



# CARVER COUNTY *minnesota*

Carver County Board of Commissioners  
April 7, 2020  
Regular Session

**Under Minnesota Statute 13D.021 the County Board has made a determination that an in-person meeting is not practical or prudent because of a health pandemic and an emergency has been declared under chapter 12.**

**The physical meeting location (Board Room) is closed because it is not feasible to be open due to the health pandemic. This meeting will be conducted via video teleconference due to COVID-19 concerns. Individuals who wish to provide public comments related to the meeting can do so at: [admin-contact@co.carver.mn.us](mailto:admin-contact@co.carver.mn.us)**

**The meeting will be webcast live at:  
<https://www.youtube.com/user/CarverCountyMN/live>**

**Commissioners Degler will be attending the meeting in person. Commissioners Ische, Maluchnik, Lynch, and Workman’s attendance at the special meeting location is not feasible due to the health pandemic.**

- 9:00 a.m. 1. a) **CONVENE**  
b) **Pledge of allegiance**
- 2. Agenda review and adoption
- 3. Approve minutes of March 24, 2020, Special Session..... 1-2
- 4. Community Announcements
- 9:05 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy and livable communities*
- 5.1 Request for approval to contract with Liberty Tire Recycling..... 3
- 5.2 Final Acceptance and Payment to Minger Construction, Inc. for the  
CSAH 61 Reconstruction Project- West Chaska Creek ..... 4-5
- 5.3 SCORE Grant Agreement FY20-21 ..... 6
- 5.4 Award of 2020 Pavement Markings Contract to Sir Lines-A-Lot..... 7-10
- 5.5 Acceptance of 2019 CCWMO Annual Report ..... 11-27
- Connections: Develop strong public partnerships and connect people to services*
- 5.6 Purchase Equipment for Public Works Operations and Parks..... 28-29
- 5.7 Appointment to Water Management Organization ..... 30

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

5.8	Settlement for Right of Way for the CSAH 18 Reconstruction Project - Phase 3 .....	31-34
5.9	Designation of Staff to Represent the County at BWSR Funding Meetings .....	35-40
5.10	Award contract for improvements to Public Works cold storage building .....	41-42
5.11	Approval of the City of Cologne Local Water Management Plan .....	43-45
5.12	Settlement Agreement for the Highway 41 Project - Jonathan Area..	46-49

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

5.13	Separation Agreement .....	50
5.14	STOC EOC External Liaison .....	51-52

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

5.15	CDA Requesting Carver County's G.O. Backing for Refinancing .....	53-55
5.16	Veteran Services MDVA Grant .....	56-57
5.17	Review/Social/Commissioners' Warrants.....	NO ATT

9:05 a.m.	<b>6. COMMUNITIES: Create and maintain safe, healthy and livable communities</b>	
	6.1 Extension of Service Suspension Due to COVID-19 .....	58
9:15 a.m.	<b>7. CULTURE: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government</b>	
	7.1 Attorney-Client Privileged Closed Session to Discuss Donald and Kara Amorosi v. Carver County.....	59
	7.2 Closed Session for Labor Negotiation Strategy.....	60
	7.3 County Policy Addressing Employee Benefits During Public Health Emergency .....	61-62
10:30 a.m.	<b>ADJOURN REGULAR SESSION</b>	

David Hemze  
County Administrator

**UPCOMING MEETINGS**

April 14, 2020	No Meeting
April 21, 2020	4:00 p.m. Board Meeting
April 28, 2020	9:00 a.m. Board Work Session
May 5, 2020	9:00 a.m. Board Meeting

A Special Session of the Carver County Board of Commissioners was conducted via video teleconference due to COVID-19 concerns. Vice Chair Gayle Degler convened the session at 9:00 a.m.

Members present: Gayle Degler, Vice Chair, (present in County Board Room), James Ische, Randy Maluchnik, Tim Lynch and Tom Workman (present via video teleconference).

Members absent: None.

Vice Chair Degler, on behalf of the County Board, extended to all County residents their thoughts and concerns as they traveled through these difficult times to defeat COVID-19. He recognized public sector employees and their efforts to manage this crisis. Degler stressed everything in their power was being done to allocate resources. He clarified, with the Government Center closed, he was speaking from the County Board Room and Commissioners Ische, Lynch, Maluchnik and Workman were participating via teleconference. He pointed out the email address for members of the public to provide public comments related to the meeting.

Ische moved, Maluchnik seconded, to approve the agenda. On a roll call vote, Degler, Ische, Maluchnik, Lynch, Workman voted aye. Motion carried unanimously.

Lynch moved, Ische seconded, to approve the minutes of the March 17, 2020, Regular Session. On a roll call vote, Ische, Degler, Lynch, Maluchnik, Workman voted aye. Motion carried unanimously.

David Hemze, Administrator, appeared before the Board for an update on the County's response to COVID-19. He recognized the outstanding work being done by the employees to protect residents and noted the County's Emergency Operation Center was activated on March 6<sup>th</sup>. He explained this was done to coordinate activities in response to COVID-19 and since that time, they have been holding weekly teleconferences to coordinate efforts with cities, schools, townships and other community partners.

He stated the County has implemented a plan to socially distance staff with over 50% of employees fully or partially teleworking. Hemze pointed out walk up public services have been closed through March 27<sup>th</sup>. He indicated he was now recommending that be extended to April 12<sup>th</sup> and inquired if the Board was comfortable with that. The Board expressed consensus to extend the closure to April 12<sup>th</sup>.

Hemze indicated they would continue to collect data and make a decision on extending that closing in the future. He also pointed out information was available on the County's website.

Dr. Richard Scott, Health & Human Services, stated their overall motto continues to be facts not fear and prepared not scared. He reviewed the number of confirmed cases in the County and Statewide. He indicated they are continuing to isolate individuals with symptoms and quarantine those exposed. Scott stated they have expanded community mitigation strategies with closing of schools, many businesses and suspending public walk up services. He added they continue to expand social

distancing with tele-health, virtual meetings and compliance with the six-foot rule, as well as increased cleaning procedures.

He indicated they are between the community mitigation and pandemic management phase and they wanted to be a step ahead to flatten the curve. He indicated they need to continue with containment and ramp up pandemic management strategies that included management of scarce resources and coordinating access and utilization of essential services. Scott recognized the need to continue to promote healthy living and need to communicate. He stated they continue daily briefings and they have expanded the incident command structure. Scott stated they are in the processing of launching the Public Health and Human Services Branch under the structure and highlighted what each branch would address.

Scott clarified they are continuing to recommend that residents maintain social distancing, continue with cleaning procedures, to wash their hands before and after engaging in any activity and avoid touching their face. He acknowledged there are other probably other cases not yet confirmed and the treatment is supportive care at home and to self-isolate. If symptoms get worse, he encouraged residents to contact their health care provider. Scott stated the latest information was also available on the County's website.

Hemze apologized for some of today's technical difficulties but recognized the need to hold special meetings like these via teleconference. He clarified however they were following the law related to open meetings.

Lynch moved, Workman seconded, to adjourn the Special Session at 9:29 a.m. On a roll call vote, Degler, Ische, Lynch, Maluchnik, Workman voted aye. Motion carried unanimously.

David Hemze  
County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request for approval to contract with Liberty Tire Recycling**

Primary Originating Division/Dept: Public Services - Environ. Svc.

Meeting Date: 4/7/2020

Contact: Brad Hanzel Title: Environmental Services Interim

Item Type:  
Consent

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Carver County Environmental Services is recommending that the County enter into a contract with Liberty Tire Recycling, LLC for tire collection and recycling from the Environmental Center and two County sponsored Special Waste Collection events.

Liberty Tire will provide labor and equipment to receive tires and transport them off-site for recycling. Fees collected from residents partially offset the cost of the contracted services.

It is important to provide tire recycling opportunities for our residents as tires are banned from landfills. In addition, one improperly stored tire can become a breeding ground for thousands of mosquitoes which can carry life-threatening diseases such as encephalitis. Without a contract and vendor, the County would not be able to accept tires at the Environmental Center and collection events.

Pricing was obtained from Liberty Tire and First State Tire. When comparing pricing, overall project cost was similar. First State Tire proposed hand loading tires collected at the event sites. Liberty Tire has heavy equipment that is capable of loading the tires, reducing labor needed at the events.

The initial term of the contract is one year, with the option to renew for one additional term. The cost of the initial term shall not exceed \$31,000.

**ACTION REQUESTED:**

Motion to contract with Liberty Tire Recycling pending finalization of the contract review process.

**FISCAL IMPACT:** Included in current budget

If "Other", specify:

**FTE IMPACT:** None

**FUNDING**

County Dollars =

Solid Waste Service fees :  \$31,000.00

**Total**  \$31,000.00

Insert additional funding source

**Related Financial/FTE Comments:**

Funding for this contract would come from Solid Waste Service Fees and State recycling grants. Fees collected from residents partially offset the cost of the contracted services.

Office use only:

RBA 2020 - 6778

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Final Acceptance and Payment to Minger Construction, Inc. for the CSAH 61 Reconstruction Project- West Chaska Creek Phase**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="4/7/2020"/>
Contact: <input type="text" value="Scott Smith"/> Title: <input type="text" value="Design Engineer"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

The scope of the project included the replacement of the bridge over West Chaska Creek as well as other improvements to Highway 61 from the east side of Highway 44 (Hickory Street) to the west side of State Highway 41 in the City of Chaska.

All work was completed in 2019 and Minger Construction, Inc. is requesting to finalize the contract with Carver County and release all retainage. County staff agrees and is requesting that the contract be finalized and that the outstanding work items and remaining retainage be paid in the amount of \$79,155.40.

**ACTION REQUESTED:**

Motion to adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$79,155.40 to Minger Construction, Inc. for the CSAH 61 Reconstruction Project- West Chaska Creek Phase.

<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"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	Turnback Funding <input type="text" value="\$79,155.40"/>
	<b>Total</b> <input type="text" value="\$79,155.40"/>
	<input checked="" type="checkbox"/> Insert additional funding source

**Related Financial/FTE Comments:**

All of the costs on Highway 61 (old Highway 212) will be paid for with Turnback funding, except for City of Chaska items that are not eligible for this funding source.

Office use only:

RBA 2020 - 6787

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

Date: April 7, 2020

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

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

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

**COUNTY BOARD ACKNOWLEDGMENT  
County Road 61 Reconstruction Project-  
West Chaska Creek Phase (Contract 17-250)  
FINAL PAYMENT**

WHEREAS, the construction the County Road 61 Reconstruction Project- West Chaska Creek Phase has in all things been completed and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and on behalf of the Carver County Public Works Division.

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 7th day of April, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7th day of April, 2020.

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

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**SCORE Grant Agreement FY20-21**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

SCORE Funds are derived from a percentage of State tax on the collection, transportation, processing, and disposal of waste materials, know as Solid Waste Management Tax. Service providers (haulers and disposal facility operators) who directly bill generators or customers are responsible for collecting and remitting the tax to the State.

A portion of the funds collected are distributed to Minnesota counties in the form of annual block grants. Grant funding may be used to develop waste reduction and recycling programs. Each county is required to match the funding from the Legislature with a local contribution of at least 25%.

Payment amounts will be distributed according to Minn. Stat. 115.557, Subd.1. Based on previous disbursements, Environmental Services staff members included an estimate of \$290,000 for SCORE funding in the 2020 Environmental Services budget.

**ACTION REQUESTED:**

Motion to approve the SCORE Grant Agreement FY20-21 with the Minnesota Pollution Control Agency, and delegate the Assistant County Administrator the authority to sign the grant agreement on behalf of the County.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

County Dollars =	
Grant Revenue	\$290,000.00
Solid Waste Service Fees	\$72,500.00
<b>Total</b>	<b>\$362,500.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

This is Revenue - Payment amounts will be distributed according to MN Statute. Based on previous disbursements, staff included \$290,000 for SCORE funding in the 2020 Environmental Services budget. The County is required to match the funding with a local contribution of at least 25%.

*Office use only:*

RBA 2020 - 6790



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Award of 2020 Pavement Markings Contract to Sir Lines-A-Lot**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

This project includes annual maintenance striping on all County highways, which is required to maintain and operate public highways and conform to the Minnesota Manual of Uniform Traffic Control Devices (MNMUTCD) and desired performance levels. Carver County held a bid opening on Thursday, March 19th, 2020 for the 2020 Application of Pavement Markings Project. A total of three (3) bids were received and the low responsible bidder was Sir Lines-A-Lot with a total bid of \$288,391.92, which was 13.07% under the Engineer's Estimate. The Engineer's Estimate was \$331,751.62.

**ACTION REQUESTED:**

Motion to adopt a resolution to approve a contract with Sir Lines-A-Lot in the amount of \$288,391.92 for the 2020 Pavement Markings Project, 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- 6791



### CCHD Project Bid Summary

Project Name: 2020 Pavement Markings Contract No.:  
 Client: CARVER COUNTY Project No.: 208016-1  
 Bid Opening: 03/19/2020 2:00 PM Owner: CARVER COUNTY

Vendor Number	Business Name	Total Bid Amount	Percent Over/Under Estimate
	<b>Engineers Estimate</b>	<b>\$331,751.62</b>	
N/A	Sir Lines-A-Lot	\$288,391.92	13.07% UNDER ESTIMATE
N/A	Traffic Marking Service, Inc.	\$293,995.68	11.38% UNDER ESTIMATE
5087	AAA STRIPING	\$358,440.58	8.04% OVER ESTIMATE

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

Date: April 7, 2020 Resolution No: \_\_\_\_\_  
Motion by Commissioner: \_\_\_\_\_ Seconded by Commissioner: \_\_\_\_\_

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**Awarding of the 2020 Pavement Markings Project  
Carver County Contract 20-108 (PR 208016)**

WHEREAS, The County Engineer has secured and designated funding for this contract in the current fiscal year Road and Bridge budget; and

WHEREAS, On Thursday, March 19, 2020 at 2:00 p.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, three (3) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the **2020 Applications of Pavement Markings Project**, said bids for the responsible bidders are summarized as follows:

<u>Contractor</u>	<u>Total Bid</u>	<u>Over/Under Engineers Estimate</u>
Sir Lines-A-Lot	\$288,391.92	-13.07%
Traffic Marking Service, Inc.	\$293,995.68	-11.38%
AAA Striping	\$358,440.58	8.04%
<i>Engineers Estimate</i>	<i>\$331,751.62</i>	

And WHEREAS, after examination of the bids by Carver County Public Works, **Sir Lines-A-Lot** is the successful low responsible bidder.

NOW THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Carver County Contract **20-108** with **Sir Lines-A-Lot of Minneapolis, MN**, in the name of the County of Carver for the construction of the **2020 Application of Pavement Markings Project** in accordance with the construction plans and specifications contained in the project manual; and

BE IT FURTHER RESOLVED that Carver County Public Works is hereby authorized and directed to return the proposal guaranty to the bidders, except that of the successful low responsible bidder and second lowest bidder, which shall be retained until the construction contract has been signed and the performance and payment bonds of the low responsible bidder have been executed; and

BE IT FURTHER RESOLVED that Carver County Engineer, or his designee, is hereby authorized to take actions necessary and to enter into work orders, change orders or supplemental agreements on behalf of Carver County with an amount less than twenty-five thousand dollars (\$25,000) and an increased aggregate project total of all project changes of fifty thousand dollars (\$50,000.00), when time is of the essence to make contract changes due to unforeseen construction conditions in order to minimize construction delays and to efficiently carry out the planned project improvements.

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 7<sup>th</sup> day of April, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7th day of April, 2020.

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Dave Hemze

County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Acceptance of 2019 CCWMO Annual Report**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

Per State Board of Water & Soil Resources (BWSR) and the requirements of MN St. 103B.231 & MN Rules Ch. 8410.0150, staff has prepared the 2019 Annual Report for the Carver County Water Management Organization (CCWMO). This report (attached) is intended to provide an annual look at the activities accomplished as well as challenges encountered by the CCWMO in 2019. This report contains information on specific WMO activities, projects, programs, planning efforts, and financial activity. Per acceptance by the Board, staff will publish the report and send it to BWSR.

**ACTION REQUESTED:**

Motion to accept the Carver County Water Management Organization 2019 Annual Report.

**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 - 6796





# 2019 ANNUAL REPORT

CARVER COUNTY WATERSHED  
MANAGEMENT ORGANIZATION





## ABOUT THE CCWMO

The Carver County Water Management Organization (CCWMO) is responsible for performing management tasks including planning, funding, regulation, and implementation of the Carver County Water Management Plan. The CCWMO includes the following watersheds; Bevens Creek, Carver Creek, East and West Chaska Creek, Pioneer Creek, and the Crow River (see map on page 3).

In order to fulfill legislative requirements on surface and groundwater, Carver CCWMO developed a Water Management Plan that was adopted in 2020. The overall goal of the Plan is to protect, preserve and manage the CCWMO's surface and groundwater systems amid rapid growth and intensive agricultural activity. The plan presents sustainable and equitable methods to reach that goal by providing guidance and specific standards for decision-makers, residents, landowners, educators, and implementing staff at the local level.

## PURPOSE OF REPORT

This report is intended to provide an annual look at the **activities accomplished as well as challenges encountered** by the Carver County Water Management Organization (CCWMO). This report contains information on specific WMO activities, projects, programs, planning efforts, and financial activity for **2019**. It is not intended to provide comprehensive detail on all aspects of WMO implementation. Further reports, data, and information are referenced in each section and available either via the website or on request as noted. This report fulfills the requirements of MN St. 103B.231 & MN Rules Ch. 8410.0150.

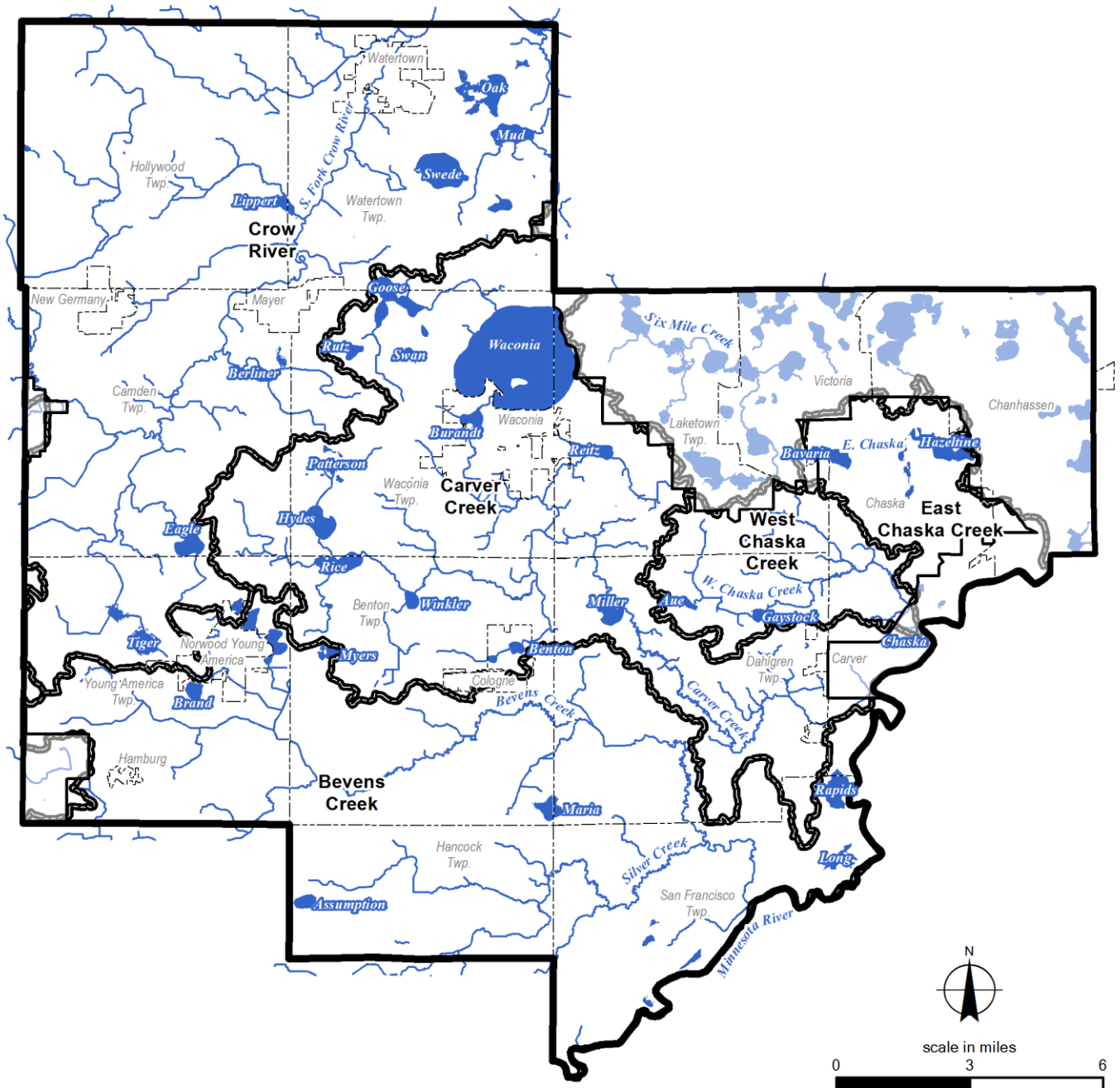
Within the Water Management Plan, there are six major program areas:

- Permitting
- Projects
- Monitoring
- Education & outreach
- Planning & research
- Administration

This report includes a summary sheet for each of the 6 major program areas identified in the 2020 Plan. Each summary sheet contains information on short term metrics, program highlights from 2019, and links to additional information.

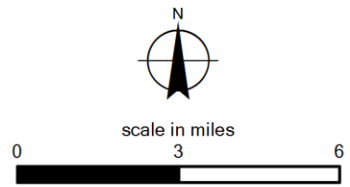
**For more information, visit our website at**

<http://www.co.carver.mn.us/water>



- Legend**
- County Boundary
  - CCWMO Boundary
  - City/Township
  - Major Roads
  - Major Watershed
  - Lakes

## Watershed Boundary CCWMO Annual Report



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.



# MONITORING

The CCWMO operates an extensive monitoring program to capture the dynamic and changing nature of water resources within the watershed. The monitoring program is intended to improve the CCWMO's understanding of water resources and inform decisions about management of water resources within the CCWMO.

## 2019 BY THE NUMBERS

Baseline monitoring continued for:



**19** lakes sampled for nutrients and other measures of lake health



**21** lakes sampled for calcium in relation to zebra mussels

**19** lakes sampled for chloride



**28** E. coli sites

**20** turbidity sites

**15** stream sites



**30** wells monitored\*

**2** stormwater BMPs intensively monitored

**114** stormwater BMPs monitored for general function



## 2019 PROGRAM HIGHLIGHTS

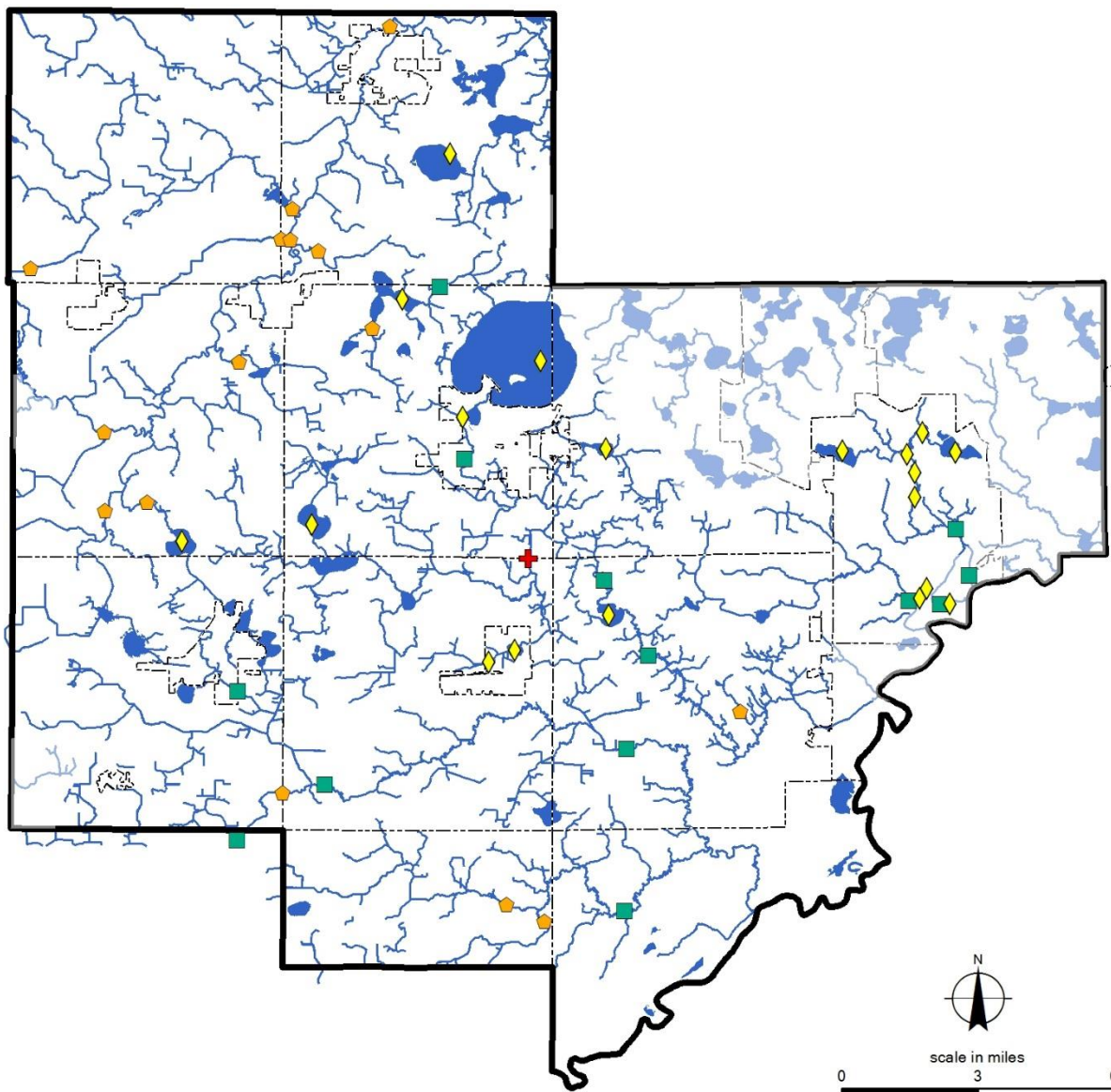
- Monitoring season ran from April to December
- Two project areas were established to determine chloride levels in area lakes and baseline calcium levels in lakes.
- Maintained groundwater monitoring network in partnership with the Minnesota Department of Natural Resources.
- Continued the lake vegetation monitoring program, with seven lakes receiving point intercept surveys. The intent of these surveys is to better understand existing lake macrophyte communities, classify existing invasive communities, and to detect new aquatic invasive species.

### MORE INFORMATION

Interactive water quality maps can be accessed at [www.co.carver.mn.us/water](http://www.co.carver.mn.us/water)

### STAFF CONTACT

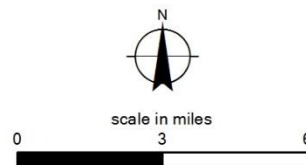
Tim Sundby  
Planning and Water Management  
952-361-1816  
[tsundby@co.carver.mn.us](mailto:tsundby@co.carver.mn.us)



**Legend**

- ◆ Lake Sampling Points
- Stream Sampling-Nutrient & Fecal
- ✚ Stream Sampling-Nutrient Only
- Stream Sampling-Fecal Only
- ▭ County Boundary
- ▭ CCWMO Boundary
- ▭ City/Township
- Major Roads
- Lakes
- ~ Streams & Ditches

**Monitoring Sites (2019)**  
CCWMO Annual Report



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.

# PERMITTING

Permitting plays a very important role in managing and addressing water resource problems. The WMO has developed standards to protect lakes, streams, and wetlands during and after construction.

## WATER RULES PERMITS



**58** water rules applications reviewed



**117** erosion & sediment control inspections completed



**29** stormwater BMPs approved

## WETLAND CONSERVATION ACT PERMITS



**35** WCA applications reviewed

**239** wetland related landowner contacts

**60** WCA TEP meetings attended

**5.26** acres of wetland impacted

**6** new restoration orders worked on



## 2019 PROGRAM HIGHLIGHTS

- Staff began meeting with the members of the Technical Advisory Committee to revise the Water Rules
- Staff reviewed applications for 3 potential wetland banks

### STAFF CONTACT

Kristen Larson  
Planning & Water Management  
952-361-1820  
[klarson@co.carver.mn.us](mailto:klarson@co.carver.mn.us)

# EDUCATION & OUTREACH

The purpose of the education and outreach program is to support the goals of the 2020 Water Plan and improve water quality. Education and outreach activities are used to increase awareness of water resources, foster stewardship of water resources, and encourage behaviors that will protect and preserve water resources.

## 2019 BY THE NUMBERS



**38** educational programs offered



**16,309** people reached directly through educational programs

## 2019 PROGRAM HIGHLIGHTS

- People were reached directly through education programs such as the annual stormwater workshop, advisory committee tour, water trivia, summer day camps, citizen workshops, Children's Water Festival, online newsletter, social media, and the website. Thousands more people were reached through outreach programs like the water column published in local newspapers, and educational displays at libraries and at the Government Center.
- New water education displays were created, including a watershed puzzle and water pollution bottle activity.
- The goldfish story reach over 70,000 people on social media resulting in four news stations and three papers covering the story.
- New educational signage created.
- Smart controller irrigation program piloted its first tier with great responses from participants and promising water use data reductions.
- Staff trialed the Adopt a Drain program with multiple outreach methods, including mailing and kiosks.
- The Children's Water Festival expanded again to include 200 more students, bringing the total up to 1925.

### MORE INFORMATION

For additional information on educational programs and events, visit the Water Management Education and Outreach webpage:

<https://www.co.carver.mn.us/departments/public-services/planning-water-management/water-management/education-outreach>

### STAFF CONTACT

Madeline Seveland  
Planning & Water Management  
952.361.1800  
[mseveland@co.carver.mn.us](mailto:mseveland@co.carver.mn.us)

# PROJECTS

Projects typically involve on the ground, physical improvements aimed at improving water resources. Projects may be funded by the CCWMO, through grants, or in combination with our partners. The CCWMO also operates several cost share programs including: LGU cost share, landowner cost share, well sealing cost share, SSTS direct discharge incentives.



**5** landowner cost share projects installed

SEE PROJECT MAP ON PAGE 10 FOR PROJECT LOCATIONS

## 1 WATERTOWN WETLAND RESTORATION

**Funding source:** Carver County Public Works, WMO

**WMO contribution:** \$50,000

**Background:** Project aims to restore a wetland area south of the City of Watertown and east of County Rd 10.

## 2 WACONIA CEDAR POINT PARK SHORELINE STABILIZATION

**Funding source:** WMO and City of Waconia

**City Allocation:** \$9,611

**WMO contribution:** \$9,611

**Background:** This project cleans out an existing rain garden, adds more plants, and installs a Rain Guardian to help reduce the amount of sediment reaching the basin. Also, the shoreline will be seeded with a native mix.

## 3 LAKE WACONIA STORMWATER MAIN RETROFITS

**Funding source:** WMO and Clean Water Legacy (BWSR)

**Grant Allocation:** \$90,000

**WMO contribution:** \$22,500

**Background:** Four outlet pipes have been retrofitted and equipped with SAFL Baffles in 2019. Previously, these outlets discharged untreated stormwater runoff from nearly ten acres from downtown Waconia directly to the lake.

## 4 WACONIA EAST FRONTAGE ROAD SUMP RETROFIT

**Funding source:** WMO and City of Waconia

**City Allocation:** \$5,000

**WMO contribution:** \$5,000

**Background:** Reconstruction of East Frontage Road in the City of Waconia allowed for the installation of stormwater treatment practice. Installed BMP is a sump manhole with a SAFL Baffle that collects sediment before discharging downstream to City storm ponds.

## 5 LAKE BAVARIA STORMWATER POND RETROFITS

**Funding source:** WMO and Clean Water Legacy (BWSR)

**Grant Allocation:** \$80,000

**WMO contribution:** \$20,000

**Background:** The proposed project will include adding sand/iron filtration trenches to two stormwater ponds that outlet directly to Lake Bavaria. Data collected at the pond series outlet entering Lake Bavaria has shown Total Phosphorus (TP) concentrations nearing 200ug/L.

## 6 LAKE BAVARIA SOUTH SHORE BMP RETROFITS

**Funding source:** WMO and Clean Water Legacy (BWSR)

**Grant Allocation:** \$47,979

**WMO contribution:** \$12,500

**Background:** The proposed project will install a total of 5 BMPs in two locations along Rhoey Ave, ultimately protecting Lake Bavaria from further eutrophication and enhancing shoreline/upland habitat. Untreated stormwater runoff entering Lake Bavaria has been identified as the primary threat to its continued eutrophication. BMP retrofits include four new sumps with SAFL Baffles and one biofiltration basin.



## 7 GRACE CHAIN OF LAKES SUBWATERSHED ANALYSIS IMPLEMENTATION

**Funding source:** WMO and Clean Water Legacy (BWSR)

**Grant Allocation:** \$150,000

**WMO contribution:** \$37,500

**Background:** This project will help improve lake water quality through installation of 11 BMPs identified in the "Grace Lake Chain Sub-watershed: Stormwater Retrofit Analysis" (2014). Water quality will be improved by phosphorus, sediment, and volume of runoff discharging to the Chain of Lakes. The project will install 8 SAFL Baffles and make modifications to 3 existing ponds to improve pollutant removal.

## 8 ISD 112 FAMILY LEARNING CENTER BIOFILTRATION BASINS PHASE 2

**Funding source:** WMO, Metropolitan Council

**Metropolitan Council Grant:** \$37,500

**WMO contribution:** \$36,488.15

**Background:** This project incorporates two basins to treat stormwater from the Family Learning Center large parking lot that discharges to Grace Lake. Phase 1 installed the larger of the two basins in 2014. Phase 2 consisted of removing a small parking island and two parking stalls to construct a new biofiltration basin with a trench to the basin.

## 9 WEST CREEK STREAM RESTORATION

**Funding source:** WMO and Clean Water Legacy (BWSR)

**Grant Allocation:** \$150,000

**WMO contribution:** \$87,500

**Background:** Phase 1 of the West Chaska Creek Restoration project was completed in 2019. This work included adding 5 meander reaches and a floodplain.

## 10 SEMINARY FEN RAVINE RESTORATION FEASIBILITY STUDY

**Funding source:** WMO and City of Chaska

**City Allocation:** \$30,000

**WMO contribution:** \$10,000

**Background:** The study will review an eroding ravine discharging sediment into Seminary Fen from a Chaska Neighborhood. The eroding ravine has deposited a sediment plume in the fen. The study will estimate the sediment contribution to the fen and develop approaches and cost estimates for correcting the erosion problem.

## 11 BENTON LAKE (PHASE 2 +3)

**Funding source:** WMO, City of Cologne, Benton Lake Conservancy, LCMR Grant

**WMO contribution:** \$39,000

**LCCMR grant:** \$106,000

**Background:** Phase I was the installation of a fish barrier at the outlet of the lake, which will virtually eliminate the possibility of carp re-establishing within Benton Lake from Carver Creek. Phase II (tracking and removal of carp via box-nets) began in Fall 2017, and will continue in 2020. Phase III of the project consists of installing a temporary barrier to prevent carp movement into Meuwissen Lake and exploring new techniques such as electric guidance systems to assist in "corralling" carp during spawn runs.

## 12 2019 SSTS

**Funding source:** WMO

**WMO contribution:** \$60,000

**Background:** This program incentivizes direct discharge SSTS systems in the Bevens/Carver creek TMDL watersheds and for first come-first serve volunteers CCWMO wide. The Board approved the 2019 program in April for the subwatersheds of CA1-7 in Dahlgren Township.

## 13 BEVENS CREEK DAM REMOVAL FEASIBILITY STUDY

**Funding source:** WMO

**WMO contribution:** \$10,931

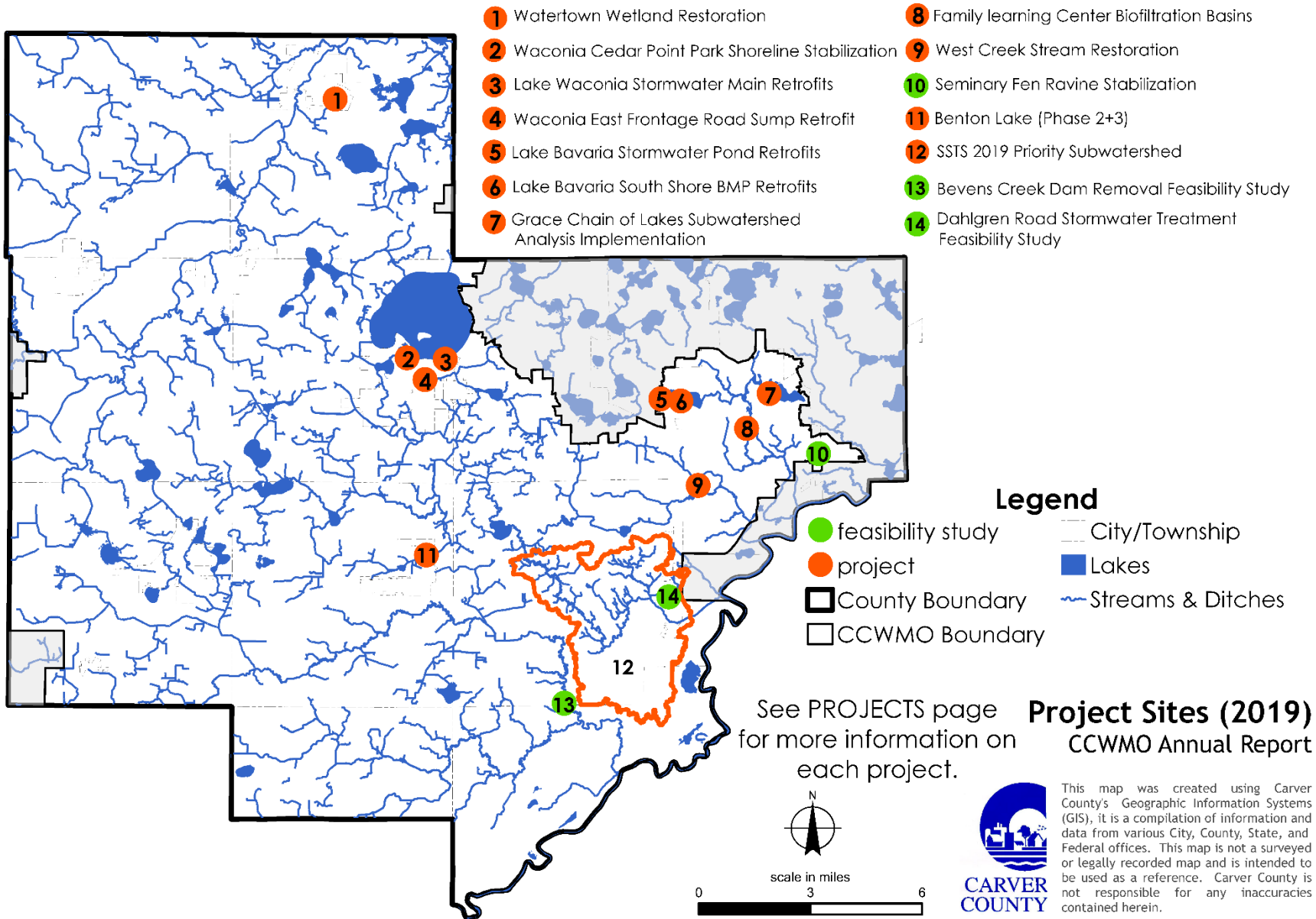
**Background:** A low head dam located just downstream of the County Road 50 crossing in Bevens Creek failed due to the June 2014 storms. This has caused stream bank failure on both sides and an ongoing safety issue. The feasibility study was completed to get cost estimates for the dam removal and stream bank restoration

## 14 DAHLGREN ROAD STORMWATER TREATMENT FEASIBILITY STUDY

**Funding source:** WMO

**WMO contribution:** \$10,931

**Background:** The area of Dahlgren Road studied is between Jonathon Carver Parkway and Timber Creek. Runoff from approximately 116 acres of rural residential, wooded, and agricultural land uses drain down Dahlgren Road, ponding in flat areas, and then flowing west to an asphalt flume that outlets to Timber Creek. Flooding during rain events and ice in the winter causes safety concerns for vehicles. This project looked at various improvements to determine feasible alternatives focused on CCWMO goals.



- 1 Watertown Wetland Restoration
- 2 Waconia Cedar Point Park Shoreline Stabilization
- 3 Lake Waconia Stormwater Main Retrofits
- 4 Waconia East Frontage Road Sump Retrofit
- 5 Lake Bavaria Stormwater Pond Retrofits
- 6 Lake Bavaria South Shore BMP Retrofits
- 7 Grace Chain of Lakes Subwatershed Analysis Implementation
- 8 Family learning Center Biofiltration Basins
- 9 West Creek Stream Restoration
- 10 Seminary Fen Ravine Stabilization
- 11 Benton Lake (Phase 2+3)
- 12 SSTS 2019 Priority Subwatershed
- 13 Bevens Creek Dam Removal Feasibility Study
- 14 Dahlgren Road Stormwater Treatment Feasibility Study

# PLANNING & RESEARCH

Our planning & research program aims to further the goals of the CCWMO by:

- Researching the effectiveness of Best Management Practices.
- Evaluating how effectively we are implementing the Plan
- Measuring the effectiveness of our efforts to increase awareness and change behavior
- Conducting unique or specialized planning and feasibility studies to further the goals of the plan

## 2019 BY THE NUMBERS



**2** local water plans approved

**4** local water plans reviewed

**4** water resources plans reviewed (from communities' 2040 comprehensive plans)



2020 CCWMO Water Plan Approved by Minnesota Board of Water & Soil Resources



**3** feasibility studies

**3** research projects

**1** feasibility study partnership with the City of Chaska

**3** research project partnerships with Carver SWCD



Photo of the Water Wetland Restoration Project, a partnership between the CCWMO and Carver SWCD

### STAFF CONTACT

Tim Sundby  
Planning and Water Management  
952-361-1816  
[tsundby@co.carver.mn.us](mailto:tsundby@co.carver.mn.us)



# ADMINISTRATION

Proper administration of the CCWMO's fiscal and staff resources is integral to achieving the goals outlined in the 2020 Water Plan. Effective execution of the implementation strategies and activities identified in the plan requires sound fiscal management, adequate staff capacity and expertise, regular outreach and partnership with citizens and other stakeholders, and iterative planning.

## 2019 ACTIVITIES

### Administrative Activities

- Citizen Advisory Committee maintained, and meetings held (see page 16)
- Meetings held with city representatives including several annual coordination meetings
- Reviewed several Cities' local water management plans
- Annual Report prepared and presented to the Citizen Advisory Committee, the County Board and BWSR

### Annual Budget\*

The Carver County WMO is operated as part of the County's Public Services (PS) Division. The County Board WMO budget and levy is managed as a set of programs in the PS budget allowing WMO revenues and expenses to be isolated from other Division finances. A separate levy is administered within the CCWMO boundaries (see Figure on pg 3). Funds collected from this levy support the landowner cost share program, LGU cost share program, WMO capital projects, the administration of water management rules, and portions of the operations of the SWCD, education program, monitoring program, planning functions, administration, aquatic invasive species program, and WCA programs (see summary chart below). The County is audited by the State Auditor on an annual basis; the WMO programs, since they are a part of the County's financial system, are audited as part of this process.

CCWMO 2019 Final Budget

**\$812,479**

CCWMO 2019 Final Levy

\$764,979

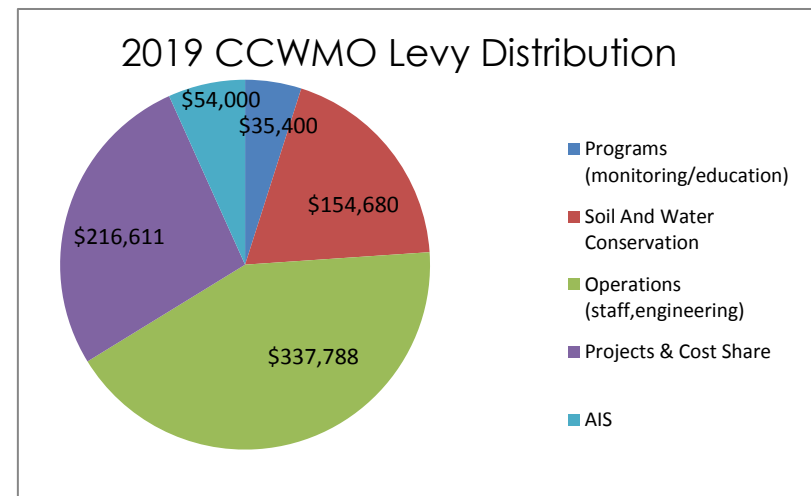
CCWMO 2019 Fees

\$ 47,500

CCWMO Levy Impact on avg. value home (\$331,000) \$30.68\*

\*Carver County Taxpayer Services

*Note: this information pending state audit*



# ACTIVE GRANTS



**\$1,221,247** total from **8** active grants.

**\$978,887** for streambank exclusion, stormwater re-use, stormwater BMPs, well sealing, creek remeander, and annual block grant for programs.

Source of grants: Board of Water & Soil Resources

Grant Periods: July 1, 2017 – December 31, 2021; January 1, 2019 – December 31, 2019

**\$37,500** for biofiltration basin.

Source of grant: Metropolitan Council

Grant Period: March 30, 2018 – December 31, 2020

**\$96,000** for AIS decontamination unit operation and aquatic vegetation control.

Source of grants: Initiative Foundation

Grant Periods: March 20, 2015 – June 30, 2019; January 2, 2018 – June 30, 2020

**\$1,560** for groundwater monitoring wells.

Source of grant: MN Department of Natural Resources

Grant Period: July 1, 2018 – June 30, 2019

**\$106,000** for carp removal and management project for Benton Lake.

Source of grant: LCCMR

Grant Period: July 1, 2019 to June 30, 2022

**\$1,300** for pesticide sampling in Carver County.

Source of grant: MN Department of Agriculture

Grant Period: April 1, 2019 – November 1, 2019

# AGREEMENTS

**\$33,000** to conduct lake, stream and groundwater monitoring in the LMNRWD area in Chaska

Partner: Lower MN River Watershed District (LMNRWD)

Current Agreement Period: January 1, 2018 – December 31, 2022

**\$15,000** to conduct MS4 required education activities within the cities of Chaska and Chanhassen.

Partners: cities of Chaska and Chanhassen

Current Agreement Period: January 1, 2015 – December 31, 2019

## CCWMO GOVERNING BOARD CARVER COUNTY BOARD OF COMMISSIONERS

### **Gayle O. Degler (District 1)**

541 Pine View Court  
Chanhausen, MN 55317  
(952) 403-7047  
[gdegler@co.carver.mn.us](mailto:gdegler@co.carver.mn.us)

### **Tom Workman (District 2)**

181 South Shore Ct  
Chanhausen, MN 55317  
(952) 303-9460  
[tworkman@co.carver.mn.us](mailto:tworkman@co.carver.mn.us)

### **Randy Maluchnik (District 3)**

112510 Ramsey Court  
Chaska, MN 55318  
(612) 303-9459  
[rmaluchnik@co.carver.mn.us](mailto:rmaluchnik@co.carver.mn.us)

### **Tim Lynch (District 4)**

17050 - 32nd Street  
Mayer, MN 55360  
(952) 353-2598  
[tlynch@co.carver.mn.us](mailto:tlynch@co.carver.mn.us)

### **James M. Ische (District 5)**

13080 Co Rd 52  
Norwood, MN 55368  
(952) 466-5851  
[jische@co.carver.mn.us](mailto:jische@co.carver.mn.us)

## CCWMO PRIMARY STAFF CONTACT

Paul Moline  
Planning & Water Management  
952-361-1825  
[pmoline@co.carver.mn.us](mailto:pmoline@co.carver.mn.us)

## CCWMO PRIMARY PARTNER

### **Carver Soil and Water Conservation District**

Mike Wanous, Mgr.  
11360 Highway 212, Suite 6  
Cologne, MN 55322  
(952) 466-5230

## CONSULTANTS

As part of identifying engineering service needs for the 2017-2019 period and responding to MN state statute 103B.227 Subd. 5 (requires the CCWMO to seek proposals from engineering firms every 2 years), staff sent out requests for proposals directly to appropriate firms in addition to a published legal notice. A team comprised of CCWMO and SWCD staff reviewed and ranked the four proposals submitted. The review committee recommended, and the Board approved, retaining the services of Wenck Associates, and Civil Methods, Inc. for the period of July 1, 2017 to June 30, 2019.

### **Civil Methods, LLC**

Mr. David Poggi, P.E.  
3109 W 50<sup>th</sup> St, #131  
Minneapolis, MN 55410  
(763) 210-5713  
[dave.poggi@civilmethods.com](mailto:dave.poggi@civilmethods.com)

### **WENCK Associate**

Mr. Kenton C. Torve, P.E.  
P.O. Box 249  
Maple Plain, MN 55359  
(763) 479-4209  
[ktorve@wenck.com](mailto:ktorve@wenck.com)

### **EOR**

Mr. Derek Lash  
Ste 300 – 1919 University Ave. West  
St Paul, MN 55104  
(651) 770-8448  
[dlash@eorinc.com](mailto:dlash@eorinc.com)

## ADVISORY COMMITTEES

### Purpose

The CCWMO has two permanent advisory committees, the Citizen Advisory Committee (CAC) and the Technical Advisory Committee (TAC). Both committees are established and operated under the County's standard procedures for advisory committees. The CAC is made up of appointed citizen representatives from each of the five commissioner districts in the county and each of the four watersheds in the county. A representative of the SWCD board and a liaison from the TAC also serve on the CAC. The TAC is made up of city and township representatives. The CAC and TAC work with staff in the Planning and Water Management Department of Carver County to make recommendations to the County Board on matters relating to the CCWMO water management plan and budget; and advise staff and the County Board on environmental, waste and recycling issues. As the need arises for special projects, the County Board reserves the right to obtain additional input from stakeholders and citizens who may not be serving on the advisory committees.

### CAC Membership (as of Jan 2019)

Jim Boettcher	Citizen Rep Comm. District 1
Thomas Welch	Citizen Rep Comm. District 2
Scott Stensland	Citizen Rep Comm. District 3
Mike Lynch	Citizen Rep Comm. District 4
Lori Cox	Citizen Rep Comm. District 5
Chad Robbins	Carver Creek watershed
Doug Kammerer	Crow River/Pioneer Creek watersheds
Mary Strother	Bevens Creek watershed
Carroll Aasen	East/West Chaska Creek
Stan Wendland	SWCD Board Member
Marcus Zbinden	SWCD Board Member Alternate

### CAC 2019 Meetings

Meeting 1	Tuesday, February 6th – 6:00pm
Meeting 2	Tuesday, February 26th – 6:00pm
Meeting 3	Tuesday, March 26th – 6:00pm
Meeting 4	Tuesday, April 30th – 6:00pm
Meeting 5	Tuesday, May 28th – 6:00pm
Meeting 6	Tuesday, June 25th – 5:20pm – TOUR
Meeting 7	Tuesday, August 27th – 6:00pm
Meeting 8	Tuesday, September 24th – 6:00pm
Meeting 9	Tuesday, October 29th – 6:00pm

### TAC 2018 Meetings

Meeting 1	Friday, February 22nd – 9:30am
Meeting 2	Monday, August 9th – 9:30am
Meeting 3	Thursday, December 5th – 9:30am

# HIGHLIGHTS OF THE LAST DECADE

As we begin a new decade, here are a few highlights of what the CCWMO has accomplished over the last 10 years:

**29** Urban stormwater management landowner cost share projects

**307** Urban stormwater management practices approved and installed

**489** Urban stormwater projects review

**681** Non-compliant septic systems replaced

**1,528** Erosion and sediment control inspections

**2,116** Landowner contacts related to wetland management

**39,867** participants in WMO education events and programs

**3,226,332** dollars of grant money received.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Purchase Equipment for Public Works Operations**

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:**

Carver County has a large fleet of vehicles and equipment that are used in various departments. The County annual budget and Long Term Financial Plan includes recommendations from the Public Works fleet replacement program. The Public Works equipment budget for 2020 is \$630,000.

At this time Public Works is requesting to purchase the following:

1. Two (2) tandem trucks chassis equipped with new 800 MHz radios for Public Works Operations (\$252,110.24)

The proposed purchase follows the county contract and local preference purchasing policy.

**ACTION REQUESTED:**

Authorize Public Works staff to purchase equipment as quoted.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6788

**Carver County Public Works Ops**

**Plow Trucks**

Mar-20

Brand	Dealer	Local Dealer	State pricing	Trade Value
<b>Mack</b>	Nuss	No	\$128,446.00	
<b>Werstern Star</b>	Boyer	No	\$123,056.87	
<b>800MHz Radio</b>			\$2,998.25	

Low Quote

Boyer Trucks  
 8025 W Hwy 101 Frontage Rd  
 Shakopee, MN 55379  
 952-846-6900

Low Quote of \$

Two chassis will be ordered and new radios will be ordered as well. Old 800 MHz radios will no longer be supported and must be replaced.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Appointment to Water Management Organization**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 4/7/2020

Contact: David Hemze  Title:

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:**

Eric Gentry, residing in District #5 and Carver Creek Watershed, has submitted his application to serve on the WMO Committee. There is a vacancy on the WMO Committee to represent the Carver Creek Watershed.

**ACTION REQUESTED:**

Motion to appoint Eric Gentry to the WMO Committee to represent the Carver Creek Watershed.

**FISCAL IMPACT:** Included in current budget

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 - 6802



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement for Right of Way for the CSAH 18 Reconstruction Project - Phase 3**

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 2015 construction season included the CSAH 18 Reconstruction Project - Phase 3 from Highway 17 on the east to Highway 15 on the west. In order to complete the project, additional right of way was needed. Appraisals by a certified appraiser were completed and the County Board approved the making of offers based on the appraised values. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals but a settlement agreement could not be reached. A condemnation hearing was held and the condemnation commissioners made their award. The property owner appealed the award and the court mandated that mediation be held before trial. A settlement was reached through the mediation proceedings mandated by the court during the eminent domain process with the property owner located at PID #25.0230430.

**ACTION REQUESTED:**

Motion to adopt a resolution to approve a settlement for right of way acquisitions for the CSAH 18 Reconstruction Project - Phase 3.

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

**County Dollars =**

CSAH Reg. Const. Funds	\$202,850.00
City of Chanhassen	\$202,850.00
<b>Total</b>	<b>\$405,700.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

Funding splits are based on the joint powers agreement between the City of Chanhassen and Carver County.

*Office use only:*

RBA 2020 - 6792

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

Date: April 7th, 2020

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

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

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

---

**Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the Settlements for Right of Way For the CSAH 18 - Lyman Blvd Reconstruction - Phase 3 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 CSAH 18 - Lyman Blvd Reconstruction - Phase 3 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 CSAH 18 - Lyman Blvd Reconstruction - Phase 3 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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 April 7<sup>th</sup>, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7<sup>th</sup> day of April 2020.

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

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

**EXHIBIT A**

**to**

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

**CSAH 18 - Lyman Blvd Reconstruction - Phase 3 Project**

Carver County Public Works No. 108667

**Property Tax Identification No. 25.0230430**

Fee Owners: PPB Holdings LLC

Address: 1551 Lyman Blvd, Chanhassen MN 55317

Settlement Amount: **\$405,700.00**

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Designation of Staff to Represent the County at BWSR Funding Meetings**

Primary Originating Division/Dept: <input type="text" value="Public Services - Planning &amp; Water Mgmt"/>	Meeting Date: <input type="text" value="4/7/2020"/>
Contact: <input type="text" value="Paul Moline"/> Title: <input type="text" value="PWM Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

**BACKGROUND/JUSTIFICATION:**

The State Board of Water & Soil Resources (BWSR) has moved to an alternate means of distributing Clean Water Funds (CWF) for the FY 2020-21 biennium. The attached BWSR policy summary provides background on the purpose of the program, the Metro Area watershed funding splits and the process to distribute funds. Part of the process is to hold convene meetings with eligible partners to agree on potential projects. The County has two eligible spots as decision makers - one to represent the Carver County Water Management Organization (CCWMO) and one to represent the entire County on behalf of the adopted County Groundwater Plan. It should be noted that the Carver Soil & Water Conservation District (SWCD) also has an eligible representative. BWSR has recommended that the County representatives be authorized by the Board. Staff is requesting that the Board authorize the Planning & Water Management Dept. Manager and the Water Resource Program Specialist to participate in the BWSR Watershed Based Funding process including the convene meetings. Other staff from the Planning & Water Management Department would be designated as alternates.

**ACTION REQUESTED:**

Motion to designate the Planning & Water Management Dept. Manager and the Water Resource Program Specialist as the primary staff to participate in the BWSR Watershed Based Funding process with other staff from the Planning & Water Management Department designated as alternates.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/>	<b>FUNDING</b>
If "Other", specify: <input type="text" value=""/>	County Dollars = <input type="text" value=""/>
<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:**

CWF funded projects will be recommended to BWSR. Upon approval, all grant agreements including project descriptions and funding amounts will be brought to the County Board for approval.

Office use only:

RBA 2020 - 6794

## Metro Area Watershed-Based Funding Implementation Program

The purpose of Watershed-based Implementation Funding is to supplement existing funding to accelerate clean water activities (practices, projects, and programs) toward advancing Minnesota’s water resources goals through prioritized and targeted cost-effective actions with measurable water quality results. In the Seven-county Metropolitan Area (Metro), only activities identified in the implementation section of a watershed management plan developed under Minnesota Statutes §103B.231, §103B.101, Subd. 14 or §103B.801, county groundwater plans authorized under §103B.255, or Metro soil and water conservation district annual work plans authorized under §103C.331 are eligible for funding. These plans are collectively referred to as “local plans” in this document.

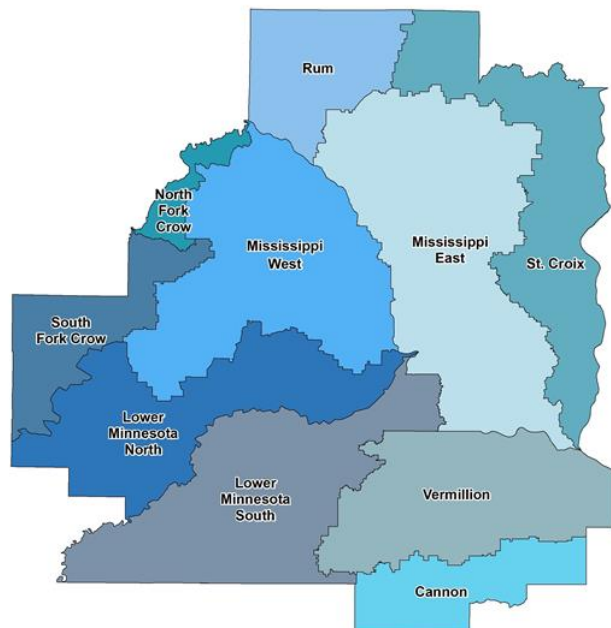
### Distribution Process

For purposes of this document, the group of participants in each allocation area (see map) will be called a partnership (e.g. the Mississippi River West Watershed Implementation Partnership). Each partnership will include one representative (participant) from each watershed district, watershed management organization, soil and water conservation district, county with a county groundwater plan, and at least two municipalities within the allocation area.

The purpose of Watershed-based Implementation Funding is to supplement existing funding to ensure the most critical clean water activities are being accomplished - not to simply distribute funds among all participants. The partnership will coordinate to develop a Watershed-based Implementation Funding budget request (budget request) for submittal to BWSR that is **prioritized, targeted and measurable**.

To assist in the development of the budget request, BWSR staff will initiate and facilitate the meeting of the partnership in later winter/spring and may be available to facilitate subsequent meetings per partnership request. For the purposes of this document, these meetings are referred to as Convene Meetings. Each partnership must meet at a minimum

**Twin Cities Metro Area Allocation Map for the Watershed-based Implementation Funding Program**



of one time prior to submitting a budget request. The BWSR Board Conservationist and/or Clean Water Specialist must be included at each meeting.

### Prerequisites for the Convene Meetings

***Prior to the initial meeting, individual organizations must identify who will be their representative to the partnership in development of the budget request.*** Each watershed district, watershed management organization, soil and water conservation district, county with a county groundwater plan, and at least two municipalities within the allocation area will have one decision making representative. To help the representative prepare for the Convene Meetings (see below), organizations may also want to:

1. Discuss the organization's ability, policies, and procedures for committing to the required 10% match for these funds.
2. Review and discuss the Watershed-based Implementation Funding Policy and the local plan of the organization to determine if there are priorities or activities in the local plan, consistent with the policy, for the representative to emphasize at the Convene Meetings.
3. Review the FY20-21 Metro Watershed-based Implementation Funding Project Template (attached).

### Convene Meetings

The initial meeting of the partnership and any subsequent meeting will be called a Convene Meeting. At these meeting(s), the partnership will jointly:

1. Agree on a method for making decisions (e.g. majority, super-majority, or consensus)
2. Establish criteria the partnership will use to select activities to include in the budget request. In selecting activities, participants of the partnership must consider how they will:
  - **Prioritize** surface water and groundwater resources and/or issues from individual local plans. At a minimum, each partnership should consider the high-level priorities of the Nonpoint Priority Funding Plan (NPPF; <https://bwsr.state.mn.us/sites/default/files/2019-01/180827%20FINAL%202018%20NPPF.pdf>):
    - Restore those waters that are closest to meeting state water quality standards
    - Protect those high-quality unimpaired waters at greatest risk of becoming impaired
    - Restore and protect water resources for public use and public health, including drinking water

The partnership should also consider overarching regional priorities within the watershed when establishing priorities.

- **Target** implementation activities that will be most effective for addressing prioritized resources and issues. At a minimum, each partnership should consider incorporating the following NPPF criteria into their decision-making process for projects:
  - *Measurable effects*
  - *Cost-effectiveness*
  - *Multiple benefits*
  - *Longevity of proposed activity*

- *Organization Capacity to deliver*
- *Project readiness and urgency*

The partnership may also want to consider additional criteria such as land use, soils, surface water types, demographics when targeting. For programs (soil health, outreach, etc.) and pre-implementation site investigations and assessments (e.g. subwatershed analyses, feasibility studies, etc.), the partnership may want to use different criteria than those used for projects or practices.

- **Measure** the benefit of planned implementation activities on water resource goals. Actions must have estimated measurable outcomes associated with them.
3. Review and decide on the highest priority, targeted, and measurable practices, projects and programs to be submitted to BWSR as a budget request (see submittal process below). BWSR has developed a project template for participants to consistently describe individual practices, projects and/or programs from their local plans and to facilitate consideration of these activities by the partnership. All practices, projects and programs must be eligible.

To determine eligibility of proposed projects, see the Watershed-based Implementation Funding Policy ([https://bwsr.state.mn.us/sites/default/files/2019-10/190925\\_Final\\_Watershed\\_Based\\_Funding\\_Policy.pdf](https://bwsr.state.mn.us/sites/default/files/2019-10/190925_Final_Watershed_Based_Funding_Policy.pdf)). If there are questions regarding eligibility, BWSR field staff should be consulted as early as possible.

4. Identify whether the budget request will be implemented through a single fiscal agent and one grant agreement in the allocation area or through multiple fiscal agents and grant agreements. Note: Unlike the pilot program, no backup projects, programs, or practices will be allowed to be submitted with the budget request. If an activity is unable to be completed within the grant period, BWSR will work with the grantee as outlined in the Grants Administration Manual (<https://bwsr.state.mn.us/gam>), which may include returning the funds to the state.

The goal of the initial Convene Meeting will be to complete items 1 and 2 above. Depending on the criteria the partnership selects for deciding on activities to include in the budget request, items 3 and 4 above may need additional time for partners to review their plans and hold subsequent meetings to finalize the budget request.

### Submittal of the Budget Request

Once the highest priority, targeted, and measurable practices, projects and programs have been agreed upon by the partnership (step 3 above), each partnership will submit the corresponding templates to BWSR. The entities or single fiscal agent for each partnership (step 4 above) will then be responsible for submitting an eLINK budget request to BWSR. Once the eLINK budget request is approved by BWSR, entities or a single fiscal agent will be responsible for completing an eLINK Work Plan, which is approved by the Board Conservationist, no later than March 30, 2021. More detailed guidance regarding the budget request submittal will be provided.

### Timeline

- Winter/spring 2020: Convene meetings initiated.



- July 1, 2020: Metro Watershed-based Implementation Fund become available.
- January 2021: Budget requests recommended to be completed no later than this time in order to provide enough time to develop eLINK Work Plan by deadline.
- March 30, 2021: Deadline for completing eLINK Work Plan.
- December 31, 2023: Grant agreement expiration date.

## Additional Information

Table 1 below provides the allocations from BWSR to the watershed areas for the 2020-2021 biennium.

**Table 1: Allocation Amounts per Watershed Area, 2020-2021 Biennium**

<b>Watershed</b>	<b>Allocation</b>
Rum	\$366,982
Lower St. Croix	\$793,461
Mississippi (East)	\$1,085,485
Mississippi (West)	\$874,153
Vermillion	\$650,684
Cannon	\$305,293
Lower Minnesota (North)	\$673,699
Lower Minnesota (South)	\$829,075
South Fork Crow	\$330,063
North Fork Crow	\$91,105

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Award contract for improvements to Public Works cold storage building**

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 the 2019 budget, the County Board authorized a building improvement of the 72'x200'x16' cold storage facility at Public Works Headquarters using \$280,000 in Attachment E (One time funding) dollars. The proposed project included concrete paving, insulation, exterior doors and other improvements to the building. The first phase of the work is to complete the concrete paving for the entire building and add 2 doors to improve the efficiency of use. Michel Masonry Construction and VOS Construction provided estimates for this work.

The low bid was from VOS Construction for \$159,651.00.

Public Works and Public Services Facilities are working on scoping the next phase of work to complete the improvements.

**ACTION REQUESTED:**

Award a contract to VOS Construction for \$159,651.00 for storage building improvements at Public Works Headquarters

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

Funding is from 2019 Attachment E (One Time) Funds.

*Office use only:*

RBA 2020 - 6798

**Carver County Public Works Ops**

**Cold Storage improvemens**

Mar-20

Contactor				Quote			
VOS Contracting				\$159,651.00			
Mitchell Masonary				\$186,421.00			

Low Quote

VOS Contracting  
19063 371st Avenue  
Green Isle, MN 55338  
507-326-7901

Low Quote of \$

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval of the City of Cologne Local Water Management Plan**

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 is the water management authority (Carver County Water Management Organization-CCWMO) for the area of the County not under jurisdiction by a watershed district. State statute requires local government units within the watershed to prepare a local water management plan (LWMP) that complies with the CCWMO Plan and the general requirements of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410. Approval of the local water management plan by the CCWMO is required under MN Statute 103B.235.

The City of Cologne is in the CCWMO and therefore must meet the requirements of the CCWMO Watershed Management Plan. The City has submitted a draft LWMP to the CCWMO for review, and a final LWMP for consideration for approval. Staff have reviewed the City of Cologne LWMP and found that it complies with the CCWMOs current plan and with state statute and rules.

**ACTION REQUESTED:**

Motion to adopt a resolution approving the City of Cologne 2019 Local Water Management Plan.

**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 - 6799



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: April 7, 2020

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

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

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

## A Resolution to Approve the Local Water Management Plan for the City of Cologne

**WHEREAS**, Under Minnesota Statute 103B.211 to 255, Carver County is the water management authority (Carver County Water Management Organization-CCWMO) for the area of the County not under jurisdiction by a watershed district, and;

**WHEREAS**, the CCWMO updated the Water Management Plan in 2020 which meets the requirements defined in MN statute 103B.231 - Surface Water Planning, and MN Statute 103B.255 and;

**WHEREAS**, MN state statute 103B.235 Local water management plans (LWMP's) requires that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program, and official controls as necessary to bring local water management into conformance with the CCWMO Plan within two years of the adoption of the WMO Plan. Local Plans must meet the requirements of the CCWMO Comprehensive Water Resources Management Plan (WMO Plan) as well as the general requirements of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410, and;

**WHEREAS**, the entirety of the City of Cologne is in the CCWMO and therefore must meet the requirements of the CCWMO Watershed Management Plan, and;

**WHEREAS**, the City of Cologne has submitted a draft plan to the CCWMO for review, and a final plan for approval consideration;

**WHEREAS**, the City of Cologne and the CCWMO will develop a memorandum of understanding regarding shared implementation of educational and other plan priorities;

**THEREFORE, BE IT RESOLVED, THAT** the Carver County Board of Commissioners hereby approves the Local Water Management Plan (dated December 2019) for the City of Cologne with the conditional understanding that

- 1) The City will update project lists and priorities within the timeframes listed in the plans and will provide this information to the CCWMO.
- 2) CCWMO approval of the LMWP does not constitute approval of the funding requests listed in the plan as these will be evaluated and approved separately;
- 3) The City has not requested any delegation of authority in this plan and through this approval the CCWMO is not granting any such delegation.

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



**STATE OF MINNESOTA  
COUNTY OF CARVER**

I, David 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 7<sup>th</sup> day of April, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7<sup>th</sup> day of April, 2020

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David Hemze  
County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Settlement Agreement for the Highway 41 Project - Jonathan Area**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

The 2018 construction season included the expansion of Highway 41 from Highway 212 on the south to just north of Highway 14 (Pioneer Trail) on the north. In order to complete the project, additional right of way was needed. Appraisals in order to establish fair market value for the right of way were obtained and offers were made to the affected property owners as authorized by the County Board. Negotiations were initiated with the property owners but in order to acquire the necessary right of way and to meet time line requirements for construction to being in 2018, eminent domain proceedings were approved by the Carver County Board of Commissioners on August 15, 2017. Negotiations continued with Realty Income Properties 3 LLC and a settlement has been reached.

**ACTION REQUESTED:**

Adopt a resolution approving the settlement with Realty Income Properties 3 LLC for the Highway 41 Project - Jonathan Area.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FTE IMPACT:**  ▼

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
MnDOT TED Funding	\$110,000.00
<b>Total</b>	<b>\$110,000.00</b>

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6804

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

Date: April 7<sup>th</sup>, 2020

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

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

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

---

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

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for TH 41 expansion as part of the Highway 41 Project-Jonathan Area (“Project”); and

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that County's acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements for TH 41 expansion and reconstruction as part of the Highway 41 Project-Jonathan Area constitute a valid public use or public purpose; and

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

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

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

STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on April 7<sup>th</sup>, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 7<sup>th</sup> Day of April 2020:

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

**EXHIBIT A**

**to**

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

**Highway 41 Project-Jonathan Area**

Carver County Public Works No. 148758

**Property Tax Identification**

**Parcel Number(s): 30**

Fee Owners: Realty Income Properties 3 LLC

Property Address: 110 Hundertmark Rd, Chaska MN

Permanent easement for public right-of-way purposes contains 1,876 **sq. ft.**, more or less.

Temporary easement for construction purposes contains 11,221 **sq. ft.**, more or less.

Other Affected Items: Retaining wall, Sprinkler System, Landscaping Shrubs and Trees, Monument Sign

Settlement Amount: **\$110,000.00**

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Separation Agreement**

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 Employee Relations Division has worked with Minnesota Teamsters Public and Law Enforcement Employee Union, Local 320, to reach an agreement to end the employment relationship through resignation. The situation involves mutually agreeable terms to the end the relationship through a resignation effective January 19, 2020 and payment of severance compensation in accordance with the terms of the collective bargaining agreement.

**ACTION REQUESTED:**

Motion to approve the separation agreement.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =  **\$13,811.56**

**FTE IMPACT:**

**Total**  **\$13,811.56**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6793

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**STOC EOC External Liaison**

Primary Originating Division/Dept: Sheriff

Meeting Date: 4/7/2020

Contact: Jason Kamerud Title: Sheriff

Item Type:  
Consent

Amount of Time Requested: minutes

Attachments:  Yes  No

Presenter: Title:

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

**BACKGROUND/JUSTIFICATION:**

The Emergency Operations Center (EOC) is activated in response to the COVID-19 pandemic. An integral part of the COVID-19 response team is an EOC Liaison to external partners such as cities, churches, and business leaders. Jim Olson, former County Sheriff, has been identified and agreed to assisting in emergency response operations as the external EOC Liaison.

Sheriff Kamerud is asking the Board to support the hiring, on a temporary basis, of Jim Olson retro effective to March 30, 2020 to serve as a temporary EOC Liaison for the duration of the COVID-19 pandemic. This position would require 10-15 hours of work per week and would be compensated within the approved pay range for STOC Professional Level Support. The cost for this position will be submitted for reimbursement from Federal COVID-19 Emergency Funds. There are no other employee costs (i.e. benefits costs) since this is a temporary position.

**ACTION REQUESTED:**

Approve the hiring of a STOC EOC Liaison funded by Federal COVID-19 Emergency Funds.

**FISCAL IMPACT:** Budget amendment request form  
If "Other", specify:

FUNDING	
County Dollars =	<b>\$18,763.00</b>
<b>Total</b>	<b>\$18,763.00</b>

**FTE IMPACT:** Other staffing change (grade, classification, hours, etc.)

Insert additional funding source

**Related Financial/FTE Comments:**

The wages for this position are reasonably expected but not guaranteed to be reimbursed by Federal COVID-19 Emergency Funds. The offered wage will be within the established wage scale. The employee will work no more than 67 work days.

Office use only:

RBA 2020 - 6807

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: STOC EOC External Liaison

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
STOC_COVID	01-201-201-1998.6119	\$18,763.00	FEMA	01-280-280-1998....	\$18,763.00
<b>TOTAL</b>		\$18,763.00	<b>TOTAL</b>		\$18,763.00

Reason for Request:

The wages for this position are reasonably expected but not guaranteed to be reimbursed by Federal COVID-19 Emergency Funds.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**CDA's Request for County Board's General Obligation Pledge to Refinance Existing CDA Debt**

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 Carver County Community Development Agency ("CDA") is requesting the County Board to pledge its General Obligation to a CDA Bond Sale which will be used to refinance existing CDA debt. Based on current interest rates, this refunding transaction is estimated to result in debt service savings for the CDA of approximately \$25,000 per year.

The CDA Board and the Carver County Board are both required to approve the refinancing. The CDA Board approved the refinancing on 3/19/20.

**ACTION REQUESTED:**

Motion to approve the attached resolution approving the pledge by the Carver County Community Development Agency of the full faith and credit of Carver County to refinance housing development bonds to be issued by the CDA.

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

**FUNDING**

County Dollars =   
  
**Total**

FTE IMPACT:

Insert additional funding source

**Related Financial/FTE Comments:**

The County Board's backing of CDA refinancing debt is expected to have no impact on the County's bond rating since the CDA's debt service payments are funded by existing CDA housing revenues.

Office use only:

RBA 2020 - 6803

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

DATE: \_\_\_\_\_, \_\_, 2020

RESOLUTION NO. \_\_\_\_\_

MOTION BY COMMISSIONER:

SECONDED BY COMMISSIONER:

---

**Approving the pledge by the Carver County Community Development Agency of the full faith and credit of Carver County to housing development bonds to be issued by the CDA**

WHEREAS, the Carver County Community Development Agency (the "CDA"), is authorized to issue bonds backed by revenues of a housing development project and by the full faith and credit of Carver County (the "County") to refund bonds issued by the CDA to finance a qualified housing development project, following approval by the County of the principal amount of the bonds; and

WHEREAS, the CDA issued its Governmental Development and Refunding Bonds (Carver County, Minnesota – Unlimited Tax General Obligation) Series 2011 (the "Series 2011 Bonds") pursuant to an Indenture of Trust dated March 1, 2011 (the "Original Indenture") between the CDA and U.S. Bank National Association (the "Trustee") to provide financing for a multifamily rental housing facility for seniors known as Lake Grace Apartments (the "Lake Grace Facility"); and

WHEREAS, the County pledged its full faith and credit to the payment of principal and interest on the Series 2011 Bonds; and

WHEREAS, the CDA proposes to issue its housing development bonds in the maximum principal amount of \$2,145,000 (the "Series 2020A Bonds") as Additional Bonds under the Original Indenture pursuant to a First Supplemental Indenture of Trust (the "First Supplemental Indenture") to be entered into between the CDA and the Trustee to refund some or all of the Series 2011 Bonds; and

WHEREAS, the Lake Grace Facility constitutes a "qualified housing development project" within the meaning of Minnesota Statutes, Section 469.034, Subd. 2; and

WHEREAS, the CDA has determined that it is in the best interest of the public health, safety and welfare that it issue the Series 2020A Bonds, and that it pledge the full faith and credit of the County to the 2020A Bonds; and

WHEREAS, there has been presented to this Board forms of the First Supplemental Indenture and a Continuing Disclosure Certificate to be entered into in connection with the issuance of the Series 2020A Bonds; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CARVER COUNTY, MINNESOTA as follows:

1. That the County hereby approves the issuance of, and pledge by the CDA of the full faith and credit of Carver County to, the Series 2020A Bonds for the purposes described above.
2. That the County hereby approves the pledge by the CDA of Facility revenues and other sources as provided in the Original Indenture and First Supplemental Indenture.
3. That the Chair and County Administrator are authorized to execute the First Supplemental Indenture in acceptance thereof and to execute the Continuing Disclosure Certificate in substantially the forms on file, but with such changes as the Chair and County Administrator may approve.
4. That Commissioners, officers and staff of the County are authorized and directed to execute and deliver such other documents and certificates as are necessary or convenient to provide for the issuance of the 2020A Bonds.

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

STATE OF MINNESOTA  
 COUNTY OF CARVER

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I, David 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 \_\_\_\_\_, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

\_\_\_\_\_  
 David Hemze, County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Veteran Services MDVA Grant**

Primary Originating Division/Dept: <input type="text" value="Public Services - Veterans"/>	Meeting Date: <input type="text" value="4/7/2020"/>
Contact: <input type="text" value="Dan Tengwall"/> Title: <input type="text" value="Veteran Services Officer"/>	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 checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Finances: Improve the County's financial health and economic profile"/>	

**BACKGROUND/JUSTIFICATION:**

The Minnesota Department of Veterans Affairs (MDVA) annually offers a County Veteran Services Office (CVSO) Operational Grant program in which each county applying receives a base grant of \$7,500. In addition to the base grant, each county is eligible to receive additional funds based on the county's veteran population. The formula awarding grant funds is based on veteran population estimate, as of September 30, 2018, produced by the United States Department of Veteran Affairs Office of the Actuary. According to the US Dept. of Veterans Affairs Office of the Actuary, Carver County's veteran population is 4,510 (down 89 veterans from last year). This state fiscal year (2019-20), Carver County is eligible for an additional amount of \$5,000, yielding a total grant of \$12,500.

The Carver County Veteran Services Officer proposes to use this grant for creating a new customer relationship management (CRM) software which will enable the department to better serve veterans, become more efficient in work processes, and collect better data of work completed.

The approval of this board action and resolution would greatly benefit Carver County's veterans, military families, and the operations of Carver County Veteran Services.

**ACTION REQUESTED:**

Motion to approve the resolution to enter into a Minnesota Department of VA CVSO Operational Grant Contract in the amount of \$12,500.

<b>FISCAL IMPACT:</b> <input type="text" value="Other"/>	<b>FUNDING</b>						
If "Other", specify: <input type="text" value="Grant funds have been included in the 2019 recommended budget for Veteran Services."/>	<table style="width: 100%;"> <tr> <td><b>County Dollars =</b></td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> <tr> <td>MN Dept of Veteran Affairs</td> <td style="text-align: right;">\$12,500.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$12,500.00</b></td> </tr> </table>	<b>County Dollars =</b>	<b>\$0.00</b>	MN Dept of Veteran Affairs	\$12,500.00	<b>Total</b>	<b>\$12,500.00</b>
<b>County Dollars =</b>	<b>\$0.00</b>						
MN Dept of Veteran Affairs	\$12,500.00						
<b>Total</b>	<b>\$12,500.00</b>						
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source						

Related Financial/FTE Comments:

Funds are awarded based on the State of MN fiscal year and must be spent prior to June 30, 2020.

Office use only:

RBA 2020 - 6806



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: April 7, 2020

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

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

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

## RESOLUTION OF CARVER COUNTY

BE IT RESOLVED by the Carver County Board of Commissioners that the County enter into the attached **Grant Contract** with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: **County Veteran Services Office Operational Enhancement Grant Program**. The grant must be used to provide outreach to the County's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the county veteran services office, as specified in Minnesota Laws 2017 Chapter 4, Article 1, Section 38, Subdivision 2. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by the Carver County Board of Commissioners that Dan Tengwall, the Carver County Veterans Service Officer, be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

WHEREUPON the above resolution was adopted at the Carver County Board Meeting in Chaska, Minnesota this seventh day of April, 2020.

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

STATE OF MINNESOTA  
COUNTY OF CARVER

I, David 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 seventh day of April, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Extension of Service Suspension Due to COVID-19**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 4/7/2020

Contact: David Hemze Title: County Administrator

Item Type:  
Regular Session

Amount of Time Requested: 15 minutes

Attachments:  Yes  No

Presenter: David Hemze Title: County Administrator

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Carver County's current suspension of walk-up/walk-in services remains in place through Sunday, April 12. In response to the continuing COVID-19 crisis, County Administration is recommended this suspended is extended through Sunday, May 3.

This extension would include the same set of services that are currently suspended. More information on how to access all of Carver County's services can be found at [www.co.carver.mn.us/accessingservices](http://www.co.carver.mn.us/accessingservices).

This recommendation is based on current data and trends related to COVID-19. It also follows the pattern of similar public jurisdictions. Most importantly, this action It is meant keep the County, both residents and employees, safe and healthy.

**ACTION REQUESTED:**

Motion to extend suspension of Carver County walk-up/walk-in services through Sunday, May 3.

**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 - 6805

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Attorney-Client Privileged Closed Session to Discuss Donald and Kara Amorosi v. Carver County**

Primary Originating Division/Dept: Attorney

Meeting Date: 4/7/2020

Contact: Mark Metz Title: County Attorney

Item Type:  
Closed Session

Amount of Time Requested: 30 minutes

Attachments:  Yes  No

Presenter: Stephanie Angolkar Title: MCIT Appointed Legal Counsel

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

On or about September 9, 2019, Carver County, the Carver County Sheriff's Office, the Carver County Attorney's Office, and Sheriff Jason Kamerud and County Attorney Mark Metz, in their official capacities, were sued for allegedly violating the data practices act by disclosing private data.

The parties have engaged in pre-trial motion practice and are currently preparing for court-ordered mediation, which is scheduled for May 21, 2020.

Stephanie A. Angolkar, a Partner with the law firm of IVERSON REUVERS CONDON has been appointed by MCIT to represent the County, Sheriff Kamerud and County Attorney Metz in this matter. Ms. Angolkar will discuss attorney-client privileged information, including litigation strategy, and the possibilities for resolution and settlement. There is a need for absolute confidentiality.

**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 case of *Donald and Kara Amorosi, individually and as parents, representatives, and co-trustees for the next-of-kin of A.T.A., decedent v. Carver County, Carver County Sheriff's Office, Jason Kamerud, in his official capacity as Carver County Sheriff, Carver County Attorney's Office, and Mark Metz, in his official capacity as Carver County Attorney.*

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total** \$0.00

Insert additional funding source

Related Financial/FTE Comments:

# 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 - 6815



# Carver County Board of Commissioners Request for Board Action



## Agenda Item:

### County Policies Addressing Employee Benefits During Public Health Emergency

Primary Originating Division/Dept: Employee Relations

Meeting Date: 4/7/2020

Contact: Kerie Anderka

Title: Employee Relations Division ...

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter: Kerie Anderka

Title: Employee Relations Division Di...

Attachments:  Yes  No

Strategic Initiative:

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

## BACKGROUND/JUSTIFICATION:

Responsive to the public health emergency of pandemic COVID-19 illness, Employee Relations has developed employee benefit policies that address employee paid leave accruals and compensation in a manner that supports individuals to follow current guidance from public health officials.

The spread of COVID-19 presents a serious threat for the Carver County community, especially our most vulnerable members, as well as for County staff working to continue delivering critical services to the community under these extraordinary circumstances.

If employees come to work because of lack of available paid leave or due to fear of loss of critical health insurance coverage, there is greater potential for further spreading the COVID-19 virus to the workforce and community.

Minnesota Department of Health guidance recommends people stay home if they are feeling sick, especially when experiencing influenza-like or respiratory symptoms. In addition, employees may be unable to work for other reasons directly related to the public health emergency, including but not limited to situations when they are subject to quarantine or isolation restrictions, when caring for an ill family member, as a result of emergency school or daycare closures, or in certain limited situations due to temporary County workplace closures necessary to prevent the spread of COVID-19 and to allow the County to revise service delivery procedures responsive to the public health emergency situation.

Employee Benefit Policies presented for Board approval include:

- **Advancement of PTO or Sick Leave** – This temporary policy permits eligible employees to enter into a negative leave balance of up to 80 hours for reasons related to the public health emergency. The policy also specifies the terms of repayment for the advancement of hours with future accruals, or by repayment of the dollar value at time of job change or separation from employment.
- **COVID-19 Leave** – This temporary policy provides eligible employees with a temporary COVID-19 paid leave bank to be used for qualifying situations related to the public health emergency. The availability of COVID-19 leave supports employee compliance with public health authority guidance regarding best practices to reduce the spread of COVID-19 illness, and minimizes County workforce disruption so that the County maintains its ability to continue effective public service delivery, through the development of updated and modified service approaches, during the current emergency situation.

It is recommended that the Board provide the County Administrator or his designee the authority to activate these policies 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 and to deactivate these policies consistent with circumstances warranting deactivation.

The County reserves the right to discontinue these policies at any time at its sole discretion. The County reserves the right to exclude certain job classifications or positions from all or a portion of the benefits provided by these policies at activation or at any point in the future at its sole discretion.

**ACTION REQUESTED:**

Motion to approve the County Employee Benefit Policies as presented by Employee Relations, addressing employee paid leave accruals and compensation during a public health emergency. As outlined in the policies, authority is delegated to the County Administrator or designee to activate the policies consistent with an applicable public health emergency declaration, and to deactivate the policies when a determination has been made that risks have sufficiently decreased or other conditions have changed so as to warrant inactivation of the policies. The County reserves the right to discontinue these policies at any time at its sole discretion. The County reserves the right to exclude certain job classifications or positions from all or a portion of the benefits provided by these policies at activation or at any point in the future at its sole discretion.

**FISCAL IMPACT:** Other

*If "Other", specify:*

**FUNDING**

County Dollars =

<input type="text"/>	<input type="text"/>
----------------------	----------------------

**Total**

**\$0.00**

**FTE IMPACT:** None

**Related Financial/FTE Comments:**

The County will incur incremental overtime costs and revenue loss when employees are unable to work due to COVID-19. The actual budget impact can not be reasonably projected at this time due to too many unknown variables including which staff, how many staff and for how many days will staff miss work due to COVID-19. Finance and Division staff will monitor the actual budget impact and keep the Board informed as part of our normal quarterly review process.

*Office use only:*

RBA 2020- 6813