



SPECIAL MEETING

Please Note Start Time

2:00 p.m.	1.	<ul style="list-style-type: none"> a) CONVENE b) Pledge of allegiance c) Agenda review and adoption 	
2:05 p.m.	2.	<p>CULTURE: Provide an organizational culture which fosters individual accountability to achieve goals</p> <ul style="list-style-type: none"> 2.1 Closed Session for Labor Negotiation Strategy..... 1 2.2 Closed Session regarding DG Minnesota CSG 2, LLC (Nextera & TruNorth) - Community Solar Garden Request..... 2 	
4:00 p.m.	3.	<p>Public comments (limited to five minutes) - <i>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.</i></p>	
	4.	<p>New Employee Introduction 3</p>	
	5.	<p>Approve minutes of September 6, 2016 Regular Session 4-13</p>	
	6.	<p>Community Announcements</p>	
4:05 p.m.	7.	<p>CONSENT AGENDA</p> <p><i>Connections: Develop strong public partnerships and connect people to services and information</i></p> <ul style="list-style-type: none"> 7.1 Accept Donation of Gift Card 14 7.2 Application for 2016-2017 renewal of On-Sale Liquor License for Schram Winery LLC dba Schram Vineyards 15 7.3 Application for 2016-2017 renewal of Brewer Off-Sale Malt Liquor License including Sunday for Schram Winery LLC dba Schram Vineyards, Winery & Brewery 16 7.4 Charitable Gambling Application for Exempt Permit-Carver County Ducks Unlimited MN 128..... 17 7.5 Application for 2016-2017 renewal of On-Sale Liquor License including Sunday for Baumann Enterprises dba B's on the River 18 7.6 Application for 2016-2017 renewal of On-Sale Liquor License including Sunday for WJVA Inc. dba Timber Creek Golf Course 19 <p><i>Communities: Create and maintain safe, healthy and livable communities</i></p> <ul style="list-style-type: none"> 7.7 Adding Two Crisis Therapist Positions20-21 7.8 Resolution of Acceptance and Final Payment for 2015 Overlay Projects22-23 	

7.9	Hollywood Township Salt Shed Contract	24-25
7.10	Grant Agreement with Metropolitan Council to construct MN River Bluffs Regional Trail	26-27
7.11	Grant Agreement with Metropolitan Council for Recreation and Volunteer Specialist Position	28
7.12	Payment for right-of-way acquisitions for CSAH 51 Culvert replacement project #148740	29-32
7.13	Grant Agreement with Metropolitan Council for Crack Seal and Sealcoat Work.....	33-34
7.14	Resolution Supporting the Application for Access to TH 25 at 317 Ash Avenue South, Mayer, MN	35-36

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

7.15	Convert Health Care Navigator position to Social Worker II position	37
7.16	Settlement Agreement for Right of Way Acquisition for CR 110 Construction Project – Waconia School Phase	38-41
7.17	Settlement Agreement for Right of Way Acquisition for the CR 110 Construction Project – Waconia School Phase	42-45

Culture: Provide an organizational culture which fosters individual accountability to achieve goals

7.18	Reorganization in Public Works - Administration	46-47
7.19	Approval of Carver County Election Emergency Plan	48

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

7.20	Review Social Services/Commissioners Warrants	NO ATT
------	---	--------

4:05 p.m.	8. GROWTH: Manage the challenges and opportunities resulting from growth and development	
	8.1 DG Minnesota CSG 2, LLC (Nextera & TruNorth) - Community Solar Garden Request.....	49
	8.2 Public Hearing on CCWMO Water Rules Update	50-54
4:35 p.m.	9. COMMUNITIES: Create and maintain safe, healthy and livable communities	
	9.1 Child Support Awareness Month Proclamation	55-56
	9.2 Workforce Development Month Proclamation.....	57-58
4:45 p.m.	RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAIL AUTHORITY	
4:45 p.m.	9.3 CCRRA Permit for Entry	59-60
4:50 p.m.	ADJOURN AS REGIONAL RAIL AUTHORITY AND RECONVENE AS CARVER COUNTY BOARD	
4:50 p.m.	10. FINANCES: Improve the County’s financial health and economic profile	
	10.1 Preliminary 2017 County Tax Levy and Budget	61
5:15 p.m.	11. FINANCES: Improve the County’s financial health and economic profile	
	11.1 Closed Session - Former Chaska Public Works Property.....	62

5:45 p.m. **ADJOURN REGULAR SESSION**

5:45 p.m. **BOARD REPORTS**

1. Chair
2. Board Members
3. Administrator
4. Adjourn

David Hemze
County Administrator

UPCOMING MEETINGS

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
October 27, 2016	9:00 a.m. Work Session

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

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

Primary Originating Division/Dept: Attorney

Meeting Date: 9/20/2016

Contact: Mark Metz Title: County Attorney

Item Type:
Closed Session

Amount of Time Requested: 45 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:

Based on information received from legal counsel for DG Minnesota CSG 2, LLC (Nextera & TruNorth) - Community Solar Garden Request, including the threat of potential or pending legal action, County Attorney Mark Metz is requesting that the County Board enter into a closed session to discuss attorney-client privileged information regarding this matter.

ACTION REQUESTED:

Motion to enter into closed session to discuss attorney-client privileged information.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4271

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****New Employee Introduction - Mark Meuffels - Highway Maintenance Worker**

Primary Originating Division/Dept: Public Works - Operations

Meeting Date: 9/20/2016

Contact: Mike Legg Title: Operation Manager

Item Type:
New Employee Intro

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:

Introduction of new employee

ACTION REQUESTED:

Welcome Mark Meuffels to Public Works

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

 Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4196

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on September 6, 2016. Chair James Ische convened the session at 9:00 a.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, 153750 38th Street, Mayer, noted she had attended the previous Board meeting questioning a contractor's yard that she believed was operating without a CUP being issued. She stated she was informed by staff she would be given a copy of the new application. She indicated since that time she has received a letter asking that she submit her questions in writing to the County Administrator and inquired if the Administrator could have that new application to her today. The Chair reminded her this was not a question and answer period and the Administrator will look into her concerns.

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

Workman moved, Maluchnik seconded, to approve the minutes of the August 16, 2016, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Authorized the Chair and Administrator to sign and accept the grant agreement for the 2016 Emergency Management Performance Grant and related budget amendment.

Approved contract for School Resource Officers in School District 110 and the Southwest Metro Intermediate District for the 2016/2017 school year.

Resolution #47-16, Authorizing Execution of Agreement with the Minnesota Department of Public Safety for the Towards Zero Death Grant.

Resolution #48-16, Approving State of Minnesota Joint Powers Agreement with the County of Carver on Behalf of its Sheriff Regarding the Minnesota Internet Crimes Against Children Task Force.

Resolution #49-16, Authorizing Payment of Settlements of Compensation to Landowners for Easements Required for the CSAH 10 Road Reconstruction, Project #SP 010-610-046.

Awarded bid to Park Construction Company in the amount of \$322,669.25 for the CR 123 flood mitigation project pending finalization of the contract review process.

Approved the hiring of STOC Crisis Therapists (1-4) for McLeod County.

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

Approved the one to four day temporary on-sale liquor license application for Augusta Ball Club, Inc., for Saturday, October 1, 2016.

Approved issuing a Charitable Gambling License to Augusta Ball Club for a raffle to be held on October 1, 2016.

Resolution #50-16, Veterans Services Operational Grant.

Approved expenses for the Veterans Services Officer travel to Ft. Bliss, Texas for the reintegration of Minnesota Veterans.

Approved the application for renewal of the on-sale liquor license including Sunday for Lancer at Edinburgh, Inc., dba Lake Waconia Event Center.

Approved charitable gambling application for East Union Lutheran Church to conduct a raffle on October 8, 2016.

Approved application for a County on-sale intoxicating liquor license including Sunday for Heenie's, Inc., dba Island View Dining.

Adopted Findings of Fact and issued Order #PZ20160040 for the issuance of Interim Use Permit, Doreen Osburn, Hollywood Township

Resolution #51-16, Metropolitan Council Planning Assistance Grant and related budget amendment.

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

Approved the following abatements:

30.6150090	Matthew Wyman
25.5321150	Adam Fronius
75.4490020	Carl Gjellstad
30.0505620	Tanner Hanson
30.5800190	Sokhom Soeung

Reviewed August 23, 2016, Community Social Services' actions/Commissioners' warrants in the amount of \$561,946.70; the August 30, 2016, Community Social Services' actions/Commissioners'

warrants in the amount of \$271,434.56, and reviewed the September 6, 2016, Community Social Services' actions/Commissioners' warrants in the amount of \$284,331.91

Motion carried unanimously.

Julie Frick, CDA Executive Director, requested the Board adopt a Resolution approving the CDA's 2017 proposed budget and levy and pointed out the tax impact.

Maluchnik offered the following Resolution, seconded by Degler:

Resolution #52-16
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

On vote taken, all voted aye.

Paul Moline, Public Services, requested the Board adopt the 2017 preliminary Carver County Water Management levy. He explained he was requesting an increase of \$29,475 due to project requests, the AIS program and County and Soil and Water staff costs. He referenced the list of specific projects and resulting .23 tax impact.

Degler moved, Workman seconded, to set the 2017 CCWMO levy at \$643,933.00. Motion carried unanimously.

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

Lyndon Robjnt, Public Works, requested the Rail Authority set the 2017 preliminary levy. He explained funding is for stewardship along the two corridors the Authority owns and staffing. He indicated they were requesting a zero percent increase for 2017.

Workman moved, Lynch seconded, to approve setting the CCRRA's 2017 preliminary tax levy at \$140,000.00. Motion carried unanimously.

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

Steve Just, Public Services, appeared before the Board to review GreenMark Solar's request for a conditional use permit. He noted at the August 16th Board meeting, the Board directed staff to draft an Order for approval. He identified the location in Waconia Township and reviewed the proposed conditions.

Patrick Neaton, Esq., stated at the last meeting Attorney Diehm attempted to minimize neighborhood opposition. He stated neighborhood opposition is important and it is to be considered along with

other evidence. He pointed out Sections B, C, D and I of Section 152.251 that the Board adopted each which take into account the compatibility of the proposed use with the neighborhood. Neaton stressed the Planning Commission findings were based on the testimony that took place and they do carry weight. He stated the Board also denied similar applications in Watertown and Hollywood Township and did so finding the solar facilities were incompatible with the neighborhood and those facts are identical to this situation. He stated the Board's decision is entitled to a great deal of deference. Neaton pointed out the Court of Appeals decision limiting these to one megawatt. He again asked that the Board reject this application.

Cal Haasken, Chaska realtor, reviewed his qualifications and experience with appraisals. He stated his opinion that these are similar to transmission lines and power line takings and the concern is the visual impact on properties. He indicated he interviewed landowners adjacent to these facilities and the consensus is that these will diminish the value of their property. He stated his research has confirmed the same.

He reviewed the comments made at the last meeting related to his findings and believed the attorney for the applicant misinterpreted his findings. He pointed out this project will impact the value of property near it. Haasken indicated he reviewed the study provided by the applicant and the information provided does not support the conclusions. He stated that study looked at property in North Carolina and the panels were a different height. He added that study looked at solar gardens in a rural area similar to northern Minnesota vs the Twin Cities. Haasken stressed their report does not support the conclusions and pointed out the differences in lot sizes, time element of sales, lot locations and use of neighboring property.

Rollie Neve, 7635 Nicholas Way, Chanhassen, questioned if due diligence had been made. He noted the hours of sunshine per weather data, the potential to generate power due to weather conditions and the cost of the panels. He questioned the ability to generate enough electricity to justify the costs and urged the Board to reject.

Vince Beaudette, 1185 79th Street, Victoria, referenced world temperature change in relation to solar projects. He questioned who would benefit from this proposal in Carver County.

Mark Wickenhauser, Waconia Township, referenced the PUC August 6th order. He stated GreenMark's solar has been marketed to commercial and industrial customers and they have undermined the legislature's intent to foster widely distributed solar gardens. He suggested County residents will not be allowed to participate in this if this CUP is approved and the Court of Appeals decision provides the legal basis for the Commissioners to deny the CUP.

Neil Dummer, 13555 74th Street, stated he lived just west of the site and commented on the number of solar gardens being constructed within the County. He indicated this was a commercial business on ag land and asked that the Board keep this a rural setting.

Ron Grimm, 13357 78th Street, stated this was prime ag land and raised the issues of water drainage. He suggested there needed to be a long term water evaluation. He stated he was informed the panels were made in China and half are obsolete. He asked that the Board vote to deny.

Dan Cook, 7625 Rutz Lake Road, stated he lived adjacent to the proposed site. He reviewed the meetings that were held. He believed the applicant has been disingenuous about their interest with the neighbor concerns. He submitted there was a dual standard by suggesting the neighbor voices should not be heard while the applicant sent out flyers to the eastern half of the county with questionable facts. He asked them to look at the facts and listen to the Township and Planning Commission that have both said this proposal was inappropriate and did get the facts. He pointed out the ten factors that have to be met in this CUP and stated at least six have not been met. Cook stressed the process has been questionable and the site does not meet the code requirements.

Joel Grimm, 13355 78 Street, explained he has a dairy farm across from the site and reviewed the setback requirements from feedlots. He pointed out the number of solar panels planned for the site. He noted the issue of stray voltage and pointed out his concerns with having his dairy farm next to this site.

Mark Andrew, cofounder and GreenMark Solar President, stated he believed what has been presented today has been dealt with and answered within the conditions imposed. He indicated staff did a rigorous analysis of this project and imposed conditions. He reviewed the process and stated it had been very thorough. He stated 100% of the cost risk is on the private developer and this was an excellent location, with almost no one being able to see it with the planned screening. He stated the PUC actions have been inaccurately interpreted. He indicated any resident that chooses to join the solar garden may do so at a discount and if they don't want to do that they will sell to commercial subscribers.

Tammera Diehm, Esq., representing GreenMark, stated the discussion is not on the merits of solar power. She stated the property owner has the right to develop her property as permitted by code, that feedlots and community solar gardens are not incompatible and the County has the authority to add conditions. She stated they needed to look at the facts of each application in front to them and it was important to look at the relevant standards they are expected to consider. She indicated CUPs are generally deemed to be permitted as long as certain conditions are met. Diehm added staff has addressed concerns by imposing recommended conditions and asked that the CUP be approved.

Mark Wickenhauser, Waconia Township, referenced the PUC's ruling no longer considering co-located community solar gardens up to 5 MW an essential service.

Julie Jorgenson, Green Mark CEO, stated she had been involved with the PUC process. She clarified the PUC has approved this project as part of a group of projects up to 5 megawatts and only projects going forward will be limited.

Rolle Neve, Chanhassen, stated without government subsidies solar projects would not be justified and the subsidy would be paid by the taxpayers.

Kathy Anderson, 14750 50th Street, questioned how they could make decisions on the required findings when they are not stated. She reviewed language in the comp plan on solar access and indicated that does not include language on producing energy but references government not limiting solar access for people. She noted the production credit that goes to the County and to the Township and inquired if a production credit would be paid when there is a co-location. Andrew confirmed there would be a production credit.

Anderson referenced finding no. five and stated that was incorrect. She stated under essential services, the applicant needs to show a need to perform that service in that location and solar does not need to be in that location. Anderson indicated the use of ag land is to be temporary in nature and the lease will be 25-35 years. She pointed out the definition of temporary structures and that included no foundations. She questioned if landowners have the right to apply for a CUP that is going to turn 15 acres of prime ag land into an industrial use. She stressed these companies are not utilities and do not have the right to be on ag land.

Maryann Porter, landowner, stated she chose to acquire the site so she could have a say in the project, had spoken with two of the neighbors and felt she took the appropriate steps. She asked that they approve the request.

Maluchnik moved, Workman seconded, to adopt Findings of Fact and issue Order #PZ20160032 for the issuance of the Conditional Use Permit, Waconia Township. On a roll call vote, Degler, Maluchnik, Workman voted aye. Ische, Lynch voted nay. Motion carried.

Jason Mielke, Public Services, appeared before the Board to review a CUP request on land owned by Bruce Lenzen in Section 26 of Watertown Township. He explained the request was for a community solar garden for up to 5 megawatts to be located on 26 acres. He indicated this was considered by the Planning Commission and both a motion to deny and approve ended up in a tie vote. Mielke clarified he was asking for a motion to direct staff to prepare an order for approval or denial of the CUP.

Toby Butterfield, NextEra, reviewed the background of the permitting process and meetings held. He stated they received a lot of input and feedback from the neighbors and Township and have done everything they can to accommodate their concerns. He pointed out their experience and partners. He indicated the project was a 4.9 megawatt community solar garden, with a panel height of 8 feet, access off Highway 7 and a fully vegetative site with native grasses. He stated this was an extremely good site, pointed out the siting considerations and construction would be by a Minnesota firm, taking place over 2-4 months. He displayed an aerial view of the site and stated they will comply with County and State standards.

He identified project design changes they have made as a result of input received. He shared photo stimulations of what the project would look like. Butterfield stated the glare impact is generally categorized as low level and they have opted to have slates in the fence. He indicated the amount of impervious areas would be low and offsite flow will be unchanged or reduced. He pointed out the

questions that have been raised and how they are being addressed. Butterfield stated the project met all the required findings and asked they direct staff to prepare an order approving the permit. He identified project benefits.

Todd Guerrero, Esq., stated when applicants meet the conditions, they are entitled to a CUP and when conditions can be imposed on the project the inclination is to impose conditions vs denying the project. He stated generalized neighborhood opposition is not enough to deny. He indicated at past meetings they have went into details as to how this project met the standards. He stated large solar systems are allowed in the ag district when the criteria are met. Guerrero indicated essential services provisions do not apply and they are not required to meet that burden. He pointed out they have approved similar projects and the County found the projects all met the criteria. He noted the Planning Commission made no recommendation on their project but recommended denial of GreenMark's request. He suggested it would be very difficult to find that they have not met their burden to demonstrate their compliance with the criteria.

He responded to the letter from the Township lawyer and noted they just approved a project in an ag zone. He stated the Board makes the decision based on whether or not a project has met the criteria and not based on whether a Township voted to approve a project. He added this is not a political issue, it was a legal issue if they met the criteria and if so, they are entitled to a permit.

He referenced the report from Dan Boris on property values and indicated the factors reducing property values were absent here and they do not have a drainage or runoff issue. He stated there was a lot of speculation and fear about what it would due to properly values but no evidence that suggests that is the case.

Guerrero suggested the Court of Appeals decision referred to in Mr. Neaton's letter was irrelevant to this application. He stressed if there are concerns the Board may have that can be addressed in conditions, the law suggests that conditions should be imposed before denial can be made. He stated there were no significant dissimilarities between the GreenMark project that the Board just approved and this project.

He indicated NextEra was the number one renewal energy developer in the country and is a company that is not going to go away. He stated they build quality projects and when it comes to decommissioning NextEra will be there to make sure it is properly decommissioned.

Bruce Lenzen, landowner, stated he was a fourth generation farming this land and suggested taking 26 acres out of ag production was not going to make a difference. He stated working with a quality company was important to him and he worked hard to keep neighbors informed. He noted his rights as a taxpayer and landowner are important to protect and asked that they apply the laws consistently and fairly.

Jody Meyer 5345 Oxford Avenue, stressed the importance of pollinators. She stated they have spoken with solar experts and they feel confident in this project and this company. She stated projects like this are for the next generation and can mean a better future for everyone. She indicated

she spoke with one local realtor indicating property values would not be impacted by solar. Meyer noted the land would go without chemicals for 25 years and can go back to ag land. She stated the project fits well and reiterated the need for pollinators. She asked that they vote to approve the solar garden.

Mikal Hendrickson, 10680 Highway 7, stated he owned and operated a horse farm adjacent to the Lenzen property and he was opposed to this CUP. He explained he was opposed based on liability, health and safety of horses and riders, loss of business, loss of property values, limiting his land use practices and crop losses. He submitted a letter supporting his reasons that included a letter from his insurance agent and his boarders. He identified his loss of revenue if he lost clients and loss of property value. He pointed out his feedlot permit and inquired if setback distances should apply.

Coleen Hollinger, representing Prairie Restorations, stated they have experience working with TruNorth and they were a good neighbor and stand behind what they do. She displayed an example of a solar array and stated this was good clean example of a solar project. She stated they supported this project and hoped they would require the entire area be planted with pollinators.

Karen Johnson Leuthner stated she voted for legacy fund money hoping it would help keep farms but was disappointed that something she voted for ends up being a CUP. She suggested the possibility of contaminated water from acid washing off from panels and getting into the water system. She questioned if the applicants were getting billed for the additional staff time spent on these applications.

Neil Johnson, representing Watertown Township, stated the Township's position has not changed and recommend denial. He clarified they believe they are not an essential service and they do not qualify for a CUP.

Mike Hilk, 10660 Highway 7, stated he contacted the U of M to look at this for a road study. He noted the glare analysis was just an estimation, not a study and recommended a study be conducted on this site. He stated this was prime ag land. Hilk indicated this was impossible to screen and there would be glare and glint on Highway 7 causing hazards. He suggested there was false information being provided and urged the Board to deny.

Patrick Neaton, Esq., representing neighboring property owners, stated he took issue with counsel's belittling neighborhood opposition. He stated the Minnesota Supreme Court has stated neighborhood opposition can be considered. He stated they have ten factors that have to be found in the affirmative and the applicant has not done that. He referenced the requirement that the use not be injurious to the use and enjoyment of other property and that includes aesthetics and property values. Neaton noted the residents fear of stray voltage and fewer buyers will cause people less willing to purchase property. He stated this project is not properly sited and pointed out projected property value decreases. He indicated the medium glare problem was at rush hour and they have not done an impact study that would be necessary to determine and mitigate any glare. Neaton added there was no way to screen certain properties from this facility.

He pointed out the Board denied a similar request based on the finding that it was incompatible with the area. He agreed with the Township's Attorney this was not an essential service, should not be on ag land and the application should be denied.

Aaron Pyfferoen, Blattner Energy, stated his company has built a number of these projects and they take care of neighbors and people. He added they take pride in their projects and solar will be a part of the energy mix for the future based on the economics.

David Storm, MN Conservative Energy Forum Director, explained they supported the development of community solar gardens and stated their goals are affordable, clean and abundant energy. He stated consumers would be served best by diversifying the types of energy and providers. He added it was important to take a look at the economics and benefits so taxpayers don't have to rely on one source and can go to one where there is choice and competition.

Cal Haasken, Chaska realtor, pointed out the letter that he submitted to the Planning Commission on the GreenMark Solar request noting similar concerns with this proposal. He pointed out the fear of hazards diminishes property values. He indicated this proposal will adversely impact property values.

Wayne Hubin, 11975 Swede Lake Road, stated if it is a solar garden it has to be 1 MG. He pointed out the interconnection agreement has not been signed by Xcel. He questioned the comments made that solar was affordable and stated the only reason it becomes affordable is because of the subsidies.

Kathy Anderson, 14750 50th Street, stated the interconnection agreement suggests this is 10 MG and the application states it is 5 MG. She stated if this is a large SES it needs to be the principal use of the parcel. She indicated there was no sure end date and if they approved they would be granting a permit for the life of the property. She stated if they are essential services the applicant needs to show they need to be in this place to produce this service. She noted the definition of a field road and stated this would not be allowed. She pointed out temporary structures are to have no foundations or tie downs.

Frank Long, 11165 Highway 7, commented on the comparable costs for coal, wind, solar and natural gas.

Toby Butterfield, NextEra, stated he wanted to be clear they are asking for a permit for 4.9 megawatts on 23 acres and they will be bound by the site plan they have submitted. He stated he could provide a copy of the signed interconnection agreement. He indicated the glare study was done according to the industry standard tool and they added slates in the fence to handle glare. Butterfield suggested that fear alone is not enough to deny. He stated the panels will not cause any environmental harm and they will access the site via an existing driveway.

Attorney Guerrero stated essential services is not their issue, it is a legal question that can be addressed by the County's legal counsel. He stated fear is not enough to deny the permit and asked the Board to look beyond fear. He suggested this is an allowed use and they relied on the County's

code. He stated they met the criteria and to the extent there were concerns, those concerns should be addressed as a condition and not as a denial.

He stated this is not a discussion on the merits of solar energy and it is whether or not the applicant has met the criteria under the County's ordinance. He stated the issues raised by Mr. Hendrickson were speculative.

Heather Eberhardt, NextEra, shared photos of horses near solar panels and stated this suggests that horses and solar panels can co-exist.

Attorney Guerrero stated the applicant has met the criteria and if there is a legitimate concern, he was confident it can be addressed through a condition.

Lynch moved, Maluchnik seconded, to direct staff to prepare an Order for denial for the Board's consideration. Motion carried unanimously.

Degler moved, Workman seconded, to adjourn the Regular Session at 1:25 p.m. Motion carried unanimously.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Accept Donation of Gift Card

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:

In thanks for our work in serving student interns, a faculty at Minnesota State University, Mankato, sent the Child and Family Department Manager a \$5.00 Starbucks gift card. as all department staff are involved in working with interns, the Department Manager would like to have a drawing for the gift card open to all Child and Family Department line staff.

ACTION REQUESTED:

Motion to accept the donation of \$5.00 Starbucks gift card.

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 - 4234

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2016-2017 renewal of On-Sale Liquor License for Schram Winery LLC dba Schram Vineyards

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:

Aaron Schram, President of Schram Winery LLC dba Schram Vineyards has applied for renewal of their On-Sale Liquor License. They are located at 8785 Airport Rd, 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 for Schram Winery LLC dba Schram Vineyards.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total **\$0.00**

Insert additional funding source

Related Financial/FTE Comments:

License fee: On-Sale Liquor License - \$2,000.00

Office use only:

RBA 2016- 4235

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2016-2017 renewal of Brewer Off-Sale Malt Liquor License including Sunday for Schram Winery LLC dba Schram Vineyards, Winery & Brewery

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services - Property Taxation"/>	Meeting Date: <input type="text" value="9/20/2016"/>
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:

Aaron Schram, President of Schram Winery LLC dba Schram Vineyards, Winery & Brewery has applied for renewal of their Brewer Off-Sale Malt Liquor License including Sunday. They are located at 8785 Airport Road, Waconia. There are no delinquent taxes owing on the property.

ACTION REQUESTED:

Motion to approve the application for renewal of the Brewer Off-Sale Malt Liquor License including Sunday for Schram Winery LLC dba Schram Vineyards, Winery & Brewery.

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 Fees: Brewer Off-Sale Malt Liquor - \$150.00; Sunday Brewer Off-Sale Malt Liquor - \$200.00.	

Office use only:

RBA 2016 - 4236

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application for Exempt Permit-Carver County Ducks Unlimited MN 128

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 for Exempt Permit was received from Carver County Ducks Unlimited MN 128. They plan to hold a raffle on September 29, 2016 at Dahlgren Golf Club located at 6940 Dahlgren Rd, Chaska, MN 55318. This applicant has received this same type of license previously.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License to Carver County Ducks Unlimited MN 128 for a raffle to be held on September 29, 2016.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016- 4253

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2016-2017 renewal of On-Sale Liquor License including Sunday for Baumann Enterprises dba B's on the River

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Bryan Baumann, President of Baumann Enterprises, Inc. dba B's on the River has applied for renewal of their On-Sale Liquor License including Sunday. They are located at 1455 County Road 27, Watertown, MN 55388. There are no delinquent taxes owing on the property.

ACTION REQUESTED:

Motion to approve the application for renewal of the On-Sale Liquor License including Sunday for Baumann Enterprises, Inc. dba B's on the River.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total **\$0.00**

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- 4256

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2016-2017 renewal of On-Sale Liquor License including Sunday for WJVA Inc. dba Timber Creek Golf Course

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Todd Moore, Secretary of WJVA Inc. dba Timber Creek Golf Course has applied for renewal of their On-Sale Liquor License including Sunday. They are located at 9750 County Road 24, Watertown, MN 55388. There are no delinquent taxes owing on the property.

ACTION REQUESTED:

Motion to approve the application for renewal of the On-Sale Liquor License including Sunday for WJVA Inc. dba Timber Creek Golf Course.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total **\$0.00**

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- 4257

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Adding Two Crisis Therapist Positions

Primary Originating Division/Dept: Health & Human Services - Behavioral Health

Meeting Date: 9/20/2016

Contact: AnnMarie Sowieja 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 Mental Health Crisis Program provides telephonic and mobile crisis responses 24/7, 365 days a year to the citizens of Carver and Scott County. The current staffing level does not have the ability to provide coverage for employee holiday, sick, and paid vacation. Current employees are frequently working above their FTE's in order to continue to provide 24/7 services and the program has relied heavily on STOC employees to regularly cover gaps in the schedule. The program currently has funding for STOC positions in the 2016 Mental Health Crisis Grant, which was awarded by the State of Minnesota. These funds have not been utilized for STOC staffing costs. We are requesting to create two .9 FTE positions by re-allocating funds for STOC positions. Re-allocating these funds will reduce further overall STOC costs, and will have a neutral effect on the Mental Health Crisis Grant for 2016. The 2017 Mental Health Crisis Grant will reflect this change in funding. No additional Levy dollars are required to make this change.

ACTION REQUESTED:

Motion to approve the addition of two .9FTE regular Crisis Therapists using the STOC funding in the 2016 Mental Health Crisis Grant.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: Increase budgeted staff

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Funds included in the 2016 Crisis Grant. No additional County Levy dollars required.

Office use only:

RBA 2016 - 4197

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Adding Two Crisis Therapist Positions

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
STOC budget	11-480-746.6112	\$17,146.00	FT salaries	11-480-746.6111	\$17,146.00
TOTAL		\$17,146.00	TOTAL		\$17,146.00

Reason for Request:

Lower Short-Term On-Call (STOC) budget to cover the cost of increasing two Crisis Therapists 0.80 FTEs to two 0.90 FTEs.

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Resolution of Acceptance and Final Payment for 2015 Overlay Projects

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 original contract amount was in the amount of \$998,706.55 for the milling and overlaying of CSAH 33 from CSAH 50 to the Norwood Youngamerica city limits, CSAH 34 from the McLeod County line to CSAH 33 and CR 131 from TH 212 to CSAH 33. The total of all work completed to date by Asphalt Surface Technologies Corporation (ASTECH) is \$1,028,243.82.

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

ASTECH is requesting to finalize the contract with the County and to release all retainage. County staff agrees and is requesting that the contract be finalized and that the remaining retainage be paid. The remaining amount to be paid to ASTECH is \$56,143.19.

ACTION REQUESTED:

Adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$56,143.19 to Asphalt Surface Technologies Corporation for construction of 2015 Overlay Projects.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4241

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

Date: September 20, 2016

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ACKNOWLEDGMENT
2015 Overlay Projects
FINAL PAYMENT**

WHEREAS, the construction project 2015 Overlay Projects, has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and on behalf of the Carver County Public Works Division and authorize final payment to Asphalt Surface Technologies Corporation.

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 20th 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 20th day of September, 2016.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Hollywood Township Salt Shed Contract

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:

Carver County purchased the Hollywood Township Public Works facility in 2015. On August 2, the County held a work session to discuss potential site improvements including adding a salt shed. Based on that discussion, the County issued a Request For Proposals (RFP) and had one vendor respond.

Greystone Construction's bid of \$216,680 is under the project budget estimate. The bid includes a 72'x96' natural light fabric structure salt storage building and 6" of bituminous paving inside the bunker panels. Greystone constructed the salt shed at the public works building in Cologne, and the proposed Hollywood shed is of similar construction.

In addition, County staff is working on paving the hashed areas in the attached map. Depending on weather and contractor scheduling, the staff is planning to accomplish the paving late this fall.

ACTION REQUESTED:

Motion to contract with Greystone Construction to construct a salt shed at the Hollywood Township Public Works facility pending completion of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

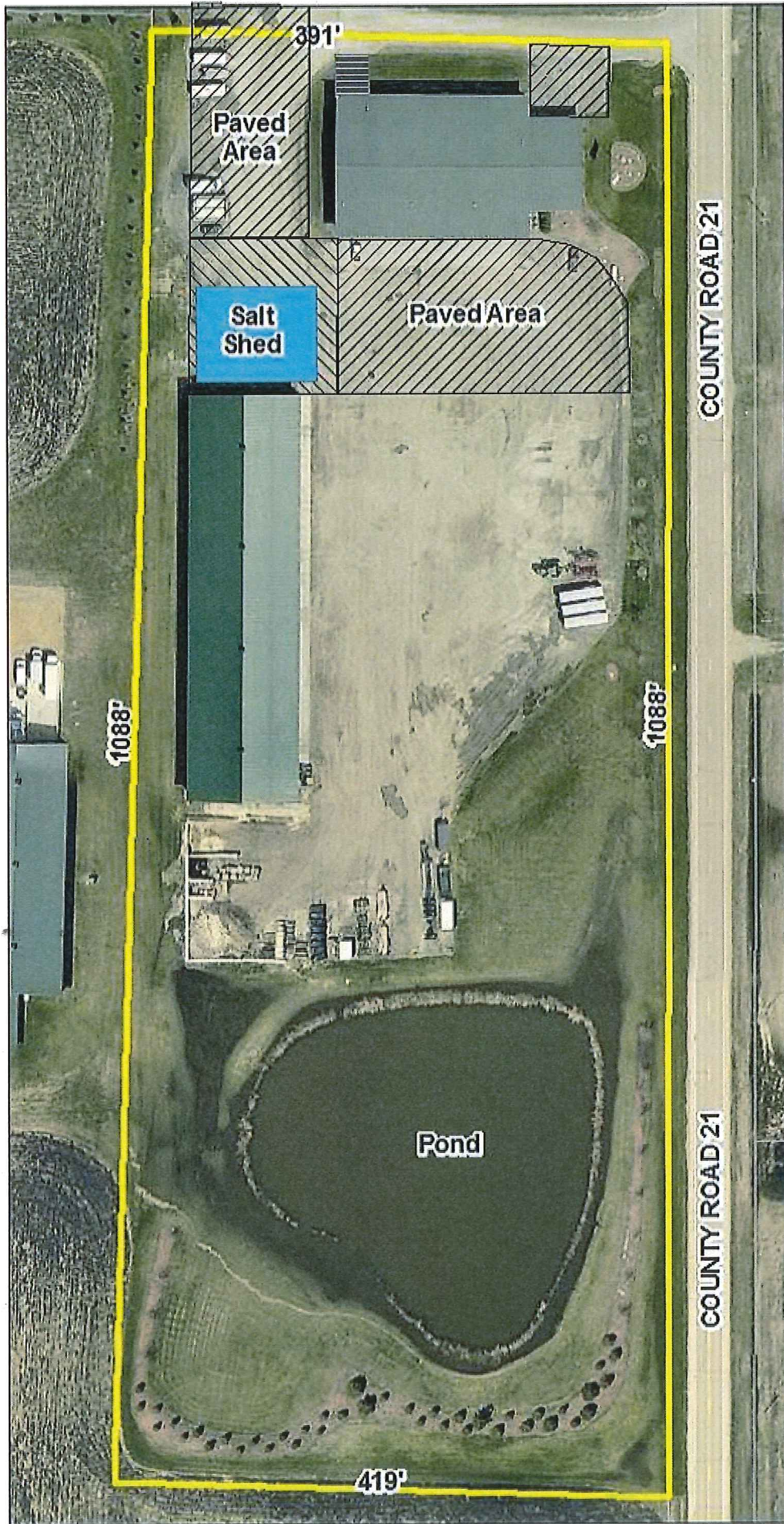
Insert additional funding source

Related Financial/FTE Comments:

Greystone's bid is \$189,680 with the paving an added cost of \$27,000 for a total cost of \$216,680. The County had a budget cost estimate of \$225,000-300,000 for the Hollywood salt shed. These funds are included in the current budget.

Office use only:

RBA 2016 - 4245



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Grant Agreement with Metropolitan Council to construct MN River Bluffs Regional Trail

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 is an Implementing Agency of the Regional Park System and eligible to receive Parks and Trails Funding provided through the State and distributed by the Metropolitan Council. Carver County administers and owns regional trails within the County. The grant agreement with the Metropolitan Council provides grant funding is for the extension of the MN River Bluffs Regional Trail, a planned 2017 construction project.

ACTION REQUESTED:

Approve a grant agreement with the Metropolitan Council to construct the MN River Bluffs Regional Trail pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	\$0.00
Metropolitan Council	\$180,000.00
Total	\$180,000.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4252

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Grant Agreement with Metropolitan Council to construct MN River Bluffs Regional Trail

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
Construction	34-525-000-5024-6681	\$180,000.00	Grant 05319	34-525-000-5024-...	\$180,000.00
TOTAL		\$180,000.00	TOTAL		\$180,000.00

Reason for Request:

Budget for grant

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Grant Agreement with Metropolitan Council for Recreation and Volunteer Specialist Position

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:

Carver County is an Implementing Agency of the Regional Park System and eligible to receive Parks and Trails Funding provided through the State and distributed by the Metropolitan Council. The grant agreement continues funding for the Recreation and Volunteer Specialist Position who conducts approximately 100 programs and engages an estimated 3,300 participants in activities of the Parks Department.

ACTION REQUESTED:

Approve a grant agreement with the Metropolitan Council to fund the Recreation and Volunteer Specialist pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	\$0.00
Metropolitan Council	\$38,000.00
Total	\$38,000.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4255

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Payment for right-of-way acquisitions for CSAH 51 Culvert replacement project #148740

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 2017 construction season may include the replacement of the existing culvert on CSAH 51 with a box culvert. Additional right-of-way is needed to complete this project. Carver County Public Works has negotiated settlements with property owners for the acquisition of permanent road and temporary construction easements along CSAH 51 at PID #01.0041000 and #01.0051400, Orlin & Kathleen Schneewind and Loren Wayne Huepenbecker.

ACTION REQUESTED:

Adopt a resolution to authorize payment of compensation based on negotiated settlements for right-of-way and easements required for project #148740, Culvert replacement on CSAH 51.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars = **\$4,600.00**

FTE IMPACT: ▼

Total **\$4,600.00**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4246

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

Date: September 20, 2016_____ Resolution No: _____

Motion By Commissioner: _____ Seconded by Commissioner: _____

**Resolution Authorizing Payment of Settlement of Compensation to
Landowner for Right-of-Way and Easements Required for the CSAH 51
Culvert Replacement Project # 148740**

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 complete culvert replacement on CSAH 51 in Benton Township, Project #148740 (“Project”); and

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

WHEREAS, the County R/W agent has completed Minimum Damages Assessments to provide the County with an estimate of the damages caused by the County’s acquisition of the property interests required for the Project; and

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

WHEREAS, settlements have been reached with the property owners impacted by the project.

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

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

Exhibit A

Property Interest Required for the Culvert Replacement on CSAH 51 in Benton Township
Project #148740

(Acquisition)

P.I.D. No. 01.0051400

Orlin A. & Kathleen Schneewind, husband and wife

Taking of a temporary construction easements over County State Aid Highway No. 51, (containing 17,786 sq. ft. more or less).

Taking of permanent drainage and utility easement over County State Aid Highway No. 51, (containing 4,118 sq. ft. more or less).

Settlement Amount: \$1,200.00.

(Acquisition)

P.I.D. No. 01.0041000

Loren Wayne Huepenbecker

Taking of a permanent drainage & utility easement over County State Aid Highway No. 51, (containing 8,828 sq. ft. more or less).

Taking of temporary construction easements over County State Aid Highway No. 51, (containing 9,253 sq. ft. more or less).

Settlement Amount: \$3,400.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Grant Agreement with Metropolitan Council for Crack Seal and Sealcoat Work

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:

Carver County is an Implementing Agency of the Regional Park System and eligible to receive Parks and Trails Funding provided through the State and distributed by the Metropolitan Council. Carver County administers and owns regional trails within the County. The grant agreement with the Metropolitan Council provides for crack seal and sealcoat work on 5 miles of the Dakota Rail Regional trail and on 1.5 miles of paved trail within Lake Minnewashta Regional Park.

ACTION REQUESTED:

Approve a grant agreement with Metropolitan Council for crack seal and seal coating work pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	\$0.00
Metropolitan Council	\$119,000.00
Total	\$119,000.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4250

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Grant Agreement with Metropolitan Council for Crack Seal and Sealcoat Work

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
Construction	34-528-000-5023-6681	\$119,000.00	Grant 05320	34-528-000-5023-...	\$119,000.00
TOTAL		\$119,000.00	TOTAL		\$119,000.00

Reason for Request:

To budget for grant.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Supporting the Application for Access to TH 25 at 315 Ash Avenue South, Mayer, MN

Primary Originating Division/Dept: Administration (County)

Meeting Date: 9/20/2016

Contact: Dave Hemze Title: County Administrator

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:

Commissioner Lynch has requested the Board adopt the attached Resolution supporting an application for access to TH 25 at 314 Ash Avenue South in Mayer, Minnesota.

ACTION REQUESTED:

Adopt Resolution

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016- 4269



BOARD OF COUNTY COMMISSIONERS
CARVER COUNTY, MINNESOTA

Date: September 20, 2016 Resolution No.:
Motion by Commissioner: Seconded by Commissioner:

SUPPORTING THE APPLICATION FOR ACCESS TO TRUNK HIGHWAY 25
at 314 ASH AVENUE SOUTH, MAYER, MN

WHEREAS, the County of Carver supports the revitalization and economic development of the communities within Carver County; and

WHEREAS, the County of Carver recognizes and desires to maintain an economically vital County for its residents and visitors; and

WHEREAS, the County of Carver dedicates financial and staff resources to attract new businesses; and

WHEREAS, the County is supportive of Casey's building a convenience store at 314 Ash Avenue South, Mayer, Minnesota and

WHEREAS, the County is supportive in allowing access to State Highway 25 for Casey's in order for it to be a vital business;

NOW, THEREFORE, BE IT RESOLVED that the County of Carver supports Casey's endeavors to secure an access to State Highway 25.

Table with 3 columns: YES, ABSENT, NO. Each column contains five horizontal lines for signature entry.

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 20th day of September, 2016, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Convert Health Care Navigator position to Social Worker II position

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

There is a growing need for Social Worker II positions to assist with providing telephonic and mobile mental health crisis response. The Mobile Crisis Unit currently has a vacant 1.0 FTE Health Care Navigator position. The Health Care Navigator workload has been handled successfully by the two remaining Navigators. It is not anticipated that this workload will increase. The Mobile Crisis Unit response would be enhanced by reallocating the 1.0 FTE Health Care Navigator to a .9 FTE Social Worker II. No additional levy dollars are required for this change.

ACTION REQUESTED:

Motion to convert current Health Care Navigator 1.0 position to Social Worker II .9 position.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

No additional County Levy required to make the requested changes.

Office use only:

RBA 2016 - 4189

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreement for Right of Way Acquisition for CR 110 Construction Project – Waconia School Phase

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

The Carver County Right of Way Agent has negotiated a settlement with the property owners of the parcel on PID # 09.0270600 , Scott & Kimberly Stender.

ACTION REQUESTED:

Approve a settlement agreement with the property owners of PID # 09.0270600 for easements required for the CR 110 Construction - Waconia School Phase Project (148765) pending completion of the contract review process and adopt a resolution authorizing payment of negotiated settlements.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	\$212,500.00
City of Waconia	\$212,500.00
Total	\$425,000.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

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

Office use only:

RBA 2016 - 4231

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

Date: September 20, 2016_____ Resolution No: _____

Motion By Commissioner: _____ Seconded by Commissioner: _____

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

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

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

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

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

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

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

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

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

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

Exhibit A

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

(Acquisition)

P.I.D. No. 09.0270600

Scott R. & Kimberly A. Stender, husband and wife

Total acquisition of their property located at 9580 Orchard Rd, Cologne, MN 55322

Settlement Amount: \$425,000.00 (includes relocation expenses)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreement for Right of Way Acquisition for the CR 110 Construction Project – Waconia School Phase

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

The Carver County Right of Way Agent has negotiated settlements with the property owners of parcels on PID #'s 09.0282100 and 09.0270100, Thomas J. Wagener, etal and Gary Meuwissen/Brian Koch respectively.

ACTION REQUESTED:

Approve a settlement agreement with the property owners of PID # 09.0282100 and 09.0270100 for easements required for the CR 110 Construction Project - Waconia School Phase (148765) pending completion of the contract review process and adopt a resolution authorizing payment of negotiated settlements.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

City of Waconia

Total

Insert additional funding source

FTE IMPACT:

Related Financial/FTE Comments:

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

Office use only:

RBA 2016 - 4242

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

Date: September 20, 2016_____ Resolution No: _____

Motion By Commissioner: _____ Seconded by Commissioner: _____

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

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

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

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

WHEREAS, in order to complete the Project it is necessary for the County to purchase property interests from the property owners 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, settlements have been reached with property owner simpacted by the project.

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

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

Exhibit A

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

(Acquisition)

P.I.D. No. 09.0282100

Thomas J. Wagener, etal

Taking of permanent roadway easement for right of way purposes over CR 110 (containing 1.26 acres, more or less).

Taking of temporary easement over CR 110 (containing .24 acres, more or less).

Taking of permanent drainage and utility easement over CR 110 (containing .30 acres, more or less).

Settlement Amount: \$64,600.00.

(Acquisition)

P.I.D. No. 09.0270100

Gary P. & Janice A Meuwissen, husband and wife

Brian W. & Michelle A. Koch, husband and wife

Taking of permanent roadway easement for right of way purposes over CR 110 (containing 1.10 acres, more or less).

Taking of temporary easement over CR 110 (containing 1.16 acres, more or less).

Taking of permanent drainage and utility easement over CR 110 (containing 4,799 sq. ft., more or less).

Additional drainage & utility easement south of proposed bus garage that is acceptable to both parties.

Settlement Amount: \$185,000.00.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Reorganization in Public Works - Administration

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Public Works currently has a vacant 1.0 FTE Account Clerk position. It has been determined that a 1.0 FTE Financial Technician position is needed. Public Works would like to eliminate the vacant 1.0 Account Clerk and create a 1.0 Financial Technician. The 1.0 Financial Technician is graded at an 11 and the Account Clerk position is graded at a 7. The Public Works Division is anticipating a starting date of 10/17/16 for the Financial Technician position. This difference in cost for 2016 is requested to be covered by the vacancy savings that is anticipated to be generated from the Account Clerk position.

For 2017, the excess cost associated with this FTE exchange (estimated at \$3,226 for 2017) is proposed to be funded within the current 2017 budget request. No additional levy beyond the current 2017 request is required.

ACTION REQUESTED:

Eliminate the vacant 1.0 FTE Account Clerk position and approve the creation of a 1.0 FTE Financial Technician position within the Public Works Division.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	\$0.00
2016 vacancy savings	\$990.00
Total	\$990.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Eliminate 1.0 FTE Account Clerk and create 1.0 FTE Financial Technician in the Public Works Division. Excess cost to be covered by levy funds from vacancy savings in 2016. No additional levy needed in 2017.

Office use only:

RBA 2016 - 4230

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Reorganization in Public Works - Administration

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	03-301.6111	\$990.00	vacancy savings	01-820.6828	\$990.00
TOTAL		\$990.00	TOTAL		\$990.00

Reason for Request:

To utilize 2016 vacancy savings to cover the cost difference between an Account Clerk and Account Technician position.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of Carver County Election Emergency Plan

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:

In May 2016, legislation was passed requiring that counties create an election emergency plan. As required, the Taxpayer Services Department consulted with the county's Emergency Manager and the cities, towns and school districts within the county in the creation of the Carver County Election Emergency Plan.

The purpose of the election emergency plan is to ensure that, in the event of an emergency impacting the election, the essential functions of an election continue. The goal is to minimize the impact on the public and to maintain the integrity and accuracy of elections in the event of an emergency.

This election emergency plan applies to all staff within the Carver County Taxpayer Services Department and will be used as a guide by all jurisdictions conducting elections within Carver County. This plan will be distributed to all municipalities within Carver County that are responsible for election operations. This election emergency plan will operate in conjunction, but does not supersede, Carver County's or the encompassed municipalities' governing Continuity of Operations Plan.

ACTION REQUESTED:

Amend the Carver County Continuity of Operations Plan ("COOP") to include the Carver County Election Emergency Plan.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4260

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: <u>Public Services</u>	Meeting Date: <u>9/20/2016</u>
Contact: <u>Tom Vellenga</u> Title: <u>Asst. County Admin.</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <u>10</u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u>Tom Vellenga</u> Title: <u>Asst. Co. Administrator</u>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

File #PZ20160033. DG Minnesota CSG 2, LLC is requesting authorization to construct, operate (by lease), and maintain up to a five (5) Megawatt (MW) CSG as a Renewable Energy – Large Solar Energy System (LSES) on the subject property, owned by Bruce Lenzen (on Hwy 7), in Section 26 of Watertown Township. The request is a part of Xcel Energy's Community Solar Garden (CSG) program, which was established by the State of Minnesota in 2013.

The solar development would be located on approximately 26 acres of the 64.5-acre parcel, which has been used seasonally for agricultural production and pasture areas. The energy contract with Xcel Energy for this program is for a minimum of 25 years (to approximately year 2042).

On September 6, 2016, the County Board directed staff to prepare Findings of Fact in support of denial of the subject application. The direction to staff was for the benefit of the Board's future consideration, but did not constitute the Board's vote or final decision for approval or denial of the application.

Based on the "60 day law" (Minn. Stat. Section 15.99), final decision on the application was originally required to be issued by September 24, 2016. On September 14, 2016, by written notice, the applicant voluntarily waived the "60 day law" and agreed to allow the County Board additional time to consider the application. The applicant has agreed to a 30-day waiver of the deadline, requiring a final decision to be issued by the County Board no later than October 24, 2016.

Given the complexity of the project, additional legal considerations that have been raised, and the applicant's 30-day waiver of the deadline, the County Board may consider continuing this final decision to an October meeting of the County Board.

ACTION REQUESTED:

A motion to continue final decision on the DG Minnesota CSG 2, LLC (Nextera & TruNorth) - Community Solar Garden Conditional Use Permit application to an October meeting of the County Board.

FISCAL IMPACT: None

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

--	--

Total

	\$0.00
--	--------

Related Financial/FTE Comments:

Office use only:

RBA 2016- 4243

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Public Hearing on CCWMO Water Rules Update

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:

The Carver County Water Management Organization's (CCWMO) current Water Management Ordinance (Rules) was first adopted in 2001 and updated in 2006 and 2012. The County's Municipal Separate Storm Sewer System (MS4) permit, issued by the MPCA in 2013, requires specific updates to the Ordinance which are contained in these proposed changes. Other proposed changes clarify the current standards and address gaps or specific problem areas that have become apparent since the last ordinance was adopted. At the June 7, 2016 County Board meeting, the Board authorized release of the DRAFT Rules for a 60-day public comment period. The staff has prepared responses to the comments received during this period and has addressed any proposed changes in the DRAFT Ordinance. The DRAFT Rules, along with the responses to public comments, have been sent separately to the Commissioners and are available on the County's website and at the Planning & Water Management Office for review. A summary memo is attached.

The staff will review the changes with the Board and requests that the Board consider adoption of the Ordinance and putting these rules into effect on October 15, 2016.

ACTION REQUESTED:

1. Motion to open the public hearing.
2. Motion to close the public hearing after all comments are heard.
3. Motion to adopt a Resolution adopting Ordinance 83-2016, Amendments to Carver County Code - Chapter 153: Water Resource Management.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4239



Memo

To: County Commissioners
From: Paul Moline, Carver County Water Management
Date: 9/8/2016
Re: Recommended Adoption of CCWMO Rules
CC. David Hemze, County Administrator
Tom Vellenga, Assistant County Administrator

Enclosures: none

The purpose of this memo is to:

1. Brief the board on the proposed updates to the Carver County Water Management Organization (CCWMO) Rules,
2. Provide a summary of the public comment period, and
3. Describe changes made to the DRAFT Rules submitted for adoption.

1. Summary of Updates to Rules

The CCWMO's current ordinance was first adopted in 2001 and updated in 2006 and 2012. The County's Municipal Separate Storm Sewer System (MS4) permit, issued by the MPCA in 2013, requires specific updates to the Water Resource Management Ordinance (Rules) which are contained in these proposed changes. Other proposed changes clarify the current standards and address gaps or specific problem areas that have become apparent since the last ordinance was adopted.

To assist with the development and review of a revised ordinance, the CCWMO established a Technical Advisory Committee (TAC) consisting of technical representatives from municipalities in the watershed, state and local agencies, and CCWMO staff in July 2015. The TAC has provided review and comment throughout the ordinance revision process.

The proposed revisions encompass the following:

- Increasing the volume control requirement to 1.0 inches (currently 0.5 inches) but adding flexibility to allow volume control requirement to be reduced to 0.5 inches in certain situations
- Decreasing the water quality requirement to 1.0 inches (currently 1.05 inches)
- Adding flexibility to allow the volume control and water quality requirement to be met offsite or through banking
- Clarifying how the stormwater management portion of the rule applies to the several types of linear projects
- Clarifying the types of linear projects that are exempt from the stormwater management portion of the rule

- Clarifying topsoil management requirements
- Revising existing definitions and adding new terms
- Updating the list of best management practices eligible for volume control and water quality treatment
- Updating the Rule Guidelines and Calculator to help simplify the application process

2. Public Review and Comment

At the June 7, 2016 County Board meeting, the Board authorized release of the DRAFT Rules for a 60-day public comment period. Staff sent letters to all cities and townships, sent notices to developer & engineers who have worked on a CCWMO permit since 2012, and posted the DRAFT rules on the County website and social media. Prior to the start of the public comment period, the staff reviewed the proposed changes with engineers and developers at the CCWMO Stormwater Workshop (February 26, 2016) and at a focus group meeting that focused specifically on Topsoil Management (May 12, 2016)

During the public comment period, comments were received from the following:

- Carver County Public Works Department
- Bolton & Menk on behalf of the cities of Cologne, Mayer, New Germany, NYA, Waconia, & Watertown.

3. Summary of Comments and Changes

The comments received generally addressed the following areas of the Rules:

- Clarifications/request for exemptions for Linear Projects
- Clarifications to Topsoil Management section

The staff has prepared responses to all of the comments and has addressed any proposed changes in the DRAFT Rules. A set of DRAFT Rules along with the responses to public comments received is available at <http://www.co.carver.mn.us/departments/public-services/planning-water-management/water-management/permits-rules/water-rules-permits/water-rules-update-2016>. Copies are also available at the Planning & Water Management Office for review.

Recommendation

With these changes, the staff is recommending adoption of the proposed CCWMO Rules and enactment of the Rules on October 15, 2016.

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE 09/20/16

RESOLUTION NO. _____

MOTION BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

A RESOLUTION ADOPTING ORDINANCE 83-2016 AMENDMENTS TO THE CARVER COUNTY WATER MANAGEMENT ORGANIZATION RULES 2016

WHEREAS, the County is by Minnesota Statute 103B.211-.255 required to perform the water management tasks in the following metro-area watersheds within Carver County: Bevens Creek, Carver Creek, West Chaska Creek, East Chaska Creek, Crow River, and Pioneer Sarah; and

WHEREAS, Under Minnesota Statute 103B.231 and 103B.255, Carver County has the authority to prepare, adopt, and implement a watershed plan for its areas of responsibility and a groundwater plan; and

WHEREAS, Carver County acts as the Water Management Authority for the Carver County Water Management Organization (CCWMO), and has adopted a Water Management Plan, including goals and policies regarding surface water resource management; and

WHEREAS, the County, through the adoption of this Plan and the conduct of subsequent implementation activities, is fulfilling the charge of the Legislature; and

WHEREAS, Carver County has adopted Water Management Rules, which implement certain goals and policies as provided by the Plan; and

WHEREAS, Carver County has proposed Revisions to these Rules which bring the County into compliance with the CCWMO Water Management Plan, several approved Total Maximum Daily Load (TMDL) plans, and the federal National Pollutant Discharge Elimination System (NPDES) Phase II guidelines

WHEREAS, the Rules were prepared with guiding input from the CCWMO Advisory Committee and Technical Advisory Committee; and

WHEREAS, public hearings and informational meetings and affected community review have been held to consider the Carver County Water Management Rules.

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby adopt Ordinance 83-2016: Amending Chapter 153: Water Resource Management of the Carver County Code of Ordinances Revising the Water Management Rules; and placing the Ordinance into effect on October 15, 2016.

YES

ABSENT

NO

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the __20th__ 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 _____ day of _____, 2016

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Child Support Awareness Month Proclamation

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:

Governor Mark Dayton has proclaimed August as Child Support Awareness Month. This is an opportunity to recognize the importance of child support in peoples's lives and to thank the people who are dedicated to working hard to help children and families. Strengthening families continues to be at the core of the child support program in Carver County.

Governor Dayton's proclamation reminds us that children are Minnesota's most valuable resource and need the emotional and financial support of both parents. The Carver County child support program strives to help families achieve financial stability and self sufficiency to ensure a brighter future for our children. We also want to recognize the parents who work hard to provide for their family's needs.

Because of the successful partnerships throughout Minnesota, our state is a national leader. We rank in the top five states in percentages of current support collected and of cases with a payment toward arrears. The state has collected and disbursed over \$600 million in child support for more than 250,000 children in Federal Fiscal Year 2015.

Carver County's Child Support Program has been very successful. The attached chart illustrates how Carver County compares to surrounding counties on a number of performance indicators in 2015.

ACTION REQUESTED:

Endorse the Proclamation from Governor Mark Dayton which designated the month of August 2016 as Child Support Awareness Month

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4215

Child Support 2015 Federal Performance Outcomes

7 County Metro Area Relative Rankings

	Paternity Establish		Support Establish		Current Collections		Arrears Collections		Cost Effect		Avg Rank
	%	#	%	#	%	#	%	#	%	#	
Anoka	103%	4	92%	3	75%	4	75%	4	5.07	3	3.6
Carver	104%	2	94%	2	79%	1	82%	1	5.49	4	2.0
Dakota	97%	6	91%	5	72%	5	73%	5	4.40	5	5.2
Hennepin	98%	5	84%	6	69%	6	67%	6	3.07	7	6.0
Ramsey	95%	7	81%	7	67%	7	65%	7	3.28	6	6.8
Scott	108%	1	91%	4	79%	2	81%	2	5.64	2	2.2
Washington	104%	3	96%	1	75%	3	71%	3	6.87	1	2.2
Minnesota	99%		89%		74%		72%		3.54		

Paternity Establishment:

The percent of children with paternity established

Support Order Establishment:

The percent of cases with support orders established

Collections on Current Support:

The percent collected of current support due

Collections on Arrears:

The percent of cases with arrears collections

Cost Effectiveness:

Dollars collected per dollar spent on the IV-D program

Data Source:

MN Department of Human Services
CPAT Annual summary of Performance
FFY2013 Performance Measures

Rankings:

Derived from data source.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Workforce Development Month Proclamation

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Regular Session

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Governor Mark Dayton has proclaimed September as Workforce Development Month. This is an opportunity to increase awareness among job seekers, employers and the general public about Workforce Development programs, services and resources offered by DEED and its partners. It is also to recognize and highlight the efforts and dedication of the state's workforce development professionals who are committed to helping individuals and businesses meet their career and employment goals.

ACTION REQUESTED:

Endorse the Proclamation from Governor Mark Dayton which designated the month of September 2016 as Workforce Development Month.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
<input type="text"/>	<input type="text"/>
Total	<input type="text" value="\$0.00"/>

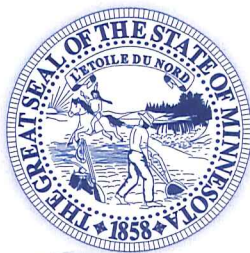
FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016- 4261



STATE of MINNESOTA

Proclamation

- WHEREAS: Minnesota is home to nearly 161,000 businesses that employ 2.77 million people in diverse industries such as health care, biotechnology, advanced manufacturing, professional and business services, agriculture, and other sectors; and
- WHEREAS: The State of Minnesota is committed to building an economy that works for all Minnesotans and to ensuring businesses have the skilled workforce and talent pipeline they need to thrive; and
- WHEREAS: The State of Minnesota will invest more than \$111.7 million in workforce development in Fiscal Year 2017, which includes \$35 million dedicated to improving opportunities for Minnesotans of color; and
- WHEREAS: Workforce development encompasses a broad range of programs, services, and resources for job seekers and employers. For example, MinnesotaWorks.net is a no-fee online job bank where, in 2015, employers posted 800,000 jobs and job seekers conducted 4 million searches; and
- WHEREAS: The State of Minnesota operates 48 WorkForce Centers across the state staffed by knowledgeable professionals who help people develop career plans and find jobs. More than 90,000 job seekers visited a WorkForce Center in 2015, and close to 88,000 accessed service online. Within 90 days of the last service job seekers received, 116,000 found a job; and
- WHEREAS: For employers, the State of Minnesota provides a network of business service representatives (BSRs) who specialize in helping businesses find and retain qualified employees, conducting more than 500 business consultations each month and facilitating job fairs, recruitment events, and employer workshops; and
- WHEREAS: The State of Minnesota also supports a wide range of training and apprenticeship programs to ensure businesses have the workforce they need.

NOW, THEREFORE, I, MARK DAYTON, Governor of Minnesota, do hereby proclaim the month of September 2016, as:

WORKFORCE DEVELOPMENT MONTH

in the State of Minnesota.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this 31st day of August.


GOVERNOR



SECRETARY OF STATE

Carver County Board of Commissioners Request for Board Action



Agenda Item:

CCRRA Permit for Entry

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
 ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

▼

BACKGROUND/JUSTIFICATION:

Dan Keyport, owner of Dolce Vita Wine Shop and a Rotary Club of Chaska member, is requesting permission to use a portion of the Carver County Regional Rail Authority (CCRRA) property located behind the Depot property in Downtown Chaska. Around the time of the Ryder Cup, Dan would like to have events at the Depot including a food truck from September 27 – October 1 and a beer truck from September 28 – October 1. These trucks will be located right around the property line and may or may not be slightly on the CCRRA property. In addition, the barricaded area around the beer truck will encroach on the CCRRA property.

The beer truck will be operated by the Rotary Club of Chaska, and the Rotary lists the CCRRA as an additional insured and that the Rotary obtains the necessary permits and liquor license. Mr. Keyport will provide the CCRRA with a copy of these documents.

Risk Management and the County Attorney's Office reviewed the permit.

ACTION REQUESTED:

Motion to approve a permit for Dan Keyport to use a portion of the Carver County Regional Rail Authority property located directly behind the Depot in Chaska from September 27, 2016 through October 1, 2016.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
Permit Fee	\$100.00
Total	\$100.00

FTE IMPACT: ▼

Insert additional funding source

Related Financial/FTE Comments:

Per the County Fee schedule, there is a \$100 fee for this permit.

Office use only:

RBA 2016 - 4238



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Preliminary 2017 County Tax Levy and Budget

Primary Originating Division/Dept: Administration (County)

Meeting Date: 9/20/2016

Contact: David Frischmon Title: Property & Financial Services Director

Item Type:
Regular Session

Amount of Time Requested: 20 minutes

Attachments: Yes No

Presenter: Dave Hemze & David Frischmon Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The 2017 Budget process formally began at the May 31, 2016 Board Work Session.

During July/August, Division Directors presented their 2017 budget requests at the 2017 Budget Hearings.

At the August 23rd Board Work Session, the County Administrator's Recommended Preliminary 2017 Budget Strategy was presented which did not include a recommendation for 2017 staffing changes due to the ongoing Comp/Class study.

At today's Board meeting, the County Board is being asked to adopt the 2017 preliminary property tax levy and budget in accordance with the State law that requires that the County Board adopt a preliminary tax levy and budget for the following year by September 30th. The final property tax levy, adopted in December, can be lower than the preliminary levy, but cannot be higher.

In October, the County Administrator is expected to present a preliminary recommendation for 2017 Staffing Changes.

In November, the County Administrator is expected to present a preliminary 2018 Long Term Financial Plan ("LTFP").

In December, the County Board will hold a public hearing on Thursday, December 1st, 2016 at 6:00pm and will be asked to adopt the 2017 Final Tax Levy and Budget, along with the 2018 LTFP, on December 13th, 2016.

ACTION REQUESTED:

Motion to approve the 2017 Administrator's Recommended Preliminary Tax Levy of \$51,241,800, Preliminary Budget of \$122,093,766 and to set a 2017 Budget public hearing for December 1st, 2016 at 6:00 pm.

FISCAL IMPACT: Other

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

The Administrator's Recommended Preliminary 2017 Tax Levy of \$51,241,800 has zero impact on the county's average value home.

Office use only:

RBA 2016 - 4225

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Former Chaska Public Works Property

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 former County Public Works facility located at 850 Chaska Boulevard in Chaska was vacated when the County moved to the joint use MnDOT facility in Chaska. Since that time, the facility has been used for storage. The County has been in discussions with the City of Chaska Economic Development Authority (EDA) about the potential for redevelopment of the site for several years.

In 2015, the EDA approached the County with an interest in purchasing the property for redevelopment. The County had appraisals done on the property. The County and EDA are working on completing the terms of a purchase agreement. The County staff would like to discuss these proposed terms with the County Board before the purchase agreement comes to the Board for their consideration.

ACTION REQUESTED:

Provide guidance on the potential sale of the former Chaska Public Works property.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2016 - 4237