



# CARVER COUNTY *minnesota*

Carver County Board of Commissioners  
March 17, 2020  
Regular Session  
County Board Room  
Carver County Government Center  
Human Services Building  
Chaska, Minnesota

- 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 March 3, 2020, Regular Session ..... 1-3

4. Community Announcements

- 9:05 a.m. 5. **CONSENT AGENDA**

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

- 5.1 Bid Award for 2020 County Highway Crack Seal Project ..... 4-5
- 5.2 Request for approval to contract with O'Brien Builders LLC ..... 6
- 5.3 First Amendment to Grant SG 11286..... 7
- 5.4 Purchase of Breathalyzer Kiosk..... 8
- 5.5 Proposed Adoption of Communicable Disease Prevention and Management Policy ..... 9-13

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

- 5.6 GIS Software License Renewal with Esri ..... 14
- 5.7 Southwest Transit Resolution of Support..... 15-16
- 5.8 Charitable Gambling Application for Exempt Permit-Ridgeview Foundation ..... 17
- 5.9 Charitable Gambling Application for Exempt Permit-Freedom Farm Therapeutic Riding Center..... 18
- 5.10 Consumption & Display Permit for Marsh Lake Hunting Preserve, Inc... 19
- 5.11 Encore Donation Received ..... 20

*Culture: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government*

- 5.12 Reorganization in Public Works- Program Delivery ..... 21-22
- 5.13 Memorandum of Agreement with Minnesota Public Employees Association (MNPEA) Licensed Deputies – Off Duty Contract..... 23

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

- 5.14 Professional Services Agmt. with Lockridge Grindal Nauen for 2020 Federal Government Relations ..... 24
- 5.15 Review/Social/Commissioners' Warrants..... NO ATT

9:05 a.m.	<b>6. CONNECTIONS: Develop strong public partnerships and connect people to services</b>	
	6.1 Advisory Committee Appointments .....	25
9:10 a.m.	<b>7. COMMUNITIES: Create and maintain safe, healthy and livable communities</b>	
	7.1 Update on Carver County's Response to COVID-19.....	26
9:40 a.m.	<b>8. CULTURE: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government</b>	
	8.1 <b>Closed Session</b> for Labor Negotiation Strategy .....	27
	8.2 Interim County Policy Regarding Public Health Emergency .....	28
10:15 a.m.	<b>ADJOURN REGULAR SESSION</b>	
10:15 a.m.	<b>BOARD REPORTS</b>	
	1. Chair	
	2. Board Members	
	3. Administrator	
	4. Adjourn	

David Hemze  
County Administrator

### UPCOMING MEETINGS

March 23, 2020	3:30 p.m. Highway 101 Improvement Project Groundbreaking, Vogelsberg Cul-de-sac, 750 Vogelsberg Trail
March 24, 2020	No Meeting
March 31, 2020	9:00 a.m. Work Session Canceled
April 7, 2020	9:00 a.m. Board Meeting
April 14, 2020	No Meeting
April 21, 2020	4:00 p.m. Board Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on March 3, 2020. Vice Chair Gayle Degler convened the session at 9:04 a.m.

Members present: Gayle Degler, Vice Chair, Tim Lynch and Tom Workman. Present via interactive television from the Cardozo Level on Terrace Level at the Washington Hilton, 1919 Connecticut /Avenue NW, in Washington DC was Randy Maluchnik as he was attending the NACo conference.

Members absent: James Ische

Vice Chair Degler explained Chair Ische was absent as he was recuperating from home after surgery and Commissioner Maluchnik would be joining the meeting from Washington.

Under public comments, Karen Johnson Leuthner, 15735 38<sup>th</sup> Street, Mayer, stated she was coming before the Board today in memory of a woman who passed away but who came to meetings and wrote letters related the health effects of the radio tower. She indicated she would be contacting Senator Klobuchar's office again to follow up on fiber optics and the radio tower. She suggested there was unjust enrichment and transfer of intent and that people were waiting for answers.

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

Workman moved, Lynch seconded, to approve the minutes of the February 18, 2020, Regular Session. Motion carried unanimously.

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

Resolution #18-20, 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.

Adopted the Findings of Fact and issued Order #PZ20200003 for the issuance of Interim Use Permit, Rick Carlson, Laketown Township.

Adopted the Findings of Fact and issued Order #PZ20200002 for the issuance of Interim Use Permit, Courtney Iverson, Watertown Township.

Contract with Waste Management pending finalization of the contract review process.

Contract between the Independent School District 276 and Carver County Sheriff's Office and related Sheriff's budget amendment.

Authorized the Parks acceptance of donation by WSB & Associates for \$5,000 of professional services.

Awarded contract to Henry G. Meigs in the amount of \$310,478.00 for bituminous seal coat materials, pending finalization of the contract review process.

Approved STOC funding to hire a temporary child protection social worker for up to 67 days starting in April 2020 and related HH&S budget amendment.

Resolution #19-20, 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.

Authorized the Parks Department to issue redeemable vouchers for recreation services and products.

Resolution #20-20, Accepting Responsibility as the Grantee and as the Fiscal Agent regarding the Landlord Risk Mitigation Fund Pilot with Housing Link, being the Sub-Grantee and vendor of Carver County, providing direct services as directed by the LRMF Grant.

Approved issuing a tobacco license to NYA Super Smoke Shop, Inc. dba Super Smoke Shop.

Authorized HH&S acceptance of donation to Encore program.

Reviewed February 25, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$526,877.44 and reviewed March 3, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$245,478.83.

Motion carried unanimously.

Aaron Stubbs, Land Management, requested the Board adopt the Findings of Fact and issue an Order for the issuance of Conditional Use Permit for a home extended business accessory use. He explained the Planning Commission recommended approval and reviewed the activities allowed on the site. He stated the business would be located within an existing building and there would be no additional employees. Stubbs added that Hollywood Township supported the proposal and Public Works supported the request with minor access modifications.

Vice Chair Degler clarified that the property owners were related to a Board member and Commissioner Lynch would be abstaining from the vote.

Workman moved, Maluchnik seconded, to adopt the Findings of Fact and issue Order #PZ20200007 for the issuance of a Conditional Use Permit, Michelle DeMist, Hollywood Township. On vote taken, Degler, Maluchnik, Workman voted aye. Lynch abstained. Motion carried.

Vice Chair Degler explained as the President was planning to speak at the NACo conference that Commissioner Maluchnik was attending, Maluchnik would now be leaving the meeting. Maluchnik acknowledged he would now be entering a secure area and left the meeting at 9:19 a.m.

Dr. Stephen Manweiler, Mosquito Control Executive Director, appeared before the Board to present their annual update. He explained the District was established in 1958 and governed by 18 County Commissioners from the seven counties that compose the District. He pointed out for 2020 their levy went up 2% and budget 1%.

He identified the life cycle of mosquitos and habitats. He stated there were six different mosquito borne diseases and each had their own biology and control program. Manweiler reviewed the three larval control materials that are used. He stated the three most common diseases were West Nile Virus, Lacrosse Encephalitis and Jamestown Canyon Virus and reviewed the number of cases over the last two years. He indicated the District also monitors deer ticks in the metro area. He pointed out the control that is done for gnats and highlighted the services that are provided in the County.

Manweiler reviewed the District's plans for 2020 that included plans to restore services that were previously scaled back. He recognized black flies were a problem last year and they did have a plan for this year. He also noted the difficulty in recruiting workers and plan to enhance recruitment efforts.

The Board thanked the District for the work they are doing.

Lynch moved, Workman seconded, to enter into attorney-client privileged closed session pursuant to MN Statute 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 #25.0230430 and 25.0230410. Motion carried.

The Board adjourned the closed and Regular session at 10:55 a.m.

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:**  
**Bid Award for 2020 County Highway Crack Seal Project**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes  
Presenter:  Title:

Attachments:  Yes  No

Strategic Initiative:  
 ▼

**BACKGROUND/JUSTIFICATION:**

This agreement is to perform crack sealing operations on approximately 34 miles of Carver County Highways. Crack sealing is an integral operation in the preservation of roads and highways. In recent years, County maintenance crews have not been able to complete all the scheduled crack sealing due to other workload activities.

**ACTION REQUESTED:**

Motion to award a contract to KAMCO Inc. for \$129,164.64 for 2020 County Highway Crack Seal Project (CP 2001), 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 - 6752

# Bid Opening

## CARVER COUNTY 2020 Crack Sealing Project 2001

Wednesday, February 19, 2020 - 2:30PM

<b>Contractor</b>	<b>Bid Bond</b>	<b>Amount</b>
<b>KAMCO</b>	X	\$129,164.64
<b>Allied Blacktop</b>	X	\$134,053.15
<b>NW Asphalt &amp; Maint.</b>	X	\$138,376.29
<b>ENGINEER'S ESTIMATE</b>		<b>\$141,715.00</b>

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request for approval to contract with O'Brien Builders LLC**

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 along with Environmental Services is recommending that the County enter into a contract with O'Brien Builders LLC for the construction of separate male and female employee changing rooms, lockers and showers at the Environmental Center.

The addition of changing rooms and showers will provide staff a private location to change in and out of their work clothes and if need be, wash off any contaminants that may have accumulated on their skin and hair throughout the work. The goal of this project is to prevent the contamination of an employee's street cloths and the subsequent spread of hazardous substances to offsite areas such as an employee's vehicle or home.

This contract covers all materials and work to be performed with the exception of the electrical work, which would be completed by County electrical staff and permit costs. Contracted work includes necessary demo, framing, plumbing, fixtures, HVAC, drywall, sprinkler work, acoustical ceiling work, painting and tile.

Carver County Facilities obtained quotes from two contractors - Ebert Construction quoted \$135,300 and O'Brien Builders LLC quoted \$117,875.31. Facility Services is recommending that we contract with O'Brien. In addition, staff is recommending \$9,124.69 in project contingency for a total of \$127,000. Funding for the project would come from Solid Waste Service Fees and does not include any general levy funds.

**ACTION REQUESTED:**

Motion to contract with O'Brien Builders LLC pending finalization of the contract review process.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
Rollover budget/solid wa	\$127,000.00
<b>Total</b>	<b>\$127,000.00</b>

**FTE IMPACT:**  ▼

Insert additional funding source

**Related Financial/FTE Comments:**

Environmental Services had designated funds in their 2019 budget for remodeling projects. The ES department has requested approval to roll over these amounts into 2020 to fund the construction contract.

*Office use only:*

RBA 2020 - 6755



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**First Amendment to Grant SG 11286**

Primary Originating Division/Dept: <input type="text" value="Public Works - Parks"/>	Meeting Date: <input type="text" value="3/17/2020"/>
Contact: <input type="text" value="Connie Keller"/> Title: <input type="text" value="Parks Director"/>	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="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

Park Staff is recommending amending an existing Parks and Trails Legacy Fund Grant SG 11286. This grant pertains to the construction of the TH 5 Regional Trail. Additionally, an amended grant application is recommended for a Parks and Trails Legacy Fund Grant scheduled for SFY 2021. This grant application pertains to the development of Lake Waconia Regional Park. Staff recommends exchanging the order and deliverables for the grant and grant application. The value of this grant SG 11286 is \$285,600 and the value of the pending grant application is \$286,700. This amount has been approved both through the legislative process and Metropolitan Council but not available until later summer of 2020.

Work is progressing nicely on the development of Lake Waconia Regional Park. Amending SG-11286, to allow continued Phase I planning and development, provides efficiency in the delivery of public service. Both the main park area and Coney Island will be brought online sooner and to a higher level of service within the 2020 construction season.

The recommended amended grant deliverables for SG 11286 are: Project is to be consistent with Phase 1 Development for Lake Waconia Regional Park, main park area and Coney Island. On the main park area, funds are to be used for design construction of utilities, site grading, roads, parking lots, trails, waterfront access. On Coney Island, funds are to be used toward design, construction, archeological services, site cleanup, development of trails, picnic areas, vault latrines, and waterfront access.

The recommended amended grant application for the 2021 Parks and Trails Legacy Funds includes deliverables of the design, engineering and construction of approximately 2 miles of trail from Century Blvd. to an existing trail and underpass at Minnewashta Parkway. Further, the work is to include obtaining easements as needed from private property owners. At Hwy 41, an underpass is to be constructed connecting the trail on the east and west side of Hwy 41. And funds would be used to construct a trail on U of M Landscape Arboretum property which will connect to an existing trail TH 5 Regional Trail segment at Minnewashta Parkway.

**ACTION REQUESTED:**

Motion to amend Metropolitan Council Grant SG -11286 upon finalization of the contract review process.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>				
<i>If "Other", specify:</i> <input type="text"/>	<b>County Dollars =</b>				
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">SG 11286</td> <td style="width: 30%; text-align: right;">\$286,700.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$286,700.00</b></td> </tr> </table>	SG 11286	\$286,700.00	<b>Total</b>	<b>\$286,700.00</b>
SG 11286	\$286,700.00				
<b>Total</b>	<b>\$286,700.00</b>				
<input checked="" type="checkbox"/> Insert additional funding source					

Related Financial/FTE Comments:

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Purchase of Breathalyzer Kiosk**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

For the past three years, Court Services and the Carver County Jail have been utilizing a breathalyzer kiosk for the purpose of testing clients who have been required to submit to random alcohol breath testing, either on pre-trial or post-sentenced basis. The machine and this testing process saves a great amount of staff time, and has proven to be an efficient method of testing these individuals. Breathalytics, the company that had agreed to provide this service for Carver County, ceased doing business in 2019. Therefore, our departments would like to purchase this kiosk, as well as extra fuel cell cartridges for \$1.00. In addition to this sale, the owner, Hangover, LLC, has agreed to grant Carver County license to use the software necessary to run the machine. Carver County Information Technology is aware of the software, and has agreed to support updates and overall use.

Other than the cost of future fuel cell cartridges and other consumer supplies, there is no additional cost to the County to utilize the breathalyzer, nor is there any additional financial obligation to Breathalytics beyond the purchase price of the equipment.

**ACTION REQUESTED:**

Motion to approve purchase of breathalyzer kiosk from Hangover, LLC

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6759

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Proposed Adoption of Communicable Disease Prevention and Management Policy**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

In order to assist in preparedness efforts for possible communicable disease presence in the workplace, Employee Relations recommends the adoption of a Communicable Disease Prevention and Management Policy. The adoption of this policy is proposed along with the elimination of the obsolete Life Threatening Illnesses Policy that touched on similar subject matter.

OSHA's General Duty Clause requires employers to provide a workplace free from recognized hazards, and so this Communicable Disease Prevention and Management policy is being proposed to eliminate or minimize occupational exposure to communicable diseases. Communicable diseases within the scope of this policy may include, but are not limited to tuberculosis; chicken pox; shingles; infectious mononucleosis; MRSA; severe acute respiratory syndrome (SARS) or other coronaviruses; measles; pertussis (whooping cough); meningitis; diphtheria, pandemic influenza; and other diseases reportable to the Minnesota Department of Health. The provisions of this policy would generally not apply during a typical flu season. Each communicable disease, as well as the circumstances surrounding disease transmission, are unique, and require close monitoring of the situation and implementing the guidance and requirements provided by federal, state, and local health authorities. In all cases, providing all employees with a safe and healthy workplace is of high importance and reflects one of the County's most significant priorities.

In addition, a modification of the section title of the Health & Safety Policy Manual's Section C, currently titled *Communicable Disease Prevention* is being proposed to instead be titled *Communicable Disease Prevention and Management*.

**ACTION REQUESTED:**

Motion to approve the recommended Communicable Disease Prevention and Management Policy as prepared by Employee Relations with input from Public Health; elimination of the Life Threatening Illnesses Policy; and modification to the section title of Section C of the Health & Safety Policy Manual where the new proposed policy will reside.

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

NA



## Carver County - Health & Safety Policy Manual

### COMMUNICABLE DISEASE PREVENTION AND MANAGEMENT

**SECTION:** Communicable Disease Prevention and Management  
**EFFECTIVE:** 3/17/2020  
**REVISED:**  
**AUTHORITY:** OSHA's General Duty Clause, 29 U.S.C. § 654 (2019)

#### I.) PURPOSE OF POLICY

Carver County is committed to providing a safe and healthful work and community environment. In pursuit of this goal, the following Communicable Disease Prevention and Management Policy is provided to eliminate or minimize occupational exposure to communicable diseases while outlining consistent procedures for communicable disease management in the workplace.

Communicable diseases include, but are not limited to: tuberculosis; chicken pox; shingles; infectious mononucleosis; MRSA; severe acute respiratory syndrome (SARS) or other coronaviruses; measles; pertussis (whooping cough); meningitis; diphtheria, pandemic influenza and other diseases reportable to the Minnesota Department of Health. Carver County may choose to broaden this definition within its best interest based on available data and/or in accordance with information received through the Centers for Disease Control and Prevention (CDC) or other qualified health authorities. Each case of communicable disease is different and will, therefore, be treated according to the individual facts and circumstances on a case-by-case basis.

The scope of this policy covers communicable diseases that pose a direct threat, or, a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. The application of this policy is not strictly limited to this definition however, and will be assessed based on the specific facts and circumstances of the particular scenario at hand and in accordance with information received through the CDC or other qualified health authorities.

Where applicable, Carver County's Bloodborne Pathogens Exposure Control Plan, Respiratory Protection Program, Tuberculosis Infection Control Plan, or policies addressing applicable employee leaves of absence should be consulted, as well as federal, state, and local health authorities.

#### II.) RESPONSIBILITIES

##### A.) EMPLOYEES

- 1.) In all cases of health-related absence due to a communicable disease that poses a direct threat or its potential, or that meets criteria of comparable gravity as defined or communicated by a qualified health authority such as the CDC, the affected employee must notify Employee Relations immediately of such condition. Notice should be provided via email, phone, fax or other non-in-person method.
- 2.) Anyone who discovers evidence of or obtains knowledge of a communicable disease in the workplace that could pose a direct threat or its potential, or that meets criteria of comparable

gravity as defined or communicated by a qualified health authority such as the CDC, should report such findings to Employee Relations.

3.) Help prevent the spread of communicable disease in the workplace by practicing general hygiene and precautionary measures including staying home when sick and proper handwashing.

#### **B.) DEPARTMENT MANAGEMENT**

1.) Management should be sensitive to employees with these condition(s) and ensure that they are treated appropriately in accordance with County policies, official health and safety guidance, and in accordance with applicable law. Precautions should be taken to ensure that an employee's condition does not present a health and/or safety threat to other employees, clients, or the public.

2.) Treat employee's health condition and information as personal and private. Health data is private data, and may not be released to the public or to fellow employees without a strict observance of data privacy rights of the employee.

3.) Contact Employee Relations for assistance with managing a situation that may fall within the scope of this policy to ensure that each situation is handled appropriately and in accordance with current legal guidance.

4.) Be sensitive and responsive to employees' concerns regarding communicable disease and workplace exposure, offering employee education available through federal, state, and local health authorities.

#### **C.) EMPLOYEE RELATIONS**

1.) As appropriate to the situation and in collaboration with federal, state, or local health authorities, provide education as available to management and employees on communicable diseases that are impacting the workplace. May assist in coordinating training or organizational response initiatives.

2.) Provide referral to and/or consult with federal, state, and local health authorities as needed.

3.) Provide or facilitate consultation to assist employees in managing leaves and other benefits.

4.) As appropriate to the situation, consult with County Facility Services to appropriately disinfect workspaces.

### **III.) WORKPLACE HEALTH AND SAFETY**

The United States Occupational Safety and Health Administration (OSHA)'s General Duty Clause, 29 U.S.C. § 654 requires employers to provide a workplace free from recognized hazards. If Carver County receives notice that an employee has a communicable disease that could endanger the health of others in the workplace, or poses a direct threat to the individual or to others, it shall make decisions regarding a reasonable accommodation, if any, on a case-by-case basis, based on the health and physical conditions of the employee, and the health and safety of other persons with whom the employee will interact.

Carver County's decisions involving persons who have communicable diseases shall be based on current and informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternatives for responding to an employee with a communicable disease. Federal, state, and/or local health authorities may be consulted as needed.

An employee may be excluded from the workplace when:

- a.) public health officials isolate or quarantine an employee,
- b.) public health officials or a qualified healthcare provider advise that the employee should or must be absent from work to prevent disease transmission to others, or
- c.) additional isolation or quarantine recommendations or requirements become available from federal, state, or local health authorities.

In the instance of isolation, quarantine or recommended period of absence, it is the employee's responsibility to provide Carver County with acceptable confirmation from a public health or other medical official of any isolation or quarantine period, or recommended or mandated period of absence, via email, phone, fax or other non in-person methods. Standard reporting, documentation, or verification requirements may be modified by the County in accordance with specific circumstances and current guidance by federal, state, or local health authorities.

If any of the above conditions a.) b.) or c.) occur, the employee may be advised not to report to work for a specified period of time. In such cases, Carver County may require the employee to take available paid leave or unpaid leave until the specified period of time ends and until the employee meets criteria to safely return to work based on the guidance of a qualified medical authority appropriate to the situation.

An employee may return to work when criteria appropriate to the situation are met. This will generally mean that an employee may return to work:

- Following provision of a release to return to work by a qualified medical professional, or in certain situations based on meeting criteria to safely return as defined by a qualified medical authority, as appropriate to the situation; and
- Upon verification of required documentation and authorization by Employee Relations; and
- When there is no current risk of transmission, or direct threat of the communicable disease to others; and
- Provided the employee is able to continue to perform the job position's essential functions with or without a reasonable accommodation.

Carver County reserves the right to exclude a person with a communicable disease from the workplace facilities, programs, and functions if a reasonable determination is made that such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace or members of the public. Such actions will be taken based upon recommendations and/or requirements from federal, state, or local health authorities or guidance from a qualified healthcare provider.

Unless otherwise specified, usual attendance and leave policies and procedures, including authorized telework arrangements, as well as applicable provisions of collective bargaining agreements will remain in place. Individuals who believe they may face particular challenges reporting to work during a communicable disease outbreak should take steps to develop any necessary contingency plans.

Data relating to matters of employee health and medical concerns will be handled in accordance with the law.

Carver County prohibits illegal discrimination, harassment and retaliation against employees who have a communicable disease.

## **VII.) REFERENCES**

Americans with Disabilities Act (ADA)

Centers for Disease Control and Prevention (CDC)

Equal Employment Opportunity Commission (EEOC)

Occupational Safety and Health Administration (OSHA)

Society of Human Resource Management. Health & Safety: Communicable Diseases Policy

The American Health Lawyers Association; Model Policy: Communicable Illness Policy #1;  
[healthlawyers.org](http://healthlawyers.org)

DRAFT

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**GIS Software License Renewal with Esri**

Primary Originating Division/Dept: <input type="text" value="Public Services - IT"/>	Meeting Date: <input type="text" value="3/17/2020"/>
Contact: <input type="text" value="Chad Riley"/> Title: <input type="text" value="IT Manager – GIS and Software"/>	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:

**BACKGROUND/JUSTIFICATION:**

In 2008, 2011, 2014 and 2017 the county signed an Enterprise License Agreement (ELA) with Esri for access to their GIS software and online subscription services. The three-year agreement is up for renewal in 2020. The new agreement continues to include the cities of Carver County under one agreement for a fixed cost over the next three years. Esri offers the ELA option for small counties/cities to help lower software costs and promote GIS implementation. Over the life of the three-year agreement the enterprise license will save the County money on software maintenance and future license purchases.

- **Details of Agreement**

- The agreement renewal is for an enterprise GIS software solution available to small County Governments with populations between 100,001 and 125,000.
- The agreement includes the following participating cities – Chanhassen, Chaska, Norwood Young America, Waconia, Victoria, Watertown and Mayer.
- The agreement is for three additional years with a cost increase of \$35,250 over the three years. This increase includes bringing in \$21,000 in Esri products for Public Works which were previous purchased separately. Additionally, there is a \$14,250 increase in the GeoEvent Processer product.
- The cities' portion of the contract is \$135,000 (\$45,000 per year).
- The multiple year agreement provides the best cost savings for the county.

- **Benefits**

- Same software versions provide a consistent platform across county and cities.
- Expands collaborative efforts between the County and cities.
- Maintains the current software deployments within the County.
- A lower cost per unit for licensed software.
- Maintenance on all Esri software deployed under one agreement.
- Complete flexibility to deploy software products when and where needed.

**ACTION REQUESTED:**

Motion to renew the ESRI software license agreement pending completion 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"/>	County Dollars = <input type="text" value="\$237,750.00"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	Cities' Dollars <input type="text" value="\$135,000.00"/>
	Total <input type="text" value="\$372,750.00"/>
	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:  
 3 Year Agreement: County - \$79,250/year; Cities - \$45,000/year



# Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Southwest Transit Resolution of Support**

Primary Originating Division/Dept: County Board

Meeting Date: 3/17/2020

Contact: Dave Hemze Title: County Administrator

Item Type:  
Consent

Amount of Time Requested: minutes

Attachments:  Yes  No

Presenter: Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Commissioner Maluchnik has requested the Board adopt a Resolution in support of Southwest Transit's Buses and Bus Facilities grant application.

**ACTION REQUESTED:**

Adopt Resolution.

**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 - 6774

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

Date: March 17, 2020  
Motion By Commissioner: \_\_\_\_\_

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

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**SouthWest Transit FTA BUSES & BUS FACILITIES GRANT APPLICATION**

**WHEREAS**, SouthWest Transit has reached full capacity at its Eden Prairie Garage and Maintenance facility.

**WHEREAS**, SouthWest Transit currently leases space outside in the elements to store 20 vehicles and is in need of an indoor bus storage facility to store these vehicles.

**WHEREAS**, as SouthWest Transit services continue to grow there will be need for additional bus storage space, which this facility will provide.

**WHEREAS**, the proposed facility would provide a much needed meeting and gathering space for the area that could be used by SouthWest Transit and other community organization and businesses.

**WHEREAS**, the proposed facility would build upon SouthWest Transit’s reputation of being an innovator in the Transit Oriented Development (TOD) space.

**WHEREAS**, the proposed facility would aid in improving public transit within Carver County.

**WHEREAS**, the proposed facility would provide a high quality community gathering space for Carver County residents.

**NOW THEREFORE BE IT RESOLVED**, the Carver County Board of Commissioner adopts Resolution \_\_\_\_\_ supporting SouthWest Transit’s Buses and Bus Facilities grant application to the Federal Transit Administration (FTA) for a bus storage and meeting space to be located in Carver County.

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 the 17<sup>th</sup> day of March, 2020, 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:**  
**Charitable Gambling Application for Exempt Permit-Ridgeview Foundation**

Primary Originating Division/Dept: <input type="text" value="Property &amp; Financial Services"/>	Meeting Date: <input type="text" value="3/17/2020"/>
Contact: <input type="text" value="Sarah Rivers"/> Title: <input type="text" value="Senior Elections &amp; Licensing Sp"/>	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="Connections: Develop strong public partnerships and connect people to services and information"/>	

**BACKGROUND/JUSTIFICATION:**  
 A Charitable Gambling application for Exempt Permit was received from the Ridgeview Foundation. They plan to hold a raffle on June 22, 2020 at Island View Golf Club located at 7795 Laketown Pkwy, Waconia, MN 55387. This applicant has received this same type of license previously.

**ACTION REQUESTED:**  
 Approval to issue a Charitable Gambling License to the Ridgeview Foundation for a raffle to be held on June 22, 2020.

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

*Office use only:*  
 RBA 2020 - 6767

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Charitable Gambling Application for Exempt Permit-Freedom Farm Therapeutic Riding 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:**

A Charitable Gambling application for Exempt Permit was received from Freedom Farm Therapeutic Riding Center. They plan to hold a raffle on September 12, 2020 at the Black Berg Ranch located at 1980 Sally Ave, Watertown, MN 55388. This applicant has not received this type of license in the past.

**ACTION REQUESTED:**

Approval to issue a Charitable Gambling License to Freedom Farm Therapeutic Riding Center for a raffle to be held on September 12, 2020.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**  \$0.00

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6768

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Consumption & Display Permit for Marsh Lake Hunting Preserve, Inc**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

Shawn Eastman, Manager of Marsh Lake Hunting Preserve, Inc. has applied for annual renewal of their Consumption & Display Permit for 2020-2021. Marsh Lake Hunting Preserve, Inc is located at 5785 Hunters Road, Chaska. There are no delinquent real estate taxes on this property.

**ACTION REQUESTED:**

Motion to approve the annual renewal of the Consumption & Display Permit for Marsh Lake Hunting Preserve, Inc.

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

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**  \$0.00

Insert additional funding source

**Related Financial/FTE Comments:**

License Fee for Consumption & Display Permit: \$150.00

*Office use only:*

RBA 2020 - 6758

# 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  
Presenter:  Title:

Attachments:  Yes  No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Encore received a donation through Frontstream, Check #: 2904768, in the amount of \$10. Encore would like to accept this donation to continue to build our sensory resources for those served at Encore.

**ACTION REQUESTED:**

Approve receipt of donation.

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

**FUNDING**  
County Dollars =   
  
**Total**

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6773

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Reorganization in Public Works- Program Delivery**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes  
Presenter:  Title:

Attachments:  Yes  No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Public Works continues to work improve and change to best meet the organizational needs and long term goals of the division. Public works is recommending that the county board adopt the following organizational changes. Eliminate 2.0 FTE Civil Engineer (C41) and create 1.0 FTE Engineering Specialist (B24) and 1.0 FTE Senior Civil Engineer (C42). These changes will allow for Public works to better meet its construction and project development needs as Carver County grows. Both positions will be filled via internal postings.

**ACTION REQUESTED:**

Motion to approve a reorganization in Public Works to eliminate 2.0 FTE Civil Engineer (C41) and create 1.0 FTE Engineering Specialist (B24) and create 1.0 FTE Senior Civil Engineer (C42).

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

**FUNDING**  
County Dollars =   
  
**Total**

**FTE IMPACT:**

Insert additional funding source

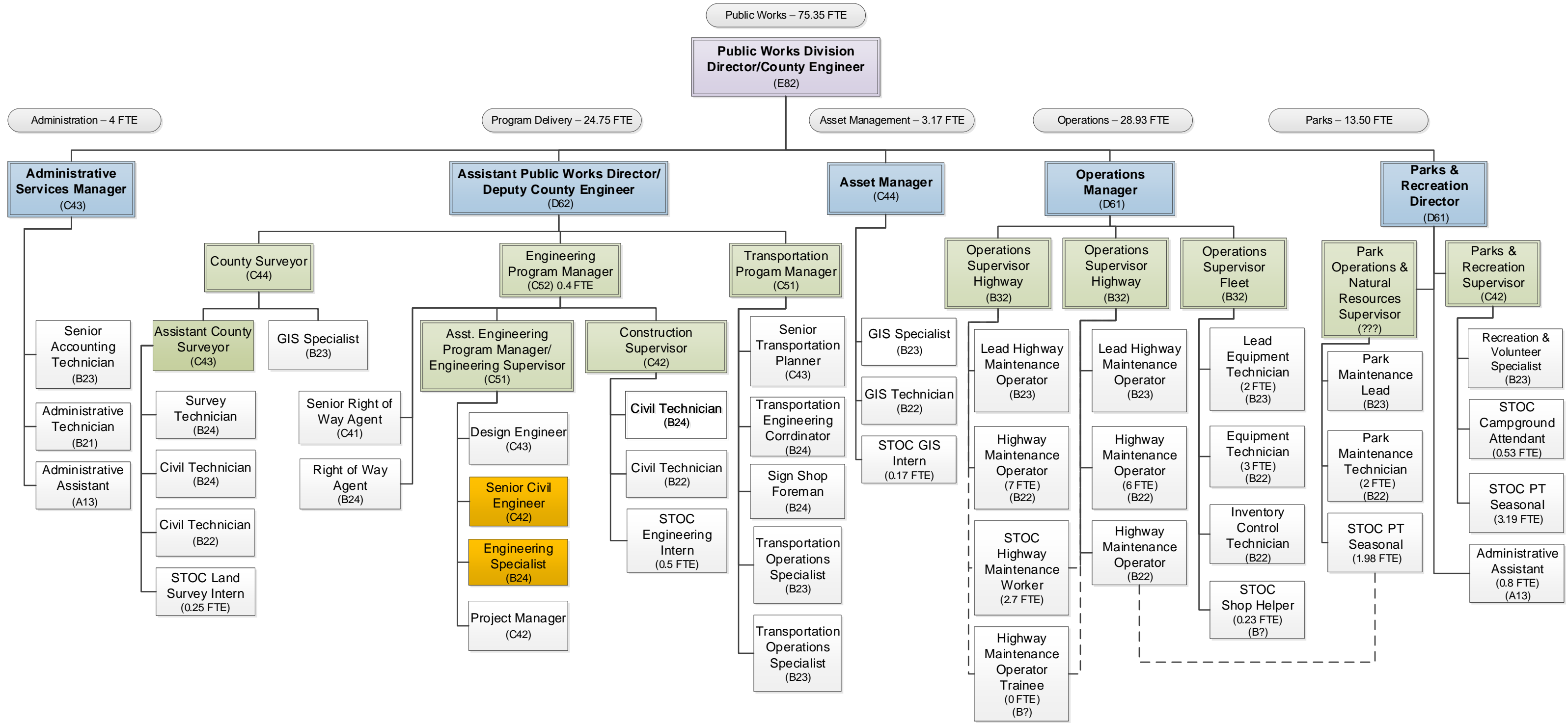
**Related Financial/FTE Comments:**

This reorganization has a current year cost savings of \$13,314, no additional levy dollars are needed.

*Office use only:*

RBA 2020 - 6743

# Proposed - Public Works Division Organizational Chart (February 20, 2020)





# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Memorandum of Agreement with Minnesota Public Employees Association (MNPEA) Licensed Deputies – Off Duty Contract and Night Differential**

Primary Originating Division/Dept: <input type="text" value="Employee Relations"/>	Meeting Date: <input type="text" value="3/17/2020"/>
Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="ER Director"/>	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:**

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

**BACKGROUND/JUSTIFICATION:**

The County and the Minnesota Public Employees Association (MNPEA) Bargaining Unit are parties to a Labor Agreement in effect from January 1, 2019 through December 31, 2020 covering employees in the classification of Deputy Sheriff.

Certain businesses and organizations within the County contract through the Carver County Sheriff's Office for off-duty police services. The memorandum specifies the terms and conditions relevant to applying night differential compensation when an employee is working an off duty contract opportunity, when the majority of the off duty contract hours worked fall between 3:00 pm and 6:00 am. When a licensed deputy works a qualifying off duty contract, a night differential of \$0.85 per hour will be applied. This mirrors the night differential applied for qualifying regular shifts, as outlined in the existing Collective Bargaining Agreement. The MOA will sunset 12/31/2020.

**ACTION REQUESTED:**

Motion to approve the Memorandum of Agreement addressing Off Duty Contracts and Night Differential with the Minnesota Public Employees Association Deputy Sheriff Bargaining Unit.

<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:**

Fiscal Comments: The effect of applying night differential for off duty contract work is minimal and may be covered by the off duty contract fee. Finance anticipates minimal or no levy impact.

Office use only:

RBA 2020 - 6760

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Professional Services Agmt. with Lockridge Grindal Nauen for 2020 Federal Government Relations**

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:**

Lockridge Grindal Nauen is a nationally recognized firm in federal government relations and has worked for several governmental agencies in Minnesota. They will monitor, analyze, and report all federal legislative, regulatory and administrative developments for potential impact on Carver County, particularly for US 212 — both in Congress and the Executive Branch — and advise the County when action would be beneficial to overall objectives. They will meet on the County's behalf and coordinate critical meetings for County representatives to attend.

This contract is a renewal of the 2019 contract.

**ACTION REQUESTED:**

Motion to approve a Professional Services Agreement with LOCKRIDGE GRINDAL NAUEN, in the amount of \$40,000, 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 - 6764

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Advisory Committee Appointments**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 3/17/2020

Contact: David Hemze Title:

Item Type:  
Regular Session

Amount of Time Requested: 5 minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Applications have been received to fill the following advisory committee vacancies:

**Arts Committee-One at large vacancy**

Applicant:

David Pascoe-Resides in District #3

**Extension Committee - Vacancy in District #2**

Applicant:

Monica Rask - Resides in District #4

**Mental Health Committee - Two mandated vacancies, committee by-laws allows up to 14 members**

Applicant:

Heather Boll-resides in District #4

**ACTION REQUESTED:**

Motion to fill vacancies.

**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 - 6771

# Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Update on Carver County's Response to COVID-19**

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

Meeting Date: 3/17/2020

Contact: Richard Scott Title: Health and Human Services Dep

Item Type:  
Regular Session

Amount of Time Requested: 30 minutes

Attachments:  Yes  No

Presenter: Richard Scott Title: Health and Human Services Dept

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

An update will be provided on Carver County's community-wide response to COVID-19.

**ACTION REQUESTED:**

None at this time.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

Total

\$0.00

 Insert additional funding source

Related Financial/FTE Comments:

NA

Office use only:

RBA 2020 - 6780

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Closed Session for Labor Negotiation Strategy**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

Minnesota Statutes 13D.03, subd 2 allows a public entity to enter into a closed session to plan and discuss labor negotiation strategy. Employee Relations requests to enter into a closed session with the Board to discuss labor negotiation strategy related to continuity of operations.

**ACTION REQUESTED:**

Motion to go into closed session to discuss labor negotiation strategy.

Upon conclusion of the closed session, a motion to return to regular session.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6777

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Interim County Policy Regarding Public Health Emergency**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

Coronavirus Disease 2019 (COVID-19) is a respiratory illness caused by a novel (new) virus that we continue to learn more about every day. Currently, there is no vaccine to protect against COVID-19. The best way to prevent infection is to avoid being exposed to the virus that causes it. The Minnesota Department of Health strongly encourages people to stay home if they are feeling sick, especially if they are experiencing influenza-like or respiratory symptoms. Staying home when sick is a fundamental "stop the spread" strategy that can be particularly effective to avoid further transmission of COVID-19 or similar virus.

If employees come to work with respiratory-like symptoms (because of no or low amounts of paid leave available), there is a potential for further spreading of the COVID-19 virus to the rest of the workforce and community.

It is recommended that the County Board provide Employee Relations the authority to develop, and the County Administrator the authority to implement, an interim policy that permits employees to enter into a negative PTO or sick leave balance to receive compensation for a limited timeframe in the case of a public health emergency. It is recommended that the Board provide the County Administrator the authority to activate and deactivate this policy consistent with a public health emergency declaration by the World Health Organization, Centers for Disease Control, or by the Minnesota Department of Health or other local Public Health authority.

**ACTION REQUESTED:**

Motion to provide Employee Relations the authority to develop an interim policy that permits employees to enter into a negative PTO or Sick Leave balance to receive compensation for a limited amount of time in the case of a public health emergency; and delegate authority for the County Administrator or designee to activate and deactivate this policy consistent with an applicable public health emergency declaration.

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

The County should experience little to no cost related to this policy as negative PTO and sick leave balances will be tracked until the employee has accrued sufficient PTO or sick leave to cover the advance provision of this benefit.