



CARVER COUNTY

minnesota

Carver County Board of Commissioners
November 17, 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 November 3, 2020 Regular Session 1-3
- 4. Community Announcements
- 9:05 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy and livable communities*
- 5.1 Holiday Inn Express Shelter Agreement 4-6
- 5.2 Request approval to contract with Children's Behavioral Solutions 7
- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.3 Chard Grading & Excavating, LLC - Certificate of Zoning Compliance (Aggregate Mining) 8-22
- 5.4 Final Plat approval of MILLER FARM..... 23-26
- 5.5 Final Acceptance and Payment to Meyer Contracting, Inc. for the Highway 41 Project - Jonathan Area 27-28

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5.9	Application for 2020-2021 renewal of On-Sale & Off-Sale Liquor License including Sunday for Hollywood Roadhouse LLC	39

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

5.10	Library FTE Adjustment.....	40
5.11	Request to Contract with NEOGOV for eForms and OnBoard Products	41

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

5.12	Government Center Aerco Boiler Maintenance Inspections.....	42
5.13	Request for approval to contract with Waste Management.....	43
5.14	Review/Social/Commissioners’ Warrants.....	NO ATT

9:10 a.m. **COMMUNITIES: Create and maintain safe, healthy and livable communities**
6.1 Declaring an End to Veteran Homelessness..... 44

9:25 a.m. **RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY DITCH BOARD**

9:25 a.m. **FINANCES: Improve the County’s financial health and economic profile**
7.1 2021 Payable Ditch Assessments..... 45

9:30 a.m. **ADJOURN AS CARVER COUNTY DITCH BOARD AND RECONVENE AS CARVER COUNTY BOARD**

9:30 a.m. **CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government**
8.1 Closed Session for Labor Negotiation Strategy..... 46

10:30 a.m. **ADJOURN CLOSED AND REGULAR SESSION**

David Hemze
County Administrator

UPCOMING MEETINGS

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 November 3, 2020. The building remained closed due to the health pandemic but was webcast live. Vice Chair Gayle Degler convened the session at 9:06 a.m.

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

Members absent: James Ische.

Vice Chair Degler read into the record a letter submitted by Karen Johnson Leuthner outlining her concerns with the Chair not fully reading her public comments in the past. She pointed she started looking for the truth in 1999 regarding the Hollywood Tower and the truth was never shared with the residents. She believed deals were made and people were used by Mr. Lindner and Commissioners were stopping the truth to be heard. She added these comments were another acknowledgment of fighting for the truth.

Vice Chair Degler also acknowledged the recent of written comments, in a letter addressed to Mark Metz and Dave Hemze, from Frederick Schaefer. Mr. Schaefer referenced his August 21, 2020 request to the County Board for an investigation by the BCA of the alleged misconduct of the Sheriff. Vice Chair Degler read in to the record the concerns expressed by Mr. Schaefer.

The following amendment was made to the agenda:

Move 5.8 to 7.2 – USS Martha Solar, LLC-CUP for a Large Solar Energy System

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

Maluchnik moved, Lynch seconded, to approve the minutes of the October 20, 2020, Regular Session. Motion carried unanimously.

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

Approved shelter agreement with Town Square Place.

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

Approved 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 and related HH&S budget amendment.

Approved Amendment 6 to Highway 10 corridor study professional services agreement with Botlon and Menk, Inc. pending finalization of the contract review process.

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

Resolution #77-20 to Approve the Local Water Management Plan for the City of Mayer.

Adopted the Findings of Fact and issue Order PZ20200052 for the issuance of a Conditional Use Permit, Christine Leonard, Waconia Township.

Adopted the Findings of Fact and issue Order #PZ202000054 for the issuance of a Conditional Use Permit, Laketown Electric, Bergmann Family Trust, Laketown Township.

Approved His House grant agreement.

Placed the Court Services Department within the Health & Human Services Divisions as outlined on the organizational chart effective immediately.

Approved maintaining 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

Reviewed October 27, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$526,228.52 and reviewed November 3, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$323,315.08.

Kate Probert, Health & Human Services, requested the Board accept the Governor's Proclamation recognizing Financial Workers and Case Aides. She highlighted the work staff has been doing, the number of cases and new applications that have been processed. She identified CARES Act programs they also have been supporting. Probert thanked Financial Assistance staff and Case Aides for their outstanding work.

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

Mary Kaye Wahl, Assistant Financial Director, requested the Board approve payroll costs as eligible for CARES Act reimbursement. She explained the County received 12.9M in funds and would be receiving unspent funds from cities and townships. She indicated since October 20th the Board has approved the use of 5.6M in funds for various projects and programs.

She explained the payroll costs eligible for CRF reimbursement for the remaining balance. She identified the CRF projects approved to date. She clarified the CDA has been providing monthly reports on the funds provided to them.

Workman offered the following Resolution seconded by Lynch:

Resolution #78-20
Approving the Coronavirus Relief Fund Reimbursement of
County Payroll Expenses

On vote taken, all voted aye.

Jason Mielke, Land Management, appeared before the Board for approval of a Conditional Use Permit for a large solar energy system. He explained the request had been before the Planning Commission in September and was continued until October to allow the applicant to work out a road use agreement with the township. He indicated on October 20th the Planning Commission recommended approval. Mielke explained the site was located in Young America Township and the system would be up to one megawatt. Based on the County Zoning Codes the request did meet all the guidelines. He noted Young America Township supported the request and entered into a road maintenance agreement with the applicant. Mielke added the applicant also addressed the concerns of the City of Hamburg and agreed to provide additional screening.

Workman clarified he did not have any specific complaints regarding the request but had concerns with the use of federal dollars for solar around the County and would be voting no.

Maluchnik moved, Degler seconded, to adopt Findings of Fact and issue Order #PZ20200039 for the approval of a Conditional Use Permit, Cullen Kobayashki (US Solar, USS Martha Solar, LLC). Degler, Lynch, Maluchnik voted aye. Workman voted nay. Motion carried.

Workman moved, Lynch seconded, to adjourn the Regular Session at 9:46 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:

Holiday Inn Express Shelter Agreement

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Holiday Inn Express in Chanhassen will provide hotel rooms for the use of shelter for people experiencing homelessness through the Carver County Shelter Program. The shelter program has been in place since December 2019. In April, 2020, the Holiday Inn was added as a hotel that allowed the county to use their rooms as shelter. Previously, our shelter voucher system did not require an agreement, but the CARES Act now does. There is a high need for shelter programming in Carver County. The program, overall has 18 units between 3 hotels and maintains a waiting list of at least 20 households at any given time. The attached document includes program details.

ACTION REQUESTED:

Motion to approve contract 20-344 to allow the county to use hotel rooms at the Holiday Inn for shelter until the end of 2020.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

ESP - DHS

Total

Insert additional funding source

FTE IMPACT:

Related Financial/FTE Comments:

16,000 is from the CARES Act funding and 14,000 was already provided by DHS through the Emergency Solutions Program.

Office use only:

RBA 2020 - 7234



The Carver County Shelter Program is a collaboration between Carver County Health and Human Services and the Holiday Inn Express and Suites. 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.

Carver County's Housing Unit will pay for rooms on a monthly basis, or for periods of time needed by the program participant, as long as funds are available to do so. The agreed upon rate is \$50.00/night, (when booking 30 consecutive days at a time) which includes tax, and cleaning fees. If booking a room for less than a month, then the hotel will charge the normal nightly rate advertised at that time. This monthly rate would be applicable only for basic single/double queen rooms. Larger rooms or adjoining rooms will have a rate of 66.00/night, (when booking 30 consecutive days at a time) which includes tax, and cleaning fees.

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. Holiday Inn Express and Suites will allow Carver County access to the pre-paid rooms through 12/31/20. When one shelter guest exits the hotel, the room will be cleaned and prepared for the next shelter guest within 48 hours. Any delays in this process should be communicated to Jen Romero (612-214-7742).

Participants anticipated to enter the shelter program will complete the hotel's application allowing for a Background check to be run for each adult. Any cost associated with the background checks will be the hotel's responsibility.

Rooms are "reserved" in the name of the participant. They will check in and the hotel will do their normal check in process. The participant will sign any documents that the hotel requires all guests to sign.

If any damage is caused to the room by the participant, the participant is held responsible. If the hotel is unable to recover damage costs from the participant, the county will assist with funds up to \$2,000.

The hotel will provide all services as they normally do, including continental breakfast and cleaning services.

Carver County will ensure all participants have access to case management services. Services may be provided by county staff or collaborative partners. If the hotel needs to contact a case manager for any reason, they may do so. The hotel may also contact Jen Romero at 612-214-7742 if they do not know who the case manager is or how to contact them.

Participants will sign a county shelter program agreement form prior to entering the hotel. The agreement will state that they will follow program rules or lose the program.

The hotel can terminate a participant's stay if they break hotel rules. The hotel needs to notify the Housing Unit or case manager if this happens and advise if the guest is allowed to return under any circumstances or not. If a guest is banned from the hotel, Carver County will respect that decision.

The length of stay will be determined on a case by case basis. Most participants will be in the hotel for at least a week, some for more than a month.

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Request approval to contract with Children's Behavioral Solutions

Primary Originating Division/Dept: <input type="text" value="Health & Human Services - Child & Family"/>	Meeting Date: <input type="text" value="11/17/2020"/>
Contact: <input type="text" value="Michelle Selinger"/> Title: <input type="text" value="Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:
 This is a new contract with an out-of-state provider that specializes in psychological treatment and services for a specific youth that Carver County is providing services to in the HHS Child & Family Department. This youth will not be accepted into any facility in Minnesota due to the risk of his/her behaviors; this youth requires specific treatment.

ACTION REQUESTED:
 Motion to approve the Professional Services Agreement with Children's Behavioral Solutions not to exceed \$75,000.00 to provide children's psychological and residential placement services, pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING								
<i>If "Other", specify:</i> <input type="text"/>	<table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>Benton County</td> <td style="text-align: right;">\$75,000.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$75,000.00</td> </tr> </table>	County Dollars =	\$0.00	<input type="text"/>	<input type="text"/>	Benton County	\$75,000.00	Total	\$75,000.00
County Dollars =	\$0.00								
<input type="text"/>	<input type="text"/>								
Benton County	\$75,000.00								
Total	\$75,000.00								
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source								

Related Financial/FTE Comments:
 Benton County is the County of Financial Responsibility for the youth that requires these services. Carver County is servicing the case and managing the youth's placement; any costs incurred for this youth will be billed back to Benton County.

Office use only:
 RBA 2020 - 7236

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Chard Grading & Excavating, LLC - Certificate of Zoning Compliance (Aggregate Mining)

Primary Originating Division/Dept: Public Services - Land Mgmt.	Meeting Date: 11/17/2020
Contact: Jason Mielke Title: Land Use Manager	Item Type: Consent
Amount of Time Requested: minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: Title: 	

Strategic Initiative:
Growth: Manage the challenges and opportunities resulting from growth and development

BACKGROUND/JUSTIFICATION:

Chard Grading and Excavation, LLC is requesting the ability to expand and operate the mining activity currently located at the Terry Hanson property (PID #08.001.0500) in Section 1, San Francisco Township. The property is improved with an existing building site, agricultural production land, an active Conditional Use Permit (CUP #11590) for a Commercial Stable, and an active Interim Use Permit (IUP #20150004) for Mining Activities. The site has been utilized for mining activity since the 1950's, and with the first Conditional Use Permit issued in 1992. The site is also located in the Agricultural Zoning District and the CCWMO (i.e. Bevens Creek and Carver Creek watersheds).

Pursuant to the Carver County Zoning Code - Section 152.191 *CERTIFICATION OF ZONING COMPLIANCE, (F) Township land use permits, which were authorized and issued pursuant to ordinances and/or regulations adopted in accordance with M.S. Chapter 462, may be recognized as permitted land uses pursuant to this chapter if approved by the County Board. (Ord. 47, passed 7-23-02; Am. Ord. 80-2015, passed 6-16-15)*

Mn Chapter 462 is the enabling legislation for cities and towns. Based on this State Statute, San Francisco Township adopted their own Mineral Extraction Ordinance; therefore, legally giving them administrative and enforcement land use authority (i.e. standards, permitting, public hearing, compliance, etc.). The purpose of Section 152.191 of the County Zoning Code was to allow the County to recognize a township land use permit as a Certificate of Zoning Compliance (or a permitted use), and not as a Conditional Use or Interim Use Permit separately. These standards are only pertinent to San Francisco Township because of their more strict mining ordinance adopted under State Statute. San Francisco Township held the public hearing and approved the permit under the Township's Mineral Extraction Ordinance; therefore; only County Board action by resolution is needed.

Upon the County Board's Resolution to support the IUP, the previously issued Interim Use Permit (PZ20150004, Document #A620451) for a mining operation would be terminated. The proposal would encompass an approximate 99 acres and allow for the expansion to the existing impacted area (approximate 35 acres) while establishing ultimate mining limits, phasing and reclamation plans, hours of operation, the ability for processing and recycling as permitted activities and removing limitations of production levels.

The mining operation would be required to comply with the CCWMO Chapter 153 - Water Resource Management standards (i.e. stormwater, erosion/sediment control, grading, reclamation, vegetation, etc.), as well as the Carver County Public Works standards and Carver County Environmental Services standards for Subsurface Sewage Treatment System (SSTS), if applicable.

Attached for the Board's review is the San Francisco Township Resolution (#20-02) approving the IUP for mineral extraction at the Hanson Mine. NOTE: The Town Board received an application, conducted a public hearing and approved the request during their August 20, 2020, town board meeting.

A Certificate of Zoning Compliance Resolution is attached for the Board's consideration.

ACTION REQUESTED:

Motion adopting the attached resolution approving the mining activity on the identified parcel as a Certificate of Zoning Compliance, which further terminates the previously approved Interim Use Permit #PZ20150004 (Document #A620451) for a mining operation on the identified property.

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

Related Financial/FTE Comments:

**SAN FRANCISCO TOWNSHIP
CARVER COUNTY, MINNESOTA**
Resolution No. 20-02

**A RESOLUTION APPROVING AN AMENDED INTERIM USE PERMIT
FOR MINERAL EXTRACTION AT THE HANSON MINE**

WHEREAS, Chard Grading and Excavation, LLC (“Applicant”) submitted an application for an amended interim use permit to San Francisco Township (“Town”) requesting amendments to the existing interim use permit the Town issued in February 2015 (“2015 IUP”) for the operation of a mineral extraction facility on property owned by Terry Hanson (“Owner”), which is legally described in the attached Exhibit A (“Property”);

WHEREAS, the Applicant, formerly known as Chard Tiling and Excavation, Inc., currently has a mining operation on the Property, which is referred to as the Hanson Mine (“Mining Operation”), pursuant to conditional use permit #7111 (“County CUP”) issued by Carver County (“County”) in 1992 and the 2015 IUP;

WHEREAS, the County CUP allowed mining of approximately 22 acres of the Property and allowed the import, crushing, and recycling of concrete and asphalt material on the Property as accessory uses to the mineral extraction operation;

WHEREAS, the 2015 IUP expanded the Mining Operation to operate on a 35 acre portion of the Property, legally described in the attached Exhibit B, which included up to 10 acres of extraction area, 15 acres of operations area (screening, stockpiling and loading), and 10 acres of restoration area (reclamation), but which specifically excluded importing, processing and recycling of concrete, asphalt and other recyclable materials;

WHEREAS, the Applicant’s request for an amended interim use permit includes the following: (1) the initial approval of a further expansion of the Mining Operation identified as “Phase 2” in the application materials, (2) the adoption of a phasing plan (“Phasing Plan”), attached hereto as Exhibit C, for the future expansion of the Mining Operation, which would include Phases 3 through 8 as identified in the Phasing Plan, with all phases of expansion requiring approval of the Town, and (3) the approval of importing, processing and recycling of asphalt and concrete as part of the Mining Operation;

WHEREAS, on July 13, 2020, after due notice having been provided, the Planning Commission conducted a public hearing regarding the requested amendments to the 2015 IUP, and the Planning Commission forwarded the application to the Town Board with a recommendation that it be approved with certain conditions; and

WHEREAS, the Town Board hereby finds and determines as follows with respect to the requested amended interim use permit:

- a. The Applicant’s request for amendments to the 2015 IUP for the existing Mining Operation is subject to Chapter 15 of the Town’s Mineral Extraction Ordinance, Ordinance No. 8

(“Ordinance”), which requires applications be forwarded to the Planning Commission for a public hearing upon due notice and that the Planning Commission forward its recommendation on to the Town Board for final action.

- b. The Ordinance, which was recently amended, also imposes various conditions, regulations and performance standards for such a Mining Operation.
- c. The Applicant’s “Application to Amend Mineral Extraction Interim Use Permit” dated April 2020 (“Application Packet”), which is incorporated herein by reference, includes the application form, supporting documentation, performance standards, a phasing plan, a reclamation plan, and GPS coordinates of mine limits by phase created by Sunde Engineering, PLLC.
- d. The Property is located within the Agricultural District.
- e. Active mining and extraction at the Mining Operation has now been completed over most of the area permitted by the 2015 IUP, which includes five (5) acres of extraction area, seven (7) acres of operations area and nine (9) acres of active restoration area for reclamation.
- f. The Applicant proposes to expand the Mining Operation on the Property through the adoption and approval of the Phasing Plan, which includes the initial approval of Phase 2, which would add 10 acres of active mining area, and subsequent expansions from Phase 3 through 8, subject to Town approval.
- g. The Applicant proposes to restore, reclaim and alter the extraction and operations areas concurrently and progressively with its mining activities so that at all times no more than ten (10) acres of the Property will constitute the extraction area, no more than fifteen (15) acres of the Property will constitute the operations area (screening, stockpiling and loading), no more than ten (10) acres of the Property will constitute active restoration area for reclamation, and the active mining area in total will include no more than 35 acres of the Property.
- h. The estimated time to complete Phases 2 through 8 of the Phasing Plan is 25 to 30 years, with the actual life of the Mining Operation being dependent upon market demand.
- i. The expanded Mining Operation, and the related accessory uses, propose the use of equipment to extract, move and stockpile minerals as well as use of a screening plant and crushing plant.
- j. The Applicant proposes that the Mining Operation, and the related accessory uses, also be expanded to include the importing, processing and recycling of asphalt and concrete. The recycling operations shall be subject to the terms of the required operations agreement.
- k. The Mining Operation has direct access onto County Road 11, which is a 10-ton blacktopped road. Two accesses to County Road 11 from the Property were previously identified for the Property, which were referred to as the North Access and the South Access. The North

Access was eliminated and only the South Access actually provides access to the Mining Operation.

1. Prior to the adoption of the 2015 IUP, the Applicant hired an engineering firm to complete a traffic study, which is dated January 29, 2015 (“Traffic Study”). The recommendations from the Traffic Study included the following:
 - (1) All traffic must enter and exit the Property exclusively by the South Access.
 - (2) Special consideration should be made to limit any sight distance impacts from future structures, landscaping, and signing.
 - (3) The South Access location shall continue to be monitored to determine if unforeseen future roadway conditions will necessitate improvements.
- m. The Applicant has not provided an updated traffic study, and the application does not seek approval of an alternative access plan. The traffic conditions in the area have not significantly changed since the original 2015 Traffic Study, and the number of haul trucks accessing the Mining Operation on a daily basis will remain consistent with past and current operations. Therefore, the Town does not require an updated traffic study.
- n. An environmental worksheet (“EAW”) was completed for the mining operation in January 2005 as part of the County’s permitting process. The EAW took into account the entire Property. The County issued a negative declaration on the need for an environmental impact statement (“EIS”). By Resolution dated January 12, 2015, the Town Board found the existing EAW sufficient for the purposes of considering the requested 2015 IUP and, as such, determined it was not necessary for the Applicant to prepare a new EAW for the 2015 IUP application. For the same reasons set forth in the Resolution dated January 12, 2015, the Town Board determines that it is not necessary for the Applicant to prepare a new EAW for this application.
- o. The addition of concrete and asphalt recycling to the Mining Operation does not require the preparation of an EAW in accordance with Minnesota Rule, part 4410.4300 and does not require the preparation of an environmental impact statement (“EIS”) in accordance with Minnesota Rule, part 4410.4400.
- p. The nature or location of the proposed concrete and asphalt recycling will not have the potential for significant environmental effects, and therefore, the Town declines to require an EAW, in its discretion, in accordance with Minnesota Rule, part 4410.4500.
- q. Chapter 6, Section 1(H) of the Ordinance requires the Applicant and the Owner to enter into an Operations Agreement with the Town, and in this instance, the Applicant and the Owner will be required to amend the existing Operations Agreement in accordance with this amended interim use permit (“Amended IUP”).

- r. Pursuant to Chapter 4, Section 2 of the Ordinance, the Town Board, having considered the limitations imposed by the Ordinance and this Amended IUP, hereby finds as follows:
- (1) The expanded Mining Operation will not create an excessive burden or cause adverse impacts on existing parks, schools, streets, or other public facilities. The use does not require the provision of any additional public utilities, has no direct impact on parks or schools, and County Road 11 is sufficient to accommodate the truck traffic generated by the use;
 - (2) Compliance with the required setback distances and the use of berms are sufficient to avoid adversely impacting adjacent properties;
 - (3) The appearance of the structures within the Mining Area will not have an adverse impact on the surrounding properties. There are no buildings proposed for the operation. The screening plant and crushing plant are the only structures proposed for the Property and the appearance of such structures are not inconsistent with the various agricultural related structures located within the area and throughout the Town;
 - (4) The Mining Operation currently exists and the proposed expansion will not adversely impact bluff and ravine areas of the Town;
 - (5) The expanded Mining Operation is consistent with the Town's plan;
 - (6) The traffic study indicates hauling from the Property does not pose a particular interference to traffic and the conditions placed on the number of truck hauls in an hour helps to reduce traffic issues. The access road is sufficient to accommodate the hauling traffic; and
 - (7) The expanded Mining Operation as proposed and restricted by this Amended IUP will not adversely impact surface or ground water resources. The EAW did not identify any water impacts of concern.
- s. The proposed mineral extraction facility satisfies the general provisions contained in Section 152.081 of the County Ordinance and the criteria for issuance under Section 152.082. The Applicant is eligible for this Amended IUP under the criteria and the conditions placed on this Amended IUP are intended to ensure compliance with the operational requirements in the criteria.
- t. This Amended IUP constitutes a mineral extraction permit for the purposes of the Ordinance.
- u. The concrete and asphalt recycling conducted on the Property constitutes an accessory use for the purposes of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that based on the record of this matter, including the Application Packet, EAW, traffic study, and the information presented at the public

hearing, the Town Board hereby approves and issues an amended interim use permit to operate a mineral extraction facility within the Mining Area on the Property subject to all of the following conditions, restrictions, and requirements:

1. Scope of Use. This Amended IUP allows the Applicant to conduct a Mining Operation on 35 acres of its Property to be identified as the Mining Area, which may include the 10 acres identified as Phase 2 in the Phasing Plan for active mining. No more than 10 acres of the Mining Area may be actively mined at any one time. Of the remaining 25 acres of the Mining Area, 15 acres may be used as the operations area (stockpiling, crushing, screening, loading, etc.), and 10 acres for restoration area for reclamation. All mining activities shall occur in accordance with the plans and drawings submitted as part of the application, including the Phasing Plan. The uses allowed by this Amended IUP include the excavation, processing, storage, and removal of mineral materials from the Property and the importing, processing and recycling of concrete and asphalt. Processing of the mineral materials may include, as accessory uses, the crushing and screening of mineral materials. This Amended IUP does not allow, and the Applicant is prohibited from, importing any materials for recycling other than concrete and asphalt. No explosives are allowed to be used or stored on the Property. The uses allowed to occur as part of the Mining Operation are subject to and must comply with the conditions imposed on this Amended IUP, the requirements of the Ordinance, and all other applicable regulations.
2. Phasing Plan – Phases 3 through 8. No mining activities, including the importing, processing and recycling of concrete and asphalt, shall occur in Phases 3 through 8 until approved by the Town. The expansion of the Mining Operation in Phases 3 through 8 shall not require further amendments of this Amended IUP.
3. Accessory Uses. The accessory uses allowed by this Amended IUP include the placement and operation of such equipment as may be needed to crush and screen mineral materials, concrete and asphalt as part of the Mining Operation. All such equipment must be located, to the extent reasonably possible, at the bottom of the pit and in compliance with all setback distances required of the Mining Operation.
4. Operations Agreement. The provisions of the existing Operations Agreement shall be amended by a written amendment executed by the parties in accordance with the terms of this Amended IUP. The Operations Agreement is binding on the Applicant and Owner and a violation of a material term or condition may result in the revocation of this Amended IUP.
5. Hours of Operation. The hours of operation for the Mining Operation are limited to 6:00 a.m. to 6:00 p.m., Monday through Friday. These hours of operation are subject to restriction within the Operations Agreement. The Mining Operation may be opened one hour before the start of the hours of operation for staging. Staging activities does not include the loading of trucks. Operation on holidays as identified in the Ordinance is prohibited. A Town Supervisor may grant a temporary extension to the hours of operation to allow the Applicant to respond to emergencies. Any request for a non-emergency exception to the hours of operation must be presented to the Town Board for a review and decision in accordance with the Ordinance.

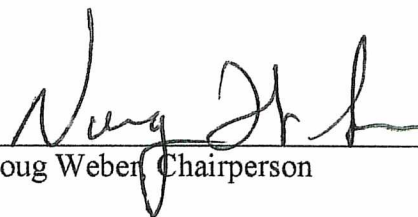
6. Truck Trips. The number of haul trucks shall not exceed the following: (a) 24 trucks per hour one way from 6:00 a.m. to 9:00 a.m.; and (b) 30 trucks per hour one way from 9:00 a.m. to 6:00 p.m., but the allowance of the additional six trucks shall be limited to irregular truck trips associated with small projects (i.e., not regular hauling as part of a large project). The count includes each truck entering or leaving the Property regardless of whether the truck is carrying mineral materials or is empty.
7. Concrete and Asphalt Recycling. The importing, processing and recycling of concrete and asphalt is allowed as part of the Mining Operation. The importing of material can occur year round, but the processing and recycling operations shall be limited to the time period beginning on November 15th and ending on April 15th each year. All importing, processing, and recycling activities shall only be conducted during daylight hours. Any request to process or recycle concrete or asphalt from April 16th to November 14th must be presented to the Town Board for a review and decision in accordance with the Ordinance. At no time shall the Applicant stockpile more than 45,000 tons, in total, of concrete and asphalt. Any area used for the stockpiling of concrete and asphalt materials shall be included in the 15 acre operations area.
8. Property Accesses. Trucks entering and leaving the property as part of the Mining Operation shall only use the South Access. No structures, landscaping, trees, bushes, signs or other items shall be placed on the Property in any way that reduces sight distances related to the use of the South Access.
9. Reclamation. The Applicant shall be required to reclaim the Mining Area in accordance with the reclamation plan and the Ordinance. Reclamation activities shall not constitute active mining or land open for mining for the purposes of this Amended IUP. Portions of the Mining Area on which mining has ceased and reclamation has begun are not to be counted toward the 10 acre limit on active mining area.
10. Setbacks. All areas of the Mining Operation, including the area to be mined, all internal haul routes, and the entrance/exit onto the roadway, shall be set back at least 1,000 feet from any residence, except the residence on the Property, and 200 feet from the property lines. All mining activities shall be set back: at least 1,000 feet from the ordinary high water level of any lake, pond, or flowage; and 300 feet from rivers and streams designated by Carver County Zoning Map, or the landward extent of the designated floodplain area of a river or stream, whichever is greater.
11. Screening. The Applicant shall be required to construct and maintain berms in accordance with Chapter 7, Section 1(P) of the Ordinance. The height of the berms is not required to exceed 8 feet. Topsoil removed from the Mining Area may be used to construct the berms.
12. Gate. The Applicant shall maintain a gate across the access drive to the Mining Area which shall be locked outside of the permitted hours of operation.

13. Signage. The Applicant shall coordinate with the County and the Town for the placement of signs on or along County Road 11 as is deemed appropriate to warn the traveling public of hauling activities related to the Mining Operation.
14. Haul Routes. All trucks entering and exiting the Property related to the Mining Operation shall use County Road 11 and the applicant is required to comply with dust clean up and control from hauling activities as provided in the Ordinance and as may be required by the County.
15. Depth of Excavation. The depth of the excavation is limited so that no excavation occurs within 10 feet of the normal water table. Dewatering to obtain material intersecting the groundwater is prohibited. A registered surveyor must certify the mining depth annually and this information shall be included in the annual report to the Town as required by this Amended IUP.
16. Annual Report. The Applicant shall submit an annual report to the Town Board by February 1st. The report shall include an outline of the mining activities that occurred in the year, an estimate of the amount of mineral materials removed, the number of acres within the Mining Area that have been cleared for mining, a summary of any complaints received, and what was done to address the complaints.
17. Review. This Amended IUP is subject to on-going review as provided in Chapter 6, Section 2 of the Ordinance.
18. Amended Permit. The Applicant shall not alter in any material way the Mining Operation or the plans submitted related to the Mining Operation without first applying for and receiving a new or amended interim use permit from the Town to allow the alteration.
19. Termination. This Amended IUP shall terminate 15 years from the date of its issuance. The Applicant may reapply for a new interim use permit prior to the termination date that would take effect upon the replacement or expiration of the current permit.
20. Revocation. The violation of any term or condition of this Amended IUP including, but not limited to, the provisions of the Operation Agreement or of any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in the revocation of this Amended IUP. The Applicant shall be given written notice of any violation and reasonable time (not less than 30 days) to cure the violation before a revocation of this Amended IUP may occur.
21. Single Town Permit. This Amended IUP supersedes the 2015 IUP, which is hereby repealed, and serves as the only permit issued by the Town for this Mining Operation. The Mining Operation is required to comply with, and is limited by, the terms and conditions of this Amended IUP, the Operations Agreement, the Mining Ordinance, and all other applicable regulations.

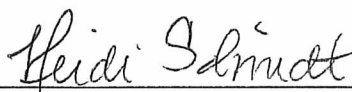
22. Binding Effect. This Amended IUP and its conditions are binding on the parties, their successors and assigns, and shall run with the Property until the Amended IUP is terminated or revoked as provided herein.
23. Host Fees. In the event that the Minnesota Legislature approves host fees, Applicant shall pay to the Town the fees which are allowed by the legislation.
24. Legal Compliance. This Amended IUP is subject to the requirements of the Ordinance and the Applicant is required to comply with, and obtain all other permits or permission, as may be required by, all applicable federal, state and local laws, rules and ordinances.
25. Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this Amended IUP shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the Amended IUP without qualification, reservation, or exception.
26. No Waiver. A failure by the Town to take action with respect to any violation of any condition, covenant or term of this Amended IUP shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant or term.
27. Town Costs. The Applicant shall pay all application fees and shall reimburse the Town for all costs it incurred related to processing and acting on the application including, but not limited to, special meetings costs and legal fees. Failure to fully reimburse the Town for its costs shall constitute a violation of this Amended IUP. The Town may also include in the Operations Agreement a requirement that the Applicant provide an escrow or otherwise reimburse the Town for the costs it incurs during the term of this Amended IUP related to inspecting the Property and to otherwise ensure compliance with the terms and conditions of this Amended IUP and the Operations Agreement.

Adopted this 20th day of August 2020.

BY THE TOWN BOARD



 Doug Weber, Chairperson

Attest: 

 Heidi Schmidt, Clerk

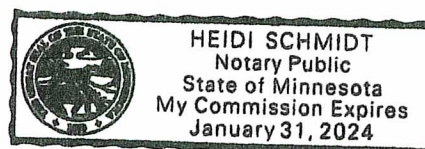


EXHIBIT A
Legal Description of the Property

The East Half and the Northwest Quarter of the Southwest Quarter of the Section One (1), Township One Hundred Fourteen (114), Range Twenty-four (24), according to the Government Survey thereof;

And

The Northwest Quarter of the Southeast Quarter (NW1/4 of SE1/4) of Section One (1), Township One Hundred Fourteen (114), Range Twenty-four (24) West, excepting therefrom about one-half of an acre at the Southeast corner thereof deeded to one Jonas Anderson;

And

Commencing at a point on south line of Section One (1), Township One Hundred Fourteen (114), Range Twenty-four (24), 8.43 chains west of the Southeast corner of said Section; thence north 28 degrees west 12.14 chains; thence north 65 ½ degrees west 5.33 chains to center line of said Southeast Quarter; thence north 52 ½ degrees west 2.08 chains; thence north 15 and ¾ degrees west 4.08 chains; thence north 1 degree west about 2.50 chains to center line running east and west of said Southeast Quarter of Section one (1), thence west on said center line to Northwest corner of Southwest Quarter of Southeast Quarter, thence South on quarter line to Southwest corner of said Southwest Quarter (SW ¼) of Southeast Quarter (SE ¼) thence east on south line of said Section One (1) to place of beginning.

EXHIBIT B
Legal Description of the Existing Mining Area

Commencing at a point on south line of Section One (1), Township One Hundred Fourteen (114), Range Twenty-four (24), 8.43 chains west of the Southeast corner of said Section; thence north 28 degrees west 12.14 chains; thence north 65 1/2 degrees west 5.33 chains to center line of said Southeast Quarter; thence north 52 1/2 degrees west 2.08 chains; thence north 15 and 3/4 degrees west 4.08 chains; thence north 1 degree west about 2.50 chains to center line running east and west of said Southeast Quarter of Section one (1), thence west on said center line to Northwest corner of Southwest Quarter of Southeast Quarter, thence South on quarter line to Southwest corner of said Southwest Quarter (SW 1/4) of Southeast Quarter (SE 1/4) thence east on south line of said Section One (1) to place of beginning.

And

The East one-Half of the of the Southeast (SE)1/4 of the Southwest (SW) 1/4 of Section One (1), Township One Hundred Fourteen (114), Range Twenty-four (24) West.

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

**A RESOLUTION APPROVING MINING ACTIVITY ON THE IDENTIFIED PARCEL
AS A CERTIFICATE OF ZONING COMPLIANCE**

Date: November 17, 2020

Resolution #

Motion by Commissioner

Seconded by Commissioner

=====

WHEREAS, Chard Grading and Excavation, LLC is requesting the ability to expand and operate the mining activity currently located at the Terry Hanson property located in Section 1, San Francisco Township. (PID # 08.001.0500) The property is improved with an existing building site, agricultural production land, an active Conditional Use Permit (CUP #11590) for a Commercial Stable, and an active Interim Use Permit (IUP #20150004) for Mining Activities. The site has been utilized for mining activity since the 1950's, and with the first Conditional Use Permit issued in 1992. The site is also located in the Agricultural Zoning District and the CCWMO (i.e. Bevens Creek and Carver Creek watersheds), and;

WHEREAS, MS Chapter 462, the enabling legislation for cities and towns, allows land use permitting authority pursuant to ordinances and/or regulations adopted in accordance with M.S. guidelines, and;

WHEREAS, The San Francisco Town Board has adopted by Ordinance No. 14 (dated: June 15, 2020) "Mineral Extraction" standards which impose stricter guidelines than those contained in their previous Ordinance No. 8 and the current Carver County Zoning Code Chapter 152, and;

WHEREAS, The San Francisco Town Board has adopted a land use permit by Resolution No. 20-02 (dated: August 20, 2020) to amend an Interim Use Permit for mineral extraction at the Terry Hanson Mine, and;

WHEREAS, the Carver County Zoning Code pursuant to Section 152.191 (F) CERTIFICATION OF ZONING COMPLIANCE allows township land use permits, which were authorized and issued pursuant to ordinances and/or regulations adopted in accordance with M.S. Chapter 462, may be recognized as permitted land uses pursuant to this chapter if approved by the County Board. (*Ord. 47, passed 7-23-02; Am. Ord. 80-2015, passed 6-16-15*), and;

WHEREAS, Chard Grading and Excavating has requested that the following individual parcel be declared eligible for designation as a Certificate of Zoning Compliance for mining activity, and;

<u>TOWNSHIP</u>	<u>PID</u>	<u>OWNER</u>	<u># of Acres</u>
San Francisco, Section 1	08.0010500	Terry Hanson,	99±

WHEREAS, the above referenced parcel meets the Carver County Zoning Code requirements for Interim Use Permit (IUP) Mining Activity, and;

THEREFORE BE IT RESOLVED, the above referenced mining activity on the subject parcel is hereby approved for Certificate of Zoning Compliance pursuant to Section 152.191 (F) of the Carver County Zoning Code. Furthermore, this Certificate of Zoning Compliance shall terminate and supersede a mining activity previously approved by Interim Use Permit #PZ20150004 (Recorded Document #A620451).

=====

YES	NO	ABSENT
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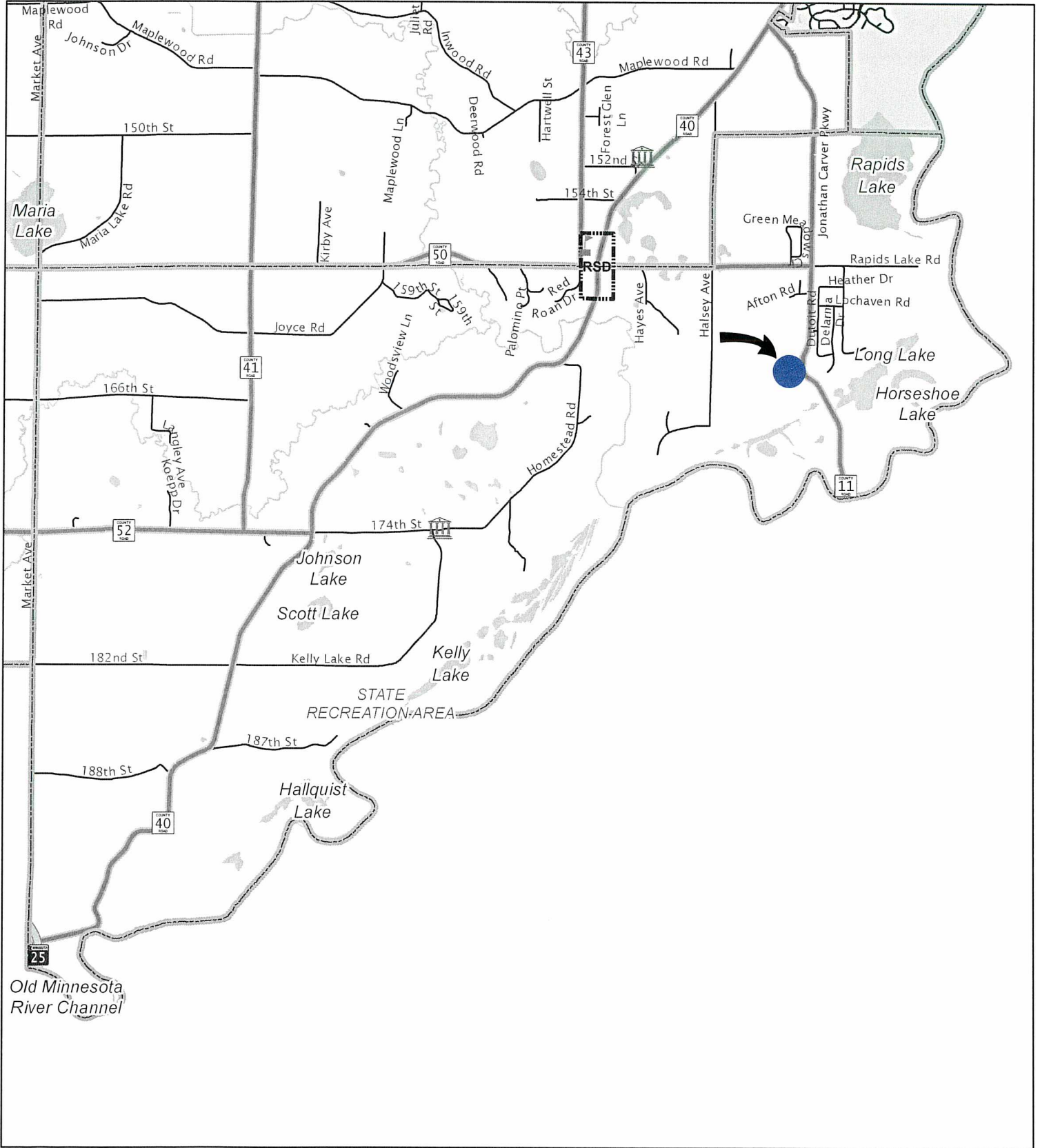
=====

I, Dave Hemze, 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 November 17, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th day of November, 2020.

Dave Hemze
Carver County Administrator

SAN FRANCISCO TOWNSHIP



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



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Final Plat approval of MILLER FARM

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 #PZ20200030. Endurance Investments, LLC is requesting Final Plat approval of MILLER FARM, which is located in Section 7 of Dahlgren Township. The County Board approved the Preliminary Plat (Resolution #54-20) on August 4, 2020, allowing for four (4) "high amenity" lots with road frontage on Laural Ave (i.e. a Township Road).

The County Surveyor has reviewed the title information, approved the final plat and signed the official mylar.

The Assistant County Attorney has reviewed the covenants for platting purposes.

The CCMWO – Chapter 153 Water Resource Management standards have been met (i.e. stormwater management and vegetative cover).

The conditions of the Preliminary Plat (PP-PZ20200033) have been satisfied.

The Dahlgren Town Board has approved the final plat and signed the official mylar.

The final plat map and draft County Board Resolution are attached for the Board's review.

ACTION REQUESTED:

A motion adopting a resolution approving the Final Plat of MILLER FARM and authorizing the Chair's signature on the plat mylar.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7217

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

Date: November 17, 2020

Resolution #

Motion by Commissioner

Seconded by Commissioner

A RESOLUTION APPROVING THE FINAL PLAT OF MILLER FARM

WHEREAS, the preliminary plat has been submitted and approved by the County Board of Commissioners by Resolution No. 54-20, adopted August 4, 2020; and

WHEREAS, the final plat of MILLER FARM has been prepared and submitted for consideration; and

WHEREAS, the Carver County Planning Commission, by Resolution No. 20-15, waived any additional review of the final plat if no significant changes were made from the preliminary plat it approved; and

WHEREAS, the final plat conforms to the approved preliminary plat; and

WHEREAS, the County Board has reviewed the final plat and accompanying documents and finds as follows:

1. The final plat of MILLER FARM meets all the requirements of County Board Resolution No. 54-20.
2. The Assistant County Attorney has reviewed the November 5, 2020 Chicago Title Insurance Co. Owners Policy, which states that Endurance Investments, LLC is the fee owner of the subject property to be platted.
3. The Assistant County Attorney, in consultation with the Land Management Department, has reviewed the July 10, 2020, Declaration of Restrictive Covenants, which contain all items required by the August 4, 2020, Board of Commissioners' Resolution #54-20, and Conditional Use Permit #PZ20200012.
4. The final plat conforms to the requirements of Chapter 151 of the Carver County Code (Subdivisions), Chapter 152 of the Carver County Code (Zoning), and Conditional Use Permit #PZ20200012.
5. The County Surveyor has approved the final plat
6. The Dahlgren Town Board has approved the final plat.

THEREFORE, BE IT RESOLVED THAT THE Carver County Board of Commissioners hereby approves the final plat of MILLER FARM.

BE IT FURTHER RESOLVED THAT THE Carver County Board of Commissioners hereby authorizes the Board Chair to sign the plat mylar.

YES

NO

ABSENT

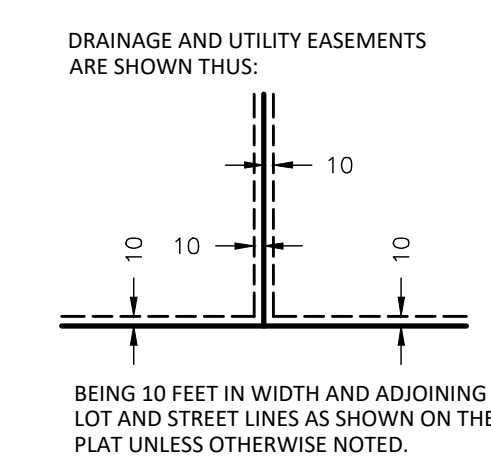
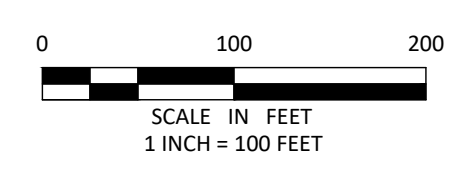
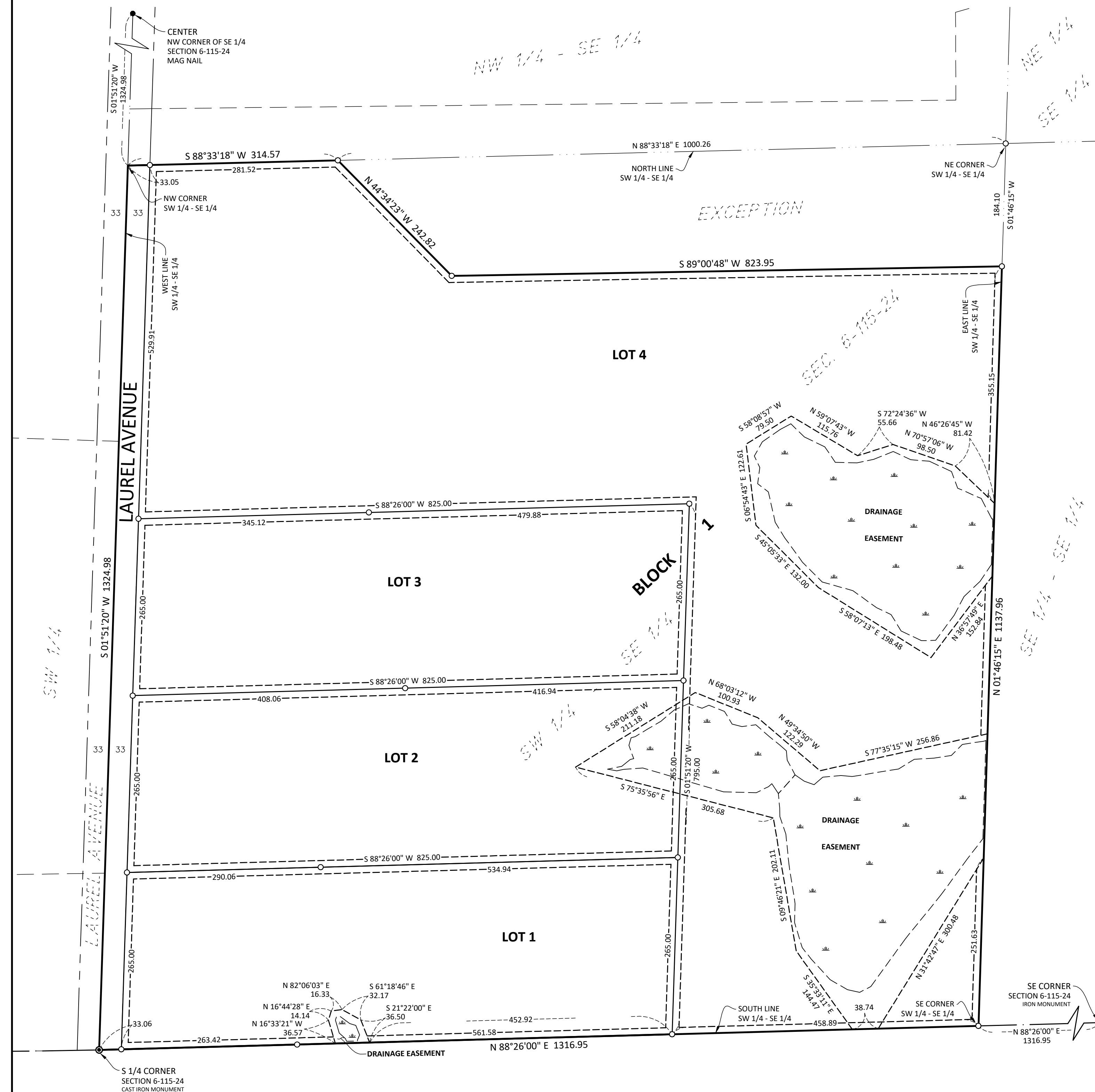
STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 17th 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 _____ day of _____, 2020.

David Hemze, County Administrator

MILLER FARM



LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 19789
- MONUMENT FOUND
- ⊕ DENOTES WETLAND

Horizontal Datum: 1986 Carver County Coordinate System
 The West line of the SE 1/4 has a County bearing of S 01°51'20" W

INSTRUMENT OF DEDICATION

Know all persons by these presents: that Endurance Investments LLC, a Minnesota limited liability company, owner of the following described property situated in the County of Carver, State of Minnesota:
 The Southwest Quarter of the Southeast Quarter of Section 6, Township 115 North, Range 24 West, Carver County, Minnesota, excepting therefrom the following described parcel:
 Commencing at the Northwest Corner of the Southeast Quarter; thence South 01 degrees 51 minutes 20 seconds West (bearings based of Carver County Coordinate System NAD83, 1986 Adjustment) on the west line of said Southeast Quarter, a distance of 1324.98 feet to the Northwest Corner of said Southwest Quarter of the Southeast Quarter; thence North 88 degrees 33 minutes 18 seconds East on the north line of said Southwest Quarter of the Southeast Quarter, a distance of 314.57 feet to the point of beginning; thence continuing North 88 degrees 33 minutes 18 seconds East on said north line, a distance of 1000.26 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 01 degrees 46 minutes 15 seconds West on the east line of said Southwest Quarter of the Southeast Quarter, a distance of 184.10 feet; thence South 89 degrees 00 minutes 48 seconds West, a distance of 823.95 feet; thence North 44 degrees 34 minutes 23 seconds West, a distance of 242.82 feet to the point of beginning.

has caused the same to be surveyed and platted as MILLER FARM and do hereby donate and dedicate to the public for the public use forever the Public Ways, and also dedicate the easements as shown on this plat for drainage and utility purposes only.

In witness whereof, said Endurance Investments, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ____ day of _____, 2020.

Signed: Endurance Investments, LLC
 _____ Chief Manager
 Thomas N. McCue

NOTARY CERTIFICATES

State of Minnesota
 County of _____
 The foregoing instrument was acknowledged before me, this ____ day of _____, 2020 by _____, Chief Manager of Endurance Investments, LLC, a Minnesota limited liability company.

(Sign) _____
 (Print) _____
 County of _____, Notary Public,
 State of Minnesota,
 My Commission Expires _____

SURVEYOR'S CERTIFICATE

I, Rory J. Jensen, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet land, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 2020.

Rory Jensen, Land Surveyor
 Minnesota License Number 19789

NOTARY'S CERTIFICATE

State of Minnesota
 County of _____
 The foregoing instrument was acknowledged before me, this ____ day of _____, 2020 by Rory Jensen, Land Surveyor, Minnesota License Number 19789.

(Sign) _____
 (Print) _____
 County of _____, Notary Public
 State of _____
 My Commission Expires _____

DAHLGREN TOWNSHIP

This plat of MILLER FARM was approved and accepted by the Board of Supervisors of the Town of Dahlgren, Carver County, Minnesota at a regular meeting held this ____ day of _____, 2020, and is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

 Clerk Chairperson

CARVER COUNTY BOARD OF COMMISSIONERS

This plat of MILLER FARM was approved and accepted by the Board of Commissioners of Carver County, Minnesota at a regular meeting held this ____ day of _____, 2020, and is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

Carver County Chair _____ Attest Administrator _____

COUNTY SURVEYOR, CARVER COUNTY, MINNESOTA

Pursuant to Chapter 395, Minnesota Laws of 1971, this plat has been approved this ____ day of _____, 2020.

Brian E. Praske, County Surveyor

By: _____

COUNTY AUDITOR, CARVER COUNTY, MINNESOTA

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat.
 Dated this ____ day of _____, 2020.

Crystal Compos, County Auditor

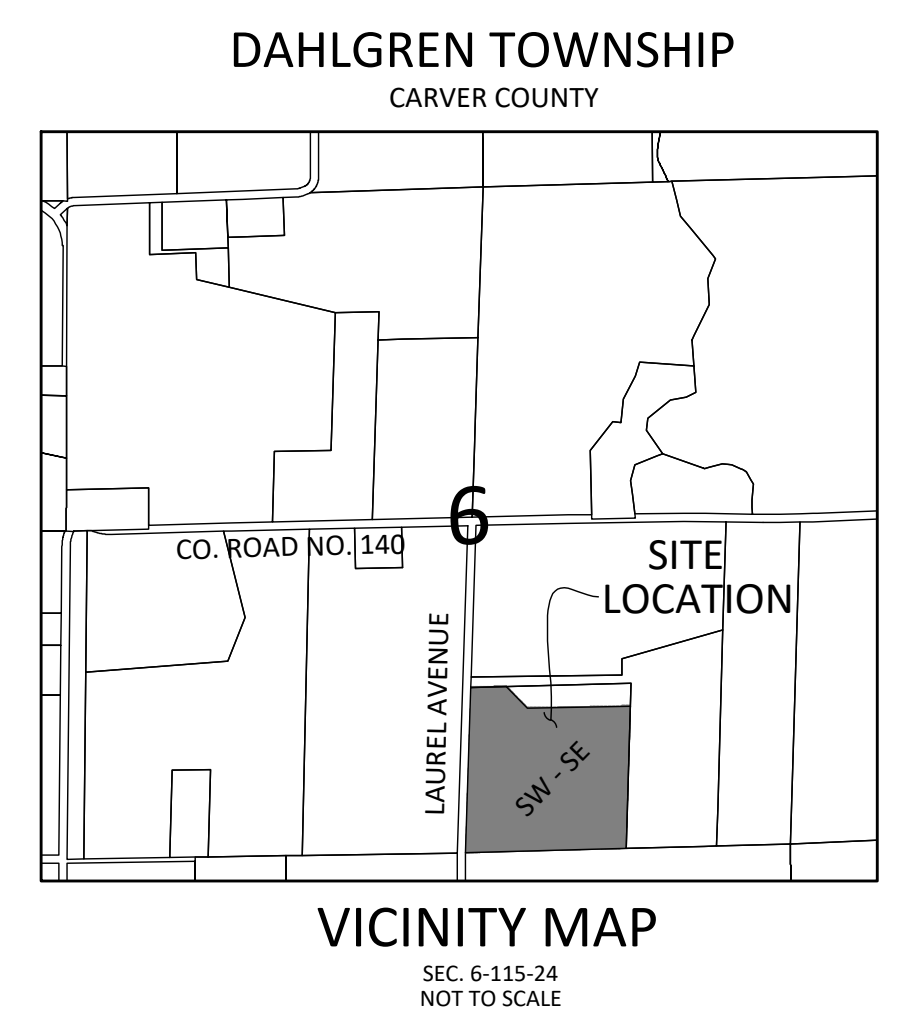
By: _____

COUNTY RECORDER, CARVER COUNTY, MINNESOTA

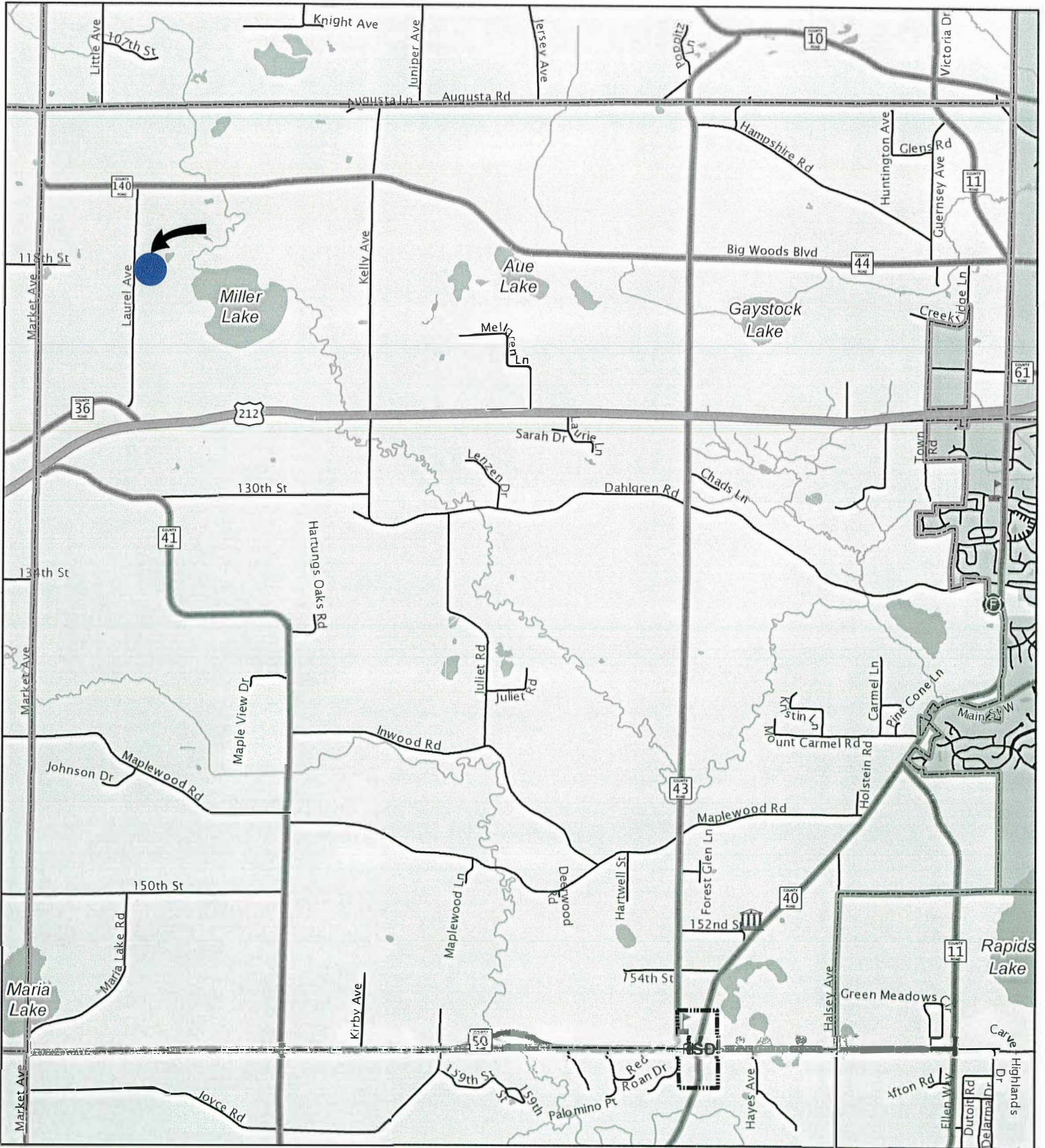
I hereby certify that this plat of MILLER FARM was filed this ____ day of _____, 2020, at ____ o'clock ____ M. as Document No. _____

Kaaren Lewis, County Recorder

By: _____



DAHLGREN TOWNSHIP



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Carver County Board of Commissioners Request for Board Action



Agenda Item:

Final Acceptance and Payment to Meyer Contracting, Inc. for the Highway 41 Project - Jonathan Area

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="11/17/2020"/>
Contact: <input type="text" value="Shelby Sovell"/> Title: <input type="text" value="Construction Supervisor"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

The State Highway 41 corridor in the City of Chaska is a critical regional Trunk Highway running through Carver County. Carver County, MnDOT and the City of Chaska undertook a joint project to relieve traffic congestion and improve safety. The project scope included reconstruction and expansion of State Highway 41 from 2 lanes to 4 lanes just north of the US Highway 212 interchange to 1/4 mile north of County Highway 14 (Pioneer Trail) by the Chaska Commons area. This project also included the construction of a new pedestrian underpass near the southeast side of Lake Grace, which the City of Chaska is funded. Carver County was the lead agency for this project.

All construction work was completed in the 2020 construction season and final documentation has been received by Meyer Contracting, Inc. Meyer Contracting, Inc. is requesting to finalize the contract with Carver County and release all retainage. County staff agrees and is recommending that the contract be finalized and that the outstanding work items and retainage be paid in the amount of \$61,177.82.

ACTION REQUESTED:

Motion to adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$61,177.82 to Meyer Contracting, Inc. for the Highway 41 Project - Jonathan Area.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	Federal Funds <input type="text" value="\$61,177.82"/>
	Total <input type="text" value="\$61,177.82"/>
	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7225

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

Date: November 17, 2020

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ACKNOWLEDGMENT
Highway 41 Project – Jonathan Area
FINAL PAYMENT**

WHEREAS, the construction of the Highway 41 Project – Jonathan Area has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and on behalf of the Carver County Public Works Division.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 17th 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 17th day of November, 2020.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlements for Right of Way Acquisition for the US 212 Project - Dahlgren Township

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The 2021 construction season includes the US 212 Project - Dahlgren Township which is the expansion of Highway 212 to a four-lane highway. Additional right-of-way is needed to complete this project. Appraisals were completed by Kelly Lindstrom and DKJ Appraisals and the County Board approved the making of offers based on the appraised values at its June 2, 2020 regular session. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. Settlements with the property owners located at PID #04.0110501 and 04.0130100 have been reached.

ACTION REQUESTED:

Motion to adopt a resolution for settlements for right-of-way acquisitions for the US 212 Project - Dahlgren Township.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	<input type="text"/>
MnDOT Funding	\$22,500.00
Trans. Sales Tax	\$22,500.00
Total	\$45,000.00

Insert additional funding source

Related Financial/FTE Comments:

Acquisition costs are split evenly between MnDOT and Carver County in accordance with an agreement between the agencies for this project.

Office use only:

RBA 2020 - 7231

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

Date: November 17th, 2020

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for US 212 Project – Dahlgren Township

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for expansion to a four-lane highway as part of the US 212 Project – Dahlgren Township (“Project”); and

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of Expanding the roadway to 4 lanes as part of the US 212 Project - Dahlgren Township constitute a valid public use or public purpose; and

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

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

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on November 17th, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th day of November 2020

Dave Hemze County Administrator

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

US 212 Project – Dahlgren Township

Carver County Public Works No. 178825

Property Tax Identification No. 04.0130100

Fee Owners: John C Lenzen Trust

Property Address: 5435 Highway 212, Chaska MN 55318

Settlement Amount: \$10,000.00

Property Tax Identification No. 04.0110501

Fee Owners: Chinmaya Mission – Twin Cities

Property Address: 12575 County Road 43, Chaska MN 55318

Settlement Amount: \$35,000.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlements for Right of Way Acquisition for the Jonathan Carver Parkway Project – Phase 1

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="11/17/2020"/>
Contact: <input type="text" value="Zachary Mahan"/> Title: <input type="text" value="Right of Way Agent"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

The 2021 construction season includes the Jonathan Carver Parkway Project - Phase 1 which is the expansion of Highway 11 to a four-lane highway. Additional right-of-way is needed to complete this project. Appraisals were completed by MM Appraisals and MDAs completed by the Carver County Public Works Right of Way agent and the County Board approved the making of offers based on the appraised values at its September 15, 2020 regular board meeting. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. Settlements with the property owners located at PID #20.0860580, 20.4260050, 20.4250940 and 20.4260010 have been reached.

ACTION REQUESTED:

Motion to adopt a resolution for settlements for right-of-way acquisitions for the Jonathan Carver Parkway Project - Phase 1.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING						
If "Other", specify: <input type="text"/>	County Dollars =						
FTE IMPACT: <input type="text" value="None"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>CSAH Reg./Muni. Const.</td> <td style="text-align: right;">\$12,535.00</td> </tr> <tr> <td>City of Carver</td> <td style="text-align: right;">\$12,535.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$25,070.00</td> </tr> </table>	CSAH Reg./Muni. Const.	\$12,535.00	City of Carver	\$12,535.00	Total	\$25,070.00
CSAH Reg./Muni. Const.	\$12,535.00						
City of Carver	\$12,535.00						
Total	\$25,070.00						
<input checked="" type="checkbox"/> Insert additional funding source							

Related Financial/FTE Comments:

The City of Carver and Carver County Public Works staff will be entering into a Joint Powers Agreement where the right of way acquisition costs are being evenly split for this project.

Office use only:

RBA 2020 - 7232

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

Date: November 17th, 2020

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Jonathan Carver Parkway Project – Phase 1

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for expansion to a four-lane highway as part of the Jonathan Carver Parkway Project – Phase 1 (“Project”); and

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of Expanding the roadway to 4 lanes as part of the Jonathan Carver Parkway Project – Phase 1 constitute a valid public use or public purpose; and

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

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

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on November 17th, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 17th day of November 2020

Dave Hemze County Administrator

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

Jonathan Carver Parkway Project – Phase 1

Carver County Public Works No. 168811

Property Tax Identification No. 20.0860580

Fee Owners: Jarrett Bowen & Cara Bowen

Property Address: 202 Butternut Circle, Carver MN 55315

Settlement Amount: \$5,000.00

Property Tax Identification No. 20.4260050

Fee Owners: Ted Norgaard & Taylor F Olson Norgaard

Property Address: 1805 Cherry Circle, Carver MN 55315

Settlement Amount: \$9,570.00

Property Tax Identification No. 20.4250940

Fee Owners: Daniel & Lindsey Eberhard

Property Address: 1698 Basswood Court, Carver MN 55315

Settlement Amount: \$6,500.00

Property Tax Identification No. 20.4260010

Fee Owners: Grant & Melissa Bassmore

Property Address: 1810 Cherry Circle, Carver MN 55315

Settlement Amount: \$4,000.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with TIERNEY BROTHERS INC

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

This contract is for professional services to purchase and install new audio and visual equipment that is end of life in the Emergency Operations Center Conference Room (EOC) underneath the Justice Center at the County Courthouse in Chaska. The EOC is the most critical conference room within a County facility in supporting emergency operations and hosting numerous County and external meetings. Because of the multiuse needs of this conference room it will require a significant amount of hardware, installation, and project planning to bring it up to today's technology requirements.

Quotes were gathered due to the complexity of the room and Tierney Brothers was awarded the contract from the County's selection team. Tierney Brothers has years of experience in designing EOC conference rooms and came with positive references from other organizations in Minnesota. Tierney Brothers bid was higher, but the selection team agreed that their proposal included three key components that provided additional value to the County that made their bid competitive. First, they included additional hardware that will provide added technology to support emergency operations. Second, they included project management hours, which is important with the complexity and coordination needed for this project. Third, they included training and documentation upon launch specifically for Emergency Management use cases on how to use the technology within room.

ACTION REQUESTED:

Motion to contract with TIERNEY BROTHERS INC pending finalization of the contract review process.

FISCAL IMPACT:
If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
2020- Att E	\$85,000.00
IT Operating Budget Redi	\$6,568.24
Total	\$91,568.24

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7223

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request for approval to contract with TIERNEY BROTHERS INC

Department:

Meeting Date:

Requested By:

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

DEBIT		
Description of Accounts	Acct #	Amount
Building Improvements	30-945.6640	\$6,568.00
TOTAL		\$6,568.00

CREDIT		
Description of Accounts	Acct #	Amount
Professional & Tech. Fees for Services	01-049.6260	\$6,568.00
TOTAL		\$6,568.00

Reason for Request:

\$85,000 was included in the 2020 CIP project budget for the EOC Technology upgrade. A budget transfer is requested to redirect \$6,568 from the IT departmental budget to provide the remaining funds for this project.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Application for 2020-2021 renewal of On-Sale & Off-Sale Liquor License including Sunday for Hollywood Roadhouse LLC dba Hollywood Roadhouse

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/>	Meeting Date: <input type="text" value="11/17/2020"/>
Contact: <input type="text" value="Sarah Rivers"/> Title: <input type="text" value="Senior Elections & Licensing Spe"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

Paul Joswick, President of Hollywood Roadhouse LLC dba Hollywood Roadhouse has applied for renewal of their On-Sale & Off-Sale Liquor License including Sunday. They are located at 5475 Co Rd 33, New Germany.

There are delinquent taxes owing on the property which are required to be paid before a liquor license can be renewed.

ACTION REQUESTED:

Motion to approve the application for renewal of the On-Sale & Off-Sale Liquor License including Sunday for Hollywood Roadhouse LLC dba Hollywood Roadhouse once the property's delinquent taxes have been paid.

FISCAL IMPACT: <input type="text" value="None"/> <p><i>If "Other", specify:</i> <input type="text"/></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: License Fee: On-Sale Liquor License - \$2,000; Off-Sale Liquor License - \$150.00; Sunday On-Sale - \$200.00	

Office use only:

RBA 2020 - 7240

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Library FTE Adjustment

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:

Library staff reviewed current vacancies and staffing demands to determine the best way to fill vacant positions. Based on this review, the library would like to:

- convert a 20 hour per week Librarian in Chanhassen and Victoria to a 28 hour per week Associate Librarian;
- convert a 24 hour per week Librarian in Chaska to a 28 hour per week Associate Librarian; and
- add 0.14FTE to the libraries Seasonal Temporary On-Call (STOC) pool.

The Associate Librarian is at a lower classification than the Librarian so the move will reduce costs by \$357 while offering more coverage at the libraries. While the positions have been vacant, the essential librarian duties performed by these two librarian positions were reassigned to existing Librarian staff. The duties that remain for these two positions are at the Associate Librarian job classification level and the library needs additional staffing hours to effectively staff the libraries and provide a high level of customer service.

ACTION REQUESTED:

Motion to adjust job classifications to reflect current position duties as follows: 0.5FTE Chanhassen/Victoria Librarian adjusts to a 0.7FTE Associate Librarian and a 0.6FTE Chaska Librarian position adjust to a 0.7FTE Associate Librarian and add 0.14FTE to STOC.

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

FTE IMPACT:

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

The combined savings to the County from the changes is a savings of \$357.

Office use only:

RBA 2020 - 7224

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Request to Contract with NEOGOV for eForms and OnBoard Products

Primary Originating Division/Dept: <input type="text" value="Employee Relations"/>	Meeting Date: <input type="text" value="11/17/2020"/>
Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Division Dir"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Culture: Provide organizational culture fostering accountability to achieve goals & sustain public trust/confidence in County government"/>	

BACKGROUND/JUSTIFICATION:

The purpose of this contract is to purchase eForms and OnBoard products from NEOGOV. The eForms product will automate the assignment, completion, approval, and storage of forms that are currently completed on paper through manual processes. OnBoard creates a more organized and efficient onboarding experience for new employees, while also allowing for electronic completion of forms.

Without each of these products, Employee Relations would continue to use more labor intensive and manual processes to manage exchange of information with employees across the organization, facilitate supervisory approval processes, and complete new hire onboarding. Additionally, this will allow employees and supervisors to continue to complete forms timely as more employees are working remotely.

ACTION REQUESTED:

Motion to contract with NEOGOV for eForms and OnBoard products.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING						
<i>If "Other", specify:</i> <input type="text"/>	<table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="text-align: right;">\$28,440.00</td> </tr> <tr> <td>CRF Funds</td> <td style="text-align: right;">\$5,000.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$33,440.00</td> </tr> </table>	County Dollars =	\$28,440.00	CRF Funds	\$5,000.00	Total	\$33,440.00
County Dollars =	\$28,440.00						
CRF Funds	\$5,000.00						
Total	\$33,440.00						
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source						

Related Financial/FTE Comments:

Coronavirus Relief Fund (01-050-050-1998-6346) can be used for \$5000 implementation and training costs. Existing HRIS technology budget will be used for the remaining cost of these modules.

Office use only:

RBA 2020 - 7243

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Government Center Aerco Boiler Maintenance Inspections

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 is recommending that the County contract with Daikin Applied for five years to provide yearly inspections and maintenance on the Government Center's six boilers. As part of the agreement, Daikin will provide external and internal inspections and install a new maintenance kit yearly. These inspections by Daikin will insure our boilers have a smooth start-up and continue to perform at there peak performance levels.

Facilities is recommending that we contract with Daikin as they are the only authorized dealer for these Aerco boilers and they have been performing our HVAC chiller maintenance contract as well.

ACTION REQUESTED:

Motion to contract for boiler maintenance agreement with Daikin Applied pending contract finalization.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7241

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with Waste Management

Primary Originating Division/Dept: <u>Public Services - Facilities</u>	Meeting Date: <u>11/17/2020</u>
Contact: <u>Jim Kuchelmeister</u> Title: <u>Facilities Services Manager</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:

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

BACKGROUND/JUSTIFICATION:

Carver County and Waste Management of MN, Inc. entered into an agreement in 2018 for garbage, recycling and organics compost at County owned properties. The agreement is set to expire at the end of November but, includes a provision that the parties may extend the agreement for 36 months. Carver County Facility Services, along with Environmental Services, is recommending that the County extend this existing contract with Waste Management of MN, through this amended agreement. This amendment extends the term by the allowable three years and allows for flexibility to potentially include the Environmental Services drop off services.

The County negotiated competitive pricing and terms in this original contract to reduce costs by matching dumpster sizes with actual needs (right-sizing), and reducing trash volumes through recycling and organics collection within our county facilities. In addition, County staff have been pleased with the contractor's customer service levels, and have established a good working relationship. This Amendment continues those favorable terms an additional three years.

The MN Department of Administration obtained quotes and bid the contract for members of the Cooperative Purchasing Vendors (CPV). Carver County is a CPV member. This Amendment continues the benefits to Carver County of being a CPV member for this contract.

Key benefits of this contract are competitive pricing, one-line pricing inclusive of all charges, and access to mandated waste processing options as they become available. Additional benefits include organics for compost service at our eastern properties, customized invoicing, and monthly reporting. County staff will continue to promote and expand recycling through training and education of staff, which will result in lower solid waste volumes, and thus lower costs for Carver County.

ACTION REQUESTED:

Motion to contract with Waste Management, pending final approval of Contract 20-368 through our contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	<input type="text"/>
County dollars, SCORE ...	\$300,000.00
Total	\$300,000.00

Related Financial/FTE Comments:

Funding for this contract would come from Facilities, Parks, and Environmental Services (Solid Waste Service Fees and SCORE grant). The Not-to-Exceed amount of this amended agreement is \$300,000 for the next three years, which is in line with past agreements.

Office use only:

RBA 2020 - 7244

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Declaring an End to Veteran Homelessness

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 part of the Suburban Metro Area Continuum of Care (SMAC). SMAC has declared an end to veteran homelessness! This means that if a Veteran experiences homelessness, it will be rare, brief, and non-recurring. Jen and Dan will explain how local collaborations helped the SMAC region reach this goal.

ACTION REQUESTED:

Board of Commissioners to receive SMAC report on Veteran homelessness.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7251

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2021 Payable Ditch Assessments

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/>	Meeting Date: <input type="text" value="11/17/2020"/>
Contact: <input type="text" value="Kathleen Smith"/> Title: <input type="text" value="Land Records Manager"/>	Item Type: <input type="text" value="Ditch/Rail Authority"/>
Amount of Time Requested: <input type="text" value="10"/> minutes Presenter: <input type="text" value="David Frischmon"/> Title: <input type="text" value="Property & Financial Services D..."/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

County and Joint Ditches are periodically cleaned out and services performed. 100% of the out of pocket/direct cost for the work is assessed to the individual ditches by the Ditch Authority. Mike Wanous, Executive Director of the Carver County Soil and Water Conservation District along with Carver County Land Records and Finance staff developed the Ditch Special Assessment recommendations in the table below.

Joint Ditch 3A was previously redetermined by Sibley County in 2013 and had a 5 year assesemnt in 2015 that was paid in full with 2020 taxes. After determining the amount of the initial 5 year assessment for JD3A, additional expenses have been incurred by Sibley County that now need to be assessed to the landowners.

Joint Ditch 28 has one Carver County landowner, this is an expense for tree removal.

Joint Ditch 33 is a Sibley County redetermined ditch which now has new benefitted landowners in Carver County. JD21 and JD24 both benefit from this ditch system. JD33 assessment will be a 5 year assessment at 4% interest for those landowners who owe more than \$250.00. In June 2020 all JD33 landowners were given the option to prepay this assessment, no interest would be charged if they paid in full before 11/15/2020.

ACTION REQUESTED:

Motion to approve the recommended payable 2021 one-year assessments with 0% interest below: (2020 Assessment amounts are listed for reference purposes only.)

Ditch	2021	2020
County Ditch 6	\$0	\$5,000
County Ditch 9	\$0	\$10,000
County Ditch 10	\$0	\$5,000
Joint Ditch 3A	\$25,000	\$10,000
Joint Ditch 21	\$10,000	\$5,000
Joint Ditch 24	\$3,000	\$0
Joint Ditch 28	\$1,600	\$0
Joint Ditch 33	\$21,581.27	\$0
TOTAL	\$61,181.27	\$35,000

FISCAL IMPACT: <input type="text" value="None"/> <p><i>If "Other", specify:</i> <input type="text"/></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:

Ditches are responsible for their individual expenses. No County dollars are affected.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Closed Session for Labor Negotiation Strategy

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
 ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

▼

BACKGROUND/JUSTIFICATION:

All ten Collective Bargaining Agreements (CBAs) in the County will expire on 12/31/2020. Minnesota Statutes 13D.03 subdivision 2 allows a public entity to enter into a closed session to plan and discuss labor negotiation strategy. Employee Relations requests to enter into a closed session with the Board to discuss the strategy for 2021 and forward.

ACTION REQUESTED:

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

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

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 7239