



**Carver County Board of Commissioners
October 1, 2024
Regular Session**

The County Board Room is open to the public

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

9:00 a.m. 1. **CONVENE**

1.1. Pledge of allegiance

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

Individuals unable to attend in person can provide public comments by email at admin-contact@carvercountymn.gov

1.3. Agenda review and adoption

1.4. Approve September 3, 2024 regular session minutes

1.5. Community Announcements

9:20 a.m. 2. **CONSENT AGENDA**

2.1. Amendment 4 to Professional Services Agreement for CSAH 11 Project with Alliant Engineering Inc.

2.2. Professional Services Agreement with Stonebrooke Engineering for 2024 Bridge Safety Inspections

2.3. Final Acceptance and Payment to Henry G. Meigs, LLC for the 2024 County Wide Seal Coat Project

2.4. Carver County Right of Way Plat No. 39 for the Highway 11 Project

2.5. Agreement with Poul Haas and Associates

2.6. Request for approval to contract with Loffler

- 2.7. Tim Erhart - Request to operate a Contractor's Yard (IUP)
- 2.8. Serenity Acres - Request for a Public Equestrian Facility (CUP)
- 2.9. MN Counties Computer Cooperative ("MNCCC") IFS (General Ledger) Software Board Ratification
- 2.10. Health and Human Services - STOC Child Support Officer
- 2.11. Memorandum of Understanding between Carver County Health and Human Services, Three Rivers Park District, and Intermediate School District 288 for Trades 360 program
- 2.12. Contract with Bountiful Basket Food Shelf to provide community navigation services
- 2.13. Freshwater Church - Request to construct and operate a Church Facility (CUP)
- 2.14. Settlement Agreements for Right of Way Acquisitions for the Highway 11/14 Project
- 2.15. Initial Offers for Right of Way Acquisition for the Highway 11 Project - Carver Park Reserve
- 2.16. Settlement Agreements for Right of Way Acquisitions for the Highway 18 Project - Arboretum Area
- 2.17. Final Payment to Boyer Building Corporation for Construction of Boardwalk at Baylor Regional Park
- 2.18. HVAC Related Coil Replacements at Public Works HQ
- 2.19. Professional Services Agreement with HDR, Inc. for Construction Support Communications for Highway 18 - Arboretum Area Project
- 2.20. 2025 TZD Enforcement Resolution and Grant
- 2.21. Request to hire Part-Time 0.5 FTE Licensed Deputy in Full-Time Vacancy
- 2.22. Joint Powers Agreement with Laketown Township for Augusta Road Reconstruction
- 2.23. Review Health & Human Services and Commissioner Warrants

9:30 a.m.

3. **REGULAR SESSION**

- 3.1. CDA Carver Oaks Update and Agreement Amendment for Trails

Edge Senior

3.2. Master Space Plan

3.3. Memoranda of Agreement with Teamsters and AFSCME Bargaining Units - 2025 Health Insurance Benefits

3.4. 2025 Non-Bargaining Employee Insurance Contributions

3.5. 2025 Retiree Health Insurance Contributions

10:30 a.m. 4. **RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAIL AUTHORITY**

4.1. Special Event Use Permit Request: T-Road Tavern, 2024 OctoberFest

10:40 a.m. 5. **ADJOURN AS CARVER COUNTY REGIONAL RAIL AUTHORITY AND CONVENE AS COUNTY DITCH AUTHORITY**

5.1. County Ditches 2-3, 5, 6, 7, 9, 10: Redetermination of Benefits Update

11:10 a.m. 6. **ADJOURN AS CARVER COUNTY COUNTY DITCH AUTHORITY AND RECONVENE AS COUNTY BOARD**

11:10 a.m. 7. **COUNTY ADMINISTRATOR REPORT**

11:20 a.m. 8. **ADJOURN REGULAR SESSION**

UPCOMING MEETINGS AND EVENTS

October 1, 2024	9:00 a.m.	Board Meeting
October 3, 2024	3:00 p.m.	Judge Cain Retirement
October 8, 2024	9:00 a.m.	Joint Ditch 1,4 & 5 Meeting
October 15, 2024	9:00 a.m.	Board Meeting
October 22, 2024	9:00 a.m.	Special Session
	9:15 a.m.	Board Work Session
	11:30 a.m.	LMRP Playground Reconstruction Grand Opening
	1:00 p.m.	Retiree and Years of Service Recognition
October 29, 2024		No Board Meeting
November 5, 2024	9:00 a.m.	Board Meeting
November 12, 2024	9:00 a.m.	Tentative Ditch Redetermination of Benefits Public Hearing
November 19, 2024	9:00 a.m.	Board Meeting
November 26, 2024	9:00 a.m.	Board Work Session
December 3, 2024	8:00 a.m.	Farewell for Commissioner Degler
December 3, 2024	9:00 a.m.	Board Meeting
December 10, 2024		No Board Meeting
December 17, 2024	9:00 a.m.	Board Meeting
December 24, 2024		No Board Meeting
December 31, 2024		No Board Meeting

CARVER COUNTY COMMISSIONERS PROCEEDINGS

REGULAR SESSION – September 3, 2024

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on September 3, 2024. Chair Gayle Degler convened the session at 9:13 a.m.

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

Under Public Comment, Monique Lacroix, 10615 Poppitz Ln Chaska, MN, Spoke on free and fair elections in Carver County and working as an election judge.

Udermann moved, Workman seconded, to approve the agenda with the amendment of 5.19. Motion carried unanimously.

Lynch moved, Fahey seconded, to approve the minutes of the August 20, 2024, Regular Session. Motion carried unanimously.

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

- 5.1 Approved Amendment 4 to Contract 23-255 for design services for the Hwy 11/14 Project with TKDA, Inc. for \$80,043.00, pending finalization of the contract review process.
- 5.2 Authorized the Advertisement for Bid for the Dakota Regional Trail Repair Project, CP# 248979.
- 5.3 Resolution 77-24 authorizing Carver County to enter into a Joint Powers Agreement with the City of Chaska and CCRRA, and authorize the Board Chair and Administrator to sign on behalf of the County upon completion of the contract review process.
- 5.4 Motion to approve an amendment to the PSA with SRF CONSULTING GROUP INC. for \$51,156.50 for additional final design services for the Brandondale Trail Project, pending finalization of the contract review process.
- 5.5 Approved small giveaway items donated by external exhibitors for the 2024 Employee Health & Safety Fair.
- 5.6 Approved the 2025-2029 Household Hazardous Waste Metro Area Reciprocity Agreement pending finalization of the contract review process.
- 5.7 Approved re-appointment of Ryan Johnson as the County Assessor for 4 years starting January 1, 2025.
- 5.8 Resolution 78-24 to authorize written initial offers of compensation for right-of-way acquisitions for the Highway 5 Project - Arboretum Area.
- 5.9 Resolution 79-24 approving right of way acquisition settlements for the Highway 10/41 Project for the properties located at PID #'s: 30.0590020, 30.3340010, and 30.0170400.
- 5.10 Adopted the Findings of Fact and issue Order #PZ20240033 for the issuance of an Interim Use Permit.
- 5.11 Adopted Findings of Fact and issue Order #PZ20240032 for the issuance of a Conditional Use Permit.
- 5.12 Resolution 80-24, for early termination of the subject parcel of land from the Metropolitan Agricultural Preserves Program.

CARVER COUNTY COMMISSIONERS PROCEEDINGS

REGULAR SESSION – September 3, 2024

- 5.13 Approved an amendment to the professional services agreement with SRF Consulting Group Inc. for \$604,779.35 for final design services for the Highway 41/10 Project, pending finalization of the contract review process.
- 5.14 Approved an amendment with SRF Consulting Group for additional services needed for the Professional Services Agmt. for the Highway 41/10 Project in the amount of \$266,598.70, pending finalization of the contract review process.
- 5.15 Approved a professional services agreement with HDR Engineering Inc. for Construction Communication and Engagement Service for the Highway 41/10 Project for \$135,673.74, pending finalization of the contract review process.
- 5.16 Accepted land transfer and highway easement dedication from property owners for County State Aid Highway 30 right of way, and authorize the County Board Chair and County Administrator to sign the necessary documents to complete the land transfer.
- 5.17 Approved Amendment No. 1 to Professional Services Agreement with Clifton Larson Allen and authorize Board Chair and County Administrator to sign upon completion of the contract review process.
- 5.19 Resolution 81-24 to Approve the global settlement of all claims, including just compensation, relocation claims, costs and fees, in a form to be approved by the county's lawyer, related to the Highway 18 Project - Arboretum Area, for the property located at PID #: 30.0170100.

Reviewed August 16, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$520,634.03 and reviewed August 26, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$437,153.05.

Motion carried unanimously.

- 6.1 Lyndon Robjent, Public Works Division Director and County Engineer and Eric Johnson, Bolton & Menk, spoke on the MOU with the University of Minnesota. They additionally discussed the possibility of awarding the contract in October and commencing construction in November.

Lynch moved, Udermann seconded to approve a memorandum of understanding between Regents of the University of Minnesota and Carver County for the Highway 5 project and the Highway 18 Project – Arboretum Area subject to completion of the contract review process. Motion carried unanimously.

- 7.1 Dave Hemze, County Administrator addressed the board in regards to the Preliminary Carver County 2025 Levy and Budget. Dave Frischmon, Property and Finance Director, explained the difference in the proposed 2025 budget projection. Commissioners raised concerns with the budget and noted that if they approve now it can't be increased but it can be decreased.

Degler moved, Fahey seconded approving the Administrator's Recommended 2025 Preliminary Levy of \$76,383,855 (+8.9% from 2024), a Total Budget of \$287,662,845 and to set a 2025

CARVER COUNTY COMMISSIONERS PROCEEDINGS
REGULAR SESSION – September 3, 2024

Budget Hearing for Tuesday, November 26th, 2024 at 6:00pm. Motion carried 3-2, Udermann & Workman voting Nay.

- 7.2 Paul Moline, Deputy Division Director Public Services presented the Preliminary Carver County Water Management Organization 2025 Levy and reviewed the proposed 4.5% increase.

Fahey Motioned, Workman seconded to set the preliminary 2025 CCWMO levy at \$1,038,284. Motion carried unanimously.

- 7.3 Allison Streich, Deputy Director of the CDA spoke on the CDA 2025 Budget and Levy and requested a 6.19% levy increase for a total of \$3,583,402. Udermann Motioned for a \$609,607 levy increase, no second for a higher increase, Motion failed.

Fahey Motioned, Lynch seconded on Resolution 82-24, approving the 2025 proposed budget and payable 2025 tax levy of the Carver County Community Development Agency and certifying said levy to the County Auditor in the amount of \$3,583,402. Motion carried unanimously.

Lynch moved, Udermann seconded, to recess as the County Board and reconvene as the Carver County Regional Rail Authority. Motion carried unanimously.

- 7.4 Lyndon Robjent, Public Works Division Director and County Engineer spoke on the Preliminary Carver County Regional Rail Authority 2025 Levy and Budget requesting a 8.9% increase of \$233,150.

Lynch Motioned, Workman seconded, to approve setting the CCRRA’s 2025 preliminary tax levy of \$231,150 and 2025 Budget of \$233,150. Motion carried unanimously.

Lynch moved, Udermann seconded, to adjourn as the Carver County Regional Rail Authority and reconvene as the County Board. Motion carried unanimously.

ADMINISTRATOR REPORT: Currently working on the implementation of the new Civic Clerk Agenda software, reviewed changes from current Agenda.

Workman moved, Lynch seconded, to adjourn the Regular Session at 11:36 a.m. Motion carried unanimously.

David Hemze
County Administrator

ATTEST: _____
County Administrator Chair



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Amendment 4 to Professional Services Agreement for CSAH 11 Project with Alliant Engineering Inc.

Department: Public Works - Program Delivery

Contact: Jordan Van Oort, Design Engineer, 952-466-5212

Presenter:

Contract Name & Number: Amendment 4 to Professional Services Agreement for CSAH 11 Project with Alliant Engineering Inc. (#24-459)

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The CSAH 11 project extends between Minnesota State Highway 5 and Minnesota State Highway 7 through the Carver Park Reserve within the City of Victoria. Project goals are to improve pavement, widen shoulders, add turn lanes, flatten short curves, and improve bike/pedestrian access through the corridor.

This is an amendment to original contract 23-178 for \$234,520 with Alliant Engineering for design of CSAH 11 project through the Carver Park Reserve. Amendment 4 is an amendment to earlier contract 23-178 with Alliant Engineering for design of CSAH 11 project. This amendment is for design services for additional project meetings, LAWCON conversion documentation, wetland permitting, local utility coordination and design, floodplain mitigation, culvert analysis, and geotechnical evaluation. Amendment 4 is for an additional \$88,490.00. Original contract plus amendments 1-4 total \$403,645.13.

Amendment 1 covered preliminary trail design, and added \$22,950 to the original contract for a total of \$257,470.

Amendment 2 for final trail design was for an additional \$39,810. Original contract plus amendments 1 & 2 totaled \$297,280.

Amendment 3 for archaeological survey was for an additional \$17,875.13. Original

contract plus amendments 1, 2 & 3 totaled \$315,155.13.

Action Requested:

Motion to approve Amendment 4 to the Professional Services Agreement for CSAH 11 Project with Alliant Engineering Inc. for additional final design services in the amount of \$88,490, pending finalization of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
County Levy	\$88,490

Related Fiscal/FTE Comments:

Amendment 4 is for an additional \$88,490.00. Original contract plus amendments 1-4 total \$403,645.13.

This is included the R&B CIP current budget.

Attachments:

1. Amendment 4 to PSA for Alliant - Highway 11
2. 20240816--Highway 11--SA 4 Scope and Fee

AMENDMENT 4 TO PROFESSIONAL SERVICE AGREEMENT

WHEREAS, Carver County and Alliant Engineering, Inc. entered into Contract 23-178 for Preliminary & Final Design Services, and:

WHEREAS, the Carver County Public Works Division wishes to Amend Contract 23-178 with Alliant Engineering Inc. to include additional services, as detailed in attached letter/proposal from Alliant Engineering Inc., dated August 16, 2024, and:

THEREFORE BE IT RESOLVED that the cost to provide the additional services shall not exceed \$88,490.00 and:

BE IT FURTHER RESOLVED that all other terms and conditions of this contract remain in effect as per the original contract.

Alliant Engineering Inc.

County of Carver
State of Minnesota

Provider

County Administrator

Date

Date



ALLIANT

August 16, 2024

Jordan Van Oort, PE
Project Manager
Carver County Public Works

RE: **Highway 11 – Carver Park Reserve
Scope and Fee Proposal for Supplemental Agreement No. 4**

Dear Mr. Van Oort:

Alliant Engineering has appreciated the opportunity to work with you on the Highway 11 – Carver Park Reserve Project. As we have previously discussed, several factors have contributed to a longer project schedule, a more complicated design, and additional coordination with project partners. We are continuing to move forward with the design and approval processes but would like to recognize and solidify the added scope at this time.

The sections below describe the estimated extra effort for each major project task from our original scope. A detailed spreadsheet documenting the hours and fee associated with each task is also included with this letter. If approved, Alliant will invoice Carver County on an hourly basis for this work under the tasks previously defined as part of our approved base contract and previously approved supplemental agreements.

SCOPE OF ADDED SERVICES

Task 1 – Project Management, Coordination, and Meetings

Task 1.1 Bi-weekly Progress Meetings: Our original scope assumed 30 meetings that would end by June 2024. These bi-weekly meetings have continued to date and are providing value in terms of coordination and communication with the County. At this point, we estimate these meetings will be needed through January 2025. An additional 14 meetings are proposed.

Task 1.7 Agency Coordination: The original budget hours for PMT meetings were included in this subtask and assumed PMT meetings through June 2024. As noted in the previous section, we estimate an additional 7 months of project schedule. An additional 7 meetings are proposed, and the hours proposed include preparatory time and development and distribution of meeting minutes.

NEW SUBTASK - 1.8 Preparation of Cooperative Agreement: Three Rivers Park District (TRPD) requested a Cooperative Agreement be developed to define the commitments, cost participation, and other logistics involved in the LAWCON transfer and other project aspects. This Cooperative Agreement is intended to cover both our project and the TH 5/CSAH 11 project to the south. At the request of the County, I used the examples provided by TRPD from previous projects to develop a draft agreement, incorporate TRPD comments, and prepare a second version for review. The hours proposed in this task represent effort-to-date, estimated time to incorporate forthcoming review comments, and to prepare the accompanying exhibits to the agreement.

Task 1 Additional Fee: \$16,860.00

Task 3 – Environmental Investigation and Environmental Documentation

Task 3.3 Section 6(f): Our original scope included the hours needed to prepare the Small Conversion Request Memo that is submitted to the MnDNR at the beginning of the LAWCON conversion process. The memo was prepared and submitted based on the assumed conversion replacement land occurring on the Stone Lake/Charlson Meadows property. With the determination that the targeted replacement land is not viable, this memo and accompanying exhibits will need to be revised and resubmitted once the new replacement land is confirmed.

Task 3.5 Wetland Delineations and Permitting: The section for Task 6 in this document describes additional effort needed for floodplain mitigation. To evaluate mitigation options, we were required to extend our delineation along the north side of Lake Auburn for several hundred feet after our delineation report was complete and approved. The hours shown in the fee estimate include the additional field work and the approved addendum to the delineation report.

Task 3 Additional Fee: \$6,700.00

Task 5 – Preliminary Design

Task 5.4 Local Utility Evaluation and Design: Our original scope did not include any hours under this subtask based on our understanding of the project. This assumption was noted on our original fee estimate. Since the project started, the City of Victoria clarified that they intend to replace their existing lift station and forcemain within our project limits. While the design will be performed by others, the incorporation into our plan set requires design coordination and additional effort in managing pay items, cost splits, and technical specifications.

Task 5 Additional Fee: \$5,200.00

Task 6 – Final Design

Task 6.1 Detailed Design: Several factors have resulted in additional effort throughout the design process. Those design considerations are described in greater detail below.

Floodplain mitigation: The widening of Highway 11 and the alignment shift to avoid historic property impacts result in filling of the 100-year floodplain of Lake Auburn for both our project and the concurrent TH 5/CSAH 11 project to the south. This floodplain fill could not have been reasonably predicted during the proposal phase without knowing the proposed roadway design and the Minnehaha Creek Watershed District (MCWD) regulatory floodplain elevation for Lake Auburn.

Since discovery of the issue, we have evaluated multiple alternatives to mitigate the impacts through providing compensatory floodplain volume for both our project and the TH 5/CSAH 11 project. Coordination meetings were held with TRPD and MCWD to review alternatives and move the process forward. Once the approach is solidified, the mitigation area will require creation of contour plans, staging considerations, restoration design, and the necessary special provisions.

Lake Auburn Culvert Analysis: In response to resident concerns over historic flooding and the replacement of the culvert under Highway 11, we evaluated several alternatives for culvert replacement beyond a standard culvert design. Several iterations of the MCWD XP-SWMM model were developed and analyzed, and a summary memo of the results and recommendations was prepared for MCWD review.

Profile and model revisions: The 30% plans included a profile and pavement section based on the geotechnical recommendations and discussions between Alliant and the County project manager agreeing that matching existing profile elevations was prudent to minimize impacts to adjacent TRPD properties. Centerline profiles, corridor models, and typical sections were developed based on these assumptions.

At the request of the County, we have revised the design to incorporate a raise of the centerline profile to reduce the amount of bituminous in the pavement section. This revision required changes to the profile, corridor model throughout the project, and the roadside ditch and drainage design.

Task 6 Additional Fee: \$33,260.00

Task 7 – Geotechnical Evaluation

The initial geotechnical evaluation identified an area of poor soils near the Lake Auburn culvert described in the previous section. Braun Intertec performed additional site investigation at this location and developed recommendations for a multi-stage surcharge embankment. Their costs for preparing an amendment to their original report are listed as a Direct Expense in the attached fee estimate. The additional hours proposed also include Alliant time for coordinating and evaluating staging options and incorporating the necessary surcharge design details, pay items, and specifications into the final documents.

Task 7 Additional Fee: \$12,100.00 (Alliant only)

Task 11 – Phase I Archaeological Study

The initial archaeological study included the Stone Lake/Charlson Meadows replacement land according to LAWCON/MnDNR requirements. With new replacement land now identified, a similar study must be conducted on this area and the new findings incorporated into the study report. Duluth Archaeology Center fees are listed as a Direct Expense in the attached fee estimate. The additional hours proposed also include Alliant time for coordinating, reviewing findings, and incorporating the study into the LAWCON submittals.

Task 11 Additional Fee: \$2,760.00 (Alliant only)

Alliant Contract Amount (including Supplemental Agreements Nos. 1 through 3): \$315,155.13

Total Amount Requested in Supplemental Agreement No. 4: \$88,490.00

TOTAL AMENDED ALLIANT FEE: \$403,645.13

A detailed estimate of the hours and associated fee for each task is included on the following page.

We again thank you for the opportunity to work with Carver County on this project and appreciate your consideration of this request. If you have any questions about this scope and fee or want to discuss in further detail, please contact me at 612-554-3413 or enelson@alliant-inc.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Nelson", with a stylized flourish at the end.

Eric Nelson
Principal/Project Manager

Task	Description					TEAM TOTAL	TASK TOTAL COST
		Project Manager	Senior Professional Engineer	Graduate Engineer (ETT)	Senior Environmental Specialist		
1.0	Project Management, Coordination, and Meetings	66	0	16	0	82	16,860.00
1.1	Bi-weekly progress meetings (1)	14				14	3,220.00
1.7	Agency coordination (2)	28				28	6,440.00
1.8	NEW SUBTASK: Preparation of Cooperative Agreement	24		16		40	7,200.00
3.0	Environmental Investigation and Environmental Documentation	8	0	32	12	52	6,700.00
3.3	Section 6(f) - revise and resubmit Small Conversion Memo	8		8		16	2,680.00
3.5	Wetland delineations and permitting			24	12	36	4,020.00
5.0	Preliminary Design	8	0	32	0	40	5,200.00
5.4	Local utility evaluation and design	8		32		40	
6.0	Final Design	28	48	180	0	256	33,260.00
6.1	Detailed design						
6.1.1	Floodplain mitigation	12	16	80		108	13,800.00
6.1.2	Lake Auburn culvert analysis	8	16	40		64	8,680.00
6.1.3	Profile and model revisions	8	16	60		84	10,780.00
7.0	Geotechnical Evaluation	8	24	60	0	92	12,100.00
7.3	NEW SUBTASK: Field work and lab analysis for soil correction area	Listed as Direct Expense					
7.4	NEW SUBTASK: Surcharge embankment design details and specifications	8	24	60		92	12,100.00
11.0	Phase I Archaeological Study	12	0	0	0	12	2,760.00
11.1	Additional survey coordination	12				12	2,760.00
11.2	Additional archaeological survey	Listed as Direct Expense					
PROJECT TOTAL HOURS		130	72	320	12	534	
Hourly Billing Rates		\$ 230	\$ 165	\$ 105	\$ 125		
DIRECT LABOR		\$29,900	\$11,880	\$33,600	\$1,500	\$76,880	
SUBTOTAL LABOR COST							\$76,880.00
Direct Expenses:							
Subconsultant: Braun Intertec - Additional geotechnical engineering							\$5,000.00
Subconsultant: Duluth Archaeology Center - Additional archaeological study							\$6,610.00
SUBTOTAL DIRECT EXPENSES							\$11,610.00

SUPPLEMENTAL AGREEMENT NO. 4 TOTAL:	\$88,490.00
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Assumptions:

(1) Bi-weekly Teams meetings with County project manager from July 2024 through January 2025. Assumes 14 meetings.

(2) Includes monthly PMT meetings from July 2024 through January 2025. Estimated hours include preparation of agendas and meeting minutes.



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Professional Services Agreement with Stonebrooke Engineering for 2024 Bridge Safety Inspections

Department: Public Works - Operations

Contact: Shelby Sovell, Operations Engineer - Assistant Public Works Director, 952-466-5209

Presenter:

Contract Name & Number: Professional Services Agreement for 2024 Bridge Safety Inspections 24-468

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Public Works is the responsible agency for completing annual bridge inspections on bridges located on County, Township and City Streets (cities under 5000 population) throughout the County. The consultant engineer, Ron Benson of Stonebrooke Engineering, has completed these inspections since 2007 for the County and has been selected to provide this required bridge inspection service again in 2024. This agreement with Stonebrooke Engineering provides for completion of these annual bridge inspection services.

Public Works did not seek additional proposals for this work as Ron Benson from Stonebrook has institutional knowledge of our bridge system and has trained our staff as well. Other consultants would not provide the same level of service at the proposed fee.

Action Requested:

Motion to approve a professional services agreement with Stonebrooke Engineering in the amount of \$59,986 for 2024 Bridge Safety Inspections, pending finalization of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
County Dollars	\$59,986.00

Related Fiscal/FTE Comments:

Included in current budget.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Final Acceptance and Payment to Henry G. Meigs, LLC for the 2024 County Wide Seal Coat Project

Department: Public Works - Operations

Contact: Shelby Sovell, Operations Engineer - Assistant Public Works Director, 952-466-5209

Presenter:

Contract Name & Number: Contract and Bond for Furnishing Bituminous Material - CP 2402. Contract 24-169

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The 2024 County Wide Seal Coat Project included the seal coating of Highway 50 from State Highway 5 to the East Hamburg city limits, Highway 50 from Highway 53 to Highway 41, Highway 31 from Highway 50 to the Highway 31 east/west intersection, Highway 43 from Highway 10 to Highway 11, Highway 18 from Highway 11 to Highway 13, Highway 18 from 1000 feet west of State Highway 41 to Highway 15 (Galpin Boulevard), Highway 11 from Highway 61 to Guernsey Avenue, Highway 44 from just west of Highway 212 to Highway 61, Highway 61 from Highway 44 to State Highway 41, Highway 61 from Bluff Creek Drive to the Hennepin County Line, Highway 101 from Highway 14 to the Minnesota River Bridge, Ingram Trail in its entirety, Rice Ave Bridge 10526, and Herb Farm Court in its entirety. All work was completed between August 12 and August 23. Henry G. Meigs, LLC provided the labor, equipment, and material to furnish and install the bituminous material. Public Works Operations staff provided the remainder of the labor, equipment, and material to complete the seal coating project.

Henry G. Meigs, LLC is requesting to finalize the contract with Carver County. County staff agree and recommend that the Contract be finalized. The original Contract amount was \$477,760.00 and the final Contract amount is \$391,936.30.

Action Requested:

Motion to adopt a resolution accepting all work as complete for the 2024 County Wide

Seal Coat Project.

Fiscal Impact:

Funding:	Amount Budgeted:
County Dollars	\$391,936.30

Related Fiscal/FTE Comments:

Included in current budget.

Benton Township will reimburse Carver County for all costs incurred by the County for the seal coat work associated with the Rice Ave Bridge and Ingram Trail per fully executed JPA.

Attachments:

1. Acceptance Resolution

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

Date: October 1, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ACKNOWLEDGMENT
2024 County Wide Seal Coat Project
FINAL PAYMENT**

WHEREAS, the construction of the 2024 County Wide Seal Coat Project has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and on behalf of the Carver County Public Works Division.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 1st day of October, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of October, 2024.

Dave Hemze

County Administrator



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Carver County Right of Way Plat No. 39 for the Highway 11 Project

Department: Public Works - Program Delivery

Contact: Luke Kranz, Assistant County Surveyor, 952-361-1024

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The 2025 construction season includes the reconstruction of Highway 11 from State Highway No. 5 north to State Highway No. 7. In order to meet state and federal regulations, additional right-of-way acquisition in some areas is necessary.

The County Surveyor has prepared CARVER COUNTY RIGHT OF WAY PLAT NO. 39 to simplify the writing of easement descriptions and to identify to the public the County's interest in the highway right of way.

Action Requested:

Motion to adopt a resolution to approve CARVER COUNTY RIGHT OF WAY PLAT NO. 39 and authorize the Chair of the County Board to sign the plat.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

None

Attachments:

1. CSAH11ROWPlatResolution
2. RW PLAT 39 draft 8-13-24

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

Date: October 1, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Carver County Right of Way Plat No. 39

WHEREAS, Carver County will be improving County State Aid Highway (CSAH) No. 11 from MN State Hwy No. 5 northerly to MN State Hwy No. 7; and

WHEREAS, the County Surveyor has prepared Carver County Right of Way Plat No. 39 to simplify the writing of legal descriptions and to identify to the public the County's interest in the highway right of way.

NOW, THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners approves Carver County Right of Way Plat No. 39 and authorizes the Chair of the County Board to sign the plat.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 1st day of October, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of Oct, 2024.

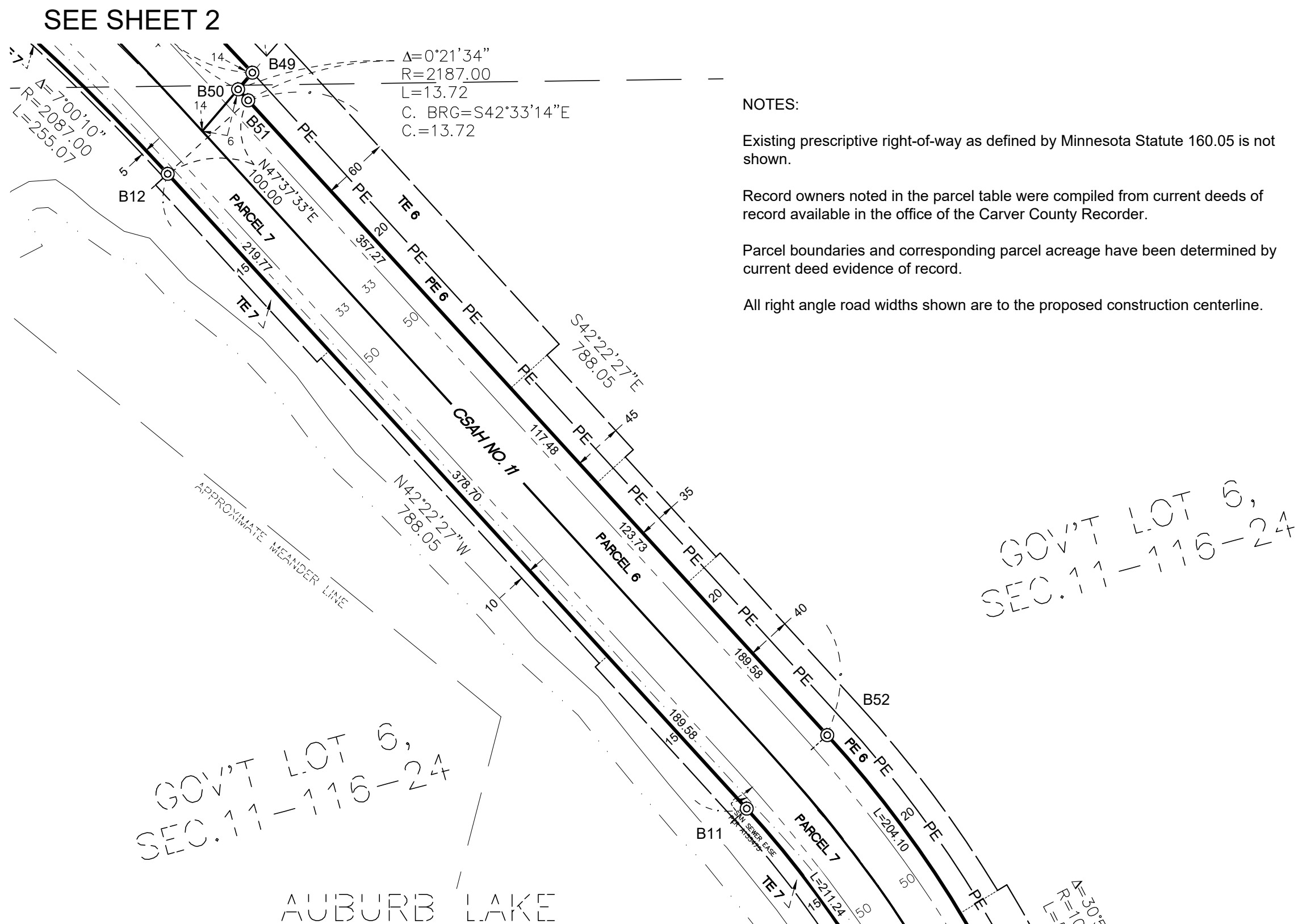
Dave Hemze

County Administrator

CARVER COUNTY RIGHT OF WAY PLAT NO. 39

COUNTY STATE AID HIGHWAY NO. 11

PLAT FILE NO.
C.R. DOC. NO.
R.T. DOC. NO.
P.W. JOB NO. 218931



NOTES:

Existing prescriptive right-of-way as defined by Minnesota Statute 160.05 is not shown.

Record owners noted in the parcel table were compiled from current deeds of record available in the office of the Carver County Recorder.

Parcel boundaries and corresponding parcel acreage have been determined by current deed evidence of record.

All right angle road widths shown are to the proposed construction centerline.

The Carver County Board of Commissioners pursuant to resolution number _____, dated _____, is hereby designating the definite location of a portion of the right-of-way of County State Aid Highway No. 11 in of Sections 3,4,10, 11, and 14 of Township 116 North, Range 24 West, Carver County, Minnesota as shown on this official plat of said right-of-way, pursuant to Minnesota Statutes Sections 160.085 and 160.14.

This plat was approved by the Board of Commissioners of the County of Carver, State of Minnesota at a regular meeting held the _____ day of _____, 20____.

Chair _____ Attest _____

I hereby certify that this plat was filed this _____ day of _____, 20____ at _____ o'clock _____ M. as Document Number _____.

Kaaren Lewis, Carver County Recorder

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota; that this plat meets the requirements of Minnesota Statutes Chapter 160.085 and Chapter 160.14, Subdivision I; that all parcels of land affected by the acquisition are correct as shown on this plat; that monuments indicating the boundary lines will be correctly placed in the ground after completion of construction; that all measurements are correctly shown on this plat; and that the right-of-way boundary lines are correctly designated on this plat.

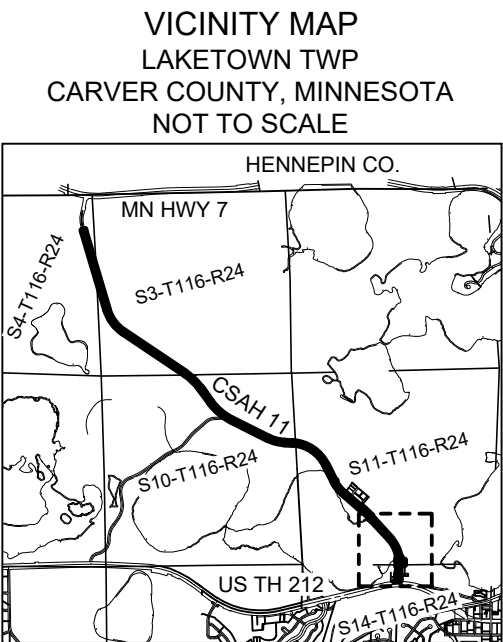
Brian E. Praske, Carver County Surveyor
Minnesota License Number 44646

Date _____

I hereby certify that this plat was filed this _____ day of _____, 20____ at _____ o'clock _____ M. as Document Number _____.

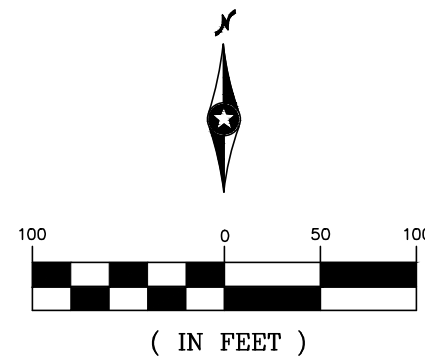
Kaaren Lewis, Carver County Registrar of Title

PARCEL NUMBER	RECORD OWNER	LOCATION	PARCEL ID NO.	RECORDED DOC. NO.	EXISTING ROAD RW (SQ FT)	NEW ROAD RW (SQ FT)	TOTAL ROAD RW (SQ FT)	TURNBACK RW (SQ FT)	PERMANENT EASEMENT (SQ FT)	TEMPORARY EASEMENT (SQ FT)	INTEREST		
1	DEDICATED	VOGEL ESTATES	•	PLAT A175853	7,184	•	•	•	•	•	•		
2	M&K PROPERTIES GROUP LLC	PART OF LOT 2, BLOCK 1, VOGEL ESTATES	65.5400020	WD A767134	•	1,573	1,573	•	2,933	2,833	FEE & EASEMENT		
4	D. O. PENNEY REVOC. TRUST AGREEMENT	PART OF GOV LOT 2, SEC.14, T116N, R24W	65.0142100	QCD A664594	3,173	-252	2,921	•	•	1,020	FEE & EASEMENT		
5	MARK & KATHY VOGEL	PART OF GOV LOT 2, SEC.14, & GOV LOT 6, SEC.11, T116N, R24W	65.0110800	CERT 38228	1,999	-449	1,550	•	•	563	FEE & EASEMENT		
6	THREE RIVERS PARK DISTRICT	PART OF GOV LOTS 2 & 6, SEC.11, T116N, R24W	65.0110100	CERT 33868 CERT 10119 WD A40891	141,891	109,257	251,148	20,195	64,537	190,302	FEE & EASEMENT		
7	THREE RIVERS PARK DISTRICT	PART OF GOV LOTS 2, 4, 6, SEC.11, T116N, R24W	65.0110200	CERT 33869	80,171	47,070	127,241	•	1,371	24,917	FEE & EASEMENT		
15	CITY OF VICTORIA	PART OF GOV LOT 6, SEC.11, T116N, R24W	65.0144500	QCD A488461	6,954	18,304	25,258	•	•	•	FEE		
16	DEDICATED	ALPHABET JUNCTION	•	PLAT A638475	22,962	•	•	•	•	•	•		
17, 18	AJP PROPERTIES LLC	PART OF LOTS 1 & 2, BLOCK 1, ALPHABET JUNCTION	65.0820010 65.0820020	WD A632888	•	•	•	•	•	8,316	EASEMENT		
19	JOSEPHINE K RIDDLE, JOSEPHINE K. RIDLE LIFETIME TRUST	PART OF NW1/4 OF NE1/4, SEC.11, T116N, R24W	65.0142500	WD A152786 LWD A733818	4,762	3,349	8,111	•	•	5,526	FEE & EASEMENT		



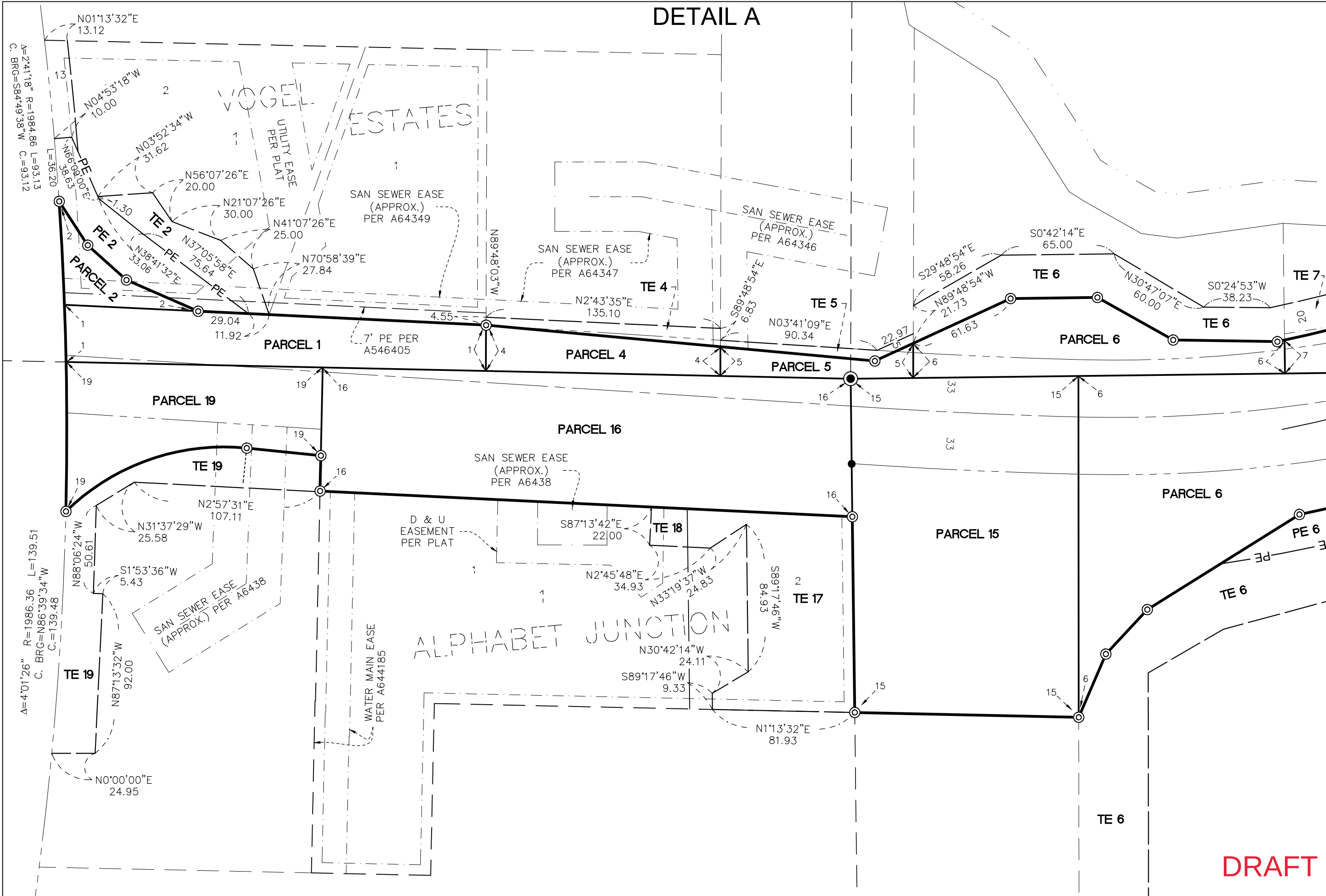
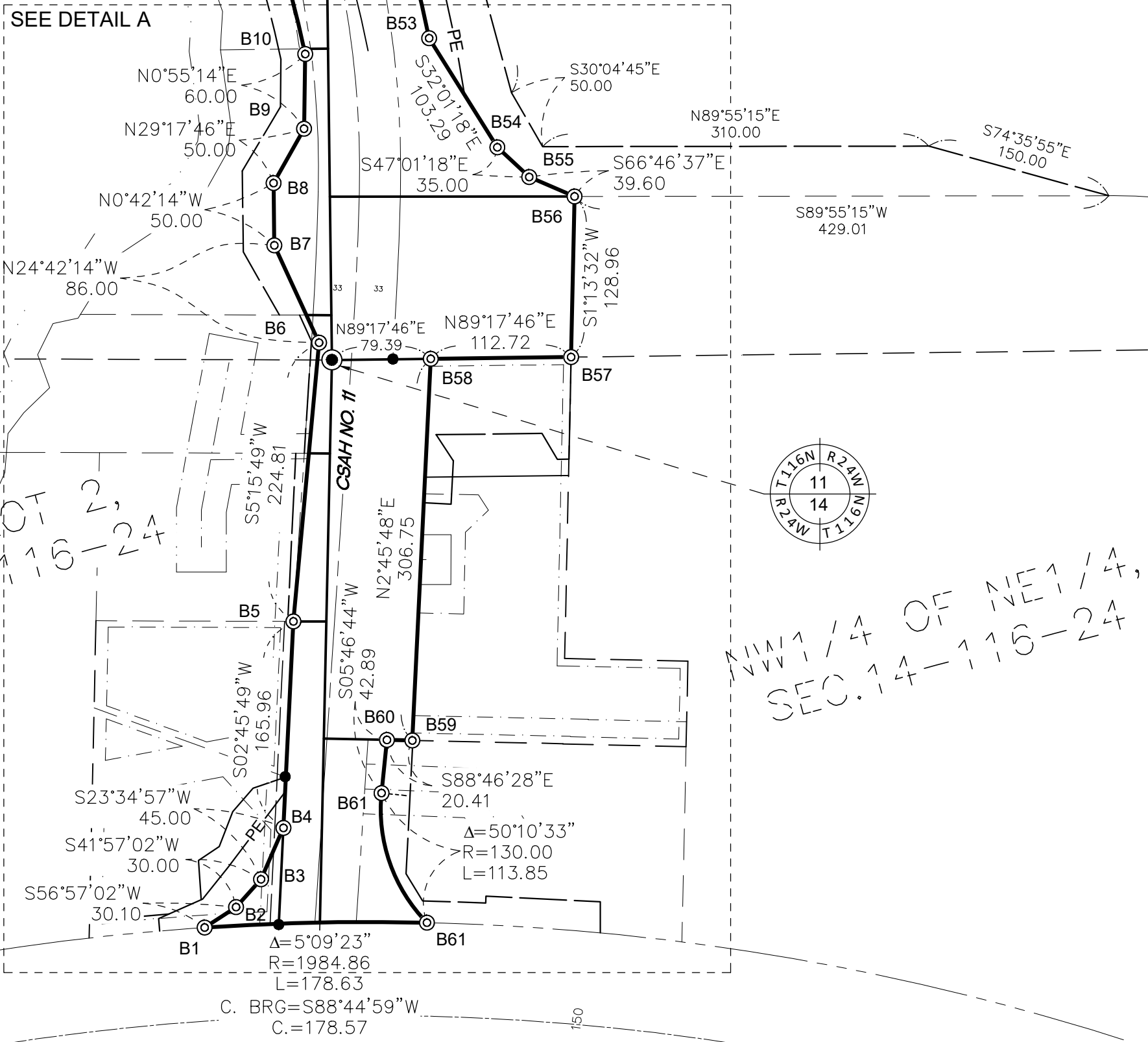
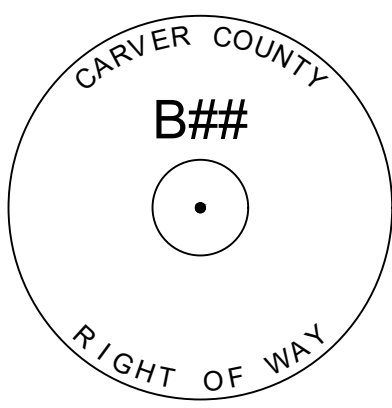
LEGEND

- Carver County Cast Iron Monument
- Individual Parcel Limits
- Boundary Corner with set 1/2 inch by 18 inch iron pipe with a 2" aluminum cap stamped Carver County RW and the boundary corner number (See monument detail)
- Found monument as noted
- Existing Right of Way Line
- PE— Permanent Easement
- Temporary Easement
- R= Curve Radius
- Δ= Curve Central Angle
- L= Curve Length
- CH BRG= Curve Chord Bearing
- CH L= Curve Chord Length



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON CARVER COUNTY COORDINATE SYSTEM NAD83 (2011 ADJ)

Public Works Division
11360 Hwy 212, Suite 1
Cologne, MN 55322
952.466.5200

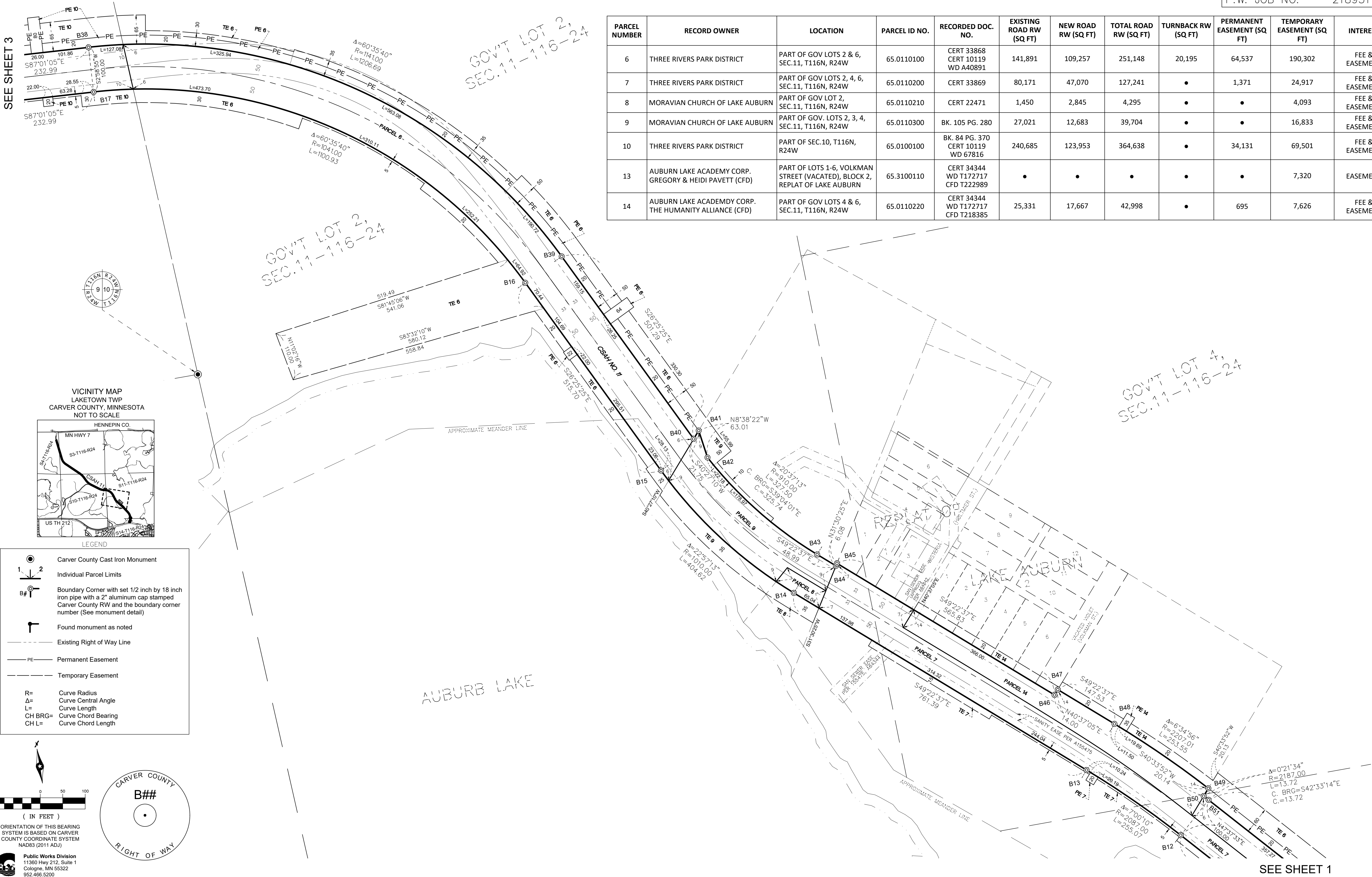


DRAFT

CARVER COUNTY RIGHT OF WAY PLAT NO. 39
COUNTY STATE AID HIGHWAY NO. 11

PLAT FILE NO.
C.R. DOC. NO.
R.T. DOC. NO.
P.W. JOB NO. 218931

PARCEL NUMBER	RECORD OWNER	LOCATION	PARCEL ID NO.	RECORDED DOC. NO.	EXISTING ROAD RW (SQ FT)	NEW ROAD RW (SQ FT)	TOTAL ROAD RW (SQ FT)	TURNBACK RW (SQ FT)	PERMANENT EASEMENT (SQ FT)	TEMPORARY EASEMENT (SQ FT)	INTEREST
6	THREE RIVERS PARK DISTRICT	PART OF GOV LOTS 2 & 6, SEC.11, T116N, R24W	65.0110100	CERT 33868 CERT 10119 WD A40891	141,891	109,257	251,148	20,195	64,537	190,302	FEE & EASEMENT
7	THREE RIVERS PARK DISTRICT	PART OF GOV LOTS 2, 4, 6, SEC.11, T116N, R24W	65.0110200	CERT 33869	80,171	47,070	127,241	•	1,371	24,917	FEE & EASEMENT
8	MORAVIAN CHURCH OF LAKE AUBURN	PART OF GOV LOT 2, SEC.11, T116N, R24W	65.0110210	CERT 22471	1,450	2,845	4,295	•	•	4,093	FEE & EASEMENT
9	MORAVIAN CHURCH OF LAKE AUBURN	PART OF GOV. LOTS 2, 3, 4, SEC.11, T116N, R24W	65.0110300	BK. 105 PG. 280	27,021	12,683	39,704	•	•	16,833	FEE & EASEMENT
10	THREE RIVERS PARK DISTRICT	PART OF SEC.10, T116N, R24W	65.0100100	BK. 84 PG. 370 CERT 10119 WD 67816	240,685	123,953	364,638	•	34,131	69,501	FEE & EASEMENT
13	AUBURN LAKE ACADEMY CORP. GREGORY & HEIDI PAVETT (CFD)	PART OF LOTS 1-6, VOLKMAN STREET (VACATED), BLOCK 2, REPLAT OF LAKE AUBURN	65.3100110	CERT 34344 WD T172717 CFD T222989	•	•	•	•	•	7,320	EASEMENT
14	AUBURN LAKE ACADEMDY CORP. THE HUMANITY ALLIANCE (CFD)	PART OF GOV LOTS 4 & 6, SEC.11, T116N, R24W	65.0110220	CERT 34344 WD T172717 CFD T218385	25,331	17,667	42,998	•	695	7,626	FEE & EASEMENT

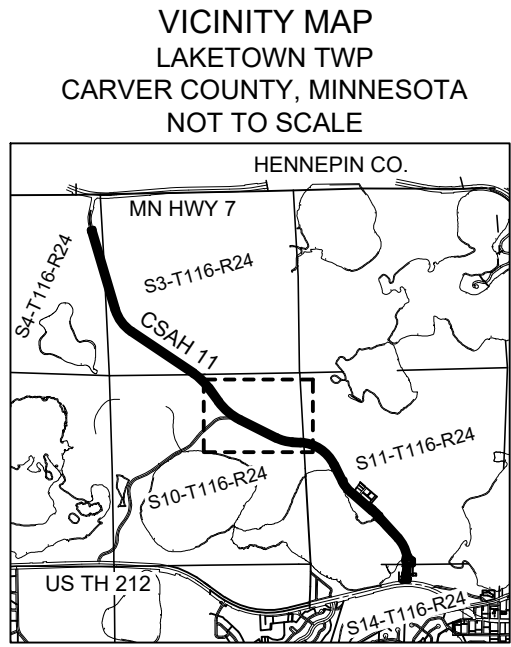


CARVER COUNTY RIGHT OF WAY PLAT NO. 39
COUNTY STATE AID HIGHWAY NO. 11

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P.W. JOB NO. 218931

SEE SHEET 4

PARCEL NUMBER	RECORD OWNER	LOCATION	PARCEL ID NO.	RECORDED DOC. NO.	EXISTING ROAD RW (SQ FT)	NEW ROAD RW (SQ FT)	TOTAL ROAD RW (SQ FT)	TURNBACK RW (SQ FT)	PERMANENT EASEMENT (SQ FT)	TEMPORARY EASEMENT (SQ FT)	INTEREST
6	THREE RIVERS PARK DISTRICT	PART OF GOV LOTS 2 & 6, SEC.11, T116N, R24W	65.0110100	CERT 33868 CERT 10119 WD A40891	141,891	109,257	251,148	20,195	64,537	190,302	FEE & EASEMENT
10	THREE RIVERS PARK DISTRICT	PART OF SEC.10, T116N, R24W	65.0100100	BK. 84 PG. 370 CERT 10119 WD 67816	240,685	123,953	364,638	•	34,131	69,501	FEE & EASEMENT

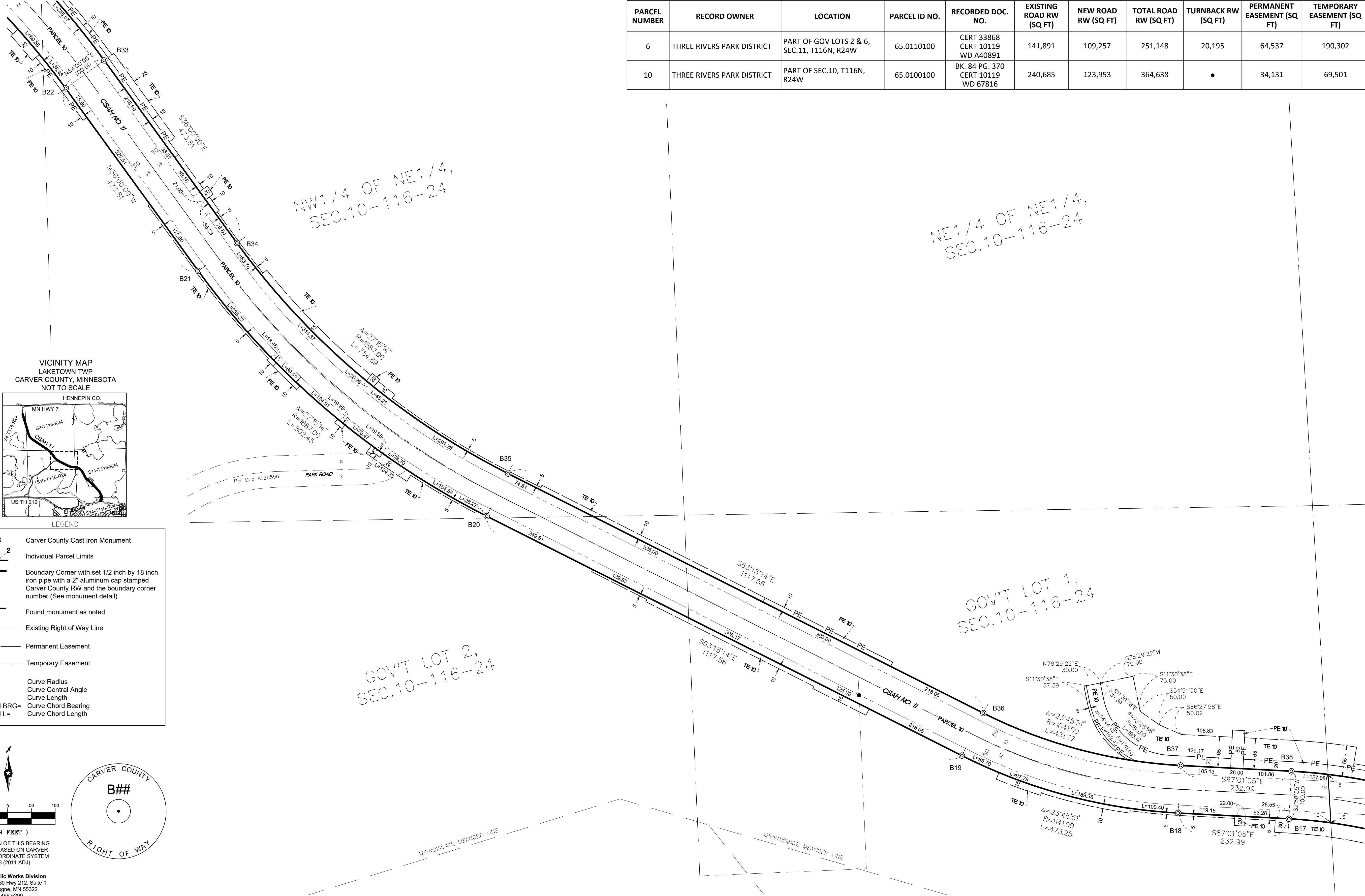


LEGEND

- Carver County Cast Iron Monument
- Individual Parcel Limits
- Boundary Corner with set 1/2 inch by 18 inch iron pipe with a 2" aluminum cap stamped Carver County RW and the boundary corner number (See monument detail)
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ORIENTATION OF THIS BEARING SYSTEM IS BASED ON CARVER COUNTY COORDINATE SYSTEM NAD83 (2011 ADJ)

Public Works Division
11360 Hwy 212, Suite 1
Cologne, MN 55322
952.466.5200



SEE SHEET 2

CARVER COUNTY RIGHT OF WAY PLAT NO. 39

COUNTY STATE AID HIGHWAY NO. 11

PLAT FILE NO.	
C.R. DOC. NO.	
R.T. DOC. NO.	
P.W. JOB NO.	218931

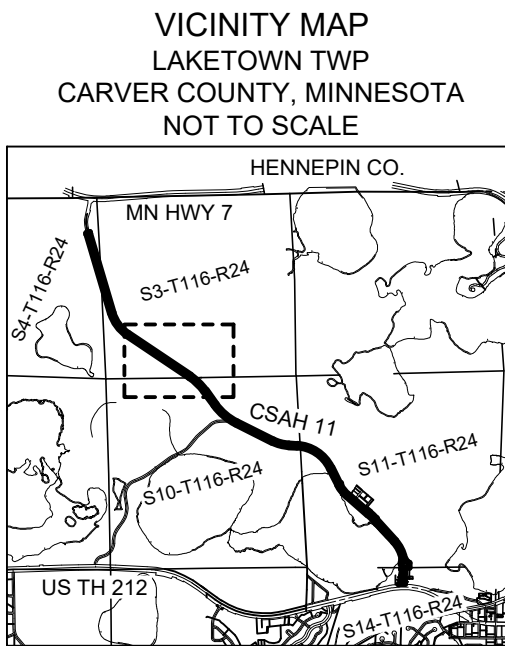
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10	THREE RIVERS PARK DISTRICT	PART OF SEC.10, T116N, R24W	65.0100100	BK. 84 PG. 370 CERT 10119 WD 67816	240,685	123,953	364,638	34,131	69,501	FEE & EASEMENT
11	THREE RIVERS PARK DISTRICT	PART OF SEC.3, T116N, R24W	65.0030100	CERT 5609	259,817	133,217	393,034	8,398	69,982	FEE & EASEMENT

SEE SHEET 5

SW1/4 OF SW1/4,
SEC.3-116-24

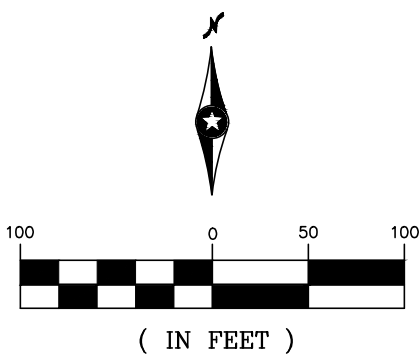
SE1/4 OF SW1/4,
SEC.3-116-24

SW1/4 OF SE1/4,
SEC.3-116-24

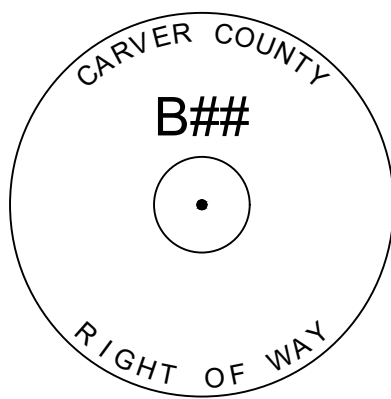
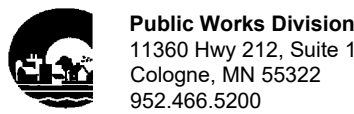


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ORIENTATION OF THIS BEARING
SYSTEM IS BASED ON CARVER
COUNTY COORDINATE SYSTEM
NAD83 (2011 ADJ)



NE1/4 OF NW1/4,
SEC.10-116-24

NW1/4 OF NE1/4,
SEC.10-116-24

SEE SHEET 3

CARVER COUNTY RIGHT OF WAY PLAT NO. 39

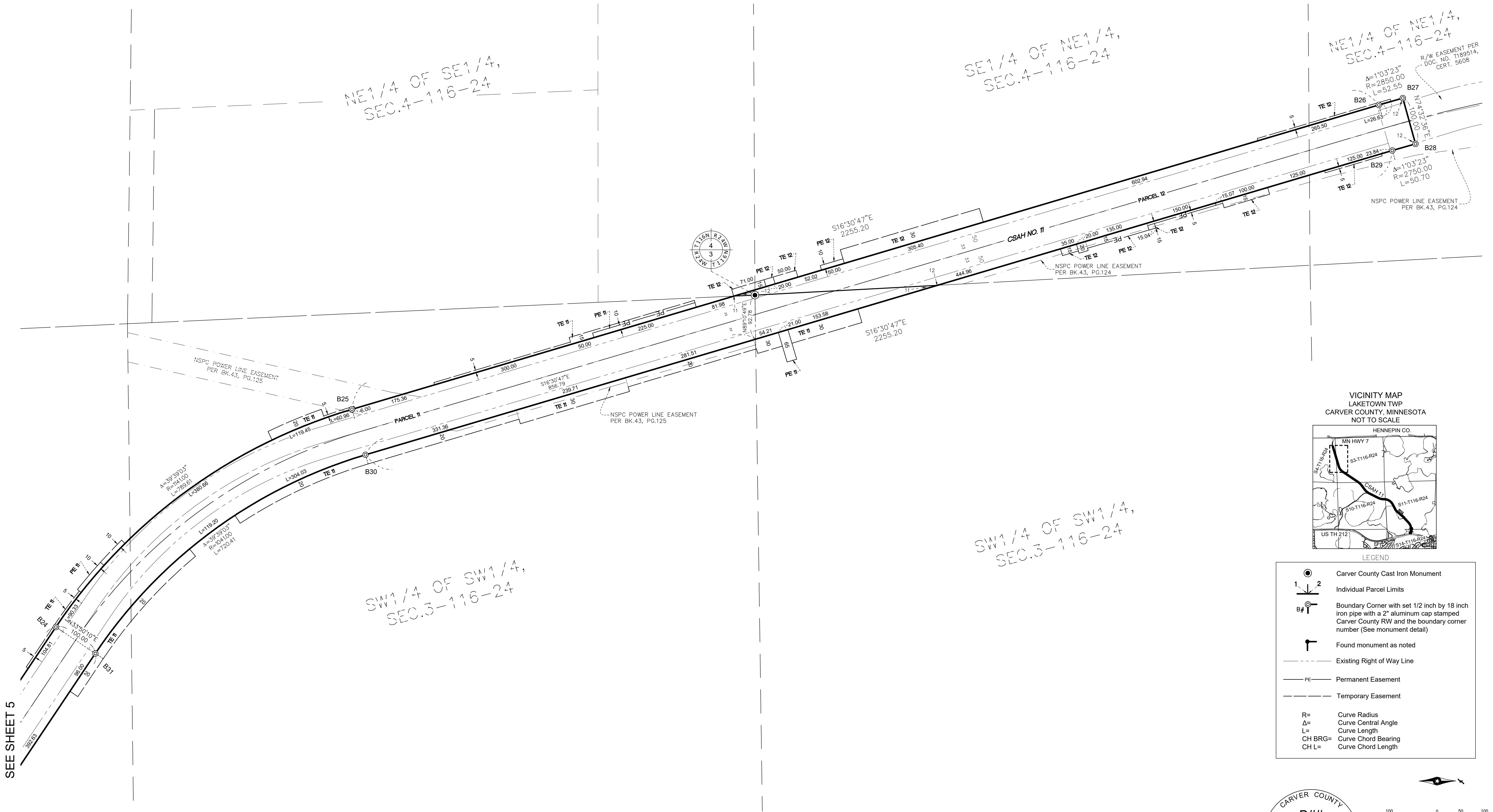
COUNTY STATE AID HIGHWAY NO. 11

PLAT FILE NO.

C.R. DOC. NO.

R.T. DOC. NO.

P.W. JOB NO. 218931

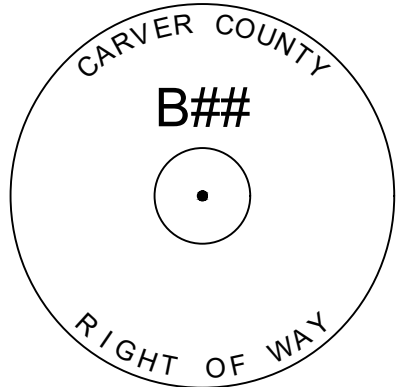


SEE SHEET 5

PARCEL NUMBER	RECORD OWNER	LOCATION	PARCEL ID NO.	RECORDED DOC. NO.	EXISTING ROAD RW (SQ FT)	NEW ROAD RW (SQ FT)	TOTAL ROAD RW (SQ FT)	PERMANENT EASEMENT (SQ FT)	TEMPORARY EASEMENT (SQ FT)	INTEREST
11	THREE RIVERS PARK DISTRICT	PART OF SEC.3, T116N, R24W	65.0030100	CERT 5609	259,817	133,217	393,034	8,398	69,982	FEE & EASEMENT
12	THREE RIVERS PARK DISTRICT	PART OF SEC.4, T116N, R24W	65.0040100	CERT 5608	84,477	41,545	126,022	3,975	15,311	FEE & EASEMENT

LEGEND

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100 0 50 100

(IN FEET)

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON CARVER COUNTY COORDINATE SYSTEM NAD83 (2011 ADJ)

Public Works Division
11360 Hwy 212, Suite 1
Cologne, MN 55322
952.466.5200



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Agreement with Poul Haas and Associates
Department: County Administration
Contact: Dave Hemze, County Administrator, 952-361-1526
Presenter:
Contract Name & Number: State Legislative Services with Poul Haas, 24-474
Meeting Date: October 1, 2024
Item Type: Consent

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

This agenda item is a proposed renewal of the agreement with Poul Haas and Associates to provide State legislative lobbying services. The agreement is for two-years, extending until November 30, 2026, at a cost of \$36,000 per year for a contract total of \$72,000 (the same cost as the previous agreement.) The principal contact will continue to be Tony Albright with additional support provided if needed.

Action Requested:

Approve agreement with Poul Haas and Associates.

Fiscal Impact:

Funding:	Amount Budgeted:
County Board Budget	\$36,000

Related Fiscal/FTE Comments:

The above amount (\$36,000) is budgeted for 2025. An additional \$36,000 will be requested in the 2026 budget.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Request for approval to contract with Loffler
Department: Public Services - Information Technology
Contact: Peter Henschel, Chief Information Officer
Presenter:
Contract Name & Number: 24-480
Meeting Date: October 1, 2024
Item Type: Consent

Strategic Initiative:

Culture: Provide culture that fosters accountability to achieve goals and sustain public trust.

Background/Justification:

Cybersecurity is a never-ending battle in today's world. Carver County IT would like to contract with a professional security management company to help identify information security risks within the County and assist in remediation planning to prioritize and maximize our security investments. Loffler would provide an objective and comprehensive measurement of our information security risk through a process that effectively prioritizes the mitigation of the most urgent, realistic, and expensive potential information security threats. They would review the County's current controls: administrative (human), physical (assets), internal (within domain), and external (network perimeter) and provide the County with a final report, including an executive summary, of their findings. Loffler will conduct an initial cybersecurity assessment, provide quarterly remediation recommendations for the next 21 months, and then conduct a second cybersecurity assessment to measure progress and provide a roadmap for residual remediations. The last cybersecurity assessment for the County was completed several years ago and the County is due for a refreshed assessment. Carver County IT is recommending to contract with Loffler for the amount of \$51,248.22 over the next 23 months (10/1/24-8/31/26) to provide annual cybersecurity assessments and remediation recommendations for both County and CarverLink assets.

The contracted amount would be paid via a UASI Grant (\$36,000) (already approved by the County Board via RBA 2/6/24), CarverLink (\$10,000) and IT Security budget (\$5248.22).

Multiple quotes were obtained. Loffler was chosen because of their established history with these types of assessments and their pricing for both assessments and remediation work.

Action Requested:

Motion to contract with Loffler pending finalization of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
UASI Grant	\$36,000.00
CarverLink	\$10,000.00
IT Security Budget	\$5,248.22

Related Fiscal/FTE Comments:

Included in current budget, will be expensed out of respective departments.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Tim Erhart - Request to operate a Contractor's Yard (IUP)

Department: Public Services - Land Management

Contact: Christina Neel, Land Management Planner, 952-361-1814

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20240036. On September 17, 2024, the Planning Commission recommend approval of Tim Erhart's Interim Use Permit (IUP) application for a Contractor's Yard (True N Fair Tree Care) located at 8850 Island View Road, Waconia. The subject property consists of approximately 73 acres and is located in Section 8, Laketown Township.

Mr. Erhart's total operational area includes the shed and parking for employees and six work vehicles/trailers. The business would have six employees, with summer hours, Monday-Friday 6AM-7PM and Saturday 8AM-3PM, with occasional Sundays. Winter hours are reduced due to daylight hours. There would be up to 26 total business trips per day, as employees arrive at the site, pick up equipment and drive to job sites, return, and leave for the night. No customers would come to the site, nor is any signage proposed.

The applicant was granted a variance (PZ20240024) to apply for a Contractor's Yard without homestead status, as the owner of the business rents the land and lives on the site. The IUP shall be terminated when the business is no longer operating or when the business owner no longer resides at the property.

The Laketown Town Board recommended approval of the request.

The Planning Commission's Resolution and Township location map is attached for the County

Board's consideration. A copy of the Planning Commission packet is available for review at: <https://www.carvercountymn.gov/home/showpublisheddocument/26792/638615781012070000>

Action Requested:

A motion to adopt Findings of Fact and issue Order #PZ20240036 for the issuance of an Interim Use Permit.

Fiscal Impact:

Funding:	Amount Budgeted:

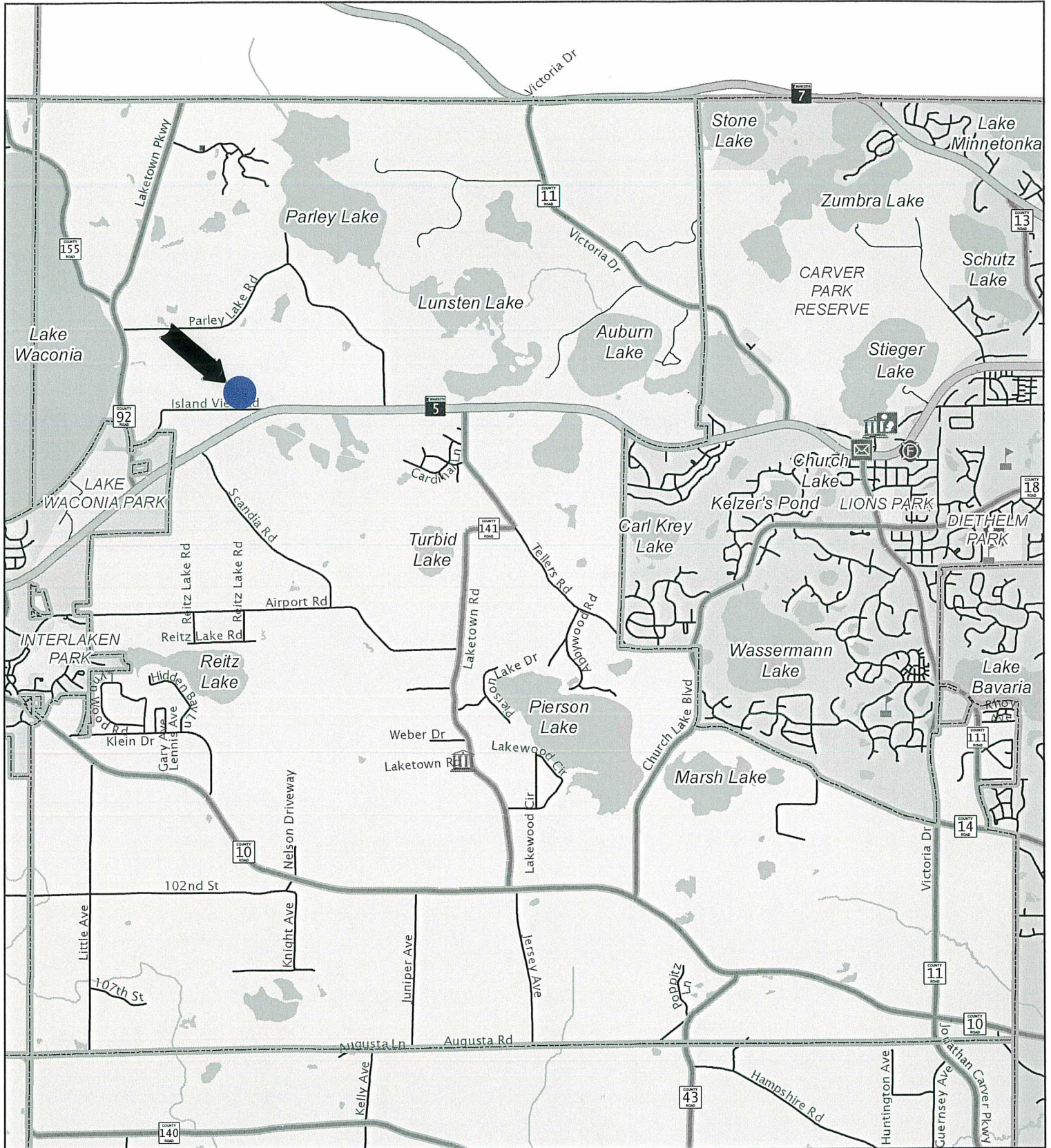
Related Fiscal/FTE Comments:

None

Attachments:

1. Laketown Township Location Map
2. IU-PZ20240036 - PLC Resolution-signed

LAKETOWN 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

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20240036

RESOLUTION #: 24-12

WHEREAS, the following application for an Interim Use Permit has been submitted and accepted:

FILE #: PZ20240036

APPLICANT: Tim Erhart

OWNER: Tall Grass Properties LLC (Tim and Dawne Erhart)

SITE ADDRESS: 8850 Island View Road, Waconia, MN 55387

PERMIT TYPE: Interim Use Permit - Contractor's Yard

PURSUANT TO: County Code, Chapter 152, Section 152.079 (C)(10)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 07-008-0200

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of September 17, 2024; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Tall Grass Properties, LLC (Tim and Dawne Erhart) owns approximately 73.48 acres located in the West Half (W½) of the Southwest Quarter (SW¼) of Section 8 of Laketown Township. The property is improved with an existing single-family home with attached garage, a metal shed, and a large barn, along with cropland under production, and wooded acreage. The site is located within the Agriculture Zoning District, 2040 Growth Area for the City of Waconia, and the Minnehaha Creek Watershed District (MCWD).
2. The applicant is requesting an Interim Use Permit to operate a tree service business from the subject property as a Contractor's Yard, pursuant to Section 152.079 (C)(10) of the Carver County Zoning Code.
3. Prior to the application for a Contractor's Yard Interim Use Permit (IUP), the applicant obtained a variance (V-PZ20240024), recorded as Document No. A776301 to operate a Contractor's Yard on a property that is not homesteaded. The owners lease the property to the business owner.
4. The proposed location of the Contractor's Yard is in a rural area of Laketown Township where there are no residences within 500-feet of the operational area shown on the submitted site plan. Consistent with the residency standard for home-based businesses, the business owner (Matt Wentzlaff) lives at the property.
5. The submitted operational plan (dated August 22, 2024) describes Mr. Wentzlaff's existing business that he runs from the property. True N Fair Tree Care has 6 employees who report on workdays to the subject property to pick up vehicles and equipment and return to the property at the end of the day, along with the owner. Hours of operation are Monday-Friday 6AM to 7PM, Saturday 8AM to 3PM, and occasionally Sunday 8AM to 3PM. Winter hours are reduced due to daylight limitations. There are no onsite operations proposed, other than employees parking and leaving or returning with vehicles and equipment. There will be up to 14 business trips per day, plus 12 employee trips at full operations capacity for a total of about 26 trips per workday. There are six work vehicles. There is no public access to the property and no retail sales will occur at the property. No signage is proposed.

6. The submitted site plans (dated May 14, 2024) shows the current property improvements. No additional construction is proposed with this permit application. The existing metal hoop shed shall be used for the storage of materials and equipment. The applicant states that no materials will be stored outdoors, except temporary stockpiling of logs prior to delivering to a disposal site, which would not exceed 600 square feet. Employees arriving to the site each day will park north of the metal shed, and up to 6 work vehicles (pickup trucks and trailers) will be parked directly adjacent to the shed. While the operations area does include the existing barn as possible winter storage, the applicant understands that all buildings used for commercial activity must meet state building code requirements. Existing mature poplar trees along the southern property line aid in screening the operational area from public view. The existing screening appears to comply with the screening standards found in Section 152.041 of the County Zoning Code.
7. Since the property's septic system received a certificate of compliance after a replacement in 2021 and no bathroom is proposed in any of the commercial structures, Carver County Environmental Services had no comment on the CUP application.
8. On July 22, 2024, this request was reviewed by Lane Braaten, Community Development Director with the City of Waconia, who stated there are no concerns, as the business use would not be a permanent installation within the City's growth area.
9. On September 16, 2024, Land Management staff received an email from a neighbor, John McCain, who was concerned on-site wood chipping may occur. Staff confirmed there would be no equipment operations on site, only storage of the equipment and vehicles.
10. The Laketown Town Board reviewed the request at their July 24, 2024, Town Board meeting and stated they are in support of the request:

"Township Board plans to be present for comment at the County hearing. Board voted in unanimous support for the Interim Use Permit requested to allow True 'N Fair Tree Care to operate at 8850 Island View Road in Laketown Township – with business owner and his family residing on site – subject to expire when/if business owner moves. Board unanimously supports parameters set forth in application letter such as business hours, number of work vehicles, and requests Carver County include requirement for business owner to participate in annual dust control at 100% cost for 1st application and 50% cost for 2nd application for 1600' (starting at driveway access and ending at Hwy 5). Board unanimously believes the requested IUP and Variance request should be granted as it meets the intent of "owner occupied" with the business owner residing on site as their primary address – avoiding commercial property in rural areas without business owner living on site (also noting unenforced CUPs where business owner is not living on site."

In addition, in an email dated August 29, 2024, the Town Clerk Leanne Kunz stated,

"The Board requests that heavy equipment travel on the easterly portion between the driveway and Hwy 5 as the primary commute, and supports the use of the westerly segment of Island View Road for return trips coming south on County Rd 92 and turning east on Island View Road as this would be a considerable safety concern to have work vehicles proceed further south on Co Rd 92, necessitating a left hand turn onto Hwy 5, and again turning left off of Hwy 5 onto the easterly portion of Island View Road to reach the property."

11. 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 approval of the Interim Use Permit application for a Contractor's Yard on the property legally described in Exhibit A. The following conditions should be considered part of the permit:

1. The permit is subject to administrative review. Any changes to operations shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.

2. The Permittee shall comply with all conditions specified in Variance #PZ20240024 regarding the operation of the contractor's yard.
3. This permit is issued for Matt Wentzlaff, as the owner of True N Fair Tree Care and resident of the property. The owner of the business shall provide Land Management Department with proof of residency at the property, including a state-issued ID and/or lease agreement. If an owner of the business no longer resides at the property or no longer operates the business from the property, the Interim Use shall be terminated.
4. The operation shall be in accordance with the submitted operational plan (dated August 22, 2024) and site plan (dated: May 14, 2024). These plans shall be attached to and become part of this permit. Any proposed expansion of the submitted site plan shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.
5. All structures used in conjunction with the contractor's yard operation shall meet the requirements of the Minnesota State Building Code. Any future remodeling or improvements to any structures shall require Carver County Building Official review and permit approval. Future construction of any new structure to be utilized as part of the business, shall be permitted upon review and issuance of appropriate building permit(s) prior to construction.
6. A maximum of six (6) business vehicles (including, but not limited to: pickup trucks and trailers utilized to supply the service) may be stored and/or permitted on the site. All outside storage shall be screened from neighboring properties and the public road, and all business-related trucks, equipment and supplies shall be stored within existing structures and/or the approved operational area.
7. The Permittee shall comply with all Laketown Township access requirements. There shall be no parking within the public right-of-way.
8. The business owner shall comply with the annual dust control requirements of the Laketown Town Board.
9. Permittee shall contact the Environmental Services Department to determine if a Hazardous Waste Generator License is required.
10. The Permittee shall submit Certificate of Workers' Compensation Insurance to the Land Management Department annually. The insurance shall be maintained for the duration of the IUP.
11. The Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations, Chapter 52 - Subsurface Sewage Treatment System (SSTS) regulations, MN State Building Code requirements, and all other applicable local, state, and federal regulations.

ADOPTED by the Carver County Planning Commission this 17th day of September, 2024.


Scott Hoese (Sep 19, 2024 10:16 CDT)
Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Serenity Acres - Request for a Public Equestrian Facility (CUP)
Department: Public Services - Land Management
Contact: Donovan Hart, Senior Planner, 952-361-1815
Presenter:
Contract Name & Number:
Meeting Date: October 1, 2024
Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20240037. On September 17, 2024, the Planning Commission recommend approval of William, Teena, & Alexie Dietz's Conditional Use Permit (CUP) to amend the existing CUP (originally issued in 2014) for a Public Equestrian Facility (Serenity Acres), on their 16.6-acre parcel in Section 14, Watertown Township.

The Dietz family (Serenity Acres Holdco, LLC) are requesting a CUP for a Public Equestrian Facility at 11185 County Road 24 that could accommodate up to 18 horses within the existing structures and pastures. The applicant requests an expansion of the operations to include equine therapy and an emotional counseling practice.

The estimated hours of operation are 9AM-9PM, with one full-time employee and 4-5 part-time employees. One therapy client may be on site, 1-2 times a day, and occasional small therapy groups of 15 people or less. There is one work vehicle and exterior storage for trailers. There is currently a sign on site at the driveway entrance that meets all code requirements.

The applicant was granted a variance (PZ20240029) to apply for a Public Equestrian Facility without homestead status, as the property is owned by an LLC and cannot be granted homestead status.

The Watertown Town Board recommended approval of the request.

The Planning Commission's Resolution and Township location map is attached for the County Board's consideration. A copy of the Planning Commission packet is available for review at: <https://www.carvercountymn.gov/home/showpublisheddocument/26790/638615780999670000>

Action Requested:

A motion to adopt Findings of Fact and Issue Order #PZ20240037 for the issuance of a Conditional Use Permit.

Fiscal Impact:

Funding:	Amount Budgeted:

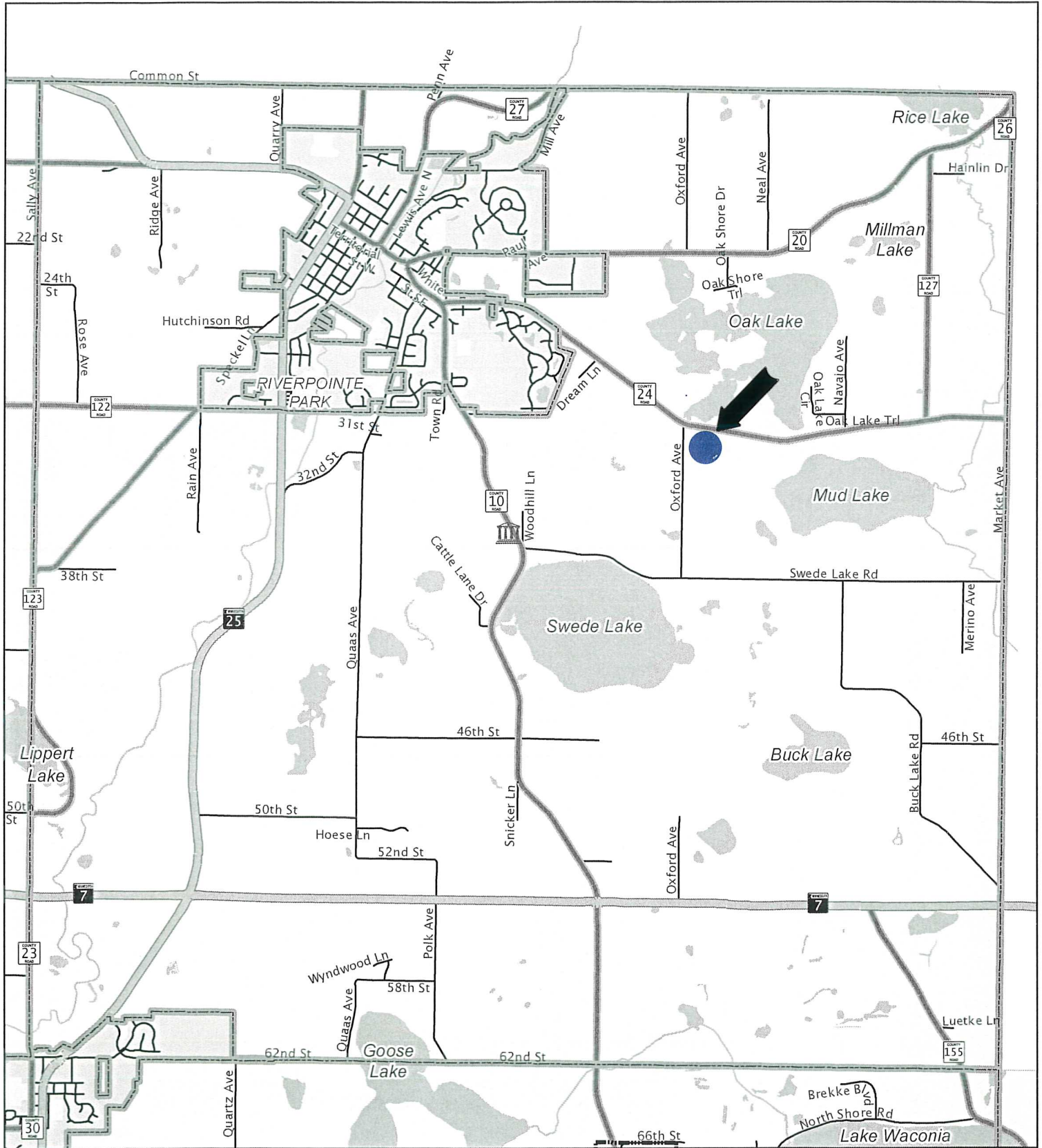
Related Fiscal/FTE Comments:

None

Attachments:

1. Watertown Township Location Map
2. CU-PZ20240037 - PLC Resolution-signed

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

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20240037

RESOLUTION #: 24-13

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

FILE #: PZ20240037

APPLICANT: William, Teena, & Alexie Dietz

OWNER: William, Teena & Alexie Dietz dba Serenity Acres Holdco, LLC

SITE ADDRESS: 11185 County Road 24, Watertown MN 55388

PERMIT TYPE: Public Equestrian Facility

PURSUANT TO: County Code, Chapter 152, Section 152.079 (C)(5)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-014-0900

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of September 17, 2024; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. William, Teena & Alexie Dietz of Serenity Acres Holdco, LLC own 16.6 acres located in the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 14 of Watertown Township. The property is improved with an existing home, an accessory structure (former farmstead), a barn with an attached indoor riding arena, four (4) small horse runs, and grazing pasture. The site is located within the Agriculture Zoning District, Shoreland Overlay District (Oak Lake), and the Carver County Water Management Organization (CCWMO) – Crow River watershed.
2. An existing Conditional Use Permit (CUP #PZ20140031) was issued to the property to allow an equestrian facility with boarding and training up to eighteen (18) horses. When the current owners bought the property in March 2023, they chose to establish the property ownership in a Limited Liability Company (LLC). However, due to a technical policy decision by the Assessor's Office LLC-owned properties cannot qualify for homestead, a condition of the CUP. Thus, the Dietz Family were granted a variance (PZ20240029) to operate a public equestrian facility without that technical homestead status. As part of the variance application review process, the Dietzes provided information that an owner of the property and participant in the horse stable business resides at the property where the equine facility is located.
3. The applicants wish to continue the horse boarding operation in the manner in which the previous owners operated it, plus add equine therapy and an emotional counseling practice to take place on the property. The additional condition of complying with the conditions of the approved variance and the additional services offered by the Dietz requires the amendment of the permit. The applicant is requesting a Conditional Use Permit pursuant to Section 152.079 (C)(5) of the Carver County Zoning Code.
4. William, Teena, and Alexie Dietz purchased the property to house their own three horses and utilize the property for commercial horse boarding and other equine purposes in accordance with the existing CUP (#PZ20140031). The property was purchased through an LLC, which is not recognized as homestead eligible by the County Assessor's Office. The applicant was granted a Variance (#PZ20240029, attached) to allow for the operation of public equestrian facility with an LLC ownership structure, while still meeting the intent of the CUP condition to have a principle of the activity live in a residence on-site. In addition, Teena Dietz is a licensed therapist and wishes to add a range of therapeutic services, including equine therapy, offered to clients on the property. The expansion of services and the inclusion of the variance conditions prompt the amendment of the CUP, which follows the same submittal and review process as a new CUP application.

5. The applicant's letter (dated August 23, 2024) provides background information and operations plan for the application. The narrative describes the owners' intent to provide boarding services *"in the same exact manner"* as the previous owners. *"We will utilize the same pasture structure, same manure management, and same stable structure. Hours of operation, number of employees, vehicles, sanitary facilities, waste management/disposal, and all other details will be consistent with past approved operations."* The existing CUP allows for up to 18 horses on the property. The stated operating hours in the Operational Plan (dated August 23, 2024) are 9AM- 9PM and *"likely not open during holidays."* The horse boarding activities *"will utilize pastures, stables, riding arena, tack room, feed storage room, shop."* Furthermore, the narrative states, *"we will use the grounds and facilities to offer an equine therapy and emotional counseling practice."* The proposed hours are identical to horse boarding operating hours. The narrative states: *"Equine therapy/emotional counseling will utilize pastures, office room in riding arena, riding arena, offices in main house, offices in farm office building."* There is one full-time employee of the business and 4-5 part-time employees whose hours add up to approximately one-half full-time employee. The horse boarding operation would limit the number of boarders on-site at one time to three. There would be one therapy client on-site, 1-2 times per day. There would be *"Occasional small therapy groups of 15 people or less."* There is one work vehicle and exterior storage for horse trailers and hay tents.
6. The applicants submitted a site plan, dated March 19, 2024, showing the operational area and general layout of the property. The site map, with accompanying legend, shows structures and describes their functions. Pictured is a 70' x 200' indoor riding arena that includes room used for therapy sessions; a farmhouse used for therapy sessions, small group sessions, and occasional retreats; and a Farm Office Building for administrative work and therapy sessions. The site map also illustrates a Butterfly Garden, Nature Paths, and Outdoor Yard, all used for therapy sessions. There are three run-ins of approximately 240 square feet each in size. There is on-site parking provided for employees and clients totaling 8 parking spaces. The vehicle parking areas are located north of the farmhouse and north of the indoor riding arena. As seen in a recent aerial photograph, the storage area for the work vehicle and horse trailers are on the gravel area in the vicinity of the indoor riding arena.
7. There is currently a 28.3 square-foot sign for "Serenity Acres" at the driveway entrance. The sign is below the maximum 32 square-foot sign size and complies with the maximum 36 square feet of signage allowed for the parcel.
8. Matt Steele, Carver County Feedlot Officer, reviewed the application materials and in an email dated September 5, 2024, provided the following response:
 - *I performed a routine compliance inspection on August 30, 2024, and determined the site to be well maintained and compliant with County Ordinances and Minnesota Rules Chapter 7020.*
 - *The site consists of the following feedlot components: A 2,400 square foot barn with 7 stalls, 4 partial confinement barns (run-in sheds), and 6 paddock areas (open lots). Additionally, the site includes non-feedlot components including 7 pastures for rotational grazing, a round pen, an outdoor riding arena, and a 70' x 200' indoor riding arena equipped with a tack room and therapy room.*
 - *During the inspection, staff identified a total of 10 horses and 2 mini horses on site (10.8 animal units). The applicants are currently boarding 4 of the horses, while the remaining animals are owned by staff members. Eight horses and two mini horses (8.8 animal units) are kept within feedlot components, and two horses (2 animal units) are kept in the southeast pasture.*
 - *Manure is removed from paddocks and stalls twice daily and placed into a permanent manure storage structure. The manure is transferred off-site for composting twice a month.*
 - *Minn. R. 7020.2005 subp. 1, prohibits new animal feedlots of 10 animal units or more from being built or established in the shoreland district, with certain exceptions. Notably, pastures and areas not classified as feedlot components are exempt from these location restrictions. However, these areas must still comply with Minnesota's Water Quality Rules (Minn. R. Ch. 7050 and 7060).*
9. Lori Brinkman, Senior Environmentalist in Environmental Services, reviewed the septic records of the property and in an email dated September 4, 2024, reported: *"There are 2 mound septic systems at the property – one for the house and one for the riding arena. Both were inspected on August 18, 2022, and found to be compliant. The riding arena mound system is sized for 300 gallons per day. Average daily flow must not exceed 200 gallons per day to avoid mound system failure."*

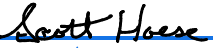
10. The Watertown Town Board reviewed and recommended approval of the request at their July 1, 2024, Town Board meeting without any additional conditions and/or concerns.
11. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all 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 approval of the Conditional Use Permit application for a Public Equestrian Facility on the property legally described in Exhibit A. The previous CUP (#PZ20140031) and any other prior permits, amendments, or renewals for an Equestrian Facility, would be terminated upon final approval (and recording) of the new CUP #PZ20240037. The Planning Commission further recommends that the following conditions should be considered part of the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The Permittee shall comply with all conditions of V-PZ20240029, which includes continued primary residency of the property by an owner of Serenity Acres Holdco, LLC.
3. The Public Equestrian Facility shall operate in accordance with the applicant's letter (dated August 23, 2024), operational plan (dated: August 23, 2024) and site plan (dated: March 19, 2024). These plans shall be attached to and become part of this permit. This Equestrian Facility request allows for up to a total of 18 horses, along with the offering equine therapy and emotional counseling services, and the use of the existing barns and site plan identified operational areas as part of the activities. Location of outdoor storage for horse trailers, work vehicles shall be on the existing gravel area north of the indoor riding arena. Changes in the use of existing structures or the construction of new buildings or any plans to enlarge the facility or operational area in the future, would require the applicant to apply and receive a new Conditional Use Permit.
4. The existing structure(s), not utilized for the business, shall be used only by the occupant(s) of the residence and/or property owner for agriculture, personal storage, hobbies, personal recreation and entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance.
5. The facility would continue to operate year-round, seven (7) days a week and maintain its current hours of operation open to the public (9:00AM to 9:00PM) and otherwise would be present only in the case of a veterinary emergency. Changes to the months, days and/or hours of operation would require the submittal of a new CUP application.
6. Any Special Events "public activities" taking place on the property must be reviewed and approved by the Land Management Department prior to commencing the activities.
7. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management Organization (CCWMO) and the Wetland Conservation Act (WCA), if applicable. Any 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.
8. Carver County Environmental Services reviews sites with Conditional Use Permits annually and may conduct unannounced inspections at any time during the year to inventory the number of animals on site.
9. In accordance with Minn. R. 7020.2005 subp. 1, the feedlot components, as defined above, shall not exceed a maximum of 9.99 animal units at any time and all remaining animals must be kept on pasture.

10. The owner shall establish, operate, and maintain the facility such that there is no discharge to surface waters in accordance with Minn. R. 7020.2003, subp. 3.
11. The owner must prevent livestock housed at the facility from having access to surface waters in accordance with Minn. R. 7020.2015, subp. 2.
12. The permittee shall operate the facility in full compliance with MPCA Feedlot Rules and the Carver County Feedlot Management Ordinance.
13. The Permittee shall comply with Carver County Public Works access requirements, improvements and/or standards, if any. Parking along County right-of-way shall be prohibited.
14. Permittee shall submit Certificate of Workers' Compensation Insurance to the Land Management Department annually when there are additional employees beyond the owner/operator. The insurance shall be maintained for the duration of the CUP.
15. The Permittee shall at all times comply with the County standards as detailed in Chapter 152 – Zoning Code, Chapter 154 – Sign Regulations, Chapter 52 - Subsurface Sewage Treatment System (SSTS) regulations, Chapter 54 – Feedlot regulations, MN State Building Code requirements, and all other applicable local, state, and federal regulations.

ADOPTED by the Carver County Planning Commission this 17th day of September 2024.


[Scott Hoese \(Sep 19, 2024 10:16 CDT\)](#)

Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: MN Counties Computer Cooperative ("MNCCC") IFS (General Ledger) Software Board Ratification

Department: Property & Financial Services - Financial Services

Contact: Mary Kaye Wahl, Assistant Financial Services Director, 952-361-1511

Presenter:

Contract Name & Number: IFS General Ledger Software- MnCCC, Contract #24-475

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

Culture: Provide culture that fosters accountability to achieve goals and sustain public trust.

Background/Justification:

Established in 1978, Minnesota Counties Computer Cooperative (MnCCC) is a joint powers organization which allows Mn counties to create a legal entity to contract for a wide variety of services, training, and software solutions. MnCCC is managed by an Executive Director and a Board of Directors and has software user groups that work together to provide specific software for use in county departments such as Corrections, Attorneys, Finance, Assessors, Taxation, etc.

MnCCC Board approved a 2025 - 2027 contract with TriMin Systems Inc. for the maintenance and support of IFS (General Ledger software) that is managed by the County's Finance Department and is used by all County Divisions. The MnCCC and TriMin Systems Inc. contract requires County Board ratification which commits the participating members/counties for the term of the contract and the financial obligations associated with this agreement.

Action Requested:

Motion to ratify the MnCCC IFS (General Ledger) professional services agreement with TriMin Systems Inc.

Fiscal Impact:

Funding:	Amount Budgeted:
County	\$19,047.58

Related Fiscal/FTE Comments:

Annual support and maintenance costs for IFS (General Ledger) software is \$19,047.58 for 2025, which is included in the 2025 budget.

Attachments:

1. Board_Ratification_for_IFS_-_2025-2027

BOARD RATIFICATION STATEMENT

Due back to MnCCC by September 6, 2024

The Board of _____ has ratified the Professional Services Agreement between TriMin Systems Inc. and the Minnesota Counties Computer Cooperative (MnCCC) for the maintenance and support of IFS. The Agreement will be effective January 1, 2025, through December 31, 2027. This Agreement commits the participating members for the term of the contract and the financial obligations associated with this agreement.

Signed: _____
Board Chair

Date: _____

Attest: _____

Title: _____

Date: _____



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Health and Human Services - STOC Child Support Officer

Department: Health & Human Services - Income Support

Contact: Kate Probert, Income Support Manager, 952-361-1713

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

Customer Service: Continue the County's delivery of high value, timely service and support.

Background/Justification:

Carver County Health and Human Services Division (CCHHS), through its Income Support Department, administers the Child Support Program. Currently, out of 10 staff, there is one vacant Senior Child Support Officer FTE, three staff members in probationary status, and one on long-term leave. The team is required to administer a mandatory program with outcomes focusing on family-centric services and child support collections for 875 families in Carver County. The Child Support Program is a very complex program with many legal and family-specific variables that must be taken into consideration while processing legal paperwork and providing case management services.

To manage the mandated programmatic requirements, meet required processing timelines and outcomes, address high demand, and provide effective, timely service delivery, CCHHS is requesting approval to hire one Short-Term, Temporary, On-Call (STOC) Child Support Officer. The maximum cost, per County Finance, for the STOC position is \$20,403 for a maximum of 67 days. Child Support Officer positions are 66% reimbursable by the Federal Government, including STOC positions. Between Federal reimbursement and a Health Partners Grant awarded to CCHHS, 100% of the STOC cost is covered. No county tax levy will be required to fund this temporary position.

The Child Support Program aims to improve child well-being, both by providing financial

resources and strengthening relationships between parents and their children. The program supports families to reduce reliance on public assistance programs by obtaining ongoing support from noncustodial parents.

Action Requested:

Motion to approve hiring one STOC Child Support Officer for Carver County Health and Human Services utilizing a Health Partners Grant/Federal Reimbursement, effective October 2024.

Fiscal Impact:

Funding:	Amount Budgeted:
Health Partners Grant/Federal Reimbursement	\$20,403

Related Fiscal/FTE Comments:

Health Partners grant and allowed federal reimbursement will be utilized to fund up to \$20,403 and no County Levy will be used. The funding is in the CY2024 CCHHS approved budget.

Attachments:

1. BudgetAmendmentForm



Carver County Board of Commissioners
Budget Amendment Request Form

Agenda Item: 2.10. STOC Child Support Officer

Department: Health & Human Services - Income Support

Meeting Date: 10/1/2024 Requested By: Gladys Kirsch

Fund: ☐ 01 - General ☐ 02 - Reserve ☐ 03 - Public Works ☒ 11 - CSS
☐ 15 - CCRRA ☐ 16 - CCWMO ☐ 30 - Building CIP
☐ 32 - Road/Bridge CIP ☐ 34 - Parks & Trails ☐ 35 - Debt Service

DEBIT

TOTAL

\$20,403.00

Description of Accounts	Acct #	Amount
Health Partners Grant (STOC CS)	11-420-640-0023-6119	\$6,733.00
Child Support STOC	11-420-640-4808-6119	\$13,670.00

CREDIT

TOTAL

\$20,403.00

Description of Accounts	Acct #	Amount
Health Partners Grant (STOC)	11-423-600-0023-6119	\$6,733.00
IV-D Child Support Admin	11-405-640-0000-5433	\$13,670.00

Reason for Request:

Allocate Health Partners to STOC HHS Child Support Officer



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Memorandum of Understanding between Carver County Health and Human Services, Three Rivers Park District, and Intermediate School District 288 for Trades 360 program

Department: Health & Human Services - Income Support

Contact: Kate Probert, Income Support Manager, 952-361-1713

Presenter:

Contract Name & Number: Trades 360 Construction of Camper Cabin, contract number 24-492

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Health and Human Services (CCHHS), through Income Support Workforce Services, requests County Board approval to enter into a Memorandum of Understanding (MOU)/Partnership Agreement with Three Rivers Park District and SouthWest Intermediate School District 288, to create a Trades 360 career pathways program for youth attending Southwest Intermediate School District 288, concentrated around a skills program building a camper cabin. As part of the approved CY2024 budget process, the County Board approved career pathways funds to be utilized by CCHHS to create career pathways programs for residents in on-demand industries. The County levy/Local Assistance and Tribal Consistency (LATC) funds are intended to provide career pathways programs to support skills development and address economic recovery. The funds may be spent to offset economic impact and qualified candidate shortages in key industries: construction, "trades", health care, information technology, and professional services.

CCHHS is proposing the design and construction of a new group campsite with at least one camper cabin at Carver Park Preserve, Three River Regional Park, located in Victoria, Minnesota. The School District offers an Advanced Construction course

through its Technology and Engineering program. This course provides students with the opportunity to apply the techniques learned in the classroom to actual construction projects. The Three Rivers Park District will work with and provide program partners with specific camper cabin plans that meet requirements, work with the school to provide instructional support and inspection of the camper cabin, and provide a location for the camper cabin.

The School District will begin work in the fall of 2024 and will complete work necessary to obtain final inspections including structural, plumbing, mechanical, lodging, and electrical by December 2025. Following final inspections of the camper cabin, CCHHS plans to procure the Seal and Data Plate and Compliance Certificate from the Minnesota Department of Labor and Industry by February 2026. A fully constructed camper cabin will be transported to the Carver Park Reserve Regional Park by June 2026. In anticipation of unforeseeable delays, the MOU will remain in effect until the camper cabin is fully constructed, inspected, and moved. The total cost of the camper cabin is around \$55,000. The cost includes the construction of the cabin, obtaining certification for the cabin, any incentives for students not covered under existing workforce development or public assistance employment services programs, and transportation of the cabin.

CCHHS Workforce Services plans to partner with Scott County Workforce Services to offer students case management and program incentives. Employment Counselors will provide students with educational and career coaching and help explore multiple short-term and long-term employment opportunities. Skilled "trades" jobs are essential to support growth and the current labor market offers many opportunities for individuals skilled in trades. Learning a skilled trade is a great alternative to the four-year traditional educational path, allowing young people who are looking for job security, higher earning potential, and less student debt, as well as focusing on helping young people to be in the industry they are passionate about. Entry-level salaries for skilled trade jobs are between \$50,000 to \$60,000 per year.

Action Requested:

Motion to approve the Memorandum of Understanding (MOU) between Carver County Health and Human Services, Three Rivers Park District, and SouthWest Intermediate School District 288 for the Trades 360 program, with not to exceed amount of \$55k.

Fiscal Impact:

Funding:	Amount Budgeted:
Federal Local Assistance and Tribal Consistency (LATC) Fund	\$55,000

Related Fiscal/FTE Comments:

Through the Board-approved CY2024 budget process, \$200k (\$100k levy, \$100k LATC

dollars) on Attachment E was allocated to CCHHS to create career pathways programs. The funds are in the current CY2024 HHS budget. CCHHS plans to use up to \$55,000 of the funds to support the Trades 360 career pathways program. CCHHS will utilize the federal Local Assistance and Tribal Consistency (LATC) dollars first.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Contract with Bountiful Basket Food Shelf to provide community navigation services

Department: Health & Human Services - Administration

Contact: Kate Probert, Income Support Manager, 952-361-1713

Presenter:

Contract Name & Number: Bountiful Basket Food Shelf Community Resource Navigator
Contract 24-499

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

Carver County Health and Human Services (CCHHS), through its partnership with Bountiful Basket Food Shelf, following recommendations from Community/Family Resource Center assessments, has determined a need for community resource navigation. CCHHS seeks approval from the Carver County Board of Commissioners to enter a two-year contract with Bountiful Basket Food Shelf to support the Community Resource Navigator program. CCHHS also seeks approval to re-purpose Budget Stabilization Account (BSA) funds that were previously approved by the County Board on October 4, 2022 (RBA 8616). The one-time investment of \$50,000 utilizing BSA funds is to allow Bountiful Basket Food Shelf to hire the navigator position and leverage time needed to further assess the program and secure additional private/state/local grants to fund the position long-term. The total two-year cost (October 2024 through September 2026) for the navigator position is \$63,765 with CCHHS funding up to \$50,000 and Bountiful Basket Food Shelf funding \$13,765.

Bountiful Basket Food Shelf provides essential food resources and recognizes that food needs in the community are a symptom of other challenges that residents face, such as housing instability, healthcare access, employment barriers, and financial hardships. In 2023, they provided over 1,400 food services, impacting more than 9,000 individuals, an

increase of over 200% in the past two years. While food security remains a critical concern, it often interfaces with additional needs such as housing, healthcare, mental health services, employment, and education. Without dedicated support, residents frequently find it difficult to navigate the complexity of obtaining services and are unable to access essential services to maintain wellness for themselves and their families. The Community Resource Navigator will help provide a more holistic approach for Carver County residents by bridging this gap; connecting residents to additional services and resources in the community and supporting them to gain skills to become economically independent.

Action Requested:

Motion to approve the reallocation of \$50k BSA funds and approve the Professional Service Agreement with Bountiful Basket Food Shelf, for the Community Resource Navigator program with a not-to-exceed amount of \$50k for the period of October 1, 2024, through December 31, 2026, pending contract finalization.

Fiscal Impact:

Funding:	Amount Budgeted:
Budget Stabilization Account	\$50,000

Related Fiscal/FTE Comments:

On October 4, 2022 (RBA 8616), the Carver County Board of Commissioners approved \$50,000 from the County's Budget Stabilization Account (BSA) to support youth employment and education programs. Carver County Health and Human Services seeks to re-purpose approved funding to support the Community Resource Navigator program to meet identified community needs. The \$50,000 from the County's Budget Stabilization Account is already in the 2024 CCHHS approved budget.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Freshwater Church - Request to construct and operate a Church Facility (CUP)

Department: Public Services - Land Management

Contact: Jason Mielke, Land Use Manager, 952-361-1817

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20240034. On September 17, 2024, the Planning Commission unanimously recommended approval of Freshwater Church's Conditional Use Permit (CUP) to construct and operate a church, which includes a child care facility, along with accompanying site improvements, on property they own in Section 6 of Laketown Township. The property consists of about 22 acres and is located at 6635 Laketown Parkway, immediately south of Crown College.

A church is allowed as a Large-Scale Activity - Church Facility, pursuant to Section 152.080 (C)(2) of the Carver County Zoning Code. If approved, Freshwater Church would proceed with plans to construct an approximately 39,000 square-foot single-story church, associated parking to accommodate approximately 201 vehicles, access improvements, new well and septic installation, and a stormwater retention system. To address neighbor concerns about impacts to surrounding properties, landscaping screening between the parking lot and the public road will be installed. Exterior parking lot lighting will comply with zoning code standards to prevent excessive light spillover. The church will implement an event traffic control plan to facilitate vehicles arriving at and leaving from the site.

The development of the site would need to meet the Minnehaha Creek Watershed District Water Rules, as well as the County Subsurface Sewage Treatment System (SSTS) requirements.

The Carver County Public Works Department has reviewed the request and will require public improvements in the form of turn lanes for both southbound and northbound traffic entering the church property from Laketown Parkway (Co Rd 92).

The Laketown Town Board supports the request with the understanding that stormwater management and road access safety concerns will be addressed by the permitting authorities.

The Planning Commission's Resolution and Township location map is attached for the County Board's consideration. A copy of the Planning Commission packet is available for review at: <https://www.carvercountymn.gov/home/showpublisheddocument/26794/638615781029430000>

Action Requested:

A motion to adopt Findings of Fact and issue Order #PZ20240034 for the issuance of a Conditional Use Permit.

Fiscal Impact:

Funding:	Amount Budgeted:

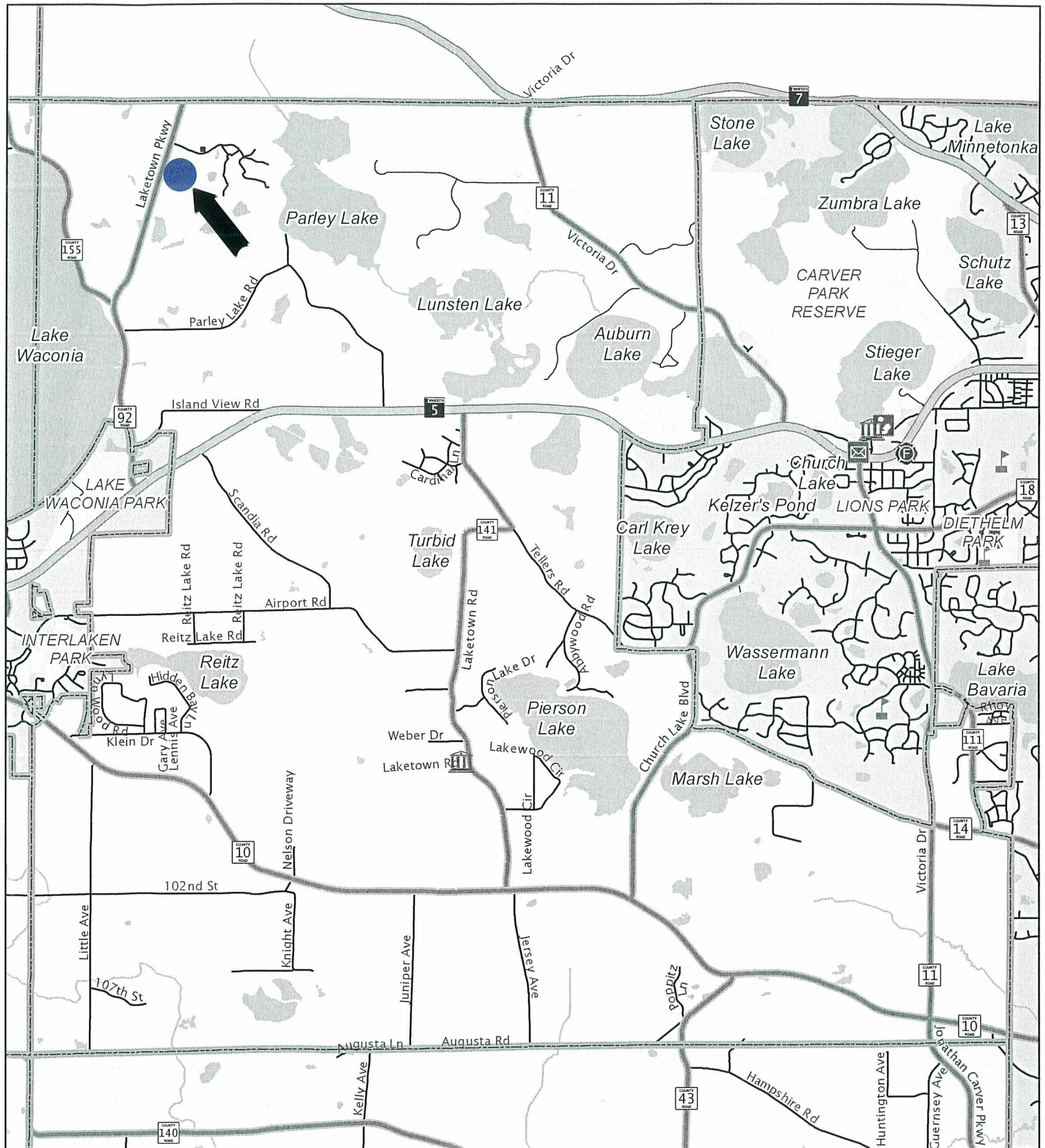
Related Fiscal/FTE Comments:

N/A

Attachments:

1. Laketown Township Location Map
2. CU-PZ20240034 - PLC Resolution-signed

LAKETOWN 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

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20240034

RESOLUTION #: 24-11

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

FILE #: PZ20240034

APPLICANT: Elijah Kracht (Bauer Design Build)

OWNER: Freshwater Community Church (Zach Freitas)

SITE ADDRESS: 6635 Laketown Parkway, 55387

PERMIT TYPE: Large-Scale Activity – Church Facility

PURSUANT TO: County Code, Chapter 152, Section 152.080 (C)(2)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 07-006-1121

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meetings of August 20, 2024, and September 17, 2024; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Freshwater Community Church owns an approximate 21.98-acre parcel located in the North Half (N½) of the Southeast Quarter (SE¼) of Section 6, Laketown Township. The property is located at 6635 Laketown Parkway. The property is currently improved with an existing house (utilized by the church as a small group home) and an accessory structure. The property contains woodlands and wetlands. Freshwater Church has held multiple annual special events (i.e., Sunday worship and community gatherings) on the site prior to applying for the Conditional Use Permit (CUP). The site is located in the Agricultural Zoning District and the Minnehaha Creek Watershed District (MCWD) jurisdiction.
2. Freshwater Church was established in 1999 and bought the subject property in 2019. The applicant is requesting approval to construct an approximate 39,000 square-foot structure with worship space, day care facility, and supporting site improvements. The request is allowed as a Large-Scale Activity - Church Facility, pursuant to Section 152.080 (C)(2) of the Carver County Zoning Code.
3. At the August 20, 2024, meeting the Planning Commission opened the public hearing and heard testimony from the public. Upon discussion of the application and consideration of public comments, the Commission sought additional information from the applicant. Commission Members passed a motion to continue the agenda item to a date certain, September 17, 2024. Planning Commission members requested additional information regarding the implementation of the church's Event Traffic Control Plan, feasibility of moving the proposed church driveway access location to minimize exiting vehicle headlights shining in the windows of the house directly across the street and decrease conflict with neighbor vehicles entering/exiting their driveway, review comments or permit status update for the Minnehaha Watershed District stormwater permit, church building signage, and clarification on church plans for outdoor events that with accompanying amplified sound and music.
4. The Conditional Use Permit would allow the applicant to construct an approximately 39,000 square-foot single story church (i.e. a large assembly space with a capacity of 541 seats, a multi-purpose room, a playroom, classrooms, restrooms, gathering area, administrative offices, etc.), associated parking to accommodate approximately 201 vehicles, access improvements on Laketown Parkway (Co Road 92), a new septic installation, and a stormwater retention system. The existing single-family dwelling on the property would continue to be used as long-term housing (pursuant to State Statute requirements) for adult women who are in recovery from a substance abuse disorder.

5. The submitted narrative (dated June 28, 2024) details the CUP application request. The proposed operations include a church and child day-care, each with separate attendance numbers, staff, and operating hours. Weekday evening programming includes youth and adult programs with attendance in the range of 50 to 200 participants. The occasional wedding, with about 150 to 300 attendees, occur on Thursdays, Fridays, or Saturdays. Though Saturday is not a regular day for church events there would be occasional Saturday events with the largest events being funerals with up to about 300 participants. The narrative states there would be approximately 3 to 5 special events on Saturdays (day or evening) such as a children's event or a conference. Attendance would be approximately 100 to 200 persons for these events. "Sunday afternoon events are rare but do happen." In total, Freshwater Church's operating hours are from 9:00AM – 9:30PM weekdays, Saturdays 9:00AM – 7:30PM, and Sundays 8:00AM – 5:00PM. There is a total of 17 church staff, with 8 full-time and 9 part-time workers. The children's day-care center operates from 6:00AM – 6:00PM weekdays only. The day care provider's state license is for up to 135 children. The current enrollment is about 80 children with 22 total staff, with about 12-15 workers on site at a time.
6. Currently, there is an existing single-family dwelling on the property. The submitted narrative describes the use of the structure as a "women's long term recovery home" for women who have suffered from substance abuse disorders. The current number of occupants of the home is four. There are no programs or professional services offered in the home. The zoning code allows residential facilities for six or fewer occupants as a permitted use, which makes it independent from the CUP for church and daycare.
7. The submitted site plans (dated August 1, 2024) shows the proposed layout of the site that includes a three-lane access from Laketown Parkway, a parking lot south of the church building, the building's footprint, a playground to the north of the building, and driveway access to the existing house toward the rear of the property. The structure and parking lot meet the required setbacks from the property lines. There is a wetland setback, permitted in MCWD Rules, utilized in the placement of the church with respect to the wetlands to the north of the building.
8. It is anticipated that the church daily trips generated to and from the site on Mondays through Fridays to be approximately 300 trips, divided between the day care and church during the daytime. For church programming and events in the evening there would be about 80-100 trips at a minimum, with a Wednesday evening peak of about 400 trips. On Saturdays a large funeral on rare occasions could generate up to 300 trips. The estimated number of daily trips anticipated on Sundays would be approximately 1,090 trips for the worship services and occasional events. There would be approximately 180 vehicles present for an individual Sunday worship service. The narrative states that day care workers and parents, as well as deliveries to the church, would not overlap with peak trip times of the church operation.
9. The applicant has submitted an Event Traffic Control Plan (dated August 1, 2024) that show the sequential steps for multiple vehicles entering the proposed parking lot, placement of volunteers and State Trooper or Sheriff Deputy, and emergency vehicle access. The event control plan was requested by the Laketown Town Board during their review of the application. Freshwater Church submitted a revised Event Traffic Control Plan (dated September 6, 2024) which states, "This plan will be implemented for events held outside of regular weekly worship gatherings where there is an anticipated 200+ cars arriving for a fixed start time."
10. The county parking standards require one (1) parking space per three (3) seats based upon the design capacity of the main assembly/worship hall. The applicant has indicated the worship hall would be designed for 541 seats: therefore, requiring 180 parking spaces. The area and capacity of the on-site parking as shown on the site plan accommodates 201 vehicles, so the parking supply meets the minimum requirement of § 152.038 (C). The applicant also identified an area on the site plan for a loading dock at the rear of the building.
11. Freshwater Church is working with the local road authority (Carver County Public Works Division) to allow for an access from County Road 92 (Laketown Parkway). Preliminary plans show a right turn lane and a left turn lane to facilitate traffic movement through the driveway/Co Rd 92 intersection. County Public Works has reviewed the request and provided written feedback to preliminary intersection design plans. The access to the site would be from Co Rd 92, which is a highly traveled county road (collector classification). The applicant would be required to secure an access permit from the road authority. County Public Works has not received final intersection design plans, thus has not provided final approval of the project. When the Planning Commission continued public review of the CUP application to the September 17, 2024, meeting, staff requested further information from Public Works regarding required access

improvements and access location. In an email dated September 5, 2024, Whitney Schroeder, Traffic Engineer with Carver County Public Works wrote: “A Traffic Impact Assessment (TIA) was performed as part of the County’s application requirement. This TIA evaluates the existing roadway and surrounding intersections under existing and future traffic volumes with and without the site to identify needs and recommendations to accommodate the additional traffic safely and effectively. The proposed access meets turn lane warrants for both directions, therefore there will be a designated southbound left and northbound right turn into the church site.” Further, she explained a common driveway to serve the subject property and Crown College at the current college access was not feasible since the County “could not force Crown College to provide temporary easement for a driveway.” The email stated the proposed Freshwater Church access meets the County’s access spacing policy guidelines and its placement is consistent with County policy and best management practices to consolidate accesses and align them across from one another when possible to aid in safety and visibility for drivers on the mainline. Ms. Schroeder’s email clarified that “Any special event affecting traffic operations on county roads would require a separate permit. As part of that permit, an event traffic control plan would be required and need to be approved by the County. Any temporary change in County intersection control or closure would need to be communicated through the permit’s event traffic control plan, which would then demonstrate the need for law enforcement.”

12. At the August 20, 2024, Planning Commission public hearing there was a concern expressed by neighboring residents that the driveway location would result in exiting vehicle headlights shining in the neighboring house windows. In response to this concern, the applicant created a simulation drawing (titled “Drive Location” and dated August 26, 2024) that shows the distance low beam vehicle headlights would travel onto the neighboring property and the higher elevation of the ground elevation of the home, about 23 feet, which would prevent the direct glare of headlights from reaching the house windows.
13. The architectural plans (dated March 7, 2024, and July 25, 2024) show signage on the building identifying the structure as “Freshwater Church” and “Kids” with a note: “All signage by owner under a separate permit.” All signs on the building must be a maximum single sign size of 32 square-foot with an overall parcel maximum of 36 square feet to meet the maximum sign square footage pursuant to Chapter 154 - Sign Regulations. The architectural plan shows the layout and functions of the various rooms in the structure and appears to show the proposed structure meets the 35-foot height maximum standard for buildings in the agriculture zoning district. In response to concerns about signage expressed at the August 20, 2024, public hearing, the applicant submitted an updated Exterior Elevation plan (dated August 26, 2024) with a dashed area representing the approximate location and size of the maximum 32 square foot area of a single sign. There is a note that the dashed area is “shown for reference only. Approval by others under separate permit.”
14. The applicant has submitted an Outdoor Activity Areas Exhibit (dated August 1, 2024) showing possible areas for outdoor activities. There are several areas, shown as green boxes adjacent to the front of the church as well as larger area in the southwest corner of the property. The narrative describes the use of the outdoor activity spaces:

“Outdoor activities would take place during the usual programming times (weeknights, Sundays). They would take place on the lawn right next to the building or in the large field behind/east of the building, see outdoor activities site plan. These outdoor activities would include such things as children playing tag and youth playing games such as 9 square and gaga ball. Amplified sound may be used for light background music.”

In response to concerns about the impact of noise from outdoor activities expressed at the August 20, 2024, public hearing, the applicant submitted an email (dated September 4, 2024) from Zach Freitas, Executive Pastor at Freshwater Church. The email states: “Outdoor activities may have music played from a small portable speaker. At this time, we do not have plans for large outdoor events requiring a large speaker system. It is the intention of the new building to house the weekly churchwide worship services.”

15. The applicant has submitted a Landscaping Plan (dated August 1, 2024) showing proposed landscaping planting on the site. The plan shows a mixture of deciduous trees on the edges and within the parking lot to soften the hardscape appearance in this rural setting. Similarly, the plan shows a line of evergreen trees between the parking lot and Laketown Parkway to provide some screening between the church and the adjacent property owner across the street.

16. The applicant has submitted a Photometric Plan (dated July 16, 2024) showing the levels of illumination on the parking lot and surrounding the church. The plan, which shows the highest light level of about 0.3 footcandles in the public right-of-way near the driveway entrance, complies with the zoning code standard to ensure that “glare is not visible from public right-of-way or adjacent residential property, and not more than three-foot candles of light intensity is present at a residential property line. (§ 152.034 (C)(2).”
17. A Subsurface Sewage Treatment System (SSTS) location has been identified to the east of the church building. A septic designer has been working with Carver County Environmental Services Department for review and approval of a septic system of four mounds to serve the church. In an email dated August 6, 2024, Lori Brinkman of Environmental Services reports the existing dwelling on the property, the site of women’s long term recovery home, had a replacement SSTS installed in 2021, so it is compliant until 2026. Ms. Brinkman further explained: “Group homes are at risk systems. If the home is to continue in the current use, wastewater monitoring is required. The monitoring will include flow and wastewater strength monitoring requirements as specified in an operating permit.”
18. The church expansion project would be required to comply with Minnehaha Creek Watershed District (MCWD) stormwater and sediment and erosion control standards and permitting. In an email dated July 30, 2024, Trey Jonas, MCWD permitting technician, stated the structure complied with their wetland setback rules that allow for the buffer averaging. In an email dated September 6, 2024, the applicant provided an update of the permitting process: “After ongoing coordination between the County and Minnehaha Creek Watershed District (MCWD) in regard to storm water management for the turn lanes, MCWD agreed to review the stormwater management drawings for the ‘private’ Freshwater Church site. Those drawings have been sent and received by Maggie Menden at MCWD. MCWD will be providing feedback by September 20, 2024, at the latest. It is the understanding of the design team that drawings submitted to MCWD meet their design standards pertaining to post-development runoff can’t exceed pre-development runoff. If MCWD has any comments or requested revisions to the submitted plans, those changes would be made prior to building permits being issued.” Required MCWD permits would need to be issued prior to the issuance of building permit(s) on the subject property.
19. The subject property is in the jurisdiction of the City of St. Bonifacius Fire Department. Chief Eric Anderson received the application materials. Chief Anderson has provided a review letter dated August 23, 2024.
20. The Land Management Department received public comments expressing concerns with and in support of the CUP application. Written comments were received by email from the following:
 - Terry Thelemann (dated August 20, 2024)
 - Bob Holz (August 21, 2024)
 - Mike Sohm (September 1, 2024)
 - Bruce & Alice Minor (September 1, 2024)
 - Brett & Victoria Martinson (September 1, 2024)
 - Paige Wegner (September 1, 2024)
 - Amy Tollberg (September 1, 2024)
 - Sandee Gaines (September 2, 2024)
 - Lisa Laurent (September 3, 2024)
 - Mark Korthals (September 4, 2024)
 - Charlene Clouse (September 4, 2024)
 - Amanda Gregorich (September 6, 2024)
 - Patrick & Rose Haeg (September 8, 2024)
 - Jeremy Gregorich (September 10, 2024)
 - Mindy Bigaouette (September 10, 2024)
 - John Clouse (September 12, 2024)
 - Cynthia Sauter (September 16, 2024)
 - Anna Brant (September 16, 2024)
 - Lisa Barron (September 16, 2024)
 - Kay Thul (September 16, 2024)
 - Brittany Jackman (September 16, 2024)
 - Ron & Cynthia Overson (September 16, 2024)
 - Michaela McLain (September 16, 2024)
 - Abby Murphy (September 16, 2024)
 - Paul & Marcia Gedden (September 16, 2024)
 - John McNabb (September 16, 2024)
 - Joe Jackman (September 17, 2024)
 - Deb & Dale Kompelien (September 17, 2024)
 - David & Cindy Wessels (September 17, 2024)
 - John McCain (September 16, 2024)
 - Terry Thelemann (dated September 16, 2024)
 - Terry & Bob Thelemann project site photograph (received September 17, 2024, at PLC Mtg)

21. The Laketown Town Board reviewed the church request at their July 8, 2024, Town Board meeting. The Town Board commented: “Township Board plans to be present for comment at the County hearing. Board does not have an issue with the CUP designation to allow for the church to be built in current Ag district. CUP application is strictly relating to the building (presented by representative of architect firm vs. landowner). Board requests the residence on the property be addressed to determine use and maintenance, if not being removed. Board defers to County as road authority – would like to see turn lanes from both directions and a traffic control plan when hundreds of vehicles would be leaving an event. Board would like to see a comprehensive application that encompasses potential variance requests (e.g. County signage ordinance, fire suppression, etc.)” The Laketown Town Board reviewed the application again at their August 26, 2024, meeting and in an email dated September 5, 2024, the Town Clerk Leanne Kunze reported: “In regard to the Freshwater Church CUP application, the Board has no further comment other than the request to clarify their previous position supporting the land use from ag to church, and the remaining concerns relating to CUP to be addressed by the road authority and watershed district.”
22. Due to concerns about meeting the statutory requirements for a timely land use application decision, the Land Management Department staff sent the applicant and owner a “60-Day Law Letter” dated September 11, 2024.
23. 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 approval of the permit application to construct a church facility as a Large-Scale Activity with Unique Land or Location Needs on the property legally described in Exhibit A. The following conditions should be considered part of the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early in the timeline of the proposed change as possible.
2. The operation shall be in accordance with the submitted application including the CUP narrative letter (dated: June 28, 2024) and site plans (dated August 1, 2024), architectural plans (dated August 26, 2024, and July 25, 2024), Event Traffic Control Plan (dated September 6, 2024), Outdoor Activity Areas Exhibit (dated August 1, 2024), Landscaping Plan (dated August 1, 2024), Photometric Plan (dated July 16, 2024), Drive Location exhibit (dated August 26, 2024), and email from Zach Freitas regarding church outdoor events (dated September 5, 2024). These plans shall be attached to and become part of this permit. Any proposed expansion of the submitted site plan shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.
3. The operational hours would typically follow a traditional church schedule. Worship services, weddings, meetings, and activities would also occur during the week and on some Saturdays and Sundays.
4. The Permittee shall comply with the local road authority (Carver County Public Works Department) access requirements and/or proposed improvements at County Road 92. This shall include securing an access permit from Carver County Public Works Department.
5. Any grading and/or filling activity on the property shall be completed in accordance with the Minnehaha Creek Watershed Water Resource Management standards and the Wetland Conservation Act (WCA), if applicable. All site improvements shall be completed pursuant to MCWD standards and requirements. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
6. All necessary and required building permits shall be applied for and issued prior to construction. All structures utilized as part of the church facility shall meet the applicable Minnesota State Building Code requirements.

7. A Subsurface Sewage Treatment System (SSTS) location and design is submitted to the Carver County Environmental Services Department for review and approval. SSTS installation shall comply with all applicable SSTS regulations.
8. Parking of vehicles must be confined to the church property. Parking along Laketown Parkway (County Road 92), within the road right-of-way shall be prohibited.
9. Permittee shall submit a copy of the Certificate of Workers' Compensation Insurance or sign an appropriate affidavit regarding employee status and submit it to the Land Management Department. The insurance or affidavit shall be maintained for the duration of the CUP.
10. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. These regulations include, but are not limited to, standards for land use, parking, lighting, and signage. Parking capacity shall meet the requirements of the Zoning Code.

ADOPTED by the Carver County Planning Commission this 17th day of September 2024.


[Scott Hoese \(Sep 19, 2024 10:16 CDT\)](#)

Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Settlement Agreements for Right of Way Acquisitions for the Highway 11/14 Project

Department: Public Works - Program Delivery

Contact: Anthony Stucchi, Assistant Right of Way Agent, 952-466-5285

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The 2024-2025 Construction Season includes the Highway 11/14 Project which entails the construction of a roundabout at the intersection of Highway 11 and Highway 14. The project limits fall within Laketown Township and the City of Victoria.

Additional right-of-way is needed to complete the project scope. Carver County has contracted with appraisers in order to establish fair market value for the right of way acquisitions needed in support of the project. On May 21, 2024, the County Board authorized Public Works staff to make offers for direct purchase of the impacted properties.

On August 20th, 2024 the County Board gave Public Works staff direction on last written offers.

Negotiations have continued and staff have reached recommended settlements with the following property owners located at PID #'s: 07.0251900, 65.0250900, 07.0252720, 07.0250200, 07.0540010, 07.7250100.

Action Requested:

Adopt a resolution to approve right of way acquisition settlements for the Highway 11/14 Project for the properties located at PID #'s: 07.0251900, 65.0250900, 07.0252720,

07.0250200, 07.0540010, 07.7250100.

Fiscal Impact:

Funding:	Amount Budgeted:
Transportation Sales Tax	\$213,946.00
City of Victoria	\$142,500.00

Related Fiscal/FTE Comments:

Included in current budget

Attachments:

1. 218906_Hwy 11-14_Resolution Authorizing Settlement 10-01-24 Meeting

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: October 1, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 11/14 Project

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 a roundabout and pavement improvements as part of the Highway 11/14 Project (“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 a roundabout and pavement improvements as part of the Highway 11/14 Project 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 October 1, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of October 2024

Dave Hemze	County Administrator

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

Highway 11/14 Project

Carver County Public Works No. 218906

Property Tax Identification No. 07.0251900, 65.0250900

Parcel Number(s): 1 and 8

Fee Owners: Schmieg Farm Land, LLC

Property Address: 5475 Marsh Lake Road, Chaska, MN 55318

Subject property being acquired in fee simple contains **339,721 sq. ft.**, more or less.

\$210,678.00

Permanent easement for drainage and utility purposes contains **13,288 sq. ft.**, more or less.

\$24,800.00

Temporary easement for construction purposes contains **34,495 sq. ft.**, more or less.

\$14,098.00

Impacts to improvements, fencing and trees.

\$14,647

Settlement Amount: **\$265,223.00**

Property Tax Identification No. 07.0252720

Parcel Number(s): 2

Fee Owners: Richard Schmieg

Property Address: 5475 Marsh Lake Road, Chaska, MN 55318

Subject property being acquired in fee simple contains **8,352 sq. ft.**, more or less.

\$19,159.00

Temporary easement for construction purposes contains **691 sq. ft.**, more or less.

\$618.00

Settlement Amount: **\$19,777.00**

Property Tax Identification No. 07.0250200

Parcel Number(s): 3

Fee Owners: Steven James Kelzer Revocable Trust

Property Address: 2035 Pioneer Trail, Chaska, MN 55318

Subject property being acquired in fee simple contains **169,817 sq. ft.**, more or less.

\$4,000.00

Temporary easement for construction purposes contains **4,030 sq. ft.**, more or less.

\$1,655.00

Appraisal Fee.

\$5,000.00

Settlement Amount: **\$10,655.00**

Property Tax Identification No. 07.0540010

Parcel Number(s): 5

Fee Owners: Christ Victorious Lutheran Church

Property Address: 2035 Pioneer Trail, Chaska, MN 55318

Subject property being acquired in fee simple contains **24,578 sq. ft.**, more or less; 24,460 sq. ft. more or less is within existing roadway easement.

\$300.00

Temporary easement for construction purposes contains **7,487 sq. ft.**, more or less.

\$3,062.00

Appraisal Fee.

\$5,000.00

Settlement Amount: **\$9,162.00**

Property Tax Identification No. 07.7250100

Parcel Number(s): 6

Fee Owners: Vassar Living Trust

Property Address: Vacant Land, Chaska, MN 55318

Subject property being acquired in fee simple contains **56,902 sq. ft.**, more or less.

\$22,500.00

Permanent easement for drainage and utility purposes contains **3,058 sq. ft.**, more or less.

\$7,000.00

Temporary easement for construction purposes contains **24,154 sq. ft.**, more or less.

\$9,879.00

Severance Damages, unfarmable slopes.

\$12,250

Settlement Amount: **\$51,629.00**



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Initial Offers for Right of Way Acquisition for the Highway 11 Project - Carver Park Reserve

Department: Public Works - Program Delivery

Contact: Anthony Stucchi, Assistant Right of Way Agent, 952-466-5285

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The 2025-2026 construction season includes the Highway 11 Project - Carver Park Reserve. This project will include shoulder widening, grading, and re-surfacing of Highway 11 from 0.27 miles north of Highway 5 to 0.1 miles south of Highway 7.

Additional Right of Way is needed to complete the project. Appraisals were obtained and reviewed by certified appraisers in order to determine market value for the needed right of way. Staff are recommending the making of initial offers to the impacted property owners.

Action Requested:

Motion to adopt a resolution to authorize written initial offers of compensation for right-of-way acquisitions related to the Highway 11 Project - Carver Park Reserve based on the appraisals obtained from a certified appraiser.

Fiscal Impact:

Funding:	Amount Budgeted:
Wheelage Tax	\$450,400

Related Fiscal/FTE Comments:

Included in the current budget

Attachments:

1. 218931 Hwy 11-Carver Park_ResolutionAuthorizingOffers_10-01-24 Meeting

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: October 1, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 11 Project – Carver Park Reserve

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 shoulder widening and pavement improvements as part of the Highway 11 Project – Carver Park Reserve (“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 described 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 Owners submit to the County the information necessary for reimbursement.

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway related improvements for shoulder widening and pavement improvements as part of the Highway 11 Project – Carver Park Reserve 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), the Public Works Division Director or agents under his supervision, shall make initial written offers of just compensation to the Owners of the real property interests described in Exhibit A from whom the County must acquire real property interests needed for the Project; and

BE IT FURTHER RESOLVED that the Public Works Division Director or agents under his supervision, shall reimburse the Owners of said real property interests for an independent appraisal of damages from a licensed real estate appraiser to estimate the full amount of damages which will be caused to Owners by the County’s proposed acquisition of the real property interests described in said Exhibit A, and that, upon the Owners providing to County a copy of that appraisal report, evidence of the cost of that report, and evidence of payment of that amount to the appraiser, County shall reimburse Owners for the cost of Owners’ independent appraisal report, subject to the limits stated in Minn. Stat. §117.036. In lieu of said independent appraisal of damages, the Public Works Division Director or agents under his supervision, may offer in addition to the initial written offer to property Owners, an amount up to said limits in Minn. Stat. §117.036.

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 October 1, 2024 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of October, 2024

Dave Hemze	County Administrator

Exhibit A

to

Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests

Highway 11 Project – Carver Park Reserve

Carver County Public Works No. 218931

Property Tax Identification No. 65.0110100, 65.0110200, 65.0100100, 65.0030100, 65.0040100

Parcel Number(s): 6, 7, 10, 11, 12

Fee Owners: Three Rivers Park District

Property Address: Vacant Land, Victoria, MN 55386

Subject property being acquired in fee simple contains **1,262,083 sq. ft.**, more or less, which contains 807,041 sq. ft., more or less, of existing public right-of-way easement.

Permanent easement for drainage and utility purposes contains **112,589 sq. ft.**, more or less.

Temporary easement for construction purposes contains **369,882 sq. ft.**, more or less.

Property Tax Identification No. 65.0110210, 65.0110300

Parcel Number(s): 8, 9

Fee Owners: Moravian Church of Lake Auburn

Property Address: 7440 Victoria Drive, Victoria, MN 55386

Subject property being acquired in fee simple contains **43,999 sq. ft.**, more or less, which contains 28,471 sq. ft., more or less, of existing public right-of-way easement.

Temporary easement for construction purposes contains **20,926 sq. ft.**, more or less.

Property Tax Identification No. 65.3100110

Parcel Number(s): 13

Fee Owners: Gregory & Heidi Pavett, CFD with Auburn Lake Academy Corp.

Property Address: 7500 Victoria Drive, Victoria, MN 55386

Temporary easement for construction purposes contains **7,320 sq. ft.**, more or less.

Property Tax Identification No. 65.3100110

Parcel Number(s): 14

Fee Owners: Gregory & Heidi Pavett, CFD with Auburn Lake Academy Corp.

Property Address: 7600 Victoria Drive, Victoria, MN 55386

Subject property being acquired in fee simple contains **42,998 sq. ft.**, more or less, which contains 25,331 sq. ft., more or less, of existing public right-of-way easement.

Permanent easement for drainage and utility purposes contains **695 sq. ft.**, more or less.

Temporary easement for construction purposes contains **7,626 sq. ft.**, more or less.

Hennepin County Property Tax Identification No. 3511724430003, 3511724430002

Fee Owners: Life Science Foundation; d.b.a. Charlson Meadows

Property Address: Vacant Land adjacent to 1601 Highway 7, Excelsior, MN 55386

Subject property being acquired in fee simple contains **5.8 acres**.



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Settlement Agreements for Right of Way Acquisitions for the Highway 18 Project - Arboretum Area

Department: Public Works - Program Delivery

Contact: Anthony Stucchi, Assistant Right of Way Agent, 952-466-5285

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The Highway 18/82nd St. Project is a project identified in the 2021 Arboretum Area Transportation Plan. It aims to connect Highway 13 to Highway 41, providing a vital link for Victoria, and improved access to the Minnesota Landscape Arboretum, Chaska, and Chanhassen. Key features include upgrading the gravel road to a two-lane paved urban highway and adding a multi-use trail enhancing community connectivity. This initiative is a joint effort involving Carver County, and the cities of Chaska, Chanhassen, and Victoria. Construction is planned to begin late 2024 and conclude at the end of the 2025 construction season.

Additional right-of-way is needed to complete the project scope. Carver County has contracted with appraisers in order to establish fair market value for the right of way acquisitions needed in support of the project. On June 4, 2024, the County Board authorized Public Works staff to make offers for direct purchase of the impacted properties.

On July 16, 2024, the county board gave Public Works staff direction on last written offers. On July 30, 2024 the County filed the petition for use of eminent domain.

Negotiations have continued and staff have reached recommended settlements with the

following property owners located at PID#'s: 30.0160500, 65.5600012, 65.5600011, 65.1000360.

Action Requested:

Adopt a resolution to approve right of way acquisition settlements for the Highway 18 Project - Arboretum Area for the properties located at PID #'s: 30.0160500, 65.5600012, 65.5600011, 65.1000360.

Fiscal Impact:

Funding:	Amount Budgeted:
Transportation Sales Tax	\$129,363.00

Related Fiscal/FTE Comments:

Included in current budget.

Attachments:

1. CSAH 18 Resolution Authorizing Settlements 10-01-24

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: October 1, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 18 Project – Arboretum 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 a new segment of County State Aid Highway 18 from .015 miles west, south, and north of the CSAH 13 (Bavaria Road) intersection in the City of Victoria to .02 miles west of Trunk Highway 41 in the City of Chaska (“CSAH 18 Project” or “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 part of the CSAH 18 Project 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 October 1, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 1st day of October 2024

Dave Hemze	County Administrator

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

Highway 18 Project – Arboretum Area

Carver County Public Works No. 108365

Property Tax Identification No. 30.0160500

Parcel Number(s): 9

Fee Owners: Bradley J. Steinhagen

Property Address: 115 82nd Street West Chaska, MN 55

Subject property being acquired in fee simple contains **2,615 sq. ft.**, more or less.

\$13,363.00

Settlement Amount: **\$13,363.00**

Property Tax Identification No. 65.5600012

Parcel Number(s): 30

Fee Owners: Nicholas T. Tibesar & Lindsey J. Tibesar

Property Address: 305 82nd Street, Chaska, MN 55318

Temporary easement for construction purposes contains **1,564 sq. ft.**, more or less.

\$2,200.00

Impacts to improvements, sprinkler system.

\$2,800.00

Settlement Amount: **\$5,000.00**

Property Tax Identification No. 65.5600011

Parcel Number(s): 31

Fee Owners: James N. Crannell & Diane MF Crannell

Property Address: 622 82nd Street, Chaska, MN 55318

Subject property being acquired in fee simple contains **4,122 sq. ft.**, more or less.

\$13,000.00

Temporary easement for construction purposes contains **9,061 sq. ft.**, more or less.

\$2,300.00

Impacts to improvements, trees and landscaping.

\$36,450.00

Severance Damages tree buffer loss.

\$58,250.00

Settlement Amount: **\$110,000.00**

Property Tax Identification No. 65.1000360

Parcel Number(s): 39

Fee Owners: Augustana Emerald Care, LLC

Property Address: 8150 Bavaria Road, Chaska, MN 55386

Temporary easement for construction purposes contains **630 sq. ft.**, more or less.

\$600.00

Impacts to improvements.

\$400.00

Settlement Amount: **\$1,000.00**



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: HVAC Related Coil Replacements at Public Works HQ
Department: Public Services - Facility Services
Contact: Brent Kath, Facility Services Manager, 952-361-1557
Presenter:
Contract Name & Number:
Meeting Date: October 1, 2024
Item Type: Consent

Strategic Initiative:

Customer Service: Continue the County's delivery of high value, timely service and support.

Background/Justification:

Earlier in 2024, the Public Works Headquarters HVAC system suffered a number of pinhole leaks throughout the building, causing water to leak onto the floor. The original system is over 20 years old and needs to be updated. Because of this, we had to shut the radiant heat off and the building had to rely on forced air heating only. This fix will get the radiant system back up and running.

Facilities obtained quotes from two vendors. Metropolitan Mechanical Contractors (MMC) had the low quote of \$41,808. MMC will provide the parts and labor to replace 25 hot water VAV reheat coils and will perform a start-up to ensure the system is working correctly.

Action Requested:

Motion to contract with Metropolitan Mechanical Contractors for replacement of VAV coils pending the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

This project is already budgeted for and will be paid using funds from the facilities budget. No additional funds will be needed.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Professional Services Agreement with HDR, Inc. for Construction Support Communications for Highway 18 - Arboretum Area Project

Department: Public Works

Contact: Lyndon Robjent, Public Works Division Director / County Engineer, 952-466-5206

Presenter:

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The Highway 18/82nd St. Project is a project identified in the 2021 Arboretum Area Transportation Plan. It aims to connect Highway 13 to Highway 41, providing a vital link for Victoria, and improved access to the Minnesota Landscape Arboretum, Chaska, and Chanhassen. Key features include upgrading the gravel road to a two-lane paved urban highway and adding a multi-use trail enhancing community connectivity. This initiative is a joint effort involving Carver County, and the cities of Chaska, Chanhassen, and Victoria. Construction is planned to begin late 2024 and conclude at the end of the 2025 construction season.

The project will require frequent and strategic communications during construction and Public Works does not have staff capacity to undertake this work. Public Works recommends hiring HDR, Inc., who have significant experience in this area and have provided quality service on previous construction projects.

Action Requested:

Motion to approve a professional services agreement with HDR, Inc. for Construction Support Communications for the Highway 18 - Arboretum Area Project, subject to completion of the contract review process

Fiscal Impact:

Funding:	Amount Budgeted:
Transportation Sales Tax	\$92,509.02

Related Fiscal/FTE Comments:

Included in the Current Budget. The contract is hourly, not to exceed this amount.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: 2025 TZD Enforcement Resolution and Grant
Department: County Sheriff - Patrol Services
Contact: George Pufahl, Lieutenant, 952-361-1886
Presenter: George Pufahl, Lieutenant
Contract Name & Number:
Meeting Date: October 1, 2024
Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Toward Zero Deaths (TZD) is a national strategy for highway safety that advocates eliminating severe injuries and deaths on our nation's roadways. It was conceptualized by safety practitioners, researchers, advocates, and others from various disciplines. The strategy underscores the need for all stakeholders to champion the idea that one death on our nation's roadways is too many, and we must all work together to bring the annual number of roadway deaths down to zero.

Action Requested:

Authorize TZD Resolution

Fiscal Impact:

Funding:	Amount Budgeted:
Grant	\$20,200.00

Related Fiscal/FTE Comments:

Reimbursement for expenditures incurred under the grant agreement is \$20,200.00. Reimbursement will go to 01-201-236-1605-6820. This is included in the current budget.

Attachments:

1. TZD RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT 2025

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that the Carver County Sheriff's Office enter into grant agreements with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled Towards Zero Deaths during the period from October 1, 2024 through September 30, 2025.

The Carver County Sheriff is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Carver County Sheriff's Office and to be the fiscal agent and administer the grant.

I certify that the above resolution was adopted by the Carver County Board of Commissioners of Carver County, Minnesota on _____.
(Date)

SIGNED:

(Signature)

(Title)

(Date)

WITNESSETH:

(Signature)

(Title)

(Date)



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Request to hire Part-Time 0.5 FTE Licensed Deputy in Full-Time Vacancy

Department: County Sheriff - Patrol Services

Contact: Mike Wollin, Commander, 952-361-1857

Presenter: None

Contract Name & Number: N/A

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The Sheriff's Office has been posting job announcements for part-time licensed Deputy Sheriffs as vacancies have occurred. Recruitment for this position has taken repeated job announcements to identify suitable candidates for the position. The most recent process for a part-time vacancy identified two experienced, qualified, and desirable candidates for the current vacancy. Recruitment challenges coupled with expected attrition in 2025 make hiring of both candidates necessary in an attempt to sustain staffing in 2025 with highly qualified persons. The Sheriff's Office is requesting to hire two 0.5 FTE Deputy Sheriffs currently, using a currently vacant full-time Deputy Sheriff FTE to fund one of the 0.5 FTE Deputy Sheriffs. The full-time FTE will not be filled as long as a 0.5 part-time FTE is holding the position. This hiring is included under the current budget having no levy impact with the expectation it will be absorbed through future attrition.

Action Requested:

Approve hire of a PT - Licensed Deputy under a FT - Licensed Deputy vacancy

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Included in current budget

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Joint Powers Agreement with Laketown Township for Augusta Road Reconstruction

Department: Public Works

Contact: Lyndon Robjent, Public Works Division Director / County Engineer, 952-466-5206

Presenter:

Contract Name & Number: 24-503

Meeting Date: October 1, 2024

Item Type: Consent

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

Laketown Township has been awarded a Local Road Improvement Program (LRIP) grant to reconstruct Augusta Road from 3,200 feet west of County State Aid Highway (CSAH) 43 to CSAH 43. The County is designated by the State to be the Agent of the State for the purpose of conveying State funding to the Township and the County, as an Agent, is responsible for administering the project funding. The Township will be responsible for obtaining bids, awarding the contract and making payments to the contractor. The County, or the Township consultant approved by the County, shall perform or arrange for construction management, surveying, staking, inspection and other incidentals necessary to complete the Project according to the Contract Documents. All costs not covered by the LRIP grant are the responsibility of the Township.

Action Requested:

Motion to approve a joint powers agreement with Laketown Township for the reconstruction of Augusta Road subject to completion of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
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LRIP Grant	\$246,737.12
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Related Fiscal/FTE Comments:

The county claims the funding for the township.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: CDA Carver Oaks Update and Agreement Amendment for Trails Edge Senior

Department: Public Services

Contact: Nick Koktavy, Assistant County Administrator

Presenter: Allison Streich

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Regular Session

Strategic Initiative:

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

Background/Justification:

\$1,000,000 Funding Request for the Carver Oaks Senior Project:

Carver Oaks Senior (55+) is a 43 unit Carver County Community Development Agency (CDA) development in the City of Carver. This project will serve households at or below 50% of area median income with some units having further income restrictions or requirements.

On November 16, 2021, the Carver County Board approved an agreement with the CDA to provide a total of \$3,000,000 in Federal ARPA funds for CDA housing projects: \$1,000,000 each for Carver Place Apartments, Trails Edge Senior and Carver Oaks Senior. The funds are contingent on the projects being fully funded and a presentation being made to the Carver County Board. Funds for Carver Place were released earlier this year.

The CDA has obtained funding for the Carver Oaks Senior project which is estimated to cost about \$15.4M. At the October 1 County Board meeting, the CDA will present a project overview and request that \$1M for the Carver Oaks Senior project be released.

Agreement Amendment to Extend the Obligation Date to January 31, 2026:

In addition, the CDA is requesting a date amendment to the agreement. The original

agreement states that funds for the three projects must be obligated by November 30, 2024, and spent by November 30, 2026. Carver Place and Carver Oaks Senior are expected to meet these deadlines. On February 6, 2024, the County Board approved extending the obligation date for Trails Edge Senior project to January 31, 2025, to allow the CDA to apply for a MHFA award. The CDA heard that the MHFA award wasn't approved. Therefore, they are requesting that the obligation date for the Trails Edge Senior project be amended to January 31, 2026.

Action Requested:

Motion to release \$1,000,000 to the CDA from the CDA Housing Project Account for the Carver Oaks project and to amend the agreement by extending the obligation timeline for Trails Edge Senior to January 31, 2026 pending contract finalization process.

Fiscal Impact:

Funding:	Amount Budgeted:
CDA Housing Project Account	\$3,000,000
Carver Place (released 2/6/24)	-\$1,000,000
Carver Oaks (requested to be released)	-\$1,000,000
Trails Edge Senior (requested to be extended to 1/31/26)	-\$1,000,000.00

Related Fiscal/FTE Comments:

In December 2023, the County Board approved Finance's recommendation to allocate \$3M in ARPA funds to pay for eligible 2023 County salaries/benefits and then simultaneously commit the \$3M to a CDA Housing Project account. The \$3M in the CDA Housing Project account is no longer Federal ARPA dollars and thus does not have the Federal ARPA deadlines. The \$1,000,000 for Carver Place was released to the CDA in 2024. They are now requesting the release of \$1,000,000 for Carver Oaks. The remaining \$1,000,000 is for Trails Edge Senior.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Master Space Plan
Department: Public Services
Contact: Nick Koktavy, Assistant County Administrator
Presenter: Nick Koktavy, Assistant County Administrator
Contract Name & Number:
Meeting Date: October 1, 2024
Item Type: Regular Session

Strategic Initiative:

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

Background/Justification:

Prior to the COVID pandemic, the County completed a master space plan. Since that time, the County has seen significant changes which required a revisit of the initial plan and the reconsideration of the master plan recommendations. The most significant of these changes was the shift from a traditional in-office workplace model into an evolution of telework in many of our divisions and departments. With that change, the County had a desire to create a more universal vision for our hybrid work spaces.

Therefore, staff teamed up with architects from Leo A Daly to revisit and update the plan to reflect these new work conditions. At the September 5, 2023, work session, Cindy McCleary from Leo A Daly presented the findings and recommendations and sought input from the County Board. Below is a summary of the recommendations - by location:

- Government Center - demo 600 and 601 buildings; construct new 2-3 story building; full remodel of 602 building; 604/606 minor refresh and build out in Sheriff's Office.
- HHS - Behavioral Health - seek building or land for a replacement facility in Waconia; explore a family resource center.
- Former Encore Building - use as swing space in the short term; refresh for Extension or another purpose long-term.
- Public Works - light interior remodel of office space; expand break room and sign

shop; potential relocation of non-public works operations (e.g. Extension, bus, etc.).

County staff and the consultant recommend that we focus on the Government Center as phase one.

At the August 27, 2024, work session, County staff presented the proposed project schedule including next steps, building committee structure and preliminary project budget. This information will be presented at the October 1, 2024, regular session for Board consideration.

The next step of planning for the Government Center is the Predesign Phase. The intent of the Predesign Phase is the following:

- Utilize as the basis, the Space Use Study completed in 2023.
- Seek and integrate staff and user group input into the space needs and vision for the campus and future project.
- Affirm the anticipated square footage of new construction, affirm anticipated square footage of renovation, locate each division/department within the future complex, develop phasing strategies and budgetary costs.
- Based upon the affirmation of space and cost, develop a prioritized clearly defined scope and budget to be utilized as the basis of design moving forward.

Key highlights include:

- The anticipated project schedule calls for demolition to occur in late 2027 with construction in 2028 and early 2029.
- The early estimated budget for the project is \$74-90 million. At the meeting, the funding plan will be presented.
- The County will establish an Executive Committee which will include a County Commissioner and a Planning Committee. In addition, subcommittees will be used throughout the process to gain input and suggestions on topics.

Action Requested:

Motion to approve the master space plan phase one project including schedule, next steps, committees, projected budget and appoint a County Commissioner to serve on the executive committee.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Memoranda of Agreement with Teamsters and AFSCME Bargaining Units - 2025 Health Insurance Benefits

Department: Employee Relations

Contact: Kerie Anderka, Employee Relations Division Director, 952-361-1570

Presenter: Kerie Anderka, Employee Relations Division Director
Mia Johnson, Employee Relations Business Partner

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Regular Session

Strategic Initiative:

Culture: Provide culture that fosters accountability to achieve goals and sustain public trust.

Background/Justification:

Open enrollment for 2025 insurance benefits begins October 21, 2024 and may occur before negotiations have concluded for successor collective bargaining agreements. The County has reached agreements with seven of the County's bargaining units for Memoranda of Agreement (MOAs) for 2025 health insurance.

The MOAs outline plan design changes and cafeteria contributions effective January 1, 2025. The County's existing HSA Plan deductibles will be updated to reflect single/family deductible amounts of \$3,300/\$6,600 from \$3,200/\$5,400. Additionally, the HRA High Deductible Plan option will be discontinued after 12/31/2024 and the County will offer a \$5,000/\$10,000 HSA High Deductible Plan option.

The MOAs outline County cafeteria contributions as reflected below and maintain the percentages currently defined in contract language for employee-only and full-family coverage tiers.

- Employee: \$933.34
- Employee + Child(ren): \$1,525.06
- Employee + Spouse: \$2,207.33

- Family: \$2,448.13

The MOAs also outline County HSA Contributions for 2025 of \$1,325.00 for those with single insurance, and \$3,000.00 for those with family insurance.

Action Requested:

Motion to approve the memoranda of agreement regarding 2025 health insurance benefits package with the following bargaining units: Teamsters Detention Deputy/911 Dispatcher/TAC, Teamsters Licensed Management, Teamsters Detention Sergeants/Emergency Communications Supervisors, AFSCME Health and Human Services, AFSCME Public Works, AFSCME Assistant County Attorneys, and AFSCME General.

Fiscal Impact:

Funding:	Amount Budgeted:
County Funding	\$8,353,082

Related Fiscal/FTE Comments:

The 2025 Budget for the seven MOAs for 2025 employer cafeteria contribution is \$8,353,082.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: 2025 Non-Bargaining Employee Insurance Contributions
Department: Employee Relations
Contact: Kerie Anderka, Employee Relations Division Director,
952-361-1570
Presenter: Kerie Anderka, Employee Relations Division Director
Mia Johnson, Employee Relations Business Partner
Contract Name & Number:
Meeting Date: October 1, 2024
Item Type: Regular Session

Strategic Initiative:

Culture: Provide culture that fosters accountability to achieve goals and sustain public trust.

Background/Justification:

The County Board of Commissioners has the authority to establish and revise benefits for non-bargaining employees.

Core benefits for full-time benefit eligible non-bargaining employees currently include life insurance, long-term and short-term disability insurance, and dental insurance. A monthly cafeteria contribution is provided based on the employee's election of health insurance. In addition, County contribution amounts for employees electing a Health Savings Account (HSA) Health Plan option are provided when applicable based on health plan election. Elective benefits include additional short-term disability coverage, supplemental life insurance, medical and dependent care flexible spending accounts, vision insurance, accident insurance, hospital confinement insurance, and critical illness insurance.

For 2025, the County's existing HSA Plan deductibles will be updated to reflect single/family deductible amounts of \$3,300/\$6,600 from \$3,200/\$5,400. The HRA High Deductible Plan option will be discontinued after 12/31/2024 and the County will offer a \$5,000/\$10,000 HSA High Deductible Plan option in addition to the lower HSA Plan option.

It is recommended that the monthly cafeteria contribution be provided to full-time benefit eligible non-bargaining employees based on the employee's election of health insurance, with 2025 monthly County contribution for single at \$933.34; employee + spouse at \$2,207.33; employee + child(ren) at \$1,525.06; family at \$2,448.13. For non-bargaining employees budgeted at least half-time, but less than 0.8 FTE, provide \$250.00 per month toward the cost of single health insurance.

For full-time benefit eligible non-bargaining employees selecting a High Deductible Health Plan with Health Savings Account Health Plan option, in 2025 it is recommended that for eligible employees participating in the plan over the course of a year, the County provide a contribution of \$1,325.00 for those with single insurance, and \$3,000.00 for those with family insurance.

The motion requested is to approve the 2025 benefits for non-bargaining employees to participate in the benefits package with County contributions as outlined above effective January 1, 2025.

Action Requested:

Motion to approve the 2025 benefits for non-bargaining employees as outlined, including 2025 monthly cafeteria contribution amounts for full-time benefit eligible non-bargaining employees based on the employee's election of health insurance with \$933.34 for single, \$2,207.33 for employee + spouse, \$1,525.06 for employee + child(ren), \$2,448.13 for family; maintaining the \$250.00 per month toward the cost of single health insurance for employees budgeted at least half-time but less than 0.8 FTE; and providing contributions for those electing an HSA High Deductible Health Plan option in the amounts of \$1,325 for single and \$3,000 for family.

Fiscal Impact:

Funding:	Amount Budgeted:
County Funding	\$878,536

Related Fiscal/FTE Comments:

The 2025 Budget for the non-bargaining employees, employer cafeteria contribution is \$878,536.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: 2025 Retiree Health Insurance Contributions
Department: Employee Relations
Contact: Kerie Anderka, Employee Relations Division Director,
952-361-1570
Presenter: Kerie Anderka, Employee Relations Division Director
Mia Johnson, Employee Relations Business Partner
Contract Name & Number:
Meeting Date: October 1, 2024
Item Type: Regular Session

Strategic Initiative:

Culture: Provide culture that fosters accountability to achieve goals and sustain public trust.

Background/Justification:

Carver County Personnel Policy and certain collective bargaining agreements provide for the County to contribute to County-sponsored health insurance for certain retirees. Personnel Policy indicates the Board will set the amount the County will contribute to each retiree's insurance for the coming year. In order to qualify for this benefit, retirees must meet the following criteria:

- Must have been hired as a regular employee prior to June 1, 2010,
- Must be retiring from a non-bargaining role covered by the policy or from a position covered by a collective bargaining agreement referring to this policy,
- Must have been employed by Carver County with uninterrupted full time service of twenty (20) years or more,
- Must have attained age 60, but not yet be Medicare-eligible,
- Must have maintained County-sponsored insurance since retirement,
- Must accept coverage offered by the provider of health insurance coverage to Carver County non-bargaining employees, and the terms of coverage being offered to non-bargaining employees,
- And must maintain health coverage through the County.

The recommended 2025 monthly contributions for active employees are \$933.34 for

single, \$2,207.33 for employee + spouse, \$1,525.06 for employee + child(ren), and \$2,448.13 for family, based on employee health insurance plan election. The County's contribution shall not exceed the coverage tier level provided at the time of separation. In past years, the County Board has set the contribution for eligible retirees at an amount consistent with the cafeteria contributions for active employees. Retirees selecting family coverage would receive \$2,448.13 per month toward their insurance, employee + spouse would receive \$2,207.33, employee + child(ren) would receive \$1,525.06, and those electing single coverage would receive the lesser of the single premium amount or \$933.34 per month.

Action Requested:

Set 2025 health insurance contribution for eligible retirees as follows, not to exceed the coverage tier level provided at the time of separation: Retirees selecting family coverage would receive \$2,448.13 per month toward their insurance, employee + spouse would receive \$2,207.33, employee + children would receive \$1,525.06, and those electing single coverage would receive the lesser of the single premium amount or \$933.34 per month.

Fiscal Impact:

Funding:	Amount Budgeted:
OPEB Trust	\$317,909

Related Fiscal/FTE Comments:

Retiree health insurance contribution is covered by County's Irrevocable OPEB Trust. Above reflects 2025 annual cost based on retiree health insurance elections.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Special Event Use Permit Request: T-Road Tavern, 2024 OctoberFest

Department: Public Works - Parks

Contact: Samuel Pertz, Parks & Trails Supervisor, 952-466-5253

Presenter: Samuel Pertz, Parks & Trails Supervisor

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Ditch/Rail Authority

Strategic Initiative:

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

Background/Justification:

The private business of T-Road Tavern in New Germany, owned & operated by Joe Lemmerman, has requested a special event use permit to conduct a community "October Fest" event on October 18, 19, 20, 2024.

County Ordinance, Chapter 91; use permits on Carver County regional rail property require authorization by the Regional Rail Authority. Per County Policy for special event use permitting by the Parks & Recreation Department, this request is a Tier II Event based on size & scope.

The event will offer live music & dancing, food and drink, limited camping, vendor/business area and kids' activities.

T-Road Tavern requests the use of the CCRRA property to conduct the overall event.

They are also utilizing City property and their private property of the bar establishment.

T-Road Tavern has coordinated with the City of New Germany and has provided documentation of the conditional use permit issued by the City.

This event will involve the sale of beverages containing alcohol & consumption on CCRRA property. T-Road Tavern has liquor liability coverage limits have been reviewed by Risk Mgmt. and meet the County requirements. The City's permit limits liquor services to 12 pm (noon) – 11pm on both event dates.

Camping is allowed with the limitations of no campfires; quiet hours begin at 10pm; limit to (20) RV units (tent

camping is prohibited); maximum camper occupancy of (80) people; event coordinator must provide a portable restroom in this area; no generators. The City's permit recognizes camping as an approved event activity.

All other permitting items, required by County permitting policy and procedures are accomplished.

The number of attendees to the event is anticipated to be between 1500-2000 over the 3 days.

Fees have been applied per CCRRA fee schedule.

The Park & Recreation Commission made recommendation of the permit issuance at the September 11, 2024 meeting.

Action Requested:

Motion to authorize the issuance of a special event use permit to T- Road Tavern for the coordination of the planned OctoberFest event held on Regional Rail Authority property on October 18,19, 20, 2024.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Special Use Permit Fee of \$100.00 is applied to the applicant

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: County Ditches 2-3, 5, 6, 7, 9, 10: Redetermination of Benefits Update

Department: Property & Financial Services

Contact: David Frischmon, Financial Services Division Director, 952-361-1506

Presenter: David Frischmon, Financial Services Division Director

Contract Name & Number:

Meeting Date: October 1, 2024

Item Type: Ditch/Rail Authority

Strategic Initiative:

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

Background/Justification:

The County Ditch Authority has previously approved a Redetermination of Benefits for County Ditches 2-3, 5, 6, 7, 9, 10 and appointed viewers from H2O viewers. The First Amendment to Appointing Viewers resulted from Aaron Gorman being deployed for service. Bryan Murphy no longer lives in Minnesota which disqualifies himself as a viewer. It is recommended in the attached 2nd Amendment to Appointing Viewers that the viewing team to complete the Redetermination of Benefits for County Ditches consist of Larry Murphy, Scott Henderson, Ken DeGier and Robert Conely.

The viewers have identified less than 1% of benefiting acres in Mcleod County for County Ditch 5 and less than 5% of benefiting acres for County Ditch 7. John Kolb, the county's Ditch Attorney with Rinke Noonan, is recommending that two new Joint Ditches with Mcleod County be created with 4 Carver County Board members and 1 Mcleod County Board members. County staff is requesting the County Board identify 4 Board members to serve on both of the new Joint Ditches so resolutions creating the two new Joint Ditches can be prepared and approved at a 10/15/24 County Ditch Meeting.

The next step in the Redetermination of Benefits process is to hold nine Public Hearings for the County Ditches and Joint Ditches with Mcleod and Wright counties. Carver County staff recommends holding the Public Hearings for Joint Ditches on one day and then subsequently hold the Public Hearings for the County Ditches on a separate day.

Joint Ditch meetings have typically been held on the 2nd Tuesday of the month but conflicts exist for the 2nd Tuesday of the month for both November and December. The County's Ditch Attorney does not recommend waiting until the 2nd Tuesday in January to hold the Joint Ditch public hearings.

Action Requested:

Adopt attached Second Amendment to Findings and Order Appointing Viewers resolution for the Redetermination of Ditch Benefits for County Ditches 2-3, 5, 6, 7, 9, 10
Adopt a motion to create new Joint Ditches with Wright County for County Ditches 5 and 7
appoint four Carver County Board members to each of the two new Joint Ditches
Provide direction on the timing for four County Ditches 2-3, 6, 9, 10 Redetermination of Benefits Public Hearings.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

This action has no financial impact.

Attachments:

1. Second Amended Appointment of Viewers (H2Over Viewers) CDs 2-3 5 6 7 9 and 10

**STATE OF MINNESOTA
CARVER COUNTY BOARD OF COMMISSIONERS
SITTING AS THE DRAINAGE AUTHORITY FOR
CARVER COUNTY DITCHES 2-3, 5, 6, 7, 9, and 10**

**In the Matter of the Redetermination of
Benefits of Carver County Ditches 2-3, 5, 6, 7,
9, and 10**

**SECOND AMENDMENT TO FINDINGS AND
ORDER APPOINTING VIEWERS**

The Carver County Board of Commissioners, sitting as the drainage authority for County Ditches 2-3, 5, 6, 7, 9, and 10 pursuant to Minn. Stat. § 103E.351, considered the status of viewer appointments and qualifications in the above proceedings. Based on the record and proceedings, Commissioner _____ moved, seconded by Commissioner _____ to adopt the following Findings and Order:

Findings:

1. The Carver County Board of Commissioners ("Drainage Authority") is the drainage authority for County Ditches ("CDs") 2-3, 5, 6, 7, 9, and 10.
2. The Drainage Authority previously adopted findings and an order initiating a redetermination of benefits and damages for CDs 2-3, 5, 6, 7, 9, and 10 pursuant to authority in Minn. Stat. § 103E.351.
3. In the order, the Drainage Authority appointed Bryan Murphy, Larry Murphy, and Aaron Goemann as viewers for the redetermination of benefits and damages. Pursuant to the order and chapter 103E, the Auditor issued an Auditor's Order to the viewers, conducted a first meeting of viewers, and administered the Viewer's Oath to Bryan Murphy, Larry Murphy, and Aaron Goemann.
4. On September 23, 2022, Lead Viewer Bryan Murphy notified the Drainage Authority that Aaron Goemann received notice from the Department of the Army that he was being deployed for service. It was recommended that Ken DeGier, Scott Henderson, and Robert Conely be appointed as alternate viewers in this matter and that one of them serve as Mr. Goemann's replacement. The Board gave Bryan Murphy the authority to determine which viewer would replace Mr. Goemann. Ken DeGier, Scott Henderson, and Robert Conely signed Viewer's Oaths and ultimately Bryan Murphy decided that Scott Henderson would fill in for Aaron Goemann as alternate viewer. At this point, the primary viewers were Bryan Murphy, Larry Murphy, and Scott Henderson with Ken DeGier and Robert Conely as alternates.
5. Bryan Murphy has disqualified himself as a viewer in this matter.
6. It is recommended that the viewing team consist of Larry Murphy, Scott Henderson, Ken DeGier, and Robert Conely.

7. Larry Murphy, Scott Henderson, Ken DeGier, and Robert Conely previously signed Viewer's Oaths and those Oaths will remain in effect.
8. The Auditor previously signed an Auditor's Order qualifying Larry Murphy as viewer. The signed Auditor's Order qualifying Scott Henderson, Ken DeGier, and Robert Conely cannot be located in the drainage system records so it is recommended that a new Auditor's Order be signed qualifying Scott Henderson, Ken DeGier, and Robert Conely.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for the above-named drainage systems, hereby orders that the previous findings and order initiating redetermination of benefits and damages, acquiring grass buffer strips, appointing viewers, and the first Amendment to Findings and Order Appointing Viewers be amended as follows:

- A. That viewers Larry Murphy, Scott Henderson, Ken DeGier, and Robert Conely are confirmed as the viewers in these proceedings.
- B. The Auditor's previous Order qualifying Larry Murphy remains in effect.
- C. To clear up any discrepancy in the record of proceedings, the Auditor is directed to re-issue an Auditor's Order recognizing the qualification of Scott Henderson, Ken DeGier, and Robert Conely as viewers as is reflected in their existing Oaths on file with the Board.
- D. To the extent not already accomplished, the appointments of Bryan Murphy and Aaron Goemann as viewers in the above proceedings are rescinded and the obligations under their oaths, if any, are discharged.
- E. All viewers previously signed Viewer's Oaths and those Oaths shall remain in full force and effect.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing findings and order, and there were _____ yeas, _____ nays, _____ absent, and _____ abstentions as follows:

	Yea	Nay	Absent	Abstain
DEGLER	☐	☐	☐	☐
WORKMAN	☐	☐	☐	☐
UDERMANN	☐	☐	☐	☐
LYNCH	☐	☐	☐	☐
FAHEY	☐	☐	☐	☐

Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

Gayle Degler, Chairman

Dated: _____

* * * * *

I, Crystal Campos, Carver County Auditor, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the Carver County drainage authority and find the same to be a true and correct transcript thereof. The above order was filed with me, Carver County Auditor, on _____, 2024.

IN TESTIMONY WHEREOF, I hereunto set my hand this ____ day of _____, 2024.

Crystal Campos, Auditor