



Carver County Board of Commissioners
 September 6, 2016
 Regular Session
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

- 9:00 a.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.*
2. Agenda review and adoption
3. Approve minutes of August 16, 2016 Regular Session..... 1-7
4. Community Announcements
- 9:05 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy and livable communities*
- 5.1 Sheriff - Request for approval of contract with State of Minnesota for 2016 Emergency Management Performance Grant..... 8-9
- 5.2 2016/2017 School Resource Officer contracts..... 10
- 5.3 Resolution Authorizing the continuation of the Towards Zero Death Grant 11-12
- 5.4 Renewal of Internet Crimes Against Children JPA and Resolution 13-14
- 5.5 Settlement Agreement for right of way acquisition for CSAH 10 Reconstruction Project (SP 010-610-046)..... 15-18
- 5.6 Bid Award for County Road 123 Flood Mitigation Project 19-20
- 5.7 Approve the hiring of STOC Crisis Therapists for McLeod County..... 21
- 5.8 Parks and Trails Funding Request for State Fiscal Years 2018 and 2019 22
- Connections: Develop strong public partnerships and connect people to services and information*
- 5.9 Application for 1 Day to 4 Day Temporary On-Sale Liquor License for Augusta Ball Club , Inc..... 23
- 5.10 Charitable Gambling Application for Exempt Permit-Augusta Ball Club Inc 24
- 5.11 Veterans Service Operational Grant..... 25-26
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- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.16 Doreen Osborn - Temporary Mobile Home 31-34
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Culture: Provide an organizational culture which fosters individual accountability to achieve goals

5.18 Crisis Program Transfer of Crisis Therapist FTE 40

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

5.19 Abatements/Additions 41-42

5.20 Review Social Services/Commissioners/Warrants NO ATT

9:05 a.m. **6. FINANCES: Improve the County's financial health and economic profile**
6.1 2017 CDA Levy and Budget 43-46
6.2 Preliminary 2017 Carver County Water Management
Organization Levy 47-49

9:15 a.m. **RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY
REGIONAL RAIL AUTHORITY**

6.3 Preliminary 2017 Regional Rail Authority Levy and Budget
("CCRRA")..... 50-52

9:20 a.m. **ADJOURN AS REGIONAL RAIL AUTHORITY AND RECONVENE AS
COUNTY BOARD**

9:20 a.m. **7. GROWTH: Manage the challenges and opportunities resulting from growth
and development**
7.1 GreenMark Solar - Community Solar Garden 53-59
7.2 DG Minnesota CSG 2, LLC (Nextera & TruNorth) - Community Solar
Garden Request..... 60-68

11:00 a.m. **8. CULTURE: Provide an organizational culture which fosters individual
accountability to achieve goals**
8.1 Closed Session for Labor Negotiation Strategy 69

11:50 a.m. **ADJOURN REGULAR SESSION**

11:50 a.m. **BOARD REPORTS**
1. Chair
2. Board Members
3. Administrator
4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

September 13, 2016 No Meeting
September 20, 2016 4:00 p.m. Board Meeting
September 27, 2016 9:00 a.m. Work Session
October 4, 2016 9:00 a.m. Board Meeting
October 11, 2106 No Meeting
October 18, 2016 4:00 p.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on August 16, 2016. Chair James Ische convened the session at 4:00 p.m.

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

Members absent: None.

Under public comments, Karen Johnson Leuthner, 15735 38th Street, Mayer, voiced her concerns related to a CUP she believed was out of control in Hollywood Township. She reviewed the process to obtain a CUP and indicated, in this instance, that had not been followed. She stated the business is operating now and it will not be approved until September.

Mark Wickenhauser, Waconia Township, asked for a vote on the GreenMark solar garden request today. He stated he wanted to reinforce the Township is the road authority for this area and asked that they represent the neighbors who did not want this in their neighborhood nor did the Waconia Township Board.

Wickenhauser requested an explanation of where the year-end savings account monies came from. The Chair directed the Administrator to get that information to him. He also pointed out the County no longer has an elected Treasurer or Auditor and this allows Finance staff the control.

The following amendment was made to the agenda:

Appointment of Interim Carver County Surveyor and County Recorder.

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

Lynch moved, Workman seconded, to approve the minutes of the August 2, 2016, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Authorized the Sheriff's Office to accept gift certificate, gift cards, cash, food and beverage items and stuffed animals.

Approved the one day to four day temporary on sale liquor license application for St. Peter Lutheran Church, Watertown for October 1, 2016.

Joint powers agreement with the City of Chanhassen for TH 5 Trail construction subject to completion of the contract review process.

Election services agreement with SeaChange Print Innovations to be effective through May 31, 2020.

Issued charitable gambling license to Delano Ducks Unlimited for a raffle to be held on September 22, 2016.

Professional services agreement with Matrix Communications pending completion of the contract review process.

Approved utilizing vacancy and turnover savings to fund temporary School Linked Therapist position and related Health & Human Services budget amendment.

Increased Waconia Youth Services librarian position from 37 hours to 40 hours per week and approved related budget amendment.

Resolution #46-16, Authorizing Payment of a Settlement of Compensation to Landowner for Easements Required for the CR 110 Road Construction, Project #148765.

Approved the transfer of .15FTE and \$4,900 from IT to Attorney budget in 2016 with FTE remaining in Attorney budget going forward.

Appointed Brian Praske as the Interim Carver County Surveyor and David Frischmon as the Interim County Recorder effective August 29, 2016.

Reviewed August 9, 2016, Community Social Services' actions/Commissioners' warrants in the amount of \$296,338.59 and reviewed August 16, 2016, Community Social Services' actions/Commissioners' warrants in the amount of \$213,478.54.

Motion carried unanimously.

Jason Kamerud, Sheriff's Office, requested the Board approve an inmate medical services contract. He explained one of the requirements for running a jail was to provide for reasonable access to medical and mental health services for inmates. He indicated that had been provided through a 1.8 FTE jail health nurse and a contract with a local physician. Kamerud noted that in 2015 Immigration Customs Enforcement required them to have a mid-level provider and that was being provided through MEnD. He pointed out staff changes that have occurred due to resignations and retirements that lead them to explore options.

He explained they were looking to expand the contract with MEnD to cover all medical needs and pointed out the advantages to having onsite services.

Maluchnik moved, Workman seconded, to approve the medical services agreement and approve related budget amendment. Motion carried unanimously,

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

Martin Walsh, Parks, requested the Rail Authority approve an underground pipeline crossing permit. He identified the location on the Dakota Rail Corridor and proposed crossing.

Workman moved, Degler seconded, to approve an underground pipeline crossing permit with CentrePoint Energy. Motion carried unanimously.

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

Steve Just, Planning and Zoning, appeared before the Board to review GreenMark Solar's CUP request for a Community Solar Garden. He explained the Planning Commission recommended denial and reviewed the Planning Commission's findings for denial. He indicated this was part of Xcel's Energy's solar garden program and stated the development would be located on approximately 15 acres. Just indicated he was asking for a motion for an order to approve or deny the request.

Dan Cook, 7625 Rutz Lake Road, stated he lived next to the site and he was a member of the community for 30 years. He noted the neighborhood was not out in full force tonight but they have filled the Township Hall with their concerns. He stated they were present at both the Planning Commission as well meetings with GreenMark. He asked the Board to consider denying the application based on the Township's wishes and Planning Commission who have already heard the testimony. He noted the PUC no longer allow these sized gardens be built anymore. He asked they vote based on the facts.

Neil Dummer, 13555 74th Street, pointed out the high water table and there was no way to slow the water down. He stated the ground cannot go under plow and there were many farm families close by. He added this was not a good location for a solar garden.

Mark Wickenhauser, Waconia Township, questioned why the issue was taken off the consent agenda. Dave Hemze, County Administrator, clarified when staff is looking for specific Board direction; items are put on the regular agenda with the Board approving the final layout. Chair Ische noted items placed on the regular session allow the public an opportunity to speak to the issue.

Patrick Neaton, Esq., stated he represented some of the neighboring property owners and they endorsed the findings and conclusions of the Planning Commission as well as the Township Board. He referenced the character of the area and pointed out the landowner was granted a CUP in 2002 to increase the number of building eligibilities based on the high amenity area. He noted at that time Outlot B, where this facility was proposed, would remain ag and believed that granting that CUP set

the character of the area. He requested that the Board persist in keeping that area rural and residential.

Karen Johnson Leuthner suggested there could be 45 foot poles on some of these projects and smart meters. She questioned if these poles would be handling the rf from the smart meters. She questioned if fiber optics would also be associated with solar gardens. She noted the recycling plan for the glass; that glass is not something that is wanted and this has not been discussed.

Ron Grimm stated he owned land on the South side of this project and raised his concerns on the flow of water. He noted the lake that would be filled with cattails and inquired if the water that was forced on one end, would have an outlet on the other end to get rid of the water.

Derrick Gunderson, 1279 ½ Street, Victoria Planning Commission co-chair, stated this project was brought to his attention and pointed out Waconia and Victoria were losing out to Minneapolis in terms of younger families and economic development. He stated this project would add tax value to the area and any project that can take stress of the grid will benefit the residents. He believed the project had the support of the Victoria and Waconia communities.

Mark Wickenhauser, Waconia Township, suggested the County was doing well with the money already brought in and these solar panels do not belong on prime ag land. He pointed out the inefficiencies of solar gardens and stated the project should be voted down.

Mark Andrew, cofounder and President of Green Mark, stated he understood some of the concerns of the opponents. He stated this was an excellent site and the quality of the project would exceed the other CUPs that have been granted for solar. He reviewed the process they have gone through to date. He pointed out the Ordinance that was passed and the 2030 comp plan encouraged solar development. He stated Green Mark worked with Ms. Porter to execute a lease and they went through a lot of research for the project. He indicated Watertown Township passed a “no recommendation” Resolution in April. He noted the previous Planning Commission meetings and meetings held with neighbors to address their concerns.

Andrew raised his objections to letter submitted by Cal Haasken on property values and pointed out a study that found no deterioration to property values. He added because of the strong screening any risk to property values would be mitigated and there would not be noise. He indicated a large amount of work was done on stormwater and they have addressed stray voltage. He outlined the site and reviewed the landscaping plan. Andrew stated the screening that will be done will be superior to other solar gardens that have been approved.

Noah Waterhouse, Civil Engineer with EVS and representing GreenMark, explained the stormwater design was based on coordination with staff and PCA. He indicated their strategy was to mimic existing runoff conditions once project is complete and they have designed similar projects that have been reviewed by the MPCA. He stated this project would be completed according to the County’s water rules. He clarified the amount of impervious acres created and indicated wetlands have been delineated.

He indicated they are not obligated to correct an existing drainage problem and this project would create no adverse impacts or increase the runoff from the site. He recognized the clay soils on the site and the reason for going with the filtration system that they have.

Just confirmed one of the requirements would be to comply with Chapter 153 and Soil and Water would be involved with the review.

Tammera Diehm, Esq., representing Maryann Porter and GreenMark, stated they have spent a lot of time working on this CUP application. She submitted a letter outlining their legal reasons why they believed this application should be approved. She stated CUPs are allowed if conditions are met or can be added. Diehm indicated while neighborhood opposition is important, the testimony of the public or opposition is not a reason to deny. She stated the denial had to be based on facts. She indicated if conditions can be added, it would be arbitrary to deny the request.

She addressed the three factors the Planning Commission noted in their Resolution to deny. She suggested that Waconia Township did not vote formally to reverse their decision and have neither approved nor denied. She suggested conditions could be added to comply with the Township rules. Diehm stated they have addressed the concerns related to stormwater and pointed out their study concluding no negative impact to property values. She noted the significant berming to minimize impacts. Diehm added the project was consistent with the standards in the code and other projects that have been approved.

Hemze asked for clarification on the Township's role in the process. Just stated the Township is the road authority. He indicated the Township has the right to make a recommendation and they could include conditions that would meet the townships requirements for access and permitting. He stated he was uncertain if the Township formally voted but noted the testimony of the Waconia Township Supervisor and Chair at the Planning Commission public hearing.

Maryann Porter, 13210 Porter Way, stated as they go forward the landscape of the County continues to change and it was important to keep in mind the balance between landowners rights and the neighbors concerns. She stated the land was here to produce and hoped they voted yes so the land can produce.

Kathy Anderson, 14750 50th Street, Mayer, explained applicants are required to go to their township for a recommendation and stated citizens aren't aware of these requests coming to their townships. She suggested "no recommendation" is often made as the supervisors may not know enough about the application to deny or grant. She noted the number of times this issue was sent back to the Township and reviewed the discussions held at those meetings. She stated these are township roads and they are the road authority.

She indicated these have been placed in the ordinance as an essential service and that is the entrance to ag land. Anderson stressed this was not an essential use, it was a private company and a solar developer that was going to sell to a utility. She stated the applicant needs to demonstrate why this

needs to be in that particular spot if they are an essential service. She indicated this did not meet the comp plan and they are not an essential service. She stated they have no business in the ag district and they are not zoned for commercial. Anderson added the applicant has to address its relation to ag land and they have not done that.

Dan Cook stated the neighbors, in good faith, have spent a lot of time putting forth good arguments. He believed the conditions added could not necessarily be met. Cook stressed they also have experts that work with soil and understand drainage. He suggested the Board question if what the applicant was proposing to do was going to work. He stated the land is fragile and not able to drain.

Mark Wickenhauser, Waconia Township, clarified the township clerk does have on file their response and the Township intended to comment at the public hearing. He clarified two township reps were not in support of this CUP with one not voting. He reiterated they are the road authority and pointed out the problems with water runoff. He again asked the Board to not approve the CUP.

Patrick Neaton, Esq., pointed out Haasken's opinion that property values would decrease. He stated, based on the number of homes in this area, a 10% decrease in value would result in \$400,000 in decreased values. He referenced the applicant's undisclosed appraisal report from 2014 and pointed out Mr. Haasken also is an expert, has testified as an expert and has been hired to do appraisals for the County. He indicated Haasken took the position that the market values reflect the fear that people have about the impact of stray voltage and water drainage. He added the berm does not block the view from Mr. Cook. He noted the conflicting testimony offered by the engineer on stormwater at previous Planning Commission meetings and stated engineers make mistakes when it comes to water drainage. He suggested they rely on the testimony of the neighbors that have lived with this problem for years.

He pointed out the other projects that have been denied in Watertown and Hollywood because they were incompatible with the neighborhood. Neaton stated there was case law that a denial can be based on the facts, the high water table, value decreases and the use and enjoyment of property. He indicated, in this case, the County ordinance require the applicant establish this is an essential service or site but the applicant has ignored that. Neaton stated the applicant has failed to show that it cannot be built somewhere else or another County. He stated the applicant has the burden of proof and they have not met that proof. He stressed it would be impossible to find the requirements of B, E and I of Section 152.251 have been met. Neaton pointed out pertinent case law in 1997 that upheld the denial of a CUP.

Greg Cummins, 7735 Rutz Lake Road, stated the water management plan was based on 100 year totals that were not as high as what they are measured on this property.

Georgia Storms, 7750 Rutz Lake Road, indicated she has heard many promises from GreenMark. She questioned the validity of the applicant's statement at the Planning Commission that the land would be in better shape after they are done with it and disputed the validity of the other comments made.

Lynch moved, Ische seconded, to direct staff to prepare an order for denial for the Board's consideration at the September 6, 2016, Board meeting. Ische, Lynch voted aye. Degler, Maluchnik, Workman voted nay. Motion failed.

Maluchnik moved, Workman seconded, to direct staff to prepare an order to approve the CUP for GreenMark Community Solar Garden for the Board's consideration at the September 6, 2016, meeting.

The Board discussed the misinformation that had occurred that did not pertain to this specific project and the opportunity to add conditions and stipulations to the CUP.

Wickenhauser stated this needed to be reviewed by the Township as the road authority and they had stipulations to be added to the CUP if this was approved.

On a roll call vote, Degler, Maluchnik, Workman voted aye. Ische, Lynch voted nay. Motion carried.

David Hemze, Administrator, clarified this issue would be put on the regular agenda for additional input from the Board and others on September 6th.

Degler moved, Workman seconded, to go into closed session at 6:16 p.m. pursuant to Minnesota Statute Section 13D.05, subd. 3(c) to consider and develop counteroffers for the purchase of real property on PID #09.0270600. Motion carried unanimously.

The Board adjourned the closed and Regular Session at 6:40 p.m.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Sheriff - Request for approval of contract with State of Minnesota for 2016 Emergency Management Performance Grant

Primary Originating Division/Dept: Sheriff

Meeting Date: 9/6/2016

Contact: Deb Paige Title: Commander

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Emergency Management Performance Grant (EMPG) is awarded based on an annual request for federally-funded assistance from the State of Minnesota, Department of Public Safety - Homeland Security & Emergency Management Division, and is used to support the Carver County Emergency Management Program. Specifically, this grant covers a portion of salary for employees in the Emergency Management Program. The effective date of this grant is 01/01/2016 to 12/31/2016. There is a 100% match required for this grant which is covered in the budget for the Emergency Management Program. The match is achieved through salary. We have partners on this grant with the state for many years.

ACTION REQUESTED:

Motion to authorize the County Board Chair and the County Administrator to sign and accept the Grant Agreement for the "2016 Emergency Management Performance Grant (EMPG). Reviewed and approved by the County Attorney's Office and Risk Management.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$51,131.00
Fed Grant (2016 Budget)	\$48,000.00
Fed Grant (2016 Add'l Fu	\$3,131.00
Total	\$102,262.00

Insert additional funding source

Related Financial/FTE Comments:

There is a 100% match required for this grant which is covered in the budget for the Emergency Management Program.

Office use only:

RBA 2016 - 4162

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Sheriff - Request for approval of contract with State of Minnesota for 2016 Emergency Management

Agenda Item: Performance Grant

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			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Salaries	01-201-280.6111	\$3,131.00	EMPG	01-201-280-1904-...	\$3,131.00
TOTAL		\$3,131.00	TOTAL		\$3,131.00

Reason for Request:

Budget for additional Emergency Management Performance Grant funds above the anticipated \$48,000 that is already included in the 2016 Budget.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2016/2017 School Resource Officer contracts

Primary Originating Division/Dept: Sheriff

Meeting Date: 9/6/2016

Contact: Paul Tschida Title: Commander

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County through its Sheriff's Office, has partnered with school districts for many years. The CCSO provides licensed deputies to work with the school on the school campus in an effort to maintain the great learning environment currently enjoyed. This contracted service greatly benefits the county by building lasting relationships between the sheriff's office, schools, and the students.

ACTION REQUESTED:

Approve the contract for School Resource Officers in School district 110 (Waconia) and the Southwest Metro Intermediate District for the 2016/2017 school year.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =	\$0.00
School Districts	\$207,702.00
Total	\$207,702.00

FTE IMPACT: None

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4188

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Authorizing the continuation of the Towards Zero Death Grant

Primary Originating Division/Dept: Sheriff

Meeting Date: 9/6/2016

Contact: Patrick Barry Title: Lieutenant

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Resolution Authorizing Execution of Agreement with the Minnesota Department of Public Safety for the Towards Zero Death (TZD) grant awarded to the Carver County Sheriff's Office starting October 1, 2016 through September 30, 2017. These funds are for traffic safety education and enforcement and have been previously approved by the board.

ACTION REQUESTED:

Have Board of Commissioners review and sign the resolution.

FISCAL IMPACT: Included in current budget

If "Other", specify: Grant Awarded

FUNDING

County Dollars =	<input type="text"/>
	\$22,225.00

FTE IMPACT: None

Total	\$22,225.00
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Insert additional funding source

Related Financial/FTE Comments:

01-201-236-1605-5363 Safe and Sober Grant

Office use only:

RBA 2016 - 4195

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that the Carver County Sheriff's Office enter into grant agreements with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled Towards Zero Deaths during the period from October 1, 2016 through September 30, 2017.

The Carver County Sheriff is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Carver County Sheriff's Office and to be the fiscal agent and administer the grant.

I certify that the above resolution was adopted by the Carver County Board of Commissioners of Carver County , Minnesota on _____.
(Date)

SIGNED:

WITNESSETH:

(Signature)

(Signature)

(Title)

(Title)

(Date)

(Date)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Renewal of Internet Crimes Against Children JPA and Resolution

Primary Originating Division/Dept: Sheriff

Meeting Date: 9/6/2016

Contact: Jeff Enevold Title: Joint Powers Agreement

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The ongoing agreement provides the opportunity to receive free training and equipment to the Sheriff's Office in exchange for our investigation of assigned cases of internet child pornography in Carver County. This agreement is in cooperation with the Bureau of Criminal Apprehension and other agencies involved in Internet Crimes Against Children. The BCA does not evaluate or supervise the Sheriff's Office employee.

ACTION REQUESTED:

Approve the Joint Powers agreement with the BCA and pass a resolution approving the JPA with the county and the Minnesota Internet Crimes Against Children Task Force. (ICAC)

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars = \$0.00

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4229

RESOLUTION NO. _____

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF CARVER ON BEHALF OF ITS SHERIFF REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

WHEREAS, the County of Carver on behalf of its Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation on children that is committed and/or facilitated by or through the use of computers.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Carver on behalf of its Sheriff are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.
2. That the County Board Chair, James Ische or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
3. That James Ische, the Chair of the County of Carver, and Dave Hemze, the County Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Board on this ____ day of _____, 2016.

COUNTY OF CARVER

By: James Ische
Board Chair

ATTEST:

By: Dave Hemze
County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreement for right of way acquisition for CSAH 10 Reconstruction Project (SP 010-610-046)

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The 2015 construction program included the reconstruction and partial realignment of CSAH 10 from CSAH 30 on the south to Highway 7 on the north. Additional right-of-way was needed to complete this project. Carver County Public Works has negotiated a settlement with a property owner for the acquisition of permanent, drainage and temporary easements along the CSAH 10 corridor.

ACTION REQUESTED:

Adopt a resolution to authorize payment of compensation based on negotiated settlements for easements required for the CSAH 10 Reconstruction Project (SP 010-610-046) and authorize the Carver County Board Chair and County Administrator to sign the stipulation of settlement agreement for the property owned by Denis J. Laumann & Bonnie L. Laumann, husband and wife.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
CSAH Funds (Gas Tax etc)	\$70,000.00
Total	\$70,000.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

\$24,500 has been paid to the property owners. The balance of \$45,500 will be paid upon approval of this action.

Office use only:

RBA 2016 - 4208

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

Date: September 6, 2016_____ Resolution No: _____

_____ Motion By Commissioner: _____ Seconded by Commissioner: _____

**Resolution Authorizing Payment of Settlements of Compensation to
Landowners for Easements Required for the CSAH 10 Road Reconstruction,
Project # SP 010-610-046**

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 reconstruct the CSAH 10 from CSAH 30 on the south to Highway 7 on the north, Project #SP 010-610-046 (“Project”); and

WHEREAS, in order to complete the Project it is necessary for the County to purchase property interests from each of the properties 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.

2. Based upon appraisals obtained by the County from independent real estate appraisers and negotiations with the affected property owners the Director of Public Works or agents under his supervision pay to said property owner the negotiated settlement amount, (which total an amount of \$70,000.00 for One Parcel).

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA)
) ss.
 COUNTY OF CARVER)

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 6th day of September, 2016, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of September, 2016.

 Dave Hemze County Administrator

Subscribed and sworn to before me
 this ___ day of _____, 2016.

Notary Public _____

My Commission Expires _____

Notary Stamp

Exhibit A

**Property Interests Required for the Reconstruction of the CSAH 10 From CSAH 30 to
Highway 7
Project #SP 010-610-046**

(Acquisition)

P.I.D. No. 10.0341000

Denis J. Laumann & Bonnie L. Laumann, husband and wife

Taking of permanent roadway easement for right of way purposes over County State Aid Highway No. 10 (containing 19,883 Sq. Ft., more or less).

Taking of permanent drainage & utility easement for right of way purposes over County State Aid Highway No. 10 (containing 205 Sq. Ft., more or less).

Taking of a temporary easement over County State Aid Highway No. 10 (containing 11,210 Sq. Ft., more or less).

Settlement Amount: \$70,000.00.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Bid Award for County Road 123 Flood Mitigation Project

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
Consent ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Construction project on County Road 123. Includes raising a 1100' section of the roadway to reduce flooding potential and alleviate unsafe travel for residents.

Bids for this project were opened at 2:00pm on August 30th. Engineer's estimate was \$305,949.50. Two bids were received. Low bid was received from Park Construction Company in the amount of \$322,669.25. The bid is 5.46% above the Engineer's estimate. The bid is within an acceptable range of the estimate.

ACTION REQUESTED:

Award bid to Park Construction Company in the amount of \$322,669.25 for the CR123 flood mitigation project pending finalization of the contract review process.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4220

8/30/2016



CCHD Project Bid Summary

Project Name: County Road 123 Flood
Mitigation

Contract No.:

Client: CARVER COUNTY

Project No.: 148756

Bid Opening: 08/30/2016 2:00 PM

Owner: CARVER COUNTY

Vendor Number	Business Name	Total Bid Amount
N/A	Park Construction Company	\$322,669.25
N/A	Mathiowetz Construction Company	\$379,164.40

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approve the hiring of STOC Crisis Therapists for McLeod County

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Crisis unit's 2016 DHS mental health crisis response grant was previously approved by the County Board. \$10,800.00 was budgeted in the crisis grant for staffing costs in McLeod County . The Crisis Unit has been working with Carver County Employee Relations and McLeod County for the last 8 months to determine the most appropriate staffing model. We are now ready to implement the service model in the fourth quarter. This model would include hiring between 1-4 STOC Mental Health Professionals to work as Crisis Therapists conducting crisis assessments in McLeod County. We are currently looking to staff 25 hours per week. At a rate of \$30.00 per hour, this would total \$9,000.00, with \$1,800.00 for additional staffing as needed. No additional levy dollars are required or requested.

ACTION REQUESTED:

Motion to approve the hiring of STOC Crisis Therapists (1-4) for McLeod County.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

The \$10,800.00 is included in the 2016 Crisis Grant previously approved by the Board. No additional levy dollars are required.

Office use only:

RBA 2016 - 4207

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Parks and Trails Funding Request for State Fiscal Years 2018 and 2019

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

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:

Carver County receives Parks and Trails Funding from the Legacy Amendment as a Regional Park Implementing Agency of the Metropolitan Council. On or before September 9, 2016 the County is to submit its requests for Parks and Trails Legacy Funding for state fiscal years 2018 & 2019.

For 2018, Staff is recommending the below items:

- \$40,000 to continue funding for Parks and Recreation/Volunteer Specialist Position
- \$8,000 for seasonal recreation labor, advertisement, outreach and scholarships
- \$299,000 for the Arboretum Trail to match federal and local funds for the project

For 2019, Staff is recommending the below items:

- \$40,000 to continue funding for Parks and Recreation/Volunteer Specialist Position
- \$28,000 for seasonal recreation labor, advertisement, outreach and scholarships
- \$310,000 for capital projects as prioritized below:
 - 1) Continued funding to complete the Arboretum Trail project
 - 2) To match federally funded trail projects programed for 2020
 - 3) Coney Island development
 - 4) Replace a portion of the Lake Minnewashta Regional playground

ACTION REQUESTED:

Approve the submittal to request Parks and Trails Legacy Funding for 2018 and 2019.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

This is a grant request and a budget amendment is not required at this time. Funding is dependent on legislative approval of the state. At a later date, the Board will be requested to approve agreements for authorized grants.

Office use only:

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 1 Day to 4 Day Temporary On-Sale Liquor License for August Ball Club , Inc.

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

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:

Augusta Ball Club, Inc., 5950 Hampshire Rd, Chaska, 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 at the meeting house and pavilion. The officers are Charles Ralph Wickenhauser (President); Charles Robert Wichterman (Vice-President); Mary Jane Olson (Secretary) and Patricia Mary Eiden (Treasurer). There are no delinquent taxes owing on this property.

ACTION REQUESTED:

Motion to approve the 1 Day to 4 Day Temporary On-Sale Liquor License application for Augusta Ball Club, Inc. for Saturday October 1, 2016.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

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 - 4194

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application for Exempt Permit-Augusta Ball Club Inc

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

A Charitable Gambling application for Exempt Permit was received from the Augusta Ball Club Inc. They plan to hold a raffle on October 1, 2016 at the ball park located at 5950 Hampshire Rd, Chaska, MN 55318. This applicant has received this same type of license previously.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License to Augusta Ball Club Inc for a raffle to be held on October 1, 2016.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4193

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Veterans Service Operational Grant

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:

The Minnesota Department of Veterans Affairs offers a County Veterans Service Office (CVSO) Operational Grant program in which each county applying receives a base grant of \$7,500. In addition to the base grant, each county is eligible to receive additional funds based on the county's veteran population. The formula awarding grant funds is based on veteran population estimates, as of September 30, 2015, produced by the Veterans Affairs Office of the Actuary. According to the Veterans Affairs Office of the Actuary, Carver County's veteran population is 4,910. This year, Carver County is eligible for an additional amount of \$5,000 (total grant being \$12,500).

The Carver County Veterans Service Officer would propose to use this grant for technology upgrades to the office, training opportunities for staff members, and other outreach efforts that the Carver County Veterans Service Office will organize or participate in during the state fiscal year.

The approval of this board action and resolution would greatly benefit Carver County's Veterans, their families, and the operations of the Carver County Veterans Service Office.

ACTION REQUESTED:

Motion to approve the resolution to enter into a Minnesota Department of Veterans Affairs CVSO Operational Grant Contract in the amount of \$12,500 pending contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	\$0.00
MN Dept of VA	\$12,500.00
Total	\$12,500.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Funds are awarded based on the State of Minnesota fiscal year and must be spent prior to June 30, 2017.

Office use only:

RBA 2016 - 4218

RESOLUTION OF CARVER COUNTY

BE IT RESOLVED by the Carver County Board of Commissioners that the County enter into the attached **Grant Contract** with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: **County Veterans Service Office Operational Enhancement Grant Program**. The grant must be used to provide outreach to the county's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the county veterans service office, as specified in Minnesota Laws 2015 Chapter 77, Article 1, Section 37, Subdivision 2. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by the Carver County Board of Commissioners that Dan Tengwall, the Carver County Veterans Service Officer, be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

WHEREUPON the above resolution was adopted at the Carver County Board Meeting in Chaska, Minnesota this sixth day of September 2016.

Authorized Signature and Title

Date

STATE OF MINNESOTA

CARVER COUNTY

I, David Hemze, do hereby certify that I am the custodian of the minutes of all proceedings had and held by the County Board of Commissioners of said Carver County, that I have compared the above resolution with the original passed and adopted by the County Board of Commissioners of said Carver County at a Regular Board meeting thereof held on the sixth day of September 2016, at Chaska, Minnesota, that the above constitutes a true and correct copy thereof, and that the same has not been amended or rescinded and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this sixth day of September 2016, and have hereunto affixed the seal of the County.

Authorized Signature and Title

(SEAL)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Out of State Travel - VSO

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:

The Carver County Veterans Service Officer (VSO) was selected by his peers to assist with the reintegration of Minnesota veterans returning from deployment to US Central Command (CENTCOM). The event occurred from August 17-22 at Fort Bliss, TX. Taking part in the demobilization process is a great honor, as it's a process to ensure that returning veterans are informed and understand the benefits which they've earned.

The State of Minnesota paid for the airfare, hotel, and meal costs of the trip. The Veterans Service Office is requesting \$300.87 from the State of Minnesota Veterans Service Office Operational Grant to pay for the rental car and fuel. Given the timing of the travel, this request is occurring post event.

ACTION REQUESTED:

Motion to approve expenses from the Veterans Service Officer travel to Ft. Bliss, Texas for the reintegration of Minnesota Veterans.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text" value=""/>
VSO Operational Grant	\$300.87
Total	\$300.87

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4223

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2016-2017 renewal of On-Sale Liquor License including Sunday for Lancer at Edinburgh, Inc. dba Lake Waconia Event Center

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services - Property Taxation"/>	Meeting Date: <input type="text" value="9/6/2016"/>
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 Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Stephen Craver, Treasurer of Lancer of Edinburgh, Inc. dba Lake Waconia Event Center has applied for renewal of their On-Sale Liquor License including Sunday. They are located at 8155 Paradise Lane, Waconia. There are no delinquent taxes owing on the parcel.

ACTION REQUESTED:

Motion to approve the application for renewal of the On-Sale Liquor License including Sunday for Lancer at Edinburgh, Inc. dba Lake Waconia Event Center.

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING County Dollars = <input type="text" value=""/> <input type="text" value=""/>
If "Other", specify: <input type="text" value=""/>	Total <input type="text" value=""/> \$0.00
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source
Related Financial/FTE Comments: License fee: On-Sale Liquor License - \$2,000.00; Sunday On-Sale - \$200.00.	

Office use only:
 RBA 2016- 4201

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application to conduct Raffle in Carver County

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:

A Charitable Gambling application to conduct a raffle in Carver County was received from East Union Lutheran Church. They plan to hold a raffle on October 8, 2016 at East Union Lutheran Church located at 15180 County Rd 40, Carver, MN 55315. This organization has not had a Charitable Gambling license in the past.

ACTION REQUESTED:

Approval for East Union Lutheran Church to conduct a raffle in Carver County on October 8, 2016.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4209

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2016-2017 On-Sale Liquor License including Sunday for Heenie's Inc. dba Island View Dining

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

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:

Kim Heenie, President of Heenie's Inc. dba Island View Dining, has applied for a County On-Sale Intoxicating Liquor License including Sunday. They are located at 7795 Laketown Parkway, Waconia, MN 55387. There are no delinquent taxes owing on the parcels associated with this license.

ACTION REQUESTED:

Motion to approve the application for a County On-Sale Intoxicating Liquor License including Sunday for Heenie's Inc. dba Island View Dining.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total **\$0.00**

Insert additional funding source

Related Financial/FTE Comments:

License Fee: County On-Sale Intoxicating Liquor License - \$2,000.00; Sunday On-Sale - \$200.00.

Office use only:

RBA 2016- 4212

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Doreen Osborn - Temporary Mobile Home

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #PZ20160040. The Planning Commission recommended approval of an Interim Use Permit (IUP) for Doreen Osborn, daughter of Orlando Tesch, for a temporary special needs parent/grandparent mobile home, to be occupied by Rick (grandson) and Roberta Tesch, located in Section 26 of Hollywood Township. The IUP would expire at such time that Orlando Tesch and/or Rick and Roberta Tesch no longer occupy the property. The Hollywood Town Board recommended approval at their August 8, 2016 meeting.

ACTION REQUESTED:

A motion to adopt findings of fact and issue Order #PZ20160040 for the issuance of the Interim Use Permit.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4202

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20160040

RESOLUTION #: 16-11

WHEREAS, the following application for an Interim Use Permit has been submitted and accepted:

FILE #: PZ20160040

APPLICANT: Doreen Osborn (Daughter)

OWNER: Orlando Tesch

SITE ADDRESS: 4780 Tacoma Ave Mayer, MN 55360

PERMIT TYPE: Temporary Mobile Home (Special Needs Parent)

PURSUANT TO: County Code, Chapter 152, Section(s) 152.082

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 06-026-0620

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of August 16, 2016;

WHEREAS, the Carver County Planning Commission finds as follows:

1. Orlando Tesch owns an approximate 6.08 acre parcel in the North Half of Section 26, Hollywood Township. The property is improved with a livable home, uninhabitable home and multiple agricultural type out buildings. The property is located in the Agricultural Zoning District, and the CCWMO (Crow River watershed).
2. A Temporary Mobile Home Elderly Parent CUP was issued in 2005 and the mobile home was removed and the CUP terminated in 2013. The applicants are requesting a new Interim Use Permit (IUP) for a Temporary Mobile Home (Special Needs/Elderly Grandparent) pursuant to Section 152.082 of the Carver County Zoning Code.
3. A CUP was issued for a temporary mobile home in 2005 to allow Richard Tesch (Mr. Tesch's son) to occupy a temporary mobile home on the property to provide care for his father and mother. The mobile home was removed and the CUP terminated in 2013.
4. The applicant's letter (attached) describes the need for full-time care for Mr. Tesch (94 years old) who is currently living alone at his property where he was born and raised. The applicant, Mr. Tesch's daughter, Doreen, would like her father to remain at the home until his death, if possible. The applicant is requesting to allow Rick and Roberta Tesch (Mr. Tesch's grandson and wife) to reside in a temporary mobile home on her father's property to provide constant care for her father and to maintain the property. Doreen and her husband have been providing care which has become difficult as they reside in Rochester.
5. Septic on the property was replaced in 2005 and a certificate of septic compliance has been completed and verified the current septic is compliant.
6. The Hollywood Town Board reviewed the request at their August 8, 2016 Town Board Meeting and recommended approval.

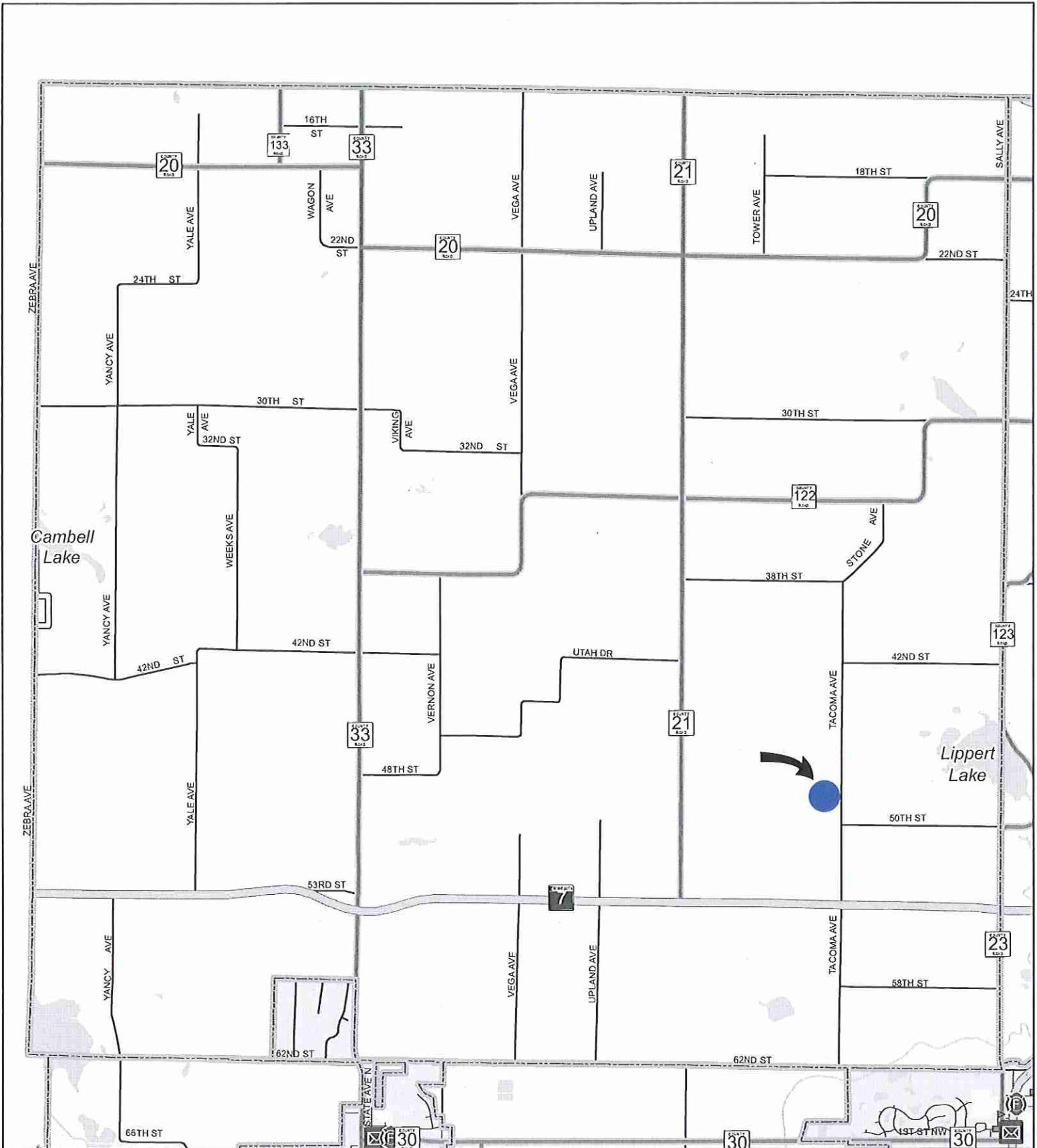
THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends approval of the temporary mobile home, with the following conditions attached:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible. At all times the property shall be occupied as a homestead by a principal of the activity.
2. The applicant's letter, dated 7/18/2016, shall be attached to, and considered part of this permit.
3. The IUP shall expire at such time that Orlando Tesch and/or Rick and Roberta Tesch no longer occupy the property. The manufactured home shall be removed from the property within 90 days of when it, or the permanent residence, ceases to be occupied in accordance with this permit.

ADOPTED by the Carver County Planning Commission this 16th day of August, 2016.

John P. Fahey,
Carver County Planning Commission Chair

HOLLYWOOD 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:
Metropolitan Council Planning Assistance Grant

Primary Originating Division/Dept: <input type="text" value="Public Services - Planning & Water Mgmt"/>	Meeting Date: <input type="text" value="9/6/2016"/>
Contact: <input type="text" value="paul moline"/> Title: <input type="text" value="PWM manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

The Metropolitan Council has adopted metropolitan systems statements and, according to MN statute 473 (Land Planning Act), Carver County must update its Comprehensive Plan to conform with regional policies and affected adjacent communities. Updated plans are due to the Metropolitan Council by Dec. 31, 2018. To support local governments updating their decennial local comprehensive plans, the Council provides financial resources through the Planning Assistance Grant. Carver County's allocation is \$84,000 and staff is recommending that the Board apply for and accept the full amount. The proposed DRAFT use of the grant funds is outlined in the attached memo. Staff will return to the Board to provide a more detailed workplan and budget for the Comprehensive Plan process in the near future. Acceptance of the Metropolitan Council funds requires a resolution from the Board.

ACTION REQUESTED:

Motion to adopt resolution entering into an agreement with the Metropolitan Council for a Planning Assistance Grant pending contract review.

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>County Dollars =</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Met Council Grant</td> <td style="text-align: right;">\$84,000.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$84,000.00</td> </tr> </table> <input type="checkbox"/> Insert additional funding source	County Dollars =	\$0.00	Met Council Grant	\$84,000.00	Total	\$84,000.00
County Dollars =	\$0.00						
Met Council Grant	\$84,000.00						
Total	\$84,000.00						
FTE IMPACT: <input type="text" value="None"/>							

Related Financial/FTE Comments:

County match dollars are required and will come from existing 2016 budgeted and proposed 2017-18 PWM dept funds (est. \$39,000), Public Works transportation and Parks existing budgeted funds, and in-kind matching staff time.

Office use only:

RBA 2016 - 4210



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: _____ Resolution No.: _____

Motion by Commissioner: _____ Seconded by Commissioner: _____

WHEREAS the County of Carver must review and update its comprehensive plan as required by the “decennial” review provision of Minnesota Statutes section 473.864 , subdivision 2; and

WHEREAS, on April 27, 2016, the Metropolitan Council adopted need-based eligibility criteria for awarding available local planning assistance grant funds and established maximum grant amounts for eligible grantees to help grantees review and update their comprehensive plans as required by the “decennial” review provisions of Minnesota Statutes section 473.864, subdivision 2; and

WHEREAS, the County is an eligible “city, county, or town in the metropolitan area” as defined in Minnesota Statutes section 473.121; and

WHEREAS, planning assistance grant funds are available to eligible applicants subject to terms and conditions contained in Metropolitan Council grant agreements.

NOW THEREFORE BE IT RESOLVED that, after appropriate examination and due consideration, the County Board:

- 1) Authorizes County staff to submit on behalf of the County an application to the Metropolitan Council for Local Planning Assistance grant funds for the decennial review and update of the County’s local comprehensive plan required under Minnesota Statutes section 473.864; and
- 2) Authorizes the Board Chair to execute on behalf of the County a grant agreement with the Metropolitan Council for planning assistance grant funds.

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 _____, 20_____

County Administrator



Public Services Division
 Planning and Water Management Dept
 Government Center - Administration Building
 600 East 4th Street
 Chaska, Minnesota 55318
 Phone: (952)361-1820
 Fax: (952)361-1828

Memo

To: Carver County Board
From: Paul Moline, Planning & Water Management
Date: August 24, 2016
Re: 2040 Comprehensive Plan – Planning Grant Funds (DRAFT)
CC: Tom Vellenga, Lyndon Robjent

Enclosures: none

The following table outlines the proposed use of the Metropolitan Council’s Local Planning Assistance Grant funds. The amounts, proposed uses and categories are subject to change as the Comprehensive Plan process will be somewhat fluid. The Met Council recognizes that the final use of the grant funds will likely change and has structured that grant agreement to recognize this flexibility.

Comprehensive Plan Task Area	Metropolitan Council Local Handbook Requirement	Proposed Grant Amount
TRANSIT PLANNING - Secure outside professional services to assist in preparation of a County Transit Plan. Primary emphasis is to identify the forecasted transit need out to 2040, and potential system solutions.	Identify your community in relationship to your transit market area(s). Describe and map the existing and planned transit infrastructure and services in your community, including those of Metro Transit or other regional transit service providers. Communities should include the identification of the following basic elements of the transit system in their comprehensive plan: <ul style="list-style-type: none"> <input type="checkbox"/> Existing transit routes and dial-a-ride services <input type="checkbox"/> Existing and potential high-frequency transit routes <input type="checkbox"/> Existing and planned transit stations and transit centers <input type="checkbox"/> Existing and planned park-and-rides and express bus corridors <input type="checkbox"/> Existing and planned transit advantages <input type="checkbox"/> Existing transit support facilities 	\$40,000
WATER RESOURCE / HAZARD MITIGATION - Secure outside professional services to assist in identification of County infrastructure (primarily roads and trails) vulnerable to flooding and	Include a table describing the capital improvement program that sets forth by year, details of each contemplated capital improvement that includes the schedule, estimated cost, and funding source;	\$15,000

damage from increased precipitation events) Primary need is to enhance existing GIS data and inventories to more readily identify vulnerable locations..	Counties are encouraged to incorporate hazard mitigation planning into their comprehensive plan.	
STAFFING (INTERN) – Secure graduate level intern in 2017 to provide assistance to the planning process	NA	\$4,000
BIKE, PED & TRAIL PLANNING - Secure outside professional services to assist in meeting requirements for non-motorized mobility in the County. Primary emphasis is to identify the gaps and opportunities for trail connections in the recreational and road trail system.	Describe and map the existing and planned on-road and off-road bicycle facilities in your community. <ul style="list-style-type: none"> □ Map and describe the Regional Bicycle Transportation Network (RBTN) within your community: □ Show the relationship of the RBTN to the local bicycle network of off-road trails and on-street bikeways including all existing and planned connections. □ Include locations of regional employment clusters and activity center nodes (as shown on the RBTN map) and other local activity centers. □ Analyze and address the need for local bicycle and pedestrian facility improvements to provide connections that remove major physical barriers (i.e., freeways, railroad corridors, rivers and streams) on the regional (RBTN) and local networks. □ Discuss pedestrian system needs in a manner that responds to your community designation (as described in Thrive MSP 2040) and addresses the needs of your community. 	\$25,000
TOTAL		\$84,000

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Metropolitan Council Planning Assistance Grant

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
Professional Services	01-123-123-1560-6260	\$84,000.00
TOTAL		\$84,000.00

CREDIT		
Description of Accounts	Acct #	Amount
Planning Assistance Grant	01-123-123-1560-...	\$84,000.00
TOTAL		\$84,000.00

Reason for Request:

Acceptance of Grant

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Crisis Program Transfer of Crisis Therapist FTE

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

A current Crisis Therapist has requested to decrease FTE from .9 to .8. Subsequently, newly filled Crisis Therapist position will increase from a .8 to a .9 with the agreement of the incumbent.

ACTION REQUESTED:

Motion to approve a decrease of incumbent Crisis Therapist FTE from .9 to .8 and increase Crisis Therapist position from .8 to .9.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Decrease in FTE will be in higher paid position, resulting in a small savings.

Office use only:

RBA 2016 - 4190

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Abatements/Additions

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Abatements requested by taxpayers. See attached listing.

ACTION REQUESTED:

Motion to approve.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

Other

Total

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4214



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

**CARVER
 COUNTY**

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
 September 6, 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
2016	30.6150090	Matthew Wyman	Homestead	\$ 3,050.00	\$ 2,858.00	\$ (192.00)	\$ -	\$ (192.00)	\$ (67.11)
2016	25.5321150	Adam Fronius & Alicia Goon	Homestead	\$ 1,998.00	\$ 1,736.00	\$ (262.00)	\$ -	\$ (262.00)	\$ (92.55)
2016	75.4490200	Carl & Stephanie Gjellstad	Homestead	\$ 4,228.00	\$ 4,104.00	\$ (124.00)	\$ -	\$ (124.00)	\$ (39.14)
2016	30.0505620	Tanner Hanson	Homestead	\$ 2,296.00	\$ 2,048.00	\$ (248.00)	\$ -	\$ (248.00)	\$ (86.98)
2016	30.5800190	Sokhom Soeung & Thiya P. Ngep	Homestead	\$ 4,348.00	\$ 4,250.00	\$ (98.00)	\$ -	\$ (98.00)	\$ (34.20)
			TOTALS	\$ 15,920.00	\$ 14,996.00	\$ (924.00)	\$ -	\$ (924.00)	\$ (319.98)

Carver County Board of Commissioners Request for Board Action



Agenda Item:
2017 CDA Levy and Budget

Primary Originating Division/Dept: Public Services

Meeting Date: 9/6/2016

Contact: Nick Koktavy Title: Deputy Director

Item Type:
Regular Session

Amount of Time Requested: 30 minutes

Attachments: Yes No

Presenter: Julie Frick Title: CDA Executive Director

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Carver County Community Development Agency (CDA) provides affordable housing opportunities and fosters community and economic development in the County. The CDA would like to request a levy of \$2,297,989 for the 2017 budget. The proposed levy would result in a \$51.17 per year impact on the average value home of \$303,400 which would be an increase of \$1.34. The overall proposed budget is \$10,550,594.

On August 16, the CDA presented the proposed levy and budget at a County Board work session.

ACTION REQUESTED:

Motion to approve resolution approving the 2017 proposed budget and payable 2017 tax levy of the Carver County Community Development Agency and certifying said levy to the County Auditor.

FISCAL IMPACT: Other

If "Other", specify: Separate Special Benefit Tax Levy

FUNDING

County Dollars =	
Revenue	\$8,252,605.00
Levy Dollars	\$2,297,989.00
Total	\$10,550,594.00

FTE IMPACT: None

Insert additional funding source

Related Financial/FTE Comments:

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.

Office use only:

RBA 2016 - 4203



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: _____

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

RESOLUTION APPROVING THE 2017 PROPOSED BUDGET AND PAYABLE 2017 TAX LEVY OF THE CARVER COUNTY COMMUNITY DEVELOPMENT AGENCY AND CERTIFYING SAID LEVY TO THE COUNTY AUDITOR

WHEREAS, in accordance with Minnesota Statutes, Section 469.033, Subd. 6 (“**Section 469.033**”), and Laws of Minnesota, including Laws of Minnesota for 1980, Chapter 482, as amended by Laws of Minnesota for 2001, Chapter 214, the Carver County Community Development Agency (the “**Agency**”) is authorized to levy special benefit taxes upon all property within its area of operation; and

WHEREAS, the area of operation of the Agency is the whole of the County of Carver, Minnesota; and

WHEREAS, the Agency has by resolution duly approved and adopted its 2017 budget and levied the special benefits tax, payable 2017, subject to the approval of the Carver County Board of Commissioners (the “**Carver County Board**”); and

WHEREAS, the Authority is authorized to levy its special benefits tax pursuant to Minnesota Statutes, Section 469.107 or Section 469.033, with the approval of the Carver County Board;

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

1. The County has previously approved the levy by the Authority for taxable year 2011 and any subsequent years of taxes upon the taxable property in the County in amounts pledged by the Authority to pay debt service with respect to its outstanding housing development bonds. In addition, the County hereby approves the levy by the Authority for taxable year 2017 of taxes upon the taxable property in the County in the amounts specified for purposes other than such debt services in the Authority’s annual budget upon the taxable property in the County.
2. The Authority’s requested levy of \$2,297,989 for taxes payable 2017 is hereby certified to the County Auditor.
3. A copy of this Resolution shall be furnished to the Authority through its Executive Director by the County Administrator.

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 6th day of September, 2016, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of September, 2016.

County Administrator

2017 Budget and Levy

	2015 Budget	2016 Budget	2017 Requested Budget
REVENUES			
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
TOTAL REVENUES	7,704,053	8,101,065	8,252,605
EXPENDITURES			
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
TOTAL EXPENDITURES	9,658,957	10,280,917	10,550,594
TOTAL CDA DIFFERENCE BETWEEN REVENUES & EXPENDITURES	1,954,904	2,179,852	2,297,989

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Preliminary 2017 Carver County Water Management Organization Levy

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

State Statute requires that the preliminary Carver County Watershed Management Organization (CCWMO) levy request be certified by the CCWMO authority which is the County Board.

The levy request below is for the special taxing district making up the CCWMO. The levy consists of funds for projects (see attached project recommendation) plus general operating expenses. General operating expenses include staff time, Carver Soil & Water Conservation District (SWCD) allocation, general engineering costs, development review expenses, training, mileage, water monitoring equipment, maintenance, per diem for Citizens Water Advisory Committee meetings, educational expenses, and conservation cost share funds.

The comparison from 2016 to 2017 shows a 4.8 percent increase in the levy request. The net levy increase consists of:
 1) an increase of \$10,000 of CCWMO funds allocated to the Carver County Aquatic Invasive Species (AIS) program. This amount will over inspection costs for CCWMO lakes.
 2) an increase in the requested project budget of \$15,000 (see attached project recommendation).
 3) an total increase of \$4,475 in both County staffing costs and the SWCD allocation (CCWMO portion).

	2017 LEVY REQUEST	2016 LEVY	CHANGE
CCWMO Taxing district	\$ 643,933	\$ 614,458	\$ 29,475

Based on the increased tax base projected for 2017, this requested CCWMO levy will result in an actual change (increase) in County (WMO) tax on an average home (\$303,400) of 0.8% -- equivalent to an increase of **\$0.23**.

ACTION REQUESTED:

Motion to set the preliminary 2017 CCWMO levy at \$643,933.00.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
CCWMO Levy (2017)	\$643,933.00
Total	\$643,933.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Dollar amounts are needed to certify to Taxpayer Services the amount to include in the CCWMO levy. The County Board has approval authority for the CCWMO.



Memo

Date: Aug 29, 2016
To: County Commissioners
From: Paul Moline, Planning & Water Management
Re: CCWMO Project Funding 2017
cc. Dave Hemze, County Administrator
Tom Vellenga, Public Services Director
WMO Advisory Committee Members

At their May 2016 meeting, the Carver County Water Management Organization (CCWMO) Advisory Committee recommended project funding for 2017 CCWMO dollars. The staff request and subsequent committee recommendation was based on the following factors/considerations:

- The CCWMO evaluation process which ranks projects based on a series of criteria.
- Recent requests for project funding.
- Projects identified in the CCWMO plan
- Funds committed to matching grant agreements.

Based on these factors, the following project recommendations for 2017 CCWMO funds are:

- 1. SSTS Direct Discharge \$50,000**
SSTS Direct Discharge Cost Share is an incentive based program to eliminate direct discharge SSTSs in the Bevens and Carver Creek Watersheds. This program has been in place for the past seven years and targets specific subwatersheds as identified by CCWMO Staff. It is also available for first come first serve volunteers in the greater CCWMO area. \$50,000 is the estimate for the 2017 program and will help fund incentives for up to 25 separate SSTS installations.
- 2. City of Waconia Community Stormwater Re-use – Brook Peterson Park \$22,500**
Application for funds from the City of Waconia to install a community scale water re-use system that will capture and reduce pollutant loading to Bent Creek (Carver Creek). Collaborative project would capture 252 acres of runoff to re-use at the City owned Brook Peterson Park and create a municipal stormwater re-use utility network. The City is requesting \$75,000 in CCWMO funding as match to state grants and city funding. The WMO provided \$50,000 in funding for 2016 and staff recommend providing \$22,500 in funding for 2017. Total project costs are estimated at \$600,000.
- 3. City of Waconia Tree Box Stormwater Filters \$25,000**
Application for funds from the City of Waconia to install a total of 12 tree box along Community Drive and 94th Street. The project will improve water quality and decrease pollutant loading to Bent Creek which flows into Carver Creek. Carver Creek was listed as impaired for turbidity in 2002. The tree boxes will treat 2.04 acres and remove an estimated 85% of total suspended solids and 54% of total phosphorus for the drainage area. The City is requesting \$50,000 and staff recommend providing \$25,000 in funding for 2017. Total project costs are estimated at \$240,000.

4. Watertown Wetland Restoration **\$25,000**

The County and the City of Watertown have been jointly working on a wetland restoration project on the southern part of town (Co rd 10 and 30th st). The low area currently drains to the Crow River through a series of tiles and ditches. Restoration includes constructing a structure near the ditch outlet which would retain water in the basin. County agreements with the City include commitment to financing the structure. Proposal would be to allocate 2016 and 2017 WMO funds to cover the estimated \$50,000 cost.

5. Benton Lake Restoration Phase III **\$15,000**

Phase III of Benton Lake Restoration is the application of rotenone, installation of a rough fish barrier between lakes Meuwissen and Benton, and reestablishment of a healthy fish community to Benton Lake. Phase I was the installation of a fish barrier at the outlet of the lake, which will virtually eliminate the possibility of carp re-establishing within Benton Lake from Carver Creek. Phase II resulted in a feasibility study to drawdown the lake. Previously allocated funds of approx.. \$20,000 are available with a need for additional funding for Phase III to total \$35,000.

6. City of Norwood Young America Stormwater Retrofits **\$10,000**

The WMO Water Management Plan and the City of NYA plan call for stormwater retrofits in the untreated portions of the city. Staff and the City have agreed that the most efficient low-cost retrofits are the installation of screens/filters within existing catch basins. Similar products (SAFL baffles) have been installed in New Germany, Waconia, and Chaska, resulting in significant reductions of sediment from entering waterways. Staff is proposing to help fund 1-2 treatment devices within the City.

7. CCWMO Project Maintenance Fund **\$2,500**

Several previously installed CCWMO projects need ongoing maintenance and potential repair. Staff is proposing to continue building this fund in 2017.

TOTAL = **\$150,000**

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Preliminary 2017 Regional Rail Authority Levy and Budget ("CCRRA")

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The CCRRA is requesting \$140,000 levy for 2017, no increase from 2016.

In 2016, CCRRA levy was used to fund administrative and maintenance staff time for day to day operations and stewardship. These duties included planning, permitting and capital improvement projects as well as corridor maintenance work of mowing, weed control, tree trimming, debris and trash removal, drainage corrections and site inspections for the Dakota Rail and Union Pacific Rail corridors.

Additionally, the 2016 levy assisted in funding planning work for 1.2 miles of the MN River Bluffs Regional Trail project scheduled for construction during 2017.

The recommended 2017 levy continues funding for staffing and ongoing stewardship needed for maintenance and preservation of two CCRRA corridor areas. A stronger emphasis is placed on maintenance of ditches, culverts, vegetation removal, and erosion control as outlined in the attached Budget Hearing Summary.

ACTION REQUESTED:

Motion to approve setting the CCRRA's 2017 preliminary tax levy at \$140,000.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4224

2017 Budget Hearing Summary

Carver County Regional Rail Authority

Description

The Carver County Regional Rail Authority (CCRRA) is governed by five Commissioners appointed by the Carver County Board of Commissioners. In Carver County, the CCRRA Commissioners are the County Board Commissioners. The Public Works Division manages projects and work activities for the CCRRA. The purpose of the CCRRA is to provide for the preservation and improvement of local rail service for agriculture, industry, or passenger traffic and provide for the preservation of abandoned rail right-of-way for future transportation uses when determined to be practicable and necessary for the public welfare, particularly in the case of abandonment of local rail lines.

The CCRRA levies separately from Carver County to fund regional rail projects and activities. The levy includes funding for County staff to administer and maintain CCRRA properties, conduct capital improvement projects, contract for services, and provides materials and supplies. **The proposed 2017 levy is \$140,000, no change from 2016.** Several other funding sources are used to augment the CCRRA levy for property acquisition, corridor preservation, management and development.

Budget Highlights:

The following table summarizes the budget for the Carver County Regional Rail Authority.

Carver County Regional Rail Authority Budget						
Budget Summary	2015 Actual	2016 Budget	2017 Requested	2017 Approved	% Change 2016-2017	Change In Levy
Revenue total	(3,611)	(4,000)	(4,000)		-	
Expenditure total	171,172	144,000	144,000		-	
CCRRA Levy dollars needed	167,561	140,000	140,000		-	-

Attachment C: Capital Improvement Projects

CCRRA is planning a number of stewardship projects for both the Dakota Railroad and former Union Pacific Railroad Corridors. The projects include ditch and culvert cleaning, drainage and erosion improvements, tree removal. Other work to be considered involves structure maintenance and preservation such as bridges.

Accomplishments and where the CCRRA Fund is headed:

Progress to-date on Major 2016 Initiatives

2016 MN River Bluffs RT- Chaska to Carver Segment

CCRRA contributed funding for the planning and construction of 2.1 miles of the Minnesota River Bluffs Regional Trail. This project got underway late winter and is nearing completion for

the 2.1 mile trail segment. The project included paving a 10" trail, construction 150 pedestrian bridge over spring creek in the City of Carver and the construction of a trailhead facility crating 12 parking spaces, informational kiosk, bicycle rack and benches. Additionally, a scenic overlook with bench was created mid-way between the two cities. The project is substantially complete and is expected to be closed out by December 2016.

2016 MN River Bluffs RT- Co. Rd. 61 to Bluff Creek Drive

CCRRRA has provided funding to begin planning and design work for 1.3 miles of former Union Pacific Railroad property in Chanhasseen. Construction is planned for 2017.

2016 Railroad Corridor Stewardship

Funding was provided to contractually remove diseased trees from the Dakota Railroad corridor. Work to remove diseased trees has been an ongoing commitment to help to ensure safety and user satisfaction.

Highlight major initiatives/goals planned for 2017

2017 Railroad Corridor Stewardship

Funding is provided to continue with diseased tree removal. Additionally, there are a number of areas in both the former Union Pacific Railroad and Dakota Railroad corridors that are in need of ditch and culvert cleaning. Sediment and vegetation are blocking drainage ways and structures. Other areas of the corridors are in need of drainage improvements to better manage stormwater and erosion to stabilize banks. Funding is also provided to make repairs to structures such as bridges and culverts.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

GreenMark Solar - Community Solar Garden

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Regular Session

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #PZ20160032. GreenMark Solar is requesting authorization to construct, operate (by lease), and maintain up to a three (3) Megawatt (MW) CSG as a Renewable Energy – Large Solar Energy System (LSES) on the subject property located on Outlot B of Rutz Lake Shores (on 78th Street) 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 energy contract with Xcel Energy for this program is for a minimum of 25 years. The development consists of approximately 15 acres of solar modules (panels) located on a fixed ground-mounted racking system, inverter pads, and metering equipment. The CSG would be installed and maintained in accordance with the Renewable Energy standards of the Zoning Code. Those standards would include noise mitigation, decommissioning, setbacks, building & electrical code, and screening.

Pursuant to the Board's direction at the August 16, 2016 meeting, an Order for approval is attached for consideration.

ACTION REQUESTED:

A motion to adopt Findings of Fact and issue Order #PZ20160032 for the issuance of the Conditional Use Permit.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4206

**COUNTY OF CARVER
BOARD OF COMMISSIONERS**

**AN ORDER FINDING CERTAIN FACTS AND ORDERING
THE ISSUANCE OF A CONDITIONAL USE PERMIT**

DATE: September 6, 2016

ORDER #: PZ20160032

FILE #: PZ20160032

APPLICANT: Mark Andrew (on behalf of GreenMark Solar) and CF Novel Solar Gardens Thirteen, LLC

OWNERS: Maryann Porter

SITE ADDRESS: 131xx 78th 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

A public hearing was held on this matter on June 21, 2016 and July 19, 2016, by the Carver County Planning Commission, and the recommendation of the Planning Commission was duly considered in the issuance of this order.

FINDINGS OF FACT

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, partially 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, 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.
4. 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.
5. The 2030 Comprehensive Plan identifies a land use summary table (similar to all township land use tables), which was required by the Metropolitan Council. It is for informational purposes only and it is not a land use policy. Policy LU19 under the Agricultural Policy Area states, in part, that “certain other uses of land may be necessary or appropriate in the policy area”. Policy LU-16 under the Agricultural Policy Area states that “undue restrictions on solar access and renewable energy should be avoided”. The use of agricultural land is temporary in nature and the impervious areas would be minimal. The amount of long term agricultural land utilized for the large SES is small in relation to the total acreage of the Xcel Energy service area. These factors are compatible with the 2030 Comprehensive Plan.

6. According to the applicant's letter, dated May 27, 2016, solar garden development projects require a variety of stakeholders to drive the project. Clean Focus Renewables (capital provider) and GreenMark Solar (developer) have joined together to organize this, and other projects, to ensure that each community solar garden project is completed efficiently and would function individually throughout the life of the project.
7. 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 approximately 19 feet. The panels proposed for the site would be tilted at a 30 degree angle and would not exceed 15 feet in height. The panels would feed through inverters and ultimately connect to the electric grid at a point of interconnection on the south side of the parcel. Grading would be conducted for the proposed berm, stormwater basins, vehicle access, and the switchgear pads. The transformers and related equipment would be placed on (3) concrete pads at each 1MW section of the Garden. The exact panel array, inverter, and electrical interconnection configuration and dimensions may change based on the actual equipment and manufacturer selection; however, the ultimate locations must remain within the approved operational area. The point of interconnection would include the installation of 3 utility poles, and the applicant has indicated that all other interconnection infrastructure would be underground. A condition shall be placed on the permit requiring the interconnection infrastructure to be installed underground, to the maximum extent allowed by Xcel Energy.
8. The applicant has indicated that the site selection and determination was based on: its solar resource and south facing slope; physical characteristics including natural screening and non-prime agricultural land; the proximity to Xcel Energy's infrastructure; applicable zoning and permitting requirements; and land owner participation. The surrounding properties include residential properties, farmsteads, and farm fields, and the closest residence would be approximately 500 feet from the solar array. The property owner has signed a long term lease agreement with GreenMark Solar.
9. Screening has been proposed in the operational plan and would be provided by fencing, berming, and vegetation. A berm would be constructed along the northern boundary of the site as a buffer from Porter Way and landscaping would be installed along 78th Street, as specified in the applicant's operational plan addendum dated August 11, 2016. A 6 foot chain link fence with key code access is also proposed surrounding the array. The applicant has also indicated that they and have worked with neighboring landowners to accommodate screening requests and requirements. The applicant has proposed to install over 300 plantings including coniferous and deciduous varieties as screening along the north, west and south sides of the project area.
10. The applicant has indicated that any topsoil moved during grading and construction of the site would be stockpiled on-site and spread at the completion of construction. Vegetation would also be established to ensure soil stabilization, improve stormwater quality, and for site beautification and ultimately to infiltrate precipitation. The seed mix would be a low maintenance pollinator species; native grasses would be considered upon request. Final implementation of the seeding plan shall be subject to review/recommendations by the CCWMO. The vegetation would be maintained by a contractor hired by GreenMark.
11. The applicant's operational plan addendum, dated July 19, 2016, includes a revised site plan identifying the sole access to the site from 78th Street. The addendum also states the applicant's proposal to work with the road authority to address any dust generation issues during construction. The Waconia Town Board would review the request, as the road authority, for construction of an access off of a Township road.
12. Construction activities are proposed to begin in 2016 and conclude within 2-3 months. Hours of operation, during construction, would most likely be from 8 am to 5 pm. The applicant has indicated 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 24 hours/day, 365 days a year, but would be monitored remotely. There would be no storage or parking on site. Traffic to the site would be minimal although maintenance teams and contractors would visit the site occasionally to check on operations and maintain vegetation and ground cover.
13. The Carver County Zoning Code includes a standard which requires foundation posts to be installed using noise mitigating equipment such as a vibrating post driver or any other noise reduction method as may be stipulated by the CUP, with which the applicant would need to comply.

14. The property owner has indicated to GreenMark Solar that there are no existing tile lines on the proposed property however, a condition shall be placed on the permit which states, “The permittee shall be responsible for the maintenance and/or replacement of any/all drain tile servicing this site (if problems occur) for the duration of the CUP”.
15. Xcel Energy has conducted and completed an engineering cost estimate and provided Interconnection Agreements and Statements of Work for the proposed project, dated March 17, 2016. Xcel Energy provided the results of the engineering study to inform the applicant of the costs required to proceed with the proposed CSG project. Required updates include installation of remote monitoring and other substation updates, installation of metering equipment, and replacement of approximately 7,900 feet of conductor line. If the applicant chooses to move forward with the project, Xcel Energy requires the name of the corporation or LLC on the Interconnection Agreement must be registered with the Minnesota Secretary of State and documentation provided to Xcel Energy.
16. The applicant has indicated decommissioning of the site would take place within one year of the end of useful life of the project. Decommissioning would include removal of all solar arrays, cables, electrical components, accessory structures, fencing and any other facilities owned by the solar garden. The applicant has stated the approximate salvage value of the panels and equipment would be greater than the costs associated with decommissioning and restoration of the site. The applicant has described the value of the equipment in comparison to the labor and identified their decommissioning plan in the submitted operational plan, dated May 27, 2016. In the applicant’s submitted operational plan addendum, dated July 19, 2016, they indicate all materials and equipment would be removed by Clean Focus/GreenMark to an appropriate recycling facility they also note what the value today would be of the materials utilized in the solar array. The Permittee shall provide the details of the decommissioning plan (process) upon the completion of their useful life to ensure that they align with the interests of the property owner.
17. The applicant is proposing to utilize industry best practices at all times to minimize the risk of stray voltage and ensure the project is built and maintained according to National Electrical Safety (NES) code. A memo prepared by EVS electrical engineers, addressing stray voltage concerns, has been included. The applicant has indicated that the development team is committed to properly installing the CSG to avoid any stray voltage issues and stated in their addendum, dated July 19, 2016, that stray voltage testing would be conducted by a licensed third party electrical contractor prior to the construction of the CSG and a second test immediately following completion of construction.
18. The applicant has indicated in their operational plan that emergency contact information for issues related to vegetation management, emergency issues, or other maintenance problems will be posted visibly on site. General contacts have been included in the operational plan, dated May 27, 2016, although contact for specific contractors shall be provided when they become available. The County understands that many of the site subcontractor details are not addressed until a solar company and Xcel Energy have reached the final design plan phase for a project. Therefore, a requirement of the conditional use permit shall be that the applicant submits (to the Carver County Land Management Department) the list of emergency contacts with an emergency plan prior to the issuance of any building permits for the project. The applicant has indicated in their operational plan addendum, dated July 19, 2016, that all emergency contacts and their emergency response plan shall be posted and available on site. All signage posted on site shall be in compliance with Chapter 154 – Sign Regulations. Internal signage is required for labeling of electrical equipment to provide safety and support good practices.
19. The Carver County Planning and Water Management Department (CCWMO) and Carver Soil & Water Conservation District (SWCD) will be reviewing the project with respect to the County Water Rules (Chapter 153), and for site stabilization requirements and Best Management Practices (BMP’s). The applicant will be required to comply with any/all permitting requirements. As part of their formal review, they will also:
 - a. Review project plans to ensure that there are no upstream or downstream impacts caused by the project;
 - b. Review project plans to ensure that existing drain tile servicing the site has been identified and will be avoided during construction. Or, if any changes to the site’s existing natural and subsurface drainage system are proposed, review changes to ensure that the proposed drainage system has the same capacity as the existing system;
 - c. Review proposed erosion and sediment control BMP’s to ensure the site will be managed in a way that

prevents offsite erosion or deposit of sediment during construction and is permanently stabilized following construction;

- d. Review other items as needed to demonstrate compliance with County Water Rules (Chapter 153);
 - e. Collect a surety of \$1,000 per acre up to a maximum of \$50,000 to ensure for faithful performance of the approved plans and to finance any necessary remedial work. The surety shall be held until the following conditions are met (additional conditions may be added during review):
 - i. The project is complete;
 - ii. The site has been re-vegetated (90% vegetative cover across the site, 100% vegetative cover with no signs of erosion in areas of concentrated flows);
 - iii. All erosion and sediment control measures have been removed.
20. The applicant has stated that certificates of liability and workers compensation insurance would be furnished to the Carver County Land Management Department and that the County would be listed as an additional insured.
21. Attorney, Tammera Diehm, representing the applicant GreenMark Solar, submitted a letter dated August 16, 2016, to the Carver County Board demonstrating that the applicant meets all of the standards and requirements in the County Zoning Code for a Large Solar Energy System Conditional Use Permit. A conditional use is described as a land use permitted in a zoning district so long as certain standards are met. Ten (10) factors required to be met within the County Code are outlined as well as a detailed description of the applicant's proposals in their operational plan to meet those standards. Ms. Diehm also cited a case in which it was found "where a zoning ordinance specifies standards for the approval of a special use permit which an applicant fully complies with, a denial of the permit is arbitrary as a matter of law". She also states that Minnesota Courts have declared a governing body's denial as arbitrary when the applicant can prove that by including a reasonable condition their proposal would meet the ordinance standards.
22. The applicant submitted a real estate study, dated July 24, 2014, conducted in North Carolina, completed by Richard Kirkland, Jr, a Certified Appraiser, at the County Board meeting on August 16, 2016. The study was conducted to consider possible impacts from a solar farm on neighboring properties and concludes, from the matched pair analysis that in that particular location there would be no impact to home, vacant residential or agricultural land values due to an adjacent solar farm.
23. The Waconia Town Board reviewed and provided a written "no recommendation" at their April 11, 2016 Town Board meeting. However, the Town Board stated at the public hearings their recommendation of denial of the request. The County Board considered the Town Board's recommendation for denial, and has ruled otherwise because the applicant meets the Zoning Code requirements for a Large Solar Energy System.
24. The County Board has considered all of the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

IT IS HEREBY ORDERED THAT THE CARVER COUNTY ZONING ADMINISTRATOR SHALL ISSUE CONDITIONAL USE PERMIT #PZ20160032. THIS PERMIT IS ISSUED PURSUANT TO THE CARVER COUNTY CODE FOR A RENEWABLE ENERGY - LARGE SOLAR ENERGY SYSTEM (SES), ON PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A". THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO THE PERMIT:

1. The permit is subject to Compliance Review. The permit allows for a community solar garden on the subject property (approx. 28± acres) and it is not transferable to another parcel and/or another area of the parcel subject to the permit. Upon notice to the Carver County Land Management Department, the permit, including all rights and obligations therein, may be assigned, in whole or in part, to any Permittee affiliate and any party with experience owning and operating energy generation facilities. Any other proposed change in facility ownership shall be cause for the permit to be reviewed by the Carver County Land Management Department for a determination as to whether an application for an amendment or similar consideration is necessary, and any such proposed owners and/or operators of the solar site are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.

2. The Permittee shall operate in accordance with the submitted conditional use application and supporting documentation (submittal dates: May 27, 2016; July 19, 2016; and August 16, 2016). These plans shall be considered requirements of this permit. The CSG shall be installed and maintained in accordance with Section 152.039 including; noise mitigation, decommissioning, electrical code, etc.
3. All structures used in conjunction with the facility shall meet the applicable requirements of the Carver County Zoning Code and State Building Code. Any required building permits must be obtained prior to construction.
4. All interconnection infrastructure shall be installed underground, as much as possible, and as allowed by Xcel Energy.
5. The permit is subject to any/all Waconia Township (or appropriate road authority) standards and requirements pertaining to access, including but not limited to, dust control. An appropriate permit shall be obtained before any work commences within the road right-of-way.
6. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management Rules and the Wetland Conservation Act (WCA), if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits, as required.
7. The Permittee shall be responsible for the maintenance and/or replacement of any/all drain tile servicing this site (if problems occur) for the duration of the CUP.
8. The vegetative cover shall be implemented in accordance with the operational plan, which shall be considered a requirement of this permit. The project shall be planned and developed in a way that is beneficial to pollinators – meeting or exceeding the statewide standard for pollinator friendly solar. Maintenance of the vegetative cover shall be required for the duration of the permit. Final implementation of the plan shall be subject to the CCWMO review and approval.
9. The screening plans shall be implemented in accordance with Township requirements and County standards and shall be considered a requirement of this permit. The Permittee shall be responsible for maintaining the vegetative screening for the duration of the CUP.
10. The Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations.
11. Decommissioning of the solar PV system is part of an agreement between GreenMark Solar and the land owner that has been made part of the ground lease agreement for the project and shall be considered a requirement of this permit. As part of the ground lease agreement there is a section for Removal of Solar Facilities which states that within 90 days after the expiration or earlier termination of the Term of the Agreement, the Tenant shall be required to remove all Solar Facilities from the Premises. The permittee and property owner shall maintain this agreement for the duration of the solar energy array. The permittee shall also provide the list of contractors, including name(s), addresses and telephone numbers to the Land Management Department for decommissioning and reclamation once the Renewable Energy – Large Solar Energy System is no longer in use.
12. The Permittee shall provide the Carver Country Land Management Department with the Operation & Maintenance agreement documenting the emergency/response plan containing contact name(s), addresses, and telephone number(s) for the responsible party(s) as it pertains to drainage, weed maintenance, screening, site maintenance, stray voltage, etc. The list of contacts shall also be posted/identified by a placard sign at the site with the contact name(s), addresses, and telephone number(s). The completed emergency/response plan shall be submitted to the Land Management Department prior to the issuance of any building permit(s).
13. No later than the date that construction of the solar facility begins; the Permittee (including all Permittee affiliates) shall name Carver County as an additional insured on all policies of liability insurance. The Permittee shall annually file with the Carver County Land Management Department a certificate evidencing coverage. The certificate shall

provide that the County must be given thirty (30) days written notice of the cancellation of insurance.

14. No later than the date that construction of the solar facility begins, the Permittee (including all Permittee affiliates) shall submit a copy of Worker's Compensation Insurance to the Carver County Land Management Department.

James Ische, Chair
Carver County Board

Dave Hemze
County Administrator

THE STIPULATIONS OF THIS ORDER, IF ANY, SHALL BE SATISFIED WITHIN SIX (6) MONTHS OF THE DATE FIRST WRITTEN ABOVE, OR SAID ORDER SHALL BE NULL AND VOID AND THE CONDITIONAL USE PERMIT SHALL NOT BE ISSUED. THE SIX (6) MONTH DEADLINE MAY BE EXTENDED ONLY BY ACTION OF THE COUNTY BOARD OF COMMISSIONERS.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

DG Minnesota CSG 2, LLC (Nextera & TruNorth) - Community Solar Garden Request

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Regular Session

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #PZ20160033. During the August 16, 2016 Planning Commission meeting, a split vote (3-3) was made to deny (and another 3-3 vote to approve) a Conditional Use Permit (CUP) for DG Minnesota CSG 2's request for a Community Solar Garden (CSG) of up to 5 megawatts (MW). The proposed site is owned by Bruce Lenzen (on Hwy 7) and is located in Section 26 of Watertown Township. The request is a part of Xcel Energy's CSG program, which was established by the State of Minnesota in 2013.

The proposed solar facility would be considered a Large Solar Energy System (LSES) under the Renewable Energy section of the Carver County Zoning Code - Chapter 152. The solar development would be located on approximately 26 acres (currently crop production and pasture area) of the 64.5-acre parcel. The remaining acreage would consist of the existing farmstead, agricultural production land, as well as a small wetland (drainage) area. The energy contract with Xcel Energy for this program is for a minimum of 25 years (to approximately year 2042).

A staff report has been prepared regarding the application, and the items contained in the record, which 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 20, 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:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4200

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

August 29, 2016

TO: Carver County Board of Commissioners
FROM: The Land Management Department
SUBJECT: Application for a Conditional Use Permit (Renewable Energy – Large SES).

FILE #: PZ20160033

APPLICANT: Heather Eberhardt & Toby Butterfield - Nextera Energy,
AND Mike Kampmeyer - TruNorth Solar
(on behalf of DG Minnesota CSG 2, LLC)

OWNER: Bruce Lenzen

SITE ADDRESS: 10930 Highway 7, Watertown 55388

PERMIT TYPE: Renewable Energy – Large SES

PURSUANT TO: County Code, Sections 152.039 (B)(2)(b)
and 152.052

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-026-0800

STAFF ANALYSIS:

1. The subject property (approximately 64.5 acres) is owned by Bruce Lenzen and is located in the Southwest Quarter (SW¼) of Section 26, Watertown Township. The proposed request (Large Solar Energy System) is located on approximately 26± acres of the 64.5 acre parcel, which consists of agricultural production land and pasture areas. It is located in the Agricultural Zoning District, Shoreland Overlay District of a DNR Natural Environment Lake (10-99P), and the CCWMO (Crow River watershed).
2. The applicant, DG Minnesota CSG 2, LLC, is requesting to construct, operate (by lease), and maintain up to a five (5) Mega-Watt (MW) Community Solar Garden (CSG) as a Renewable Energy (Large – Solar Energy System) – 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 by the State of Minnesota in 2013 and is pertinent to every county within Xcel’s service area. A federal tax subsidy, which was set to expire in 2016, has been extended and is driving the interest in developing solar gardens. The Xcel Energy program allows contracts for a minimum of 25 years.
3. The Planning Commission has not provided a recommendation for the proposed land use. They continued the public hearing from the June 21, 2016 meeting to the July 19, 2016 meeting, and again from the July 19, 2016 meeting to the August 16, 2016 meeting, to allow for additional review and discussion regarding, but not limited to, stray voltage, landscaping, decommissioning, drainage, maintenance, and MnDOT access authorization. During the August 16, 2016 Planning Commission meeting, the commissioners made a motion to deny the application. The vote ended in a 3-3 tie (failed vote). A second motion was made to recommend approval of the request; however, a 3-3 tie (failed vote) resulted again. A “60 Day Law” letter was sent to the applicant on July 5, 2016, extending the deadline for a final decision by the Carver County Board of Commissioners until the September 6, 2016, or September 20, 2016 meeting (notice of decision by September 24, 2016, at the latest).
4. 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 that would be added to Xcel Energy’s existing grid system. A Large SES requires a CUP pursuant to Section 152.039 and 152.052 of the Zoning Code.

5. According to Ms. Eberhardt's letter (dated: May 26, 2016), DG Minnesota CSG 2, LLC, a wholly owned subsidiary of NextEra Energy Resources, LLC is working in partnership with TruNorth Solar, LLC (collectively, the "Proponents") to develop and operate a 35-year term for a CUP, the anticipated operational life of the Lenzen project. She further explains, Nextera Energy Resources has specialized in clean energy generation for more than 25 years and is the largest owner and operator of solar and wind power in North America.
6. The applicant is proposing to construct and operate up to a five (5) MW solar energy site. This project would consist of approximately 20,720 solar modules (panels), each approximately 3¼ x 6½ feet in size. The modules would be mounted on a fixed (steel and aluminum) racking system, which would not exceed a height of eight (8) feet above grade. The site would have 5 concrete inverter pads to support interconnection and metering equipment. According to the applicant, the existing topography is suitable for the project and minimal grading would occur; however, any/all grading would be pursuant to the final engineering design and building permit submittal. The energy produced from the site would be fed to the inverters at the end of each 1 MW array of panels. From the inverters, energy would be transferred to the interconnection location and then transferred to an existing Xcel Energy distribution line located on the south side of Highway 7. There would be utility construction (utility power lines) installed in the general area of the proposed interconnection location(s) within the operational area. These utility upgrades are to help connect the CSG to the existing Xcel distribution line. The exact panel array, inverter, and electrical interconnection configuration and dimensions may change based on the actual equipment and manufacturer selection. However, the ultimate panel/fencing locations must remain within the approved site plan.
7. The applicant has indicated the site was selected due to its solar resource, physical characteristics, proximity to existing Xcel Energy electrical infrastructure and distribution lines, applicable zoning and permitting requirements, and landowner participation. The landowner has signed a long term lease agreement with TruNorth Community Solar, LLC, which will be assigned to DG Minnesota CSG 2, LLC prior to groundbreaking. This project has been submitted to Xcel Energy's Community Solar garden program for formal review.
8. The 2030 Carver County Comprehensive Plan (Agricultural Policy Area) identifies a land use summary table (similar to all township land use tables), which was required by the Metropolitan Council. It is for informational purposes only and it is not a land use policy. Under County Policy LU-19 "Other Uses" – (Non-Agricultural, Non-Residential Land Use) language states, in part, that "certain other uses of land may be necessary or appropriate in the policy area". Policy LU-19A, further addresses Essential Services and Public Services which would include quasi-public uses: such as utilities. Policy LU-16 (Service Development Standards) identifies standards to ensure that land uses in the unincorporated area are compatible with a rural, agricultural area and the level of services available. One of the standards states that "undue restrictions on solar access and renewable energy should be avoided". The use of agricultural land is temporary in nature and the impervious areas would be minimal. The amount of long term agriculture land utilized for the large SES is small in relation to the total acreage of the Xcel Energy service area. These factors are compatible with the 2030 Comprehensive Plan.
9. According to the applicant, site operations (energy productivity) would be designed, approved, maintained, and monitored remotely using either radio transmission, satellite or some other means to be determined and approved by Xcel Energy. The CSG will operate 24 hours a day, 365 days a year once construction is completed. Traffic to the site would generally be for maintenance activities and is expected to be one (1) visit per month for the first year, and every other month in subsequent years. Most site maintenance would occur during the summer months to maintain vegetation as well as allow technician crews, as needed, to complete cleaning of the panels, equipment checks, and inspections to ensure safety, reliability, and security. However, during construction, operating hours are proposed to be from sunrise to sunset during which time, multiple trips to and from the site would occur including truckloads of equipment and delivery of materials. Construction was proposed to begin in September 2016 and completed in November 2016; however, based on the CUP approval process the applicant has indicated that this project may need to be pulled into 2017.
10. The Carver County Zoning Code includes a standard which requires foundation posts to be installed using noise mitigating equipment such as a vibrating post driver or any other noise reduction method as may be stipulated by the CUP, with which the applicant will need to comply. The applicant has stated that a vibrating post driver method would be utilized for the installation of the steel posts for this project.

11. The applicant has voluntarily participated in the Pollination Pledge and has agreed to seed the site with native pollinator friendly vegetation around the periphery of the fenced area. The seed mix would be designed with goals to minimize maintenance costs, withstand harsh climate, minimize erosion, improve water quality, and infiltrate storm water runoff. Final implementation of the seeding plan shall be subject to review/recommendations by the CCWMO. Nextera would contract with a local company to ensure ground cover at the site is maintained at a height not to exceed 30 inches. The Carver County Planning & Water Department (with the assistance of the Carver SWCD) has identified a variety of vegetative seed mixes (native grasses) to help with pollination, as well as to help with reducing stormwater runoff on the site.
12. The applicant has indicated the proponents for the project would be responsible for maintaining existing tile lines (identified prior to construction) and would be responsible to repair any damaged lines during construction and decommissioning. Any existing drain tile servicing the site would need to be identified and avoided during construction to ensure drainage would not be negatively impacted. The proponents would coordinate with the landowner to undertake appropriate mitigation to ensure continuous functioning of the site drainage. A condition should be placed on the permit request which states, "The permittee shall be responsible for the maintenance and/or replacement of any/all drain tile servicing this site (if problems occur) for the duration of the CUP".
13. An eight (8) foot high slatted fence would enclose the operational area for security and safety reasons. The fencing along the southerly side of the operational area would include slats in order to help with the visual appearance. The western edge of the solar array has been moved 490 feet to the east of Oxford Avenue. (The applicant's previous request was 185 feet.) The applicant is also proposing to install approximately 60 plantings (Approximately a 200-foot long landscaping plan) to include coniferous and deciduous varieties as screening along the westerly side of the project area. The surrounding properties consist of agricultural farm fields, residential homes and farmsteads. It appears the closest neighboring residence is approximately 500 feet from the solar array.
14. A copy of the interconnection agreement (dated: December 18, 2015) has been provided as part of the application. The interconnection study for the Lenzen property project has been completed by Xcel Energy and the allowable system capacity is 5MW AC (five 1MW projects). Xcel Energy provides the study results to inform the applicant of the engineering indicative cost estimate, where they sit in the interconnection queue, and to identify the maximum generation capacity (in MW) which can be accommodated at the site location. The next step in the interconnection process is for Xcel Energy to assign a design/construction engineer for the project and to move into detailed design, procurement, and construction for the interconnection work. The applicant states that once the project receives its land use permit through the county, the project would be fully ready for pre-construction. The applicant has indicated that the point of interconnection would include construction of a maximum of five (5) utility poles. The original request identified the need for fifteen (15) utility poles at the interconnection point. A condition should be placed on the permit requiring the interconnection infrastructure to be installed underground as much as allowed by Xcel Energy.
15. A lease agreement between the solar company and Mr. Lenzen has been put into effect (signed). DG Minnesota CSG 2, LLC would take on the responsibility and costs of the decommissioning of the site at the end of life of the CSG. The project site would be restored to pre-construction conditions after removal of the structures, foundations, and restoration of soil and vegetation. All equipment would be removed from the site within 180 days of termination of the lease agreement, or within six (6) months of the conclusion of the useful life of the project, or twelve (12) consecutive months of the cessation of electrical generation. The applicant has described the decommissioning plan in the submitted Exhibit J, which provides guidelines/detail for removal of equipment, restoration of the site, and a financial plan to ensure funds are available for removal. The applicant has indicated that the CSG consists of recyclable materials and that the scrap value of the system would exceed the removal cost. They have also offered to set aside a surety in the amount of \$50,000 available to Mr. Lenzen and Carver County if DG Minnesota CSG 2, LLC is unwilling to commence with decommissioning activities within a reasonable period of time. The operational plan appears to satisfy the decommissioning standard.

16. There are no animal agricultural operations (dairy) adjacent to the site; however, pursuant to the applicant's Operational Plan "Stray Voltage Mitigation", they are proposing to utilize industry best practices at all times to minimize the risk of stray voltage and ensure the project is built and maintained according to National Electrical Safety (NES) code and within acceptable levels as prescribed by the local safety code. The applicant has indicated in their operational plan (dated: May 26, 2016) they would conduct tests by a third party electrical company. Tests would be conducted prior to construction and again within 90 days of commencement of commercial operation. These tests would verify whether or not stray voltage is occurring according to the threshold defines by the "MN stray Voltage Guide". The applicant has stated that because the site is properly inspected, and will not cause any stray voltage. However, if a problem were to occur any stray voltage would be remediated within 90 days of detection and verification.
17. The applicant has provided an emergency/response plan in their Operational Plan (dated: May 26, 2016) – Exhibit M: Emergency Response Plan. If the CUP is approved, the applicant would need to provide a more detailed emergency/response plan which lists local and qualified contractors by contact name and number for the responsible party as it pertained to drainage, weed maintenance, screening, site maintenance, etc. It is the County's understanding, that many of the site subcontractor details are not addressed until a solar company and Xcel Energy have reached the final design plan phase for a project. Therefore, a requirement of the conditional use permit would be that the applicant submit (to the Carver County Land Management Department) the list of emergency contacts with an emergency plan prior to the issuance of any building permits for the project, and/or prior to beginning any construction activities on the subject parcel. The Operational Plan provides the contact information for any maintenance and emergency issues, which would need to be submitted to the Carver County Land Management Department, as well as be posted at the entrance to the site. The signage could be placed on the security fencing at this location. All signage posted on site shall be in compliance with Chapter 154 – Sign Regulations. Internal signage is required for labeling of electrical equipment to provide for safety and to support good practices.
18. The Carver County Planning and Water Management Department (CCWMO) and Carver Soil & Water Conservation District (SWCD) would be reviewing the project with respect to the County Water Rules (Chapter 153), and for site stabilization requirements and Best Management Practices (BMP's). The applicant would be required to comply with any/all permitting requirements. As part of their formal review, they would also:
 - a. Review project plans to ensure that there are no upstream or downstream impacts caused by the project;
 - b. Review project plans to ensure that existing drain tile servicing the site has been identified and will be avoided during construction. Or, if any changes to the site's existing natural and subsurface drainage system are proposed, review changes to ensure that the proposed drainage system has the same capacity as the existing system;
 - c. Review proposed erosion and sediment control BMP's to ensure the site will be managed in a way that prevents offsite erosion or deposit of sediment during construction and is permanently stabilized following construction;
 - d. Review other items as needed to demonstrate compliance with County Water Rules (Chapter 153);
 - e. Collect a surety of \$1,000 per acre up to a maximum of \$50,000 to ensure for faithful performance of the approved plans and to finance any necessary remedial work. The surety shall be held until the following conditions are met (additional conditions may be added during review):
 - i. The project is complete;
 - ii. The site has been re-vegetated (90% vegetative cover across the site, 100% vegetative cover with no signs of erosion in areas of concentrated flows);
 - iii. All erosion and sediment control measures have been removed.
19. The applicant has submitted a letter dated August 4, 2016, from the Minnesota Department of Transportation (MnDOT) with regard to allowing an access from MN Hwy 7. Pursuant to the letter, MnDOT is willing to allow the solar site to utilize the Lenzen driveway to Hwy 7, if a right turn lane is constructed in accordance with MnDOT's Design Manual standards. During construction, all traffic for the solar project that is exiting the solar site (right turn out), must use the turnaround located at the intersection of MN 7/Highway 10 in order to change direction and travel eastbound.
20. Ms. Eberhardt has provided information regarding Certificate of Liability Insurance. In her May 26, 2016 letter, Ms. Eberhardt states, "The project will carry Nextera's standard liability insurance". "Carver County would be an additional insured on the Commercial General Liability policy." The guidelines require the Permittee to maintain a comprehensive public liability insurance policy, which is written by an insurance carrier and must be authorized by law.

21. Public testimony was received at every Planning Commission meeting (June 21st, July 19th and August 16th), and any written documentation presented prior to the meeting or during the public hearing(s), have been entered into the public record. Approximately seventeen (17) letters and/or documents in opposition, and one (1) petition in opposition to the request, were entered in the record. All information in opposition to the request has been submitted by neighbors, the Town Board, and legal counsel representing a group of neighbors. There have also been approximately nine (9) letters and/or supporting documents (in support) and one (1) resolution of support, which have been entered into the record. All information in support of the request has been submitted from neighbors, interest group(s) such as pollinator advocates, and legal counsel for the applicant.
22. The Watertown Town Board has reviewed the request during several town board meetings; however, during a special meeting held on June 15, 2016, they voted to recommend denial for the following reasons:
 - A. Based on township residence negative vote;
 - B. Failure to meet the requirements of Section 152.050 Essential Services (County Zoning Code).
 - C. The Comprehensive Plan should remain agricultural.
 - D. The Township Chapter land use plan (LU4) has an economic development target area for commercial use.
23. During the August 16, 2016, Planning Commission meeting, a motion was made to recommend denial (3-3 vote) of the solar request. The reasons stated included the following:
 - A. The belief that Township approval should be required.
 - B. The belief that the proposed use does not fit as an Essential Service.
 - C. The location is not compatible with the neighborhood.
 - D. The proposal utilizes too much agricultural land.
 - E. The unknown impact the solar facility will have on property values in the area.

A second motion was made to recommend approval of the request; however, a 3-3 (failed) vote resulted. The reasons indicated for approval included the following:

- A. The request meets all standards for a Conditional Use Permit (including):
 - MnDOT will approve access at Hwy 7.
 - The applicant has provided additional screening, and improved the interconnection by eliminating many of the utility poles.
- B. The landowner's commitment, property rights and/or involvement in the process.

COUNTY BOARD CONSIDERATION(S):

If the County Board directs staff to prepare an Order for denial, the deficiencies found in section 152.251 (Required Findings) should be referenced.

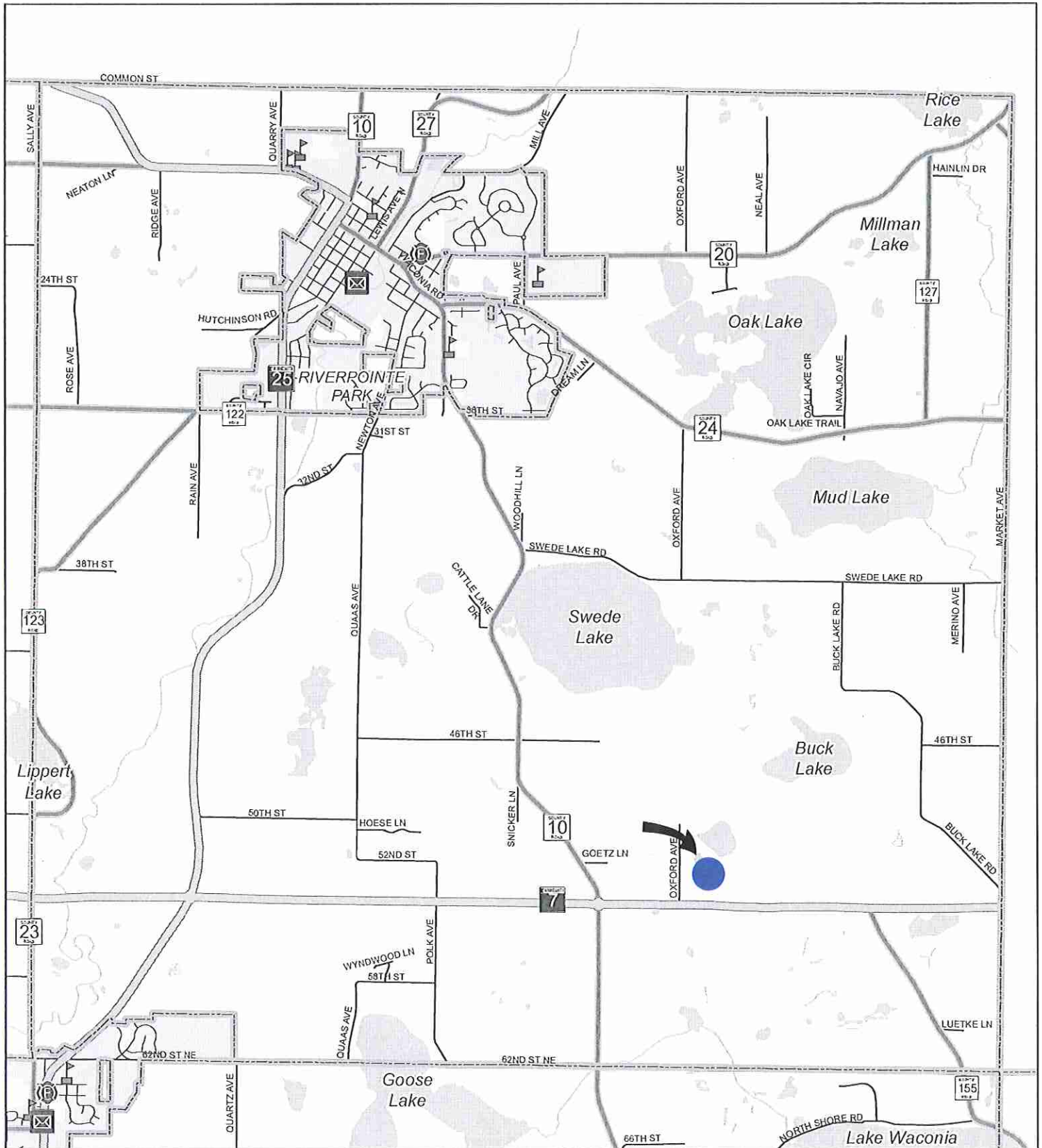
If the County Board directs staff to prepare an Order for approval, based on compliance with the Required Findings, the following conditions should be included and considered part of the permit:

1. The permit is subject to Compliance Review. The permit allows for a community solar garden on the subject property (approx. 26± acres) and it is not transferable to another parcel and/or another area of the parcel subject to the permit. Upon notice to the Carver County Land Management Department, the permit, including all rights and obligations therein, may be assigned, in whole or in part, to any Permittee affiliate and any party with experience owning and operating energy generation facilities. Any other proposed change in facility ownership shall be cause for the permit to be reviewed by the Carver County Land Management Department for a determination as to whether an application for an amendment or similar consideration is necessary, and any such proposed owners and/or operators of the solar site are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.

2. Permittee shall operate in accordance with the submitted CSG Application and Supporting Documentation (submittal date: May 26, 2016) as well as modifications presented during the June 21, 2016, July 19, 2016 and August 16, 2016 Planning Commission meetings). Any new revisions shall supersede previously submitted versions. These plan(s) shall be considered requirements of this permit. The CSG shall be installed and maintained in accordance with Section 152.039.
3. All structures used in conjunction with the facility shall meet the applicable requirements of the Carver County Zoning Code and State Building Code. Any required building permits must be obtained prior to construction.
4. The permit is subject to any/all MN Hwy 7 – MnDOT standards pertaining to access requirements. The appropriate permit(s) shall be obtained before any work commences within the road right-of-way.
5. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management Rules and the Wetland Conservation Act (WCA), if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
6. The Permittee shall be responsible for the maintenance and/or replacement of any/all drain tile servicing this site (if problems occur) for the duration of the CSG.
7. The screening plan shall be implemented in accordance with the site plan (dated: August 10, 2016) and landscaping plan (dated: June 9, 2016) and shall be considered a requirement of this permit. The Permittee shall be responsible for maintaining any/all vegetative screening as well as the slats in the fencing for the duration of the CUP.
8. The vegetative cover shall be implemented in accordance with the operational plan (May 26, 2016) and landscaping plan (dated: June 9, 2016) and shall be considered a requirement of this permit. The project shall be planned and developed in a way that is beneficial to pollinators – meeting or exceeding the statewide standard for pollinator-friendly solar for the areas specified in the operational/site plan(s). The Permittee shall be responsible for maintaining any/all vegetative ground cover for the duration of the CSG. Final implementation of the plan(s) shall be subject to the CCWMO review and approval.
9. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations.
10. The interconnection infrastructure shall be installed underground, as much as possible, as allowed by Xcel energy.
11. Pursuant to the operational plan (dated: May 26, 2016) and summary update (dated: July 18, 2016), DG Minnesota CSG 2, LLC shall construct the facility according to the National Electrical Safety Code standards. The Permittee shall also provide stray voltage testing (according to the Minnesota Stray Voltage Guide) by an experienced third party electrical company prior to construction (to establish a baseline) and also within 90 days of commercial operation. Any stray voltage will be remediated within 90 days of detection and verification.
12. Decommissioning of the solar PV system shall be implemented in accordance with the Decommission Plan process (date: May 26, 2016) at the end of the life of the community solar garden. The Carver County Land Management Department shall receive a copy of the security document. The Permittee shall be responsible for all of the decommission costs and will list Carver County as having access to the security in the event decommissioning is required. The Permittee & Property Owner shall maintain this agreement for the duration of the solar energy array. The Permittee shall also provide the list of contractors, including name(s), addresses and telephone numbers to the Land Management Department for the decommissioning, once the Renewable Energy – Large Solar Energy System is being staged for reclamation/restoration.

13. The Permittee shall provide the Carver Country Land Management Department with the Operation & Maintenance agreement documenting the emergency/response plan containing contact name(s), addresses, and telephone number(s) for the responsible party(s) as it pertains to drainage, weed maintenance, screening, site maintenance, stray voltage, etc. The list of contacts shall also be posted/identified by a placard sign as the site with the contact name(s), addresses, and telephone number(s). The completed emergency/response plan shall be submitted to the Carver County Land Management Department prior to the issuance of any building permit(s), and/or prior to beginning any construction activities on the subject parcel. Any change in the emergency contact information shall be submitted to the Land Management Department, as well as posted at the site.
14. No later than the date that construction of the solar facility begins; the Permittee (including all Permittee affiliates) shall name Carver County as an additional insured on all policies of liability insurance. The Permittee shall annually file with the Carver County Land Management Department a certificate evidencing coverage. The certificate shall provide that the County must be given thirty (30) days written notice of the cancellation of insurance.
15. No later than the date that construction of the solar facility begins, the Permittee (including all Permittee affiliates) shall submit a copy of Worker's Compensation Insurance to the Carver County Land Management Department.

WATERTOWN 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 Labor Negotiation Strategy

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

All eleven Collective Bargaining Agreements (CBAs) in the County will expire on 12/31/2016. Minn Statute 13D.03 subd 2 allows a public entity to enter into a closed session to plan and discuss labor negotiation strategy.

Employee Relations requests to enter into a closed session with the Board to discuss the strategy for 2017 and forward, with regard to labor agreements with AFSCME, LELS, MNPEA, SMACC and Teamsters bargaining units.

ACTION REQUESTED:

Motion to go into closed session to discuss labor negotiation strategy.

Upon conclusion of the closed session, a motion to return to regular session.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Fiscal and FTE/staffing impacts are unknown at this time.

Office use only:

RBA 2016 - 4199