



**CARVER
COUNTY**

minnesota

**Carver County Board of Commissioners
February 15, 2022
Board Meeting**

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

Individuals who are not able to attend in person and wish to provide public comments can do so by email at admin-contact@co.carver.mn.us or by leaving a voicemail at (952) 361-1516. Public comments received in writing such as those received by e-mail will be summarized during the meeting and posted on the County website at

<https://www.co.carver.mn.us/government/county-board-of-commissioners/county-board-meetings-and-agendas> following the meeting. Voicemail public comments will be played during the meeting. If you would like to join the Regular Session videoconference please send an e-mail, no later than noon on the Monday prior to the scheduled meeting date, to Carver County Administration at admin-contact@co.carver.mn.us to receive a WebEx invitation.

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

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

- 9:00 a.m. 1. a) **CONVENE**
 b) **Pledge of allegiance**
 c) **Public comments submitted via email/voice mail**
2. **Agenda review and adoption**
3. **Approve minutes of February 1, 2022, Regular Session..... 1-3**
4. **Community Announcements**
- 9:20 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy, and livable communities*
- 5.1 **Parks & Recreation Department Request for Authorized Donation
Items – 2022..... 4**
- 5.2 **Approval to hire a temporary Social Worker in the Health and Human
Services (HHS) Child & Family Department..... 5-6**
- 5.3 **Request to hire temporary fulltime grant funded Public Health Nurse ... 7-8**
- 5.4 **Contracts with XCEL ENERGY and MVEC for Countywide Rural
Intersection Lighting Project..... 9**

5.5	2022 Seasonal Road Restrictions.....	10-11
5.6	Award of Construction Contract to Redstone Construction, LLC for the Highway 32 Bridge Project.....	12-14
5.7	Grant Agreement with MN Department of Transportation for Bridge No. 10553, Highway 32 Bridge Project	15-16

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

5.8	Compost Donation	17
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Culture: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government

5.9	Request for Approval to Renew Contract with Minnesota Occupational Health.....	18
5.10	County Auditor and Elections Administrator Re-Appointments.....	19
5.11	Approval of the AFSCME Public Works Unit 2021-2022 Collective Bargaining Agreement.....	20-22
5.12	Memorandum of Agreement (MOA) with Minnesota Public Employees Association (MNPEA) Licensed Deputies Bargaining Unit	23-25

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

5.13	Loan to County Ditch Authority for 2022 Ditch Benefit Redeterminations and Buffer Strip Payments.....	26-27
5.14	Citizen monetary donation (\$250) for purchase of a new canine protective vest	28
5.15	Review Health & Human Services and Commissioner Warrants.....	NO ATT

9:20 a.m.	6. COMMUNITIES: Create and maintain safe, healthy, and livable communities
	6.1 Metropolitan Mosquito Control Update..... 29
	6.2 Resolution of Support for Laketown Sewer System Feasibility Study
	6.3 Settlement Agreements for Right of Way Acquisition for the Highway 24 Project..... 32-38
10:05 a.m.	7. CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government
	7.1 County Administrator's 2021 Annual Performance Evaluation Summary
	39
10:10 a.m.	ADJOURN REGULAR SESSION AND CONVENE AS CARVER COUNTY DITCH AUTHORITY
10:10 a.m.	8. GROWTH: Manage the challenges and opportunities resulting from growth and development
	8.1 Ditch Benefit Redeterminations
	40-66
10:25 a.m.	ADJOURN AS CARVER COUNTY DITCH AUTHORITY
10:25 a.m.	9. County Administrator Report

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Ditch Benefit Redeterminations

Primary Originating Division/Dept: Property & Financial Services

Meeting Date: 2/15/2022

Contact: David Frischmon

Title: Property & Finance Director

Item Type:

Ditch/Rail Authority

Amount of Time Requested: 15 minutes

Presenter: David Frischmon

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The County Board, acting as the County's Ditch Authority, is responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use updated maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefitting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent MN Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Ditch Benefits process. The following is a listing of Carver County Ditches and Joint Ditches - bold indicates a Redetermination of Benefits has not been completed/started for over 15 years:

County Ditch 2-3, 5, 6, 7, 9, 10: County staff have no records of a Redetermination of Benefits since these ditches were originally established.

County Ditch 4A: Redetermined in 2011

Joint Ditch 1: Carver 65.16%/McLeod 34.84% McLeod has requested Carver to consider a Redetermination

Joint Ditch 3-A: Redetermined in 2012

Joint Ditch 2: Recently established in 2013 Sibley 96.87%/Carver 3.13% - no need for a Redetermination

Joint Ditch 4: Carver 70.387%; Wright 26.458%; McLeod 3.155%

Joint Ditch 5: Carver 77.52%; McLeod 22.48%

Joint Ditch 21: Sibley County working on Redetermination

Joint Ditch 22: Sibley County working on Redetermination

Joint Ditch 24: Sibley County is working on Redetermination

Joint Ditch 28: McLeod County working on Redetermination

Joint Ditch 33: Newly established in 2020 Sibley/Carver - no need for a Redetermination

County staff requested proposals from a list of viewers who provided Redeterminations proposals in neighboring counties and received proposals from two firms: H2Over Viewers - \$3.98 per acre and Joe Jacobs Team - \$3.50 per acre

County staff is recommending the County's Ditch Authority hire H2Over Viewers based on their:

1. Individual Landowner Reports which provide additional helpful information above statutory requirements
2. Being hired to do Redeterminations by other Carver County Joint Ditch Authorities
3. Additional fee-based services like assigning ditch benefits when property is split, combined, etc. in the future.

See attached summary document for further details.

ACTION REQUESTED:

Motion to Order the Redetermination of Benefits for County Ditches 2-3, 5, 6, 7, 9 & 10

Motion to hire H2Over Viewers as the viewers for the Redeterminations of Benefits for County Ditches 2-3, 5, 6, 7, 9 & 10

FISCAL IMPACT: Other

If "Other", specify:

see comments below

FUNDING

County Dollars =

Total

\$0.00

Related Financial/FTE Comments:

Redeterminations for Joint Ditches 1, 4 & 5 will be considered at Joint Ditch Authority Meetings on 2/22/2022 at 8am.

Benefitting property owners are responsible for all ditch related costs including Redeterminations and buffer strip payments. In November 2022, the County's Ditch Authority will levy a special assessment against the benefitting property owners to cover the 2022 cost of the Redeterminations and the buffer strip payments.

Office use only:

RBA 2022 - 8189

REDETERMINATION OF DITCH BENEFITS QUOTE SUMMARY			H2Overviewers		Joe Jacobs Team	
Ditch	Estimated Watershed Acres	Per Acre Cost	Total Cost	Per Acre Cost	Total Cost	
Carver County Ditch 2-3	10350	3.98	\$ 41,193.00	3.50	\$ 36,225.00	
Carver County Ditch 5	5664	3.98	\$ 22,542.72	3.50	\$ 19,824.00	
Carver County Ditch 6	2371	3.98	\$ 9,436.58	3.50	\$ 8,298.50	
Carver County Ditch 7	703	3.98	\$ 2,797.94	3.50	\$ 2,460.50	
Carver County Ditch 9	3965	3.98	\$ 15,780.70	3.50	\$ 13,877.50	
Carver County Ditch 10	2929	3.98	\$ 11,657.42	3.50	\$ 10,251.50	
Joint Ditch 1 – Carver 65.16%; McLeod 34.84%	33000	3.98	\$ 131,340.00	3.50	\$ 115,500.00	
Joint Ditch 4 – Carver 70.387%; Wright 26.458%; McLeod 3.155%	6679	3.98	\$ 26,582.42	3.50	\$ 23,376.50	
Joint Ditch 5 – Carver 77.52%; McLeod 22.48%	2300	3.98	\$ 9,154.00	3.50	\$ 8,050.00	
		TOTAL	\$ 270,484.78	TOTAL	\$ 237,863.50	

Final Report Submission Timeline Comparison	H2Overviews	Joe Jacobs Team
Carver County Ditch 2-3	EVERYTHING COMPLETED IN SIX MONTHS	DELIVER FINAL REPORT MAY 21, 2022
Carver County Ditch 5		
Carver County Ditch 6		
Carver County Ditch 7		
Carver County Ditch 9		
Carver County Ditch 10		
Joint Ditch 1 – Carver 65.16%; McLeod 34.84%		
Joint Ditch 4 – Carver 70.387%; Wright 26.458%; McLeod 3.155%		
Joint Ditch 5 – Carver 77.52%; McLeod 22.48%		

COMMISSIONER ASSIGNMENTS		
Carver	McLeod	Wright
Fahey, Lynch, Degler	Schmalz & Krueger	
Fahey, Lynch, Workman	Schmalz	Kaczmarek
Fahey, Lynch, Udermann	Schmalz & Krueger	

Deliverables:	H2Overviewers	Joe Jacobs Team
	Viewer's Report	Viewer's Report
	Benefitted Area Map	Benefitted Area Map
	Parcel Specific Map	-
	Owner's Report	Owner's Report
	Compile Owner's Reports with other reports & mail at no additional cost	
	Capability to upload report into tax software	-

An aerial, black and white photograph of a vast, flat landscape, likely a coastal or marshy area, under a cloudy sky. The terrain is divided into rectangular plots, possibly agricultural or industrial. The sky is filled with soft, diffused clouds.

H2Over viewers

EXPERIENCE • TECHNOLOGY • VISION



PO Box 624
East Grand Forks, MN 56721
(218) 201-0066

December 17, 2021

Carver County Drainage Authority
600 East Fourth Street
Chaska, MN 55318

Dear County Drainage Authority,

I am submitting this offer letter on behalf of the H2Over Viewers team of viewers to complete the redetermination of benefits for Carver County, MN. The entire H2Over Viewers organization would like to thank you for considering us for these projects.

CD 2-3, 5, 6, 7, 9, & 10 JD 1,4, 5

For these systems we are prepared to offer Carver County the following terms for our Standard Redetermination Package:

- \$3.98/watershed acre (we will only charge for how many acres are in the watershed)
 - Do Not Exceed amounts are based on acres provided being accurate:
 - CD2-3 \$43,265, CD5 \$23,260, CD6 \$9,910, CD7 \$2940, CD9 \$16,575, CD10 \$12,250, JD1 \$137,940, JD4 \$27,928, JD5 \$9,620.
 - This is a fully loaded fee that includes the mileage and per diem for our viewers and the cost of the Standard Redetermination Package.
 - 90% of the estimated project cost is prorated over the 12 months (the estimated time it will take to complete) with the remaining 10% due when the final report is turned in.
- With the understanding that the combined systems will hold a single virtual landowners meeting (with individual time afterwards) and a single virtual final hearing we are able to offer no charge for these meetings
- H2Over Viewers will provide the Drainage Authority with printing and mailing out Property Owners' Reports at no additional charge

The H2Over Viewers Standard Redetermination Package includes the following deliverables. The information and maps included in this package can be used by your county in performing parcel splits and classification splits for the foreseeable future.

- Physical viewing
- Narrative viewers' report
- Tabular viewers' report (per 40-acre tract).
- Report can be provided in any format to facilitate automatically entering into their tax system.
- Landowners Packets which included system wide and individual parcel maps and the required "Property Owners Report"
- System overview map

- Individual parcel maps
- GIS maps that include land classifications
- Virtual and/or in person Attendance at:
 - Landowner meetings
 - Final Hearing
- For your protection we provide the following insurances at no cost to the Drainage Authority:
 - 1 million in Professional Liability
 - 1 million per occurrence and 2 million aggregate in General Liability
 - 1 million for any employee driving any vehicle(s) doing work for H2Over Viewers
 - 1 million umbrella on top of the aforementioned

The H2Over Viewers process for redetermining benefits is deeply rooted in a scientific data. This approach means we will be working closely with a team of engineers (at no additional cost to the drainage authority). This team of engineers will be producing the preliminary watershed modeling based on the use of state-of-the-art technology, yielding the most accurate maps available today. Our team of trained economic evaluation consultants will be using LiDAR data, Shuttle Radar Topography Mission data and 20+ different years of satellite imagery. We will look at depression maps, soils maps, contour maps, elevation relativity maps, crop productivity index maps, GIS parcel data, ditch alignment layers and many more. We use as many as 70+ different GIS layers of data each weighted differently to produce the highest quality land classification maps available. We will also spend a considerable amount of time in the field ground truthing the data to make sure we know the location of culverts, tile inlets, pumps, anything deemed important to our process of determining economic values and/or drainage patterns within the watershed of the appointed systems.

Additional Information:

- 1) H2Over Viewers brings with them 3 highly trained viewers, as well as a highly trained alternate viewer in the unfortunate event one of the viewers cannot finish the contract. This protects the county to ensure the project gets completed. Our viewers have redetermined over 1.5 million acres for over 20 different counties in MN.
- 2) We provide the highest level of GIS maps, not only for our process, but for the drainage authority to have for any future needs, i.e. parcel splits, tile management, future improvements, One Watershed One Plan, as well as a level of transparency in our viewing process.
- 3) Our process makes it very easy for the H2Over Viewers team to do future improvement redeterminations. We can input the changes to the drainage coefficients throughout the watershed and produce a high-level improvement redetermination based on scientific data.
- 4) Our company works with one of the most widely known engineering firms in the drainage community. This relationship gives us access to a team of drainage engineers throughout our process and allows us to consult with, at no additional charge to the drainage authority, on any aspect of the project.
- 5) All invoices are paid to H2Over Viewers and H2Over Viewers pays its viewers. This makes for easier accounting for the drainage authority.
- 6) Our prices are up front and our costs are known before we begin.

7) We provide contracts to outline everything clearly as well as provide deadlines that we can meet.

In short, I feel that we provide a level of professionalism not available by any other team or individual in our field. We strive for excellence both personally and professionally. Our job is to be transparent with our reports and provide as much information to both the board and the landowners as possible. Our goal is to provide a turn key service with little to no extra work needed from the Drainage Authority and its staff.

Once again, we would like to thank you for considering H2Over Viewers for your redetermination of benefits needs for the drainage systems in your county. We truly believe that our Standard Redetermination Package is the best available in the state of Minnesota and will prove to be the solution you are looking for.

Project Viewers:

Bryan Murphy Lead Viewer

Larry Murphy Viewer

Aaron Goemann Viewer

Ken DeGier Alternate Viewer

Robert Conely Alternate Viewer

All projects would be completed within 12 months after a contract(s) is signed

Respectfully yours,

Bryan Murphy
President
H2Over Viewers LLC
218-201-0066
bryan@h2overviewers.com

**Note: This letter is intended to be an offer letter, not a binding agreement. Once terms are accepted a contractual agreement, signed and executed by both parties, will be required. This proposal is good for a term of 45 days from the date of proposal.*

WHY H2OVER VIEWERS:

1

Experience

3 highly trained viewers with decades of combined experience redetermining over 1.5 million acres in over 20 Minnesota counties.

2

Deliverables

We provide the highest level of GIS maps to the drainage authority for future use and complete transparency into our viewing process.

- Physical viewing
- Benefits and damages statement
- Viewers' report (per 40-acre tract)
- Report can be provided in any format to facilitate automatically entering into their tax system
- Landowners Packets which include system wide and individual parcel maps and the required "Property Owners Report"
- System overview map
- Individual parcel maps
- GIS maps that include land classifications
- Virtual and or in-person attendance at:
 - Landowner meetings
 - Final Hearing

3

Process

Proven process that allows us to provide future improvement determinations and the ability to input changes into drainage coefficients throughout the watershed to produce a high-level improvement determination quickly.

4

Partnerships

H2Over Viewers has a strong partnership with an experienced and reputable engineering firm in the drainage community, providing crucial access to a team of drainage engineers at no additional cost to the drainage authority or project.

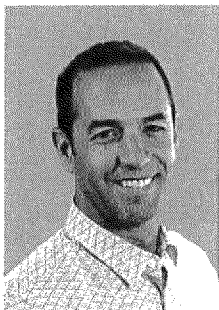
5 Insurance

For your protection we provide the following insurances at no cost to the Drainage Authority:

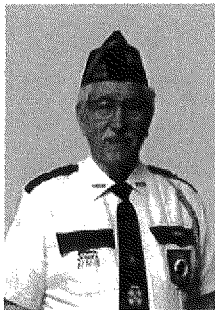
- 1 million in Professional Liability
- 1 million per occurrence and 2 million aggregate in General Liability
- 1 million for any employee driving any vehicle(s) doing work for H2Over Viewers
- 1 million umbrella on top of the aforementioned

6 Pricing and Contracts

Pricing per acre and formal contracts, allowing clients to know the cost and deadlines before we start.



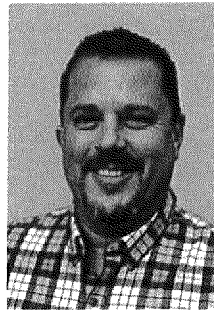
**Bryan
Murphy**



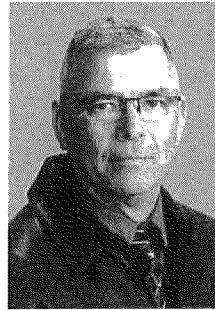
**Larry
Murphy**



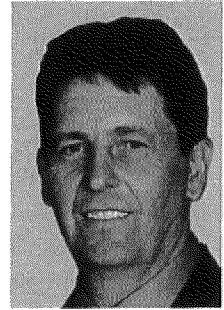
**Aaron
Goemann**



**Derek
Ebertowski**



**Ken
DeGier**



**Bob
Conely**



ABOUT US

Innovative and Strategic Solutions for Your Water Management and Information Needs

Combining state-of-the-art technology, industry experts, extensive ground truthing along with historical and current data, our team of trained economic evaluation consultants provides accurate watershed modeling and evaluations for redetermination of benefits, economic values and/or drainage patterns within the watershed of appointed systems.

REDETERMINATION OF BENEFITS

We provide detailed reporting on the economic impact to lands that benefit from the use of a public drainage system.

Drainage Systems GIS Data Sandwich

These 8 layers are some examples of the 70+ layers considered during our process.

Parcel _____

PLSS (Sections, Quarters, QQs) _____

Road Alignments _____

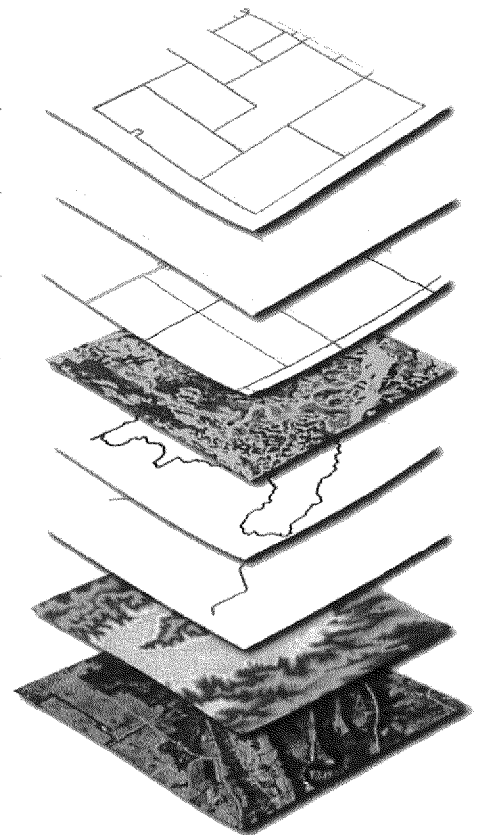
Soils _____

Watershed Boundary _____

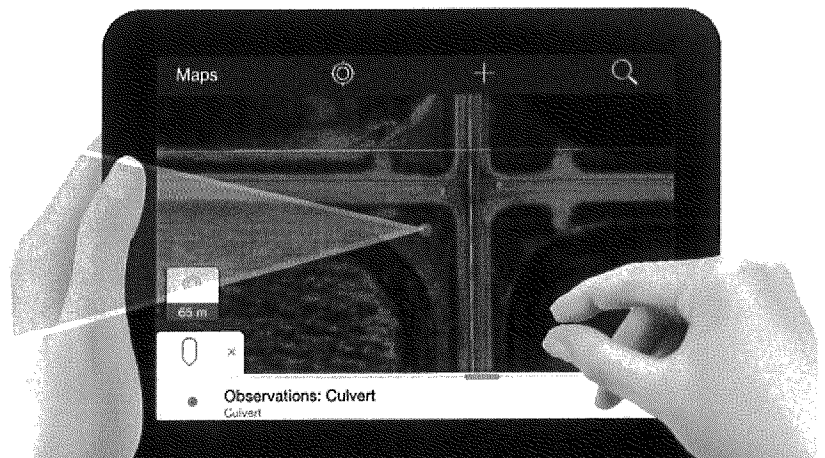
Ditch Alignment _____

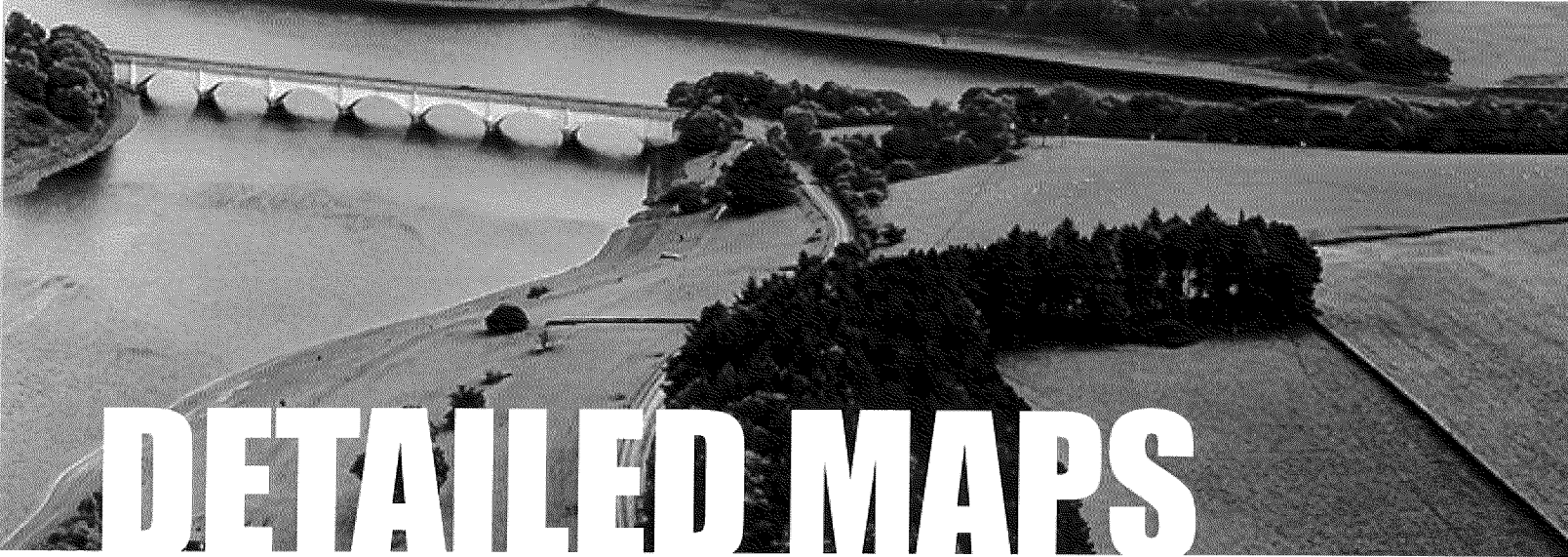
LiDAR Elevation Data _____

Aerial Imagery _____



Ground Truthing





Our team provides fact-based valuations for both classifications as well as easement acquisitions for your project.

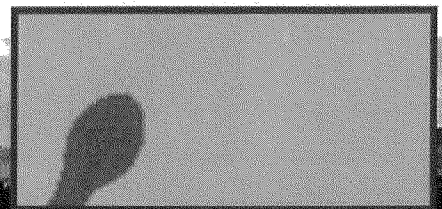
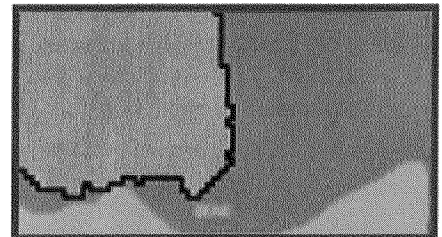
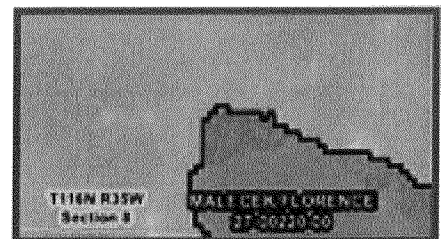
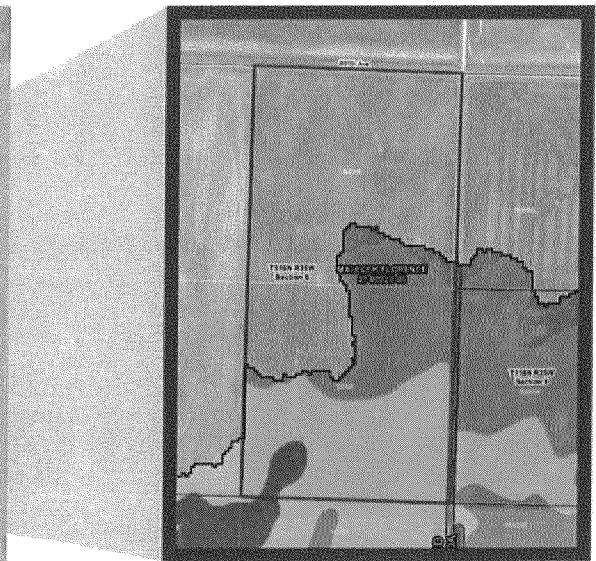
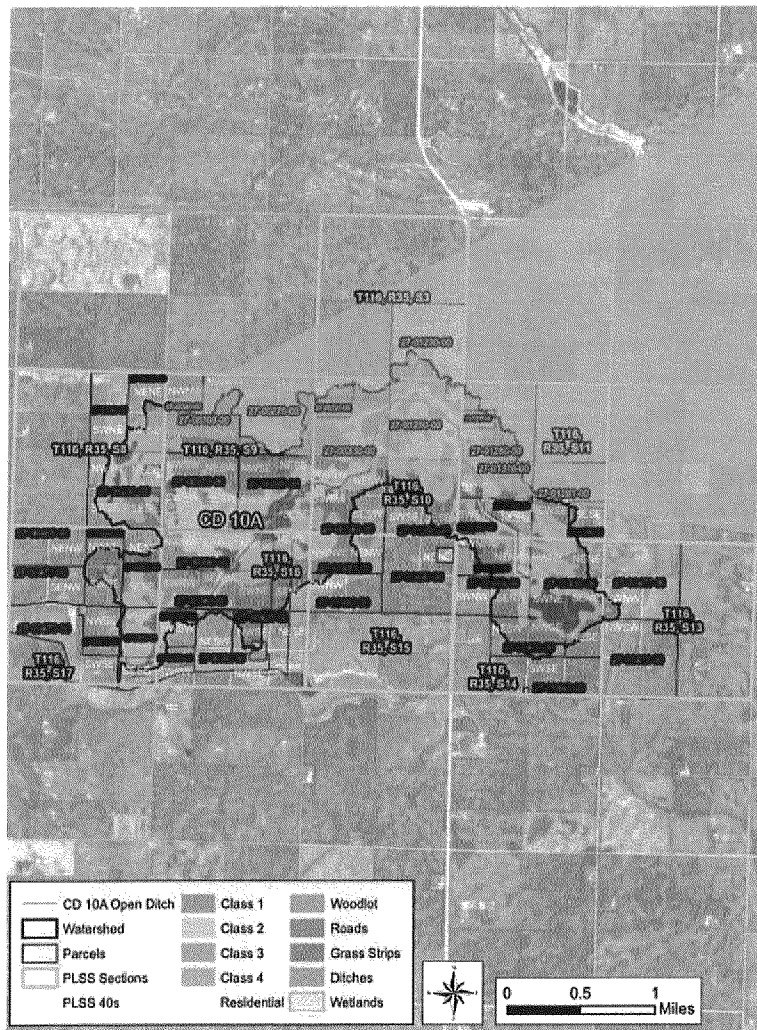
Georeferenced Classification Maps



Land Classifications

Townships	Class 1	Class 4	Roads	Wetlands
PLSS Sections	Class 2	Residential	Grass Strips	
40-acre Tracts	Class 3	Woodlot	Ditches	

Individual Parcel Maps for Transparency and Future Parcel Splits



**PROPERTY OWNERS REPORT
NOBLES COUNTY, MINNESOTA
CD 10
REDETERMINATION OF BENEFITS**



**Benefits and Damage Statement for the Redetermination of Benefits
Nobles County Ditch CD 10**

In accordance with Minnesota Statute (MS) 103E.351, we the viewers, submit the following Viewers' Report:

The fundamental principle for the determination of benefits and damages is based upon a comparison of the conditions prior to the construction of the ditch system with the conditions that exist after the implementation of the ditch system or proposed drainage project.

The undersigned viewers, pursuant to the order of the Nobles County Drainage Authority, did meet prior to commencing duties on the 21st day of April, 2020 at the Nobles County office in Worthington, Minnesota. Having taken the oath as required by MS 103E.305, did view, all lands affected by said proposed drainage system and further, we did determine the damages to lands affected by establishment of a grass strip, permanent and temporary damages.

We were able to determine the boundaries of the benefited area by processing and analyzing maps using "Light Detection and Ranging" (LiDAR) along with visually viewing the project area. Meetings were held with landowners, and Nobles County staff. We viewed each County Assessors' records to determine the number of acres of land in each parcel of each 40-acre tract of land. Other sources of information used were USDA-Natural Resources Conservation Service Web Soil Survey, 12 years of USDA satellite imagery, US Fish and Wildlife Service National Wetland Inventory (NWI) maps, and Nobles County Assessors' sales data and annual report.

We have determined the extent and basis of benefits and damages as prescribed under MS 103E.315 and MS 103E.321. We have indicated in tabular form, for each lot, 40-acre tract, and fraction of a lot or tract under separate ownership that is benefited or damaged (see Exhibit A).

An easement, in the form of an additional restriction on the use of real property adjacent to the open channel of the drainage system, will be acquired and, therefore, damages will be awarded for the establishment of a permanent strip of perennial vegetation approved by the drainage authority that will not impede future maintenance of the drainage system as required in MS 103E.021. We determined these damages at two separate values. Grass Strip damages "A" acres, lands which current land use will not change, but will still have permanent restrictions of future land use. Grass Strip damages "B" acres, lands demanding a higher value based on current land use. The value determined for "A" acres is \$4294 and the value for "B" acres is \$6299.

Right of way damages, having been determined and paid in the original proceedings for establishment of the drainage system, based on the area contemplated and included in the

proceeding for the establishment or subsequent improvement of the drainage system, were not considered.

We have determined the following direct drainage benefits and indirect (outlet) benefits on and related to the redetermination of benefits for Nobles County CD 10. Benefits were determined based on the drainage system operating in its as constructed condition.

Direct Benefits – Class 1 (Mapped as Red)

Using the direct market value approach, giving consideration for the lands' geographic location in the watershed, location relative to the outlet, proximity to the ditch bottom elevation, soil types, as well as analyzing direct sales data for competitive properties in the marketplace, we determined the existing market values of land in an unimproved condition as well as in an improved condition. Though this description may not describe your lands exactly, your lands fell broadly under this category.

Class 1 lands, prior to the existence of the drainage system, had a value range of \$1295 to \$1431 per acre. They consisted mostly of lowlands that may have been farmed, but not without substantial risk. With the establishment of adequate drainage to these lands, the production value and/or market value has increased. These lands consist of soils that benefit greatly from good drainage. These lands are now more suitable for intense crop production.

The viewers have determined based on these values, along with allowances for private improvement costs, that Nobles CD 10 provides for an increased market value/benefit to agricultural/cropland acres in Class 1 by the rate of \$3239 per acre.

Direct Benefits – Class 2 (Mapped as Yellow)

Using the direct market value approach, giving consideration for the lands' geographic location in the watershed, location relative to the outlet, proximity to the ditch bottom elevation, soil types, as well as analyzing direct sales data for competitive properties in the marketplace, we determined the existing market values of land in an unimproved condition as well as in an improved condition. Though this description may not describe your lands exactly, your lands fell broadly under this category.

Class 2 lands, prior to the existence of the drainage system, had a value range of \$3311 to \$3659 per acre. Although some row crops were grown in this land class, it was not without substantial risk of loss to the grower. Now that adequate drainage has been established through these lands, the production value and/or market value has increased. These lands typically consist of soils that benefit from good drainage to increase crop production.

The viewers have determined based on these values, along with allowances for private improvement costs, that Nobles CD 10 provides for an increased market value/benefit to agricultural/cropland acres in Class 2 by the rate of \$2634 per acre.

Direct Benefits – Class 3 (Mapped as Green)

Using the direct market value approach, giving consideration for the lands' geographic location in the watershed, location relative to the outlet, proximity to the ditch bottom elevation, soil types, as well as analyzing direct sales data for competitive properties in the marketplace, we determined the existing market values of land in an unimproved condition as well as in an improved condition. Though this description may not describe your lands exactly, your lands fell broadly under this category.

Class 3 lands, prior to the existence of the drainage system, had a value range of \$5771 to \$6379 per acre. These lands were mostly utilized for the production of row crops, although over saturation of the soil and surrounding lands did not allow for these lands to realize their full production potential. Now that the drainage system has been established, the land is able to utilize the system as an outlet to drainage tile systems and increased the production potential. As a result, the production value and/or market value has increased.

The viewers have determined based on these values, along with allowances for private improvement costs, that Nobles CD 10 provides for an increased market value/benefit to agricultural/cropland acres in Class 3 by the rate of \$1175 per acre.

Indirect Benefits – Class 4 (Mapped as Blue)

Class 4 lands are lands which have not had an increase in market value after the construction of the drainage system. However, they have been altered from their pre-settlement state in such a manner that they are now tilled and farmed. As a result, they burden the drainage system's capacity, thus increasing a sediment load and causing a need for increased maintenance. Taking into consideration the percentage of Class 4 acres in the watershed, regular ditch maintenance, and sediment loading, we determined the rate per acre that Nobles CD 10 provides as an outlet or contribution benefit to these lands. Though this description may not describe your lands exactly, your lands fell broadly under this category. The viewers have determined the Class 4 outlet benefit rate to be \$353 per acre.

Example of how benefits were calculated:

Production and/or Market Value Before Project:	\$1,000
Production and/or Market Value After Project:	\$3,000
Increase in Production and/or Market Value:	\$2,000
Less Private Improvement Costs:	\$1,000
Net Benefits:	\$1,000

Road Benefits

The viewers have determined outlet as well as reduced maintenance cost benefits for all State, County, and Township roads located within the boundary of Nobles CD 10 at a rate of \$2107 per acre.

Residential Land Benefits

Outlet benefits were applied to residential lands within the watershed of Nobles CD 10. The outlet benefit was calculated based on runoff burden to the drainage system and use of the drainage system as an outlet. The viewers have determined the outlet benefits for residential lands at the rate of \$141 per acre. Urban Residential lands are valued at the rate of \$282 per acre.

Woodlot Benefits

Benefits were applied to woodlot lands within the watershed of Nobles CD 10. These lands receive a benefit because the ditch conveys their water burden away from adjacent landowners and adds to the need for system capacity and system maintenance. The viewers have determined the benefit for woodlot lands at the rate of \$127 per acre.

Industrial Benefits

Outlet benefits were applied to industrial lands within the watershed of Nobles CD 10. The outlet benefit was calculated based on runoff burden to the drainage system and use of the drainage system as an outlet. Additional consideration has been given to industrial lands due to their ability to produce goods or services on these lands. The viewers have determined the outlet benefits for Industrial lands at the rate of \$353 per acre.

Benefit Variables

Based on criteria used to determine the likelihood of future improvements, each sub catchment within the watershed of the public drainage system has been given a grade of its as constructed condition relative to its ability to utilize the public drainage system efficiently. This grading system varies the benefit amount according to aforementioned ability within each sub catchment.

Non-benefiting Acres

Based on current land use and regulatory restrictions, permanent program restrictions (i.e. RIM or CREP) or other permanent restriction and restoration to pre-settlement landscape conditions or creation of wetland areas, we determined some areas to be non-benefited from the drainage system and restricted from taking future benefit from the drainage system. For example, we determined that lands restored to pre-settlement conditions and permanently restricted from future modification would not drain in any altered manner such that the drainage system would be burdened by the land other than such burden as nature would have provided. Further, for example, nonconverted wetlands that are so restricted from conversion by regulation that conversion is unlikely, were not determined to benefit from the system.

At the completion of our examination, we did sum up the total benefits for Nobles CD 10. We found that the total benefits are \$3,821,754.91. Damages are \$19,778.98. (See Exhibit A for tabular report of benefits.)

We recommend that the Nobles Drainage Authority hold a final hearing on the report and confirm the benefits and damages for Nobles CD 10.

Dated this 1st day of November, 2021.

[Signature Page Filed with County]

FREQUENTLY ASKED QUESTIONS

H2OVER VIEWERS REDETERMINATION PROCESS

Q. What is a Redetermination of Benefits & Damages?

- A. Redetermination of Benefits & Damages is a process used when the drainage authority determines that the original benefits or damages determined do not reflect reasonable present-day land values or that the benefited or damaged area have changed. The amount of assessment that landowners pay is based up on benefits.

Q. Who does this Redetermination of Benefits?

- A. The drainage authority has appointed a team of viewers to use data as well as groundwork to determine who benefits from the ditch and how much they benefit. Per Minnesota Statute, these viewers must be independent and not own any property in the watershed.

Q. Why is a Redetermination being done?

- A. The benefits and damages listed on the original viewers' reports (typically when the ditch was established) are outdated. Benefited lands and benefits of many drainage systems have not been updated for decades, some for over a century, and as a result:
- a.) There are lands draining into the system which were not assessed for benefits; and,
 - b.) Benefits were determined when land was selling for a small fraction of what it is selling for today and are unrealistic.

Q. What are benefits & damages?

- A. "Benefits" refers either to the impact a drainage system has on land in terms of improving the market value of the land or the impact (and costs associated with that impact) that the land has on the drainage system because of land use that accelerates drainage, transports sediment or increases volume demand in a drainage system.
- "Damages" means the reduction of value of the land taken for the permanent grass strips bordering the open channel of the drainage ditch. This is a 1 rod easement.

Q. I was never in the benefited area before, why am I now?

- A. We are required by statute to view all lands that drain towards the ditch. Technology has allowed us to create an accurate watershed delineation that accounts for all lands that add to the need for system capacity and/or maintenance.

Q. Why is my 80-acre parcel listed more than once on the report?

- A. We are required by statute to break each parcel into 40-acre tracts. In addition, our GIS program breaks the parcels down by quarter, so you may see smaller acreage broken down because of the way it lies in spatial data.

Q. My neighbor has tiled ground and I do not. Does he pay more than I do?

We factor in the cost of private improvement into our benefit value per classification regardless if you tile or not. Therefore, it is up to the landowner to exercise their right and legal ability to tile if they chose.

Q. Didn't my grandfather/family already pay for this when the ditch was initially put in?

Yes, he did pay for the ditch to be established. What we are establishing with the redetermination of benefits process, is what percentage of the cost each landowner would be accountable for if there are any future repairs done on the system.

Q. Are there any repairs planned on my system?

- A. Please refer to the drainage authority/ditch inspector for the answer.

Q. What consideration is given to residential lands?

- A. Although residential lands still have the need to dewater, they are not producing a crop and making an income year after year. Therefore, they are benefited, but at a lower amount.

Q. How do you determine your values per classification?

- A. We extract sales data from the townships in the footprint of the watershed, versus county wide. We include 7 years of agricultural sales with a process to eliminate extreme high sales, low sales, and family sales. MN Statute requires a benefit amount to be established to ensure that if a project is done, the benefits outweigh the cost.

Q. My land sits on a hilltop, why am I benefited?

- A. We are required by statute to look at all lands that drain toward the ditch. We also look at all lands that have an indirect or direct benefit. With a direct benefit, you can clearly see your water drain into the ditch. However, the further away from the ditch you are, you receive an indirect benefit. Your water places a burden on neighboring lands which the ditch carries away. Therefore, your lands create a need for system capacity and maintenance.

Q. The ditch currently is not working correctly, and my land isn't able to drain, why should I have to pay?

- A. Without the ditch to carry the water away, the land would more than likely be a lake or pond and you would only be able to farm the land a couple years out of 10.

Q. From the water of upstream landowners, why am I paying more?

- A. We are required by statute to look at the ditch in 2 conditions; never being constructed and in its as constructing condition. The fact that the ditch may not be working currently cannot be factored in our evaluation.

Q. Why are woodlots benefited?

- A. Woodlots add the need for system capacity and maintenance.

Q. What consideration is given to wetlands?

- A. We review the national wetland inventory and satellite imagery to determine how often the land is being farmed. Nonfarmable wetlands are not benefited as they are not allowed the ability to drain.

Q. My land is in CRP, why am I benefited?

- A. To be enlisted in CRP, you must have a proven crop record. It is a management choice to enroll your land in CRP and there is nothing stopping you or a future landowner from farming it later.

Q. I have made conservation efforts (RIM/CREP programs) to my land, is this considered and how?

- A. Yes, when we are aware of conservation efforts on your land, we do evaluate those lands differently. Since the land must be enlisted in CRP prior to RIM/CREP, we still consider the land benefited, however, it is at a lower amount.

Q. Are DNR lands benefited?

- A. We research what the management plan of DNR lands are before we determine whether they are benefited. This is a determination made on each parcel they own.

Q. Why does my neighbors 1 red acre have a lower benefit than mine?

- A. The availability of hydraulic capacity is different. You have drainage deemed optimal due to availability for capacity or the depth of the ditch to drain or tile your own land to get the optimal capacity.

Q. Is this a bill?

- A. No, this is an informational document meant to inform property owners of changes to how future costs on the listed public drainage system will be paid if this report is adopted by the Drainage Authority.

NOBLES CD 10 EXHIBIT A

[illegible]



Nobles-Jackson CD 10 - Land Classifications
 H2Over Viewers
 March 29, 2021

0 0.5 1 Miles

Land Classifications

CD 10 Open Ditch	Townships	Class 1	Class 4	Grass Strips
CD 10 Title	PLSS Sections	Class 2	Urban Residential	Ditches
CD 10 Watershed	40-acre Tracts	Class 3	Industry	Wetlands
Counties				

Residential
 Woodlot
 Roads

NOBLES CD 10 EXHIBIT A

IN	NAME	OWNER ADDRESS	CITY STATE ZIP	N	DISCRIPTION	SEC	TRAP	RANGE	PRICE	N	D	TOTAL	WATERUSE		CONVEY	D	CLASS1	CLASS2	RED	N	D	TOTAL	WETLAND	CLASS1	CLASS2	YELLOW	CLASS1	CLASS2	GREEN	CLASS1	CLASS2	INDUSTRIA	L	ACRES	BENEFIT	L	ACRES	BENEFIT	WOODLO	T	L	ACRES	BENEFIT	ROAD	ACRES	BENEFIT	WETLAND	DITCH	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED	STRIP	WETLAND	BENEFIT	STRIP	DAMAGED</
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PROPERTY OWNERS REPORT

NOBLES & JACKSON COUNTY, MINNESOTA CD 10 2021 REDETERMINATION OF BENEFITS

VANDE KAMP/KELVIN J & JOAN K
36166 290TH ST
WORTHINGTON MN 56187

The Viewers have determined that the following tracts are benefited by the existing Nobles-Jackson CD 10 or will receive compensation for damages for the statutory installation of the buffer strip. The benefits are based upon the drainage system being in a good state of repair. The cost figure has used a **hypothetical estimated \$100,000.00** levy for buffer strip acquisition and redetermination of benefits only. **Final** costs for buffer strip acquisition and redetermination of benefits as well as future maintenance expenses will vary and will be prorated based upon the portion of the total benefits found upon each parcel.

Please note that the "Estimated Assessment" is not the amount you currently owe. This estimate is meant to help you understand what you would owe on a one-time assessment if the Drainage Authority levies \$100,000.00 for repairs. Future assessments will vary depending on the scope of the work needed to repair the drainage system at that time. This report is subject to change after information and input from landowners.

Parcel No. 08-0089-000

Located in Section 17 Township 101 North, Range 39 West

Desc: NWNW, SWNW

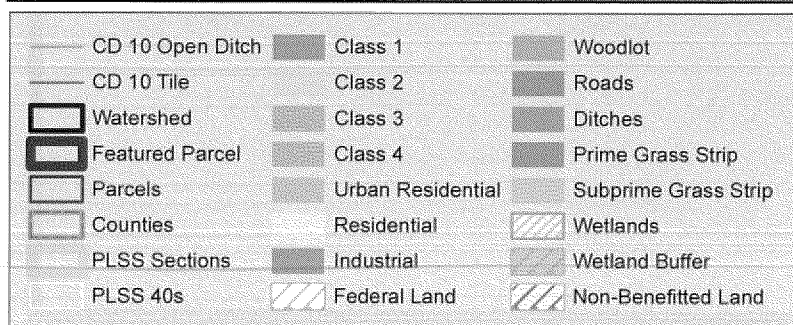
With these determinations of benefits, your totals are:

Acres Benefited	56.59
Total Benefits	\$81,408.51
Total Damages Class A & B	\$0.00
<u>Estimated</u> Assessment	\$2,130.13
Percent of Total Benefits	2.13013%

Additional benefit and damages totals:

Right of way acreage required:	N/A
Damages to riparian rights:	N/A
Acres requiring public-waters-work permit:	N/A
Benefits to public-waters-work permit acres:	N/A
Acres considered for conversion of wetlands:	N/A
Benefits to acres considered for conversion of wetlands:	N/A

The landowner meeting will be held on November 29th at 1:30 p.m. The link for virtual access will be posted at <https://www.co.nobles.mn.us/departments/public-works/drainage-system/>. Anyone who wishes to attend in person, can go to The Grand Ballroom at the Comfort Suites & Worthington Event Center, 1447 Prairie Drive, Worthington, MN.



Nobles-Jackson CD 10

PIN Number: 08-0089-000



0 325 650 Feet

NOBLES COUNTY AUDITOR-TREASURER
315 TENTH ST.
PO BOX 757
WORTHINGTON, MN 56187

VANDE KAMP/KELVIN J & JOAN K
36166 290TH ST
WORTHINGTON MN 56187

Testimonials

Dealing with water, many different situations arise, but I am confident that even if you encounter a new situation, H2Over Viewers will reach out to the right people to ensure that they bring the best possible product to your Board and ultimately your landowners.

One of the major things that I personally believe sets H2Over Viewers apart from other viewers is their use of technology. The individual landowner maps, easy to work with property owners reports, land class maps, as well as all of this in a user friendly format that can be used later to produce other reports/maps is unique to this team.

- Seth Sparks, Drainage Systems Manager, Renville County

H2Over Viewers have been timely and fair priced and give unsolicited updates that aid in the drainage authority keeping property owners aware of the process, especially with having to work around Covid-19.

I would highly recommend using H2Over Viewers to accomplish your viewing needs. You couldn't find a more skilled and professional team.

- Trudy Hastad, Administrator, LQP-YB Watershed District

H2Over Viewers have shown a great understanding in viewing and balancing the needs of the drainage authority but still being open to every property owner to ensure that the end product is the best it can be.

In my humble opinion, you couldn't find a more skilled and professional team to accomplish your viewing needs.

- Scott Henderson, Administrator, Sauk River Watershed District

H2OVER VIEWERS

PO Box 624 East Grand Forks, MN 56721

(218) 201-0066

h2overviewers.com

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

CarverLink Connect Up Carver Initiative Update

Primary Originating Division/Dept: Public Services - IT

Meeting Date: 2/15/2022

Contact: Randy Lehs Title: CarverLink Fiber Manager

Item Type:
Work Session

Amount of Time Requested: 25 minutes

Presenter: Randy Lehs Title: CarverLink Fiber Manager

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

CarverLink staff will provide an update on our Connect Up Carver Initiative efforts, which is an initiative that would utilize American Rescue Plan Act (ARPA) funding to collaborate in a public/private partnership between the County and a service provider to provide the availability of fiber connectivity to all identified remaining under/unserved residential/business appropriate addresses in the County where fiber connectivity availability is not already provided or planned for availability in the near future. This fiber connectivity would provide high speed wired fiber services at symmetrical upload/download speeds of no less than 100MB up/down.

The project would leverage the existing CarverLink infrastructure to construct additional middle mile fiber to locations in the County (primarily rural) that are identified by US Treasury Rules relating to the use of ARPA funds for broadband activities to under/unserved residents that in parallel with other collaborations and initiatives that CarverLink is actively participating in, would provide ubiquitous fiber coverage to everyone in Carver County that wants it.

CarverLink would construct this additional fiber infrastructure and utilize it in the same manner as our existing fiber infrastructure where we partner with private service providers to operate within our network so they can provide last mile fiber access to businesses and residents. And through the issuance of a request for bid for fiber optic construction and maintenance to construct additional County owned middle mile fiber routes in defined geographical areas of the County where we would then require the winning service provider to provide access to last mile fiber connectivity to all desiring under/unserved locations within the defined geographical area.

At the work session, staff will update the Board and answer any questions on the Connect Up Carver Initiative including the process and scope of the bidding process.

ACTION REQUESTED:

Provide input on the initiative and request for bid.

FISCAL IMPACT: Other

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

ARPA Funding \$5,500,000.00

Total \$5,500,000.00

☒ Insert additional funding source

Related Financial/FTE Comments: