



Carver County Board of Commissioners  
 July 17, 2018  
 Regular Session  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

PAGE

4:00 p.m.	1.	<b>a) CONVENE</b> <b>b) Pledge of allegiance</b> <b>c) 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>	
	2.	Agenda review and adoption	
	3.	Approve minutes of July 10, 2018, Regular Session.....	1-4
	4.	Community Announcements	
4:10 p.m.	5.	<b>CONSENT AGENDA</b>  <i>Communities: Create and maintain safe, healthy and livable communities</i> 5.1 Request for approval to contract with Midwest Medical Examiner's Office ..... 5-6 5.2 2018/2019 School Resource Officer Contract..... 7 5.3 Professional Services Agreement With Stonebrooke Engineering for 2018 Bridge Safety Inspections ..... 8 5.4 Settlement for Right-of-Way Acquisition for the Highway 140 Bridge Project - Carver Creek E ..... 9-12 5.5 Settlement for Right-of-Way Acquisition for the Highway 140 Bridge Project - Carver Creek W ..... 13-16 5.6 Settlement Agreement for Right of Way Acquisition for the Highway 41 Project-Jonathan Area ..... 17-20  <i>Growth: Manage the challenges and opportunities resulting from growth and development</i> 5.7 Eliminate Senior Planner Position and Replace with Planner Position .... 21  <i>Culture: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government</i> 5.8 Request to Eliminate Admin Representative Position and Replace with Admin Assistant at First Street Center..... 22-23  <i>Finances: Improve the County's financial health and economic profile</i> 5.9 Exterior Caulking Replacement Contract ..... 24 5.10 Review Social/ Commissioners' Warrants..... NO ATT	
4:10 p.m.	6.	<b>COMMUNITIES: Create and maintain safe, healthy and livable communities</b> 6.1 Presentation by the Local Advisory Committee on Mental Health ..... 25	

4:40 p.m. 7. **CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government**  
7.1 **Closed Session** - Pending Litigation ..... 26

5:30 p.m. **ADJOURN REGULAR SESSION**

5:30 p.m. **BOARD REPORTS**  
1. Chair  
2. Board Members  
3. Administrator  
4. Adjourn

David Hemze  
County Administrator

**UPCOMING MEETINGS**

July 24, 2018	7:30 a.m. Carver County Leaders Meeting – Justice Center Lower Level
July 24, 2018	9:00 a.m. Work Session Canceled
July 31, 2018	No Meeting
July 31, 2018	7:00 p.m. Carver County Township Association Meeting – American Legion, Waconia
August 7, 2018	9:00 a.m. Board Meeting
August 14, 2018	No Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on July 10, 2018. Chair Gayle Degler convened the session at 9:03 a.m.

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

Members absent: None.

Under public participation, Karen Johnson Leuthner, 15735 38<sup>th</sup> Street, Mayer, clarified she was not representing Carver County staff and was a relevant public watchdog. She stated she has been attending meetings for over a year questioning the actions done by County government and the Board has chosen to be silent instead of protecting citizens. She stated she was telling the truth and believed solar was one of the things going wrong. She questioned if additional antennas were being placed on the Hollywood Township Tower and that needed to stop.

Ische moved, Lynch seconded, to approve the agenda. Motion carried unanimously.

Maluchnik moved, Workman seconded, to approve the minutes of the June 19, 2018, Regular Session. Motion carried unanimously.

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

Authorized receipt of \$100 donation for Encore.

Authorized receipt of handmade quilts for Encore.

Approved the purchase of Ford 350 truck and equipment from Waconia Ford and Crysteel Truck Equipment.

Resolution #51-18, Support for the City of Chaska's Circle the Brick Trail Connection Application.

Resolution #52-18, Authorizing Settlement of Compensation to Owner for Acquisition of Real Property Interests Needed for the Highway 44 Bridge Project.

Approved a Use Permit to the West Metro Kids Against Hunger group to conduct the July 14, 2018, Tonka Mud Run event.

Approved a joint powers agreement with the City of Chaska for the County Road 10 corridor study pending finalization of the contract review process.

Resolution #53-18, Support and Approval for a BUILD grant application for US Highway 212 Expansion Between the City of Norwood Young America and Cologne.

Resolution #54-18, Support and Approval for a BUILD grant application for US Highway 212 Expansion Between the City of Cologne and Carver.

Authorized the Chair to sign the professional services agreement with the City of Chaska for stormwater retrofit cost share, pending completion of the contract review process.

Resolution #55-18, To Support the City of Chaska's Downtown Highway 41 and 61 Reconstruction Application.

Contract with LVC Companies pending completion of the County's contract review process.

Approved transfer of \$50,000 in auction proceeds to the Public Works Capital Equipment budget and related budget amendment.

Approved the following abatements:

09.9510010	James Stumpf
25.2730630	Jeffrey Nourse
75.5190360	Benjamin Lemke
85.5310110	Jared Kadrie
65.5560320	Troy Stukenborg
25.0610960	Kiman Joo
30.0930770	Julie Farrell
85.0504090	Bryan Faust
85.2250750	Dustin Hafner
30.6790160	Philippe Mellen
09.0270700	Bernadette Majhor
25.0650130	City of Chanhassen
25.2990470	City of Chanhassen
25.2990490	City of Chanhassen
25.2990500	City of Chanhassen
25.2990510	City of Chanhassen

Reviewed June 26, 2018, Community Social Services' actions/Commissioners' warrants in the amount of \$306,476.39; reviewed July 3, 2018, Community Social Services' actions/Commissioners' warrants in the amount of \$ \$261,437.86 and reviewed July 10, 2018, Community Social Services' actions/Commissioners' warrants in the amount of \$ \$327,007.30.

Motion carried unanimously.

Martin Walsh, Parks, appeared before the Board to review proposed operational plan for the Waconia Event Center. He pointed out the previous Board's direction to transition to a Town Hall model. He explained, since that time, the County has been successful in securing 1.5M from the Legislature for infrastructure improvements at the Lake Waconia Regional Park, to be matched with

1.5M of County resources. He noted there would be a significant disruption of services for these landscaping changes beginning in late summer 2019.

He explained a Town Hall Model would require minimal staffing and reviewed the responsibilities of the customer and county. Walsh stated they did pursue another tenant but they were unable to find a business model that would work. He noted this would be an interim approach due to the expected construction next year. He reviewed proposed fees to cover the costs and indicated a public hearing would be scheduled later on those fees.

Walsh indicated they would next propose to do a building study that would include a facility assessment and market research to support the building. He stated this would be funded by Parks professional services and they would report back to the Board on whether to move forward with additional services. He indicated they would also do additional scoping project work for the Regional Park infrastructure work and report back to the Board. He clarified the 1.5 grant from the Legislature could not be used for the structure itself.

Karen Johnson Leuthner inquired on the number that the facility could accommodate and suggested a fee be charged based on the number of people. She also suggested they reach out to wineries as to the possibility of continuing their evening events at the Event Center and the potential for other activities at this location.

Maluchnik moved, Ische seconded, to authorize staff to accept reservations, contingent on adoption and acceptance of the County Board amended 2018 Fee Schedule, for the following community events: Veterans Memorial Registry, Vintage Antique Snowmobile, Lions Wild Game Feed, and Ducks Unlimited Banquette and other events through July 31, 2019; to authorize staff to purchase tables and chairs for 300 at a cost not to exceed \$12K from WEC reserve funds and to authorize a building study of the Waconia Event Center to include a facility assessment/analysis and market research for a cost not to exceed \$17,500 funded by the Parks Department Budget Professional Services. Motion carried unanimously.

Dave Hemze, County Administrator, requested the Board approve the 2018-2019 Strategic Plan. He explained this was a roadmap for the organization and looks for opportunities and challenges. He indicated the vision, mission and goals remained the same and cited examples of initiatives completed over the past year.

Workman moved, Degler seconded, to adopt the 2018-2019 Strategic Plan. Motion carried unanimously.

Lynch moved, Ische seconded, to adjourn the Regular Session at 9:44 a.m. and convene as the Carver County Regional Rail Authority.

Martin Walsh, Parks, requested the Rail Authority authorize a letter of support to Scott County for the UP Trail Regional Solicitation application. He noted Scott County was a partner in purchasing the UP corridor. He identified the project location and indicated it was approximately two miles in

length. He stated this was consistent with the comp plan and consistent with the Regional Parks Policy Plan.

Ische moved, Workman seconded, to authorize a letter to Scott County in support of a Regional Solicitation application for the UP Trail/Minnesota River Bluffs Extension and Scott County Connection Regional Trail. Motion carried unanimously.

Walsh requested the Rail Authority adopt a Resolution to support regional solicitation funding for the City of Chaska's Circle the Brick Trail connection. He indicated the project included the section of the UP corridor from Athletic Park to Audubon Road. He added this was consistent with the City's trail plans and why the Rail Authority purchased the corridor.

Maluchnik offered the following Resolution, seconded by Degler:

CCRRA #01-18  
To Authorize and Support the City of Chaska's Circle the Brick Trail  
Connection Application

On vote taken, all voted aye.

Ische moved, Lynch seconded, to adjourn as the Carver County Regional Rail Authority. Motion carried unanimously.

David Hemze  
County Administrator

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
Request for approval to contract with Midwest Medical Examiner's Office

Primary Originating Division/Dept: Sheriff

Meeting Date: 7/17/2018

Contact: Deb Paige Title: Commander of Emergency Mar

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:**

Anoka County appointed, Dr. Quinn Strobl, a doctor of medicine licensed to practice medicine in the state of Minnesota and who is a forensic pathologist certified by the American Board of Pathology, as Chief Medical Examiner for Anoka County pursuant to Minn. Stat. § 390.33. Dr. Quinn Strobl, and the staff of Anoka, will provide Medical Examiner services for Carver County as set forth in Minn. Stat. § 390.005 (2014) and §§ 390.31 -.35 (2014) as part of her duties.

**We will be reviewing the option of having Hennepin County provide these services at their new facility and will provide the Board with more information at a later date. In the event that it is decided that Hennepin County will provide these services please note the termination clause in the Midwest Examiner Office (Anoka County) contract:**

**TERMINATION.**

a. Without Cause.

**Either party may terminate this Agreement at any time without cause by providing the other party with a three (3) month written Notice of Termination sent to the party's address as first written above. If notices are delivered by mail, they shall be effective two (2) days after mailing. In the event this Agreement is terminated, all obligations to provide Services shall cease at the end of the notice period.**

**ACTION REQUESTED:**

Approve and authorize the Board Chair to sign the Contract with Midwest Medical Examiner's Office to provide medical examiner services for Carver County. Also adopt the attached Resolution appointing Dr. Quinn Strobl as Carver County Medical Examiner from January 1, 2019 - December 31, 2021.

**FISCAL IMPACT:** Included in current budget

**FUNDING**

If "Other", specify:

County Dollars = \$245,287.00

**FTE IMPACT:** None

**Total** \$245,287.00

Insert additional funding source

Related Financial/FTE Comments:

To be billed and paid quarterly in the amount of \$61,322.



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: 7/17/2018

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

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

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

**WHEREAS**, Carver County has statutory obligations pursuant to Minnesota Statutes Chapter 390 to appoint a Medical Examiner and provide for reasonable and necessary compensation for expenses of the Medical Examiner; and

**WHEREAS**, the County has approved a contract with Anoka County to provide the services to meet these statutory obligations; and

**WHEREAS**, Dr. Quinn Strobl is a doctor of medicine licensed to practice medicine in the State of Minnesota and a forensic pathologist certified by the American Board of Pathology, and has been appointed as the Chief Medical Examiner of the Anoka County Medical Examiner's Office; and

**NOW, THEREFORE BE IT RESOLVED**, that pursuant to Minnesota State Statute 390.005, the Carver County Board of Commissioners appoints Dr. Quinn Strobl as the Carver County Medical Examiner for a three year term for the period of January 1, 2019 through December 31, 2021.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**STATE OF MINNESOTA  
COUNTY OF CARVER**

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 17th day of July, 2018, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th day of July, 2018

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



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**2018/2019 School Resource Officer Contract**

Primary Originating Division/Dept: Sheriff

Meeting Date: 7/17/2018

Contact: Paul Tschida  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:**

Carver County Sheriff's Office along with the school districts of Waconia #110 and SouthWest Metro Intermediate District (SWMID) continue to partner to provide licensed deputies who work with the schools in an effort to maintain the great learning environment currently enjoyed.

**ACTION REQUESTED:**

Approve the contracts for School Resource Officer in School District 110 and SWMID for the year 2018/2019.

**FISCAL IMPACT:** None   
*If "Other", specify:*

**FUNDING**

<b>County Dollars =</b>	<b>\$0.00</b>
School Districts	\$217,618.00
<b>Total</b>	<b>\$217,618.00</b>

**FTE IMPACT:** None

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2018 - 5511

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Professional Services Agreement With Stonebrooke Engineering for 2018 Bridge Safety Inspections**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes  
Presenter:  Title:

Attachments:  Yes  No

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

Carver County Public Works is the responsible agency for completing annual bridge inspections on bridges located on County, Township and City Streets (cities under 5000 population) throughout the County. The consultant engineer, Ron Benson of Stonebrooke Engineering, has completed these inspections since 2007 for the County and has been selected to provide this required bridge inspection service again in 2018. This agreement with Stonebrooke Engineering provides for completion of these annual bridge inspection services.

As outlined in the proposal, \$34,490 of this contract is for annual bridge safety inspection services and reporting. The remaining \$25,000 of this contract is for special bridge safety inspections, cost estimating, bridge load ratings, over weight truck permit requests and miscellaneous bridge related professional services as needed and requested by Public Works.

**ACTION REQUESTED:**

Motion to approve a professional services agreement with Stonebrooke Engineering for \$59,400 for Bridge Safety Inspections for 2018, pending finalization of the contract review process.

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2018 - 5530

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement for Right-of-Way Acquisition for the Highway 140 Bridge Project - Carver Creek E**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="7/17/2018"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right of Way Agent"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

The 2018 construction season includes the replacement of an existing bridge/culvert on Highway 140, 2 miles east of Highway 284, known as the Highway 140 Bridge Project - Carver Creek East. In order to complete the project, additional right of way is needed. The Carver County Right-of-Way Agent completed minimum damage assessments for the permanent roadway and temporary construction easements within the project area. The County Board approved the making of offers to the property owners affected by the project at their June 19, 2018 regular board meeting. The county's Right-of-Way Agent has negotiated a settlement with one of the affected property owners located at PID #04.0051400.

**ACTION REQUESTED:**

Motion to adopt a resolution approving a settlement for right-of-way acquisition for the Highway 140 Bridge Project - Carver Creek East.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/>	<b>FUNDING</b>
If "Other", specify: <input type="text"/>	County Dollars = <input type="text" value="\$6,300.00"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	Total <input type="text" value="\$6,300.00"/>
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:

Office use only:

RBA 2018 - 5531

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

Date: July 17, 2018

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

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

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

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**Resolution Authorizing Settlement of Compensation to Owner for Acquisition of Real Property Interests Needed for the Highway 140 Bridge Project – Carver Creek East**

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 the Highway 140 Bridge Project - Carver Creek East (“Project”); and

WHEREAS, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners of the real property interests identified in said Exhibit A; and

WHEREAS, the County obtained either an appraisal(s) from a licensed real estate appraiser when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A exceeds \$25,000, or the County obtained a minimum damage acquisition report from a qualified person with appraisal knowledge, in lieu of an appraisal, when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A is under \$25,000; and

WHEREAS, County must determine and submit an initial written offer of just compensation to the Owners of said needed real property interests covering the full amount of damages caused by the County’s proposed acquisitions; and

WHEREAS, the Owners of said real property interests may obtain an independent appraisal by a qualified appraiser of the real property interests which the County proposes to acquire for the Project; and

WHEREAS, the Owners of said real property interests are entitled to reimbursement for the reasonable costs of the appraisal from the County up to a maximum of the limits stated in Minn. Stat. §117.036, provided the Owner submits to County the information necessary for reimbursement; and

WHEREAS, the Carver County Board of Commissioners authorized the Public Works Division Director or agents under his supervision, to make initial written offers of just compensation to the Owners within the Project from whom property interests are required; and

WHEREAS, the Public Works Division Director or agents under his supervision, have negotiated settlement(s) with the Owners impacted by the project as described in said Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of Bridge No. 10J33 as part of the Highway 140 Bridge Project – Carver Creek East constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that based upon the estimate of damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A which the County obtained either from an appraisal(s) or a minimum damage acquisition report(s) and the negotiations between said Owner(s) and the Public Works Division Director or agents under his supervision, County shall make a payment of compensation to the Owners within the Project from whom the County must acquire needed real property interests, in the amounts as described in said Exhibit A; and

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Stipulation of Settlement Agreement with said property owner(s), in the name of the County of Carver for the Project.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on July 17, 2018, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th Day of July, 2018.

\_\_\_\_\_  
Dave Hemze County Administrator

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

**Highway 140 Bridge Project – Carver Creek East**

Carver County Public Works No. 148738

**Property Tax Identification No. 04.0051400**

Fee Owners: Buesgens Real Estate Company, LLC

Property Address: 8650 County Road 140, Cologne MN 55322

Permanent easement for public right-of-way purposes contains **6,654 square feet**, more or less;

Temporary easement for construction purposes containing **7,388 square feet**, more or less;

Settlement Amount: **\$6,300.00**

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement for Right-of-Way Acquisition for the Highway 140 Bridge Project - Carver Creek W**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="7/17/2018"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

The 2018 construction season includes the replacement of an existing bridge/culvert on Highway 140, 1/2 mile east of Highway 284, known as the Highway 140 Bridge Project - Carver Creek West. In order to complete the project, additional right of way is needed. The Carver County Right-of-Way Agent completed minimum damage assessments for the permanent roadway and temporary construction easements within the project area. The County Board approved the making of offers to the property owners affected by the project at their June 19, 2018 regular board meeting. The county's Right-of-Way Agent has negotiated settlements with two of the affected property owners located at PID #'s 01.0011000 and 01.0010810.

**ACTION REQUESTED:**

Motion to adopt a resolution approving settlements for right-of-way acquisition for the Highway 140 Bridge Project - Carver Creek West.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>
If "Other", specify: <input type="text"/>	County Dollars = <input type="text" value="\$8,400.00"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	Total <input type="text" value="\$8,400.00"/>
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:

*Office use only:*

RBA 2018 - 5529

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

Date: July 17, 2018

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

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

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

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**Resolution Authorizing Settlement of Compensation to Owner for Acquisition of Real Property Interests Needed for the Highway 140 Bridge Project – Carver Creek West**

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 the Highway 140 Bridge Project - Carver Creek West (“Project”); and

WHEREAS, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners of the real property interests identified in said Exhibit A; and

WHEREAS, the County obtained either an appraisal(s) from a licensed real estate appraiser when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A exceeds \$25,000, or the County obtained a minimum damage acquisition report from a qualified person with appraisal knowledge, in lieu of an appraisal, when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A is under \$25,000; and

WHEREAS, County must determine and submit an initial written offer of just compensation to the Owners of said needed real property interests covering the full amount of damages caused by the County’s proposed acquisitions; and

WHEREAS, the Owners of said real property interests may obtain an independent appraisal by a qualified appraiser of the real property interests which the County proposes to acquire for the Project; and

WHEREAS, the Owners of said real property interests are entitled to reimbursement for the reasonable costs of the appraisal from the County up to a maximum of the limits stated in Minn. Stat. §117.036, provided the Owner submits to County the information necessary for reimbursement; and

WHEREAS, the Carver County Board of Commissioners authorized the Public Works Division Director or agents under his supervision, to make initial written offers of just compensation to the Owners within the Project from whom property interests are required; and



WHEREAS, the Public Works Division Director or agents under his supervision, have negotiated settlement(s) with the Owners impacted by the project as described in said Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of Bridge No. 10J35 as part of the Highway 140 Bridge Project – Carver Creek West constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that based upon the estimate of damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A which the County obtained either from an appraisal(s) or a minimum damage acquisition report(s) and the negotiations between said Owner(s) and the Public Works Division Director or agents under his supervision, County shall make a payment of compensation to the Owners within the Project from whom the County must acquire needed real property interests, in the amounts as described in said Exhibit A; and

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Stipulation of Settlement Agreement with said property owner(s), in the name of the County of Carver for the Project.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on July 17, 2018, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th Day of July, 2018.

\_\_\_\_\_  
Dave Hemze County Administrator

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

**Highway 140 Bridge Project – Carver Creek West**

Carver County Public Works No. 148737

**Property Tax Identification No. 01.0011000**

Fee Owners: John B Bitzer Trust

Property Address: 9780 County Road 140, Cologne MN 55322

Permanent easement for public right-of-way purposes contains **7,902 square feet**, more or less;

Temporary easement for construction purposes containing **6,780 square feet**, more or less;

Settlement Amount: **\$6,500.00**

**Property Tax Identification No. 01.0010810**

Fee Owners: Aaron & Amy Burkhart

Property Address: 9995 County Road 140, Cologne MN 55322

Temporary easement for construction purposes containing **4,192 square feet**, more or less;

Settlement Amount: **\$1,900.00**

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement Agreement for Right of Way Acquisition for the Highway 41 Project-Jonathan Area**

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

**ACTION REQUESTED:**

Motion to adopt a resolution authorizing payment of a negotiated settlement for the Highway 41 Project-Jonathan Area (County Project #148758),

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

<b>County Dollars =</b>	<input type="text" value=""/>
TED Funding	\$50,000.00
<b>Total</b>	<b>\$50,000.00</b>

**FTE IMPACT:**  ▼

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2018 - 5532

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

Date: July 17, 2018

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

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

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

---

**Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 41 Project – Jonathan Area**

WHEREAS, the Board of Commissioners of Carver County is the official governing body of Carver County (“County”); and

WHEREAS, the County, acting by and through its Board of Commissioners, is authorized by law, and pursuant to Minnesota Statutes, § 163.02, subd. 2; §117.012; and § 117.042, to acquire land and other real property interests in Carver County which the County needs for a public use or public purpose; and

WHEREAS, the County proposes to construct highway and related improvements in Carver County for the Highway 41 Project – Jonathan Area (“Project”); and

WHEREAS, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners of the real property interests identified in said Exhibit A; and

WHEREAS, the County obtained either an appraisal(s) from a licensed real estate appraiser when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A exceeds \$25,000, or the County obtained a minimum damage acquisition report from a qualified person with appraisal knowledge, in lieu of an appraisal, when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A is under \$25,000; and

WHEREAS, County must determine and submit an initial written offer of just compensation to the Owners of said needed real property interests covering the full amount of damages caused by the County’s proposed acquisitions; and

WHEREAS, the Owners of said real property interests may obtain an independent appraisal by a qualified appraiser of the real property interests which the County proposes to acquire for the Project; and

WHEREAS, the Owners of said real property interests are entitled to reimbursement for the reasonable costs of the appraisal from the County up to a maximum of the limits stated in Minn. Stat. §117.036, provided the Owner submits to County the information necessary for reimbursement; and

WHEREAS, the Carver County Board of Commissioners authorized the Public Works Division Director or agents under his supervision, to make initial written offers of just compensation to the Owners within the Project from whom property interests are required; and

WHEREAS, the Public Works Division Director or agents under his supervision, have negotiated settlement(s) with the Owners impacted by the project as described in said Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of the Highway 41 Project – Jonathan Area constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that based upon the estimate of damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A which the County obtained either from an appraisal(s) or a minimum damage acquisition report(s) and the negotiations between said Owner(s) and the Public Works Division Director or agents under his supervision, County shall make a payment of compensation to the Owners within the Project from whom the County must acquire needed real property interests, in the amounts as described in said Exhibit A; and

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Stipulation of Settlement Agreement with said property owner(s), in the name of the County of Carver for the Project.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on July 17, 2018, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th Day of July, 2018.

\_\_\_\_\_  
Dave Hemze County Administrator

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

**Highway 41 Project – Jonathan Area**

Carver County Public Works No. 148758

**Property Tax Identification No. 30.0410020**

Fee Owners: Aurora Chaska Medical, LLC

Property Address: 111 Hundertmark Road, Chaska MN 55318

Permanent easement for public right-of-way purposes containing **678 square feet**, more or less;

Temporary easement for construction purposes containing **1,260 square feet**, more or less;

Settlement Amount: **\$50,000.00**

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Eliminate Senior Planner Position and Replace with Planner Position**

Primary Originating Division/Dept: <input type="text" value="Public Services - Planning &amp; Water Mgmt"/>	Meeting Date: <input type="text" value="7/17/2018"/>
Contact: <input type="text" value="paul moline"/> Title: <input type="text" value="PWM manager"/>	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: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

**BACKGROUND/JUSTIFICATION:**

As part of the Classification and Compensation study completed in 2017, a position in the Planning & Water Management Department (PWM) was classified as a Senior Planner. This position became vacant in May of 2018 and has remained vacant since then. Employee Relations and Public Services recommend that the vacant Senior Planner position be eliminated and replaced with a Planner position prior to posting. This recommendation takes into account the job requirements, years of experience, and responsibilities -- all of which are lower than those of the Senior Planner position.

**ACTION REQUESTED:**

Motion to eliminate a vacant Senior Planner position in the PWM Department and replace it with a Planner position.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>
If "Other", specify: <input type="text"/>	County Dollars = <input type="text" value="\$3,580.00"/>
<b>FTE IMPACT:</b> <input type="text" value="Other staffing change (grade, classification, hours, etc.)"/>	Total <input type="text" value="\$3,580.00"/>
<input checked="" type="checkbox"/> Insert additional funding source	

**Related Financial/FTE Comments:**

The position is included in the current budget. Due to Finance Dept. guidelines for budgeting for the potential insurance election, the replacement and filling of this position has an estimated additional cost of \$10,739 annually (pro-rated to \$3,580 for the remainder of 2018). The increase will be covered in the 2018 budget by the cost savings from a temporary FTE reduction of the Water Resource Specialist which was approved by the Board for 2017-2018.

Office use only:

RBA 2018 - 5541

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request to Eliminate Admin Representative Position and Replace with Admin Assistant at First Street Center**

Primary Originating Division/Dept:  Meeting Date:

Contact:  Title:  Item Type:

Amount of Time Requested:  minutes Attachments:  Yes  No

Presenter:  Title:

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

First Street Center currently has only one Administrative Representative (DBM A12, front desk position) which is currently vacant due to an incumbant promotion. Recent front desk automation made available with the implementation of a new Electronic Records System, and increased technical tasks, no longer require this position level for administrative operations. Eliminating the Administrative Representative position (DBM A12) and replacing it with an Administrative Assistant position (DBM A13) would increase the efficiency of operations and customer experiance. All administrative staff at First Street Center would be at the same DBM, increasing the flexibility of task assignment. Remianing front desk activities would be shared by all administrative staff.

The current vacant position is budgeted at \$64,782. The target rate for the new position is \$68,230. An additional cost of \$3,448 is incurred in order to eliminate the Administrative Representative position and replace with the Administrative Assistant position. Funding for the change would come from an increase Federal Financial Participation revenues. No additional levy dollars are required for this request.

**ACTION REQUESTED:**

Motion to approve eliminating the vacant Administrative Representative (DBM A12) at First Street Center and replace with Administrative Assistant (DBM A13).

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

No additional Levy dollars are required for this request.

Office use only:

RBA 2018 - 5523



# Budget Amendment Request Form



To be filled out AFTER RBA submittal

**Agenda Item:** Request to upgrade vacant position at First Street Center

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			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Salaries	.A4777	\$3,448.00	MA Admin SSTS	11-405-700-3015-...	\$3,448.00
<b>TOTAL</b>		\$3,448.00	<b>TOTAL</b>		\$3,448.00

Reason for Request:

Upgrade vacant Admin Representative position at FSC to an Admin Assistant due to increased job complexity which increases efficiency of operations and customer service.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Exterior Caulking Replacement Contract**

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 Facility Services obtained quotes to replace the exterior caulking on the 602 building. The existing caulk is original and failing; it allows cold air, moisture, and insects into the building. The project includes removal and replacement of all exterior rubber caulking material around all doors and windows.

Facility Services contacted four contractors to obtain quotes. Michel Masonry was the low quote for the project, and they have successfully performed work for the County in the past.

**ACTION REQUESTED:**

Motion to contract with Michel Masonry Construction Inc. pending completion of the County's contract review process.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

01-110-000-2001-6640

*Office use only:*

RBA 2018 - 5528

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Presentation by the Local Advisory Committee on Mental Health**

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 Chair of the Local Advisory Committee on Mental Health will provide an update to the Board of Commissioners regarding addressing the Mental Health needs of Carver County.

**ACTION REQUESTED:**

Receive the report by the Local Advisory Committee Chair.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2018 - 5539

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Closed Session - Pending Litigation**

Primary Originating Division/Dept: Attorney

Meeting Date: 7/17/2018

Contact: Kerie Anderka  Title: ER Director

Item Type:  
Closed Session

Amount of Time Requested: 45  minutes

Attachments:  Yes  No

Presenter: MCIT appointed legal counsel Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

This is a closed session to discuss litigation strategy and obtain advice of counsel under the attorney-client privilege, pursuant to Minn. Stat. § 13D.05, Subd. 3(b). The subject to be discussed is the pending litigation, Hagelin v. Carver County. There is a need for absolute confidentiality.

**ACTION REQUESTED:**

Motion to go into a closed session to discuss pending litigation under the attorney-client privilege, pursuant to Minn. Stat. § 13D.05, Subd. 3(b).

**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 2018 - 5537