

CARVER COUNTY COMMISSIONERS PROCEEDINGS

REGULAR SESSION – May 16, 2023

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 16, 2023. Chair John P. Fahey convened the session at 9:02 a.m.

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

Members absent: Gayle Degler

No public comments were received.

Lynch moved, Workman seconded, to add the Motorcycle Awareness Month in Carver County Proclamation as agenda item 7.2. Motion carried unanimously.

Udermann moved, Workman seconded, to move consent item 5.14, Approval of the Supervisors and Manager Association of Carver County 2023-2024 Collective Bargaining Agreement, to regular agenda item 7.3. Udermann, Workman voted aye. Fahey, Lynch voted nay. Motion failed.

Lynch moved, Workman seconded, to approve the agenda as revised. Fahey, Lynch, Workman voted aye. Udermann voted nay. Motion carried.

Workman moved, Lynch seconded, to approve the minutes of the May 2, 2023, Regular Session. Motion carried unanimously.

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

Authorized the Assistant County Administrator to sign the MPCA Replacing Failing Septic Systems to Protect Groundwater Grant Agreement pending contract review and related Public Services budget amendment.

Professional services agreement with Nicollet Partners for \$69,250 for appraisal services on the Highway 41/10 project pending finalization of the contract review process.

Approved the Joint Powers Agreement, Amendment 2, between Hennepin County and Carver County until June 30, 2024, for Workforce program administration.

Approved joint powers agreement with Laketown Township for seal coating and re-shouldering of Airport Road, pending finalization of the contract review process.

Approved the issuance of the special event use permit for T-Road Tavern for planned events between May 1-August 1, 2023 and authorized staff to work with T-Road Tavern to make appropriate adjustments to the event(s) as warranted for public safety and risk management.

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Approved the issuance of the special event use permit to Minnesota Run Series for the Lola's Endurance Events on June 3, 2023.

Approved issuance of the special event use permits to the Waconia Chamber of Commerce and KaBoom for the coordination and delivery of 4th of July fireworks at Lake Waconia and Lake Minnewashta Regional Parks.

Authorized the County Engineer to submit and support the transportation project application for Highway 5/Highway 11 project to the MnDOT Metro District for consideration in the Local Partnership Program grant funding solicitation.

Resolution #39-23

Awarding of the 2023 Rural Highway Preservation Program Contract

Carver County Contract 23-208 Project #'s

208880/218908/218909/228951/228965/228967

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

WHEREAS, On Tuesday, May 2nd, at 10:00 A.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 2023 Rural Highway Preservation Program projects, said bids for the responsible bidders are summarized as follows:

Bidder Name	Total Amount	% Over/Under Estimate
<i>Engineer's Estimate</i>	<i>\$2,513,010.21</i>	
Valley Paving Inc.	\$3,070,403.33	+22%
Asphalt Surface Technologies Corp.	\$3,195,139.50	+27%

And WHEREAS, after examination of the bids by Carver County Public Works, Valley Paving 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 23-208 with Valley Paving Inc. of Shakopee, MN, in the name of the County of Carver for the construction of the 2023 Rural Highway Preservation Program projects 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

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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 ninety thousand dollars (\$90,000) and an increased aggregate project total of all project changes of one hundred eighty thousand dollars (\$180,000.00), 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 appointment of Ryan Brinkman to the Carver County Extension Committee to represent District #2.

Resolution #40-23 **Agreeing to Host a GreenCorps Member in 2023-2024**

WHEREAS the Environmental Services Department of the Carver County Public Services Division has applied to host one AmeriCorps member from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency (MPCA), for the 2023-2024 program year; and

WHEREAS when the MPCA selects Carver County, the County is committed to implementing the proposed project as described in the host site application and in accordance with pre-scoped position description; and

WHEREAS the MPCA requires that the Environmental Services Department of the Carver County Public Services Division enter into a host site agreement with the MPCA that identifies terms, conditions, and roles and responsibilities; and

WHEREAS the Environmental Services Department of the Carver County Public Services Division has hosted eight AmeriCorps members through the State of Minnesota since 2010, with much success.

NOW, THEREFORE, BE IT RESOLVED THAT Carver County, through the Public Services Division, hereby agrees to enter into and sign a host site agreement with the MPCA to carry out the member activities specified therein and to comply with all of the terms, conditions, and matching provisions of the host site agreement and authorizes and directs the Assistant County Administrator to sign the grant agreements on its behalf.

Professional services agreement with the YMCA of the North for the facilitated personal

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transformation learning sessions with a not to exceed amount of \$25,000 for the period of September 1, 2023 through December 31, 2023, pending finalization of the contract review process.

Professional services agreement with the YMCA of the North for staff development with a not to exceed amount of \$13,550 for the period of August 1, 2023, through December 31, 2024, pending finalization of the contract review process.

Approved the 2023-2024 SMACC Bargaining Unit Collective Bargaining Agreement and related budget amendment.

Contract with Exscape Property Services pending finalization of the contract review process.

Approved the minivan purchase for \$42,438.88 to fulfill the AMHI HCBS FMAP grant.

Approved the upgrade of the PollPad electronic pollbooks subject to the required approvals from the County's contract review process.

Approved entering into an agreement with Xcel Energy on County owned parcel with a PID of 110120810 pending review by County Attorney/Risk Management.

Resolution #41-23

Support and Approval for Allowed Equity Investments Per Minnesota Statute 118A.09, approved revised Investment Policy and contract with Ehlers Public Finance Advisors for investment management services pending finalization of the contract review process

WHEREAS, Minnesota Statutes 118A.09 (hereafter "the statute") authorizes certain qualifying government entities to establish long term equity investment accounts for purposes of investing funds with the State Board of Investment (hereafter "SBI") pursuant to the statute; and

WHEREAS, the Statute provides that Public Employees Retirement Association of Minnesota (hereafter "PERA") shall act as the account administrator for the accounts; and

WHEREAS, the accounts must comply with requirements of Minnesota Statutes 118A.09; and

WHEREAS, the Investment Policy of Carver County has been updated and approved by Carver County on May 16th, 2023. The Investment Policy was updated and revised for various items including the necessary authorizations related to Minnesota Statute 118A.09 to allow for the establishment a long-term equity investment account with SBI; and

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NOW, THEREFORE, BE IT RESOLVED by the Carver County Board as follows:

The Carver County Board of Commissioners understands that investments under 118A.09, subdivision 2 (Additional Investment Authority for an indexed United States equity mutual fund with the SBI) have a risk of loss.

The Carver County Board of Commissioners understands the type of funds that are being invested and the specific investment itself.

The Carver County Board of Commissioners certifies that all funds designated for investment through the SBI meet the requirements of Minnesota Statutes 118A.09 and the policies and procedures established by SBI.

The Carver County Board of Commissioners authorizes the Board Chair and County Administrator to execute the Long-Term Equity Investment Account Agreement between the County of Carver and the Public Employees Retirement Association of Minnesota (PERA).

BE IT FINALLY RESOLVED, that funds will be invested under the guidelines set forth within the Investment Policy into the MN SBI Non-Retirement Fund- Qualifying Governmental Entities after the executed Long-Term Equity Investment Account Agreement is completed.

Reviewed May 9, 2023, Community Social Services' actions/Commissioners' warrants in the amount of \$262,630.79 and reviewed May 16, 2023, Community Social Services' actions/Commissioners' warrants in the amount of \$328,709.62.

Motion carried unanimously.

Jason Kamerud, Sheriff, requested the Board approve a budget amendment to provide for mandated jail health services. He pointed out the challenges they are facing throughout Minnesota to provide medical care. Sheriff noted the previous contract to provide jail health services and the vendor filing bankruptcy in late 2022. He reviewed the previous board actions to create two limited term FTE positions and funding shortfall to fully cover mandated jail health services in 2023. Sheriff explained the request to redirect certain 2023 budget funds and rolling over certain 2022 budget line savings to cover the 2023 costs.

He added they are currently seeking proposals to determine whether to keep internal employees or go back to the contracting model in 2024.

Dave Hemze, Administrator, indicated as they look at the 2024 budget, jail costs will be a top issue.

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Workman moved, Udermann seconded, to approve the Sheriff's Office request to redirect 2023 budget and a \$146,868 special budget rollover from 2022 savings to pay for mandated jail health services. Motion carried unanimously.

The Board considered an appointment to the Board of Adjustment to fill a vacancy due to a resignation.

Lynch moved, Fahey seconded, to appoint Steve Washburn to fill at large vacancy on the Board of Adjustment. Motion carried unanimously.

Workman requested the Board adopt a Proclamation to proclaim May as Motorcycle Awareness Month. He pointed out accidents motorcyclists face with inattentive drivers and read the Proclamation into the record.

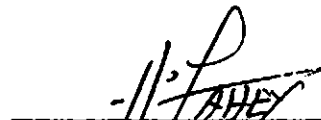
Workman moved, Udermann seconded, to adopt a Proclamation recognizing May 2023 as Motorcycle Awareness Month in Carver County. Motion carried unanimously.

Lynch moved, Workman seconded, to adjourn the Regular Session at 9:36 a.m. Motion carried unanimously.

Dave Hemze
County Administrator

ATTEST:


County Administrator


Chair