

CARVER COUNTY COMMISSIONERS PROCEEDINGS

REGULAR SESSION – April 2, 2024

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on April 2, 2024. Chair Gayle Degler convened the session at 9:00 a.m.

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

Chair Degler acknowledged the receipt of the March 1st public comments from Sam Cooke regarding Black History Month and indicated the full text was available in County Administration.

The following amendment was made to the agenda:

Add to consent: 5.16 Application for a 1 Day to 4 Day Temporary On-Sale Liquor License for Immaculate Conception Catholic Church, Watertown

Lynch moved, Udermann seconded, to approve the agenda as amended. Motion carried unanimously.

Udermann moved, Fahey seconded, to approve the minutes of the March 19, 2024, Regular Session. Motion carried unanimously.

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

Approved joint powers agreement with Benton Township for crack sealing and seal coating Ingram Trail and Bridge 10526 on Rice Avenue pending finalization of the contract review process.

Approved out of state training for selected licensed deputies to complete the DRE certification during the year 2024.

Contract with Liberty Tire Recycling LLC, pending final approval through the contract review process.

Approved eliminating 1.0 Senior Public Health Services professional and creating 0.8 FTE Senior Public Health Services Professional and eliminate 0.8 FTE Public Health Nurse and create 1.0 FTE Public Health Nurse and related budget amendment.

Approved eliminating 1.0 FTE HH&S `Accounting Technician and creating 1.0 FTE Health Systems Technician and related HH&S budget amendment.

Resolution #22-24

Awarding of the 2024 Pavement Marking Project,
Carver County Contract 24-167 Project #248016

WHEREAS, The County Engineer has secured and designated funding for this contract in the current fiscal year Road and Bridge budget; and

WHEREAS, On Thursday, March 14th, at 02:00 P.M. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, two (2) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the 2024 Pavement

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Marking Project, said bids for the responsible bidders are summarized as follows:

Bidder Name	Total Amount	% Over/Under Estimate
<i>Engineer's Estimate</i>	<i>\$320,194.43</i>	
KAMCO Inc.	\$307,153.68	-4.1%
Sir Lines-A-Lot, LLC	\$310,798.24	-2.9%

And WHEREAS, after examination of the bids by Carver County Public Works, KAMCO Inc. is the successful low responsible bidder.

NOW THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Carver County Contract 24-167 with KAMCO Inc. of Dassel, MN, in the name of the County of Carver for the construction of the 2024 Pavement Marking Project in accordance with the construction plans and specifications contained in the project manual; and

BE IT FURTHER RESOLVED that Carver County Public Works is hereby authorized and directed to return the proposal guaranty to the bidders, except that of the successful low responsible bidder and second lowest bidder, which shall be retained until the construction contract has been signed and the performance and payment bonds of the low responsible bidder have been executed; and

BE IT FURTHER RESOLVED that Carver County Engineer, or his designee, is hereby authorized to take actions necessary and to enter into all change orders on behalf of Carver County as the lead contracting agency for the project, with the approval of the partnering agency(ies) for their respective cost share increase. The approval of the Carver County Engineer, or his designee, of Carver County's cost share of the change orders is limited to an amount less than twenty thousand dollars (\$20,000) and an increased aggregate project total of all project changes of forty-five thousand dollars (\$45,000.00), when time is of the essence to make contract changes due to unforeseen construction conditions in order to minimize construction delays and to efficiently carry out the planned project improvements.

Approved the one day to four day temporary on sale liquor license application for St. Peter Lutheran church, Watertown, for Sunday, May 19, 2024.

Issued a charitable gambling license to Zoar United Church of Christ for a raffle to be held on October 13, 2024.

Issued a charitable gambling license to Immaculate Conception Church for a raffle to be held on April 6, 2024.

Approved out of state travel for IT Security Manager for the 2024 ISAC annual meeting.

Approved the purchase of the budgeted PW fleet equipment replacement as outlined for 2024.

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Professional services agreement with Wickenhauser Excavating, Inc., for building removals for the Highway 212 project-Benton Township for \$45,910, pending finalization of the contract review process.

Approved professional services agreement with Castle Rock Contracting & Tree Services LLC for tree removal for the Highway 212 Project-Benton Township for \$145,080 pending finalization of the contract review process.

Resolution #23-24

Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests
Needed for Highway 212 Project-Benton Township

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

WHEREAS, the County, acting by and through its Board of Commissioners, is authorized by law, and pursuant to Minnesota Statutes, § 163.02, subd. 2; § 117.012; and § 117.042, to acquire land and other real property interests in Carver County which the County needs for a public use or public purpose; and

WHEREAS, the County proposes to construct highway and related improvements in Carver County for the reconstruction and expansion of Trunk Highway 212 to a 4-lane expressway as part of the Highway 212 Project - Benton Township ("Project"); and

WHEREAS, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners of the real property interests identified in said Exhibit A; and

WHEREAS, the County obtained either an appraisal(s) from a licensed real estate appraiser when the estimate of the damages from the County's proposed acquisitions of the real property interests described in said Exhibit A exceeds \$25,000, or the County obtained a minimum damage acquisition report from a qualified person with appraisal knowledge, in lieu of an appraisal, when the estimate of the damages from the County's proposed acquisitions of the real property interests described in said Exhibit A is under \$25,000; and

WHEREAS, County must determine and submit an initial written offer of just compensation to the Owners of said needed real property interests covering the full amount of damages caused by the County's proposed acquisitions; and

WHEREAS, the Owners of said real property interests may obtain an independent appraisal by a qualified appraiser of the real property interests which the County proposes to acquire for the Project; and

WHEREAS, the Owners of said real property interests are entitled to reimbursement for the reasonable costs of the appraisal from the County up to a maximum of the limits stated in Minn. Stat. § 117.036, provided the Owner submits to County the information necessary for reimbursement; and

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WHEREAS, the Carver County Board of Commissioners authorized the Public Works Division Director or agents under his supervision, to make initial written offers of just compensation to the Owners within the Project from whom property interests are required; and

WHEREAS, the Public Works Division Director or agents under his supervision, have negotiated settlement(s) with the Owners impacted by the Project as described in said Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that County's acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of the reconstruction and expansion of Trunk Highway 212 to a 4-lane expressway as part of the Highway 212 Project - Benton Township constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that based upon the estimate of damages from the County's proposed acquisitions of the real property interests described in said Exhibit A which the County obtained either from an appraisal(s) or a minimum damage acquisition report(s) and the negotiations between said Owner(s) and the Public Works Division Director or agents under his supervision, County shall make a payment of compensation to the Owners within the Project from whom the County must acquire needed real property interests, in the amounts as described in said Exhibit A; and

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Stipulation of Settlement Agreement with said property owner(s), in the name of the County of Carver for the Project.

EXHIBIT A

to

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests

Highway 212 Project – Benton Township
Carver County Public Works No. 178826

Property Tax Identification No. 0110130600

Parcel Number(s): 3 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Randall W. Feltmann and Leann J. Feltmann

Property Address: 14750 Highway 212 Norwood-Young America MN 55368

A portion of the Subject Property being taken in fee simple contains 512,057 SQ FT, more or less.

Amount: \$179,634.00

Temporary easement for construction purposes contains 95,113 SQ FT, more or less.

Amount: \$11,687.00

Impacts to Improvements:

Amount: \$12,488.00

Appraisal Amount

Amount: \$5,000.00

Premium to Induce Settlement

Amount: \$51,191.00

Settlement Amount: \$260,000.00

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Property Tax Identification No. 010180200

Parcel Number(s): 6 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Larry H. Bachmann and Jeannette C. Bachmann Trusts

Property Address: 14190 Hwy. 212, Norwood-Young America, MN 55368

A portion of the Subject Property being taken in fee simple contains 484,019 SQ FT, more or less.

Amount: \$111,944.00

Temporary easement for construction purposes contains 33,036 SQ FT, more or less.

Amount: \$2,194.00

Impacts to Improvements:

Amount: \$532,000.00

Relocation Benefits:

Amount: \$14,900.00

Appraisal Amount

Amount: \$5,000.00

Premium to Induce Settlement

Amount: \$141,462.00

Settlement Amount: \$807,500.00

Property Tax Identification No. 010160103

Parcel Number(s): 21 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Estate of Ryland N. Wickenhauser

Property Address: No Address Assigned

A portion of the Subject Property being taken in fee simple contains 57,252 SQ FT, more or less.

Amount: \$1,490.00

Temporary easement for construction purposes contains 8,361 SQ FT, more or less.

Amount: \$392.00

Premium to Induce Settlement

Amount: \$1,518.00

Settlement Amount: \$3,400.00

Property Tax Identification No. 010170300

Parcel Number(s): 46 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Cynthia D. Hansen

Property Address: 13040 County Road 51, Norwood-Young America, MN 55368

A portion of the Subject Property being taken in fee simple contains 2,608 SQ FT, more or less.

Amount: \$6,034.00

Temporary easement for construction purposes contains 394 SQ FT, more or less.

Amount: \$470.00

Appraisal Amount

Amount: \$1,500.00

Premium to Induce Settlement

Amount: \$11,996.00

Settlement Amount: \$20,000.00

Property Tax Identification No. 580130300

Parcel Number(s): 55 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Hennek Business Holdings LLC

Property Address: No Address Assigned

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A portion of the Subject Property being taken in fee simple contains 281,701 SQ FT, more or less.

Amount: \$132,048.00

Temporary easement for construction purposes contains 26,738 SQ FT, more or less.

Amount: \$4,135.00

Appraisal Amount

Amount: \$5,000.00

Premium to Induce Settlement

Amount: \$65,317.00

Settlement Amount: \$206,500.00

Approved Application for a one day to four day Temporary On-Sale Liquor License for Immaculate Conception Catholic Church, Watertown.

Reviewed March 26, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$459,166.59 and reviewed April 2, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$263,496.91.

Motion carried unanimously.

Richard Scott, HH&S Deputy Division Director, requested the Board adopt a Proclamation to recognize National Public Health Week. He pointed out the work done by Public Health staff and the high health rankings the County receives each year. The Proclamation was read into the record by Dr. Scott.

Udermann moved, Workman seconded, to approve the Proclamation to acknowledge the week of April 1-7, 2024, as National Public Health Week. Motion carried unanimously.

Heather Goodwin, HH&S Director, requested the Board approve the rollover of IV-E /SSTS funds to 2024. She pointed out the two additional one-time payments received in 2023 from the Minnesota Department of Human Services. She explained the work activities done by staff to receive these funds. Goodwin stated they would like to earmark these funds for work related to a future community resource center in the County.

Goodwin noted the previous Sauer Foundation grant received to explore options for a potential family community resource center in Carver County. She pointed out the resources centers that are already established in Scott County.

Kate Probert, HH&S, stated community resource centers provide services to any resident who could take advantage of services. She indicated a community resource center is a community or school based welcoming hub of support, services and opportunities for families. She pointed out the active involvement of community members and indicated centers are flexible in how they are run. She explained they wanted to repurpose this funding to position Carver County for the future. Probert noted the State also allocated funds to develop a statewide network of community resource centers. She pointed out the current work being done on the community assessment.

Goodwin stated a future presentation will show the full assessment report. She explained the grant they are currently applying for and indicated they were asking to use these rollover funds to leverage additional funds through that grant.

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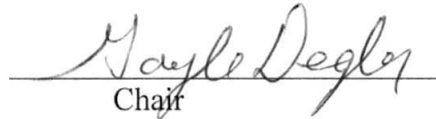
Udermann moved, Workman seconded, to approving rolling over \$401,788 in IV-E/SSTS funds received in 2023 to leverage as matching funds for the 2024 community resource center grant applications and related HH&S budget amendment. Motion carried unanimously.

Udermann moved, Fahey seconded, to adjourn the Regular Session at 9:47 a.m. and go into a work session to discuss and provide direction related to allegations in the workplace investigation report regarding the CDA. Motion carried unanimously.

Dave Hemze
County Administrator

ATTEST:


County Administrator


Chair