



Carver County Board of Commissioners  
 October 17, 2017  
 Regular Session  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

PAGE

4:00 p.m.	1.	<ul style="list-style-type: none"> <li>a) <b>CONVENE</b></li> <li>b) <b>Pledge of allegiance</b></li> <li>c) <b>Public comments</b> - <i>Anyone wishing to address the Board of Commissioners on an item not on the agenda may come forward at this time. Please limit your comments to five minutes.</i></li> <li>d) <b>New Employee Introduction</b> ..... 1</li> </ul>	
	2.	Agenda review and adoption	
	3.	Approve minutes of October 3, 2017, Regular Session .....	2-4
	4.	Community Announcements	
4:10 p.m.	5.	<b>CONSENT AGENDA</b>  <i>Connections: Develop strong public partnerships and connect people to services and information</i> 5.1 Request for Approval of Encore Donation ..... 5 5.2 Request for Approval of Cash Donation for Encore ..... 6 5.3 Application for 2017-2018 renewal of Off-Sale and On-Sale including Sunday for Hollywood Roadhouse LLC ..... 7  <i>Communities: Create and maintain safe, healthy and livable communities</i> 5.4 Create 1.0 FTE Social Worker for Waiver Case Management ..... 8-9 5.5 Joint Powers Agreement with the City of Chanhassen for Preliminary Design for the CR 117 Reconstruction Project..... 10 5.6 Sheriff - Request for approval of contract with State of Minnesota for 2017 Emergency Management Performance Grant..... 11-12 5.7 Fire Alarm System Repairs ..... 13  <i>Growth: Manage the challenges and opportunities resulting from growth and development</i> 5.8 Settlement Agreement for Right of Way Acquisition for TH 41 Improvement Project ..... 14-17 5.9 Combine/convert two Chaska License Center vacancies totaling .85 FTE into 1.0 FTE..... 18-19  <i>Finances: Improve the County's financial health and economic profile</i> 5.10 Review Social Services/Commissioners Warrants ..... NO ATT	
4:10 p.m.	6.	<b>CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government</b> 6.1 PEER Award Recognition ..... 20	

4:30 p.m.	<b>7. FINANCES: Improve the County’s financial health and economic profile</b> 7.1 Master Financing Agreement with the Minnehaha Creek Watershed District ..... 21-25
4:45 p.m.	<b>8. GROWTH: Manage the challenges and opportunities resulting from growth and development</b> 8.1 Settlement Agreement for Right of Way Acquisition for CSAH 11 Reconstruction from CSAH 61 to CSAH 10, SP 010-611-006..... 26
4:50 p.m.	<b>ADJOURN AS COUNTY BOARD AND CONVENE AS CARVER COUNTY COMMUNITY HEALTH BOARD</b>
4:50 p.m.	<b>9. COMMUNITIES: Create and maintain safe, healthy and livable communities</b> 9.1 Convene as Carver County Community Health Board, Update from Carver County Public Health CHS Administrator ..... 27
5:25 p.m.	<b>ADJOURN AS COMMUNITY HEALTH BOARD</b>
5:25 p.m.	<b>BOARD REPORTS</b> 1. Chair 2. Board Members 3. Administrator 4. Adjourn

David Hemze  
County Administrator

<b>UPCOMING MEETINGS</b>
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October 24, 2017	7:30 a.m. Carver County Leaders Meeting
October 24, 2017	9:00 a.m. Board Work Session
October 31, 2017	9:00 a.m. Board Meeting
November 7, 2017	9:00 a.m. Board Meeting Canceled
November 14, 2017	No Meeting
November 22, 2017	4:00 p.m. Board Meeting
November 28, 2017	9:00 a.m. Board Work Session

# Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Veteran Services Technician, Brett Lyons**

Primary Originating Division/Dept: Public Services - Veterans

Meeting Date: 10/17/2017

Contact: Dan Tengwall Title: VSO

Item Type:  
New Employee Intro

Amount of Time Requested: 5 minutes

Attachments:  Yes  No

Presenter: Dan Tengwall Title: Veteran Services Officer

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The County Veteran Services Officer has selected Brett Lyons to replace Susan Wherley as the new Veteran Services Technician. He is a 24-year US Navy veteran who recently retired and moved to the area.

**ACTION REQUESTED:**

Welcome Brett to Carver County.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None**Total** \$0.00 Insert additional funding source

Related Financial/FTE Comments:

None

Office use only:

RBA 2017 - 5021

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on October 3, 2017. Chair Tim Lynch convened the session at 9:09 a.m.

Members present: Tim Lynch, Chair, James Ische, Vice Chair, Gayle Degler, Randy Maluchnik and Tom Workman.

Members absent: None.

Under public comments, Karen Johnson Leuthner, 15735 38<sup>th</sup> Street, Mayer, clarified she did not represent Hollywood Township/County staff and was a relevant public watchdog. She referenced her emails to the Board and noted the individual who built the radio tower had passed away but this did not change her mission to hold people accountable for their actions. She raised the issue of fiber optics and the tower. She pointed out the route fiber optic took before the connection to Hollywood Township. She questioned why this occurred and how this was getting paid for. She stressed they need to start thinking about what is happening in this area.

The following amendment was made to the agenda:

Move 5.9 to 6.0 - Application for 2017-2018 renewal of On and Off Sale Liquor License including Sunday for Hollywood Sports LLC.

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

Workman moved, Ische seconded, to approve the minutes of the September 19, 2017, Regular Session. Motion carried unanimously.

Community announcements were made by the Board.

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

Approved creating STOC detention deputy positions to afford the minimum staffing requirements as mandated by the licensing authority and related budget amendment.

Approved creating a STOC licensed deputy position to work in the Courts Division.

Resolution #68-17, County Board Acknowledgement Project 128638, SAP 010-610-047 (CSAH Bridge and Roadway Improvements) Final Payment.

Contract with Advanced Imaging Solutions pending completion of the contract review process.

Approved the application for renewal of the on-sale liquor license including Sunday for WJVA Inc., dba Timber Creek Golf Course pending all appropriate approvals.

Approved the application for renewal of the on-sale liquor license including Sunday for Whistle Post LLC dba Sovereign Estate Wine pending all appropriate approvals.

Approved the application for renewal of the on-sale liquor license for Parley Lake Winery LLP dba Parley Lake Winery pending all appropriate approvals.

Approved the application for renewal of the on-sale liquor license including Sunday for Vandy's Grill LLC pending all appropriate approvals.

Approved application for renewal of the brewer off-sale malt liquor license including Sunday for Schram Winery LLC dba Schram Vineyards, Winery & Brewery pending all appropriate renewals.

Contract with Berry Dunn McNeil & Parker LLC pending finalization of the contract review process, for a contract in the amount of \$196,490, to budget \$50,000 in contingency funds for the project, and related Employee Relations budget amendment.

Professional services agreement with SRF Consulting Group, Inc., for final design for the CSAH 18 reconstruction project – phase 2A, pending finalization of the contract review process.

Authorized the Carver County Engineer to approve supplemental agreement 1 up to \$165,000 for drain tile installation for the CSAH 30 safety improvement project.

Resolution #69-17, Supporting a Tiger Grant Application for Minnesota Valley Regional Rail Authority and authorized Chair to sign letter of support.

Approved the AFSCME Health and Human Services, General and Assistant County Attorney 2017-2018 collective bargaining agreements.

Approved temporary clinical support specialist position at First Street Center and related HH&S budget amendment.

Approved the following abatements:

85.5310120	Randy Rosinger
75.4700130	Gary Brandenburg
65.0070700	Paul Bastyr

Approved service agreements for the 2018 joint assessment.

Reviewed September 26, 2017, Community Social Services' actions/Commissioners' warrants in the amount of \$348,846.72 and reviewed October 3, 2017, Community Social Services' actions/Commissioners' warrants in the amount of \$342,934.38.

Motion carried unanimously.

Ische moved, Degler seconded, to approve the application for renewal of the off and on-sale liquor license including Sunday for Hollywood Sports LLC dba Hollywood Sports Complex pending all appropriate approvals. Degler, Ische, Maluchnik, Workman voted aye. Lynch abstained as he was related to the owner. Motion carried.

Sheriff Olson appeared before the Board to recognize Corporal Alex Stern who was named Minnesota Correctional Officer of the year. He read excerpts from the nomination form that highlighted his work ethic, knowledge and dedication. Sheriff pointed out Stern's community service with the fire department and stated he was an outstanding representative of the Sheriff's office.

Chair Lynch stated they were proud of Corporal Stern and happy to have him employed with the County.

Degler moved, Ische seconded, to go into closed session at 9:25 a.m. pursuant to Minnesota Statute 13D.05, subd. 3(b) to discuss litigation strategy for the property located at 11175 Guernsey Avenue, Dahlgren Township, Minnesota. Degler, Ische, Lynch, Maluchnik voted aye. Workman abstained and left the room at this time. Motion carried.

Degler moved, Ische seconded, to adjourn the closed and Regular Session. Motion carried.

David Hemze  
County Administrator

(These proceedings contain summaries of resolutions/claims reviewed. The full text of the resolutions and claims reviewed are available for public inspection in the office of the county administrator.)

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request for Approval of Encore Donation**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Stationary Recumbent bike was donated by Laura Anderson to the Encore Adult Day Services program to enhance the available exercise opportunities and resources for participants. Reported value of the bike is \$100.00

**ACTION REQUESTED:**

Approve receipt of donation.

**FISCAL IMPACT:**    
*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2017 - 5006

# Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Request for Approval of Cash Donation for Encore**

Primary Originating Division/Dept: Health &amp; Human Services

Meeting Date: 10/17/2017

Contact: Jill Willems Title: Supervisor

Item Type:  
Consent

Amount of Time Requested: minutes

Attachments:  Yes  No

Presenter: Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Donation of \$100 received by St Johns Lutheran LWML, Norwood Young America. Donation will be used to enhance programming and services at the Encore Adult Day Services program.

**ACTION REQUESTED:**

Approval of donation requested.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None**Total** \$0.00 Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2017 - 5028

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Application for 2017-2018 renewal of Off-Sale and On-Sale including Sunday for Hollywood Roadhouse LLC dba Hollywood Roadhouse**

Primary Originating Division/Dept: <input type="text" value="Property &amp; Financial Services - Property Taxation"/>	Meeting Date: <input type="text" value="10/17/2017"/>
Contact: <input type="text" value="Amy Howard"/> Title: <input type="text" value="Taxpayer Services Specialist"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Paul Michael Joswick, President and Lisa Mari Joswick, Vice-President of Hollywood Roadhouse LLC dba Hollywood Roadhouse have applied for renewal of their Off-Sale and On-Sale including Sunday Liquor License. They are located at 5475 Co Rd 33, New Germany. License will be issued when all requirements have been met and upon TSD final approval.

**ACTION REQUESTED:**

Motion to approve the application for renewal of the Off and On-Sale Liquor License including Sunday for Hollywood Roadhouse LLC dba Hollywood Roadhouse pending all appropriate approvals.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	<b>FUNDING</b> County Dollars = <input type="text"/> <input type="text"/> <b>Total</b> <input type="text" value="\$0.00"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source

**Related Financial/FTE Comments:**

License fee: Off Sale Liquor License - \$150.00; On-Sale Liquor License - \$2,000.00; Sunday - \$200.00

*Office use only:*

RBA 2017 - 5013

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Create 1.0 FTE Social Worker for Waiver Case Management**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The need for waiver case management positions was discussed as part of the 2017 budgeting process. A decision was made not to include these positions as part of the budget process since the positions require no county tax levy dollars. Instead, new waiver case management position requests would be brought to the County Board for approval as needed. The Olmsted Plan order by the courts requires clients have access to waiver service programs and the County cannot maintain a waiting list to access those programs. County waiver caseload sizes continue to increase beyond what can be effectively managed by current staff. The positions are funded entirely by Medical Assistance case management revenue. No County levy dollars are required.

**ACTION REQUESTED:**

Motion to approve creating a 1.0 FTE Social Worker to provide waiver case management services

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

<b>County Dollars =</b>	<b>\$0.00</b>
Waiver Revenue	\$103,000.00
FFP	\$9,000.00
<b>Total</b>	<b>\$112,000.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

No County levy dollars are required for this position.

*Office use only:*

RBA 2017 - 5005

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Create 1.0 FTE Social Worker for Waiver Case Management

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT		
Description of Accounts	Acct #	Amount
11-422-700-0000-6111	Salary	\$76,856.42
11-422-700-0000-6155	Medicare	\$1,123.20
11-422-700-0000-6175	LTD	\$145.60
11-422-700-0000-6172	FICA	\$4,763.20
11-422-700-0000-6162	PERA	\$5,761.60
11-422-700-0000-6173	Worker's Comp	\$1,681.32
11-422-700-0000-6151	Compensated Absence	\$176.49
11-422-700-0000-6150	OPEB Liability	\$1,558.49
11-422-700-0000-6152	Life & Health Insuran...	\$19,933.68
<b>TOTAL</b>		<b>\$112,000.00</b>

CREDIT		
Description of Accounts	Acct #	Amount
Cadi Adult - State	11-445-761-0000-...	\$51,500.00
Cadi Adult - Federal	11-445-761-0000-...	\$51,500.00
LTSS State - FFP	11-445-760-3015-...	\$4,500.00
LTSS Federal - FFP	11-445-760-3015-...	\$4,500.00
<b>TOTAL</b>		<b>\$112,000.00</b>

Reason for Request:

Addition of a new 1.0 waiver case management social worker to assist with the growing caseload size in the HCBC department.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Joint Powers Agreement with the City of Chanhassen for Preliminary Design for the CR 117 Reconstruction Project**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

Carver County Public Works has been having discussions with the City of Chanhassen relating to the ownership and the need for infrastructure improvements to meet modern design standards on County Road 117 (Galpin Boulevard) between State Highway 5 and the northern border of the city. The City of Chanhassen and Carver County Public Works desire to undertake preliminary design work to determine the necessary improvements and the associated costs to bring Galpin Boulevard (CR 117) up to modern design standards. The City of Chanhassen will be the lead agency and will manage a consultant contract (Kimley Horn) to complete this design work. It is anticipated that a preferred concept and the associated improvement costs will be determined at the conclusion of the preliminary design work. The City of Chanhassen and Carver County are proposing to evenly split the preliminary design costs.

**ACTION REQUESTED:**

Motion to approve a Joint Powers Agreement with the City of Chanhassen for preliminary design of the CR 117 Reconstruction Project, pending finalization of the contract review process.

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<b>\$44,500.00</b>
City of Chanhassen	\$44,500.00
<b>Total</b>	<b>\$89,000.00</b>

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2017 - 5009

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Sheriff - Request for approval of contract with State of Minnesota for 2017 Emergency Management Performance Grant**

Primary Originating Division/Dept: Sheriff

Meeting Date: 10/17/2017

Contact: Deb Paige  Title: Commander

Item Type:  
Consent

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Emergency Management Performance Grant (EMPG) is awarded based on an annual request for federally-funded assistance from the State of Minnesota, Department of Public Safety - Homeland Security & Emergency Management Division, and is used to support the Carver County Emergency Management Program. Specifically, this grant covers a portion of salary for employees in the Emergency Management Program. The effective date of this grant is 01/01/2017 to 12/31/2017. There is a 100% match required for this grant which is covered in the budget for the Emergency Management Program. The match is achieved through salary. We have partnered on this grant with the state for many years.

**ACTION REQUESTED:**

Motion to authorize the County Board Chair and the County Administrator to sign and accept the Grant Agreement for the 2017 Emergency Management Performance Grant (EMPG). Reviewed and approved by the County Attorney's Office and Risk Management.

**FISCAL IMPACT:** Budget amendment request form

If "Other", specify:

**FTE IMPACT:** None

**FUNDING**

County Dollars =	
2017 EMPG grant	\$51,993.00
<b>Total</b>	<b>\$51,993.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

There is a 100% match required for this grant which is covered in the budget for the Emergency Management Program.

*Office use only:*

RBA 2017 - 5019

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Sheriff - Request for approval of contract with State of Minnesota for 2017 Emergency Management

Agenda Item: Performance Grant

Department: Sheriff

Meeting Date: 10/17/2017

Fund:

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

Requested By: Kelly Miller

DEBIT		
Description of Accounts	Acct #	Amount
Salaries	01-201-280-1904.6111	\$51,993.00
<b>TOTAL</b>		\$51,993.00

CREDIT		
Description of Accounts	Acct #	Amount
Emergency Services Grant	01-201-280-1904-...	\$862.00
Salaries	01-201-280.6111	\$51,131.00
<b>TOTAL</b>		\$51,993.00

Reason for Request:

The 2017 Emergency Management Program Grant (EMPG) is in our current 2017 budget, we are adjusting the budget to recognize the expenditures that will be paid for by the grant.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Fire Alarm System Repairs**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Consent

Amount of Time Requested:  minutes  
Presenter:  Title:

Attachments:  Yes  No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

The storms on October 2 and 3, 2017 damaged the fire alarm system in the County's 604 and 606 buildings (Sheriff's Office and Courts).

Carver County Facility Services had Siemens Industry, Inc. evaluate the damage. The existing Siemens fire equipment is proprietary and only available from Siemens. The following elements of the fire system were damaged and need replacement: (1) fire alarm panel, (128) smoke detectors, (57) duct detectors, (54) heat detectors, (17) pull stations, (24) input modules, and (2) batteries. With storm related failure, once the new panel is installed additional devices may be found defective as well. Those unknowns are not included in the \$60,000 quote from Siemens and would require a change order. Siemens will add surge protection to the system to help mitigate the potential for this type of failure in the future.

Siemens quoted \$60,000 to provide and install the damaged equipment. The County's insurance provider (MCIT) will pay for the repairs after the County pays its \$2,500 deductible.

**ACTION REQUESTED:**

Motion to contract with Siemens Industry, Inc. to replace the damaged fire control equipment in the County's 604 and 606 buildings.

**FISCAL IMPACT:**   
*If "Other", specify:*

FUNDING	
County Dollars =	<b>\$2,500.00</b>
Insurance	\$57,500.00
<b>Total</b>	<b>\$60,000.00</b>

**FTE IMPACT:**

Insert additional funding source

**Related Financial/FTE Comments:**

The County's insurance provider will pay for the repairs after the County pays its \$2,500 deductible. The deductible will be paid out of the County's insurance budget.

*Office use only:*

RBA 2017 - 5022

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement Agreement for Right of Way Acquisition for TH 41 Improvement Project**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The 2018 construction season includes reconstruction of TH 41 from TH 212 on the south to Pioneer Trail (CSAH 14), on the north. Additional right-of-way is needed to complete this project. Carver County has obtained appraisals completed by certified appraisers for the acquisition of permanent roadway, drainage and utility, noise wall and temporary easements along the construction corridor. The County Board previously authorized initial offers to property owners based on the values in the appraisals.

Public Works staff have negotiated a settlements with the property owners at PID # 30.5230050, 30.3060370 and 30/3785082 being impacted by the project.

**ACTION REQUESTED:**

Motion to adopt a resolution authorizing payment of negotiated settlements with the property owner listed in the resolution for easements required for the TH 41 Reconstruction Project (County Project # 148758).

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
TED Funding	\$36,050.00
<b>Total</b>	<b>\$36,050.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

The County was awarded a state Transportation Economic Development (TED) grant for \$3.5 million for this project.

*Office use only:*

RBA 2017 - 5000

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

Date: October 17, 2017

Resolution No: \_\_\_\_\_

Motion by Commissioner: \_\_\_\_\_

Seconded by Commissioner: \_\_\_\_\_

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**Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Project Registry No. 148758**

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 TH 41 as part of the #148758 (“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 an independent appraisal report(s) from a licensed real estate appraiser which estimates the full amount of damages which the County’s proposed acquisition of the property interests described in said Exhibit A will cause to Owners of said real property interests; 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, in the amounts of the independent real estate appraiser’s opinions; 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 TH 41 as part of the #148758 constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that based upon the independent appraisal report(s) of damages obtained by the County from an independent real estate appraiser 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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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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 17, 2017, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this October 17, 2017.

\_\_\_\_\_  
Dave Hemze

\_\_\_\_\_  
County Administrator

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

(Acquisition)

P.I.D. No. 30.5230050

Lakeview Clinic Building Corporation, a Minnesota Corporation

Taking of a permanent roadway easement for right of way purposes over TH 41 (containing 867 sq. ft., more or less).

Taking of a temporary easement for construction purposes over TH 41, (containing 1915 sq. ft., more or less).

Settlement Amount: \$21,000.00.

(Acquisition)

P.I.D. No. 30.3060370

East Lake Townhouse Association

Taking of a permanent drainage & utility easement over TH 41 (containing 572 sq. ft., more or less).

Taking of a temporary easement for construction purposes over TH 41, (containing 625 sq. ft., more or less).

Settlement Amount: \$7,025.00.

(Acquisition)

P.I.D. No. 30.3750820

East Lake Townhouse Association

Taking of a permanent drainage & utility wall easement over TH 41 (containing 1,117 sq. ft., more or less).

Settlement Amount: \$8,025.00.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Combine/convert two Chaska License Center vacancies totaling .85 FTE into 1.0 FTE**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Consent

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The Chaska License Center has two vacant part-time positions (.5 FTE and .35 FTE) which have been difficult to fill and remain filled. This understaffed status has resulted in overtime and increased customer wait time.

Combining and then converting the existing vacant .5 FTE and .35 FTE to one 1.0 FTE position will significantly increase our candidate pool of experienced candidates. The total annual cost to make this position change is \$20,880 and will be covered by increased License Center fees for service.

**ACTION REQUESTED:**

Motion to convert two part-time vacant positions totaling .85 FTE, to one 1.0 FTE position at the Chaska License Center.

**FISCAL IMPACT:**

**FUNDING**

*Additional cost funded by license center fees for service*

County Dollars =

License Center revenues

**FTE IMPACT:**

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

Levy dollars will not be used to pay for the incremental cost for a 1.0 FTE at the Chaska License Center. The incremental cost for 2017 is approximately \$3,480, full cost for 2018 is \$20,880.

*Office use only:*

RBA 2017 - 5015

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

**Agenda Item:** Combine two vacancies totaling .85 FTE into 1.0 FTE

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT		
Description of Accounts	Acct #	Amount
License Center FT Salaries	01-40-55-1109.6111	\$36,317.00
Insurance	01-40-55-1109.6121	\$19,892.00
PERA	01-40-55-1109.6162	\$409.00
FICA	01-40-55-1109.6172	\$337.00
Other benefits	01-40-55-1109.6155	\$161.00
<b>TOTAL</b>		<b>\$57,116.00</b>

CREDIT		
Description of Accounts	Acct #	Amount
License Center PT Salary	01-40-55-1109.61...	\$36,236.00
Drivers licenses	01-40-55-1108.51...	\$20,880.00
<b>TOTAL</b>		<b>\$57,116.00</b>

Reason for Request:

Combine vacant .5 and .35 FTEs at the Chaska License Center to create a 1.0 FTE. The incremental cost for 2017 is approximately \$3,480, full cost for 2018 is \$20,880. The cost difference will be funded by increased license center revenues.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**PEER Award Recognition**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

Strategic Initiative:  
 ▼

**BACKGROUND/JUSTIFICATION:**

The Public Employees Excellence Recognition program (PEER) is Carver County's annual recognition program to honor employees' hard work and exceptional contributions during the prior year of service. The PEER Program is designed to allow the employees of Carver County to nominate their co-workers for an award for having shown Excellence in the areas of Customer Service, Innovation, and Teamwork.

**ACTION REQUESTED:**

Recognition of PEER Awards recipients in the categories of Customer Service, Innovation, and Teamwork, as well as the additional award Judge's Choice.

**FISCAL IMPACT:**  ▼  
*If "Other", specify:*

**FUNDING**  
County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2017 - 5029

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Master Financing Agreement with the Minnehaha Creek Watershed District**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The Minnehaha Creek Watershed District (MCWD) is interested in pursuing a Master Financing Agreement with Carver County to provide long-term financing for MCWD capital improvement projects ("CIP") in Carver County. MCWD will provide the CIP short-term financing and then request Carver County to provide CIP long-term financing through the issuance of County general obligation bonds. MCWD has a similar Master Financing Agreement with Hennepin County to provide CIP long-term financing. The debt service on these County bonds would be secured by an MCWD promissory note at the time of issuance, and MCWD would pay for the debt service with the full faith and credit of its ad valorem tax levy spread across the entire Watershed District. Thus, County-issued bonds to provide MCWD with CIP long-term financing would not impact the County's "AAA" bond rating. Staff members from the District and the County as well as the County's financial consultant (with Ehlers) and bond attorney (with Faegre Benson) have been working on developing a draft Master Finance Agreement and provided details to the Board during the Sep 26 work session. A memo from the MCWD, outlining the proposed agreement, is attached.

**ACTION REQUESTED:**

Motion to enter into a Master Finance Agreement with the MCWD pending contract review.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

County-issued bonds to provide MCWD with CIP long-term financing would not impact the County's "AAA" bond rating or statutory debt limit because the MCWD will pay the debt service using its ad valorem tax levy spread across the entire Minnetonka Creek Watershed District.

*Office use only:*

RBA 2017 - 4991



## MEMORANDUM

**To:** Carver County Board of Commissioners  
**From:** James Wisker, Director of Planning  
**Date:** September 13, 2017  
**Re:** MCWD-Carver County Master Finance Agreement

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### **Purpose:**

Facilitate the September 26, 2017 discussion of the Draft Minnehaha Creek Watershed District-Carver County Master Finance Agreement.

### **Background: The Six Mile Creek Halsted Bay Subwatershed**

The Minnehaha Creek Watershed District (MCWD or District) has established the Six Mile Creek-Halsted Bay (SMCHB) Subwatershed as a focal geography for natural resource planning and implementation. (See attached map). This area was selected as a priority by the District's Board of Managers due to its abundant natural resources, its connection to Halsted Bay, the area's projected growth and development, and our existing strong regional partnership with the agencies in this geography.

The District's approach to its work emphasizes public and private partnerships that align plans, policies and investments in the landscape, to identify innovative solutions that achieve the greatest public benefit possible with the limited resources available.

Accordingly, over the last year, the District has worked with the SMCHB Partnership to develop a comprehensive capital improvement program that addresses natural resource objectives in ways that successfully manage the challenges and opportunities resulting from growth and development, to create thriving communities.

SMCHB Partners include: Carver and Hennepin Counties, the cities of Minnetrista, St. Bonifacius, and Victoria, Waconia and Laketown Townships, Carver County Soil and Water Conservation District, and Three Rivers Park District.

*We collaborate with public and private partners to protect and improve land and water for current and future generations.*

In developing the plan, the District has worked with the SMCHB Partnership to:

- Establish a shared understanding of key natural resource issues within the subwatershed, and what is driving those issues
- Develop long-range management strategies to address the issues and their drivers
- Understand local priorities and goals, including those related to parks and open space, transportation and infrastructure, and growth and development
- Establish implementation priorities, while retaining flexibility to respond to new opportunities that emerge through coordination with partners

The SMCHB Partnership and the Subwatershed Plan that has been developed as a part of the District's overall Water Resource Management Plan, has been formally endorsed by Carver County in March of 2017 through the adoption of the SMCHB Resolution of Support, and more recently via recognition from the Carver County Water Management Organization (CCWMO), Hennepin County, Three Rivers Park District, and the City of Victoria.

### **Financing Strategy**

Given the scale of the SMCHB geography, and the abundant natural resources in need of both protection and improvement, the District and its Partners have identified the need to develop a plan that leverages regional, state and federal resources to support implementation.

Pursuant to the developed Plan and corresponding funding strategy, that District and its Partners have already accomplished the following:

- Secured \$250,000 Clean Water Legacy Grant to enhance public stormwater infrastructure and improve water quality draining from downtown Victoria into East Auburn Lake.
- Partnered with a national homebuilder, Lennar Corporation, to privately fund the restoration of 12 acres of wetland and upland buffer, draining to Wasserman Lake.
- Acquired 30.5 acres of land to address a legacy pollutant source on Lake Wassermann while creating upland park amenities for public recreation and lake access.
- Ranked second among pending habitat applications to Lessard Sams Outdoor Heritage Council, for \$795,000 to implement one of the largest scale and most innovative Common Carp management programs in the Midwest

*We collaborate with public and private partners to protect and improve land and water for current and future generations.*

## **MCWD – Carver County Financing Partnership:**

To complement and leverage potential investments made by the District, SMCHB Partners, and outside regional-state-federal grants, the MCWD obtained support from the Carver County Board in December of 2016 to develop a financing partnership that would permanently replace any short-term capital project financing through the County’s issuance of general obligation bonds, backed by the full faith and credit of the Watershed District’s levy.

### **September 26 County Board Workshop**

With the support of the Carver County Board, MCWD and County staff have been working to develop a Finance Agreement to accomplish the goals outlined during the December 2016 presentation.

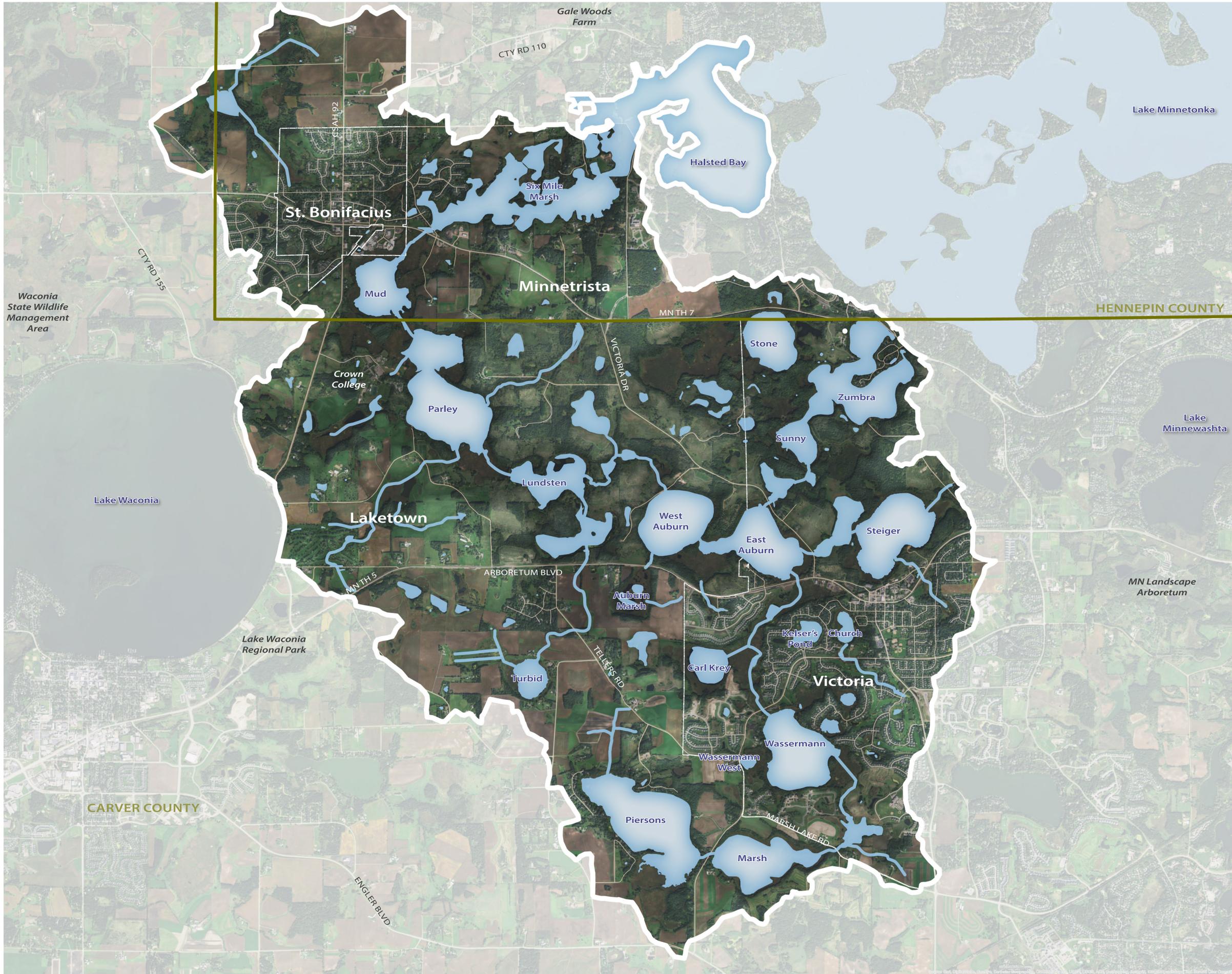
At the September 26<sup>th</sup> County Board meeting, County and District Staff will provide a presentation that:

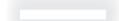
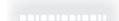
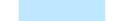
- Provides an overview of the Six Mile – Halsted Bay Plan
- Recaps the objectives of the proposed financing partnership between MCWD and Carver
- Outlines the terms and logistics of the Draft Master Finance Agreement
- Facilitates discussion and questions

### **Next Steps:**

Pending discussion by the Carver County and MCWD Board in September, District and County staff intend to bring the draft agreement for final action at the October 17 meeting.

If there are questions in advance of the meeting, please contact James Wisker at [Jwisker@minnehahacreek.org](mailto:Jwisker@minnehahacreek.org) or 952.641.4509



- LEGEND**
-  Six Mile Creek Watershed Boundary
  -  City and Township Boundaries
  -  County Boundary
  -  Streets
  -  Rivers and Streams
  -  Lakes



3 miles (typical biking trip)  1/4 mile (typical walking trip) 

**BASE MAP**  
 Six Mile Subwatershed Planning Project Minnehaha Creek Watershed District



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement Agreement for Right of Way Acquisition for CSAH 11 Reconstruction from CSAH 61 to CSAH 10, SP 010-611-006**

Primary Originating Division/Dept: <input type="text" value="Public Works"/>	Meeting Date: <input type="text" value="10/17/2017"/>
Contact: <input type="text" value="Mark Metz"/> Title: <input type="text" value="County Attorney"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="5"/> minutes Presenter: <input type="text" value="Mark Metz"/> Title: <input type="text" value="County Attorney"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

**BACKGROUND/JUSTIFICATION:**

The 2012-13 construction program included the construction of CSAH 11 from CSAH 61 on the south to CSAH 10 on the north utilizing federal and county funds. Carver County exercised eminent domain to gain necessary right-of-way required for this highway reconstruction project.

The eminent process, including land commissioner hearing, mediation, jury trial and subsequent negotiations resulted in a full and final settlement agreement with the property owner located at 11175 Guernsey Avenue, Dahlgren Township, Carver County. Pursuant to the Agreement, the parties have agreed that the total obligation settlement amount is Eight Hundred Ninety Thousand and No/100 Dollars (\$890,000.00). Prior to settlement, the County paid the owner \$444,931.35 (for the quick take payment, partial award, etc.). After deducting this prior payment, the balance due to the owner is Four Hundred Forty-Five Thousand, Sixty-Eight and 65/100 Dollars (\$445,068.65).

**ACTION REQUESTED:**

Approve a Stipulation for Settlement Agreement with Montgomery Farms, LLC, located at 11175 Guernsey Avenue, Dahlgren Township, Carver County.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>				
If "Other", specify: <input type="text"/>	<b>County Dollars =</b>				
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">CSAH Regular</td> <td style="width: 30%; text-align: right;">\$445,068.65</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$445,068.65</b></td> </tr> </table>	CSAH Regular	\$445,068.65	<b>Total</b>	<b>\$445,068.65</b>
CSAH Regular	\$445,068.65				
<b>Total</b>	<b>\$445,068.65</b>				
<input checked="" type="checkbox"/> Insert additional funding source					
Related Financial/FTE Comments:					

Office use only:

RBA 2017 - 5025

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Convene as Carver County Community Health Board, Update from Carver County Public Health CHS Administrator**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

Dr. Richard Scott, Carver County Public Health Manager and Community Health Services Administrator will provide the Carver County Board of Commissioners, in their capacity as the Community Health Board, an update on the status of the health of the County, and the activities of the Carver County Public Health Department.

**ACTION REQUESTED:**

Motion to adjourn and re-convene as the Carver County Community Health Board, and receive an update from the Community Health Services Administrator.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2017 - 4977