



**CARVER  
COUNTY**

*minnesota*

Carver County Board of Commissioners  
March 3, 2020  
Regular Session  
County Board Room  
Carver County Government Center  
Human Services Building  
Chaska, Minnesota

**Commissioner Randy Maluchnik will be participating in the Board meeting by interactive television from the Cardozo Room on Terrace Level, at the Washington Hilton, 1919 Connecticut Avenue NW, Washington DC, due to his attendance at the NACo Legislative Conference in Washington DC. The Cardozo Room is open to the public.**

- 9:00 a.m. 1. a) **CONVENE**  
b) **Pledge of allegiance**  
c) **Public comments** – *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.*
2. Agenda review and adoption
3. Approve minutes of February 18, 2020, Regular Session..... 1-4
4. Community Announcements
- 9:05 a.m. 5. **CONSENT AGENDA**
- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.1 Settlements for Right of Way for the Highway 50 Project-Bevens Creek Area and Highway 50 Bridge Project ..... 5-8
- 5.2 Rick Carlson - Large Scale Activity ..... 9-14
- 5.3 Courtney Iverson - Large Scale Activity ..... 15-19
- 5.4 Request for approval to contract with Waste Management ..... 20
- Communities: Create and maintain safe, healthy and livable communities*
- 5.5 Approve the ISD 276 Cooperative Agreement 2020/2021 with the CCSO and increase in 1 full time equivalent deputy ..... 21-22
- 5.6 Acceptance of Donation - Professional Consulting Services ..... 23
- 5.7 Award Bid for Furnishing Bituminous Material for 2020 Seal Coat Program..... 24-25
- 5.8 Approval to hire a Temporary Child Protection Social Worker..... 26-27
- 5.9 Joint Powers Agmt. and Resolution for ROW Acquisitions for U.S. 212 with the MN Department of Transportation ..... 28-29
- 5.10 Parks Department Request for Authorized Donation Items ..... 30
- 5.11 Landlord Risk Mitigation Fund Agreement Amendment ..... 31-32

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

5.12	Tobacco License for NYA Super Smoke Shop Inc dba Super Smoke Shop.....	33
5.13	Encore Donation Received .....	34

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

5.14	Review/Social/Commissioners' Warrants.....	NO ATT
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9:05 a.m.	<b>6. GROWTH: Manage the challenges and opportunities resulting from growth and development</b>	
	6.1 Michelle DeMist - Home Extended Business Accessory Use .....	35-39
9:15 a.m.	<b>7. COMMUNITIES: Create and maintain safe, healthy and livable communities</b>	
	7.1 Metropolitan Mosquito Control Update.....	40
9:35 a.m.	<b>8. GROWTH: Manage the challenges and opportunities resulting from growth and development</b>	
	8.1 <b>Closed Session</b> for Discussion of a Potential Mediated Settlement Related to the CSAH 18 Reconstruction Project-Phase 3.....	41
10:05 a.m.	<b>ADJOURN REGULAR SESSION</b>	
10:05 a.m.	<b>BOARD REPORTS</b>	
	1. Chair	
	2. Board Members	
	3. Administrator	
	4. Adjourn	

David Hemze  
County Administrator

**UPCOMING MEETINGS**

March 10, 2020	No Meeting
March 10, 2020	Annual Township Meetings
March 17, 2020	9:00 a.m. Board Meeting
March 24, 2020	No Meeting
March 31, 2020	9:00 a.m. Work Session Canceled
April 7, 2020	9:00 a.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on February 18, 2020. Chair James Ische convened the session at 4:03 pm.

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

Members absent: None.

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

Maluchnik moved, Workman seconded, to approve the minutes of the February 4, 2020, Regular Session. Motion carried unanimously.

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

Contract with Minnesota Elevator for the jail lobby elevator upgrade pending contract finalization.

Resolution #14-20, Support and Approval for an INFRA Grant Application for US Highway 212 Expansion between the City of Norwood Young America and City of Carver.

Resolution #15-20, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 18/43 Project.

Approved the proposed allocation of former CROW joint powers agreement returned funds and related Planning & Water Management budget amendment.

Approved the income contract with the Minnesota Department of Corrections for reimbursement for a 1.0 FTE probation agent and related Court Services budget amendment.

Approved final payment to Husky Construction Inc., for Coney Island vegetation removal.

Authorized the Sheriff's Division to contract with the State of Minnesota, Division of Homeland Security & Emergency Management, subject to contract review by County Attorney/Risk and related Sheriff's budget amendment.

Resolution #16-20, 2020 Seasonal Road Restrictions.

Accepted UCare grant funding of \$100,000 to be used to support mobile health clinic and community health bus and related HH&S budget amendment.

Resolution #16-20, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 50-Bevens Creek Area Project and Highway 50 Bridge Project.

Approved the amended 2019-2020 DHS Crisis Program grant agreement, contract 20-031 and related HH&S budget amendment.

Approved the MN Department of Health, MN-National Suicide Prevention Lifeline 2020-2024 grant award and related HH&S budget amendment.

Contract with RMB Environmental Laboratories, Inc.

Contract with Affintech to upgrade the County's video monitoring server pending finalization of the contract review process.

Supported Governor's Resolution Proclaiming February 2020 Black History Month.

Authorized HH&S acceptance of donation to Encore program.

Approved becoming a member of the Volunteer Driver Coalition for year 2020.

Authorized two VSO employees out of state travel for NACVSO accreditation contract training.

Approved reorganization in Public Works to eliminate 1.0 FTE survey crew leader and create a 1.0 FTE civil technician survey.

Approved Environmental Service employee out of state travel to National Zero Waste Conference using existing 2020 budget funds.

Approved the Memorandum of Agreement with the Law Enforcement Labor Services Licensed Sergeant Bargaining Unit.

Reviewed February 11, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$345,519.46 and reviewed February 18, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$538,931.96.

Motion carried unanimously.

Andrew Dickhart, AIS coordinator, requested the Board approve the 2020 AIS program. He explained the County has been administering the program since 2012 and in 2014 the State provided prevention aid. He stated as the County does receive these funds, Statute requires the County to establish guidelines for the use of these funds.

He indicated the 2020 program would be similar to last year but the Lake Minnewashta and Pierson Lake Associations would no longer be contributing toward watercraft inspections. Dickhart noted the vegetation control pilot study grant has also ended with the results inconclusive.

Dickhart reviewed the multiple strategies that would be utilized. He stated the County would partner with cities, watershed districts and lake associations to provide inspection services and lakes are prioritized based on AIS risk assessments. He identified MCWD contributions over the past five years. He reviewed the recommended adjustments to the watercraft inspection service model and identified the lakes receiving watercraft inspections. Dickhart highlighted grant projects for 2020 that included carp management on Benton Lake and the Hazeltine/Big Woods goldfish management project.

He explained the proposed funding sources with the funds from the State remaining the same, the use of commissioner contingency funds and rollover funds from last year. He identified proposed expenditures and stated they anticipated a new public boat launch to fund this year but did not have an established timeline.

Workman moved, Maluchnik seconded, to approve the 2020 AIS program and budget including \$15,000 of Commissioner contingency funds; authorized the Chair to sign the agreements with the City of Chanhassen and Minnehaha Creek Watershed District pending completion of contract review and related Water Management budget amendment. Motion carried unanimously.

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

Martin Walsh, Parks, requested the Rail Authority approve a request for temporary occupancy of the Dakota Rail Regional Trail related to the Highway 25 mill and overlay project. He identified the location of the project in the City of Mayer and indicated it would impact the Dakota Rail property and regional trail. He stated a trail detour was planned and there would be approximately a four-week construction period.

Lynch moved, Workman seconded, to authorize the County Engineer to sign a letter of concurrence for the project and authorize the County Engineer to issue a permit to MNDOT. Motion carried unanimously.

Degler moved, Maluchnik seconded, to adjourn as the Rail Authority and reconvene as the County Board. Motion carried unanimously.

Kerie Anderka, Employee Relations, requested the Board approve the Administrator's 2019 performance rating. She noted the closed session held to discuss his performance and summarized the evaluation and overall rating.

Degler moved, Lynch seconded, to approve an overall rating of exceeds expectations for County Administrator Hemze's 2019 performance. Motion carried unanimously.

REGULAR SESSION  
February 18, 2020

Maluchnik moved, Workman seconded, to adjourn the Regular Session at 4:31 p.m. Motion carried unanimously.

David Hemze  
County Administrator

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlements for Right of Way for the Highway 50 Project-Bevens Creek Area and Highway 50 Bridge Project**

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 2020 construction season includes the Highway 50 Project-Bevens Creek Area and the Highway 50 Bridge Project from County Highway 41 on the west to Highway 40 on the east. In order to complete the project, additional right of way is needed. Appraisals by a certified appraiser were completed and the County Board approved the making of offers based on the appraised values at its September 3, 2019 regular session. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. Settlement with property owner located at PID #04.0331200 has been reached.

**ACTION REQUESTED:**

Motion to adopt a resolution to approve settlements for right of way acquisitions for the Highway 50 Project-Bevens Creek Area and the Highway 50 Bridge Project.

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FUNDING**

<b>County Dollars =</b>	<input type="text" value=""/>
CSAH Reg. Const. Funds	\$131,300.00
<b>Total</b>	<b>\$131,300.00</b>

**FTE IMPACT:**  ▼

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6737

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

Date: March 3<sup>rd</sup>, 2020

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 the Highway 50-Bevens Creek Area Project and Highway 50 Bridge Project**

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for shoulder widening and bridge reconstruction as part of the Highway 50-Bevens Creek Area Project (“Project”); and

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

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

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

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

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

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



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

NOW, THEREFORE, BE IT RESOLVED that County's acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of shoulder widening and bridge reconstruction as part of the Highway 50-Bevens Creek Area Project constitute a valid public use or public purpose; and

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

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

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

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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 March 3<sup>rd</sup>, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3<sup>rd</sup> day of March, 2020.

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

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

**EXHIBIT A**

**to**

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

**Highway 50 Project-Bevens Creek Area and Highway 50 Bridge Project**

Carver County Public Works No. 188845

**Property Tax Identification No. 04.0331200**

**Parcel Number(s): 45**

Fee Owners: Kevin M. Rosen

Property Address: Vacant Land, Joyce Road & County Road 50, Carver, MN 55315

Permanent easement for public right-of-way purposes contains **53,682 sq. ft.**, more or less;

Temporary easement for public right-of-way purposes contains **340,836 sq. ft.**, more or less;

Impacted Improvements: Trees and 40,000 Cubic yards of fill acquired

Settlement Amount: **\$131,300.00**

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Rick Carlson - Large Scale Activity**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

File #PZ20200003. The Planning Commission recommended approval of Rick Carlson's request for an Interim Use Permit (IUP) for an agri-tourism/educational business (Carlson's Lovable Llamas), located in Section 29 of Laketown Township. The business uses llamas as an educational tool through 4H programs, birthday parties, yoga and field trips. Hours of operations would be from 9:00am to 6:00pm daily, year-round. The business would have up to 80 people at any one time. The IUP request also includes an annual event that would happen during the fall where the number of people and hours of the event would exceed what is normally permitted day-to-day for the IUP. A maximum of 33 llamas amounting to 9.9 animal units would be on the site. The Carver County Feedlot Officer shall perform a review of the property on an annual basis for compliance with AU's and manure management conditions. The Carver County Publics Works Department has reviewed and supports the request. Laketown Township recommended approval of the request, including a condition to require traffic control if more than 100 cars are expected per day. The Interim Use Permit would terminate when the Carlson Family (i.e. Rick, Joan, Ashley and Evan) no longer own the property or operate the business.

**ACTION REQUESTED:**

Motion to adopt the Findings of Fact and issue Order #PZ20200003 for the issuance of the Interim Use Permit.

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

**FUNDING**  
County Dollars =   
  
**Total**  \$0.00

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6744

COUNTY OF CARVER  
*PLANNING COMMISSION RESOLUTION*

**FILE #: PZ20200003**

**RESOLUTION #: 20-03**

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

**FILE #:** PZ20200003

**APPLICANTS/OWNER:** Rick and Joan Carlson

**SITE ADDRESS:** 8380 County Road 10 East, 55387

**PERMIT TYPE:** Large Scale Activity

**PURSUANT TO:** County Code, Chapter 152, Sections 152.081 and 152.082(A), (B), and (C) (5)

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 07-029-0900

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of February 18, 2020; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Rick and Joan Carlson own approximately 10 acres located in the West Half (W½) of the Southeast Quarter (SE¼) of Section 29, Laketown Township. The property is improved with a house, multiple accessory structures and is utilized for raising llamas (animal agriculture). The Carlsons also lease approximately one acre of land adjacent to the southwest of their property from Tim and Ann Raser and is utilized as pasture area for their llamas to graze. The property is in the Agriculture Zoning District and the CCWMO (Carver Creek watershed).
2. The applicant is requesting an Interim Use Permit (IUP) to operate an agri-tourism and educational large-scale activity (Carlson's Lovable Llamas) pursuant to the Carver County Zoning Code.
3. Mr. Carlson has submitted an operational plan (dated: January 2, 2020) describing the details of the educational and agri-tourism business using llamas as an educational tool for a variety of age groups. He intends to operate an agricultural business that would contribute to the education and outreach in Carver County and the rural communities. The applicant has stated that the business also draws visitors from all over the nation and several other countries.
4. The request would allow Mr. Carlson to operate a Large-Scale Activity (educational and agri-tourism activities) with the continuation of educational programming on the site. A large portion of the business involves a 4H llama project where students take care of the llamas and culminates with a showing at the County Fair. The business also facilitates birthday parties, yoga, and field trips during business hours. The use would allow individuals to interact with llamas that may not be able to otherwise.
5. The proposed operations would meet the requirements of Section 152.082 of the Zoning Code. The use of the property would be outdoors. None of the structures on the property would be used for visitors. The hay shed and storage shed would be used to store supplies and equipment for the llamas. The MN State Building Code would apply to any proposed seasonal and/or temporary tent(s) being utilized on the property. The scale of the activity would be within the current level of services and infrastructure provided for the area.
6. The business would accommodate up to 80 customers/guests (based on an average of 40 guests) at any one time (per event). The operations would be year-round, seven (7) days a week within the hours of 9:00am to 6:00pm. Changes in the use of existing structures; months, days and/or hours of operation; or the construction of new buildings would require an application for a new IUP.

7. The applicant is also requesting one special event to be allowed per calendar year which would typically take place in the fall. Mr. Carlson has acknowledged they host an annual open house on the first Sunday in October that would exceed the specified number of people on site at any given time. The applicant would be required to notify the Land Management Department of the date of the event two months prior to the event and submit an application for review and approval for the event as required for an Administrative Special Event Permit.
8. Parking would be provided in the shaded blue areas on the map (dated 1/31/20). All parking can be provided on the subject property during a normal day. Approximately 20 vehicles would travel to and from the site each day.
9. According to the applicant, three (3) family members work on the site year-round including Mr. Carlson. There are also approximately five employees (former 4H program participants) that are hired to help with presentations and care of the llamas. The Zoning Code would require the applicant to submit a copy of workers compensation insurance annually.
10. Access to the site for the business would be from the Township cartway, Nelson Driveway. Carver County Public Works department has reviewed the request and provided a letter with comments and conditions (dated: 2/1/20) and has determined that the use is reasonable for the existing conditions of the access. If intensity of the use or changes are made to the business, future improvements may be needed.
11. A contract for a portable toilet on the property would be a requirement of the permit to ensure adequate restroom facilities are available. The applicant has already submitted a portable toilet contract to the Land Management Department. All future contracts must be submitted to the Land Management and Environmental Services Departments.
12. The applicant currently has a sign that is 32 square feet. Pursuant to the Carver County Sign regulations, Mr. Carlson is allowed one (1) two-sided sign with a maximum surface area of 32 square foot provided the sign surfaces are completely flush. All signage shall be placed in accordance with Chapter 154 – Sign Regulations and/or the local road authority.
13. The definition of an Interim Use Permit (IUP) states, “an interim use is a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it”. This request shall terminate when the Carlson Family (i.e. Rick, Joan, Ashley and Evan) no longer own the property or operate the business.
14. The Carver County Feedlot officer has discussed animal unit (AU) standards with the applicant. Based on the Carver County Feedlot Ordinance and Minnesota Pollution Control Agency (MPCA) rules, Mr. Carlson has stated he would cap the number of llamas at 33 or fewer, which is less than 10 animal units as defined by the MPCA (e.g. 1 llama equals 0.3 animal units). At this level, the applicant does not need to register his site as a feedlot with the MPCA or Carver County. Under Laketown Township’s Chapter of the 2040 Comprehensive Plan, “new animal agriculture operations feedlots greater than 25 AU would be required to obtain a conditional use permit (CUP).”
15. Pursuant to Section 152.071 Animal Agricultural standards of the Zoning Code, any parcel where there are animals and a feedlot certificate is not required, manure must also be handled in an environmentally sound and nuisance free manner as follows: Manure that is stored must be covered or placed in a container so that it will be protected from rainfall and surface water run off; manure must be removed from the property or spread at least once every six months and so that flies and odors are kept to a minimum.
16. During the Planning Commission public hearing, adjacent property owners were in support of the modifications that were proposed in the IUP conditions including a cap on the animal units, the buffer setback from the tile intake, manure management and annual inspections by the Carver County Feedlot Officer. 4H program participants and parents supported the proposed IUP and described their involvement and benefits of the business.

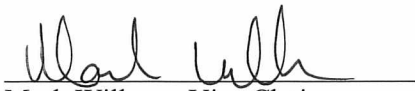
17. The Laketown Town Board reviewed and recommended approval of the request during their January 13, 2020, Town Board Meeting with the following condition:
  - If more than 100 cars are expected per day, traffic management will be required with the Carver County Sheriff's Department.
18. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

**THEREFORE, BE IT RESOLVED, THAT** the Carver County Planning Commission hereby recommends the issuance of Interim Use Permit #PZ20200003 for a large-scale activity (agri-tourism) on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. The Interim Use Permit shall terminate when the Carlson Family (i.e. Rick, Joan, Ashley and Evan) no longer own the property or operate the business.
2. Carlson's Lovable Llamas (Large Scale Activity Business) shall operate in accordance with the operational letter and site plan (dated: 1/2/2020). These plans shall be attached to and become part of this permit. Prior to the issuance of any building permits for additional buildings, discussion with Land Management is necessary for a determination as to whether an application for amendment or similar consideration is warranted. The Carver County Feedlot Officer shall perform a review of the property on an annual basis for compliance with AU's and manure management conditions.
3. The operations would be year-round, seven (7) days a week within the hours of 9:00am to 6:00pm. If more than 100 cars are expected per day, traffic management with Carver County Sheriff's Department is required.
4. A maximum of 33 llamas amounting to 9.9 animal units shall be on the site. The property owner has until June 1, 2020 to reduce his llamas to 33 or fewer. If the property owner intends to increase the number of llamas, a new IUP would be required due to the intensity of the use and the site would need to be inventoried as a feedlot with the County. If the property owner intends to exceed 25 animal units or 83 llamas, an additional CUP shall be required based on Laketown Township's Chapter of the 2040 Comprehensive Plan.
5. A manure management plan shall be submitted to the County Feedlot Officer for review and approval. All manure stockpiles shall be located a minimum of 300 feet of flow distance from the open tile in-take located on the property. Manure that is stored must be covered or placed in a container so that it will be protected from rainfall and surface water run off; manure must be removed from the property or spread at least once every six months and so that flies and odors are kept to a minimum. The area around the open tile in-take shall be seeded and fenced off to maintain a 30-foot vegetative buffer around the in-take.
6. A maximum of 80 people shall be permitted to use the facility at any one time. One (1) annual special event (administrative special use permit) shall be allowed under the IUP per calendar year, which will exceed the normal hours and number of people permitted on site; however, the event shall not exceed 2 days in length. All special event requests shall be reviewed by the Laketown Town Board (Road Authority), Carver County Public Works Department (Road Authority), Carver County Land Management Department and final approval by the County Board of Commissioners (except one special event) pursuant to Section 152.074 of the Carver County Zoning Code. Special event requests require an Administrative Permit application to be submitted, pursuant to Sections 152.074 and 152.082 of the Carver County Zoning Code, for review at least 30-days prior to the special event taking place. The Land Management Department shall be notified a minimum of two (2) months in advanced of the activity date and sent the details of the event that are required under an Administrative Special Use Permit provisions. unless it is the annual open house event, or an Administrative Special Event Permit is issued.

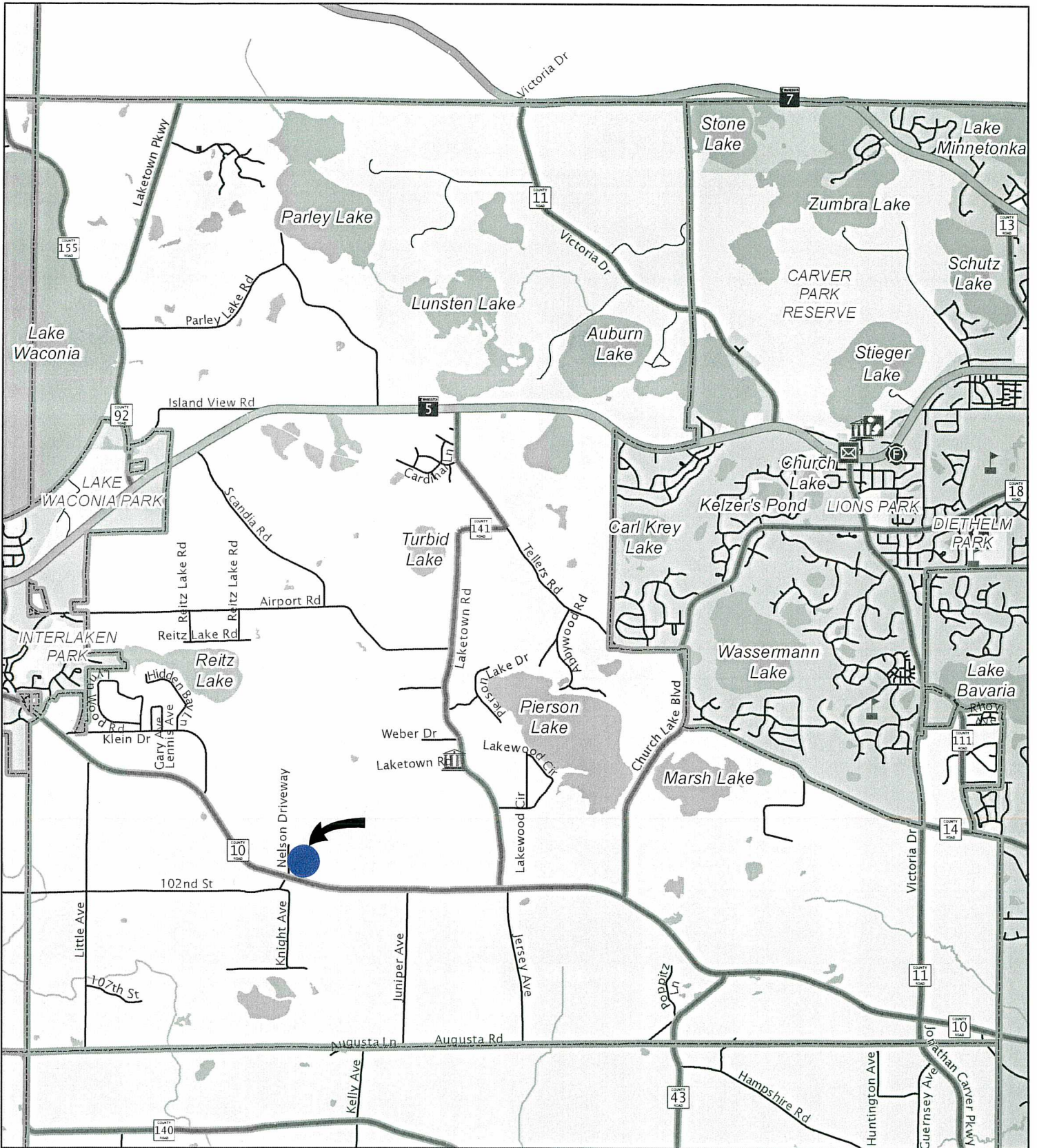
7. The existing structure(s), not utilized for the business, shall be used only by the occupant(s) of the residence and/or property owner for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance. Any existing or future buildings/structures utilized by the operation must meet the State Building Code.
8. The Permittee is responsible to maintain the required permits and licensure for the operations. The Permittee shall submit copies of all required permits and licenses to the Carver County Land Management Department annually.
9. The Permittee shall maintain a portable restroom facility on site for visitors as indicated in the narrative. The Permittee shall submit current and future contracts for the portable restroom facility to the Land Management and Environmental Services Departments.
10. The Permittee shall comply with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage of signage per property. Any proposed signage within public road right-of-way must be approved by the local road authority.
11. The Permittee shall comply with any road access requirements/improvements as determined by the appropriate Road Authority (e.g. dust control, maintenance, traffic control measures, or similar issues).
12. The Permittee shall submit proof of Workers Compensation or an affidavit stating that they do not have any employees.

**ADOPTED** by the Carver County Planning Commission this 18<sup>th</sup> day of February 2020.



Mark Willems, Vice Chair  
Carver County Planning Commission

# LAKETOWN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Courtney Iverson - Large Scale Activity**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

File #PZ20200002. The Planning Commission recommended approval of Courtney Iverson's request for an Interim Use Permit (IUP) for an educational/institutional business (large-scale activity with natural setting needs), located in Section 13 of Watertown Township. The business would allow mental health service providers to meet with their patients in a natural setting where they could cope through nature. Additionally, nature walks would be held on the property. The business would be seasonal, open from April through October daily from 7:00am to 7:00pm. The operation would permit up to 22 people on site at any one time. The IUP request also includes an annual event that would happen during the spring where the number of people and hours of the event would exceed what is normally permitted day-to-day for the IUP. Watertown Township supports the request.

**ACTION REQUESTED:**

Motion to adopt the Findings of Fact and issue Order #PZ20200002 for the issuance of the Interim Use Permit.

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

**FUNDING**

County Dollars =   
  
**Total**  \$0.00

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6745

COUNTY OF CARVER  
*PLANNING COMMISSION RESOLUTION*

**FILE #: PZ20200002**

**RESOLUTION #: 20-02**

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

**FILE #:** PZ20200002

**APPLICANTS/OWNER:** Courtney Iverson (applicant and owner)  
and Lindsay Vanderlinde (owner)

**SITE ADDRESS:** 9880 Swede Lake Road, 55388

**PERMIT TYPE:** Large Scale Activity

**PURSUANT TO:** County Code, Chapter 152, Sections 152.081 and 152.082(A), (B), and (C) (5)

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 10-013-0100

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of February 18, 2020; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Courtney Iverson and Lindsay Vanderlinde own approximately 74.37 acres located in the West Half (W½) of the Southeast Quarter (SE¼) of Section 13, Watertown Township. The site is improved with multiple agricultural structures and is located in the Agriculture Zoning District, the Shoreland Overlay District of a protected ditch and Mud Lake and the CCWMO (Crow River watershed).
2. The applicant is requesting an Interim Use Permit (IUP) to operate an “ecotherapy” facility that requires a natural setting and a large area of land pursuant to Section 152.081 and 152.082 (A), (B), and (C) (5) of the Carver County Code.
3. Ms. Iverson has submitted an operational plan (dated: 1/13/2020) describing her vision for the wooded areas located in the north of the property. She intends to operate an “ecotherapy” business that would benefit from the unique natural setting on the property and offer institutional services to the community. The request would allow Ms. Iverson to operate a Large Scale Activity Business (educational and institutional facilities) with mental health service providers accessing the site to hold counseling sessions in the natural setting. Through the business, patients would be in an anxiety reducing environment and would have the ability to cope through nature. She would also like to hold forest walks to steer mindfulness, open the senses and connect with nature.
4. Service providers would reserve the site through scheduling software. Therapists and clients would walk on the paths by the lake and in the woods. There would also be designated seating areas located throughout the operational area.
5. The property is currently enrolled without expiration in the Agricultural Preserve program. The applicant intends to terminate the Agricultural Preserve Covenant. The termination of the covenant would be required prior to recording of the IUP because the large-scale activity is not allowing on parcels enrolled in the Agricultural Preserve program. Due to the recent passing of the applicant’s parents, the property would qualify for early termination of the covenant due to the death of an owner. Section 473H.09 of the State Statute allows for termination of the Agricultural Preserve covenant earlier than the eight-year term if the form for termination is submitted within 365 days of a death of an owner, an owner’s spouse or other qualifying person.
6. The proposed operations would meet the requirements of Section 152.082 of the Zoning Code once the property is taken out of the Agricultural Preserve covenant. None of the existing structures would be used for the large-scale

activity. Any new structures in which public activities would take place must meet State Building Code such as the proposed bubble or conservatory tent. The MN State Building Code would also apply to any seasonal and/or temporary tent(s) being utilized on the property.

7. The operations would be designed to accommodate up to 22 people, at any one time, including staff and participants and would be open April through October, daily from 7:00am to 7:00pm. There would be two employees of the business including Ms. Iverson. Changes in the use of structures; months, days and/or hours of operation; or the construction of new buildings would require an application for a new IUP. The scale of the activity would be within the current level of services and infrastructure provided for the area.
8. The applicant is also requesting one annual special event to be allowed per year which would typically take place in the spring. The event would exceed the specified number of people permitted on site at any one time. The event would be an annual mushroom hunt fundraiser for the Cure Alzheimer's Fund. The applicant would be required to notify the Land Management Department of the date of the event two months prior to the event and submit an application for review and approval for the event as required for an Administrative Special Event Permit.
9. The applicant has estimated the number of vehicle trips to the site to be approximately 40 trips per day (including in and out). Parking would be provided near the existing agricultural structures on the south side of the property and is indicated on the operational site plan (dated: 1/13/20).
10. A contract for a portable toilet on the property would be a requirement of the permit to ensure adequate restroom facilities are available. The applicant has indicated they would be providing restroom facilities.
11. The property does not have any signage at this time, but the applicant would like to put up a sign near the road or on one of the existing buildings. Pursuant to the Carver County Sign regulations, Ms. Iverson is allowed one (1) two-sided sign with a maximum surface area of 32 square foot provided the sign surfaces are completely flush. All signage shall be placed in accordance with Chapter 154 – Sign Regulations and/or the local road authority.
12. The definition of an Interim Use Permit (IUP) states, “an interim use is a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.” This request shall terminate when neither Courtney Iverson nor Lindsay Vanderlinde own the property.
13. DNR representative Jennie Skanke noted in an email dated February 10, 2020, that the stream and lake are protected, and any modification or new crossing would require a public waters work permit from the DNR.
14. During the Planning Commission public hearing, Ralph Widmer (9975 Swede Lake Road Watertown, MN 55388) and Kathy McCann (10050 Swede Lake Road Watertown, MN 55388) commented during the public hearing emphasizing their support of the proposal.
15. During the Planning Commission public hearing, Carver County Commander Mike Wollin, noted that the field access leading to the wooded/lakeshore areas should be wide enough to support an access for emergency vehicle.
16. The Watertown Town Board reviewed and recommended approval “without exception” of the request during their January 6, 2020, Town Board Meeting.
17. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

**THEREFORE, BE IT RESOLVED, THAT** the Carver County Planning Commission hereby recommends the issuance of Interim Use Permit #PZ20200002 for a for a large-scale activity (with the need for a natural setting) on the land described in Exhibit “A” of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

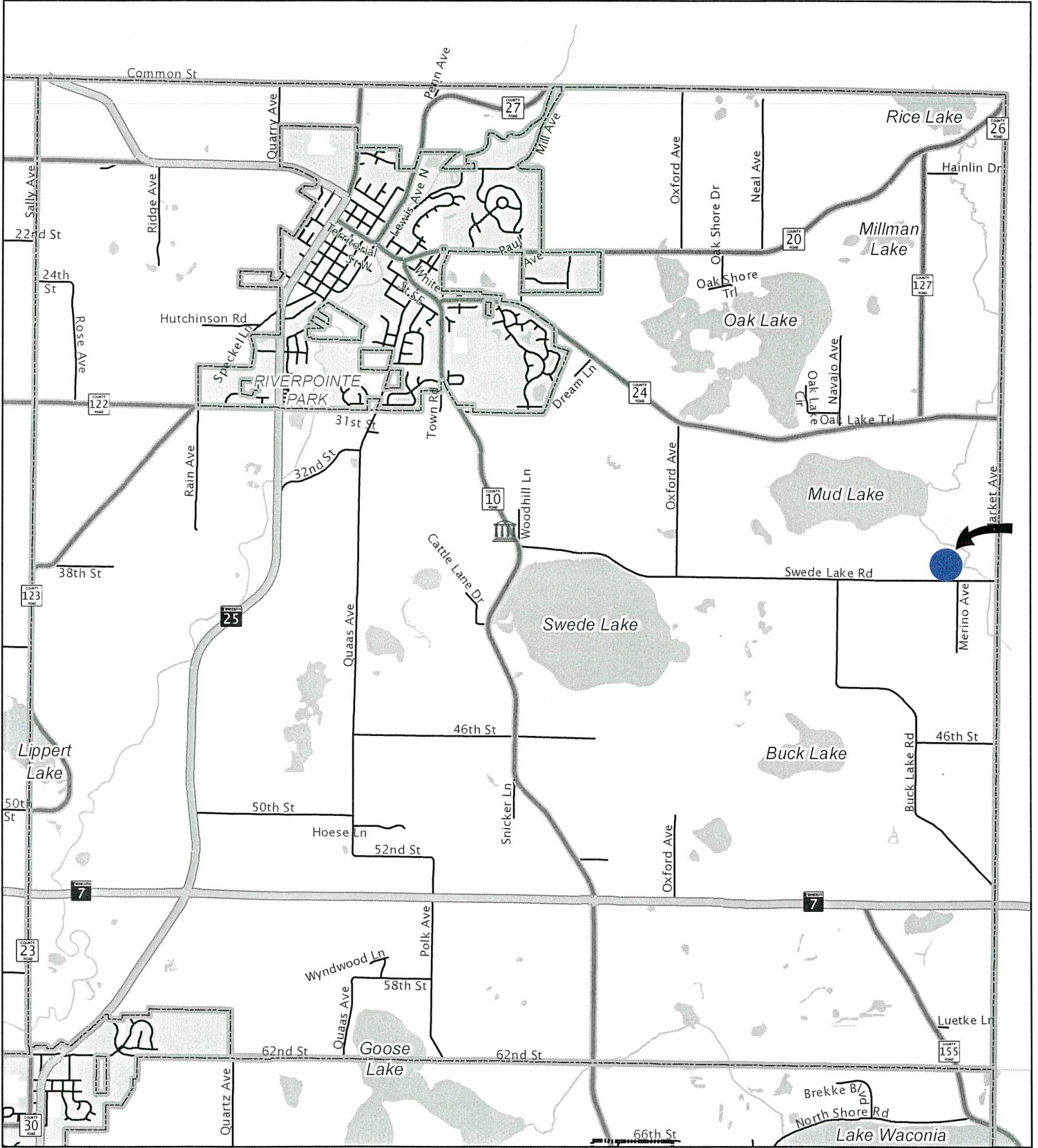
1. The permit is subject to administrative review. The Interim Use Permit shall terminate when neither Courtney Iverson nor Lindsay Vanderlinde own the property.
2. The “ecotherapy” business (large scale activity with unique location needs) shall operate in accordance with the operational letter and site plan (dated: 1/13/20). These plans shall be attached to and become part of this permit. Prior to the issuance of any building permits for additional buildings, discussion with Land Management is necessary for a determination as to whether an application for amendment or similar consideration is warranted.
3. The Agricultural Preserve covenant shall terminate prior to the recording of the IUP.
4. The business shall operate from April through October seven (7) days a week from 7:00am to 7:00pm.
5. A maximum of 22 people shall be permitted to use the facility at any one time.
6. One (1) annual special event (administrative special use permit) shall be allowed under the IUP per calendar year, which will exceed the normal hours and number of people permitted on site; however, the event shall not exceed 2 days in length. All special event requests shall be reviewed by the Watertown Town Board (Road Authority), the Carver County Land Management Department and final approval by the County Board of Commissioners (except one special event) pursuant to Section 152.074 of the Carver County Zoning Code. Special event requests require an Administrative Permit application to be submitted, pursuant to Sections 152.074 and 152.082 of the Carver County Zoning Code, for review at least 30-days prior to the special event taking place. The Land Management Department shall be notified a minimum of two (2) months in advanced of the activity date and sent the details of the event that are required under an Administrative Special Use Permit provisions.
7. The existing structure(s), not utilized for the business, shall be used only by the property owner for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance.
8. All future buildings/structures utilized by the operation must meet the State Building Code.
9. The Permittee is responsible for maintaining the required permits and licenses applicable to the operations. The Permittee shall submit copies of all required permits and licenses to the Carver County Land Management Department annually.
10. The Permittee shall maintain a portable restroom facility on site for visitors. The Permittee shall submit contracts for the portable restroom facility to the Land Management and Environmental Services Departments annually.
11. The Permittee shall comply with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage of signage per property. Any proposed signage within public road right-of-way must be approved by the local road authority.
12. The Permittee shall comply with any road access requirements/improvements as determined by the Road Authority (e.g. dust control, maintenance, or similar issues).
13. The Permittee shall submit proof of Workers Compensation or an affidavit stating that they do not have any employees.

**ADOPTED** by the Carver County Planning Commission this 18<sup>th</sup> day of February 2020.



Mark Willems, Vice Chair  
Carver County Planning Commission

# WATERTOWN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Request for approval to contract with Waste Management**

Primary Originating Division/Dept: <input type="text" value="Public Services - Facilities"/>	Meeting Date: <input type="text" value="3/3/2020"/>
Contact: <input type="text" value="Jim Kuchelmeister"/> Title: <input type="text" value="Facilities Services Manager"/>	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 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:**

Carver County Facility Services along with Environmental Services is recommending that the County enter into a contract with Waste Management of MN, Inc. for garbage, recycling and organics compost at 13 County owned properties. In addition, it provides flexibility to add additional sites and events.

The contractor is accessed through the MN Department of Administration Cooperative Purchasing Venture (CPV), which negotiated and contracted terms for public entities. Other local governments including Ramsey County, Washington County and MN Department of Transportation utilize this agreement.

Key benefits of this contract are competitive pricing, one-line pricing inclusive of all charges, and access to mandated waste processing as it becomes available. Additional benefits include organics for compost service at our eastern properties, customized invoicing, and monthly reporting.

The contract would initially cover refuse and recycling collection at 13 County sites, with the option to expand to other County properties or for the hauling of materials at the Environmental Center and Rural Recycling Drop-off Sites. The contract includes a pricing matrix that outlines the cost based on the size of the container, type of material and how often it is picked up.

The initial term is through November 30, 2020, with the option to extend the agreement for up to 36 months. The cost of the initial term shall not exceed \$200,000. The County anticipates spending closer to \$50,000 per year for the initial 13 properties but the higher cap gives us flexibility to include other properties, events and different items from the Environmental Center.

**ACTION REQUESTED:**

Motion to contract with Waste Management pending finalization of the contract review process.

<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> <input type="text"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	County dollars, SCORE gr: <input type="text" value="\$200,000.00"/>
	<b>Total</b> <input type="text" value="\$200,000.00"/>
	<input checked="" type="checkbox"/> Insert additional funding source

**Related Financial/FTE Comments:**

Funding for this contract would come from Facilities, Parks and Environmental Services (Solid Waste Service Fees and SCORE grant).

*Office use only:*

RBA 2020 - 6749

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approve the ISD 276 Cooperative Agreement 2020/2021 with the CCSO and increase in 1 full time equivalent deputy**

Primary Originating Division/Dept: Sheriff

Meeting Date: 3/3/2020

Contact: Michael Wollin  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 Carver County Sheriff's Office has been a partner in strong, effective, and productive relationships with local school districts. This has been accomplished by assigning School Resource Officers to the school district through a contracted partnership. ISD 276 desires to partner with the CCSO for a contract school resource officer at Minnetonka Middle School West, located within Carver County. The contract is for the remainder of the 2019-2020 school year and continuing for the 2020-2021 school year. The intent is to have the officer screened, selected, and assigned by March 30, 2020. This contract will allow the partnership to grow as the needs of the school district expand.

**ACTION REQUESTED:**

Approve the contract between the Independent School District 276 and CCSO.

**FISCAL IMPACT:** Budget amendment request form

If "Other", specify: Cost paid through contract

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
Contract	\$141,672.50
<b>Total</b>	\$141,672.50

**FTE IMPACT:** Increase budgeted staff

Insert additional funding source

**Related Financial/FTE Comments:**

The associated cost with the FTE increase is borne by the contracting entity.

A 2020 Budget amendment is attached to recognize the 3/30-12/31/2020 revenue and costs that were not included in the 2020 Adopted Budget. 1/1-6/30/21 revenue and costs will be built into the 2021 budget.

Office use only:

RBA 2020 - 6727

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Approve the ISD 276 Cooperative Agreement 2020/2021 with the CCSO and increase in 1 full time equivalent

Agenda Item: deputy

Department:

Meeting Date: 3/3/2020

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: Mike Wollin

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Salaries	01-201-236-1733.6111	\$75,559.00	Contract Revenue	01-201-236-1733....	\$75,559.00
<b>TOTAL</b>		\$75,559.00	<b>TOTAL</b>		\$75,559.00

Reason for Request:

Budget for the 2020 portion of the ISD 276 Cooperative Agreement that was not included in the adopted budget.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Acceptance of Donation - Professional Consulting Services**

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:**

WSB & Associates has offered to provide professional consulting services to design an entrance feature/monument commemorating private donation to the island by the Norm and Ann Hoffman Foundation for Coney Island. The value of this services is \$5,000.

WSB's donation would accomplish preliminary design work at no cost to the County. There would be future costs associated with construction of the project.

Per County policy, all donations need to be authorized by the County Board prior to their acceptance.

**ACTION REQUESTED:**

Motion to accept the donation by WSB & Associates for \$5,000.00 of professional services.

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

**FUNDING**

<b>County Dollars =</b>	<b>\$0.00</b>
WSB & Associates	\$5,000.00
<b>Total</b>	<b>\$5,000.00</b>

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6731

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Award Bid for Furnishing Bituminous Material for 2020 Seal Coat Program**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

Seal coating is performed on roads to seal the surface to restrict water from seeping into the roadbed and subgrade and protect the pavement from UV light. Seal coating extends the life of the road and improves the skid resistance of the bituminous surface.

Public Works requested sealed bids for this project and only received one bid - from Henry G. Meigs. They have been the vendor for the past several years. Bids were opened on Wednesday, February 12th.

**ACTION REQUESTED:**

Motion to award a contract to Henry G. Meigs in the amount of \$310,478.00 for bituminous seal coat materials, 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 2020 - 6733

*CARVER COUNTY - ABSTRACT OF BIDS*

*PROJECT NO. 2004*

**FURNISHING BITUMINOUS MATERIAL**

*Letting Date: Wed., February 12, 2020*

*PWCR#2 / 2:00 PM*

<i>Item Description</i>	<i>Approx. Gallons</i>	<i>Engineer's Estimate</i>		Henry G. Meigs, LLC 1220 Superior Street Portage, WI 53901	
<b><i>Base - High Float Rapid Set Asphalt Emulsion/Gal.</i></b>	140,000.00	\$2.25	\$315,000.00	\$1.8577	\$260,078.00
<b><i>Application of HFRS (price per gallon)</i></b>	140,000.00			\$0.3000	\$42,000.00
<b><i>Freight Rate Charge (per gallon)</i></b>	140,000.00			\$0.0600	\$8,400.00

<b><i>TOTAL BID</i></b>	<b>\$315,000.00</b>	<b>\$310,478.00</b>
-------------------------	---------------------	---------------------

<i>Proposal Guaranty (5%)</i>	yes
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*Recommend Award To: Henry G. Meigs*

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval to hire a Temporary Child Protection Social Worker**

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 Health and Human Services Child and Family Department, specifically the Child Protection Assessment/Investigation Unit, has one (1) upcoming planned leave of absence beginning in early April 2020. That unit already has a Child Protection social worker out on leave until May. The Child and Family Department is also training multiple new workers and a new supervisor.

Child protection is a critical service. It is imperative that caseloads are maintained at a level that is manageable by staff for the safety and well-being of the children and families we serve. In fact, due to a tragic child death in another county, the State has provided guidance on the acceptable size of a Child Protection worker's case load. Without additional temporary support, the existing caseloads will increase and Carver County will be out of compliance with State guidance. The department would like to utilize a temporary social worker in the Child Protection Assessment/Investigation Unit starting in April 2020 for the allowed maximum of 67 days (.26 FTE).

This position will utilize funding from the Employee Relations Seasonal/Temporary/On-Call budget (STOC) pool. Employee Relations has approved use of STOC funds for this purpose and verified that there are dollars available. The STOC cost for 67 days of social worker services in 2020 is \$18,649.00.

**ACTION REQUESTED:**

Motion to approve STOC funding to hire a temporary Child Protection Social Worker for up to 67 days starting in April 2020.

**FISCAL IMPACT:**

**FUNDING**

If "Other", specify:

County Dollars =

ER STOC Pool

**FTE IMPACT:**

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

The salary cost for this STOC position is \$18,649.00 for 67 (maximum) days. No additional benefits.

Office use only:

RBA 2020 - 6738

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

**Agenda Item:** Approval to hire a Temporary Child Protection Social Worker

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
HHS Salaries STOC - 2020	11-422-700-0000-6119	\$18,649.00	ER STOC Budget - 2020	01-820-6119	\$18,649.00
<b>TOTAL</b>		\$18,649.00	<b>TOTAL</b>		\$18,649.00

Reason for Request:

Utilize funding from Seasonal/Temporary/On-Call budget (STOC) pool to hire a temporary social worker to meet the needs of the Child Protection Assessment/Investigation unit during a planned leave of absence beginning in early April.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Joint Powers Agmt. and Resolution for ROW Acquisitions for U.S. 212 with the MN Department of Transportation**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes  
Presenter:  Title:

Attachments:  Yes  No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

The 2021-2023 construction seasons includes a joint project with the Minnesota Dept. of Transportation (MNDOT) for the reconstruction of Highway 212 to a 4-lane divided highway from Cologne on the west to County Highway 11 on the east. In order to complete the project, additional right-of-way is needed. This Joint Powers Agreement specifies that Carver County will acquire all necessary right-of-way for the project and the County and MNDOT will split the costs of said right-of-way acquisitions evenly.

**ACTION REQUESTED:**

Adopt a resolution to approve Joint Powers Agreement with the MN Department of Transportation for Right-of-Way Acquisitions for U.S. 212, pending finalization of the contract review process.

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
Sales Tax	\$2,500,000.00
MnDOT	\$2,500,000.00
<b>Total</b>	<b>\$5,000,000.00</b>

Insert additional funding source

Related Financial/FTE Comments:

Funding shown is approximate.

*Office use only:*

RBA 2020 - 6741

**CARVER COUNTY**

**RESOLUTION**

IT IS RESOLVED that the Carver County enter into MnDOT Agreement No. **1036517** with the State of Minnesota, Department of Transportation for the following purposes:

MnDOT is providing services and funds to the County for the acquisition of Right of Way for the expansion/ reconstruction of US 212 in Carver County, Minnesota, between Highway 36 on the east side of the City of Cologne to Highway 11 in the City of Carver to advance the Parties' mutual interests in reconstructing an effective and efficient transportation system that improves the capacity and the safety of the traveling public.

IT IS FURTHER RESOLVED that the \_\_\_\_\_ and  
\_\_\_\_\_  
(Title)  
\_\_\_\_\_ are authorized to execute the Agreement and any  
(Title)  
amendments to the Agreement.

**CERTIFICATION**

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Board of Commissioners of Carver County at an authorized meeting held on the 3<sup>rd</sup> day of March , 2020, as shown by the minutes of the meeting in my possession.

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**NOTARY  
STAMP**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Title)

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Parks Department Request for Authorized Donation Items**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

Annually, the Parks Department request the County Board approve the issuance of redeemable vouchers for parks and recreation services and products. The vouchers respond to a need for cost effective promotional offering(s), charitable donation requests, and acknowledgement of volunteer service. Vouchers for up to five (5) shelter rentals, fifteen (15) two-night campground reservations and \$300.00 in service value for recreation programs could be issued in 2020. Examples of where vouchers for services or products could be issued include but are not limited to: County sponsored outdoor recreation programs/special events; drawings at various charitable events; promotional exhibits in the county.

Additionally, vouchers for services and products such as shelter rentals and weekend camping stays may be awarded to someone who has provided significant/outstanding volunteer service to Carver County

**ACTION REQUESTED:**

Motion to a authorize the Parks Department to issue redeemable vouchers for recreation services and products.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6746



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Landlord Risk Mitigation Fund Agreement Amendment**

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 Landlord Risk Mitigation Fund Pilot Program provides funds to Carver County on behalf of all of the Suburban Metro Counties (Anoka, Dakota, Scott, Washington and Carver). HousingLink administers the program on behalf of Carver County as the sub-grantee. They provide risk mitigation funds to landlords across the listed counties to incentivise them to accept clients with high rental barriers. This RBA authorizes the county to amend the current contract with MHFA to continue the program through August of 2022 with an increase of \$54,175.

**ACTION REQUESTED:**

Approve and sign the attached Board Resolution document.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

MHFA Dollars

**Total**

Insert additional funding source

**FTE IMPACT:**

**Related Financial/FTE Comments:**

The county will receive \$5,786.50 in Administrative dollars for this grant.

*Office use only:*

RBA 2020 - 6756

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: \_\_\_\_\_ Resolution No: \_\_\_\_\_  
 Motion by Commissioner: \_\_\_\_\_ Seconded by Commissioner: \_\_\_\_\_

Carver County is accepting responsibility as the Grantee and as the Fiscal Agent regarding the Landlord Risk Mitigation Fund (LRMF) Pilot with HousingLink, being the Sub-Grantee and vender of Carver County, providing direct services as directed by the LRMF Grant.

**WHEREAS**, Minnesota Housing has been authorized to undertake a program to provide funds for Landlord Risk Mitigation Fund Projects; and

**WHEREAS**, Carver County, in collaboration with Anoka, Dakota, Scott and Washington Counties, has developed an application for the Minnesota Housing Landlord Risk Mitigation Fund Program; and

**WHEREAS**, Carver County has been named the Grantee regarding the LRMF grant for grant period September 1, 2017 to August 31, 2022; and

**WHEREAS**, Carver County has agreed to be the fiscal agent for funds in the amount of \$201,178, distributed by The Minnesota Housing Financing Agency; and

**WHEREAS**, Carver County has authorized Jennifer Romero, Housing Unit Supervisor, to execute the original Grant contract and Grant Amendment with The Minnesota Housing Finance Agency; and

**WHEREAS**, Carver County, in its role as the Fiscal Agent, agrees to distribute grant dollars to HousingLink, Carver County's sub-grantee, as defined in the Sub-Grantee Contract, Grant Application, and Work Plan.

**NOW, THEREFORE BE IT RESOLVED**, That Carver County will meet all the requirements of the MHFA as the Grantee of the LRMF grant and meet its responsibilities as defined in Grant Application as well as the Work Plan which has been submitted to MHFA.

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

STATE OF MINNESOTA    )  
   ) ss.  
 COUNTY OF CARVER     )

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

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Tobacco License for NYA Super Smoke Shop Inc dba Super Smoke Shop**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

NYA Super Smoke Shop Inc dba Super Smoke Shop has applied for a Tobacco License in Carver County and is in compliance with the Carver County Tobacco Ordinance. The owner is requesting the Carver County Board of Commissioners approval to sell tobacco products.

This business has not received a tobacco license in Carver County before.

The address of the new business is 640 Railroad Dr, Norwood Young America MN 55397.

**ACTION REQUESTED:**

Approval of the Carver County Board to issue a Tobacco License to NYA Super Smoke Shop Inc dba Super Smoke Shop.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =	<input type="text" value=""/>
	<input type="text" value=""/>
<b>Total</b>	<b>\$0.00</b>

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6726

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Encore Donation Received**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Encore received a donation from FrontStream in the amount of \$50.00. With approved receipt of these funds, Encore will continue the process of purchasing sensory items that will help to enhance the participant experience at Encore.

**ACTION REQUESTED:**

Donation receipt approval

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

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6739

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Michelle DeMist - Home Extended Business Accessory Use**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

File #PZ20200007. The Planning Commission recommended approval of Michelle DeMist's Conditional Use Permit (CUP) for a Home Extended Business Accessory Use (Watercraft Restoration Business), on her 18.14-acre parcel located in Section 8, Hollywood Township. The property is improved with a house, an existing 40' x 60' (2,400 square feet) Quonset building that would be used solely for personal storage (e.g. lawn and snow removal equipment, etc.), and an existing 48' x 60' (2,880 square feet) accessory building where the proposed business would operate. The structure utilized for the business activity would need to meet current State Building Code standards. There are no set hours of operation due to the nature of the business. The applicant and her fiancé do not currently have any additional employees; however, occasional sub-contractor work such as upholstery installation and system maintenance and repair would be the primary onsite activities. The business currently has two vehicles, and the applicant estimates those vehicles would generate two trips per day on average and as many as twelve trips per day during the spring and fall seasons. Customers would visit the site by appointment only. The Hollywood Town Board supports the request.

**ACTION REQUESTED:**

A motion to adopt the Findings of Fact and issue Order #PZ20200007 for the issuance of a Conditional Use Permit.

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6750

**COUNTY OF CARVER**  
***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20200007**

**RESOLUTION #: 20-01**

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

**FILE #:** PZ20200007

**OWNERS:** Michael & Cynthia Lynch

**APPLICANT:** Michelle DeMist

**SITE ADDRESS:** 2480 County Road 33, Mayer

**PERMIT TYPE:** Conditional Use Permit (CUP) - Home Extended Business Accessory Use

**PURSUANT TO:** Carver County Code: Section 152.079 (C)(9)

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 06-008-0430

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of February 18, 2020; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Michael & Cynthia Lynch currently own approximately 18.14 acres in part of the S ½ of the NE ¼ of Section 8, Hollywood Township. The property is improved with one house and two accessory buildings. The parcel is in the Agricultural Zoning District and CCWMO (Crow River watershed).
2. On January 7, 2020, the applicant entered into a Purchase Agreement with the above listed property owners. The applicant has provided the County with a signed copy of this agreement.
3. The applicant is requesting a Conditional Use Permit for a Home Extended Business Accessory Use to operate a watercraft restoration business pursuant to 152.079 (C)(9), of the Carver County Zoning Code.
4. The operational plan (dated: 01/22/2020) appears to meet the minimum requirements for a Home Extended Business Accessory Use. The applicant is requesting approval to operate a vintage watercraft restoration business in the Agricultural zoned district. There are no set hours of operation due to the nature of the business. The applicant has stated that noise from the business will be limited to the occasional starting, and brief running, of engines. The applicant and her fiancé do not currently have any additional employees. Occasional sub-contractor work such as upholstery installation and system maintenance and repair will be the primary onsite activities. The business currently has two vehicles, and the applicant estimates those vehicles will generate two trips per day on average and as many as twelve trips per day during the spring and fall seasons. Customers visit the site by appointment only. The applicant plans to have a sign attached to the business accessory structure and will have no roadside signage.
5. The property is improved with a residential structure, an existing 40' x 60' (2,400 square feet) Quonset building that will be used solely for personal storage (e.g. lawn and snow removal equipment, etc.), and an existing 48' x 60' (2,880 square feet) accessory building where the proposed business will operate. This structure will be used solely for business purposes. The business accessory structure is located approximately 365 feet from the centerline of County Road 33. In addition, the structure is partially screened by the house and a few trees on its eastern side and completely screened by a wooded area on its western side.

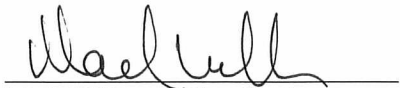
6. Prior to commencing operations, the existing accessory building utilized for the proposed business would be required to be inspected by the County's Building Official, for compliance with the MN State Building Code. If deficiencies are identified, the permittee would then be required to apply for the necessary permits to bring the structure into compliance.
7. The applicant has stated that the business rents storage space at an offsite location and any watercraft brought onto this location will be stored within the existing proposed business accessory structure.
8. The County Zoning Code requires that the nearest corner of the operational area of a Home Extended Business Accessory Use shall meet a 500-foot setback from the nearest corner of a neighboring residence. Based on the available mapping information within the County, it appears as though the nearest neighboring residence is approximately 580 feet northeast of the proposed operational area.
9. Dan McCormick, Transportation Manager for the Carver County Public Works Department, provided a memo dated, February 6, 2020, with comments. Mr. McCormick stated that the subject application appears to be reasonable based on the average daily traffic estimated in the application material.
10. The Hollywood Town Board reviewed the application and recommended approval at their February 10, 2020, Town Board meeting.
11. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

**THEREFORE, BE IT RESOLVED,** THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20200007, for a Home Extended Business Accessory Use on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. The Permittee shall homestead and occupy the property. The accessory building shall be used for solely business uses and shall meet the applicable State building code standards based on the use. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early in the timeline of the proposed change as possible
2. The operation shall be substantially in accordance with the submitted operational and site plans (dated: 1/22/2020). These plans shall be requirements of this permit.
3. Any future outside storage shall constitute an expansion of the operational area. When applicable, the applicant shall first submit a screening plan and revised operational area plan to the Land Management department for a determination as to whether an application for an amendment or similar consideration is necessary.
4. The accessory building utilized for the proposed business shall meet State building code.
5. The SSTS shall be re-evaluated with any proposed growth of the business or changes to the use of the septic system.
6. A maximum of four business vehicles and four employees who does not reside in the residence shall be permitted.
7. Any future remodeling or improvements to existing structures, personal or business related, shall require a Carver County Building Official review and permit approval.
8. The Permittee shall comply with road access requirements / improvements as determined by the County Public Works Department or the appropriate road authority.

9. The Permittee shall complete and submit a Non-Generator's Acknowledgment or Hazardous Waste Generator's License to the Environmental Services Department within 30 days of the issuance of this conditional use permit.
10. When applicable, the permittee shall submit a Certificate of Workers' Compensation Insurance and/or proper affidavit to the Land Management Department.
11. All signage shall meet the requirements of Chapter 154: Sign Regulations.
12. The operation shall comply with all local, state and federal regulations.

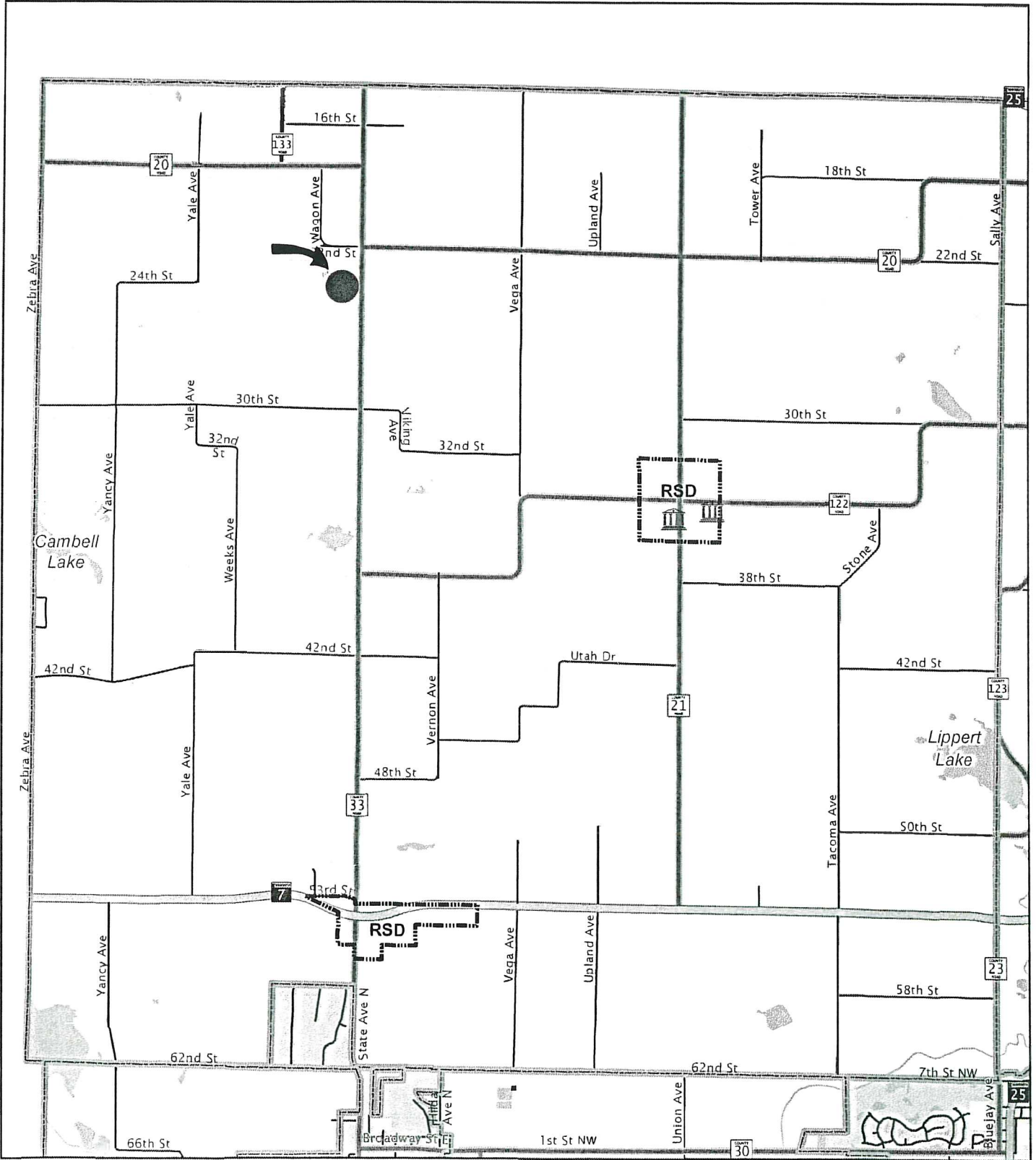
**ADOPTED** by the Carver County Planning Commission this 18<sup>th</sup> day of February 2020.



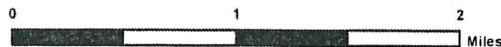
Mark Willems, Vice Chair  
Carver County Planning Commission



# HOLLYWOOD TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Metropolitan Mosquito Control Update**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 3/3/2020

Contact: Dave Hemze  Title: County Administrator

Item Type:  
Regular Session

Amount of Time Requested: 20  minutes

Attachments:  Yes  No

Presenter: Stephen Manweiler  Title: MMCD Director

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Dr. Stephen Manweiler, MMCD Executive Director and Alex Carlson, Public Affairs Coordinator, will be presenting an overview of the District's operations during 2019.

**ACTION REQUESTED:**

Information only.

**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 2020 - 6663

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Closed Session for CSAH 18 Reconstruction Project Property Acquisition**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="3/3/2020"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Senior Right of Way Agent"/>	Item Type: <input type="text" value="Closed Session"/>
Amount of Time Requested: <input type="text" value="30"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text" value="Peter Mikhail"/> Title: <input type="text" value="Attorney"/>	
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

**BACKGROUND/JUSTIFICATION:**

The 2014 construction season included the reconstruction of Highway 18 (Lyman Blvd) from from Audubon Road on the west to Powers Boulevard on the east. Additional right of way was needed for this project. Settlement negotiations were conducted for PID #'s 25.0230430 and 25.0230410 but an agreement could not be reached. A condemnation hearing was held in front of 3 condemnation commissioners and they awarded the property owner compensation for the right of way being acquired. The property owner filed an appeal of the condemnation commissioners award and the court ordered Alternative Dispute Resolution (Mediation) before the appeal jury trial could commence. Two mediations have been held, one on February 13th and the second on February 26th. The county's consulting attorney will be present to discuss strategies to avoid or defend against claims, and to minimize financial damages in this ongoing, pending litigation.

**ACTION REQUESTED:**

Motion to enter into attorney-client privileged closed session pursuant to Minn. Stat. Section 13D.05, Subd. 3(b) to have confidential discussions with legal counsel regarding the strengths, weaknesses and case strategies, including the potential risks and expenditures, of the pending litigation involving the real personal property located at PID #s 25.0230430 and 25.0230410.

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

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6747