9:00 a.m.

(1) CONVENE COUNTY BOARD

(2) AMENDMENTS TO THE AGENDA

(3) APPROVE MINUTES OF MARCH 6, 2007 COUNTY BOARD MEETING

(4) RECOGNITION OF INTERESTED CITIZENS
Limited to 5 minutes per person/subject. Speakers are asked to approach the microphone for the benefit of viewers and interested citizens.

(5) CONSENT AGENDA
Create Safe, Healthy, and Livable Communities
  5.1 Approve Consumption and Display Permit Renewal Application for Marystown Bar
  5.2 Approve February 2007 Economic Assistance Actions

Develop Strong Public Partnerships and an Active and Informed Population
Provide a Supportive Organizational Culture Which Enhances the County Mission
  5.3 Approve Personnel Actions
  5.4 Adopt Resolution No. 2007-042; Approving a Memorandum of Agreement With the Shakopee Mdewakanton Sioux Community for the Public Training Facility
  5.5 Approve the One Day Clean-up Contracts With the Cities of New Prague, Shakopee, Jordan, Savage, Belle Plaine, Prior Lake, and Cedar Lake Township

(6) SUSTAIN THE COUNTY’S EXCELLENT FINANCIAL HEALTH AND ECONOMIC PROFILE
  6.1 Acknowledge Receipt of the Certificate of Achievement for Excellence in Financial Reporting for Scott County From the Government Financial Officers Association

(7) CREATE SAFE, HEALTHY, AND LIVABLE COMMUNITIES
  7.1 Award a Contract to the Law Firm of Jaspers, Moriarty & Walburg, P.A. for Court Appointed Attorney Services

(8) DEVELOP STRONG PUBLIC PARTNERSHIPS AND AN ACTIVE AND INFORMED POPULATION
  8.1 Informational Presentation by Scott-Carver-Dakota Community Action Program (CAP)

(9) MANAGE THE CHALLENGES AND OPPORTUNITIES DERIVED FROM GROWTH AND DEVELOPMENT
  9.1 9:30 a.m. - Conduct a Public Hearing to Consider the Request for an Interim Use Permit of Knife River Corporation (Formerly Buffalo Bituminous) to Locate and Operate a Portable Asphalt Mixing Plant for up to 240 Hours in Section 25 of St. Lawrence Township
PROVIDE A SUPPORTIVE ORGANIZATIONAL CULTURE WHICH ENHANCES THE COUNTY MISSION

14.1 Conduct a Closed Labor Meeting to Discuss Negotiation Strategies for all Bargaining Units at 10:30 a.m. in the County Board Conference Room

ADJOURN

FOLLOWING THE BOARD MEETING THE COMMISSIONERS WILL CONVENE AS THE SCOTT WMO BOARD AND WILL THEN MEET IN A WORKSHOP SETTING FOR AN UPDATE ON IMPAIRED WATERS AND THE 319 MPCA GRANT WORK PLAN

UPCOMING MEETINGS

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting Details</th>
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</thead>
<tbody>
<tr>
<td>March 20, 2007</td>
<td>No Meeting</td>
</tr>
<tr>
<td>March 27, 2007</td>
<td>County Board Meeting &amp; Board Workshop</td>
</tr>
<tr>
<td>April 3, 2007</td>
<td>County Board Meeting</td>
</tr>
<tr>
<td>April 10, 2007</td>
<td>County Board Meeting</td>
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</table>

David J. Unmacht
County Administrator
(952) 496-8100
The Board of Commissioners, in and for the County of Scott, Minnesota, met in the Courthouse Board Room in the City of Shakopee, Minnesota, and convened at 9:04 a.m., with the following members present: Commissioner Marschall, presiding, Commissioner Wagner, Commissioner Hennen, and Commissioner Ulrich. Commissioner Vogel was absent.

County Staff Present:
A. David Unmacht, County Administrator
B. Patrick Ciliberto, County Attorney
C. Kevin Ellsworth, Chief Financial Officer
D. Judith Brumfield, Assistant Director of Community Services
E. Mari Kelvington, Social Work Case Manager
F. Theresa Larson, Social Work Case Manager
G. Kara Hall, Social Work Case Manager
H. Pat Gray, Social Work Case Manager
I. Angela Gjerde, Social Work Case Manager
J. Tom Kaletka, Social Work Case Manager
K. Shari Weeks, Social Work Supervisor
L. Chris Despins, Social Work Case Manager
M. Anne Rooney, Social Work Case Manager
N. Chris Mittlestadt, Social Work Case Manager
O. Pam Selvig, Social Services Manager
P. Steve Brown, Social Work Supervisor
Q. Tim Walsh, Community Services Director
R. Suzanne Arntson, Social Work Case Manager
S. Julie Malecha, Social Worker
T. Gretchen Young, Social Worker
U. Mary Tafs, Child Protection Worker
V. Jennifer McGill, Child Protection Worker
W. Marilyn McCarter, Chief Information Officer
X. Nikki Hallberg, Child Protection Worker
Y. Shona Buesgens, Social Work Supervisor
Z. Jack Kemme, Employee Relations Director
AA. Megan Boysen, Child Protection Worker
AB. Margie Nickerson, Social Work Case Manager
AC. Bob Schmitt, County Assessor
AD. Michelle Jungels, Communications Coordinator
AF. Jane Hansen, Assistant to the County Administrator
AG. Tracy A. Cervenka, Deputy Clerk to the Board

Guests Present:
A. Ruth McLeod, Credit River Township
B. Bill Jaffa, Scott County Housing & Redevelopment Authority
A. John Mueller, Belle Plaine Herald
   B. Shannon Fiecke, Southwest Suburban Publishing

Chair Marshall noted that item 6.4 – Adopt Resolution No. 2007-035; Approving the Final Study for the CSAH 8 at CSAH 23 Future Roadway Plan – will be removed from the Agenda and heard on April 3, 2007 at 10:00 a.m.

On a motion by Commissioner Ulrich, seconded by Commissioner Hennen, the Minutes of February 27, 2007 were approved.

County Administrator Dave Unmacht advised the Commissioners that property tax statements and the 2007/pay 2008 notice of valuation and classification will be mailed to property owners in March. For the first time, Scott County will mail the notices together for efficiency and cost savings.

A. On the recommendation of the County Administrator, Commissioner Ulrich moved, seconded by Commissioner Hennen, to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:

1. INTR (5% fTE) employment of Donna Good, Unclassified Associate Librarian, Library Division, effective 02/26/07.
2. Change in status for Debra Asmus, FTPR Corrections Officer to INTR (10% FTE) Unclassified Corrections Officer, Sheriff's Office, effective 02/21/07.
3. The recognition of the following individuals as volunteers will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County:
   - Additions
     - Mary Gallagher
   - Deletions
     - Keith Lillquist

The motion carried on a vote of four ayes, with Commissioner Vogel absent.

Commissioner Ulrich moved, seconded by Commissioner Hennen to schedule a closed labor meeting to discuss negotiation strategies for all bargaining units on March 13, 2007 at 10:30 a.m. The motion carried on a vote of four ayes, with Commissioner Vogel absent.
C. Commissioner Ulrich moved, seconded by Commissioner Hennen to approve the record of disbursements and approve claims made to Scott County from December 30, 2006 through January 26, 2007 in the amount of $11,711,205.01. The motion carried on a vote of four ayes, with Commissioner Vogel absent.

(9) Create Safe, Healthy, and Livable Communities:

A. Social Services Manager Pam Selvig presented a Resolution Proclaiming March 2007 as Professional Social Work Month. She advised the Commissioners that March was officially designated National Social Work Month in 1984 by the White House. Each March, Scott County and the National Association of Social Workers (NASW) recognize the dedicated efforts and hard work of our professional staff.

Commissioner Hennen moved, seconded by Commissioner Ulrich to adopt Resolution No. 2007-038; Proclaiming March 2007 as Professional Social Work Month. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes, with Commissioner Vogel absent.

B. Chief Financial Officer Kevin Ellsworth introduced discussion of a request by the Scott County Housing & Redevelopment Authority (HRA) to have the County Board adopt a Resolution approving the issuance of mortgage revenue bonds by the HRA. Pursuant to Statute, the County Board, as the applicable elected representative for the HRA, must approve the issuance of the bonds. By doing so, Scott County is not guaranteeing or agreeing to otherwise be fiscally responsible for the bonds.

HRA Executive Director Bill Jaffa explained that the funds from the bonds would be used to offer first-time homebuyers an opportunity to apply for either a par loan at a base rate or a loan offering up to a 4% down payment assistance grant at a higher mortgage rate. These bonds will meet the needs of moderate income families by providing below market rate financing for acquisition, new construction, or limited rehabilitation of single family homes.

Commissioner Ulrich moved, seconded by Commissioner Wagner to adopt Resolution No. 2007-041; Approving the Issuance of Mortgage Revenue Bonds by the Scott County Housing & Redevelopment Authority. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes, with Commissioner Vogel absent.

C. Chief Information Officer Marilyn McCarter briefed the Commissioners on the status of the County’s Business Continuity Plan (BCP). In 2006, a County-wide committee was formed to plan and document the BCP. The Committee determined the scope of the BCP to include a 72-hour disruption in electrical power and use of the employees’ normal work location/facility. The members then defined critical processes to be included in the BCP. In 2007, the Planning Task Force members will continue to enter the information into a database, consolidate BCP strategies across the divisions and departments, recommend testing and drill scenarios, and conduct BCP drills for County departments.

(10) Committee Reports/Commissioner Updates:

A. Commissioner Hennen attended the Metropolitan Mosquito Control District Board meeting on February 28.
B. Commissioner Hennen presented diplomas to Scott University graduates on February 28.
C. Commissioner Ulrich attended the Transit Review Board meeting on February 28.
D. Commissioner Ulrich met with Prior Lake Mayor Jack Haugen on March 1.
E. Commissioner Ulrich attended the Minnesota Valley Transit Authority (MVTA) Board meeting and Driver of the Year banquet on February 28.
F. Commissioner Marschall attended the Metropolitan Emergency Services Board meeting on February 14.
G. Commissioner Marschall attended the Association of Minnesota Counties (AMC) Board of Directors meeting on February 16.
H. Commissioner Marschall attended the Metropolitan Library Service Area (MELSA) Personnel Committee meeting on February 21.
I. Commissioner Marschall attended the Meth Task Force meeting on February 22.
J. Commissioner Marschall attended the Scott County Library Board of Trustees meeting on February 22.
K. Commissioner Marschall attended the State Health Advisory Committee meeting on February 23.
L. Commissioner Marschall attended the Scott County Transportation Policy Advisory Committee meeting on February 26.
M. Commissioner Marschall attended the Human Services Resource Council meeting on February 26.
N. Commissioner Marschall attended the Prior Lake Vision update on February 13.
O. Commissioner Marschall met with staff regarding the Metro Alliance for Healthy Families on February 22.
P. Commissioner Marschall attended a teen depression seminar on February 22.

(11) County Administrator Update:

A. Communications Coordinator Michelle Jungels reviewed the draft Communications Strategy, and asked the Commissioners to provide feedback to her within the next two weeks. Commissioner Ulrich suggested consideration of a coordinated county-wide presence at community events.

B. Mr. Unmacht reviewed upcoming calendar items.

Chair Marschall adjourned the meeting at 10:19 a.m.

Barbara Marschall
Chair

David J. Unmacht
County Administrator
Clerk of the Board

Tracy A. Cervenka
Deputy Clerk to the Board
**Background/Justification:**

The purpose of this agenda item is to approve the renewal application for a Consumption and Display Permit for Marystown Bar Inc., which is located in Louisville Township.

All background checks have been done and found to be satisfactory.

The $225.00 fee has been collected.

Scott County staff recommend approval.
**AGENDA # 5.2**

**SCOTT COUNTY, MINNESOTA**

**REQUEST FOR BOARD ACTION**

**MEETING DATE: MARCH 13, 2007**

<table>
<thead>
<tr>
<th>ORIGINATING DIVISION:</th>
<th>Community Services</th>
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<tbody>
<tr>
<td>DEPARTMENT:</td>
<td>Human Services</td>
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</table>

| CONSENT AGENDA:       | ☑ Yes ☐ No |
| ATTACHMENTS:          | ☐ Yes ☑ No |

| ACTION REQUESTED:     | Approve February, 2007 Economic Assistance Actions |

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

| STRATEGIC INITIATIVE:| ☑ Create Safe, Healthy, and Livable Communities |
|                     | ☐ Develop Strong Public Partnerships and an Active and Informed Population |
|                     | ☐ Provide a Supportive Organizational Culture Which Enhances the County Mission |
|                     | ☐ Manage the Challenges and Opportunities Derived From Growth and Development |
|                     | ☐ Sustain the County's Excellent Financial Health and Economic Profile |

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<tr>
<td>Approved:</td>
<td>DISTRIBUTION/FILING INSTRUCTIONS:</td>
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<tr>
<td>Denied:</td>
<td>Timothy Walsh</td>
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<td>Tabled:</td>
<td>Jan Busch-Koehnen</td>
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<tbody>
<tr>
<td>RBA #: 2007- 107</td>
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</table>

**Background/Justification:**

The purpose of this agenda item is to approve the February, 2007 Economic Assistance actions pursuant to Minn. Stat. Ch. 393.07.
**Background/Justification:**

1. Separation of Judith Johnson, INTR (14% FTE) Unclassified DAC Substitute, Community Services Division, effective 01/31/07.

2. Separation of Jennifer White, FTEE Assistant County Attorney II, Attorney’s Office, effective 03/14/07.

3. Separation of Teresa Barnes, FTEE Financial Assistance Specialist, Community Services Division, effective 03/20/07.

4. Separation of Sherry Amelse, FTEE Child Protection Worker, Community Services Division, effective 04/02/07.

5. INTR (35% FTE) employment of Mark Themig, Unclassified Parks Program Manager, Community Development Division, effective 03/07/07.
6. The recognition of the following individuals as volunteers will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County:

<table>
<thead>
<tr>
<th>Additions</th>
<th>Deletions</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Tieben, Jr.</td>
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<tr>
<td>Jakeline Gallardo</td>
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<td>Timothy McGinty</td>
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<td>Chris Aal</td>
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<tr>
<td>Jeffrey Benke</td>
<td></td>
</tr>
<tr>
<td>Ilona MacPherson</td>
<td></td>
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</table>
Background/Justification:

The purpose of this agenda item is to request adoption of Resolution No. 2007-042 approving Scott County’s participation in a Memorandum of Agreement with the Shakopee Mdewakanton Sioux Community for the funding and operation of the proposed Regional Public Safety Training Facility.

On July 25, 2006 the County Board adopted Resolution No. 2006-121 approving Scott County’s participation in a Joint Powers Agreement for the funding and operation of the proposed Regional Public Safety Training Facility. This agreement established the governance arrangement for the facility and set forth the operating and funding guidelines between Scott County and the cities involved within the facility. At that time it was unclear as to the ability of the Shakopee Mdewakanton Community to participate in a Joint Powers Agreement. Following discussion with the SMSC legal staff it was agreed that it would be appropriate to enter into a separate Memorandum of Agreement to ensure that the SMSC’s participation is properly addressed.

This memorandum was fashioned off of the JPA and is in addition too, not a replacement for, the JPA that was completed in 2006. Staff would recommend the adoption of Resolution No. 2007-042 approving Scott County’s participation in a Memorandum of Agreement with the Shakopee Mdewakanton Community for the funding and operation of the proposed Regional Public Safety Training Facility.
ADOPT RESOLUTION NO. 2007-042 APPROVING THE MEMORANDUM OF AGREEMENT WITH THE SHAKOPEE MDWAKANTON SIOUX COMMUNITY FOR THE PUBLIC SAFETY TRAINING FACILITY

WHEREAS, the provision of public facilities and infrastructure is an essential function of Scott County Government; and

WHEREAS, one of the needs and collaborative initiatives identified by the Scott County Association for Leadership and Efficiency (S.C.A.L.E.) was the development of a joint police and fire training facility; and,

WHEREAS, the Board of Commissioners has reviewed independently and jointly with other local governmental agencies the plans for the development of a joint regional public safety training facility; and,

WHEREAS, the Scott County Board of Commissioners believes that it is in the best interest of the citizens of Scott County for governmental agencies where practical to work cooperatively in developing and providing for public facilities and infrastructure; and,

WHEREAS, Minnesota Statutes permit the County to enter into agreements to jointly and cooperatively fund, develop and manage this type of facility or infrastructure.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners in and for the County of Scott County, Minnesota, that the Memorandum of Agreement with the Shakopee Mdewakanton Community for the Public Safety Training Facility is approved.

<table>
<thead>
<tr>
<th>COMMISSIONERS</th>
<th>VOTE</th>
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<tbody>
<tr>
<td>Wagner</td>
<td>☐ Yes ☐ No ☐ Absent ☐ Abstain</td>
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<td>Vogel</td>
<td>☐ Yes ☐ No ☐ Absent ☐ Abstain</td>
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<td>Hennen</td>
<td>☐ Yes ☐ No ☐ Absent ☐ Abstain</td>
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<tr>
<td>Marschall</td>
<td>☐ Yes ☐ No ☐ Absent ☐ Abstain</td>
</tr>
<tr>
<td>Ulrich</td>
<td>☐ Yes ☐ No ☐ Absent ☐ Abstain</td>
</tr>
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</table>

State of Minnesota)
County of Scott    )
I, David J. Unmacht, duly appointed qualified and 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 13th day of March, 2007 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 13th day of March, 2007.

__________________________________________  County Administrator
__________________________________________  Administrator’s Designee
The purpose of this agenda item is to approve the One Day Clean-up contracts with the Cities of New Prague, Shakopee, Jordan, Savage, Belle Plaine, Prior Lake and Cedar Lake Township. The One Day Clean-up program is funded entirely by grant funds from the Local Recycling Development Grant (LRDG) provided by the Minnesota Pollution Control Agency (MPCA). Scott County has been providing funding for the One Day Clean-ups since 1995. The clean-up day program is intended to collect the more difficult items to recycle such as: appliances, tires, scrap metal, automobile batteries, and certain electronics such as computer monitors and televisions. These certain electronics were banned from Minnesota landfills on July 1, 2006.

In 2004 the County’s Solid Waste Advisory Committee (SWAC) was reconvened to review the County’s LRDG contract renewal and Solid Waste Master Plan. One outcome from the SWAC meetings was to increase the total amount of funding available to all cities and townships combined from $25,000 to $50,000 annually for those cities and townships that collect computer monitors and televisions during their One Day Clean-ups starting in 2005. The Committee also recommended that the County funding be increased by $5,000 each year for the next five years to compensate for growth and cost increases.

The contracts have been reviewed and approved by the Scott County Attorney and Risk Management.
The contracts will be in effect until December 31, 2007, not exceeding a total cost to the County of $60,000. Steve Steuber is the contact for these contracts and can be reached at (952) 496-8473.
<table>
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**AGENDA # 6.1**
**SCOTT COUNTY, MINNESOTA**
**REQUEST FOR BOARD ACTION**
**MEETING DATE: March 13, 2007**

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<th>ORIGINATING DIVISION:</th>
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<td>DEPARTMENT:</td>
<td>Accounting/Budget</td>
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<td>Action Requested:</td>
<td>Acknowledge Receipt of the Certificate of Achievement for Excellence in Financial Reporting for Scott County From the Government Financial Officers Association</td>
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<tr>
<td>Consent Agenda:</td>
<td>Yes</td>
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<tr>
<td>Attachments:</td>
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<tr>
<td>Contract/Policy/Grant:</td>
<td>County Attorney Review</td>
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<tr>
<td>Strategic Initiative:</td>
<td>Create Safe, Healthy, and Livable Communities</td>
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<td>Develop Strong Public Partnerships and an Active and Informed Population</td>
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<td>Provide a Supportive Organizational Culture Which Enhances the County Mission</td>
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<td>Manage the Challenges and Opportunities Derived From Growth and Development</td>
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<td>Sustain the County's Excellent Financial Health and Economic Profile</td>
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<td>Department/Division Head Signature:</td>
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<td>County Administrator Signature:</td>
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Approved: Kevin Ellsworth, Chief Financial Officer
Denied: Bobbi Blank, Accounting Manager
Tabled: Steve Jones, Financial Analyst
Other: Deputy Clerk: Date: RBA #: 2007-111

**Background/Justification:**

The purpose of this agenda item is to acknowledge receipt of the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada (GFOA) for the 2005 Scott County comprehensive annual financial report (CAFR). Bruce DeJong, Finance Director from the City of St. Louis Park, on behalf of the GFOA will award Scott County a plaque for receiving the Certificate of Achievement for Excellence in Financial Reporting.

The GFOA is the professional association of state/provincial and local finance officers in the United States and Canada, and has served the public finance profession since 1906. More than 17,000 GFOA members are dedicated to the sound management of government financial resources.

The GFOA established the Certificate Program in 1945 and is designed to recognize and encourage excellence in financial reporting by state and local governments. Participation in the program reflects a significant proportion of larger general purpose governments in the United States. Over 69 percent of all cities and 46 percent of all counties with populations in excess of 50,000 participate in the program, as well as 43 state governments.
The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive “spirit of full disclosure” to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.
Background/Justification:
The purpose of this agenda item is to request County Board award a contract to the Law Firm of Jaspers, Moriarty & Walburg, P.A. for Court Appointed Attorney Services in an amount not to exceed $232,500.00.

Counties are financially responsible for the legal fees in civil cases wherein a Judge determines that the defendant is indigent and appoints an attorney at the public's expense. These cases include Child in Need of Protection Services (CHIPS), probate, paternity, child support, guardianships, conservatorships, and commitments involving mentally ill and dangerous persons, sexually dangerous persons and/or psychopathic persons. The number of cases varies from year to year; however, the number of cases and the hours and corresponding costs associated with these cases has been increasing at a relatively fast pace. Between 2004 and 2006 Scott County experienced an increase of more than 50% in the costs of these cases.

Currently, representation in these cases is determined through a pool wherein those attorneys willing to accept the cases are maintained on a list and the assignment goes to whoever is at the top of the list. The fees for these services are established by Court Order.

Given the consistent increase in the need for these services and the inability to accurately forecast the cost of providing these services (in 2006 expenses exceeded by 62.9% the amount forecast and budget) staff sought...
proposals from qualified legal offices for the purpose of establishing a single contract with a capped annual amount for providing legal representation to individuals in cases requiring attorneys appointed by the Court. Staff believes that by developing a contractual, single source of legal services, the County will be better able to manage, budget and forecast expenditures; and will also be better able to monitor the proficiency of the attorneys and quality of services being received.

Six firms provided responses to the County’s solicitation for proposals and were evaluated first based upon their technical merit and references and then their associated costs. Review was conducted by staff from the Judiciary, County Attorney’s Office, Community Services and County Administration. Following this review staff is recommending that a contract be awarded to the firm of Jaspers, Moriarty & Walburg, P.A.

Jaspers, Moriarty & Walburg proposed to provide all contracted legal services, in-house, and specifically proposed to provide the following professional services to Scott County in court appointed cases under this contract:

- Preparation of court appointed case intake for Scott County Court Administration to complete upon determination of qualification for court appointed attorney services.
- Preparation and filing of Certificate of Representation on all cases.
- Retrieval from Court Administration of all documents necessary for opening complete attorney file.
- Initial telephone contact with client informing them of court appointed representation.
- Office conferences with clients and/or out of office meetings with clients to discuss cases, gather information, and provide legal advice and counsel regarding tactics and alternatives.
- Additional case investigation as necessary. This investigation may involve contacts with prospective witnesses, retrieving earlier existing files, document review and investigation to obtain relevant data from a variety of sources including other District court files, governmental agencies, private employers, and experts in relevant fields of inquiry.
- Complete client intake, support staff, legal assistant, paralegal and law clerk services.
- Process serving as necessary.
- Preparation of legal authorities by both attorneys and law clerk(s) using the most current research methods provided by Westlaw (including access to all Minnesota State and Federal cases and statutes, Minnesota Practice Series and Minnesota secondary sources) as well as our in-house law library containing all relevant written legal resources (Dunnell’s Minnesota Digest, Minnesota Practice Series, Northwest Reporters, Miller/Davis legal forms database, Minnesota Statutes and various practice area specific resources).
- All legal writing and document drafting required to prevail, including but not limited to: pleadings, motions, affidavits, discovery requests, recordable documents, memoranda of law, letter brief arguments, proposed court orders, Appellate Briefs to both the Minnesota Court of Appeals and the Minnesota Supreme Court.
- Representation by qualified and prepared legal counsel at all hearings, trials, appeals or other court appearances.
- Representation at mediation sessions dictated.
- Preparation and filing of required applications for court appointed expert services through Court Administration (commitment cases).
- Maintain full knowledge of all statutory and case law related to probate, paternity, child support, guardianships, conservatorships, civil commitments and child protection, through weekly reviews of all Court of Appeals and Supreme Court cases and attendance at relevant and approved continuing legal education courses.

Further Jaspers, Moriarty & Walburg committed that all of the attorneys proposed herein will share the caseload of court appointed cases.

Jaspers, Moriarty & Walburg proposed to provide these services at a rate of $100.00 per hour with this rate to include all costs associated with the administration, support, expenses, insurance and legal representation; but, would exclude costs associated with expert witnesses/evaluators and interpreter services. In addition,
Jaspers, Moriarty & Walburg proposed to be responsible for all such costs to the extent that any single expense is less than $500.00 and that in the event that a single expense exceed $500.00 that they would petition Scott County for reimbursement, providing explanation and justification for payment and leave the decision on reimbursement to the sole discretion of the County.

Jaspers, Moriarty & Walburg is a well established and respected legal firm within Shakopee and staff would recommend that the Board approve the award of a one-year contract for Court Appointed Attorney Services in an amount not to exceed $232,500.00.
Background/Justification:

The purpose of this agenda item is for a presentation by the Carver-Scott-Dakota Community Action Program (CAP Agency). Linda Shelton, Community Services Director, will present an overview of the CAP Agency Food Shelf and March Food Share.

This is the second in a series of presentations from the CAP Agency that will come before the Board in 2007.
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<th>CONSENT AGENDA:</th>
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<td>ACTION REQUESTED:</td>
<td>Conduct a Public Hearing to Consider the Request for an Interim Use Permit of Knife River Corporation (Formerly Buffalo Bituminous) to Locate and Operate a Portable Asphalt Mixing Plant for up to 240 Hours in Section 25 of St. Lawrence Township</td>
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<td>CONTRACT/POLICY/GRANT:</td>
<td>☐ County Attorney Review ☑ Risk Management Review</td>
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<td>STRATEGIC INITIATIVE:</td>
<td>☐ Create Safe, Healthy, and Livable Communities ☐ Develop Strong Public Partnerships and an Active and Informed Population ☐ Provide a Supportive Organizational Culture Which Enhances the County Mission ☑ Manage the Challenges and Opportunities Derived From Growth and Development ☐ Sustain the County's Excellent Financial Health and Economic Profile</td>
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<td>RBA #:</td>
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Background/Justification:

The purpose of this agenda item is to consider the request for an Interim Use Permit (#148-I-10) for Knife River Corporation (formerly Buffalo Bituminous), Troy Forcier, applicant, to locate and operate a portable asphalt mixing plant for up to 240 hours in the UER, Urban Expansion Reserve District in Section 25 of St. Lawrence Township.

Andy Hingeveld, Associate Planner (496-8839) and coordinator of the project, will be available for questions.
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION

Knife River Corporation, applicant

Interim Use Permit (#148-I-10)

1. The request conforms to the criteria in the Zoning Ordinance to locate and operate a portable asphalt mixing plant.

And with the following conditions:

1. The permit shall be operated in compliance with the applicant’s site plan and letter received January 16, 2007.
2. The portable asphalt mixing plant and operation shall comply with all approved Minnesota Pollution Control Agency Licenses.
3. Hours of operation for the hot mixing operation shall be:
   - Crushing/Mining 7:00 a.m. to 6:00 p.m. Monday-Friday
   - Truck loading 7:00 a.m. to 6:00 p.m. Monday-Friday
   - Hot mixing 7:00 a.m. to 6:00 p.m. Monday-Friday
   - 7:00 a.m. to 4:00 p.m. Saturday
   - 240 hours per season

   Activities outside of operation hours:
   - Service equipment 6:00 a.m. to 7:00 a.m.
   - 6:00 p.m. to 8:00 p.m.

   Haul roads shall be limited to the paved portions of County Roads #2, #8, #11, #23, #27, #56, #59, #64, #66, #86, #89, and State Highways #41, #19, #21, #169 and #282.
4. Oils, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
5. The property shall be maintained in a neat and orderly manner.
6. The applicant shall comply with the approved 2007 Solid Waste Facility License.
7. There shall be no overnight camping of employees of the company in the gravel pits.
8. The applicant is required to use an additive that will neutralize the smell.
9. The applicant will water the haul road to minimize dust.

And noting that:

1. The St. Lawrence Town Board has recommended approval of the request.

BACKGROUND
Knife River Corporation (formerly Buffalo Bituminous) has requested an Interim Use Permit to operate a portable asphalt mixing plant for up to the allowed 240 hours, for the 2007 season from the RJS of Minnesota gravel mining operation in Section 25 of St. Lawrence Township. The company is requesting the approval to locate the asphalt plant in the north pit off Old Highway #169 to accommodate blacktopping bids they may be awarded. Attached is a map showing the location of the asphalt plant in the north pit. This is the same request the County Board has approved for this site every year since 2001.

The permit for the asphalt plant is handled somewhat differently than the usual permits. Because there is a short time line between a company being awarded an overlay bid and the start of the project, the Ordinance was written that the approval process bypasses the Planning Commission public hearing process and is considered directly by the County Board of Commissioners.

The request of the applicant is to be allowed the asphalt mixing plant for up to 240 hours. The Ordinance reads: “providing the portable asphalt mixing plant is to be operated for a maximum of 240 hours annually, unless an extension is approved.”

Buffalo Bituminous (now Knife River Corporation) received an Interim Use Permit in 2001 to operate an asphalt plant in this same location. A condition of the 2001 IUP required Buffalo Bituminous and the landowner to apply for and receive approval of an Interim Use Permit complying with Chapter 10 of the Zoning Ordinance. This permit was applied for and approved by the County Board on May 6, 2003. The updated Interim Use Permit provides for increased monitoring of the operation, stronger reclamation standards, and provides adequate security to ensure the reclamation plans are followed. Staff, St. Lawrence Township, Buffalo Bituminous, and RJS of Minnesota have worked very well together in addressing issues and updating the permit.

Neighboring property owners within one-quarter mile, as required by state law, were notified of this informational meeting being held by the County Board. As of this date, there have been no recorded written or verbal complaints to the County or the Town Board of St. Lawrence from the neighboring property owners through the 2001 to 2006 seasons.

The St. Lawrence Township Board heard this request at their February 2007 Town Board Meeting and is recommending approval of the request.

The following information was included in the County Board agenda packet. If you need any additional information, please call the office.

1. Site location map
2. 2007 Letter from Knife River Corporation
3. Map showing the plant location within the pit
4. Township Recommendation
St. Lawrence Township
Knife River, Inc.

REQUEST FOR INTERIM USE PERMIT
CONTINUE SAND & GRAVEL MINING WITH SEASONAL HOT MIX PLANT
January 8, 2007

Scott County Development Division
Attn: Mr. Andy Hingevedt
Planning Department
Government Center A107
200th Fourth Avenue West
Shakopee, MN 55379-1220

Re: RJS Pit – Interim Use Permit Application

Mr. Hingevedt:

Knife River Corporation – North Central is applying for an Interim Use Permit in anticipation of being awarded work in Scott County.

Buffalo Bituminous, Inc. a subsidiary of Knife River Corporation has operated three RJS pits since 2002. Mining has been active at these sites for more than thirty years. Each source has had substantial excavation and a defined mining pattern.

Mining is expected to continue at each source, until the marketable sand and gravel is exhausted. Excavation is performed by dozers and loaders. “Pit Run” products are loaded directly in the customer’s haul trucks. Portable crushing and screening plants are used to produce an inventory of processed sand, gravel and rock products. Washing will resume if sufficient market demand develops. The north pit is also used as a site for recycle concrete pavements and other clean concrete/ rock rubble into gravel products.

This year the North pit will be used for asphalt production, the approximate location is marked on the attached map. Hot Mix production is expected to occur each construction season.

The South pit is being developed and restored.

Sand, gravel and hot mix operations will be in accord with governmental regulations.
Hours of operations are as follows:

Crushing/ Mining: 7:00 am to 6:00 pm Monday through Saturday

Truck Loading: 7:00 am to 6:00 pm Monday through Saturday

Hot Mixing: 7:00 am to 7:00 pm Monday through Friday
7:00 am to 4:00 pm Saturday
240 hours or less in accord with local ordinances.

Hot mix plants will be equipped with bag house dust control systems.

Hauling

Trucks will be routed over public roads and streets by the most direct selection between pit and project, except that “Old 169” west of County # 59 will not be used.

“Jake Brakes” will not be used on trucks owned or controlled by Knife River Corporation.

Berming

Prior to extending mining areas, an earth berm shall be constructed adjacent to any fronting public roads or streets. Berms shall be constructed parallel to roads or streets. Berm dimensions shall be a minimum of four feet higher than the centerline top of the road. Side slopes shall not be steeper than 3:1. Permanent vegetation shall be established on the berms. An undisturbed vegetated 30-foot setback is required along the perimeter of the pit that is not fronted by public roads.

Restoration

All topsoil and excess overburden shall be removed, stockpiled and reserved for restoration before mining an area. As soon as practical, after an area is mined out, the pit slopes shall be graded to slopes not steeper than 3:1. All available topsoil and excess overburden soil shall be spread uniformly on all restored slopes.

Sincerely,

[Signature]
Troy Forcier
Project Manager
Knife River Corporation – North Central
TOWNSHIP RECOMMENDATION FORM

On 2-8, 2007, the Town Board of St. Lawrence discussed with Brad Arntson, the request to operate "Knife River Inc." (formerly Buffalo Bituminous) with a I.U.P. to bring in a Portable Blacktop Plant in Section 26 of St. Lawrence Township, and in the RJS gravel pit.

After reviewing the Request, the Town Board:

✓ RECOMMENDS APPROVAL WITH THE FOLLOWING CONDITIONS:

Same as last year 2006

________________________

_ 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

SUPERVISOR

White - County

Yellow - Township Copy

Pink - Applicant's Copy
**AGENDA # 14.1**

**SCOTT COUNTY, MINNESOTA**  
**REQUEST FOR BOARD ACTION**  
**MEETING DATE: MARCH 13, 2007**

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<th>ORIGINATING DIVISION:</th>
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<td>ATTACHMENTS:</td>
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**ACTION REQUESTED:**

Conduct a Closed Labor Meeting to Discuss Negotiation Strategies for All Bargaining Units Today at 10:30 a.m. in the County Board Conference Room

**CONTRACT/POLICY/GRANT:**

- County Attorney Review
- Risk Management Review

**STRATEGIC INITIATIVE:**

- Create Safe, Healthy, and Livable Communities
- Develop Strong Public Partnerships and an Active and Informed Population
- Provide a Supportive Organizational Culture Which Enhances the County Mission
- Manage the Challenges and Opportunities Derived From Growth and Development
- Sustain the County's Excellent Financial Health and Economic Profile

**DEPARTMENT/DIVISION HEAD SIGNATURE:**

**COUNTY ADMINISTRATOR SIGNATURE:**

**DISTRIBUTION/FILING INSTRUCTIONS:**

Monica Siegle, Employee Relations

**Approved:**

**Denied:**

**Tabled:**

**Other:**

**Deputy Clerk:**

**Date:**

**RBA #:** 2007-115

**Background/Justification:**

The purpose of this agenda item is to hold a Closed Labor meeting to discuss negotiation strategies for all bargaining units, pursuant to Minnesota Statute §471.705.