter which will require future formal action by resolution or ordinance. Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy or authorize action.

D. Policy Development

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

VII. COUNTY BOARD AGENDA

A. Preparation and Distribution

The County Administrator shall prepare the agenda and supporting material for each regular and special meeting. Members of the Board may direct that an item be placed on the Agenda by informing the County Administrator. The County Administrator shall include an item on the agenda if a member directs that the item be placed on the agenda at least three (3) days prior to the meeting for which the agenda is to be prepared.

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

Copies of the agenda and supporting material shall be made available to the County staff, public and media as

appropriate. A distribution list shall be maintained in the County Administration Office. Members of the public who are interested in following issues considered by the Board may register their name and address with County Administration for placement on the agenda distribution list.

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

B. Order of Business

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

1. Call to Order (start of cablecast)
2. Pledge of Allegiance
3. Public Comments
4. Introduction of New Employees
5. Approval of Agenda
6. Approval of Minutes
7. Community Announcements
8. Consent Agenda
9. Regular Agenda
10. Adjourn Regular Session (end of cablecast)
11. Board Reports

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

C. Consent Agenda

The Consent Agenda will consist of routine agenda items which are not likely to require additional debate and discussion. Examples of consent agenda items include, but in no circumstances are limited to, tax abatements (penalty and interest claims), minor budget amendments, personnel actions, tax forfeiture actions, and miscellaneous contract approvals and renewals.

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

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

D. Regular Agenda

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

E. Official Records

The County Administrator or designee shall prepare the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statutes in order to provide an accurate record of County Board actions. The record is not intended to be a verbatim transcript of all discussion and debate; the record is primarily a compilation of official actions (Minn. Stat. §331A.01).

The minutes of the County Board meeting shall be prepared and submitted for approval at the next succeeding County Board Meeting. Official proceedings of County Board meetings shall be published in the official County newspaper (Minn. Stat. §375.12). The Official Board Proceedings are distributed to staff and interested parties and are also available on the Carver County website at www.co.carver.mn.us.

The official minutes of County Board meetings shall be available in the County Administration Office. The resolutions shall be numbered consecutively followed by the last two digits of the calendar year.

VIII. ADVISORY COMMITTEES AND OTHER STATUTORY APPOINTMENTS

A. Policy

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

B. Advisory Committees

Advisory Committees or Boards do not establish county or department policy, determine budget or resource allocations, or direct the operations of the department. These remain the sole responsibility of the County Board. Advisory Committees perform their duties and responsibilities as delegated by the County Board, they report to the County Board, and are under the County Board's jurisdiction.

A list of advisory committees includes, but is not limited to:

1. Arts Committee
2. Board of Adjustment
3. Library Board
4. Mental Health Advisory Committee
5. Minnesota Extension Committee
6. Park Commission
7. Personnel Board of Appeals
8. Planning Commission
9. ~~Water, Environment, Natural Resource~~
9. Water Management Organization

C. Appointments to other Public Bodies

The County Board also makes appointments to entities that are created by special act and which, upon their establishment, are public bodies, corporate and politic, with all the powers, duties and authority as provided for in statute.

Term lengths, term limits and other operational procedures of these public bodies are governed by Minnesota Statute and/or the entity's by-laws.

A list of these public bodies includes, but is not limited to:

1. Community Development Agency
2. Lower Minnesota River Watershed District
3. Minnehaha Creek Watershed District
4. Riley-Purgatory-Bluff Creek Watershed

D. Role and Purpose of the Committees

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

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

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

E. Operating Procedures

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

Individuals appointed by the Board to Committees receive a per diem reimbursement for attendance at regular or special meetings of such committees unless otherwise stated by the County Board. The per diem level is established from time to time by Board and/or Minnesota Statute.

F. Appointments

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

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

G. Attendance Policy

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

H. Residency Requirement

Applicants are not always restricted to Carver County

residents.

I. Notification

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

J. Terms

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

K. Appointment of Chairs

Chairs of various committees are selected according to committee bylaws.

L. Reporting Requirements

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

IX. CODE OF ETHICS

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

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

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

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

X. CITIZENS

A. Citizen Participation

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

B. Audience/Citizens Requests

The County Board prefers all business matters initiated by citizens coming before them to first be reviewed by

staff and scheduled for discussion on the appropriate agenda.

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

C. Audience Participation at Board Meetings

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

The Carver County Board wishes to provide an opportunity for the public to address the County Board. The County Board Chair has the discretion to request public input on issues that are included as part of the agenda. For citizens who desire to discuss issues which are not on the agenda, every regular Board meeting has a Public Comments section.

It is the intention of the Board, by adoption of the following rules, to ensure that its affairs are conducted in an open, orderly, and efficient manner, that persons desiring to address the Board on matters pertaining to the agenda or germane to County business are afforded an opportunity to speak, that persons in attendance may observe and hear the proceedings without distraction, and that the Board is able to transact County business with minimal disruption.

1. A person desiring to speak may only speak if acknowledged by the Board Chair. All remarks shall be addressed to the County Board as a whole, not to any specific member(s) or to any person who is not a member of the County Board.

2. Comments are limited to a period of five (5) minutes. Additional time may be granted at the discretion of the Chair.

3. Copies of written materials must be provided to the County Board members, the County Administrator, the County Attorney, and any media present at the meeting. Handouts provided to the County Board members become government data and are thereafter under classifications designated in the Minnesota Government Data Practices Act and/or other privacy laws.

4. If there are a number of individuals present to speak on the same topic, all persons must sign in and designate a spokesperson or two.

5. Board members will listen to comments but will not engage in discussion during the Public Participation section of the agenda. Board members or County staff may ask questions in order to gain a thorough understanding of concerns, suggestions, or requests. If follow-up to a person's comments is requested or required the Board Chair will direct the County Administrator to do so.

6. Disruptive and/or disrespectful behavior will not be allowed. Examples of such behavior include arguments, obscenity, profanity, insults or attacks against a person in his or her personal capacity, physical violence or threat thereof, repetitious references, or such other comments or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting. The Chair will address such a speaker, give them a warning and/or use appropriate means to remove such a person from the meeting up to and including the use of law enforcement

D. Responding to Correspondence/Inquiry/Processing of Complaints from Citizens

County Board members and staff are committed to customer service and will endeavor to provide timely and efficient response and communication to the citizens of Carver County.

Upon receipt of a written inquiry, request for information, or complaint about County business which has been sent to a Board member, upon notification and direction from County Administrator or designee, staff will confer with the member to determine the appropriate course of action. The inquiry will be handled timely as directed with the County Administrator or designee advising the Board member upon completion.

Incoming telephone calls requesting a specific Board member should be forwarded to the Board member per

his/her instructions. Administration staff will periodically review with Board members the preferred method of handling telephone inquiries. Every effort will be made to maintain open lines of communication between the Board members and their constituents.

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

XI. Staff

A. County Administrator

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

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

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

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

B. Role of Staff

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

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

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

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

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

Staff/citizen member participation should be immediately communicated to the Board appointed designee or the County Administrator. If the issue has not been addressed by the County's legislative agenda, a County Board position should be sought prior to any lobbying effort on your part.

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

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

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Adopt schedule of regular Board meetings for the year 2016

| | |
|---|--|
| Primary Originating Division/Dept: Administration (County) <input type="text"/> | Meeting Date: 1/5/2016 <input type="text"/> |
| Contact: Dave Hemze <input type="text"/> Title: County Administrator <input type="text"/> | Item Type: Regular Session <input type="text"/> |
| Amount of Time Requested: 5 <input type="text"/> minutes Presenter: Dave 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:

At the annual statutory meeting, the County Board adopts a schedule of regular Board meeting for the upcoming year.

Administration is recommending County Board meetings as follows.

- Regular session: First Tuesday of the month at 9:00 a.m.
- Regular session: Third Tuesday of the month at 4:00 p.m.
- Work session: Fourth Tuesday of the month at 9:00 a.m.

There would be no meetings scheduled the second Tuesdays of the month. The attached calendar reflects that meeting schedule with minor changes to the work session date to be held in March to accommodate schedules. A Board meeting was also included in December on the second Tuesday of the month due to the AMC conference being held on the first Tuesday of the month.

The Board's Operating Rules provide for additional meetings to be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items.

ACTION REQUESTED:

Motion to adopt attached meeting schedule for 2016 as presented.

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

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 3618

2016 BOARD MEETINGS

(1st Tuesday of the month at 9:00 a.m.; 3rd Tuesday of the month at 4:00 p.m.;
4th Tuesday of the month work session at 9:00 a.m.)

| | | | |
|---------|------------------|-----------|------------------------|
| Tuesday | January 5, 2016 | 9:00 a.m. | Organizational Session |
| Tuesday | January 12, 2016 | | No Board Meeting |
| Tuesday | January 19, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | January 26, 2016 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|-------------------|-----------|--------------------|
| Tuesday | February 2, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | February 9, 2016 | | No Board Meeting |
| Tuesday | February 16, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | February 23, 2016 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|----------------|-----------|-----------------------|
| Tuesday | March 1, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | March 8, 2016 | | No Board Meeting |
| Tuesday | March 15, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | March 22, 2016 | | No Board Work Session |
| Tuesday | March 29, 2016 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|----------------|-----------|--------------------|
| Tuesday | April 5, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | April 12, 2016 | | No Board Meeting |
| Tuesday | April 19, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | April 26, 2016 | 9:00 a.m. | Board Work Session |

| | | | |
|----------|--------------|-----------|--------------------|
| Tuesday | May 3, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | May 10, 2016 | | No Board Meeting |
| Tuesday | May 17, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | May 24, 2016 | 9:00 a.m. | Board Work Session |
| Tuesday, | May 31, 2016 | | No Board Meeting |

| | | | |
|---------|---------------|-----------|-----------------------------------|
| Tuesday | June 7, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | June 14, 2016 | | No Board Meeting |
| Monday | June 20, 2016 | 5:00 p.m. | Board of Equalization |
| Tuesday | June 21, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | June 28, 2016 | 9:00 a.m. | Board Work Session |
| Tuesday | June 28, 2016 | 1:00 p.m. | Board of Equalization (if needed) |

| | | | |
|---------|---------------|-----------|--------------------|
| Tuesday | July 5, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | July 12, 2016 | | No Board Meeting |
| Tuesday | July 19, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | July 26, 2016 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|-----------------|-----------|--------------------|
| Tuesday | August 2, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | August 9, 2016 | | No Board Meeting |
| Tuesday | August 16, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | August 23, 2016 | 9:00 a.m. | Board Work Session |
| Tuesday | August 30, 2016 | | No Board Meeting |

| | | | |
|---------|--------------------|-----------|--------------------|
| Tuesday | September 6, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | September 13, 2016 | | No Board Meeting |
| Tuesday | September 20, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | September 27, 2016 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|------------------|-----------|--------------------|
| Tuesday | October 4, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | October 11, 2016 | | No Board Meeting |
| Tuesday | October 18, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | October 25, 2016 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|-------------------|-----------|--------------------|
| Tuesday | November 1, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | November 8, 2016 | | No Board Meeting |
| Tuesday | November 15, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | November 22, 2016 | 9:00 a.m. | Board Work Session |
| Tuesday | November 29, 2016 | | No Board Meeting |

| | | | |
|---------|-------------------|-------------------|-----------------------|
| Tuesday | December 6, 2016 | AMC Conference | No Board Meeting |
| Tuesday | December 13, 2016 | 9:00 a.m. | Board Meeting |
| Tuesday | December 20, 2016 | 4:00 p.m. | Board Meeting |
| Tuesday | December 27, 2016 | | No Board Work Session |

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Committee Appointments and Assignments

| | |
|--|--|
| Primary Originating Division/Dept: Administration (County) <input type="text"/> | Meeting Date: 1/5/2016 <input type="text"/> |
| Contact: Dave Hemze <input type="text"/> Title: County Administrator <input type="text"/> | Item Type: Regular Session <input type="text"/> |
| Amount of Time Requested: 20 <input type="text"/> minutes Presenter: Board Chair <input type="text"/> Title: <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:

Administration is requesting that the Board make committee appointments and assignments for 2016. A list identifying the appointments and assignments to be made is attached.

ACTION REQUESTED:

Motion appointing Board members to various commissions, committees and boards.

The Mobility Management Board has been added as a committee assignment. Commissioner Ische agreed to serve on this committee in 2015.

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

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 3658

Committee Appointments and Assignments

| Committee | 2015 Appointee | 2016 Appointee |
|---|--|-----------------------|
| Area Agency on Aging | Maluchnik | |
| Association of Minnesota Counties Board of Directors | Ische, Alt. Degler | |
| AMC Environment & Natural Resources Policy Committee | Ische | |
| AMC General Government Policy Committee | Degler | |
| AMC Health & Human Services Policy Committee | Lynch | |
| AMC Public Safety Policy Committee | Maluchnik | |
| AMC Transportation Policy Committee | Workman | |
| AMC Voting Delegates | Degler, Ische, Lynch, Maluchnik, Workman, Dave Hemze, Lyndon Robjent, Rod Franks | |
| CAP Agency Board of Directors | Degler | |
| Carver County Arts Committee | Lynch and Workman | |
| Carver County CDA | Maluchnik, Liaison | |
| Carver County Leaders (formerly ACCEL) | Maluchnik & Lynch | |
| Community Leaders (Eastern) | Degler, Maluchnik, Workman | |
| Courts Committee | Ische & Degler, Alt. Lynch | |
| Counties Transit Improvement Board | Maluchnik | |
| County's Strategic National Stockpile (SNS) Requestor | Degler, Hemze, Laura Reid | |
| CROW Joint Powers Board | Lynch, Alt. Ische | |
| County and Union Leaders Group | Maluchnik & Lynch | |
| Fair Board | Ische, Alt. Lynch, Liaisons | |
| Greater MSP Partner Advisory Council | Julie Frick (public) vacant (private) | |
| Historical Society Committee | Maluchnik, Alt. Lynch | |
| Insurance Advisory Committee | Maluchnik | |
| Joint Ditches: | | |
| Joint Ditch #1 | Ische, Lynch Degler | |
| Joint Ditch #2 | Ische Degler | |
| Joint Ditch #3A | Ische | |
| Joint Ditch #4 | Ische, Lynch, Workman | |
| Joint Ditch #5 | Ische, Lynch, Maluchnik | |
| Joint Ditch #21 | Ische Lynch, Workman, Degler | |
| Joint Ditch #22 | Ische, Lynch, Maluchnik | |
| Joint Ditch #24 | Ische, Lynch Degler | |
| Joint Ditch #28 | Ische | |

| | | |
|--|--|--------------------------------|
| Law Library Board | Degler | |
| Legislative Committee | Maluchnik & Workman | |
| Library Board | Degler, Liaison | |
| Lower Minnesota River Watershed | Maluchnik & Degler, Liaisons | |
| MCIT Voting Delegates | Hemze, Sonja Wolter, Alt | |
| MELSA | Degler | |
| Metro Alliance for Healthy Families Joint Powers Board | Workman | |
| Metro GIS Policy Board | Maluchnik, Alt. Peter Henschel | |
| Metropolitan Emergency Services Board | Ische & Degler | |
| Metropolitan Emergency Services Executive Board | Ische, Alt Degler | |
| Metropolitan Emergency Services Radio Technical Operations Committee | Susan Bowler Alt. Peter Sauter | Tim Walsh Alt. Shane Sheets |
| Metropolitan Emergency Services 911 Technical Operations | Susan Bowler, Alt. Deb Paige | Tim Walsh Alt. Susan Bowler |
| Minnesota Inter-County Association | Degler & Maluchnik | |
| Minnehaha Creek Watershed District | Maluchnik & Workman, Liaisons | |
| Minnesota Extension Committee | Degler & Lynch | |
| Minnesota Counties Computer Consortium: | Melissa Reeder, Alt Dave Frischmon, Laurie Engelen | |
| Minnesota Transportation Alliance | Maluchnik | |
| Minnesota Valley Regional Rail Authority | Workman, Alt. Maluchnik | |
| *Mobility Management Board (SmartLink) | Ische | |
| Mosquito Control District | Ische & Workman | |
| Park Commission | Lynch, Liaison | |
| Planning Commission | Ische, Alt. Lynch & Maluchnik | |
| Riley-Purgatory-Bluff Creek Watershed | Workman & Degler, Liaisons | |
| Solid Waste Management Coordinating Board | Workman & Ische | |
| Southwest Corridor Transportation Coalition | Workman & Maluchnik, Alt. Degler | |
| State CHS Advisory Committee (SCHSAC) | Marcee Shaughnessy, Alt. Maluchnik | Laura Reid, Alt. |
| Suburban County Representatives | Maluchnik & Workman | |
| Transportation Advisory Board – TAB | Maluchnik, Alt. Workman | |
| WENR Committee | Lynch, Alt. Ische | |

***Committee added in 2015.**

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Appointments to Advisory Committees

| | |
|--|--|
| Primary Originating Division/Dept: Administration (County) <input type="text"/> | Meeting Date: 1/5/2016 <input type="text"/> |
| Contact: Dave Hemze <input type="text"/> Title: County Administrator <input type="text"/> | Item Type: Regular Session <input type="text"/> |
| Amount of Time Requested: 30 <input type="text"/> minutes Presenter: Board Chair <input type="text"/> Title: <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:

Each year the Board is asked to make appointments to their various advisory committees. Those individuals that were eligible to reapply were sent an application. A list of applicants that have applied is attached.

The Board has the option to make appointments today or hold until such time as they find an applicant.

ACTION REQUESTED:

Motion appointing applicants to advisory committees.

| | |
|--|---|
| FISCAL IMPACT: Included in current budget <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 2016 - 3621

**CARVER COUNTY CITIZEN ADVISORY
COMMITTEE VACANCIES AND APPLICATIONS**

BOARD OF ADJUSTMENT (3 year terms)

Current members:

Scott Hoese - Commissioner District 4
Richard Buetow - Commissioner District 5
Virgil Stender - At large

Current vacancies 3, Commissioner District 1, 2 and 3

Applicants:

Michael Huang - Commissioner District 1
Richard Kvittek - Commissioner District 1 (but had been representing District 3)

COMMUNITY DEVELOPMENT AGENCY (5-year terms)

Current members:

Sarah Carlson - Commissioner District 1
Molly Kouyumak - Commissioner District 3
Darrel Sudheimer - Commissioner District 4
LaVonne Kroells - Commissioner District 5

Current vacancies 1: Commissioner District 2

Applicant:

Frank Mendez - Commissioner District #2

LIBRARY BOARD (3-year terms)

Current members:

Jim Weygand - Resides Commissioner District 5- Represents District 3
Linnea Chrest - Commissioner District 4
Wayne Mortenson - Commissioner District 5

Current vacancies 2: Commissioner District 1 and 2

Applicants:

Barbara Colhapp - Commissioner District 1

MENTAL HEALTH ADVISORY COMMITTEE

Current Members:

Samuel Deweese - Commissioner District 4

Becky Maas - Commissioner District 4

Current Vacancies: Mandated Vacancies, committee has nine mandated vacancies to be filled, but can be composed of up to fourteen members

Applicants:

Caroline Beise - Commissioner District 3

Lisa Inman - Commissioner District 4

Lisa Gjerde - Commissioner District 1

Dr. Edward Tipton - Commissioner District 1

Susan Kunitz - Commissioner District 2

Becky Sorenson - Commissioner District 3

Noah McCourt - Commissioner District 3

PARK COMMISSION (3-year terms)

Current members:

Curt Kobilarcsik - Commissioner District 1

Jim Manders - Commissioner District 2

Jim Boettcher - Commissioner District 2 (at large)

Gerald Burner - Commissioner District 4

Ron Trick - Commissioner District 5

Current Vacancies 2: Commissioner District 3 and one at large

Applicants:

Carroll Aasen - Commissioner District 3

PERSONNEL BOARD OF APPEALS (3-year terms)

Current members:

Nate Bostrom - Commissioner District 3

Gerald Bruner - Commissioner District 4

Current vacancies: One at large

Applicants:

Gino Businaro - Commissioner District 3

PLANNING COMMISSION (3-year terms)

Current members:

Gabrielle Soojian Theis - Commissioner District 1
Jim Burns - Commissioner District 4
John Fahey - Commissioner District 5
Mark Williams - Township Representative

Current vacancies 2: Commissioner District 2 and 3

Applicants:

Michael Schacterle - Commissioner District 2
Robert McNulty - Commissioner District 3

WATER MANAGEMENT ORGANIZATION (Formerly Water, Environment and Natural Resources Committee WENR) (3-year terms)

Commissioner District/Watershed District Appointments:

John Siegfried - Commissioner District 1
Audrey Kramer - Resides Commissioner District 1, but has represented District 3 on committee
Trevor Kruger - Resides Commissioner District 4
Chad Robbins - Representing Carver Creek
Doug Kammerer - Representing Crow River
Hilary Drees - Township Representative
Brent Aretz - Township/Small City Representative

Vacancies 4: Commissioner Districts 2 and 5, Vacancy in representative from Bevens Creek and representative from E/W Chaska Creek

Applicants:

Jim Boettcher - Commissioner District 2
Thomas Welch - Commissioner District 2
Virgil Stender - Commissioner District 5
Mary Strother - Commissioner District 5 and Bevens Creek Watershed Resident
Carroll Aasen - Commissioner District 3 and E/W Chaska Creek Watershed Resident

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on December 15, 2015. Chair Randy Maluchnik convened the session at 4:00 p.m.

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

Members absent: None.

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

Workman moved, Ische seconded, to approve the minutes of the December 1, 2015, Regular Session and December 3, 2015, Budget Public Hearing Motion carried unanimously.

Community announcements were made by the Board.

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

Joint powers agreement with the City of Chanhassen for CSAH 61 reconstruction, pending finalization of the contract review process.

Approved Public Services budget amendment and payment of the Waconia Street assessments.

Joint powers agreement with Sibley County for snow and ice control services pending finalization of the contract review process.

Resolution #67-15, Vacation of County Highway No. 30.

Professional services agreement with Bolton and Menk, Inc., for engineering services, in the amount of \$304,426, pending finalization of the contract review process.

Approved limiting business hours in non-24/7 facilities on December 24, 2015, to 8:00 a.m. – 12 noon, allowing employees to use PTO, comp time, flex time or voluntary unpaid leave to fill the day; and in specific situations, allow greater flexibility of work hours within the same work week to accommodate the reduction of hours on the 24th.

Approved the revisions to the Contracts and Purchasing Policy as outlined.

Approved purchase of the PMWeb software

Approved the following abatements:

| | |
|------------|----------------|
| 30.1140190 | Yai Dau |
| 75.2530120 | Shelly Stahlke |

| | |
|------------|------------------|
| 45.2000060 | Michael Henkel |
| 30.6590720 | John Brunette |
| 30.4470050 | Matthew Chase |
| 25.8480610 | Brenda Johnson |
| 06.0090820 | Benjamin Falk |
| 20.2400670 | Pat Shannon |
| 65.5560310 | Joseph Calderone |
| 20.2400570 | William McInturf |
| 85.3990020 | Jeremy Hegle |
| 75.3180280 | Jared Berger |
| 30.6110300 | Pamela Meier |

Reviewed December 8, 2015, Community Social Services' actions/Commissioners' warrants in the amount of \$263,578.74 and reviewed December 15, 2015, Community Social Services' actions/Commissioners' warrants in the amount of \$308,658.50.

Motion carried unanimously.

Nick Koktavay, Public Services, requested the Board approve the agreement with the University of Minnesota for Extension Services and recognize the 2015 Farm Family of the Year. He stated this was a three year agreement and rates were negotiated by AMC.

Tammy McCulloch, U of M Extension Regional Director, explained she serves as a liaison between the County and the University and thanked the Board for their educational partnership. She identified the services provided through Extension and introduced staff.

Suzanne Honebrink, County Extension Committee Chair, introduced John and Jeanie Buckentine, 2015 Farm Family of the year and highlighted their operation.

Degler moved, Lynch seconded, to approve the contract with the University of Minnesota for extension services pending completion of the contract review process. Motion carried unanimously.

Jackie Hamre, Employee Relations, recognized five employees who had 40 or more years of service with the County.

The Board congratulated and thanked Deborah Bergstrom, Darla Wulf, Beth Cone, Deb Maresch and Robert Olson for their dedication and work serving the residents of Carver County.

Kerie Anderka, Employee Relations, requested the Board set the 2016 County Attorney and County Sheriff compensation. She explained the County Board has the authority to set compensation for elected officials. She pointed out salaries must be set with regard to the responsibilities and duties of the office as well as experience and performance. Anderka reviewed market data from other counties and internal trends. She stated setting the County Sheriff's salary at \$142,000 and County Attorney salary at \$152,000 would move both positions closer to the market.

Workman offered the following Resolution, second by Lynch:

Resolution #68-15
2016 County Attorney and County Sheriff Compensation & Benefits

On vote taken, all voted aye.

Anderka requested the Board adopt a Resolution setting 2016 County Commissioner compensation. She stated there were several factors that should be considered including market data. She noted the current salaries were significantly below the average salaries of comparable counties. Anderka pointed out internal trends and past modest increases.

Lynch offered the following Resolution, seconded by Workman:

Resolution #69-15
2016 County Commissioner Compensation and Benefits

On vote taken, all voted aye.

Martin Walsh, Parks, requested the Board approve the sale of land to the DNR for a public water access at Lake Waconia Regional Park. He explained the Park Master Plan included a public water access. He indicated in March the Board approved an option to sell 5.17 acres to the DNR and an agreement with DNR to plan, develop and operate an access. He stated the DNR did exercise that option to purchase and in October the Met Council approved the removal of restrictive covenants contingent on LCCMR approval. Walsh reviewed the purchase price and related reimbursements.

Ische moved, Degler seconded, to approve the sale of County property to the DNR and authorize staff to sign closing and all related documents. Motion carried unanimously.

Pat Lambert, Public Works, requested the Board approve an agreement for right of way acquisition for the CSAH 11 project.

Workman stated he would recuse himself as he had family living in the area.

Lynch moved, Ische seconded, to approve a Stipulation for Settlement agreement with Nathan Haasken and Christy Haasken-Schuler whereby Haasken and Haasken-Schuler reimburse Carver County a reimbursement overpayment in the amount of \$70,000. Degler, Ische, Lynch, Maluchnik voted aye. Workman abstained. Motion carried.

Darin Mielke, Public Works, requested the Board approve a joint powers agreement with the City of Waconia for the CR 110 construction project.

He pointed out the referendum that was passed by voters last year for the school expansion and the County's future county highway corridor through the proposed expansion area. Mielke noted the transportation study that was done and identified the project location. He explained the general design of the project and indicated they planned on hosting an open house on segment two.

Mielke highlighted the project schedule and projected cost and financing. He indicated the first segment would follow the cost participation policy and explained the turnback to the City as their contribution towards segment two.

Ische moved, Lynch seconded, to approve a joint owners agreement with the City of Waconia for the construction of CR 110 (future CSAH 10) pending finalization of the contract review process. Motion carried unanimously.

Under public comments, Norm Glock, 4825 Creek Road, Chaska, explained the re-alignment of Guernsey Road went through several acres of his property. He stated this was a long process and involved eminent domain. He pointed out the appraisal he had done, the values set by the land commissioners and the amount of funds that were spent on attorney's fees. He suggested there should be a better way of dealing with this and believed the landowners were taken advantage of.

Chair Maluchnik stated the legislature requires this process and both Mr. Glock and County taxpayers were a victim of the eminent domain process. He pointed out the County was trying to fix this through the legislative process and thanked Mr. Glock for expressing his opinion.

Dave Hemze, County Administrator, requested the Board adopt the 2016 budget and levy. He explained he was recommending a very modest increase and identified the tax impact to residential, commercial and agricultural properties. Hemze highlighted the services provided by the County and a breakdown of dollars spent on those services.

Dave Frischmon, Finance Director, explained projected expenses and revenue sources. He reviewed staffing changes funded by non-levy dollars. Frischmon pointed out the employees per capita over the last several years. He indicated County Program Aid would be directed to the General Fund and indicated State Highway Reimbursement funds would be used for one time projects.

He summarized capital projects and noted the ability to capture new construction was lower than previous years due to the fiscal disparity formula. He stated the tax impact to an average value home would either be flat or decrease. Frischmon added market values shift the tax burden.

Workman offered the following Resolutions, seconded by Lynch:

Resolution #70-15
Certifying 2016 Property Tax Levy

and

Resolution #71-15
County Board Adoption of the 2016 Budget for
Carver County

On vote taken, all voted aye.

Frischmon requested the Board approve the 2017 Long Term Financial Plan. He clarified this was not a budget but rather a non-binding assertion of future intent. He noted the majority of the money was in roads and noted the road preservation plan. He stated a Master Space Plan would look at all County buildings and indicated health insurance would continue to be a driver.

Ische offered the following Resolution, seconded by Degler:

Resolution #72-15
2017 Long Term Financial Plan
For Carver County

On vote taken, all voted aye.

Lynch moved, Degler seconded, to recess as the County Board and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Lyndon Robjent, Public Works, requested the Rail Authority set the 2015 budget and levy. He stated they were asking for a \$20,000 increase to provide for maintenance of the rail corridors as well as for the preservation and construction of trails. He stated there had not been an increase since 2008 and the tax impact to an average value home was estimated to be .49 cents.

Workman offered the following Resolution, seconded by Degler:

CCRRA #01-15
Certifying 2016 Property Tax Levy
And
Adoption of 2016 Budget

On vote taken, all voted aye.

Lynch moved, Ische seconded, to adjourn as the Carver County Regional Rail Authority and reconvene as the County Board. Motion carried unanimously.

Chair Maluchnik presented a 2015 Year in Review. He highlighted the bridges completed, road constructions completed, the purchase of the Public Works satellite station in Hollywood Township, Victoria's new library, and improvements made to the Parks. He noted the restructuring to streamline divisions and the County's ranking first in health outcomes. Maluchnik recognized the success of the Sheriff's drug take back program, the establishment of a Veterans Court and the

REGULAR SESSION
December 15, 2015

expansion of the County's electronic recording capability. He pointed out the County continues to be a leader in aquatic invasive species management and identified other County achievements.

He stated 2015 was a busy and successful year and these accomplishments would not have been possible without the dedicated employees. Chair Maluchnik thanked the people of Carver County for the opportunity to serve and his fellow Board members for their support over the past year.

Degler moved, Workman seconded, to adjourn the Regular Session at 6:07 p.m. Motion carried unanimously.

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:

Acceptance of Funds for Paint Stewardship

| | |
|--|--|
| Primary Originating Division/Dept: <input style="width: 90%;" type="text" value="Public Services - Environ. Svc."/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Joe Enfield"/> Title: <input type="text" value="Interim Environmental Services"/> | 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 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:

The 2013 Minnesota Legislature created a product stewardship program for architectural paint sold in the State [Minn. Stat. 115A.1415]. The new law required that paint manufacturers/retailers collect fees from customers on paint sold in the State. The fees are then used to fund a collection and recycling system for waste paint. Paint manufacturers established a non-profit organization named PaintCare to administer this program and begin collecting a \$0.75 per gallon fee in late 2014. Like most counties, Carver County already collected waste paint from residents and some small businesses. These counties worked via the Solid Waste Administrators Association (SWAA - an AMC affiliate), the Metro Solid Waste Management Coordinating Board (SWMCB), and the Minnesota Pollution Control Agency (MPCA) to reach agreements with PaintCare to be part of the collection system and receive funding for paint management.

Beginning in 2015, the Minnesota Pollution Control Agency (MPCA) received the funds from PaintCare and in turn reimbursed the County \$104,095.26 in two payments for paint management, related supplies, transportation paint reuse, and final recycling and management. The so-called "PaintCare funds" helped make it possible for the Environmental Services Department to submit a budget for 2016 that did not require any County levy funds.

This Request for Board Action is necessary to accept "PaintCare" funds from the MPCA.

ACTION REQUESTED:

Motion to accept the "PaintCare funds" from the MPCA.

| | | | | | | | |
|--|--|-------------------------|----------------------|-----------|--------------|--------------|---------------------|
| FISCAL IMPACT: <input type="text" value="Budget amendment request form"/> <p><i>If "Other", specify:</i> <input type="text"/></p> | FUNDING <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td><input type="text"/></td> </tr> <tr> <td>PaintCare</td> <td style="text-align: right;">\$104,095.26</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$104,095.26</td> </tr> </table> <input checked="" type="checkbox"/> Insert additional funding source | County Dollars = | <input type="text"/> | PaintCare | \$104,095.26 | Total | \$104,095.26 |
| County Dollars = | <input type="text"/> | | | | | | |
| PaintCare | \$104,095.26 | | | | | | |
| Total | \$104,095.26 | | | | | | |
| FTE IMPACT: <input type="text" value="None"/> | | | | | | | |

Related Financial/FTE Comments:

Office use only:

RBA 2016- 3699

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item:

Acceptance of funds from product stewardship paint management

Department:

Meeting Date:

Fund:

- 01 - General
- 02 - Reserve
- 03 - Public Works
- 11 - CSS
- 15 - CCRRA
- 30 - Building CIP
- 32 - Road/Bridge CIP
- 34 - Parks & Trails
- 35 - Debt Service

Requested By:

Joe Enfield

| DEBIT | | |
|---|----------------------|--------------|
| Description of Accounts | Acct # | Amount |
| Professional and Technical Fees for service | 01-123-130-0000-6260 | \$34,095.00 |
| Building Construction | 01-123-130-0000-6630 | \$70,000.00 |
| TOTAL | | \$104,095.00 |

| CREDIT | | |
|-----------------------------|---------------------|--------------|
| Description of Accounts | Acct # | Amount |
| HHW PaintCare Reimbursement | 01-123-131-1400-... | \$104,095.00 |
| TOTAL | | \$104,095.00 |

Reason for Request:

To add a revenue and expenditure budget for funds to be received. The staff recommends reserving funds for the possibility of an additional yard waste collection site and contracts for technical assistance with recycling programs as discussed with the county board during a solid waste program work session on 10/27/15.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agmt. with Taylor Electric for CSAH 18 Flashing Yellow Arrow Retrofit

| | |
|---|--|
| Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Kate Miner"/> Title: <input type="text" value="Transportation 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:

This contract will provide all the work and parts necessary to retrofit 4 signalized intersections that currently operate with protected left turn movements to a flashing yellow arrow operation. The signals included in the work are CSAH 18 and Galpin Blvd (CSAH 15), West entrance to Chanhassen High School, Hazeltine Drive, and Audubon Road. Flashing yellow arrow operations will allow the coordinated corridor to be retimed for better efficiency along the route.

The county received bids for this work and Taylor Electric was the low bid.

ACTION REQUESTED:

Approve a contract with Taylor Electric, in the amount of \$94,400.00, 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%; border-collapse: collapse;"> <tr> <td style="border: none;">County Dollars =</td> <td style="border: none; text-align: right;">\$62,341.67</td> </tr> <tr> <td style="border: none;">City of Chaska</td> <td style="border: none; text-align: right;">\$7,400.00</td> </tr> <tr> <td style="border: none;">City of Chanhassen</td> <td style="border: none; text-align: right;">\$24,658.33</td> </tr> <tr> <td style="border: none;">Total</td> <td style="border: none; text-align: right;">\$94,400.00</td> </tr> </table> <input type="checkbox"/> Insert additional funding source | County Dollars = | \$62,341.67 | City of Chaska | \$7,400.00 | City of Chanhassen | \$24,658.33 | Total | \$94,400.00 |
| County Dollars = | \$62,341.67 | | | | | | | | |
| City of Chaska | \$7,400.00 | | | | | | | | |
| City of Chanhassen | \$24,658.33 | | | | | | | | |
| Total | \$94,400.00 | | | | | | | | |
| FTE IMPACT: <input type="text" value="None"/> | | | | | | | | | |

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 3710

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution of acceptance and final payment for Bridge No. 10J31 Construction.

| | |
|--|--|
| Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Scott A. Smith"/> Title: <input type="text" value="Project Engineer"/> | Item Type: <u>Consent</u> |
| Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value="Program Delivery Manager"/> | Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No |

Strategic Initiative:
Communities: Create and maintain safe, healthy, and livable communities

BACKGROUND/JUSTIFICATION:

The original project contract amount was in the amount of \$360,020.00 for construction of Bridge No. on 166th Street over Silver Creek in San Francisco Township . The total of all work completed to date by Swenke Ims Contracting, LLC. is \$345,756.00.

The work for this project occurred during the 2015 construction season and all of the work is complete. Also, all state aid requirements and necessary project and financial documentation has been completed.

Swenke Ims Contracting, LLC. is requesting to finalize the contract with the County and release all retainage. County staff agrees and is requesting that the contract be finalized and that the remaining retainage be paid. After applying liquidated damages and adding final quantities the remaining amount to be paid to Swenke Ims Contracting, LLC. is \$17,455.00. Carver County is acting as an agent for the Township, and all project costs are being reimbursed by the Township or Town Bridge Funding.

ACTION REQUESTED:

Adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$17,455.00 to Swenke Ims Contracting, LLC for construction of Bridge No. 10J31.

| | |
|---|--|
| FISCAL IMPACT: <u>None</u> If "Other", specify: <input type="text"/> | FUNDING County Dollars = <input type="text"/> Town Bridge Funds \$17,455.00 Total \$17,455.00 |
| FTE IMPACT: <u>None</u> | |

Related Financial/FTE Comments:
 All of the projects costs are being reimbursed by the Township or Town Bridge Funds (majority).

Office use only:
 RBA 2016- 3711

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

Date: January 5, 2016

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ACKNOWLEDGMENT
SAP 010-599-017
FINAL PAYMENT**

WHEREAS, the construction project SAP 010-599-017, has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and on behalf of the Carver County Public Works Division and authorize final payment to Swenke Ims. Contracting, LLC.

YES

ABSENT

NO

STATE OF MINNESOTA
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 5th day of January, 2016, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 5th day of January, 2016.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Authorization for 2016 Park Promotions/Donations & Administrative Passes

| | |
|--|--|
| Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Sam Pertz"/> Title: <input type="text" value="Parks & Trails Supervisor"/> | 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="Connections: Develop strong public partnerships and connect people to services and information"/> | |

BACKGROUND/JUSTIFICATION:

The Parks Department requests authorization to distribute park services and products as a low cost means to promote the park system, recognize volunteer service, and support charitable events in the community. Up to five (5) shelter rentals, fifteen (15) two night campground reservations, thirty (30) annual vehicle permits and \$200.00 in recreation program/event vouchers could be distributed in 2016. Examples of where redeemable vouchers for services or products could be disseminated include but are not limited to: park programs/special events; drawings at park system; display exhibits in local communities and to local non-profits seeking donations.

Redeemable vouchers for services and products such as shelter rentals, weekend camping stays and annual permits may be awarded to someone who has provided significant volunteer service to the County.

In addition, the department requests authorization to distribute annual park passes to the below groups in order for them to have access to the park areas as a part of providing appointed, elected and administrative oversight for parks.

- Board of Commission Members (5)
- Park Commission Members (7)
- Administrative Staff (4)

The Board has approved requests for promotions, donations and administrative passes in previous years.

ACTION REQUESTED:

Authorize the Parks & Trails Supervisor to carry out promotions, and provide donations and administrative passes.

| | |
|--|--|
| FISCAL IMPACT: <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/> | FUNDING County Dollars = <input type="text" value="\$0.00"/> <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:

No hard costs are identified for donation of items. Soft costs associated with the donation of items includes staff time and some material supplies.

Office use only:

RBA 2016 - 3702

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with ACCOUNTING PRINCIPALS, INC.

| | |
|--|--|
| Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Mary Kaye Wahl"/> Title: <input type="text" value="Assistant Financial Services Dire"/> | 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="Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government"/> | |

BACKGROUND/JUSTIFICATION:

Financial Services would like to contract with Accounting Principals, Inc. to temporarily assist with payroll and other accounting functions. This temporary help will allow existing Financial Services staff to help implement in 2016 a payroll software conversion, a new software program for Employee Relations, a new electronic invoice software program, an update for our purchasing card program, new capital asset/inventoried asset software, and possibly new budgeting software.

ACTION REQUESTED:

Motion to contract with ACCOUNTING PRINCIPALS, INC. pending finalization of the contract review process.

| | | | | | | | |
|--|--|------------------|--------------------|--|--|--------------|--------------------|
| FISCAL IMPACT: <input type="text" value="Budget amendment request form"/> <i>If "Other", specify:</i> <input type="text"/> | FUNDING <table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%; text-align: right;">\$60,619.00</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$60,619.00</td> </tr> </table> <input type="checkbox"/> Insert additional funding source | County Dollars = | \$60,619.00 | | | Total | \$60,619.00 |
| County Dollars = | \$60,619.00 | | | | | | |
| | | | | | | | |
| Total | \$60,619.00 | | | | | | |
| FTE IMPACT: <input type="text" value="None"/> | | | | | | | |

Related Financial/FTE Comments:

Utilizing Financial Services 2016 STOC budget and a portion of the 2016-vacancy savings.

Office use only:

RBA 2016 - 3713

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item:

Request for approval to contract with ACCOUNTING PRINCIPALS, INC.

Department:

Meeting Date:

Fund:

- 01 - General
- 02 - Reserve
- 03 - Public Works
- 11 - CSS
- 15 - CCRRA
- 30 - Building CIP
- 32 - Road/Bridge CIP
- 34 - Parks & Trails
- 35 - Debt Service

Requested By:

| DEBIT | | |
|--------------------------|------------|-------------|
| Description of Accounts | Acct # | Amount |
| Temp Employment Agencies | 01-45.6286 | \$60,619.00 |
| TOTAL | | \$60,619.00 |

| CREDIT | | |
|-------------------------|---------------------|-------------|
| Description of Accounts | Acct # | Amount |
| STOC- PT salaries | 01-45-000-9994.6... | \$6,240.00 |
| FT-salaries | 01-45.6111 | \$46,738.00 |
| cafeteria contribution | 01-45.6121 | \$7,641.00 |
| TOTAL | | \$60,619.00 |

Reason for Request:

Utilize a portion of the Account Technician vacancy savings and 2016 STOC budget to contract with Accounting Principals for payroll and accounting services.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Seasonal, Temporary, & On-Call Positions Wage Range Update

| | |
|--|--|
| Primary Originating Division/Dept: <input type="text" value="Employee Relations"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Division ..."/> | Item Type: <u>Consent</u> |
| 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:

Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government

BACKGROUND/JUSTIFICATION:

Carver County Employee Relations Division maintains a schedule of wage ranges for various seasonal, temporary and on-call (STOC) positions, which in addition to regular full-time and part-time employees, allow the County to effectively deliver services in a variety of areas. Where seasonal or occasional assistance is required, these positions play a valuable role in our workforce.

The Board last approved wage ranges for STOC positions in September of 2014, and updates are needed at this time based on a review of current market rates as well as recent changes in minimum wage requirements affecting certain positions. Additional updates are scheduled to occur related to minimum wage rates; and the attached schedule contains a provision indicating that impacted minimum wages for these positions will be adjusted so as to maintain compliance.

The STOC position list and wage ranges proposed for 2016 approval reflect the following changes:

- Update Seasonal Gatekeeper range from \$8.50-\$11.00 to \$9.00-\$11.00 to reflect compliance with minimum wage requirements; and change the title from Seasonal Gatekeeper to Seasonal Park Services Attendant to better align with similar positions outside our organization.
- Redefine Seasonal Park Programmer classifications to better fit needed roles and differentiation of duties, with a focus on required skills, eliminating and replacing with Outdoor Recreation Instructor - On Call / Seasonal \$10.00-\$14.00 (recommended range)
- Add Park & Campground Attendant - Seasonal classification \$9.50-\$12.25 (recommended range)
- Add Election Judge - Temporary classification to formalize a pay range for temporary election help \$10.00 - \$12.25 (recommended range)
- Modify Temporary License Center Greeter range from \$10.00-\$12.00 (current range) to \$10.00-\$12.25 (recommended range)
- Update On-Call Temporary Library Shelves range from \$8.00-\$9.55 to \$9.00-\$9.55 to reflect compliance with minimum wage requirements
- Add the existing STOC Shop Helper position to the 2016 STOC Rates List with a range of \$9.00-\$11.00

The action requested of the Board is a motion to approve the attached 2016 rates chart for seasonal, temporary and on-call positions, including authorization for the Employee Relations Division to adjust seasonal, temporary and on-call positions' minimum wage rates as needed to maintain ranges in compliance, corresponding with applicable Federal and State minimum wage requirements.

ACTION REQUESTED:

Motion to approve the attached 2016 rates chart for seasonal, temporary and on-call positions; including authorization for the Employee Relations Division to adjust seasonal, temporary and on-call positions' minimum wage rates as needed to maintain ranges in compliance, corresponding with applicable Federal and State minimum wage requirements.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

| | | |
|---------------------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| FTE IMPACT: <u>None</u> | Total | \$0.00 |
| Related Financial/FTE Comments: | | |
| <input type="text"/> | | |

Office use only:
RBA 2016 - 3723

2016 Rates for Seasonal, Temporary, and On-call Positions

| | |
|--|-------------------|
| Seasonal Park Services Attendant | \$9.00 - \$11.00 |
| Seasonal Maintenance Worker - Parks | \$9.50 - \$12.25 |
| AIS Watercraft Inspector (level 1) | \$10.00 - \$12.00 |
| AIS Watercraft Inspector (level 2) | \$10.00 - \$13.00 |
| Outdoor Recreation Instructor - On Call / Seasonal | \$10.00 - \$14.00 |
| Park & Campground Attendant | \$9.50 - \$12.25 |
| Seasonal Maintenance Aide - Highway (Non CDL Required) | \$9.50 - \$12.25 |
| Seasonal Maintenance Worker - Highway (CDL Required) | \$12.00 - \$14.00 |
| Shop Helper | \$9.00 - \$11.00 |
| Seasonal Engineering Assistant | \$12.00 - \$14.00 |
| Seasonal Surveying Assistant | \$12.00 - \$14.00 |
| GIS Assistant | \$12.00 - \$14.00 |
| Election Judges | \$10.00 - \$12.25 |
| License Center Greeter | \$10.00 - \$12.25 |
| On-Call / Temporary Support Personnel (Receptionists, File Clerks, Accounting Clerks, Administrative Assistants, Paraprofessionals, etc.) | \$9.60 - \$20.00 |
| On-Call / Temporary Professional Level Personnel (Therapists, Social Workers, Attorney I's, PHN's & other Degreed Professionals) | \$16.80 - \$33.50 |
| On-Call / Temporary Computer Support Personnel | \$16.65 - \$31.00 |
| On-Call / Temporary Computer Systems Application Analyst Personnel | \$21.55 - \$57.50 |
| On-Call / Temporary Library Shelves | \$9.00 - \$9.55 |
| On-Call / Temporary Library Assistants | \$11.97 - \$15.40 |
| On-Call / Temporary Librarian | \$14.75 - \$20.50 |
| On-Call / Temporary 911 Dispatcher | \$14.33 - \$22.52 |
| On-Call / Temporary Detention Deputy | \$15.89 - \$25.00 |
| On-Call / Temporary / Part-time Patrol Officer | \$17.29 - \$26.50 |

Seasonal, temporary and on-call workers shall generally be paid within the first quartile of the range listed above for the type of work they will perform. The Employee Relations Division Director or designee may authorize a higher wage based on the qualifications and background of the worker or related market conditions. Movement within the range shall be based on the specific situation of each worker, given the nature of the assignment. No STOC worker shall be paid above the maximum listed above for any given position.

**Minimum wage requirements will be adjusted to comply with the large employer provisions for MN. Under the new law the minimum wage shall be increased to \$9.50 on August 1, 2016. If this provision should change, impacted minimum wages will be adjusted accordingly.*

Approved by the County Board on _____

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agreement with Bolton and Menk, Inc. for TH 41 Reconstruction - TH 212 to Pioneer Trail

| | |
|---|--|
| Primary Originating Division/Dept: <input type="text" value="Public Works - Administration"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="Public Works Director"/> | 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="Growth: Manage the challenges and opportunities resulting from growth and development"/> | |

BACKGROUND/JUSTIFICATION:

Carver County submitted an application for federal grant funds through the 2015 regional solicitation of the Metropolitan Council to reconstruct Trunk Highway (TH) 41 from TH 212 to Pioneer Trail from a 2-lane to 4-lane highway. The county has been awarded \$7,420,000 in construction funding for 2018.

Carver County also submitted a request for Transportation Economic Development (TED) funding, state funding administered by the Minnesota Department of Transportation (MnDOT) and the Department of Employment and Economic Development (DEED). The county has been selected to receive \$3,500,000 through this program.

The total project cost including engineering, right of way acquisition, and construction is estimated at \$16,760,000. The cost not covered by the federal and TED grant (total \$10,920,000) will be shared by MnDOT, the county and the City of Chaska, as well as private development funds for a pedestrian underpass.

The first phase of the project work plan is to prepare preliminary engineering layouts and complete environmental studies and documentation. The county requested proposals from engineering consulting firms and received 4 proposals. The proposals were rated by staff from the county, MnDOT and the City of Chaska using the Best Value method (a combination of technical competence and cost). Bolton and Menk, Inc. received the highest score and is recommended to perform the work.

ACTION REQUESTED:

Approve a professional services agreement with Bolton and Menk, Inc. for engineering services for TH 41 expansion from TH 212 to Pioneer Trail in the amount of \$296,997, 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 County Dollars = <input type="text" value="\$296,997.00"/> <input type="text"/> Total <input type="text" value="\$296,997.00"/> <input type="checkbox"/> Insert additional funding source |
| FTE IMPACT: <input type="text" value="None"/> | |

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 3716

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Abatements/Additions

| | |
|--|--|
| Primary Originating Division/Dept: <input type="text" value="Property & Financial Services - Property Taxation"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Teri Spencer"/> Title: <input type="text" value="Settlement Tech"/> | Item Type: <input type="text" value="Consent"/> |
| Amount of Time Requested: <input type="text" value=""/> minutes | Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Presenter: <input type="text" value=""/> Title: <input type="text" value=""/> | |
| Strategic Initiative: <input type="text" value="Finances: Improve the County's financial health and economic profile"/> | |

BACKGROUND/JUSTIFICATION:

Abatements requested by taxpayers. See attached listing.

ACTION REQUESTED:

Motion to approve.

| | |
|---|---|
| FISCAL IMPACT: <input type="text" value="Other"/> <i>If "Other", specify:</i> <input type="text" value="Not Budgeted"/> | FUNDING County Dollars = <input type="text" value="(\$365.17)"/> Other <input type="text" value="(\$795.83)"/> Total <input type="text" value="(\$1,161.00)"/> <input checked="" type="checkbox"/> Insert additional funding source |
| FTE IMPACT: <input type="text" value="None"/> | |

Related Financial/FTE Comments:

Office use only:

RBA 2016- 3717



Property Records & Taxpayer Services Division
 Government Center - Administration Building
 600 East 4th Street
 Chaska, MN 55318-2102

Laurie Davies, Taxpayer Services Manager
 Phone: (952) 361-1907
 Email: ldavies@co.carver.mn.us

Angela Johnson, Carver County Assessor
 Phone: (952) 361-1961
 Email: ajohnson@co.carver.mn.us

**Abatements presented to the
 Carver County Board of Commissioners
 January 5, 2016**

Abatement approval is recommended by the Carver County Assessor & Taxpayer Services Manager on the following properties for the reasons listed.

| Payable Year | Parcel Number | Name | Reason for Abatement | Original Tax Amount | Adjusted Tax Amount | Total Amount of Tax Adjustment | Reduction in Penalties and/or Interest Paid | Total Amount of Adjustment | County Dollars Abated |
|--------------|---------------|--------------------------------|-----------------------|---------------------|---------------------|--------------------------------|---|----------------------------|-----------------------|
| 2015 | 25.0241300 | Chanhassen City | Exempt | \$ 25.00 | \$ - | \$ (25.00) | \$ - | \$ (25.00) | \$ (25.00) |
| 2015 | 30.9510345 | Jason Ernst | Omitted Parcel | \$ - | \$ 108.00 | \$ 108.00 | \$ - | \$ 108.00 | \$ 23.93 |
| 2015 | 85.9510013 | Ross & Pearl Nelson | Exempt - Home Removed | \$ 514.00 | \$ - | \$ (514.00) | \$ - | \$ (514.00) | \$ (115.23) |
| 2015 | 58.1500140 | Jason D. & Alcaha R. Bladow | Homestead | \$ 2,124.00 | \$ 1,814.00 | \$ (310.00) | \$ - | \$ (310.00) | \$ (97.66) |
| 2015 | 30.0940420 | Stephen W. & Nanette D. Oaxaca | Homestead | \$ 5,064.00 | \$ 5,034.00 | \$ (30.00) | \$ - | \$ (30.00) | \$ (10.82) |
| 2015 | 30.0680040 | Henry J. Harju | Homestead | \$ 1,932.00 | \$ 1,664.00 | \$ (268.00) | \$ - | \$ (268.00) | \$ (96.61) |
| 2015 | 30.1040160 | Abdulmalik Ali & Dega Abshi | Homestead | \$ 3,850.00 | \$ 3,728.00 | \$ (122.00) | \$ - | \$ (122.00) | \$ (43.78) |
| | | | TOTALS | \$ 13,509.00 | \$ 12,348.00 | \$ (1,161.00) | \$ - | \$ (1,161.00) | \$ (365.17) |

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Update from Arts Consortium

| | |
|--|--|
| Primary Originating Division/Dept: Administration (County) <input type="text"/> | Meeting Date: 1/5/2016 <input type="text"/> |
| Contact: Dave Hemze <input type="text"/> Title: County Administrator <input type="text"/> | Item Type: Regular Session <input type="text"/> |
| Amount of Time Requested: 20 <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:

Barb Hone and Cindy Anderson with the Arts Consortium have requested time before the Board to present an update on the Consortium and the barn quilt tours.

ACTION REQUESTED:

Information only.

| | |
|--|---|
| 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 2016 - 3673

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment to County Tobacco Ordinances

| | |
|--|--|
| Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Patrick Conness"/> Title: <input type="text" value="Assistant County Attorney"/> | Item Type: <input type="text" value="Regular Session"/> |
| Amount of Time Requested: <input type="text" value="15"/> minutes Presenter: <input type="text" value="Patrick Conness"/> Title: <input type="text" value="Assistant County Attorney"/> | Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/> | |

BACKGROUND/JUSTIFICATION:

Changes in state law have necessitated updating the County tobacco-related Ordinances to include electronic nicotine delivery devices. A public hearing is required to amend County Ordinances. A public hearing notice was published in the County's official newspaper.

ACTION REQUESTED:

- 1) Open public meeting,
- 2) Close Public Hearing
- 3) Approve the attached amendments to Ordinance #82-2015, amending Chapter 91, Parks and Recreations Code and Chapter 111, the Tobacco Regulation Code.

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

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 3538

COUNTY OF CARVER
BOARD OF COMMISSIONERS

DATE January 5, 2016

RESOLUTION NO. _____

MOTION BY COMMISSIONER _____ SECONDED BY COMMISSIONER _____

A RESOLUTION ADOPTING ORDINANCE 82-2015

AMENDING CHAPTER 111, TOBACCO REGULATIONS; AND AMENDING CHAPTER 91, PARKS AND RECREATION TO INCLUDE E-CIGARETTE DEFINITIONS AND REGULATIONS.

WHEREAS, the County Board, by state statute is the Board of Health for Carver County and the board shall enforce laws, regulations, and ordinances pertaining to the powers and duties of a board of health within its jurisdictional area, and,

WHEREAS, Minnesota Statute 461 makes the County the regulatory authority for the sale of e-cigarettes and other, similar, electronic nicotine delivery devices; and

WHEREAS, the current Chapter 111 and Chapter 91 does not specify language pertaining to e-cigarette and related electronic delivery devices; and

WHEREAS, the amendments would support safe and healthy conditions for citizens of Carver County; and

WHEREAS, input and feedback were duly considered at a public hearing held by the Carver County Board at its regular meeting of January 5, 2016 and the County Board finds as follows:

1. The amendments are in conformance with Minnesota State Statute Chapters 145A, as well as 461 and the Comprehensive Plan.
2. The amendments are not in conflict with any other official controls.
3. The amendments will not be detrimental to the health, safety or general welfare.

THEREFORE, BE IT RESOLVED, THAT The Carver County Board of Commissioners hereby adopts Ordinance 82-2015, amending the County Code.

| YES | ABSENT | NO |
|-------|--------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

STATE OF MINNESOTA
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 ____ day of _____, 2016 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2016. _____

County Administrator

CARVER COUNTY, MINNESOTA

ORDINANCE NO. 82-2015

AMENDING CHAPTER 111: TOBACCO REGULATIONS
AND AMENDING CHAPTER 91: PARKS AND RECREATION

This amendment is necessitated by M.S. § 461 and intended for the regulation and licensing of the sale, possession and use of electronic cigarettes, and other Electronic Nicotine Delivery Devices as “Tobacco Related Devices.”

THE CARVER COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS:

SECTION 1. Strikethrough signifies deleted language and underline is new language. The specified sections of Chapter 111: Tobacco Regulations, shall be amended as follows:

§ 111.02 DEFINITIONS AND INTERPRETATIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTRONIC DELIVERY DEVICE. Any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

TOBACCO RELATED DEVICES. Any tobacco product as well as a pipe, rolling papers, electronic delivery devices or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing or smoking of tobacco or tobacco products.

§ 111.04 FEES.

No license shall be issued under this chapter until the appropriate license fee shall be paid in full. The annual fee for a license under this chapter shall be \$150 established annually by the Carver County Board of Commissioners.

SECTION 2. Strikethrough signifies deleted language and underline is new language. The specified sections of Chapter 91: Parks and Recreation, shall be amended as follows:

§ 91.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTRONIC DELIVERY DEVICE. Any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

ROLLER SKATER. Any person riding or propelling oneself by human power or gravity on wheeled devices that are worn on a person's feet or stood upon by a person. Such devices specifically include, but are not limited to, roller skates, in-line skates, ~~rollerskis~~, roller skis, skateboards, and scooters.

SMOKE/SMOKING. The inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any ~~other lighted tobacco or plant~~ product or any other tobacco related devices. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation.

TOBACCO or TOBACCO PRODUCTS. Any substance or item containing tobacco leaf, including but not limited to cigarettes; cigars; pipe tobacco; snuff; fine cut or other chewing tobacco; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff flowers; cavendish; shorts; plug and twist tobaccos; dipping tobaccos; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco leaf prepared in a manner as to be suitable for chewing, sniffing or smoking.

TOBACCO RELATED DEVICES. Any tobacco product as well as a pipe, rolling papers, electronic delivery devices or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing or smoking of tobacco or tobacco products.

§ 91.05 CONDUCT; PERSONAL BEHAVIOR.

(G) Smoking and Tobacco Use. It shall be unlawful for any person to:

(1) Smoke or use any tobacco product, or tobacco related device, in or within 25 feet of any indoor area.

(2) Smoke or use any tobacco product, or tobacco related device, inside the designated perimeter of any creative play area or beach.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect upon the date of its passage.

Adopted by the County Board of Commissioners at a meeting held at the Carver County Government Center, Chaska, Minnesota, this ____ day of _____ 2016.

Randy Maluchnik, County Board Chair

Date

Dave Hemze, County Administrator

Date

PROPOSED AMENDMENT

Carver County Board of Commissioners Request for Board Action



Agenda Item:

To provide information to Commissioners on the abilities of Everbridge Mass Notification System/Smart Weather Alert

| | |
|---|--|
| Primary Originating Division/Dept: Sheriff <input type="text"/> | Meeting Date: 1/5/2016 <input type="text"/> |
| Contact: Debra Paige <input type="text"/> Title: Commander of Emergency Man <input type="text"/> | Item Type: Regular Session <input type="text"/> |
| Amount of Time Requested: 5 <input type="text"/> minutes Presenter: Jason Kamerud <input type="text"/> Title: Sheriff <input type="text"/> | Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities <input type="text"/> | |

BACKGROUND/JUSTIFICATION:

This service will provide Carver County with the capacity to make city or county-wide emergency mass notifications that includes IPAWS (Integrated Public Alert & Warning Systems) standards with speed and reliability. It will also provide SMART weather alerting. Citizens will have the opportunity to register to receive custom weather alerts and emergency public notifications. Additionally, this system can be used for informational staff notifications and alerts.

Without this service Carver County will be without an emergency notification system and would need to find alternate ways to contact employee's for specific duty's and citizens for emergencies.

ACTION REQUESTED:

To provide information only.

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

Related Financial/FTE Comments:

Office use only:

RBA 2016- 3654

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2016-2018 Carver County Newspaper

| | |
|---|--|
| Primary Originating Division/Dept: Administration (County) <input type="text"/> | Meeting Date: 1/5/2016 <input type="text"/> |
| Contact: Dave Hemze <input type="text"/> Title: County Administrator <input type="text"/> | Item Type: Regular Session <input type="text"/> |
| Amount of Time Requested: 5 <input type="text"/> minutes Presenter: Dave Hemze <input type="text"/> Title: County Administrator <input type="text"/> | Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Strategic Initiative: Finances: Improve the County's financial health and economic profile <input type="text"/> | |

BACKGROUND/JUSTIFICATION:

Bid notices were published in the Waconia Patriot, Carver County News, Norwood Young America Times, Chaska Herald and the Chanhassen Villager. The lowest bid was to be determined by using the Minnesota Newspaper Association Index Formula. A lower "index" number represents a lower cost of publishing a standard newspaper item, an Ica.

The following bids were received for the County's official newspaper and for the first and second publication of the financial statement:

Chanhassen Villager

2016-2018 bid - \$1.47 per column inch, resulting in an index number of 0.148
Total Circulation (paid, voluntary, free) of 5,625

Chaska Herald

2016-2018 bid - \$1.53 per column inch, resulting in an "index" number of 0.158.
Total Circulation (paid, voluntary, free) of 7,000

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

In addition to the price per column inch, another measurement of the best value is the cost to reach each reader. The Chaska Herald has a total circulation which is about 20% larger than the circulation of the Chanhassen Villager. Carver County spends approximately \$7,500 annually for legal publications. So the Chaska Herald's cost to per reader is approximately \$0.11 (\$7,500 divided by 7,000 readers) as compared to \$0.13 cents for the Chanhassen Villager (\$7,500 divided by 5,625 readers).

ACTION REQUESTED:

Based upon the best value to Carver County, Administration recommends that the Board adopt a Resolution awarding the 2016-2018 newspaper bid to the Chaska Herald and award the second publication of the financial statement to the Chanhassen Villager. This Resolution also designates the County's web site as the official publication of the transportation project legal notices.

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

Related Financial/FTE Comments:

Office use only:
RBA 2016 - 3707

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY

Date: January 5, 2016
Motion by Commissioner: _____

Resolution No. _____
Seconded by Commissioner: _____

Award of 2016, 2017 and 2018 Newspaper Publication Bids

Whereas, pursuant to bid advertisement, newspaper publication bids were received until 1:00 p.m., December 10, 2015, for the following publications:

- Publication of Official Proceedings of County Board
- Notices and Lists of Delinquent Real Estate Taxes
- 1st Publication of Financial Statement
- 2nd Publication of Financial Statement
- Publication of Equalization Proceedings of County Board
- Other Public Notices

Whereas, timely bids were received from the Chaska Herald and the Chanhassen Villager; and

Whereas, Carver County's newspaper publishing award is based on the lowest bid as determined according to the Minnesota Newspaper Association Index Formula, and the newspaper bid which provides the greatest value to Carver County; and

Whereas, although the Chaska Herald has a slightly higher bid than the Chanhassen Villager as determined by the Minnesota Newspaper Index Formula, the Chaska Herald actually provides the greatest value to Carver County because the Chaska Herald has a significantly larger circulation and has a lower cost to reach each reader than the Chanhassen Villager; and

Whereas, pursuant to Minnesota Statute, § 375.17, subd. 3, in addition to the Carver County Board of Commissioners designating a newspaper as the official newspaper for the publication of the financial statement, the financial statement also must be published in one other newspaper of general circulation in a different municipality within the county; and

Whereas, pursuant to Minnesota Statute § 331A.12, the Carver County Board of Commissioners may designate the publication of legal notices for transportation projects on the Carver County Web site, in place of or in addition to any other required form of publication.

Now, Therefore Be It Resolved, that the Carver County Board of Commissioner hereby awards newspaper publication bids for 2016, 2017 and 2018 as follows:

- 1) Publication of Official Proceedings of County Board
Notices and Lists of Delinquent Real Estate Taxes
1st Publication of Financial Statement
Publication of Equalization Proceedings of County Boards
Other Public Notices

Chaska Herald

- 2) 2nd Publication of Financial Statement

Chanhassen Villager

Be It Further Resolved, that the Carver County, Minnesota Web site is designated as the official publication for transportation project legal notices; and

Be It Further Resolved, that a copy of this Resolution be forwarded to each newspaper.

| 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 5th day of January, 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:

Carver County Regional Rail Authority

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/5/2016

Contact: Dave Hemze Title:

Item Type:
Ditch/Rail Authority

Amount of Time Requested: 5 minutes

Presenter: Dave Hemze Title: County Administrator

Attachments: Yes No

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services and information

BACKGROUND/JUSTIFICATION:

In 1987, the Carver County Regional Rail Authority was established. The Regional Rail Authority needs to appoint a Chair, Vice Chair and Secretary/Treasurer for the Rail Authority for 2016.

ACTION REQUESTED:

Motion appointing Chair, Vice Chair and Secretary/Treasurer.

FISCAL IMPACT: None

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016- 3619

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Right of Way Acquisition for CSAH 61/Highway 101 Southwest Reconnection Project #010-661-002

| | |
|---|--|
| Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/> | Meeting Date: <input type="text" value="1/5/2016"/> |
| Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right-of-Way Agent"/> | Item Type: <input type="text" value="Closed Session"/> |
| Amount of Time Requested: <input type="text" value="30"/> minutes Presenter: <input type="text" value="Robert Lindall"/> Title: <input type="text" value="Legal Counsel"/> | Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/> | |

BACKGROUND/JUSTIFICATION:

In 2014-2015, the County reconstructed portions of Highway 101 from downtown Shakopee to Flying Cloud Dr. (CSAH 61), and a segment of Flying Cloud Dr. from the eastern Highway 101 "Wye" intersection to just west of Bluff Creek Dr. As a consequence of the realignment and reconstruction, the County obtained right-of-way from numerous property owners along the CSAH 61 corridor. In order to complete the road construction in a timely manner, condemnation proceedings against several property owners was initiated by the County. A Hearing has been scheduled before a condemnation commission for the property located at PID #25.0351710, Brookside Gardens.

ACTION REQUESTED:

Motion to enter into closed session pursuant to Minn. Stat. Section 13D.05, subd. 3(b) to discuss counteroffers and the pending condemnation hearing.

| | |
|---|--|
| 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 type="checkbox"/> Insert additional funding source |
| FTE IMPACT: <input type="text" value="None"/> | |

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 3727