CONVENE COUNTY BOARD

AMENDMENTS TO THE AGENDA

APPROVE MINUTES OF MAY 21, 2019 COUNTY BOARD MEETING

RECOGNITION OF INTERESTED CITIZENS
Limited to items not on the agenda, and five minutes per person/subject. Speakers are asked to approach the microphone for the benefit of viewers and interested citizens.

CONSENT AGENDA

Customer Service: Creating a Customer Experience That is Respectful, Responsive and Solution-Oriented

5.1 Approve the Preliminary and Final Plat of Doucette 2nd Addition Consisting of 1 Lot on 11.5 Acres, Paul and Cheryl Doucette, Applicants and Property Owners, in Section 28 of Louisville Township (No fiscal impact)

5.2 Approve an Amendment to Conditional Use Permit #PL2019-00 to Expand the Permit Area and Construct a Building for Indoor Storage Rental, Paul and Cheryl Doucette, Applicants and Owners, in Section 28 of Louisville Township (No fiscal impact)

5.3 Approve the Request for an Interim Use Permit, Adam and Crystal Boettcher, Applicants and Owners, to Add a Detached Accessory Dwelling Unit at 27290 Vergus Avenue, Cedar Lake Township (No fiscal impact)

Stewardship: Ensuring the Responsible and Stable Investment of Taxpayer Dollars and Communicating Its Value to the Public

5.4 Approve Grant Agreement Amendment No. 1 and Receive Funding From the Minnesota Department of Health for the 2019 – 2020 Public Health Emergency Preparedness and Cities Readiness Initiative Grants (No fiscal impact)

5.5 Adopt Resolution No. 2019-084; Authorizing Final Payment to S.M. Hentges & Sons, Inc. for the Construction of Paved Crossovers on Trunk Highway 169 (No fiscal impact)

5.6 Adopt Resolution No. 2019-086; Awarding a Contract to Valley Paving, Inc. for the Construction of Bypass and Turn Lanes at Various Intersections Along County Highways 8 and 27 (No fiscal impact)

Partnership: Aligning Existing Resources, Volunteers and Programs to Achieve Shared Goals

5.7 Approve the Appointment of Joseph Thill to the Special Board of Appeal and Equalization (No fiscal impact)

5.8 Authorize Scott County to Enter Into Agreements With Jaguar Communications and Netwave Broadband for the United States Department of Agriculture’s ReConnect Program to Provide Internet Broadband Services to Rural Areas of Scott County (No fiscal impact)

5.9 Adopt Resolution No. 2019-087; Authorizing a Letter of Support for Dakota County’s Capital Bonding Request to Minnesota Management and Budget for a Regional Household Hazardous Waste Collection and Recycling Facility (No fiscal impact)

Commitment: Developing a High Quality Workforce That is Dedicated to Advancing a Safe, Healthy and Livable Community

5.10 Approve Payroll Processing of Personnel Actions (No fiscal impact)
(6) CUSTOMER SERVICE: CREATING A CUSTOMER EXPERIENCE THAT IS RESPECTFUL, RESPONSIVE AND SOLUTION-ORIENTED

6.1 Presentation of the 2019 First Quarter Spirit of Scott Awards (No fiscal impact)
6.2 Adopt Resolution No. 2019-081; Declaring No Need for an Environmental Assessment Worksheet on the Young Men’s Christian Association (YMCA) of the Greater Twin Cities Private Day Park Project Site (No fiscal impact)
6.3 Approve a Conditional Use Permit for the Young Men’s Christian Association (YMCA) of the Greater Twin Cities to Operate a Private Day Park, YMCA of the Greater Twin Cities, Applicant, Stephen Kavouras, Owner, in Section 9, New Market Township, and Approve the Three-Way Development Agreement for the YMCA Project (No fiscal impact)

(7) PARTNERSHIP: ALIGNING EXISTING RESOURCES, VOLUNTEERS AND PROGRAMS TO ACHIEVE SHARED GOALS

7.1 Informational Presentation From Shakopee Academies Intern Himani Joshi on Scott County’s Community Indicator – Percent of Students Connected to a Caring Adult in the Community (No fiscal impact)

(8) STEWARDSHIP: ENSURING THE RESPONSIBLE AND STABLE INVESTMENT OF TAXPAYER DOLLARS AND COMMUNICATING ITS VALUE TO THE PUBLIC

8.1 Presentation of the 2019 Member Report for Scott County by the Minnesota Counties Intergovernmental Trust (No fiscal impact)
8.2 Adopt Resolution No. 2019-083; Reporting Progress on the Standard Measures Program Developed by the Council on Local Results and Innovation ($0.14/capita in local government aid)

(9) COMMITTEE REPORTS AND COMMISSIONER UPDATES

(10) COUNTY ADMINISTRATOR UPDATE

(11) RECESS FOR ATTORNEY/CLIENT MEETING

(12) ADJOURN

FOLLOWING THE MEETING THE COUNTY BOARD WILL MEET IN A WORKSHOP SETTING TO RECEIVE INFORMATION ON THE SCOTT COUNTY PARKS PROGRAM

UPCOMING MEETINGS

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>June 5, 2019</td>
<td>3:00 p.m.</td>
<td>County Board-Parks Advisory Commission Joint Workshop/Parks Tour</td>
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<tr>
<td>June 6, 2019</td>
<td>5:00 p.m.</td>
<td>County Board-Belle Plaine City Council Joint Workshop/Tour</td>
</tr>
<tr>
<td>June 18, 2019</td>
<td>9:00 a.m.</td>
<td>County Board Meeting</td>
</tr>
<tr>
<td>July 9, 2019</td>
<td>9:00 a.m.</td>
<td>County Board Meeting</td>
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</table>

Lezlie A. Vermillion  
County Administrator  
(952) 496-8100
MINUTES
BOARD OF COMMISSIONERS
COUNTY OF SCOTT
MAY 21, 2019

(1) The Board of Commissioners, in and for the County of Scott, Minnesota, met in the Courthouse Board Room in the City of Shakopee, Minnesota, and convened at 9:04 a.m., with the following members present: Commissioner Weckman Brekke, presiding, Commissioner Wolf, Commissioner Beard, and Commissioner Beer. Commissioner Ulrich was absent.

(2) County Staff Present:
A. Lezlie Vermillion, County Administrator
B. Todd Zettler, Senior Attorney
C. Paul Nelson, Natural Resource and Environmental Services Manager
D. Kate Sedlacek, Environmental Health and Waste Programs Supervisor
E. Melissa Bokman, Senior Planner
F. Ryan Holzer, Water Resources Scientist
G. Marty Schmitz, Zoning Administrator
H. Chris Harder, Quality Improvement Manager
I. Cindy Geis, Community Services Director
J. Jennifer Schultz, Enterprise Risk Manager
K. Suzanne Arntson, Child Welfare Manager
L. Pete Schmitt, Environmentalist
M. Nick Reishus, Environmentalist
N. Richard Jones, Environmentalist
O. Brad Davis, Planning and Resource Management Director
P. Mary Keen, Business Information/System Specialist
Q. Mary VonEschen, Environmentalist
R. Tony Winiecki, County Engineer
S. Himani Joshi, Student Intern
T. Scott Haas, Sheriff's Captain
U. Perry Mulcrone, Business Relationship Director
V. Danny Lenz, Chief Financial Officer/Deputy County Administrator
W. Pam Selvig, Health and Human Services Director
X. Lisa Freese, Transportation Services Director
Y. Jesse Krzenski, Environmentalist
Z. Danielle Fox, Adult Services Manager
AA. Gretchen Young, Licensing Supervisor
AB. Evan Cole, Management Analyst
AC. Jane Jacobson, Administrative Assistant
AD. Jenn Schwarz, Administrative Services Director
AE. Jacque Veglahn, Social Worker
AF. Lori Huss, Employee Relations Director
AG. Rhonda Laxen, Benefits and Safety Manager
AH. Kristin Schmidt, Program Specialist
AI. Mary Schoenbauer, Administrative Specialist
AJ. Lisa Kohner, Public Affairs Coordinator
AK. Nancy Berndt, Social Worker
AL. Molly Rabine, Social Worker
AM. Ann Canchari, Administrative Specialist
AN. Michelle Boettcher, Social Worker
AO. Debra Brazil, Deputy Clerk to the Board
Guests Present:
A. Jim Schwingler, Scott Watershed Management Organization Planning Commission
B. Dave Wagner
C. Dennis Schoenbauer
D. Pat Morreim
E. Cara Coburn

Amendments to the Agenda
Chair Weckman Brekke announced the following amendments to the agenda.

- The request to declare no need for an Environmental Assessment Worksheet on the Young Men’s Christian Association (YMCA) of the Greater Twin Cities private day park project site is pulled from the agenda per staff request.
- The request to approve a Conditional Use Permit for the YMCA of the Greater Twin Cities to operate a private day park in Section 9 of New Market Township and to approve the Three-Way Development Agreement is pulled from the agenda per staff request.
- The request to authorize the Government Center II Bid Package No. 2 Contract Award has been amended to include awarding the contract for the plastic laminate casework.

On a motion by Commissioner Wolf, seconded by Commissioner Beard, the amended agenda was approved.

Minutes:
On a motion by Commissioner Beard, seconded by Commissioner Wolf, the Minutes of May 7, 2019 were approved.

Innovation: Exploring and Adopting New Technologies and Processes With the Goal of Improving Service and Reducing the Long Term Cost of Service Delivery:
The County Board participated in the Scott County Delivers panel discussion regarding safe communities: achieving clean water and soil, and minimizing flood damage risks through prevention.

Chair Weckman Brekke recessed the meeting at 10:30 a.m. and reconvened at 10:36 a.m.

Consent Agenda:
A. Commissioner Wolf moved, seconded by Commissioner Beard to renew the Contract with the State of Minnesota effective July 1, 2019 through June 30, 2021 for the Sentencing to Service Program in Scott County for adult and juvenile offenders. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

B. Commissioner Wolf moved, seconded by Commissioner Beard to authorize Scott County Health and Human Services to join Carver County in participation in the Family Homeless Prevention and Assistance Program for the biennium period of July 1, 2019 through September 30, 2021. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

C. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-070; Appointing Commissioner Weckman Brekke to the Strategic Plan to End Child Abuse and Neglect Steering Committee. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

D. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-071; Authorizing Entering Into a Cooperative Agreement With the City of Elko New Market for the Design and Construction of a Roundabout at the County Highway 2 and County Highway 91 Intersection. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.
E. On the recommendation of the New Market Town Board and the Planning Advisory Commission, Commissioner Wolf moved, seconded by Commissioner Beard to approve the preliminary and final plat of Safety Signs Addition consisting of 1 lot on 35.75 acres in Section 1 of New Market Township and approve the Conditional Use Permit for Safety Signs, Inc. to operate a contractor yard with a business office and associated outdoor storage. This action is in accordance with Chapters 6, 42, and 70 of Scott County Zoning Ordinance No. 3 based on the criteria listed for approval. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

F. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-079; Authorizing the Permanent Detachment of a Split-Residential Parcel That Lies in Burnsville-Savage School District #191 and Annex it to Prior Lake-Savage Area School District #719. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

G. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-069; Approving Health, Dental, Life Insurance, and Flexible Spending Account Providers and County Contribution and Employee Costs for Health, Dental, and Life Insurance Effective August 1, 2019, for All Eligible Employees and Rescinding Resolution No. 2018-095. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

H. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-072; Authorizing an Amendment to a Master Agreement With Iteris, Inc. for Intelligent Roadway Information System Traffic Management Software to Increase the Total Compensation Amount. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

I. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-073; Authorizing Entering Into an Agreement With Bolton & Menk, Inc. for Engineering Consultant Services for the County Highway 2 and County Highway 15 Roundabout in Helena Township and Authorizing a Budget Amendment for Advancing Funds to 2019 and 2020. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

J. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-074; Authorizing Entering Into Agreement No. 1031080 With the State of Minnesota Department of Transportation for Work on Trunk Highway 13 Included in the County Highway 21 and Trunk Highway 13 Reconstruction Project Located in the City of Prior Lake. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

K. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-077; Awarding a Contract to H & R Construction Co. for County Project 99-17 for Sign Replacement Along Various County Highways. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

L. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-078; Authorizing Entering Into an Agreement With Coverall for Custodial Services for Scott County Facilities. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.
M. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-080; Approving Entering Into an Agreement With the Minnesota Pollution Control Agency for the 2019 Local Recycling Development Grant. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

N. Commissioner Wolf moved, seconded by Commissioner Beard to approve the record of disbursements and approve the claims made to Scott County from April 1, 2019 through April 30, 2019 in the amount of $9,271,283.46. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

O. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-082; Authorizing Scott County to Apply to the United States Department of Agriculture ReConnect Grant/Loan Rural Broadband Development Program and Naming the County Administrator as Authorized Agent on the Application. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

P. On the recommendation of the County Administrator, Commissioner Wolf moved, seconded by Commissioner Beard to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:
1. FT Probationary employment for Jesse Lee, Corrections Officer, Sheriff’s Office, effective 06/24/19.
2. FT Probationary employment for Martynas Sidlauskas, Corrections Officer, Sheriff’s Office, effective 06/10/19.
3. FT Temporary employment for Matelyn Flaschenriem, Administrative Assistant-Unclassified, Community Services Division, effective 05/13/19.
4. FT Temporary employment for Jacob Wacker, Program Delivery Seasonal, Transportation Services Division, effective 05/28/19.
5. FT Temporary employment for Charlie Lannon, Program Delivery Seasonal, Transportation Services Division, effective 05/20/19.
6. FT Temporary employment for Emily Krautkremer, Program Delivery Seasonal, Transportation Services Division, effective 05/13/19.
7. FT Temporary employment for Timothy Kaufhold, Program Delivery Seasonal, Transportation Services Division, effective 05/14/19.
8. FT Temporary employment for Breanna Anderson, Program Delivery Seasonal, Transportation Services Division, effective 05/06/19.
9. FT Temporary employment for Michael Bjick, Program Delivery Seasonal, Transportation Services Division, effective 05/20/19.
10. FT Temporary employment for Frank Bartyzal, Program Delivery Seasonal, Transportation Services Division, effective 05/21/19.
11. FT Temporary employment for Niles Case, Program Delivery Seasonal, Transportation Services Division, effective 05/20/19.
12. FT Temporary employment for Hannah Wiebold, Program Delivery Seasonal, Transportation Services Division, effective 06/10/19.
13. Intermittent (34% FTE) employment for Randy Hofstad, Part Time Deputy-Unclassified, Sheriff’s Office, effective 06/10/19.
14. Reclassification for Dana Anderson, FT Senior Tax Specialist to FT Principal Tax Specialist, Community Services Division, effective 05/06/19.
15. The recognition of the following individuals as volunteers which will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County:

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<tr>
<th>Add</th>
<th>Grace Arel</th>
<th>Stephanie Lohse</th>
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<tbody>
<tr>
<td>Mary Kneissel</td>
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<td>Kelly Bolling</td>
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<td>Karen Guinter</td>
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<td>Emily French</td>
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<td>Benjamin Malacko</td>
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The motion carried on a vote of four ayes with Commissioner Ulrich absent.
Commitment: Developing a High Quality Workforce That is Dedicated to Advancing a Safe, Healthy and Livable Community:

A. Vice Chair Beer presented Administrative Specialist Mary Schoenbauer a certificate in recognition of her upcoming retirement from her employment with Scott County.

Chair Weckman Brekke recessed the meeting at 10:54 a.m. for a reception honoring Ms. Schoenbauer and reconvened at 11:07 a.m.

Customer Service: Creating a Customer Experience That is Respectful, Responsive and Solution-Oriented:

Child Welfare Manager Suzanne Arntson provided an overview of the adult and child foster care program and stressed the need for more foster parents.

Scott County Foster Parent Cara Coburn spoke of her experiences providing foster care.

Commitment: Developing a High Quality Workforce That is Dedicated to Advancing a Safe, Healthy and Livable Community Continued:

B. Commissioner Beard moved, seconded by Commissioner Wolf to adopt Resolution No. 2019-075; Proclaiming May 19 – 25, 2019, as National Public Works Week in Scott County. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

Partnership: Aligning Existing Resources, Volunteers and Programs to Achieve Shared Goals:

In conjunction with National Public Works Week in Scott County, County Engineer Tony Winiecki presented information on the Adopt-A-Highway program which was started in Scott County in 1992. Volunteer groups agree to a three-year commitment to clean up a segment of highway at least twice a year. Currently 150 families and businesses help clean approximately 400 miles in Scott County.

Stewardship: Ensuring the Responsible and Stable Investment of Taxpayer Dollars and Communicating its Value to the Public:

Highway Division Program Manager Joe Wiita requested authorization to award contracts for the complete build-out of the Government Center 2 building. The scope of this bid package ranges from concrete foundations all the way through building finishes, including irrigation and landscaping surrounding the new building. Mr. Wiita confirmed the total contract award of $28,069,160 includes the bid for the plastic laminate casework work scope.

Commissioner Beard noted a satisfactory explanation has been given as to why the plastic laminate casework work scope was rejected in the original request but is now able to be awarded.

Commissioner Beard moved, seconded by Commissioner Wolf to adopt Resolution No. 2019-076; Authorizing the Government Center II Bid Package No. 2 Contract Awards for the Government Center Campus Project. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Ulrich absent.

Committee Reports and Commissioner Updates:

A. Commissioner Beard attended the Shakopee City Council meeting on May 7.
B. Commissioner Beard met with the Shakopee City Administrator on May 8.
C. Commissioner Beard attended the Suburban Counties Working Group meeting on May 8.
D. Commissioner Beard attended the Legislative Transportation Conference Committee meetings on May 8 and May 10.
E. Commissioners Beard, Beer, Wolf, and Weckman Brekke attended the Scott County Association for Leadership and Efficiency (SCALE) meeting on May 10.
F. Commissioner Beard attended the Minnesota Transportation Alliance meeting on May 13.
G. Commissioner Beard attended the Scott-Carver-Dakota Community Action Program meeting on May 14.
H. Commissioner Beard attended the SCALE Service Delivery meeting on May 20.
I. Commissioner Beer met with County Administrator Lezlie Vermillion on May 7.
J. Commissioners Beer and Wolf attended the Metropolitan Emergency Services Board meeting on May 8.
K. Commissioner Beer attended the Families and Individuals Sharing Hope (FISH) meeting on May 9.
L. Commissioner Beer attended the Prior Lake-Spring Lake Watershed District Board of Managers meeting on May 14.
M. Commissioner Beer participated in Delivering What Matters employee visits on May 15.
N. Commissioners Beer and Wolf and Ms. Vermillion met with the City of Prior Lake Mayor and City Manager on May 15.
O. Commissioners Beer and Wolf attended the Sheriff’s Office staff appreciation event on May 16.
P. Commissioners Beer, Wolf, and Weckman Brekke attended a treatment court graduation ceremony on May 20.
Q. Commissioner Wolf attended the New Market Town Board meeting on May 7.
R. Commissioner Wolf attended the I35W Solutions Alliance meeting on May 9.
S. Commissioner Wolf attended a Metropolitan Council tour of the Orange Line on May 9.
T. Commissioner Wolf met with a representative of the Minnesota Department of Transportation on May 9.
U. Commissioner Wolf attended the Spring Lake Town Board meeting on May 9.
V. Commissioner Wolf attended the Scott County Planning Advisory Commission meeting on May 13.
W. Commissioner Wolf met with Ms. Vermillion on May 17.
X. Commissioner Wolf attended the Prior Lake City Council meeting on May 20.
Y. Commissioners Beard, Beer, Wolf, and Weckman Brekke attended the County Board workshop on May 21.
Z. The Commissioners all attended the County Board workshop on May 7.
AA. Commissioner Weckman Brekke attended a meeting with County staff and Township officials regarding County ordinances on May 9.
AB. Commissioner Weckman Brekke attended the Resilient Communities end of the year celebration on May 9.
AC. Commissioner Weckman Brekke attended the Sheriff’s Reserves graduation and awards ceremony on May 9.
AD. Commissioner Weckman Brekke met with Ms. Vermillion on May 14.
AE. Commissioner Weckman Brekke assisted with collecting real estate tax payments on May 15.
AF. Commissioner Weckman Brekke attended the Metropolitan Library Service Agency meeting on May 16.
AG. Commissioner Weckman Brekke attended the Scott County Library Board of Advisors meeting on May 16.
AH. Commissioner Weckman Brekke attended the Dakota-Scott Workforce Development Board meeting on May 17.
AI. Commissioner Weckman Brekke met with the Extension Regional Director on May 17.
AJ. Commissioner Weckman Brekke attended the Human Services Resource Council meeting on May 20.

(14) County Administrator Update:
- County offices are closed Monday, May 27, in observance of Memorial Day.
- The Memorial Day flag raising ceremony is Tuesday, May 28, at 9:00 a.m.
- A County Board workshop regarding County parks is scheduled for June 4 following the County Board meeting.
- Groundbreaking for the Government Center Building Project is Wednesday, June 5, at 3:00 p.m.
• The County Board and the Scott County Parks Advisory Commission will have a joint workshop and park tour on Wednesday, June 5.
• The County Board and Belle Plaine City Council will have a joint workshop and tour on Thursday, June 6.
• The Annual Performance Report is complete and will be presented at a June County Board meeting.

(15) Commitment: Developing a High Quality Workforce That is Dedicated to Advancing a Safe, Healthy, and Livable Community Continued:

C. Chair Weckman Brekke announced the County Board will be meeting in a closed session to discuss and consider labor negotiation strategies for all bargaining units.

Chair Weckman Brekke recessed the meeting at 11:51 a.m. and reconvened at 1:49 p.m.

Chair Weckman Brekke announced the purpose of the closed session was to discuss and consider labor negotiation strategies for all bargaining units. Those in attendance were: Commissioner Weckman Brekke, Commissioner Wolf, Commissioner Beard, Commissioner Beer, County Administrator Lezlie Vermillion, Chief Financial Officer/Deputy County Administrator Danny Lenz, Employee Relations Director Lori Huss, Labor Relations Manager Pam Johnson, Principal Analyst Steve Jones, Senior Attorney Todd Zettler, and Deputy Clerk to the Board Debra Brazil.

On a motion by Commissioner Wolf, seconded by Commissioner Beer, the meeting adjourned at 1:49 p.m.

Barb Weckman Brekke
Chair

Lezlie A. Vermillion
County Administrator
Clerk of the Board

Debra K. Brazil
Deputy Clerk to the Board
**AGENDA #5.1**  
**SCOTT COUNTY, MINNESOTA**  
**REQUEST FOR BOARD ACTION**  
**MEETING DATE: JUNE 4, 2019**

| ORIGINATING DIVISION: | Planning & Res. Mgmt.  
<table>
<thead>
<tr>
<th>Zoning Administration</th>
<th>ORIGINATING DEPARTMENT:</th>
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<tbody>
<tr>
<td>PRESENTER:</td>
<td>Marty Schmitz - 8349</td>
</tr>
</tbody>
</table>
| CONSENT AGENDA: | Yes  
| No | |
| ATTACHMENTS: | Yes  
| No | |
| PROJECT: | Doucette 2nd Addition |
| TIME REQUESTED: | |
| ACTION REQUESTED: | Approve the Preliminary and Final Plat of Doucette 2nd Addition Consisting of 1 Lot on 11.5 Acres, Paul and Cheryl Doucette, Applicants and Property Owners, in Section 28 of Louisville Township |
| CONTRACT/POLICY/GRANT: | County Attorney Review  
| Risk Management Review | FISCAL: |
| Finance Review  
| Budget Change | |

**ORGANIZATIONAL VALUES:**

- Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

**DEPARTMENT/DIVISION HEAD SIGNATURE:**  
**COUNTY ADMINISTRATOR SIGNATURE:**

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**Background/Justification:**

The purpose of this agenda item is to approve the preliminary and final plat of Doucette 2nd Addition consisting of 1 lot on 11.5 acres, Paul and Cheryl Doucette, applicants and property owners, in Section 28 of Louisville Township.

This action was recommended by the Scott County Planning Advisory Commission on March 11, 2019, in accordance with Chapters 2 and 60 of Scott County Zoning Ordinance No. 3 based on the criteria for approval listed below.

**Fiscal Impact:** None
Criteria for Approval:

1. **Adequate Drainage** – the proposed plat meets all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance.

2. **Adequate Potable Water Supply** – the proposed plat, utilizing individual wells, meets the requirements of the zoning and subdivision ordinances.

3. **Adequate Roads or Highways to Serve the Subdivision** – the property currently utilizes a shared driveway access onto State Trunk Highway 169. The 169/41/14 interchange and frontage road project currently under construction will relocate the access from Trunk Highway 169 to the frontage road later this year.

4. **Adequate Waste Disposal Systems** – the proposed lot meets all requirements of the individual sewage treatment system ordinance.

5. **Consistency with the Comprehensive Plan** – the proposed plat conforms to the goals and policies contained in the 2030 Comprehensive Plan for the development in the Commercial/Industrial and Urban Expansion Areas.

6. **Public Service Capacity** – the proposed development does not adversely impact the public service capacity of local service providers.

7. **Consistency with the Minnesota Environmental Quality Board's Policies** – the proposal does not require any environmental review and is therefore consistent with the policies of the Minnesota Environmental Quality Board.

8. **Consistency with Capital Improvement Plans** – the proposed plat is not requiring any county funded road improvements; therefore it is consistent with the County’s capital improvement plan.

And noting that Louisville Township recommended approval of the request.
DOUCETTE 2ND ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Cheryl L. Doucette and Paul E. Doucette, wife and husband, owners of the following described property:

Lot 1, Block 1, DOUCETTE ADDITION, Town of Eden, Scott County, Minnesota, described as the northwestern quarter of the northwestern quarter of Section 35, Township 118, Range 36, Scott County, Minnesota, as shown on the official plat of the same, made by the West Coast Land Surveyor, Scott County, Minnesota, and recorded in the Office of the Register of Deeds of Scott County, Minnesota, Series 35, Volume 12, Page 59, and

now called the same to be conveyed and granted to CHERYL L. DOUCETTE and PAUL E. DOUCETTE, wife and husband, for the use, use and enjoyment of said property, the said Cheryl L. Doucette and Paul E. Doucette, wife and husband, and their heirs and assigns.

This instrument was acknowledged before me on the ___ day of ____________, 20___ by Cheryl L. Doucette and Paul E. Doucette, wife and husband.

__________________________
Notary Public, County
By commissioner expires January 31, 20___

STATE OF MINNESOTA
CITY OF

This instrument was acknowledged before me on the ___ day of ____________, 20___ by Arthur A. Carney, Licensed Land Surveyor.

__________________________
Notary Public, County
By commissioner expires January 31, 20___

TOWN BOARD

This plat was approved and recorded by the Town Board of Lakeville Township on the ___ day of ____________, 20___, and is in compliance with the provisions of Minnesota Statutes, Section 481.05, Subd. 2.

__________________________
Chair
__________________________
Secretary

SCOTT COUNTY BOARD

I hereby certify that the Board of Commissioners of Scott County, Minnesota, approved this plat of DOUCETTE 2ND ADDITION, by resolution of a meeting thereof on the ___ day of ____________, 20___.

__________________________
Commissioner

SCOTT COUNTY ATTORNEY

I hereby certify that I have examined this plat of DOUCETTE 2ND ADDITION, and do hereby recommend this plat for approval as to form, on the ___ day of ____________, 20___.

__________________________
Attorney

SCOTT COUNTY SURVEYOR

Pursuant to Minnesota Statutes, Section 386.02, Subd. 1, as amended, this plat has been approved this ___ day of ____________, 20___.

__________________________
Surveyor

SCOTT COUNTY AUDITOR/TREASURER

I hereby certify that all the real and personal taxes in the lands described herein are paid and the transfer herein is paid and marked duly executed this ___ day of ____________, 20___.

__________________________
Auditor/Treasurer

SCOTT COUNTY RECORDER

I hereby certify that this plat was recorded in the office of the County Recorder for record on the ___ day of ____________, 20___, as Document No. ____________.

__________________________
Recorder

SUNDE LAND SURVEYING

SUNDAY 1 OF 400
TOWNSHIP RECOMMENDATION FORM

On March 7, 2019, the Town Board of Louisville Township discussed with Paul Doucette, the request for a recommendation of approval for amendment to CUP to add inside/outside storage, and approval of Preliminary and Final plat of Doucette 2nd Addition.

After reviewing the Request, the Town Board:

X RECOMMENDS APPROVAL WITH THE FOLLOWING CONDITIONS: see attached Memorandum from Collaborative Planning, LLC

________

________

________

RECOMMENDS DISAPPROVAL FOR THE FOLLOWING REASONS:

________

________

HAS NO RECOMMENDATION, BUT WILL FORWARD THE REQUEST TO THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT.

Signed:

Cheryl Doucette, Clerk

Doug [Signature] Supervisor

[Signature] Supervisor
MEMORANDUM

TO: Louisville Township
FROM: Cindy Nash, AICP, Town Planner
DATE: March 7, 2019
SUBJECT: Doucette Preliminary Plat and amendment to CUP

I’ve reviewed the plans and County staff memo, and have the following suggested comments:

1. An easement should be added to the preliminary plat over the stormwater pond and infiltration basin.

2. An agreement between the property owner and the Township related to pond/infiltration construction and maintenance of the pond will be required to be executed.

3. Please confirm the ownership of the property at the time the plat will be recorded. The signature page on the plat may need to be changed to add the adjacent property owner that is conveying the property to the Doucettes.
PERMANENT STORMWATER MAINTENANCE AGREEMENT

THIS AGREEMENT is made and entered into as of the 28th day of May 2019 by and between Paul and Cheryl Doucette, husband and wife, (collectively the "Applicant") and Louisville Township, a political subdivision of the State of Minnesota (the "Township").

WITNESSETH:

WHEREAS, the Applicant owns certain real property located in Scott County, Minnesota, as legally described on attached Exhibit A; and

WHEREAS, the Applicant intends to construct within the Property certain stormwater improvements (the "Stormwater Improvements") for the benefit of the Property; and

WHEREAS, the Stormwater Improvements consist of treatment and infiltration basins and other improvements for stormwater purposes which must receive periodic maintenance and inspections in order to remain effective; and

WHEREAS, the Township and the Applicant intend to comply with certain conditions, including entering into a maintenance agreement regarding the Stormwater Improvements.

NOW, THEREFORE, in consideration of mutual covenants of the parties set forth herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Installation of Stormwater Improvements.** Applicant shall install the Stormwater Improvements as shown on the “Resource Management Plan” dated January 29, 2019 and “Grading Plan” dated February 18, 2019 both prepared by Sunde Engineering which are attached hereto as Exhibit B and incorporated herein by reference.

2. **Maintenance of the Stormwater Improvements.** The Applicant and its successor or assigns as fee owner of the Property shall be responsible for maintaining the Stormwater
Improvements and for observing all drainage laws governing the operation and maintenance of
the Stormwater Improvements. The Applicant and/or its successors or assigns shall complete
inspections of the Stormwater Improvements at least once annually and shall keep record of all
inspections and maintenance activities, and submit such records to the Township upon request.
Maintenance activities may consist of removal of sediment and re-establishment of plantings,
nxious weed removal, debris removal, and other activities. The cost of all inspections and
maintenance shall be the obligation of the Applicant and its successors or assigns as the fee
owner of the Property.

3. **Permanent Drainage & Maintenance Easement.** Applicant’s plat shall convey to
the Township a drainage and maintenance easement area in a location and form acceptable to both
the Town Engineer and Town Attorney for access to and the maintenance of the stormwater
improvements.

4. **Township’s Maintenance Rights.** The Township may maintain the Stormwater
Improvements, as provided in this paragraph, if the Township reasonably believes that the
Applicant or its successors or assigns has failed to maintain the Stormwater Improvements in
accordance with applicable drainage laws and other requirements and such failure continues for
30 days after the Township gives the Applicant written notice of such failure. The Township’s
notice shall specifically state which maintenance tasks are to be performed. If Applicant or its
successors or assigns do not complete the maintenance tasks within 30 days after such notice is
given by the Township, the Township shall have the right to enter upon the drainage &
maintenance easement area to perform such maintenance tasks. In such case, the Township shall
send an invoice of its reasonable maintenance costs to the Applicant or its successors or assigns,
which shall include all staff time, engineering and legal and other costs and expenses incurred by
the Township. If the Applicant or its assigns fails to reimburse the Township for its costs and
expenses in maintaining the Stormwater Improvements within 30 days of receipt of an invoice
for such costs, the Township shall have the right to assess and/or certify the full cost thereof
against the Property. The Applicant, on behalf of itself and its successor and assigns,
acknowledges that the maintenance work performed by the Township regarding the Stormwater
Improvements benefits the the Property in an amount which exceeds the assessment/certification
and hereby waives any right to a hearing or notice and the right to appeal the
assessments/certifications otherwise provided by Minnesota Statutes Chapter 429, Minn. Stat. §
366.012 or other relevant statutes. Notwithstanding the foregoing, in the event to an emergency,
as determined by the Township Engineer, the 30-day notice requirement to the Applicant for
failure to perform maintenance tasks shall be and hereby is waived in its entirety by the
Applicant, and the Applicant shall reimburse the Township and be subject to
assessment/certification for any expense so incurred by the Township in the same manner as if
written notice as described above has been given.

4. **Hold Harmless.** The Applicant or its successors or assigns hereby agrees to
indemnify and hold harmless the Township and its agents and employees against any and all
claims, demands, losses, damages, and expenses (including reasonable attorneys’ fees) arising
out of or resulting from the Applicant’s or the Applicant’s agents or employee's negligent or
intentional acts, or any violation of any safety law, regulation or code in the performance of this
Agreement, without regard to any inspection or review made or not made by the Township, its
agents or employees or failure by the Township, its agents or employees to take any other prudent precautions. In the event the Township, upon the failure of the Applicant or its successors or assigns to comply with any conditions of this Agreement, performs said conditions pursuant to its authority in this Agreement, the Applicant or its successors or assigns shall indemnify and hold harmless the Township, its employees, agents and representatives for its own negligent acts in the performance of the Applicant or its successors or assigns' required work under this Agreement, but this indemnification shall not extend to intentional or grossly negligent acts.

5. **Costs of Enforcement.** The Applicant or its successors or assigns agree to reimburse the Township for all costs incurred by the Township in the enforcement of this Agreement, or any portion thereof, including court costs and reasonable attorneys' fees.

6. **Notice.** All notices required under this Agreement shall either be personally delivered or be sent by certified or registered mail and addressed as follows:

   To the Applicant:  
   Paul & Cheryl Doucette  
   14501 Johnson Memorial Drive  
   Shakopee, MN 55379  
   (952) 496-2158  
   pcenterprises@gmail.com

   To the Township:  
   Louisville Township  
   14341 Johnson Memorial Drive  
   Shakopee, MN  55379

All notices given hereunder shall be deemed given when personally delivered or two business days after being placed in the mail properly addressed as provided herein.

7. **Successors.** All duties and obligations of Applicant under this Agreement shall also be duties and obligations of Applicant's successors and assigns. The terms and conditions of this Agreement shall run with the Property.

8. **Effective Date.** This Agreement shall be binding and effective as of the date hereof.

---

**APPLICANT**

[Signature]

By: **Paul Doucette**

---

**APPLICANT**

[Signature]

By: **Cheryl Doucette**
STATE OF MINNESOTA  
COUNTY OF SCOTT  

The foregoing instrument was acknowledged before me this 28 day of May 2019, by Paul Doucette.

\[Signature\]  
Notary Public

STATE OF MINNESOTA  
COUNTY OF SCOTT  

The foregoing instrument was acknowledged before me this 28 day of May 2019, by Cheryl Doucette.

\[Signature\]  
Notary Public

LOUISVILLE TOWNSHIP

By:  
John Weckman, Chairman

And by:  
Cheryl Doucette, Town Clerk

STATE OF MINNESOTA  
COUNTY OF SCOTT  

4
The foregoing instrument was acknowledged before me this 28th day of May 2019, by John Weckman and Cheryl Doucette, the Chairman and Town Clerk of Louisville Township on behalf of the Louisville Township Board of Supervisors.

This instrument was drafted by:
Couri & Ruppe, P.L.L.P.
705 Central Avenue East
PO Box 369
St. Michael, MN 66476-0369
Phone: (763) 497-1930

Notary Public
<table>
<thead>
<tr>
<th>ORIGINATING DIVISION:</th>
<th>Planning &amp; Res. Mgmt. Zoning Administration</th>
<th>CONSENT AGENDA:</th>
<th>Yes</th>
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<td>Planning &amp; Res. Mgmt. Zoning Administration</td>
<td>ATTACHMENTS:</td>
<td>Yes</td>
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<tr>
<td>PRESENTER:</td>
<td>Marty Schmitz - 8349</td>
<td>TIME REQUESTED:</td>
<td></td>
<td></td>
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<tr>
<td>PROJECT:</td>
<td>Doucette CUP Amendment</td>
<td>ACTION REQUESTED:</td>
<td>Approve an Amendment to Conditional Use Permit #PL2019-00 to Expand the Permit Area and Construct a Building for Indoor Storage Rental, Paul and Cheryl Doucette, Applicants and Owners, in Section 28 of Louisville Township</td>
<td></td>
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<td>CONTRACT/POLICY/GRANT:</td>
<td>County Attorney Review</td>
<td>FISCAL:</td>
<td>Finance Review</td>
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<tr>
<td></td>
<td>Risk Management Review</td>
<td></td>
<td>Budget Change</td>
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</tr>
</tbody>
</table>

**ORGANIZATIONAL VALUES:**
- [ ] Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- [ ] Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- [ ] Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- [ ] Commitment: Developing a high quality workforce that is dedicated to advancing a safe, healthy and livable community
- [ ] Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- [ ] Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

**DEPARTMENT/DIVISION HEAD SIGNATURE:**

**COUNTY ADMINISTRATOR SIGNATURE:**

**DISTRIBUTION/FILING INSTRUCTIONS:**

<table>
<thead>
<tr>
<th>Approved:</th>
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<tbody>
<tr>
<td>Deputy Clerk:</td>
<td>Date:</td>
<td></td>
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**Background/Justification:**

The purpose of this agenda item is to approve an Amendment to Conditional Use Permit #PL2019-00 to expand the permit area and construct a building for indoor storage rental, Paul and Cheryl Doucette, applicants and owners, in Section 28 of Louisville Township.

This action was recommended by the Scott County Planning Advisory Commission on March 11, 2019, in accordance with Chapters 2 and 60 of Scott County Zoning Ordinance No. 3 based on the criteria for approval and the amended conditions listed below.

**Fiscal Impact:** None
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION

Paul and Cheryl Doucette, Applicants and Owners

Conditional Use Permit Amendment

Criteria for Approval (Chapters 2 & 60):

1. The use will not create an excessive burden on public facilities and utilities that serve or are proposed to serve the area.
   
   The proposed operation utilizes US 169 for access. When the frontage road is complete later this year the site access to US 169 will be removed and all access will be from the frontage road.

2. The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.
   
   The use is located in Industrial zone adjacent to US 169. Adjacent land uses are generally industrial or vacant land. The closest home to the use is about 2,000’ away. The applicants will install landscaping and screening as required by the Scott County Zoning Ordinance.

3. Each structure or improvement is so designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.
   
   The site development is consistent with industrial development in the area and will not hinder the orderly and harmonious development in the area.

4. The use is consistent with the purposes of the Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
   
   The use is consistent with the uses allowed as a CUP in the I-1, Rural Industrial District.

5. The use is not in conflict with the Comprehensive Plan of Scott County.
   
   The Comprehensive Plan guides this property as Commercial/Industrial Area so the proposed use is allowed within this area.

6. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide sufficient on-site parking.
   
   The proposed operation utilizes US 169 for access. When the frontage road is complete later this year the site access to US 169 will be removed and all access will be from the frontage road.

7. Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.
   
   The proposed business will utilize an individual well and private sewage treatment system, as well as storm water infiltration areas.

8. All buildings/structures must meet the intent of the State Building Code and/or fire codes.
   
   The proposed building will require building permits and review by the Scott County Building Department for conformance to the State Building Code.

Amended CUP #PL2019-00 Conditions of Approval: (new conditions are underlined and deletion are shown in strikethrough)

1. The applicant is to file a statement with the Scott County Planning Office in January of each year indicating that they are in compliance with the conditions of the Conditional Use Permit. Failure to do so may be a basis for revocation of the Conditional Use Permit.
2. If ownership of the building changes, the new owner shall contact the Township Board and the County Planning Office to review the conditions of the Conditional Use Permit.

3. Oils, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.

4. Adequate parking shall be provided on site.

5. Only domestic sewage may be discharged to the septic tank/drainfield. All wastewater from commercial industrial floor drains and non-domestic sink sources shall be pumped to a holding tank unless otherwise approved in writing by the Scott County Environmental Health Office.

6. The property shall be maintained in a neat and orderly manner.

7. Signage shall conform to the Scott County Sign Ordinance and within 6 months of approval of the amended CUP the existing advertising sign shall be improved in compliance with the sign plans (exhibit A).

8. The operation shall be conducted according to the applicants revised site plan, Resource Management Plan dated January 29, 2019, and Landscaping plan.

9. All solid waste shall be managed according to the Scott County Solid Waste Ordinance.

10. Outside storage shall be screened from Highway 169 and the frontage road. The site must be maintained to control weeds.

11. All berms shall be graded to a slope of three to one or flatter and will be maintained.

12. All street sweepings must be stored within the area designated on the site plan as street sweepings.

13. No salvage vehicles can be stored on the site and no trailers can be used for storage equipment or other items.

14. Eighty (80) feet of road right-of-way will be required to be preserved on the southern boundary of this property for a possible future frontage/backage road for Highway 169.

15. Building inspections staff will verify the flammable waste traps are functioning at the time a tenant applies to occupy the building.

16. Estimated additional water use by the prospective tenant will be reviewed by the Environmental Health Department before that tenant would be allowed to occupy the building.

17. If an occupancy category change is proposed by a tenant, building codes in effect at the time which the occupancy category changes will need to be met prior to approval of the occupancy category change.

18. A 60’ radius turnaround is required for emergency vehicles and said vehicles must be able to access all sides of the existing buildings.

19. The office area in the building shall be removed prior to the a tenant leasing the building.

20. At any time when prospective tenants are applying to occupy the building, the applicant, Mr. Doucette, will be required to meet with Planning Department, Building Inspections Department, Environmental Health Department and Louisville Township to make sure the proposed use of the building and site by the tenant is compatible with the structure, CUP, service capacity, and zoning requirements applicable to the property.

21. All exterior lighting shall conform to the Scott County lighting standards.
22. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.

23. The Louisville Town Board may conduct an annual review of the business to ensure that they are in compliance with the conditions of the CUP.

24. The consignment lot shall be removed within 4 months of approval of the amended CUP.

And noting that: The Town Board of Louisville recommended the approval of the Amended Conditional Use Permit.
LANDSCAPE PLAN FOR PAUL AND CHERYL DOUCETTE
On March 7, 2019 the Town Board of Louisville Township discussed with Paul Doucette, the request for a recommendation of approval for amendment to CUP to add Inside/Outside Storage, and approval of Preliminary & Final plat of Doucette 2nd Addition.

After reviewing the Request, the Town Board:

X RECOMMENDS APPROVAL WITH THE FOLLOWING CONDITIONS: See attached Memorandum from Collaborative Planning, LLC

RECOMMENDS DISAPPROVAL FOR THE FOLLOWING REASONS:

HAS NO RECOMMENDATION, BUT WILL FORWARD THE REQUEST TO THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT.

SIGNED:

Cheryl Doucette  CLERK   John [illegible] SUPERVISOR

Dol [illegible] SUPERVISOR
I’ve reviewed the plans and County staff memo, and have the following suggested comments:

1. An easement should be added to the preliminary plat over the stormwater pond and infiltration basin.

2. An agreement between the property owner and the Township related to pond/infiltration construction and maintenance of the pond will be required to be executed.

3. Please confirm the ownership of the property at the time the plat will be recorded. The signature page on the plat may need to be changed to add the adjacent property owner that is conveying the property to the Doucettes.
AGENDA #5.3
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: JUNE 4, 2019

ORIGINATING DIVISION: Planning & Res. Mgmt.  
ORIGINATING DEPARTMENT: Zoning Administration

CONSENT AGENDA: ☑ Yes  ☐ No

PRESENTER: Greg Wagner - 8360

ATTACHMENTS: ☑ Yes  ☐ No

PROJECT: Boettcher - Accessory Dwelling Unit IUP

TIME REQUESTED: ☑ Yes  ☐ No

ACTIONS REQUESTED: Approve the Request for an Interim Use Permit, Adam and Crystal Boettcher, Applicants and Owners, to Add a Detached Accessory Dwelling Unit at 27290 Vergus Avenue, Cedar Lake Township

CONTRACT/POLICY/GRANT: ☐ County Attorney Review  ☑ Risk Management Review

FISCAL: ☑ Finance Review  ☐ Budget Change

ORGANIZATIONAL VALUES:
☐ Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
☐ Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
☑ Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
☐ Commitment: Developing a high quality workforce that is dedicated to advancing a safe, healthy and livable community
☐ Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
☐ Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

DEPARTMENT/DIVISION HEAD SIGNATURE:  COUNTY ADMINISTRATOR SIGNATURE:

Approved:  

Denied:  

Tabled:  

Other:  

Deputy Clerk:  

Date:  

BACKGROUND/JUSTIFICATION:
The purpose of this agenda item is to approve the request for an Interim Use Permit, Adam and Crystal Boettcher, applicants and owners, to add a detached accessory dwelling unit at 27290 Vergus Avenue, Cedar Lake Township.

This action was recommended by the Scott County Planning Advisory Commission on May 13, 2019 in accordance with Chapters 2, 7, and 40 of Scott County Zoning Ordinance No. 3 based on the criteria listed below:

Fiscal Impact: None
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION

Adam & Crystal Boettcher, Applicants and Owners

Interim Use Permit

Criteria for Approval:

1. The use will not create a burden on public facilities and utilities, which serve or are proposed to serve the area.

The proposed use will not have a significant impact to the public facilities that serve the property and the surrounding area.

2. The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.

The applicants are constructing an accessory building that will have a similar style to a rural pole barn. The building location is also screened by woodlands on the property’s north and west sides, and is located behind the home.

3. If improvements are made, they shall be so designated and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.

As indicated the structure will be designed with a pole style so as to fit with the rural character of the surrounding properties and within the RR-1 zoning district in Cedar Lake Township.

4. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide on-site parking.

The property will continue to use the existing driveway to Vergus Avenue.

5. Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.

Adequate water supply and sewage treatment are available on site. The ADU will be connected to the existing well and existing septic drainfield system as required by the MN Department of Health and Scott County Environmental Services. The septic system was oversized to accommodate the additional bedroom in the ADU.

6. All buildings/structures must meet the intent of the State Building Code and/or fire codes.

A building permit is required for the construction of the accessory building. The building will be constructed to all state and county codes.
Conditions of Approval:

1. This IUP is issued to Adam and Crystal Boettcher for a detached Accessory Dwelling Unit (ADU) to be added to their property. This ADU shall only be occupied by a family member related by blood, marriage, or adoption.

2. The applicants are to file with the Scott County Planning Office in January of each year a statement indicating that they are in compliance with the conditions of this Interim Use Permit. This shall include an annual verification that the persons living in the ADU are family members.

3. This IUP may be annually reviewed by the Township at a time and in a manner as prescribed by the Cedar Lake Township Board.

4. The applicants shall pay an annual inspection fee for the IUP, if and when the County adopts an inspection fee ordinance.

5. The ADU shall be connected to a compliant septic drain field system as required by County Ordinance and Scott County Environmental Health.

6. The structure utilized for the ADU shall meet the requirements of the Scott County Building Official and the State Building Code.

7. The IUP shall be reviewed for termination when the property is sold, further subdivided, rezoned, or upon notification that the ADU is no longer occupied by a family member as outlined in condition #1 above.

And noting that the Town Board of Cedar Lake recommended approval of the request (per meeting minutes).
Accessory dwelling unit

With aging parents we where looking at putting up an accessory dwelling unit on our property, but wanted to maintain the rural look. We started looking at ways to do this so we could provide a space for our parents that would be close enough for us to help care for them as they get older, while still allowing them to maintain independent living.

We wanted to maintain the way our property looked and with a old barn that is disrepair we decided the best option would be to take down the old barn and put up a new building. This would allow the property to maintain it’s rural look while providing a space for our parents to live and giving us the building we need to have warm and cold storage.

The building would be 40’x80’. The first part of the building, which would be 22’x40’, would be where the accessory dwelling unit would exist in the building. The accessory dwelling unit would provide them with a bedroom and office space, living room, kitchen, laundry, half bath and powder room. They are in need of the extra toilet as there are often times they are both needing to use the bathroom at the same time due to irritable bowel syndrome. There would also be a 10 x 40 area that would be warm storage and an area for mechanical’s. The remainder of the building would be cold storage.

We are a family of 7 so even after our parents pass on, we would likely have one of our five children use the space to live in while they work or go to college. If for any reason a family member would not be using it, we would simply convert it to a shop/art studio by removing the walls to the rooms and taking out the half bath.

Thank you for your time and consideration.

With best regards,

Adam & Crystal Boettcher
27290 Vergus Ave
New Prairie, MN 56071
CEDAR LAKE TOWNSHIP
Monthly Meeting Minutes
Tuesday, July 10, 2018

Chairman, Joe Lambrecht called meeting to order: 7:00PM
Pledge of Allegiance:
Roll Call:

Cedar Lake Township Officers Present:
Chairman, Joe Lambrecht
Supervisor, Rob Puncochar
Supervisor, Joe Capaul
Clerk, Lorie Speltz
Treasurer, Karen Tupy

Also Present: Adam & Crystal Boettcher, Steve, Math T. Sirek Jr. Norman Sticha, Rick Jones, Paula Anderson

Minutes Approval: For June 5, 2018 monthly meeting were approved by a motion Supervisor, Joe Capaul and Supervisor, Rob Puncochar second all in favor, (3-0) motion carried.

Treasurer’s Report: Total Book Balance June $ 321,308.55, was given by Treasurer Karen Tupy. With no further discussion/questions Supervisor, Rob Puncochar made motion to approve the treasurer report, Supervisor, Joe Capaul second all in favor, (3-0) motion carried.

Informational:
- Sheriff Report: Duane Jirik reported nothing out of the ordinary they received 51 calls for the month of May
- County Commissioner Report: Tom Wolf, working on Roundabout 46 & 86

New Business:
- Issued Driveway Refund to Darin Pavek Permit #437 and Paul Hanzel Permit #426
- Quotation from Newman Sign (1 Special Sign and 10 Cedar Lake Township)
- Crystal Boettcher is all good with the township board in regards to an accessory dwelling unit.
- Roman Kubes has plugged Culvert on 270th and Vergus, Rick Jones will take care of plugged culvert
- Review Utilities Application; Motion to approve updated Utilities Permit: Change to Double permit fee for not obtaining a right-a-way; move to on-going business.
- Signature approved for Utilities Permit UO 109 MVEC Country Hollows
- Deferred Property Lot 2, Block 1 Grandpas Haven 2013 230th Street Assessment payoff balance due with any other terms; yes, use compound interest - work with county to confirm.
- Scott County is asking if Townships are wanting to sign off on Solar System install (Roof/Ground Mounts) applications before Scott County Building Dept. issues application; Township board has no interest at this time.
- Scott County City View Township Permit Report for June 2018

On Going Business
- Great River Energy Escrow: Greg Halling to follow up on project for refund wants it in writing from Great River Energy
- THW 13 Turn Lane Project SP 7001-120 Greg Halling (Supervisor, Rob Puncochar has email on erosion.
Follow up with Helena Township Meeting June 21st regarding Town Line Road Maintenance Agreement for Jeff Krocak Tree Removal needed on Baseline Ave, may hold off until late fall/ winter, will meet with Helena township.

Business from the Floor
- Steve inquiring of 24X30 Cross Traffic sign
- Glen Neuburger would like to take a survey from other township lot fee - (2040 Plan)
Background/Justification:
The purpose of this agenda item is to approve Grant Agreement Amendment No. 1 and receive funding from the Minnesota Department of Health for the 2019 - 2020 Public Health Emergency Preparedness (PHEP) and Cities Readiness Initiative (CDI) Grants.

The five year Contract is amended annually to allocate the supplemental federal funding. The PHEP grant award is $77,878 and the CRI grant award is $24,811 for the period July 1, 2019 through June 30, 2020.
The purpose of the PHEP and CRI Grants is to support and enhance the infrastructure critical to public health preparedness and response through:

- Ensuring continuity of public health functions; and
- Strengthening and sustaining the public health workforce; and
- Accommodating the surge in healthcare demand; and
- Planning and implementing possible Medical Countermeasure Dispensing Plans; and
- Developing effective and efficient public and risk communication; and
- Developing effective and efficient community mitigation strategies; and
- Purchasing and procuring related equipment/supplies for protecting the public’s health.

Public Health at Scott County has a vital role in preparing for and responding to ongoing and emerging public health emergencies.

The upcoming year will be focused on planning for the full-scale mass dispensing exercise, such as a county-wide vaccination deployment, scheduled for June 7, 2020.

**Fiscal Impact:**

No fiscal impact. Funding for grant year July 1, 2019 to June 30, 2020 is $102,689. This amount will continue to fund a 1.0 full time equivalent position and associated expenses and is in line with the $106,114 Scott County received the previous year. Revenue and corresponding expense are included in the 2019 budget and will be included in the 2020 budget. Impact to the County budget is levy neutral.
**Background/Justification:**

The purpose of this agenda item is to adopt Resolution No. 2019-084; Authorizing Final Payment to S.M. Hentges & Sons, Inc. for the Construction of Paved Crossovers on Trunk Highway (TH) 169.

The project work involved the completion of constructing paved crossovers on TH 169 between northbound and southbound lanes. These crossovers consisted of a patch of pavement in the median that would allow traffic to cross over into the opposite lanes during construction. This work was done in advance of the TH 41/169 interchange project to set up traffic control for that project.
Staff recommends approval of the final contract amount. All work has been performed satisfactorily and the necessary closeout documentation has been completed by the contractor and reviewed by the County Engineer.

The bid was $755,892.20 awarded by the County Board on June 29, 2018 under Resolution 2018-096. The final contract amount is $728,965.91. To date $727,965.91 has been paid to the contractor, leaving a balance of $1,000.00 to be paid to the contractor.

The funding for this project included $500,000.00 in federal funding and the remaining $228,965.91 was funded with the transportation tax as a part of the CP169-06 project in 2018 in the 2018-2027 Transportation Improvement Program. The $26,926.30 of unexpended transportation tax funds will be reprogrammed through the Transportation Improvement Program to other sales tax eligible projects.

**Fiscal Impact:**

None
RESOLUTION NO. 2019-084; AUTHORIZING FINAL PAYMENT TO S.M. HENTGES & SONS, INC.
FOR THE CONSTRUCTION OF PAVED CROSSOVERS ON TRUNK HIGHWAY 169

WHEREAS, the project construction completed paved crossovers on Trunk Highway 169 between northbound and southbound lanes which consisted of a patch of pavement in the median that would allow traffic to cross over into the opposite lanes during construction; and

WHEREAS, the final contract amount was $728,965.91 and the original bid was $755,892.20; and

WHEREAS, all work has been performed satisfactorily and the necessary closeout documentation has been completed by the contractor and reviewed by the County Engineer; and

WHEREAS, to date $727,965.91 has been paid to the contractor, leaving a balance due of $1,000.00.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners in and for the County of Scott, Minnesota, that we do hereby accept said completed project and authorize final payment to S.M. Hentges & Sons, Inc. in the amount of $1,000.00.

---

**COMMISSIONERS** | **VOTE**
--- | ---
Weckman Brekke | Yes | No | Absent | Abstain
Wolf | Yes | No | Absent | Abstain
Beard | Yes | No | Absent | Abstain
Beer | Yes | No | Absent | Abstain
Ulrich | Yes | No | Absent | Abstain

---

State of Minnesota)
County of Scott  )

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 4th day of June, 2019 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 4th day of June, 2019.

_________________________  ____________________________
County Administrator  Administrator’s Designee
**AGENDA #5.6**  
**SCOTT COUNTY, MINNESOTA**  
**REQUEST FOR BOARD ACTION**  
**MEETING DATE: JUNE 4, 2019**

<table>
<thead>
<tr>
<th>ORIGINATING DIVISION:</th>
<th>ORIGINATING DEPARTMENT:</th>
<th>CONSENT AGENDA:</th>
<th>ATTACHMENTS:</th>
<th>TIME REQUESTED:</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Transportation Services</td>
<td>☑ Yes</td>
<td>☑ Yes</td>
<td>N/A</td>
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<td></td>
<td>Highway Department-</td>
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<td>Program Delivery</td>
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<tr>
<td>PRESENTER:</td>
<td>Tony Winiecki - 8008</td>
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<tr>
<td>ACTION REQUESTED:</td>
<td>CP TURNLANES</td>
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<tr>
<td></td>
<td>Adopt Resolution No. 2019-086; Awarding a Contract to Valley Paving, Inc. for the Construction of Bypass and Turn Lanes at Various Intersections Along County Highways 8 and 27</td>
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<tr>
<td>CONTRACT/POLICY/GRANT:</td>
<td>☑ County Attorney Review</td>
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<tr>
<td></td>
<td>☑ Risk Management Review</td>
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<td>FISCAL:</td>
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<td></td>
<td>☑ Budget Change</td>
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</table>

**ORGANIZATIONAL VALUES:**

- ☑ Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- ☑ Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- ☑ Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- ☑ Commitment: Developing a high quality workforce that is dedicated to advancing a safe, healthy and livable community
- ☑ Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- ☑ Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

**DEPARTMENT/DIVISION HEAD SIGNATURE:**

**COUNTY ADMINISTRATOR SIGNATURE:**

---

**Background/Justification:**

The purpose of this agenda item is to adopt Resolution No. 2019-086; Awarding a Contract to Valley Paving, Inc. for the Construction of Bypass and Turn Lanes at Various Intersections Along County Highways (CH) 8 and 27.

Scott County applied for and received Highway Safety Improvement Program (HSIP) funding to install bypass lanes and/or right turn lanes on Scott County highways at rural T-intersections. The County was awarded $1,603,800 in Federal Funds for the project from the 2014 Regional Solicitation. This project is a proactive safety project, which is a project designed to add facilities to a roadway that will improve traffic operations and...
The overall goal of the program is to improve highway safety and increase performance on all public roads.

The County took a corridor safety improvement approach by applying most of the funding to T-intersections on the CH 8 corridor. This approach spreads the funds and benefits the Townships of Sand Creek, Helena, Spring Lake, Cedar Lake, and Credit River that touch and utilize these corridors. It also focuses on two mobility corridors, CH 8 which is a future principal arterial and CH 27 which is a minor arterial.

There are ten T-intersections along CH 8 and one T-intersection on CH 27, which will be improved with this project. The locations and work to be performed in the project are as follows:

- County State Aid Highway (CSAH) 8 and Golfview Dr: right turn lane, bypass lane
- CSAH 8 and Camber Ave: right turn lane only
- CSAH 8 and Xanadu Ave: bypass lane only
- CSAH 8 and County Road (CR) 89 (Redwing Ave): right turn lane, bypass lane
- CSAH 8 and Baseline Blvd: right turn lane, bypass lane
- CSAH 8 and Xeon Ave: right turn lane, bypass lane
- CSAH 8 and Newport Ave: right turn lane only
- CSAH 8 and Malibu Ave: right turn lane, bypass lane
- CSAH 8 and Mushtown Rd: right turn lane, bypass lane
- CSAH 8 and CR 87 E (Valley Forge Rd): right turn lane, bypass lane
- CSAH 27 and Flag Trail: right turn lane, bypass lane

The project was advertised for bids and a bid opening was held on Tuesday, May 14, 2019. Two bids were received and the results were as follows:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
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<tbody>
<tr>
<td>Valley Paving, Inc.</td>
<td>$2,217,845.65</td>
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<tr>
<td>GHM Asphalt Corp.</td>
<td>$3,175,668.02</td>
</tr>
</tbody>
</table>

The bid of Valley Paving, Inc. was the lowest responsible bid. The engineer’s estimate is $1,851,703.50. The bid is 7.4 percent over the programmed amount in the Transportation Improvement Program.

Higher than anticipated bid prices can be attributed to escalating oil prices, limited number of bidders, and contractor labor shortages. Higher than usual bid prices have been a trend in the area market in 2019 with adjacent agencies.

The County Engineer recommends entering into a Contact with Valley Paving, Inc. not to exceed $2,217,845.65.

Funding for the HSIP Bypass and Turn Lane Project is included in the 2018 - 2027 Transportation Improvement Program (TIP) in the amount of $2,065,000. The additional funds of $152,845.65 to cover the contract amount will come from the 2019 Spot Safety/Development Driven Project Needs set aside funds.

**Fiscal Impact:**

None
RESOLUTION NO. 2019-086; AWARDING A CONTRACT TO VALLEY PAVING, INC. FOR THE CONSTRUCTION OF BYPASS AND TURN LANES AT VARIOUS INTERSECTIONS ALONG COUNTY HIGHWAYS 8 AND 27

WHEREAS, Scott County has programmed in 2019 the construction of bypass and turn lanes at various intersections on County highways; and

WHEREAS, two bids were received on May 14, 2019 and the bid of Valley Paving, Inc. was the lowest responsible bid; and

WHEREAS, the County Engineer has reviewed the bid and determined the extra cost to be reasonable; and

WHEREAS, funding for the Highway Safety Improvement Program (HSIP) Bypass and Turn Lane Project is included in program year 2019 for construction in the 2019-2028 Transportation Improvement Program (TIP) in the amount of $2,065,000; and

WHEREAS, the remaining contract amount of $152,845.65 will come from the Spot Safety line item in the Transportation Improvement Program.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Chairperson of the Board is authorized to enter into a Contract with Valley Paving, Inc., for the 2019 bypass and turn lanes construction in the amount of $2,217,845.65.

BE IT FINALLY RESOLVED that approval of this Contract is subject to approval by the County Attorney’s Office as to form.

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<tr>
<th>COMMISSIONERS</th>
<th>VOTE</th>
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<tr>
<td>Weckman Brekke</td>
<td>☐ Yes ☐ No ☐ Absent ☐ Abstain</td>
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<td>Wolf</td>
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<tr>
<td>Ulrich</td>
<td>☐ Yes ☐ No ☐ Absent ☐ Abstain</td>
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STATE OF MINNESOTA  
COUNTY OF SCOTT  

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 4th day of June, 2019 now on file in my office, and have found the same to be a true and correct copy thereof. Witness my hand and official seal at Shakopee, Minnesota, this 4th day of June, 2019.

________________________________________         _________________
County Administrator                        Administrator's Designee
The purpose of this agenda item is to approve the appointment of Joseph Thill to the Special Board of Appeal and Equalization.

Minnesota Statute 274.13 authorizes County Boards of Commissioners to appoint members to a Special Board of Appeal and Equalization. The Scott County Board of Commissioners has appointed five citizens of Scott County who are either appraisers, realtors, or other persons who are knowledgeable about property valuations and classifications to serve as the Special Board of Appeal and Equalization.
One of the five previously appointed Special Board members is not able to serve at the 2019 appeal hearings. The vacancy was posted openly in order to attract qualified applicants in 2018. Staff has identified a qualified person who is interested in filling the vacancy from that pool of candidates.

Staff recommends the following individual be appointed to serve as the Special Board of Appeal and Equalization for 2019.

Member:

Joseph Thill
845 Hickory Place
Jordan, MN 55352

Background:

- Licensed Real Estate Agent with Kubes Realty
- 35 years of Telecommunications Outside Plant Engineering and construction coordination with multiple governing authorities for various companies in the Twin Cities footprint.

It is recommended that Joseph Thill be appointed to fill the vacancy on the Special Board of Appeal and Equalization.

Fiscal Impact:
None
The purpose of this agenda item is to authorize Scott County to enter into Agreements with Jaguar Communications and Netwave Broadband for the United States Department of Agriculture’s (USDA) ReConnect Program to provide internet broadband services to rural areas of Scott County.
The USDA’s ReConnect Program is designed to expand broadband service to rural areas without sufficient broadband access, defined as 10 megabits per second (Mbps) download and 1 Mbps upload. Portions of southern rural Scott County have been identified as unserved and underserved as defined by the Federal Communications Commission (FCC) (below 10 Mbps download and 1 Mbps upload). The County would like to address this problem in partnership with the Townships and selected private providers using our existing Scott County Association for Leadership and Efficiency (SCALE) model.

At the May 21, 2019 Scott County Board meeting, the County Board authorized staff to apply for the 50% Loan/50% Grant of the ReConnect Program which has up to $200,000,000 in available funds for loan/grant combinations. Applications are due to USDA by June 21, 2019. This is a competitive loan/grant application and the loan is tied to the US Treasury (UST) rate at time of loan draw.

The County is the “applicant” for the program but would be in partnership with SCALE, the Townships, Jaguar Communications, and Netwave Broadband on the application. As part of this application, Scott County would enter into formal agreements with Jaguar Communications and Netwave. Jaguar Communications and Netwave are both internet service providers in Minnesota, are existing partners with the County, and each entity has made significant investments in the County in recent years to increase broadband offerings. These partners have expressed an interest in partnering on this application and would reimburse the County for the loan portion of the 50/50 loan/grant.

The agreement with each provider would include, at a minimum, the following requirements:

- Each Provider would build out certain areas of the Proposed Funded Service Area (PFSA).
- Both Providers would reimburse the County and pay back the loan based on subscriptions – Each would be bonded to secure default on the payback.
- Scott County and the Providers can defer the loan payments to the USDA for the first three years.
- Providers would operate the internet services offerings including servicing customers as well as managing and maintaining all infrastructure and equipment.
- County would initially own the infrastructure – Service Providers would manage end-to-end finished service delivery.
- After repayment of the loan, County would transfer non-backbone infrastructure assets, including last mile Fiber to the Home (FTTH), back to the Providers.
- The terms of the agreements are anticipated to be ten years.

Fiscal Impact:

None
Background/Justification:
The purpose of this agenda item is to adopt Resolution No. 2019-087; Authorizing a Letter of Support for Dakota County’s Capital Bonding Request to Minnesota Management and Budget for a Regional Household Hazardous Waste (HHW) Collection and Recycling Facility.

The County Board met recently with Dakota and Scott County staff in a workshop setting to discuss a proposed Regional Household Hazardous Waste and Recycling Center, located somewhere near the
Scott – Dakota County line, that would provide additional opportunities for Scott County residents to properly manage HHW and problem materials, further increasing diversion, and protecting the environment.

The Dakota County Board of Commissioners is considering action at its June 4th meeting to submit a bonding request for the 2020 legislative session. One of their bonding requests is for $10.44 million for this regional HHW facility. Dakota County staff requested a letter of support from Scott County as part of their bonding request submittal, which is due June 14.

County staff is recommending approval of Resolution No. 2019-087.

**Fiscal Impact:**
None
RESOLUTION NO. 2019-087; AUTHORIZING A LETTER OF SUPPORT FOR DAKOTA COUNTY’S CAPITAL BONDING REQUEST TO MINNESOTA MANAGEMENT AND BUDGET FOR A REGIONAL HOUSEHOLD HAZARDOUS WASTE COLLECTION AND RECYCLING FACILITY

WHEREAS, Minn. Stat. § 16A.86 sets out the process by which local governments may request state appropriations for capital improvement projects as part of the Administration’s development of capital budget recommendations to the Legislature; and

WHEREAS, Minnesota Management and Budget has requested that local governments submit capital budget requests pursuant to Minn. Stat. § 16A.86 by June 14, 2019; and

WHEREAS, Dakota County will submit a bonding request for a Regional Household Hazardous Waste Collection and Recycling Facility for the 2020 legislative session that would serve residents of Scott County; and

WHEREAS, Scott County supports Dakota County’s submittal to Minnesota Management and Budget for Capital Bonding Requests.

NOW, THEREFORE, BE IT RESOLVED, that the Scott County Board of Commissioners hereby authorizes staff to submit a Letter of Support for Dakota County’s Capital Bonding request to Minnesota Management and Budget for a Regional Household Hazardous Waste Collection and Recycling Facility.

<table>
<thead>
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State of Minnesota)
County of Scott     

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 4th day of June, 2019 now on file in my office, and have found the same to be a true and correct copy thereof. Witness my hand and official seal at Shakopee, Minnesota, this 4th day of June, 2019.

____________________________________
County Administrator

____________________________________
Administrator's Designee
### Agenda Item: Payroll Processing of Personnel Actions

**AGENDA #5.10**  
**SCOTT COUNTY, MINNESOTA**  
**REQUEST FOR BOARD ACTION**  
**MEETING DATE: JUNE 4, 2019**

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<tr>
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<th>Employee Relations</th>
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<tr>
<td>ORIGINATING DEPARTMENT:</td>
<td>Employee Relations</td>
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<tr>
<td>PRESENTER:</td>
<td>Monica Siegle</td>
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<tr>
<td>CONSENT AGENDA:</td>
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<tr>
<td>ATTACHMENTS:</td>
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<tr>
<td>PROJECT:</td>
<td>---</td>
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<tr>
<td>TIME REQUESTED:</td>
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<tr>
<td>ACTION REQUESTED:</td>
<td>Approve Payroll Processing of Personnel Actions Indicated Below and Hereby Certified by the Employee Relations Director and the Appointing Authority to be in Compliance With the Provisions of Minnesota Statutes 375.56 – 375.71 and the Scott County Personnel System</td>
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</table>

| CONTRACT/POLICY/GRANT: | County Attorney Review | Risk Management Review |
|------------------------|------------------------|
| FISCAL: | Finance Review | Budget Change |

<table>
<thead>
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<tr>
<th>DEPARTMENT/DIVISION HEAD SIGNATURE:</th>
<th>COUNTY ADMINISTRATOR SIGNATURE:</th>
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<tbody>
<tr>
<td>Monica Siegle, Employee Relations</td>
<td>Cara Madsen, Volunteer and Community Coordinator</td>
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<tr>
<th>DISTRIBUTION/FILING INSTRUCTIONS:</th>
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<tbody>
<tr>
<td>Monica Siegle, Employee Relations</td>
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<tr>
<td>Cara Madsen, Volunteer and Community Coordinator</td>
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</tbody>
</table>

### Background/Justification:

1. Separation of employment for Aileen Mensching, FT Property & Customer Service Specialist, Community Services Division, effective 05/31/19.

2. Separation of employment for Ashley Storm, FT Nursing Team Leader, Sheriff’s Office, effective 05/31/19.

3. Separation of employment for Heather Allen, FT Child Support Officer, Health and Human Services Division, effective 05/31/19.

5. Separation of employment for Samira Melatyar, FT Probationary Child Protection Worker, Health and Human Services Division, effective 05/28/19.

6. Separation of employment for Benjamin Siegel, Intermittent (34% FTE) Fleet Assistant-Unclassified, Transportation Services Division, effective 03/14/19.

7. FT Probationary employment for Andrew Paul, Environmentalist II, Planning & Resource Management Division, effective 06/04/19.

8. FT Probationary employment for Tigra Comodore, Corrections Officer, Sheriff’s Office, effective 06/10/19.

9. FT Probationary employment for Molly Moore-Dutkowski, Eligibility Specialist, Health and Human Services Division, effective 06/03/19.

10. Intermittent (34% FTE) employment for Luna Zauhar, Library Aide-Unclassified, Administration Division, effective 05/30/19.

11. FT Temporary employment for Jacob Hennen, GIS Technician-Unclassified, Planning & Resource Management Division, effective 05/28/19.

12. Promotion for Molly Wolf, FT Eligibility Specialist to FT Probationary Eligibility Specialist-Lead, Health and Human Services Division, effective 06/03/19.

13. Reclassification for Jared Kotasek, FT Graduate Land Surveyor to FT Professional Land Surveyor, Community Services Division, effective 05/08/19.

14. Reclassification for Jason Allen, FT Systems Support Technician to FT Systems Management Specialist, Community Services Division, effective 05/13/19.

15. Amend separation of employment for Moises Delatorre, FT Librarian-Subject Specialist, Administration Division, effective 05/31/19 (previously reported as 08/02/19).

16. The recognition of the following individuals as volunteers which will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County:

<table>
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<tr>
<th>Add</th>
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<tbody>
<tr>
<td>Christine Kirchoff</td>
</tr>
<tr>
<td>Brandy Soukkala</td>
</tr>
<tr>
<td>Ashley Mellgren</td>
</tr>
<tr>
<td>Sarah Gavert</td>
</tr>
<tr>
<td>Brookelyn Skluzacek</td>
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<tr>
<td>Phyllis Stokke</td>
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Fiscal Impact: N/A
### Background/Justification:

The purpose of this agenda item is to receive a Presentation of the 2019 First Quarter Spirit of Scott Awards.

Spirit of Scott is a year-round recognition program. Awards were presented to those Scott County employees who have gone above and beyond in the area of excellence in customer service in the first quarter of 2019.

Nominations are reviewed by the Spirit of Scott Committee and the recipients are chosen based on established guidelines. These guidelines are:

- Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- Commitment: Developing a high quality workforce that is dedicated to advancing a safe, healthy and livable community
- Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery
• Employees who consistently perform outside of their job scope to promote team spirit.
• Producing work that is high quality and/or beyond required job duties.
• Providing exceptional assistance to other employees and/or citizens.
• Excellence in providing service which responds to customer needs and which exemplifies the County’s mission. Customers include internal and external individuals or groups.
• Displays innovation and creativity in delivering products and services.
• Exhibits a strong commitment to treat all citizens/staff with respect and dignity while providing them with services or information.
• Maintains a positive attitude in the face of difficult situations.
• Adapts positively to change.
• Promotes leadership abilities of co-workers to aid others in reaching their potential.

We are recognizing the following Scott County employees:
• Amy Melby & Maria Samuelson – Mobility Management
• Troy Beam – Fleet Services
• Megan Beauvais – Children Services

Amy Melby & Maria Samuelson – nominated by Alan Herrmann
A caller said there was smoke coming from an outside trash can at MRTS. Maria went to check it out and a few seconds later, Amy grabbed the fire extinguisher by the door and extinguished the fire in the trash can. We assume a rider put a cigarette butt in the trash can. Thanks to the quick response and action of our customer service area to investigate and respond to the incident in order to avoid a worse situation.

Troy Beam (3 Nominations) – nominated by Lezlie Vermillion
Troy, in working through the fleet plan, learned last fall that Ford was changing the Explorer body style. This would be a cost of about $8,000 per vehicle. Troy worked with Governance and the Board to advance purchase by meeting a 2018 ordering date. The County was notified early this year that Ford was not going to honor that order. Troy went right to Ford's leadership and the response was that they are going to attempt to meet our order. This goes hand in hand with Troy’s willingness to support Aaron and Keith in challenging International paying for the expenses to repair a tandem vehicle that was out of commission. Troy’s persistence and willingness to challenge the status quo is a benefit for our County.

Megan Beauvais– nominated by Jessica Furlong
A huge thank you to Megan who went above and beyond to protect one of Scott County’s most vulnerable little people. Megan spoke up to her team and put herself out there volunteering to investigate further a case of potential child abuse. The report received was not at a point of meeting state criteria and Megan pushed her because this case looked like abuse and needed to be looked into further. Because Megan pushed, the case was screened in and the child was taken to a specialist where more injuries were found that showed maltreatment. Her actions may have saved the life of this little person. All of our Child Protection workers perform critical work protecting children and helping make it safer for them, but this act by Megan went above and beyond.

Fiscal Impact:
None
The purpose of this agenda item is to adopt Resolution No. 2019-081; Declaring No Need for an Environmental Assessment Worksheet (EAW) and Denying the Petition on the Young Men’s Christian Association (YMCA) of the Greater Twin Cities Private Day Park Project Site.

On May 20, 2019 the County received notice from the Minnesota Environmental Quality Board (EQB) that a Citizen Petition for an Environmental Assessment Worksheet (EAW) for the YMCA Camp and Zane Avenue was filed with the state agency. The County was put on notice that no final decision on the YMCA’s land use permit for a “day camp” could occur until an EAW determination was made. On May 22, 2019, the County was notified that the citizen petition was complete and the determination for a need for an EAW was referred to
Scott County as the regulatory governmental unit. County staff has reviewed the proposed YMCA Day Park project according to Minnesota Administrative Rules 4410.4300 Mandatory EAW Categories, 4410.4400 Mandatory EIS Categories, and 4410.4600 Exemptions and has determined that neither a mandatory EAW nor an Environmental Impact Statement (EIS) is required. County staff has reviewed the citizen petition according to 4410.1700, subpart 7 Criteria and has determined that the petition evidence fails to demonstrate that the project may have potential for significant environmental effects. County staff is recommending that the County find that there is no need for an EAW and that the petition be denied. Click here to view the citizen petition.

County staff has prepared a record of decision on the need for an EAW, including specific findings of fact, according to 4410.1100 Subp. 6 EAW decision (attached). County staff has reviewed the submitted petition, summarized the issues identified by the petitioner, and prepared the following findings to each issue:

**Issue #1 – The impact on Aquifer from Swimming Pool & Maintenance for 300 people. The pool requires 96,000 gallons to fill and plus 400 gallons a day to maintain. When the golf course opened on County 8 they put in a sprinkler system and it drained neighboring wells. There are many older homes with shallow wells. The constant use of the septic will overload the water as well.**

Finding: The YMCA day camp land use application includes a 92,000 gallon swimming pool – filled once a year over a 2-day period - and requiring an estimated additional 460 gallons per day to balance evaporation consumption. The proposal also includes 15 to 20 toilets/restrooms and 12 showers. As proposed there will be an average of 500 campers and 100 staff. Using a conservatively high residential home per capita (i.e., worst case scenario since the day camp would have less use) water use assumption of 75 gallons per person per day equates to 1,395,000 gallons per month. Combining with the one-time swimming pool volume and daily evaporation offset, the total water use is estimated at approximately 1,500,000 gallons per month worst case. This is 5% of the appropriation threshold (of 30,000,000 gallons per month) necessary to trigger a mandatory EAW under MN. State Rules 4410.4300 MANDATORY EAW CATEGORIES, Subp. 24 Water Appropriation and Impoundments. Even with this low maximum monthly usage the applicant will still need to obtain a MN DNR Water Appropriations Permit due to the amount of water proposed to fill the pool over a 2-day period. This DNR permit reviews the usage to ensure there is no negative impact on adjacent property wells. Finally, discharge and treatment of all but the pool water through a septic system on-site will recharge it back where it can replenish the aquifer.

**Issue #2 - Camp will hold 500 plus people and they will need 150 showers and toilets for these people. Question on the Septic System being sized appropriately. How safe will it be from a possible breach or spillage into the earth.**

Finding: The wastewater generated on-site is subject to mitigation by ongoing public regulatory authority. The applicant will be required to get a Scott County Subsurface Sewage Treatment System (SSTS) Permit for all sewage generated on-site. The septic system will be sized according to MN. State Rules 7080. The sewage will be managed according to MN. State Rules 7080 and Scott County SSTS Ordinance.

**Issue #3 - 72 horses confined in a 10 acre area. The county requirement is 1 horse per acre. They have applied for and received a feedlot permit. Concerns over concentrated effect of manure acidity and urine on the soil and water table. Horses will not be rotated during the season and watering horses in a corralled 10 acre area. They are also building horse facilities on the property.**

Finding: The YMCA day camp land use application is for 10 horses year-around up to 72 during the summer months. The application has been reviewed by the Scott Soil and Water Conservation District (SWCD) and was found to meet the Productive Acreage requirements of the County for 10 horses year-round. In addition, the seasonal maximum of 72 horses is smaller than the threshold of 1,000 Animal Units necessary to trigger a mandatory EAW under MN. State Rules 4410.4300 MANDATORY EAW CATEGORIES, Subp. 29 Animal Feedlots. The horse operation has been registered with the Minnesota Pollution Control Agency. Additional mitigation also includes a manure stockpile containment area that will be designed to meet MPCA requirements, and manure disposal will include removal offsite.
Issue #4 - Zane Avenue is a small dirt road that runs through the Credit River Watershed with wetlands around it. Expanding and paving the road will change the water flow, and damage a pond that currently slows that water from the east to the west side of the road. It will also increase the possible water flow from Dick Thompson’s property onto the road that will remain dirt. They will also chase wildlife from the pond that will be either drained or shrunk due to the road expansion.

Finding: The applicant has submitted a Resource Management Plan that meets the requirements of Chapter 6 of the Scott County Zoning Ordinance and addresses both volume and rate control for stormwater management for the existing and proposed site conditions. Proposed wetland impacts are minor and are being reviewed and permitted in accordance with the Wetland Conservation Act with the Scott SWCD acting as the local government agency as delegated by New Market Township.

Issue #5 - Phase 2 of the camp is proposing overnight camping, which will also impact on the area.

Finding: The YMCA day camp land use application submitted on December 31, 2018 does not include overnight camping. A condition of the proposed CUP prohibits overnight camping of any type.

Issue #6 - Toxic waste that was buried on the land by the previous owner. No one really knows if it was completely removed. Now disturbing it may create more issues in the water table.

Finding: In 1987 Scott County identified hazardous waste buried at 8535 230th St, near the existing pole barn (on Tax Parcel ID 89090410). The property owner was required by Scott County to remove the waste, remediate contamination, and perform follow up monitoring. The project is not proposing to disturb (excavate, locate new wells) near the former burial site.

Issue #7 – The YMCA has no access to the camp property through Zane Avenue.

Finding: In a letter provided to the YMCA and Old Republic National Title Insurance Company dated January 8, 2019 (attached) the New Market Town Board of Supervisors stated that the east half (33 feet) of Zane Avenue was dedicated to the Town as road right-of-way through the Becker Addition plat in 1999. The Town Board also confirmed that they have continuously maintained Zane Avenue from 240th Street East (County Road 62) to County Tax Parcel ID 89090516, which is the entrance to the proposed camp property, for more than six years. The Town referenced MN Statute 160.05 that indicates the continuous maintenance of Zane Avenue by the Town deems the road a public road. The Township Attorney and Township Engineer have also reviewed the status of Zane Avenue.

Issue #8 – The facility proposal has changed from children’s camp to being open to community.

Finding: The County reviewed the size and use of the camp and parking lot according to mandatory environmental review thresholds and does not find that the proposed camp (500 campers) or community use levels meet the minimum threshold (5,000 or more persons at peak attendance).

Issue #9 - Contamination of the water table from draining the pool with high contents of chlorine, vehicle contamination (oil & fuel dripping) in the parking lot and on the road from the increased traffic.

Finding: The proposed pool will be operated and permitted in accordance with all requirements of the Minnesota Department of Health. According to the applicant’s pool management plan, water treatment with chlorine will cease several days prior to draining the pool to allow the chlorine to dissipate from the pool water. Water discharged from the pool will have very low amounts of chlorine present and cannot be discharged into a public water. Stormwater facilities are designed to capture runoff from parking areas, which may contain various contaminants, and treat the water runoff before water is discharged from the site.

Issue #10 - The increase in traffic may change the air quality.
Finding: The traffic and air quality generated on-site is subject to mitigation by on-going public regulatory authority. The EQB guidelines recommend an estimate of air quality impact if it is expected that there will be traffic congestion or parking capacity for 2000 vehicles. A traffic analysis for the proposed project was prepared as required by the Conditional Use Permit. The traffic analysis results show that the project proposal will not create traffic congestion and will operate at a level of service “A” (free flow at or above posted speeds). In addition, the project is proposing a parking lot capacity for 152 vehicles. The project does not include a stationary source of emissions. The Conditional Use Permit can set conditions to mitigate dust and odor concerns if any develop.

Fiscal Impact:
None
RESOLUTION NO. 2019-081; DECLARING NO NEED FOR AN ENVIRONMENTAL ASSESSMENT WORKSHEET ON THE YOUNG MEN’S CHRISTIAN ASSOCIATION (YMCA) OF THE GREATER TWIN CITIES PRIVATE DAY PARK PROJECT SITE

WHEREAS, a citizen petition was filed with the Environmental Quality Board requesting that an Environmental Assessment Worksheet (EAW) be prepared for the YMCA Camp and Zane Avenue; and

WHEREAS, the Environmental Quality Board determined Scott County as the appropriate governmental unit to decide the need for an EAW; and

WHEREAS, Scott County has compared the project to the mandatory, EAW, Environment Impact Statement (EIS), and exemption categories listed in parts 4410.4300, 4410.4400, and 4410.4600 respectively, to make a decision on the need for and EAW and has determined that the project does not fall under these categories; and

WHEREAS, Scott County has considered the evidence in the citizen petition to the factors listed in part 4410.1700 subpart 7 and has determined that the petition fails to demonstrate that the project has potential for significant environmental effects; and

WHEREAS, Scott County has prepared a record of its decision on the need for an EAW that demonstrates the project does not meet the criteria of 4410.1700 subpart 7.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Board is authorized to and declares no need for an Environmental Assessment Worksheet to be completed and denial of the petition on the Young Men’s Christian Association of the Greater Twin Cities Day Park Project Site.

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<th>COMMISSIONERS</th>
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<td>Brekke-Weckman</td>
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<td>Wolf</td>
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<td>Ulrich</td>
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State of Minnesota)
County of Scott  )
I, Lezlie Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 4th day of June, 2019 now on file in my office, and have found the same to be a true and correct copy thereof. Witness my hand and official seal at Shakopee, Minnesota, this 4th day of June, 2019.

__________________________
County Administrator

__________________________
Administrator's Designee
SCOTT COUNTY

RECORD OF DECISION
FINDINGS OF FACT, CONCLUSIONS and RESOLUTION 2019-081

DATE: June 4th, 2019

RE: Determination of Need for an Environmental Assessment Worksheet (EAW)

PROJECT: Petition for an Environmental Assessment Worksheet for the YMCA Camp and Zane Ave.

LOCATION: Scott County, New Market Township, Section 9

FINDINGS OF FACT

1. The YMCA of the Greater Twin Cities (YMCA) is requesting to locate a private day camp in Section 9, New Market Township, called Camp Buffalo Run. The 220-acre site comprises ten separate parcels zoned Rural Residential Reserve, RR-1, which allows Private Day Parks as a conditional use. Camp Buffalo Run would provide outdoor daytime recreational activities to kids between 4-14 years of age. This includes swimming, canoeing, kayaking, fishing, archery, hiking, climbing, ropes course, horse riding and similar outdoor activities during the camps primary season of June – August. In addition to outdoor daytime recreation the YMCA incorporates science, technology, engineering, art, and mathematics programs as part of the camp. These activities would also be available during the off season months on a reduced scale, and the YMCA would look to add some winter activities such as ice skating and sledding. They also would have the camp host evening and weekend programmed community use for area residents.

2. The Minnesota Environmental Quality Board (EQB) received a complete citizen’s petition for the YMCA Camp and Zane Ave upgrade. The EQB has assigned Scott County as the appropriate governmental unit to determine the need for an EAW. Pursuant to Minnesota Rules for 4410.1100 EAW decision, Scott County, acting as the Responsible Governmental Unit (RGU) has reviewed the YMCA Camp and Zane Ave upgrade project proposal and citizen’s petitions concerns.

3. Scott County has reviewed the proposed YMCA Day Park project according to 4410.4300 Mandatory EAW Categories, 4410.4400 Mandatory EIS Categories, and 4410.4600 Exemptions and has determined that the project does not meet the threshold of either a mandatory EAW or an Environmental Impact Statement (EIS).

4. The written comments received in the petition are summarized below with a response following each comment. The petition signature sheet and material evidence indicating there may be a potential for significant environmental effect is attached to this record of decision.
<table>
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<tr>
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Scott County has reviewed the petition according to 4410.1100 Subpart 6, considering 4410.1700, subpart 7 Criteria and has determined that the petition evidence fails to demonstrate that the project may have potential for significant environmental effects.

In consideration of the comments received and reviewed, staff recommends the following Findings of Fact and Conclusion according to 4410.1700 Subpart 7 Criteria, in deciding whether the project has the potential for significant environmental effects:

A. The type, extent, and reversibility of effects:

The proposer is not proposing to permanently or irreversibly change the character of the site. The site is currently natural consisting of woodlands, lakes, wetlands, open pasture, and homestead with accessory buildings. The YMCA is proposing to incorporate these existing features into the camp with the additions a swimming pool, multi-purpose building, covered shelters, and a horse stable & seasonal arena.

B. The cumulative potential effects of related or anticipated future projects:

Currently there are no existing or anticipated future projects to review for cumulative potential effects. The adjacent use around the project site is mostly large lot residential and agricultural. This project does include vehicles to drop off campers. A traffic analysis was completed and it was determined that this increase in traffic would not affect the level of service of the road or congestion.

C. The extent to which effects can be mitigated by ongoing public regulatory authorities:
Concerns expressed in the petition will be reviewed as a part of other required permits. Governmental units with permitting authority can mitigate possible environmental effects from the proposed project. For example:

1) Traffic is reviewed as part of the Conditional Use Permit application. Road improvements will require review and permits from Scott County Highway Department and New Market Township;

2) Groundwater will be reviewed by the Department of Natural Resources and will require a DNR Water Appropriation Permit;

3) Water resources will be reviewed by Scott County Natural Resources and a Resource Management Plan that meets all Scott County Zoning Ordinance requirements and addresses both volume and rate control for stormwater management for the existing and proposed site conditions. Proposed wetland impacts will be reviewed and permitted in accordance with the Wetland Conservation Act with the Scott Soil & Water Conservation District (SWCD), as delegated by New Market Township, acting as the local government agency for wetlands. The proposed pool will be operated and permitted in accordance with all requirements of the Minnesota Department of Health,

4) Nuisance issues such as noise, odor, and safety will be reviewed as a part of the Conditional Use Permit, which can impose permit conditions, and

5) Wastewater is reviewed a part of the Scott County Subsurface Sewage Treatment System Ordinance and the Minnesota Plumbing Code and will require review and permits from Scott County Environmental Services and Building Inspections.

D. The extent to which effects can be anticipated and controlled as a result of other studies undertaken by public agencies or the project Proposer, or of previous EISs.

The proposer has prepared:

- A traffic analysis to show the extent of traffic impacts from the project.
- A Resource Management Plan to show extent of impacts on grading, storm water management, and erosion control.
- A wetland delineation to extent to wetland impacts

CONCLUSIONS

7. Scott County has fulfilled all applicable procedural requirements of law and rule regarding the determination of need for an EAW for the YMCA Camp and the Zane Avenue Upgrades.

8. Pursuant to Minnesota Rules Part 4410.1700, Subparts 6 and 7, the proposed project has been evaluated by the public and Scott County to determine potential environmental effects. Based on the findings and record in this matter, Scott County has determined that the proposed YMCA camp does not have the potential for significant environmental effects. Scott County concurrence by Resolution No. 2019-081 Declaring No Need for an Environmental Assessment Worksheet and Denial of the Petition on the Young Men’s Christian Association (YMCA) of the Greater Twin Cities Private Day Park Project Site.

9. Pursuant to Minnesota Rules Part 4410.1100, Subpart 8, a copy of this RGU Record of Decision will be provided in writing, within 5 days, to the proposer, the EQB staff, and the petitioner’s representative. This Record of Decision will also be made available on the Scott County website.

Name and Title of Signer:

Date:
### Background/Justification:

The purpose of this agenda item is to approve a Conditional Use Permit for the Young Men’s Christian Association (YMCA) of the Greater Twin Cities to operate a private day park (YMCA of the Greater Twin Cities, Applicant, Stephen Kavouras, Owner) in Section 9, New Market Township, and approve the Three-Way Development Agreement for the YMCA project.

This action was recommended by the Scott County Planning Advisory Commission on a 4-1 vote, with one member absent and one abstaining, on March 11, 2019 in accordance with Chapters 2, 16 and 40 of Scott County Zoning Ordinance 3 based on the criteria for approval listed below in this report.
The YMCA of the Greater Twin Cities is requesting a Conditional Use Permit (CUP) to relocate a private day camp from Prior Lake (Camp Kici Yapi) to a 220-acre site located in Section 9, New Market Township. The YMCA operates 10 day camps in the greater Twin Cities metropolitan area, including nearby Camp Streefland in Lakeville and Camp Kici Yapi. The 220-acre site proposed for the new camp (called Camp Buffalo Run) comprises ten separate parcels zoned Rural Residential Reserve, RR-1, which allows Private Day Parks as a conditional use.

Scott County Zoning Ordinance defines a Private Day Park as a land use for “day recreational activities which do not including overnight camping of any type.” Other land uses that have been permitted “day camp” conditional or interim uses over the years are the Cedar Lake Farm private park that was in existence prior to becoming a public regional park; and Sand Creek Adventures which was permitted in 2011 to operate a for-profit challenge course day park to include a climbing wall, ropes course, zip line, and canoe/kayak launch.

The 220 acre site is owned by Stephen Kavouras and is situated generally between 230th Street East, a gravel New Market Township road bordering the property on the north, and 240th Street East (County Road 62) on the south. The Kavouras property is an undeveloped mix of rolling woodlands separated by portions of 5 small private lakes. The property’s southern and western extents are open fields that abut a larger wetland complex on the west and large-lot (10 acre parcel) residential uses on the south. The surrounding land uses to the north, east, and south are 10-acre residential parcels, and to the west are wetlands and some agricultural uses. Mr. Kavouras has a single family home, small cabin, and a couple accessory buildings on the northern end of the property. The site perimeter is largely wooded or screened from adjacent properties.

YMCA staff contacted Scott County in the summer of 2018 and met with County staff and New Market Township officials at two Development Review Team (DRT) meetings in August 2018 and October 2018 to present the camp concept and gain an understanding of the CUP review process and submittal requirements. Generally, Camp Buffalo Run would serve the same purpose of Camp Kici Yapi and the other area YMCA day camps in providing mostly outdoor daytime recreational activities to kids between 4-14 years of age. This includes swimming, canoeing, kayaking, fishing, archery, hiking, climbing, ropes course, horse riding and similar outdoor activities during the camps primary season of June – August (non-school months). In addition to outdoor daytime recreation the YMCA incorporates science, technology, engineering, art, and mathematics (S.T.E.A.M) programs as part of the camp. These activities are operated during the fall, winter, and spring months on a reduced scale, and the YMCA would look to add some winter activities such as ice skating and sledding. The camp property would also host evening and weekend programmed community uses for area residents.

**Site Development:**
The main camp focus is for outdoor youth education and recreation activities, thus the YMCA proposes to preserve much of the site to provide the outdoor experience. The primary site improvements would be the main camp entrance area off of Zane Avenue on the south end of the property, which includes a paved entrance and 152 car parking lot, bus and parent drop-off areas, a 2,300 sq. ft. open air pavilion, a 1,250 sq. ft. entry and restroom building, an outdoor swimming pool (three lane 25 yard lap pool, splash pad, water slide), locker facility, 4,100 sq. ft. multi-purpose room/concessions/restroom building, and an open gathering amphitheater.

Horse riding and care is another camp education component, and this segment will occupy the west central site area. Horse activities include a 3,000 sq. ft. horse barn for 10 year-round horses, a 6,000 sq. ft. indoor riding arena/horse shelter, a 1,500 sq. ft. demonstration barn, a 100’x200’ outdoor riding arena, horse paddock, hay storage, manure storage, and pasture area. During the June to August summer camp months an additional 62 horses are brought in, after which these horses are taken off-site for the winter months.

The woodlands and lakes on the north end of the property will have hiking trails, vertical adventures (high ropes course, climbing wall), picnic area, play field, and outdoor skills areas. The private lakes will be used for kayaking, canoeing, fishing, and a swimming beach. Small storage buildings, a changing/restroom building, and picnic pavilions will be constructed in this area.
The existing residential buildings will be repurposed for camp program use and for staff. The main home will be converted to camp staff offices, workspaces, training rooms, and a first aid/nurse space. A small cabin will be utilized for a year-round caretaker residence for a full time on-site property manager. The pole building adjacent to the main home will be converted for use in the S.T.E.A.M program. All of these facilities will be accessed by the existing residential driveway off of 230th Street East.

Transportation:
The main day camp access for public parking and bus/parent drop-off will be via Zane Avenue off of County Road 62 (240th Street East). Zane Avenue is a gravel township road that will be improved by the YMCA to a paved township road standard. On the north end of the property the existing home has a driveway access onto 230th Street East. 230th Street East is a gravel road in front of the Kavouras property but is a paved road 700 feet to the east. The YMCA will be upgrading/paving the 700 foot segment of 230th Street E to this secondary site access. There is no through road proposed within the camp so there will be no bus drop-off at the northern access. The north access will be for camp staff access, site service providers, and for emergency services.

Scott County is requiring a right-turn lane to be installed on County Road 62 for traffic turning onto Zane Avenue to the main camp entrance. County Road 62 is a paved rural 2-lane collector road designed to accommodate up to 2,500 Average Daily Trips (ADT). County Road 62 currently has 435 ADT (current peak hour trips are 40 trips between 7-8am and 60 trips between 4:45-5:45pm), which is well below the designed capacity. The proposed camp drop off times are between 8:30am-9:30am when approximately 15 buses and 20-25 parent cars would drop off campers; the afternoon pick-up is between 3:15-4:00pm. Camp staff, approximately 25 cars, arrive 1 hour before and leave 1 hour after the drop-off times. This equates to 60-70 new trips after the AM peak and prior to the PM peak on County Road 62.

The camp trips and times were identified in a traffic impact study prepared by Kimley Horn on November 9, 2018. Additional traffic/trip details were outlined in the application cover letter, which also added evening and Saturday/Sunday trip estimates as well as Fall/Winter/Spring trips. Programmed Community Use trips are identified in the cover letter ‘Anticipated Occupancy and Use’ page, and are based on the local community use.

Horse Operations & Nuisance Mitigation:
The YMCA worked with the Scott Soil & Water Conservation District (SWCD) to review the horse operations and obtain assistance with the site management plan. SWCD staff assists Scott County landowners with preparing animal management plans, which include pasture management, manure management, and monitoring of animal operations. The plan ensures pastures are kept vegetated and are not overgrazed to a point of creating feedlot conditions, as well as the proper collection and disposal of animal waste. SWCD has reviewed the YMCA management plan, which includes hauling in of feed and hauling out of manure, and recommended approval of the plan as part of the CUP. Additionally, SWCD assisted the YMCA with their Feedlot Registration Form application that is submitted to the Minnesota Pollution Control Agency (MPCA).

The submitted Nuisance Mitigation Plan outlines the items that are defined as Nuisance Standards by the Scott County Zoning Ordinances. There would generally be no air pollution or odor emissions except from minor odors from horses and campfires. Noise would be limited to vehicle traffic and camp attendees. The YMCA has outlined their liquid storage (propane), hazardous waste (chlorine) and anticipated waste generation, which would be handled by local waste service providers.

Public Safety:
Scott County forwarded the YMCA CUP application to the Scott County Sheriff's Office and the City of Elko New Market Public Safety Departments. The proposed site would be served by the Elko New Market Fire Department. A comment letter from the Elko New Market Fire Chief and Police Chief is attached to this RBA. Outreach was made to the cities of Prior Lake and Lakeville to learn about potential public safety service impacts. The County Sheriff’s Office indicated that the use and trip numbers do not rise to a level to warrant additional patrols. City of Prior Lake and Lakeville Police Departments provided emergency call logs for the past 3 years. Generally, 3-4 emergency calls were made yearly to each camp to deal with traffic control, a minor burglary, animal issues, and medical calls. The YMCA indicated approximately 1 medical call per year
per camp necessitated an ambulance response. Lakeville staff indicated a Fire Department response for a possible gas leak; otherwise the fire departments indicated no other calls. They have also indicated Camp Streefland has been operating since the 1970's and there have been no issues with surrounding residential development or with the CUP.

**Natural Resources and Environmental Services:**
The YMCA submitted a Resource Management Plan (RMP) that includes project grading, stormwater management, and erosion control, as well as site development plans. A wetland delineation was completed and the applicants have been in contact with the Scott SWCD regarding the Wetland Conservation Act (WCA) review process. The majority of new site improvements will be primarily on the south end of the camp site to minimize impacts and disturbance to the woodlands, lakes, and wetland areas that will be used for the camp. The main stormwater concern relates to the parking and road improvements, and dealing with the additional volume of stormwater. Properties to the southwest along Zane Avenue have homes built abutting low lying and wetland areas so they have historically had drainage and water issues. The goal of the proposed improvements is to better control stormwater from the site and also along Zane Avenue. The County Water Resources Engineer and Township Engineer have been communicating and working through the drainage plans with the project engineer to ensure they are in compliance with County and State regulations.

The YMCA identified a large 20,000 sq. ft. area for septic drainfield located northeast of the pool area. Their plan is to connect restrooms in several buildings to this septic area. Staff noted that some of the distances from restrooms to the septic area are significant; however, there are no regulations that would prohibit pumping effluent over the distances proposed. Installation of the septic system will be permitted separately as part of future building and septic permit applications.

During the public hearing, questions were raised about the pool operations and also concerns by adjacent residents with respect to a possible well draw-down when the 90,000+ gallon pool is filled. County Natural Resources staff reviewed these questions with the MN Department of Natural Resources, and while neither the County nor DNR staff is concerned with the pool water usage it will require a MN DNR Water Appropriations Permit due to the amount of water proposed to fill the pool over a 2-day period. This DNR permit reviews the usage to ensure there is no negative impact on adjacent property wells.

**Development Agreement:**
A condition of the Planning Commission-recommended CUP is that a Three-Way (YMCA, Township, County) Development Agreement would be drafted by the Township Attorney to address all proposed project site and road improvements to ensure all infrastructures are constructed to Township and County standards. This agreement has been negotiated and reviewed by the Township Board, County staff (Zoning and Attorney's Office), and the YMCA and their attorney, and is recommended for adoption along with the CUP.

Key provisions in the Development Agreement include:

- Road improvements to Zane Avenue and the 700 foot segment of 230th Street East, specifically that these roads are improved to a paved New Market Township road standard.
- Construction of a right-turn lane on County Road 62 (245th Street East) that would be designed and built to County Transportation road standards.
- The YMCA agrees to the road improvements and turn lane installment and shall provide the Township and County each with separate financial securities for the respective improvements that shall amount to 125% of the improvement costs to ensure compliance with the approved plans.
- An annual road maintenance escrow that the YMCA shall provide to New Market Township for costs to annually maintain the roadways serving the day camp property. This amount is based on a Township Engineer estimate for road maintenance over 25 year and was agreed to by the YMCA and Township.
Maximum Camp Capacity:
The YMCA’s CUP application stipulated an Anticipated Occupancy and Use breakdown (attached) to provide the Township and County an estimate on day camp usage. This document indicated 500 total campers per week (during summer camp season) that would be brought to the site on up to 15 buses and 20 parent drop-off trips. The New Market Town Board recommended a condition that caps the number of day camp participants at 500 to help control neighborhood impacts related to traffic, water usage, property access, and waste management. The YMCA submitted a letter to the County on May 10, 2019 stating its position on setting a maximum camp capacity (attached). County staff recommends setting some numerical limit as a condition, rather than keeping it "open ended" with no limit as to how much the camp could grow its staff compliment and camp participants without re-opening the CUP. Based on all of this input into the public record, staff is recommending that the maximum capacity for camp operations and activities shall be limited to an average of 500 campers the first two full years of operation, and an average of 560 camp participants daily in subsequent years. Should the YMCA wish to increase this maximum day camp capacity at some point in the future, the YMCA will need to request a CUP amendment to modify the recommended condition and increase the number of camp participants. The CUP amendment process requires a public hearing and notification, and allows the Township and County to review and evaluate camp operations and make a determination on capacity expansion based on the operational effectiveness of the camp.

Public Input:
Beginning at the initial Development Review Team (DRT) meeting, County staff and New Market Township encouraged the YMCA to conduct public outreach on this project. The YMCA began in October 2018 with letters to adjacent residents on Zane Avenue, a social media posting, and three open houses (Nov. 2018, Dec. 2018, and Jan. 2019) at the New Market Town Hall. Some area residents began a petition opposing the YMCA project with over 150 online signatures. This petition and a few e-mails to the County were forwarded to the Planning Advisory Commission and entered into the public record at the March 11, 2019 public hearing. The main concerns listed in the petition were/are:

- Additional traffic and safety concerns on 230th Street E and 240th Street E
- Changes made to the plans between the public open house meetings
- The YMCA is not offering anything to the Township; specifically, the YMCA will not provide a tax benefit and it will cost the Township money in future years with road repair, enhancements, and maintenance, as well as additional police and fire costs to the Township residents.
- Competition for the Scott County Parks System
- Future growth of the camp and possible future uses mentioned in open house meetings and narratives.

Other comments received at the public hearing involved traffic, traffic safety, the non-profit status of the organization, a burden being placed on the Township residents, and stormwater issues. One e-mail and one speaker at the public hearing mentioned a group of Township residents who support the project and the preservation of land as recreation open space rather than more housing developments.

Some Zane Avenue residents expressed concerns with potential flooding issues associated with the project since their homes were built in poorly drained soils and adjacent to wetland areas. County staff and the Township Engineer reviewed the project plans for compliance with County stormwater regulations, which require development to control rate and volume for new impervious surfaces created through development, and for conformance to township road standards. The solutions proposed are for the YMCA site drainage and Zane Avenue road improvements, and are not intended or required to completely resolve all of the existing Zane Avenue residents’ water issues.

Township Recommendation:
The New Market Town Board recommended denial (vote of 4-1) of the YMCA CUP request at their March 2019 monthly meeting. The Township provided a resolution for denial (attached to this RBA), which listed the reason for their denial recommendation but also included recommended conditions should the County proceed with CUP approval. County staff and the Planning Advisory Commission modified proposed County CUP conditions that were similar in nature or incorporated direct language from the Township recommended conditions for those that the County could support based on the suggested language and content.
**Staff Recommendation:**
County staff recommends approval of this CUP request with the 32 listed conditions.

Accompanying documentation is available by clicking on the following links. A printed copy is available for viewing with the Deputy Clerk to the Board.

- Project Narrative
- Project Civil Plans
- Development Agreement
- Township Resolution
- Public Comment

**Fiscal Impact:**
None
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION

YMCA of the Greater Twin Cities, Applicant and Stephen Kavouras, Owner
Conditional Use Permit

Criteria for Approval:

1. The use will not create an excessive burden on public facilities and utilities that serve or are proposed to serve the area. The majority of the site will be maintained in an undeveloped state, except for trails and other amenities that will serve recreational use of the property. As a largely seasonal day camp there is not a great demand on traditional utilities that would normally be required for more intensive development of the property, such as for a residential development. In a letter dated April 25, 2019, the Elko New Market police chief and fire chief indicated that the proposed use would not place an undue burden on Elko New Market emergency services.

2. The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses. The site is largely wooded throughout much of the north and central areas of the property and those areas that are more open generally have a tree line along the site’s property lines (south and east). Much of the land to the west is wetland or agricultural land that would not be hindered by a day park. Adjacent property owners will have very limited visibility into the site. Conditions have been recommended requiring the applicant to maintain existing fencing and natural buffers where necessary to insure neighboring property is protected.

3. Each structure or improvement is so designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed. The YMCA will repurpose the existing home to a staff office/training center/first aid space, the existing accessory buildings for storage or the S.T.E.A.M program, and the cabin as a caretaker dwelling. The newer buildings will include a horse barn, open air pavilions, and multi-purpose storage buildings as well as a pool locker room building. These will all need to meet the Zoning Ordinance performance standards for building exteriors.

4. The use is consistent with the purposes of the Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use. A day park is a conditional use in the RR-1 zoning district, which also allows similar outdoor recreational type uses under a CUP.

5. The use is not in conflict with the Comprehensive Plan of Scott County. The 2030 and 2040 Comprehensive Plan guides this property as Rural Residential Area, which calls for land uses such as single family homes, small-parcel farms for local food production, cluster residential developments, institutional uses, limited recreational open space uses such as golf courses, public parks, conservation areas, natural preserves, stables and riding academies, and agricultural uses. A day park is not in conflict with these uses.

6. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide sufficient on-site parking. The YMCA will be upgrading Zone Avenue, a New Market Township road, to a paved road that will serve as the main public entrance to the day park. Zone Avenue intersects with 240th Street East (County Road 62) where a right-turn lane will be installed to facilitate the main turning movement onto Zone Avenue. 230th Street East, which is a gravel road serving the property’s main home, cabin and accessory buildings, will serve as a secondary staff and service entrance, and will be paved 700 feet to the northern staff/emergency entrance.

7. Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards. The proposed day park will utilize three existing wells for water usage. Erosion Control will be reviewed at time of road construction, building construction, and any other permitted land disturbance. Restrooms on the property
will be connected to a septic drainfield, which will require a County septic permit. Stormwater facilities will capture additional water from new impervious surfaces and help control the volume and rate leaving the site.

8. All buildings/structures must meet the intent of the State Building Code and/or fire codes. Building permits will be required for the change of occupancy of all buildings. County Building Inspections will review the building permit applications to verify that any change in occupancy or any new structures comply with all applicable regulations of the State Building and Fire Codes.

Conditions of Approval:

1. This CUP is issued to the Young Men’s Christian Association (YMCA) of the Greater Twin Cities, Applicant, as a private day park for the operation of a YMCA Day Camp as outlined in the Conditional Use Permit (CUP) Application: Submission Materials Package dated February 6, 2019.

2. The applicant is to notify the Scott County Zoning Administration Department in January of each year, stating they are in compliance with the conditions of the Conditional Use Permit (CUP). Any operational changes, site improvements, or building expansion shall be reviewed by the New Market Township Board and Scott County to determine compliance with the CUP.

3. The Conditional Use Permit for the Day Park shall be expressly limited to those listed in the CUP application narrative for YMCA Buffalo Run to include the day camp, horse riding, swimming (pool, splash pad & slides), canoeing/kayaking, fishing, hiking, vertical adventures, survival skills, open fields, S.T.E.A.M. (science, technology, engineering, art, mathematics) program, amphitheater/singing hill, entry (camp store, parking, drop-off), lake front (swimming beach), staff office/retreat/first aid/training center, caretaker house, storage facilities, restrooms, and horse barns.

4. The expansion set forth in the Applicant’s originally proposed “Phase 2”, including the construction of multiple new structures, expanded parking, expanded use by vehicles and patrons, the use of land for overnight tent camping, and the construction of camper cabins and yurts, shall not be allowed. No expansion of the Proposed Use is allowed except upon the granting of a new or amended conditional use permit.

5. The hours of day park shall be:
   - 7:30am to 5:00 pm, Monday through Friday
   - 4:30pm to 7:30pm Monday through Friday for programmed community use & family nights
   - 10:00am-6pm on Saturdays and Sundays for programmed community use

6. The maximum capacity for camp operations and activities shall be limited to an average of 500 camp participants daily the first two years of operation, as outlined in the YMCA Anticipated Occupancy and Use estimate document, and to an average of 560 camp participants daily in subsequent years of operation. The YMCA shall provide the County with a weekly summer camp participant count in January of each year demonstrating compliance with this condition.

7. The applicant/owner shall, upon reasonable advanced notice, provide the Township and County staff and/or its agents with access to the property for inspection for determining compliance with this conditional use permit.

8. The CUP holder shall pay an annual CUP inspection fee, if and when Scott County adopts an inspection fee ordinance.

9. If property ownership changes or a new applicant/operator is proposed, the applicant/operator shall contact the New Market Township Board and the County Zoning Administration Department to review the conditions of the CUP, and any proposed operation changes. The applicant/owner shall obtain a CUP Transfer or amend the CUP if significant operational changes are proposed.

10. The property shall be developed in substantial compliance with the approved project plans (currently 5/10/19 as may be amended prior to County Board action) and according to the performance standards listed in the Scott County Zoning Ordinance. Any modifications to the approved plans must be reviewed and approved by Scott County Zoning Administration and the New Market Town Board. To the extent there are any conflicts between either the plans or the narrative and this permit, the conditions of the permit shall control.

11. Site grading and construction shall be consistent with the approved Resource Management Plan and approved project plans dated (currently dated 5/10/19 as may be amended prior to County Board action). The applicant shall apply for and obtain a Certificate of No Loss from the Wetland
Conservation Act (WCA) Local Government Unit (LGU) to adequately demonstrate that proposed

drainage flows will not alter hydrology or degrade any wetland function or value on the property or any

adjacent lands.

12. Oil, solvents, pool chemicals, and other hazardous wastes shall be managed in accordance with the
Scott County Hazardous Waste Management Ordinance. A Hazardous Waste Inspection shall be
scheduled with Scott County Environmental Services to determine the level of Hazardous Waste
License required, if any.

13. The property shall be maintained in a neat and orderly manner. The Applicant shall promptly remove
all garbage, trash, and all other nonessential or nonfunctional materials from the property. Waste
receptacles used on the Property shall be totally screened from eye-level view from all neighboring
uses and any public right-of-way.

14. Parking for all activities allowed shall be provided on site and in accordance with the site plan. No
parking for activities on the site shall be allowed on public roads. All bus drop-off or individual drop-off
traffic shall utilize the Zane Avenue main access as shown on the site plan. The 230th Street East
access shall only be used for YMCA staff, local service providers, and emergency service vehicles.

15. Building permits are required for the change in occupancy of all buildings to be converted from
residential or agricultural to a public occupancy use. The applicant shall apply for and receive a change
in occupancy permit for all structures used by the Day Park. All required changes/improvements shall
be completed prior to these structures being used for any camp events. These and any future building
improvements shall meet all requirements of the State Building Code, Fire Code, and all applicable
codes as determined by the Scott County Building Official or the local fire department.

16. A septic permit is required for installation of the sewage treatment system. The septic sites identified
on the project plans shall be protected from any disturbance, grading, or compaction, and shall be
fenced prior to construction.

17. A MN Department of Natural Resources Water Appropriations Permit is required based on the water
amount and time proposed to fill the swimming pool. There shall be no discharge of pool or other
chemically treated wastewater onto any adjacent property or into any public water wetland, stream, or
drainage area.

18. All signage shall comply with the Scott County Sign Ordinance.

19. All lighting shall comply with the Scott County Zoning Ordinance.

20. The Applicant shall maintain existing fencing and natural buffers where necessary to insure neighboring
property is protected. Landscaping shall be installed according to the approved landscaping plan dated
March 27, 2019. All landscaping shall be guaranteed for a full growing season, and any diseased or
dead plantings shall be removed and replaced.

21. There shall be no amplified noise sound on the Property.

22. Issuance of the CUP is not a substitute for any other permit required in conjunction with the Project,
including but not limited to building permits, electrical permits, and road permits.

23. Applicant shall construct and operate the Project in full compliance with the approved application
narrative, approved project plans and in full compliance with all federal, state, and local laws, rules,
ordinances, and regulations.

24. The applicant shall obtain any necessary permits from the MN Department of Natural Resources for the
use of or any construction, alterations, or disturbances to any protected wetland on the property.

25. The applicant shall at all times comply with the approved Horse Management Plan (dated February 6,
2019) for operations pertaining to camp horse riding activities. This includes proper manure
management, stockpiling, and removal as well as pasture management to avoid feedlot conditions.
The number of horses shall be limited to 10 on a year round basis except as follows: 20 in May,
September, and October, and an additional 62 during the seasonal summer camp in June, July, and
August. The applicants shall work with the Scott Soil & Water Conservation District to stay in
compliance with the management plan, CUP, and MN Pollution Control Agency feedlot permits.

26. The primary access to the entrance of the Applicant’s camp will be located off Zane Avenue
(“Primary Access”). A right-turn lane shall be constructed at the intersection of 240th Street/CSAH 62
and Zane Avenue for traffic traveling westbound on 240th Street/CSAH 62. Zane Avenue shall be
improved by paving with bituminous pavement in accordance with the Town’s Standard for
Development and Construction and Standard Specifications and Detail Plates. The Applicant shall be
responsible for any and all costs related to the improvements to 240th Street and Zane Avenue. All
work shall be completed according to the approved civil plans as approved by the Township Engineer
and County Transportation. Permits are required for any work within the County Road right-of-way. If
27. The secondary access to the Applicant's day camp will be located off 230th Street as identified in the Applicant's CUP application ("Secondary Access"). This access is the easternmost access on 230th Street East to the subject property. The Secondary Access will consist of only one access off 230th Street as identified in the CUP application, and shall not include the access located to the west of the Secondary Access. 230th Street shall be improved by paving with bituminous pavement in accordance with the Town's Standard for Development and Construction and Standard Specifications and Detail Plates, commencing at the westerly end of the currently paved portion of 230th Street and proceeding west through the Secondary Access identified in the Applicant's CUP application (approximately 700 feet). The Applicant shall be responsible for any and all costs related to the improvements to 230th Street.

28. The layout of all new roads, driveways, and cul-de-sacs that may need to be used by emergency response vehicles shall be wide enough to accommodate those vehicles.

29. The Applicant shall work with the Scott County Sheriff's Office emergency response department to develop a coordinated Emergency Evacuation Plan.

30. The Applicant shall comply with all applicable federal, state, and local laws, rules, regulations, and ordinances and shall obtain any additional permits or permissions that may be required for the Proposed Use. Construction of the proposed improvements may not begin unless all required permits are obtained. A copy of any federal, state or county approvals or renewals to such approvals shall be sent to the Town within 30 days of receipt by the Applicant. The revocation of any required federal, state or county approval must be reported to the Town within 10 days of revocation.

31. A development agreement must be entered into between the Town, County and the Applicant in a form acceptable to the Town Board. The agreement shall address the work to be done on the Town's roads, the right turn lane, stormwater infrastructure improvement, and include a requirement that the Applicant submit a development escrow and administrative escrow covering associated costs incurred by the Town related to the review and development of this project. No demolition or construction on the Property may begin, and no permits will be issued, until the development agreement is in a form acceptable to the Town, the required escrows as set forth in the development agreement are provided, and the agreement is fully executed.

32. The YMCA Day Camp shall at all times be in compliance with the conditions of this CUP. Upon written notice of any violation the CUP holder shall promptly remedy the violation within the time period specified. Any violation not remedied or addressed shall be subject to CUP review and may be basis for CUP termination.
**AGENDA #7.1**  
**SCOTT COUNTY, MINNESOTA**  
**REQUEST FOR BOARD ACTION**  
**MEETING DATE: JUNE 4, 2019**

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**ORGANIZATIONAL VALUES:**
- [ ] Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- [✓] Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- [✓] Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- [ ] Commitment: Developing a high quality workforce that is dedicated to advancing a safe, healthy and livable community
- [ ] Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- [ ] Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

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**Background/Justification:**
The purpose of the agenda item is to receive an informational presentation from Shakopee Academies Intern Himani Joshi on Scott County’s Community Indicator – Percent of Students Connected to a Caring Adult in the Community.

Since 2010 Scott County has been working on developing a set of Community Indicators that look at our community from a safe, healthy and livable perspective. One of those indicators asks our youth if they feel connected to a caring adult in the Community. For example, they could be someone from church, school, work...
or athletics. This is an indicator that MnCompass collects in the Metropolitan Region on a tri-annual basis. This shows that only 60% of our youth feel connected to a caring adult (see below).

As part of our work with the Shakopee Academies, we were advised to ask interns to take on work that was important to the County from a strategic standpoint and that the students would find of interest to their careers and lives. Himani chose to research and prepare recommendations on the Caring Adult Community Indicator. After presenting to Shakopee School’s Leadership and County Leadership we felt Himani should present this information to the County Board and public as well.

Fiscal Impact:
None
### AGENDA #8.1
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: JUNE 4, 2019

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### ORGANIZATIONAL VALUES:
- ☑ Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- ☑ Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- ☑ Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- ☑ Commitment: Developing a high quality workforce that is dedicated to advancing a safe, healthy and livable community
- ☑ Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- ☑ Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

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COUNTY ADMINISTRATOR SIGNATURE: 

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### Background/Justification:
The purpose of this agenda item is to receive the presentation of the 2019 Member Report for Scott County by the Minnesota Counties Intergovernmental Trust (MCIT).

MCIT Account Executive Paul Hajduk will present the report.

Each year MCIT presents an update to the County Board regarding the services they provide to help manage risks in Scott County. Mr. Hajduk will also provide an overview of reinsurance, dividends, rates, and claims information.

**Fiscal Impact:** None
Scott County
Managing Risks Together
Tailored Coverage, Valuable Service, Member Focused

40 Successful Years

MEMBERSHIP IS A PRIVILEGE. Since 1979, MCIT members have embraced efforts that ensure the ongoing success of MCIT. Keys to this are MCIT’s dedication to addressing the changing needs of its members and the members’ commitment to risk management and loss control at all levels within each organization.

The success of the program is built on members’ willingness to:

- Support loss prevention and risk management strategies.
- Take reasonable steps to mitigate claims.
- Collaborate with MCIT when losses occur.
- Fulfill financial obligations to MCIT.

Minnesotta Counties Intergovernmental Trust is not an insurance company. Rather, MCIT is a joint powers entity where members pool resources to provide:

- Property, liability and workers’ compensation coverage
- Risk management services
- Loss control services

MCIT focuses on providing members cost-effective coverage and quality services tailored to their needs. As a public entity, MCIT is not accountable to shareholders to make a profit.

2019 is a milestone year. MCIT and its members are celebrating 40 years of coming together to manage risks successfully.

MCIT Mission:
Providing Minnesota counties and associated members cost-effective coverage with comprehensive and quality risk management services.
MCIT PROPERTY/CASUALTY CLAIMS 2014-2018

Claim Frequency
- Auto: 64%
- General Liability: 19%
- Property: 17%
- Public Employee Liability: 14%
- Law Enforcement Liability: 5%
- Other: 4%

Claim Severity
- Auto: 32%
- General Liability: 25%
- Property: 24%
- Public Employee Liability: 19%
- Law Enforcement Liability: 6%
- Other: 2%

Although MCIT does not experience rate property or liability coverage, the frequency and severity of all member claims influence the cost of coverage.

MCIT WORKERS’ COMPENSATION CLAIMS 2014-2018

Claim Frequency
- Street/Utility Operations: 34%
- Highway: 24%
- Hospital/Nursing Home: 17%
- Social Services: 13%
- Facilities: 10%
- Police: 7%
- Public Health: 5%
- Solid Waste: 2%
- Other: 1%

Claim Severity
- Street/Utility Operations: 42%
- Highway: 22%
- Hospital/Nursing Home: 19%
- Social Services: 8%
- Facilities: 7%
- Police: 5%
- Public Health: 4%
- Solid Waste: 2%
- Other: 0%

Workers’ Compensation Claims Affect County’s Contribution

The frequency and severity of work-related injuries and illnesses affect each member’s experience modification (mod) factors. This unique factor is part of the formula used to determine a member’s annual workers’ compensation contribution. Other factors affecting the member’s contribution include the amount of payroll in each employee class code and the rate for each class.

A mod of 1.0 reflects expected claim development. A factor greater than 1.0 can increase the contribution, whereas a factor less than 1.0 can decrease it.

NOTABLE COVERAGE ENHANCEMENTS FOR 2019

- Data compromise: CyberOne coverage limits increased to $100,000 from $50,000 and several sub-limits increased at no additional charge to members.
- Builders risk sub-limits increased for the structure from $500,000 to $750,000, and for contents damage from $100,000 to $150,000 at no additional charge to members.
- Liability coverage is now offered for all endorsed drones, regardless of department or use.
- Electronic data processing equipment coverage was enhanced to drop the sub-limit for equipment while in transit or at a temporary location, to include damaged software up to a limit of $100,000, increase the extra expense sub-limit to $90,000, and to eliminate the “no one item to exceed” underwriting requirement.

Liability coverage for class III dams as classified by the Department of Natural Resources is now provided. No charge was assessed for this coverage addition.
Knowledgeable Advice, Valuable Services

CONSULTATION SERVICES

Risk Management
Each risk management consultant can:
- Respond to coverage, liability and risk management concerns.
- Answer coverage questions, provide clarification and property schedule recommendations.
- Review contracts and joint powers agreements from a risk management perspective.
- Help identify potential risks and provide advice on how to manage them.

Loss Control
Each loss control consultant can assist with:
- Written safety programs.
- Hazard identification, such as workplace safety audits and reports.
- Interpretation of OSHA standards.
- Employee injury data analysis.
Loss control consultants also can participate in safety committees, conduct employee safety training and provide loss prevention education resources.

Training for Officials and Employees
- Seminars, workshops: Provide practical tips on how to manage risks related to a central issue.
- On-site presentations: For county staff related to a number of risk management and loss control concerns.
- PATROL (Peace Officer Accredited Training Online): Web-based training for law enforcement staff.
- Training videos, tutorials: Lending library and short videos assist members in their employee education.
- Defensive Driving Training: On-site sessions give practical tips to improve employee driving safety.

Employee Assistance Program

Scott County's EAP Participation Levels
2017: 5.17%
2018: 4.94%

Employee Assistance Program offers access to professional counselors for elected officials, member employees and their dependents at no cost to them. The program includes counseling and support for personal issues or work-related concerns that may affect an individual's ability to do his or her job.
The EAP is voluntary and confidential.

Awareness and Prevention Materials
Based on claims frequency and severity, MCIT develops resources to assist with preventing losses and reducing the severity of claims. Here's a sample:
- Deer-vehicle collision awareness materials
- Quick Takes: On Safety mini training scripts
- Training Safety Program for injury prevention during law enforcement training activities
- Step Wisely slip and fall prevention program
- Loss control best practices guides for various operations

COMMISSIONERS ARE ENCOURAGED TO ...
- Support safety initiatives (e.g., the safety committee and a program to return injured employees to work).
- Attend risk management training.
- Support and encourage training and education for all employees.
- Learn how coverage applies before making final decisions.
- Have contracts reviewed for risk management before signing or approving them.
- Promote safety at all levels.
- Engage MCIT.

MCIT.org ■ 651.209.6400 ■ 1.866.547.6516
## Agenda Item #8.2

### Scott County, Minnesota

#### Request for Board Action

**Meeting Date:** June 4, 2019

**Originating Division:** Administration

**Consent Agenda:** Yes

**Presenters:** Chris Harder - 8120

**Attachments:** Yes

**Project:** Delivering What Matters

**Time Requested:** 10 min

**Action Requested:**
- Adopt Resolution No. 2019-083; Reporting Progress on the Standard Measures Program Developed by the Council on Local Results and Innovation

**Contract/Policy/Grant:**
- County Attorney Review
- Risk Management Review
- Finance Review
- Budget Change

**Fiscal:**
- Finance Review
- Budget Change

#### Organizational Values:
- Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

**Department/Division Head Signature:**

**County Administrator Signature:**

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**Background/Justification:**

The purpose of this agenda item is to adopt Resolution No. 2019-083; Reporting Progress on the Standard Measures Program Developed by the Council on Local Results and Innovation.

In 2010, the Legislature created the Council on Local Results and Innovation. The Council has established a standard set of performance measures for counties and cities that will aid residents, taxpayers, and state and local elected officials in determining the effectiveness of counties and cities in providing services and to measure residents’ opinions of those services.
Participation in the Standard Measures Program by a city or a county is voluntary. Cities and counties that choose to participate in the Standards Measure Program are eligible for a reimbursement in Local Government Aid (LGA) and exemption from levy limits.

In 2011, by resolution, the County Board authorized participation in the Standard Measures Program and received approximately $18,000 to help develop the County’s own performance measurement program called Delivering What Matters. Over the past seven years, the County has submitted its annual report and received approximately $19,000 each year. To date, this money has assisted in funding the publication of the Residents’ Report, the 2016 residents’ survey administered by National Research Center, purchased and launched of Scott County’s on-line public forum (Speak Up, Scott County), and covers staff training and research on performance management.

Scott County is eligible again for a reimbursement of $0.14 per capita in LGA, not to exceed $25,000. In order to receive the per capita reimbursement in 2019, Scott County must:

1. Adopt a resolution declaring that:
   
   a. The County has adopted and implemented the minimum ten performance measures from each applicable service category and the system developed by the Council on Local Results and Innovation.
   
   b. The County will report the results of the ten adopted measures to its residents before the end of the calendar year through publication, direct mailing, posting on the entity's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

The ten measures, which will be submitted to the Council on Local Results and Innovation in PDF format, are reported in a larger, more comprehensive publication titled the 2018 Annual Performance Report:

Staff will present a brief overview of the 2018 Annual Performance Report, recognize the key staff who put the report together, and request Board approval of the attached resolution.

Fiscal Impact:

This will enable the County to receive $0.14/capita in LGA to continue developing and improving our strategic management planning effort called Delivering What Matters.
RESOLUTION NO. 2019-083; REPORTING PROGRESS ON THE STANDARD MEASURES PROGRAM DEVELOPED BY THE COUNCIL ON LOCAL RESULTS AND INNOVATION

WHEREAS, in 2010, the Legislature created the Council on Local Results and Innovation; and

WHEREAS, in 2011, the Council released a standard set of ten performance measures for counties and cities that will aid residents, taxpayers, and state and local elected officials in determining the effectiveness of counties and cities in providing services and to measure residents’ opinions of those services; and

WHEREAS, cities and counties that choose to participate in the State’s standards measure program are eligible for a reimbursement in Local Government Aid (LGA) and exemption from levy limits; and

WHEREAS, in June 2011, by resolution Scott County authorized participation in the Standard Measures Program, officially adopting the ten performance standards developed by the Council; and

WHEREAS, Scott County has developed its own performance measurement system that is strategically aligned to the County’s Goals, Vision, and Mission as set by the County Board in 2011 and updated in 2016 called Delivering What Matters; and

WHEREAS, Scott County plans to report the results of the ten adopted measures to residents before the end of the calendar year through postings on the County website and through a public hearing at which the budget and levy will be discussed and public input allowed; and

WHEREAS, Scott County will use the results from the Residential Survey administered by National Research Center to report on some of the adopted measures.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners in and for the County of Scott, Minnesota, hereby reports progress on the Standard Measures Program developed by the Council on Local Results and Innovation.

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Witness my hand and official seal at Shakopee, Minnesota, this 4th day of June, 2019.

__________________________________________
County Administrator

__________________________________________
Administrator's Designee