AGENDA
SCOTT COUNTY
BOARD OF COMMISSIONERS
SHAKOPEE, MINNESOTA
SEPTEMBER 17, 2019

9:00 a.m.
(1) CONVENE COUNTY BOARD

(2) AMENDMENTS TO THE AGENDA

(3) APPROVE MINUTES OF SEPTEMBER 3, 2019 COUNTY BOARD MEETING

(4) 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.

(5) INNOVATION: EXPLORING AND ADOPTING NEW TECHNOLOGIES AND PROCESSES WITH THE GOAL OF IMPROVING SERVICE AND REDUCING THE LONG TERM COST OF SERVICE DELIVERY
5.1 Receive Information on Scott County Delivers Topic: Efficiencies (No fiscal impact)

10:15 a.m.
(6) RECESS FOR ROOM RECONFIGURATION

(7) CONSENT AGENDA
Customer Service: Creating a Customer Experience That is Respectful, Responsive and Solution-Oriented
7.1 Approve the Request for a Conditional Use Permit to Construct a Private Indoor Horse Riding Arena (Daniel and Wendy Bungert, Applicants and Property Owners) in Section 17 of New Market Township (No fiscal impact)
7.2 Approve the Request for an Interim Use Permit to Construct a Detached Accessory Dwelling Unit (Bruce and Jodi Bartusek, Applicants and Property Owners) in Section 35 of Cedar Lake Township (No fiscal impact)
7.3 Approve a New On-Sale Liquor License for Sever’s Corn Maze LP dba Sever’s Farm in Louisville Township (No fiscal impact)

Partnership: Aligning Existing Resources, Volunteers and Programs to Achieve Shared Goals
7.4 Adopt Resolution No. 2019-137; Authorizing Entering Into an Agreement With the Shakopee Mdewakanton Sioux Community Regarding the County Highway 42 Reconstruction Project (No fiscal impact)

Leadership: Anticipating Changes and Managing Challenges Based on Reliable Information and Citizen Input
7.5 Adopt Resolution No. 2019-138; Approving the Findings of Fact and Conclusions for the CP 42-19 Environmental Assessment Worksheet and Negative Declaration on the Need for an Environmental Impact Statement (No fiscal impact)
Consent Agenda Continued:

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

7.6 Approve the Minnesota Family Investment Program Biennial Service Agreement for 2020-2021 (No fiscal impact)

7.7 Adopt Resolution No. 2019-131; Authorizing Entering Into an Agreement With Kleen-Tech Services Corporation for Custodial Services for Scott County Facilities (No fiscal impact)


7.9 Adopt Resolution No. 2019-139; Amending the 2019-2028 Transportation Improvement Program for the CP 17-42 Pedestrian Bridge and Trail Project to Initiate Design in 2019 (Budget amendment needed)

7.10 Approve the Development Agreement Between River Valley Partners LLP and Scott County; and Adopt Resolution No. 2019-140; Setting an Annual Assessment for Tax Parcel ID #079330111 in the Amount of $15,000 for the Tax Years 2020 Through 2024 (No fiscal impact)

7.11 Approve Record of Disbursements and Approve Claims (No fiscal impact)

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

7.12 Approve Payroll Processing of Personnel Actions (No fiscal impact)

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

8.1 Adopt Resolution No. 2019-133; Approving the 2020 Budget in the Amount of $13,280,984 and Payable Tax Levy in the Amount of $3,452,685 of the Scott County Community Development Agency and Certifying Same to the County Auditor (Sets the final levy and budget for 2020)

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

9.1 Ratify the Setting of a Public Hearing at 9:30 a.m. on September 17, 2019; Conduct a Public Hearing to Receive Public Comment; and Adopt Resolution No. 2019-134; Approving the Preliminary 2020 Levy of $1,253,314 and the 2020 Budget for the Scott Watershed Management Organization Special Taxing District (Sets the preliminary levy and budget for 2020)

9.2 Adopt Resolution No. 2019-132; Establishing a Maximum Proposed Levy of $77,142,164 Less $6,019,164 Certified Property Tax Aids for a Net Levy of $71,123,000 for the Purpose of Preparing the 2020 Proposed Property Tax Statements (Sets the 2020 preliminary levy)

(10) **COMMITTEE REPORTS AND COMMISSIONER UPDATES**

(11) **COUNTY ADMINISTRATOR UPDATE**

(12) **RECESS FOR ATTORNEY/CLIENT MEETING**

(13) **ADJOURN**

**FOLLOWING THE MEETING THE COUNTY BOARD WILL CONVENE AS THE REGIONAL RAIL AUTHORITY**

**FOLLOWING THE REGIONAL RAIL AUTHORITY MEETING THE COUNTY BOARD WILL MEET IN A WORKSHOP SETTING TO RECEIVE INFORMATION ON THE FOLLOWING:**

- **PREVIEW THE STRATEGIC PLANNING STRATEGIES AND TACTICS**
- **LIBRARIES EXTENDED ACCESS PROJECT**
UPCOMING MEETINGS

September 23, 2019  5:00 p.m. County Board-Savage City Council Joint Workshop/Tour
October 1, 2019    9:00 a.m. County Board Meeting
October 15, 2019   9:00 a.m. County Board Meeting

Lezlie A. Vermillion
County Administrator
(952) 496-8100
MINUTES
BOARD OF COMMISSIONERS
COUNTY OF SCOTT
SEPTEMBER 3, 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 9:00 a.m., with the following members present: Commissioner Weckman Brekke, presiding, Commissioner Wolf, Commissioner Beard, Commissioner Beer and Commissioner Ulrich.

(2) County Staff Present:
   A. Lezlie Vermillion, County Administrator
   B. Jeanne Andersen, Senior Attorney
   C. Shanna Christensen, Administrative Specialist
   D. Kim Cave, Administrative Specialist
   E. Miranda Barker, Child Protection Worker
   F. Patricia Heil, Public Health Nurse
   G. Nate Rasch, Data Privacy Coordinator
   H. Tony Zappa, Building Inspector
   I. Asha Ahmed, Therapist
   J. Jennifer Schultz, Enterprise Risk Manager
   K. Pam Selvig, Health and Human Services Director
   L. Perry Mulcrone, Business Relationship Director
   M. Lori Huss, Employee Relations Director
   N. Patty Freeman, Scott County Parks General Manager
   O. Brad Davis, Planning and Resource Management Director
   P. Lisa Freese, Transportation Services Director
   Q. Danny Lenz, Chief Financial Officer/Deputy County Administrator
   R. Adam Pirri, Chief Deputy Sheriff
   S. Cindy Geis, Community Services Director
   T. Blanca Guzman, Librarian
   U. Monika Mlynarska, Associate Planner
   V. Debra Brazil, Deputy Clerk to the Board

(3) Guests Present:
   A. Jason Zemke, Three Rivers Park District
   B. Doug Berens, Three Rivers Park District
   C. Kathy Aho, Baker Tilly
   D. Paul Steinman, Baker Tilly
   E. Bill Jaffa, Scott County Community Development Agency

(4) Amendments to the Agenda:

   Chair Weckman Brekke announced the funding source on the request to award the construction contract for the Cleary Lake Regional Park Maintenance Building is bond proceeds and not County levy.

   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 Ulrich, the Minutes of August 20, 2019 were approved.

New Employee Welcome:

The following new employees introduced themselves: Therapist Asha Ahmed, Child Protection Worker Miranda Barker, Administrative Specialist Kim Cave, Administrative Specialist Shanna Christensen, Librarian Blanca Guzman, Public Health Nurse Patti Heil, Associate Planner Monika Mlynarska, Data Privacy Coordinator Nate Rasch, and Building Inspector Tony Zappa.

Consent Agenda:

A. Commissioner Wolf moved, seconded by Commissioner Ulrich to adopt Resolution No. 2019-122; Authorizing Entering Into a Grant Agreement With the Minnesota Department of Veterans Affairs for an Operational Enhancement 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 unanimously.

B. Commissioner Wolf moved, seconded by Commissioner Ulrich to adopt Resolution No. 2019-124; Approving the Execution of a Grant Agreement Regarding a Residential Mental Health Treatment Facility in the City of Savage and Taking Other Actions in Connection Therewith. 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 unanimously.

C. Commissioner Wolf moved, seconded by Commissioner Ulrich to adopt Resolution No. 2019-126; Approving the Pledge of the General Obligation of Scott County, Minnesota to the Payment of the Governmental Development Refunding Bonds (Scott County, Minnesota Unlimited Tax General Obligation), Series 2019b, to be Issued by the Scott County Community Development Agency; Approving the Pledge of the Special Benefits Tax to the Payment of Such Bonds; and Authorizing the Execution and Delivery of Documents in Connection Therewith. 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 unanimously.

D. Commissioner Wolf moved, seconded by Commissioner Ulrich to adopt Resolution No. 2019-127; Approving the Preliminary 2020 Budget and Levy of $34,000 for the Scott County Vermillion River Watershed Special Taxing District. 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 unanimously.

E. Commissioner Wolf moved, seconded by Commissioner Ulrich to adopt Resolution No. 2019-128; Authorizing the Scott County Engineer to Request the Minnesota Department of Transportation, State Aid for Local Transportation, Transfer $140,945.50 From the County's Municipal State Aid Construction Account to its Regular State Aid Construction Account. 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 unanimously.

F. Commissioner Wolf moved, seconded by Commissioner Ulrich to adopt Resolution No. 2019-130; Authorizing an Amendment to 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 unanimously.

G. Commissioner Wolf moved, seconded by Commissioner Ulrich to approve estimate of just compensation by a minimum compensation study and market value appraisal for new right-of-way for the reconstruction of County Highway 27 from County Highway 21 to County Highway 44 in Credit River Township. The motion carried unanimously.
H. Commissioner Wolf moved, seconded by Commissioner Ulrich to approve an Addendum to the Memorandum of Understanding for network/resource sharing with Jaguar Communications, Inc. The motion carried unanimously.

I. Commissioner Wolf moved, seconded by Commissioner Ulrich to approve the appointment of Kevin Shea of Commissioner District 2 to the Scott Watershed Management Organization Planning Commissioner for a term effective September 3, 2019 through December 31, 2020 representing the Sand Creek Watershed. The motion carried unanimously.

J. On the recommendation of the County Administrator, Commissioner Wolf moved, seconded by Commissioner Ulrich 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:
2. Separation of employment for Nakhil Kaistha, FT Therapist, Health and Human Services Division, effective 08/30/19.
3. Separation of employment for Jacob Hennen, FT Temporary GIS Technician-Unclassified, Planning & Resource Management Division, effective 08/22/19.
4. Separation of employment for Jacob Wacker, FT Program Delivery Seasonal, Transportation Services Division, effective 08/15/19.
5. Separation of employment for Himani Joshi, FT Temporary Administrative Assistant-Unclassified, Administration Division, effective 08/23/19.
6. FT Probationary employment for Asha Ahmed, Therapist, Health and Human Services Division, effective 08/26/19.
7. FT Probationary employment for Ayman Sabry, Therapist, Health and Human Services Division, effective 08/26/19.
8. FT Probationary employment for Miranda Barker, Child Protection Worker, Health and Human Services Division, effective 08/26/19.
9. FT Probationary employment for Teja Lawrence, 911 Dispatcher, Sheriff’s Office, effective 08/26/19.
10. FT Temporary employment for Anthony Zappa, Building Inspector-Unclassified, Community Services Division, effective 08/26/19.
11. Intermittent (34% FTE) employment for Sophie Lee, Library Aide-Unclassified, Administration Division, effective 08/20/19.
12. Promotion for Kate Sedlacek, FT Environmental Health & Waste Programs Supervisor to FT Probationary Environmental Services Manager, Planning & Resource Management Division, effective 08/19/19.
13. Change in employment for Matelyn Flaschenriem, FT Temporary to PT (.50 FTE) Administrative Assistant, Community Services Division, effective 08/19/19.
14. Amend separation date of employment for James Burger, FT Maintenance Worker II, Planning & Resource Management Division, effective 08/28/19 (previously reported as 08/30/19).
15. The recognition of the 20 nursing students from Metro State University as volunteers for a one-time event, Project Community Connect, on Wednesday, September 11, 2019, at the Canterbury Expo Center will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County. Motion carried unanimously.

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

A. Scott County Parks General Manager Patty Freeman presented the request to award a Construction Contract to Klar Dig Construction, Inc. for the construction of the Cleary Lake Regional Park Maintenance Building. Ms. Freeman reported six bids were received and the bid from Klar Dig Construction, Inc. was the lowest responsible bid. The total revised project budget is $2,401,039 which is an increase of $117,039 above the approved project budget in the Parks Improvement Program. Ms. Freeman stated Three Rivers Park District has a fund balance for contingency needs that is adequate to cover the $117,039 gap. Ms.
Freeman reiterated the funding source for the County’s portion of the project is bond proceeds and not County levy.

Commissioner Beard moved, seconded by Commissioner Wolf to adopt Resolution No. 2019-129; Awarding a Contract to Klar Dig Construction, Inc. for the Construction of the Cleary Lake Regional Park Maintenance Building and Amending the Budget for the Parks Improvement Program. 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 unanimously.

(9) Committee Reports and Commissioner Updates:
A. Commissioner Wolf attended a meeting regarding the high water levels on McMahon Lake on August 20.
B. Commissioner Wolf attended the Scott Watershed Management Organization Planning Commission meeting on August 26.
C. Commissioner Wolf met with a constituent regarding water issues on August 26.
D. The Commissioners all attended the joint workshop with the Carver County Board of Commissioners on August 27.
E. Commissioners Wolf and Beard attended the Metropolitan Mosquito Control District meeting on August 28.
F. Commissioners Wolf, Beer, Beard, and Weckman Brekke attended a tour on the Minnesota River on August 28.
G. Commissioner Wolf met with Spring Lake Township residents regarding a new development and possible boat slips on August 29.
H. Commissioner Wolf met with County Administrator Lezlie Vermillion on August 29.
I. Commissioner Wolf met with Scott County Planning and Zoning staff on August 29.
J. Commissioner Beer had several meetings and conversations with constituents regarding water and drainage issues.
K. Commissioners Beer and Weckman Brekke conducted the Chair/Vice Chair planning meeting on August 27.
L. Commissioners Beer and Weckman Brekke participated in the New Employee Welcome on September 3.
M. Commissioner Beard met with Ms. Vermillion on August 28.
N. Commissioner Beard met with a constituent regarding the Trunk Highway 169 restriping on August 29.
O. Commissioner Ulrich attended the Metropolitan Council Transportation Advisory Board meeting on August 21.
P. Commissioner Ulrich and Ms. Vermillion met with the City of Savage Mayor and City Administrator on August 22.
Q. Commissioner Ulrich attended the Families and Individuals Sharing Hope (FISH) Board meeting on August 22.
R. Commissioner Ulrich led church services at the Scott County Jail on August 25.
S. Commissioner Ulrich attended the Scott County Association for Leadership and Efficiency (SCALE) Unified Transit Management Plan meeting on August 28.
T. Commissioner Ulrich attended the Minnesota Valley Transit Authority meeting on August 28.
U. Commissioner Weckman Brekke attended an Association of Minnesota Counties and the Minnesota Association of County Social Service Administrators subcommittee meeting on August 23.
V. Commissioner Weckman Brekke attended the Minnesota Alliance for Healthy Families meeting on August 26.
W. Commissioner Weckman Brekke attended the FISH Partner Relations Committee meeting on August 27.
X. Commissioner Weckman Brekke attended the Inter-Governmental Work Group meeting on August 27.
Y. Commissioner Weckman Brekke attended a meeting regarding jail health care costs on August 28.
Commissioner Weckman Brekke had conversations and meetings with constituents regarding road issues.

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

B. Commissioner Beard moved, seconded by Commissioner Wolf to open the public hearing regarding the pledge of the general obligation of Scott County, Minnesota to the payment of Governmental Development Bonds (Scott County, Minnesota Unlimited Tax General Obligation – Brentwood II Project), Series 2019a to be issued by the Scott County Community Development Agency (CDA) at 9:33 a.m. The motion carried unanimously.

Chief Financial Officer/Deputy County Administrator Danny Lenz and Baker Tilly representatives Kathy Aho and Paul Steinman described the proposed Brentwood Court II Project (Project) which is an approximately 59 unit housing development project for rental to low and moderate income seniors in the City of Jordan. The Bonds will be secured primarily by a pledge of net revenues of the Project and other amounts pledged by the CDA, and secondarily by the full faith and credit of Scott County.

Hearing no public comment, Commissioner Beard moved, seconded by Commissioner Wolf to close the public hearing at 9:46 a.m. The motion carried unanimously.

Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-125; Approving the Pledge of the General Obligation of Scott County, Minnesota to the Payment of the Governmental Development Bonds (Scott County, Minnesota Unlimited Tax General Obligation – Brentwood II Project), Series 2019a, to be Issued by the Scott County Community Development Agency; Approving the Pledge of the Special Benefits Tax to the Payment of Such Bonds; and Authorizing the Execution and Delivery of Documents in Connection Therewith. 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 unanimously.

County Administrator Update:
- The joint tour/workshop with the Savage City Council is scheduled for Monday, September 23.
- The Star Tribune has an article in today’s edition regarding the Minnesota River sediment and pollution issues.

On a motion by Commissioner Wolf, seconded by Commissioner Beer, the meeting adjourned at 9:48 a.m.

Barb Weckman Brekke
Chair

Lezlie A. Vermillion
County Administrator
Clerk of the Board

Debra K. Brazil
Deputy Clerk to the Board
The purpose of this agenda item is to receive information on Scott County Delivers topic: Efficiencies.

County programs support Safe, Healthy and Livable Communities. These programs are tied to Community Indicators which provide on a high level some indication of overall program effectiveness. Scott County Delivers is a discussion on the Key Performance Indicators (KPIs) for County programs and Strategic Initiatives and how they are performing. These County programs also utilize business measures to track the effectiveness of programs as well as operational efficiencies. Scott County Delivers provides staff an opportunity to discuss programs and their data and shows what is working and not working in a broader setting.
Broader discussion on this data leads to understanding program impacts and overlaps between other departments and agencies. Understanding and discussing the data provides opportunities for broader collaborations, and improving process, technology, or staffing gaps.

To view materials including an overview of the program, outcomes, and measures, [click here].

**Fiscal Impact:**
None
### Background/Justification:

The purpose of this agenda item is to approve the Request for a Conditional Use Permit to Construct a Private Indoor Horse Riding Arena (Daniel and Wendy Bungert, applicants and property owners) in Section 17 of New Market Township.

This action was recommended by the Scott County Planning Advisory Commission on September 9, 2019 in accordance with Chapters 2, 9, and 40 of Scott County Zoning Ordinance No. 3 based on the criteria for approval listed below.

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

Daniel and Wendy Bungert, Applicants and Property Owners

Conditional Use Permit

Criteria for Approval:

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

   The proposed use will not have any impact on public facilities that are serving the property.

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.

   As proposed, the location of the indoor riding arena exceeds the required property line setbacks. The arena will be more than 60 feet from the nearest property boundary.

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 indoor riding arena is designed of materials that are not unsightly in appearance, and will be typical of a rural accessory building.

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 proposed indoor riding arena is consistent with the intentions of Chapter 9 of the Zoning Ordinance and with uses allowed on 10 acre parcels in the RR-1 zoning district.

5. The use is not in conflict with the Scott County 2040 Comprehensive Plan.

   The proposal is in conformance with the 2040 Comprehensive Plan and the keeping and enjoyment of animals such as horses.

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.

   Access will be via the existing residential driveway access to Dakota Avenue.

7. Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.

   Any water would be obtained via a private well; wells are permitted by the MN Department of Health. No restroom is proposed in the building. Erosion and sediment control will be reviewed with the building permit for the arena.

8. All building/structures meet the intent of the State Building Code and/or fire codes.

   A building permit will be required for the indoor riding arena. County Staff will review the building permit application to verify that the structure meets the intent of the State Building and/or fire codes.
**Conditions of Approval:**

1. The applicant is 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 the Conditional Use Permit (CUP).

2. The New Market Town Board may conduct an annual review of the CUP to ensure that the applicants are in compliance with the conditions of the CUP.

3. The applicants shall pay an annual CUP inspection fee, if and when the County adopts an inspection fee ordinance.

4. If ownership changes, the new owner shall contact the New Market Town Board and Scott County Zoning Administration to review the conditions of the CUP.

5. The maximum number of animal units shall be limited by the productive acreage of the property. The Scott SWCD may conduct an annual review to verify that the pasture management and manure management are in compliance with the approved plan.

6. Any future improvements to the proposed private riding arena shall meet all requirements of the State Building Code and all applicable codes as required by the Scott County Building Official.

7. The riding arena shall be used only as a private horse riding arena; no commercial boarding shall be allowed. Any other use of the structure is a violation of the CUP and the Scott County Zoning Ordinance.

8. The applicant shall provide a Stormwater Pollution Prevention Plan in accordance with 6A-3-3 prior to the issuance of grading or building permits.

And noting that New Market Township recommended approval of the request at their September 2019 monthly meeting.
NEW MARKET TOWNSHIP
SECTION 17
DANIEL & WENDY BUNGERT
REQUEST FOR
CONDITIONAL USE PERMIT
NEW MARKET TOWNSHIP
SECTION 17
DANIEL & WENDY BUNGERT
REQUEST FOR
CONDITIONAL USE PERMIT
24228 Dakota ave. Lakeville, MN

Grading/Drainage/Erosion Control:

We will be using Freeborn Construction for the grading. The plan will be that the grading will allow the building to be built up approximately 18 inches above grade to allow drainage. The drainage will be flowed toward the back of our property which is a natural drainage grade area.

'This proposal is for a private use indoor arena with four box stalls and a side lean to for round bale storage. It is explicitly for my family to ride horses indoors in inclement weather.

Feedlot/Pasture Information:

1. We have four horses on a 10 acre parcel.
2. The manure is taken OFF the premises 2x a year to a family that has large garden beds that they incorporate the old hay and manure into. The yard where the animals are dry lotted in the winter is scraped biweekly and the manure piled until removal. We drag and mow our pastures monthly to ensure there are no piles and to eliminate any odors. **No manure is spread** on the property, all is removed.
3. The odor is minimal because of the scraping and removal. It is piled to dry until removal and the areas surrounding the barn/lot area are treed and grassy. We are nowhere near any water source such as a lake or creek.
4. In the event of an animal passing away, disposal is done by Leroy Jobe, rendering service, not buried on the property.
5. We will have the building 60 feet from the lot line on the south side and 65 on the West side.
Building will be 60 feet from the lot line on the South and 65 feet from the lot line on the West. The building will be 18 inches above.
Size: 60' w x 120' l x 16' h

Size: 60' w x 120' l x 16' h
Size: 60' w x 120' l x 16' h

Hay Storage

STALL 10x10
STALL 10x10
STALL 10x10
STALL 10x10

Tack Room
12x12

Hay Storage

Riding Area
Memorandum

August 21, 2019

To: Scott County Planning and Zoning Department

From: Diann Korbel, Ag Program Specialist
Scott Soil and Water Conservation District (SWCD)

Subject: Dan and Wendy Bungert Conditional Use Permit application (CUP)

This memorandum is being sent to clarify some of the review aspects of the Bungert CUP application.

First, a productive acreage determination was conducted in August of 2019 to identify what animal unit densities would be allowed on the Bungert property per chapter nine of the Scott County Zoning Ordinance. The aerial photo investigation utilized 2018 photography and revealed an estimate of 6.0 productive acres which inferred all pastures were to be considered productive acres without feedlot condition and would qualify as areas for pasturing. The 6.0 productive acres would allow Bungert to house 5.0 animal units year round if all productive acreage is utilized for manure spreading.

The narrative submitted for the CUP application addresses all of the requirements necessary to receive a CUP.

Finally, Chapter 9-4-4 Standards for Conditional Use Permits, Item 4 requires acquisition of an MPCA permit. This requirement is up to the discretion of Scott County as the Minnesota Pollution Control Agency (MPCA) would not require an operation of this size (less than 50 animal units outside shore land) to get registered/permitted.

In summary, Scott SWCD recommends approval of the Bungert CUP application.

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1 Productive Acreage - An area of land used for Crop Production or Pasturing, measured in acres. Lawns and other landscaped areas may be included as Productive Acreage provided they will be used for Crop Production or Pasturing purposes, as attested to in an affidavit signed by the applicant. Lands that are not currently used for Pasturing may be included as Productive Acreage provide: a) the minimum living and residual vegetative cover requirements under the Pasturing definition is maintained, and b) the land is not enrolled in a conservation program that prohibits it from being used for cropping, grazing or animal waste disposal. Wetlands and areas being grazed but which do not meet the minimum living and residential vegetative cover requirements for the Pasturing definition (i.e. feedlots) shall not qualify as Productive Acreage.
2 Pastures - Areas where grass or other sod-forming vegetation is grown for the purpose of Pasturing.
3 Feedlot - A lot or building, or combination of lots and buildings, intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure.
4 Pasturing - The grazing of animals in an area of land where the residence time and concentration of animals is such that no less than 80% living or residual vegetative cover is maintained at all times, except that up to 10% of the total pasture area may have coverage less than 80% for supplemental feeding and or watering purposes. Tree and shrub canopy may be counted at a ratio of one half to one towards meeting the minimum vegetative cover requirements. Percent cover shall be determined by the Scott Soil and Water Conservation District using standard transect-line and aerial photo interpretation methodologies.
Date: 08/19/19
To: Marty Schmitz, Zoning Administrator
From: Megan Tasca, P.E., Natural Resources Department
Subject: PL 2019-0057 Bungert Riding Arena CUP

The Scott County Natural Resources Department has completed a review of a conditional use permit application for an indoor riding area referred to as the Bungert Riding Arena for conformance with the regulations of the Scott County Zoning Ordinance #3, Chapter 6 requirements. As presented, the plans appear to meet Scott County zoning Ordinance #3, Chapter 6 requirements.

The applicant will be required to submit an erosion and sediment control plan at the time a building permit is applied for.

Please note the review of any woodland preservation, wetland issues and/or review comments by the Township are not included.

Note that it is the applicant’s responsibility to apply for and obtain an MPCA NPDES Construction Stormwater permit if one is needed.

If you have any questions or need clarification of these comments, please feel free to contact me at (952) 496-8881.

Cc: Nathan Hall - Scott County Planning
Date: July 26th, 2019
To: Nathan Hall, Zoning Department
From: David Guenther, Environmental Services Department
Subject: PL2019-0057 Bungert Riding Arena

The Scott County Environmental Services Department has completed a review of the IUP conditions for the Bungert Private Riding Arena located at 24228 Dakota Ave in New Market Twp.

We recommend approval of the IUP with the condition that if there are any changes in use that the Scott County Environmental Services Department be notified as soon as possible.

If you have any questions or comments, please feel free to contact me at 952-496-8354.
TOWNSHIP RECOMMENDATION FORM

On Sept 3, 2019, the Town Board of New Market Town discussed with Wendy Berry, the request to

PRIVATE WINTER RIDING AREA

After reviewing the Request, the Town Board:

X \hspace{1cm} RECOMMENDS APPROVAL

WITH THE FOLLOWING CONDITIONS: NONE

RECOMMENDS DISAPPROVAL
FOR THE FOLLOWING REASONS:

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

SIGNED:

[Signatures]

CLERK
SUPERVISOR
SUPERVISOR

White—County
Yellow—Township Copy
Pink—Applicant’s Copy

VLCO FORM 1910

Scanned with CamScanner
The purpose of this agenda item is to approve the Request for an Interim Use Permit to Construct a Detached Accessory Dwelling Unit (ADU) (Bruce and Jodi Bartusek-Applicants and Property Owners) in Section 35 of Cedar Lake Township.

This action was recommended by the Scott County Planning Advisory Commission on September 9, 2019 in accordance with Chapters 2, 7 & 40 of the Scott County Zoning Ordinance No. 3 based on the criteria for approval listed below:

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

Bruce and Jodi Bartusek, Applicants and Property 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 structure has existed in this location for 100 years. The applicants are constructing a new home on the property. The building location is over ¼ mile from Panama Avenue.

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 applicants have made a number of updates to the structure including new siding, windows and roof. The structure has existed at this location for 100 years and conforms 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 Panama 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 an existing well and will be connected to the new septic drainfield system being installed for the new home on the property.

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

   The proposed ADU has been the primary residence on the property for the past 100 years. Any change of modifications will require building permits and be constructed to all state and county codes.

Conditions of Approval:

1. This IUP is issued to Bruce & Jodi Bartusek 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. Due to the size of the septic drain field the ADU shall be limited to one bedroom.

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

8. 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.

9. Upon termination of the IUP the structure shall be removed from the property or converted to a storage building.
CEDAR LAKE TOWNSHIP
SECTION 35
BRUCE & JODI BARTUSEK
REQUEST FOR
INTERIM USE PERMIT
Building Sketch (Page - 1)

Area Calculations Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation Details</th>
<th>Sq ft</th>
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<tbody>
<tr>
<td>Living Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Floor</td>
<td>24.5 x 18.5 = 453.75</td>
<td>453.75</td>
</tr>
<tr>
<td>Second Floor</td>
<td>14.5 x 18.5 = 268.25</td>
<td>268.25</td>
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<tr>
<td>Total Living Area</td>
<td></td>
<td>721.5 Sq ft</td>
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<tr>
<td>Non-Living Area</td>
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<tr>
<td>Wood Decks</td>
<td>14 x 13.5 = 195</td>
<td>195</td>
</tr>
<tr>
<td>Basement</td>
<td></td>
<td>245.5 x 18.5 = 453.25</td>
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<tr>
<td></td>
<td></td>
<td>721.3 Sq ft</td>
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<tr>
<td></td>
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<td>1702 Sq ft</td>
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</table>

TOTAL: 1702 Sq ft
Scott County Property Information

The flood elevation information and the proposed structural lowest floor elevation have been provided by the applicant. Scott County does not warrant the accuracy of that information nor guarantee that flood elevations will not increase in the future. The applicant is advised that meeting Zoning Ord. 1-5.7 minimum standards does not guarantee the structure is not subject to a risk from flooding and is strongly advised to raise the lowest floor elevation to the highest elevation achievable on the site to reduce that risk.

NOTICE
Additional erosion control measures may be required due to changing site conditions, plan modifications or changes in Local, State or Federal regulations.

<table>
<thead>
<tr>
<th>Parcel Information - PID: 39350040</th>
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</thead>
<tbody>
<tr>
<td>Property Address: 27751 PANAMA AVE</td>
</tr>
<tr>
<td>Taxpayer Information: BARTUSEK BRUCE GLENN 27751 PANAMA AVE WEBSTER MN 55088</td>
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<table>
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<tr>
<th>Parcel Properties</th>
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<tbody>
<tr>
<td>Tax Acres: 41.01</td>
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<tr>
<td>City/Township: CEDARLAKE</td>
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<tr>
<td>School District: ISD 0721 NEW PRAGUE</td>
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<thead>
<tr>
<th>Parcel Location</th>
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<tbody>
<tr>
<td>PLSS: T113, R022, S35</td>
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<tr>
<td>Lot:</td>
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<td>Block:</td>
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<tr>
<th>Payable Year 2016</th>
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<tbody>
<tr>
<td>Est. Market Value Land: $381100</td>
</tr>
<tr>
<td>Est. Market Value Building: $104700</td>
</tr>
<tr>
<td>Est. Market Value Total: $485800</td>
</tr>
</tbody>
</table>

Legend
Aerial View Active

Disclaimer: This information is to be used for reference purposes only. Scott County does not guarantee accuracy of this material contained herein and is not responsible for misuse or misinterpretation. The preceding disclaimer is provided pursuant to Minnesota Statutes 465.03. Subd. 27 (2000), and the user of this service acknowledges that the County shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the County from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of this provided.
Bruce & Jodi Bartusek
27751 Panama Ave
July 11, 2019

Elevations
Grade at well 1008.0
Existing house pipe out 1004.0
New house pipe out 1018.0
Tank #1 inlet 1003.0
#2 inlet 1002.0
#3 inlet 1001.0
Amp 997.0
Manifold 1019.0

Brent D. Matter
646 Roundhouse St.
Shakopee, MN 55379-1899
952-250-1699

Lic. #2803
The Scott County Environmental Services Department has completed the review of the septic system information for the existing home (detached accessory dwelling unit) and the proposed new home at 27751 Panama Ave in Cedar Lake Township. The new home and the existing home will share one septic system designed for five (5) bedrooms. The new home will have four (4) bedrooms and the existing home will have only one (1) bedroom. The existing home must only have one (1) bedroom; the upstairs of the home can only be used for storage and cannot be used for bedrooms. Any expansion of bedrooms in the existing house the septic system size will be to be increased. All the septic system information and soil information provided (dated 07/16/2019) appears to be in conformance with the Scott County Subsurface Sewage Treatment System Ordinance #4 and Minn. Rules Chapter 7080.
**AGENDA # 7.3**  
**SCOTT COUNTY, MINNESOTA**  
**REQUEST FOR BOARD ACTION**  
**MEETING DATE: SEPTEMBER 17, 2019**

| ORIGINATING DIVISION: | Community Services  
|-----------------------|------------------  
| ORIGINATING DEPARTMENT: | Property & Customer Service  
| CONSENT AGENDA: | ☑ Yes ☐ No  
| PRESENTER: | Tammy X8662  
| ATTACHMENTS: | ☑ Yes ☐ No  
| PROJECT: |  
| TIME REQUESTED: |  
| ACTION REQUESTED: | Approve a New On Sale Liquor License for Sever’s Corn Maze LP dba Sever’s Farm in 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
- ☑ 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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<thead>
<tr>
<th>DEPARTMENT/DIVISION HEAD SIGNATURE:</th>
<th>COUNTY ADMINISTRATOR SIGNATURE:</th>
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<tr>
<th>Approved:</th>
<th>DISTRIBUTION/FILING INSTRUCTIONS:</th>
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</table>
| Denied:   | Tammy Willmore, Administrative Specialist  
| Tabled:   | Certified Copy  
| Other:    |  

**Deputy Clerk:  
Date:**

**Background/Justification:**

The purpose of this agenda item is to approve a new On Sale Liquor License for Sever’s Corn Maze LP dba Sever’s Farm in Louisville Township.

Sever’s Corn Maze will be holding a festival in the fall with the possibility of one in the winter at the address of 3121 W 150th St in Louisville Township.

This is the first time the Scott County Board is approving a liquor license for Sever’s Corn Maze as it has recently moved from the City of Shakopee to Louisville Township. All background, tax, debt, and judgement
searches have been completed and were found to be satisfactory. The Louisville Town Board resolution has been received and recommends approval. Scott County Staff recommends approval.

**Fiscal Impact:**
None
The purpose of this agenda item is to adopt Resolution No. 2019-137; Authorize Entering Into an Agreement With the Shakopee Mdewakanton Sioux Community (SMSC) Regarding the County Highway (CH) 42 Reconstruction Project.

CH 42 is an important east/west corridor with regional significance, providing a critical link in the regional transportation system between Trunk Highway (TH) 169 in Jackson Township to TH 61 in Hastings. This corridor has been long identified as a principal arterial corridor in County and regional plans. In the project area, the existing road segment is a two lane undivided roadway having poor sight distances and lacking trails
and paved shoulders. This corridor is proposed to be a four lane divided highway to address the future traffic needs on this corridor.

The proposed project will reconstruct and modernize a 1.4 mile segment of this roadway from CH 17 to CH 83 from a two lane undivided roadway to a four lane rural/urban hybrid divided roadway. The project will improve roadway profiles, install turn lanes, formalize access locations, improve storm water management, and add trails to both sides of the roadway. Curb and gutter, storm water detention ponding, and infiltration areas will be constructed at select locations for water quality and rate control purposes. This segment is the last remaining gap in the four lane principal arterial system on CH 42 in Scott County and will connect with the recently improved CH 17 corridor, which is a principal arterial north-south corridor in Scott County. This project is included in the Transportation Improvement Plan (TIP) for construction in 2020.

The SMSC has been part of the project management team leading the project. An Agreement is needed with the SMSC to memorialize project decisions. The following elements will be part of Agreement with the SMSC:

- SMSC agrees to donate the right-of-way needed for the project by companion instruments to agreement for highway, drainage and utility purposes on its fee lands; and
- SMSC agrees to grant a companion License and Right of Entry on its trust lands for the project until such time of the granting of permanent easements; and
- SMSC will pay the cost of piping for casings placed under the reconstructed CH 42 to allow utilities to be extended in the future; and
- The County will reimburse SMSC for some early driveway modifications to be done ahead of the project for construction timing benefit.

The County acknowledges SMSC’s partnership in this project and its donation of right-of-way needed for the project. The right-of-way donation and the license and right of entry from the SMSC provides considerable cost savings to the project and allows the project to proceed with its project schedule.

This request to approve an Agreement with SMSC includes companion instruments for SMSC to grant easements on its fee lands for highway, drainage and utility purposes, and a License and Right of Entry on its trust lands to allow the project to proceed while and until the grant of permanent easements on its trust lands.

Fiscal Impact:

None
RESOLUTION NO. 2019-137; AUTHORIZE ENTERING INTO AN AGREEMENT WITH THE SHAKOPEE MDIEWAKANTON SIOUX COMMUNITY REGARDING THE COUNTY HIGHWAY 42 RECONSTRUCTION PROJECT

WHEREAS, the project will improve the safety, mobility, and capacity on Scott County Highway (CH) 42 between CH 17 and CH 83; and

WHEREAS, Scott County and Shakopee Mdewakanton Sioux Community (SMSC) recognize that good land use planning, access management, and supporting roadway construction fulfills the goals and objectives defined in the County and SMSC’s transportation plans; and

WHEREAS, the SMSC and County desire to continue to cooperate on issues of mutual concern that will encourage and enhance the government to government relationship between the County and the SMSC; and

WHEREAS, the County and SMSC intend to participate in the reconstruction of CH 42 in the best interest of the public; and

WHEREAS, the project is in the approved Scott County Transportation Improvement Program (TIP) for 2020; and

WHEREAS, the Agreement lays out the parties’ responsibilities including any right-of-way and construction costs.

NOW THEREFORE BE IT RESOLVED, that in order to further the government to government relationship that exists between the County and the SMSC, and to meet the public’s need for safe roadways serving the County and the SMSC, the SMSC and the County hereby enter into this Agreement.

BE IT FINALLY RESOLVED that the Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board to enter into an Agreement with the Shakopee Mdewakanton Sioux Community along with companion instruments granting easements for highway, drainage and utility purposes on its fee lands and by a license and right of entry on its trust lands regarding the County Highway 42 Reconstruction Project, subject to approval by the County Attorney’s Office as to form.

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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 17th day of September, 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 17th day of September, 2019.

__________________________________________
County Administrator

__________________________________________
Administrator’s Designee
### ORIGINATING DIVISION: Transportation Services Program Delivery
### ORIGINATING DEPARTMENT: Program Delivery

### CONSENT AGENDA:

<table>
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<th>Yes</th>
<th>No</th>
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### PRESENTER:
Lisa Freese-8008

### ATTACHMENTS:

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<th>Yes</th>
<th>No</th>
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### PROJECT:

| TIME REQUESTED: NA |

### ACTION REQUESTED:

Adopt Resolution No. 2019-138; Approving the Findings of Fact and Conclusions for the CP 42-19 Environmental Assessment Worksheet and Negative Declaration on the Need for an Environment Impact Statement

### 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:  

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### Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2019-138; Approving the Findings of Fact and Conclusions for the CP 42-19 Environmental Assessment Worksheet and Negative Declaration on the Need for an Environment Impact Statement.

As the Responsible Governmental Unit (RGU), Scott County has prepared an Environmental Assessment Worksheet (EAW), in accordance with Minnesota Rules Chapter 4410, for the proposed expansion of 1.4 miles of Scott County Highway (CH) 42, a two-lane rural section of roadway to a four-lane urban roadway with turn lanes, expanded shoulders, stormwater ponds, and multi-use trails along both sides of the roadway.
Stormwater infrastructure will also be included on a portion of the project with the installation of curb and gutter along the roadway and the construction of three new stormwater basins. The project is located between CH 17 (Marschall Road) and CH 83 and is anticipated to be constructed in spring of 2020 and require one full construction season.

Copies of the EAW were distributed to agencies on the current Minnesota Environmental Quality Board (EQB) distribution list. A notice of availability was published in the EQB Monitor on July 8, 2019. This notice included a description of the project, information on where copies of the EAW were available, and invited the public to provide comments.

The EAW comment period was from July 8 to August 7, 2019. Three written comment letters were received during the comment period. All comments received were considered in determining the potential for significant environmental impacts. We did not receive substantive comments that identified unknown environmental impacts. Minnesota Environmental Quality Board (EQB) Rules require that the County Board make a positive or negative finding on the need for an EIS.

**Fiscal Impact:**

None
RESOLUTION NO. 2019-138; APPROVING THE FINDINGS OF FACT AND CONCLUSIONS FOR CP 42-19 ENVIRONMENTAL ASSESSMENT WORKSHEET AND NEGATIVE DECLARATION ON THE NEED FOR AN ENVIRONMENT IMPACT STATEMENT

WHEREAS, Scott County was required to complete an Environmental Assessment Worksheet (EAW) for the CP 42-19 road reconstruction project; and

WHEREAS, Scott County submitted an EAW to the Environmental Quality Board (EQB) Monitor on July 8, 2019 and received comments until August 7, 2019; and

WHEREAS, Scott County received three comment letters on the project; and

WHEREAS, staff has completed a Response to Comments and Findings of Fact and Conclusions addressing the comments; and

WHEREAS, based on the criteria in Minnesota Rules part 4410.1700, the project does not have the potential for significant environmental effects.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners in and for the County of Scott, Minnesota, hereby adopts the Findings of Fact and Conclusions for CP 42-19 and a negative declaration on the need for an Environmental Impact Statement.

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<td>Weckman Brekke</td>
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<td>Ulrich</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 17th day of September, 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 17th day of September, 2019.

__________________________________________  
County Administrator

__________________________________________  
Administrator's Designee
RECORD OF DECISION
FINDINGS OF FACT AND CONCLUSIONS, RESPONSES TO COMMENTS

Date: September 3, 2019
RE: Determination of Need for an Environmental Impact Statement (EIS)
Project: CH 42 Improvements Project
Location: Cities of Prior Lake and Shakopee

FINDINGS OF FACT:

1. Scott County is proposing to reconstruct approximately 1.4 miles of CH 42 from a two-lane rural roadway to a four-lane divided highway in cities of Prior Lake and Shakopee.
2. The project falls within the mandatory Environmental Assessment Worksheet (EAW) category of Minnesota Rules part 4410.4300, Subp. 22- Highway Projects.
3. Scott County is serving as the Responsible Government Unit (RGU) and the project proposer.
4. The EAW was prepared using the form approved by the Minnesota Environmental Quality Board in accordance with Minnesota Rules Part 4410.1300; and
5. The EAW is incorporated by reference in this Record of Decision; and
6. The EAW was published in the EQB on July 8th, 2019. A copy of the EAW was sent to all persons on the EQB Distribution List. Hard copies of the EAW were also available for public viewing at the City of Prior Lake and City of Shakopee public libraries, the Scott County project website, and available upon request.
7. The 30-day public review and comment period opened on July 8, 2019 and ended on August 7, 2019. Three written comments were received from the following agencies: Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, and Minnesota Department of Transportation. No other comments were received.

CONCLUSIONS

Based on the criteria in Minnesota Rules, part 4410.1700, the project does not have the potential for significant environmental effects. An Environmental Impact Statement (EIS) is not required for the proposed CH 42 Improvements project. The RGU makes a Negative Declaration and does not require the preparation of an Environmental Impact Statement (EIS).

RESPONSE TO COMMENTS:

The following comments were received on the EAW. Consistent with state environmental review rules, written responses have been prepared for all substantive comments submitted during the 30-day EAW comment period and the comment letters are below.
<table>
<thead>
<tr>
<th>Entity</th>
<th>Responder</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>MPCA</td>
<td>Karen Kromar</td>
<td>A: The EAW does not describe specific erosion and sediment control best management practices (BMPs) to be utilized to protect area surface waters during the construction. Surface waters include numerous wetlands and O’Dowd Lake which has a construction-related impairment. The National Pollutant Discharge Elimination System/State Disposal System General Construction Stormwater permit (CSW permit) requires additional protections consisting of redundant (double) down gradient sediment control BMPs if construction encroaches within 50 feet of wetland buffers. Construction activities must avoid disturbance of the 50 foot buffer unless unavoidable to complete construction.</td>
<td>Scott County will prepare a Storm Water Pollution Prevention Plan (SWPPP) consistent with the requirements for managing water quality in and downstream of the project area. Specific management practices will be coordinated with the MPCA and SMSC and included in the SWPPP for the NPDES Construction Stormwater permit (CSW).</td>
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<td>B: Because O’Dowd Lake has a construction-related impairment, disturbed soils on portions of the Project site where stormwater ultimately flows to the lake must follow the CSW Permit’s requirement for additional BMPs. This means that areas where soil disturbance will not resume for 7 days must be stabilized within 7 days, even if construction is not complete in that area.</td>
<td>O’Dowd Lake is an impaired water within one mile of the project site, however, site drainage from the site is not directed to Lake O’Dowd (not a receiving water for this project). The specific management practices as noted for mitigating construction-related impairment will be included in the SWPPP for other surface water wetlands within 50 feet of the project.</td>
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<td>C: The type of permanent stormwater treatment is unclear. The EAW states filtration basins will be constructed for the Project that meet NURP criteria. However, the map in Appendix A has them labeled as infiltration basins. The CSW Permit requires a volume reduction practice unless prohibited due to one of the reasons in the permit. Infiltration or other practice that keeps stormwater on the site and not discharged is a volume reduction practice.</td>
<td>Three filtration basins will be constructed to treat stormwater runoff from the project. Soil borings obtained during the project development indicated that in situ soils are not conducive to infiltration.</td>
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<tr>
<td>MPCA</td>
<td>Karen Kromar</td>
<td>Filtration basins (basins with underdrains) and wet sediment basins or NURP ponds are not volume reduction practices. Soil borings and appropriate testing will be required in the location of the basins to determine whether infiltration is prohibited for one of the reasons specified in the CSW Permit.</td>
<td>See Response above.</td>
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<td>D: Also, the EAW states that the Project is located in a Drinking Water Supply Management Area (DWSMA). If the DWSMA is in an Emergency Response Area or has a moderate or a high to very high vulnerability, infiltration may be prohibited. Please see part 16.19 of the CSW Permit for more information. Questions regarding Construction Stormwater Permit requirements should be directed to Roberta Getman at 507-206-2629 or <a href="mailto:Roberta.Getman@state.mn.us">Roberta.Getman@state.mn.us</a>.</td>
<td>Comment noted. The project is in a low vulnerability area. Soil borings will be conducted in any proposed infiltration locations to confirm soil compatibility.</td>
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<td>DNR</td>
<td>Rebecca Horton</td>
<td>A: Construction dewatering of storm water, pond water, or ground water, that is required for grading, utilities, storm water sewers, and storm water ponds, that exceeds a volume of 10,000 gallons per day, or one million gallons per year, is required to have a DNR Water Appropriation Permit. The diversion of stream water for the purpose of placing a culvert in volumes that exceed 10,000 gallons per day, or one million gallons per year, would also require a DNR Water Appropriation Permit.</td>
<td>Dewatering is not anticipated as part of this project, however provisions for dewatering will be included in the plans. A DNR Water Appropriation Permit will be the responsibility of the contractor to obtain and follow.</td>
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<td>(continued)</td>
<td>B: Records from this area indicate that there is a layer of till that exists at a depth of approximately 45 feet and shallower layers of clay. Till is often impermeable, as a result it is likely that perched water tables will be encountered locally during the reconstruction of County Road 42. This should be kept in mind while planning for the project and permitting needs.</td>
<td>Thank you for your comment.</td>
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<td>C: We recommend that storm water ponds be used as a source for irrigation of future developments. We recommend this be considered during project design.</td>
<td>Thank you for your comment.</td>
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<td>Entity</td>
<td>Responder</td>
<td>Comment</td>
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<tr>
<td>MNDOT</td>
<td>David Elvin</td>
<td>A: MnDOT has reviewed the June 2019 EAW for the County Highway 42 project and has no comments. Thank you for including MnDOT in the review process, and please feel free to contact me with questions.</td>
<td>Thank you for reviewing the EAW.</td>
</tr>
</tbody>
</table>
August 7, 2019

Toni Winiecki
County Engineer
Scott County
600 County Trail East
Jordan, MN 55352

Re: County Highway 42 Improvement Project Environmental Assessment Worksheet

Dear Toni Winiecki:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for County Highway 42 Improvement Project (Project) in Scott County, Minnesota. The Project consists of a 1.4-mile expansion of the highway. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility or other interests, the MPCA staff has the following comments for your consideration.

**Water Resources (Item 11)**

A. The EAW does not describe specific erosion and sediment control best management practices (BMPs) to be utilized to protect surface waters during the construction. Surface waters include numerous wetlands and O’Dowd Lake which has a construction-related impairment. The National Pollutant Discharge Elimination System/State Disposal System General Construction Stormwater permit (CSW Permit) requires additional protections consisting of redundant (double) down gradient sediment control BMPs if construction encroaches within 50 feet of wetland buffers. Construction activities must avoid disturbance of the 50 foot buffer unless unavoidable to complete the construction.

B. Because O’Dowd Lake has a construction-related impairment, disturbed soils on portions of the Project site where stormwater ultimately flows to the lake must follow the CSW Permit’s requirement for additional BMPs. This means that areas where soil disturbance will not resume for 7 days must be stabilized within 7 days, even if construction is not complete in that area.

C. The type of permanent stormwater treatment is unclear. The EAW states filtration basins will be constructed for the Project that meet NURP criteria. However, the map in Appendix A has them labeled as *infiltration* basins. The CSW Permit requires a *volume reduction practice* unless prohibited due to one of the reasons in the permit. Infiltration or other practice that keeps stormwater on the site and not discharged is a volume reduction practice. Filtration basins (basins with underdrains) and wet sediment basins or NURP ponds are not volume reduction practices. Soil borings and appropriate testing will be required in the location of the basins to determine whether infiltration is prohibited for one of the reasons specified in the CSW Permit.
Also, the EAW states that the Project is located in a Drinking Water Supply Management Area (DWSMA). If the DWSMA is in an Emergency Response Area or has a moderate or a high to very high vulnerability, infiltration may be prohibited. Please see part 16.19 of the CSW Permit for more information. Questions regarding Construction Stormwater Permit requirements should be directed to Roberta Getman at 507-206-2629 or Roberta.Getman@state.mn.us.

We appreciate the opportunity to review this Project. Please provide your specific responses to our comments and notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW, please contact me by email at Karen.kromar@state.mn.us or by telephone at 651-757-2508.

Sincerely,

Karen Kromar
Project Manager
Environmental Review Unit
Resource Management and Assistance Division

KK:bt

cc: Dan Card, MPCA, St. Paul
    Roberta Getman, MPCA, Rochester
    Suzanne Hanson, MPCA, Duluth
Dear Tony Winiecki,

The Minnesota Department of Natural Resources (DNR) has reviewed the Environmental Assessment Worksheet (EAW) for the County Highway 42 Improvement Project. Regarding matters for which the DNR has regulatory responsibility or other interests, we offer the following comments for your consideration.

Water resources:

A. Construction dewatering of storm water, pond water, or ground water, that is required for grading, utilities, storm water sewers, and storm water ponds, that exceeds a volume of 10,000 gallons per day, or one million gallons per year, is required to have a DNR Water Appropriation Permit. The diversion of stream water for the purpose of placing culvert in volumes that exceed 10,000 gallons per day, or one million gallons per year, would also require a DNR Water Appropriation Permit.

B. Records from this area indicate that there is a layer of till that exists at a depth of approximately 45 feet and shallower layers of clay. Till is often impermeable, as a result it is likely that perched water tables will be encountered locally during the reconstruction of County Road 42. This should be kept in mind while planning for the project and permitting needs.

C. We recommend that storm water ponds be used as a source for irrigation of future developments. We recommend this be considered during project design.

For questions on these comments, please contact appropriations hydrologist Joe Richter (joe.richter@state.mn.us).

On behalf of the DNR, thank you for the opportunity to comment.

Becky

Rebecca Horton
Region Environmental Assessment Ecologist | Ecological and Water Resources

Minnesota Department of Natural Resources
1200 Warner Road
St. Paul, MN 55404
Phone: 651-259-5755
Fax: 651-772-7977
Email: becky.horton@state.mn.us
mndnr.gov
MnDOT has reviewed the June 2019 EAW for the County Highway 42 project and has no comments. Thank you for including MnDOT in the review process, and please feel free to contact me with questions.

Best regards,

David Elvin, AICP | Principal Planner
Metro District Planning, Program Management, and Transit
1500 West County Road B-2, Roseville MN 55113
651-234-7795
**Background/Justification:**

The purpose of this agenda item is to approve the Minnesota Family Investment Program (MFIP) Biennial Service Agreement for 2020-2021.

In 2003, the Minnesota Legislature established the MFIP consolidated fund. The fund allocation provides funding to help families with children meet their basic needs, and helps parents move to financial stability through work. It supports costs related to staffing, support services, and program administration for our Employment and Training and Income Maintenance units working with MFIP and Diversionary Work Program (DWP) families. Part of this legislation requires an approved service plan between the County Board and the Minnesota Department of Human Services (DHS) in order to receive funds. The primary purpose of the
Service Agreement is to assess County efforts towards the goals of economic stability for low income families. This Agreement provides an assessment of ongoing needs of families and children within the program areas, resources available to address those needs, the County’s plan to continue to monitor and achieve the required performance standards, and a budget showing the allocation of the resources.

**Fiscal Impact:**

No fiscal impact. Scott County’s allocation for the MFIP consolidated fund for calendar year 2020 is $558,403. This is a decrease of 5.4% from the 2019 allocation of $589,690 and has been included in the 2020 budget for planning.
Background/Justification:
The purpose of this agenda item is to adopt Resolution No 2019-131; Authorizing Entering Into an Agreement With Kleen-Tech Services Corporation for Custodial Services for Scott County Facilities.

This spring, the County awarded a three-year contract with Coverall to provide custodial services for all of its facilities. The vendor began work on July 1. Due to several job performance issues, the County ended the contract with Coverall at the end of July.

In accordance with the County’s procurement guidelines, a Request for Proposal was issued for this service with a scope of work required for the services based on the general needs and requirements of the facilities.
Scott County conducted a mandatory pre-submission meeting to tour the facilities and answered any questions for all potential responders prior to proposal submittals. Six vendors responded along with their monthly custodial service proposal:

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Monthly Bid Amount ($)</th>
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<tbody>
<tr>
<td>J &amp; J Janitorial Services</td>
<td>$64,109</td>
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<td>Allied National Services</td>
<td>$39,197</td>
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<tr>
<td>Triangle Services</td>
<td>$36,339</td>
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<tr>
<td>RBM Services</td>
<td>$35,250</td>
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<tr>
<td>American Facilities</td>
<td>$31,950</td>
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<tr>
<td>Kleen-Tech</td>
<td>$31,508</td>
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Kleen-Tech Services Corporation was the lowest responsible bidder that met the Request for Proposal requirements. Staff recommends the County Board approve a Contract with Kleen-Tech Services Corporation. The new Contract would be effective October 21, 2019 and continue for a three-year period, until September 30, 2022, with an option to extend the terms of this Contract for three additional one-year periods if both parties agree.

**Fiscal Impact:**
Funding is available in the approved 2019 budget.
RESOLUTION NO. 2019-131; AUTHORIZING ENTERING INTO AN AGREEMENT WITH KLEEN-TECH SERVICES CORPORATION FOR CUSTODIAL SERVICES FOR SCOTT COUNTY FACILITIES

WHEREAS, in August 2019 the County accepted three proposals for custodial services; and

WHEREAS, Kleen-Tech Services Corporation was the lowest responsible bidder that met all of the Request for Proposal (RFP) requirements; and

WHEREAS, the Contract is for three years with an option to renew for up to three additional one-year periods at the same or better terms upon agreement of both parties; and

WHEREAS, the monthly amount of the Contract is $31,508.00 and funding is available in the approved 2019 budget.

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 an Agreement with Kleen-Tech Services Corporation for custodial services.

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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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 17th day of September, 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 17th day of September, 2019.

County Administrator

Administrator's Designee
Background/Justification:

The Unified Transit Management Plan (UTMP) is underway and is being coordinated by County transportation planning staff. It was decided to set up an annual agreement to facilitate detailed work that may need specific transit expertise. This Transit Annual Agreement is similar to other annual agreements for professional services used by County departments in areas such as traffic engineering, wetland delineation and
environmental permitting, right-of-way, and geotechnical services. These Agreements establish a process which allows staff and consultants to contract for work determined to be needed on project or plan through a work order process. With a Transit Professional Services Contract, staff will be able to quickly react to any study needs coming from the UTMP steering committee work. The annual Agreements cap expenditures per agreement at $75,000 and can be renewed for up to three years. The standing Agreements will remain in effect through December 31, 2022.

The Resolution, if approved, only provides the authority to enter into an Agreement for these services. The actual expenditures, if utilized, will be funded from a Board approved funding source. For transit, Scott County Association for Leadership and Efficiency (SCALE) has set aside some funds for consultant needs of the UTMP.

Request for Qualifications went to three consulting firms known for providing strong transit services in the region and all three responded. The three firms are Kimley Horn and Associates Inc., SRF Consulting Group Inc., and WSB and Associates Inc. These firms are recommended to be included in annual Agreements based on previous work experience and different work team strengths in specific transit planning areas (market analysis, route planning, transit station planning, etc.).

Fiscal Impact:

None
RESOLUTION NO. 2019-136; APPROVING ANNUAL AGREEMENTS WITH KIMLEY HORN AND ASSOCIATES, INC., SRF CONSULTING, INC., AND WSB AND ASSOCIATES, INC., FOR PROFESSIONAL TRANSIT CONSULTING SERVICES

WHEREAS, the agreements provide services needed to study the current and future transit needs of the County; and

WHEREAS, the Unified Transit Management Plan will need professional resources to study the County’s transit needs; and

WHEREAS, the consultant firms Kimley Horn and Associates Inc., SRF Consulting Group Inc., and WSB and Associates Inc. were recommended based on experience; and

WHEREAS, the expenditures, if utilized, will be funded from a Board approved funding source; and

WHEREAS, the standing Agreements are written for an amount not to exceed $75,000 per year to allow for use of the Agreement needed and will remain in effect through December 31, 2022.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board to enter into an Agreement with Kimley Horn and Associates Inc., SRF Consulting Group Inc., and WSB and Associates Inc. for an amount not to exceed $75,000 per year, subject to approval by the County Attorney’s Office as to form.

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State of Minnesota)
County of Scott    )
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__________________________  __________________________
County Administrator       Administrator’s Designee
Background/Justification:
The purpose of this agenda item is to adopt Resolution No. 2019-139; Amending the 2019-2028 Transportation Improvement Program for the CP 17-42 Pedestrian Bridge and Trail Project to Initiate Design in 2019.

The project will construct a trail segment gap and a pedestrian/bike overpass of Trunk Highway (TH) 169 on the west side of County Highway (CH) 17 from CH 16 to the northwest ramp of TH 169. The project will also provide a direct link to the Marschall Road Transit Station, which is located on the west side of CH 17. Since there is currently no trail along the transit station’s frontage there is no way for pedestrians to conveniently access the transit station. In addition, the project will connect residents on the southwest side of TH 169 to the shopping area on the northwest side of TH 169.
This agenda item is a request to advance the currently programmed design from 2020 to 2019. In January of 2019, the County was awarded federal funding for the project for program year 2022. Federal funds will be available for construction after July 1, 2021, so to be prepared for the project, it was decided to advance the design work for the project to be constructed starting in late 2021. This earlier construction timeline, due to this funding availability, will allow delivery of this needed pedestrian connection sooner to serve the transit station and pedestrians using this corridor to access shopping, schools, and recreation.

The County has now fully scoped the project with the Minnesota Department of Transportation (MnDOT) and has fully identified design consultant needs. The County will lead the design of the trail but will need specialty engineering services for the bridge design, signals, and geotechnical services. The programmed Transportation Improvement Program (TIP) costs assumed bridge design only.

Design funding currently programmed in the 2019-2028 Transportation Improvement Program (TIP) is as follows:

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Design Consultant</td>
<td>$40,000</td>
<td>$45,000</td>
<td>$85,000</td>
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Proposed changes to design funding for the 2019-2028 Transportation Improvement Program (TIP) is as follows:

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<tr>
<th>Expenditures</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>Total</th>
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<tbody>
<tr>
<td>Design Consultant</td>
<td>$55,000</td>
<td>$63,000</td>
<td>$5,000</td>
<td>$123,000</td>
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</table>

The funding to advance the 2019 design work will come from 2019 spot safety funds and a budget amendment is needed to add $38,000 in funds to the overall projects design budget in 2020 and 2021. The design consultant funding needs in this amendment request is reflected in the draft TIP released for public review. This project is a transit last mile connection project and funded using the Transportation Sales Tax.

**Fiscal Impact:**

The budget amendment for design is $38,000. Total design cost is $123,000. Program year adjustments are:

- 2019-$55,000; and
- 2020-$63,000; and
- 2021-$5,000.

Sales tax revenues are sufficient to cover this budget amendment and program year adjustments for design consultant needs Overall the Transportation Tax funding needed is less due to receiving a $950,080 federal grant from the 2018 regional solicitation. This change for the project will be reflected in the 2020-2029 TIP update.
RESOLUTION NO. 2019-139; AMENDING THE 2019-2028 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE CP 17-42 PEDESTRIAN BRIDGE AND TRAIL PROJECT TO INITIATE DESIGN IN 2019

WHEREAS, funding for the County Highway (CH) 17 Pedestrian Bridge and Trail Project is programmed year 2022 for construction in the 2019-2028 Transportation Improvement Program (TIP); and

WHEREAS, since adoption of the TIP, the County has received federal funding from the regional solicitation which is available for construction of the project in 2021; and

WHEREAS, the County desires to work towards a 2021 project delivery to serve the transit station and residents using the CH 17 corridor; and

WHEREAS, the design services for the project need to be started in 2019 necessitating an increase of $38,000 additional funds for design; and

WHEREAS an adjustment to the program years for design will be: 2019, $55,000; 2020, $63,000; and 2021, $5,000; and

WHEREAS, the design services are funded from the Transportation Sales Tax, with revenues in this fund sufficient to cover this budget change and program year changes.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners in and for the County of Scott, Minnesota, hereby approves amending the 2019-2028 Transportation Improvement Program for the CP17-42 Pedestrian Bridge and Trail Project.

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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 17th day of September, 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 17th day of September, 2019.

_________________________________________  
County Administrator

_________________________________________  
Administrator's Designee
SCOTT COUNTY
2019 RBA
CP 17-42
Pedestrian Trail and Overpass Along CH 17

Date: 9/4/2019
The purpose of this agenda item is to approve the Development Agreement between River Valley Partners LLP and Scott County, and adopt Resolution No. 2019-140; Setting an Annual Special Assessment for Tax Parcel ID #079330111 in the Amount of $15,000 for the Tax Years 2020 Through 2024.

This summer Scott County approved an Interim Use Permit (IUP) for Sever Peterson and Family, applicants, and River Valley Partners LLP, property owner, to operate a private day park in Sections 33 and 34, Louisville Township, Scott County, known as “Severs Festival”. The day park will open to the public this month. As a condition of the IUP, the County required River Valley Partners LLP to install a right turn lane and center left...
turn lane on County State Aid Highway (CSAH) 14 to help with traffic management on CSAH 14 and facilitate safe turning movements for vehicles entering the Severs Festival site.

Scott County is currently completing new frontage road construction north of the festival property and east of US Highway 169, as well as road safety improvements on CSAH 14 for turning movements onto the frontage road. Early in the IUP process River Valley Partners and Scott County highway staff discussed the required turn lanes and it was determined that the turn lane design and construction costs could be lowered if included as part of the larger County project than if River Valley Partners paid for design and construction work separately. After reviewing the improvement costs with Scott County staff, River Valley Partners contributed funds towards the project road design work in the fall of 2018 and agreed to contribute a total of $75,000 for the construction costs.

In conjunction with the IUP a Development Agreement was drafted with the agreed upon term of payback for the $75,000 in construction costs, which is $15,000 annually over a five (5) year period. This assessment shall not accrue any interest and will be charged as a principal assessment only. After further review and discussion between County highway and taxation staff and River Valley Partners, it was determined that the payback could be done as a special assessment. This will ensure the funds are collected without both parties having to track the payments, and if property ownership changes the new land owner is still responsible for the payment.

Staff is recommending approval of the Developers Agreement and adoption of Resolution No. 2019-140 setting the annual special assessment.

Fiscal Impact:
None
RESOLUTION NO. 2019-140; SETTING AN ANNUAL SPECIAL ASSESSMENT FOR TAX PARCEL ID #079330111 IN THE AMOUNT OF $15,000 FOR THE TAX YEARS 2020 THROUGH 2024

WHEREAS, on July 16, 2019, the Scott County Board of Commissioners approved the Interim Use Permit (IUP) for Sever Peterson & Family, applicants, and River Valley Partners LLP, property owner, to operate a private day park in Sections 33 and 34, Louisville Township, Scott County, known as “Severs Festival”; and

WHEREAS, as a condition of the IUP Scott County required River Valley Partners LLP to install a right turn lane and center left turn lane on County State Aid Highway (CSAH) 14 to help with traffic management on CSAH 14 and facilitate safe turning movements for vehicles entering the Severs Festival site; and

WHEREAS, Scott County is managing construction of the US Highway 169 Frontage Road project that includes a new frontage intersection of CSAH 14 north of the River Valley Partners LLP property, as well as northbound turn lanes on CSAH 14 for the new frontage road; and

WHEREAS, River Valley Partners LLP met with Scott County staff in the fall of 2018 and contributed towards the engineering design work for the addition of southbound turn lanes on CSAH 14 to enter the Severs Festival property; and

WHEREAS, through a Development Agreement, River Valley Partners LLP has agreed that Scott County will construct all turn lane infrastructure on CSAH 14 as part of the US Highway 169 Frontage Road project including all turn lanes, and River Valley Partners LLP further agreed to an annual special assessment of $15,000 to Scott County beginning for tax year 2020 through tax year 2024 for a total payment of $75,000; and

WHEREAS, this assessment shall not include any interest and shall have a principal payment of only $15,000 per year.

NOW THEREFORE BE IT RESOLVED, that the Scott County Board of Commissioners, Scott County, Minnesota accepts and approves the Annual Special Assessment for the River Valley Partners LLC parcel (Tax Parcel ID #079330111) in the amount of $15,000 for the tax years 2020 through 2024.

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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 17th day of September, 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 17th day of September, 2019.

County Administrator

Administrator's Designee
The purpose of this Agenda item is to approve the records of disbursements and claims.

To comply with MN Statute 375.18 Subd. 1b Delegation for paying certain claims: A list of all claims paid under the procedures established by the county board shall be presented to the board for informational purposes only at the next regularly scheduled meeting after payment of the claim.

The Record of Disbursements will be available at the meeting.

Invoices total $15,777,264.48 from August 1 through August 31, 2019.

Fiscal Impact: None
**REQUEST FOR BOARD ACTION**

**MEETING DATE:** September 17, 2019

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<tr>
<th>ORIGINATING DIVISION:</th>
<th>ORIGINATING DEPARTMENT:</th>
<th>CONSENT AGENDA:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Employee Relations</td>
<td>☑ Yes</td>
<td>☐ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRESENTER:</th>
<th>ATTACHMENTS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monica Siegle</td>
<td>☑ Yes ☐ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROJECT:</th>
<th>TIME REQUESTED:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>---</td>
</tr>
</tbody>
</table>

**ACTION REQUESTED:**

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

<table>
<thead>
<tr>
<th>CONTRACT/POLICY/GRANT:</th>
<th>FISCAL:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ County Attorney Review</td>
<td>☐ Finance Review</td>
</tr>
<tr>
<td>☐ Risk Management Review</td>
<td>☐ Budget Change</td>
</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:**

<table>
<thead>
<tr>
<th>Approved:</th>
<th>DISTRIBUTION/FILING INSTRUCTIONS:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Monica Siegle, Employee Relations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Denied:</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Tabled:</th>
<th>Other:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Deputy Clerk:</th>
<th>Date:</th>
</tr>
</thead>
</table>

**Background/Justification:**

1. Separation of employment for Angela Schneider, FT Senior Accountant, Office of Management & Budget, effective 10/04/19.

2. Separation of employment for Sara Toenies, FT Therapist, Health and Human Services Division, effective 10/25/19.
3. Separation of employment for Kelsey Ramerth, FT Therapist, Health and Human Services Division, effective 09/13/19.
5. Separation of employment for Hannah Wiebold, FT Temporary Program Delivery Seasonal, Transportation Services Division, effective 08/16/19.
6. Separation of employment for Michael Bjick, FT Temporary Program Delivery Seasonal, Transportation Services Division, effective 08/30/19.
7. Separation of employment for Chrissy Degendorfer, FT Temporary Administrative Specialist-Unclassified, Health and Human Services Division, effective 08/23/19.
8. Separation of employment for Thomas Schiller, FT Temporary Assessment Technician-Unclassified, Community Services Division, effective 10/11/19.
9. Separation of employment for Hanna Donnelly, FT Temporary Assessment Technician-Unclassified, Community Services Division, effective 10/11/19.
10. Separation of employment for Maria Habiger, Intermittent (34% FTE) Library Aide-Unclassified, Administration Division, effective 08/30/19.
11. FT Probationary employment for Jane Kanan, Therapist, Health and Human Services Division, effective 09/03/19.
12. FT Probationary employment for Melat Yimamu, Eligibility Specialist, Health and Human Services Division, effective 09/09/19.
13. Intermittent (34% FTE) employment for Karen Kandik, Social Worker I-Unclassified, Health and Human Services Division, effective 08/29/19.
14. Intermittent (34% FTE) employment for Aaron Kyeong Backlund, Library Aide-Unclassified, Administration Division, effective 09/03/19.
15. Change in employment status for Paula Neisen, FT to PERA PRO (50% FTE) Registered Nurse, Health and Human Services Division, effective 08/31/19.

Fiscal Impact: N/A
AGENDA # 8.1
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: SEPTEMBER 17, 2019

ORIGINATING DIVISION: Administration
ORIGINATING DEPARTMENT: Administration
CONSENT AGENDA: Yes

PRESENTER: Bill Jaffa, Scott County CDA
ATTACHMENTS: Yes

PROJECT: Adopt Resolution No. 2019-133; Approving the 2020 Budget in the Amount of $13,280,984 and Payable Tax Levy in the Amount of $3,452,685 of the Scott County Community Development Agency (CDA) and Certifying Same to the County Auditor
TIME REQUESTED: 20 Minutes

ACTION REQUESTED: Adopt Resolution No. 2019-133; Approving the 2020 Budget in the Amount of $13,280,984 and Payable Tax Levy in the Amount of $3,452,685 of the Scott County Community Development Agency (CDA) and Certifying Same to the County Auditor

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: DISTRIBUTION/FILING INSTRUCTIONS:
Denied: Dana Anderson, Principal Tax Specialist
Tabled: Department of Taxation
Other: Cynthia Geis, Community Services Director
Deputy Clerk:
Date:

Background/Justification:
The purpose of this agenda item is to adopt Resolution No. 2019-133; Approving the 2020 Budget in the Amount of $13,280,984 and Payable Tax Levy in the Amount of $3,452,685 of the Scott County Community Development Agency (CDA) and Certifying Same to the County Auditor.

As the governing body of Scott County, the County Board must approve the levy of the Special Benefit Tax. In addition, the Scott County CDA has adopted its budget and requests the Scott County Board approve the same.
Attached are the Scott County CDA Resolution and the 2019-2020 CDA comparison of the budgeted use of tax levy dollars. The total Scott County CDA levy for 2020 in the amount of $3,452,685 equates to an increase of 7.68% ($246,324).

Bill Jaffa, the CDA Executive Director, will present this item

**Fiscal Impact:**

Sets the final levy and budget for 2020.
RESOLUTION NO. 2019-133; APPROVING THE 2020 BUDGET IN THE AMOUNT OF $13,280,984 AND PAYABLE TAX LEVY IN THE AMOUNT OF $3,452,685 OF THE SCOTT COUNTY COMMUNITY DEVELOPMENT AGENCY (CDA) AND CERTIFYING SAME TO THE COUNTY AUDITOR

WHEREAS, in accordance with Minnesota Statutes, Section 469.033, Subd. 6 ("Section 469.033"), and Laws of Minnesota, including Laws of Minnesota for 1974, Chapter 473, as amended (the "Special Law") the Scott County Community Development Agency (the "Agency") is authorized to levy special benefit taxes upon all property within its area of operation; and

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

WHEREAS, the Agency has by resolution duly approved and adopted its 2020 budget and levied the special benefits tax, payable 2020, subject to the approval of the Scott County Board of Commissioners (the "Scott County Board"); and

WHEREAS, the Agency is authorized to levy its special benefits tax at rates authorized under Minnesota Statutes, Section 469.033, with the approval of the Scott County Board.

NOW THEREFORE BE IT RESOLVED by the Scott County Board of Commissioners in and for the County of Scott, Minnesota, that the Scott County Board hereby authorizes the Agency to levy its special benefits taxes in an amount sufficient to fund its 2020 budget, subject to the limitation set forth in Minnesota Statutes, Section 469.033. In addition, subject to the foregoing limit, the Scott County Board approves the levy by the Agency from time to time of amounts sufficient to satisfy pledges made by the Agency of proceeds of its special benefit tax levy to pay debt service on bonds issued by the Agency to finance housing development projects.

NOW BE IT FINALLY RESOLVED that the Agency's 2020 Budget, said budget being before the Board, is hereby approved and the Agency is authorized to levy a tax for taxes payable in the year 2020 within its taxing jurisdiction for purposes outlined and authorized by Minnesota Statutes, Section 469.001 to 469.047 and sections 469.090 to 469.180, but in no case shall the dollar levy for the Agency exceed the limits referenced in the preceding paragraph.

<table>
<thead>
<tr>
<th>COMMISSIONERS</th>
<th>VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weckman Brekke</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Wolf</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Beard</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Beer</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Ulrich</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
</tbody>
</table>

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 17th day of September, 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 17th day of September, 2019.

__________________________________________
County Administrator

__________________________________________
Administrator's Designee
Scott County CDA  
Comparison of 2019 Budget to 2020 Budget

<table>
<thead>
<tr>
<th>Account Description</th>
<th>2019 Budget</th>
<th>2020 Budget</th>
<th>Dollar Variance</th>
<th>% Var</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dwelling Rent</td>
<td>7,966,070</td>
<td>8,168,028</td>
<td>202,559</td>
<td>3%</td>
<td>Rent increases</td>
</tr>
<tr>
<td>Admin Fee Portable</td>
<td>130,000</td>
<td>153,336</td>
<td>23,336</td>
<td>18%</td>
<td>Increase in clients portal to SC</td>
</tr>
<tr>
<td>Interest Income</td>
<td>38,416</td>
<td>59,960</td>
<td>21,544</td>
<td>54%</td>
<td>New interest rate agreement</td>
</tr>
<tr>
<td>Other Income</td>
<td>140,763</td>
<td>146,563</td>
<td>5,800</td>
<td>4%</td>
<td></td>
</tr>
<tr>
<td>Tax Revenue</td>
<td>3,206,361</td>
<td>3,452,685</td>
<td>246,324</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>Operating Subsidy</td>
<td>3,658,429</td>
<td>4,127,752</td>
<td>469,323</td>
<td>13%</td>
<td>Increase in clients portal to SC</td>
</tr>
<tr>
<td><strong>Subtotal Revenues</strong></td>
<td>15,140,059</td>
<td>16,106,444</td>
<td>968,386</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td><strong>Expenditures:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>1,842,908</td>
<td>1,962,374</td>
<td>119,466</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Legal</td>
<td>42,490</td>
<td>45,200</td>
<td>2,710</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Staff Training</td>
<td>18,920</td>
<td>18,510</td>
<td>(410)</td>
<td>-2%</td>
<td></td>
</tr>
<tr>
<td>Travel/Mileage</td>
<td>14,400</td>
<td>9,000</td>
<td>(5,400)</td>
<td>-36%</td>
<td>FSS activity moved to new account</td>
</tr>
<tr>
<td>Commissioner per Diem</td>
<td>7,500</td>
<td>7,500</td>
<td>-</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Auditing Fees</td>
<td>40,660</td>
<td>41,300</td>
<td>640</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Office Supplies</td>
<td>168,514</td>
<td>167,451</td>
<td>(1,063)</td>
<td>-1%</td>
<td></td>
</tr>
<tr>
<td>Consultants</td>
<td>161,200</td>
<td>100,050</td>
<td>(61,150)</td>
<td>-38%</td>
<td>Projects scheduled to begin - costs now capitalized</td>
</tr>
<tr>
<td>First Stop Shop</td>
<td>10,233</td>
<td>38,780</td>
<td>28,547</td>
<td>270%</td>
<td>All FSS expenses moved to this account</td>
</tr>
<tr>
<td>Services / Misc.</td>
<td>265,573</td>
<td>302,468</td>
<td>36,895</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Subscriptions / Dues</td>
<td>20,720</td>
<td>20,420</td>
<td>(300)</td>
<td>-1%</td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td>78,920</td>
<td>75,281</td>
<td>(3,639)</td>
<td>-5%</td>
<td></td>
</tr>
<tr>
<td>Postage</td>
<td>19,963</td>
<td>18,405</td>
<td>(1,558)</td>
<td>-6%</td>
<td>FSS activity moved to account above</td>
</tr>
<tr>
<td>Association Dues</td>
<td>52,884</td>
<td>50,469</td>
<td>2,415</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Advertising</td>
<td>50,135</td>
<td>38,531</td>
<td>(11,604)</td>
<td>-23%</td>
<td>FSS activity moved to account above</td>
</tr>
<tr>
<td>Inspections</td>
<td>6,000</td>
<td>6,000</td>
<td>-</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>528,912</td>
<td>591,125</td>
<td>62,214</td>
<td>12%</td>
<td>Standard increases and new enrollees</td>
</tr>
<tr>
<td><strong>Subtotal - Administration</strong></td>
<td>3,299,502</td>
<td>3,438,894</td>
<td>139,392</td>
<td>4%</td>
<td></td>
</tr>
<tr>
<td>Water &amp; Sewer</td>
<td>291,385</td>
<td>300,125</td>
<td>8,732</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>Electricity</td>
<td>180,169</td>
<td>175,351</td>
<td>(4,818)</td>
<td>-3%</td>
<td></td>
</tr>
<tr>
<td>Gas</td>
<td>139,884</td>
<td>142,088</td>
<td>2,204</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>7,925</td>
<td>7,650</td>
<td>(275)</td>
<td>-5%</td>
<td></td>
</tr>
<tr>
<td>Trash</td>
<td>79,569</td>
<td>80,283</td>
<td>6,714</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal - Utilities</strong></td>
<td>699,749</td>
<td>717,467</td>
<td>17,718</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>Maintenance Salaries</td>
<td>460,522</td>
<td>474,318</td>
<td>13,794</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>Materials</td>
<td>304,212</td>
<td>445,406</td>
<td>141,194</td>
<td>13%</td>
<td>Based on property needs and rising costs</td>
</tr>
<tr>
<td>Contract Costs</td>
<td>682,749</td>
<td>734,763</td>
<td>52,014</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>127,430</td>
<td>135,587</td>
<td>8,157</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal - Maintenance</strong></td>
<td>1,664,913</td>
<td>1,790,071</td>
<td>125,158</td>
<td>8%</td>
<td></td>
</tr>
</tbody>
</table>
## Scott County CDA
Comparison of 2019 Budget to 2020 Budget

<table>
<thead>
<tr>
<th>Account Description</th>
<th>2019 Budget</th>
<th>2020 Budget</th>
<th>Dollar Variance</th>
<th>% Var</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance</td>
<td>280,697</td>
<td>283,358</td>
<td>2,661</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>PILOT</td>
<td>318,230</td>
<td>329,271</td>
<td>11,040</td>
<td>3%</td>
<td>Increase from new agreement</td>
</tr>
<tr>
<td>Interest Expense</td>
<td>12,551</td>
<td>11,900</td>
<td>(651)</td>
<td>-5%</td>
<td></td>
</tr>
<tr>
<td>Other General Expense</td>
<td>116,869</td>
<td>106,663</td>
<td>(10,206)</td>
<td>-9%</td>
<td>Reduc. of RE taxes (properties no longer managed)</td>
</tr>
<tr>
<td>FISH Contribution</td>
<td>65,000</td>
<td>65,000</td>
<td>-</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>793,347</td>
<td>796,192</td>
<td>2,845</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Other Post Employment Benefits</td>
<td>32,241</td>
<td>44,393</td>
<td>12,152</td>
<td>38%</td>
<td>Calc. provided by Gallagher during 2019 audit</td>
</tr>
<tr>
<td>Scholarships</td>
<td>3,000</td>
<td>8,000</td>
<td>5,000</td>
<td>167%</td>
<td>Increase in level of tenant scholarships</td>
</tr>
<tr>
<td>TAP Grants/ Open to Business</td>
<td>410,000</td>
<td>420,000</td>
<td>10,000</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Homebuyer Club Program/Grants</td>
<td>80,000</td>
<td>180,000</td>
<td>100,000</td>
<td>125%</td>
<td>Now includes program costs not covered by funding</td>
</tr>
<tr>
<td>Casualty Losses</td>
<td>15,000</td>
<td>-</td>
<td>(15,000)</td>
<td>-100%</td>
<td>No longer budgeting - paid on occurrence of claim</td>
</tr>
<tr>
<td>Housing Assistance Payments</td>
<td>3,121,556</td>
<td>3,579,535</td>
<td>457,979</td>
<td>15%</td>
<td>Increase in clients porting to Scott County</td>
</tr>
<tr>
<td>Depreciation</td>
<td>2,353,679</td>
<td>2,306,432</td>
<td>(47,247)</td>
<td>-2%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6,015,476</td>
<td>6,538,360</td>
<td>522,884</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>Subtotal - Other Expenses</td>
<td>12,471,977</td>
<td>13,280,984</td>
<td>809,007</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2,668,081</td>
<td>2,827,460</td>
<td>159,379</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Transfer Out - County properties</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-100%</td>
<td>Projected loss for programs/properties decreased</td>
</tr>
<tr>
<td>Transfer Out - River City</td>
<td>14,661</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer Out - Hamilton</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Transfer Out - New Prague</td>
<td>-</td>
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<tr>
<td>Transfer Out - Northridge</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer Out - Glendale Place</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Transfer Out - Market Village</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Transfer Out - Brentwood</td>
<td>-</td>
<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Transfer In/Out - Program Support</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer In/Out - Program Enhancement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Service</td>
<td>3,187,369</td>
<td>3,179,232</td>
<td>-</td>
<td>-0.26%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(504,627)</td>
<td>(351,772)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** The CDA is subject to the following governmental oversight.

* Each year, the CDA is required to have a comprehensive A-133 audit, which includes not only a review of financial data, but also compliance with legal issues and program requirements.
* On each of the CDA bond issues, the Trustee monitors compliance with provisions of the bond indentures and notifies the CDA immediately of any deficiencies.
* The USDA - Rural Development monitors compliance with program requirements which include financial aspects of the program, as well as tenant based requirements and physical condition of the property.
* The Department of Housing and Urban Development (HUD) closely monitors program results and program requirements by insisting on regular and frequent reporting.
* On the State level, the Minnesota Housing Finance Agency (MHFA) monitors programs and grants closely by insisting on regular and frequent reporting, as well as site visits to review program files.
Scott County CDA
Budgeted Use of Tax Levy Dollars - 2020

### Budgeted Use of Tax Levy Dollars - 2019
**Fiscal Year 2019**

<table>
<thead>
<tr>
<th>Description</th>
<th>Dollars</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service/ Cash Contributions</td>
<td>512,933</td>
<td>19%</td>
</tr>
<tr>
<td>Program Support</td>
<td>164,395</td>
<td>6%</td>
</tr>
<tr>
<td>Concept Planning &amp; Development</td>
<td>75,000</td>
<td>3%</td>
</tr>
<tr>
<td>Salaries and Benefits</td>
<td>545,760</td>
<td>17%</td>
</tr>
<tr>
<td>Administration</td>
<td>475,047</td>
<td>18%</td>
</tr>
<tr>
<td>County-Wide Programs*</td>
<td>558,000</td>
<td>18%</td>
</tr>
<tr>
<td>Investments in County-Wide Developments</td>
<td>975,246</td>
<td>33%</td>
</tr>
<tr>
<td><em>Open to Business, EDI Grant Program, FSH, etc.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,206,361</td>
<td>100%</td>
</tr>
</tbody>
</table>

### Budgeted Use of Tax Levy Dollars - 2020
**Fiscal Year 2020**

<table>
<thead>
<tr>
<th>Description</th>
<th>Dollars</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service/ Cash Contributions</td>
<td>603,441</td>
<td>17%</td>
</tr>
<tr>
<td>Program Support</td>
<td>389,198</td>
<td>12%</td>
</tr>
<tr>
<td>Concept Planning &amp; Development</td>
<td>50,000</td>
<td>2%</td>
</tr>
<tr>
<td>Salaries and Benefits</td>
<td>586,430</td>
<td>17%</td>
</tr>
<tr>
<td>Administration</td>
<td>434,862</td>
<td>10%</td>
</tr>
<tr>
<td>County-Wide Programs*</td>
<td>573,000</td>
<td>15%</td>
</tr>
<tr>
<td>Investments in County-Wide Developments</td>
<td>1,203,659</td>
<td>32%</td>
</tr>
<tr>
<td><em>Open to Business, EDI Grant Program, FSH, etc.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3,452,685</td>
<td>100%</td>
</tr>
</tbody>
</table>

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*Page 3*
SCOTT COUNTY COMMUNITY DEVELOPMENT AGENCY

RESOLUTION NO. 35-19

Authorizing the 2020 General Administrative Operating Budget and the 2020 (Payable) Special Benefits Tax Levy of the Scott County Community Development Agency and Certifying the Levy to the Scott County Board

WHEREAS, the Scott County Community Development Agency (the “Agency”) is duly organized and existing under the laws of the State of Minnesota, including Laws of Minnesota for 1974, Chapter 473, as amended (the “Special Law”); and

WHEREAS, the Agency, with the approval of the Scott County Board of Commissioners (the “Scott County Board”), may levy special benefit taxes as authorized under Minnesota Statutes, section 469.033, Subd 6 at rates permitted in such section; and

WHEREAS, the Agency has prepared its 2020 General Administrative Operating Budget (the “2020 Budget”) and seeks approval of the Scott County Board of the 2020 Budget and the Agency’s levy of its special benefits tax to continue the work of the Agency in Scott County;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Scott County Community Development Agency as follows:

1. The 2020 Budget is hereby approved and directed to be submitted to Scott County pursuant to the requirements of Minnesota Statutes, Section 469.033.

2. Subject to the consent of the Scott County Board as required under Minnesota Statutes, Section 469.033 and the Special Law, the Agency levies a special benefit tax in an amount sufficient to fund its 2020 Budget, subject to the limits prescribed by the Special Law, and certifies such levy to the Scott County Board.

3. Upon approval of the Scott County Board of the Agency's levy of the special benefits tax, the County's approving resolution shall be attached hereto and made a part of this resolution.

Adopted this 13th day of August 2019.

M/ Stock

S/ Gulstad

Croatt yes
Gulstad yes
Robbins yes
Sotis absent
Stock yes

DeAnn Croatt, Chair

Terri Gulstad, Secretary
## Background/Justification:

The purpose of this agenda item is to ratify the setting of a public hearing at 9:30 a.m. on September 17, 2019; conduct a Public Hearing to receive public comment and adopt Resolution No. 2019-134; Approving the Preliminary 2020 Levy of $1,253,314 and the 2020 Budget for the Scott Watershed Management Organization Special Taxing District.

A levy of $1,253,314 is requested for the Scott WMO funding pursuant to Minn. Stat. §103B. The requested levy is a $47,044 - or 3.9% - increase from 2019. The average increase for levies set in years 2017, 2018, and
2019 was 3.3%. For the average market value residence in the Scott WMO Special Taxing District (which is $326,500), the proposed 2020 preliminary levy results in a net payable amount of $37.04, which is an increase of $1.16 - or 3.2% - from the net payable in 2019.

The 2020 preliminary budget is presented in the attached table. The budget will be presented by staff at the September 17, 2019 Board meeting, as part of the public hearing.

The Watershed Planning Commission reviewed the preliminary levy and budget at its August 26, 2019 meeting and recommended approval.

**Fiscal Impact:**
This action sets the preliminary levy and budget for 2020.
RESOLUTION NO. 2019-134; APPROVING THE PRELIMINARY 2020 LEVY OF $1,253,314 AND THE 2020 BUDGET FOR THE SCOTT WATERSHED MANAGEMENT ORGANIZATION SPECIAL TAXING DISTRICT

WHEREAS, the Scott County Board of Commissioners established a special taxing district for the Scott Watershed Management Organization (WMO) funding pursuant to Minn. Stat. 103B.245; and Scott WMO has levy authorities under 103B.241 and 103B.251; and

WHEREAS, the Scott County Board acting under its authority as the Scott WMO has determined a preliminary levy of $1,253,314 together with funding from grants and other revenue ($430,594) as necessary to provide for administration/general operations ($131,600), watershed plan implementation ($1,552,308), and fund balance replenishment ($67,721) as necessary to carry out the programs of special benefit to the Scott WMO area in 2020; and

WHEREAS, the Watershed Planning Commission recommends approval; and

WHEREAS, the Public Hearing was advertised in the Belle Plaine Herald on August 28 and September 4, 2019; and was held on September 17, 2019.

NOW THEREFORE BE IT RESOLVED by the Scott County Board, that pursuant to State Law, the preliminary levy for the Scott WMO Special Taxing District shall be $1,253,314 for taxes payable in 2020, and the preliminary budget as shown in the attachment dated September 17, 2019.

BE IT FINALLY RESOLVED, that the Scott WMO Administrator is directed to file a certified copy of the Resolution with the Scott County Auditor and Chief Financial Officer.

<table>
<thead>
<tr>
<th>COMMISSIONERS</th>
<th>VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weckman Brekke</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Wolf</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Beard</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Beer</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Ulrich</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
</tbody>
</table>

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 17th day of September, 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 17th day of September, 2019.

County Administrator
Administrator's Designee
## ATTACHMENT: Scott Watershed Management Organization Special Taxing District Preliminary 2020 Levy and Budget, September 17, 2019

### Revenue

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Water Planning Grant</td>
<td>$  8,094.00</td>
</tr>
<tr>
<td>Interest Income</td>
<td>$  10,000.00</td>
</tr>
<tr>
<td>Property Taxes WMO</td>
<td>$ 1,253,314.00</td>
</tr>
<tr>
<td>BWSR Watershed Based Funding</td>
<td>$   70,500.00</td>
</tr>
<tr>
<td>BWSR Targeted Sand Creek Grant</td>
<td>$  220,000.00</td>
</tr>
<tr>
<td>FY 2016 EPA 319 Grant</td>
<td>$   83,000.00</td>
</tr>
<tr>
<td>Cedar Lake Improvement District</td>
<td>$  -</td>
</tr>
<tr>
<td>Odowd Lake Assoc</td>
<td>$  2,000.00</td>
</tr>
<tr>
<td>AIS Funding</td>
<td>$  12,000.00</td>
</tr>
<tr>
<td>City of Prior Lake</td>
<td>$  25,000.00</td>
</tr>
<tr>
<td>Other Misc. Income</td>
<td>$  -</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$ 1,683,908.00</strong></td>
</tr>
</tbody>
</table>

### Expenses

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$ 131,600.62</td>
</tr>
<tr>
<td>Land and Water Treatment</td>
<td></td>
</tr>
<tr>
<td>Cost Share/Incentives</td>
<td>$ 309,000.00</td>
</tr>
<tr>
<td>Targeted Projects (Feasibility &amp; Implementation)</td>
<td>$ 195,000.00</td>
</tr>
<tr>
<td>Aquatic Plant Management</td>
<td>$ 50,500.00</td>
</tr>
<tr>
<td>Technical Assistance</td>
<td>$ 535,578.35</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>$ 1,090,078.35</strong></td>
</tr>
<tr>
<td>Monitoring &amp; Data Collection</td>
<td>$ 16,700.00</td>
</tr>
<tr>
<td>Education/Public Outreach</td>
<td>$ 158,431.54</td>
</tr>
<tr>
<td>Regulation</td>
<td>$ 3,622.50</td>
</tr>
<tr>
<td>Inventory &amp; Assessment</td>
<td></td>
</tr>
<tr>
<td>Picha Creek Assessment</td>
<td>$ 50,000.00</td>
</tr>
<tr>
<td>Subwatershed Assessments</td>
<td>$ 1,120.00</td>
</tr>
<tr>
<td>County Staff and Project Management</td>
<td>$ 52,872.00</td>
</tr>
<tr>
<td><strong>subtotal</strong></td>
<td><strong>$ 103,992.00</strong></td>
</tr>
<tr>
<td>Planning</td>
<td>$ 7,762.50</td>
</tr>
<tr>
<td>Coordination</td>
<td>$ 60,000.00</td>
</tr>
<tr>
<td>Maintenance</td>
<td>$ 44,000.00</td>
</tr>
<tr>
<td>Loan Repayment</td>
<td>$  -</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>$ 1,616,187.51</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Difference Rev - Exp (Fund Balance Use)</td>
<td>$ 67,720.49</td>
</tr>
<tr>
<td>Fund Balance Starting (estimated)</td>
<td>$ 220,550.98</td>
</tr>
<tr>
<td>Fund Balance Ending</td>
<td>$ 288,271.47</td>
</tr>
</tbody>
</table>
**AGENDA # 9.2**
**SCOTT COUNTY, MINNESOTA**
**REQUEST FOR BOARD ACTION**
**MEETING DATE: SEPTEMBER 17, 2019**

<table>
<thead>
<tr>
<th>ORIGINATING DIVISION:</th>
<th>Office of Management and Budget Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>ORIGINATING DEPARTMENT:</td>
<td></td>
</tr>
<tr>
<td>CONSENT AGENDA:</td>
<td>Yes  No</td>
</tr>
<tr>
<td>PRESENTER:</td>
<td>Danny Lenz</td>
</tr>
<tr>
<td>ATTACHMENTS:</td>
<td>Yes  No</td>
</tr>
<tr>
<td>PROJECT:</td>
<td></td>
</tr>
<tr>
<td>TIME REQUESTED:</td>
<td>10 Minutes</td>
</tr>
<tr>
<td>ACTION REQUESTED:</td>
<td>Adopt Resolution No. 2019-132; Establishing a Maximum Proposed Levy of $77,142,164 Less $6,019,164 Certified Property Tax Aids for a Net Levy of $71,123,000 for the Purpose of Preparing the 2020 Proposed Property Tax Statements</td>
</tr>
<tr>
<td>CONTRACT/POLICY/GRANT:</td>
<td>County Attorney Review  Risk Management Review</td>
</tr>
<tr>
<td>FISCAL:</td>
<td>Finance Review  Budget Change</td>
</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:**

**Approved:**

**Denied:**

**Tabled:**

**Other:**

**Deputy Clerk:**

**Date:**

**DISTRIBUTION/FILING INSTRUCTIONS:**

Dana Anderson, Principal Tax Specialist  
Taxation Department

Cynthia Geis, Community Services Director

**Background/Justification:**

The purpose of this agenda item is to adopt Resolution No. 2019-132; Establishing a Maximum Proposed Levy of $77,142,164 Less $6,019,164 Certified Property Tax Aids for a Net Levy of $71,123,000 for the Purpose of Preparing the 2020 Proposed Property Tax Statements.

The deadline to certify the proposed property tax levy for payable 2020 to the County Auditor is September 30, 2019.
The Budget Team is continuing to review all departmental budgets for budget considerations and issues, focusing on both operational and capital needs in preparation for establishing the final budget. Extensive discussion has been held on the preliminary levy information, the goals, needs, and challenges for 2020. Additional discussion with department managers, County Administration, and the County Board will further refine the budget prior to setting the actual levy which cannot increase above the adopted maximum proposed levy.

As part of the 2020 budget process staff interacted frequently with the County Board. Presentations occurred on April 30, July 30, and September 3 which provided information on the current conditions and trends facing Scott County.

**Fiscal Impact:**

The proposed 2020 levy of $71,123,000 is an increase of 3.95% over the 2019 levy.
RESOLUTION NO. 2019-132; ESTABLISHING A MAXIMUM PROPOSED LEVY OF $77,142,164 LESS $6,019,164 CERTIFIED PROPERTY TAX AIDS FOR A NET LEVY OF $71,123,000 FOR THE PURPOSE OF PREPARING THE 2020 PROPOSED PROPERTY TAX STATEMENTS

WHEREAS, the Scott County Board of Commissioners annually reviews the types and levels of service Scott County must provide and the associated costs; and

WHEREAS, the Scott County Board of Commissioners is annually challenged with the task of balancing the needs and desires of those served and the ability to pay for these services; and

WHEREAS, the Scott County Board of Commissioners is committed to maintaining reliable and consistent property tax levels; and

WHEREAS, the Scott County Board of Commissioners has established financial principles and sound fiscal policies that support the strategic initiatives.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners in and for the County of Scott, Minnesota, does hereby adopt the maximum levy for 2020 Truth in Taxation purposes, a levy of $77,142,164 less $6,019,164 Property Tax Aids for a net levy of $71,123,000 which shall be used to prepare the Proposed Property Tax Statements.

<table>
<thead>
<tr>
<th>COMMISSIONERS</th>
<th>VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weckman Brekke</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
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</tr>
<tr>
<td>Beer</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
<tr>
<td>Ulrich</td>
<td>□ Yes □ No □ Absent □ Abstain</td>
</tr>
</tbody>
</table>

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 17th day of September, 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 17th day of September, 2019.

________________________________________
County Administrator

______________________________
Administrator's Designee