



# CARVER COUNTY

# minnesota

Carver County Board of Commissioners  
May 19, 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>**

**Commissioner 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.**

- 4:00 p.m. 1. a) **CONVENE**
- b) **Pledge of allegiance**
- c) **Attendance Roll Call**
- d) **Public comments submitted via e-mail**
- 2. Agenda review and adoption
- 3. Approve minutes of May 5, 2020 Regular Session ..... 1-3
- 4. Community Announcements
- 4:05 p.m. 5. *Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.1 Amendment 2 to Joint Powers Agmt with the State of MN for the Hwy 212 Resurfacing Project and Hwy 212 Project - Benton Twp ..... 4
- 5.2 Development Contract for the Kindred Prairie Plat (road construction) .... 5
- 5.3 Amendment 2 to Professional Services Agreement with SRF Consulting Group, Inc. for the Hwy 212 Resurfacing Project..... 6
- Communities: Create and maintain safe, healthy and livable communities*
- 5.4 2019 County Feedlot Officer (CFO) Annual Report..... 7
- 5.5 2020 SSTS Direct Discharge Program..... 8-13
- 5.6 Award of the 2020 Highway Preservation Program (resolution) ..... 14-17
- 5.7 Final Acceptance and Payment to SM Hentges and Sons for the Highway 33/34 Roundabout Project..... 18-19
- 5.8 Joint Powers Agreement with Norwood Young America for Highway 5/33 Roundabout Project..... 20

5.9	Authorization to Apply for Regional Park and Trail System Additions.....	21-22
5.10	Final Acceptance and Payment to OMG Midwest dba Chard for the Highway 110 Project - Waconia School.....	23-24
5.11	Contract Amendment - Coney Island of the West Archeological & Cultural Resource Work.....	25

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

5.12	Joint Powers Agreement with Victoria for the Highway 43/18 Project ....	26
5.13	Request for approval to contract with Clarizen Inc. ....	27

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

5.14	Request to add 1.0 FTE Social Worker to the HHS Child and Family Department to do relative search work.....	28-29
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*Finances: Improve the County's financial health and economic profile*

5.15	Review/Social/Commissioners' Warrants.....	NO ATT
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4:05 p.m.	6.	<b>FINANCES: Improve the County's financial health and economic profile</b>	
	6.1	Approval of donations received in the Carver County Emergency Operations Center .....	30
	6.2	Repurchase Application for Tax Forfeited Property - 25.0363000.....	31-38
4:25 p.m.	7.	<b>COMMUNITIES: Create and maintain safe, healthy and livable communities</b>	
	7.1	Accept Governor's Proclamation and honor Family Child Care Providers for their Valuable Service.....	39-42
	7.2	Status Update on COVID-19.....	43
	7.3	COVID 19: Reopening Carver County - Phase I Update.....	44-49
5:15 p.m.	8.	<b>CULTURE: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government</b>	
	8.1	Attorney-Client Privileged Closed Session to Discuss Donald and Kara Amorosi v. Carver County.....	50
6:00 p.m.		<b>ADJOURN CLOSED AND REGULAR SESSION</b>	

David Hemze  
County Administrator

**UPCOMING MEETINGS**

May 26, 2020	8:30 a.m. County Board and Division Director Strategic Planning Meeting
June 2, 2020	9:00 a.m. County Board Meeting
June 9, 2020	9:00 a.m. County Board Special Meeting
June 16, 2020	4:00 p.m. County Board Meeting

A Regular Session of the Carver County Board of Commissioners was conducted via video teleconference due to COVID-19 concerns on May 5, 2020. 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 welcomed the public to the May 5<sup>th</sup> video conferenced County Board meeting. He acknowledged Governor Walz's stay at home order was extended to May 18<sup>th</sup> and the Board had approved a phased reopening plan for County services this week. He pointed out County services remain accessible virtually, either online or over the phone and encouraged residents to access services in this fashion when possible. He noted additional information can be found on the County's website. He clarified the Government Center and Boardroom were currently closed due to the health pandemic and while he was speaking from the Boardroom, Commissioners Ische, Maluchnik, Lynch and Workman were videoconferencing in to participate in the meeting.

Under public comments, Vice Chair Degler acknowledged the receipt of comments, to be part of the public record, from Karen Johnson Leuthner, 15735 38<sup>th</sup> Street, Mayer regarding the Hollywood Township Tower.

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

Ische moved, Workman seconded, to approve the minutes of the April 28, 2020, Special Session. On a roll call vote, Maluchnik, Workman, Degler, Ische, Lynch voted aye. Motion carried unanimously.

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

Approved the revised Carver County Well Sealing Cost Share Program criteria.

Approved support and authorized Carver County Engineer to submit the eight transportation project applications outlined to the Transportation Advisory Board of the Metropolitan Council for consideration in the 2020 Regional Solicitation funding process and support the project applications identified and located in Carver County.

Approved the Memorandum of Understanding with Lower Minnesota River Watershed District pending contract review and related Planning and Water Management budget amendment.

Resolution #36-20, Cooperative Construction Agreement #1035576 with the State of Minnesota.

Adopted the Carver County Pedestrian Crossing Policy for Uncontrolled Crossings.

Joint powers agreement with the City of Norwood Young America for the Highway 212 Pedestrian Crossing Project, pending finalization of the contract review process.

Approved purchase of IT backup solution.

Approved Memorandum of Understanding with the Carver County Community Development Authority for the purchase and conveyance of PID 650070900, pending finalization of the contract review process.

Contract with Ledgeview Partners pending finalization the contract review process.

Approved hiring of future Transportation Operations Technician candidates based on the candidate's qualifications as a Transportation Operations Technician up to a Senior Transportation Operations Technician classification.

Contract with Daikin pending finalization of the contract review process.

Reviewed May 5, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$160,855.32.

On a roll call vote, Workman, Degler, Ische, Lynch, Maluchnik voted aye. Motion carried unanimously.

David Frischmon, Property and Financial Services, appeared before the Board to discuss a repurchase application for tax forfeited property located at 285 Flying Cloud Drive. He reviewed Statutes related to tax forfeited properties and noted the County is required to manage the property on behalf of the State. He explained the County Board needs to make a decision to approve or disapprove the application. He pointed out the conditions that must be met to approve the request and indicated the County could impose conditions on the repurchase.

He stated the property was forfeited on January 10, 2020 and Ms. Dallman had submitted a request to repurchase the property; had submitted an action plan to dispose of material and submitted a cashier's check for back taxes. He reviewed the location of the former Statewide Auto Salvage property. He stated if the Board approved the repurchase, they were recommending an above ground action plan to comply with the City's Ordinance and Court Order; a below ground action plan based on the Phase II study recommendations and a property survey.

Frischmon explained Ms. Dallman's hardship and indicated it was his understanding that Ms. Dallman's plan was to sell it to a new owner and operate as a salvage yard. He stated the property was owned by the State and the County is managing the property. He clarified, under Statutes, she had a privilege to ask to repurchase this property. He explained what could occur to the property if it continues through the tax forfeit process and public sale. Frischmon stated they would work with the City of Chanhassen on enforcing the above ground action plan and Environment Services, with the help from the MPCA, would assist with the underground action plan.

Dave Hemze, County Administrator, pointed out the recommended Phase II study could be problematic depending upon what they find and the former owner may not want to repurchase the property due to the expense. Frischmon stated if the Board approved the request to repurchase the cashier's check submitted for back taxes would be cashed. He indicated if Ms. Dallman would walk away due to the cleanup expense, the property eventually would be in tax forfeit again. He added the liability for the clean up would not be with the County and the County would be acting as the caretaker for the State.

Lyndon Robjent, Public Works, noted the County did need to acquire a sliver of this property for the 61 road project and the County went through an eminent domain process. He pointed out they were still negotiating on this taking because they acquired the property before it became tax forfeit. Frischmon clarified it was his understanding the sliver of land needed for the highway was not part of the tax forfeit. He added if the Board did not require a Phase 2 study and the land is sold to another, he believed the property could continue as a salvage yard.

The Board expressed consensus to proceed with staff recommendations and bring this back for consideration on May 19<sup>th</sup>.

Workman moved, Lynch seconded, to adjourn as the County Board and convene as the Carver County Regional Rail Authority. On a roll call vote, Degler, Ische, Lynch, Maluchnik, Workman voted aye. Motion carried unanimously.

Lyndon Robjent, Public Works, requested the Rail Authority approve support of trail projects on Rail property. He explained the first one was the Circle the Brick Trail project located in the City of Chaska and outlined the corridor. He indicated the total cost was 1.5M, with a funding request of 1.2M. He stated if the project was selected there may be some agreement to cost share.

The second was the large Merriam Junction Trail project submitted by Scott County, with a 10.4M total cost and funding request of 5.5M. He reviewed the trail location and indicated there would probably be a cost share if successful. He stated he was recommending support for these two project applications.

Maluchnik moved, Workman seconded, to support the project applications identified for consideration in the Metropolitan Council's 2002 Regional Solicitation funding process, acknowledging potential future permitting, construction and operation project needs within the Regional Rail Authority property and right of way. On a roll call vote, Ische, Lynch, Maluchnik, Workman, Degler voted aye. Motion carried unanimously.

Lynch moved, Workman seconded, to adjourn as the Carver County Regional Rail Authority. On a roll call vote, Lynch, Maluchnik, Workman, Degler, Ische voted aye. Motion carried unanimously.

David Hemze  
County Administrator

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Amendment 2 to Joint Powers Agmt with the State of MN for the Hwy 212 Resurfacing Project and Hwy 212 Project - Benton T**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Lyndon Robjert"/> Title: <input type="text" value="Public Works Director"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

**BACKGROUND/JUSTIFICATION:**

Carver County, MnDOT and the Southwest Corridor Transportation Coalition have been working together to improve Highway 212 between the Cities of Chaska and Carver and Norwood Young America for many years. Carver County has led or assisted in several activities along the corridor in the last several years. Work continues with the goal to construct safety improvements as necessary along the corridor and eventually complete the expansion of each 2-lane segment to 4-lanes.

Pavement resurfacing of Highway 212 for the Highway 212 Resurfacing Project from the west side of the City of Cologne through the City of Norwood Young America will occur in 2020. This includes new traffic signals, trails and a pedestrian underpass in Norwood Young America. The 2-lane portion of Highway 212 will not be expanded with this project. MnDOT is paying for 100% of this work and will be leading the effort.

At the same time Carver County and MnDOT are undertaking concept design for the Highway 212 Project – Benton Township which includes the future 4-lane expansion from the City of Cologne through the City of Norwood Young America. Carver County and MnDOT have already entered into a joint powers agreement and the agencies will evenly split the 4-lane concept design.

An amendment to the joint powers agreement is needed for changes to the design scope with the project consultant for the Highway 212 Resurfacing Project and the Highway 212 Project – Benton Township. Specific design scope changes include:

Highway 212 Project – Benton Township

1. Grant Support for the Regional Solicitation.

Highway 212 Resurfacing Project

1. Additional drainage evaluation and design along the corridor
2. Incorporate changes in the pavement section and cross slope at certain locations.
3. Trail alignment and profile changes to improve ROW and vegetation impacts.
4. Coordination with the Highway 5/33 Roundabout Project
5. Incorporate additional geometric changes to improve safety, pedestrian access, and minimize right of way needs and future maintenance
6. Preparation of a separate tree clearing plan and special provisions
7. Revisions to letting date, funding splits, funding notes, quantity tabulations, control section termin, right of way and easements, and drainage improvements.

**ACTION REQUESTED:**

Approve Amendment 2 to Joint Powers Agreement No. 1031242 with the State of Minnesota in the amount of \$262,175.89, for the Highway 212 Resurfacing Project and Highway 212 Project - Benton Township, pending finalization of the contract review process.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>						
<i>If "Other", specify:</i> <input type="text"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">County Dollars =</td> <td style="width: 40%;"><input type="text"/></td> </tr> <tr> <td>MnDOT</td> <td style="text-align: right;">\$262,175.89</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$262,175.89</b></td> </tr> </table>	County Dollars =	<input type="text"/>	MnDOT	\$262,175.89	<b>Total</b>	<b>\$262,175.89</b>
County Dollars =	<input type="text"/>						
MnDOT	\$262,175.89						
<b>Total</b>	<b>\$262,175.89</b>						
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source						
Related Financial/FTE Comments:							



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Development Contract for the Kindred Prairie Plat (road construction)**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

File #PZ20190042. On October 1, 2019, the County Board of Commissioners, by Resolution # 74-19, granted preliminary plat approval for Kindred Prairie (Developer, Cary & Bob Fritzvold), on the condition that the Developer enter into a contract providing for the installation of certain public improvements (construction plans and specifications), and the recording of certain covenants on the Property. This Agreement is entered into for the purpose of setting forth and memorializing for the parties and subsequent owners of the Lots the understandings and agreements of the parties concerning the development of the property.

The development is located off of County Road 50 in Section 36, San Francisco Township. The road within this development will serve a total of ten (10) future single-family homes which would consist of Lots 1-10, Block 1. (ie. eight (8) residential parcels and two (2) agricultural parcels pursuant to the additional density provision Section 152.078 C – High Amenity of the Carver County Zoning Code.) The road would be constructed in accordance with the County and San Francisco Township standards and would be privately maintained by the homeowners' association.

Carver County Public Works (County Engineer) has reviewed and approved the road plans and construction cost estimate. The Developer will need to submit a \$25,000.00 financial guarantee in accordance with the Carver County Water Management Organization (CCWMO) Rules. The County Attorney's Office and Risk Management Department have reviewed and approved the Development Contract (20-151). The Fritzvold's have indicated they will be constructing the road and completing all improvements prior to pursuing final plat approval. Therefore, no additional financial guarantee is required at this time.

The San Francisco Town Board will need to review and sign the Development Contract before the document is signed by the County Board Chair.

**ACTION REQUESTED:**

A motion authorizing the County Board Chair's signature on the Development Contract.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Amendment 2 to Professional Services Agreement with SRF CONSULTING GROUP INC for the Hwy 212 Resurfacing Project and**

Primary Originating Division/Dept: <input type="text" value="Public Works - PW Administration"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Donna Eder"/> Title: <input type="text" value="Public Works Director"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Carver County, MnDOT and the Southwest Corridor Transportation Coalition have been working together to improve Highway 212 between the Cities of Chaska and Carver and Norwood Young America for many years. Carver County has led or assisted in several activities along the corridor in the last several years. Work continues with the goal to construct safety improvements as necessary along the corridor and eventually complete the expansion of each 2-lane segment to 4-lanes.

Pavement resurfacing of Highway 212 for the Highway 212 Resurfacing Project from the west side of the City of Cologne through the City of Norwood Young America will occur in 2020. This includes new traffic signals, trails and a pedestrian underpass in Norwood Young America. The 2-lane portion of Highway 212 will not be expanded with this project. MnDOT is paying for 100% of this work and will be leading the effort.

At the same time Carver County and MnDOT are undertaking concept design for the Highway 212 Project – Benton Township which includes the future 4-lane expansion from the City of Cologne through the City of Norwood Young America. Carver County and MnDOT have already entered into a joint powers agreement and the agencies will evenly split the 4-lane concept design.

An amendment to the professional services agreement is needed for changes to the design scope with the project consultant for the Highway 212 Resurfacing Project and the Highway 212 Project – Benton Township. Specific design scope changes include:

Highway 212 Project – Benton Township

1. Grant Support for the Regional Solicitation.

Highway 212 Resurfacing Project

1. Additional drainage evaluation and design along the corridor
2. Incorporate changes in the pavement section and cross slope at certain locations.
3. Trail alignment and profile changes to improve ROW and vegetation impacts.
4. Coordination with the Highway 5/33 Roundabout Project
5. Incorporate additional geometric changes to improve safety, pedestrian access, and minimize right of way needs and future maintenance
6. Preparation of a separate tree clearing plan and special provisions
7. Revisions to letting date, funding splits, funding notes, quantity tabulations, control section termin, right of way and easements, and drainage improvements.

**ACTION REQUESTED:**

Approve Amendment 2 to the Professional Services Agreement with SRF CONSULTING GROUP INC, for the Hwy 212 Resurfacing Project and Hwy 212 Project - Benton Twp, pending finalization of the contract review process.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/>	<b>FUNDING</b>						
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<b>County Dollars =</b>	<input type="text"/>						
MnDOT	\$282,303.33						
<b>Total</b>	<b>\$282,303.33</b>						
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source						
Related Financial/FTE Comments:							



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**2019 County Feedlot Officer (CFO) 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:**

Minnesota Rules 7020.1600 require county feedlot officers to submit an annual report to the Minnesota Pollution Control Agency (MPCA). The report consists of a summary of tasks performed in the previous year related to feedlot registrations, inspections, permitting, complaint response, education and outreach, and progress toward achieving goals identified in the delegation agreement workplan.

Carver County delegated work in 2019 included:

- **Registrations:** 144 feedlots registered
- **Inspections:** 21 compliance and 2 land application inspections performed
- **Assistance:** 30 sites visited
- **Feedlot Officer Training:** 42.5 hours of continuing education
- **Producer Education:** County Fair and Dairy Expo events
- **Enforcement:** 1 non-compliant land application, Notice of Violation issued
- **Performance Credits:** 13.75 credits achieved towards incentive grant funding

Environmental Services staff members have prepared the 2019 annual report. The MPCA reviewed and approved the document as a part of Carver County's annual review process.

The 2019 annual report needs to be signed by a County Board Commissioner as per MPCA policy.

**ACTION REQUESTED:**

Motion to authorize signature of the 2019 County Feedlot Officer (CFO) Annual Report and approve submittal of the report to the Minnesota Pollution Control Agency.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**  **\$0.00**

Insert additional funding source

Related Financial/FTE Comments:

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**2020 SSTS Direct Discharge Program**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

The County Board has approved a landowner incentive program for eliminating direct discharge Sub Surface Treatment Systems (SSTS) annually since 2008 and it has proven to be successful. Previous years were focused on implementing the Total Maximum Daily Load (TMDL) Plan for the Bevens, Carver, & Silver Creek watersheds which called for a reduction of fecal load sources in those watersheds, mainly agricultural manure source runoff and direct discharge SSTS. The Crow River is also listed as impaired for fecal coliform bacteria and 2020 Carver County Water Management Organization (CCWMO) funds were allocated for expanding the program into the Crow River watershed.

The CCWMO advisory committee recommended the 2020 Priority Sub-Watersheds to the board at their April meeting (See attached map). Staff is requesting approval for the 2020 SSTS direct discharge program as described in the attached memo.

**ACTION REQUESTED:**

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FTE IMPACT:**  ▼

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
CCWMO 2020 funds	\$68,000.00
<b>Total</b>	<b>\$68,000.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

Funding for the incentives is derived from the CCWMO levy funds approved by the Board as part of the 2020 budget and state grants for the loan portion. SSTS loan funds are held by the Minnesota Department of Agriculture.

Office use only:

RBA 2020 - 6875



## Carver County Water Management Organization

Planning and Water Mgmt Dept  
Government Center - Administration Building  
600 East 4<sup>th</sup> Street  
Chaska, Minnesota 55318  
Phone: (952)361-1820  
[www.co.carver.mn.us/water](http://www.co.carver.mn.us/water)

# Memo

**To:** County Commissioners  
**From:** Paul Moline, Planning & Water Management  
**Date:** May 19, 2020  
**Re:** Proposed 2020 SSTS direct discharge program

Enclosures: Priority sub-watershed map, Resolution

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The County Board has approved a landowner incentive program for eliminating direct discharge Sub Surface Treatment Systems (SSTS) annually since 2008 and it has proven to be successful. Previous years were focused on implementing the Total Maximum Daily Load (TMDL) Plan for the Bevens, Carver, & Silver Creek watersheds which called for a reduction of fecal load sources in those watersheds, mainly agricultural manure source runoff and direct discharge SSTS. The Crow River is also listed as impaired for fecal coliform bacteria and 2020 Carver County Water Management Organization (CCWMO) funds were allocated for expanding the program into the Crow River watershed.

### PROGRAM ACCOMPLISHMENTS (since 2008)

- **Total participants/SSTS replaced:** 398
- **Loans Taken:** 152

### 2020 PROPOSAL

This will be the first year for the program in the Crow River Watershed. The CCWMO advisory committee recommended the 2020 Priority Sub-Watersheds to the board at their April meeting: (See attached map)

- |   |                           |
|---|---------------------------|
| 1. Crow River: Smith tributary (Camden Twp)                   | - 6 likely systems        |
| 2. Crow River: Ditch 9 tributary (Camden & Hollywood Twps)    | - 10 likely systems       |
| 3. Crow River: Lippert tributary (Hollywood & Watertown Twps) | - 12 likely systems       |
| 4. Crow River: CM28 tributary (Camden & Young America Twps)   | - 7 likely systems        |
| 5. Crow River: WT31 tributary (Watertown & Waconia Twps)      | - <u>3 likely systems</u> |
| TOTAL   | - 38 likely systems       |

Factors leading to the recommendation are as follows:

- Ecoli monitoring data for overall counts and seasonal fall counts
- Geography of the sub-watersheds (lake presence, size)
- Distribution of funds across multiple townships
- Number of likely systems in the sub-watershed
- Coordination with other WMO plan efforts & priority waters

## **2020 FUNDING**

Funding was directed by the Board in the 2020 CCWMO budget with available funds of \$68,000 for SSTS direct discharge incentives (up to 34 systems)

In addition there are available loan funds (MN Dept or Ag revolving loans) of approximately \$650,000 in 2020, enough to fund approx. 43 systems at the maximum loan amount.

## **2020 QUALIFICATIONS & PROCESS**

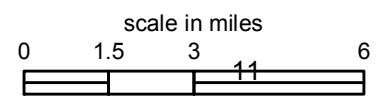
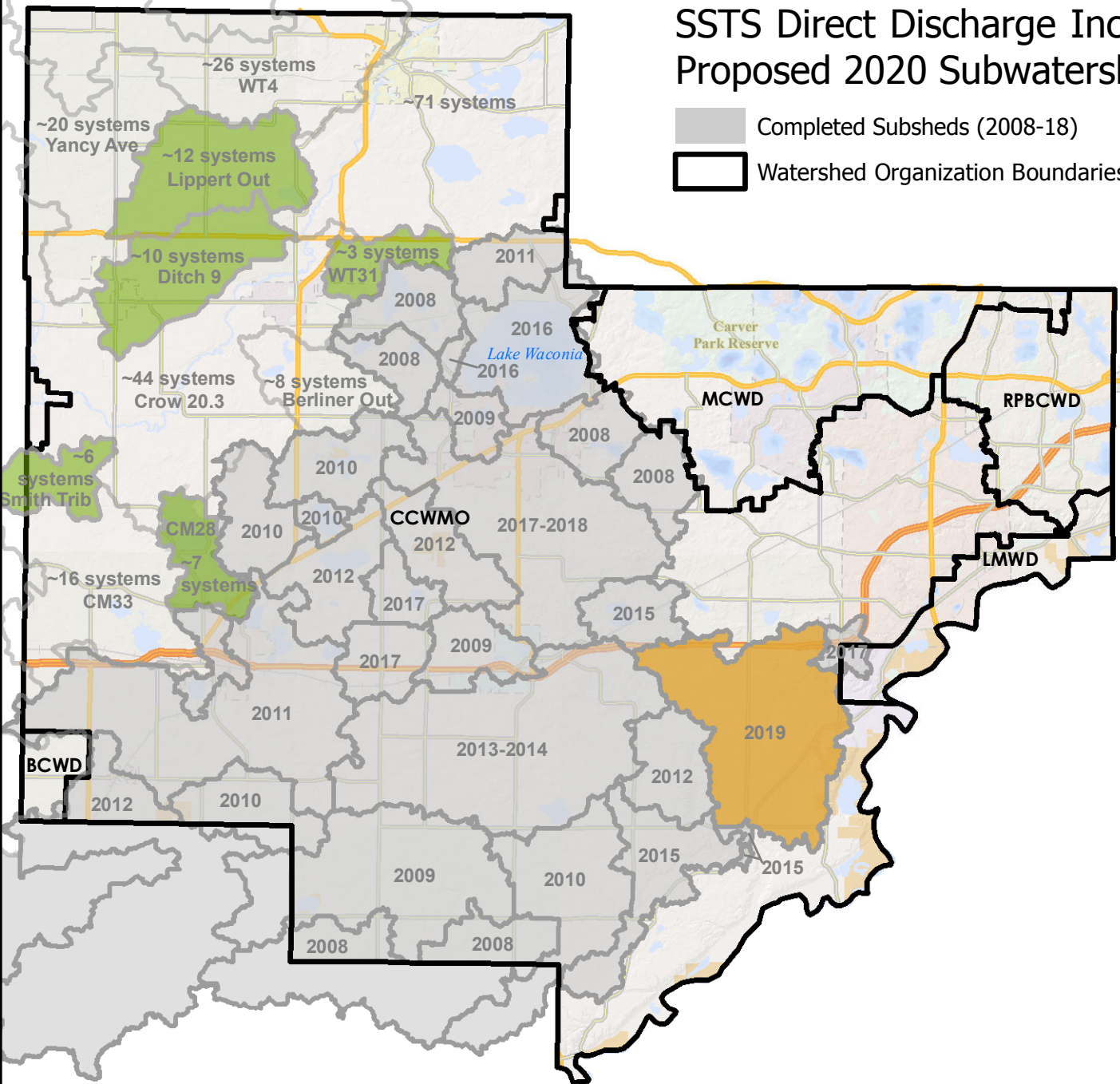
Similar to previous years, incentive recipients must sign up for the cost share with no previous SSTS trigger (i.e. current enforcement, compliance inspection as a result of property transfer, complaint, or building permit).

1. Located in 2020 Priority Sub-Watersheds – For systems identified as a likely direct discharge system inside of the priority sub-watersheds, the County will provide a cash grant of 25% of the cost of a new system up to \$2,000. Owners of likely direct discharge systems in the priority sub-watershed with no previous trigger (i.e. current enforcement, compliance inspection as a result of property transfer, complaint, or building permit) must sign up by October 31, 2020, and must install the system by September 30, 2021. Owners that do not sign up shall be required to submit a compliance inspection to the County by September 30, 2021. The County will also offer a low interest loan with an amortization of up to 10 years to qualified applicants.
2. Located outside 2020 Priority Sub-Watershed – For systems outside of the priority sub-watersheds, the County will provide a cash grant of 25% of the cost of a new system up to \$2,000 on a first-come, first-serve basis after October 31, 2020 until allocated funds are depleted. For systems outside of the priority sub-watershed, the owner would be required to replace SSTS within ten months of completing Cost Share Form. The County will also offer a low interest loan with an amortization of up to 5 years to qualified applicants.

Payment will be issued to the SSTS contractor upon successful completion of the project (as determined by Environmental Services Staff).

# SSTS Direct Discharge Incentive Program Proposed 2020 Subwatersheds

- Completed Subsheds (2008-18)
- 2020 Subsheds
- Watershed Organization Boundaries
- CA 1\_7 (completed 2019)





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

DATE: May 19, 2020  
MOTION BY COMMISSIONER:

RESOLUTION NO. \_\_-20  
SECONDED BY COMMISSIONER:

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**A Resolution Continuing the Elimination of Direct Discharge  
Sub-Surface Treatment Systems (SSTS) Program**

**WHEREAS** approximately 4,500 homes and businesses in Carver County are served by a private sewer system on the property; of these systems, about 700 are in cities and 3,800 lie in unincorporated areas; as of 2008, approximately 550 of the systems in the unincorporated areas were still served by systems that likely had little or no treatment of sewage prior to discharge into the surface water and were considered Direct Discharge SSTS; and

**WHEREAS** Carver County is responsible for the management and regulation of SSTS in the County except in cities that have elected to assume responsibility; and

**WHEREAS** Carver County is responsible for water management, including water quality within the Carver County Water Management Organization (CCWMO); and

**WHEREAS** EPA and MN Pollution Control Agency (MPCA) regulations require that all lakes, rivers, and streams ultimately meet water quality standards; and

**WHEREAS** the Crow River has been listed as impaired for bacteria with test showing loads of fecal coliform bacteria substantially in excess of state standards and direct discharge of untreated human sewage into the waters of the State is a potential significant contributor to the load; and

**WHEREAS** the Carver County Board of Commissioners has determined that it is necessary to institute a program to accelerate the replacement of Direct Discharge SSTS in order to reach public health and water quality goals;

**WHEREAS** the Carver County Code of Ordinances section 52.043 gives the Board the authority to identify priority areas for SSTS compliance, including elimination of direct discharge systems, and to establish programs, including incentives and deadlines; and

**WHEREAS** the programs for SSTS Direct Discharge from 2008 through 2019 were largely successful in their goals; and

**WHEREAS** the 2020 sub-watersheds are identified with more than 38 “likely systems;” and

**WHEREAS** the CCWMO Citizens Advisory Committee has recommended the 2020 SSTS Direct Discharge Program, funding, and sub-watersheds to the County Board;

**THEREFORE, BE IT RESOLVED, THAT** the Carver County Board of Commissioners hereby adopts the “Carver County 2020 Direct Discharge SSTS Program” as follows:

**Carver County 2020 Direct Discharge Elimination Acceleration Program**

Part I. The County Board identifies sub-watersheds in the Crow River watershed as the priority sub watersheds:

1. Crow River: Smith tributary (in Camden Twp)

2. Crow River: JD9 tributary (in Camden & Hollywood Twps)
3. Crow River: Lippert tributary (in Hollywood & Watertown Twps)
4. Crow River: CM28 tributary (in Camden & Young America Twps)
5. Crow River: WT31 tributary (in Waconia Twp)

For systems inside of the priority sub-watersheds, the County will provide a cash grant of 25% of the cost of a new system up to \$2,000. Owners of likely direct discharge systems in the priority sub-watershed with no previous trigger (i.e. current enforcement, compliance inspection as a result of property transfer, complaint, or building permit) must sign up by October 31, 2020, and must install the system by September 30, 2021. Owners that do not sign up shall be required to submit a Compliance Inspection to the County by September 30, 2021. The County will also offer a low interest loan with an amortization of up to 10 years to qualified applicants.

Part II. For systems outside of the priority sub-watersheds, the County will provide a cash grant of 25% of the cost of a new system up to \$2,000 on a first-come, first-serve basis after October 31, 2020 until allocated funds are depleted. For systems outside of the priority sub-watershed, the owner would be required to replace SSTS within ten months of completing Cost Share Form. The County will also offer a low interest loan with an amortization of up to 5 years to qualified applicants.

Part III. Authorize the Finance Director, in cooperation with the Public Services Division, to continue to operate the current “safety net” loan program to assist property owners with extremely limited financial capability.

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

Dated this 19<sup>th</sup> day of May, 2020.

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Award of the 2020 Highway Preservation Program (resolution)**

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 County's annual Highway Preservation Program (HPP) is critical process to maintaining and preserving the county highway system.

The 2020 HPP includes resurfacing of Highway 50 from Highway 53 to Highway 41, Highway 43 from Highway 10 to Highway 11, and Highway 18 from Highway 11 to Highway 13/Bavaria Road. Highway 33 from the City of New Germany city limits to the Wright County line will be resurfaced and will change the gravel shoulders to bituminous pavement. This program also included the installation of a new signal at the intersection of Highways 11/43/18 in Victoria as well as construction of one block of City of Victoria trail and upgrades to the pedestrian ramps along Highways 18 and 43 to meet Americans with Disability Act (ADA) standards.

On April 30, 2020, Carver County Public Works staff opened five bids that were received. S.M. Hentges and Son was the low responsible bidder with a total bid of \$3,240,930.25. Staff is recommending the award of the project to the low responsible bidder.

**ACTION REQUESTED:**

Motion to adopt a resolution to award a construction contract to S.M. Hentges and Sons of Jordan, MN for the 2020 Highway Preservation Program for a total amount of \$3,240,930.25, pending finalization of the contract review process.

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

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
CSAH Reguar	\$3,192,255.35
City of Victoria	\$48,674.90
<b>Total</b>	<b>\$3,240,930.25</b>

**FTE IMPACT:**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6876

# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: May 19, 2020 Resolution No: \_\_\_\_\_  
 Motion by Commissioner: \_\_\_\_\_ Seconded by Commissioner: \_\_\_\_\_

## Awarding of the 2020 County Highway Preservation Program, Carver County Contract [20-057] [PR #178822]

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, April 30, 2020 at 10:00 a.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, five (5) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the 2020 County Highway Preservation Program, said bids for the responsible bidders are summarized as follows:

<u>Contractor</u>	<u>Total Bid</u>	<u>Over/Under Engineers Estimate</u>
S.M. Hentges & Sons, Inc.	\$3,240,930.25	-15.49 %
Valley Paving Inc.	\$3,315,385.18	-13.55 %
Park Construction Company	\$3,343,861.07	-12.81 %
Hardrives	\$3,760,190.04	-1.95 %
Wm. Mueller & Sons, Inc.	\$3,897,648.31	1.63 %
<i>Engineers Estimate</i>	<i>\$3,834,963.35</i>	

And WHEREAS, after examination of the bids by Carver County Public Works, S.M. Hentges & Sons, Inc. 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 20-057 with S.M. Hentges & Sons, Inc. of Jordan, MN, in the name of the County of Carver for the construction of the 2020 County Highway Preservation Program 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 and third 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 two hundred thousand dollars (\$200,000) and an increased aggregate project total of all project changes of five hundred thousand dollars (\$500,000), 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 19<sup>th</sup> day of May, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 19th day of May 2020.

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Dave Hemze

County Administrator





## CCHD Contract Bid Summary

**Contract No.: 2001**

**Project No.: SAP 010-611-020, SAP 010-633-049, SAP 010-650-028**

**Bid Opening: 04/30/2020 10:00 AM**

Vendor Number	Business Name	Total Bid Amount	Percent Over/Under Estimate
	<b>Engineers Estimate</b>	<b>\$3,834,963.35</b>	
N/A	S.M. Hentges & Son, Inc.	\$3,240,930.25	15.49% UNDER ESTIMATE
24546	Valley Paving Inc	\$3,315,385.18	13.55% UNDER ESTIMATE
24666	Park Construction Company	\$3,343,861.07	12.81% UNDER ESTIMATE
1	HARDRIVES	\$3,760,190.04	1.95% UNDER ESTIMATE
N/A	Wm. Mueller and Sons, Inc.	\$3,897,648.31	1.63% OVER ESTIMATE

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Final Acceptance and Payment to SM Hentges and Sons for the Highway 33/34 Roundabout Project**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Shelby Sovell"/> Title: <input type="text" value="Construction Supervisor"/>	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="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

The Highway 33/34 Roundabout Project is 1 mile north of Highway 212 in Norwood Young America on Highway 33. The project included removing segments of the old road near the Highway 33/34 intersection as well as regrading the intersection in preparation for the transformation of the intersection into a roundabout. The roundabout replaced the existing stop sign controlled intersection to promote a safer driving condition for the public.

All construction work was completed in the 2019 construction season and final documentation was received from SM Hentges and Sons in early 2020. SM Hentges and Sons is requesting to finalize the contract with Carver County and release all retainage. County staff agrees and is recommending that the contract be finalized and that the outstanding work items and retainage be paid in the amount of \$27,398.40.

**ACTION REQUESTED:**

Motion to adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$27,398.40 to SM Hentges and Sons for the Highway 33/34 Roundabout Project.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	<b>FUNDING</b> <table style="width: 100%;"> <tr> <td><b>County Dollars =</b></td> <td style="text-align: right;"><b>\$87.29</b></td> </tr> <tr> <td>CSAH Regular &amp; HSIP</td> <td style="text-align: right;">\$27,311.11</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$27,398.40</b></td> </tr> </table> <input checked="" type="checkbox"/> Insert additional funding source	<b>County Dollars =</b>	<b>\$87.29</b>	CSAH Regular & HSIP	\$27,311.11	<b>Total</b>	<b>\$27,398.40</b>
<b>County Dollars =</b>	<b>\$87.29</b>						
CSAH Regular & HSIP	\$27,311.11						
<b>Total</b>	<b>\$27,398.40</b>						
<b>FTE IMPACT:</b> <input type="text" value="None"/>							
Related Financial/FTE Comments: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>							

Office use only:

RBA 2020 - 6877

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

Date: May 19, 2020 Resolution No: \_\_\_\_\_  
 Motion by Commissioner: \_\_\_\_\_ Seconded by Commissioner: \_\_\_\_\_

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**COUNTY BOARD ACKNOWLEDGMENT  
Highway 33/34 Roundabout Project  
FINAL PAYMENT**

WHEREAS, the construction of the Highway 33/34 Roundabout Project 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 19th day of May, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 19<sup>th</sup> day of May, 2020.

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Joint Powers Agreement with Norwood Young America for Highway 5/33 Roundabout Project**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Andrew Engel"/> Title: <input type="text" value="Engineering Supervisor"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

Carver County, the City of Norwood Young America and the Minnesota Department of Transportation have partnered together to construct a roundabout at the intersection of Highway 33 and Highway 5/25 and reconstruct Reform Street (jointly County Highway 33 and State Highway 5/25) from Highway 212 to the new roundabout in the City of Norwood Young America. The City of Norwood Young America is constructing a trail from Highway 212 to the new roundabout along the east side of Reform Street, a sidewalk on the south side of 7th Street from Reform Street to the Central Elementary School as well is relocating watermain and constructing watermain extensions under Reform Street. This joint powers agreement outlines the roles, responsibilities and cost share for the project development and construction of the project.

**ACTION REQUESTED:**

Motion to approve a joint powers agreement with the City of Norwood Yount America for the Highway 5/33 Roundabout Project, pending finalization of the contract review process.

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

**FTE IMPACT:**

**FUNDING**

County Dollars =	
Federal Section 164	\$1,600,000.00
HSIP	\$2,000,000.00
LPP	\$411,312.44
CSAH	\$190,946.09
Norwood Young America	\$256,918.72
<b>Total</b>	<b>\$4,459,177.25</b>

Insert additional funding source

**Related Financial/FTE Comments:**

LPP funding includes 6% const. admin for HSIP and LPP funded sections. CSAH funding includes nonparticipating items, one leg of the signal at 212 and CSAH 33 and 6% const. admin. NYA costs include 6% const. admin. 8% project development and \$5,100 for sidewalk right of way along 7th street.

*Office use only:*

RBA 2020 - 6887

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Authorization to Apply for Regional Park and Trail System Additions**

Primary Originating Division/Dept: <u>Public Works - Parks</u>	Meeting Date: <u>5/19/2020</u>
Contact: <u>Martin Walsh</u> Title: <u>Parks and Recreation Director</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Metropolitan Council is undergoing a process to consider adding new regional parks and trails units called system additions. Proposed new regional park and trail units could be incorporated into the Regional Parks Policy Plan. Regional Park and Trail Implementing Agencies are to propose and make application for possible park and trail system additions by Wednesday, May 20<sup>th</sup>, 2020. The Carver County Comprehensive 2040 Plan is a guiding document which can be used to further analyze possible system additions. The comprehensive plan was recently updated during a process which began in 2017. The Metropolitan Council approved the County's Comprehensive plan on January 22, 2020. The Carver County Board also approved the plan on February 4<sup>th</sup>, 2020.

A comparison between the Parks and Trails Chapters of 2030 and the 2040 Comprehensive Plans reveals that there are no suggested additions to the regional park search areas for Carver County. Currently there are two existing regional park search areas beyond the identified Regional Parks of Baylor, Lake Minnewashta and Lake Waconia Regional Parks.

Concerning possible regional trail additions, there are five trails that are listed as proposed Linking Regional Trail Corridors that could be additions to the regional trail system. These corridors include:

- Hwy 41 from the north county line to MN River Bluffs Regional Trail
- TH 5 from the City of Waconia west to Norwood Young America
- County Road 11 from County Road 10 to the south county line
- County Road 40 from the intersection of County Road 11 to the to the south county line
- Minnesota Prairie Railroad Line from Norwood Young America to the south county line.

These trail segments are graphically represented on the attached map from the 2040 Comprehensive Plan in blue dashed lines. The Park Commission reviewed the above trail corridors at it February 12,2020 meeting. It is scheduled to make recommendation to the County Board on the submittal of system addition applications for the above identified trail segments on May 13, 2020.

**ACTION REQUESTED:**

Motion to authorize submittal of system addition applications for the regional trails in Carver County.

**FISCAL IMPACT:** None

*If "Other", specify:*

**FUNDING**

County Dollars =

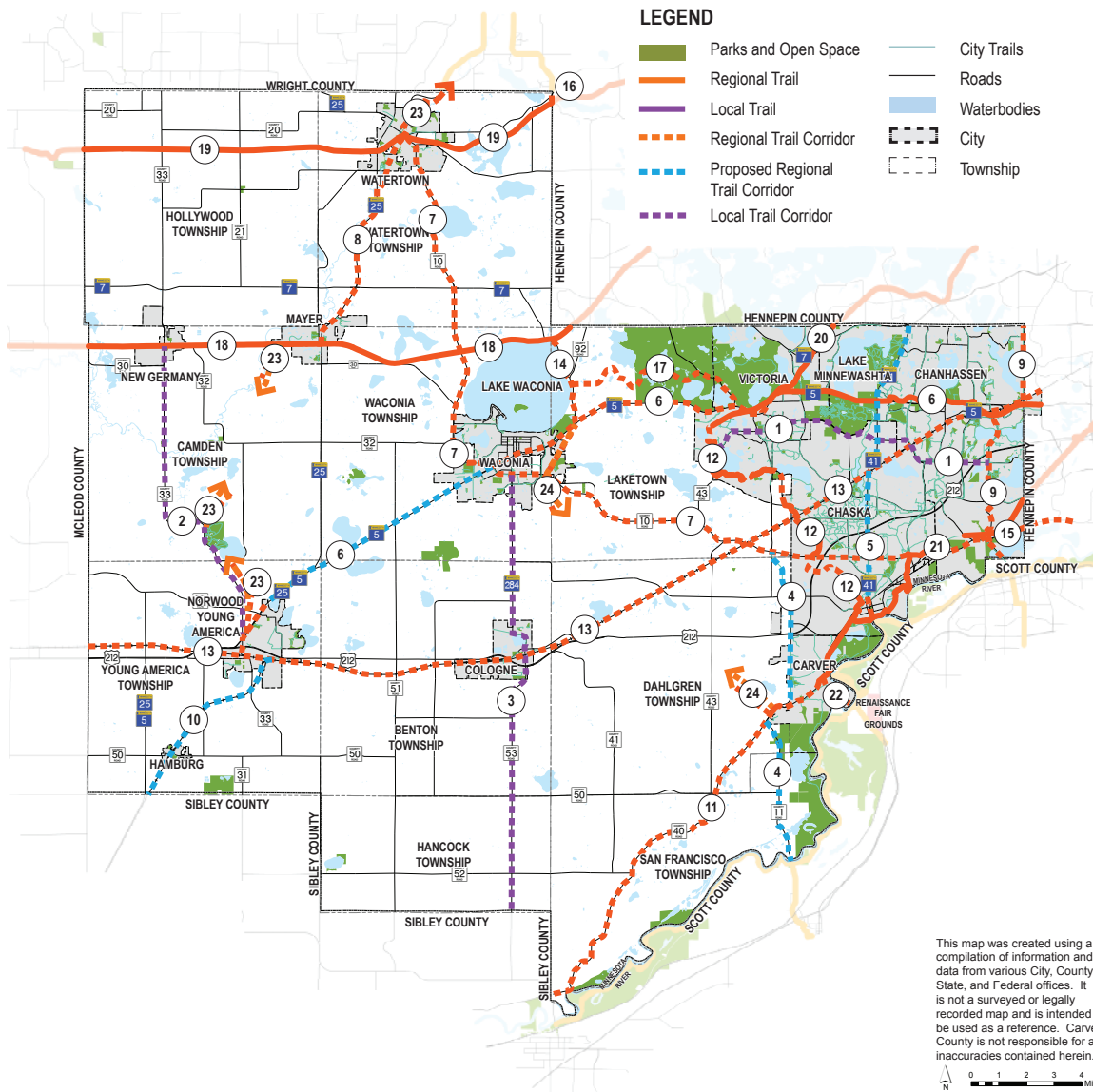
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>
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**Total**  \$0.00

**FTE IMPACT:** None

Related Financial/FTE Comments:





**LEGEND**

- Parks and Open Space
- Regional Trail
- Local Trail
- Regional Trail Corridor
- Proposed Regional Trail Corridor
- Local Trail Corridor
- City Trails
- Roads
- Waterbodies
- City
- Township

**LOCAL TRAIL CORRIDORS**

- ① County Rd 18 Trail
- ② County Rd 33
- ③ County Rd 53/Mn 284

**LINKING TRAIL CORRIDORS**

- ④ County Rd 11 Trail
- ⑤ Highway 41 Trail
- ⑥ Highway 5 Trail
- ⑦ County Rd 10 Trail
- ⑧ County Rd 25 Trail
- ⑨ Highway 101 Trail
- ⑩ MN Prairie Line Trail
- ⑪ MN River Bluffs Trail Extension
- ⑫ Southwest Regional Trail Connection
- ⑬ Twin Cities & Western Regional Trail Corridor
- ⑭ Lake Waconia Regional Trail Search Corridor
- ⑮ County Road 61 Trail
- ⑯ Crow River/Luce Line Trail Connection

**DESTINATION TRAIL CORRIDORS**

- ⑰ Trunk Highway 5 Alternative Trail
- ⑱ Dakota Rail Regional Trail
- ⑲ Luce Line State Trail
- ⑳ Lake Minnetonka LRT Regional Trail
- ㉑ MN River Bluffs Regional Trail
- ㉒ Union Pacific Railroad Corridor
- ㉓ Western Carver County Regional Trail (Proposed)
- ㉔ Lake Waconia-Carver Search Corridor

This map was created using a compilation of information and data from various City, County, State, and Federal offices. It is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Final Acceptance and Payment to OMG Midwest dba Chard for the Highway 110 Project - Waconia School**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Shelby Sovell"/> Title: <input type="text" value="Construction Supervisor"/>	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="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

The Highway 110 Project - Waconia School, included construction of a new Highway 110 (now Highway 10) from Highway 5, northerly along Orchard Road through the ISD 110 School Property to Waconia Parkway South. The project consisted of two segments which are both urban and rural in nature that allowed for access coordination for the expansion of the school campus, cost sharing, right of way preservation, and development coordination.

All construction work was completed in the 2019 construction season and final documentation was received from OMG Midwest dba Chard in early 2020. OMG Midwest dba Chard is requesting to finalize the contract with Carver County and release all retainage. County staff agrees and is recommending that the contract be finalized and that the outstanding work items and retainage be paid in the amount of \$511,780.92.

**ACTION REQUESTED:**

Motion to adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$511,780.92 to OMG Midwest dba Chard for the Highway 110 Project - Waconia School.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>										
<i>If "Other", specify:</i> <input type="text"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><b>County Dollars =</b></td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> <tr> <td>CSAH Regular</td> <td style="text-align: right;">\$309,960.15</td> </tr> <tr> <td>Waconia City</td> <td style="text-align: right;">\$157,647.49</td> </tr> <tr> <td>MnDOT COOP</td> <td style="text-align: right;">\$44,173.28</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$511,780.92</b></td> </tr> </table>	<b>County Dollars =</b>	<b>\$0.00</b>	CSAH Regular	\$309,960.15	Waconia City	\$157,647.49	MnDOT COOP	\$44,173.28	<b>Total</b>	<b>\$511,780.92</b>
<b>County Dollars =</b>	<b>\$0.00</b>										
CSAH Regular	\$309,960.15										
Waconia City	\$157,647.49										
MnDOT COOP	\$44,173.28										
<b>Total</b>	<b>\$511,780.92</b>										
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source										

Related Financial/FTE Comments:

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

Date: May 19, 2020  
Motion by Commissioner: \_\_\_\_\_

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

---

**COUNTY BOARD ACKNOWLEDGMENT  
Highway 110 Project – Waconia School  
FINAL PAYMENT**

WHEREAS, the construction of the Highway 110 Project – Waconia School 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 19th day of May, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 19<sup>th</sup> day of May, 2020.

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Contract Amendment - Coney Island of the West Archeological & Cultural Resource Work**

Primary Originating Division/Dept: <span style="border: 1px solid black; padding: 2px;">Public Works - Parks</span>	Meeting Date: <span style="border: 1px solid black; padding: 2px;">5/19/2020</span>
Contact: <span style="border: 1px solid black; padding: 2px;">Sam Pertz</span> Title: <span style="border: 1px solid black; padding: 2px;"></span>	Item Type: <span style="border: 1px solid black; padding: 2px;">Consent</span>
Amount of Time Requested: <span style="border: 1px solid black; padding: 2px;"></span> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <span style="border: 1px solid black; padding: 2px;"></span> Title: <span style="border: 1px solid black; padding: 2px;"></span>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Continued archeological, historical and cultural resource work is required for Coney Island of the West. The County has utilized Blondo Consulting LLC. for professional archeological & cultural resource mitigation service needs since the project started in 2016.

The contractor (Blondo Consulting LLC.) is under contract through June of 2020 and the additional services and planned funding is requested as an amendment.

Additional service requests, and costs, are listed below:

Priority & Task 1: Required site monitoring work for ground disturbing activity related to the phase I site development: **\$18,500**

Priority & Task 2: Site Artifact Assessment & Preservation. This task is for all three phases of archeological work conducted on the site to date: **\$51,010**

Priority & Task 3: Phase III Archeological Study, Final reporting for phase III field work conducted in 2019: **\$33,600**

Contract to be extended through June 2021.

Total funds added to the contract: **\$103,110**

This work continues to follow requirements for the site in regards to Coney Island of the West listing in the National Registry of Historic Places. Additionally, when this work is complete, staff has confirmed that all required archeological, historical and cultural resource work will have been completed for the phase I development program for the southern half of the island.

**ACTION REQUESTED:**

Motion to approve a the contract amendment with Blondo Consulting LLC for \$103,110.00

<b>FISCAL IMPACT:</b> <span style="border: 1px solid black; padding: 2px;">Included in current budget</span>	<b>FUNDING</b>						
If "Other", specify: <span style="border: 1px solid black; padding: 2px;"></span>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; padding: 2px;">County Dollars =</td> <td style="border: 1px solid black; padding: 2px; text-align: right;"><b>\$80,000.00</b></td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">Parks CIP #34</td> <td style="border: 1px solid black; padding: 2px; text-align: right;">\$23,110.00</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;"><b>Total</b></td> <td style="border: 1px solid black; padding: 2px; text-align: right;"><b>\$103,110.00</b></td> </tr> </table>	County Dollars =	<b>\$80,000.00</b>	Parks CIP #34	\$23,110.00	<b>Total</b>	<b>\$103,110.00</b>
County Dollars =	<b>\$80,000.00</b>						
Parks CIP #34	\$23,110.00						
<b>Total</b>	<b>\$103,110.00</b>						
<b>FTE IMPACT:</b> <span style="border: 1px solid black; padding: 2px;">None</span>	<input checked="" type="checkbox"/> Insert additional funding source						

**Related Financial/FTE Comments:**

General fund dollars will come from the Parks Professional services line item.  
 Remaining funding to come from existing budgeted funds for the project.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Joint Powers Agreement with Victoria for the Highway 43/18 Project**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The City of Victoria and Carver County jointly conducted a study to determine the appropriate traffic control measures at the intersection of Highways 43/18/11 in Victoria. A part of the study was to determine appropriate and feasible improvements to the pedestrian network in the City. The City chose to construct a section of missing trail on the north side of Highway 18 from the intersection of Highway 11 to approximately 2 blocks to the east. The City requested to include this work with the County's paving and signal construction along Highway 18. This JPA outlines the roles, responsibilities and cost share for the project.

**ACTION REQUESTED:**

Motion to approve a Joint Powers Agreement with the City of Victoria for the Highway 18/43 Project, pending finalization of the contract review process.

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

**County Dollars =**

CSAH	\$1,231,615.28
Victoria	\$48,674.90
<b>Total</b>	<b>\$1,280,290.18</b>

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6885



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request for approval to contract with Clarizen Inc.**

Primary Originating Division/Dept: <input type="text" value="Public Services - IT"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Joseph Satre"/> Title: <input type="text" value="IT Manager - PMO"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

The Information Technology (IT) department would like to contract with Clarizen, Inc. to set up a platform that will enhance Carver County's internal project management capabilities with Clarizen's product, Clarizen One. Clarizen One is a collaborative work management solution that brings together project management, configurable workflow automation and in-context collaboration that will provide the IT department with efficiency gains in three key areas that have been identified in the IT department's strategic plan:

- Project Resource Management & Staff Scheduling
- Task Management
- Project Portfolio Management

These gains will allow IT to make better, fact-based decisions on our work due to added transparency, better align projects to the County's strategic objectives and more efficiently allocate our resources and develop project management plans.

As a part of this contract, the following will be provided:

- 27 licenses to the Clarizen One product
- Architecture and configuration of a solution on the Clarizen One platform that will be built specific to Carver County's needs. This architecture will include administration setup, project planning, project enablement execution and training utilizing a train the trainers approach.
- Annual support plan which includes a block of hours to be used throughout the year for consulting and configuration support, a dedicated customer success manager, a mirrored environment of the solution for testing purposes and an annual business review.

The IT Project Management Office reviewed 10 products that offer services similar to Clarizen and held demonstration sessions for an in-depth review of three products that were deemed to be the best fit with Carver County's environment. The products were reviewed by a cross-sectional group of IT staff from each unit. Clarizen's pricing was competitive with other solutions reviewed and selected due to our assessment as the best fit due to features and functionality provided, Clarizen's implementation approach in setting up the product to meet our current needs and future goals of project management within Carver County and our ability to integrate the product with other services we currently own.

**ACTION REQUESTED:**

Motion to contract with Clarizen Inc. pending finalization of the contract review process.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> If "Other", specify: <input type="text"/>	<b>FUNDING</b> County Dollars = <input type="text" value="\$51,740.00"/> <input type="text"/> <b>Total</b> <input type="text" value="\$51,740.00"/> <input checked="" type="checkbox"/> Insert additional funding source
<b>FTE IMPACT:</b> <input type="text" value="None"/>	

**Related Financial/FTE Comments:**

Subscription Services - \$16,740  
 Support Plan - \$15,000  
 Professional Services for Setup - \$20,000

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request to add 1.0 FTE Social Worker to the HHS Child and Family Department to do relative search work**

Primary Originating Division/Dept: <input type="text" value="Health &amp; Human Services"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Heather A. Goodwin"/> Title: <input type="text" value="HHS Deputy Director"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Culture: Provide organizational culture fostering accountability to achieve goals &amp; sustain public trust/confidence in County government"/>	

**BACKGROUND/JUSTIFICATION:**

In 2019, Minnesota Department of Human Services issued bulletin [19-68-09](#) which clarified relative search expectations for child welfare agencies. This includes searching, notifying, engaging relatives, and reporting to the court the findings of the search. A recent review of Carver County's relative search process found that we are piecemealing this process as each child protection social worker does their own relative search but few have the time to perform the diligent efforts necessary to meet the State's performance measures and Court's expectations. With funding from the Opioid Allocation starting in July 2020, per DHS bulletin [20-68-15](#), Carver County Health & Human Services (HHS) would create a dedicated relative search worker to complete the tasks per Minnesota Statute, Section 260C.221, to meet these expectations. This would alleviate this task from child protection social workers who can then focus their time on other case-related work. We anticipate that increasing child placement into relative care will positively impact the HHS budget by decreasing the length of time children are wards of the State and/or placed in expensive private agency foster care. By utilizing the ongoing Opioid Allocation funds (\$116,218 per CY) this added 1.0 FTE will have no impact on local tax levy. The annual cost for the Social Worker position is \$106,552. We will receive the first allocation from the Opiate Epidemic Response Account for the period of July 2020 – December 2020 in the amount of \$58,109. We will not post for the position until confirmation of funds is received by HHS.

**ACTION REQUESTED:**

Motion to approve the addition of 1.0 FTE Social Worker to do dedicated relative search work using the Family Finding model.

<b>FISCAL IMPACT:</b> <input type="text" value="Budget amendment request form"/>	<b>FUNDING</b>						
<i>If "Other", specify:</i> <input type="text"/>	<table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="text-align: right;"><b>\$0.00</b></td> </tr> <tr> <td>Opioid Allocation</td> <td style="text-align: right;">\$106,552.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$106,552.00</b></td> </tr> </table>	County Dollars =	<b>\$0.00</b>	Opioid Allocation	\$106,552.00	<b>Total</b>	<b>\$106,552.00</b>
County Dollars =	<b>\$0.00</b>						
Opioid Allocation	\$106,552.00						
<b>Total</b>	<b>\$106,552.00</b>						
<b>FTE IMPACT:</b> <input type="text" value="Increase budgeted staff"/>	<input checked="" type="checkbox"/> Insert additional funding source						

**Related Financial/FTE Comments:**

No County levy dollars are needed for this FTE addition.

*Office use only:*

RBA 2020 - 6900



# Budget Amendment Request Form



To be filled out AFTER RBA submittal

**Agenda Item:** Request to add 1.0 FTE Social Worker to the HHS Child and Family Department to do relative search work

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Salaries	11-422-700-0000-6111	\$106,522.00	Opioid Allocation	11-423-710-0000-...	\$106,552.00
<b>TOTAL</b>		\$106,522.00	<b>TOTAL</b>		\$106,552.00

Reason for Request:

To utilize the State Opioid Allocation to fund a 1.0 social worker to engage in relative search activities.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Approval of donations received in the Carver County Emergency Operations Center**

Primary Originating Division/Dept:

Contact:  Title:

Amount of Time Requested:  minutes

Presenter:  Title:

Meeting Date:

Item Type:

Attachments:  Yes  No

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

(18,000) nitrile gloves donated by Mark Mathwick

(60) N95 masks donated by Mary Nelson

(4) N95 masks donated by Tonia Roemer

(1,120) cloth face coverings donated by My Pillow

(37) face shields donated by Concepts Display

(15) pairs of shoe covers, (7) goggles, (4) P100 respirators, (8) P95 respirators, (54) pairs of coveralls, (5) face shields, (6) protective hoods, (4) five gallon buckets, donated by The Home Depot

(10) N95 masks donated by Suzanne Brousseau

(100) N95 masks, (400) nitrile gloves, (96) pairs of safety glasses, donated by Milltronics USA

(44) 250ml bottles of hand sanitizer, (56) 50ml bottles of hand sanitizer, donated by J. Carver Distillery

(100) N95 masks donated by Sportsman's Guide through the MN Police and Peace Officer's Association

(100) face shields donated by Hurd and Associates and Brown Marketing

(10) gallons of hand sanitizer donated to Ridgeview EMS by All Hands

(100) 16oz bottles with sprayer, (100) 8oz bottles with sprayer, (4) 8oz bottles of hand sanitizer with pump, donated by Loring Labs Inc.

(20) cloth face coverings donated by Barbara Gross

(15) cloth face coverings donated by Wendy Juedbeck

**ACTION REQUESTED:**

Approve all of the donations received into the Emergency Operations Center as of April 28th, 2020. These donated items are being transferred to long-term care facilities, daycares and other medical facilities that are in need of additional personal protective equipment and supplies.

FISCAL IMPACT:

*If "Other", specify:*

FTE IMPACT:

**FUNDING**

County Dollars =

**Total**

Insert additional funding source

Related Financial/FTE Comments:

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Repurchase Application for Tax Forfeited Property - 25.0363000**

Primary Originating Division/Dept: <span>Property &amp; Financial Services - Property Taxation</span>	Meeting Date: <span>5/19/2020</span>
Contact: <span>Crystal Campos</span> Title: <span>Interim Property Tax Manager</span>	Item Type: <span>Regular Session</span>
Amount of Time Requested: <span> </span> minutes Presenter: <span>David Frischmon</span> Title: <span>Property and Financial Services...</span>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <span>Finances: Improve the County's financial health and economic profile</span>	

**BACKGROUND/JUSTIFICATION:**

The real property located at 285 Flying Cloud Drive in Chanhassen, Parcel 25.0363000, forfeited to the State of MN in Trust on January 10, 2020, due to nonpayment of property taxes. State law requires the County to manage tax forfeited property basically as a caretaker on behalf of the State. The property was owned by Lavonne S. Dallman. LeVerne Vassar, who passed away on January 30, 2020, operated two businesses on the site, State-Wide Auto Salvage, Inc. and Foreign World Auto Parts, Inc.

State Statutes provide a process to repurchase forfeited property. Ms. Dallman has submitted a:

1. Written request to repurchase the property based on undue hardship;
2. "Action Plan" to dispose of scrap material with value or posing environmental concerns such as car bodies, tires, rims, batteries, etc.; and
3. A \$28K cashier's check for full payment of the delinquent taxes, assessments, penalties and interest.

State Statutes give the County Board the authority, and the responsibility to approve or disapprove a written request for repurchase. State Statutes allow the County Board to approve a written request for repurchase only if at least one of the following conditions is determined to be true:

1. *That undue hardship or injustice resulting from the tax forfeiture will be corrected by the repurchase.*
2. *The repurchase will best serve the public interest.*

The City of Chanhassen and the adjacent property owners, US Fish and Wildlife and MN DNR, were notified by mail about Ms. Dallman's request to repurchase the real property. The County received a written response from the City of Chanhassen but has not received a response from the adjacent property owners.

The County Board may impose conditions on the repurchase. Such conditions may include environmental remediation action plan restrictions (Minnesota Statute § 282.261). If the Board supports Ms. Dallman's undue hardship request to repurchase the property to continue its former commercial uses, County staff recommends that the County Board impose the following conditions at the applicant's expense:

1. Implement an "Above Ground Action Plan" to bring the site's Non-Conforming Use into compliance with the City of Chanhassen's Ordinance and a 1974 Court Order as recommended by City of Chanhassen Planning Department - see attached letter for details.
2. Conduct a Phase II Study and implement any environmental remediation (i.e. "Below Ground Action Plan") as recommended by the MN Pollution Control Agency and Carver County Environmental Services.
3. Survey the real property to verify the improvements and personal property of the businesses fall within the property's legal boundaries.

**ACTION REQUESTED:**

Motion to approve repurchase with conditions.

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

Related Financial/FTE Comments:





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

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

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

**CARVER COUNTY, MINNESOTA**

**APPROVAL OF REPURCHASE OF TAX  
FORFEITED LAND**

WHEREAS, the County Board of Commissioners of the County of Carver, State of Minnesota, acknowledges that a parcel of land legally described as

A tract of land in the West Half of the Northeast Quarter of Section 36, Township 116, Range 23, Carver County, Minnesota, described as follows: Commencing at the intersection of the East line of said West Half of Northeast Quarter and the southerly boundary of State Highway No. 212, and running thence South along said East line a distance of 441.3 feet; thence West at right angles to said East line a distance of 165.0 feet; thence North and to a point lying on said Southerly boundary and a distance of 165 feet westerly of the point of beginning a distance of 415.0 feet; thence Easterly along said Southerly boundary to the point of beginning. Containing 1.6 acres of land, more or less.

A tract of land in the West Half of the Northeast Quarter of Section 36, Township 116, Range 23, Carver County, Minnesota described as follows: Commencing at the intersection of the East line of said West Half of Northeast Quarter and the Southerly boundary of State Highway No. 212, as now located; thence Westerly along the said Southerly boundary a distance of 165.0 feet to the actual point of beginning; thence continuing Westerly along said Southerly boundary a distance of 269.6 feet; thence deflecting South at an angle of 77 degrees 47 minutes and a distance of 560.0 feet; thence East and at right angles to said East line a distance of 351.8 feet to said East line; thence North along said East line a distance of 271.0 feet; thence West and at right angles to said East line a distance of 165.0 feet; thence North to the actual point of beginning a distance of 415 feet, more or less, said tract containing 3.8 acres. Together with a perpetual easement across a five foot wide strip of land lying between the Westerly boundary of the above tract of land and the creek presently existing on the premises of first parties (grantors in that certain deed dated January 5, 1974, recorded on July 1, 1983 in Book 173 of Deeds, page 186-187 as Document No. 60265) for the purposes of laying an underground tile or pipe line to be used in connection with any well that may be constructed on said above described premises.

EXCEPT a tract of land in the West Half of the Northeast Quarter of Section 36, Township 116, Range 23, Carver County, Minnesota described as follows: Beginning at the intersection of the East line of said West Half of the Northeast Quarter and the southerly right-of- way of State Highway Nos. 169 and 212, said right-of-way being 40.00 feet southeasterly of highway centerline; thence along said East line South 1 degree 18 minutes 23 seconds East, 712.30 feet; thence at right angles to said East line South 88 degrees 41 minutes 37 seconds West, 351.80 feet; thence North 7 degrees 41 minutes 04 seconds West, 4.68 feet; thence North 83 degrees 35 minutes 01 seconds East, 316.80 feet; thence North 0 degrees 11 minutes 46 seconds East, 674.26 feet to the highway right-of way; thence along said highway right-of-way North 72 degrees 54 minutes 12 seconds East, 19.85 feet to the Point of Beginning, containing 0.60 acres, more or less.,

was previously owned by LaVonne Dallman and forfeited to the State of Minnesota in Trust for non-payment of taxes on January 10, 2020; and

WHEREAS, application for repurchase of non-homestead tax forfeited land has been received by the Carver County Property Tax Department within the six-month time limit as stated in MN Statutes 282.241, payment of said delinquent taxes and fees has been received from the applicant, and said application and hardship letter are attached hereby submitted to the County Board of Commissioners for approval; and

WHEREAS, approval for said repurchase application have conditions imposed pursuant MN Statue 282.261, and expense for compliance with said conditions be paid by the applicant. Conditions include:

1. Implementation of an "Above Ground Action Plan" to bring the site's Non-Conforming Use into compliance with the City of Chanhassen's Ordinance and a 1974 Court Order.
2. Conducting a Phase II Study and implement any environmental remediation (i.e. "Below Ground Action Plan").
3. Surveying the real property to verify the improvements and personal property of the businesses fall within the property's legal boundaries.

WHEREAS, upon approval of said application with conditions, payment received for taxes and fees will be applied to the parcel, deed to transfer the property will be processed once the conditions are completed, and

NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners has reviewed the application for repurchase, believes the applicant has met the hardship requirement and hereby approves repurchase by applicant.

BE IT FURTHER RESOLVED, that the Carver County Board of Commissioners hereby approves the repurchase of the aforementioned tax forfeited parcel of land.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 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 17<sup>th</sup> day of March, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

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



# CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

April 27, 2020

Ms. Crystal Campos  
Manager - Property Tax  
Carver County  
600 East Fourth Street  
Chaska, MN 55318

Re: Valley Auto Salvage Yard  
285 Flying Cloud Drive / PID 250363000

Dear Ms. Campos:

I am writing to clarify the city's requirements should the property owner repurchase the property or for any other proposed use for the property.

If the property is to continue as an auto salvage yard:

Bring the site into compliance with the District Court Judgement (attached). Specifically, the owner would need to provide an inventory of vehicles on site as well as remove vehicles that are being stacked and stored on site after salvage is complete. The city has not been pursuing the salvage yard conditions of approval during the road construction for Flying Cloud Drive. With the completion of the road project, the city intends to bring all the uses along the corridor back into compliance with City Code.

The property owner would need to eliminate the hazardous and nuisance conditions on the property.

Clean-up and removal of the following items:

- Several sealed, 5-gallon pails and 55-gallon drums with unknown product in them
- 500-gallon tank that was 1/3 full of what appears to be a petroleum product (used oil)
- Several automotive batteries not protected from the environment
- Small consumer-sized containers of paints and lubricants
- Compressed gas cylinders
- Piles of tires
- Inside the buildings, a used oil tank, automotive batteries, small containers of paints, drums of lubricants and automotive chemicals, several electronic components (computer monitors, printers, etc.)

Ms. Crystal Campos  
Valley Auto Salvage Yard  
April 27, 2020  
Page 2

If the salvage yard is not continued, then the city would require a clean-up of the automobile hulks as well as elimination of the nuisance conditions in the items listed above.

The site could then be used as permitted in the Agricultural Estate District, A-2, regulations. A link to the A-2 District regulations is:

[https://library.municode.com/mn/chanhassen/codes/code\\_of\\_ordinances?nodeId=CICO\\_CH20ZO\\_ARTXAGESDI](https://library.municode.com/mn/chanhassen/codes/code_of_ordinances?nodeId=CICO_CH20ZO_ARTXAGESDI).

The preferred use of the property, which is consistent with the land use map designation and permitted in the zoning regulations, is for permanent open space as part of the Minnesota Valley National Wildlife Refuge under ownership of either the Minnesota Department of Natural Resources or U.S. Fish and Wildlife Services.

If you have any questions or need additional information, please contact me at (952) 227-1131 or [bgenerous@ci.chanhassen.mn.us](mailto:bgenerous@ci.chanhassen.mn.us).

Sincerely,



Robert Generous, AICP  
Senior Planner

cc: Kate Aanenson, Community Development Director  
Todd Gerhardt, City Manager  
Roger Knutson, City Attorney  
Charlie Howley, City Engineer/Public Works Director  
Greg Sticha, Finance Director

Attachment: District Court Decision

g:\plan\cup iup wap\annual inspection documents\valley auto salvage cup 72-01\crystal campos 4-27-20.docx



Fr  
ijr

445-1970

sd:  
STATE OF MINNESOTA  
COUNTY OF HENNEPIN

638 494

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

Valley Auto Parts,  
Plaintiff,

vs.

Village of Chanhassen,  
Minnesota  
Defendant,

JUDGMENT

April 26, 1974

The above entitled action having been regularly placed upon the calendar of the above named Court for the September A.D. 1973 General Term thereof, came on for trial before the Court on the 11th day of April A.D. 1974, and the Court, after hearing the evidence adduced at said trial and being fully advised in the premises, did, on the 11th day of April A.D. 1974, duly make and file its findings and order for judgment herein.

Now, pursuant to said order and on motion of Messrs. Rosen, Kaplan & Ballenthin by Howard L. Kaplan, Esq., Attorneys for the plaintiff, IT IS HEREBY ADJUDGED AND DECREED:

1. That Valley Auto Parts Company shall comply with all of the conditions and requirements as set forth in Section 6 (17) (a) under the zoning ordinance enacted for the Township of Chanhassen, Carver County, Minnesota, effective March 3, 1952. Any reference herein to Valley Auto Parts Company shall include the following: (a) LaVerne M. Vassar d/b/a Valley Auto Parts Company; (b) LaVerne M. Vassar, and (c) State Wide Auto Salvage, Inc. (successor to Valley Auto Parts Company) and any references to the City of Chanhassen shall be the same as if there was a reference to the Village of Chanhassen.

2. That Valley Auto Parts Company is presently operating its salvage yard pursuant to a permit granted to it in 1958 by the Township of Chanhassen under the authority granted in Section 6 (16) (a)

of Amendment 6 to the Chanhassen Township Zoning Ordinance, effective May 29, 1958.

3. That Valley Auto Parts Company shall furnish to the City of Chanhassen on or about April 1 of each year an inventory of all cars situated on its property as of March 15.

4. That the mobile home situated on the subject property shall not be rented or leased to any individual or family and shall only be used for purposes of providing housing for a watchman. LaVerne M. Vassar may reside in the mobile home in the capacity of a watchman for his property, but not including family residence use.

5. The automobiles situated on the subject property shall not be stacked on top of each other except in the southwest corner of the subject property where the cars may be stacked subject to the following conditions:

- A. The car bodies situated in the southwest corner shall be removed monthly from the subject property during the period of May 1 through November 1.
- B. During the period from November 1 through May 1, the car bodies situated in the southwest corner shall be removed every other month, to-wit; on or about January 1 and on or about March 1.

6. That Valley Auto Parts Company shall provide screening along the Highway 169 side of the subject property. The screening shall consist of lilac bushes, poplar trees, or similar screening, which shall be planted as soon as possible and shall be continuously maintained by Valley Auto Parts Company, its successors and assigns. In the event the existing natural screening on the other three sides of the subject property is destroyed Valley Auto Parts Company will plant lilac bushes or similar screening along those sides of the property.

7. That the City of Chanhassen shall permit Valley Auto Parts Company, its successors and assigns to operate an automobile salvage yard on the subject property as a non-conforming use under Section 20 of Ordinance No. 47 in accordance with the provisions therein except as modified by the terms of this settlement agreement.

8. Section 20.05 of Ordinance No. 47 of the City of Chanhassen shall not be applicable to the subject property. (Section 20.05 deals

In part with a four year amortization period (see Ord. No. 47).

9. Section 20.01 of Ordinance No. 47 of the City of Chanhassen which sets forth a time table of amortization for various types of buildings shall not be applicable to the building presently situated on the subject property, nor to the subject property itself.



10. Valley Auto Parts Company shall not enlarge the subject property by purchasing any abutting property to the subject property for purposes of expanding its business. The Courts' Order herein entered upon the Stipulation for Settlement by the parties hereto is without prejudice to Valley Auto Parts Company applying to the City of Chanhassen, the State of Minnesota, or any other governmental agency with respect to obtaining permission to construct a building on the subject property. With respect to any applications for a building permit made by Valley Auto Parts Company, Section 20.02 of Ordinance No. 47 of the City of Chanhassen which provides in part that no structural alterations shall be permitted for a nonconforming use, shall not be applicable in considering whether the permit shall be granted.

11. That Section 20.04 of Ordinance No. 47 of the City of Chanhassen shall be applicable to the subject property. (Section 20.04 deals with termination of use).

12. That Valley Auto Parts Company shall have the right to transfer, convey, and sell the subject property to any person, entity, or corporation for use as an automobile salvage yard on the condition that the terms of this agreement shall be binding upon its successors and assigns. The above shall include but not be limited to transfer of the property to the Estate of LaVerne Vassar upon his death and the further conveyance by the Estate.

13. The City of Chanhassen shall incorporate the terms of the settlement agreement in its Village Council Meeting Minutes and adopt a resolution approving the same.

14. Valley Auto Parts Company shall be governed by all other ordinances and regulations duly enacted by the City of Chanhassen except as otherwise provided herein.

**JUDGMENT ROLL**

Filed April 26, 1974  
CLERK OF DISTRICT COURT

By Wm. Blomberg Deputy

BY THE COURT:

Clerk of District Court

By Wm. Blomberg

Deputy

-3-

STATE OF MINNESOTA, COUNTY OF HENNEPIN  
Certified to be a true and correct copy of the  
original on file and of record in my office.

MAY 13 1974

Clerk of District Court  
By Cheryl... Deputy



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Accept Governor's Proclamation and honor Family Child Care Providers for thier Valuable Service**

Primary Originating Division/Dept: <input type="text" value="Health &amp; Human Services - Income Support"/>	Meeting Date: <input type="text" value="5/19/2020"/>
Contact: <input type="text" value="Kate Probert Fagundes"/> Title: <input type="text" value="Income Support Manager"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="5"/> minutes Presenter: <input type="text" value="Kate Probert Fagundes"/> Title: <input type="text" value="Income Support Manager"/>	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:**

Governor Walt issued a Proclamation designating week of May 4th through May 8<sup>th</sup> as a Family Child Care Provider Week. We equally recognized the valuable services that Carver County's 113 licensed Family Child Care Provider, in partnership with the Carver County Income Support Child Care licensing unit, offer to ensure that children are safe, and parents and guardians can go to work, making every attempt to stay open and serve families. Family Child Care Providers support vitality and life of our community by investing time in offering healthy learning opportunities for the children. Kate Probert Fagundes, Manager of Income Support Department, will present the Governor's proclamation and give brief overview of the Carver County child care licensing unit work and its partnership with the providers.

**ACTION REQUESTED:**

Motion to accept the Governor's Proclamation designating week of May 4<sup>th</sup> through May 8<sup>th</sup> as Family Child Care Provider Week, and acknowledge outstanding contributions of all Family Child Care Providers to keep children safe and communities economically secure.

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

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6897



## STATE of MINNESOTA

# Proclamation

WHEREAS: Children are among Minnesota's most precious treasures, representing our greatest hopes for the future as the next leaders of our state and nation; and

WHEREAS: There are more than 7,400 licensed providers with the capacity to serve more than 88,000 infant to school-aged children in family child care homes in Minnesota; and

WHEREAS: Licensed family child care providers are highly competent, dedicated, and caring individuals; and

WHEREAS: The licensed family child care providers in Minnesota are professionals who create nurturing, safe, healthy learning environments, are knowledgeable about the developmental stages of children, and support them as they learn and grow; and

WHEREAS: Family child care providers are stepping up to ensure that children are safe and parents and guardians can go to work, making every attempt to stay open to serve the families of emergency workers during the COVID-19 pandemic; and

WHEREAS: Child Care Provider Appreciation Day is celebrated nationally on Friday, May 8.

NOW, THEREFORE, I, TIM WALZ, Governor of Minnesota, do hereby the week of May 4-8, 2020 as:

## FAMILY CHILD CARE PROVIDER WEEK

in the State of Minnesota.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this 4<sup>th</sup> day of May.

GOVERNOR

SECRETARY OF STATE

**Numbers:**

- Carver County Family Child Care Licensing currently has 113 providers.
- From 5/1/2019 to 5/1/2020 we opened 7 family child care providers and closed 11.

**Success/Longevity:**

1980's – 8 licensed since

1990's – 28

2000's – 32

2010's – 43

2020- 2

68 providers have been licensed more than 10 years

- 5 emergency grants were issued to family providers in Carver County during the COVID-19 pandemic
- 103 Child Care Providers are continuing to operate during Covid 19 Health Care Emergency.

**Legislative updates:**

- Providers, caregivers, and family members are now required to have a background study run through Netstudy which includes fingerprinting of everyone in the household who is offering childcare. This was implemented to ensure safety of the children. Pre covid 19, Carver County team, in partnership with the providers, was on track to complete fingerprinting by June 30<sup>th</sup> due date. The due date was suspended due to the health care emergency.
- Exit interviews are now required following all annual inspections. This allows licensors to let providers know if any rule violations were found during the visit, offer technical assistance on new legislation, or provide consultation for non-health and safety violations.

**Partnership with public health:**

- During the COVID-19 pandemic, Family Child Care Licensing and Public Health Nursing worked together to locate necessary cleaning supplies for providers. Cleaning supplies, hand sanitizer, and thermometers were delivered to 18 family child care homes that were in need of supplies.

- During the COVID-19 pandemic, Family Child Care Licensing and Public Health Nursing worked together with the local school districts to coordinate delivery of meals for child care homes. Eleven family childcare homes chose to have meals delivered to their homes two times a week.

**Partnerships with businesses:**

- Carver County team invested time to create partnerships with private businesses to help childcare providers obtain essential supplies: hand sanitizers, wipes, diapers, and offer delivery of school meals to the providers.
- Partnerships for the supplies are established with Target, Cub Foods, Mackenthuns in Waconia, Hoppers in Waconia and Coopers Foods.
- Partnerships for the school meals delivery are established with Southwest Prime and Smart Link.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Status Update on COVID-19**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

Dr Scott will provide Board members with a brief update on status of COVID-19 in our county. He will also discuss the most recent activities and key strategies used to address this Public Health emergency, as well as provide an update on current EOC operations. Dr. Scott will further respond to questions from Board members.

**ACTION REQUESTED:**

Recieve the update on COVID-19 from Dr. Richard Scott.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2020 - 6893

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**COVID 19: Reopening Carver County - Phase I Update**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 5/19/2020

Contact: Dave Hemze Title: County Administrator

Item Type:  
Regular Session

Amount of Time Requested: 30 minutes

Attachments:  Yes  No

Presenter: Dave Hemze Title: County Administrator

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

On Tuesday, March 17 the Board suspended all Carver County walk-up services. On Monday, May 4 the Board implemented a Reopening Carver County - Phase I plan. This recommendation is to update Phase I according to the attached document (changes shown by double underlining additions and striking through deletions) including the following.

1. Resuming Jury trials in June (First Judicial District Court decision).
2. Opening Environmental Center drive through on Wednesday, June 3.
3. Opening Chanhassen and Waconia library computers by appointment only on Wednesday, June 3.
4. Opening License Center driver's license applications and passports by appointment only when approved by the State of Minnesota and/or federal government.

Reopening Carver County - Phase II and Phase III will be recommended to the Board later based upon health data and trends, with the goal of incrementally reopening all Carver County buildings and services.

**ACTION REQUESTED:**

Motion to adopt updates to Reopening Carver County - Phase I Updates according to the attached document.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total**  \$0.00

Insert additional funding source

**Related Financial/FTE Comments:**

Additional information on COVID-19 buget impacts will be presented at a later date.

*Office use only:*

RBA 2020 - 6881



## COVID-19 Reopening Carver County – Phase I Update

Proposed ~~April 28~~ May 19, 2020

Reopening Carver County – Phase I recommendations are attached with a proposed implementation date of Monday, May 4. Recommended Phase I updates are also shown with a proposed implementation of Wednesday, June 3. The main objective of the phased plan is to keep our citizens and employees safe and healthy while gradually reopening County services. Related strategies include the following.

1. All buildings remain closed to general walk-in traffic during Reopening Phase I.
2. Service by appointment is offered for certain services that cannot be completed via other methods or are difficult to complete online due to lack of an electronic solution, complexity of transaction, or customer barrier to accessing the service online.
3. Electronic processing of documents and applications, and delivery of services via virtual methods are continued and increased where possible. Methods for effective virtual service delivery are refined. Innovations are continued into the future when appropriate.
4. Physical spaces are appropriately prepared (room arrangements to support social distancing, protective barriers installed, enhanced cleaning protocols continued, etc.).
5. Employees continue to telework where effective service delivery can be provided through remote work arrangements.

Protocols related to services that are reopened will be guided by the Center for Disease Control (CDC) and Minnesota Department of Health (MDH) recommendations. Reopening Carver County - Phase II and Phase III will be recommended to the Board later based upon health data and trends, with the goal of incrementally reopening all Carver County buildings and services.

Continuing to strategically enhance the County's ability to quickly convert to effective service delivery in the event of renewed social distancing or stay at home guidance will remain an ongoing area of focus. It is the County's goal to be prepared and responsive to current and future challenges, while maintaining employee and community health, safety, and wellbeing as top priorities.

**COVID-19**  
**Reopening Carver County – Phase I Update**

Proposed ~~April 28~~ May 19, 2020

Division	Services to Reopen	Services to Remain Closed/Other Notes
<b>County Attorney</b>	<u>Jury trials</u> : Scheduled to resume in <del>May</del> <u>June</u> . Prosecutors and staff will be appearing in court, along with defense attorneys, witnesses and jurors. We are working with the Courts to implement appropriate safety protocols.	
<b>Employee Relations</b>	N/A – All services fully operational remotely	Employee Relations is fully functional remotely and completing all services via available technology. Employee Relations will continue to deliver services remotely during Reopening Phase I.
<b>Health and Human Services</b>	<ol style="list-style-type: none"> <li>1. <u>CareerForce</u>: By appointment only for employment assistance and by reservation for job searches on computers.</li> <li>2. <u>Accounting</u>: Receipt Child Support payments</li> <li>3. <u>Adolescent Day Treatment</u>: Open two days per week (other days done thru telehealth)</li> <li>4. <u>Immunization clinics</u>: By appointment only.</li> <li>5. <u>Adult and Juvenile Probation</u>: By appointment only for high risk clients.</li> </ol>	<u>Child and Family services, Home and Community-Based Care services, and Financial Assistance</u> : All services have continued utilizing alternative communication methods during the building closure. Remote work and tele/video communication solutions will continue until further notice.

<p><b>Property and Finance</b></p>	<ol style="list-style-type: none"> <li>1. <u>Property Tax, Land Records, Assessing and Elections &amp; Licensing</u>: By appointment only for certain services including County Commissioner candidate filing, land record plats, complicated property tax appeal, complicated property tax statement, delinquent property tax confession of judgements, etc.</li> <li>2. <u>Property tax payments</u>: Can be made via a drop off box in the Government Center parking lot, a drop off box at the Chanhassen License Center, the Chaska License Center drive-through, online payments via county website, or US mail. Property tax payments by appointment for other limited circumstances.</li> </ol>	<ol style="list-style-type: none"> <li>1. <u>Driver’s Licenses and Passports</u>: Currently unable to process due to State and Federal restrictions. <u>Open by appointment only when made available by the state and/or federal government.</u></li> <li>2. <u>License Center drive through windows</u>: Open for limited services such as tab renewals, title transfers and DNR licenses.</li> <li>3. <u>Marriage licenses</u>: Can now be provided electronically.</li> </ol>
<p><b>Public Services</b></p>	<ol style="list-style-type: none"> <li>1. <u>Complicated applications/permits</u>: By appointment for Veteran Services, Land Management/Environmental Services/Water Mgmt.</li> <li>2. <u>Outdoor services</u>: Provide services that can be conducted outside such as AIS inspections, land management site visits, feedlot inspections, septic inspections, water management field work, etc.</li> <li>3. <u>Rural recycling drop-off sites (Cologne, Mayer and NYA)</u>: Open during regular hours but will be unstaffed.</li> </ol>	<ol style="list-style-type: none"> <li>1. <u>Libraries</u>: Remain closed. Offering curbside pickup at Chanhassen and Waconia, Express Library at Mayer and Carver, and expanded online and social media-based services and programs. Will continue to explore opening additional curbside locations. <u>Open Chanhassen and Waconia computer access by appointment only on Wednesday, June 3.</u></li> <li>2. <u>Environmental Center</u>: <del>Remains closed.</del> <u>Open drive through on Wednesday, June 3.</u></li> <li>3. <u>County Board and Advisory Committee Meetings</u>: Buildings remain closed for County Board, advisory committees, and other meetings which will be conducted via videoconference. Researching additional options for enhanced public input.</li> <li>4. <u>Extension</u>: University of Minnesota has canceled Extension programs through the end of June.</li> </ol>

<p><b>Public Works</b></p>	<ol style="list-style-type: none"> <li>1. <u>Park restrooms: Parks and trails including playgrounds and restrooms are open. Beginning May 4th, public parks restrooms are anticipated to be open. Well systems and building water and sanitary systems are to be in operation. Cleaning of the facilities two times per/day is anticipated during COVID-19. Mowing becomes a routine practice, as well as other routine maintenance of park and trails and buildings.</u></li> <li>2. <del>Seasonal maintenance staff: Will be needed as maintenance needs grow. Highway operation and parks staff will share workload where possible, but more workers will be needed.</del></li> <li>3. <u>Campgrounds: If allowed by the Governor, Baylor campground will open on May 18<sup>th</sup> with a modified model., seasonal staff will be hired and begin May 4th.</u></li> <li>4. <u>Parks recreation services: Continues with development of new programs and service delivery models. Work continues to implement household size/members into various programs, continue with virtual and self-guiding programming and marketing and outreach. Some seasonal instructors will be needed as well as some park service attendants are utilized as needed.</u></li> <li>5. <u>Right of way negotiations: One-on-one meetings with property owners to begin in June as necessary. Physical distancing and PPE protocols in place.</u></li> </ol>	<p><u>Park amenities: Beaches and Park Shelters remain closed until at least June 1. Lifeguard service on hold through June 13 pending further evaluation. Large events continue to be cancelled including 4<sup>th</sup> of July Fireworks.</u></p> <p><u>Highway Operations: Continue as is with staff split in 3 locations (Cologne, Hollywood, and Chaska) with 5-6 people in each. Crews will not mix from location to location separated except on larger projects that require more than 6 people, in which case they will be are split into small sub-groups and practice social physical distancing. Seasonal staff added. Mechanics will continue to work in a day and night shift to limit the staff in the shop.</u></p> <p><u>Highway Construction: Continues as planned. Field crews trained in prevention of infectious disease spread in highway work zones. Portable wash stations added.</u></p> <p><u>Parks Maintenance: As workload increases, seasonal staff are added.</u></p>
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<p><b>Sheriff's Office</b></p>	<ol style="list-style-type: none"> <li>1. <u>Records requests</u>: Start allowing.</li> <li>2. <u>Jail visitation</u>: Start allowing (<del>possibly by appointment</del>) <u>via WebEx, Zoom, or similar platform.</u></li> <li>3. <u>Permit to carry</u>: Maintain by appointment but potentially expand days/hours.</li> <li>4. <u>Permit to Purchase</u>: <del>Started acceptance of applications several days ago.</del> Continue to encourage receiving by mail and possibly add drop box. <u>Place secure receptacle in the Lobby for receipt of permits to purchase for those who choose in-person delivery.</u></li> <li>5. <u>Volunteer-led jail programs</u>: Resume some in-house programs (e.g., bible study) <u>via WebEx, Zoom, or similar platform.</u></li> <li>6. <u>Resume admitting self-reports for in-custody sentences if the subject has been sentenced to 10 days or less.</u></li> </ol>	<p>Most Sheriff Office services have continued during suspension as they are essential.</p>
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# 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: 5/19/2020

Contact: Mark Metz Title:

Item Type:  
Closed Session

Amount of Time Requested: 30 minutes

Attachments:  Yes  No

Presenter: Jason Hively 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.

Jason Hively, 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. Mr. Hively 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:

Office use only:

RBA 2020 - 6903