



CARVER COUNTY

minnesota

Carver County Board of Commissioners June 1, 2021 Regular Session

The County Board Room is open to the public. However, Board Room audience capacity is limited to twelve (12) due to COVID-19 concerns.

Individuals who are not able to attend in person and wish to provide public comments can do so by email at admin-contact@co.carver.mn.us or by leaving a voicemail at (952) 361-1516. Public comments received in writing such as those received by e-mail will be summarized during the meeting and posted on the County website at <https://www.co.carver.mn.us/government/county-board-of-commissioners/county-board-meetings-and-agendas> following the meeting. Voicemail public comments will be played during the meeting. If you would like to join the Regular Session videoconference please send an e-mail, no later than noon on the Monday prior to the scheduled meeting date, to Carver County Administration at admin-contact@co.carver.mn.us to receive a Webex invitation.

Public comments that relate to an item on the agenda will be heard when that agenda item is discussed. Please limit your public comments to five minutes or less.

The Regular Session portion of the meeting will be webcast live at: <https://www.youtube.com/user/CarverCountyMN/live>

- 9:00 a.m. 1. a) **CONVENE**
 b) **Pledge of allegiance**
 c) **Public comments submitted via email/voice mail**
2. Agenda review and adoption
3. Approve minutes of May 18, 2021, Regular Session 1-5
4. Community Announcements
- 9:10 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy and livable communities*
- 5.1 Special Event Use Permit Request - 4th of July Firework Display at Lake Waconia Regional Park 6
- 5.2 LBRP Grant Agreements with Mn Dept Of Transportation for bridges on Highway 140 7-9

Connections: Develop strong public partnerships and connect people to services and information

- 5.3 Request for approval to contract with Cybersecurity Monitoring Service 10-11

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

- 5.4 Request for approval to contract with Mint Roofing 12
5.5 Mithaven, LLC Request for High Amenity Development (3 Lots)..... 13-18
5.6 Neumann Acres - Preliminary Plat 19-33

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

- 5.7 Body worn Camera System Contract Approval 34
5.8 Extension of Library Fine Waiver 35-36
5.9 Approval of the MNPEA Licensed Deputy 2021 -2022 Collective Bargaining Agreement..... 37-39

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

- 5.10 Mental Wellness Facility Parking Lot Project 40
5.11 Environmental Center Asphalt Replacement 41
5.12 Review/Social/Commissioners' Warrants..... NO ATT

- 9:10 a.m. **6. COMMUNITIES: Create and maintain safe, healthy and livable communities**
6.1 A Capital Project Request To The Office Of Management and Budget For Lake Waconia Regional Park 42-43
6.2 Discussion of housing options and activities by Carver County CDA and Health and Human Service 44
- 10:00 a.m. **7. CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government**
7.1 Health and Human Services Administrative Support Services Reorganization 45-46
- 10:10 a.m. **8. GROWTH: Manage the challenges and opportunities resulting from growth and development**
8.1 Closed Session for land acquisition for the Highway 212 Project-Dahlgren Township..... 48
- 10:55 a.m. **9. County Administrator Report**
- 11:00 a.m. **ADJOURN REGULAR SESSION**

David Hemze
County Administrator

UPCOMING MEETINGS

June 8, 2021	9:00 a.m. Meeting
June 15, 2021	No Board Meeting
June 22, 2021	8:30 a.m. Board Meeting
June 22, 2021	9:00 a.m. Board of Equalization Meeting
July 6, 2021	No Meeting
July 13, 2021	9:00 a.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 18, 2021. Chair Tim Lynch convened the session at 9:02 a.m.

Members present: Tim Lynch, Chair, Gayle Degler, Vice Chair, John P. Fahey, Matt Udermann and Tom Workman.

Members absent: None.

No public comments were received.

The following amendment was made to the agenda:

6.5 Appointment to the Planning Commission

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

Workman moved, Degler seconded, to approve the minutes of the May 4, 2021, Regular Session. Motion carried unanimously.

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

Contract with Minnesota Department of Corrections for the Sentencing to Service program in Carver County for FY 22-23.

Resolution #53-21, Minnesota Green Corps Temporary Staff Member.

Authorized the Chair and Administrator to sign and accept the grant agreement for the 2020 Emergency Management Performance Grant and related Sheriff's budget amendment.

Approved purchase of mowing equipment from MTI Distribution.

Issued a charitable gambling license to Zoar United Church of Christ for a raffle to be held on October 10, 2021.

Approved the receipt of free compost and mulch from the Shakopee Mdewakanton Community and to use the materials to establish the pollinator planting at the Environmental Center.

Approved professional services agreement with Midwest Electric and Generator for the purchase and installation of the generator pending completion of the contract review process and transferring ownership of the generator to the City of Watertown once installation of the generator and project deliverables have been completed.

Authorized Chair to sign Minnesota Valley Regional Rail Authority grant letters of support.

Approved amendment to contract #18-506 with SRF Consulting Group, Inc., for \$53,340.40 for project scope changes for the Highway 212 Project-Dahlgren Township pending finalization of the contract review process.

Resolution #54-21, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 50-Bevens Creek Area Project.

Approved deleting .8 FTE crisis therapist and adding .9 FTE crisis therapist and related HH&S budget amendment.

Approved the release of the sewer easement over Lot 8 Laketown Shores except the retained area outlined and approved the transfer of the retained easement to Laketown Township for their future jurisdiction and maintenance.

Approved amendment with SRF Consulting Group, Inc., for \$146,515.61 for requested scope of work additions for the Highway 212 Project-Benton Phase, pending finalization of the contract review process.

Authorized the issuance of a special event permit (#A20210087) to The Winery at Sovereign Estate, for an event on May 29, 2021, with amplified music until 10:00 p.m. and waving the 30 day application submittal requirement pursuant to CUP #PZ20140023.

Approved temporary construction easement agreement and the granting of a temporary easement on county owned property, PID 040080900 to Mathiowetz Construction Company for the Highway 212 Project – Dahlgren Township.

Authorized the issuance of a Certificate of Zoning Compliance (A20210088) for the May 23, 2021, St. Peter Lutheran Church Maifest celebration.

Contract with WDSI pending finalization of the contract review process.

Reviewed May 11, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$181,358.71 and reviewed May 18, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$434,014.51.

Motion carried unanimously.

Degler moved, Fahey seconded, to open the public hearing regarding the amendment to the Tobacco Ordinance. Degler, Fahey, Lynch, Workman voted nay. Udermann abstained. Motion carried.

Kendra Olson, Elections and Licensing Department, explained the purpose of today's public hearing was to bring forward a proposed amendment to the County's tobacco ordinance and create uniformity between the County's tobacco license and federal law related to the sale of tobacco products. She recognized this was presented to the Board two weeks ago and due to technical difficulties related to livestreaming the public hearing was continued to allow for additional public comments.

Dave Hemze, County Administrator, clarified livestreaming was not available again but the Board Room was open today to allow the public to comment.

Olson clarified if the Board did not adopt the amendment, the inconsistencies would continue between the County's ordinance and what the federal law requires.

No public testimony was received.

Fahey moved, Workman seconded, to close the public hearing. Motion carried unanimously.

Workman voiced concerns over the compliance checks and the potential for an individual making minimum wage to get a citation and ending up being required to pay a serious fine.

Fahey offered the following Resolution, seconded by Degler:

Resolution #55-21
Adopting Ordinance 96-2021
Amending Chapter 111, Tobacco Regulations

On vote taken, Degler, Fahey, Lynch, Workman voted aye. Udermann abstained. Motion carried.

Summary: the Carver County Board of Commissioners adopted Ordinance No. 96-2021 to amend Chapter 111: Tobacco Regulations, of the Carver County Code of Ordinances. This amendment was necessitated by changes to federal law and state law (Minn. Stat. Ch. 461) raising the minimum age for the sale, purchase and possession, of all tobacco products from 18 to 21 years. Copies of the adopted ordinance are available from the Carver County Auditor or by accessing the County Web Page at www.co.carver.mn.us.

Rod Franks, HH&S, appeared before the Board with an update on mental health services provided by the County and requested the Board acknowledge the month of May as Mental Health Awareness Month.

Michelle Sellinger, HH&S, explained individuals are not alone when they experience mental health issues and pointed out the number of adults struggling with anxiety and depression.

Stephanie Combey, HH&S, indicated the County provides mental health services for children, youth and adults and last year served an estimated 4,000 individuals. She indicated services range from early intervention to extensive treatment. Combey outlined each of their programs, the number of staff dedicated to the program and their approach to services for children. She acknowledged telehealth has been wonderful for some but others have struggled, but they intend to keep telehealth as a tool.

The Board recognized the importance of these services and thanked them for the update.

Udermann moved, Workman seconded, to acknowledge the month of May as Mental Health Awareness Month and accept the report on mental health services available through Health and Human Services. Motion carried unanimously.

Kate Probert, HH&S, requested approval of the Regional and Local Workforce Development Plan for Hennepin-Carver Workforce Development Area 9. Probert reviewed background information on the Plan indicating it was mandated by the federal government. Each Workforce Development Area must submit a plan to the Governor. She stated the plan covers the period July 1, 2021 to June 30, 2024. Probert explained Hennepin and Carver worked together to complete the plan and allows the County to receive funds to operate their program. Probert reviewed details of the local and regional plan. She pointed out examples of services that are offered

Workman moved, Degler seconded, to approve the Regional and Local Workforce Development Plan and move it forward to the Hennepin County Board for the approval, signature and submission to the Minnesota Department Employment and Economic Development. Motion carried unanimously.

Rod Franks, HH&S, explained they were at a point where they can safely reopen the Encore Adult Day Care Center and staff would be reviewing the plans.

Brian Esch, HH&S, explained the County has been operating the Encore Center for 44 years and serve citizens from all over the community. He reviewed the work that had been done during the closure and stated they managed to keep virtual programming.

Jill Willems, HH&S, explained they now have the opportunity to move forward with coordinating the reopening. She stated they are required to comply with guidelines and identified the changes that have taken place. She added they will continue to follow guidelines related to Covid and recognized suspension may be implemented. Willems stated they were looking forward to implementing virtual services on an ongoing basis and were looking forward to welcoming participants back.

The Board thanked the Encore staff for the work they do.

The Board considered an appointment to the Planning Commission to fill an unexpired vacancy.

Degler moved, Udermann seconded, to nominate and appoint Gregory Grazzini to fill an unexpired term on the Planning Commission. Motion carried unanimously.

Sheriff Jason Kamerud appeared before the Board to receive public comments regarding the implementation of body worn cameras. He explained the 2020 budget approved funding to begin the body camera program and they have developed a draft policy and procedure. He indicated before they can begin, they were required to seek out public input. He stated they posted the policy online and did receive feedback from individuals that were supportive. Sheriff clarified the public could also email him or call him directly.

He clarified there was no Statewide requirement for body cameras. Sheriff explained concerns related to the data practice act prevented them from doing this two or three years ago but since that time the legislature put specific restrictions on how the data can be disseminated.

Sheriff stated officers have embraced cameras as it memorializes what occurred and has decreased excessive force complaints.

Mark Metz, County Attorney, stated he fully supported body cameras in prosecuting cases and the video will resolve certain complaints.

Sheriff indicated their next steps would be to finalize their policies and procedures and purchase the equipment.

Chair Lynch recognized that if the public had any comments, they could contact Sheriff directly.

Degler moved, Fahey seconded, to go into closed session to discuss labor negotiation strategy. Motion carried unanimously.

The Board adjourned the closed and Regular Session.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Special Event Use Permit Request - 4th of July Firework Display at Lake Waconia Regional Park

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 6/1/2021

Contact: Sam Pertz

Title:

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Waconia Chamber of Commerce has requested a special use permit for the upcoming 4th of July holiday. The requested permit would authorize a professional pyrotechnics firm to launch a firework display from a designated location within mainland area of Lake Waconia Regional Park, as has been the location in previous years. By County Ordinance Chapter 91: firework display(s) require issuance of a special use permit. Also, by County Ordinance all use permits are to be authorized by the County Board. The planned event date is July 4th (Sunday) with a rain/inclement weather date of July 5th (Monday) 2021. In past years, this event has attracted 3,000+ people to the site to observe the firework display. Issuance of the permit is contingent upon the applicant completing:

- Any necessary COVID19 guidelines/requirements consistent with meetings/gathering/events
- Necessary permit(s) from the Waconia Fire Department, City of Waconia, any other as may apply
- Compliance with City ordinance as it would relate to noise and adjacent residents
- Certificate of Insurance per County requirements
- An approved site plan for the event indicating launch area, restricted area of park, blast/safety zones, etc.

This firework display is conducted by licensed professional pyrotechnicians. This event has a long history in the community and on County park property – the event and coordination of is in good standing with County operations. The Park Commission heard and recommended approval of this permit to the County Board at the May 12, 2021 meeting pending the completion/addressing any and all contingencies.

ACTION REQUESTED:

Motion to approve the special use permit for the Waconia Chamber of Commerce for the July 4th Firework Display event at Lake Waconia Regional Park upon the successful completion of all permit contingencies.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

\$0.00

Total

\$0.00

FTE IMPACT: None

Related Financial/FTE Comments:

Carver County Board of Commissioners Request for Board Action



Agenda Item:

LBRP Grant Agreements with MN DEPT OF TRANSPORTATION for bridges on Highway 140

Primary Originating Division/Dept: Public Works	Meeting Date: 6/1/2021
Contact: Neil Heinonen Title: Design Engineer	Item Type: Consent
Amount of Time Requested: minutes	Attachments: ☒ Yes ☐ No
Presenter: Title:	
Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities	

BACKGROUND/JUSTIFICATION:

Bridges L2797 and 10514 on Highway 140 are both experiencing decay in the timber piles, are load posted, have a substandard width and require replacement. Landwehr Construction has been awarded the construction contract and will begin the projects the end of June.

The two bridges have been awarded grant funding for removal of the existing of timber bridges, and replacement with new concrete box culverts. The grants were made available through the Local Bridge Replacement Program (LBRP). This program is administered by MnDOT to provide funding to local agencies for reconstruction of bridges on their local system. LBRP covers the structure replacement cost for bridges not on the County State Aid Highway system, the County is responsible for the approach grading and pavement costs.

Grant Agreement No. 1032866 is for Local Bridge Replacement Program (LBRP) funds for construction of Bridge 10J35 over Carver Creek along Highway 140. This project is identified as S.A.P. 010-598-015 and County Project 148737. This grant agreement is identified as Contract # 21-185.

In addition, Grant Agreement No. 1032864 is for Local Bridge Replacement Program (LBRP) funds for construction of Bridge 10J33 over Carver Creek along Highway 140. This project is identified as S.A.P. 010-598-016 and County Project 148738. This grant agreement is identified as Contract # 21-186.

ACTION REQUESTED:

Motion to adopt a resolution to enter Agreement No. 1032866 and Agreement No. 1032864 to accept grant funds from the Minnesota Department of Transportation, pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget
If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$270,329.20
LBRP (Grant Funds)	\$863,650.90
Total	\$1,133,980.10

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7688

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

Date: 6/01/2021

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

WHEREAS, Carver County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.10J35 (SAP 010-598-015); and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$397,816.40 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Carver County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 1st day of June, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of June, 2021.

Dave Hemze

County Administrator

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

Date: 6/01/2021

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

WHEREAS, Carver County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.10J33 (SAP 010-598-016); and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$465,834.50 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Carver County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 1st day of June, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of June, 2021.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with Cybersecurity Monitoring Service

Primary Originating Division/Dept: Public Services - IT

Meeting Date: 6/1/2021

Contact: Mark Pexa

Title: IT Security Manager

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services and information

BACKGROUND/JUSTIFICATION:

Information Technology ("IT") is requesting funding from the Year End Savings ("YES") Account to contract with a cybersecurity monitoring service for managed cybersecurity detection and response services to bolster our cybersecurity posture. Cybersecurity continues to be a top priority for the IT Department with the increase in the number of employees working remotely and the cybersecurity incidents and threats that are happening across the nation. It is important for the County to protect our technology systems.

This new service would be a 24/7/365 service monitoring of a security information and event monitoring tool the County purchased in 2019. This tool correlates security logs from different sources, provides analytics behind the data, and alerts on security incidents based on the data analyzed. The service the County is contracting with is the creator of the security tool. This security monitoring service will help augment IT security staff in security incident response responsibilities. After the one year contract, the IT Department will evaluate future needs of the service.

ACTION REQUESTED:

Motion to authorize \$78,027.84 to be transferred from the Year End Savings (YES) Account for a cybersecurity monitoring service pending finalization of the contract review process.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars =

YES Account

\$78,027.84

FTE IMPACT: None

Total

\$78,027.84

☐ Insert additional funding source

Related Financial/FTE Comments:

The County's independent auditors are not expected to complete the 2020 audit until end of June, 2021. Currently the 1/1/21 Year End Savings Account is estimated at \$5.1M after the \$700K reserve for a negative Mark to Market Adjustment.

Office use only:

RBA 2021 - 7681

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request for approval to contract with Cybersecurity Monitoring Service

Department:

Meeting Date: 6/1/2021

Fund:

- ☒ 01 - General
- ☐ 02 - Reserve
- ☐ 03 - Public Works
- ☐ 11 - CSS
- ☐ 15 - CCRRA
- ☐ 30 - Building CIP
- ☐ 32 - Road/Bridge CIP
- ☐ 34 - Parks & Trails
- ☐ 35 - Debt Service

Requested By: Pete Henschel/Mark Pexa

DEBIT

Description of Accounts	Acct #	Amount
Professional & Tech. Fees for Services	1-049-066-1998-6260	\$78,028.00
TOTAL		\$78,028.00

CREDIT

Description of Accounts	Acct #	Amount
YES Account	30-34.2815	\$78,028.00
TOTAL		\$78,028.00

Reason for Request:

Utilize the YES Account for a contract to provide cybersecurity monitoring services for the county.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with Mint Roofing

Primary Originating Division/Dept: Public Services - Facilities

Meeting Date: 6/1/2021

Contact: Jim Kuchelmeister

Title: Facilities Services Manager

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County Facility Services is coordinating with Environmental Services to replace the roof on the Environmental Center. The current roof is over 30 years old and shows signs of failure. This project will include labor, equipment, and material to remove and install a new EPDM rubber roof, add additional insulation to improve energy efficiency, and install new steel parapet caps. This roofing project will have a 20-year manufacture warranty.

Facilities obtained three quotes for the project and Mint Roofing was the low quote at \$136,560. Environmental Services is providing the funding for this project from prior year solid waste fees that are rolled into 2021. Historically, building projects at the Environmental Center have been funded through these fees.

ACTION REQUESTED:

Motion to contract with Mint Roofing for relacing the roof on the Environmental Center pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Solid Waste Fees \$136,560.00

Total \$136,560.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Funding for the roof replacement is derived from Solid Waste Fees collected by Environmental Services in prior years and rolled over into 2021 for completing capital projects.

Office use only:

RBA 2021- 7691

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Misthaven, LLC Request for High Amenity Development (3 Lots)

Primary Originating Division/Dept: Public Services - Land Mgmt. ▼

Meeting Date: 6/1/2021

Contact: Aaron Stubbs Title: Senior Planner

Item Type:
Consent ▼

Amount of Time Requested: minutes

Presenter: Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

File #PZ20210028. On May 18, 2021, the Carver County Planning Commission recommended approval of Misthaven, LLC's Conditional Use Permit (CUP) for a "High Amenity" development on their approximate 107-acre property, located in Section 36 of San Francisco Township. The proposed development would consist of a plat with three (3) building sites (i.e. single-family dwellings) consisting of 2.77 – 3.51 acres each. The remnant acreage would remain agricultural and consist of approximately 97 acres of mostly tillable land. The proposed development would need to be platted (i.e. Preliminary & Final approvals) pursuant to the County's Subdivision Ordinance and Zoning Code.

San Francisco Township has provided for the High Amenity option in its chapter of the Comprehensive Plan. The subject property consists of wooded area and wetlands which are not in agricultural production; therefore, the acreage is considered eligible land for the amenity. The proposed development would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼-¼).

The proposed development would also include the construction of a new township road (Misthaven Lane).

The development is required to meet the Carver County Water Management Organization (CCWMO) standards, as well as Carver County Environmental Services Subsurface Sewage Treatment System (SSTS) requirements.

The San Francisco Town Board recommended approval of the request.

ACTION REQUESTED:

A motion to adopt Findings of Fact and issue Order #PZ20210028 for the issuance of a Conditional Use Permit.

FISCAL IMPACT: None ▼

If "Other", specify:

FTE IMPACT: None ▼

FUNDING

County Dollars =

Total

\$0.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7695

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20210028

RESOLUTION #: 21-07

WHEREAS, the following application for a Conditional Use Permit has been submitted and accepted:

FILE #: PZ20210028

OWNERS: Mithaven, LLC

APPLICANT: Ted Holsten

SITE ADDRESS: 15XXX Halsey Avenue, 55315

PERMIT TYPE: Additional Density – High Amenity Lots

PURSUANT TO: Carver County Code: Section 152.078 (A) & (C)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 08-036-0640

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 18, 2021; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Mithaven, LLC. owns an approximate 107.00-acre parcel located in part of the Southwest Quarter (SW¼) of Section 36, San Francisco Township. The property is primarily tillable farmland but does have an undeveloped wooded area, and a pond. The property is located in the Agricultural Zoning District and the CCWMO (Bevens Creek & Carver Creek Watersheds).
2. The applicant is proposing to develop three residential parcels (approx. 2.77 – 3.51 acres) in the northwestern portion of the subject property. The proposed development would result in a total of three building sites (for single-family dwellings) and would require the construction of a Township Road. The applicant is requesting a Conditional Use Permit (CUP) pursuant to the “Additional Density Options” in Section 152.078 (A) and (C) of the Carver County Zoning Code.
3. San Francisco Township has provided for the High Amenity Option in its chapter of the 2040 Comprehensive Plan. The High Amenity lot provision may only be exercised once for each parcel that was of record as of July 1, 1974. The subject property consists of wooded, wooded pasture, and similar areas, not in agricultural production, and is considered eligible land. The proposed development would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼ - ¼). Also, a Conditional Use Permit has not been previously issued for additional density on the subject parcel.
4. The applicant is proposing a total of three (3) buildable residential lots as part of the development (plat) which would range between 2.77 acres and 3.51 acres in size. Each newly created lot would meet the required minimum lot size as allowed by the Zoning Code.
5. During the preliminary platting process, the applicant must document a suitable one (1) acre building site for each lot. The concept plan would also illustrate the potential locations for Subsurface Sewage Treatment Systems (SSTS) on each lot. A licensed SSTS professional has provided partial soils reports for the County’s review.
6. Each lot would meet the requirements for public road frontage, which would be from a newly proposed Township Road (Mithaven Lane). Access would be to each lot individually (three accesses from the proposed Township Road). The San Francisco Town Board (i.e. road authority) would be reviewing the proposed access locations during the preliminary platting process.

7. The individual lot owner(s) will be required to comply with the Carver County Water Management Organization (CCWMO) Water Rules Standards. Each lot will be subject to review and approval by Carver County Planning and Water Management Department pursuant to Chapter 153. More specific details for each lot would need to be submitted to Carver County Planning & Water Management at the time of design for review and approval prior to the issuance of building permit(s) on individual lots.
8. A road would need to be constructed as part of the platting process and according to a developer's contract. The road must be constructed to Township standards. The concept plan illustrates the road configuration over a portion of the Misthaven parcel (Halsey Avenue access) and extending into the subject property with a 66' right-of-way (approx. 1,000' total length). County policy discourages permanent dead-end roads; therefore, future road extension(s) or easement(s) should be evaluated during the preliminary platting process.
9. A wetland delineation would be needed as part of the platting process. The development of a new road along with the creation of new driveways creates a potential for impacts to any low-lying areas "wetlands" within the tree canopy that may need to be avoided.
10. The entire layout as proposed will be properly addressed during the preliminary platting process.
11. The proposed lots appear to meet all the criteria for High Amenity Lots. Matt Steele, the Carver County Feedlot Officer, confirmed that the feedlot setback buffer is accurate for the feedlots south of the subject property. Given the feedlot buffer, the new lots would more than exceed the required 1,000-foot feedlot setback.
12. On May 6, 2021, this request was reviewed by Lori Brinkman, the County's Environmentalist II. Ms. Brinkman stated that Primary and Alternate SSTS locations have been identified by an SSTS designer for each parcel and have reviewed by Carver County Environmental Services.
13. The San Francisco Town Board reviewed and recommended approval the request during their March 15, 2021, Town Board Meeting. The request for the additional density lots is allowed pursuant to their chapter of the Carver County Comprehensive Plan.
14. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20210028 for the creation of High Amenity Lots on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. Three (3) residential lots are permitted, provided the building site requirements and minimum lot standards are satisfied. The entire subject property shall be platted in accordance with M.S. Chapter 505 and the Carver County Code. A total of three (3) buildable lots (building eligibilities) shall be properly addressed as part of the platting process.
2. The lots shall be laid out on the preliminary plat substantially as agreed upon by the Township, the County, and the developer during the Conditional Use Permit (CUP) process. The Preliminary plat shall stipulate, at a minimum, the building eligibility status for each parcel, a statement regarding agricultural uses in the area, and the protection of environmentally sensitive land(s). The potential for future easement(s) shall be evaluated during the preliminary platting process.
3. The proposed lots must have a one-acre building site, which shall be reviewed as a part of the Subdivision Plat. Primary and alternate drainfield locations for each building site must be submitted with the application for preliminary plat. SSTS locations must be identified by a licensed SSTS contractor, for review/approval by the Environmental Services Department. It shall be the responsibility of the property owner to preserve and protect the soil treatment and dispersal areas from compaction, building, or other activities which could conceivably limit the use of the sites for sewage treatment and dispersal. The building sites must be located so that all buildings and SSTS systems shall meet County Code setback requirements.

4. Access locations and permits shall be approved by San Francisco Township (road authority) prior to any work occurring within the road right-of-way.
5. As a part of the platting process the applicant shall develop covenants to be filed with the plat. The covenants shall address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any lot in the residential area.
 - B. A covenant stating that the area is rural, and that commercial agriculture and other rural land use activities shall likely be occurring in the area. A notification must be provided regarding “odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities”. Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the “A” district.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he shall have to submit percolation tests and soil borings for another site before any building permit shall be issued.
 - E. The covenants shall address the preservation of the drainage and/or utility easements and that no obstructions shall be permitted within those areas. The plat indicates the outside boundary of the delineated wetlands, which impacts all proposed lots. The required covenants shall address that each lot will be reviewed in the field prior to issuance of any building permits. The required covenants shall address the concerns of possible drainage of an existing delineated wetland located in the woods and open field area; therefore, no vegetative removal within the drainage easement area shall be allowed.
 - G. A covenant must clearly state that lot owners shall maintain the road until such time as the Township agrees to accept the road and assume maintenance responsibility.
 - H. A covenant stating that if any lot exceeds the impervious coverage area, pursuant to the Carver County Water Management Rules - Chapter 153, Section 153.11 A2, additional review by Carver County Planning & Water Management may be needed.
6. The above-required covenants shall become part of the permit.
7. A completed CCWMO Water Rules application, with required attachments, shall be submitted with the Preliminary Plat application, if applicable.
8. The boundaries of any possible wetlands must be included on the preliminary plat so appropriate drainage easements may be determined. If necessary, a wetland mitigation plan and application shall be submitted with the preliminary plat application.

ADOPTED by the Carver County Planning Commission this 18th day of May 2021.

DocuSigned by:



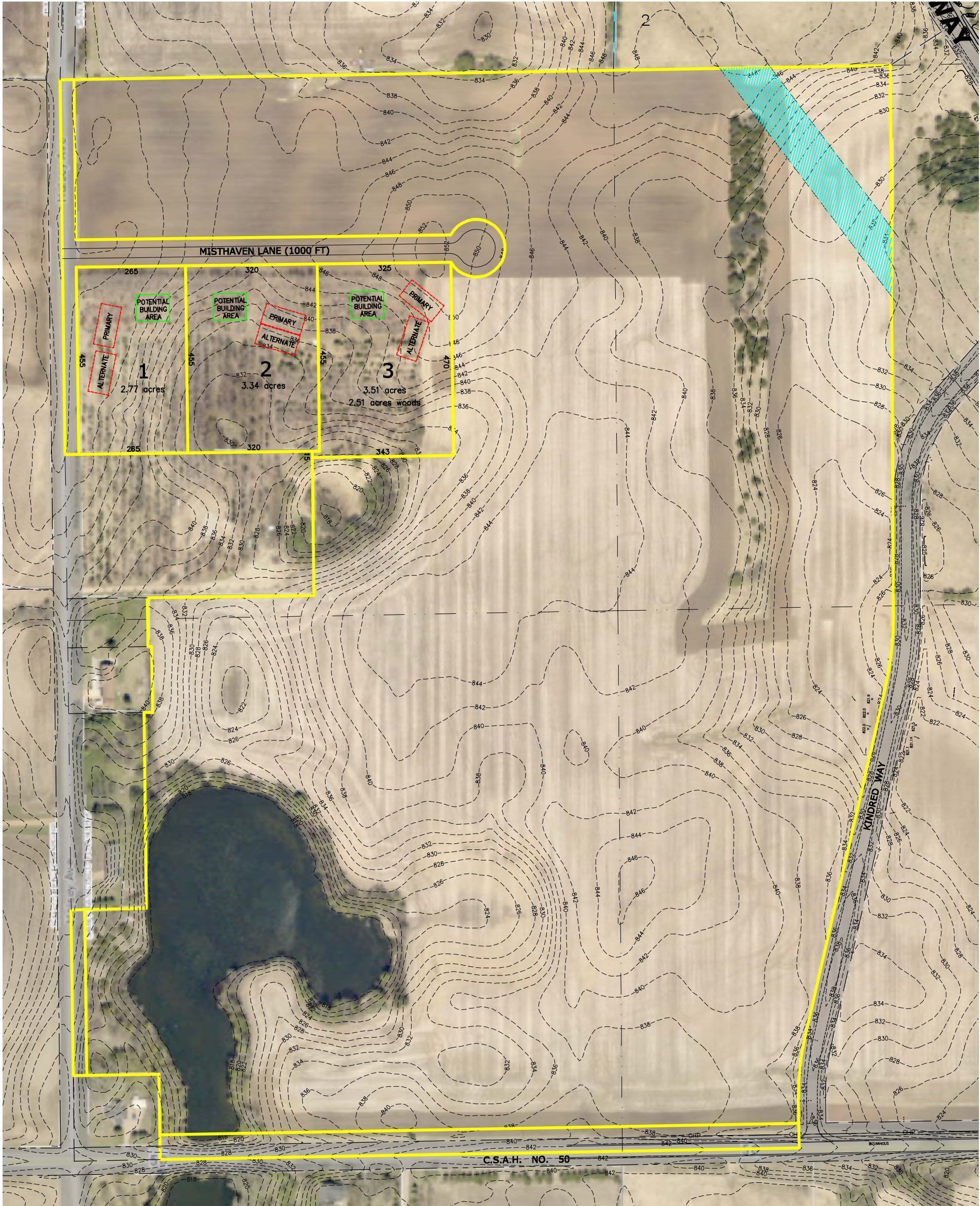
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Scott Smith, Vice Chair

5/20/2021 | 3:24:03 PM PDT

Carver County Planning Commission

CONCEPT PLAN for MISTHAVEN ESTATES

4/12/2021



TOWNSHIP/DISTRICTS
SAN FRANCISCO TWP.
ISD 112
CARVER COUNTY WMO

LOT INFORMATION
TOTAL PLAT AREA = 108 ACRES
PROPOSED LOTS = 3 NEW

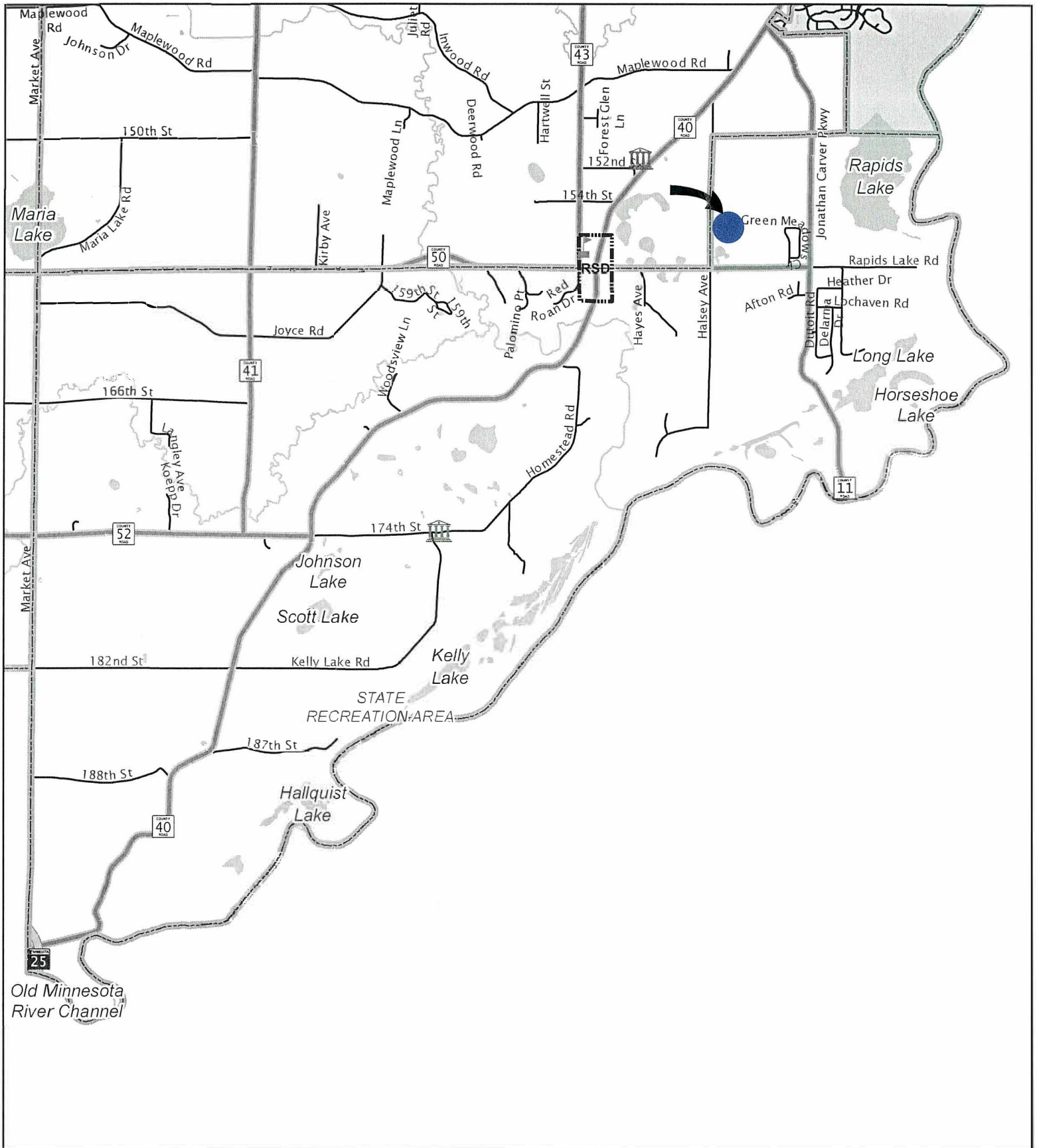
- POSSIBLE BUILDING AREA
- POTENTIAL SEPTIC SITE
- PROPOSED LOT LINES
- PIPELINE EASEMENT

PREPARED FOR:
Ted Holsten
4785 Hodgson Rd., #311
Shoreview, MN 55126



Land Surveying
2580 Christian Dr.
Chaska, MN 55318
612-418-6828

SAN FRANCISCO TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Neumann Acres - Preliminary Plat

Primary Originating Division/Dept: Public Services - Land Mgmt.

Meeting Date: 6/1/2021

Contact: Jason Mielke

Title: Land Use Manager

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

File #PP-PZ20210023. On May 18, 2021, the Carver County Planning Commission recommended approval of the Preliminary Plat "Neumann Acres" Subdivision. The applicant, Mark Eklo, is requesting approval to plat a parcel consisting of 53.44 acres and is located in Section 34 of Watertown Township. The request would result in a total of four (4) single-family homes (Lots 1-4, Block 1), which would consist of three (3) residential parcels pursuant to the High Amenity additional density provision (Section 152.078 C) of the Carver County Zoning Code, and one (1) agricultural (1 per 40) parcel.

The plat also would require the construction of a township road (Harlee Court). The proposed township road would be constructed over the north property line of the subject property and therefore; required the neighboring property owner's consent. The neighboring property owner, Prime Four LLP, supports the request.

Based on the need for road construction, the developer must enter into a Development Contract with the County and the Township as pursuant to Chapter 151 of the County Subdivision Ordinance prior to the initiation of construction for any improvements (i.e. road construction). The road design, stormwater management and building sites would meet the requirements of the Conditional Use Permit (CUP) #PZ20200051 and County Code. The Carver County Public Works Division completed their initial review of the preliminary plat with regard to the development/access review. An access permit would be required from the Carver County Public Works Division for the improved access onto County Road 10.

Acceptable SSTS soil borings for the primary and alternate septic sites on the three (3) undeveloped lots have been submitted, reviewed and approved by the Carver County Environmental Services Department.

The draft Covenants have been reviewed by County Staff and will need to be finalized prior to Final Plat approval. The Watertown Town Board have recommended approval of the request. The preliminary plat plans and draft resolution are attached for the Board's consideration.

ACTION REQUESTED:

A motion to adopt a Resolution approving the Preliminary Plat of Neumann Acres.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

 \$0.00

Related Financial/FTE Comments:

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PP – PZ20210023

RESOLUTION #: 21-06

WHEREAS, the following application for a Preliminary Plat (NEUMANN ACRES) approval has been submitted and accepted:

FILE: PP-PZ20210023

APPLICANT: Mark Eklo

OWNERS of 10-034-0700: Paul & Linda Neumann

OWNERS of 10-034-0100: Prime Four LLP

SITE ADDRESS: 5850 County Road 10 North, 55387

PURSUANT TO: County Code, Chapter 151 & 152, Section(s) 152.078

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCELS #: 10-034-0700 & 10-034-0100

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 18, 2021; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Mr. Eklo was issued Conditional Use Permit (CUP) #PZ20200051 in order to create three (3) residential parcels pursuant to the additional density provision (Section 152.078 C – High Amenity) of the Carver County Zoning Code. With the approval of the CUP, the applicant is now requesting approval of the Preliminary Plat “Neumann Acres” Subdivision. The request would consist of one, 1 per 40, agricultural lot (Lot 1, Block 1) and three residential lots (Lots 2-4, Block 1). In addition to the single-family house building sites, a township road (Harlee Court) would need to be constructed.
2. The proposed platted area consists of approximately 53.44 acres located in part of the North Half (N½) of the Southwest Quarter (SW¼) of Section 34, Watertown Township. The property is improved with an existing building site (i.e. house and sheds) and includes agricultural production land, wetlands, and woods. It is located in the Agricultural Zoning District and the CCWMO (Carver Creek and Crow River watersheds). CUP #PZ20200051 was issued January 5, 2021, in order to create three (3) high amenity lots pursuant to Section 152.078 of the Carver County Zoning Code.
3. Copies of the plat have been sent to the Watertown Township Clerk (Wayne Hubin), Waconia School District #110 (Finance & Operations Office), Carver County Water Management Organization (CCWMO) (Kristen Larson), Carver County Soil & Water Conservation District (SWCD) (Chip Hentges), Carver County Emergency Management (Debra Paige), Carver County Environmental Services (Lori Brinkman), Carver County Property and Financial Services Department (Crystal Campos), Carver County Public Works (Angie Stenson & Chad Braun), Carver County Surveyor (Brian Praske), MN DNR Area Hydrologist (Taylor Huinker), and Xcel Energy (electric utility company serving the area). As of this report, the Waconia School District #110, Carver County Water Management Organization (CCWMO), Carver County Environmental Services, and Carver County Public Works have submitted comments. Other comments may also be available at the time of the public hearing.

4. The high amenity lots are laid out in such a manner that there are no more than four (4) homes per quarter-quarter as permitted by the density regulations of the Carver County Zoning Code. The residential lot sizes range from 5.04 acres to 5.71 acres. Each lot has a defined building site (i.e. minimum of a 1-acre building site) that conforms to Code requirements, and any home constructed within the site would meet the zoning setback requirements. Prior to submitting a building permit application for a new house, the Permittee shall identify the lowest floor elevation, as well as the wetland delineation elevation of the emergency overflow. Said homes shall be set to allow for positive drainage.
5. This plat would require the construction of a Township Road (i.e. Harlee Court); therefore, a Development Contract is needed. All proposed lots conform to the Carver County Zoning Code with regard to road frontage. Each lot can allow for a separate driveway access in which a 100-foot separation would be required. The proposed road would be constructed to meet Township standards; however, it would be privately maintained until such time as the Township decides to accept maintenance responsibilities. The Watertown Town Board would also need to approve the road plans before the development contract is completed.
6. The preliminary plat shows 10-foot utility & drainage easements around each of the four (4) lots. An appropriate drainage easement would be provided for wetlands as part of the final plat. No obstructions shall be permitted in any of the drainage and/or utility easements. The covenants should address the preservation of the drainage easements and that no obstructions shall be permitted within those areas.
7. The draft covenants, as required by Conditional Use Permit #PZ20200051, have been submitted with the application and would need to be approved by the County Attorney's office prior to final plat approval. The covenants shall address the preservation of the drainage and/or utility easements and that no obstructions shall be permitted within those areas. The plat indicates the outside boundary of the delineated wetlands, which impact all lots. The required covenants shall address that each lot would be reviewed in the field prior to issuance of any building permits. The covenants shall be filed with the final plat and include minimum requirements as identified in the CUP.
8. The Carver County Environmental Services Department has received a report from a licensed SSTS professional identifying the primary and alternate Subsurface Sewage Treatment System (SSTS) locations on the three (3) amenity lots. This report (dated: July 23, 2020) is considered a preliminary report to identify two possible SSTS locations per lot. Soil boring logs and locations were identified on a survey for each individual lot. On April 7, 2021, Lori Brinkman, Environmentalist II, has indicated primary and alternate SSTS locations have been identified by an SSTS designer for each parcel and approved by County staff. At the time of application for a new home on each lot, an SSTS design would need to be submitted, reviewed and approved by the Carver County Environmental Services Department. All the SSTS system locations would need to be fenced off prior to any land alteration for road construction, etc.
9. The Carver County Public Works Division has completed their initial review (see attached updated letter dated: May 7, 2021) of the preliminary plat with regard to the development/access review. An access permit would be required from the Carver County Public Works Division for the improved access onto County Road 10, and final access construction plans would need to be submitted as part of the access permit application. Prior to the final plat approval, the developer should revise the right of way along County Highway 10 to 60 feet from centerline in order to be consistent with the County's 2040 Comprehensive Plan. The Watertown Town Board would also need to approve the road plans before the development contact is completed.
10. The property has been analyzed by a professional wetland delineator to determine if wetlands exist. Wetlands are present on the site and have been identified in the Wetland Delineation Report. The wetland delineation report was approved on August 31, 2020. The Notice of Decision and TEP Findings concur with the findings of the professional delineator hired by the applicant. Appropriate easements for the wetlands and drainage/utilities have been included on the plat. Avoidance of delineated wetlands has been incorporated into the development.

11. The 53.44-acre plat is located within the CCWMO jurisdiction. Stormwater management, wetland buffers, and erosion control measures would need to be addressed pursuant to Chapter 153 of the County Code (Water Management Rules). A combined erosion and sediment control and stormwater permit from the CCWMO would be required if the total impervious surface constructed on each lot (drive, house pad, garage, other outbuildings, etc.) is greater than 1 acre. This permit requires the use of best management practices that prevent erosion and sediment from leaving the site during construction as well as management practices that treat stormwater runoff from impervious surfaces once construction is complete.
12. The Carver SWCD would review the project with regard to the CCWMO standards. All lots shall be reviewed for erosion/sediment control measures during the building permit process. The Carver SWCD would also be involved in the review and approval of the plans as they relate to the Water Rules, WCA, and the stormwater pollution prevention plan (SWPPP).
13. It appears that the plat would substantially meet the requirements of the applicable County Zoning and Subdivision Codes, except where noted. The areas of deficiency would need to be addressed through conditions placed on the preliminary plat approval that must be complied with prior to acceptance of the final plat.
14. The Watertown Town Board reviewed and recommended approval of the Neumann Acres Preliminary Plat (including the construction of a Township Road) during their May 3, 2021, meeting. At the conclusion of the meeting, the Town Board made a recommendation of approval of the request stating the road shall be built to Township standards.
15. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the preliminary plat.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the approval of the Preliminary Plat of Neumann Acres on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the Preliminary Plat approval:

1. Three (3) high amenity lots and one, 1 per 40, agricultural lot are permitted. The property shall be platted in accordance with M.S. Chapter 505, Carver County Zoning Subdivision Code 151, and the Carver County Zoning Code 152.
2. The layout of the final plat must substantially conform to the preliminary plat. Any significant departure from the preliminary plat must be approved by the Planning Commission before final plat consideration. As part of the preliminary plat approval, each lot shall document a suitable one (1) acre building site including; a house location and primary & alternate septic site locations. All conditions of CUP #PZ20200051 shall be satisfied prior to the recording of the final plat.
3. All Carver County Public Works concerns/issues shall be addressed prior to beginning work on the Development Contract.
4. The developer must enter into a Development Contract with the County and the Township as per Chapter 151 of the County Subdivision Code prior to the initiation of construction of any improvements. The County Engineer, Carver SWCD, CCWMO, and County Consultant Engineer must approve the road plan(s) and stormwater drainage plan(s) before approval of the development contract. All road and improvements must be completed before final plat approval or the applicant must post a financial guarantee per Subdivision Code, Chapter 151. Any additional information that is needed by the County and/or Township for review shall be submitted in an acceptable form prior to receiving approval of the Development Contract.

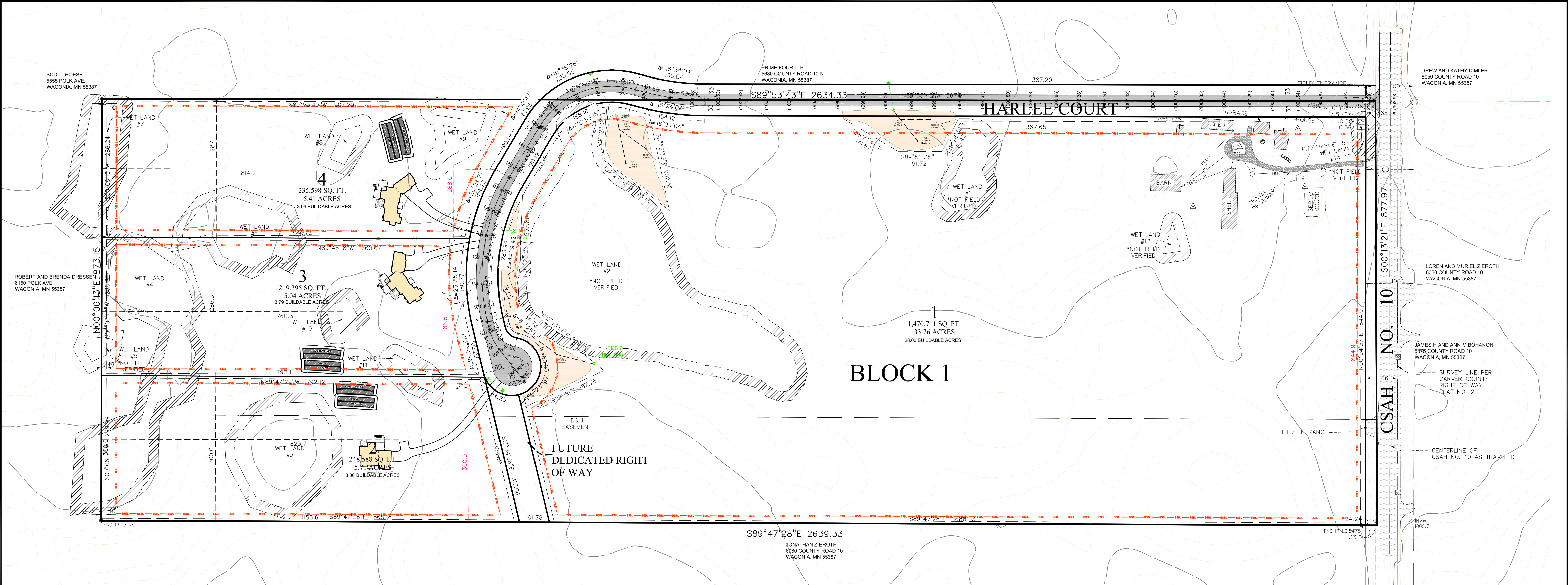
5. The developer shall comply with the Emergency Services Department requirements with regard to the street name and the site address for each lot. It shall be the obligation of the developer to furnish the street name signs. The signage shall conform to County standards.
6. The County Engineer, Carver SWCD, CCWMO and Watertown Town Board must approve the road plan(s) and storm water drainage plan(s) before approval of the development contract. An access permit must be obtained, as determined by the County Engineer. All roads and improvements must be completed before final plat approval or the applicant must post a financial guarantee.
7. The covenants, as required by Conditional Use Permit #PZ20200051, must be approved prior to final plat consideration. Prior to final plat consideration by the County Board, the Assistant County Attorney shall approve the covenants and title work. The covenants shall address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any lot in the residential area.
 - B. A covenant stating that the area is rural, and that commercial agriculture and other rural land use activities shall likely be occurring in the area. A notification must be provided regarding “odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities”. Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the “A” district.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he shall have to submit percolation tests and soil borings for another site before any building permit shall be issued.
 - E. The covenants shall address the preservation of the drainage and/or utility easements and that no obstructions shall be permitted within those areas. The plat indicates the outside boundary of the delineated wetlands, which impacts all proposed lots. The required covenants shall address that each lot will be reviewed in the field prior to issuance of any building permits. The required covenants shall address the concerns of possible drainage of an existing delineated wetland located in the woods and open field area; therefore, no vegetative removal within the drainage easement area shall be allowed.
 - F. A covenant must clearly state that lot owners shall maintain the road until such time as the Township agrees to accept the road and assume maintenance responsibility.
 - G. A covenant stating that if any lot exceeds the impervious coverage area, pursuant to the Carver County Water Management Rules - Chapter 153, Section 153.11 A2, additional review by Carver County Planning & Water Management may be needed.
8. The above-required Covenants shall be become part of the plat approval.

9. Each lot must be reviewed in the field prior to the issuance of any building permit and/or SSTS permit. All septic system locations (i.e. primary & alternate) shall to be marked and protected (rope, fencing, etc.) to prohibit any disturbance to those areas. Furthermore, prior to the commencement of any construction related activity, the primary and alternate septic locations for each lot shall be protected.
10. Pursuant to CUP #PZ20200051, access permits for the proposed driveways must be obtained from Watertown Township prior to the issuance of any building permits for the individual lots.
11. Each lot shall be reviewed and approved by CCWMO pursuant to Chapter 153 of the Zoning Code. Specific details for each lot must be submitted to the Planning and Water Department for approval prior to issuance of building permit(s) on individual lots.
12. The driveways for the lots shall conform to the Wetland Conservation Act (WCA), Carver County Land Management Department, CCWMO, and Watertown Township requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authorities (Watertown Township). An access permit for each driveway from Harlee Court must be obtained prior to issuance of new home building permit(s).
13. Prior to submitting a building permit application for a new house, the Permittee shall identify the lowest floor elevation as well as the wetland delineation elevation of the emergency overflow. The house shall be set to allow for positive drainage.
14. As per Section 151.163 of the Carver County Code, all utility facilities are to be located underground. The access and drainage ways will be designed so that public utilities can be installed at a later date.

ADOPTED by the Carver County Planning Commission this 18th day of May 2021.

DocuSigned by:

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Scott Smith, Vice Chair 5/21/2021 | 10:20:57 AM PDT
Carver County Planning Commission



ALTA/NSPS OPTIONAL TABLE A NOTES
(The following items reference Table A optional survey responsibilities and specifications)

DESCRIPTION OF PROPERTY SURVEYED
(Per Schedule A of the herein referenced Title Commitment)

The North Half of the North Half of the Southwest Quarter of Section 34, Township 117, Range 25, Carver County, Minnesota.

AND

The North 218.97 feet of the South Half of the North Half of the Southwest Quarter of Section 34, Township 117, Range 25, Carver County, Minnesota

AND

That part of the South Half of the Northwest Quarter of Section 34, Township 117, Range 25, Carver County, Minnesota, lying south and east of the following described line:
Commencing at the Southeast corner of said South Half of Section 34; thence on an assumed bearing of North 00 degrees 13 minutes 24 seconds West, along the east line of said Northwest Quarter of Section 34, a distance of 33.00 feet; thence North 89 degrees 53 minutes 43 seconds West, parallel with the south line of said Northwest Quarter of Section 34, a distance of 1387.20 feet; thence 135.04 feet along a tangential curve concave to the north, having a radius of 467.00 feet and central angle of 16 degrees 34 minutes 04 seconds; thence 223.65 feet along a reverse curve concave to the southeast, having a radius of 208.00 feet and a central angle of 61 degrees 36 minutes 28 seconds, to said south line of the Northwest Quarter of Section 34 and there terminating.

Property is: Abstract

WETLAND AREAS:

WETLAND #1 = 10,804 SQ. FT. ~ 0.248 ACRES	WETLAND #2 = 125,738 SQ. FT. ~ 2.886 ACRES	WETLAND #3 = 33,088 SQ. FT. ~ 0.760 ACRES
WETLAND #4 = 48,425 SQ. FT. ~ 1.112 ACRES	WETLAND #5 = 673 SQ. FT. ~ 0.015 ACRES	WETLAND #6 = 21,766 SQ. FT. ~ 0.500 ACRES
WETLAND #7 = 5,891 SQ. FT. ~ 0.135 ACRES	WETLAND #8 = 2,852 SQ. FT. ~ 0.065 ACRES	WETLAND #9 = 6,378 SQ. FT. ~ 0.146 ACRES
WETLAND #10 = 2,977 SQ. FT. ~ 0.068 ACRES	WETLAND #11 = 2,970 SQ. FT. ~ 0.068 ACRES	WETLAND #12 = 1,126 SQ. FT. ~ 0.026 ACRES
WETLAND #13 = 715 SQ. FT. ~ 0.016 ACRES		

5) **Benchmark:** Elevations are based on MN/DOT Geodetic Station Name: Bear which has an elevation of: 1000.55 feet (NAVD88). Contours are per field observation along with MN DNR LIDAR derived data.

6) **Zoning Information:** The current Zoning for the subject property is Rural Residential and Agricultural per the Watertown Township's existing land use map dated April 12, 2010. The setback, height, and floor space area restrictions for said zoning designation are as follows:

Principal Structure Setbacks - Street(s): 125 feet (from center of County Road 10)
Side: 15 feet
Rear: 30 feet

Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process.

We have not received the current zoning classification and building setback requirements from the insurer.

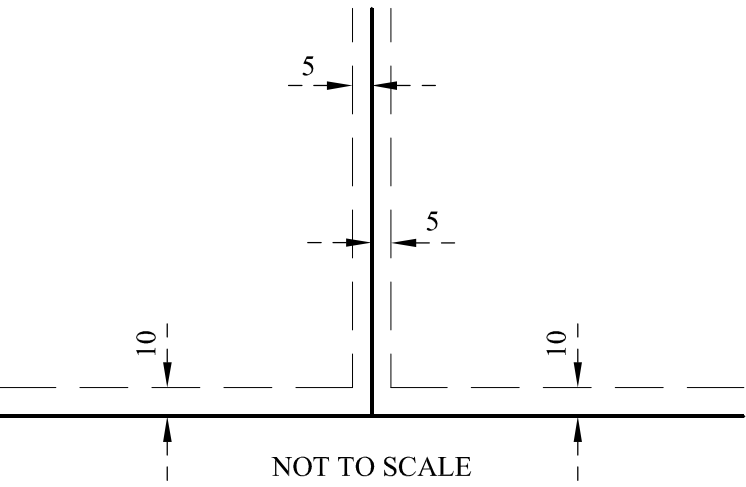
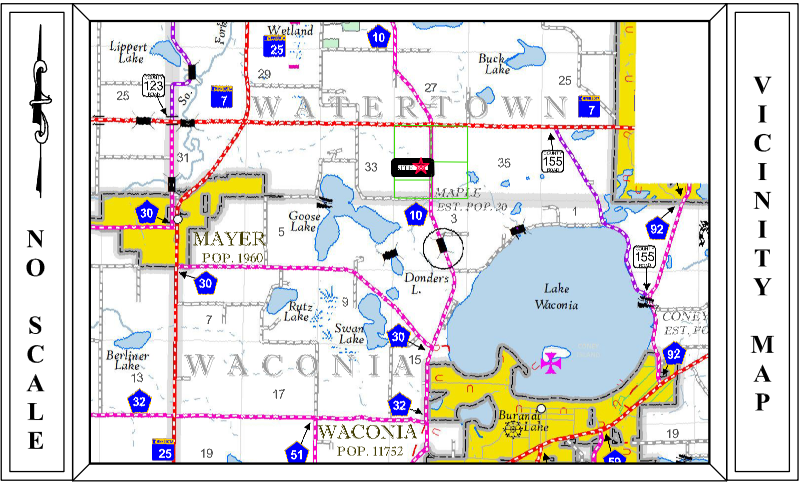
7) **Utilities:** We have shown the **location** of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.

8) **Wetland Delineation:** The wetland delineation was performed by Anderson Engineering and was flagged on 6/19/2020. Sathre-Bergquist located the wetland flags on 7/1/2020. Wetlands 1,2,5,12 and 13 were not marked in the field, therefore were digitized from the map included in the Anderson Engineering wetland report.

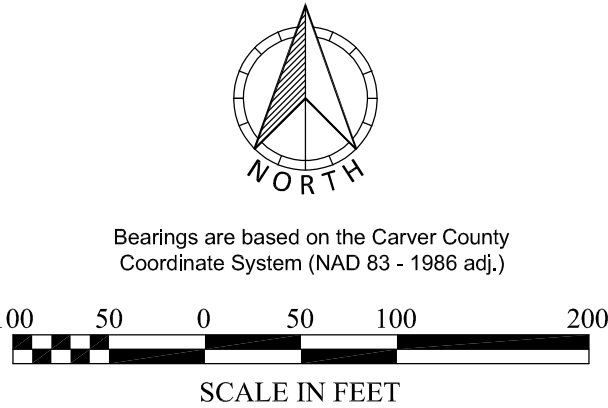
9) **SCHOOL DISTRICT:** Waconia School District #110

10) **WATERSHED DISTRICT:** Carver County Soil and Water Conservation Distric

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and 10 feet in width and adjoining right of way lines, unless otherwise indicated, as shown on the plat.

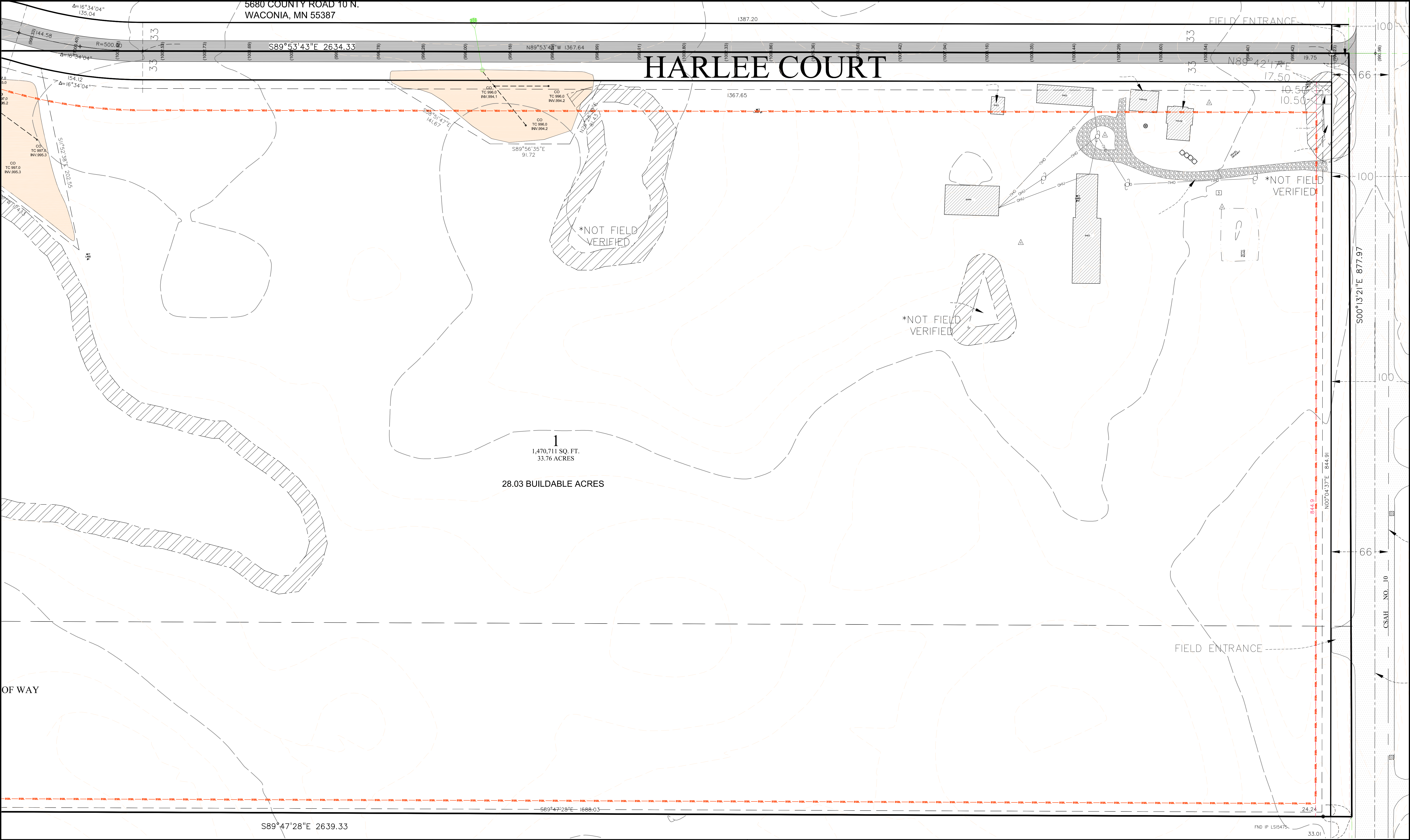


Notes:

Front Yard Setback: 68' from Centerline
Side Yard Setback: 15'
Rear Yard Setback: 30'

FIELD CREW	NO.	BY	DATE	REVISION				
	1	CMT	3/23/2021	REVISE ROW	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'s EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE. I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. Signed: <i>Daniel L. Schmidt</i> Daniel L. Schmidt, PLS Schmidt@gsathre.com Minnesota License No. 26147			
DRAWN	2	EMW	3/25/2021	REVISED POND				
CMT	3	EMW	4/23/2021	REVISED ROAD				
CHECKED								
DLS								
DATE								
1/14/2021								

ENGINEERS DESIGNERS SURVEYORS PLANNERS	SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000 WWW.SATHRE.COM	TWP:117-RGE 25-SEC.34 Carver County WACONIA, MINNESOTA	NEUMANN ACRES PRELIMINARY PLAT MARK EKLO	FILE NO. 23605-013 1 3
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FIELD CREW	NO.	BY	DATE	REVISION
DRAWN				
CMT				
CHECKED				
DLS				
DATE				
1/14/2021				

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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Dated this 19 day of February, 2021.
Daniel L. Schmidt
Daniel L. Schmidt, PLS
Schmidt@sathre.com
Minnesota License No. 26147

ENGINEERS

SURVEYORS

DESIGNERS

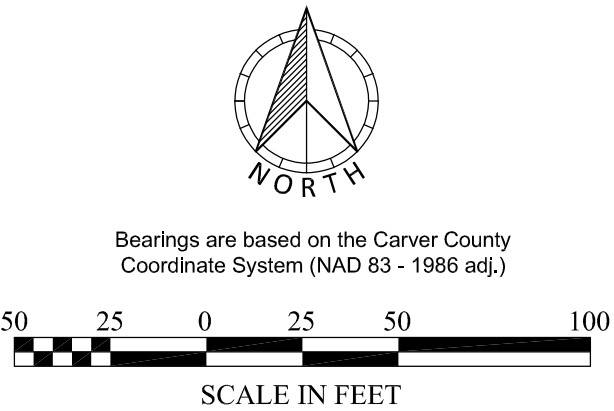
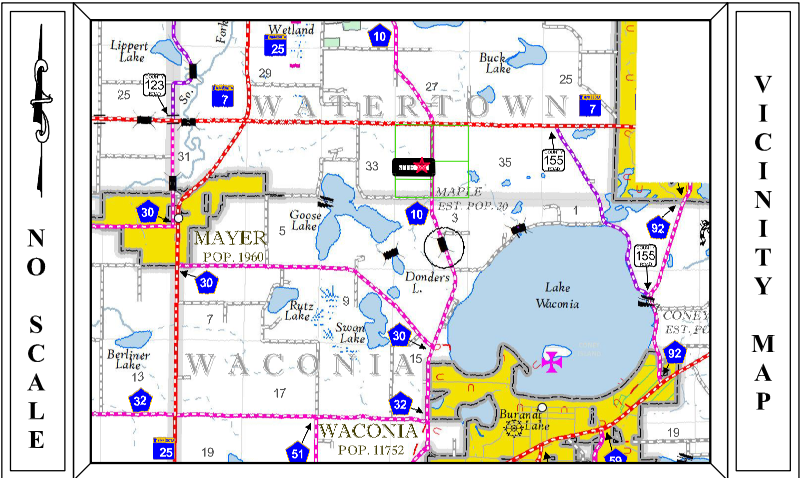
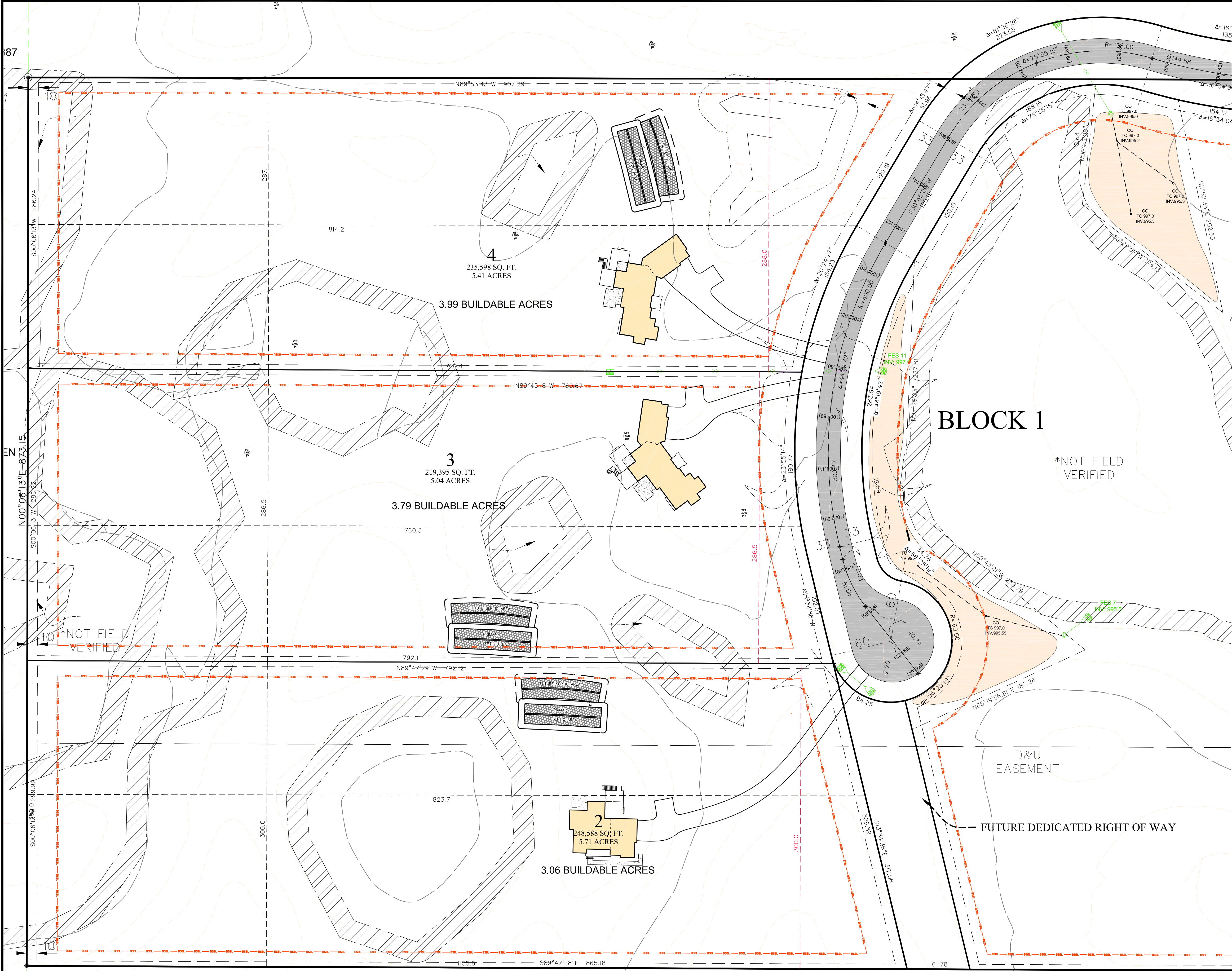
PLANNERS

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000
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TWP:117-RGE:25-SEC:34
Carver County
**WACONIA,
MINNESOTA**

NEUMANN ACRES
PRELIMINARY PLAT
MARK EKLO

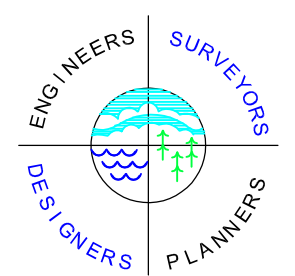
FILE NO.
23605-013
2
3



FIELD CREW	NO.	BY	DATE	REVISION
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DLS				
DATE				
1/14/2021				

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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Dated this 19 day of February, 2021.
Daniel L. Schmidt
Daniel L. Schmidt, PLS
Schmidt@sathre.com
Minnesota License No. 26147



SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000
WWW.SATHRE.COM

TWP:117-RGE:25-SEC:34
Carver County
WACONIA, MINNESOTA

NEUMANN ACRES
PRELIMINARY PLAT
MARK EKLO

FILE NO.
23605-013
3
3

BOARD OF COUNTY COMMISSIONERS

CARVER COUNTY, MINNESOTA

DATE: _____ RESOLUTION #: _____
MOTION BY COMMISSIONER: _____ SECONDED BY COMMISSIONER: _____

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF *NEUMANN ACRES*

WHEREAS, the following application for a Preliminary Plat has been submitted and accepted:

FILE: PP-PZ20210023

APPLICANT: Mark Eklo

OWNERS of 10-034-0700: Paul & Linda Neumann

OWNERS of 10-034-0100: Prime Four LLP

SITE ADDRESS: 5850 County Road 10 North, 55387

PURSUANT TO: County Code, Chapter 151 & 152, Section(s) 152.078

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCELS #: 10-034-0700 & 10-034-0100

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meetings of May 18, 2021, and forwarded to the Carver County Board of Commissioners for action; and

WHEREAS, the County Board has reviewed the recommendations and proposed conditions put forward by the Planning Commission after the public hearings on the matter and concurs with the findings, recommendations and conditions of the Planning Commission; and

WHEREAS, the plat substantially meets the requirements of applicable county ordinances except where noted by Planning Commission Resolution No. 21-06 and the areas of deficiency can be addressed through conditions placed on the preliminary plat that must be complied with prior to acceptance of the Final Plat.

1. Mr. Eklo was issued Conditional Use Permit (CUP) #PZ20200051 in order to create three (3) residential parcels pursuant to the additional density provision (Section 152.078 C – High Amenity) of the Carver County Zoning Code. With the approval of the CUP, the applicant is now requesting approval of the Preliminary Plat “Neumann Acres” Subdivision. The request would consist of one, 1 per 40, agricultural lot (Lot 1, Block 1) and three residential lots (Lots 2-4, Block 1). In addition to the single-family house building sites, a township road (Harlee Court) would need to be constructed.
2. The proposed platted area consists of approximately 53.44 acres located in part of the North Half (N½) of the Southwest Quarter (SW¼) of Section 34, Watertown Township. The property is improved with an existing building site (i.e. house and sheds) and includes agricultural production land, wetlands, and woods. It is located in the Agricultural Zoning District and the CCWMO (Carver Creek and Crow River watersheds). CUP #PZ20200051 was issued January 5, 2021, in order to create three (3) high amenity lots pursuant to Section 152.078 of the Carver County Zoning Code.

3. Copies of the plat have been sent to the Watertown Township Clerk (Wayne Hubin), Waconia School District #110 (Finance & Operations Office), Carver County Water Management Organization (CCWMO) (Kristen Larson), Carver County Soil & Water Conservation District (SWCD) (Chip Hentges), Carver County Emergency Management (Debra Paige), Carver County Environmental Services (Lori Brinkman), Carver County Property and Financial Services Department (Crystal Campos), Carver County Public Works (Angie Stenson & Chad Braun), Carver County Surveyor (Brian Praske), MN DNR Area Hydrologist (Taylor Huinker), and Xcel Energy (electric utility company serving the area). As of this report, the Waconia School District #110, Carver County Water Management Organization (CCWMO), Carver County Environmental Services, and Carver County Public Works have submitted comments. Other comments may also be available at the time of the public hearing.
4. The high amenity lots are laid out in such a manner that there are no more than four (4) homes per quarter-quarter as permitted by the density regulations of the Carver County Zoning Code. The residential lot sizes range from 5.04 acres to 5.71 acres. Each lot has a defined building site (i.e. minimum of a 1-acre building site) that conforms to Code requirements, and any home constructed within the site would meet the zoning setback requirements. Prior to submitting a building permit application for a new house, the Permittee shall identify the lowest floor elevation, as well as the wetland delineation elevation of the emergency overflow. Said homes shall be set to allow for positive drainage.
5. This plat would require the construction of a Township Road (i.e. Harlee Court); therefore, a Development Contract is needed. All proposed lots conform to the Carver County Zoning Code with regard to road frontage. Each lot can allow for a separate driveway access in which a 100-foot separation would be required. The proposed road would be constructed to meet Township standards; however, it would be privately maintained until such time as the Township decides to accept maintenance responsibilities. The Watertown Town Board would also need to approve the road plans before the development contract is completed.
6. The preliminary plat shows 10-foot utility & drainage easements around each of the four (4) lots. An appropriate drainage easement would be provided for wetlands as part of the final plat. No obstructions shall be permitted in any of the drainage and/or utility easements. The covenants should address the preservation of the drainage easements and that no obstructions shall be permitted within those areas.
7. The draft covenants, as required by Conditional Use Permit #PZ20200051, have been submitted with the application and would need to be approved by the County Attorney's office prior to final plat approval. The covenants shall address the preservation of the drainage and/or utility easements and that no obstructions shall be permitted within those areas. The plat indicates the outside boundary of the delineated wetlands, which impact all lots. The required covenants shall address that each lot would be reviewed in the field prior to issuance of any building permits. The covenants shall be filed with the final plat and include minimum requirements as identified in the CUP.
8. The Carver County Environmental Services Department has received a report from a licensed SSTS professional identifying the primary and alternate Subsurface Sewage Treatment System (SSTS) locations on the three (3) amenity lots. This report (dated: July 23, 2020) is considered a preliminary report to identify two possible SSTS locations per lot. Soil boring logs and locations were identified on a survey for each individual lot. On April 7, 2021, Lori Brinkman, Environmentalist II, has indicated primary and alternate SSTS locations have been identified by an SSTS designer for each parcel and approved by County staff. At the time of application for a new home on each lot, an SSTS design would need to be submitted, reviewed and approved by the Carver County Environmental Services Department. All the SSTS system locations would need to be fenced off prior to any land alteration for road construction, etc.
9. The Carver County Public Works Division has completed their initial review (see attached updated letter dated: May 7, 2021) of the preliminary plat with regard to the development/access review. An access permit would be required from the Carver County Public Works Division for the improved access onto County Road 10, and final access construction plans would need to be submitted as part of the access permit application. Prior to the final plat approval, the developer should revise the right of way along County Highway 10 to 60 feet from centerline in order to be consistent with the County's 2040 Comprehensive Plan. The Watertown Town Board would also need to approve the road plans before the development contact is completed.

10. The property has been analyzed by a professional wetland delineator to determine if wetlands exist. Wetlands are present on the site and have been identified in the Wetland Delineation Report. The wetland delineation report was approved on August 31, 2020. The Notice of Decision and TEP Findings concur with the findings of the professional delineator hired by the applicant. Appropriate easements for the wetlands and drainage/utilities have been included on the plat. Avoidance of delineated wetlands has been incorporated into the development.
11. The 53.44-acre plat is located within the CCWMO jurisdiction. Stormwater management, wetland buffers, and erosion control measures would need to be addressed pursuant to Chapter 153 of the County Code (Water Management Rules). A combined erosion and sediment control and stormwater permit from the CCWMO would be required if the total impervious surface constructed on each lot (drive, house pad, garage, other outbuildings, etc.) is greater than 1 acre. This permit requires the use of best management practices that prevent erosion and sediment from leaving the site during construction as well as management practices that treat stormwater runoff from impervious surfaces once construction is complete.
12. The Carver SWCD would review the project with regard to the CCWMO standards. All lots shall be reviewed for erosion/sediment control measures during the building permit process. The Carver SWCD would also be involved in the review and approval of the plans as they relate to the Water Rules, WCA, and the stormwater pollution prevention plan (SWPPP).
13. It appears that the plat would substantially meet the requirements of the applicable County Zoning and Subdivision Codes, except where noted. The areas of deficiency would need to be addressed through conditions placed on the preliminary plat approval that must be complied with prior to acceptance of the final plat.
14. The Watertown Town Board reviewed and recommended approval of the Neumann Acres Preliminary Plat (including the construction of a Township Road) during their May 3, 2021, meeting. At the conclusion of the meeting, the Town Board made a recommendation of approval of the request stating the road shall be built to Township standards.

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby approves the Preliminary Plat of Neumann Acres for the land described on the preliminary plat with the following conditions attached to the preliminary plat approval:

1. Three (3) high amenity lots and one, 1 per 40, agricultural lot are permitted. The property shall be platted in accordance with M.S. Chapter 505, Carver County Zoning Subdivision Code 151, and the Carver County Zoning Code 152.
2. The layout of the final plat must substantially conform to the preliminary plat. Any significant departure from the preliminary plat must be approved by the Planning Commission before final plat consideration. As part of the preliminary plat approval, each lot shall document a suitable one (1) acre building site including; a house location and primary & alternate septic site locations. All conditions of CUP #PZ20200051 shall be satisfied prior to the recording of the final plat.
3. All Carver County Public Works concerns/issues shall be addressed prior to beginning work on the Development Contract.
4. The developer must enter into a Development Contract with the County and the Township as per Chapter 151 of the County Subdivision Code prior to the initiation of construction of any improvements. The County Engineer, Carver SWCD, CCWMO, and County Consultant Engineer must approve the road plan(s) and stormwater drainage plan(s) before approval of the development contract. All road and improvements must be completed before final plat approval or the applicant must post a financial guarantee per Subdivision Code, Chapter 151. Any additional information that is needed by the County and/or Township for review shall be submitted in an acceptable form prior to receiving approval of the Development Contract.

5. The developer shall comply with the Emergency Services Department requirements with regard to the street name and the site address for each lot. It shall be the obligation of the developer to furnish the street name signs. The signage shall conform to County standards.
6. The County Engineer, Carver SWCD, CCWMO and Watertown Town Board must approve the road plan(s) and storm water drainage plan(s) before approval of the development contract. An access permit must be obtained, as determined by the County Engineer. All roads and improvements must be completed before final plat approval or the applicant must post a financial guarantee.
7. The covenants, as required by Conditional Use Permit #PZ20200051, must be approved prior to final plat consideration. Prior to final plat consideration by the County Board, the Assistant County Attorney shall approve the covenants and title work. The covenants shall address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any lot in the residential area.
 - B. A covenant stating that the area is rural, and that commercial agriculture and other rural land use activities shall likely be occurring in the area. A notification must be provided regarding “odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities”. Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the “A” district.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he shall have to submit percolation tests and soil borings for another site before any building permit shall be issued.
 - E. The covenants shall address the preservation of the drainage and/or utility easements and that no obstructions shall be permitted within those areas. The plat indicates the outside boundary of the delineated wetlands, which impacts all proposed lots. The required covenants shall address that each lot will be reviewed in the field prior to issuance of any building permits. The required covenants shall address the concerns of possible drainage of an existing delineated wetland located in the woods and open field area; therefore, no vegetative removal within the drainage easement area shall be allowed.
 - F. A covenant must clearly state that lot owners shall maintain the road until such time as the Township agrees to accept the road and assume maintenance responsibility.
 - G. A covenant stating that if any lot exceeds the impervious coverage area, pursuant to the Carver County Water Management Rules - Chapter 153, Section 153.11 A2, additional review by Carver County Planning & Water Management may be needed.
8. The above-required Covenants shall become part of the plat approval.
9. Each lot must be reviewed in the field prior to the issuance of any building permit and/or SSTS permit. All septic system locations (i.e. primary & alternate) shall to be marked and protected (rope, fencing, etc.) to prohibit any disturbance to those areas. Furthermore, prior to the commencement of any construction related activity, the primary and alternate septic locations for each lot shall be protected.

10. Pursuant to CUP #PZ20200051, access permits for the proposed driveways must be obtained from Watertown Township prior to the issuance of any building permits for the individual lots.
11. Each lot shall be reviewed and approved by CCWMO pursuant to Chapter 153 of the Zoning Code. Specific details for each lot must be submitted to the Planning and Water Department for approval prior to issuance of building permit(s) on individual lots.
12. The driveways for the lots shall conform to the Wetland Conservation Act (WCA), Carver County Land Management Department, CCWMO, and Watertown Township requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authorities (Watertown Township). An access permit for each driveway from Harlee Court must be obtained prior to issuance of new home building permit(s).
13. Prior to submitting a building permit application for a new house, the Permittee shall identify the lowest floor elevation as well as the wetland delineation elevation of the emergency overflow. The house shall be set to allow for positive drainage.
14. As per Section 151.163 of the Carver County Code, all utility facilities are to be located underground. The access and drainage ways will be designed so that public utilities can be installed at a later date.

YES	ABSENT	NO

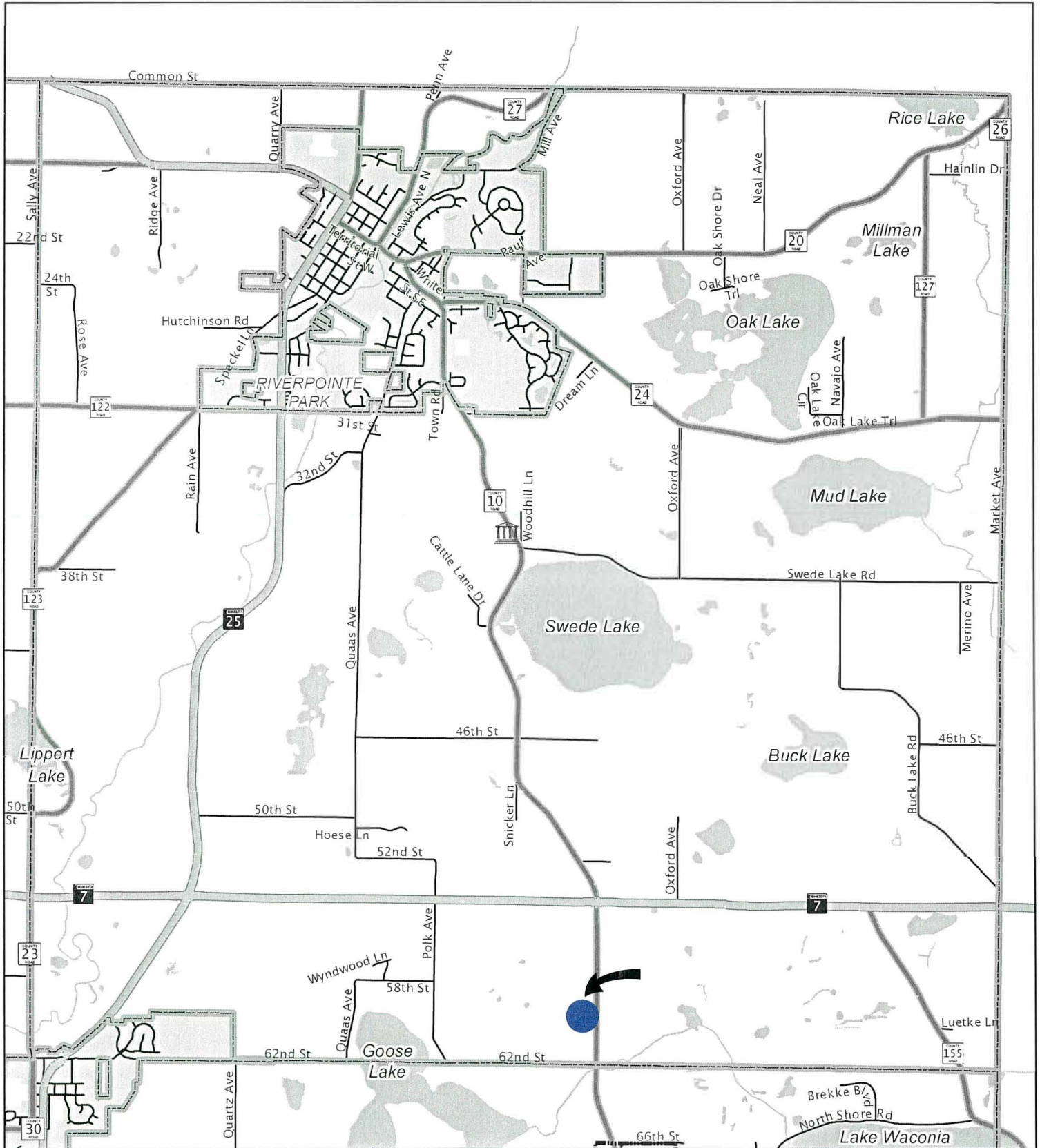
STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 1st day of June, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2021.

County Administrator

WATERTOWN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



CARVER COUNTY

Body worn Camera System Contract Approval

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

RBA 2021- 7704

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Extension of Library Fine Waiver

Primary Originating Division/Dept: Public Services - Library

Meeting Date: 6/1/2021

Contact: Heidi Hoks

Title: Library Director

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

On September 1, 2020, the Carver County Board approved waiving library fines incurred in 2020. This was because of library closures and modified services due to COVID-19. Also, at that time, the library was migrating to a new Integrated Library System (ILS) which is the computer system that runs the library system (check-outs, returns, fines, inventory, etc.).

Staff is recommending that the fine waiver go through June 30, 2021. Due to an oversight, this item was not brought to the County Board sooner. Pushing this to June 30 allows staff the ability to fully implement and test the new ILS and its fine processing capabilities. Going sooner could result in system errors and billing issues. In addition, it allows library patrons extra time to return materials if they were unable to access the library during COVID-19.

This recommendation is supported by the Library Advisory Board.

The library anticipates that this will create a shortfall of \$56,950 in fine revenue. Due to the lower library circulation as a result of COVID-19, staff anticipates a shortfall even without waiving fines through June 30. Adjustments include employee mileage allowance (\$3,000), conferences and professional maintenance (\$6,000), office and noncapitalized equipment (\$27,950), and furniture (\$20,000).

ACTION REQUESTED:

Motion to extend the Library Fine Waiver through June 30, 2021.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars =

\$56,950.00

FTE IMPACT: None

Total

\$56,950.00

☐ Insert additional funding source

Related Financial/FTE Comments:

The Library will adjust the Library budget to cover the fines shortfall.

Office use only:

RBA 2021 - 7692

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Extension of Library Fine Waiver

Department:

Meeting Date: 6/1/2021

Fund:

- ☒ 01 - General
- ☐ 02 - Reserve
- ☐ 03 - Public Works
- ☐ 11 - CSS
- ☐ 15 - CCRRA
- ☐ 30 - Building CIP
- ☐ 32 - Road/Bridge CIP
- ☐ 34 - Parks & Trails
- ☐ 35 - Debt Service

Requested By: Heidi Hoks

DEBIT		
Description of Accounts	Acct #	Amount
Library Fines	01-014-5xx.5512	\$56,950.00
TOTAL		\$56,950.00

CREDIT		
Description of Accounts	Acct #	Amount
Employee Mileage	01-014-500-0-6331	\$3,000.00
Conference and Professional Maint.	01-014-500-0-6332	\$6,000.00
Noncapitalized Equipment	01-014-500-0-6480	\$10,000.00
Equipment and Furniture	01-014-500-0-6660	\$20,000.00
Office Equipment	01-014-500-8003-...	\$10,450.00
Noncapitalized Equipment	01-014-500-8003-...	\$7,500.00
TOTAL		\$56,950.00

Reason for Request:

Reduce expenditure budget to cover the anticipated shortfall in revenue from library fines in 2021.

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Approval of the MNPEA Licensed Deputy 2021 -2022 Collective Bargaining Agreement

Primary Originating Division/Dept: Employee Relations

Meeting Date: 6/1/2021

Contact: Kerie Anderka

Title: Employee Relations Director

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The MNPEA Licensed Deputy Unit and the County have completed negotiations for the successor collective bargaining agreement (CBA) and the membership has ratified the 2021-2022 CBA.

Following is a summary of the highlights of the tentative agreement with MNPEA Licensed Deputies Bargaining Unit:

- Two year agreement (2021 – 2022)
- 2021 General Adjustment: 1.00% (applied to base rate), only applied for individuals whose hourly base rate is above the 2021 target rate
- 2022 General Adjustment: 2.00% (applied to base rate)
- Implement updated salary ranges aligned with market, as specified for 2021 and 2022. Ranges as established by County Board thereafter.
- Implement hybrid pay-for-performance compensation program and incorporate updates to existing performance-based retention increases program:
 - **Performance-based retention increases program addresses wage progression during initial 5 years as deputy sheriff or up to target rate**
 - Add two new gates to existing performance-based retention increases program, at 24 months and 48 months.
 - Update performance-based retention increases program gates to reflect the following progression based on meeting performance standards at defined gates: FTO completion \$0.50, probation completion \$1.50, 24 months \$1.25, 36 months \$1.00, 48 months \$0.75, 60 months \$0.50.
 - Effective first full pay period in January 2021, transition current employees onto new compensation structure, accounting for updated performance-based retention increases program and updated range structure to appropriately place individuals.
 - **The County's standard pay-for-performance program addresses wage progression after 5 years as deputy sheriff / after reaching target rate**
 - Employees who have completed 60 months of continuous service as a Deputy Sheriff and/or whose base rate is at or above the target rate shall be eligible for pay-for-performance compensation based on the Pay-for-Performance Matrix and not the Performance Based Retention Increases Program.
 - Effective first full pay period in March 2021, employees who have either completed 60 months of continuous service as a Deputy Sheriff and/or whose salary is at or above the target rate shall be eligible for pay-for-performance compensation based on the 2021 Pay-for-Performance Matrix.
 - 2021 Pay-for-Performance: 0%, 1%, 2%, 3% effective first full pay period in March with everything paid as lump sums only.
 - 2022 Pay-for-Performance: 0%, 1%, 2%, 3% effective first full pay period in March with base/lump sum split (same as the 2020 PFP matrix).
 - In recognition of transition to the County's updated licensed deputy classification and compensation structure, and adoption of pay-for-performance, effective first full pay period in January 2021 employees whose 12/31/2020 base wage is above the 2021 target rate receive a one-time lump sum

payment in the amount of 1.00% or \$1,000, whichever is greater.

- 2021 Insurance:
 - Employee: \$755.48 (+ \$20.48)
 - Employee + Child(ren): \$948.70 (+ \$53.70)
 - Employee + Spouse: \$1,293.20 (+\$73.20)
 - Family: \$1,584.70 (+ \$89.70)
- 2022 Insurance: Increase County contribution by \$15.00 per month, across all plan levels and options. Maintain percentages defined in current contract language.
 - Employee: \$770.48
 - Employee + Child(ren): \$963.70
 - Employee + Spouse: \$1,308.20
 - Family: \$1,599.70
- 2021 Uniform Allowance: Increase by \$30 (from \$795 to \$825)
- 2022 Uniform Allowance: Increase by \$15 (from \$825 to \$840)

ACTION REQUESTED:

Motion to approve 2021 – 2022 MNPEA Licensed Deputy Collective Bargaining Agreement.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars = **\$567,945.00**

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Total **\$567,945.00**

Related Financial/FTE Comments:

The incremental cost for the 2021 MNPEA Licensed Deputy collective bargaining agreement total compensation is \$567,945. A budget amendment is necessary to reallocate funds to the respective Department wage accounts since the 2021 Adopted Budget assumed a 0% wage increase. The total 2021 compensation for the MNPEA Licensed Deputy collective bargaining agreement is \$6,766,565.

Office use only:

RBA 2021 - 7701

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Approval of the MNPEA Licensed Deputy 2021 -2022 Collective Bargaining Agreement

Department:

Meeting Date: 6/1/2021

Fund:

- ☒ 01 - General
- ☐ 02 - Reserve
- ☐ 03 - Public Works
- ☐ 11 - CSS
- ☐ 15 - CCRRA
- ☐ 30 - Building CIP
- ☐ 32 - Road/Bridge CIP
- ☐ 34 - Parks & Trails
- ☒ 35 - Debt Service

Requested By: Kerie Anderka

DEBIT		
Description of Accounts	Acct #	Amount
Wages & Benefits-MNPEA	01-201.61xx	\$567,945.00
TOTAL		\$567,945.00

CREDIT		
Description of Accounts	Acct #	Amount
COVID related budget uncertainties - State Aid, Property Taxes, financial support, etc.	01-820.5391	\$502,990.00
2021 Debt service levy	35.6701	\$64,955.00
TOTAL		\$567,945.00

Reason for Request:

The 2021 Adopted Budget assumed a 0% wage and benefit increase. Budget Amendment needed to reallocate 2021 Budget to wages and benefits in the respective Departments to fund the actual 2021 compensation system.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Mental Wellness Facility Parking Lot Project

Primary Originating Division/Dept: Public Services

Meeting Date: 6/1/2021

Contact: Jim Kuchelmeister Title: Facilities Services Manager

Item Type:
Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The asphalt parking lot at the Mental Wellness Facility is in need of repair and expansion. Facility Services obtained three quotes to:

1. Remove 2,964 square feet of broken asphalt in numerous areas and replace with 3" of new asphalt wear course.
2. Excavate an area measuring approx. 65'x58' adjacent to the west parking lot to a depth of 11" compact sub grade and install 8" of new class 5 limestone and 3" of new wear base asphalt. This will add 16 new parking stalls to the existing parking area.
3. Seal coat entire pavement area from Shady Oak Drive to the building.

GHM was the low quote at \$39,850. The County has \$21,556 in remaining state funds for the Mental Wellness Facility expansion project. These funds can be used on the parking lot expansion. The remaining funding would come from the balance of construction carrying costs and the facilities project budget.

ACTION REQUESTED:

Motion to contract with GMH Asphalt for the parking lot expansion and repair at the Mental Wellness Facility pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =	\$18,294.00
State Funds	\$21,556.00
Total	\$39,850.00

☒ Insert additional funding source

FTE IMPACT: None

Related Financial/FTE Comments:

Project being funded by the state funds and county dollars.

Office use only:

RBA 2021 - 7675

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Environmental Center Asphalt Replacement

Primary Originating Division/Dept: Public Services

Meeting Date: 6/1/2021

Contact: Jim Kuchelmeister

Title: Facilities Services Manager

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Facility Services is working with Environmental Services on replacing the deteriorated asphalt parking lot at the Environmental Center. The project includes removal of all existing asphalt, compact and grade the base, and install 3" of asphalt base and 2" of wear asphalt. The area under the canopy will be milled and have 1.5" of wear asphalt added.

Facilities obtained three quotes and GMH Asphalt was the low quote at \$109,575. Environmental Services had designated funds in their 2019-20 budgets for asphalt replacement. These were rolled over into 2021 to fund the project.

ACTION REQUESTED:

Motion to contract with GMH Asphalt for the Environmental Center parking lot project pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Solid waste fees

\$109,575.00

Total

\$109,575.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Environmental Services had designated funds in their 2019-20 budgets for the asphalt replacement. These were rolled over into 2021 to fund the project.

Office use only:

RBA 2021 - 7678

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Capital Project Request To The Office of Management and Budget For Lake Waconia Regional Park - Phase 3 Development

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 6/1/2021

Contact: Martin Walsh

Title: Parks and Recreation Director

Item Type:

Regular Session

Amount of Time Requested: 20 minutes

Presenter: Martin Walsh

Title: Parks and Recreation Director

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County is an Implementing Regional Park Agency for the Metropolitan Regional Park System and owns and operates Lake Waconia Regional Park.

The Metropolitan Regional Parks System provides the Twin City Metropolitan Area with near to home outdoor recreation opportunities equivalent to the State Park System and are of regional and state-wide significance. For 2018 and 2020 Carver County made applications to the State Office of Management and Budget for Phase I and 2 Development for Waconia Regional Park and was awarded \$1.5 million and \$2.5 million respectively during those years. As a requirement to receiving these funds, Carver County has and will provide matching funds equal to these state funds.

Work accomplished to date under Phase 1 includes servicing the park with sewer and water utilities, site grading, construction of roads, parking lots, stormwater ponds and landscaping.

Phase 2 work is underway to design and construct a new building (waterfront service center) that would provide restrooms, indoor activity/classroom space, concessions, rental equipment and a large outdoor pavilion space. The current estimated cost of the waterfront service center is between \$6 and \$6.5 million, which increases the county share from \$2.5 million to between \$3.5 and \$4 million. Estimates during the concept phase were around \$5 million, however, material prices have escalated dramatically and the incorporation of State's B3 requirements have added substantial cost to the building. The B3 (Buildings, Benchmarks and Beyond) tools and programs are designed to help make buildings more energy efficient and sustainable. The B3 programs have been developed for and are required on State-funded projects in Minnesota. Staff is recommending asking for additional state bonding to help cover these cost increases.

Staff is also recommending requesting state bonding for Phase 3 development of the park. This would include construction of a playground, lake front walk and trails, docks and fishing piers. It is proposed that this 3rd application for bonding be submitted coinciding with 2022 legislative session.

A cost estimate for the proposed Phase 3 improvements is still being developed, however, a conceptual estimate of the cost of these improvements is shown below:

Playground and Site Work	\$1,200,000
Waterfront Walk and Trails	\$1,500,000
Docks and Piers	\$200,000
Landscaping & Site Amenities	<u>\$100,000</u>

Sub Total Phase 3:	\$3,000,000
Plus Waterfront Service Center cost escalation	<u>\$1,500,000</u>
Total:	\$4,500,000

The 3rd request for state bonds would be \$2,250,000 (50%) of the estimated costs with an equal County match of \$2,250,000.

The total county share for Phase 2 (Waterfront Service Center) and Phase 3 would be up to \$4.75 million.

The County would have the ability to provide the matching funds from the following sources:

- Parkland Acquisition Advance Funding Account
- Year End Savings Account
- COVID Budget Stabilization Account

ACTION REQUESTED:

Motion to approve a request for capital bonding to the State Office of Management and Budget for a project not to exceed \$4,500,000 for park improvements for Lake Waconia Regional Park with a 50/50 cost share between state bonds and county funds.

FISCAL IMPACT: Other

If "Other", specify:

FUNDING

County Dollars =	\$2,250,000.00
State Bonds	\$2,250,000.00
Total	\$4,500,000.00

FTE IMPACT: None

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7699

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Discussion of housing options and activities by Carver County CDA and Health and Human Services.

Primary Originating Division/Dept: Health & Human Services

Meeting Date: 6/1/2021

Contact: Rod Franks

Title: HHS Director

Item Type:

Regular Session

Amount of Time Requested: 30 minutes

Presenter: Rod Franks/Julie Frick

Title: HHS Director/CDA Exec. Director

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The economic disruptions brought on by the COVID-19 pandemic has increased the awareness of a growing need for supportive, sustainable and affordable housing for people and families residing in Carver County living on little. Carver County HHS and CDA are engaged in a number of initiatives to provide quality sustainable and affordable housing options to Carver County residents in need. However, for some residents, this is not enough. For some, providing for these housing options means navigating a complex and highly regulatory system involving Federal, State, and local systems.

Housing needs are also specific to the unique needs of the clients both agencies serve. The Carver County CDA and HHS fulfill different missions for housing residents, but do experience some overlap in the people served.

The CDA and HHS have a strong history of cooperation, most recently evidenced in working together to distribute hundreds of thousands of dollars in COVID housing assistance to Carver County residents. Both agencies understand not only the importance of working together, but also to work collaboratively with other community partners. When prudent, engage with partners to leverage public resources with partners to better serve residents by being able to provide increased options that County resources alone could not.

Beacon Interfaith Housing Collaborative has partnered with HHS for many years to provide shelter services for Carver and Scott County families in the Families Moving Forward program. Both Carver and Scott County Health and Human Services provide financial support for this program which is physically located in Carver County.

Beacon has also proposed constructing a 42 unit facility located in Shakopee, called Prairie Point, to provide supportive housing to Carver and Scott County families. Staff will discuss this project, including project timeline and funding considerations.

Staff will also provide an overview of current housing options, as well as future projects and emerging housing needs.

ACTION REQUESTED:

Staff from Carver County CDA and HHS will update the Board on the needs and initiatives regarding supportive, sustainable and affordable housing for Carver County residents.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

Total

\$0.00

FTE IMPACT: None

Related Financial/FTE Comments:

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Health and Human Services Administrative Support Services Reorganization

Primary Originating Division/Dept: Health & Human Services

Meeting Date: 6/1/2021

Contact: Rod Franks

Title: HHS Director

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter: Rod Franks

Title: HHS Director

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The COVID-19 pandemic brought about a significant shift in the way HHS staff engaged with clients and the public to conduct services. At the onset of the pandemic, over 75% of HHS staff pivoted and have continued to conduct their work mostly remote for over the past year. In this transition to an alternative staffing model, tasks necessary to support remote staff have evolved and have become much more specific by Department. Prior to the pandemic, support services staff functioned as a group of generalists taking on assigned tasks from any of the departments within HHS. This process has not been sufficient to provide an adequate level of support to staff in the current and future remote work environment.

The HHS leadership team has been wrestling with how to best provide office support for workers now in the pandemic remote work environment as well as what is coming next. Due to recent resignations of support staff, a window of opportunity to strategically plan and evaluate our current structure emerged. We determined changes at this time result in significant workflow benefit and minimal impact on that team and existing staff.

In the new hybrid work environment it is critical for success that each department have its own dedicated support staff. This would allow support staff to develop specialization of their support functions versus what existed pre-pandemic. We have also discovered a need for the HHS Administrative Officer to provide more administrative support with division-wide initiatives.

The reorganization plan assigns one Administrative Assistant to each of the HHS departments located in the Government Center. This includes Home and Community-Based Care (HCBC), Child and Family, Public Health and Income Support. These staff would become part of each of those Departments, and would no longer be supervised by the HHS Administrative Officer.

The Administrative Officer will continue to manage the front desk (Administrative Representative) staff, but would be supervised by the HHS Deputy Director for Human Services instead of the Administrative Services Manager. This has the benefit of allowing the Administrative Services Manager to focus more on HHS Accounting which is becoming increasingly more complex and time consuming.

It has been confirmed with Fox Lawson that these moves would not impact any affected persons Decision Band Method (DBM) classification in any way.

There are currently 4 full-time Administrative Representative front desk positions with one vacancy and currently 3 full-time Administrative Assistants with two vacancies. Our request is to delete the vacant front desk (Admin. Rep.)

position, and use that to increase the Admin. Assistants to 4 total (with three of those vacant). We will reassign an Admin. Assistant to each Department along with its budget. These positions then become the supervisory and financial responsibility of each Department. Since we will have 3 vacancies, we do not have to worry about "people" being reassigned, and each department can hire the specific skill set they need to further increase efficiency.

The position cost of the Admin. Representative position to be deleted is \$57,728. The cost of the Admin. Assistant to be added is \$71,743. The additional funds of \$14,015 needed for this change will come from an increase in Targeted Case Management revenue gained through the increase in earned revenue billing. No additional County levy funds will be required for these changes in FTE.

ACTION REQUESTED:

Motion to approve HHS support staff reorganization to include the deletion of 1.0 FTE Admin. Representative, and the addition of 1.0 FTE Admin. Assistant.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FTE IMPACT: Other staffing change (grade, classification, hours, etc.)

FUNDING

County Dollars =	\$71,743.00
TCM revenue	(\$14,015.00)
delete 1.0 FTE	(\$57,728.00)
Total	\$0.00

Related Financial/FTE Comments:

No County levy dollars are required for this reorganizational change in FTE.

Office use only:

RBA 2021 - 7698

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Health and Human Services Administrative Support Services Reorganization

Department:

Meeting Date: 6/1/2021

Fund:

- ☐ 01 - General
- ☐ 02 - Reserve
- ☐ 03 - Public Works
- ☒ 11 - CSS
- ☐ 15 - CCRRA
- ☐ 30 - Building CIP
- ☐ 32 - Road/Bridge CIP
- ☐ 34 - Parks & Trails
- ☐ 35 - Debt Service

Requested By: Denise Heckmann

DEBIT

Description of Accounts	Acct #	Amount
Admin Split Salaries	11-405-600-4801-6111	\$2,102.00
Admin Split Salaries	11-405-700-0000-6111	\$11,913.00
TOTAL		\$14,015.00

CREDIT

Description of Accounts	Acct #	Amount
CW TCM Revenue	11-422-700-0000-...	\$14,015.00
TOTAL		\$14,015.00

Reason for Request:

Motion to approve HHS support staff reorganization to include the deletion of 1.0 FTE Admin Representative and the addition of a 1.0 Admin Assistant.

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Closed Session for land acquisition for the Highway 212 Project-Dahlgren Township**

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 6/1/2021

Contact: Patrick Lambert

Title: Senior Right of Way Agent

Item Type:

Closed Session

Amount of Time Requested: minutes

Presenter: Lyndon Robjent, Darin Mielke Title: Public Works Staff

Attachments: ☐ Yes ☒ No**Strategic Initiative:**

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

BACKGROUND/JUSTIFICATION:

A number of parcels related to the Highway 212 Project-Dahlgren Township are currently in the eminent domain process. Public Works staff have received a potential settlement proposal from the property owners of parcels located at PID #'s 04.0150900 and 04.0151120.

Public Works staff would like to discuss the settlement proposal and get direction from the county board on next steps.

ACTION REQUESTED:

Motion to enter into closed session pursuant to Minn. Stat. Section 13D.05, subd. 3(c) to discuss confidential settlement negotiations related to PID #'s 04.0150900 and 04.0151120.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

☐ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7693