



CARVER COUNTY *minnesota*

Carver County Board of Commissioners
November 3, 2020
Regular Session

Under Minnesota Statute 13D.021 the County Board has made a determination that opening the Carver County Government Center 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. Individuals who wish to provide public comments related to the meeting can do so by email at: admin-contact@co.carver.mn.us or by leaving a voicemail at (952) 361-1516.

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

All five Commissioners will be attending the meeting in person with appropriate social distancing.

REGULAR SESSION

- 9:00 a.m. 1. a) **CONVENE**
b) **Pledge of allegiance**
c) **Public comments submitted via email/voice mail**
- 2. Agenda review and adoption
- 3. Approve minutes of October 20, 2020 Regular Session 1-4
- 4. Community Announcements
- 9:05 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy and livable communities*
- 5.1 Shelter Agreement - Town Square Place..... 5
- 5.2 Re-appropriation of already approved CARES Act Coronavirus Relief Funds for HHS programs/projects..... 6-7
- 5.3 Request approval of 2021 Grant Agreement from Medica 8-9
- 5.4 Amendment 6 to Highway 10 Corridor Study Professional Services Agreement with Bolton and Menk, Inc 10-11
- 5.5 Parking Lot Snow Removal Contract 12
- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.6 Approval of the City of Mayer Local Water Management Plan..... 13-15
- 5.7 Christine Leonard - Request for a Farm-Related Business..... 16-21

5.8	USS Martha Solar, LLC. - CUP for a Large Solar Energy System	22-30
5.9	Laketown Electric (Bergmann Family Trust) - CUP for Contractor's Yard	31-36

Connections: Develop strong public partnerships and connect people to services
 5.10 His House Homeless Support and Food Services 37

Culture: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government
 5.11 Court Services Placement within the Carver County Organizational Chart 38-40
 5.12 2021 Retiree Health Insurance Contributions 41

Finances: Improve the County's financial health and economic profile
 5.13 Review/Social/Commissioners' Warrants..... NO ATT

- 9:10 a.m. **COMMUNITIES: Create and maintain safe, healthy and livable communities**
 6.1 Accept Governor's Proclamation and Honor Financial Workers and Case Aides for their Valuable Services 42-45
- 9:20 a.m. **FINANCES: Improve the County's financial health and economic profile**
 7.1 CARES Act Payroll Reimbursement 46-49
- 9:40 a.m. **ADJOURN REGULAR SESSION**

David Hemze
 County Administrator

UPCOMING MEETINGS

- | | |
|-------------------|--|
| November 9, 2020 | 1:30 p.m. Carver County Veterans Treatment Court/Veterans Day Recognition Zoom Event |
| November 10, 2020 | No Board Meeting |
| November 17, 2020 | 9:00 a.m. Board Meeting |
| November 24, 2020 | 9:00 a.m. Work Session |
| December 1, 2020 | 9:00 a.m. Board Meeting |
| December 3, 2020 | 6:00 p.m. 2021 Budget Public Hearing |
| December 8, 2020 | No Meeting |
| December 15, 2020 | 9:00 a.m. Board Meeting |
| December 22, 2020 | 9:00 a.m. Board Work Session |
| December 29, 2020 | No Board Meeting |

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on October 20, 2020. The building remained closed due to the health pandemic but was webcast live. Chair James Ische convened the session at 9:13 a.m.

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

Members absent: None.

Under public comments, Chair Ische acknowledged the receipt of comments from Karen Johnson Leuthner that were similar to comments they had previously received. She suggested the Hollywood Tower was a cancer stick and Mr. Lindner had allegedly made 17M in a business deal when it was sold.

The following amendment was made to the agenda:

Add 5.20: 2021 Non-Bargaining Employee Insurance Contributions.

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

Maluchnik moved, Workman seconded, to approve the minutes of the October 6, 2020, Regular Session. Motion carried unanimously.

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

Contract with Stuedeman Construction Services pending finalization of the contract review process.

Approved joint powers agreement with Young America and Benton Township for the Salem Avenue bridge project, pending finalization of the contract review process.

Authorized providing mini-grant funding to District 112 pending finalization of the grant/contract review process.

Approved LRDG Agreement amendment with the Minnesota Pollution Control Agency and delegated the Assistant County Administrator the authority to sign the amendment on behalf of the County.

Approved professional services agreement with Allian Engineering, Inc., for the Highway 40 Project-Belle Plaine Area, pending finalization of the contract review process.

Approved amendment to contract 20-304 authorizing an additional \$27,308 CARES Act funds to Ridgeview Medical Center for necessary costs in response to the COVID-19 public health emergency to properly outfit the mobile clinic trailer, pending approval of Attorney and Risk.

Approved contract between Health and Human Services Income Support Department and Alternative Business Furniture, Inc., pending Attorney/Risk approval not to exceed \$50,000 using CARES Act CRF funding.

Contract with Russ Bassett pending finalization of the contract review process.

Approved amendment to contract #18-506 with SRF Consulting Group, Inc., for \$311,036.00 for project scope changes for the Highway 212 Project-Dahlgren Township, pending finalization of the contract review process.

Approved amendment 2 to the professional services agreement with Bolton & Menk, Inc., for \$26,065 for the Highway 41 Project-Jonathan Area, pending finalization of the contract review process.

Approved amendment 3 to Arboretum Area Transportation Plan professional services agreement with Botlon and Menk, Inc., pending finalization of the contract review process.

Resolution #75-20 County Board Acknowledgement Highway 212 Traffic Signal Improvements Project Final Payment.

Resolution #76-20 Amendment 1 to Joint Powers Agreement with State of Minnesota for Arboretum Area Transportation Plan.

Authorized Health and Human Services acceptance of donations to Encore.

Contract with Security and Sound Co., as a necessary response to the CO-VID-19 public health emergency pending finalization of the contract review process.

Authorized Health and Human Services acceptance of donations received by the Child and Family Department between July 1, 2020 and September 30, 2020.

Contract with MEnD for inmate medical services.

Approved reappointment of Keith Kern as County Assessor for four years starting January 1, 2021.

Approve the 2021 benefits for non-bargaining employees as outlined above including 2021 monthly cafeteria contribution amounts for full-time benefit eligible non-bargaining employees based on the employee's election of health insurance with \$735.00 for single, \$1,220.00 for employee + spouse, \$895.00 for employee + child(ren), \$1,495.00 for family, and \$150.00 for waiver; maintaining the \$250.00 per month toward the cost of single health insurance for employees budgeted at least half-time but less than 0.8 FTE; and providing HRA/VEBA contributions in the amounts of \$750/\$1,500 and contributions for those electing the HSA High Deductible Health Plan option in the amounts of \$1,100/\$2,000.

Reviewed October 13, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$381,751.77 and reviewed October 20, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$443,509.08.

Lynch clarified he would be abstaining from the vote as one of the vendors was a friend.

On vote taken, Degler, Ische, Maluchnik, Workman voted aye. Lynch abstained. Motion carried.

Lynch moved, Degler seconded, to recess as the County Board and convene as the Carver County Board of Health. Motion carried unanimously.

Richard Scott, Community Health Services Administrator and HH&S Deputy Division Director, appeared before the Board for an update of the status of the COVID-19 pandemic and a summary of the County's state of health.

He explained nationally new CO-VID cases were spiking, with the States around Minnesota having the highest rates. Nationally deaths have been relatively flat but hospitalizations have been increasing. He noted the long-term effects of the disease, reviewed data related to school openings and guidelines for schools in Carver County. He stated Carver County currently had the lowest positivity rate in the seven counties. Dr. Scott pointed out the three testing events that have been completed and the upcoming testing events on October 27, 28 and 29th at no cost.

With regard to the Community Health Assessment, he explained Carver County was the healthiest, wealthiest and most educated County in Minnesota. He pointed out the Community Health Assessment put them in a solid foundation to address the pandemic.

Scott acknowledged the County has a lot going for it but not everyone shares the same story pointing out the number of people living at or below the poverty level. He stressed the need to reach out to the needs of all residents and noted the groundwork they have set to ensure they build on the work they are doing. He identified the key elements they needed to address that included affordability, housing, transportation, communication and physical and mental wellbeing. Scott highlighted the level of disparities to groups they were seeing in the State.

He indicated the Public Health Advisory Council, made up of 33 different individuals, identified key priority issues and explained the goals they hope to address as they moved into 2021.

The Board discussed related issues to the pandemic.

The Board thanked Dr. Scott for the updates.

Degler moved, Workman seconded, to adjourn as the Board of Health and reconvene as the County Board. Motion carried unanimously.

David Hemze, County Administrator, requested the Board approve an updated COVID 19 Phase II reopening plan. He indicated they were relying on health data in making decisions and referenced services that have partially reopened in the past. He pointed out 75% of employees are telecommunicating and that would likely continue.

He highlighted proposed reopening updates to libraries, License Centers and certain Health and Human Services staff appointments.

The Board inquired on future reopening plans for Libraries. Heidi Hoks, Library Director, explained the current status of reopening Chaska, Victoria and Watertown libraries.

Workman moved, Degler seconded to adopt the updated CO-VID-19 Phase II reopening plan. Motion carried unanimously.

Lynch moved, Degler seconded, to adjourn the Regular Session at 10:37 a.m. Motion carried unanimously.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Shelter Agreement - Town Square Place

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Carver County Shelter Program is a collaboration between Carver County Health and Human Services and the Town Square Place, owned by Chaska Lodging Management LLC in Chaska. The goal of the program is to keep people indoors while experiencing homelessness and provide opportunities to search for housing solutions. While enrolled in shelter, participants will receive assistance in identifying long-term solutions, access to mainstream benefits, and access to other community resources.

Providing the unsheltered with housing has been identified as an activity to effectively decrease the spread of COVID-19. CARES Act funding will be used to pay for hotel rooms from September to December 2020. All invoices for this time frame must be received by October 31st for the check to be cut and delivered by November 30th, 2020. Town Square Place will allow Carver County access to the pre-paid rooms through 12/31/20.

ACTION REQUESTED:

Motion to approve shelter agreement with Town Square Place

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	<input type="text" value=""/>
CARES Act	\$35,000.00
Total	\$35,000.00

Insert additional funding source

Related Financial/FTE Comments:

Total CARES Act allocated to shelter was 102,640, Board approved 9/1/2020. This is one of 3 hotels used for the program.

Office use only:

RBA 2020 - 7193

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Re-appropriation of already approved CARES Act Coronavirus Relief Funds for HHS programs/projects

Primary Originating Division/Dept: <input type="text" value="Health & Human Services"/>	Meeting Date: <input type="text" value="11/3/2020"/>
Contact: <input type="text" value="Heather Goodwin"/> Title: <input type="text" value="Deputy Director"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was signed into law on March 27, 2020 and Carver County received \$12.8M in funds that can be utilized for any of the purposes established in the Federal CARES Act. These funds can only be used for those costs that 1) are necessary expenditures incurred due to the public health emergency with respect to COVID-19; 2) were not accounted for in the budget most recently approved as of March 27, 2020; and 3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

HHS has found cost-savings with some purchased CARES Act CRF items and has available already Board-approved dollars that we would like to repurpose for other newly-identified eligible items or to purchase items where we did not allocate enough funds initially; basically we need more in one area and need less in another. We are requesting to re-appropriate approved HHS CARES Act CRF dollars in the following way:

\$75,000. Repurpose Transportation funds to Housing:

At the 08/04/2020 Board meeting, the Board approved CARES Act: CRF dollars in the amount of \$150,000 for transportation assistance to the community. The HHS Income Support Department is seeing few applications for transportation assistance and an increase in applications from residents for housing support. Working in partnership with CDA, a mutual decision was made for the Income Support department to process all the applications for rental assistance, with CDA focusing on processing applications for mortgage assistance for homeowners and small and home-based business assistance. Carver County will serve those who needs help with rent, up to and including residents at or below 300% of poverty. We would like to repurpose \$75,000 from the already approved CARES Act: CRF transportation fund to CARES ACT: CRF housing fund to accommodate an increased demand for rental assistance from the community.

\$12,000. Repurpose Transportation funds to add to Digital Divide Program:

At the 09/01/2020 Board meeting, HHS was approved \$100,000 in CARES Act CRF funds to impact the digital divide in Carver County. The HHS Income Support Department purchased 160 Lenovo (computer) devices to support community. The order was placed with a delivery confirmation date of 10/23/2020. In order to meet CARES Act: CRF deadlines, the Income Support department accepted applications from the community and pre-approved 160 Lenovo devices for 160 residents based on the funding available and the cost of the individual device. On 10/15/2020, Carver County received information that Lenovo, not the vendor, but the company, cancelled the order to accommodate a larger order in California. IT secured a different vendor who is willing and able to provide 160 digital devices. The cost of the individual device is slightly higher than the cost of the Lenovo device. The transfer of \$12,000 from the already Board-approved CARES Act: CRF transportation fund to the CARES Act: CRF digital divide fund is necessary to meet a commitment given to the 160 pre-approved Carver County residents. The current order is set to arrive 11/23/2020. The vendor issued a commitment that Carver County will have the digital devices on hand and is fully able to full fill the order. HHS will be distributing them to residents immediately once they arrive.

\$13,200. Repurpose IT funds to purchase equipment for Child Support:

At the 08/18/2020 Board meeting, the Board approved \$871,000 in CARES Act: CRF dollars toward technology. Much of that (\$551,500 was allocated to HHS). Due to cost savings obtained with many of the IT purchases (cloud book packages, iPads, scanners, etc.) there are Board-approved dollars to repurpose for other identified IT needs related to the pandemic. Child Support would like to repurpose \$13,200 of the already approved dollars to purchase eleven (11) scanners for the Child Support team. The HHS Child support team is working in a hybrid model rotating time between office (at the Government Center) and remote work (home office). The amount of scanning has significantly increased, and current scanners are outdated and unable to sustain the necessary level of work. These were not currently budgeted for replacement. The investment supports the County's vision to offer a safe work environment to all the employees, and to ensure compliance with MDH and CDC orders. It also supports our Child support team members abilities to conduct their work more efficiently, meet required outcomes, offer great services to the customers, and bring revenue to support the County's budget.

\$12,000. Repurpose Space Remodel funds to purchase equipment for Workforce team:

At the 10/06/2020 Board meeting, the Board approved \$75,000 through the CARES Act: CRF to conduct a space remodel of the

HHS area in Building 602. The cost for the space remodel is less than expected and is closer to \$50,000 in total cost. Therefore, the CareerForce Center as part of the space remodel would like to repurpose \$12,000 to purchase ten (10) scanners for the Workforce team. The workforce team is working in a hybrid model rotating time between their offices in and around the CareerForce Center and remote work (home office). The amount of scanning has significantly increased, and current scanners are outdated and unable to sustain the necessary level of work. These were not currently budgeted for replacement. The investment supports the County's vision to offer a safe environment to all the employees, and to ensure compliance with MDH and CDC orders. It also supports the Workforce team members' abilities to conduct their work more efficiently, meet required outcomes, offer great services to the customers, and bring revenue to support the County's budget. In addition, the investment has direct impact on faster economic recovery as the Workforce team mission is to meet demands of the job seeker and employers.

\$10,000. Repurpose IT funds to purchase a Kiosk for HHS:

At the 08/18/2020 Board meeting, the Board approved \$871,000 in CARES Act: CRF dollars toward technology. Much of that (\$551,500 was allocated to HHS). Due to cost savings obtained with many of the IT purchases (cloud book packages, iPads, scanners, etc.) there are Board-approved dollars to repurpose for other identified IT needs related to the pandemic. HHS would like to repurpose already approved CARES Act: CRF dollars in the amount of \$10,000 to purchase one Kiosk for the HHS lobby. The Kiosk allows residents to conduct business without a need to access the HHS main lobby. The ability to complete scanning, schedule appointments, communicate with their county worker, print paperwork, and complete applications all through a Kiosk will decrease face-to-face interaction between the customer and a front desk staff. The investment will support necessary physical distancing measures, offer great service to the customer, and allow staff to focus on customers who have higher needs that are unable to use the Kiosk. The ongoing cost for the Kiosk maintenance is within the HHS Income Support budget and will not require any additional county tax levy support.

\$2,000. Repurpose Staff PPE funds for additional Child Face Coverings:

At the 10/06/2020 Board meeting, the Board approved over \$461,000 for PPE (Personal Protective Equipment (PPE)). The Board approval included \$2,000 for child face coverings, but we learned that we need double that amount. We would like to repurpose \$2,000 out of available and already approved PPE CARES Act: CRF funds to purchase additional child face coverings specifically for the Child Protection/Child & Family Department. Social workers continue to conduct home visits and support families with their essential needs. Families are asking for the child face masks to accommodate children's needs to attend public events, school, clinics, and hospitals. Providing face coverings (masks) directly impacts the health of children and protects all residents' health and wellness during the pandemic.

\$1,000. Repurpose Staff PPE funds for additional Large HEPA Air Purifiers:

At the 10/06/2020 Board meeting, the Board approved over \$461,000 for PPE (Personal Protective Equipment (PPE)). The Board approval included \$1,000 for large HEPA Air Purifiers, but we learned that we need double that amount. We would like to repurpose \$1,000 out of available and already approved PPE CARES Act: CRF funds to purchase two additional large HEPA Air Purifiers for First Street Center and the space occupied by the Crisis Team at the Government Center. Air Purifiers claim to remove 99.98% of airborne contaminants. Purchasing these units support staff safety from the virus while working at one of Carver County's worksites.

\$2,400. Repurpose Staff PPE funds to provide Child Protection Visitation Space:

At the 10/06/2020 Board meeting, the Board approved over \$461,000 for PPE. Because of COVID-19, Child Protection staff have been conducting court-ordered visits between a child placed out-of-home and their parent outside to comply with CDC and State of MN physical distancing requirements. With the onset of cold weather, it is necessary to find a room large enough to accommodate all parties including the contracted agency staff person who is supervising the visit. The request is to repurpose PPE dollars to pay for a room at the Chaska Community Center. Visits will occur 4 times per week.

Repurpose Request. Total = \$127,600

ACTION REQUESTED:

Motion to approve the re-appropriation of already approved HHS CARES Act: CRF dollars as necessary in response to the COVID-19 public health emergency.

FISCAL IMPACT: None <input type="button" value="v"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text" value="\$0.00"/>
FTE IMPACT: None <input type="button" value="v"/>	CARES Act: CRF <input type="text" value="\$127,600.00"/>
	Total <input type="text" value="\$127,600.00"/>
	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Note: These funds have already been approved by the Board on the dates noted in the background section. This request is to repurpose those CARES Act: CRF dollars for other items related to the pandemic.

Office use only:

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request approval of 2021 Grant Agreement from Medica

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Health and Human Services Child & Family Department applied for and received an Early Childhood Health grant from the Medica Foundation for \$25,000 to use between 01/01/2021 – 12/31/2021. This grant will allow Carver and Scott County to implement, collaboratively, SafeCare, an evidence-based training curriculum for parents with young children who are at risk or have been reported for child maltreatment. Between the two counties, six (6) staff will be trained and certified in this training curriculum and one staff will participate in additional training to become a SafeCare Coach. The SafeCare curriculum includes three modules: home safety, health, & parent-child interaction. Each training module is broken down into six separate sessions. Each session typically lasts 50 to 90 minutes. Sessions can be done in-person or virtually using a web-based portal. SafeCare is rated as a supported practice by the Title IV-E Prevention Services Clearinghouse. Research has shown that SafeCare increases child safety, improves parental knowledge and health treatment of their child, improves parent-child communication and problem solving and reduces physical abuse and neglect. The SafeCare training curriculum folds nicely into our agency's Signs of Safety practice model where we engage natural supports to wrap safety around children to prevent out of home placement. We will utilize staff who already work within our Child Protection Unit including those who facilitate our Parent Support Outreach Program (PSOP) and support staff who have experience working with parent coaching, parent-child supervision, and in-home parenting interventions.

The agreement has already been reviewed and approved by Risk, our County Attorney's Office, our Division Director, and the County Administrator.

ACTION REQUESTED:

Motion to approve the 2021 Grant Agreement from the Medica Foundation in the amount of \$25,000 to allow for collaboration with Scott County and the implementation of the SafeCare parent training curriculum.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	\$0.00
Grant	\$25,000.00
Total	\$25,000.00

Insert additional funding source

Related Financial/FTE Comments:

This will be an increase to the 2021 Budget. This is a competitive one-year grant, so it was not included in the 2021 Adopted Budget.

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request approval of 2021 Grant Agreement from Medica

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		
Description of Accounts	Acct #	Amount
2021 Budget Medica - Training	11-423-709-0000-6332	\$25,000.00
TOTAL		\$25,000.00

CREDIT		
Description of Accounts	Acct #	Amount
2021 Budget Medica Grant	11-423-709-0000-...	\$25,000.00
TOTAL		\$25,000.00

Reason for Request:

2021 current budget amendment- Motion to approve the 2021 Grant Agreement from the Medica Foundation in the amount of \$25,000 to allow for collaboration with Scott County and the implementation of the SafeCare parent training curriculum.

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Amendment 6 to Highway 10 Corridor Study Professional Services Agreement with Bolton and Menk, Inc

Primary Originating Division/Dept: <u>Public Works - Program Delivery</u>	Meeting Date: <u>11/3/2020</u>
Contact: <u>Angie Stenson</u> Title: <u>Senior Transportation Planner</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

This is an amendment to the Highway 10 Corridor Study for additional professional and technical services for work tasks including: Project Management and Agency Involvement, Existing and Future Conditions, Concepts and Recommendations, and Regional Solicitation Grant Application Assistance. This amendment request includes added costs due to the COVID-19 public health emergency including the addition of virtual public engagement efforts with added graphics and online surveys, added stakeholder coordination meetings, and an extension of the project schedule to maintain coordination and communication among the seven participating agencies. Added technical items include traffic forecasting and analysis, additional traffic operations reviews, additional intersection and neighborhood access reviews, and additional pedestrian facility and trail technical evaluations.

The Highway 10 Corridor Study is a transportation planning project on Highway 10 (Engler Boulevard) from approximately Highway 43 (Church Lake Boulevard) to Highway 61 (Chaska Boulevard). The purpose of the study is to develop community supported recommendations for transportation system improvements including the future roadway and intersection concepts, multimodal improvements, access management plan, environmental considerations, and implementation plan to accommodate existing and planned land uses along the corridor.

ACTION REQUESTED:

Motion to approve Amendment 6 to Highway 10 Corridor Study professional services agreement with Bolton and Menk, Inc. pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$58,438.31
CARES Act	\$23,000.00
City of Chaska	\$19,479.44
Total	\$100,917.75

Related Financial/FTE Comments:

Amendment includes \$23,000 of work eligible for CARES Act funding. The remaining amount will follow approved Joint Powers Agreement with City of Chaska for 25% cost share.

11/3/20 Update:

- 23,000 Transportation Plan Virtual Public Engagement - Recommended for approval 11/3/20 Board Meeting
- 88,879 Conference Room upgrades- Recommended for approval 10/6/20 Board Meeting
- 56,840 HHS programs- Recommended for approval 10/6/20 Board meeting
- 560,121 Compliance with public health measures, medical expenses, PPE, and sanitation throughout county departments- Recommended for approval 10/6/20

500,000 Ridgeview Mobile Clinic Trailer - approved 9/15/20 Board Meeting

61,600 Ridgeview Call Center - approved 9/15/20 Board Meeting

303,341 Public Health Measures - approved 9/1/20 Board Meeting

100,000 Economic Support to stop digital divide for youth & families - approved 9/1/20 Board meeting

65,000 Virtual Public Meeting on Arboretum Transportation Plan - approved 9/1/20 Board Meeting

871,000 IT Projects- approved 8/18/20 Board Meeting

392,300 Facilities Projects - approved 8/18/20 Board Meeting

2,000,000 Community Development Agency economic support programs- approved 8/4/20 Board Meeting

596,660 Health and Human Services Division economic support programs - approved 8/4/20 Board Meeting

7,233,051 Unallocated - County staff are developing recommendations that will be presented at future Board meetings.

\$12,851,792 Total CARES Act Funds

Office use only:

RBA 2020 - 7208

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Parking Lot Snow Removal Contract

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Carver County facility services received quotes for 2020/2021 parking lot snow removal at the Government Center, Chaska and Chanhassen License Centers, Mental Wellness Facility and Environmental Center. The other facilities in the County are plowed by County staff.

Excel Lawn and Landscape was the low quote from the three vendors that submitted proposals. The breakdown per 2" plus snow event is: Government Center \$760; Chaska License Center \$125; Chanhassen License Center \$125; Enviornmental Center \$312.50; Mental Wellness Facility \$225. The contract also includes cost for other optional services including de-icing and snow hauling.

For the 2019/2020 snow season, Facilities spent about \$75,600 which did not include the Environmental Center. The total contract price will depend on the amount of snow events but, is not expected to exceed the contract amount of \$95,000.

ACTION REQUESTED:

Contract with Excel Lawn and Landscape for the parking lot snow removal.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7210

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of the City of Mayer Local Water Management Plan

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

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

The entirety of the City of Mayer is in the CCWMO and therefore must meet the requirements of the CCWMO Watershed Management Plan. The City has submitted a draft LWMP to the CCWMO for review, and a final LWMP for consideration for approval. The plan provides a guide for the City and includes an inventory of land and water resources, identifies major issues, goals and policy objectives, an implementation plan, and charts administrative and funding procedures to enact the plan including partnering with the CCWMO.

Staff have reviewed the City of Mayer LWMP and found that it complies with the CCWMO's current plan and with state statute and rules. The City of Mayer and the CCWMO also are in the process of developing a memorandum of understanding regarding shared implementation of educational and other plan priorities.

ACTION REQUESTED:

Motion to adopt a resolution approving the City of Mayer 2020 Local Water Management Plan.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7192



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: November 3, 2020

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

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

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby approves the Local Water Management Plan (dated August 2020) for the City of Mayer with the conditional understanding that

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

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

**STATE OF MINNESOTA
COUNTY OF CARVER**

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 3rd day of November, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3rd day of November, 2020

David Hemze
County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Christine Leonard - Request for a Farm-Related Business

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 #PZ20200052. On October 20, 2020, the Planning Commission recommended approval of Christine Leonard's Conditional Use Permit (CUP) for a Farm-Related Business in the Agricultural Zoning District. The subject property is owned by Tim & Amy Leonard. If approved, the applicant would operate a specialty cheese shop (i.e. The Grater Good) as a farm-related business from her parent's property (i.e. located on the existing 10-acre farmstead). The business would consist primarily of farmstead cheese production, but would also include garden vegetables, and processing home-raised beef. The request would operate out of a prefab commercial building (i.e. commercial kitchen - approximately 9' x 19' or 171 sq. ft.) which would be located immediately south of the existing house.

The commercial kitchen would be utilized for the preparation of platters utilizing cheeses, garden vegetables, and beef, and include both refrigerated and dry storage. The building would need to meet State Building Code and MN Department of Agriculture guidelines.

The business would operate by appointment only, Monday through Saturday. The applicant also lives onsite and would be the only employee. The applicant estimates the business would generate approximately 10 vehicle trips per day and could possibly expand to 20 trips per day on Fridays and Saturdays. The majority of the vehicle trips would be for dropping off customer purchases but may also include customer pick-ups of their pre-ordered platters. The applicant has not indicated there are any business/company vehicles (only personal vehicles) being proposed as part of the operation as this time. The applicant appears to meet the minimum standards for a Farm-Related Business CUP.

The development of the site would need to meet the CCWMO Chapter 153 - Water Resource Management standards, as well as the County Subsurface Sewage Treatment System (SSTS) requirements.

The Waconia Town Board supports the request.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and issue Order #PZ20200052 for the issuance of a Conditional Use Permit.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total



COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20200052

RESOLUTION #: 20-20

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

FILE #: PZ20200052

APPLICANT: Christine Leonard

OWNERS: Tim & Amy Leonard

SITE ADDRESS: 13315 106th Street, 55397

PERMIT TYPE: Farm-Related Business

PURSUANT TO: County Code, Chapter 152, Section 152.079 C (2)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 09-032-0600

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of October 20, 2020; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Tim & Amy Leonard own approximately 81.59 acres located in the East Half (E½) of the Southwest Quarter (SW¼) of Section 32, Waconia Township. The property is improved with a single-family dwelling with an attached garage and several agricultural outbuildings. The property is part of an active family dairy farming operation, and is located in the Agriculture Zoning District, in the Shoreland Overlay Districts of both Hydes Lake and Rice Lake, and the CCWMO (Carver Creek Watershed).
2. Christine Leonard, the daughter to Tim & Amy Leonard, is requesting a Conditional Use Permit (CUP) to operate a Farm-Related Business (i.e. specialty cheese and freezer beef shop) pursuant to Section 152.079 C (2) of the Carver County Zoning Code.
3. The applicant is requesting to operate a specialty cheese shop (i.e. The Grater Good) as a farm-related business from her parent's property (i.e. located on the existing 10-acre farmstead). The business would consist primarily of farmstead cheese production, but would also include garden vegetables, and processing home-raised beef. The proposed facility would be located immediately south of the existing house, along 106th Street. The facility would consist of a prefab commercial building converted into a commercial kitchen (approximately 9' x 19' or 171 sq. ft.), parking area, 2,000 gallon holding tank, and well location.
4. The commercial kitchen would be utilized for the preparation of platters utilizing cheeses, garden vegetables, and beef. The building would need to meet State Building Code and MN Department of Agriculture guidelines. The building would also include both refrigerated and dry storage.
5. The business would operate by appointment only, Monday through Saturday. The applicant also lives onsite and would be the only employee. The applicant estimates the business would generate approximately 10 vehicle trips per day and could possibly expand to 20 trips per day on Fridays and Saturdays. The majority of the vehicle trips would be for dropping off customer purchases but may also include customer pick-ups of their pre-ordered platters. The applicant has not indicated there are any business/company vehicles (only personal vehicles) being proposed as part of the operation as this time. The applicant appears to meet the minimum standards for a Farm-Related Business CUP.

6. The county parking standards require one parking space for each 250 square feet of floor area for retail sales and four parking spaces plus one for each 400 square feet of processing of a product or material. The entire building would be utilized for both of the mentioned uses; therefore, the identified parking area shown on the site plan (dated: 09/14/2020) would need to include a minimum of six (6) parking spaces.
7. The Conditional Use Permit operational plan submitted by the applicant proposes the use of a 2,000-gallon holding tank for wastewater management. The Subsurface Sewage Treatment System (SSTS) design plan would be reviewed once submitted to Carver County to verify that it meets all requirements of MN Rule 7080-7083 and Chapter 52 of the Carver County Code of Ordinances. An SSTS permit must be obtained, as well as an SSTS Operating Permit and Maintenance Agreement with a licensed SSTS Maintainer.
8. The applicant is proposing an approximate 13 square-foot on premises sign near the junction of Highway 5 and 106th Street, and an identical sign at the driveway. Any signage proposed would be required to meet the standards of Chapter 154 of the County Code; not to exceed a total of 32 square feet of surface area.
9. The request was sent to the MNDNR Area Hydrologist for review comments; however, no comments were received.
10. The Waconia Town Board reviewed and recommended approval of the request during their August 24, 2020, Town Board meeting. The Township also asked that a condition be included which allows the Township the ability to request dust control be applied to 106th Street if additional traffic becomes an issue in the future.
11. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20200052, for a Farm-Related Business on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. The Permittee shall maintain homestead status and occupancy on the property. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners/operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The Farm-Related Business (Specialty Cheese Shop) shall operate in accordance with the operational letter and overall site plan (dated: 09/24/2020). These plans shall be considered requirements of this permit.
3. The existing structure(s), not utilized for the business, shall be used only by the occupant(s) of the residence and/or property owner for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance.
4. The accessory building utilized for the proposed business shall meet MN State Building Code, as well, as MN Department of Agriculture and MN Department of Health standards. The permittee shall obtain the appropriate building permit(s) prior to the construction of the structure. A Certificate of Occupancy must be issued before processing and retail sales commence within the interior of any structure. *Approval from the said agencies shall be obtained prior to the issuance of any building permit(s).*
5. Any future remodeling or improvements structures shall require Carver County Building Official review and permit approval. Future construction of any new structure to be utilized as part of the business, shall be permitted upon review and issuance of appropriate building permit(s) prior to construction.

6. The Permittee shall be allowed to conduct retail sales from the facility; however, no wholesaling of any processed products is allowed.
7. Permittee shall comply with all road authority (i.e. Waconia Township) access requirements including their ability to request dust control be applied to 106th Street if additional traffic becomes an issue in the future.
8. The Permittee must install and maintain a conforming Subsurface Sewage Treatment System pursuant to Chapter 52 of the Carver County Code to accommodate any restroom(s) and wastewater produced within the structure utilized as part of the business operation. The permittee shall submit and maintain a pumping agreement (for the holding tanks) with a licensed SSTS contractor. All liquid wastewater shall be pumped and disposed of at a licensed facility. The Permittee shall submit a copy of their contracted hauler to the Land Management Department and Environmental Services annually.
9. All solid waste materials generated by the operation shall be done by contract with a licensed company. All future contracts must be submitted to the Land Management and Environmental Services Departments annually.
10. Any and all site improvements on the property shall be completed in accordance with the CCWMO Chapter 153 – Water Resource Management standards and the Wetland Conservation Act (WCA), if applicable.
11. The Permittee is responsible to the Minnesota Department of Agriculture, Minnesota Department of Health, Minnesota Board of Animal Health, and to any other County, State or Federal agencies, for maintaining the required permits and licensures for meat processing and retail sales operations. The Permittee shall submit copies of all required permits and licenses to Carver County Land Management annually.
12. The Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage of signage per property.
13. Any existing drain tile(s) on the site must be maintained and/or re-routed, such that flow through the property is not hindered or adversely altered.
14. The property including the structure and grounds shall be maintained in a neat and orderly manner.
15. The Permittee shall submit proof of Workers Compensation insurance to the Land Management Department annually.

ADOPTED by the Carver County Planning Commission this 20th day of October 2020.

John Fahey, Chair
Carver County Planning Commission

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 09-032-0600/part of

File# PZ20200052

APPLICANT: Christine Leonard

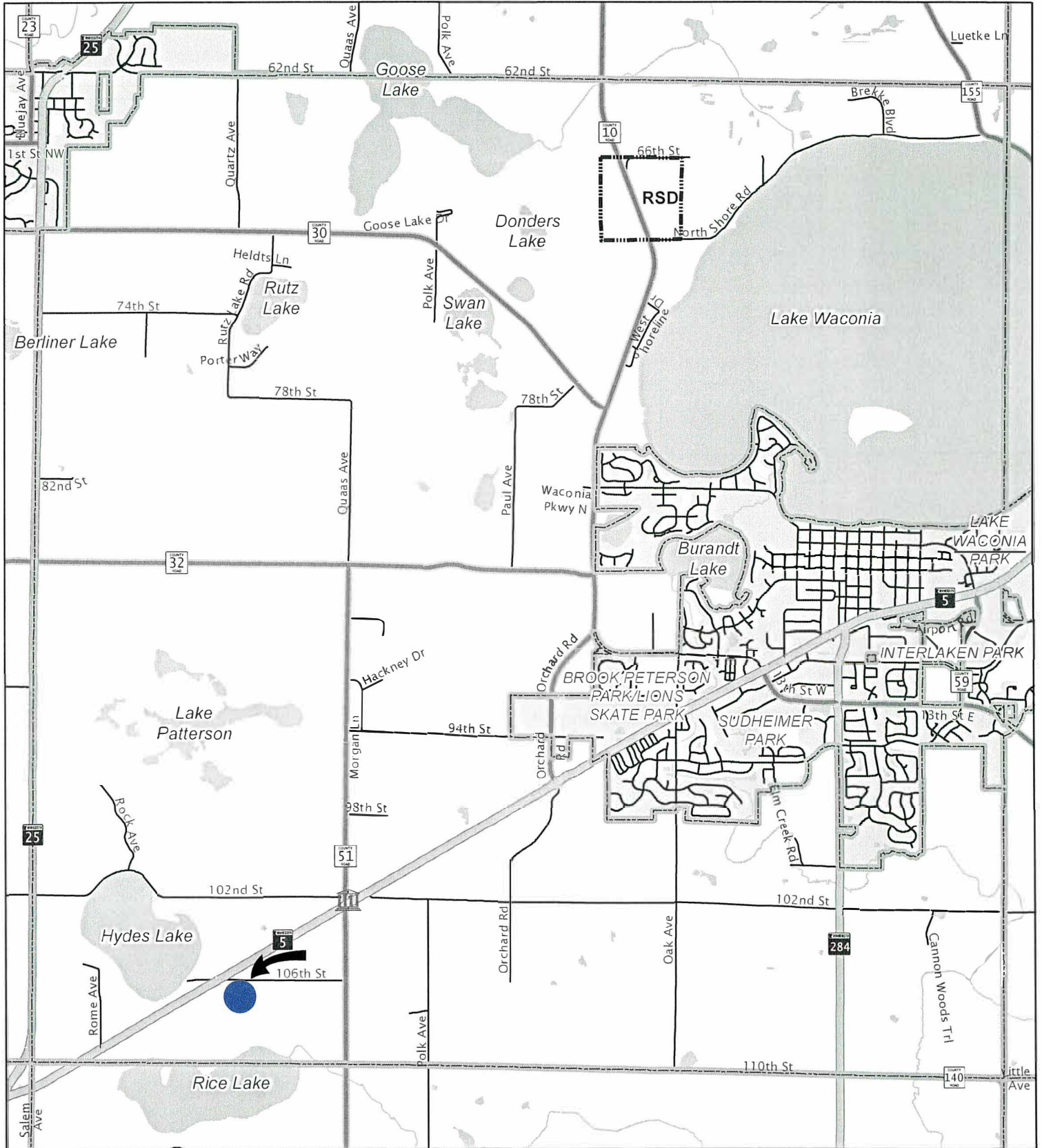
OWNER: Timothy & Amy Leonard

All the land lying westerly and northerly of the following described line: Beginning at the northeast corner of Government Lot 3, thence westerly along the north line of Government Lot 3, 554.10 feet; thence south, parallel with the easterly line of Government Lot 3, 451.00 feet, thence westerly, parallel with the north line of Government Lot 3, approximately 1044.20 feet to the westerly boundary line of the East 16.40 acres of Government Lot 5 in the Southwest Quarter of Section 32, and there terminating.

This description is intended to be approximately 10 acres and includes the existing farmstead building site.

DRAFTED BY: Carver County Land Management Department

WACONIA TOWNSHIP



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



Map Created by Carver County GIS

Carver County Board of Commissioners Request for Board Action



Agenda Item:

USS Martha Solar, LLC. - CUP for a Large Solar Energy System

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #PZ20200039. The Planning Commission has recommended approval of a Conditional Use Permit (CUP) for USS Martha Solar, LLC. (a subsidiary of United States Solar Corporation - US Solar) for a Large Solar Energy System (Community Solar Garden or CSG) of up to one megawatt (1 MW). The proposed site is owned by the Herbert & Eldora Glander Revocable Trust and is located in Section 33 of Young America Township.

The CSG would be located on approximately 7.3 acres (currently tillable acreage) of the 19.02-acre parcel. The remaining acreage would consist of a tillable production land.

The request meets the standards of the Carver County Zoning Code Chapter 152, Section 152.039 (2)(b) Large SES. The solar array would be required to meet the CCWMO Chapter 153 – Water Resource Management standards for the duration of the permit (i.e. stormwater management and vegetative cover).

The Young America Town Board supports the request and has entered into a road maintenance agreement with USS Martha Solar, LLC. for the usage of the township cartway (i.e. Martha Street). The usage agreement was executed on October 13, 2020, upon final signatures by the road authority.

The Planning Commission Resolution of approval is attached.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and issue Order #PZ20200039 for the approval of the Conditional Use Permit.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7201

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20200039

RESOLUTION #: 20-18

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

FILE #: PZ20200039

APPLICANT: Cullen Kobayashi (US Solar, USS Martha Solar, LLC.)

OWNER: Herbert & Eldora Glander Revocable Trust

SITE ADDRESS: 15XXX Marth Street, 55339

PERMIT TYPE: Renewable Energy – Large SES

PURSUANT TO: County Code, Section 152.039 (B)(2)(b) and 152.052

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 11-033-0810

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of October 20, 2020; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. The subject property (approximately 19.02 acres) is owned by the Herbert & Eldora Glander Revocable Trust and is located in the Northern Half (N½) of Section 33, Young America Township. The proposed site is located on approximately 7.3 acres of the 19.02-acre parcel and consists of agricultural production land. The subject property is located in the Agricultural Zoning District, and the CCWMO (Bevens Creek watershed).
2. USS Martha Solar, LLC, (i.e. the project company) a subsidiary of United States Solar Corporation (US Solar), is requesting to construct, operate (by lease), and maintain up to a one (1) Mega-Watt (MW) Community Solar Garden (CSG) as a Renewable Energy (Large – Solar Energy System) – Conditional Use Permit (CUP) on the subject parcel. The request is being proposed as part of Xcel Energy’s Community Solar Garden Program, which was established by the State of Minnesota in 2013. The Energy contract with Xcel Energy for this program is for a minimum of 25 years.
3. The Planning Commission continued the public hearing from the September 15, 2020, meeting to the October 20, 2020, meeting to allow for additional review and discussion regarding, but not limited to, US Solar and the Young America Town Board to finalize a road maintenance agreement for the use of Martha Street. A “60-Day Law” letter (attached) was sent to the applicant on October 9, 2020, extending the deadline for a final decision until December 19, 2020, at the latest.
4. The proposal is considered a Large Solar Energy System (LSES) because the current (DC) rate capacity exceeds 100 kilowatts and would produce energy that would be added to Xcel Energy’s existing grid system. A Large SES requires a CUP pursuant to Section 152.039 and 152.052 of the Zoning Code.
5. The 2040 Carver County Comprehensive Plan recognizes the importance of providing access to solar resources. The County looks to ensure development of solar is in a manner which is efficient and follows all land use controls. The development of solar energy systems is guided by Policy LU-20 Essential Services, Public and Quasi-Public, and Limited Private Uses that serve a community purpose. This policy states that energy production is deemed beneficial or essential to the public health and safety, welfare, or serves a public good of the community. In addition, Policy LU-37 under Solar Resources Policies states that “the County will avoid any undue restrictions on solar access”. The use of agricultural land is temporary in nature and the impervious areas would be minimal. The amount of long-term agriculture land utilized for the large SES is small in relation to the total acreage of the Xcel Energy service area. These factors are compatible with the 2040 Comprehensive Plan.

6. Cullen Kobayashi has submitted an application on behalf of US Solar, which is a developer/owner/operator based in Minneapolis, MN and responsible for coordinating all solar projects including development, permits, finance, construction, management, insurance, maintenance, monitoring, and customer service.
7. The applicant has indicated the site was selected due to its solar resource, physical characteristics (limited grading, no impact to wetlands, adequate space for setbacks and screening, and soils capable of supporting the project), proximity and access to sufficient distribution facilities (i.e. along Park Avenue - Hamburg, MN), applicable zoning and permit requirements, and willingness of the landowner. The Herbert & Eldora Glander Revocable Trust has entered into a minimum 25-year lease agreement with US Solar Development, LLC.
8. The applicant is proposing to construct and operate up to a one (1) mega-watt (MW) solar garden on the site. The major equipment components of the solar array include the solar modules, inverters, and racking. The panels would be on single-axis trackers, which rotate from east to west and would be a maximum of 8 feet in height and do not require concrete foundations; therefore, are easily removed during decommissioning. The energy produced on the site would be fed to 40 inverters installed onsite, which would be enclosed and meet all applicable codes and standards. From the inverters, energy would be transferred to the interconnection location on the northeast side of the project area through underground, medium-voltage cable, to the proposed new utility pole location within the north side of the proposed operational area. The exact panel, array, inverter and electrical interconnection configuration and dimensions may change based on the actual equipment and manufacturer selection; however, the ultimate panel/fencing locations must remain within the approved site plan.
9. According to the applicant, no substantial grading or filling is being proposed in the design of the solar array with the exception of a 15-foot wide gravel access road. The proposed solar racking is noted to accommodate the existing terrain allowing for maintenance of the existing drainage and runoff patterns, minimizing the impact to surrounding lands. Any/all grading will be pursuant to Chapter 153 – Water Resource Management guidelines.
10. During the approximate 4-month construction phase, the hours of operation being proposed are 7:00 a.m. – 7:00 p.m. Monday through Saturday (i.e. no work is permitted on Sundays or nationally observed holidays). After construction, the solar project would operate 24 hours a day, 365 days a year. Site operations (energy productivity) would be monitored remotely with equipment determined and approved by Xcel Energy. There would be no daily traffic after completion of construction although, one (1) quarterly site visit (one vehicle with two authorized employees) would take place to perform routine maintenance, in addition to any unplanned maintenance. During the first few years of operations, a landscape maintenance personnel would visit the site more frequently, during the growing season, to ensure the health of vegetation and landscaping is managed efficiently.
11. USS Martha Solar, LLC. is proposing to drive piles (i.e. metal posts) into the ground to support the single-axis tracker racking system. This phase generally lasts 2 days or less. The applicant has noted the piles would be installed with noise mitigating, vibrating piles that are anchored into the ground based on structural analysis which also better facilitate decommissioning as they do not require cement foundations and are easily removed. The Carver County Zoning Code includes a standard which requires foundation posts to be installed using noise mitigating equipment such as a vibrating post driver or any other noise reduction method as may be stipulated by the CUP, with which the applicant would need to comply.
12. Although the City of Hamburg is immediately north of the subject location, the surrounding land uses in all other directions consist primarily of agricultural land. Outside of the City, there are approximately 7 homesteads within a half mile of the project. It appears the closest resident is approximately 505 feet east of the proposed operational area; and the nearest feedlot (i.e. Andrew & Jodene Stuewe) is located approximately 900 feet southeast of the proposed operational area. The applicant has proposed to use quick-growing Nannyberry and Red Elderberry trees to provide screening along the eastern side of the operational area. The applicant has proposed farm-field style fencing without barbed wire, not exceeding eight (8) feet in height, around the perimeter of the operational area for safety and security measures.

13. Xcel Energy has conducted and completed an engineering cost estimate and provided an Interconnection Agreement (dated August 17, 2020). Xcel Energy provides the study results to inform the applicant of the engineering indicative cost estimate, where they are located in the interconnection queue, and to identify the maximum generation capacity (in MW) which can be accommodated at the site location. The interconnection location, located to the northeast of the operational area, would be constructed pursuant to Xcel Energy's standards and would also require a minimum of three (3) utility poles (at the interconnect point).
14. USS Martha Solar, LLC. or its successors would take on the responsibility and costs of the decommissioning of the site at the end of the operational life of the CSG as noted in the Project Narrative. Decommissioning would commence after twelve (12) months of non-operation. The project site would be restored to pre-construction conditions after removal of the structures, foundations, and restoration of soil and vegetation. Fencing would be removed and recycled, the access will be reclaimed, and soils replaced where needed. The site would be restored to productive farmland. USS Martha Solar, LLC. would be responsible for all costs and would supply a \$25,000 decommissioning fund. This fund would be available to the landowner, as well as the County in the form of a letter of credit or cash deposit to be used if USS Martha Solar, LLC. is unable to commence decommissioning. The applicant has spelled out the decommissioning process in their Project Narrative and Decommissioning Cost Estimate (dated: August 21, 2020) which appears to satisfy the decommissioning standard.
15. The applicant's operational plan includes acknowledgement of the public's concerns regarding stray voltage and provides additional informational materials including. The applicant stated that prior to commencement of construction, the soil would be tested for thermal resistivity. This information is then used to design a grounding system for the solar garden. After the project is completed, the perimeter of the project will be tested for stray voltage to ensure it does not produce stray voltage. A condition of this permit should include, pre and post stray voltage testing at the solar site, as well as the Stuewe Dairy Farm. Any stray voltage would be remediated within 30 days of detection and verification, and all test results would be sent to Carver County for reference and made publicly available.
16. The applicant has not provided contact information for any maintenance and operation questions or concerns in their operational plan (dated: August 21, 2020). The applicant would need to provide a more detailed emergency response plan as well as contractor details pertaining to drainage, weed maintenance, screening, site maintenance, stray voltage, etc. It is understood that many of the subcontractor details are not addressed until a solar company and Xcel Energy have reached the final design plan phase for a project. The applicant would be required to submit (to the Carver County Land Management Department) the list of emergency contacts (during the construction phase) with an emergency plan prior to the issuance of any building permits. Updated contacts for post construction would be required to be submitted within 30 days of the issuance of the Building Permit Certificate of Occupancy (C.O.). The applicant would be required to provide signage with referenced contact information to be placed on the security fencing at this entrance to the operational area. All signage posted on site would be in compliance with Chapter 154 – Sign Regulations. Internal signage is required for labeling of electrical equipment to provide safety and support good practices.
17. The applicant has completed a preliminary drainage plan although, a full drainage report would be completed as part of the Stormwater and Pollution Prevention Plan (SWPPP) permit to be reviewed by the CCWMO as part of their stormwater management standards. A condition should be placed on the permit request which states, "The permittee shall be responsible for the maintenance and/or replacement of any/all drain tile servicing this site (if problems occur) for the duration of the CUP".
18. The Carver County Planning and Water Management Department (CCWMO) and Carver Soil & Water Conservation District (SWCD) would be reviewing the project with respect to the County Water Rules (Chapter 153), and for site stabilization requirements and Best Management Practices (BMP's). The applicant would be required to comply with any/all permitting requirements. As part of their formal review, they will also:
 - a. Review project plans to ensure that there are no adjacent property impacts caused by the project;
 - b. Review project plans to ensure that existing drain tile servicing the site has been identified and will be avoided during construction. Or, if any changes to the site's existing natural and subsurface drainage system are proposed, review changes to ensure that the proposed drainage system has the same capacity as the existing system;
 - c. Review proposed erosion and sediment control BMP's to ensure the site will be managed in a way that prevents offsite erosion or deposit of sediment during construction and is permanently stabilized following construction;

- d. Review other items as needed to demonstrate compliance with County Water Rules (Chapter 153);
 - e. Collect a surety of \$1,000 per acre up to a maximum of \$50,000 to ensure for faithful performance of the approved plans and to finance any necessary remedial work. The surety shall be held until the following conditions are met (additional conditions may be added during review):
 - i. The project is complete;
 - ii. The site has been re-vegetated (90% vegetative cover across the site, 100% vegetative cover with no signs of erosion in areas of concentrated flows);
 - iii. All erosion and sediment control measures have been removed.
19. The applicant has committed to using pollinator-friendly and native grasses underneath the solar panels and in the surrounding areas. The vegetation would be chosen to reduce stormwater runoff, expand habitat for pollinators, and preserve and improve soils to enhance the surrounding agricultural activity. USS Martha Solar, LLC. would control weeds and maintenance throughout the life of the project. Final implementation of the seeding plan shall be subject to review/recommendations by the CCWMO and Carver County SWCD to ensure the vegetative cover will meet or exceed the statewide standard for pollinator-friendly solar by scoring at least 70 points on the *BWSR Solar Site Pollinator Habitat Assessment*. USS Martha Solar, LLC. would ensure ground cover at the site is maintained and mowed for the duration of the permit. During the September 15, 2020, Planning Commission meeting, the Commission requested additional information pertaining to the Minnesota Board of Water & Soil Resources (BWSR) pollinator scorecard, as well as a plan for weed/vegetative maintenance on the solar site. David Watts, USS Solar, submitted an email (dated: 9/16/20 – attached) referencing the pollinator/wildlife habitat certification assessment scoring, an example scorecard site from a previous Carver County project, and a brief explanation on the importance of vegetative maintenance and how to approach it.
20. USS Martha Solar, LLC. (i.e. US Solar) would work with the local road authority (Young America Township) to allow for the use of Martha Street during construction. The access road would come off Martha Street and be approximately 15 feet wide with approximately 8 – 10 inches of aggregate material. The applicant would be required to enter into a Road Usage & Maintenance Agreement with the road authority.
21. The applicant has indicated that they have a comprehensive insurance policy which will meet the applicable insurance coverage requirements. Minnesota state guidelines require the Permittee to maintain a comprehensive public liability insurance policy which is written by an insurance carrier and must be authorized by law.
22. The following area property owners submitted letters to Carver County which were entered into the public record as part of the September 15, 2020, Planning Commission Public Hearing.
- David & Joyce Stuewe – 1330 Waconia Pkwy S Waconia, MN (Letter of Opposition – 9/4/20).
 - Paul and Stephanie Panning - 15175 Martha St Hamburg, MN (Letter of Opposition – 9/4/20).
 - Andy Stuewe (i.e. Flower-Brook Holsteins) – 15335 Martha St Hamburg, MN (Letter of Neutrality – 9/8/20).
 - Glander Family – Owners of the subject land proposed for solar (Letter of Support – 9/8/20).
 - City of Hamburg – Adjacent city to proposed solar (Letter of Concerns – 9/15/20).
23. During the September 15, 2020, Planning Commission meeting, Stephanie Panning (neighboring landowner) stated she and her husband, Paul, are still opposed to this request. She clarified that even with the updated site plans, the solar garden will be visible from their house and is not screened by the row of trees referenced by Mr. Watts. She expressed her concerns that Martha Street is a busy narrow gravel cartway which will become more dangerous during the 3-4 month construction phase. She was appreciative that the applicant was willing to increase the screening and stated it must be properly maintained or it will not block their view of the solar panels.
24. During the September 15, 2020, Planning Commission meeting, Commissioner Ische asked staff to contact the City of Hamburg for more information about their September 15, 2020 comments regarding pollution of the ditch and potentially the water supply. He also requested staff to ask how many new houses were built in the city over the past 5-years. On October 12, 2020, Jason Mielke (Land Use Manager) contacted Jeremy Gruenhagen (City of Hamburg Clerk-Treasurer) to discuss their documented concerns. Mr. Gruenhagen indicated the City Council questioned the type of solar panels being installed and the potential concerns of chemicals leaking from the panels and possibly contaminating the Judicial Ditch and possibly the area water supply. Mr. Gruenhagen indicated the city has not had

any new houses constructed in the past five years; however, they have had 3 twin homes built during that time period. He further indicated the City Council feels the placement of the solar site impedes on the potential for growth of the city even though they do not have a transition area identified.

25. The Young America Town Board reviewed the request during their September 8, 2020, Town Board meeting and requested the Planning Commission continue the public hearing for 30-days in order to allow a road maintenance agreement to be executed with USS Solar, LLC. The Town Board reviewed and recommended approval of the request during their October 13, 2020, meeting with the following comments:
 - A Road Agreement was approved including - No parking on the road (Martha St) and no hazardous materials used onsite.
 - Provide a connection from a stormwater outlet and existing tile line to the ditch, pursuant to the CCWMO requirements.
26. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20200039 for a Large SES - Community Solar Garden on the land described in Exhibit “A” of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to Compliance Review. The permit allows for a community solar garden on the subject 19± acre property (approx. 7± acre lease area) and it is not transferable to another parcel and/or another area of the parcel subject to the permit. Upon notice to the Carver County Land Management Department, the permit, including all rights and obligations therein, may be assigned, in whole or in part, to any Permittee affiliate and any party with experience owning and operating energy generation facilities. Any other proposed change in facility ownership shall be cause for the permit to be reviewed by the Carver County Land Management Department for a determination as to whether an application for an amendment or similar consideration is necessary, and any such proposed owners and/or operators of the solar site are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. Permittee shall operate in accordance with the submitted CSG Application (submittal date: August 21, 2020) Site Plans (updated: September 14, 2020), any/all CCWMO permit approval(s) (i.e. stormwater infiltration, BMPs, site vegetation and plantings, and site reclamation), and any/all Young America Township conditions (i.e. Road Usage & Maintenance Agreement, etc.). These plans shall be considered a requirement of this permit. If there are any inconsistencies between previously submitted versions, the terms of the most recent submittal shall prevail and shall be considered requirements of this permit. The CSG shall be installed and maintained in accordance with Section 152.039 including; noise mitigation, decommissioning, and screening (if applicable).
3. All structures used in conjunction with the facility shall meet the applicable requirements of the Carver County Zoning Code and State Building Code. Any required building permits must be obtained prior to construction.
4. The permit is subject to any/all Young America Township standards pertaining to access requirements. If required, the appropriate permit(s) shall be obtained before any project related work commences. The project is also subject to any/all conditions pertaining to the Township Road Maintenance Agreement (executed on October 13, 2020). The signed Agreement shall be followed during the operational life of the system.
5. Any grading and/or filling activity on the property shall be completed in accordance with the CCWMO Rules and the Wetland Conservation Act (WCA), if applicable. All site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.

6. The Permittee shall be responsible for the maintenance, replacement, and/or abandonment of any/all drain tile servicing this site for the duration of the CUP. The Permittee shall work with the landowner to determine if replacement or abandonment is necessary for the any drain tile (if a tile is hit or problems occur).
7. The vegetative cover shall be implemented in accordance with the operational plan (submittal date: August 21, 2020) and site plans (updated: September 14, 2020), which shall be considered a requirement of this permit. The project shall be planned and developed in a way that is beneficial to pollinators – the vegetative cover will meet or exceed the statewide standard for pollinator-friendly solar by scoring at least 70 points on the *BWSR Solar Site Pollinator Habitat Assessment*. The Permittee shall be responsible for maintaining weeds and any/all vegetative ground cover for the duration of the CUP. The Permittee or grounds representative shall physically inspection the site four (4) times a year in order to provide sufficient vegetative maintenance (i.e. weeds, natives & shrubs). Final implementation of the plan(s) shall be subject to the CCWMO review and approval.
8. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations.
9. Pursuant to the operational plan (submittal date: August 21, 2020), USS Martha Solar, LLC. shall construct the facility according to the National Electrical Safety Code standards. The permittee shall conduct pre- and post-construction stray voltage testing at the solar site, as well as at the Stuewe Dairy Farm. Results of any stray voltage data collection shall be submitted to the Carver County Land Management Department. Any stray voltage identified shall be remediated within 30 days of detection and verification.
10. Decommissioning of the solar facility shall be implemented in accordance with the Decommissioning Plan process (submittal date: August 21, 2020) at the end of the life of the community solar garden. The Permittee shall be responsible for all of the decommissioning costs as identified in the Decommissioning Plan. The Permittee & Property Owner shall maintain the lease agreement for the duration of the solar energy array. Carver County shall be appropriately named in the decommissioning plan as an interested party having access to the financial surety in the event insufficient decommissioning takes place. The Permittee shall also provide the list of contractors including name(s), addresses and telephone numbers to Land Management Department for the decommissioning and reclamation once the essential service is no longer in use.
11. The Permittee shall provide the Carver County Land Management Department with the Operation & Maintenance agreement documenting the emergency/response plan containing contact name(s), addresses, and telephone number(s) for the responsible party(s) as it pertains to drainage, weed maintenance, screening, site maintenance, stray voltage, etc. The list of contacts shall also be posted and/or identified by a placard sign at the site with the contact name(s), addresses, and telephone number(s). The completed (construction) emergency/response plan shall be submitted to the Land Management Department prior to the issuance of any building permit(s), and/or prior to beginning any construction activities on the subject parcel, as well as an emergency plan (post-construction) listing contacts for the on-going maintenance/operations after construction is completed. This plan shall be submitted within 30-days of receiving the Building Permit Certificate of Occupancy (C.O.).
12. No later than the date that construction of the solar facility begins; the Permittee (including all Permittee affiliates) shall name Carver County as an additional insured on all policies of liability insurance. The Permittee shall annually file with the Carver County Land Management Department a certificate evidencing coverage. The certificate shall provide that the County must be given thirty (30) days written notice of the cancellation of insurance.
13. No later than the date that construction of the solar facility begins, the Permittee (including all Permittee affiliates) shall submit a copy of Worker’s Compensation Insurance to the Carver County Land Management Department.

ADOPTED by the Carver County Planning Commission this 20th day of October 2020.

John Fahey, Chair
Carver County Planning Commission

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 11-033-0810/part of

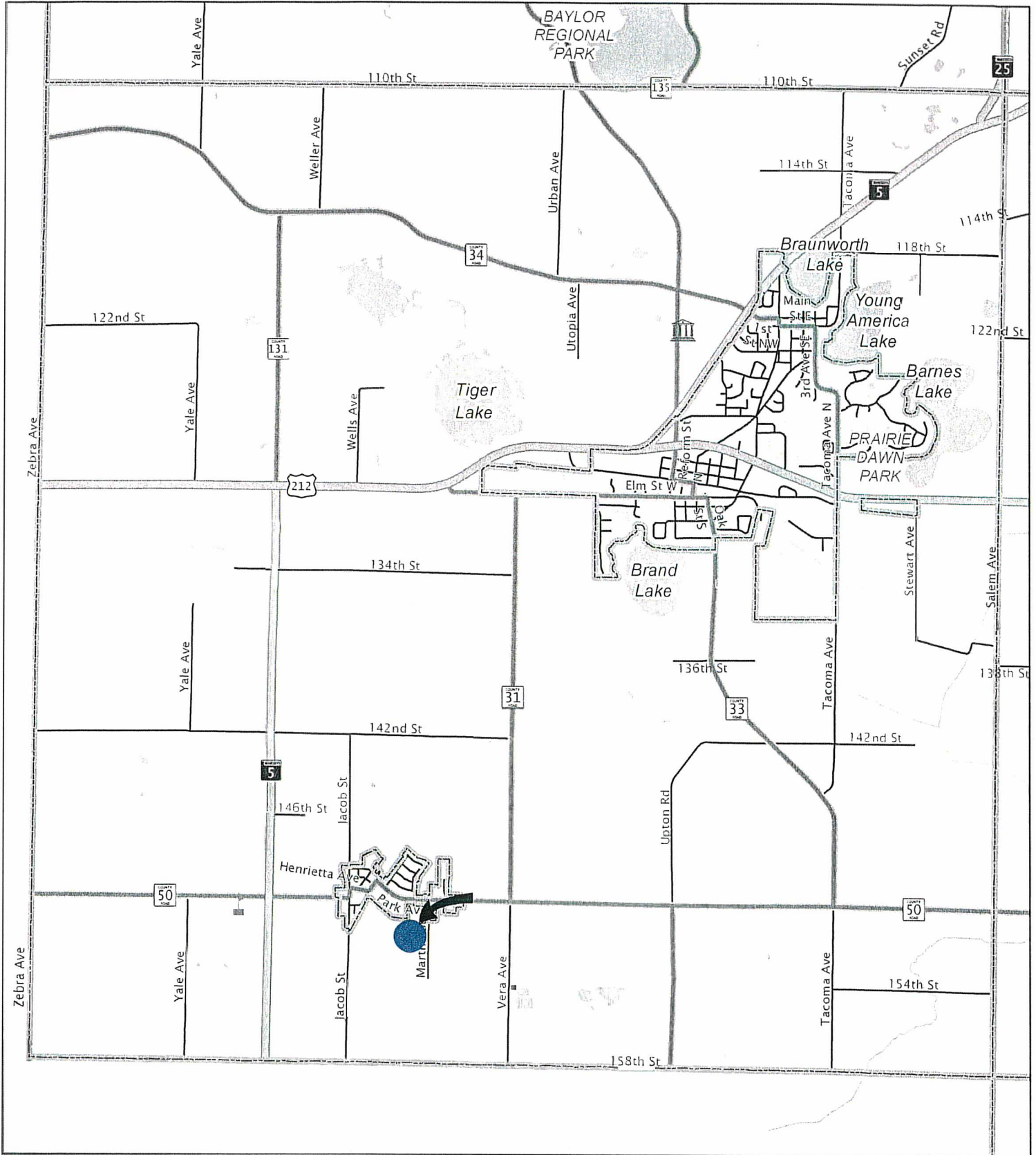
File# PZ20200039

APPLICANT: USS Martha Solar, LLC

OWNER: Herbert H Glander, Jr Revocable Trust and Eldora E Glander Revocable Trust, Herbert H Glander and Eldora E Glander, Trustees

All that part of the East Half of the Northwest Quarter of Section 33, Township 115 North, Range 26 West, of the 5th Principle Meridian in the Township of Young America, Carver County, Minnesota, described as follows: Commencing at an iron monument 726.00 feet north of and 16.5 feet west of the center of said Section 33; thence North parallel with and 16.5 feet west of the north and south center line of said Section 33, a distance of 595.8 feet to an iron monument; thence South 89 degrees 02 minutes west, a distance of 386.5 feet to an iron monument; thence North 46 degrees 52 minutes west, a distance of 703.4 feet to an iron monument; thence South, parallel with and 916.5 feet west of the north and south center line of said Section 33, a distance of 1068.0 feet to an iron monument; thence East, parallel with the east and west center line of said Section 33, a distance of 900.0 feet to the place of beginning, containing 15.02 acres.

YOUNG AMERICA TOWNSHIP



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



Map Created by Carver County GIS

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Laketown Electric (Bergmann Family Trust) - CUP for Contractor's Yard

Primary Originating Division/Dept: ▼

Meeting Date: 📅

Contact: Title:

Item Type:
Consent ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:
 ▼

BACKGROUND/JUSTIFICATION:

File #PZ20200054. The Planning Commission recommended approval of Laketown Electric's Conditional Use Permit (CUP) for a Contractor's Yard, on the 30.27-acre a parcel located in Section 8, Laketown Township. The property consists of tillable production land and is improved with two (2) existing commercial buildings utilized as part of the existing commercial business activity.

Laketown Electric is considered a legal non-conforming use because the original CUP #8374 (year -1991) was issued before the requirement for a single-family residence and homesteading. A conditional use permit amendment took place in 2015 (CUP #PZ20150034) allowing for the expansion of the business activity. Because the activity did not meet the requirement for a single-family home (and homestead status), a variance was requested and approved by the Board of Adjustment on June 3, 2015, allowing the contractor's yard without a residence (Order #PZ20150016).

They are requesting authorization to construct an approximate 60' x 120' heated outbuilding to accommodate Laketown Electric's growth. The structure would provide for additional storage needs to house equipment such as; scissor lifts, backhoes, trenchers, cable plows and large trucks. Mr. Bergmann, CEO of Laketown Electric Corp, as indicated that they have vested interest in preserving the life of these important daily use assets; therefore, the need for the structure.

The business is not seasonal; therefore, the number of employees does not vary from season to season. 11 employees report to the office daily, while the remainder of the employees report directly to the jobsites. An estimated 20 trips are generated to and from the site daily.

The Laketown Town Board supports the request.

ACTION REQUESTED:

A motion to adopt Findings of Fact and issue Order #PZ20200054 for the issuance of a Conditional Use Permit.

FISCAL IMPACT: ▼

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT: ▼

Total

Insert additional funding source

Related Financial/FTE Comments:

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20200054

RESOLUTION #: 20-19

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

FILE #: PZ20200054

APPLICANT: Dale Kutzke, Kutzke Construction, Inc.

OWNER: David W. Bergmann Family Share Trust

SITE ADDRESS: 8470 Hwy 5, Waconia 55387

PERMIT TYPE: Contractor's Yard

PURSUANT TO: Carver County Code: Section 152.079

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 07-008-0500

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of October 20, 2020; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. The David W. Bergmann Family Share Trust owns an approximate 30.27-acre parcel located in the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section 8, Laketown Township. The property is improved with two (2) commercial buildings (Laketown Electric Corporation). The parcel has one "1 per 40" building eligibility, such that a single-family home could be constructed in the future. The site is located in the Agriculture Zoning District and the Minnehaha Creek Watershed.
2. The applicant, Dale Kutzke, is requesting authorization to construct an approximate 60' x 120' heated outbuilding to accommodate Laketown Electric's growth. The original Contractor's Yard Conditional Use Permit (CUP) was issued for the property in 1991 and then amended in 2015 (CUP #PZ20150034 is attached). The proposed building requires the application for a new CUP pursuant to the Carver County Zoning Code. The existing contractor's yard operation does not meet the requirement for a single-family home (and homestead status); therefore, a variance was requested on June 3, 2015, and it was approved by the Board of Adjustment (Order #PZ20150016 is attached).
3. This request has been applied for pursuant to Section 152.079 (C)10 of the Zoning Code which addresses the standards for a Contractor's Yard.
4. Laketown Electric is considered a legal non-conforming use because the original CUP #8374 (year -1991) was issued before the requirement for a single-family residence and homesteading. An amendment took place in 2015 (CUP #PZ20150034 is attached). The existing contractor's yard operation did not meet the requirement for a single-family home (and homestead status); therefore, a variance was requested and approved by the Board of Adjustment on June 3, 2015, (Order #PZ20150016 is attached).
5. The applicant is requesting to expand the existing Contractor's Yard (i.e. Laketown Electric Corporation) by allowing for an approximate 60' x 120' (7,200 square-foot) building. The proposed building requires the application for a new CUP pursuant to the Carver County Zoning Code. The applicant's letter (dated: 9/25/20) and operational plan (dated: 9/24/20) provide details of the businesses expansion as they have outgrown the current space. The structure would provide for additional storage needs to house equipment such as; scissor lifts, backhoes, trenchers, cable plows and large trucks. Mr. Bergmann, CEO of Laketown Electric Corp, as indicated that they have vested interest in preserving the life of these important daily use assets; therefore, the need for the structure. The business continues to be family

owned and operated business in Carver County for 45 years and has no interest in ever leaving the property if continued growth can be accommodated. The business is limited to a maximum of 9 business vehicles operating from the site. The operation meets all of the remaining standards for a Contractor's Yard CUP, pursuant to the Zoning Code.

6. The hours of operation consist of Monday-Friday from 6:00AM – 4:30PM. The business is not seasonal; therefore, the number of employees does not vary from season to season. 11 employees report to the office daily, while the remainder of the employees report directly to the jobsites. An estimated 20 trips are generated to and from the site daily.
7. The Minnesota Department of Transportation (MNDOT) did not provide comments regarding the access to Hwy 5; however, prior land use comments received from MNDOT for other requests included a comment stating, "the property owner should periodically remove any excess gravel from the shoulder by their driveway for the safety of cyclists and drivers."
8. A new septic system (SSTS) was installed onsite in conjunction with the 2015 CUP request. Any future expansion may require a Subsurface Sewage Treatment System (SSTS) design be submitted, reviewed and approved by the Carver County Environmental Services Department to verify that it meets all requirements of MN Rule 7080-7083 and Chapter 52 of the Carver County Code of Ordinances.
9. The business activity has existing signage located along Highway 5. Signage would be required to meet the standards of Chapter 154 of the County Code; not to exceed 32 square feet of surface area. The size of a two-sided sign shall be calculated based on the surface area of only one of the sides, provided the sign surfaces are completely flush. No additional signage is being proposed at this time.
10. The Laketown Town Board reviewed and recommended approval of the request at their October 12, 2020, Town Board meeting.
11. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20200054, for a Contractor's Yard Business on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends the previous Conditional Use Permit #PZ20150034 (Document Number A616686) and CUP #8374 (Document No. 128549) shall be terminated and be considered null and void. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The operation shall be in accordance with the submitted letter (dated: 9/25/20), operational plan (dated: 9/24/20) and site plan (dated: 9/25/20). These plans shall be attached to and become part of this permit. Any proposed expansion of the submitted site plan shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.
3. Permittee shall obtain the appropriate Building Permit(s), prior to the construction of the approximate 60' x 120' (7,200 square feet) commercial storage structure. Any future remodeling or improvements to any structures shall require Carver County Building Official review and permit approval. Future construction of any new structure to be utilized as part of the business, shall be permitted upon review and issuance of appropriate building permit(s) prior to construction.

4. A maximum of nine (9) business vehicles (including, but not limited to: pickups and commercial trucks utilized to supply the service) may be stored and/or permitted on the site. All outside storage shall be screened from neighboring properties and the public road and all business-related trucks, equipment and supplies shall be stored within existing structures and/or the approved operational area.
5. The Contractor's Yard must comply with the Subsurface Sewage Treatment System requirements of MN Rule 7080-7083 and Chapter 52 of the Carver County Code of Ordinances.
6. Permittee shall comply with all road authority requirements, if applicable.
7. Permittee shall maintain the Non-generator's Certificate or contact the Environmental Services (E.S.) Department to obtain a Hazardous Waste Generator's License if there is an increase in hazardous waste generated at the site.
8. Permittee shall submit a Certificate of Workers' Compensation Insurance and/or proper affidavit to the Land Management Department.
9. The entire operation shall comply with all local, state and federal regulations.

ADOPTED by the Carver County Planning Commission this 20th day of October 2020.

John Fahey, Chair
Carver County Planning Commission

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 07-008-0500

File# PZ-20200054

APPLICANT: Dale Kutzke, Kutzke Construction, Inc.

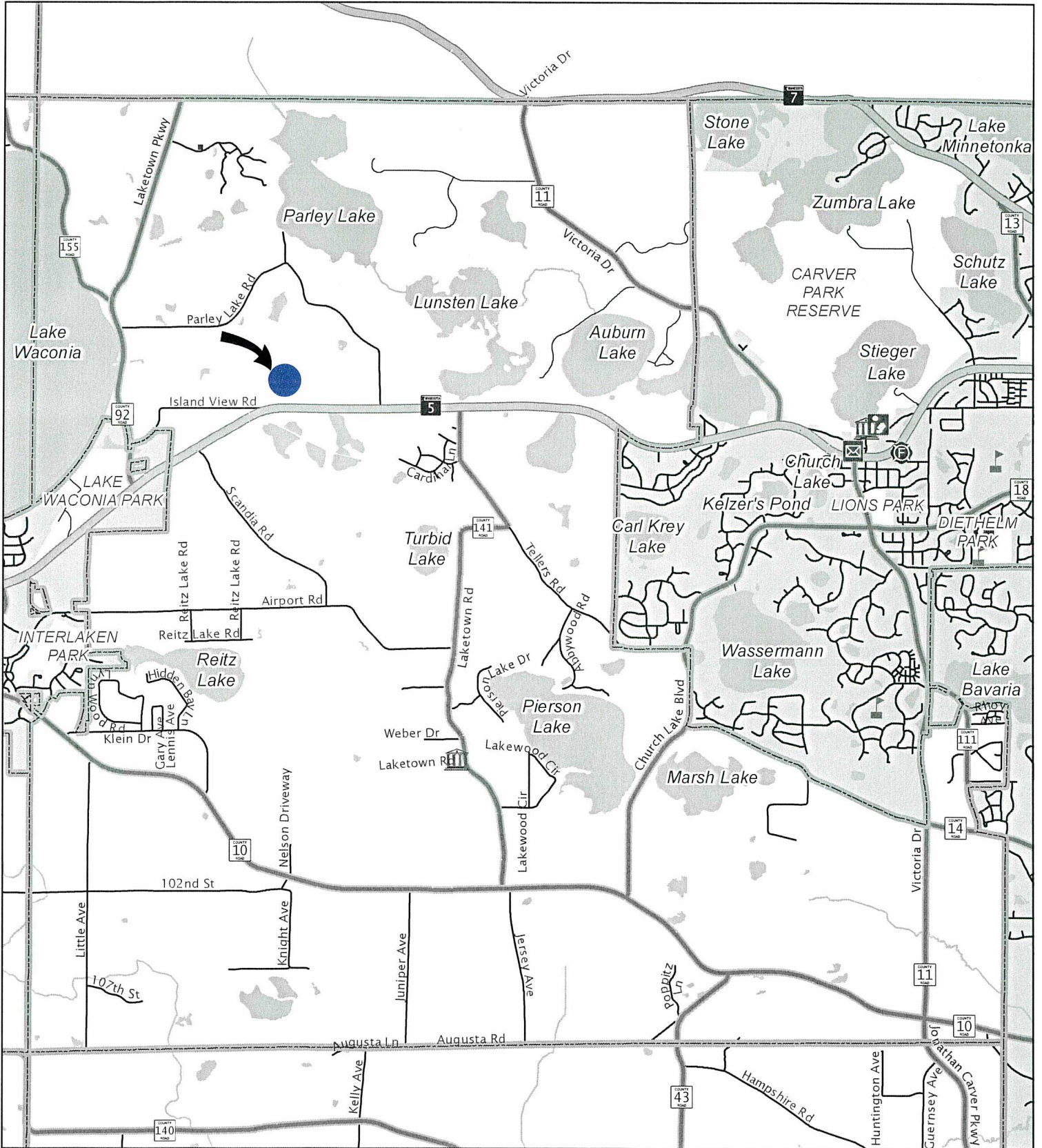
OWNER: David W Bergmann Family Share Trust

The East Half of the Southwest Quarter (E1/2 of SW1/4) of Section 8, Township 116 North, Range 24 West, according to the Government Survey thereof on file and of record in the Office of the County Recorder, Carver County, Minnesota.

EXCEPTING THEREFROM that part of the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) of Section 8, Township 116, Range 24, described as follows: Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter, thence North along the West line of said Southeast Quarter of the Southwest Quarter 561.0 feet to a point; thence East, parallel with the South line of said Section 8, a distance of 500 feet to a point; thence South, parallel to the West line of said Southeast Quarter of the Southwest Quarter, a distance of 561.0 feet to a point on the South line of said Section 8; thence West along said South line of Section 8, a distance of 500 feet to the point of beginning.

DRAFTED BY: Carver County Land Management Department

LAKETOWN TOWNSHIP



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Carver County Board of Commissioners Request for Board Action



Agenda Item:

His House Homeless Support and Food Services

Primary Originating Division/Dept: Health & Human Services - Behavioral Health

Meeting Date: 11/3/2020

Contact: Jen Romero Title: Housing Unit Supervisor

Item Type: Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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

BACKGROUND/JUSTIFICATION:

His House will provide support and food services to participants of the Carver County Shelter program as well as residents of Carver County who are experiencing homelessness or are at risk of homelessness. Providing services to the unsheltered has been identified as an effective strategy to decrease the spread of COVID-19. CARES Act funds will support a collaboration established with His House to provide outreach, support services and food to the unsheltered in Carver County through November. An additional \$14,000 of County funds from the HHS budget will be required to fund the program through December.

ACTION REQUESTED:

Motion to approve the His House Grant Agreement

FISCAL IMPACT: Included in current budget

If "Other", specify: Levy Funds

FUNDING

County Dollars =	\$14,000.00
CARES Act	\$42,000.00
Total	\$56,000.00

FTE IMPACT: None

Insert additional funding source

Related Financial/FTE Comments:

September - November will be paid through CARES Act (funds were approved at 9/1/20 Board Meeting). December will be paid through County Funds.

Office use only:

RBA 2020 - 7194

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Court Services Placement within the Carver County Organizational Chart

Primary Originating Division/Dept: <input type="text" value="Administration (County)"/>	Meeting Date: <input type="text" value="11/3/2020"/>
Contact: <input type="text" value="Dave Hemze"/> Title: <input type="text" value="County Administrator"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government"/>	

BACKGROUND/JUSTIFICATION:

On August 20, 2019 the Board was presented with recommendations related to transitioning Court Services staff including placement within our organization and proceeding with collective bargaining processes associated with the transition. This Board action recommends formalizing that placement within the Health & Human Services Division. Negotiations are underway and proposed provisions relevant to Court Services employees arising from the collective bargaining process will be presented to the Board at a later date.

ACTION REQUESTED:

Motion to place the Court Services Department within the Health & Human Services Division as shown on the attached proposed organizational chart effective immediately.

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

Related Financial/FTE Comments:

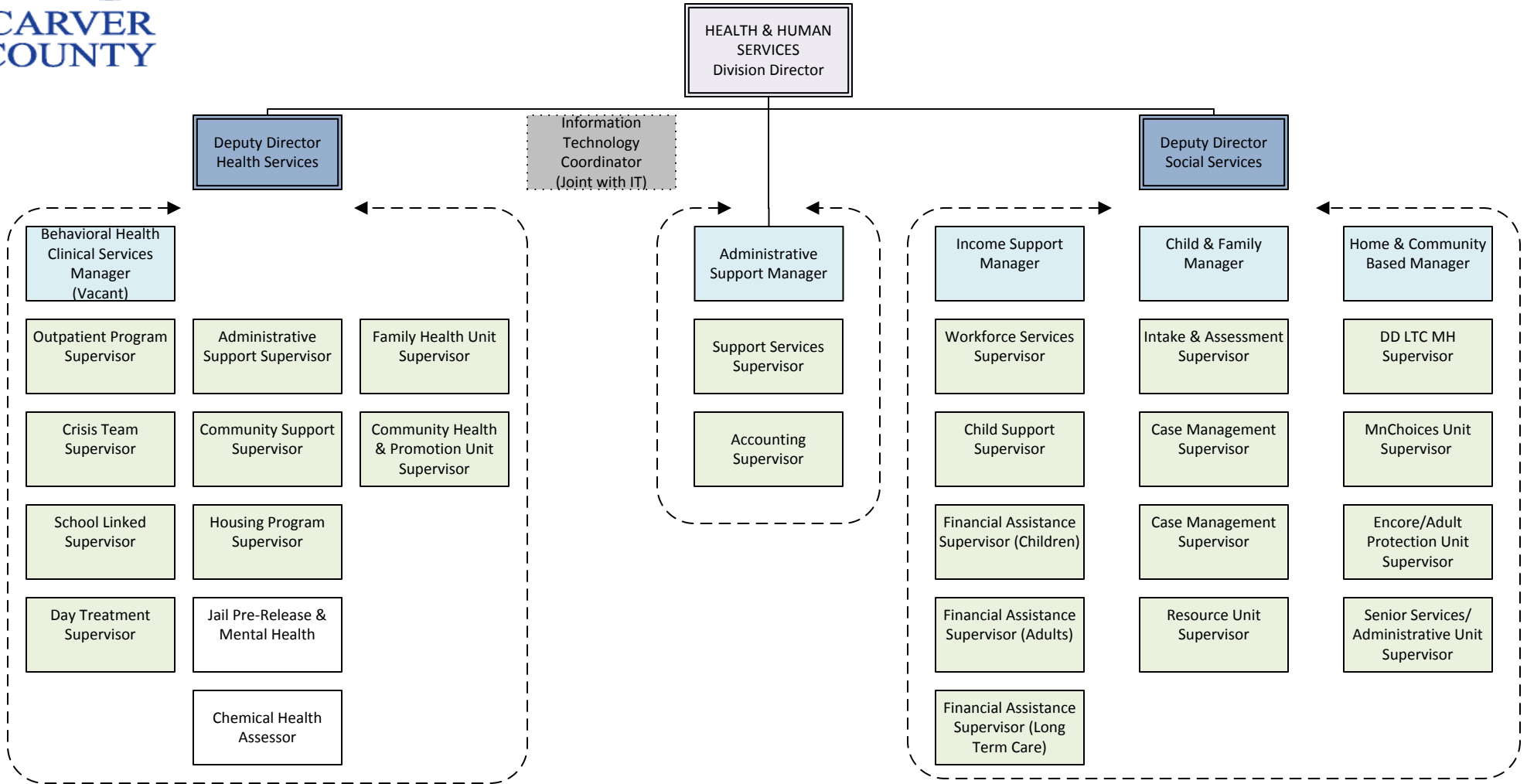
Fiscal impacts will be presented with collective bargaining agreements.

Office use only:

RBA 2020 - 7199



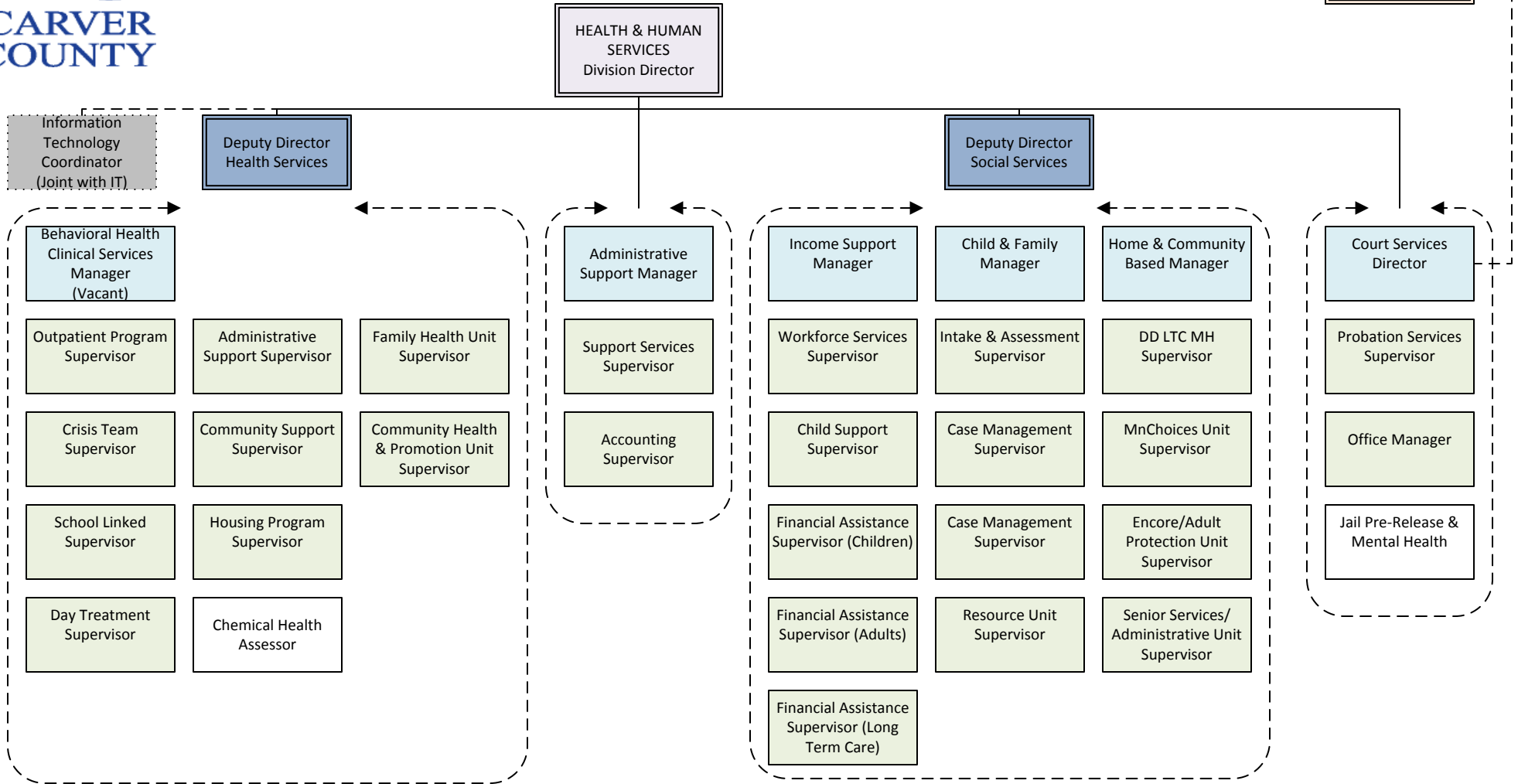
Health and Human Services Current Structure





Health and Human Services Proposed Structure

Carver County
Judges
First Judicial Dist.



Division Director
 Deputy Director
 Unit/Mgr
 Unit/Supv

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

2021 Retiree Health Insurance Contributions

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
Consent ▼

Amount of Time Requested: minutes
Presenter: Title:

Attachments: Yes No

Strategic Initiative:

▼

BACKGROUND/JUSTIFICATION:

Carver County Personnel Policy and certain collective bargaining agreements provide for the County to contribute to County-sponsored health insurance for certain retirees. Personnel Policy indicates the Board will set the amount the County will contribute to each retiree's insurance for the coming year. In order to qualify for this benefit, retirees must meet the following criteria:

- Must have been hired as a regular employee prior to June 1, 2010,
- Must be retiring from a non-bargaining role covered by the policy or from a position covered by a collective bargaining agreement referring to this policy,
- Must have been employed by Carver County with uninterrupted full time service of twenty (20) years or more,
- Must have attained age 60, but not yet be Medicare-eligible,
- Must have maintained County-sponsored insurance since retirement,
- Must accept coverage offered by the provider of health insurance coverage to Carver County non-bargaining employees, and the terms of covered being offered to non-bargaining employees,
- And must maintain health coverage through the County.

In past years, the County Board has set the contribution for eligible retirees at an amount consistent with the cafeteria contributions for active employees. At this time, Employee Relations is recommending the monthly contribution for eligible retirees effective January 1, 2021 continue to be \$1,495.00 for family coverage, \$1,220.00 for employee + spouse, \$895.00 for employee + children, and the lesser of the single premium amount or \$735.00 per month for single coverage. This is no change from 2020 contributions.

The motion requested is to approve the 2021 contribution for eligible retirees participating in the retiree health insurance, with County contributions as outlined above, until such time that the County Board makes additional adjustments by future board actions in 2021 if applicable.

ACTION REQUESTED:

Maintain health insurance contributions for eligible retirees for 2021. Retiree contributions would continue to be as follows, not to exceed the coverage tier level provided at the time of separation: Retirees selecting family coverage would receive \$1,495.00 per month toward their insurance, employee + spouse would receive \$1,220.00, employee + children would receive \$895.00, and those electing single coverage would receive the lesser of the single premium amount or \$735.00 per month.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =	\$70,920.00
	41
Total	\$70,920.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Accept Governor's Proclamation and Honor Financial Workers and Case Aides for their Valuable Services

Primary Originating Division/Dept: Health & Human Services - Income Support

Meeting Date: 11/3/2020

Contact: Kate Probert Fagundes Title: Income Support Manager

Item Type:
Regular Session

Amount of Time Requested: 5 minutes

Attachments: Yes No

Presenter: Kate Probert Fagundes Title: Income Support Department Ma

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Governor Tim Waltz issued a proclamation designating Thursday, October 15th, 2020 , as a County and Tribal Financial Worker and Case Aide Day. We equally recognize the valuable services that our county Financial Workers and Case Aides provide to the Carver County residents and families. Financial Workers administer public assistance and health care programs focusing on residents first. Working together, in partnership with Case Aides from the Income Support, HCBC and Child and Family Departments, Financial Assistance Workers and Case Aide provide essential services and support to all of the Carver County residents. Using families first/residents in the center approach, Financial Assistance Workers are responsible for the prudent expenditure of tax-payers dollars. Carver County Financial Workers and Case Aides meet a high standard and are well-versed and knowledgeable about programs and resources that community needs. Their work is essential and foundational to ensure that daily needs of the residents, families, elderly, and children are met. Kate Probert Fagundes, Income Support Department Manager, will present the Governor's proclamation and give a brief summary of the Financial Assistance Units and Case Aides achievements.

ACTION REQUESTED:

Motion to accept the Governor's Proclamation designating Thursday, October 15th, 2020 as a County and Tribal Financial Worker and Case Aide day, and recognize valuable services of the Carver County Financial Workers and Case Aides.

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 - 7210



STATE of MINNESOTA

Proclamation

WHEREAS: County and Tribal Financial Workers and Case Aides are dedicated to providing outstanding service to the people of Minnesota through their administration of public assistance programs; and

WHEREAS: County and Tribal Financial Workers and Case Aides are responsible for the prudent expenditure of millions of dollars annually and must meet high standards of job performance in determining eligibility for public assistance; and

WHEREAS: The duties performed by County and Tribal Financial Workers and Case Aides require that they be well-versed in a number of areas in order to effectively provide services to clients and the general public; and

WHEREAS: The nature of federal and state legislation necessitates that County and Tribal Financial Workers and Case Aides continually expand their knowledge, skills, and expertise related to their profession; and

WHEREAS: It is important to recognize the valuable services County and Tribal Financial Workers and Case Aides provide for Minnesotans by always delivering culturally responsive case management and accessible community services with a person-centered focus.

NOW, THEREFORE, I, TIM WALZ, Governor of Minnesota, do hereby proclaim Thursday, October 15, 2020, as:

COUNTY AND TRIBAL FINANCIAL WORKERS AND CASE AIDES DAY

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 16th day of October.

[Handwritten signature of Tim Walz]

GOVERNOR

[Handwritten signature of Steve Simon]

SECRETARY OF STATE

Filed on October 16, 2020
Office of the Minnesota
Secretary of State,
Steve Simon

Highlights of the Financial Assistance Workers and Case Aides Achievements

Financial Assistance Unit serving elderly and disable customers:

- Currently managing 1489 cases;
- Have processed 547 applications in 2020;
- Works very close with long term facilities, Carver County Mental Health and HCBC department/unit to help and determine eligibility for the residents that are in need of a skilled level of care, and residents that need waived services to remain in their home and not have to be admitted into a facility.

Financial Assistance Unit serving families:

- Serving 1,013 households compared to 820 households served during that same time last year: an increase of about 20%;
- Processed 932 new applications compared to 900 during the same time last year;
- Processed 163 emergency food application.

Financial Assistance Unit offering health care:

- Currently managing 4,430 cases equaling to 8,912 individuals eligible for MA or MN Care; an increase of nearly 700 cases and 1300 individuals from the same time last year;
- Managing 343 cases with focus of serving children with disabilities and parents;
- Ensured that all health care enrollees maintained health care coverage during pandemic;
- Processing all new applications within 10 days to ensure that individuals eligible for MA or MN Care have health care coverage in place as quickly as possible.

All Financial Assistance units are supporting CARES act funds distributions to the residents:

- CARES Housing Stability Program:
 - Processed 247 applications for rent, mortgage, and utility assistance;
 - Approved \$117,368.68 in CARES dollars.
- CARES Transportation Assistance Program:
 - Processed 63 applications for car payments and insurance;
 - Approved \$18,621.54 in CARES dollars.
- CARES Digital Divide Program:
 - Received 140 applications;
- Gift Card Program:
 - Issued 41 Cub foods gift cards, planning to participate in local food drives in November and December to offer residents gift cards and food support;
 - Issued 84 Holiday gas cards, working with CareerForce to distribute these cards to job seekers and other residents who need help securing employment, or getting to work, school or medical appointments;
 - Issued 21 SouthWest Prime and Metro Go To cards, collaborating with community and other county departments to reach more residents;

Collectively Income Support, HCBC and Children and Families departments case aides:

- Offered support to the social workers, financial workers, counselors and families/residents in the community by providing supervised visits, answering phones, transporting children, completing mail outs, offering clerical support;
- Worked with families and helped families completed paperwork in order to receive services and benefits;
- Worked with families to ensure that all children are up to date with the immunizations;
- Stepped up to complete any task that is needed to be completed to support children, families, residents: running a meal for a child, helping residents get to the store, stocking applications in multiple community locations.
- Worked with providers and case managers to ensure services for the customers are authorized accurately and timely;
- Assisted in navigating complex technical systems;

Carver County Board of Commissioners Request for Board Action



Agenda Item:

CARES Act Payroll Reimbursement

Primary Originating Division/Dept: Property & Financial Services

Meeting Date: 11/3/2020

Contact: David Frischmon

Title: Property & Finance Director

Item Type:

Regular Session

Amount of Time Requested: 10 minutes

Presenter: Mary Kaye Wahl

Title: Assistant Finance Director

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was signed into law on March 27, 2020 and Carver County received \$12.85M in CARES Act funding that can be utilized for any of the purposes established in the Federal CARES Act. The State of MN requires that any CARES Act funding not incurred by December 1, 2020 be transferred to the State of Mn. The US Treasury Department has provided guidance on the allowable uses for CARES Act funding which includes:

1. Public Health and Public Safety "Presumption"

In recognition of the particular importance of public health and public safety workers to government responses to the public health emergency, Treasury has provided, as an administrative accommodation", governments may "**presume**" that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency and thus are eligible for CARES Act reimbursement without performing any analysis or providing any substantiation:

a. **\$6.5M** - Public safety include sheriffs and deputy sheriffs, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel.

b. **\$1.0M** - Public health include employees of public health departments directly engaged in matters related to public health and related supervisory personnel as well as employees involved in providing medical and other health services to patients and supervisory personnel, including medical staff assigned to jails and schools, and other support services essential for patient care (*e.g.*, laboratory technicians).

2. Employees not Covered by the "Presumption":

Government may also track time spent by employees and be reimbursed by CARES Act funds for payroll costs allocated on an hourly basis to employees' time dedicated to mitigating or responding to the COVID-19 public health emergency.

a. **\$1.2M** - County Administration, Employee Relations, Information Technology, Finance, Facilities, Behavior Health, Child and Family, etc. who separately tracked time spent directly related to the COVID-19 public health emergency.

b. **\$300K** - Library, License Center and Encore staff who were redirected to COVID-19 related tasks due to their buildings being closed and/or operations were limited due to COVID-19.

3. Federal COVID19 Family and Medical Leave Act

\$250K Employee leave costs eligible for CARES Act reimbursement

\$9.25M+/- Total payroll costs eligible for CARES Act reimbursement

As of October 20, 2020, the County Board has approved \$5.6M out of the County's \$12.85M in CARES Funding leaving an available balance of \$7.25M. The \$7.25M available balance will increase if Cities or Townships transfer any unused CARES Act \$ to the County on November 20 or if Board approved CARES Act projects are not incurred by December 1st.

ACTION REQUESTED:

Motion to adopt the attached resolution to approve up to \$9.25 million in payroll costs as eligible for CARES Act reimbursement.

FISCAL IMPACT: Other

If "Other", specify:

see comment below

FUNDING

County Dollars =

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Total

\$0.00

Related Financial/FTE Comments:

Federal CARES Act funding (Coronavirus Relief Fund) reimbursing budgeted County payroll costs that mitigated and responded to the COVID-19 public health emergency has been a significant factor in the County Board not needing to consider employee layoffs as a necessary response to the significant COVID-19 related budget concerns for 2020 and 2021.

Office use only:

RBA 2020- 7213

**RESOLUTION APPROVING THE CORONAVIRUS RELIEF FUND REIMBURSEMENT OF
COUNTY PAYROLL EXPENSES**

WHEREAS, on March 11, 2020, the World Health Organization (WHO) deemed the outbreak of a respiratory illness called coronavirus disease 2019 (COVID-19) a pandemic; and

WHEREAS, public health authorities at the federal, state, and local levels recognized the public health threat that COVID-19 poses; and

WHEREAS, on March 13, 2020, President Donald Trump declared a Presidential National Emergency; and on the same day Governor Tim Walz declared a Peacetime State of Emergency in Minnesota; and

WHEREAS, on March 17, 2020, the County Board of Commissioners of Carver County declared a local state of emergency to respond to the impacts of the COVID-19 pandemic; and

WHEREAS, the county continues to respond to the COVID-19 emergency through the provision of direct services to impacted county residents, the purchase of materials and supplies needed to keep county employees, residents, and customers safe, the transition of a large part of the county workforce to remote working, the support and coordination of efforts to ensure food security for all residents, the provision of housing assistance to those who may be at risk of contracting the disease, and many of other county directed services; and

WHEREAS, on March 27, 2020, the federal government passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act, H.R. 748) to address the economic impact of the coronavirus; and

WHEREAS, the CARES Act provided \$150 billion in aid to: states and certain local governments, the District of Columbia and US Territories, and tribal government, called the Coronavirus Relief Fund (CRF) to address spending shortages related to the pandemic and to address necessary expenditures incurred due to the COVID-19 public health emergency; and

WHEREAS, on June 25, 2020, by executive action, Governor Walz distributed over \$841 million in CRF funding to the counties, cities and townships in Minnesota, of which a total of \$12,851,792 was received by Carver County after providing the required certification form to the Department of Revenue; and

WHEREAS, the U.S. Treasury CRF guidance to state, local or tribal governments, as updated on September 2, 2020 provides an administrative accommodation that a government may presume that the public health and public safety work performed by such employees is an allowable use of CRF for their payroll expenses; and

WHEREAS, the U.S. Treasury CRF guidance to state, local or tribal governments, as updated on September 2, 2020 provides a government may also track time spent by employees related to COVID-19 and may use CRF funds for payroll expenses; and

WHEREAS, the U.S. Treasury CRF guidance to state, local or tribal governments, as updated on September 2, 2020 allows payroll expenses from governments providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions as an allowable use of CRF; and

WHEREAS, the Carver County Board of Commissioners finds the expenditures identified below are necessary due to public health emergency with respect to COVID-19 and are allowable as described in the CARES Act and in federal guidance issued to implement the act.

NOW, THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners does hereby approve the following expenditures from the Carver County Coronavirus Relief Funds:

- Presumed Public Health and Public Safety payroll expenses up to \$7,500,000
- Actual tracked time of payroll expenses up to \$1,500,000
- Actual payroll expenses for employees CRF leaves up to \$250,000

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Carver County Board of Commissioners authorizes the county administrator to make adjustments to the payroll expense as necessary to respond to changing conditions or guidance up to a total maximum expense amount of \$9,250,000.