



Carver County Board of Commissioners  
August 16, 2016  
Carver County Government Center  
Human Services Building  
Chaska, Minnesota

PAGE

**WORK SESSION**

- 3:00 p.m. **A. Finances: Improve the County's financial health and economic profile**  
1. 2017 CDA Budget and Levy ..... 1-6

**REGULAR SESSION**

- 4:00 p.m. 1. **a) CONVENE**  
**b) Pledge of allegiance**  
**c) Public comments (limited to five minutes - Anyone wishing to address the Board of Commissioners on an item not on the agenda may come forward at this time. Please limit your comments to five minutes.**  
**d) New Employee Introduction ..... 7**
2. Agenda review and adoption
3. Approve minutes of August 2, 2016 Regular Session..... 8-9
4. Community Announcements
- 4:05 p.m. 5. **CONSENT AGENDA**
- Connections: Develop strong public partnerships and connect people to services and information*
- 5.1 Donations ..... 10
- 5.2 Application for 1 Day to 4 Day Temporary On-Sale Liquor License for St. Peter Lutheran Church ..... 11
- 5.3 Joint Powers Agreement with the City of Chanhassen for Construction of a Trail Along TH 5 ..... 12-13
- 5.4 Approval of Election Services Agreement with SeaChange Print Innovations ..... 14
- 5.5 Charitable Gambling Application for Exempt Permit-Delano Ducks Unlimited ..... 15
- 5.6 Contract for Upgrade of Carver County Schools Fiber Network ..... 16
- Communities: Create and maintain safe, healthy and livable communities*
- 5.7 Request for temporary School Linked Therapist position to cover staff leave of absence. .... 17-18
- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.8 Waconia Youth Services Librarian Increase in Hours ..... 19-20
- 5.9 Settlement Agreement for Right of Way Acquisition for CR 110 (Future CSAH 10) Construction ..... 21-24
- 5.10 Transfer .15 FTE ..... 25-26

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

5.11 Review Social Services/Commissioners Warrants ..... NO ATT

4:05 p.m. **6. CONNECTIONS: Develop strong public partnerships and connect people to services and information**  
6.1 Inmate Medical Services Contract ..... 27-28

4:15 p.m. **RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAIL AUTHORITY**

4:15 p.m. **7. CONNECTIONS: Develop strong public partnerships and connect people to services and information**  
7.1 CenterPoint Energy Request for Underground Pipeline Crossing Permit ..... 29-30

4:20 p.m. **ADJOURN AS REGIONAL RAIL AUTHORITY AND RECONVENE AS CARVER COUNTY BOARD**

4:20 p.m. **8. GROWTH: Manage the challenges and opportunities resulting from growth and development**  
8.1 GreenMark Solar, LLC - Community Solar Garden Request ..... 31-35  
8.2 **Closed Session** Closed Session for Right of Way Acquisition for CR 110 (Future CSAH 10) Construction ..... 36

6:00 p.m. **ADJOURN REGULAR SESSION**

6:00 p.m. **BOARD REPORTS**  
1. Chair  
2. Board Members  
3. Administrator  
4. Adjourn

David Hemze  
County Administrator

**UPCOMING MEETINGS**

August 23, 2016 9:00 a.m. Work Session  
August 30, 2016 No Meeting  
September 6, 2016 9:00 a.m. Board Meeting  
September 13, 2016 No Meeting  
September 20, 2016 4:00 p.m. Board Meeting  
September 27, 2016 No Meeting

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**2017 CDA Budget and Levy**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Work Session

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The Carver County Community Development Agency (CDA) provides affordable housing opportunities and fosters community and economic development in the County. The CDA's special benefit tax levy is spread upon all taxable property within Carver County and is completely separate from the County's property tax levy. CDA staff will present information on their 2017 budget and levy at the work session. On September 6, the CDA will present the 2017 levy and budget for the County Board's consideration.

**ACTION REQUESTED:**

Provide input on CDA's 2017 levy and budget.

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

County Dollars =

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2016 - 4148

# Carver County Community Development Agency

Board Members: Sarah Carlson – Chair, LaVonne Kroells– Vice Chair,– Molly Koivumaki - Secretary/Treasurer, Darrel Sudheimer and Greg Anderson

## **Mission Statement:**

The Carver County Community Development Agency provides affordable housing opportunities and fosters Community and Economic Development in Carver County.

## **Vision:**

To be an innovative leader in creating housing and economic opportunities to create Communities for a Lifetime in Carver County.

## **Values:**

### **Commitment to Quality Results**

Providing quality housing and private development assistance activities will be the hallmark of the Carver County CDA.

### **Quality Customer Service**

As the Carver County CDA communities continue to develop, we are committed to meeting our customers' needs.

### **Commitment to Our Employees**

To promote a challenging, fulfilling and safe work environment that recognizes employee commitment to excellence.

### **Partnering**

The CDA will achieve its mission through actively seeking partnerships and collaborative efforts with Carver County, its communities and with other agencies.

### **Integrity**

In undertaking our duties, we are committed to the values of honesty, fairness, and trust.

## **2017 Budget Narrative**

For the 2017 budget, the Carver County Community Development Agency (CDA) is requesting a levy of \$2,297,989 which has a \$1.34 increase on a home with the Estimated Market Value of \$303,400.

### ***Rental Housing Programs***

The CDA administers a variety of housing programs in Carver County that assist households with various affordable housing options. The following is a summary of the major rental programs:

**Veterans** - The CDA was awarded three project based vouchers from Metro HRA for homeless veterans. We have a ten year contract with Metro HRA for the units. Residents will pay 30% of their adjusted monthly income towards rent.

**Public Housing** - The CDA owns and operates a Federally subsidized Public Housing Rental Program that consists of 81 units scattered thru-out the county that range from apartment style units to single family homes. This program is for households at or below 80% of Area Median Income (\$45,100 for 1 person).

**Rental Assistance** - The CDA administers a variety of smaller rental assistance programs with funding provided through a variety of agencies that include HUD, the State of MN and Minnesota Housing. These programs are offered in collaboration with the First Street Center/Mental Health Department and The Carver-Scott Educational Cooperative's New Beginnings Program.

Additionally, the CDA was awarded a total of nine (9) Project-Based Vouchers for three (3) properties through the Metro HRA. Three of the units, one at each property, is designated for homeless.

**Section 811** - The CDA was awarded Section 811 funding in 2015 for five units. Section 811 provides project-based rental assistance for low-income people with disabilities.

**Housing** - The CDA owns four rental developments within the county that consist of affordable, work force housing; 225 units that range from efficiency type units to three-bedroom townhomes.

**Senior Housing** - The CDA also owns over 297 units of 55+ housing for seniors looking to down size into a more manageable housing unit in a senior, socially active community.

**Housing Counseling** - Rental counseling, pre-purchase counseling, foreclosure counseling and post-purchase counseling are services offered to Carver County residents seeking assistance with their housing needs. The CDA is also a part of the Minnesota Homeownership network in order to stay connected with the ever changing landscape of housing counseling.

**Coordinated Entry** - The CDA became an access point for the Coordinated Entry System in August 2015 for single adults and families that experiencing homelessness. We act as a conduit

to the Coordinated Entry System, which is HUD mandated to connect the homeless with housing program resources.

### ***CDA Economic and Community Development Programs***

The CDA oversees a variety of Federal and State programs including the Small Cities Development Program, the Minnesota Housing Finance Agency Programs, Livable Communities Demonstration Account Program grants through the Metropolitan Council and other grants that are awarded to the CDA at various times.

The CDA has a partnership with the Carver County Department of Public Health and Environmental Services Departments to process applications, administer low interest loan funds, and apply special assessments to properties for homeowners that replace Individual Sewage Treatment Systems (ISTS) throughout Carver County.

The Community Growth Partner Initiatives Grant Program was created and funded by the Carver County Community Development Agency (CDA) in January of 2016. The goals of the Program are to increase the tax base and improve the quality of life in Carver County through three specific strategies: affordable housing development, job creation and redevelopment.

The CDA actively looks for properties and development sites in the County to develop new senior and affordable workforce rental housing to meet the housing demand outlined in the Carver County 2030 Comprehensive Plan.

### ***2015 Major Accomplishments & Challenges***

The CDA administers the Minnesota City Participation Program (MCP) offered through the Minnesota Housing Finance Agency. The MCP program is designed to assist first time homebuyers in Carver County obtain affordable financing to purchase a home. The 2016 MCP program year has been a resounding success to date.

MCP results as of 7-8-16:

- Carver County 2016 Allocation Amount: \$1,691,667
- Committed Loans: 13
- Committed Amount: \$2,277,448
- Overallotment for Carver County: \$585,781 (134.63% usage rate)

### **Metropolitan Consortium of Community Developers (MCCD) Open to Business Program**

The Open to Business program has had the following activity through June 2016:

Clients Served: 21

Industry Segment: Retail: 2; Service: 3; Food: 8; Manufacturing: 5; Construction:1; Health/Fitness: 2

Financing Provided: 2; Total Amount: \$190,000

Leveraged: \$2,202,374

Client Location by City:

Carver	1	Chanhassen	3
Chaska	7	Cologne	0
Mayer	1	New Germany	1
NYA	3	Victoria	1
Waconia	1	Watertown	3

***Ongoing Initiatives***

- Develop workforce, senior, and affordable housing in Carver County so workers can live and work here in Carver County, which will support economic development and business throughout the county.
- Promote redevelopment within the cities of Carver County through new mixed use projects which promote downtown living and shopping.
- Provide marketing, technical assistance to cities, and business finance resources to industrial and business park developments in the county.
- Establish and maintain high quality service with interested stakeholders to build a collegial working relationship that contributes to CDA initiatives.
- Participate in the Greater MSP Economic Development Partnership; represent Carver County as the Public Sector Representative on the Greater MSP Advisory Group.
- Work towards attracting new sources of capital and investment to Carver County.
- CDA integration of SharePoint software use in conjunction with Carver County IT and Public Health and Administrative staff
- Joint CDA-Carver County Public Works fuel purchasing and maintenance of CDA vehicles
- Enhanced partnerships with Carver County and GIS applications.

# 2017 Budget and Levy

	2015 Budget	2016 Budget	2017 Requested Budget
<b>REVENUES</b>			
Administrative Revenues	83,060	71,090	75,620
Pass-Through Grant Funds	245,400	263,500	222,600
Revolving Loan Funds	100		
Other Revenues	1,168,596	1,183,500	1,239,750
Housing Revenues	6,206,897	6,582,975	6,714,635
<b>TOTAL REVENUES</b>	<b>7,704,053</b>	<b>8,101,065</b>	<b>8,252,605</b>
<b>EXPENDITURES</b>			
Administrative & Operating Expenses	2,509,660	2,697,442	2,757,359
Pass-Through Grant Funds	245,400	263,500	222,600
Other Expenditures	312,000	312,000	376,000
Community/Economic Development	385,000	425,000	480,000
Housing Expenditures	6,206,897	6,582,975	6,714,635
<b>TOTAL EXPENDITURES</b>	<b>9,658,957</b>	<b>10,280,917</b>	<b>10,550,594</b>
<b>TOTAL CDA DIFFERENCE BETWEEN REVENUES &amp; EXPENDITURES</b>	<b>1,954,904</b>	<b>2,179,852</b>	<b>2,297,989</b>



## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**New Employee - Dan Rademacher**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

Dan Rademacher started on July 11 as a custodian in the Facilities Services Department.

**ACTION REQUESTED:**

Welcome Dan to the Carver County team.

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

*Office use only:*

RBA 2016 - 4176

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on August 2, 2016. Chair James Ische convened the session at 9:03 a.m.

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

Members absent: None.

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

Maluchnik moved, Lynch seconded, to approve the minutes of the July 19, 2016, Regular Session. Degler, Ische, Lynch, Maluchnik voted aye. Workman abstained as he did not attend the meeting. Motion carried.

Community announcements were made by the Board.

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

Approved out of state travel for Aquatic Invasive Species Coordinator to attend the Upper Midwest Invasive Species Conference.

Resolution #44-16, Awarding of the Bridge No. 10J37 Construction Project, Carver County Contract 16-312.

Authorized the Chair to sign the stormwater retrofit cost share professional services agreement with the City of Chaska pending contract review and related budget amendment.

Approved professional services agreement with SRF Consulting Group, Inc., for \$217,760 to assist with transportation planning for the 2040 Carver County Comprehensive Plan pending finalization of the contract review process.

Approved the 2016 AFSCME Health and Human Services Collective Bargaining Agreement.

Approved out of state travel to allow two Assistant County Attorneys to attend training in San Diego, C.

Service agreement for 2017 joint assessment between Carver County Townships and Cities and Carver County Assessor's Office.

Resolution #45-16, Approval of Conveyance of Tax Forfeited Land to a City for an Authorized Public Purpose.

Approved memorandum of understanding with Crow Wing County, Goodhue County, McLeod County, Morrison County, Sherburne County and Southwest Health and Human Services for adobe acrobat software.

Approved the following abatements:

30.1730290	Aaron Stromley
25.5321210	Jana Elkin
25.3000340	Steven Leonhardt
75.4920030	David Mendele
30.4600190	Brian Tucker
20.4250550	Melissa Zastrow

Reviewed July 26, 2016, Community Social Services' actions/Commissioners' warrants in the amount of \$399,504.56 and reviewed August 2, 2016, Community Social Services' actions/Commissioners' warrants in the amount of \$311,026.09.

Motion carried unanimously.

Sam Pertz, Parks, requested the Board authorize a log rolling recreation activity at the Carver County Fair. He noted the previously held work session with the Board to discuss recreational activities Parks would offer. He stated they continue to coordinate with Risk Management, have a well orientated staff and have constant communication with the Parks Commission. Pertz explained they have coordinated a proper site with the Fair Board and log rolling would be offered free to participants. He stated they wanted to make people aware of all the activities Parks offer and they have tried to mitigate risks.

Lynch moved, Maluchnik seconded, to approve and authorize Park staff to provide log rolling services at the 2016 Carver County Fair. Motion carried unanimously.

Nick Kocktavy, Public Services, requested the Board approve the Chaska License Center drive through project. He reviewed a sketch of the project and the scope of the work to be completed.

He stated two quotes were received and identified the proposed \$90,000 budget for the work. Kocktavy added they anticipated completion in October.

Maluchnik moved, Degler seconded, to contract with Graystone Construction for the Chaska License Center Drive through project, pending completion of the contract review process. Motion carried unanimously.

Lynch moved, Degler seconded, to adjourn the Regular Session at 9:26 a.m. and go into a work session to review the Hollywood Township sale shed location and improvements and to review 2017 budget FTE requests. 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:**

**Donations**

Primary Originating Division/Dept: Sheriff

Meeting Date: 8/16/2016

Contact: Leslie Michel  Title: Admn Svcs Manager

Item Type:  
Consent

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Sheriff's Office has received several donations in the past few weeks thanking us for our service to the community.

\$25 Gift Certificate - Cooper's Food, \$50 Gift Card - Unhinged Pizza, \$260 Cash to purchase pizza and meals for staff. We have also received a large amount of food and beverage items.

Stuffed animals to assist law enforcement.

Troy Flynn has requested to donate \$25 a month to the Sheriff's Office to be used at the Sheriff's discretion.

**ACTION REQUESTED:**

Request the Board to approve acceptance of gift certificate, gift card, cash, food and beverage items, and stuffed animals donated to the Sheriff's Office.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total**  \$0.00

Insert additional funding source

**Related Financial/FTE Comments:**

02-201-000-0000-5756 cash donations to be used to purchase pizza and meals for staff, and the Sheriff's Discretion.

*Office use only:*

RBA 2016 - 4131

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Application for 1 Day to 4 Day Temporary On-Sale Liquor License for St. Peter Lutheran Church**

Primary Originating Division/Dept: <input type="text" value="Property &amp; Financial Services - Property Taxation"/>	Meeting Date: <input type="text" value="8/16/2016"/>
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"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

**BACKGROUND/JUSTIFICATION:**

St Peter Lutheran Church, 3030 Navajo Ave, Watertown, has applied for a 1 Day to 4 Day Temporary On-Sale Liquor License. They are planning an event for Saturday October 1, 2016. The event will be held on the church parking lot and grounds. The church officers are: Dale Muhs (President); Brenda Dressel (Vice President); Deborah Muhs (Secretary); Joyce DeNomme (Treasurer). There are no delinquent taxes on this parcel (10.0141500).

**ACTION REQUESTED:**

Motion to approve the 1 Day to 4 Day Temporary On-Sale Liquor License application for St. Peter Lutheran Church, Watertown for Saturday October 1, 2016.

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

**Related Financial/FTE Comments:**

1 Day to 4 Day Temporary On-Sale Liquor License fee: \$100.00 per event.

*Office use only:*

RBA 2016 - 4157

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Joint Powers Agreement with the City of Chanhassen for Construction of a Trail Along TH 5**

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="8/16/2016"/>
Contact: <input type="text" value="Marty Walsh"/> Title: <input type="text" value="Parks 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 checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

**BACKGROUND/JUSTIFICATION:**

Carver County applied for Federal Funding to reconstruct a segment of trail from Powers Boulevard in Market Street/TH 101 in Chanhassen on TH 5 in 2014. The application was a part of the regional solicitation for transportation projects. The County was awarded \$334,381 in Federal funding for the project for construction year 2017.

This year MNDOT made improvement to TH 5; this includes the intersection of Market Boulevard/TH 101 which is in the 2014 project application area. This work will reconstruct a segment of the planned 2014 grant project and make improvements to the intersection of TH 5 and Market Boulevard/ TH 101 including a portion of the trail.

Staff from Chanhassen and the County have concluded that the reconstruction of the remaining trail segments is not cost effective to run through the federal process which requires a project memorandum and plans and specifications.

At the time of the grant application it was estimated that the construction cost for the mile long segment of trail would be \$401,000. Carver County and Chanhassen would have supplied the local construction match of \$83,585 plus design, engineering and inspection of \$78,000, a total of \$161,585. These costs would have been split 50/50 per the Trail Cost Participation Policy or \$80,792 each.

Chanhassen has obtained proposals for the remaining work to reconstruct the trail utilizing the contractor on site to complete the segment of trail between the TCW Railroad Bridge and Market Boulevard/TH101. Another contractor has provided a lower proposal to reconstruct the trail from Powers Boulevard to the TCW Railroad Bridge.

The cost to reconstruct the remaining 2 segments of trail has been determined to be \$85,076.

By the cost participation policy for trails, the TH 5 trail segment is eligible for County funding as it is consistent with the County Comprehensive Plan. The County would share in the cost 50/50 with the City of Chanhassen.

Attachment A of the Joint Powers Agreement outlines the costs to be shared by the County and the City of Chanhassen. Carver County's share is \$42,538.

It is expected that the project would be completed during the 2016 construction season.

Staff will be in contact with the Metropolitan Council and MNDOT to withdraw the project from Federal Funding.

**ACTION REQUESTED:**

Approve a Joint Powers Agreement with the City of Chanhassen for TH 5 Trail construction subject to completion of the contract review process.

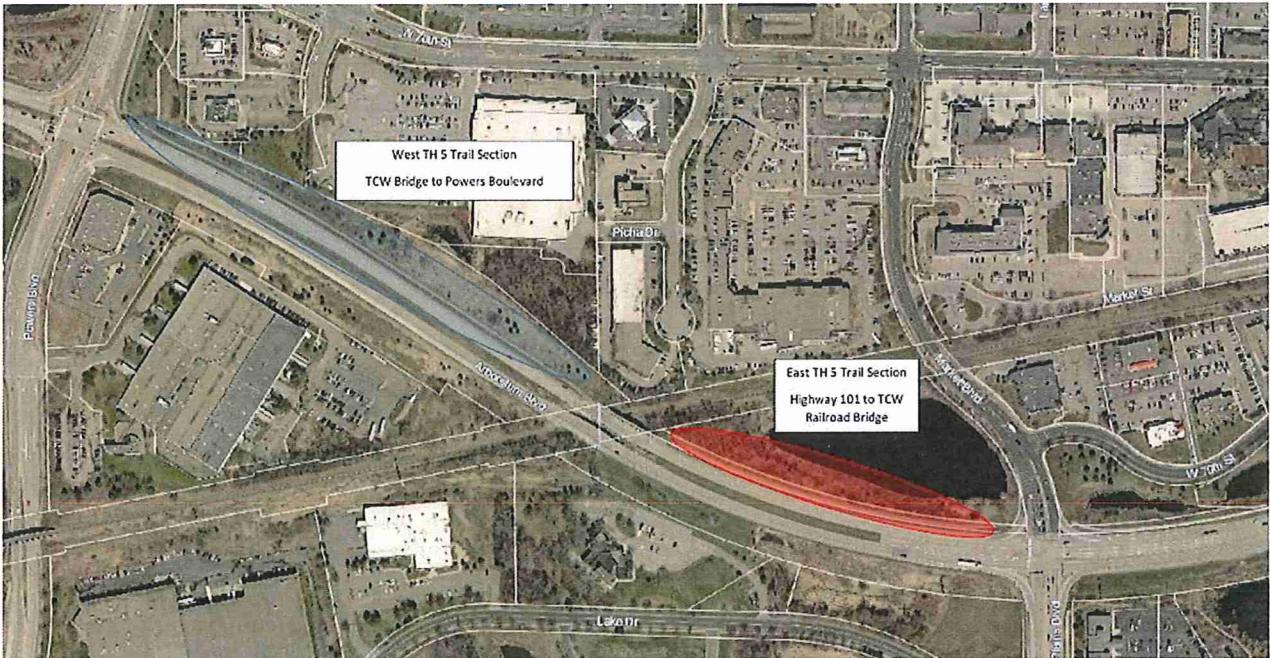
<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>
<i>If "Other", specify:</i> <input type="text"/>	<b>County Dollars =</b> <input type="text"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	2014 County Program Aid <input type="text" value="\$42,538.00"/>
	<b>Total</b> <input type="text" value="\$42,538.00"/>
	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2016 - 4173

## EXHIBIT A



Preliminary estimate of project construction costs:

West TH 5 Trail Section:	\$48,527
East TH 5 Trail Section:	<u>\$36,549</u>
Total	\$85,076

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval of Election Services Agreement with SeaChange Print Innovations**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Consent

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Taxpayer Services is seeking approval of an Election Services Agreement with SeaChange Print Innovations for ballot layout and ballot printing services. This Elections Services Agreement provides these services to Carver County at discounted rates. The agreement would be in effect through May 31, 2020. SeaChange Print Innovations has provided a Certificate of Liability Insurance naming Carver County as Certificate Holder.

**ACTION REQUESTED:**

Approval of Election Services Agreement with SeaChange Print Innovations to be effective through May 31, 2020.

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

County Dollars =

**Total**

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4178



## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Charitable Gambling Application for Exempt Permit-Delano Ducks Unlimited**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Consent

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

A Charitable Gambling application for Exempt Permit was received from the Delano Ducks Unlimited. They plan to hold a raffle on September 22, 2016 at B's On the River located at 1455 County Rd 27, Watertown, MN 55388. This applicant has received this same type of license previously.

**ACTION REQUESTED:**

Approval to issue a Charitable Gambling License to Delano Ducks Unlimited for a raffle to be held on September 22, 2016.

**FISCAL IMPACT:**    
If "Other", specify:

**FUNDING**  
County Dollars =   
  
**Total**  \$0.00

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2016 - 4183

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Contract for Upgrade of Carver County Schools Fiber Network**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Consent

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

This contract provides the network equipment and installation and configuration services to upgrade the existing CarverLink 1GB (gigabyte) Carver County Schools Fiber Network to a 10GB network to meet the bandwidth needs of all the public school districts within the County. This contract also provides for required ongoing support services for the existing CarverLink Network.

**ACTION REQUESTED:**

Motion to approve the professional services agreement with Matrix Communications pending completion of the contract review process.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

County Dollars =

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

Cost estimated at \$86,616.09 with up to \$95,000 acceptable upon approval of the Fiber Manager.

*Office use only:*

RBA 2016 - 4187

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request for temporary School Linked Therapist position to cover staff leave of absence.**

Primary Originating Division/Dept: Health & Human Services

Meeting Date: 8/16/2016

Contact: Rod Franks Title: Health and Human Services Director

Item Type:  
Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Child and Family Department, School Linked Services Unit, will have a School Linked Therapist taking family leave. The employee taking leave works 0.8 FTE. The granted leave is for approximately a three (3) month period. This period of time can be covered by a temporary employee. The temporary employee needed to cover these leaves of absence have been identified and have agreed to work in this capacity at 0.8 FTE. The identified temporary staff have prior experience with our agency, and will be able to effectively assume the duties of the staff on leave. Filling these positions on a temporary basis is critical to maintaining continuity of mental health care and maintain revenue stream on the affected caseload.

The cost of the temporary position will be funded through utilizing excess vacancy and turnover savings. No additional levy dollars will be used to fund these temporary positions.

**ACTION REQUESTED:**

Motion to approve utilizing vacancy and turnover savings to fund temporary School Linked Therapist position.

**FISCAL IMPACT:** Budget amendment request form

If "Other", specify:

**FTE IMPACT:** None

**FUNDING**

County Dollars =	<b>\$0.00</b>
vacancy savings	\$9,761.00
<b>Total</b>	<b>\$9,761.00</b>

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4147

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

**Agenda Item:** Request for temporary School Linked Therapist position to cover staff leave of absence.

Department:

Meeting Date:

Requested By:

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

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Salaries	11-427-740-3580.6111	\$9,761.00	vacancy savings	01-820.6828	\$9,761.00
<b>TOTAL</b>		\$9,761.00	<b>TOTAL</b>		\$9,761.00

Reason for Request:  
 To utilize 2016 vacancy savings to cover a School Linked Therapist position's family leave by hiring a temporary employee to provide coverage during this leave.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Waconia Youth Services Librarian Increase in Hours**

Primary Originating Division/Dept: <u>Public Services - Library</u>	Meeting Date: <u>8/16/2016</u>
Contact: <u>Heidi Hoks</u> Title: <u>Library Director</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

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

**BACKGROUND/JUSTIFICATION:**

The Youth Services Librarian in Waconia has announced her retirement for early September. The position is currently 37 hours per week. The library is requesting that the position be increased to 40 hours for at least three reasons:

1. The additional hours would provide for a greater ability to a) staff the desk and b) provide additional library programming. As the population of Waconia continues to grow, these additional hours for the youth services librarian will assist the library in meeting growing service demands.
2. It is better to recruit and retain a 40-hour per week position versus 37 hours per week. Retention of part-time library staffers is increasingly challenging.
3. This would be a better, more productive use of Library funds. The Library has been able to reduce some of its supply and service costs.

The increase in hours would cost the library \$4,029.42 on an annual basis. The library would shift funds from various supply line items to cover this additional cost.

**ACTION REQUESTED:**

Motion to increase Waconia Youth Services librarian position from 37 hours to 40 hours per week.

**FISCAL IMPACT:** Budget amendment request form

*If "Other", specify:*

**FTE IMPACT:** Increase budgeted staff

**FUNDING**

County Dollars =	<b>\$4,029.42</b>
<b>Total</b>	<b>\$4,029.42</b>

Related Financial/FTE Comments:

The three additional hours per week would cost about \$4,030 over a year. The department's 2017 budget request would be adjusted to reduce its budget for supplies/services by \$4,030, and that amount would be reallocated to cover the additional payroll cost for a full year. For the rest of 2016, it would cost about \$1,000. The library would cover the cost of the full-time position this year by using cost savings from within its existing budget.

*Office use only:*

RBA 2016- 4142

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Waconia Youth Services Librarian Increase in Hours

Department:

Meeting Date:

Requested By:

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

DEBIT		
Description of Accounts	Acct #	Amount
Salaries and Wages-Permanent	01-014-500-0-6111	\$4,030.00
<b>TOTAL</b>		\$4,030.00

CREDIT		
Description of Accounts	Acct #	Amount
Office Supplies	01-014-500-0-6401	\$2,530.00
Cleaning Service	01-014-590-0-6360	\$1,500.00
<b>TOTAL</b>		\$4,030.00

Reason for Request:

The additional hours per week would cost about \$4,030 over a year. The department's 2017 budget request would be adjusted to reduce budget for supplies/services by \$4,030 and that amount would be reallocated to cover the additional payroll cost for a full year. For the remainder of 2016, estimated additional payroll costs would be \$1,000. The library would cover the additional cost of the full-time position by transferring existing 2016 budget from 01-014-590-0-6360.

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement Agreement for Right of Way Acquisition for CR 110 (Future CSAH 10) Construction**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Consent

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The 2017 construction season includes the construction of project # 148765, the CR 110 Construction - Waconia School Phase project, (future realignment of CSAH 10), from TH 5 to Waconia Parkway S. Additional right-of-way is needed to complete this project. Carver County has obtained fair market value appraisals for the acquisition of permanent roadway, drainage & utility and temporary easements along the construction corridor for Segment 1 of the project, from approximately State Highway 5 to Community Drive.

The Carver County Right of Way Agent has negotiated a settlement with the property owners of parcel on PID # 09.0270200.

**ACTION REQUESTED:**

Adopt a resolution authorizing payment of a negotiated settlement with the property owners of PID # 09.0270200 for easements required for the CR 110 Construction - Waconia School Phase Project (148765).

**FISCAL IMPACT:**    
If "Other", specify:

**FTE IMPACT:**

**FUNDING**

County Dollars =	<b>\$54,800.00</b>
City of Waconia	\$54,800.00
<b>Total</b>	<b>\$109,600.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

This is a joint project with the City of Waconia with Carver County being the lead agency. Right of Way costs will be split between Carver County and the City of Waconia in accordance with the terms in the approved JPA between the agencies. The cost is evenly split between the agencies for this acquisition.

*Office use only:*

RBA 2016 - 4159

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

Date: August 16, 2016\_\_\_\_\_ Resolution No: \_\_\_\_\_

\_\_\_\_\_  
Motion By Commissioner: \_\_\_\_\_ Seconded by Commissioner: \_\_\_\_\_

---

**Resolution Authorizing Payment of a Settlement of Compensation to  
Landowner for Easements Required for the CR 110 Road Construction,  
Project # 148765**

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

WHEREAS, the County, acting by and through its Board of Commissioners, is authorized by law to acquire land and other interests in real estate which are needed for public use or purpose; and

WHEREAS, Carver County wishes to construct CR 110 from TH 5 on the south to Community Drive on the north, Project #148765 (“Project”); and

WHEREAS, in order to complete the Project it is necessary for the County to purchase property interests from the property described in Exhibit A attached hereto; and

WHEREAS, the County has retained independent real estate appraisers to provide the County with the appraisers’ estimates of the damages caused by the County’s acquisition of the property interests required for the Project; and

WHEREAS, upon completion of the appraisals, the County made offers of compensation to the land owners for the needed property interests consistent with the appraiser’s estimate of the damages being incurred by the various owners as a result of the County’s acquisitions; and

WHEREAS, a settlement has been reached with a property owner impacted by the project.

NOW, THEREFORE, BE IT RESOLVED by the Carver County Board of Commissioners as follows:

1. The Board of Commissioners finds that it is necessary and for a public purpose for the County to acquire the property interests described in Exhibit A for the Project.





**Exhibit A**

**Property Interests Required for the Construction of CR 110 From TH 5 to Community  
Drive  
Project #148765**

(Acquisition)

P.I.D. No. 09.0270200

Annabel M. Fabel Revocable Trust & Myron C. Fabel Trust, Annabel M. Fabel & Myron C. Fabel, Trustees.

Taking of permanent roadway easement for right of way purposes over CR 110 (containing 1.96 acres, more or less).

Taking of temporary easement over CR 110 (containing .39 acres, more or less).

Taking of permanent drainage and utility easement over CR 110 (containing .28 acres, more or less).

Settlement Amount: \$109,600.00.

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Transfer .15 FTE**

Primary Originating Division/Dept: Attorney

Meeting Date: 8/16/2016

Contact: John Rekow  Title: Law Office Manager

Item Type:  
Consent

Amount of Time Requested:  minutes

Presenter:  Title: Law Office Manager

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Historically, the Attorney's Office has employed a .15 FTE (\$4,900) for file clerk duties, but the employee has been listed under Client Services in IT. For budgetary purposes, it is necessary to move the .15 FTE from Client Services in IT to the Attorney's Office for file clerk duties to assist with the management of paper files and paperwork generated in the Attorney Office. Going forward, this position will now correctly be listed under the Attorney's Office budget.

**ACTION REQUESTED:**

Approve the movement of .15 FTE and \$4,900 from IT to Attorney budget in 2016 and FTE will then remain in Attorney budget going forward.

**FISCAL IMPACT:** Budget amendment request form

If "Other", specify:

**FTE IMPACT:** None

**FUNDING**

County Dollars =

**Total**  \$0.00

Insert additional funding source

**Related Financial/FTE Comments:**

The .15 FTE and funding would transfer to Attorney Office and be part of their ongoing budget/staff.

*Office use only:*

RBA 2016 - 4180

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Transfer .15 FTE

Department:

Meeting Date:

Requested By:

Fund:

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

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Part-Time salaries (STOC)	01-90-000-9994.6112	\$4,900.00	Part-Time salaries (STOC)	01-049-060-9994....	\$4,900.00
<b>TOTAL</b>		\$4,900.00	<b>TOTAL</b>		\$4,900.00

Reason for Request:

For budgetary purposes, it is necessary to move the .15 FTE from Client Services in IT to the Attorney's Office for file clerk duties to assist with the management of paper files and paperwork generated in the Attorney Office. Going forward, this position will now correctly be listed under the Attorney's Office budget.

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Inmate Medical Services Contract**

Primary Originating Division/Dept: Sheriff

Meeting Date: 8/16/2016

Contact: Jason Kamerud Title: Chief Deputy

Item Type:  
Regular Session

Amount of Time Requested: 5-10 minutes

Presenter: Jason Kamerud Title: Chief Deputy

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Sheriff, by virtue of maintaining a jail, is obligated to provide reasonable access to medical and mental health services for inmates housed in the jail. In previous years, the County employed jail health nurses who provided the in-custody care under the direction of a contracted local physician. Changes in healthcare requirements, record keeping, costs, and staffing have prompted Sheriff's Administration to examine alternatives to in-house healthcare management.

MEnd provides healthcare services and assessments in correctional settings. In addition to healthcare services, MEnd will provide: assistance in policy development and maintenance; guidance in contracting with outside vendors for pharmaceuticals, lab services, or hospital medical services; and, medical training for jail staff.

The inmate medical services contract will be funded through deleting 1.8 Jail Health Nurse FTE and converting the personnel funds to pay the professional services agreement with MEnd. The employees occupying the positions have since resigned or retired, leaving the FTE vacant as of 7/29/2016.

This change, if approved, requires the approval of the budget amendment for FY2016, as well as an adjustment for not-yet-complete FY2017 budget (and beyond).

**ACTION REQUESTED:**

1. Approve the medical services agreement
2. Approve the budget amendment

**FISCAL IMPACT:** Budget amendment request form

If "Other", specify:

**FTE IMPACT:** Decrease budgeted staff

**FUNDING**

County Dollars =

Total  \$0.00

Insert additional funding source

**Related Financial/FTE Comments:**

This is an elimination of 1.8 jail health nurse FTE, with the personnel expenses being converted to pay the new contract expenses. [BudgetAmend - 2016-07-29T13\\_29\\_46](#)

Office use only:

RBA 2016 - 4144

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Inmate Medical Services Contract

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
Salaries & Wages	01-201-235-1682-6111	\$85,000.00
Cafeteria Contribution	01-201-235-1682-6121	
Compensated Absence	01-201-235-1682-6151	
Hlth & Life Insurance	01-201-235-1682-6152	
Medicare	01-201-235-1682-6155	
PERA	01-201-235-1682-6162	
FICA	01-201-235-1682-6172	
Worker Comp	01-201-235-1682-6173	
LT Disability	01-201-235-1682-6175	
<b>TOTAL</b>		\$85,000.00

CREDIT		
Description of Accounts	Acct #	Amount
Prof & Tech Fees	01-201-235-1682-...	\$85,000.00
<b>TOTAL</b>		\$85,000.00

Reason for Request:

Convert funds from Personal Services to Services & Charges to pay inmate medical services contract. This is an elimination of 1.8 Jail Health Nurse FTEs and switch to contracted inmate healthcare.

Note: If 2016 wages are insufficient to cover the adjustment, the funds in the outlined benefit accounts will cover the balance.

This Budget Amendment corresponds to RBA-4144

## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**CenterPoint Energy Request for Underground Pipeline Crossing Permit**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Ditch/Rail Authority

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Carver County Regional Railroad Authority owns property of the former Dakota Railroad corridor located in the City of Mayer. The property was purchased for transportation purposes.

CenterPoint Energy plans to make a gas line connection across railroad property near the intersection of Hidden Xing and County Road 30 at the Dakota Rail corridor.

Staff has reviewed the request and supports issuing a permit to CenterPoint Energy.

**ACTION REQUESTED:**

Motion to approve an underground pipeline crossing permit with CentrePoint Energy.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

County Dollars =

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2016 - 4174

CORROSION TECH FOR AREA IS:  
KEVIN KLINGEL, CELL 612-910-1551



MINNESOTA REGION

PROPRIETARY AND CONFIDENTIAL

PROJECT #: 77423582

M18500 MAYER  
M21600 CAMDEN TOWNSHIP  
ONE CALL:  
Carver  
\*NE1 T116/R26  
\*SE1 T116/R26  
\* = this Page

LEGEND:  
— ACTIVE MAIN  
— DESIGNED MAIN  
- - - PROPOSED ABANDONED/  
- - - OUT OF SERVICE MAIN  
- - - ABANDONED/  
- - - OUT OF SERVICE MAIN

PIPE REQUIRED:  
547' 2" PE CL-6  
-----  
547' PIPE

PROPOSED ABANDONED PIPE:

COPIES:  
PIPELINE INTEGRITY PACKET: N  
GAS VALVE: N  
DD NUMBER: N-A  
CORROSION: K. KLINGEL  
EMP: N

FOLLOW INTERNAL PIPE SAMPLING REQUIREMENTS? Y

SURVEYOR REQUIRED? N

RETURN PACKET TO ENG? Y

GFIP #: N-A

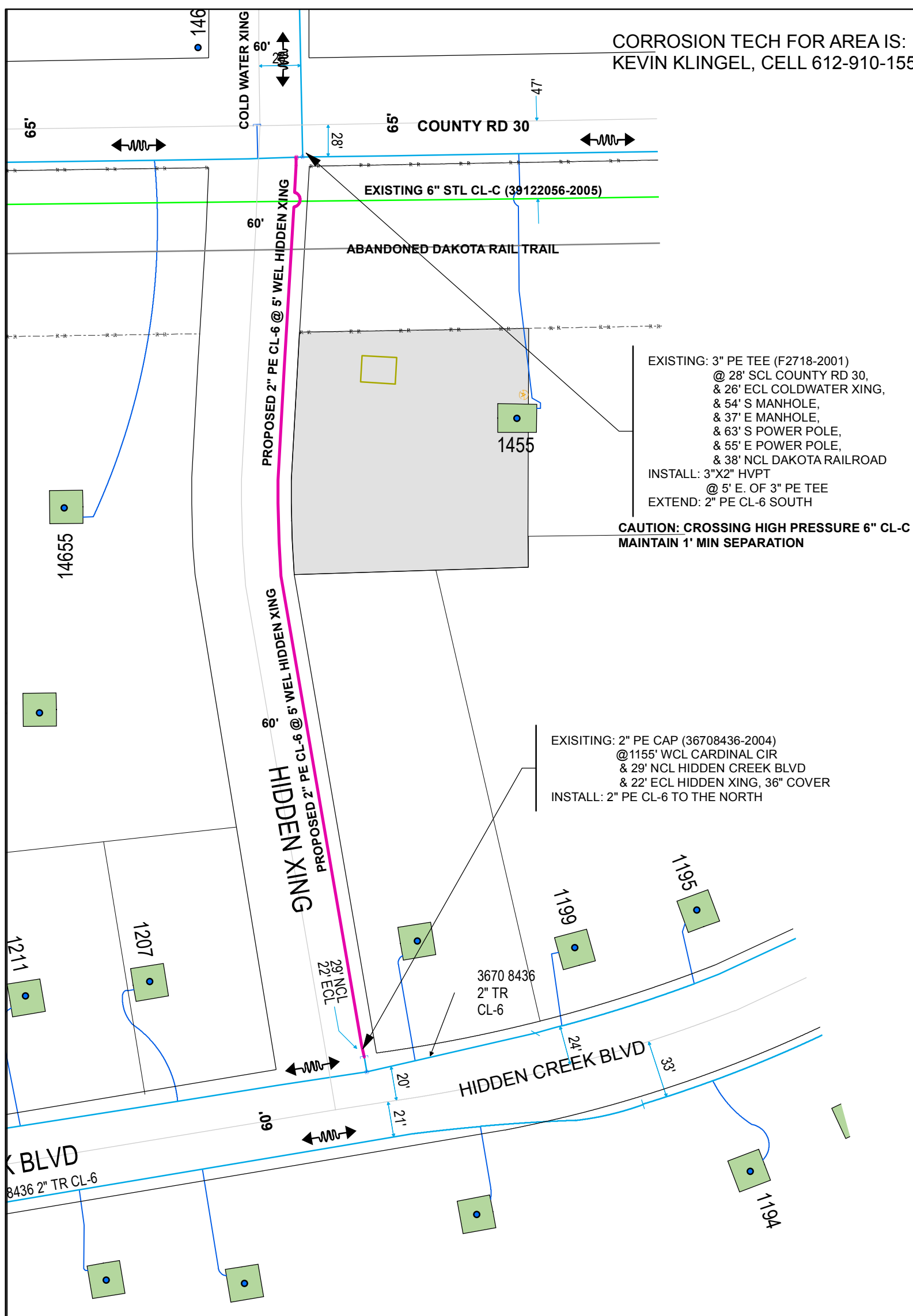
PERMITS: MAYER PERMIT  
CARVER COUNTY

PROJECT DESCRIPTION: SRIE  
HIDDEN XING REINFORCEMENT

DESIGNER: Joshua Haukom  
PHONE #: 612-321-5066  
DRAWN BY: Joshua Haukom  
DESIGN DATE: 3/4/2016

REVISION INFO:

Main SCAN DATE: SCALE 1" : 67' SHEET 1 OF 1



EXISTING: 3" PE TEE (F2718-2001)  
@ 28' SCL COUNTY RD 30,  
& 26' ECL COLDWATER XING,  
& 54' S MANHOLE,  
& 37' E MANHOLE,  
& 63' S POWER POLE,  
& 55' E POWER POLE,  
& 38' NCL DAKOTA RAILROAD  
INSTALL: 3"X2" HVPT  
@ 5' E. OF 3" PE TEE  
EXTEND: 2" PE CL-6 SOUTH

CAUTION: CROSSING HIGH PRESSURE 6" CL-C  
MAINTAIN 1' MIN SEPARATION

EXISTING: 2" PE CAP (36708436-2004)  
@ 1155' WCL CARDINAL CIR  
& 29' NCL HIDDEN CREEK BLVD  
& 22' ECL HIDDEN XING, 36" COVER  
INSTALL: 2" PE CL-6 TO THE NORTH

Transmission Line within project area. Follow watchdog procedures.

Transmission Line Watch Dog Process:

CNP excavation contractor will follow the Transmission Line Watch Dog Process.

If excavation will happen within 50' of a transmission line the CNP contractor needs to contact CNP dispatch to schedule a Watch Dog. (DISPATCH 612-321-5455)

Dispatch will create an "inspect contractor" work order for Foreign Construction and set up a time for the crew to be on site.

CONSTRUCTION PROCEDURES

Install; Clean and Test; and Put in Service; Proposed new main as shown.

Purge new main until essentially 100% reading is obtained on Combustible Gas Indicator. See CenterPoint Energy Construction and Service Manual Section CS-B-1.230 for purging mains into service.

Complete all Service / Meter Work as directed. (See Service Survey)

Cut and Abandon existing main as shown. Purge abandoned mains until essentially 0% gas reading is obtained on Combustible Gas Indicator. See CenterPoint Energy Construction and Service Manual Section CS-B-1.110 and Section CS-B-1.230 for purging mains out of service using air movers.

Install a marker ball at a new end of main, at a valve, at each ell of a horizontal offset, at road crossings and at any fitting or pressure control identified as needing to be located in the future. Refer to CenterPoint Energy Construction and Service Manual section CS-B-1.310 for installation procedures.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Signature \_\_\_\_\_

Type or Printed Name: Jerome K. Kallstrom

Date \_\_\_\_\_ REG. No 13149

DESIGNER EXPRESS DESIGN 4/14/2016 12:16:53 PM



## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**GreenMark Solar, LLC - Community Solar Garden Request**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Regular Session

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

File #PZ20160032. The Planning Commission has recommended denial of a Conditional Use Permit (CUP) for GreenMark Solar's request for a Community Solar Garden (CSG) of up to 3 megawatts (MW). The proposed site is Outlot B of Rutz Lake Shores (on 78<sup>th</sup> Street), located in Section 8 of Waconia Township. The request is a part of Xcel Energy's CSG program, which was established by the State of Minnesota in 2013.

The proposed GreenMark Solar, LLC facility would be considered a Large Solar Energy System (SES) under the Renewable Energy section of the Carver County Zoning Code - Chapter 152. The solar development would be located on approximately 15 acres (currently primarily hay production) of the 28.42-acre parcel. The remaining acreage would consist of wooded and wetland areas, as well as a small portion of agricultural production land. The energy contract with Xcel Energy for this program is for a minimum of 25 years (to approximately year 2042).

In part, the Planning Commission cited the following findings for denial: the proposed land use may be injurious to the use and enjoyment of property in the immediate vicinity; it would not be compatible with the rural neighborhood, which includes animal agriculture, century farms, 9 existing homes, and the potential for new residential building sites; and the Waconia Town Board did not support the request, citing neighborhood concerns and the approximately 1.25 miles of local (gravel) roads extending in each direction of the site.

The Planning Commission Resolution is attached for the Board's consideration.

**ACTION REQUESTED:**

Motion to direct the staff to prepare an Order for the Board's consideration in the September 6, 2016 Board Meeting. The staff asks that the Board's motion indicate whether the Order should approve or deny the application for a CUP.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

County Dollars =

**Total**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

**COUNTY OF CARVER**  
***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20160032**

**RESOLUTION #: 16-10**

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

**FILE #:** PZ20160032

**APPLICANT:** Mark Andrew (on behalf of GreenMark Solar)

**OWNER:** MaryAnn Porter

**SITE ADDRESS:** 131xx 78<sup>th</sup> Street, Waconia, MN 55387

**PERMIT TYPE:** Renewable Energy – Large Solar Energy System (SES)

**PURSUANT TO:** County Code, Section 152.039 B 2(b) & 152.052

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 09-730-0050

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meetings of June 21, 2016, and July 19, 2016; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. The subject property (28.42 acres) is owned by MaryAnn Porter and is located in the Southwest Quarter of Section 8, Waconia Township. The proposed request is located on Outlot B of Rutz Lake Shores Plat, on approximately 15 acres of the 28 acre parcel, which consists of agricultural production land, wetlands, and wooded areas. It is located in the Agricultural Zoning District, a portion in the Shoreland Overlay District, and the CCWMO (Carver Creek & Crow River watersheds)
2. The Planning Commission continued the public hearing from the June 21, 2016 meeting to the July 19, 2016 meeting to allow for additional review and discussion regarding, but not limited to, stray voltage mitigation, landscaping details, decommissioning, and drainage and maintenance plans. A “60-Day Law” letter was sent to the applicant on July 6, 2016, extending the deadline for a final decision until September 23, 2016.
3. The applicant, GreenMark Solar (developer) in partnership with Clean Focus Renewables (capital provider), is requesting to construct, operate (by lease), and maintain up to a three megawatt (3MW) Community Solar Garden (CSG) as a Renewable Energy – Large Solar Energy System (SES) Conditional Use Permit (CUP) on the subject parcel. The request is being proposed as part of Xcel Energy’s Community Solar Garden program, which was established after the passage of the Minnesota State solar energy legislation in 2013 requiring individually owned utilities to get 1.5% of their electricity from solar by 2020. The energy contract with Xcel Energy for this program is for a minimum of 25 years. The proposed request is considered a Large Solar Energy System (SES) based on the fact that the current (DC) rate capacity exceeds 100 kilowatts and would produce energy which would be added to Xcel Energy’s existing grid system. Therefore, a CUP is required pursuant to Section 152.039 and 152.052 of the Zoning Code.
4. The applicant is proposing to construct and operate up to three (3) co-located one (1) MW solar gardens. As a whole, the 3MW project would require 10,800 solar panels in rows separated by 19 feet. The panels proposed for the site would be tilted at a 30 degree angle and may extend to 15 feet in height. The panels would feed through inverters and ultimately connect to the electric grid at a point of interconnection at a location at the south of the parcel. The applicant has not provided information regarding the interconnection design and appearance, which would likely involve numerous large utility poles. The transformers and related equipment would be placed on (3) concrete pads at each 1MW section of the CSG. Xcel Energy’s interconnection agreement requires that equipment updates be completed, including installation of remote monitoring and other substation updates, installation of metering equipment, and replacement of approximately 7, 900 feet of conductor line. The applicant has indicated that the existing line is “3 phase,” which does not appear to be

correct and therefore would generate additional project impacts. Also, the exact panel array, inverters, and electrical interconnection configuration and dimensions may change based on the actual equipment and manufacturer selection.

5. The applicant has indicated that the site determination was based on solar resource, physical characteristics, proximity to Xcel Energy infrastructure, applicable zoning and permitting requirements, and land owner participation. The surrounding properties and land uses include residential homes, lakeshore lots, farming operations, animal agriculture, and agricultural production land. Based on the testimony received, the siting process has not been adequately addressed.
6. The applicant has proposed a 6 foot slatted chain-link fence surrounding the perimeter of the operational area. The applicant has also provided screening information. However, testimony was received that the applicant's illustrations of the southerly portion of the property are inaccurate; specifically, the interconnection infrastructure appears to be missing.
7. Main access to the site has been proposed off of 78<sup>th</sup> Street, to the south. The Waconia Town Board, as the road authority, does not support construction of an access off of the township road.
8. The applicant has indicated that during construction there may be an average of one semi-trailer trip per day and temporary directional signs may be posted as well as temporary parking on site. According to the applicant, once completed, the facility would operate twenty four hours per day, 365 days a year and monitored remotely. Crews would be sent to the site to conduct routine maintenance on equipment and to maintain vegetation.
9. The applicant would need to comply with the Carver County Planning and Water Management Department (CCWMO) and Carver Soil & Water Conservation District (SWCD) standards with respect to the County Water Rules (Chapter 153), and for site stabilization requirements and Best Management Practices (BMP's). The Carver County Water management Organization (CCWMO) would require compliance with and/all applicable permitting requirements.
10. According to testimony received at the June 21 and July 19, 2016 meetings, the neighborhood is an area of intensive animal agriculture operations, and neighbors are concerned about the inadequacy of stray voltage monitoring.
11. The neighboring property owners have provided public testimony at the Planning Commission meetings urging the Planning Commission to deny the conditional use due to the incompatibility of the proposed use with the neighborhood, history of poor drainage on the parcel, potential for increased drainage issues, and impact on the agricultural and residential community, including property values. An attorney, representing neighboring property owners, also testified that the applicant did not adequately address required findings pursuant to Section 152.251 for the issuance of a CUP.
12. Testimony during the June 21, 2016, and July 19, 2016, Planning Commission meetings was received from the general public and neighboring property owners regarding their concerns about the potential for negative impacts on the Township road, drainage impacts, inadequate screening, minimal illustration on site plans to provide interconnection details, and incompatibility with the existing residential neighborhood (9 existing homes and 2 residential lots in the immediate area).
13. The Waconia Town Board reviewed the request during their April 11, 2016, Town Board meeting and provided a written "No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing." (dated: April 11, 2016). A Waconia Town Board Supervisor, speaking on behalf of the Town Board, recommended denial at the June 21, 2016 Planning Commission meeting. At the July 19, 2016 Planning Commission meeting, the Waconia Town Board Chairman recommended denial of the CUP (Renewable Energy – Solar Site) based on the written and public testimony from the Waconia Township citizens and neighboring residents. The Town Board opposes this request and recommends denial for the following reasons:
  - A. Incompatibility with the neighborhood.
  - B. Impact on approximately 1.25 miles of unpaved local Township roads in each direction.
  - C. Neighborhood concerns regarding minimal screening and visual impact of the solar array.

14. Pursuant to Section 152.251 REQUIRED FINDINGS of the Carver County Zoning Code, an order for the issuance of a CUP or IUP can be adopted only if all ten (10) Findings of Fact (A-J) can be found as fact. Any conditions imposed by the permit or actions required as part of the order shall be considered in making findings. The request does not meet the required Findings of Fact pursuant to Section 152.251 (B)(E)(I) as follows:

**(B) *The conditional or interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.***

- 1. Based on public testimony, the request may be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted including animal agriculture, and residential homes and farms.

**(E) *The adequate utilities, access roads, drainage and other facilities have been or are being provided.***

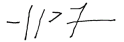
- 1. Based on testimony received from the Waconia Township Chair, access off of the proposed Township road, 78<sup>th</sup> Street, has not been approved and is not supported by the road authority.
- 2. Based on public testimony, proposed drainage and stormwater management may not provide sufficient mitigation for the already saturated site.

**(I) *The use or development is compatible with the land uses in the neighborhood.***

- 1. Based on a submitted land value report conducted by Cal Haskins (dated: July 19, 2016) during the public hearing process, the proposed use may have a negative impact on neighboring property values and be incompatible with the neighborhood.
- 2. The proposed use would not be compatible with the existing character of the neighborhood (there are 9 existing homes and the possibility of additional homes in the immediate area) with multiple century farms. Additionally, the applicant has not provided information regarding the interconnection design and appearance that would likely involve numerous large, unscreened, utility poles within the operational area, which would be a significant change in the neighborhood.
- 3. Based on public testimony and a signed petition received from neighboring property owners, at the June 21, 2016 Planning Commission meeting, the proposed use would take away from the rural and natural surrounding environment of the neighborhood.

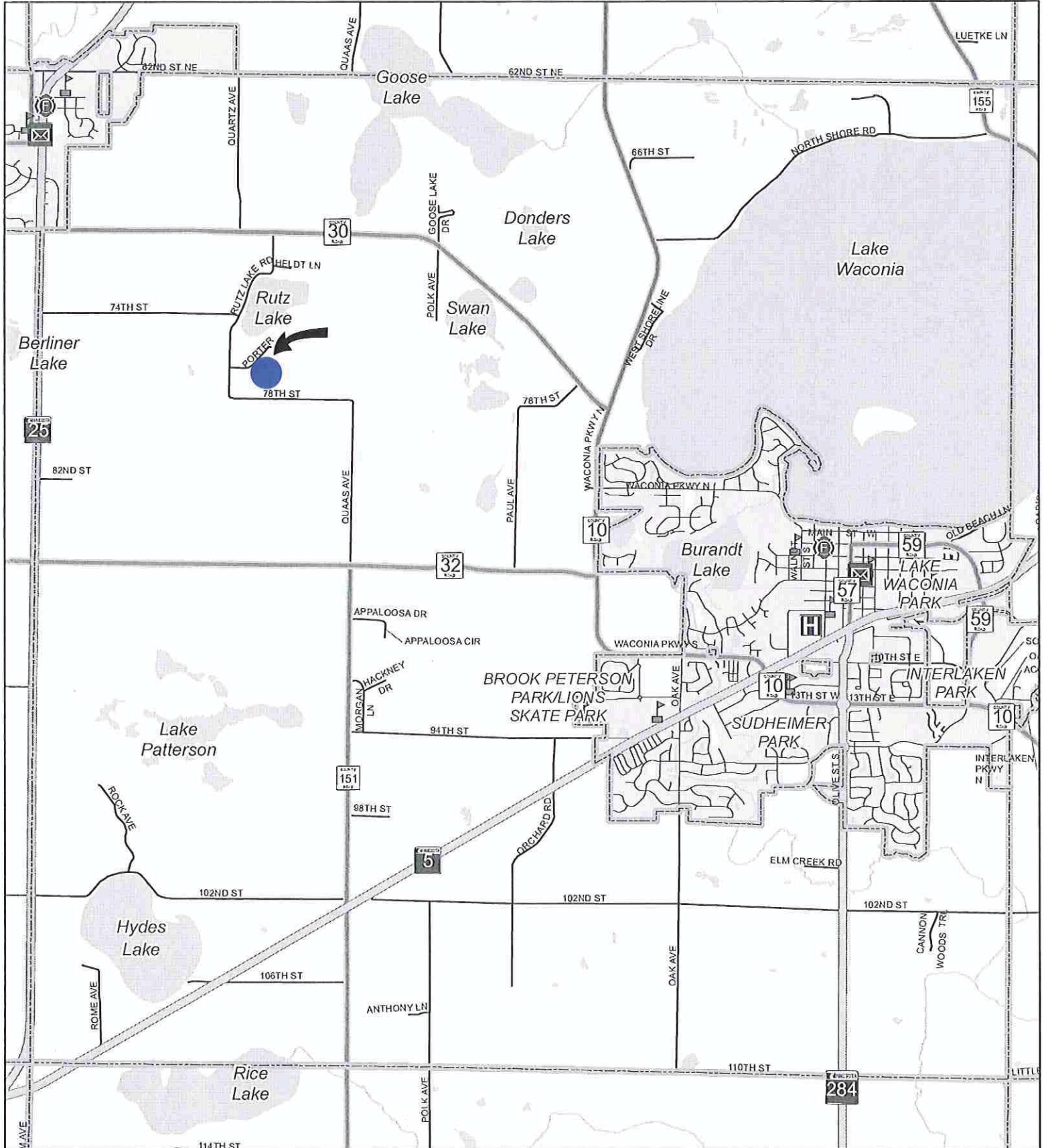
**THEREFORE, BE IT RESOLVED,** THAT The Carver County Planning Commission hereby recommends **denial** of the subject permit for a Large Solar Energy System (SES) - Conditional Use Permit on the land described in Exhibit "A" of the permit application.

**ADOPTED** by the Carver County Planning Commission this 19<sup>th</sup> day of July, 2016.

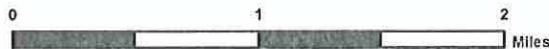
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 John Fahey,  
 Planning Commission Chair

8/3/2016 | 1:24:28 PM CDT

# WACONIA TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.





## Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Closed Session for Right of Way Acquisition for CR 110 (Future CSAH 10) Construction**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The 2017 construction season includes project # 148765, the CR 110 Construction - Waconia School Phase Project (future CSAH 10), from TH 5 to existing Waconia Parkway S.. As a consequence of the project, the County is in process of obtaining right-of-way from numerous property owners along the proposed corridor. A closed session is needed to consider and develop counteroffers to land owners on Segment 1 of the Project, which is from approximately State Highway 5 to Community Drive.

**ACTION REQUESTED:**

Motion to enter into closed session pursuant to Minn. Stat. Section 13D.05, subd. 3(c) to consider and develop counteroffers for the purchase of real property on PID# 09.0270600

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

County Dollars =

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2016 - 4096