

Carver County Board of Commissioners
April 6, 2021
Regular Session

Agenda Amendments

Move

Work Session Item to Regular Session

- 10:20 a.m. A. COMMUNITIES: Create and maintain safe, healthy and livable communities**
1. Lake Waconia Regional Park Waterfront Service Center Design

And

Move Closed Session to

- 11:25 a.m. 9. CULTURE: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government**
9.1 ***Closed Session*** for Labor Negotiation Strategy



**Carver County Board of Commissioners
April 6, 2021
Regular Session**

Under Minnesota Statute 13D.021 the County Board has made a determination that an in-person meeting is not practical or prudent because of a health pandemic and an emergency has been declared under chapter 12.

The physical meeting location (Board Room) is closed because it is not feasible to be open due to the health pandemic. This meeting will be conducted via videoconference due to COVID-19 concerns.

Individuals who 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 videoconference to provide public comments during the meeting 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 meeting will be webcast live
at: <https://www.youtube.com/user/CarverCountyMN/live>**

- | | |
|-----------|--|
| 9:00 a.m. | <div style="margin-left: 20px;">1. a) CONVENE
b) Pledge of allegiance
c) Public comments submitted via email/voice mail</div> <div style="margin-left: 20px;">2. Agenda review and adoption</div> <div style="margin-left: 20px;">3. Approve minutes of March 16, 2021, Regular Session..... 1-5</div> <div style="margin-left: 20px;">4. Community Announcements</div> |
| 9:05 a.m. | <div style="margin-left: 20px;">5. CONSENT AGENDA</div> <div style="margin-left: 20px;"><i>Communities: Create and maintain safe, healthy and livable communities</i></div> <div style="margin-left: 20px;">5.1 Approve PT Community Service Officer hour increase 6</div> <div style="margin-left: 20px;">5.2 Professional Services Agreement with American Engineering Testing for
Material Testing 7</div> |

5.3	Award of Construction Contract for 2021 Application of Pavement Markings – Maintenance.....	8-11
5.4	Government Center concrete sidewalk repairs	12
5.5	Approval of MS4 NPDES Permit Application	13-16
5.6	2021 Aquatic Invasive Species (AIS) Plan review and adoption	17-22
5.7	Amendment No. 1 Professional Service Agreement HGA Architects Waterfront Service Center	23
5.8	Ridgeview Medical Center contract for provision of large scale COVID-19 vaccination services.....	24
5.9	Temporary Increase To Veterans Court Coordinator FTE.....	25

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

5.10	Charitable Gambling Application for Exempt Permit-Ridgeview Foundation	26
5.11	Award of the construction contract to GMH Asphalt Corporation for the 2021 Highway Preservation Program	27-29
5.12	Application for 1 Day to 4 Day Temporary On-Sale Liquor License for Augusta Ball Club, Inc	30

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

5.13	Professional Services Agreement with WSB & Associates Inc for Big Woods Goldfish Feasibility Study	31-32
5.14	Petition for School District Realignment.....	33-36
5.15	Request for approval to contract with Prairie Restoration Inc.....	37
5.16	Preliminary Plat - Jeff Muonio Addition	38-48
5.17	Settlements for Right of Way Acquisition for the Jonathan Carver Parkway Project – Phase 1.....	49-52
5.18	Right of Way Acquisition for the Highway 10 Project -Chaska Creek Area	53-56
5.19	Commissioner Appointment to fill the strategic liaison role for the Hennepin-Carver Workforce Development Board	57

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

5.20	Write Off Property Tax Late Payment Penalty and Interest for 50.7250010	58
5.21	Abate Penalty, Interest and Costs for 65.4710200	59
5.22	Request for approval to contract with MN Elevator Inc.....	60
5.23	Increase Payroll Technician position from a 0.80 to a 1.0 FTE	61-62
5.24	Review/Social/Commissioners' Warrants.....	NO ATT

- 9:10 a.m. **6. CULTURE: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government**
- | | | |
|-----|--|-------|
| 6.1 | Law Enforcement Proclamations | 63-68 |
| 6.2 | Funding Requests from the COVID19 Budget Stabilization Account | 69-71 |
| 6.3 | Independent Contractor/Professional Services Agreement (PSA) with Northwoods Consulting Partners, Inc. to migrate to a new software platform | 72-73 |
- 9:40 a.m. **7. GROWTH: Manage the challenges and opportunities resulting from growth and development**
- | | | |
|-----|--|-------|
| 7.1 | Solar Club 41, LLC. - CUP for a Large Solar Energy System..... | 74-81 |
|-----|--|-------|

	7.2	Award of Construction Contract to Mathiowetz Construction Company for the Highway 212 Project - Dahlgren Township	82-84
10:15 a.m.	8.	COMMUNITIES: Create and maintain safe, healthy and livable communities	
	8.1	Appointment to the Board of Adjustment.....	85
10:20 a.m.	9.	CULTURE: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government	
	9.1	<i>Closed Session</i> for Labor Negotiation Strategy	86
11:20 a.m.	10.	County Administrator Report	
11:25 a.m.		ADJOURN REGULAR SESSION	

WORK SESSION

11:25 a.m.	A.	COMMUNITIES: Create and maintain safe, healthy and livable communities	
	1.	Lake Waconia Regional Park Waterfront Service Center Design Update.....	87

David Hemze
County Administrator

UPCOMING MEETINGS

April 13, 2021	No Meeting
April 14, 2021	7:00 p.m. Zoom Meeting with School District Board #112
April 20, 2021	9:00 a.m. Board Meeting
April 27, 2021	9:00 a.m. Board Work Session
May 4, 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 March 16, 2021. The building remained closed due to the health pandemic but was webcast live. Chair Tim Lynch convened the session at 9:00 a.m.

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

Members absent: None.

David Hemze, County Administrator, explained the proposed change to post public comments, in their entirety, on the County's website. He clarified they would also continue the ability for the public to call in or join the meeting via WebEx to provide comments. He acknowledged the comments received today from Karen Johnson Leuthner, 1573538th Street, Mayer, Minnesota, regarding the Hollywood Tower CUP.

The following amendments were made to the agenda:

Add:

- 5.25 Application for a 1 Day to 4 Day Temporary On-Sale Liquor License for St. Peter Lutheran Church, Watertown
- 5.26 Consumption & Display Permit for Marsh Lake Hunting Preserve, Inc

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

Workman moved, Fahey seconded, to approve the minutes of the March 2, 2021, Regular Session. Motion carried unanimously.

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

Resolution #28-21, Approving State of Minnesota Joint Powers Agreements with the County of Carver on Behalf of its County Attorney and Sheriff

Resolution #29-21, Revocation and Turnback of County State Aid Highway No 33.

Awarded a contract to Northwest Asphalt Maintenance, Inc., for \$77,630.20 for the 2021 County Crack Seal Program pending finalization of the contract review process.

Contract with Henry G. Meigs, LLC for the annual seal coat program pending finalization of the contract review process.

Contract with Husky Construction, Inc., pending finalization of the contract review process.

Resolution #30-21, Awarding of the Highway 50 Project-Bevens Creek Area and Highway 43 Resurfacing Carver County Contract 21-083 PR #188845/208881.

Professional services contract with McKinzie Metro Appraisals for appraisal services for the Highway 24 project, pending finalization of the contract review process.

Authorized signature of the 2020 County Feedlot Officer Annual Report and approved submittal of the report to the Minnesota Pollution Control Agency.

Approved the joint powers agreement with Three Rivers Park District for the Crow River Regional Trail Connection study pending finalization of the contract review process and approved professional services agreement with Bolton and Menk for the Crow River Regional Trail Connection Study pending finalization of the contract review process.

Contract with Envisionware, Inc. pending finalization of the contract review process.

Approved letter of support for MnDOT's I-494: US 169 to Airport Projects and 1 and 2 INFRA grant application and authorized the Chair to sign the letter.

Approved joint powers agreement with Chanhassen and Chaska to engage a consultant for a dispatch operations study and professional services agreement with Fitch & Associates.

Eliminated the vacant 0.6 FTE Administrative representative in Extension, transferred \$10,000 to client services for additional STOC support, eliminated the Extension revenue targets and to partner with the University of Minnesota to have additional interns support educational programming in the County and related Public Services budget amendment.

Converted a 0.50 part-time position at the Chanhassen License Center to a 1.0 FTE full time position and related Property & Financial Services budget amendment.

Agreement with Minnesota Valley Electric Company for \$26,007.78 for utility relocation and release of easements, pending finalization of the contract review process.

Professional services agreement with HDR Engineering for \$127,285.86 for services pending finalization of the contract review process.

Resolution # 31-21, Support and Adopt the Highway 10 and Highway 11 Corridor Study for the Victoria and Chaska Area.

Resolution #31-21, Support and Adopt the Arboretum Area Transportation Plan.

Resolution #32-21, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interest Needed for Jonathan Carver Parkway Project-Phase 1.

Resolution #33-21, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interested Needed for US 212 Project – Dahlgren Township.

Resolution #34-21, Support for State Bonding for County State Aid Highway 18 (82nd Street West).

Resolution #35-21, Support and Approval for Submittal of the US Highway 212 Rural Freight Mobility and Safety Project to USDOT's INFRA Program.

Approved adding a permanent 0.60 FTE part time Land Records and Vitals Specialist to assist with the additional workload from vital record requests and land recording activity and related budget amendment.

Approved the one day to four day temporary on -sale liquor license application for St. Peter Lutheran Church, Watertown for May 23, 2021.

Approved the annual renewal of the consumption and display permit for Marsh Lake Hunting Preserve, Inc.

Reviewed March 9, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$547,210.34 and reviewed March 16, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$270,448.37.

Motion carried unanimously.

Heidi Hoks, Library Director, appeared before the Board regarding Charles Dahlke's bequest to the Library. Hoks highlighted Mr. Dahlke's accomplishments, pointing out he was a lifelong learner and advocate for libraries. She explained she was asking the Board to approve three motions related to the use of the funds.

The Board thanked the Dahlke family for the bequest and thanked Library staff for honoring his request and setting up protocols on the use of the funds.

Udermann moved, Degler seconded, on behalf of the County Library, to accept the portion of the Charles Dahlke estate designated for the Carver County Library; to approve the parameters for grants and other expenditures from the Charles Dahlke Account designated for the Carver County Public Library and to adopt the Charles Dahlke grant application. Motion carried unanimously.

David Hemze, Administrator, requested the Board adopt a Resolution extending the Declaration of a Local Emergency to September 30, 2021. He noted approximately a year ago the Board adopted the initial Declaration. He explained the Declaration allows the County to access FEMA reimbursements and allows the County to expedite contracts. He indicated the extension matches the FEMA deadline for funds. Hemze acknowledged the Board could reopen the Government Center earlier.

Fahey offered the following Resolution, seconded by Degler:

Resolution #36-21
Extending the Declaration of a Local Emergency

On vote taken, all voted aye.

Richard Scott, Deputy HH&S Director, appeared before the Board for an update on Covid 19. He explained, on a national trend, cases were trending in the right direction and they are hoping that continues. In Minnesota, case rates have leveled off with slight increases over the last week.

He noted the new variant was more contagious and the number of cases were increasing in the youth population. Scott indicated the vaccines were clearly effective even with the variant.

Scott pointed out the number of linked cases to the new variant in the southwest metro area and while there were links to people who participated in sports, they could not determine where and how transmission occurred. He explained the Department of Health's concerns and recent recommendations.

He indicated they have been doing a good job of getting vaccinations out and reviewed the number of residents vaccinated. Scott noted one in four people in the County have some form of immunity and 85% of 65 year olds have had at least one shot, which was better than the State average. He stated they partnered with Ridgeview Medical Center, cities and others with outreach and established strike teams. He stressed that combined approach has allowed them to be effective.

Scott indicated they are opening up new vaccination priority groups. He stated summer is a realistic time frame for the general public. He stressed all vaccines were equally effective and safe and encourage residents not to worry about the brand.

He highlighted the community testing event that is being held at the Chanhassen Rec Center in response to the new variant outbreak and the positivity rate.

The Board discussed the Department of Health's recommendation. Scott indicated Public Health looks at the Department of Health as their authoritative source and they rely on them for their recommendations. Scott added the Department of Health was recommending they be vigilant and they would be reevaluating this at the end of the week. Scott recognized that Department of Health's recommendations can create hardships for people and believed they would not be making their recommendations if they did not feel there was some threat.

Scott recommended residents sign up for the Minnesota vaccine connector and stated Public Health is continuing to update their website.

Hemze thanked Dr. Scott and his staff for their expertise. He noted the challenge with reopening and the ability to provide safe services to the public and protect the employees and public. He pointed out services were being provided by appointment only and he has heard of few complaints. Hemze understood the public access issue and noted problems related to exposure incidents.

He pointed out moderate updates to the current reopening plan and asked the Board to approve. He recommended they continue to be closed until June 1st and he would come back with additional recommendations. Hemze indicated many employees are working from home and they are working on updating the telecommuting plan.

The Board suggested revisiting the reopening plan on May 1st.

Degler moved, Fahey seconded, to adopt the updated reopening plan extending the continued Government Center closure to at least June 1, 2021. Motion carried unanimously.

Workman moved, Degler seconded, to adjourn the Regular Session at 10:40 a.m. Motion carried unanimously.

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:

Approve PT Community Service Officer hour increase

Primary Originating Division/Dept: Sheriff - Patrol Services

Meeting Date: 4/6/2021

Contact: Michael Wollin Title: Commander

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 Carver County Sheriff's Office currently employs 1 full time Community service officer and 2 part time community service officers. The Sheriff's Office has additional vacancies for part time community service officer (.31 and 2- .40) created by 2 resignations in December 2020 as well as one vacancy which was unfilled prior to those resignations. Due to staffing vacancies, the Sheriff's Office has a need to continue to provide contractual CSO hour coverage to contracting entities. An increase of up to 28 hours per pay period per PT CSO is necessary in attempt to meet our contract hour obligations. This increase will make these positions part time benefits eligible. Benefits will be offered and if enrolled, costs will be offset due to vacancies and leave status of current CSO positions.

ACTION REQUESTED:

Approve a temporary increase of a .4 and .39 CSO to .7 CSO to work up to 28 hours per week and not to exceed 6 months.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars = \$18,181.00

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

Total \$18,181.00

☒ Insert additional funding source

Related Financial/FTE Comments:

County dollar amount would be less if employees elected to not enroll in PT benefits. The cumulative vacancy savings for the months of January – March is \$15,732. A savings amount of \$5,244 per month will continue until we hire another CSO.

Office use only:

RBA 2021 - 7529

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agreement with American Engineering Testing for Material Testing

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 4/6/2021

Contact: Cory Spanier

Title: Project Manager

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:

Carver County is widening the shoulders and rehabilitating the pavement on Highway 50 between Highway 41 and Highway 43, as well as rehabilitating the pavement on Highway 43 between Highway 50 and Maplewood Road during the 2021 construction season. Due to the large construction program in 2021 Public Works does not have staff availability to fully perform the necessary material testing on the project. This agreement with American Engineering and Testing is for on-call, as needed testing of soils, aggregates, stabilized full depth reclamation, concrete and bituminous for the project. American Engineering and Testing was selected because of their history in performing the stabilized full depth reclamation mix design for the project.

ACTION REQUESTED:

Motion to approve a professional services agreement with American Engineering and Testing for the Highway 50 Project - Bevens Creek Area and Highway 43 Resurfacing Project, pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

CSAH Regular Const.

\$38,121.00

Total

\$38,121.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7533

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Award of Construction Contract for 2021 Application of Pavement Markings - Maintenance

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 4/6/2021

Contact: Dan McCormick Title: Traffic Services Supervisor / Tra

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:

This project includes annual long line maintenance striping on all County highways, which is required to maintain and operate public highways and conform to the Minnesota Manual on Uniform Traffic Control Devices (MNMUTCD). Carver County held a bid opening on Wednesday, March 24th, 2021 for the 2021 Application of Pavement Markings - Maintenance. A total of three (3) bids were received and the low responsible bidder was Traffic Marking Service, Inc with a total bid of \$254,247.83, which was 7.25% under the Engineer's Estimate. The Engineer's Estimate was \$274,111.74. After review of the bids, County staff recommends awarding a contract to the low responsible bidder, Traffic Marking Service, Inc., for this project.

ACTION REQUESTED:

Motion to adopt a resolution to award a construction contract with TRAFFIC MARKING SERVICE, INC., in the amount of \$254,247.83 for the 2021 Application of Pavement Markings - Maintenance, pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$254,247.83

FTE IMPACT: None

Total

\$254,247.83

☒ Insert additional funding source

Related Financial/FTE Comments:

*

Office use only:

RBA 2021 - 7556

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: April 6, 2021 Resolution No: _____
Motion by Commissioner: _____ Seconded by Commissioner: _____

Awarding of the 2021 Application of Pavement Markings - Maintenance Project Carver County Contract 21-121 (PR #218016)

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

WHEREAS, On Wednesday, March 24, 2021 at 2:00 p.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, three (3) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the **2021 Applications of Pavement Markings - Maintenance Project**, said bids for the responsible bidders are summarized as follows:

<u>Contractor</u>	<u>Total Bid</u>	<u>Over/Under Engineers Estimate</u>
Traffic Marking Service, Inc.	\$254,247.83	-7.25%
AAA Striping Service	\$265,212.01	-3.25%
Sir Lines-A-Lot, LLC	\$280,552.99	2.35%
<i>Engineers Estimate</i>	<i>\$274,111.74</i>	

And WHEREAS, after examination of the bids by Carver County Public Works, Traffic Marking Service 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 **21-121** with **Traffic Marking Service, Inc. of East Maple Lake, MN**, in the name of the County of Carver for the construction of the **2021 Application of Pavement Markings - Maintenance 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 work orders, change orders or supplemental agreements on behalf of Carver County with an amount less than twenty-five thousand dollars (\$25,000) and an increased aggregate project total of all project changes of fifty thousand dollars (\$50,000.00), 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.

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 6th day of April, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of April, 2021.

Dave Hemze

County Administrator

Bid Summary

Carver County Public Works

2021 Countywide Striping Contract

Date: 3-24-2021

Bidder Name	Total Bid Amount	% Difference
Engineers Estimate	\$ 274,111.74	
Traffic Marking Service, Inc.	\$ 254,247.83	7.25% UNDER
AAA Striping Service	\$ 265,212.01	3.25% UNDER
Sir Lines-A-Lot, LLC	\$ 280,552.99	2.35% OVER

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Government Center concrete sidewalk repairs**

Primary Originating Division/Dept: Public Services - Facilities

Meeting Date: 4/6/2021

Contact: Jim Kuchelmeister

Title: Facilities Services Manager

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:

Facilities is planning to replace just over 3,500 square feet of deteriorated and cracked concrete sidewalk slabs at the Government Center. Sections of sidewalk are starting to cause a safety concern. In addition, sections have sunk which causes pooling of water and ice buildup. The impacted area includes sections in front of the 600 buildings, under the skyway, and around the Sheriff's Office entrance.

Facilities had two companies provide quotes for the work. Michel Masonry was the low quote at \$31,419.50 for the removal and replacement of 3,563 square feet of sidewalk. The County has worked with Michel Masonry in the past and are recommending approval.

ACTION REQUESTED:

Motion to contract with Michel Masonry pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$31,419.50

FTE IMPACT: None

Total

\$31,419.50

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7559

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Approval of MS4 NPDES Permit Application

Primary Originating Division/Dept: Public Services - Planning & Water Mgmt

Meeting Date: 4/6/2021

Contact: Paul Moline

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:

Carver County is required to apply for a new National Pollutant Discharge Elimination System (NPDES) permit (federal rule, 40 CFR §122.34 (a) and (b) (the Clean Water Act), state rule (Minnesota Rules Chapter 7090)). The permit is administered by the Minnesota Pollution Control Agency's (MPCA's) Municipal Separate Storm Sewer Systems (MS4s) program. It is designed to reduce the amount of sediment and pollution that enters surface and ground water from storm sewer systems to the maximum extent practicable.

In general terms, MS4s are County owned or operated stormwater infrastructure. Examples of stormwater infrastructure include roads, curbs, ditches, culverts, stormwater ponds and storm sewer pipes. The MS4 general permit focuses on reducing the pollution that enters these public systems and discharges to wetlands, streams and lakes ("waters of the state"). The geographic area covered by the permit is based on the area classified as Minneapolis/ St Paul urban area by the 2010 US Census (map attached).

The NPDES permit is a legal document which requires the County to develop a stormwater pollution prevention program (SWPPP) that incorporates best management practices (BMPs). Many of the BMP's are also included in the Carver County Water Management Organization 2020 plan or rely on coordination with cities which are also required to be permitted.

Carver County's existing 5 year permit has expired and the County is required to apply for a new permit.

ACTION REQUESTED:

Motion to authorize the County Administrator to sign the MS4 NPDES permit application and approve submittal to the MPCA.

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 - 7561



Carver County Water Management Organization

Planning and Water Mgmt Dept
Government Center - Administration Building
600 East 4th Street
Chaska, Minnesota 55318
Phone: (952)361-1820
Fax: (952)361-1828
www.co.carver.mn.us/water

Memo

To: County Commissioners
From: Paul Moline, Carver County Water Management
Date: March 24, 2021
Re: Carver County MS4 Permit Renewal Application
File:
cc: Dave Hemze, County Administrator

Enclosures: none

As required by a 1987 amendment to the federal Clean Water Act, Carver County received a general permit to discharge stormwater in June 2006; the permit was reissued in April 2014 with the County Administrator identified as the owner and operator of the County's Municipal Separate Storm Sewer System (MS4). Per the MN Pollution Control Agency updated permit requirements finalized in 2020, the County permit requires renewal in 2021 and the application is due April 15, 2021. The permit will be valid for five years.

The permit focuses on improving water quality by implementing best management practices in 6 key areas. The County's MS4 permit is managed by the Planning & Water Mgmt. dept., and cooperatively implemented by several county departments (see Table 1 below)

Table 1. MS4 Permit Focus Areas, Permit Requirements and Departments Responsible

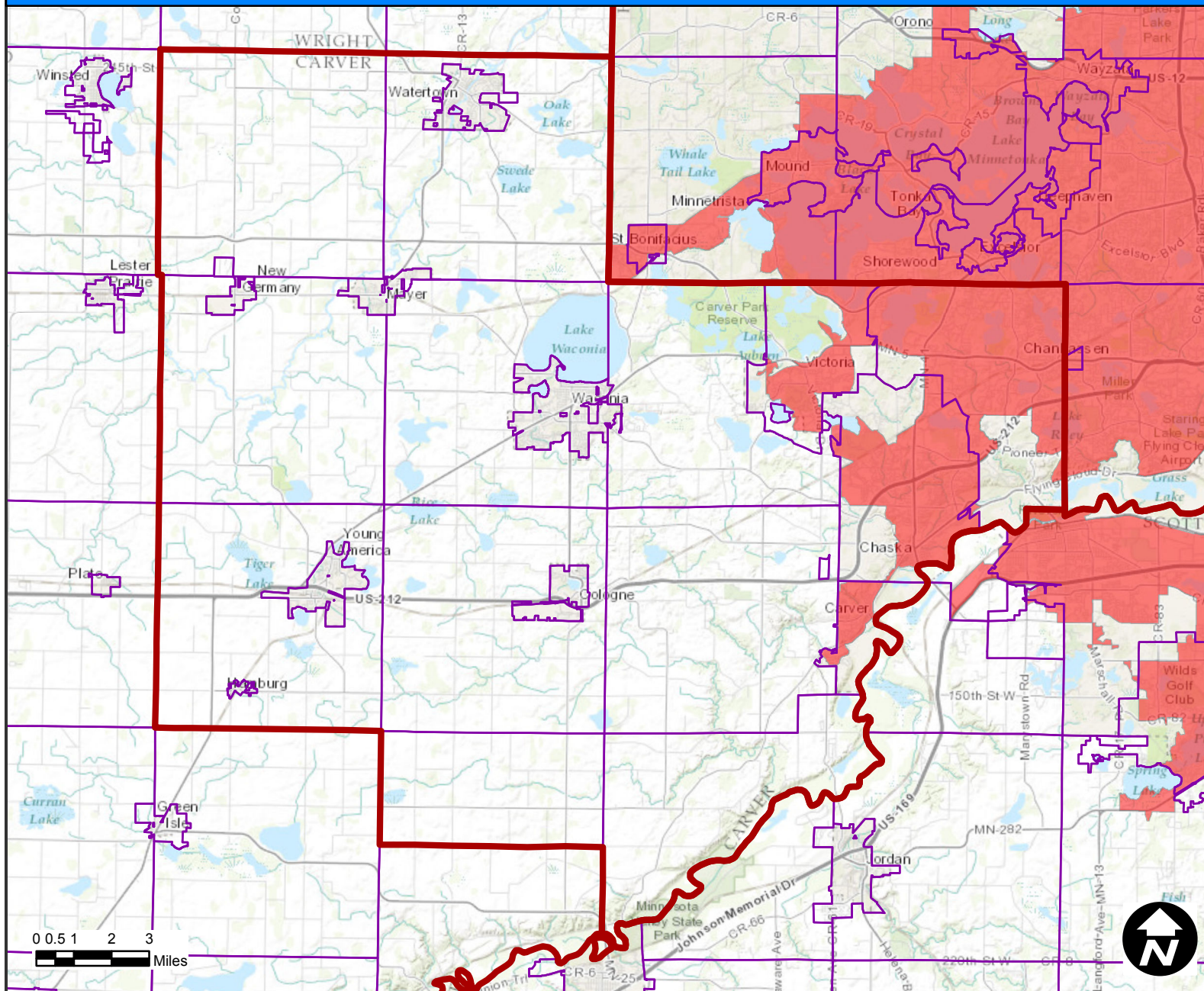
Focus Area	Departments Responsible
Public education and outreach <i>Permittees must create an education and outreach program to inform residents about the impacts of stormwater and foster proper stormwater management behaviors.</i>	Planning & Water Management
Public participation/involvement <i>Permittees must motivate their communities to act to prevent stormwater pollution, including activities such as storm drain adoption programs, volunteer monitoring programs and a public input process.</i>	Planning & Water Management
Illicit discharge detection and elimination <i>Permittees must implement a program to detect and eliminate illicit discharges to their systems. Ideally, only stormwater should enter a storm sewer system.</i>	Public Works
Construction site stormwater runoff control	Planning & Water Management, SWCD, Public

<i>Permittees must enforce construction site stormwater runoff controls to reduce the impacts of land disturbing activities on stormwater.</i>	Works
Post-construction stormwater management <i>Permittees must enforce a post-construction stormwater management program that prevents or reduces stormwater pollution in new and redevelopment projects.</i>	Planning & Water Management, SWCD, Public Works
Pollution prevention/Good housekeeping <i>Permittees must take steps to prevent stormwater pollution (e.g. street sweeping), as the first line of defense for many pollutants entering storm sewer systems.</i>	Public Works, Facilities

The application states that the “principal executive” or ranking elected official must certify the report. Staff is recommending County Administrator signature.

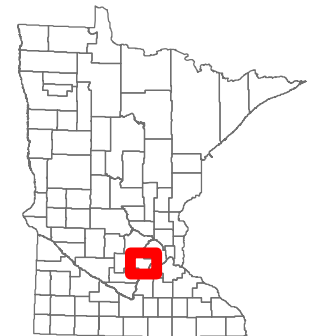
Paul Moline
952.361.1825
pmoline@co.carver.mn.us

Carver County MS4 - Urban Areas (UAs)



Minnesota Pollution Control Agency

Municipal Division,
Stormwater Section



Legend

- County Boundaries
- City Boundaries
- 2010 Census:
Urban Areas



0 0.5 1 2 3
Miles

Disclaimer:
The State of Minnesota makes no representations or warranties expressed or implied, with respect to the reuse of the data provided herewith regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability, or reliability of this data for any purpose. The user accepts the data "as is." The State of Minnesota assumes no responsibility for loss or damage incurred as a result of any user's reliance on this data. All maps and other material provided herein are protected by copyright. Permission is granted to copy and use the materials herein for any lawful (noncommercial) purpose.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2021 Aquatic Invasive Species (AIS) Plan review and adoption

Primary Originating Division/Dept: Public Services - Planning & Water Mgmt

Meeting Date: 4/6/2021

Contact: Andrew Dickhart

Title: AIS Coordinator

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 proposed 2021 aquatic invasive species (AIS) plan was presented to the County Board at the 3/23/2021 Work Session. Staff is now requesting Board review and adoption of the plan (memo attached). AIS prevention remains the key priority using the following strategies: Watercraft Inspections & Decontamination, Monitoring & Rapid Response, Education & Outreach, and AIS Management Projects.

Three of the seven lakes receiving dedicated watercraft inspections (Lotus, Susan, Ann) are funded by a partnership agreement with the City of Chanhassen, Riley Purgatory Bluff Creek Watershed District, and Lotus Lake Conservation Alliance.

Every two years, the County must enter into a delegation agreement with the MN Department of Natural Resources (DNR) outlining the roles and responsibilities of the County related to watercraft inspections.

Staff is recommending approval of several motions.

ACTION REQUESTED:

1. Motion to approve the 2021 AIS Plan
2. Motion for Chair to sign the watercraft inspection partnership agreement with the City of Chanhassen pending completion of contract review.
3. Motion for Chair to sign the delegation agreement with MN DNR.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FTE IMPACT: None

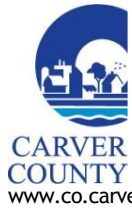
FUNDING

County Dollars =	\$28,000.00
State Prevention Aid	\$132,055.00
WMO	\$60,682.00
Chanhassen Partnership	\$60,000.00
Rollover	\$50,457.00
Total	\$331,194.00

☒ Insert additional funding source

Related Financial/FTE Comments:

A budget amendment is requested to add the Chanhassen Partnership amount to the department's budget. Other funding was accounted for in the adopted budget and budget rollover entries.



Public Services Division
Planning and Water Management Dept.
Government Center - Administration Building
600 East 4th Street
Chaska, Minnesota 55318
Phone: (952)361-1820
Fax: (952)361-1828
www.co.carver.mn.us

Memo

To: County Commissioners, David Hemze

From: Andrew Dickhart, AIS Coordinator

Date: March 26, 2021

Re: 2021 County AIS Program Summary

CC: Nick Koktavy, Paul Moline

Requested Action

Approve the 2021 Aquatic Invasive Species (AIS) program, associated partnership agreements and MN DNR delegation agreement.

Summary

The following is a summary of the proposed 2021 Aquatic Invasive Species (AIS) Program including:

- Changes from 2020
- 2021 Inspection & Monitoring Model
- 2021 Revenues and Expenditures
- 2021 AIS lakes

Changes from 2020

The staff is proposing a program similar to what was in place for 2020 with adjustments that reflect changes as follows:

- County budgeted funds (\$28,000) utilized to fill funding gap for watercraft inspections on lakes Minnewashta and Piersons.

This change is a result of a gradual decrease in partnership funding from the Minnehaha Creek Watershed District as follows.

Minnehaha Creek Contribution Commitments	
2016	\$57,000
2017	\$28,000
2018	\$18,800
2019	\$13,000
2020	\$13,000
2021	\$0

2021 AIS Inspection and Monitoring Model

- County partners with Carver County Water Management Organization, City of Chanhassen, and Riley Purgatory Bluff Creek Watershed District to determine level of watercraft inspection services based on AIS Prioritization Plan
- Service is provided to lakes that have public accesses within the County¹
- Dedicated inspection service for high priority lakes
 - 17 weeks of “Base Level” Service - Fishing opener to Labor Day
 - Lakes receiving inspection services include: Waconia, Bavaria, Minnewashta, Piersons, Lotus, Ann, and Susan.
- Extended service provided on high priority lakes if staffing allows
- Enhanced Early Detection Monitoring on all lakes with public accesses
 - Same as 2020
 - Two seasonal interns
 - Results in greater number and frequency of lakes receiving early detection monitoring

¹MN Statute 477A.19, Subd. 3. **Use of proceeds.** A county that receives a distribution under this section must use the proceeds solely to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county. The county must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds. [Emphasis added.]

Proposed Decontamination Service

- Provided weekends mid-May through October at new Waconia access
- SERVICE OFFERED FREE to all users

Inspection Partnership Agreements

- City of Chanhassen Lakes
 - Agreement Similar to 2020 - Total Cost apx. \$60,000 (agreement in progress)
 - Cost includes funds from Lotus Lake Assoc. & RPBCWD
 - LAKES: Lotus, Susan, Ann

Projects and Grants

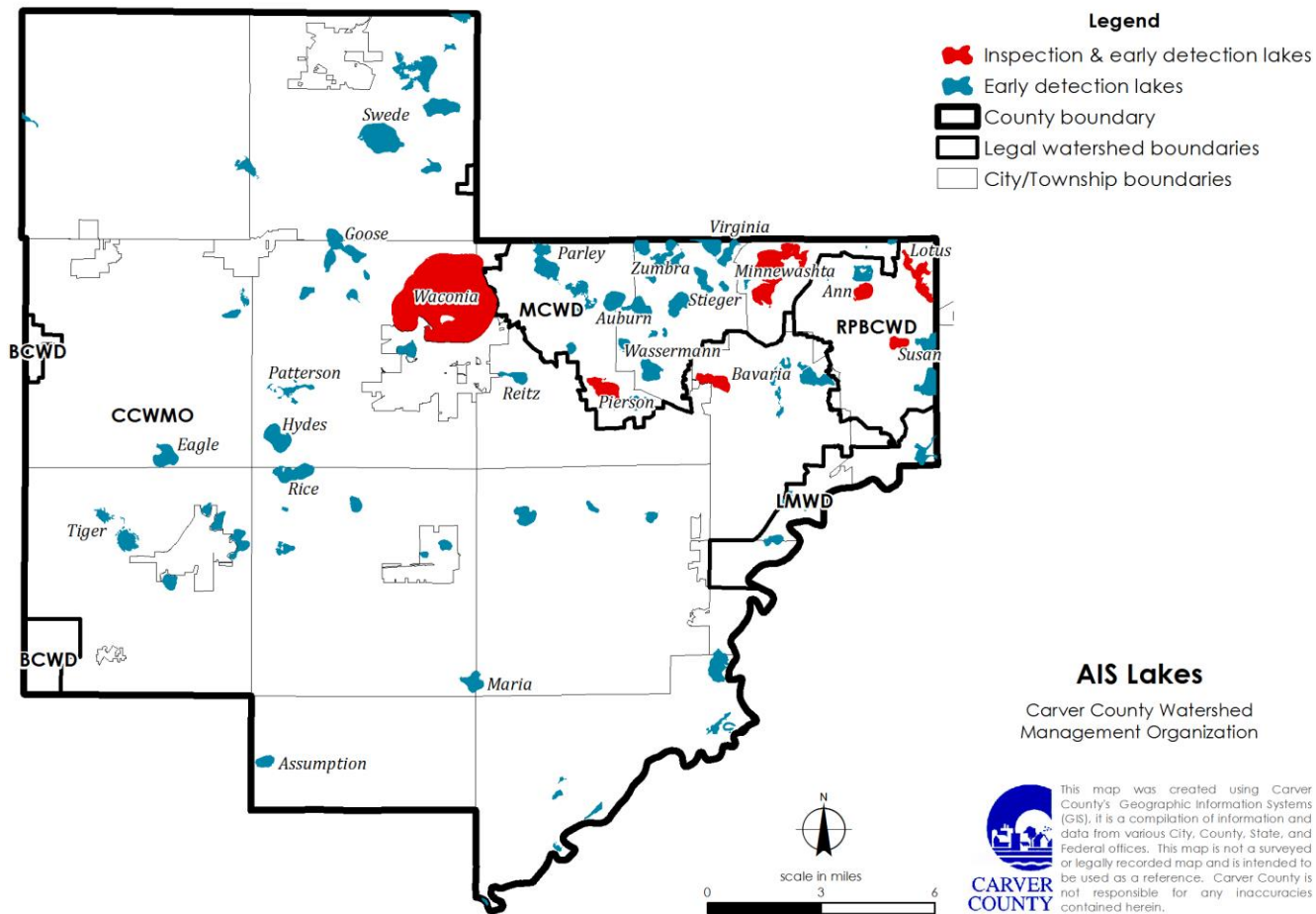
- Benton Lake Carp Management
 - Three-year LCCMR Grant: 2019-2021
- Hazeltine/Big woods Lake Goldfish Management
 - Three- year Feasibility Study – BWSR Grant 2021-2023

Table 1 – Proposed 2021 Funding

AIS Funding	
Source	2021
State Prevention Aid	\$ 132,055
MCWD	\$ -
WMO	\$ 60,682
Chanhassen Partnership	\$ 60,000
County	\$ 28,000
Rollover	\$ 50,457
Total	\$ 331,194

Table 2 – Proposed 2021 Expenditures

Estimated Expenditures	2021
Inspections & Coordination	\$ 269,269
Decontamination	\$ 10,000
Rapid Response Contingency	\$ 30,331
Monitoring	\$ 19,682
Operating Supplies/Misc.	\$ 1,912
Total	\$ 331,194



Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: 2021 Aquatic Invasive Species (AIS) Plan review and adoption

Department:

Meeting Date: 4/6/2021

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: Paul Moline

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Salaries - STOC	01-123-120-5021-6119	\$60,000.00	Local Funding	01-123-120-5021-...	\$60,000.00
TOTAL		\$60,000.00	TOTAL		\$60,000.00

Reason for Request:

Increase the AIS program budget for the 2021 watercraft inspection partnership agreement with the City of Chanhassen.

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Amendment No. 1 Professional Service Agreement with HGA Architects for Waterfront Service Center

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 4/6/2021

Contact: Martin Walsh

Title: Parks and Recreation Director

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:

February 16, 2021 Carver County contracted with HGA Architects and Engineers for professional services to design the Waterfront Service Center at Lake Waconia Regional Park. Because additional scoping was necessary to determine what level of Sustainable Building Guidelines would be required on the building project, consulting services related to the Sustainable Building Requirements, also referenced as B3, was not known at the time of the original contract. HGA has since researched the Sustainable Building Guidelines for small buildings.

Minnesota B3 Guidelines are required on all state-funded projects.

To ensure compliance with these guidelines, additional professional services are requested. Areas of the B3 Guidelines covered as it pertains to the design, construction and operation of the new building include:

- Performance Management
- Site & Water Guidelines
- Energy & Atmosphere Guideline
- Indoor Environmental Quality

Cost Breakdown:

B3 Project Administration Services -design through construction (\$59,000)

Acoustical – design, sound transmission review, mitigation, reporting (\$7,000)

Commissioning - building and operating systems (\$26,000)

- Entire heating, ventilation and air conditioning (HVAC) system
- Building automation system (BAS) for HVAC System
- Lighting Controls
- Photovoltaic (P/V) system

Reimbursables \$500

Total = \$92,500

ACTION REQUESTED:

Motion to Amend Contract 21-048 with HGA Architects for design and construction administration services, incorporating additional services for sustainable building guidelines for the Waterfront Service Center at Waconia Regional Park and authorize the Board Chair to sign the agreement upon completion of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars = \$0.00

Fund 34 Balance \$92,500.00

Total \$92,500.00

☒ Insert additional funding source

FTE IMPACT: None

Related Financial/FTE Comments:

Fund 34 fund balance will be used to up front the costs related to the Waterfront Service Center until the County's funding program is better determined and approved. Total contract amount with amendment is \$684,500.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Ridgeview Medical Center contract for provision of large scale COVID-19 vaccination services

Primary Originating Division/Dept: Health & Human Services - Public Health

Meeting Date: 4/6/2021

Contact: Richard Scott

Title: Deputy Division Director

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:

To meet the urgent need to expand COVID-19 vaccination services, Carver County Public Health will enter into a contract with Ridgeview Medical Center to assist with the administration of the COVID-19 Vaccine. The contracted services include COVID-19 vaccine administration, triage and/or screening services, documentation of such actions, provision of medical counter measures and other nursing services as mutually agreed upon by Contractor and the County.

Ridgeview will bill third party payors for administration of vaccine or other medical counter measures according to terms of agreement for those participants who have insurance. Ridgeview will bill County for uninsured/underinsured residents of Carver County and uninsured/underinsured County/municipal employees if needed. There will be no out-of-pocket cost to any participant.

Funding for the contracted services will come from \$150,000 allocated from Budget Stabilization Account (BSA) approved by the Board on 12/15/2020 for COVID-19 vaccination support. No additional County levy dollars are required for this contract.

ACTION REQUESTED:

Motion to approve contract with Ridgeview Medical Center for the provision of COVID-19 vaccination and related health care services not to exceed \$150,000, pending approval of Risk Management and County Attorney.

FISCAL IMPACT: Included in current budget

If "Other", specify: COVID19 BSA Funds

FUNDING

County Dollars =

COVID19 BSA \$150,000.00

FTE IMPACT: None

Total \$150,000.00

☒ Insert additional funding source

Related Financial/FTE Comments:

The cost of this Agreement shall not exceed \$150,000, and will be funded by the COVID19 Budget Stabilization Account. No County levy dollars are required. Prior approval to use COVID-19 BSA funds took place on 12/15/20.

Office use only:

RBA 2021- 7573

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Temporary Increase To Veterans Court Coordinator FTE

Primary Originating Division/Dept: Court Services

Meeting Date: 4/6/2021

Contact: Nicole Kuettel Title: Office Manager

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:

Court Services anticipates an increased workload for the Veterans Court Coordinator beginning in April due to the training for and release of a supervision module that the State Court will be requiring. This module will require a significant amount of data entry for not only current and future participants, but past participants as well. This position is 100% grant funded and we currently have enough grant funds to cover the increased FTE. It is anticipated this increase will continue until the end of the state fiscal year, June 30.

ACTION REQUESTED:

Motion to approve temporary increase in Veterans Court Coordinator to 1.0 FTE.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars = \$0.00

State Court Grant \$10,500.60

FTE IMPACT: Increase budgeted staff

Total \$10,500.60

☒ Insert additional funding source

Related Financial/FTE Comments:

This FTE is grant funded. The \$10,500.60 reflects the salary/benefits increase.

Office use only:

RBA 2021 - 7544

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Charitable Gambling Application for Exempt Permit-Ridgeview Foundation**

Primary Originating Division/Dept: Property & Financial Services

Meeting Date: 4/6/2021

Contact: Heather Perkins

Title: Election & Licensing Specialist

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:

A Charitable Gambling application for Exempt Permit was received from the Ridgeview Foundation. They plan to hold a raffle on June 21, 2021 at Island View Golf Club located at 7795 Laketown Pkwy, Waconia, MN 55387. This applicant has received this same type of license previously.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License to the Ridgeview Foundation for a raffle to be held on June 21, 2021.

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 - 7545

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Award of the construction contract to GMH Asphalt Corporation for the 2021 Highway Preservation Program

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 4/6/2021

Contact: Andrew Engel Title: Assistant Engineering Program

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:

The County's annual highway preservation program is critical in maintaining and preserving the County's highway system. The 2021 County Highway Preservation Program (HPP) includes Highway 14 (Pioneer Trail) from State Highway 41 to Highway 15 (Audubon Road), Highway 15 (Audubon Road) from Highway 61 to Highway and from Highway 14 (Pioneer Trail) to Highway 18 (Lyman Boulevard), Highway 44 (Big Woods Boulevard) from Highway 11 to Highway 43, Highway 140 from Highway 43 to Highway 284, and Highway 141 (Lake Town Road) from Highway 10 to Highway 5. The HPP work includes pavement milling, paving, spot curb replacements, pedestrian ramp improvements to ADA standards, pavement markings and construction of a new right turn lane on Highway 15 (Audubon Road) at Autumn Woods Drive.

Public Works staff opened bids for the HPP project on Friday, March 26 at 11:00am. Seven (7) bids were received and the low responsible bidder is GMH Asphalt Corporation of Chaska, Minnesota in the total amount of \$2,446,605.11. The engineers estimate was \$3,410,607.15. After review of the bids, Public Works staff recommends awarding a contract to the low responsible bidder, GMH Asphalt Corporation for the 2021 HPP contract.

ACTION REQUESTED:

Motion to adopt a resolution to award a construction contract to GMH Asphalt Corporation of Chaska, Minnesota, in the amount of \$2,446,605.11 for the 2021 Highway Preservation Program, pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$2,446,605.11

FTE IMPACT: None

Total

\$2,446,605.11

☒ Insert additional funding source

Related Financial/FTE Comments:

Funded with levy and wheelage tax

Office use only:

RBA 2021 - 7553

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: April 6, 2021

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Awarding of the 2021 Highway Preservation Program, Carver County Contract #21-120

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

WHEREAS, On Friday, March 26, 2021 at 11:00 a.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, seven (7) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the 2021 Highway Preservation Program, said bids for the responsible bidders are summarized as follows:

<u>Bidder Name</u>	<u>Total Amount</u>	<u>Percent Over/Under Estimate</u>
Engineer's Estimate	\$3,410,607.15	-
GMH ASPHALT CORPORATION	\$2,446,605.11	28.26% UNDER
OMG Midwest Inc. dba Minnesota	\$2,564,350.47	24.81% UNDER
Park Construction Company	\$2,593,638.43	23.95% UNDER
Valley Paving Inc	\$2,596,505.83	23.87% UNDER
Wm. Mueller and Sons, Inc.	\$2,623,153.80	23.09% UNDER
Bituminous Roadways, Inc.	\$2,652,160.35	22.24% UNDER
S.M. Hentges & Son, Inc.	\$2,933,628.30	13.99% UNDER

And WHEREAS, after examination of the bids by Carver County Public Works, GMH ASPHALT CORPORATION 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 **21-120** with GMH ASPHALT CORPORATION of Chaska, MN, in the name of the County of Carver for the construction of the 2021 Highway Preservation Program 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 and third 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 work orders, change orders or supplemental agreements on behalf of Carver County with an amount less than one hundred thousand dollars (\$100,000.00) and an increased

aggregate project total of all project changes of three hundred thousand dollars (\$300,000.00), 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.

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 6th day of April, 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.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 1 Day to 4 Day Temporary On-Sale Liquor License for Augusta Ball Club, Inc

Primary Originating Division/Dept: Property & Financial Services

Meeting Date: 4/6/2021

Contact: Heather Perkins Title: Elections & Licensing Specialist

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:

Augusta Ball Club, 5950 Hampshire Rd, Chaska has applied for a 1 Day to 4 Day Temporary On-Sale Liquor License. They are planning an event for June 4th-6th, 2021. The event will be held at the meeting house and pavilion. The officers are Charles Wichterman (President); Chris Huffman (Vice-President); Mary Olson (Secretary); Mary Worm (Treasurer). There are no delinquent taxes on this property.

ACTION REQUESTED:

Motion to approve the 1 Day to 4 Day Temporary On-Sale Liquor License application for Augusta Ball Club, Chaska for June 4th-6th, 2021.

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 - 7567

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Professional Services Agreement with WSB & Associates Inc for Big Woods Goldfish Feasibility Study

Primary Originating Division/Dept: Public Services - Planning & Water Mgmt. ▼	Meeting Date: 4/6/2021
Contact: Paul Moline Title: PWM Manager	Item Type: Consent ▼
Amount of Time Requested: minutes	Attachments: ☒ Yes ☐ No
Presenter: Title:	
Strategic Initiative: Growth: Manage the challenges and opportunities resulting from growth and development ▼	

BACKGROUND/JUSTIFICATION:

Carver County Water Management Organization (CCWMO) has received a Board of Water and Soil Resources (BWSR) Grant to conduct a 3-year feasibility study to manage goldfish population in Big Woods and Hazeltine Lakes. The project to control rough fish on these lakes is identified in the CCWMO Water Management Plan adopted by the Board in 2020.

WSB & Assoc. recently assisted staff on these lakes addressing goldfish management and will help carry out the project through fish tracking, population estimates based upon catch rates and tagging, identification of nursery locations, and fish aging. The goal of this contract will be to produce a study that will meet BWSR standards for future implementation grant funding.

The total contract is for \$88,000. BWSR supports and approved these costs (they are paying \$80,000 of the total cost through a grant). BWSR is funding in part to learn how to implement goldfish removal around the state in a cost-efficient way. The Lower MN collaborative watershed based funding group (Riley Purgatory Bluff Creek Watershed District, Lower MN River Watershed District, Nine Mile Creek Watershed District, Richfield Bloomington Water Management Organization, City of Chanhassen, City of Eden Prairie, Carver Soil & Water Conservation District, the CCWMO, and BWSR) supported and recommended this project. The costs of this study are in line with fish studies completed by other watersheds. A few examples: Pioneer Sarah Water Management Organization is conducting a three year study on carp management in Lake Independence with costs of \$72,625; Nine Mile Creek Watershed District completed a two year goldfish study/implementation for Lake Cornelia with a total cost of \$82,000, Rice Creek Watershed District's carp study/analysis/implementation is costing \$60,000 per year, and Minnehaha Creek Watershed District completed a large multi lake 3-year rough fish study in the Six Mile Creek area with a total cost of \$567,000.

Attached is a memo outlining the scope and costs of the 3-year project.

ACTION REQUESTED:

Motion to authorize the chair to sign the Professional Services Agreement with WSB & Associates Inc pending finalization of the contract review process.

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

FTE IMPACT: None ▼

FUNDING

County Dollars =

BWSR Grant	\$80,000.00
CCWMO Levy Funds	\$8,000.00
Total	\$88,000.00

☒ Insert additional funding source

Related Financial/FTE Comments:

The CCWMO Match Funds are required by the grant and are included in the adopted CCWMO budget. The BWSR grant was approved with contract 21-016 and budget was added during the 2/16 Board meeting, RBA7427.



Carver County Water Management Organization

Planning and Water Mgmt Dept
Public Services Division
Government Center - Administration Building
600 East 4th Street
Chaska, Minnesota 55318
Phone: (952)361-1820
Fax: (952)361-1828
www.co.carver.mn.us/water

Memo

To: County Commissioners
From: Paul Moline, Carver County Water Management
Date: 03/26/2021
Re: Goldfish Feasibility Study on Big Woods/Hazeltine Lakes
CC: Dave Hemze, County Administrator

Enclosures: none

In the spring of 2019, a large concentration of goldfish was discovered in Big Woods Lake in Chaska which generated significant resident interest as well local and national media attention. Currently, goldfish are an understudied species that is closely related to the common carp with a high potential to negatively impact the water quality of lakes. With this lack of knowledge, a feasibility study is needed to both better understand goldfish and to produce a strategy on how to control them. In addition, the surrounding lake chain are 303d listed (impaired waters) for 'Nutrient Eutrophication Biological Indicators' (a pollutant and stressor), with a discharge into East Chaska Creek, which is listed as impaired for 'Turbidity', 'Fish Bioassessments', and 'Fecal coliform'. Reducing the goldfish infestation should assist with water quality improvements. This project is also identified in the CCWMO Water Management Plan adopted by the Board in 2020.

The MN state Board of Water and Soil Resources (BWSR) has feasibility study grants available, and in 2020, the local watershed group convened to determine allocation of funds recommended this study to BWSR. The results of the study will not only help determine what can be done in a cost effective fashion on Big Woods and Hazeltine Lakes, but also greatly assist statewide research for other water bodies which may become infested with goldfish. BWSR has set guidance on what will be accepted and approved as an adequate feasibility study that leads to future funding for implementation (removal of goldfish). This guidance states that a feasibility study must include the estimation of juvenile and adult populations, movement of fish both in a lake and between interconnected water bodies, identification of nursery areas, proposed actions to limit recruitment, movement, and reduction of adult fish populations.

The proposed contract with WSB & Assoc. accomplishes these requirements. At this time, WSB appears to be the only local firm with knowledge availability and capacity to take on this multi-year project. The following table shows a summary breakdown of tasks and costs.

SUMMARY BREAKDOWN OF 3-YEAR PROJECT WORKPLAN

Task	2021	2022	2023	Overall
Required DNR Permits	\$376	\$376	\$388	\$1,140
Data Analysis, Reporting and Project Mgmt	\$3,864	\$3,420	\$4,986	\$12,270
Netting, Removal, Disposal	\$6,536	\$5,860	\$6,028	\$18,424
Tracking (insert locators, antenna rentals)	\$10,216	\$8,056	\$6,952	\$25,224
Population Estimate (electrofishing, tagging)	\$9,060	\$6,320	\$6,300	\$21,680
Ageing (analysis of ear bones)	\$4,432	\$0	\$0	\$4,432
Nursery Identification on 2 lakes	\$2,184	\$1,316	\$1,358	\$4,858
Total	\$36,668	\$25,348	\$26,012	\$88,028

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Petition for School District Realignment

Primary Originating Division/Dept: Property & Financial Services - Property Records

Meeting Date: 4/6/2021

Contact: Kathleen Smith

Title: Land Records & Vitals 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:

Chan Three Development Inc recorded The Bluffs at Lake Lucy plat on November 13, 2020 which created 16 new lots in Eastern Carver County SD 112, 15 new lots in Minnetonka SD 276 and two outlots. There are 5 additional new lots found to be split into the two different school districts.

M.S. 123A.455 allows the owner of a split residential property parcel to petition the auditor of the county where the split parcel is located to transfer that part into the adjoining school district so the entire property will be located in the same school district.

As shown in the attached GIS maps, Craig Allen, President of Chan Three Development Inc has submitted a Petition for Realignment of School District Boundary so the homes on the same street attend the same school district. The 2 outlots have been transferred to the City of Chanhassen and can remain as assigned to their respective School District.

The County Auditor recommends that the County Board approve the petition request to realign the School District Boundary for the 5 additional lots as shown in the attached GIS maps. The School Tax Impact total for these 5 lots will be \$15.

Upon County Board approval, the Land Records Manager will notify the Commissioner of Education, the affected school districts, City of Chanhassen, Carver County GIS and other necessary county departments of the school district boundary realignment. In accordance with Statute, school district boundary realignment petitions granted *on or before July 1 will be effective for taxes payable in the following year.*

ACTION REQUESTED:

Motion to approve the School District boundary reassignment petition for the 5 lots in the Bluffs at Lake Lucy as requested by the property owner and recommended by the County Auditor.

FISCAL IMPACT: Other

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

☐ Insert additional funding source

Related Financial/FTE Comments:

School boundary realignment has no tax base impact on the County as both school districts are in Carver County. The net estimated market value of the portions of the 5 additional lots that are being transferred from SD 276 to School District 112 is approximately \$15. School Board approval is not required for school district boundary realignment petitions.

Minnetonka School District 276 0276

SD Boundary Line

Eastern Carver County School District 112 0112

Lake Lucy

The Bluffs at Lake Lucy

Ashling Meadows

Galpin Blvd

OUTLOT B

TRACT

SD Boundary Line

T116 R23 Sec 3

T116 R23 Sec 10

25-1310010

25-1310020

25-1310030

25-1310040

25-1310050

25-1310060

25-1310070

25-1310080

25-1310090

25-1310100

25-1310110

25-1310120

25-1310130

25-1310140

25-1310150

25-1310160

25-1310170

25-1310180

25-1310190

25-1310200

25-1310210

25-1310220

25-1310230

25-1310240

25-1310250

25-1310260

25-1310270

25-1310280

25-1310290

25-1310300

25-1310310

25-1310320

25-1310330

25-1310340

25-1310350

25-1310360

25-1310370

25-1310380

25-1310390

25-1310400

25-1310410

25-1310420

25-1310430

25-1310440

25-1310450

25-1310460

25-1310470

25-1310480

25-1310490

25-1310500

25-1310510

25-1310520

25-1310530

25-1310540

25-1310550

25-1310560

25-1310570

25-1310580

25-1310590

25-1310600

25-1310610

25-1310620

25-1310630

25-1310640

25-1310650

25-1310660

25-1310670

25-1310680

25-1310690

25-1310700

25-1310710

25-1310720

25-1310730

25-1310740

25-1310750

25-1310760

25-1310770

25-1310780

25-1310790

25-1310800

25-1310810

25-1310820

25-1310830

25-1310840

25-1310850

25-1310860

25-1310870

25-1310880

25-1310890

25-1310900

25-1310910

25-1310920

25-1310930

25-1310940

25-1310950

25-1310960

25-1310970

25-1310980

25-1310990

25-1311000

25-1311010

25-1311020

25-1311030

25-1311040

25-1311050

25-1311060

25-1311070

25-1311080

25-1311090

25-1311100

25-1311110

25-1311120

25-1311130

25-1311140

25-1311150

25-1311160

25-1311170

25-1311180

25-1311190

25-1311200

25-1311210

25-1311220

25-1311230

25-1311240

25-1311250

25-1311260

25-1311270

25-1311280

25-1311290

25-1311300

25-1311310

25-1311320

25-1311330

25-1311340

25-1311350

25-1311360

25-1311370

25-1311380

25-1311390

25-1311400

25-1311410

25-1311420

25-1311430

25-1311440

25-1311450

25-1311460

25-1311470

25-1311480

25-1311490

25-1311500

25-1311510

25-1311520

25-1311530

25-1311540

25-1311550

25-1311560

25-1311570

25-1311580

25-1311590

25-1311600

25-1311610

25-1311620

25-1311630

25-1311640

25-1311650

25-1311660

25-1311670

25-1311680

25-1311690

25-1311700

25-1311710

25-1311720

25-1311730

25-1311740

25-1311750

25-1311760

25-1311770

25-1311780

25-1311790

25-1311800

25-1311810

25-1311820

25-1311830

25-1311840

25-1311850

25-1311860

25-1311870

25-1311880

25-1311890

25-1311900



Petition for Realignment of School District Boundary

(That has created a split residential parcel)

Pursuant to Minnesota Statutes, Section 123A.455

Property Owner(s): Chan Three Development, Inc.

Mailing Address: 10850 Old County Road 15, Suite 200

Plymouth, MN 55441

Parcel Number: See Attached

School District Name & Number: See Attached

Parcel Number: See Attached

School District Name & Number: See Attached

REQUEST FOR REALIGNMENT OF SCHOOL DISTRICT BOUNDARY:

(To be filled in by Property Owner) – This will result in a combination of tax parcels

Transfer Parcel Number: See Attached

From: (School District Name) _____ (School District Number) _____

To: (School District Name) _____ (School District Number) _____

(Signature of Property Owner)

(Date)

3/15/2021

(Signature of Property Owner)

(Date)

(Property Owners Data Source: Carver County Pay 2020 Property Tax File)

I/We request that NO school district boundary changes be made to our split residential properties at this time.

(Signature of Property Owner)

(Date)

(Signature of Property Owner)

(Date)

This section to be completed by Carver County Land Records Department

Petition Received by Carver County Land Records Department: _____

Realignment Effective for Tax Payable Year: _____

Authorization Granted by: Kathleen Smith
Kathleen Smith, Land Records Manager

3/18/2021

(Date)

Crystal Campos
Crystal Campos, Carver County Auditor

3/18/2021

(Date)



Petition for Realignment of School District Boundary
 (That has created a split residential parcel)
 Pursuant to Minnesota Statutes, Section 123A.455

Parcel Information						
NEW PLAT NAME		THE BLUFFS AT LAKE LUCY				
Legal Description		PIDs	Address	Existing SD	Proposed SD	Students currently residing on the property
LOT	BLOCK					
1	1	25.1310010	1982 Della Dr	112	112	No
1	1	25.1310011		276		No
2	1	25.1310020	1934 Della Dr	112	112	No
2	1			276		No
3	1	25.1310030	1910 Della Dr	276	112	No
3	1			112		No
4	1	25.1310040	1898 Della Dr	276	112	No
4	1			112		No
5	1	25.1310050	1886 Della Dr	276	112	No
5	1			112		No
1	4	25.1310220	1825 Lucy Ridge Cir	276	276	No
1	4	25.1310221		112		No
2	4	25.1310230	1813 Lucy Ridge Cir	276	276	No
2	4	25.1310231		112		No
1	5	25.1310250	7050 Lucy Ridge Ln	276	276	No
1	5	25.1310251		112		No
2	5	25.1310260	7055 Lucy Ridge Ln	276	276	No
2	5	25.1310261		112		No
3	5	25.1310270	7035 Lucy Ridge Ln	276	276	No
3	5	25.1310271		112		No
A	-	25.1310320	Outlot	276	Same	OUTLOT
A	-	25.1310321		112		OUTLOT
B	-	25.1310330	Outlot	276	Same	OUTLOT
B	-	25.1310331		112		OUTLOT

REQUEST FOR REALIGNMENT OF SCHOOL DISTRICT BOUNDARY:

(To be filled in by Property Owner) – This will result in a combination of tax parcels

(Signature of Property Owner) (Date)

(Signature of Property Owner) (Date)

(Property Owners Data Source: Carver County Pay 2020 Property Tax File)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with PRAIRIE RESTORATION INC.

Primary Originating Division/Dept: Public Services - Planning & Water Mgmt. ▼

Meeting Date: 4/6/2021

Contact: Paul Moline Title: PWM 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:

Over the past decade, Carver County Water Management Organization (CCWMO) has constructed multiple Best Management Practices (BMPs) that incorporate native vegetation as a vital part for the treatment of stormwater. To ensure that these BMPs function properly, maintenance of the planted vegetation is a high priority for CCWMO.

To ensure that these BMPs are maintained properly, CCWMO is pursuing a three-year retainer contract that will encompass selected BMPs for maintenance and for the establishment of native vegetation. Some sites will be year to year, while others will be in a specific three-year maintenance plan for establishment. This may include tasks such as herbicide treatments, mechanical control methods such as mowing or hand pulling, and prescribed burning to control invasive plant species.

Spot treatments will also be required on BMPs that are not specifically selected but identified through the CCWMO BMP Inspection Program. Additional sites may be constructed though the life of this contract and may be incorporated in the future. Terms will be updated to reflect these changes.

CCWMO submitted an Request for Quotes to three companies. Two returned proposals and Prairie Restoration Inc. was the low quote.

The amendment to the original contract reflects additional work through a State Grant received by CCWMO for the restoration of native prairie in areas that are current either Turf or Agricultural Fields. It also adds work to be completed on behalf of Carver County Public Works for a reforestation of a parcel next to Jonathan Carver Parkway in the City of Carver and work to be completed for CCWMO on seven sites through out the county. The original signed contract was \$25,000. With this amendment, that amount is increased to \$165,000.

ACTION REQUESTED:

Motion to authorize the chair to sign the amendment with Prairie Restoration Inc. pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget ▼

If "Other", specify:

FTE IMPACT: None ▼

FUNDING

County Dollars =

BWSR State Grant	\$80,000.00
CCWMO	\$37,228.85
Public Works	\$22,771.15
Total	\$140,000.00

☒ Insert additional funding source

Related Financial/FTE Comments:

This contract amendment includes work to be done in coordination with a BWSR Grant (\$80,000), work for Carver Public Works (\$22,771.15), and work for CCWMO (\$37,228.85). Funding within current 2021 budget.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Preliminary Plat - Jeff Muonio Addition

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

Meeting Date: 4/6/2021

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-PZ20210012. The Planning Commission has recommended approval of the Preliminary Plat "Jeff Muonio Addition" Subdivision during their March 16, 2021, meeting. Jeff & Alina Muonio are requesting approval of the preliminary plat on 56 acres located in Section 6, Watertown Township.

The development would result in a total of two (2) residential lots (Lots 1-2, Block 1), one 2.78-acre parcel and one 2.73-acre parcel all pursuant to the High Amenity additional density provision (Section 152.078 C) of the Carver County Zoning Code. Watertown Township has provided for the High Amenity Option in its chapter of the 2040 Comprehensive Plan.

A new township road would not be necessary, because the proposed lots have frontage on the existing Sally Avenue which would provide for individual driveway accesses. The Hollywood Town Board (i.e. road authority for this portion of Sally Ave) would be reviewing and issuing any access permits as part of a building permit process.

The draft covenants, as required by Conditional Use Permit #PZ20200057, have been submitted with the application and would need to be approved by the County Attorney's office prior to final plat approval.

Both the Watertown Town Board and Hollywood Town Board support the request.

The draft resolution provides more detail and is attached for the Board's consideration.

ACTION REQUESTED:

A motion adopting a Resolution approving the Preliminary Plat of Jeff Muonio Addition.

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 - 7555

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PP – PZ20210012

RESOLUTION #: 21-12

WHEREAS, the following application for a Preliminary Plat (JEFF MUONIO ADDITION) approval has been submitted and accepted:

FILE: PP-PZ20210012

APPLICANTS: Jeffrey & Alina Muonio

OWNERS: Jeffrey & Alina Muonio

SITE ADDRESS: 1535 Sally Avenue, 55388

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

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-006-1300

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 16, 2021; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Jeffrey & Alina Muonio own an approximate 56.00-acre parcel located in part of the North Half (N½) of the Northwest Quarter (NW¼) of Section 6, Watertown Township. The property is primarily undeveloped wooded areas and wetland but does include a single-family dwelling with an attached garage. The property is located in the Agricultural Zoning District and the CCWMO (Crow River Watershed).
2. In February of 2021, Conditional Use Permit (CUP) #PZ20200057 was issued to the subject property in order to create two (2) High Amenity Residential Lots pursuant to Section 152.078 of the Carver County Zoning Code. The applicant is now requesting the approval of the Preliminary Plat "Jeff Muonio Addition" including two (2) residential lots (Lots 1-2, Block 1).
3. Copies of the plat have been sent to the Watertown Township Clerk, Hollywood Township Clerk, Watertown-Mayer School District #111, McLeod Cooperative Power Association, CenturyLink, Carver County Water Management Organization (CCWMO), Carver County Soil & Water Conservation District (SWCD), Carver County Emergency Management, Carver County Environmental Services, Carver County Property and Financial Services Department, and the Carver County Surveyor. As of this report, no comments have been received; however, comments may be available at 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 proposed residential lots are 2.7 acres each. Each lot has a minimum of a 1-acre building site that conforms to Code requirements, and any home constructed within the site shall meet the structure 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. The house shall be set to allow for positive drainage.
5. Acceptable percolation tests and soil borings for the primary and alternate septic sites on the two (2) undeveloped lots have been submitted to the Carver County Environmental Services Department. The information was reviewed, and the soils would be suitable for SSTs. The septic sites for the proposed lots will need to be fenced and protected during construction.

6. The draft covenants, as required by Conditional Use Permit #PZ20200057, 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 impacts both lots. The required covenants shall address that each lot will 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.
7. 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 October 16, 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.
8. The preliminary plat shows 10-foot utility & drainage easements around both lots. An appropriate drainage easement will 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.
9. A combined erosion and sediment control and stormwater permit from the Planning and Water Management Department will 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 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.
10. The 5.51-acre plat is located within the CCWMO jurisdiction. Stormwater management, wetland buffers, and erosion control measures will need to be addressed pursuant to Chapter 153 of the County Code (Water Management Rules).
11. This request has been reviewed by the County's Environmental Services Department. On March 8, 2021, Senior Environmentalist Joe Enfield stated that the SSTS sites for each lot have been located and verified. Mr. Enfield also stated that the primary and alternate drainfields for both lots must be protected (fenced off) before the commencement of any construction related activity.
12. 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.
13. On September 8, 2020, the applicants attended the Watertown Township meeting and discussed their request. At the conclusion of the meeting, the Town Board made a recommendation of approval of the request and did not request any specific conditions along with their recommendation.
14. On January 11, 2021, the applicants attended the Hollywood Township meeting and discussed their request. At the conclusion of the meeting, the Town Board made a recommendation of approval of the request and for the use of the Township road. The Township also expressed some concern with where the driveways would be located.
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 Jeff Muonio Addition for 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. Two (2) High Amenity (residential) Lots 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 #PZ20200057 shall be satisfied prior to the recording of the final plat.
3. The covenants, as required by Conditional Use Permit #PZ20200057, 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; therefore, no vegetative removal within the drainage easement area and/or within the DNR protected wetland shall be allowed.
 - F. 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.
4. The above-required Covenants shall become part of the plat approval.
5. Pursuant to CUP #PZ20200057, access permits for the proposed driveways must be obtained from Hollywood Township prior to the issuance of any building permits for the individual lots.

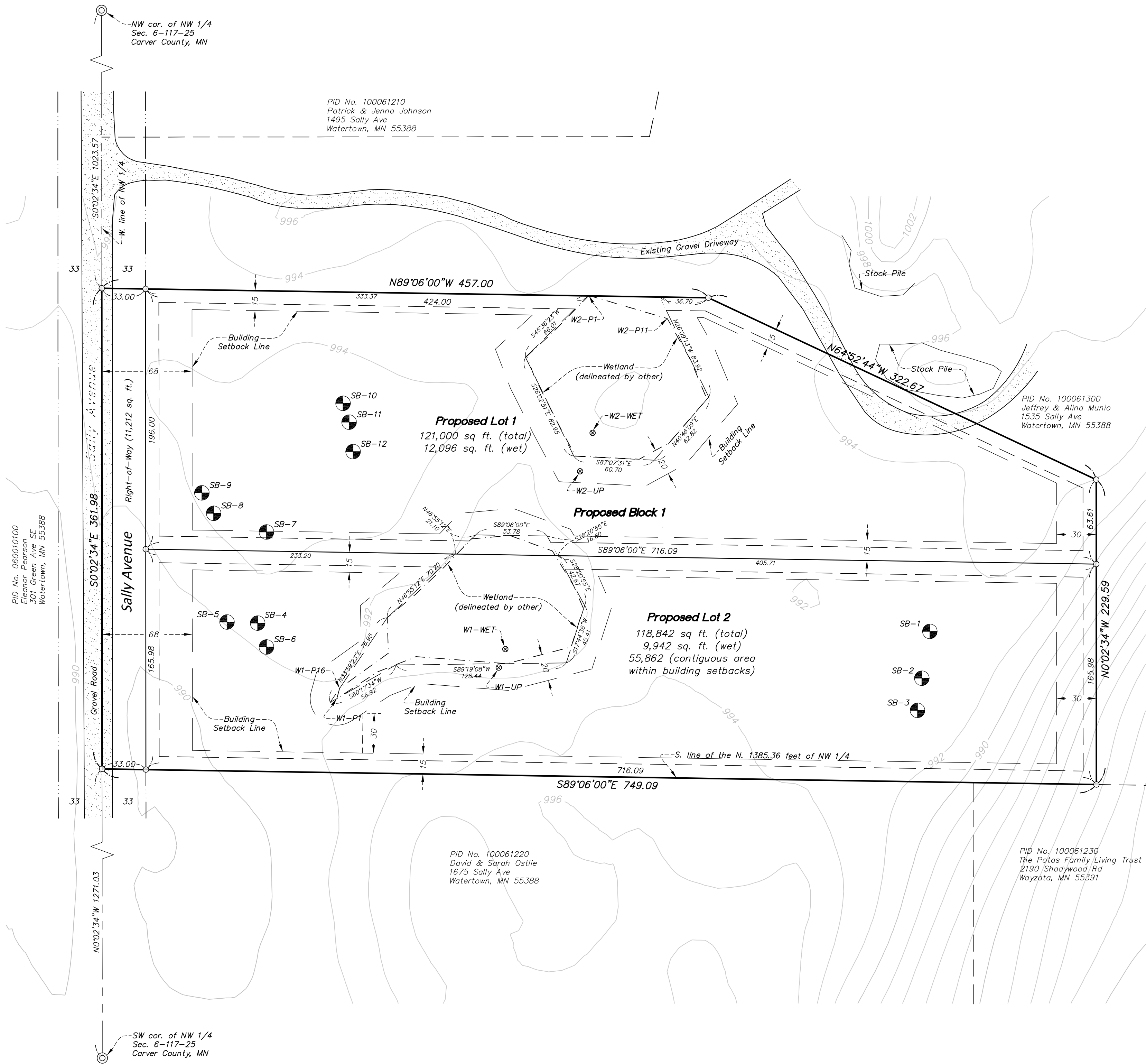
6. Each lot shall be reviewed and approved by Carver County Planning and Water Management Department pursuant to Chapter 153 of the Zoning Code. Specific details for each lot must be submitted to the Planning and Water Department for approval prior to issuance of building permit(s) on individual lots.
7. The driveways for the lots shall conform to the Wetland Conservation Act (WCA), Carver County Land Management Department, Carver County Planning and Water Department, and Hollywood Township requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authorities (Hollywood Township). An access permit for each driveway from Sally Avenue must be obtained prior to issuance of new home building permit(s).
8. Prior to the commencement of any construction related activity, the primary and alternate septic locations for each lot shall be marked and protected (rope, fencing, etc.) to prohibit any disturbance to those areas.
9. Prior to submitting a building permit application for a new house on either lot, 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.
10. 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 16th day of March 2021.

Gabrielle Theis, Chair
Carver County Planning Commission

JEFF MUONIO ADDITION

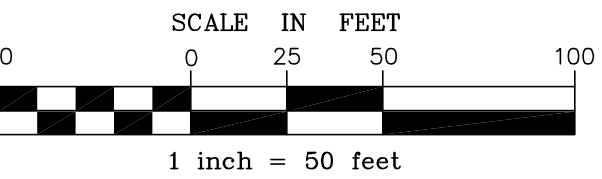
Preliminary Plat



Legend

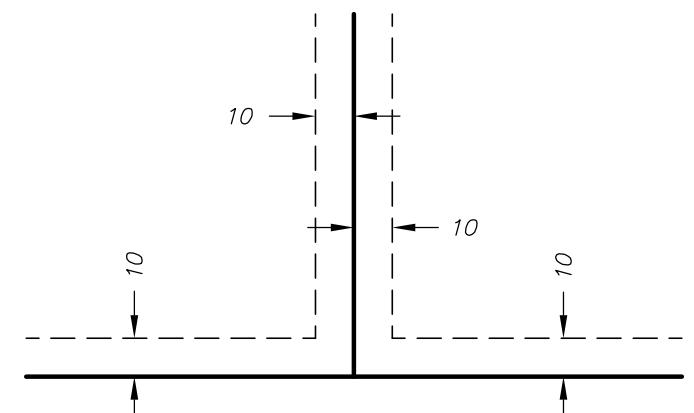
○ Denotes 1/2 inch by 14 inch iron monument set and marked by L.S. No. 14700.

⊙ Cast Iron Monument



Basis of bearing statement: The west line of Northwest Quarter of Section 6, Township 117, Range 25, Carver County, Minnesota is assumed to bear South 0 degrees 02 minutes 34 seconds East.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN AS THUS



Drainage and Utility Easements being 10 feet in width and adjoining right of way lines, and being 10 feet in width and adjoining lot lines, unless otherwise indicated.

PID No. 100061300

Property Address:
1535 Sally Ave
Watertown, MN 55388

Zone: A Agricultural District

School District: 0111 Watertown-Mayer

Watershed District: Crow River Watershed

Owners:
Jeffrey & Alina Muonio
1535 Sally Ave
Watertown, MN 55388

AREAS	Lot Name	Area (sq. ft.)	Area (acres)	Total Wet (sq. ft.)
Lot 1, Block 1	121,000	2.75	12,096	
Lot 2, Block 1	118,842	2.73	9,942	

Proposed Plat Description

That part of the Northwest Quarter of Section 6, Township 117, Range 25, Carver County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter; thence on an assumed bearing of South 0 degrees 02 minutes 34 seconds East along the west line of said Northwest Quarter a distance of 1385.55 feet to the south line of the North 1385.36 feet of said Northwest Quarter said point also being the point of beginning of the tract to be described; thence South 89 degrees 06 minutes 00 seconds East along said south line a distance of 749.09 feet; thence North 0 degrees 02 minutes 34 seconds West a distance of 229.59 feet; thence North 64 degrees 52 minutes 44 seconds West a distance of 322.67 feet; thence North 89 degrees 06 minutes 00 seconds West a distance of 457.00 feet to said west line of the Northwest Quarter; thence South 0 degrees 02 minutes 34 seconds East along said west line of the Northwest Quarter a distance of 361.98 feet to the point of beginning and there terminating.

Remnant Parent Parcel Description

That part of the North 1385.36 feet of the Northwest Quarter of Section 6, Township 117, Range 25 West which lies southwesterly of the centerline of Minnesota State Highway No. 25, as depicted on the recorded plat of Minnesota Department of Transportation Plat No. 10-M-09, EXCEPTING THEREFROM the following described land: All that part of the Northwest Quarter of Section 6, Township 117, Range 25, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Northwest Quarter; thence on an assumed bearing of South along the west line of said Northwest Quarter a distance of 450.64 feet to the point of beginning of the tract to be described; thence on a bearing of East a distance of 508.16 feet; thence South 11 degrees 45 minutes 00 seconds West a distance of 468.95 feet; thence on a bearing of West a distance of 412.57 feet to the west line of said Northwest Quarter; thence on a bearing of North along said west line a distance of 449.37 feet to the point of beginning and there terminating.

ALSO EXCEPTING

That part of the Northwest Quarter of Section 6, Township 117, Range 25, Carver County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter; thence on an assumed bearing of South 0 degrees 02 minutes 34 seconds East along the west line of said Northwest Quarter a distance of 1385.55 feet to the south line of the North 1385.36 feet of said Northwest Quarter said point also being the point of beginning of the tract to be described; thence South 89 degrees 06 minutes 00 seconds East along said south line a distance of 749.09 feet; thence North 0 degrees 02 minutes 34 seconds West a distance of 229.59 feet; thence North 64 degrees 52 minutes 44 seconds West a distance of 322.67 feet; thence North 89 degrees 06 minutes 00 seconds West a distance of 457.00 feet to said west line of the Northwest Quarter; thence South 0 degrees 02 minutes 34 seconds East along said west line of the Northwest Quarter a distance of 361.98 feet to the point of beginning and there terminating.

**SCHOBORG
LAND SERVICES
INC.**

763-972-3221 8997 Co. Rd. 13 SE
www.schoborgland.com Delano, MN 55328

Prepared for:
Jeff Muonio

Job Number:	8533
Book/Page:	LL
Survey Date:	8/3/20
Drawing Name:	muonio.dwg
Drawn by:	DMS
Revisions:	2/23/20 (area)
	2/25/20 (lot sizes)

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE: _____ RESOLUTION #: _____

MOTION BY COMMISSIONER: _____ SECONDED BY COMMISSIONER: _____

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF *Jeff Muonio Addition*

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

FILE: PP-PZ20210012

APPLICANTS: Jeffrey & Alina Muonio

OWNERS: Jeffrey & Alina Muonio

SITE ADDRESS: 1535 Sally Avenue, 55388

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

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-006-1300

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 16, 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. 21-12 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; and

WHEREAS, the County Board finds as follows:

1. Jeffrey & Alina Muonio own an approximate 56.00-acre parcel located in part of the North Half (N½) of the Northwest Quarter (NW¼) of Section 6, Watertown Township. The property is primarily undeveloped wooded areas and wetland but does include a single-family dwelling with an attached garage. The property is located in the Agricultural Zoning District and the CCWMO (Crow River Watershed).
2. In February of 2021, Conditional Use Permit (CUP) #PZ20200057 was issued to the subject property in order to create two (2) High Amenity Residential Lots pursuant to Section 152.078 of the Carver County Zoning Code. The applicant is now requesting the approval of the Preliminary Plat "Jeff Muonio Addition" including two (2) residential lots (Lots 1-2, Block 1).
3. Copies of the plat have been sent to the Watertown Township Clerk, Hollywood Township Clerk, Watertown-Mayer School District #111, McLeod Cooperative Power Association, CenturyLink, Carver County Water Management Organization (CCWMO), Carver County Soil & Water Conservation District (SWCD), Carver County Emergency Management, Carver County Environmental Services, Carver County Property and Financial Services Department, and the Carver County Surveyor. As of this report, no comments have been received; however, comments may be available at 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 proposed residential lots are 2.7 acres each. Each lot has a minimum of a 1-acre building site that conforms to Code requirements, and any home constructed within the site shall meet the structure 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. The house shall be set to allow for positive drainage.
5. Acceptable percolation tests and soil borings for the primary and alternate septic sites on the two (2) undeveloped lots have been submitted to the Carver County Environmental Services Department. The information was reviewed, and the soils would be suitable for SSTS. The septic sites for the proposed lots will need to be fenced and protected during construction.
6. The draft covenants, as required by Conditional Use Permit #PZ20200057, 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 impacts both lots. The required covenants shall address that each lot will 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.
7. 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 October 16, 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.
8. The preliminary plat shows 10-foot utility & drainage easements around both lots. An appropriate drainage easement will 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.
9. A combined erosion and sediment control and stormwater permit from the CCWMO will 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 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.
10. The 5.51-acre plat is located within the CCWMO jurisdiction. Stormwater management, wetland buffers, and erosion control measures will need to be addressed pursuant to Chapter 153 of the County Code (Water Management Rules).
11. This request has been reviewed by the County's Environmental Services Department. On March 8, 2021, Senior Environmentalist Joe Enfield stated that the SSTS sites for each lot have been located and verified. Mr. Enfield also stated that the primary and alternate drainfields for both lots must be protected (fenced off) before the commencement of any construction related activity.
12. 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.
13. On September 8, 2020, the applicants attended the Watertown Township meeting and discussed their request. At the conclusion of the meeting, the Town Board made a recommendation of approval of the request and did not request any specific conditions along with their recommendation.

14. On January 11, 2021, the applicants attended the Hollywood Township meeting and discussed their request. At the conclusion of the meeting, the Town Board made a recommendation of approval of the request and for the use of the Township road. The Township also expressed some concern with where the driveways would be located.

THEREFORE, BE IT RESOLVED, THAT The Carver County Board of Commissioners hereby approves the Preliminary Plat of Jeff Muonio Addition, for the land described in Exhibit “A”, with the following conditions attached:

1. Two (2) High Amenity (residential) Lots 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 #PZ20200057 shall be satisfied prior to the recording of the final plat.
3. The covenants, as required by Conditional Use Permit #PZ20200057, 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; therefore, no vegetative removal within the drainage easement area and/or within the DNR protected wetland shall be allowed.
 - F. 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 the CCWMO may be needed.
4. The above-required Covenants shall become part of the plat approval.

5. Pursuant to CUP #PZ20200057, access permits for the proposed driveways must be obtained from Hollywood Township prior to the issuance of any building permits for the individual lots.
6. Each lot shall be reviewed and approved by the 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.
7. The driveways for the lots shall conform to the Wetland Conservation Act (WCA), Carver County Land Management Department, CCWMO, and Hollywood Township requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authorities (Hollywood Township). An access permit for each driveway from Sally Avenue must be obtained prior to issuance of new home building permit(s).
8. Prior to the commencement of any construction related activity, the primary and alternate septic locations for each lot shall be marked and protected (rope, fencing, etc.) to prohibit any disturbance to those areas.
9. Prior to submitting a building permit application for a new house on either lot, 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.
10. 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

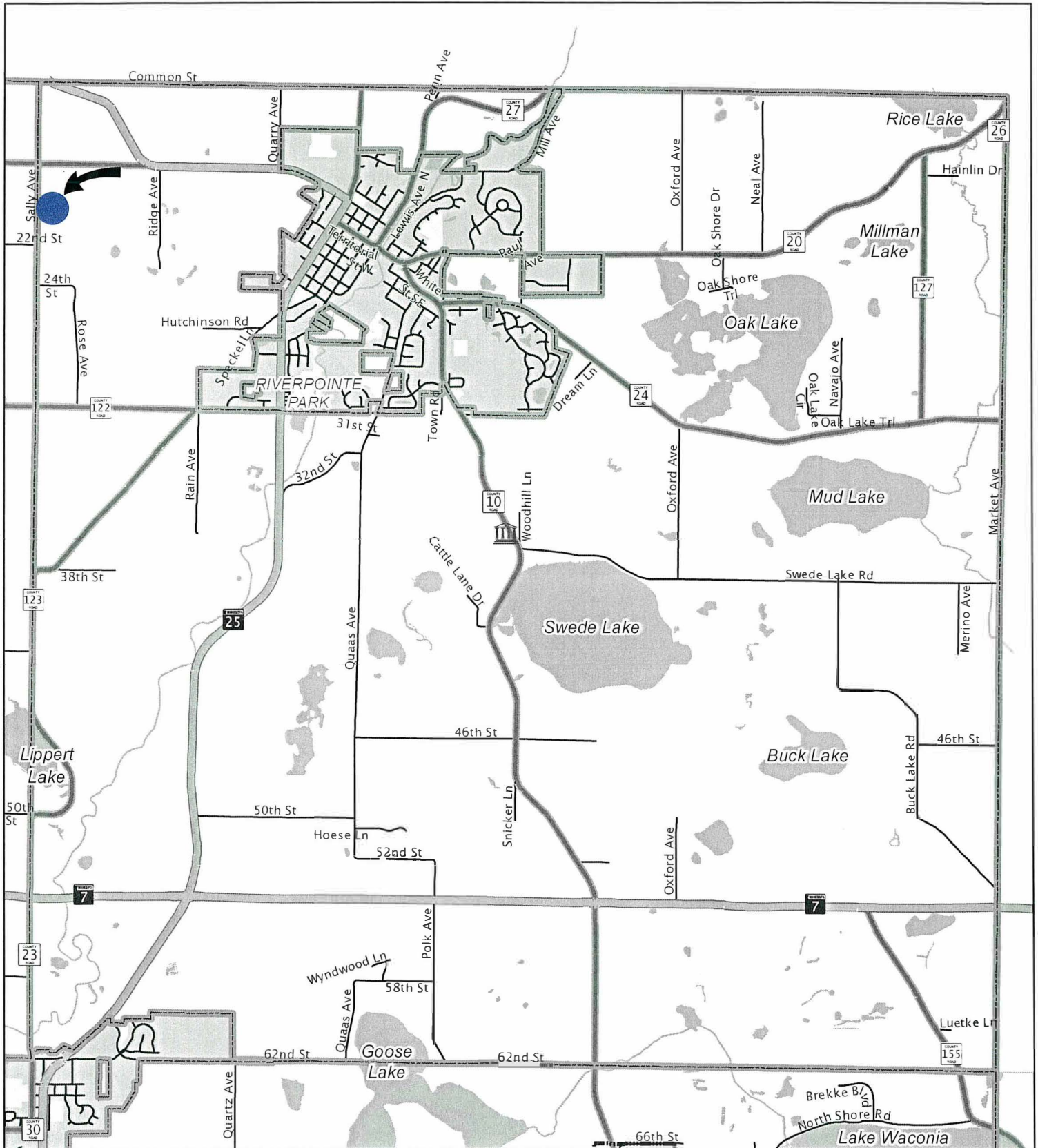
STATE OF MINNESOTA
COUNTY OF CARVER

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 6th day of April, 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 _____, 20____.

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.

0 1 2 Miles



Map Created by Carver County GIS
48

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlements for Right of Way Acquisition for the Jonathan Carver Parkway Project – Phase 1

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 4/6/2021

Contact: Zachary Mahan

Title: Right of Way Agent

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 2021 construction season includes the Jonathan Carver Parkway Project - Phase 1 which is the expansion of Highway 11 to a four-lane highway. Additional right-of-way is needed to complete this project. Appraisals were completed by MM Appraisals and MDAs completed by the Carver County Public Works Right of Way agent and the County Board approved the making of offers based on the appraised values at its September 15, 2020 regular board meeting. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. Settlements with the property owners located at PID #20.4250120 & 20.0860580 have been reached.

ACTION REQUESTED:

Motion to adopt a resolution for settlements for right-of-way acquisitions for the Jonathan Carver Parkway Project - Phase 1.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

City of Carver	\$8,175.00
----------------	------------

CSAH Reg.Muni. Const.	\$8,175.00
-----------------------	------------

Total	\$16,350.00
--------------	--------------------

☒ Insert additional funding source

Related Financial/FTE Comments:

The settlement with Cara and Jarrett Bowen is an amendment to the original settlement due to a small amount additional right of way that was determined to be needed upon final plan completion.

Office use only:

RBA 2021 - 7566

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: April 6th, 2021

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Jonathan Carver Parkway Project – Phase 1

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 expansion to a four-lane highway as part of the Jonathan Carver Parkway Project – Phase 1 (“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

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 Expanding the roadway to 4 lanes as part of the Jonathan Carver Parkway Project – Phase 1 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.

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 April 6th, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of April 2021

Dave Hemze	County Administrator

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

Jonathan Carver Parkway Project – Phase 1

Carver County Public Works No. 168811

Property Tax Identification No. 20.4250120

Fee Owners: Moly & Mala Louis

Property Address: 1814 Spring Creek Drive, Carver MN 55315

Settlement Amount: \$13,850.00

Property Tax Identification No. 20.0860580

Fee Owners: Jarratt D. Bowen & Cara J. Bowne

Property Address: 202 Butternut Circle, Carver MN 55315

Settlement Amount: \$2,500.00

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Right of Way Acquisition for the Highway 10 Project -Chaska Creek Area**

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 4/6/2021

Contact: Patrick Lambert

Title: Senior Right of Way Agent

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 Public Works staff was contacted by Westbrook Community Church, the owner of the property located at the southwest corner of the Highway 10/11 intersection (PID 07.0350110), to potentially purchase right-of-way for the future expansion of the Highway 10 and Highway 11 intersection that is included in the future Highway 10 Project - Chaska Creek Area. Public Works staff ordered an appraisal from a certified appraiser was obtained by the county and an offer was made based on the appraisal as authorized by the county board. Negotiations were conducted with the property owner and a settlement was reached for the purchase of approximately 5.20 acres of land along Highways 10 and 11 needed for the future Highway 10 Project - Chaska Creek Area.

ACTION REQUESTED:

Motion to adopt a resolution for the purchase of right-of-way for the Highway 10 Project - Chaska Creek Area from Westbrook Community Church.

FISCAL IMPACT: None

If "Other", specify:

FUNDING**County Dollars =**

CSAH Reg. Funds/Sales Tax \$200,000.00

FTE IMPACT: None**Total** \$200,000.00☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7540

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: April 6th, 2021

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 10 Project – Chaska Creek Area

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 future expansion of Highway 10 as part of the Highway 10 Project – Chaska Creek Area (“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

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 as part of the Highway 10 Project – Chaska Creek Area 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.

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 April 6th, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of April 2021

Dave Hemze	County Administrator

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

Highway 10 Project-Chaska Creek Area

Carver County Public Works No. 148760

Property Tax Identification No. 07.0350110

Fee Owners: Westbrook Community Church

Property Address: 10990 Jonathan Carver Parkway, Laketown Township, MN 55318

Fee Acquisition: 107,388 sq. ft. of existing right of way, 334,084 sq. ft. of new right of way in fee simple interest

Temporary Easement: Not yet known. Seller has agreed to value of \$.90/sq. ft. capitalized at 8% per annum when project is ready.

Settlement Amount: 200,000.00

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Commissioner Appointment to fill the strategic liaison role for the Hennepin-Carver Workforce Development Board

Primary Originating Division/Dept: Health & Human Services - Income Support

Meeting Date: 4/6/2021

Contact: Kate Probert Fagundes Title: Department Manager

Item Type:
Consent

Amount of Time Requested: minutes

Presenter: Title: Income Support Manager

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Hennepin-Carver Workforce Development Board is one of sixteen workforce development boards across the state of Minnesota. The role of the board is to direct the strategic investment and alignment of employment and training resources within Hennepin and Carver counties.

The work of the Hennepin-Carver Workforce Development Board is guided by Federal Legislation: Workforce Innovation and Opportunity Act signed into the law on July 22, 2014. The purpose of the Hennepin-Carver Workforce Development Board is to ensure workforce services are provided within the service area via a coordinated intentional way therefore providing a pipeline of skilled workers to meet business demands. Current goals of the local Workforce Development Board are: 1) direct strategic investment and alignment of planned employment and training resources within suburban Hennepin and Carver Counties; 2) provide oversight for workforce development programs; 3) and work in partnership with County Boards to address educational and employment needs of job seekers and employers.

The strategic liaison role of the Carver County Commissioner focuses on building a partnership with the Hennepin County Board and Hennepin County Local Elected officials, representing workforce and economic development needs of our residents, participating in Hennepin-Carver Workforce Development Board meetings, and supporting workforce development legislative efforts.

ACTION REQUESTED:

The motion is to appoint Commissioner Workman to fill the strategic liaison role for the Hennepin-Carver Workforce Development Board; to represent employment and educational needs of Carver County residents and employers.

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 - 7548

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Write Off Property Tax Late Payment Penalty and Interest for 50.7250010

Primary Originating Division/Dept: Property & Financial Services - Property Taxation

Meeting Date: 4/6/2021

Contact: Crystal Campos

Title: Auditor

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:

While the County's abatement policy allows County Auditor to waive late tax payment penalties in the current year, the County Board is required to approve abating penalty and interest from previous years late tax payments. Joan Schwartz has submitted an Application for Abatement of Penalty and Interest for 2020 due to not receiving the notice of unpaid tax as the incorrect information was entered in the tax system. The total amount to abate is \$5.50. The Auditor and Treasurer recommend approval of the partial abatement of the 2020 penalty and interest.

ACTION REQUESTED:

Motion to approve the partial write off of 2020 penalty and interest on parcel 50.7250010.

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 - 7513

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Abate Penalty, Interest and Costs for 65.4710200**

Primary Originating Division/Dept: Property & Financial Services - Property Taxation ▼

Meeting Date: 4/6/2021

Contact: Crystal Campos

Title: Auditor

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:

While the County's abatement policy allows County Auditor to abate late tax payment penalties in the current year, the County Board is required to approve abating interest from previous years late tax payments. Jon Blood, son of the property owners has submitted an Application for Abatement of Penalty, Interest & Costs for 2020 due the death of his father and Covid-19 issues. The total amount to abate is \$533.07. The Auditor and Treasurer recommend approval of the abatement of the 2020 penalty, interest and costs.

ACTION REQUESTED:

Motion to approve the abatement of 2020 penalty, interest and costs on parcel 65.4710200.

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 - 7528

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Request for approval to contract with MN ELEVATOR INC**

Primary Originating Division/Dept: Public Services

Meeting Date: 4/6/2021

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:

Elevator #2 in the jail lobby is due for modernization to meet current code requirements. The planned work includes new VCS1 controller, front and rear solid state controllers, car panel interior and exterior, hoist way wiring and cables, toe guards, car stop station, and escape hatch switch.

Every three years, the County goes through a bid process for elevator maintenance. MN Elevator Inc. (MEI) is the current provider and continues to provide quality repairs for best pricing. This modernization will bring the elevator to current code requirements.

ACTION REQUESTED:

Motion to contract with MN ELEVATOR INC pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$69,908.76

FTE IMPACT: None

Total

\$69,908.76

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7547

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Increase Payroll Technician position from a 0.80 to a 1.0 FTE

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Finance Department is requesting to eliminate a 0.80 FTE Payroll Technician position after an upcoming retirement in July 2021 and add a 1.0 FTE Payroll Technician position effective no earlier than May 3, 2021. Finance has been experiencing a need to increase staffing to accommodate the demand of the County as our workforce continues to grow. The increased workload in payroll, as well as, the increased needs within accounts payable and other functions of Finance during non-payroll weeks has created the need for the additional FTE. The increased salary and benefit costs of \$3,119 will be offset by a decrease Finance's operating budget for professional services.

ACTION REQUESTED:

Motion to approve eliminating a 0.80 FTE Payroll Technician position after an upcoming retirement in July 2021 and add a 1.0 FTE Payroll Technician position effective no earlier than May 3, 2021.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

☒ Insert additional funding source

Related Financial/FTE Comments:

Cost of FTE increase will be covered by Finance's operating budget, no additional levy requested. The increased salary and benefit costs of \$3,119 will be offset by a decrease in professional services, see budget amendment.

Office use only:

RBA 2021 - 7575

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Increase Payroll Technician position from a 0.80 to a 1.0 FTE

Department:

Meeting Date: 4/6/2021

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: Mary Kaye Wahl

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Salaries-FT	01-045.6111	\$3,119.00	Professional & Tech Fees	01-045.6260	\$3,119.00
TOTAL		\$3,119.00	TOTAL		\$3,119.00

Reason for Request:

The Finance Department is requesting an increase in FTE for the Payroll Technician position, from a 0.80 FTE to a 1.0 FTE. This increase would be effective as of May 3rd. The increased salary and benefit costs of \$3,119 will be offset by a decrease Finance's operating budget for professional services.

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Law Enforcement Proclamations**

Primary Originating Division/Dept: Sheriff

Meeting Date: 4/6/2021

Contact: Tamera Froemming Title: Admin Services Manager

Item Type:
Regular Session

Amount of Time Requested: 15 minutes

Presenter: Jason Kamerud Title: Sheriff

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

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

BACKGROUND/JUSTIFICATION:

Proclamations provide recognition of team contribution and overall organizational success.

ACTION REQUESTED:

Proclamation review, approval & signature.

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 - 7560

PROCLAMATION

NATIONAL PUBLIC SAFETY

TELECOMMUNICATORS WEEK 2021

WHEREAS, Carver County's dedicated 9-9-1 dispatchers serve the citizens of the Carver County area 24 hours a day, 7 days a week, by answering calls for police, fire and emergency medical services, by coordinating and dispatching the appropriate public safety assistance as quickly as possible; and

WHEREAS, professional 9-1-1 dispatchers work to improve the emergency response capability of these communications systems through their dedication, leadership, training and participation in related public safety activities that enhance 9-1-1 services; and

WHEREAS, the services and functions performed by 9-1-1 dispatchers is a vital link between our citizens and our emergency services providers; and

WHEREAS, each dispatcher has exhibited compassion, understanding, and professionalism during the performance of their job in the past year.

WHEREAS, the week of April 11th-17th, 2021 has been set aside nation-wide to recognize 9-1-1 telecommunicators, call takers and dispatchers for the crucial role they play in the protection of life and property for all citizens.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by our 9-1-1 Dispatchers to the safety and wellbeing of our citizens do hereby acknowledge the week of April 11-17, 2021 as:

NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS WEEK

Tim Lynch, Chair
Carver County Board of Commissioners
April 6, 2021

PROCLAMATION

NATIONAL ADMINISTRATIVE PROFESSIONALS' DAY 2021

WHEREAS, Carver County's dedicated administrative professionals perform the tasks and coordination of information to ensure smooth operation of the office and related environments; and

WHEREAS, the skills, loyalty, and attributes almost every office depends on; and

WHEREAS, to show appreciation of the work carried out by administrative professionals and to highlight their importance to the organization and enhance their work-related skills; and

WHEREAS, the day of April 21st, 2021 has been set aside nation-wide to recognize administrative professionals for positive office contributions, and dedication of their work.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by Administrative Professionals for the support and needs of our citizens do hereby acknowledge the day of April 21, 2021 as:

NATIONAL ADMINISTRATIVE PROFESSIONALS' DAY 2021

Tim Lynch, Chair
Carver County Board of Commissioners
April 6, 2021

PROCLAMATION

NATIONAL CORRECTIONAL OFFICERS' WEEK 2021

WHEREAS, in 1984 President Reagan signed Proclamation 5187, creating "National Correctional Officers' Week; and

WHEREAS, the first full week in May is recognized as National Correctional Officers and Employees Week, commemorating the contributions of correctional officers and personnel who work in jails, prisons, and community corrections across the county; and

WHEREAS, the Carver County Sheriff's Office supports the proposition that men and women who perform the difficult task of supervising the County's inmates deserve this recognition; and

WHEREAS, the Carver County Sheriff's Office recognizes our detention staff are professionals equal in status and importance to other professionals in the effective administration of justice; and

WHEREAS, the week of May 2-8, 2021 has been set aside nation-wide to recognize correctional officers for their civility and practices to ensure a secure facility.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by Correctional Officers for the security and safety of our citizens do hereby acknowledge the week of May 2-8, 2021 as:

NATIONAL CORRECTION OFFICERS' WEEK 2021

Tim Lynch, Chair
Carver County Board of Commissioners
April 6, 2021

PROCLAMATION NATIONAL NURSES' DAY 2021

WHEREAS, Carver County's dedicated nurses promote and protect the health of the Carver County population; and

WHEREAS, focusing on health and wellness; preventing disease, disability, and premature death; improving neighborhood quality of life; and achieving health equity; and

WHEREAS, to show appreciation of the work carried out by nurses and to highlight their importance to the organization and enhance their high quality care; and

WHEREAS, the day of May 6th, 2021 has been set aside nation-wide to recognize nurses for the important role they play in our everyday lives and in our most vulnerable moments in medical care.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by Nurses for the health and assessment of our citizens do hereby acknowledge the day of May 6, 2021 as:

NATIONAL NURSES' DAY 2021

Tim Lynch, Chair
Carver County Board of Commissioners
April 6, 2021

PROCLAMATION

NATIONAL POLICE WEEK 2021 AND NATIONAL PEACE OFFICERS' MEMORIAL DAY

WHEREAS, Congress and the President of the United States have designated May 15th, as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police week; and

WHEREAS, members of the Carver County Sheriff's Office play an essential role in safeguarding the rights and freedoms of Carver County; and

WHEREAS, it is important all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement officers, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception, and the weak against oppression; and

WHEREAS, the men and women of the Carver County Sheriff's Office unceasingly provide a vital public service.

NOW, THEREFORE, BE IT RESOLVED, all people may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and in so doing have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. We, the Carver County Board of Commissioners, call upon all citizens of Carver County to observe the week of May 9-15, 2021 as:

NATIONAL POLICE WEEK 2021

NOW, THEREFORE, BE IT RESOLVED that we, call upon all citizens of Carver County to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes and hereby acknowledge the day of May 15, 2021 as:

NATIONAL PEACE OFFICERS' MEMORIAL DAY

Tim Lynch, Chair
Carver County Board of Commissioners
April 6, 2021

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Funding Requests from the COVID19 Budget Stabilization Account

Primary Originating Division/Dept: Property & Financial Services

Meeting Date: 4/6/2021

Contact: David Frischmon

Title:

Item Type:

Regular Session

Amount of Time Requested: minutes

Presenter: David Frischmon

Title: Property & Finance Director

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

\$8.6 million of the \$12.9 million Carver County received in CARES funding in July 2020 reimbursed the County for 2020 payroll expenditures related to the County's response to the COVID19 public health emergency. The County Board on 12/15/20 committed the \$8.6 million to create a COVID19 Budget Stabilization Account (BSA) to provide short-term fiscal flexibility to meet the budget challenges related to the ongoing COVID19 public health emergency.

\$8,602,489 County Board committed to a COVID19 BSA on 12/15/20.

(2,050,000) Board approved transfer to CDA for economic support programs on 12/15/20.

(1,600,000) Board approved HHS financial assistance programs on 12/15/20.

(68,550) Board approved additional IT support on 1/19/20.

\$4,883,939 COVID19 BSA available balance

Additional requests for BSA funding were presented at the March 23rd Board workshop.

The County Administrator recommends Board approval for the following BSA requests at this time:

\$715K 2020 Revenue losses due to COVID19

560K HHS software project to support remote workers

345K Humanity Alliance for weekend food delivery

\$1.620 million

The remaining COVID19 BSA balance is \$3,263,939.

ACTION REQUESTED:

Motion to approve \$1.620 million for BSA funded requests.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars =

Total

\$0.00

FTE IMPACT: None

Related Financial/FTE Comments:

In March 2021, President Biden signed the American Rescue Plan ("ARP") Act which includes \$65 billion for counties to help mitigate fiscal effects tied to the COVID-19 emergency. Carver County's allocation is estimated at \$20.3 million. Staff is continuing to assess these federal dollars and will bring additional information back to the Board at a later date.

Office use only:

RBA 2021 - 7574

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Funding Requests from the COVID19 Budget Stabilization Account

Department: Property & Financial Services

Meeting Date: 4/6/2021

Requested By: David Frischmon

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

DEBIT		
Description of Accounts	Acct #	Amount
Software Purchase (2021)	11-405-700-1120.6655	\$560,000.00
Humanity Alliance (2021)	11-460-460-1120-6241	\$345,000.00
Passports	11-40-55-1108.5166	\$195,000.00
Drivers License- Chan	11-40-55-1108.5168	\$65,000.00
Deputy Registrar Fees- Chan	11-40-55-1108.5525	\$80,000.00
Drivers License- Chaska	11-40-55-1109.5168	\$130,000.00
Deputy Registrar Fees- Chaska	11-40-55-1109.5525	\$10,000.00
Anicca Private Pay	11-427-740-3670.5576	\$9,000.00
Anicca Private Ins	11-427-740-3670.5576	\$31,000.00
Anicca PMAP	11-427-740-3670.5584	\$32,000.00
Anicca State-MA	11-427-740-3670.5315	\$7,000.00
Anicca Fed-MA	11-427-740-3670.5409	\$7,000.00
Federal Grants-Encore	11-426-760-3490.5420	\$6,000.00
Encore Fees	11-426-760-3490.5576	\$63,000.00
Encore Ins Fees	11-426-760-3490.5583	\$45,000.00
Park Revenue	01-520.5522	\$35,000.00
TOTAL		\$1,620,000.00

☒ Insert additional debit item

CREDIT		
Description of Accounts	Acct #	Amount
COVID19 BSA	01-820-000-1220.62	\$1,620,000.00
TOTAL		\$1,620,000.00

☒ Insert additional credit item

Reason for Request:

Allocate out COVID19 Budget Stabilization Account funds to approved requests.

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Independent Contractor/Professional Services Agreement (PSA) with Northwoods Consulting Partners, Inc. to migrate to a new software platform.

Primary Originating Division/Dept: Health & Human Services

Meeting Date: 4/6/2021

Contact: Heather Goodwin

Title: Deputy Director

Item Type:

Regular Session

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:

Northwoods Consulting Partners, Inc. has a long, productive relationship working with Carver County Health and Human Services. They currently support our OnBase and Compass software utilized by our Financial Assistance and Child Support units and they support OnBase and the Pilot/Co-Pilot case management software utilized by our Child and Family and Home & Community-Based Care (HCBC) departments.

The County Board authorized funding in August 2020 using CARES Act CRF dollars for the completion of a technology consultation and solution optimization evaluation of our current software utilized by the Human Services department after potential shortcomings and gaps in the current software systems emerged after 75% of Human Services staff pivoted to working remotely in March 2020 due to the pandemic.

In the Child and Family and HCBC departments, the study analyzed our business processes to look for ways to streamline work and our current software to see if we could get more value from our existing system or would a new system be needed. The study occurred over several weeks and included interviews with our frontline staff. The study unveiled that many staff had created workarounds to conduct much of their work in the current software system. Workers were spending a great deal of time searching for case information, the current software could not store larger files such as photos that are part of an investigation, and forms required recreation every time an update was needed. A systemic learning was that the current platform, Pilot/CoPilot, had not been updated for many years and due to being so outdated was not functioning as it should.

Based on the evaluation findings, the main recommended solution was to migrate from the current software to a new web-based, cloud-based software which would shift updating the software from our internal infrastructure to the vendor. Thus, removing that responsibility from the county's IT department. The vendor will also take over doing form updates which would remove that task from the HHS support team. The new software platform, Traverse, has no size limits on files and the software utilizes artificial intelligence to sift through hundreds of pages of data to assist workers with easily finding key people/events associated with a case. Forms can be copied and easily edited and resaved. It is also possible to build an automatic integration from Traverse to programs utilized in the Human Services' Income Support department to allow for ease in sharing mutually needed documents. This does not exist now. This will be of value as prior to the pandemic these documents were being shared via paper; with the pivot to remote work, these documents are being shared via email clogging up that system. Migrating to Traverse will allow for those documents to be shared securely within our software systems as needed.

The cost to migrate and operationalize Traverse as the new case management software for the Child and Family and HCBC departments is \$313,150.00. Dollars from the Budget Stabilization Account (BSA) will be used to fund this migration. Information was shared about this software project via RBA 7501 at the 03/23/2021 Board Work Session. BSA funds for this software project along with dollars needed to upgrade the software used in the Income Support department are being requested at today's Board meeting.

ACTION REQUESTED:

Motion to approve the Independent Contractor/Professional Services Agreement with Northwoods Consulting Partners, Inc. in the amount of \$313,150.00. Funding will come from COVID19 BSA dollars approved during this Board meeting to complete the migration to a new software platform in Human Services. The PSA has already routed and been approved in the contract portal.

FISCAL IMPACT: Included in current budget

If "Other", specify:

Use of COVID19 BSA funds

FUNDING

County Dollars =	\$0.00
COVID19 BSA dollars	\$313,150.00
Total	\$313,150.00

FTE IMPACT: None**Related Financial/FTE Comments:**

No local tax levy dollars are being requested in order to complete this one-time migration project. Funds from the COVID19 Budget Stabilization Account were brought forward on 3/23 and requested for approval during this Board meeting on 4/6.

Office use only:

RBA 2021 - 7564

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Solar Club 41, LLC. - CUP for a Large Solar Energy System

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

Meeting Date: 4/6/2021

Contact: Aaron Stubbs

Title: Senior Planner

Item Type:

Regular Session

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 #PZ20210011. On March 16, 2021, the Planning Commission voted unanimously to recommend approval of a Conditional Use Permit (CUP) for Solar Club 41, LLC. (a subsidiary of Sun Rise Energy) for a Large Solar Energy System (Community Solar Garden or CSG) of up to one megawatt (1 MW). The proposed site is owned by John & Barbara Zimmerman and is located in Section 34 of Waconia Township. The CSG would be located on approximately 8.0 acres (currently tillable acreage) of the 39.74-acre parcel. The remaining acreage would remain in tillable production land and non-tillable land including conifers.

The request meets the standards of the Carver County Zoning Code Chapter 152, Section 152.039 (2)(b) Large SES. The solar array would be required to meet the CCWMO Chapter 153 – Water Resource Management standards for the duration of the permit (i.e. stormwater management and vegetative cover).

During the Planning Commission public hearing, two people spoke and expressed concerns. One member of the public expressed concerns with the number of solar projects in Carver County. In addition, there were discussions related to future maintenance of any required vegetation and the frequency with which the County inspects the solar sites. One of the neighboring property owners requested screening be required on this project, and another requested a property line be surveyed to ensure the required setbacks were being met. Conditions were added by the Planning Commission to address these concerns.

The Waconia Town Board does not support the request and cited the following reasons as a justification of their recommendation: the project is too close to a Wildlife Management Area (WMA), concerns with future recycling of the panels, concerns with stray voltage, concerns with property values, and concerns with taking crop land out of production. They further indicated, if approved, the Town Board requested screening be required and the applicant would be required to enter into a road maintenance agreement with the Township for the usage of the Township Road (i.e. 110th Street).

The Planning Commission Resolution of approval provides more detail and is attached.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and issue Order #PZ20210011 for the approval of the Conditional Use Permit.

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 #: PZ20210011

RESOLUTION #: 21-11

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

FILE #: PZ20210011

APPLICANT: Chuck Beisner (Sun Rise Energy, SolarClub 41, LLC.)

OWNER: John & Barbara Zimmerman

SITE ADDRESS: 114XX 110th Street, 55322

PERMIT TYPE: Renewable Energy – Large SES

PURSUANT TO: County Code, Section 152.039 (B)(2)(b) and 152.052

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 09-034-0910

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 16, 2021; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. The subject property (approximately 39.74 acres) is owned by John & Barbara Zimmerman and is located in the West Half (W½) of the Southeast Quarter (SE¼) of Section 34, Waconia Township. The proposed site is located on approximately 8 acres of the 39.74-acre parcel, consisting of production land located in the Agricultural Zoning District. The subject parcel is also the Shoreland Overlay District of the Schneewind Wildlife Management Area, and the CCWMO (Carver Creek Watershed).
2. The applicant, Sun Rise Energy, SolarClub 41, LLC. (Chuck Beisner), is requesting to construct, operate (by lease), and maintain up to a one (1) Mega-Watt (MW) Community Solar Garden (CSG) as a renewable energy (Large – Solar Energy System) – Conditional Use Permit (CUP) on the subject parcel. The request is being proposed as part of Xcel Energy’s Community Solar Garden Program, which was established by the State of Minnesota in 2013. The Energy contract with Xcel Energy for this program is for a minimum of 25 years.
3. The proposal is considered a Large Solar Energy System (LSES) based on the fact that the current (DC) rate capacity exceeds 100 kilowatts and would produce energy that would be added to Xcel Energy’s existing grid system. A Large SES requires a CUP pursuant to Section 152.039 and 152.052 of the Zoning Code.
4. The 2040 Carver County Comprehensive Plan recognizes the importance of providing access to solar resources. The County looks to ensure development of solar is in a manner which is efficient and follows all land use control. The development of solar energy systems is guided by Policy LU-20 Essential Services, Public and Quasi-Public, and Limited Private Uses that Serve a Community Purpose. This policy states that energy production is deemed essential to the public health and safety, welfare, or serves a public good of the community. In addition, Policy LU-37 under Solar Resources Policies states that “the County will avoid any undue restrictions on solar access”. The use of agricultural land is temporary in nature and the impervious areas would be minimal. The amount of long-term agriculture land utilized for the large SES is small in relation to the total acreage of the Xcel Energy service area. These factors are compatible with the 2040 Comprehensive Plan.
5. SolarClub 41, LLC. has submitted an application on behalf of Sunrise Energy Ventures, a small business headquartered out of Wayzata and responsible for coordinating all projects including development, permits, finance, construction, management, insurance, maintenance, monitoring, and customer service.

6. The applicant has indicated the site was selected due to its solar resource, physical characteristics (limited grading, minimal impact to wetlands, distance from neighbors, etc.), proximity and access to a distribution line (along 110th Street), applicable zoning and permit requirements, and willingness of the landowner. John & Barbara Zimmerman have entered into a minimum 25-year lease agreement with SolarClub 41, LLC.
7. The applicant is proposing to construct and operate up to a one (1) mega-watt (MW) solar garden on the site. The major equipment components of the solar array include the solar modules, inverters, and racking. The panels would be on single-axis trackers, which rotate from east to west and will be a maximum of 12 feet in height and do not require concrete foundations therefore; are easily removed during decommissioning. The energy produced on the site would be fed to 2 inverters installed onsite, which would be enclosed and meet all applicable codes and standards. From the inverters, energy would be transferred to the interconnection location on the east side of the project area through underground, medium-voltage cable, to the proposed new utility pole location within an Xcel Energy easement area to the south (at 110th St) of the proposed operational area. The exact panel, array, inverter and electrical interconnection configuration and dimensions may change based on the actual equipment and manufacturer selection however, the ultimate panel/fencing locations must remain within the approved site plan.
8. According to the applicant, no substantial grading or filling is being proposed in the design of the solar array with the exception of a 20-foot wide gravel access road. The proposed solar racking is noted to accommodate the existing terrain allowing for maintenance of the existing drainage and runoff patterns, minimizing the impact to surrounding lands. Any/all grading will be pursuant to Chapter 153 – Water Resource Management guidelines.
9. During construction the hours of operation are proposed to 7:00 a.m. – 7:00 p.m. Monday through Saturday (no work is permitted on Sundays or nationally observed holidays). After construction, the solar project would operate 24 hours a day, 365 days a year. Site operations (energy productivity) would be monitored remotely with equipment determined and approved by Xcel Energy. There would be no daily traffic after completion of construction although, one (1) quarterly site visit (one vehicle with two authorized employees) would take place to perform routine maintenance. During the first few years of operations, a landscape maintenance crew would visit the site monthly, during the growing season, to ensure landscaping is growing and managed efficiently.
10. SolarClub 41, LLC. is proposing to drive piles (metal posts) into the ground to support the single-axis tracker racking system. The applicant has noted the piles would be installed with noise mitigating, vibrating piles that are anchored into the ground based on structural analysis which also facilitate decommissioning as they do not require cement foundations and are easily removed. The Carver County Zoning Code includes a standard which requires foundation posts to be installed using noise mitigating equipment such as a vibrating post driver or any other noise reduction method as may be stipulated by the CUP, with which the applicant would need to comply.
11. The surrounding land uses consist of agriculture, a large wildlife management area, and approximately 15 homesteads within a half mile of the project. It appears the closest resident is approximately 975 feet east / southeast of the proposed operational area. This parcel is also the nearest feedlot (Ronald Wickenhauser). Due to the distance from all neighboring residents and existing vegetation, no screening has been proposed at this time. However, in the project narrative the applicant does state they would be willing to plant Conifers on the perimeter if required by the County. The applicant has proposed chain link style fencing without barbed wire, not exceeding seven (7) feet in height, around the perimeter of the operational area for safety and security measures.
12. Xcel Energy has provided a notice of complete application and is reviewing the interconnection point (dated January 8, 2021). Xcel Energy provides the study results to inform the applicant of the engineering indicative cost estimate, where they are located in the interconnection queue, and to identify the maximum generation capacity (in MW) which can be accommodated at the site location. The interconnection location, located to the south of the operational area, would be constructed pursuant to Xcel Energy's standards and would also require a minimum of three (3) utility poles (at the interconnect point).

13. SolarClub 41, LLC. or its successors would take on the responsibility and costs of the decommissioning of the site at the end of the operational life of the CSG as noted in the Project Narrative. Decommissioning would commence after twelve (12) months of non-operation. The project site would be restored to pre-construction conditions after removal of the structures, foundations, and restoration of soil and vegetation. Fencing would be removed and recycled, the access will be reclaimed, and soils replaced where needed. The site would be restored to productive farmland. SolarClub 41, LLC. would be responsible for all costs and would supply a \$29,000 decommissioning fund. This fund would be available to the landowner as well as the County in the form of a letter of credit or escrow to be used if SolarClub 41, LLC. is unable to commence decommissioning. The applicant has spelled out the decommissioning process in their Project Narrative (dated: February 1, 2021) and Decommissioning Cost Estimate (dated: February 1, 2021) which appears to satisfy the decommissioning standard.
14. The applicant's project narrative references the public's concerns regarding stray voltage, screening, and property values. The applicant stated that prior to commencement of construction, the soil would be tested for thermal resistivity. This information is then used to design a grounding system for the solar garden. After the project is completed, the perimeter of the project will be tested for stray voltage to ensure it does not produce stray voltage. A condition of this permit should be that any stray voltage would be remediated within 30 days of detection and verification, and all test results would be sent to Carver County for reference and made publicly available.
15. The applicant has not provided contact information for any maintenance and operation questions or concerns in their operational plan (dated: February 18, 2021). The applicant would need to provide a more detailed emergency response plan as well as contractor details pertaining to drainage, weed maintenance, screening, site maintenance, stray voltage, etc. It is understood that many of the subcontractor details are not addressed until a solar company and Xcel Energy have reached the final design plan phase for a project. The applicant would be required to submit (to the Carver County Land Management Department) the list of emergency contacts (during the construction phase) with an emergency plan prior to the issuance of any building permits. Updated contacts for post construction would be required to be submitted within 30 days of the issuance of the Building Permit Certificate of Occupancy (C.O.). The applicant would be required to provide signage with referenced contact information to be placed on the security fencing at this entrance to the operational area. All signage posted on site would be in compliance with Chapter 154 – Sign Regulations. Internal signage is required for labeling of electrical equipment to provide safety and support good practices.
16. The applicant has completed a preliminary drainage plan although, a full drainage report would be completed as part of the Stormwater and Pollution Prevention Plan (SWPPP) permit to be reviewed by the CCWMO as part of their stormwater management standards. A condition should be placed on the permit request which states, "The permittee shall be responsible for the maintenance and/or replacement of any/all drain tile servicing this site (if problems occur) for the duration of the CUP".
17. The Carver County Planning and Water Management Department (CCWMO) and Carver Soil & Water Conservation District (SWCD) would be reviewing the project with respect to the County Water Rules (Chapter 153), and for site stabilization requirements and Best Management Practices (BMP's). The applicant would be required to comply with any/all permitting requirements. As part of their formal review, they will also:
 - a. Review project plans to ensure that there are no upstream or downstream impacts caused by the project;
 - b. Review project plans to ensure that existing drain tile servicing the site has been identified and will be avoided during construction. Or, if any changes to the site's existing natural and subsurface drainage system are proposed, review changes to ensure that the proposed drainage system has the same capacity as the existing system;
 - c. Review proposed erosion and sediment control BMP's to ensure the site will be managed in a way that prevents offsite erosion or deposit of sediment during construction and is permanently stabilized following construction;
 - d. Review other items as needed to demonstrate compliance with County Water Rules (Chapter 153);
 - e. Collect a surety of \$1,000 per acre up to a maximum of \$50,000 to ensure for faithful performance of the approved plans and to finance any necessary remedial work. The surety shall be held until the following conditions are met (additional conditions may be added during review):
 - i. The project is complete;
 - ii. The site has been re-vegetated (90% vegetative cover across the site, 100% vegetative cover with no signs of erosion in areas of concentrated flows);
 - iii. All erosion and sediment control measures have been removed.

18. The applicant has committed to using pollinator-friendly and native grasses underneath the solar panels and in the surrounding areas. The vegetation would be chosen to reduce stormwater runoff, expand habitat for pollinators, and preserve and improve soils to enhance the surrounding agricultural activity. SolarClub 41, LLC. would control weeds and maintenance throughout the life of the project. Final implementation of the seeding plan shall be subject to review/recommendations by the CCWMO and Carver County SWCD to ensure the vegetative cover will meet or exceed the statewide standard for pollinator-friendly solar by scoring at least 70 points on the *BWSR Solar Site Pollinator Habitat Assessment*. SolarClub 41, LLC. would ensure ground cover at the site is maintained and mowed for the duration of the permit.
19. SolarClub 41, LLC. would work with the local road authority (Waconia Township) to allow for the use of the township cartway during construction. The access road would come off an existing driveway and be approximately 20 feet wide with approximately four – eight inches of aggregate material. The applicant would be required to enter into a Road Maintenance Agreement with the road authority.
20. The applicant has indicated that they have a comprehensive insurance policy which will meet the applicable insurance coverage requirements. Minnesota state guidelines require the Permittee to maintain a comprehensive public liability insurance policy which is written by an insurance carrier and must be authorized by law.
21. This project proposal has been sent to Taylor Huinker, Area Hydrologist for the Minnesota Department of Natural Resources; however, no comments were received.
22. The Waconia Town Board reviewed and recommended denial of the request during their February 22, 2021, Town Board meeting. In addition, the Township included the following reasons for their recommendation:
 - The proposed project takes ag land out of production;
 - The location is too close to a Wildlife Management Area;
 - Concerns related to stray voltage;
 - Concerns related to recycling of the panels;
 - Concerns related to the projects impact to nearby property values;
 - Concerns related to the amount of money that Excel Energy pays for solar energy.

In addition to these concerns, the Township also included a comment stating that if this project were to be approved, they would ask for screening to be incorporated in the final design.
23. During the Planning Commission meeting, concerns with the project were raised by a neighbor and another member of the public. Those concerns were related to screening, stray voltage, future recycling of the panels, and the maintenance of vegetation within the operational area of the project. Each concern was addressed by staff or the applicant for the proposed project. A condition was added by the Planning Commission to address the screening concern, and a proposed condition was amended to further address the concern related to stray voltage.
24. 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 #PZ20210011 for a Large SES - Community Solar Garden 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. The permit is subject to Compliance Review. The permit allows for a community solar garden on the subject 39.7± acre property (approx. 8± acre lease area) and it is not transferable to another parcel and/or another area of the parcel subject to the permit. Upon notice to the Carver County Land Management Department, the permit, including all rights and obligations therein, may be assigned, in whole or in part, to any Permittee affiliate and any party with experience owning and operating energy generation facilities. Any other proposed change in facility ownership shall be cause for the permit to be reviewed by the Carver County Land Management Department for a determination as to whether an application for an amendment or similar consideration is necessary, and any such proposed owners and/or operators of the solar site are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. Permittee shall operate in accordance with the submitted CSG Application (submittal date: February 17, 2021) and Site Plan (dated: February 18, 2021), any/all CCWMO permit approval(s) (i.e. stormwater infiltration, BMPs, site vegetation and plantings, and site reclamation), and any/all Waconia Township conditions. These plans shall be considered a requirement of this permit. If there are any inconsistencies between previously submitted versions, the terms of the most recent shall prevail and shall be considered requirements of this permit. The CSG shall be installed and maintained in accordance with Section 152.039 including; noise mitigation, decommissioning, and screening (if applicable).
3. All structures used in conjunction with the facility shall meet the applicable requirements of the Carver County Zoning Code and State Building Code. Any required building permits must be obtained prior to construction. The north property line of the subject parcel shall be surveyed to determine the operational area meets the minimum setback of 50 feet. The survey information shall be submitted to the Carver County Land Management Department with the building permit application.
4. The permit is subject to any/all Waconia Township standards pertaining to access requirements. If required, the appropriate permit(s) shall be obtained before any project related work commences. The project is also subject to any/all standards pertaining to the Township Road Maintenance Agreement. The signed Agreement shall be obtained before any work related to this project commences.
5. Any grading and/or filling activity on the property shall be completed in accordance with the CCWMO Rules and the Wetland Conservation Act (WCA), if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
6. The Permittee shall be responsible for the maintenance, replacement, and/or abandonment of any/all drain tile servicing this site for the duration of the CUP. The Permittee shall work with the landowner to determine if replacement or abandonment is necessary for the any drain tile (if problems occur).
7. The vegetative cover shall be implemented in accordance with the operational plan (dated: February 18, 2021) and site plans (dated: February 18, 2021), which shall be considered a requirement of this permit. The project shall be planned and developed in a way that is beneficial to pollinators – the vegetative cover will meet or exceed the statewide standard for pollinator-friendly solar by scoring at least 70 points on the *BWSR Solar Site Pollinator Habitat Assessment*. The Permittee shall be responsible for maintaining any/all vegetative ground cover for the duration of the CUP. Final implementation of the plan(s) shall be subject to the CCWMO review and approval.
8. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations.
9. Pursuant to the operational plan (dated: February 18, 2021), SolarClub 41, LLC. shall construct the facility according to the National Electrical Safety Code standards. The permittee shall conduct pre-construction and post-construction stray voltage testing. Results of any stray voltage data collection shall be submitted to the Carver County Land Management Department. Any stray voltage identified shall be remediated within 30 days of detection and verification.

10. Decommissioning of the solar facility shall be implemented in accordance with the Decommissioning Plan process (date: February 1, 2021) at the end of the life of the community solar garden. The Permittee and property owner shall be responsible for all of the decommissioning costs and shall list Carver County as having access to the security, escrow, or letter of credit in the event decommissioning is required. The Carver County Land Management department shall receive a copy of the security document from the Permittee or property owner prior to issuance of a certificate of occupancy (COC). The Permittee & Property Owner shall maintain this agreement for the duration of the solar energy array. The Permittee shall also provide the list of contractors including name(s), addresses and telephone numbers to Land Management Department for the decommissioning and reclamation once the essential service is no longer in use.
11. The Permittee shall provide the Carver County Land Management Department with the Operation & Maintenance agreement documenting the emergency/response plan containing contact name(s), addresses, and telephone number(s) for the responsible party(s) as it pertains to drainage, weed maintenance, screening, site maintenance, stray voltage, etc. The list of contacts shall also be posted and/or identified by a placard sign at the site with the contact name(s), addresses, and telephone number(s). The completed (construction) emergency/response plan shall be submitted to the Land Management Department prior to the issuance of any building permit(s), and/or prior to beginning any construction activities on the subject parcel, as well as an emergency plan (post-construction) listing contacts for the on-going maintenance/operations after construction is completed. This plan shall be submitted within 30-days of receiving the Building Permit Certificate of Occupancy (C.O.).
12. No later than the date that construction of the solar facility begins; the Permittee (including all Permittee affiliates) shall name Carver County as an additional insured on all policies of liability insurance. The Permittee shall annually file with the Carver County Land Management Department a certificate evidencing coverage. The certificate shall provide that the County must be given thirty (30) days written notice of the cancellation of insurance.
13. No later than the date that construction of the solar facility begins, the Permittee (including all Permittee affiliates) shall submit a copy of Worker's Compensation Insurance to the Carver County Land Management Department.
14. The permittee shall incorporate screening similar to what was shown in their Screening Plan (dated: February 17, 2021) and in the Project Narrative (dated: February 18, 2021) along the entire west, south, and east sides of the project. In addition, all mature vegetation that currently exists on the site shall remain as shown on the plan. The permittee and/or the landowner shall be responsible for the maintenance of all screening (existing and proposed) for the duration of this permit. Any screening (existing or proposed) that dies or becomes damaged, diseased, etc. shall be replaced during one of the following planting seasons - spring planting should occur from April 1 to May 15; and fall planting from August 15 to October 15. Any changes to the submitted Screening Plan shall be cause for a review of the CUP by the Land Management Department for determination as to whether an application for an amendment or similar consideration is necessary. A final Screening Plan shall be submitted for review and approval, to the Land Management Department, along with the building permit application.

ADOPTED by the Carver County Planning Commission this 16th day of March 2021.

DocuSigned by:



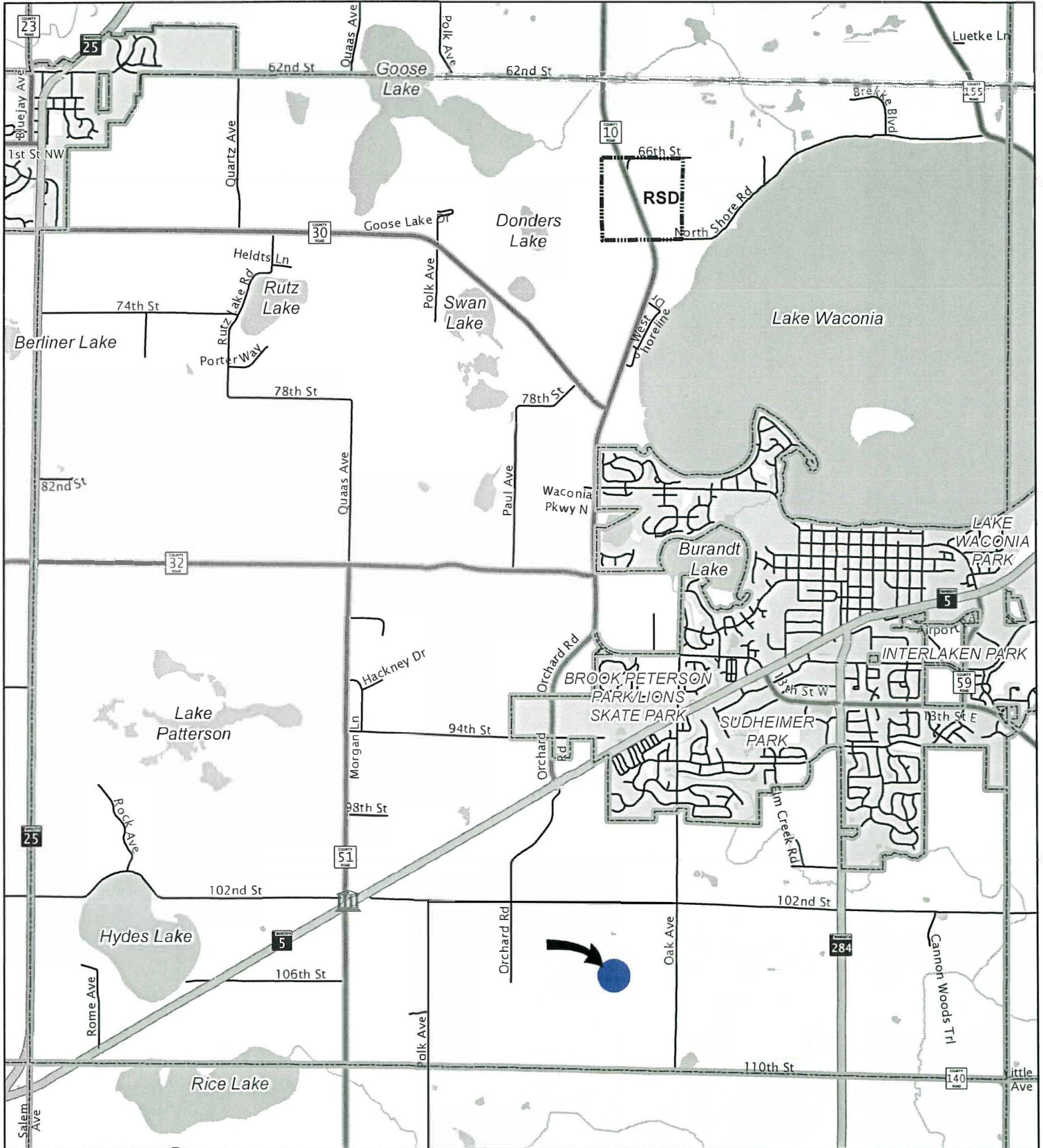
2008CF75980C4BE...

Gabrielle Theis, Chair

3/19/2021 | 4:13:13 PM PDT

Carver County Planning Commission

WACONIA 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.



Map Created by Carver County GIS

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Award of Construction Contract to Mathiowetz Construction Company for the Highway 212 Project - Dahlgren Township

Primary Originating Division/Dept: **Public Works - Program Delivery**

Meeting Date: **4/6/2021**

Contact: **Darin Mielke** Title: **Assistant Public Works Direct...**

Item Type:

Regular Session

Amount of Time Requested: **15** minutes

Attachments: ☒ Yes ☐ No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County is the lead agency for the Highway 212 Project – Dahlgren Township which includes safety improvements and the expansion of Highway 212 to 4-lanes from Highway 36 (East) to Highway 11 in the City of Carver. Carver County was successful in obtaining \$15 million in Minnesota Highway Freight Program federal funds and \$7 million in Regional Solicitation federal funds. This project is eligible for the expenditure of federal aid funds and is programmed in the federally approved State Transportation Improvement Plan (STIP) for the state fiscal years 2021 and 2022, and is identified in MnDOT records as State Project 010-596-012 and 1013-79, and in Federal Highway Administration ("FHWA") records as Minnesota Project NHFP-STPF 0212(326).

As the lead agency, Carver County entered into a cooperative agreement with MnDOT which includes \$14 million in MnDOT Federal and SRC funds for the construction portion of this project. The agreement also includes the roles and responsibilities of each agency, including MnDOT staff performing the construction administration and inspection work for the project. Construction is anticipated to begin in May 2021 and be substantially complete by the fall of 2022. No closures of Highway 212 are anticipated; however some traffic restrictions may occur from time to time.

Carver County Public Works staff opened bids on Friday, March 19, 2021 for the construction contract of this project. After review of the bids, Mathiowetz Construction Company of Sleepy Eye, Minnesota, is the low responsible bidder at a total cost of \$27,838,941.60 which is 33% under the engineers estimate. Due to the extremely competitive bids, there is an excess of federal funding secured for the project. Public Works staff is working with MnDOT staff to shift a portion of the \$15 million of Federal Freight Funding to the Highway 212 Project - Benton Township, which is the next phase between the Cities of Norwood Young America and Cologne. The numbers in the funding table below reflect this potential shift of funding. It should be noted that this shift of Federal Freight funding needs further approvals through MnDOT.

Public Works staff is recommending the award of the contract for the Highway 212 Project - Dahlgren Township to Mathiowetz Construction Company.

ACTION REQUESTED:

Motion to award a construction contract with Mathiowetz Construction Company for \$27,838,941.60 for the Highway 212 Project - Dahlgren Township, pending finalization of the contract review process.

FISCAL IMPACT: **Included in current budget**

If "Other", specify:

FTE IMPACT: **None**

FUNDING

County Dollars =

Federal Regional Solicit...	\$7,000,000.00
Federal Freight Funds	\$6,321,153.28
MnDOT SRC Funds	\$5,050,000.00
MnDOT Federal Funds	\$8,950,000.00
County Sales Tax	\$517,788.32
Total	\$27,838,941.60

☒ Insert additional funding source

Related Financial/FTE Comments:

Project included in 2021 Budget

Office use only:

RBA 2021-7551

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: April 6, 2021

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Awarding of the Highway 212 Project – Dahlgren Township, Carver County Contract 21-116

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

WHEREAS, On Friday, March 19, 2021 at 11:00 a.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, four (4) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the Highway 212 Project – Dahlgren Township, said bids for the responsible bidders are summarized as follows:

<u>Contractor</u>	<u>Total Bid</u>	<u>Over/Under Engineers Estimate</u>
Mathiowetz Construction Co.	\$27,838,941.60	-33 %
Meyer Contracting, Inc.	\$28,575,304.59	-31%
S.M. Hentges & Son, Inc.	\$30,135,512.34	-27%
Valley Paving, Inc.	\$37,640,766.14	-9%
<i>Engineers Estimate</i>	<i>\$ \$41,571,265.18</i>	

And WHEREAS, after examination of the bids by Carver County Public Works, Mathiowetz Construction Company 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 21-116 with Mathiowetz Construction Company of Sleepy Eye, Minnesota, in the name of the County of Carver for the construction of the Highway 212 Project – Dahlgren Township 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 and third 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 change orders on behalf of Carver County with an amount less than five hundred thousand dollars (\$500,000) and an aggregate project total of all project changes of one million dollars (\$1,000,000.00), 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.

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 day of April 6, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of April, 2021.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Appointment to the Board of Adjustment

Primary Originating Division/Dept: Administration (County) ▼

Meeting Date: 4/6/2021

Contact: Dave Hemze Title:

Item Type:
Regular Session ▼

Amount of Time Requested: 5 minutes

Presenter: Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Commissioner District's 5 appointment to the Board of Adjustment, Doug Weber, recently resigned leaving a vacancy. The following individuals have submitted an application to serve on the Board of Adjustment:

Robert Smith, District 5

Kellen A. Schmidt, District 5

ACTION REQUESTED:

Motion to appoint individual to fill unexpired term vacancy.

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 - 7543

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Closed Session for Labor Negotiation Strategy**

Primary Originating Division/Dept: Employee Relations

Meeting Date: 4/6/2021

Contact: Kerie Anderka Title: Employee Relations Director

Item Type:
Closed Session

Amount of Time Requested: 60 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:

Minnesota Statutes 13D.03 subdivision 2 allows a public entity to enter into a closed session to plan and discuss labor negotiation strategy. Employee Relations requests to enter into a closed session with the Board to discuss the labor negotiations strategy for 2021 and forward.

ACTION REQUESTED:

Motion to go into closed session to discuss labor negotiation strategy.

Upon conclusion of the closed session, a motion to return to regular session.

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 - 7565

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Lake Waconia Regional Park Waterfront Service Center Design Update**

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 4/6/2021

Contact: Martin Walsh Title: Parks and Recreation Director

Item Type:

Work Session

Amount of Time Requested: 30 minutes

Presenter: HGA Archeticts and Staff

Title:

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

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

BACKGROUND/JUSTIFICATION:

HGA Architects and Parks staff have been working on refining conceptual building layouts for the Waterfront Service Center at Lake Waconia Regional Park. The refined concepts take into account the input that was received from the online survey, public meeting, stakeholder meeting and technical advisory meeting.

A top request through public engagement meetings was that the event/activity room have excellent lake views and be located near the water. Concepts were developed with lake views and proximity to the lake as a guiding principal in the designs. Another important consideration to operational success is to design for convenience and efficiency. To this end, the restrooms and concession area are located in good proximity and relationship to the beach area and event lawn space.

Before work progresses any further, HGA Architects and Parks staff will present the conceptual building design for review and comment.

ACTION REQUESTED:

Direction is requested to progress to 50% design.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

☒ Insert additional funding source**Related Financial/FTE Comments:**

HGA Architects are under contract for the design services for the Waterfront Service Center

Office use only:

RBA 2021 - 7569