



# CARVER COUNTY

# minnesota

Carver County Board of Commissioners  
January 5, 2021  
Organizational Session

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

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

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9:00 a.m.	<ol style="list-style-type: none"> <li>1. <ol style="list-style-type: none"> <li>a) Pledge of allegiance</li> <li>b) CALL TO ORDER BY THE COUNTY ADMINISTRATOR</li> <li>c) Nomination and election of Chair for 2021</li> <li>d) Nomination and election of Vice Chair for 2021</li> <li>e) Public comments (limited to five minutes)</li> <li>f) Community announcements</li> </ol> </li> <li>2. Agenda review and adoption</li> <li>3. 2021 Board Operating Rules ..... 1-14</li> <li>4. Adopt schedule of Regular Board meetings for the year 2021 ..... 15-17</li> <li>5. Committee appointments and assignments ..... 18-22</li> <li>6. Appointments to advisory committees ..... 23-27</li> <li>7. Approve minutes of December 22, 2020, Regular Session ..... 28-29</li> </ol>	
9:35 a.m.	<ol style="list-style-type: none"> <li>8. <b>CONSENT AGENDA</b>  <i>Communities: Create and maintain safe, healthy and livable communities</i> <ol style="list-style-type: none"> <li>8.1 Final Acceptance for 2019 County Wide Annual Pavement Marking Project (Long Line) ..... 30-31</li> <li>8.2 Final Acceptance for 2020 County Wide Annual Pavement Marking Project (Long Line) ..... 32-33</li> <li>8.3 Professional Services Agreement with Bolton &amp; Menk for Design of the Highway 20/25 Intersection Project ..... 34</li> <li>8.4 Change Orders 6 and 7 for the Flying Cloud Drive Reconstruction Project ..... 35</li> <li>8.5 First Amendment to Joint Powers Agreement with the University of Minnesota Board of Regents for TH 5 Regional Trail ..... 36</li> </ol> </li> </ol>	

8.6	Consent to adopt a contract for out of state residential treatment.....	37
8.7	UCARE 2020 Metro County grant to support Prosperity Carver project.....	38-39
8.8	Resolution authorizing the receipt of state funding for a COVID-19 relief program.....	40-43

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

8.9	Utility Relocation and Release of Easements Agreement for US 212 Project - Dahlgren Township .....	44
8.10	Mark Eklo - Request for High Amenity Development (4 Lots) .....	45-49
8.11	Highway 11 Landscaping Agreement with City of Carver.....	50
8.12	Settlements for Right of Way Acquisition for the US 212 Project – Dahlgren Township.....	51-54
8.13	Settlements for Right of Way Acquisition for the Jonathan Carver Parkway Project – Phase 1.....	55-58

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

8.14	Review Social/ Commissioners’ Warrants .....	NO ATT
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9:45 a.m.	<b>9. FINANCES: Improve the County’s financial health and economic profile</b>	
	9.1 Request from State of MN to restart Road Tests at Chaska License Center .....	59-60

**ADJOURN AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAILROAD AUTHORITY**

9:55 a.m.	<b>10. CONNECTIONS: Develop strong public partnerships and connect people to services and information</b>	
	10.1 Appointment of Chair, Vice Chair and Secretary/Treasurer .....	61

**ADJOURN CARVER COUNTY REGIONAL RAIL AUTHORITY**

10:00 a.m.	<b>11. County Administrator Report</b>	
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David Hemze  
County Administrator

# Carver County Board of Commissioners Request for Board Action

**Agenda Item:****2021 Board Operating Rules**Primary Originating Division/Dept: Administration (County) Meeting Date: 1/5/2021 Contact: Dave Hemze  Title: County Administrator Item Type:  
Regular Session Amount of Time Requested: 5  minutesAttachments:  Yes  NoPresenter: Dave Hemze  Title: County Administrator **Strategic Initiative:**Connections: Develop strong public partnerships and connect people to services and information **BACKGROUND/JUSTIFICATION:**

During the statutory meeting, the County Board is required to review, amend if necessary, and adopt operating rules for the year. The proposed 2021 Board Operating Rules are attached. Language added is underlined, ~~deletions are struck through~~.

**ACTION REQUESTED:**

Motion to adopt 2021 Board Operating Rules.

**FISCAL IMPACT:** None If "Other", specify: **FUNDING**County Dollars = **FTE IMPACT:** None **Total**  \$0.00 Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7333



CARVER  
COUNTY

# **Board of Commissioners Board Operating Rules**

*Adopted*

*~~January 7, 2020~~*

*Proposed*

*January 5, 2021*

## I. Overview

### A. Purpose

The Carver County Board of Commissioners is the body charged by law with the management of the affairs of Carver County. The County Board operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the County within the confines of state and federal law.

The County Board functions within the statutory framework of Minnesota law. General duties, powers and responsibilities are found in Minnesota Statutes, especially but not exclusively Chapters 370, 373, and 375. Minnesota Statutes supersede all bylaws, rules and policies established by the Board.

### B. Statement of Principles

The Operating Rules intend to strike a procedural balance that considers all principles and enunciates a specific process by which those principles interact and work. The rules are representative of the following Carver County Strategic Plan.

#### I. Vision

Where the future embraces the past in keeping Carver County a great place to live, work and play for a lifetime.

#### II. Mission

To meet the service requirements and special needs of our residents in a fiscally responsible and caring way. We will plan the county's growth to preserve its uniqueness and will encourage rural and urban compatibility. We will protect our history while planning for a dynamic future.

#### III. Goals - Summarized

To help define each goal statement, there is a distinctive and characteristic word which summarizes each goal. These five goals are designed to serve as the foundation for all future strategies, work and priorities of the County.

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

**II. Culture:** Provide an organizational culture which

fosters individual accountability to achieve goals and sustain public trust and confidence in County government.

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

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

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

### C. Effective Date

These rules shall become effective upon passage by the County Board.

## II. Amendments to the Operating Rules

During the statutory meeting, the County Board shall review, amend if necessary, and adopt the operating rules for the year.

Any time throughout the year, the County Board may amend (or suspend) the operating rules by an affirmative vote of the members. Changes shall be effective immediately upon passage.

Any member of the County Board or the County Administrator may initiate action to amend the operating rules

Any changes in statute or law affecting the rules are effective immediately and will be reflected in the next draft of the rules.

## III. County Board Organization

### A. Membership

The County Board of Commissioners consists of five (5) members elected from single-member districts apportioned on the basis of population as provided by law.

### B. Commissioner Districts

The boundaries of commissioner districts, including the procedures to follow in the event that a redistricting is

needed, are established pursuant to Minn. Stat. §375.025.

### **C. Terms of Office**

The term of each Board member is four years, except as otherwise established pursuant to Minn. Stat. §375.03.

### **D. Vacancy**

A vacancy in the office of County Board is filled at a special election not less than 30 nor more than 90 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election but the special election shall be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term (Minn. Stat. §375.101).

If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at the general election for the ensuing term. That person shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office (Minn. Stat. §375.101).

### **E. Officers**

The County Board, at its statutory meeting (first Tuesday after the first Monday of each year), elects from its members a Chair and a Vice-Chair. The Chair presides at the County Board meetings, decides on questions of order, subject to vote of the County Board, and signs all documents requiring signature of the County Board. The Chair's signature, attested to by the County Administrator or designee, is binding as the signature of the County Board.

The County Board elects from its membership a Vice-Chair at the same time and place and in the same manner as provided for the election of the chair. The Vice-Chair performs the duties of the chair when the chair is unable to perform those duties.

If the Chair and Vice-Chair are absent from any meeting, the members present shall choose one of their members as temporary Chair, and all documents requiring the signature of the County Board shall be signed by a majority of it and attested to by the Clerk to the Board (Minn. Stat. §375.13).

At the statutory meeting (and if applicable during the

year), the Chair of the County Board shall have the authority to recommend committee chairs and appoint members of the County Board to standing committees and other County Board-member appointed committees, organizations and groups, subject to approval by the County Board.

### **F. Compensation**

County Board members receive as compensation for services an annual salary as set by resolution of the County Board. (The salary must be established prior to the end of the preceding year and is effective January 1 of the new year.)

Prior to the effective date of a new salary, each County Board member shall have the option to accept or reject any salary increase in writing and submit it to Employee Relations.

### **G. Monthly Expense Allowance**

Each member of the County Board is allowed a monthly expense allowance as determined by the County Board for expense while doing business for Carver County. (This expense allowance is provided for under Minnesota Laws, Chapter 66, adopted in 1981.) Typical expenditures for this allowance are mileage, parking, and meals while in the seven county metropolitan area for conferences, seminars and meetings. Expenses included in this allowance are generally considered to be ones that the Board Member deems to be necessary in order to fulfill the duties of office.

The County Board, by resolution, determines the annual expense allowance level. Within the seven county metropolitan area, this allowance is in lieu of traditional reimbursement plans including per diem expenses. The expense allowance is paid to the Board Members in twelve equal monthly installments.

Outside the seven county metropolitan area, all costs deemed necessary by the Board Member to fulfill the duties of office, are covered by County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. This would include reimbursement for actual costs while performing duties of the office of County Commissioner.

In addition, all overnight expenses associated with conferences, seminars, and meetings are costs eligible for reimbursement. Each Commissioner shall be allocated an annual conference and training budget with an amount to be determined according to the annual budget process. Conference and training funds not used by an

individual Commissioner during each respective budgetary year may be used by another Commissioner within that budget year upon mutual agreement between the Commissioner requesting the funds and the Commissioner providing the funds. Any out of state travel must meet the requirements outlined in the Elected Officials Out of State Travel policy included in the Carver County Administrative Policy Manual.

Cell phone expenses are costs eligible for reimbursement according to County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. In addition, remote computer access expenses are eligible for cost reimbursement.

## H. County Board Budget

The County Board is allocated an annual budget which includes salary and benefits and general operating expenses (office supplies and other miscellaneous expenses).

# IV. County Board Meetings

## A. Regular Meetings

Members of the County Board are entitled to ten days' notice of regular Board meetings (Minn. Stat. §375.07). At the annual statutory meeting, the County Board shall adopt a schedule of regular board meetings for the upcoming year. The schedule will include the location, date and time of the meetings. During the year the schedule may be amended by general consensus or a vote if necessary of the County Board. Evening meetings may be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items.

Unless otherwise stated, all regular meetings of the County Board will be convened at the Carver County Government Center. The Board Room is located on the second floor of the Human Services Building. All regular meetings of the County Board are open to the public.

## B. Statutory Meeting

The County Board meets in the County Board Room located at the Carver County Government Center, for the transaction of business on the first Tuesday after first Monday in January. The County Board transacts organizational business during this meeting, including:

1. Administrate oath of office (if required);

2. Elect officers;
3. Appoint commissioners to commissions committees and boards;
4. Appoint voting members to AMC;
5. Appoint members to Metropolitan Counties Computer Consortium;
6. Appoint advisory committee members.

## C. Open Meeting Law

All meetings of the Carver County Board of Commissioners and other Committees and Boards and Commissions are subject to the Open Meeting Law (Minn. Stat. Chap. 13D).

## D. Closed Meetings

The County Board may by motion convene in closed session for the purposes of transacting business. Business which may be considered in closed session are as follows.

- In accordance with the attorney/client privilege;
- To consider strategy for labor negotiations;
- To consider real estate negotiations;
- To consider security measures;
- Or as otherwise required or permitted by the Minnesota Open Meeting Law.

## E. Special/Emergency Meetings

The Carver County Board may establish a special or emergency meeting. Procedures to schedule a special or emergency meeting shall be in accordance with Minn. Stat. Chap. 13D.

Adjourned or reconvened meetings may be held at any specific time, date and place the Board may adopt without additional notice. However, the time, date and place must be publicly specified by the Board prior to adjourning the meeting in which the time, date and place are established.

The County Board may schedule work sessions, retreats, forums or additional meetings. A schedule of such meetings shall be maintained in the County Administration Office. Work sessions and other informal meetings of the Board, not regularly held, shall be subject to the same notice requirements of the Minnesota Open Meeting Law.

A joint meeting with the County Board and any other political subdivision may be held within the boundaries of either subdivision and will be specified in the meeting notice.

Meetings of the County Board may also be conducted by interactive TV according to Minn. Stat. §13D.02.

## F. Public Hearings

From time to time, the County Board conducts formal public hearings. In addition to those required by law, the County Board may hold public hearings on matters of business when it decides that such hearings are in the best interest of the general public or issues under consideration.

The order of business for public hearings generally follows this procedure:

1. Presiding officer opens the hearing and states the purpose;
2. Brief description of issue by County staff or other appropriate persons;
3. Presentation, if applicable, by affected or interested persons;
4. Public hearing closed by the Board;
5. Decision of the County Board.

At any time during the process, the County Board may address questions as deemed appropriate.

The County Board may alter the public hearing procedure as needed to assure that the hearings are conducted in an orderly, fair and expeditious manner, including establishing reasonable time limits for speakers individually or on each side of the issue before the Board.

Rules adopted for public hearing procedures are intended to promote an orderly discussion, to give every person an opportunity to be heard, and to ensure that no individual is denied their right to free speech.

All comments by proponents, opponents, or members of the public shall be made at the microphones and individuals making comments shall first give their name and address. This is required for an official record of the public hearing.

## G. Meeting Conduct

The following meeting conduct rules shall apply for all Board meetings:

1. Respect the dignity of each individual.
2. Respect one another's facts, opinions and right to speak.
3. We realize that our thinking processes are shaped by our backgrounds. None of us can be

completely objective as a result. We all have our natural biases that we may not even be aware of. We must respect that in one another.

Backgrounds are neither right nor wrong; they just are. Diversity, differences, conflict are all inevitable.

4. We choose to deal with conflict in a healthy manner. Therefore there will be no name calling and putdowns of individuals or ideas. This does not mean you can't openly disagree and support your ideas, opinions and facts.
5. Listen respectfully - no interruptions.
6. In the interest of time, time limits may be established.
7. Questions may be asked of the presenters during the time allotted.

## H. ~~Cable-casting~~ Broadcasting

Unless otherwise directed by law, all regular meetings of the Carver County Board of Commissioners ~~are videotaped~~ are streamed live and recorded for on-demand viewing via YouTube, from calling to order of the meeting to the adjournment of the meeting's regular session. Regional Rail Authority, Ditch Authority and Public Health Board meetings are also videotaped from calling to order to adjournment of the meeting. In the event that a meeting cannot be videotaped (i.e. technical malfunction, etc.), best efforts will be made to record the meeting with another recording device for future reference.

~~These DVDs are broadcast on cable television channels. Efforts are made to use cable channels that provide the most complete coverage possible across the entire geographic areas of Carver County.~~

~~DVDs are available for check out through the Carver County library system and are available for viewing on the County's website. DVDs are also available for purchase by the general public through the County Administrator's Office. The cost of DVDs are set by the County Board and included in the County's Fee for Service Schedule.~~

The County broadcasts and records all Board of Commissioners meetings via its YouTube channel. Local cable access channels can rebroadcast the meetings via these recordings. Residents can view the meeting recordings via YouTube, or from the links placed on the Board of Commissioners' webpage at [www.co.carver.mn.us](http://www.co.carver.mn.us). The public can also view meetings on computers at Carver County Library branches

The Carver County Administration Department retains a



copy of the ~~DVD~~ broadcast for a period of two years and one week after the taping meeting date. These ~~videotaped~~ recordings are not the official minutes of the Carver County Board of Commissioners.

## **I. Quorum**

A quorum shall be necessary for the transaction of business. A majority of the members of the Board shall constitute a quorum and no business shall be transacted unless voted on by a majority (three votes) of the whole County Board (Minn. Stat. §375.07). Less than a majority of members may convene a meeting, but no business may be transacted.

Any County Board member who, for any reason, anticipates or plans an absence at any regular or special meeting is encouraged to contact the County Board Chair or the County Administrator to indicate his or her planned absence.

## **J. Role of Presiding Officer**

The presiding officer of the meeting will be the Chair. In the absence of the Chair, the presiding officer will be the Vice-Chair. The duties and powers of the presiding officer shall include the following:

1. Preside at all meetings of the County Board.
2. Call for a meeting recess without a vote if necessary
3. Preserve order and decide questions raised by members subject to appeal to the Board.
4. Require the vote on all questions regularly moved and to announce the result.
5. Review and comment on the draft agenda for each regular and special meeting of the Board.
6. Serve as representative of the Board in execution of contracts, orders, resolutions, determinations and minutes of the Board and certification of tax rolls.

The Chair of the Board may make a motion and has the same voting rights and responsibilities as other members.

## **K. Addressing the Chair**

Formal protocol will be used when speaking to the County Board. The County Board Chair shall be addressed as "Mr./Madam Chair." Members of the County Board shall be addressed as "Commissioner (last name)."

## **L. County Administrator**

The County Administrator or designee shall attend all meetings of the County Board. The County Administrator represents the Board at the meetings. The County Administrator may participate in the discussion or recommend a resolution or action to the County Board. A member of the Board may call on the County Administrator to participate in the discussion or provide a verbal recommendation on any subject pending before the Board.

The County Administrator or designee shall prepare a written agenda for all regular and special meetings of the County Board. The County Administrator or designee acts as the clerk of the board and shall also: 1) make regular entries of all Board resolutions and decisions upon all questions; 2) record the vote of each member on any question submitted to the Board; 3) preserve and file all business acted upon by the Board; 4) certify copy any and all resolutions or decisions of the Board; and 5) perform such further duties as designated by the Board.

## **V. CONDUCT OF DEBATE**

### **A. Principles**

The Rules of Parliamentary Practice embodied in Robert's Rules of Order (hereafter referred to the Rules of Order) shall guide the Board in all cases applicable, except as modified by the rules herein and applicable Minnesota Statutes. In all cases, except where Minnesota Statutes dictates, a majority vote will prevail when deciding a question.

### **B. Parliamentarian**

The Rules of Order governing County Board meetings shall be referred to the County Board Chair for interpretation and enforcement. The County Board Chair may consult with Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

### **C. Role of the Chair**

The Chair shall preside over the debate, ensuring equality and fairness in discussion. If necessary, the Chair may restate or ask the County Administrator or designee to restate who made the motion, who seconded the motion, and announce the result of the vote.

### **D. Suspension of the Rules**

Any member of the Board may make a motion for a suspension of the Rules of Order at any time during the debate and, if in order and duly seconded, the Board will vote on the request.

### **E. Main Motion**

The main motion shall be considered by the Board. A member may make only one main motion at a time. The Board member(s) may present an initial motion on the resolution and subsequently debate the question; or the

Board member(s) may call upon staff for additional information prior to introduction of the motion.

The introduction of a main, or substantive motion, is out of order while another main motion is pending. While the question is under debate, no other motion shall be received or entertained except for procedural motions permitted in the Rules of Order.

### **F. Second Required**

All motions before the Board shall be seconded prior to consideration by the Board. The second may occur after brief informal discussion. Subsequent to the second of the motion, formal debate may ensue between the members of the Board prior to the formal vote being called.

### **G. Amended Motion**

Any motion may be amended at any time before it is adopted. The amended motion shall have precedence over an existing motion and may be discussed prior to being voted upon. If the amended motion fails, the main motion may proceed for consideration. If the amended motion passes, the amended motion becomes the main motion and may proceed for consideration. Once an amended motion is voted upon, a second amended motion may be entertained.

### **H. Division of the Question**

Upon the request of any Board member, a motion or resolution in debate may be divided and separated into more than one action provided that the Chair rules that the motion or resolution will allow such a division. Each of the resulting motions or resolutions must be complete to allow independent consideration and action.

### **I. Withdrawal of Motion**

After a motion has been stated by the Chair, it is deemed to be in the possession of the Board, but may be withdrawn by the member introducing the motion at any time before a vote. The Chair must accept or reject the withdrawal request. This motion cannot be debated or amended. If the motion is withdrawn, the effect is the same as if it had never been made.

### **J. Discussion Procedures**

The following operating rules shall guide debate:

1. Any Commissioner desiring to speak shall address the Chair, and not proceed until being recognized. When two or more members address the Chair at the same time, the Chair shall designate the order of speaking.
2. Upon recognition of the Chair, the Board member making the motion has precedence to address the Board first, with the option of explaining the reasons why the motion is made. Subsequently the floor is open to any member of the Board.
3. A member, once recognized, shall not be interrupted when speaking, unless it is to call that member to order. No member shall interrupt another in debate without his/her consent. To obtain such consent, he/she shall first address the Chair.

### **K. Adoption**

A motion or resolution shall be adopted if approved by a majority of the whole Board (Minn. Stat. §375.07).

### **L. Procedural Motion**

In addition to the substantive motions, the following procedural motions shall be in order. This is a partial list of those motions from Robert's Rules that are most often used.; it is not intended to be a complete list.

These motions shall be considered in the following order of precedence as taken from Robert's Rules of Order:

1. Motion to Adjourn;
2. Motion to Recess;
3. Motion to Suspend the Rules;
4. Motion for Division of the Question;
5. Motion to Defer Consideration (Motion to Lay on the Table);
6. Call of the Previous Question;
7. Motion to Postpone to Certain Time or Day;
8. Motion to Refer to Committee;
9. Motion to Amend;

10. Motion to Reconsider.

### **M. Voting**

It is the duty of every member to vote. Voting shall be recorded as a "yes" or "no" vote by the County Administrator and duly noted in the minutes. Unless a Commissioner signifies an abstention or vote in the negative on any given issue, the County Administrator shall be directed to record that each Commissioner has voted in the positive on that particular matter which is before the Board. A roll call, if requested by any member, shall be called by the Administrative Assistant alphabetically (from A-Z) by last name, and rotating with each resolution voted upon.

## **VI. TYPES OF COUNTY BOARD ACTION**

### **A. Resolution**

The County Board takes formal action by resolution (Minn. Stat. §373.02) or ordinance (Minn. Stat. §375.51) only, both of which are initiated through a motion. A motion may be introduced by any member of the County Board.

The main motion in the form of a resolution is the means by which a member may present a substantive proposal to the County Board for consideration and action. Since it is the basic motion for the transaction of business, only one subject may be considered at a time and the main motion may be proposed only when no other motion is before the County Board. (See Section V.)

### **B. Ordinance**

The County Board may take formal action by ordinance (Minn. Stat. §375.51). An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the county. County Board action shall be taken by ordinance when required by law.

### **C. General Consensus**

The County Board provides informal direction by consensus. Informal direction is most often used to provide staff with preliminary Board perspective on a matter which will require future formal action by resolution or ordinance. Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy or authorize action.

## **D. Policy Development**

Authority for the development of policies in Carver County is granted to the County Board through Minn. Stat. Chapter 373 (Counties, Powers, Duties, and Privileges) and Minn. Stat. Chapter 375 (County Boards) and other statutes. With the powers granted within these statutes, the County Board may delegate certain authority, as appropriate, through Board resolutions. These delegations of authority may be rescinded at any time by the Board.

## **VII. COUNTY BOARD AGENDA**

### **A. Preparation and Distribution**

The County Administrator shall prepare the agenda and supporting material for each regular and special meeting. Members of the Board may direct that an item be placed on the Agenda by informing the County Administrator. The County Administrator shall include an item on the agenda if a member directs that the item be placed on the agenda at least three (3) days prior to the meeting for which the agenda is to be prepared.

The Board agenda packet, including the meeting agenda and supporting material, shall be received by each member of the Board no later than the Monday preceding the regular Tuesday meeting.

Copies of the agenda and supporting material shall be made available to the County staff, public and media as appropriate. A distribution list shall be maintained in the County Administration Office. Members of the public who are interested in following issues considered by the Board may register their name and address with County Administration for placement on the agenda distribution list.

If possible and if time avails, Board members are encouraged to identify and request future agenda topics within the agenda section entitled "Board Reports." Early identification of future agenda items informs the Board that a particular subject will be discussed and provides staff an opportunity to conduct any research, and provide background information sufficient to inform the Board.

### **B. Order of Business**

The Order of Business for each regular meeting of the County Board shall be as follows:

1. Call to Order (start of cablecast)

2. Pledge of Allegiance
3. Introduction of New Employees
4. Public Comments
5. Approval of Agenda
6. Approval of Minutes
7. Community Announcements
8. Consent Agenda
9. Regular Agenda
10. County Administrator Report
- ~~10.~~ 11. Adjourn Regular Session (end of cablecast)
- ~~11.~~ Board Reports

The Order of Business may be changed as needed to accomplish objectives and priorities of the meeting. The Order of Business may be changed at the recommendation of the Chair, any member of the Board or the County Administrator subject to County Board consensus.

### **C. Consent Agenda**

The Consent Agenda will consist of routine agenda items which are not likely to require additional debate and discussion. Examples of consent agenda items include, but in no circumstances are limited to, tax abatements (penalty and interest claims), minor budget amendments, personnel actions, tax forfeiture actions, and miscellaneous contract approvals and renewals.

The Consent Agenda shall be considered as one item of business. The Board may approve all items on the consent agenda by adopting one motion. In the minutes of the meeting, the items passed in the Consent Agenda shall be recorded individually.

Prior to approval of the Consent Agenda, any member can remove an item on the Consent Agenda for further discussion and/or for the purposes of separate consideration. The Chair shall determine the location on the agenda for the item of business which will subsequently be considered.

### **D. Regular Agenda**

The Regular Agenda will consist of items which are likely to and/or require additional discussion and review. Items of business within the Regular Agenda shall be considered individually and in the order of business as noted on the agenda.

### **E. Official Records**

The County Administrator or designee shall prepare the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statutes in order to provide an accurate record of County Board

actions. The record is not intended to be a verbatim transcript of all discussion and debate; the record is primarily a compilation of official actions (Minn. Stat. §331A.01).

The minutes of the County Board meeting shall be prepared and submitted for approval at the next succeeding County Board Meeting. Official proceedings of County Board meetings shall be published in the official County newspaper (Minn. Stat. §375.12). The

Official Board Proceedings are distributed to staff and interested parties and are also available on the Carver County website at [www.co.carver.mn.us](http://www.co.carver.mn.us).

The official minutes of County Board meetings shall be available in the County Administration Office. The resolutions shall be numbered consecutively followed by the last two digits of the calendar year.

## **VIII. ADVISORY COMMITTEES AND OTHER STATUTORY APPOINTMENTS**

### **A. Policy**

The County Board appoints individuals to various boards, committees or commissions, (hereinafter referred to as Committees) which have been established by the County Board or pursuant to Minnesota Statute. Authority for establishment of the committees is prescribed in Minnesota Statutes and in Board Policy. County Administration will maintain a complete list of committees and their underlying source of creation.

### **B. Advisory Committees**

Advisory Committees or Boards do not establish county or department policy, determine budget or resource allocations, or direct the operations of the department. These remain the sole responsibility of the County Board. Advisory Committees perform their duties and responsibilities as delegated by the County Board, they report to the County Board, and are under the County Board's jurisdiction.

A list of advisory committees includes, but is not limited to:

1. Arts Committee
2. Board of Adjustment
3. Library Board
4. Mental Health Advisory Committee
5. Minnesota Extension Committee
6. Park Commission

7. Personnel Board of Appeals
8. Planning Commission
9. Water Management Organization

### **C. Appointments to other Public Bodies**

The County Board also makes appointments to entities that are created by special act and which, upon their establishment, are public bodies, corporate and politic, with all the powers, duties and authority as provided for in statute.

Term lengths, term limits and other operational procedures of these public bodies are governed by Minnesota Statute and/or the entity's by-laws.

A list of these public bodies includes, but is not limited to:

1. Community Development Agency
2. Lower Minnesota River Watershed District
3. Minnehaha Creek Watershed District
4. Riley-Purgatory-Bluff Creek Watershed

### **D. Role and Purpose of the Committees**

Each Committee serves a statutory, policy, or operational purpose within Carver County. Each committee has specific staff assigned and designated to support its function. The function and reporting relationship to the Board will vary from committee to committee.

Committees are established to serve a variety of functions. The fundamental purposes for utilizing Committees in support of County government are:

1. To involve members of the public in the decision-making process.
2. To meet requirements of state law.
3. To ask residents to help define community standards and norms.
4. To provide technical expertise in certain areas.
5. To serve as advocates for the County.
6. To provide an independent sounding board for issues, ideas, and policy matters.

### **E. Operating Procedures**

An open appointment policy governs the process for recruiting applicants to committees. The actual appointments are made by the County Board.

Individuals appointed by the Board to Committees receive a per diem reimbursement for attendance at regular or special meetings of such committees unless

otherwise stated by the County Board. The per diem level is established from time to time by Board and/or Minnesota Statute.

### **F. Appointments**

Unless mandated statutorily, appointments to the extent possible will be made by commissioner district. The Board will use discretion in this area and instances may occur when appointments will not follow district boundaries due to the target group the committee represents, availability of applicants, or other factors. The Carver County Board will attempt to select those candidates who will best represent the county and the committee's needs.

When a vacancy exists due to resignation or other reasons, the Board will follow the open appointment process. For the purpose of maintaining uniform length of terms the new appointee's partial term will be assumed to be a full term regardless of actual time remaining in the unexpired term.

### **G. Attendance Policy**

Advisory committee members missing three (3) consecutive meetings in a year without the formal consent of the advisory committee shall be deemed to constitute a resignation of a member and a vacancy thus created shall be filled thereafter as provided by the open appointment process.

### **H. Residency Requirement**

Applicants are not always restricted to Carver County residents.

### **I. Notification**

County staff shall inform all appointees to committees at the initial yearly meeting or at the first meeting attended by a member of the contents of all applicable attendance policies, residency requirements and other pertinent information needed to perform the duties of a committee member.

### **J. Terms**

Unless mandated statutorily, the County Board has standardized the length of term and number of terms each member to serve. The length of term is 3 years and the maximum number of consecutive terms each member may serve is 3. The Board's Township appointment to the Planning Commission shall serve after the expiration

of his/her term until a successor is appointed and qualified.

## **K. Appointment of Chairs**

Chairs of various committees are selected according to committee bylaws.

## **L. Reporting Requirements**

The Committees shall report their activities to the designated Board member or the County Board as needed on a periodic basis.

# **IX. CODE OF ETHICS**

It is the belief of the County Board that the trust bestowed upon them as elected officials is of utmost importance in the relationship between themselves and the public. With this belief, the following statements further emphasize the priority and commitment the County Board has placed on Ethical Standards.

In the execution of their official duties, all County Board Members shall strive to:

- Observe the highest moral and ethical standards.
- Maintain and respect the confidentiality of private and confidential information.
- Avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, sexual orientation, marital status, place of residence, or status with regard to public assistance.
- Comply with the ethical obligations imposed by law, including Minn. Stat. §10A.07, 10A.071, 382.18, 471.87-.895, including, where appropriate, disclosing conflicts of interest, abstaining from decision-making, eliminating conflicts of interest, and declining gifts.
- Work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- Allow citizens, staff, or colleagues sufficient opportunity to present their views. Be tolerant, respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, staff or colleagues.
- Place cooperation, trust, and respect at the heart of all that is done.
- Behave ethically as daily responsibilities are carried out.

- Support one another at and beyond the County Board table.
- Operate as an effective team, continually
- Improving that effectiveness.
- Work for “win-win” situations instead of “win-lose.”
- Actively listen, keep an open mind and suspend judgment.
- Be pro-active in the exercise of the office.
- Do the best to answer questions posed by one another, the employees, and the community.
- Honor “discussion” before “decisions.”
- Be consistent in process and operation.
- Be honest and candid with one another.
- Focus on working “with” instead of “for” or “under.”
- Not take differences of opinion personally.
- Disagree agreeably and professionally.
- Realize that people make mistakes – forgive and forget.
- Realize and honor varying work styles, personalities, and process needs.
- Share information and avoid surprises.
- Maintain a sense of levity – public service should be fun as well as work.

# **X. CITIZENS**

## **A. Citizen Participation**

The public is invited and encouraged to attend and participate in County Board meetings. All approved minutes of Board meetings are published in the official county newspaper and agendas and minutes are available on the County website at [www.co.carver.mn.us](http://www.co.carver.mn.us).

## **B. Audience/Citizens Requests**

The County Board prefers all business matters initiated by citizens coming before them to first be reviewed by staff and scheduled for discussion on the appropriate agenda.

If an individual seeks to appear before the County Board he/she should notify the County Administration Office of his/her intention and the issue to be presented. Staff will confer with the individual, address the issue and, if necessary, schedule the issue accordingly on the appropriate agenda.

## **C. Audience Participation at Board Meetings**

To the extent possible, interested citizens shall notify the County Administrator of their interest to speak at the meeting and the issue to be discussed. The County

Administrator will notify the Chair. In an effort to encourage efficiency and early resolution of issues, the County Board recommends that citizens first contact staff to try to resolve matters before coming formally to the County Board meeting. Questions directed to the Board may not be answered immediately, however, whenever possible, all appropriate questions will be responded to in a timely and effective manner by the Board and/or County staff.

The Carver County Board wishes to provide an opportunity for the public to address the County Board. The County Board Chair has the discretion to request public input on issues that are included as part of the agenda. A person desiring to speak on an item on the agenda, after being recognized by the Chair, shall come to the podium, and state his/her name and address. Comments will be limited to five minutes and limited to the specific topic on the agenda. The Board will not address other specific requests not related to the agenda item. On unrelated issues, the Board will consult with staff administration and/or the County Attorney and address them at a later date.

For citizens who desire to discuss issues which are not on the agenda, every regular Board meeting has a Public Comments section.

It is the intention of the Board, by adoption of the following rules, to ensure that its affairs are conducted in an open, orderly, and efficient manner, that persons desiring to address the Board on matters pertaining to the agenda or germane to County business are afforded an opportunity to speak, that persons in attendance may observe and hear the proceedings without distraction, and that the Board is able to transact County business with minimal disruption.

1. A person desiring to speak may only speak if acknowledged by the Board Chair and if they are being respectful and civil. All remarks shall be addressed to the County Board as a whole, not to any specific member(s) or to any person who is not a member of the County Board.

2. Comments are limited to a period of five (5) minutes. Additional time may be granted at the discretion of the Chair.

3. Copies of written materials must be provided to the County Board members, the County Administrator, the County Attorney, and any media present at the meeting. Handouts provided to the County Board members become government data and are thereafter under classifications designated in the Minnesota Government Data Practices Act and/or other privacy laws.

4. If there are a number of individuals present to speak on the same topic, all persons must sign in and designate a spokesperson or two.

5. Board members will listen to comments but will not engage in discussion, nor answer specific questions, during the Public Comments section of the agenda. Board members will listen to learn and understand, not to argue debate or discuss during the public comments portion. Board members or County staff may ask questions in order to gain a thorough understanding of concerns, suggestions, or requests. If follow-up to a person's comments is requested or required the Board Chair will direct the County Administrator or County Attorney to do so after they have had time to gather the facts, follow up on any legal issues if necessary and review the matter thoroughly.

6. Disruptive and/or disrespectful behavior will not be allowed. Examples of such behavior include arguments, obscenity, profanity, insults or attacks against a person in his or her personal capacity, physical violence or threat thereof, repetitious references, or such other comments or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting. The Chair will address such a speaker, give them a warning and/or use appropriate means to remove such a person from the meeting up to and including the use of law enforcement

#### **D. Responding to Correspondence/Inquiry/Processing of Complaints from Citizens**

County Board members and staff are committed to customer service and will endeavor to provide timely and efficient response and communication to the citizens of Carver County.

Upon receipt of a written inquiry, request for information, or complaint about County business which has been sent to a Board member, upon notification and direction from County Administrator or designee, staff will confer with the member to determine the appropriate course of action. The inquiry will be handled timely as directed with the County Administrator or designee advising the Board member upon completion.

Incoming telephone calls requesting a specific Board member should be forwarded to the Board member per his/her instructions. Administration staff will periodically review with Board members the preferred method of handling telephone inquiries. Every effort will be made to maintain open lines of communication between the

Board members and their constituents.

Telephone calls requesting information about specific areas of County business are forwarded to the appropriate Division. Customer service is of primary importance to the County Board and staff and an appropriate method of tracking the information requests and responses will be utilized.

## **XI. Staff**

### **A. County Administrator**

The County Board adopted the County Administrator form of government on August 6, 1985.

The position of County Administrator is established pursuant to Minn. Stat. §375A.06. The County Administrator is the administrative head of the County, responsible for the administration of the affairs of the County delegated to him/her by Minnesota Statute and the County Board. The County Board has approved a job description which outlines in detail the duties and responsibilities of the County Administrator.

In general, the County Administrator shall exercise supervision of the divisions which function under the jurisdiction of the Carver County Board. The County Administrator shall coordinate the various activities of the County, unify the management of its affairs, and make recommendations to the Board regarding the structure of County functions, including reporting relationships, physical facilities and locations. The County Administrator is accountable for hiring, training, advising, motivating, and appraising the performance of subordinates. The County Administrator recommends the annual budget and long range capital expenditure programs to the Board for approval.

The County Administrator recommends to the Board proposed policies concerning the administrative affairs of the County. The County Administrator will keep the Board informed, make recommendations, and comment upon legislative initiatives which affect the County and, as directed by the Board, will represent the County in its relations with other governments. The County Administrator will serve as the leader of the County Management teams, recommend short and long term goals to the Board, and periodically measure organizational and individual accomplishments against goals, objectives, and timetables.

### **B. Role of Staff**

The County Administrator with the support of staff will, in a timely and responsible manner, answer inquiries and requests regarding issues and concerns brought by Board members or the citizens of Carver County. In certain instances Board members may want assistance or County staff involvement in evaluating policy and/or programmatic changes. Board members who wish to initiate policy or program change are encouraged to first present such requests to the appropriate Division.

Functions which are deemed routine such as interpretation of policy and procedure, general constituent business, and/or research which require minimal time may be directed by the Board or individual member, to the County Administrator or designee for action.

### **C. Legislative Protocol for Staff and Citizen Members of Appointed Boards**

This following policy applies to all staff/citizen members and respective appointed Board members that lobby as a representative of Carver County.

Staff/citizen members who choose to lobby on a policy issue that would affect the operations of the County, are expected to confine their efforts to the County's current legislative agenda.

Staff/citizen member participation should be immediately communicated to the Board appointed designee or the County Administrator.

If the issue has not been addressed by the County's legislative agenda, a County Board position should be sought prior to any lobbying effort on your part.

The Board appointed designee, County Administrator, or designated personnel, will organize the county's efforts. Staff/citizen members should presume that s/he speak for the County Board, unless s/he has reviewed their positions or have checked with them on specific issues.

When the County is paying the dues for membership in a professional association, staff/citizen members shall not take a position within that professional association that is inconsistent with County Board policy.

All staff/citizens members and appointed representatives shall notify the County Board and/or the County Administrator of a pending appointment to an advisory board or task force initiated outside of the scope of County Board authority.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Adopt schedule of regular Board meetings for the year 2021**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/5/2021

Contact: Dave Hemze  Title: County Administrator

Item Type:  
Regular Session

Amount of Time Requested: 5  minutes

Attachments:  Yes  No

Presenter: Dave Hemze  Title: County Administrator

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

At the annual statutory meeting, the County Board adopts a schedule of regular Board meeting for the upcoming year.

Administration is recommending County Board meetings as follows.

- Regular session: First Tuesday of the month at 9:00 a.m.
- Regular session: Third Tuesday of the month at 9:00 a.m.
- Work session: Fourth Tuesday of the month at 9:00 a.m.

Minor changes to the above schedule are noted in the attached calendar.

The Board's Operating Rules provide for additional meetings to be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items.

**ACTION REQUESTED:**

Motion to adopt attached meeting schedule for 2021 as presented.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total**  \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7247

## 2021 BOARD MEETINGS

(Generally 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month at 9:00 a.m.;  
4<sup>th</sup> Tuesday of the month work session at 9:00 a.m. - \*Denotes change in schedule)

Tuesday	January 5, 2021	9:00 a.m.	Organizational Session
Tuesday	January 12, 2021		No Board Meeting
Tuesday	January 19, 2021	9:00 a.m.	Board Meeting
Tuesday	January 26, 2021	9:00 a.m.	Board Work Session

Tuesday	February 2, 2021	9:00 a.m.	Board Meeting
Tuesday	February 9, 2021		No Board Meeting
Tuesday	February 16, 2021	9:00 a.m.	Board Meeting
Tuesday	February 23, 2021	9:00 a.m.	Board Work Session

Tuesday	March 2, 2021	9:00 a.m.	Board Meeting
Tuesday	March 9, 2021		No Board Meeting
Tuesday	March 16, 2021	9:00 a.m.	Board Meeting
Tuesday	March 23, 2021	9:00 a.m.	Board Work Session
Tuesday	March 30, 2021		No Board Meeting

Tuesday	April 6, 2021	9:00 a.m.	Board Meeting
Tuesday	April 13, 2021		No Board Meeting
Tuesday	April 20, 2021	9:00 a.m.	Board Meeting
Tuesday	April 27, 2021	9:00 a.m.	Board Work Session

Tuesday	May 4, 2021	9:00 a.m.	Board Meeting
Tuesday	May 11, 2021		No Board Meeting
Tuesday	May 18, 2021	9:00 a.m.	Board Meeting
Tuesday	May 25, 2021	9:00 a.m.	Board Work Session

Tuesday	June 1, 2021	9:00 a.m.	Board Meeting
Tuesday	June 8, 2021		No Meeting
Tuesday	June 15, 2021	9:00 a.m.	Board Meeting
Tuesday	June 22, 2021	9:00 a.m.	County Board of Equalization*
Thursday	June 29, 2021	9:00 a.m.	County Board of Equalization (if needed)*

Tuesday	July 6, 2021		No Board Meeting*
Tuesday	July 13, 2021	9:00 a.m.	Board Meeting*
Tuesday	July 20, 2021	9:00 a.m.	Board Meeting
Tuesday	July 27, 2021		No Board Work Session*

Tuesday	August 3, 2021	9:00 a.m.	Board Meeting
Tuesday	August 10, 2021		No Board Meeting
Tuesday	August 17, 2021	9:00 a.m.	Board Meeting
Tuesday	August 24, 2021	9:00 a.m.	Board Work Session
Tuesday	August 31, 2021		No Board Meeting

Tuesday	September 7, 2021	9:00 a.m.	Board Meeting
Tuesday	September 14, 2021		No Board Meeting
Tuesday	September 21, 2021	9:00 a.m.	Board Meeting
Tuesday	September 28, 2021	9:00 a.m.	Board Work Session

Tuesday	October 5, 2021	9:00 a.m.	Board Meeting
Tuesday	October 12, 2021		No Board Meeting
Tuesday	October 19, 2021	9:00 a.m.	Board Meeting
Tuesday	October 26, 2021	9:00 a.m.	Board Work Session

Tuesday	November 2, 2021	9:00 a.m.	Board Meeting
Tuesday	November 9, 2021		No Board Meeting
Tuesday	November 16, 2021	9:00 a.m.	Board Meeting
Tuesday	November 23, 2021	9:00 a.m.	Board Work Session
Tuesday	November 30, 2021		No Board Meeting

Tuesday	December 7, 2021	AMC Conference	No Board Meeting*
Tuesday	December 14, 2021	9:00 a.m.	Board Meeting*
Tuesday	December 21, 2021	9:00 a.m.	Board Meeting
Tuesday	December 28, 2021	9:00 a.m.	Board Work Session

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Committee Appointments and Assignments**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/5/2021

Contact: Dave Hemze  Title: County Administrator

Item Type:  
Regular Session

Amount of Time Requested: 20  minutes

Attachments:  Yes  No

Presenter: Board Chair  Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Administration is requesting that the Board make committee appointments and assignments for 2021. A list identifying the appointments and assignments to be made is attached.

**ACTION REQUESTED:**

Motion appointing Board members to various commissions, committees and boards.

**FISCAL IMPACT:** None

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total**  \$0.00

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7249

## Committee Appointments and Assignments

<b>Committee</b>	<b>2020 Appointee</b>	<b>Meeting Schedule</b>
Association of Minnesota Counties Board of Directors	Ische, Alt. Degler	Third Friday of the month, when they meet in person has been 10-2:30. Virtual meetings will likely be from 9-noon.
AMC Environment & Natural Resources Policy Committee	Ische	Meet at AMC Legislative Conference, Fall Policy Conference and Annual Conference
AMC General Government Policy Committee	Degler	Meet at AMC Legislative Conference, Fall Policy Conference and Annual Conference
AMC Health & Human Services Policy Committee	Lynch	Meet at AMC Legislative Conference, Fall Policy Conference and Annual Conference
AMC Public Safety Policy Committee	Maluchnik	Meet at AMC Legislative Conference, Fall Policy Conference and Annual Conference
AMC Transportation Policy Committee	Workman	Meet at AMC Legislative Conference, Fall Policy Conference and Annual Conference
AMC Voting Delegates	Degler, Ische, Lynch, Maluchnik, Workman, Dave Hemze, Lyndon Robjent, Rod Franks	Voting members at AMC Conference in December
CAP Agency Board of Directors	Degler	2 <sup>nd</sup> Tuesday of the month, 6:30 pm, 712 Canterbury Road S, Shakopee
Carver County Arts Committee	Maluchnik and Workman	Meets as needed
Carver County CDA	Maluchnik, Liaison, Alt. Workman	Third Thursday of each month at 5:00, meets at CDA Office in Chaska
Carver County Leaders	Maluchnik & Lynch	4 <sup>th</sup> Tuesday in Jan, Apr, Jul and Oct at 7:30 am, meets in Oak Lake Conf in EOC
Community Leaders (Eastern)	Degler, Maluchnik, Workman	Quarterly from 7:30 am to 9:00 on a Friday
Courts Committee	Ische & Degler, Alt. Lynch	Meets quarterly, typically noon after a County Board meeting, February, May, August and November

County's Strategic National Stockpile (SNS) Requestor	Degler, Hemze, Richard Scott	
County and Union Leaders Group	Maluchnik & Lynch	Meets as needed
Fair Board	Ische, Liaison, Alt. Lynch	First Thursday of the month at 7:00 pm, Administration Building at Fairgrounds
Greater MSP Partner Advisory Council	Julie Frick (public) Deborah Everson (private)	Reps attend meetings, Board approves appointments
Historical Society Committee	Maluchnik, Alt. Lynch	First Thursday of the month at 6:00 pm, no meeting in July/December, Historical Society Building, Waconia
Insurance Advisory Committee	Maluchnik	Meets as needed, typically Tuesday afternoon
Joint Ditches:  Joint Ditch #1 Joint Ditch #2 Joint Ditch #3A Joint Ditch #4 Joint Ditch #5 Joint Ditch #21 Joint Ditch #22 Joint Ditch #24 Joint Ditch #28	Ische, Lynch Degler Ische Degler Ische Ische, Lynch, Workman Ische, Lynch, Maluchnik Ische Lynch, Workman, Degler Ische, Lynch, Maluchnik Ische, Lynch Degler Ische	Meets as needed
Law Library Board	Degler	Meets Quarterly on Tuesday at 8:30 am in Law Library, dates depend on availability of members
Legislative Committee	Maluchnik & Workman	Meets as needed during legislative session, typically before Board meetings
Library Board	Degler, Liaison, Alt. Workman	Second Tuesday of the month at 4:30 pm, held at one of the libraries
Lower Minnesota River Watershed	Maluchnik & Degler, Liaisons	Third Wednesday of the month at 7:00 pm, County Board Room
MCIT Voting Delegates	Hemze, Alt. Sonja Wolter	Staff attends, Board approves appointment
MELSA	Degler, Alt. Workman	Dates/times vary but normally held quarterly over an extended noon hour either at MELSA or MCIT office
Mental Health Advisory Committee	Maluchnik, Alt. Workman	2 <sup>nd</sup> Tuesday of the month at 4:00 pm, First Street Center, Waconia

Mental Wellness Facility Advisory Committee (Steiner Kelting)	Maluchnik, Alt. Workman	2 <sup>nd</sup> Tuesday of the month, 8:30-9:30 am
Metro Alliance for Healthy Families Joint Powers Board	Workman	Jan 25, Apr 26, Aug 23 and Oct 25, 11:30-1:00 pm Dakota County Northern Service Center, W. St. Paul
Metro GIS Policy Board	Maluchnik, Alt. Peter Henschel	Meets annually in April, staff attends meetings
Metropolitan Emergency Services Board	Ische & Degler	2 <sup>nd</sup> Wednesday of odd months, 10:00-11:30 am
Metropolitan Emergency Services Executive Board	Ische, Alt. Degler	2 <sup>nd</sup> Wednesday of even months, 10:00-11:30 am
Metropolitan Emergency Services Radio Technical Operations Committee	Susan Bowler, Alt Deb Paige	County reps attends meetings Board approves appointments
Metropolitan Emergency Services 911 Technical Operations	Susan Bowler, Alt Deb Paige	County reps attend meetings Board approves appointments
Minnesota Inter-County Association	Degler & Maluchnik	2 <sup>nd</sup> Wednesday of the month at 1:00 pm, meets in Sibley Room at the Best Western in St. Paul
Minnehaha Creek Watershed District	Maluchnik & Workman, Liaisons	2 <sup>nd</sup> and 4 <sup>th</sup> Thursdays of the month, 7:00 pm, District Office
Minnesota Extension Committee	Degler & Lynch	Feb 3; Apr 7; June 9; Sept 22; Nov 10. Meetings at 3:30 at PW.
Minnesota Counties Computer Consortium:	Peter Henschel, Alt Dave Frischmon, Mary Kaye Wahl	County reps attend meetings Board approves appointments
Minnesota Valley Regional Rail Authority	Workman, Alt. Maluchnik	MVRRRA meets the 3 <sup>rd</sup> Wednesday of every month from 9:30 a.m. - 11 a.m.  The meetings are held on the even months at the Redwood County Government Center, 403 S Mill Street, Redwood Falls, Redwood County Board Room. During the odd months, meetings are at the Sibley County Court House, 400 Court Avenue, Gaylord, MN in the County Board room.
Mobility Management Board (SmartLink)	Ische	Feb 1, May 3, Aug 2, Nov 1, 3:30-4:30, meet at Marschall Road Transit Station, Shakopee
Mosquito Control District	Ische & Workman	4 <sup>th</sup> Wednesday of the month, 9:15 am, Mosquito Control District Office, St. Paul

Park Commission	Lynch, Liaison	2 <sup>nd</sup> Wednesday of the month at 6:30 pm, meet at PW Headquarters or at one of the parks in summer
Planning Commission	Ische, Alt. Lynch, Maluchnik	3 <sup>rd</sup> Tuesday of the month at 7:00 pm, meets in Board Room
Regional Hauler Licensing Board	Workman, Alt Maluchnik	While Carver County is in line to host the meetings this year, the Regional Hauler Licensing Board has determined that no changes will be required this year, so no meetings are currently scheduled to be held in 2021.
Riley-Purgatory-Bluff Creek Watershed	Workman & Degler, Liaisons	1 <sup>st</sup> Wednesday of the month, 7:00 pm RPBCWD Office, 18681 Lake Drive East Chanhassen
Southwest Corridor Transportation Coalition	Workman & Maluchnik, Alt. Degler	Meetings held as needed
State CHS Advisory Committee (SCHSAC)	Richard Scott Alt. Maluchnik	SCHSAC meets four times per year (typically March, June, September and December); three meetings take place in the Twin Cities Metro Area, and the fall meeting is typically held in central Minnesota in conjunction with Community Health Conference.
Suburban County Representatives	Maluchnik & Workman	No meetings currently planned
Transportation Advisory Board – TAB	Maluchnik, Alt. Workman	The TAB meets the third Wednesday of each month at 12:30 p.m. in the Council Chambers.
Water Management Organization	Lynch, Alt. Ische	Meets last Tuesday of the month at 6:00 pm, held in County Board Room, usually no meeting in December and one meeting in summer is canceled



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Appointments to Advisory Committees**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/5/2021

Contact: Dave Hemze Title: County Administrator

Item Type:  
Regular Session

Amount of Time Requested: 30 minutes

Attachments:  Yes  No

Presenter: Board Chair Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

Each year the Board is asked to make appointments to their various advisory committees. Those individuals that were eligible to reapply were sent an application. A list of applicants that have applied is attached.

The Board has the option to make appointments today or hold until such time as they find an applicant.

**ACTION REQUESTED:**

Motion appointing applicants to advisory committees.

**FISCAL IMPACT:** Included in current budget

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total**  \$0.00

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7248

**CARVER COUNTY CITIZEN ADVISORY  
COMMITTEE VACANCIES AND APPLICATIONS**

**ARTS COMMITTEE (3-year terms)**

Current member:

David Pascoe, Commissioner District 3

**Current vacancy: 1 at large**

**Applicants:**

Megan White, Commissioner District 3

Lita Cantin, Commissioner District 2

**BOARD OF ADJUSTMENT (3-year terms)**

Current members:

Richard Kvitek, Commissioner District 1

Robin Bielefeldt, Commissioner District 3

Gerald Bruner, Commissioner District 4

Doug Weber, Commissioner District 5

Virgil Stender, At Large vacancy

**Current vacancy 1: Commissioner District 2**

**Applicants**

Joe Polunc, Commissioner District 4

Robert Smith, Commissioner District 5

**COMMUNITY DEVELOPMENT AGENCY (5-year terms)**

**Current members:**

Sarah Carlson, Commissioner District 1

Molly Kouyumaki, Commissioner District 3

Darrel Sudheimer, Commissioner District 4

**Current vacancies 2: Commissioner District 2 and unexpired term in  
Commissioner District 5**

**Applicants:**

Greg Anderson, Resides in District 1, has been representing Commissioner  
District 2

Greg Kummer, Commissioner District 5

Jenn Brewington, Commissioner District 5

Paul Hallquist, Commissioner District 5

**LIBRARY BOARD (3-year terms)**

**Current members:**

Jan Melchert, Commissioner District 1

Gwen Kuhrt, Resides in District 1, Represents Commissioner District 2

**Current vacancies 3: Commissioner District 4, 5 and unexpired term in Commissioner District 3**

**Applicants:**

Charles Teh, Commissioner District 3

Greg Campbell, Commissioner District 3

Reid Anderson, Commissioner District 3

Alan Krueger, Commissioner District 5

**MENTAL HEALTH ADVISORY COMMITTEE(3-year terms)**

**Current Members:**

Dr. Edward Tipton, Commissioner District 1

Lindsey Konchar, Commissioner District 1

Mary Myss, Commissioner District 1

Sophia Wood, Commissioner District 1

Ana Macias-Sinnen, Commissioner District 1

Susan Kunitz, Commissioner District 2

Derek Gunderson, Commissioner District 3

Cliona Archer, Commissioner District 4

Heather Boll, Commissioner District 4

**Vacancies: Committee can be composed of up to 14 members, nine of which are mandated.**

**Applicants:**

Judith Kieffer, Commissioner District 1

Jennifer Swan, Commissioner District 3

Sandra Menzel, Commissioner District 4

Stacy Zellman, Commissioner District 5

Courtney Iverson, resides outside the County, but has business in Carver County

**MINNESOTA EXTENSION COMMITTEE**

**Current Members:**

Monica Rask, Resides in District 4, representing District 2  
Kris Vipond, Resides Commissioner District 1, representing District 3  
Mark Williams, Commissioner District 5

**Current Vacancies: (3), Commissioner Districts 1, 4 and one at large**

**Applicants:**

Georgiann Keport, Commissioner District 1  
Paul Hallquist, Commissioner District 5

**PARK COMMISSION (3-year terms)**

**Current members:**

Jim Boettcher, Commissioner District 2  
Scott Welvaert, Commissioner District 3  
Gerald Bruner, Commissioner District 4  
Mark Lagergren, At Large appointment  
Gary VanEyll, At large appointment

**Current Vacancies 2: Commissioner District 1 and 5**

**Applicants:**

Curt Kobilarcsik, Commissioner District 1  
Scott Knight, Commissioner District 5  
Kayla Pascoe, Commissioner District 5

**PERSONNEL BOARD OF APPEALS (3-year terms)**

**Current members:**

Steven Dummer, Commissioner District 3  
Gino Businaro, Commissioner District 3

**Current vacancy 1 at large**

**Applicants:**

Stephanie Brekke, Commissioner District 1  
Connie Long, Commissioner District 1

**PLANNING COMMISSION (3-year terms)**

**Current members:**

Frank Mendez, Commissioner District 2  
Scott Smith, Commissioner District 3  
Mark Williams, Township Appointment

**Current vacancies 3: Commissioner District 1, 4 and unexpired term in District 5**

**Applicants:**

Gabrielle Theis, Commissioner District 1  
Gregory Grazzini, Commissioner District 1  
Joe Polunc, Commissioner District 4  
Scott Wakefield, Commissioner District 4  
Roger Storms, Commissioner District 5  
Robert Smith, Commissioner District 5  
Lauren Neumann, Commissioner District 5  
Kayla Pasco, Commissioner District 5

**WATER MANAGEMENT ORGANIZATION (3-year terms)**

**Commissioner District Appointments:**

Jim Boettcher, Resides District 2, Representing District 1  
Thomas Welch, Commissioner District 2  
Rob McKenna, Commissioner District 3  
Lori Cox, Commissioner District 5  
Eric Gentry, Representing Carver Creek Watershed  
Mary Strother, Bevens Creek Watershed  
Carroll Aasen, E/W Carver Creek Watershed

**Current Vacancies 2: Commissioner District 4 and Crow River Watershed District representative**

**Applicants:**

Michael Lynch, Commissioner District 4  
Robert Smith, Commissioner District 5  
Doug Kammerer, Crow River Watershed

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on December 22, 2020. The building remained closed due to the health pandemic but was webcast live. Chair James Ische convened the session at 9:04 a.m.

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

Members absent: None.

No public comments were received.

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

Maluchnik moved, Workman seconded, to approve the minutes of the December 15, 2020, Regular Session. Motion carried unanimously.

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

Reviewed December 22, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$888,928.05.

Motion carried unanimously.

Chair Ische presented a 2020 year in review. He noted the response to CoVid-19 started in early March and highlighted the programs put in place to help those in need. He pointed out the recent arrival of a mobile trailer to support vaccine delivery and other medical services. Ische noted the County was recognized as the eighth healthiest county in the country and in 2020, the website was redesigned. Ische highlighted road construction projects that occurred. He stated the County opened the redesigned Lake Waconia Regional Park and co-located DNR watercraft access with plans for additional improvements. He noted the partnership to construct the Highway 5 regional trail and the repairs being done to the Minnesota River Bluffs Trail.

He explained in the midst of the pandemic, the Election staff, working with other departments, successfully administered the elections with Carver County having the highest turnout in the State. Ische identified the Library services that were delivered in a different way due to the pandemic. He indicated the Environmental Center safely served similar numbers last year in less days and smaller numbers of staff. Ische highlighted Planning & Water management accomplishments and indicated the County Attorney has continued to provide a high level of services during the pandemic. He reviewed the projects completed in the Sheriff's Office.

Ische stated, while 2020 had been a difficult year, it has also showed the positives of communities. He stated many came together to help those in need, neighbors and support local businesses. He thanked County staff, residents and business owners for their strength and perseverance over the past year.

On a personal note, Chair Ische recognized this was the final Board meeting for him after serving 24 years. He pointed out District 5 only had two different Board members for the last 48 years. He thanked his wife Pam and stated he could not have done it without her support. He recognized the support of his family and fellow Board members. He stated he especially wanted to thank Coun~~28~~

staff and County residents for allowing him to serve as long as he did.

Commissioners Workman, Lynch and Degler each thanked Commissioners Ische and Maluchnik for their service, leadership and dedication. They acknowledged their talents and expertise were invaluable to Carver County and they served their constituents well.

Chair Ische and Commissioner Maluchnik thanked County employees and stated nothing could be accomplished without their employees. They believed the future is bright for the County and wished the best for the new County Commissioners.

Maluchnik moved, Ische seconded, to adjourn the Regular Session at 9:48 a.m. Motion carried unanimously.

David Hemze  
County Administrator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Final Acceptance for 2019 County Wide Annual Pavement Marking Project (Long Line)**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="1/5/2021"/>
Contact: <input type="text" value="Dan McCormick"/> Title: <input type="text" value="Traffic Services Supervisor"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

After final quantities and final product certifications and performance warranties, the contractor is requesting to finalize the contract with the County and release all retainage. This project includes annual maintenance striping on all County highways, which is required to maintain and operate public highways and conform to the MNMUTCD. The original project contract amount was \$525,469.93 with Traffic Marking Service, Inc. (Maple Lake, MN). The work for this project occurred during the 2019 construction season, and additional verifications in 2020 to satisfy the County's requirements that all of the work is complete. Based upon final certifications and resolving miscellaneous quantities, the final grand total of the project work completed amount was \$486,935.41. The contractor is requesting to finalize the contract with the County and release all retainage. County staff agrees and is requesting the contract to be finalized and that the outstanding work pay items and remaining retainage be paid in the amount of \$56,277.28.

**ACTION REQUESTED:**

Motion to adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$56,277.28 to Traffic Marking Service, Inc. for the construction of the 2019 Countywide Pavement Marking Project (Long Line) (Project 198016).

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>
If "Other", specify: <input type="text"/>	County Dollars = <input type="text" value="\$56,277.28"/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	Total <input type="text" value="\$56,277.28"/>
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:

Office use only:

RBA 2021 - 7321



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

Date: January 5, 2021

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

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

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

**COUNTY BOARD ACKNOWLEDGMENT  
2019 County Wide Pavement Marking Project (Long Line)  
Project 198016 (Contract 19-158)  
FINAL PAYMENT**

WHEREAS, the construction project 2019 County Wide Pavement Marking Project (Long Line), has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and on behalf of the Carver County Public Works Division.

YES

ABSENT

NO

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STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 5th day of January, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 5th day of January, 2021.

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

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Final Acceptance for 2020 County Wide Annual Pavement Marking Project (Long Line)**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes  
Presenter:  Title:

Attachments:  Yes  No

Strategic Initiative:

**BACKGROUND/JUSTIFICATION:**

After final quantities and final product certifications, the contractor is requesting to finalize the contract with the County and release all retainage. This project includes annual maintenance striping on all County highways, which is required to maintain and operate public highways and conform to the MNMUTCD. The original project contract amount was \$288,391.92 with Sir Lines-A-Lot, LLC, (Edina, MN). The work for this project occurred during the 2020 construction season. Based upon final certifications and resolving miscellaneous quantities, the final grand total of the project work completed amount was \$263,018.35. The contractor is requesting to finalize the contract with the County and release all retainage. County staff agrees and is requesting the contract to be finalized and that the outstanding work pay items and remaining retainage be paid in the amount of \$68,271.11.

**ACTION REQUESTED:**

Motion to adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$68,271.11 to Sir Lines-A-Lot, LLC. for the construction of the 2020 Countywide Pavement Marking Project (Long Line).

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7346

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

Date: January 5, 2021

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

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

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

**COUNTY BOARD ACKNOWLEDGMENT  
2020 County Wide Pavement Marking Project (Long Line)  
Project 208016 (Contract 20-108)  
FINAL PAYMENT**

WHEREAS, the construction project 2020 County Wide Pavement Marking Project (Long Line), has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and on behalf of the Carver County Public Works Division.

YES

ABSENT

NO

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STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 5th day of January, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 5th day of January, 2021.

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

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Professional Services Agreement with Bolton & Menk for Design of the Highway 20/25 Intersection Project**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="1/5/2021"/>
Contact: <input type="text" value="Cory Spanier"/> Title: <input type="text" value="Project 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:**

Carver County issued a Request for Proposal (RFP) on October 13, 2020 to prepare plans and specifications for a safety improvement project at the intersection of Highway 25 and Highway 20. The scope of work includes preliminary and final design of the new intersection alignment. The project will improve the safety of motorists at an intersection with a high crash frequency. Carver County has been awarded Local Partnership Program (LPP) funds from MnDOT for construction of the project.

The scope of services for the consultant includes preparing state aid approved plans, preparing all environmental documents and permits and preparing information and documents to be used by the county right of way and survey departments. The RFP was sent to three consultants; SRF Consulting Group, Bolton & Menk, and Stonebrooke Engineering. The consultant selection process was based on the "Best Value" process. A panel of three staff members reviewed the proposals and based on their overall ranking, Bolton & Menk was determined to be the best value proposal.

**ACTION REQUESTED:**

Approve a professional services agreement with Bolton & Menk, Inc. for design of the Highway 20/25 Intesection Project pending finalization of the contract review process.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>
If "Other", specify: <input type="text" value=""/>	<b>County Dollars =</b> <input type="text" value=""/>
<b>FTE IMPACT:</b> <input type="text" value="None"/>	State Aid Regular Constr <input type="text" value="\$98,748.00"/>
	<b>Total</b> <input type="text" value="\$98,748.00"/>
Related Financial/FTE Comments:	<input checked="" type="checkbox"/> Insert additional funding source

Office use only:

RBA 2021 - 7331

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Change Orders 6 and 7 for the Flying Cloud Drive Reconstruction Project**

Primary Originating Division/Dept: <u>Public Works - Program Delivery</u>	Meeting Date: <u>1/5/2021</u>
Contact: <u>Shelby Sovell</u> Title: <u>Construction Supervisor</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:**

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

**BACKGROUND/JUSTIFICATION:**

The Flying Cloud Drive Reconstruction Project is primarily a Hennepin County led project with the westerly 4,212 ft of the project in Carver County. Hennepin County is acting as the lead Agency and holds the construction contract with Ames Construction, Inc..

Change Order #6 was created by Hennepin County, with our staff input and consent to adjust various soils plan (P) quantity items in the Contract as a result of work directed by the Engineer and as a result of field-verified quantities during construction. Carver County's total cost of adjusting the soils plan (P) quantity items was \$315,011.42. Change Order #7 was created by Hennepin County, with our staff input and consent to adjust various structures plan (P) quantity items in the Contract as a result of work directed by the Engineer and as a result of field-verified quantities during construction. Carver County's total cost of adjusting the structures plan (P) quantity items was \$11,253.28.

In the JPA between Carver County and Hennepin County for this project, the County Board authorized the County Engineer to sign change orders and supplemental agreements up to \$100,000.00 per occurrence and with a project aggregate total of \$1,000,000.00, which has been exceeded. To date, the change order and supplemental agreement total is up to \$1,663,601.16. The County Engineer is requesting that the County Board authorize the County Engineer, or his designee, to approve of Change Order #6 and #7 for the Flying Cloud Drive Reconstruction Project. Change Order #6 and #7 will change the total change order and supplemental agreement amount to \$1,989,865.86.

**ACTION REQUESTED:**

Motion to authorize the Carver County Engineer, or his designee, to approve Change Order #6 and #7 for \$326,264.70 for the Flying Cloud Drive Reconstruction Project.

**FISCAL IMPACT:** Included in current budget

*If "Other", specify:*

**FTE IMPACT:** None

**FUNDING**

County Dollars =	<input style="width: 100%;" type="text"/>
County Turnback Funds	\$326,264.70
<b>Total</b>	<b>\$326,264.70</b>

**Related Financial/FTE Comments:**

Carver County Public Works will be requesting County Turnback Funds for these change orders from MnDOT.

*Office use only:*

RBA 2021 - 7334

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**First Amendment to Joint Powers Agreement with the University of Minnesota Board of Regents for TH 5 Regional Trail**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

On June 4, 2019 Carver County and the University of Minnesota Board of Regents (University) entered into a Joint Powers Agreement. This agreement outlined cost participation for trail engineering, construction and ongoing operations and maintenance of a section of trail between Minnewashta Parkway and Hwy 41 on Landscape Arboretum property.

On June 9, 2020 Carver County awarded the project after obtaining support from the University to move ahead with the project and committing to cost participation at a higher amount than originally planned in the joint power's agreement.

The First Amendment to the Joint Powers Agreement for Design, Construction, Maintenance and Operations of Trunk Highway 5 Regional Trails and Underpass addresses the increased cost participation by the University and provides a 10 year payment schedule for the University to reimburse the County for providing the necessary upfront funding for the project.

**ACTION REQUESTED:**

Motion to approve an amemdment to the Joint Powers Agreement with the University of Minnesota Board of Regents for the TH 5 Regional Trail Project pending finalization of the contract review process.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<b>\$0.00</b>
U of M Arboretum	\$1,681,548.86
<b>Total</b>	<b>\$1,681,548.86</b>

Insert additional funding source

**Related Financial/FTE Comments:**

2020 payment is \$240,000 followed by 8 equal payments and then a final payment to complete the schedule in 2029.

Office use only:

RBA 2021 - 7342

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Consent to adopt a contract for out of state residential treatment**

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 currently provides children's mental health case management to a high need's child who requires specialized inpatient treatment. There are no Minnesota providers able or willing to provide this specialized service to this youth. Placement has been found through Acadia: Children's Behavioral Solutions, an out-of-state provider based in Tennessee. The daily per diem is \$495 which includes treatment and room & board. The contract has been reviewed and approved through our Carver County contract approval process and is awaiting signatures upon approval from the Board. Benton County is the County of Financial Responsibility for this child and has agreed to reimburse Carver County through an invoicing process for the costs related to this child's residential placement.

**ACTION REQUESTED:**

Motion to approve the contract with Acadia: Children's Behavioral Solutions.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

County Dollars =  **\$0.00**

**FTE IMPACT:**  ▼

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

Insert additional funding source

**Related Financial/FTE Comments:**

Benton County is the county of financial responsibility and will reimburse Carver County once invoiced for any and all costs related to this child's out-of-state residential placement. Carver County will not utilize any local tax levy dollars for this contract.

*Office use only:*

RBA 2021 - 7349

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**UCARE 2020 Metro County grant to support Prosperity Carver project**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

UCARE awarded Carver County Public Health (CCHP) the 2020 Metro County grant in the amount of \$100,000 for projects focused on achieving health equity. CCHP will use these funds to support the Prosperity Carver project, which is a county wide initiative to promote health equity by leveraging a comprehensive system of public and private non-profit programs to address the underlying factors contributing to health disparities among at risk communities and residents of Carver County.

UCARE funding will support local "grassroots" community organizing to engage our diverse communities to achieve a COVID-19 vaccination rate of 70% or greater. To achieve this goal, community members will be engaged to address the negative impact of racism, discrimination, limited economic opportunity, powerlessness, homeless, and lack of access to quality education and culturally responsive health care.

\$45,000 of the grant funds will be used to hire Short Term On Call (STOC) staff to carryout functions of the grant. STOC staff will be paid totally from UCARE funds, and hired for a short term period limited to the duration of the grant. No county levy will be used to pay STOC and expenses associated with the UCARE grant project. Unexpended UCARE grant funds will be returned as specified in the Conditions of Grant. Remainder of the funds will be used for training, professional development, community engagement, supplies, and associated administrative costs.

UCARE currently requires the use of their electronic portal to process this grant. Dr. Richard Scott has been granted an account in this portal on behalf of Carver County, and is therefore able to sign the grant agreement to release the funds to Carver County.

**ACTION REQUESTED:**

Motion to approve UCARE 2020 Metro County grant of \$100,000 to support the Prosperity Carver project to promote health equity of Carver County residents, and to grant authority to Dr. Richard Scott, Deputy Division Director of HHS & CHS Administrator to serve as signatory to accept Grant Terms and Conditions on UCARE's online grant Conditions of Grant portal.

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FUNDING**

<b>County Dollars =</b>	<b>\$0.00</b>
UCARE Grant	\$100,000.00
<b>Total</b>	<b>\$100,000.00</b>

**FTE IMPACT:**  ▼

Insert additional funding source

**Related Financial/FTE Comments:**

UCARE will provide Carver County with a one time check (or electronic deposit) of \$100,000.

Office use only:

RBA 2021 - 7350



# Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: UCARE 2020 Metro County grant to support Prosperity Carver project

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT		
Description of Accounts	Acct #	Amount
Salaries-STOC	11-460-460-2353-6119	\$45,000.00
Printing	11-460-460-2353-6235	\$1,000.00
Rental costs for events	11-460-460-2353-6340	\$2,000.00
Advertising & Legal Notification	11-460-460-2353-6241	\$1,500.00
Prof & Tech FFS	11-460-460-2353-6260	\$35,000.00
Employee mileage	11-460-460-2353-6331	\$1,000.00
Client Transportation	11-460-460-2353-6337	\$1,000.00
Other Misc Expenses	11-460-460-2353-6379	\$2,500.00
Office supplies	11-460-460-2353-6401	\$1,000.00
Food & Beverages for events	11-460-460-2353-6421	\$5,000.00
Medical supplies	11-460-460-2353-6430	\$5,000.00
<b>TOTAL</b>		<b>\$100,000.00</b>

CREDIT		
Description of Accounts	Acct #	Amount
UCARE Health Equity	11-460-460-2353-...	\$100,000.00
<b>TOTAL</b>		<b>\$100,000.00</b>

Reason for Request:

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Resolution authorizing the receipt of state funding for a COVID-19 relief program**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

On December 15, the County Board approved entering into an agreement with the Carver County Community Development Agency, pending finalization of the contract review process to administer the County's portion of the State's Business Relief Grant Program and for the County to allocate COVID19 Budget Stabilization funds to support Carver County businesses.

For this Request for Board Action, staff would like to clarify a few terms in the agreement and recommend that the attached resolution be passed to formally accept the funds from the State.

Points of clarification in the agreement:

- After legal research, the County is not able to fund the shop local campaign. As part of the agreement, these \$50,000 in funds will roll into the business assistance program. Any County COVID19 Budget Stabilization funds not expended by August 1 will be returned to the County.
- For the State funds, grants must be awarded by March 15th and all funds spent by April 1st.
- As part of the state funds, we outlined that 2.5% of these funds could be used for administrative expenses. As part of the agreement, we also propose that a maximum of 2.5% of County funds can be used for administrative expenses.
- In addition to businesses, non-profits are also eligible for these programs.

**ACTION REQUESTED:**

Motion to approve the attached resolution authorizing the receipt of \$2,115,235.04 in state funding for a COVID-19 relief program to support businesses and nonprofit agencies financially impacted by COVID-19.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
State Funds	\$2,115,235.04
<b>Total</b>	<b>\$2,115,235.04</b>

Insert additional funding source

**Related Financial/FTE Comments:**

Carver County's per capita allocation from the State totals \$2,115,235.04 of which, 2.5% can be used for administrative expenses.

Office use only:

RBA 2021 - 7352



# BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: \_\_\_\_\_

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

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

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

## RESOLUTION AUTHORIZING THE RECEIPT OF STATE FUNDING FOR A COVID-19 RELIEF PROGRAM TO SUPPORT BUSINESSES AND NONPROFIT AGENCIES FINANCIALLY IMPACTED BY COVID-19

WHEREAS, on November 18, 2020, Governor Walz signed Executive Order (EO) 20-99 designating multiple strategies to slow the spread of COVID-19;

WHEREAS, an estimated 350 Carver County businesses have been directly impacted by closures or have had operations significantly limited as a result of EO 20-99;

WHEREAS, in addition to businesses directly impacted by EO 20-99, other businesses and non-profits in Carver County have been impacted by efforts to slow the spread of COVID-19 and suffered financial losses and hardships that potentially jeopardize their businesses;

WHEREAS, on December 14, 2020 the state passed legislation allocated \$114,800,000 to counties to administer grant programs to support businesses and nonprofit organizations;

WHEREAS, Carver County's per capita allocation totals \$2,115,235.04 of which 2.5% can be used for administrative costs;

WHEREAS, the Carver County Community Development Agency have successfully launched other business support programs on Carver County's behalf in response to the COVID-19 pandemic;

WHEREAS, on December 15, 2020, the Carver County Board approved entering into an agreement with the Carver County Community Development Agency to administer the business assistance program;

WHEREAS, on December 15, 2020, the Carver County Board created a COVID19 Budget Stabilization Account to address budget challenges related to the COVID-19 public health emergency including the increased needs and costs due to continued public health measures and demand for economic support;

WHEREAS, on December 15, 2020, the Carver County Board approved the allocation of \$2,050,000 in COVID19 Budget Stabilization funds to the CDA to support Carver County businesses as a necessary response to the COVID-19 public health emergency; and

WHEREAS, the business assistance program has \$4,165,235.40 (\$2,115,235.04 in State funds and \$2,050,000 in County funds) to support Carver County businesses and non-profits, of which, up to 2.5% may be used for administrative expenses.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Carver, Minnesota, authorizing the receipt of state funding for a COVID-19 relief program to support businesses and nonprofit agencies financially impacted by COVID-19.

YES

ABSENT

NO

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**STATE OF MINNESOTA  
COUNTY OF CARVER**

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 5<sup>th</sup> day of January, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 5th day of January, 2021.

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

# Budget Amendment Request Form



To be filled out AFTER RBA submittal

**Agenda Item:** Resolution authorizing the receipt of state funding for a COVID-19 relief program

Department:

Meeting Date:

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

Requested By:

DEBIT		
Description of Accounts	Acct #	Amount
Grants-COVID19 Budget Stabilization	01-820-000-xxx.6919	\$2,050,000.00
Grants-County Relief Funding	01-820-000-xxxx.6919	\$2,115,235.04
<b>TOTAL</b>		<b>\$4,165,235.04</b>

CREDIT		
Description of Accounts	Acct #	Amount
FB-COVID19 Budget Stabilization Account	Committed FB	\$2,050,000.00
County Relief Funding	01-820-000-xxxx.5...	\$2,115,235.04
<b>TOTAL</b>		<b>\$4,165,235.04</b>

Reason for Request:  
 Budget for State County Relief Funding Program and to account for the utilization of the COVID19 Budget Stabilization Account.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Utility Relocation and Release of Easements Agreement for 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:**

Carver County, the Minnesota Department of Transportation (MnDOT) and Dahlgren Township have been working together the past several years on the preliminary and final design of the US 212 Project - Dahlgren Township, which includes the expansion of Highway 212 to four-lanes and partial realignment of Highway 212 between Highway 36 on the west and Highway 11 in the City of Carver to the east. Embarq Minnesota, Inc. (dba Centurylink) has existing utility easements on private property that Carver County is acquiring for the project. Carver County and MnDOT are required to reimburse the utility owner for the relocation of their facilities within these existing easement areas. This agreement includes provisions as to when the relocation work will be completed and the cost reimbursement process to the utility owner. Centurylink will be relocating their facilities in the Spring of 2021 once weather conditions allow. Carver County and MnDOT have executed a right of way acquisition process and are evenly splitting these costs.

**ACTION REQUESTED:**

Motion to approve an agreement with EMBARQ MINNESOTA, INC. for \$102,900.32 for utility relocation and release of easements, pending finalization of the contract review process.

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<input type="text" value=""/>
MnDOT SRC Funds	\$51,450.16
County Sales Tax	\$51,450.16
<b>Total</b>	<b>\$102,900.32</b>

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7325

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Mark Eklo - Request for High Amenity Development (4 Lots)**

Primary Originating Division/Dept: <u>Public Services - Land Mgmt.</u>	Meeting Date: <u>1/5/2021</u>
Contact: <u>Jason Mielke</u> Title: <u>Land Use Manager</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

File #PZ20200051. On December 15, 2020, the Carver County Planning Commission recommended approval of Mark Eklo's Conditional Use Permit (CUP) for a "High Amenity" development on 53.26 acres, located in Section 34 of Watertown Township. The proposed development would consist of a plat with three residential parcels (5+ acres each) and one agricultural parcel (35+ acres). A total of four building sites (single-family dwellings) would be allowed. The proposed development would need to be platted (i.e. Preliminary & Final approvals) pursuant to the County's Subdivision Ordinance and Zoning Code.

Watertown Township has provided for the High Amenity option in its chapter of the Comprehensive Plan. The subject property consists of wooded area, wetlands, and similar areas, not in agricultural production, which are considered eligible land for the amenity. The proposed development would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼).

The proposed development would require the construction of a 66-foot wide township road. The road would also need to be constructed in accordance to a Developer's Contract. Carver County Public Works has reviewed the request concerning the new township road (access) to County Road 10 N. Details of the access would be addressed during the platting process. However, the proposed concept plan for the new access location onto Co Rd 10 N meets the full access (½ mile) intersection spacing guidelines.

The development (i.e. road & individual lots) is required to meet the Carver County Water Management Organization (CCWMO) standards, as well as Carver County Environmental Services Subsurface Sewage Treatment System (SSTS) requirements. The Watertown Town Board has recommended approval of the request.

**ACTION REQUESTED:**

A motion to adopt Findings of Fact and issue Order #PZ20200051 for the issuance of a Conditional Use Permit.

**FISCAL IMPACT:** None

*If "Other", specify:*

**FTE IMPACT:** None

**FUNDING**

County Dollars =

<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>
--	--	--

**Total**

<input style="width: 95%;" type="text"/>		\$0.00
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Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7337

**COUNTY OF CARVER**  
***PLANNING COMMISSION RESOLUTION***

**FILE #: PZ20200051**

**RESOLUTION #: 20-22**

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

**FILE #:** PZ20200051

**APPLICANT:** Mark Eklo

**OWNER:** Paul D. & Linda M. Neumann

**SITE ADDRESS:** 58xx Co Rd 10 N, Waconia, MN 55387

**PERMIT TYPE:** Additional Density (High Amenity)

**PURSUANT TO:** County Code, Chapter 152, Section(s) 152.078(C)

**LEGAL DESCRIPTION:** See attached Exhibit "A"

**PARCEL #:** 10-034-0700

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of December 15, 2020; and,

**WHEREAS**, the Carver County Planning Commission finds as follows:

1. Paul Neumann & Family own an approximately 53.26-acre parcel located in the Section 34, Watertown Township. The property is improved with an existing building site (i.e. house and sheds). The parcel also includes agricultural production land, wetlands, and woods. The site is also located in the Agricultural Zoning District and the CCWMO (Carver Creek and Crow River watersheds).
2. The applicant, Mark Eklo, has a purchase agreement in place with the Neumann Family. Mr. Eklo is proposing to develop three (3) residential parcels and one (1) agricultural parcel. The proposed development would result in a total of four (4) building sites (single family dwellings) along with a constructed township road. The applicants are requesting a Conditional Use Permit (CUP) pursuant to Section 152.078 (C) of the Carver County Zoning Code.
3. Watertown Township has provided for the High Amenity option in its chapter of the Comprehensive Plan. The subject property consists of wooded, wooded pasture, and similar areas, not in agricultural production, is considered eligible land. The proposed development would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼¼). Also, a CUP has not been previously issued for additional density on the subject parcel.
4. The applicant is proposing three (3) residential lots that would range in size from 5 acres to 5.7 acres. Each newly created lot would exceed the 2.5-acre minimum lot size and lots exceeding 5 acres would include unusable areas as allowed by the Zoning Code. Proposed Lot 2 would need to reduce the amount of tillable field area in order to meet the “maximum lot size of five (5) acres except for unusable lands being attached to individual lots.” The one (1) agricultural lot (building site) would be approximately 35.2 acres. A total of four (4) buildable lots are proposed as part of the development (plat).
5. During the preliminary platting process, the applicant must document a suitable one (1) acre building site for each lot. The concept plan illustrates the potential locations for Subsurface Sewage Treatment Systems (SSTS) on each lot. A licensed SSTS professional has provided appropriate soils reports for the County’s review.
6. A road would need to be constructed as part of the platting process and according to a developer’s contract. The road must be constructed to Township standards. The concept plan submitted as part of the CUP application, illustrates the road configuration utilizing a portion of the Prime Four LLP property located to the north of the subject property. A Minor



Subdivision would need to be completed prior to the platting process in order to allow Mr. Eklo to fully extend a 66-foot township road right-of-way off of County Road 10 in this fashion. County policy discourages permanent dead-end roads; therefore, future road extension(s) or easement(s) should be evaluated during the preliminary platting process.

7. The Carver County Public Works Division has reviewed the concept plan and provided written comments via a letter (dated: December 2, 2020). The letter outlines their official controls with regard to the County Road 10 right-of-way, access spacing standards, as well as driveway and field access location standards. The letter also addresses the potential requirements for any necessary permits to be issued for the project in the future. The details of the development activity would need to be evaluated during the Preliminary Platting and Developers Contract Agreement processes.
8. The development falls under the CCWMO Water Rules provision, which is required to be reviewed by the County's consulting engineer (Wenck Assoc.) and approved by the Carver County Planning & Water Management Department. The applicant must be prepared to address any wetland impacts and/or degradation in accordance with the Wetland Conservation Act (WCA) and also as submit a stormwater pollution prevention plan (SWPPP).
9. The Carver County Feedlot Officer has confirmed that the feedlot setback buffer is accurate for the feedlots south of the subject property. Given the feedlot buffer, the new lots would more than exceed the required 1,000-foot feedlot setback.
10. The entire layout as proposed will properly be addressed during the preliminary plat process.
11. The Watertown Town Board reviewed the request and recommended approval at their November 13, 2020, Town Board meeting. The Town Board stipulated that the existing field approach along Co Rd 10 N needs to be utilized on the north side of the property.
12. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

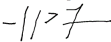
**THEREFORE, BE IT RESOLVED,** THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20200051 for additional density, High Amenity Lots, on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. Three (3) residential lots and one (1) agricultural lot are permitted, provided the building site requirements and minimum lot standards are satisfied. The entire subject property shall be platted in accordance with M.S. Chapter 505 and the Carver County Code. A total of four (4) buildable lots (building eligibilities) and the 66' road right-of-way shall be properly addressed as part of the plat.
2. Access permits must be approved by Watertown Township (road authority) prior to any work occurring within the proposed interior road right-of-way. An access permit must be obtained from Carver County Public Works (road authority) for the proposed road, including any potential need for access upgrades. The Permittee must enter into an improvement agreement (Developer's Contract) with the County and the Township covering construction and maintenance of the proposed road and any drainage structures that may be found necessary during the platting process.
3. The proposed lots must have a one-acre building site, which shall be reviewed as a part of the Subdivision Plat. Primary and alternate SSTS locations for each building site must be submitted with the application for preliminary plat. SSTS locations must be identified by a licensed SSTS contractor, for review/approval by the Environmental Services Department. The building sites must be located so that all buildings and sewer systems shall meet County Code setback requirements.
4. The lots shall be laid out on the preliminary plat substantially as agreed upon by the Township, the County, and the developer during the Conditional Use Permit (CUP) process. The preliminary plat shall stipulate, at a minimum, the building eligibility status for each parcel, a statement regarding agricultural uses in the area, and the protection of

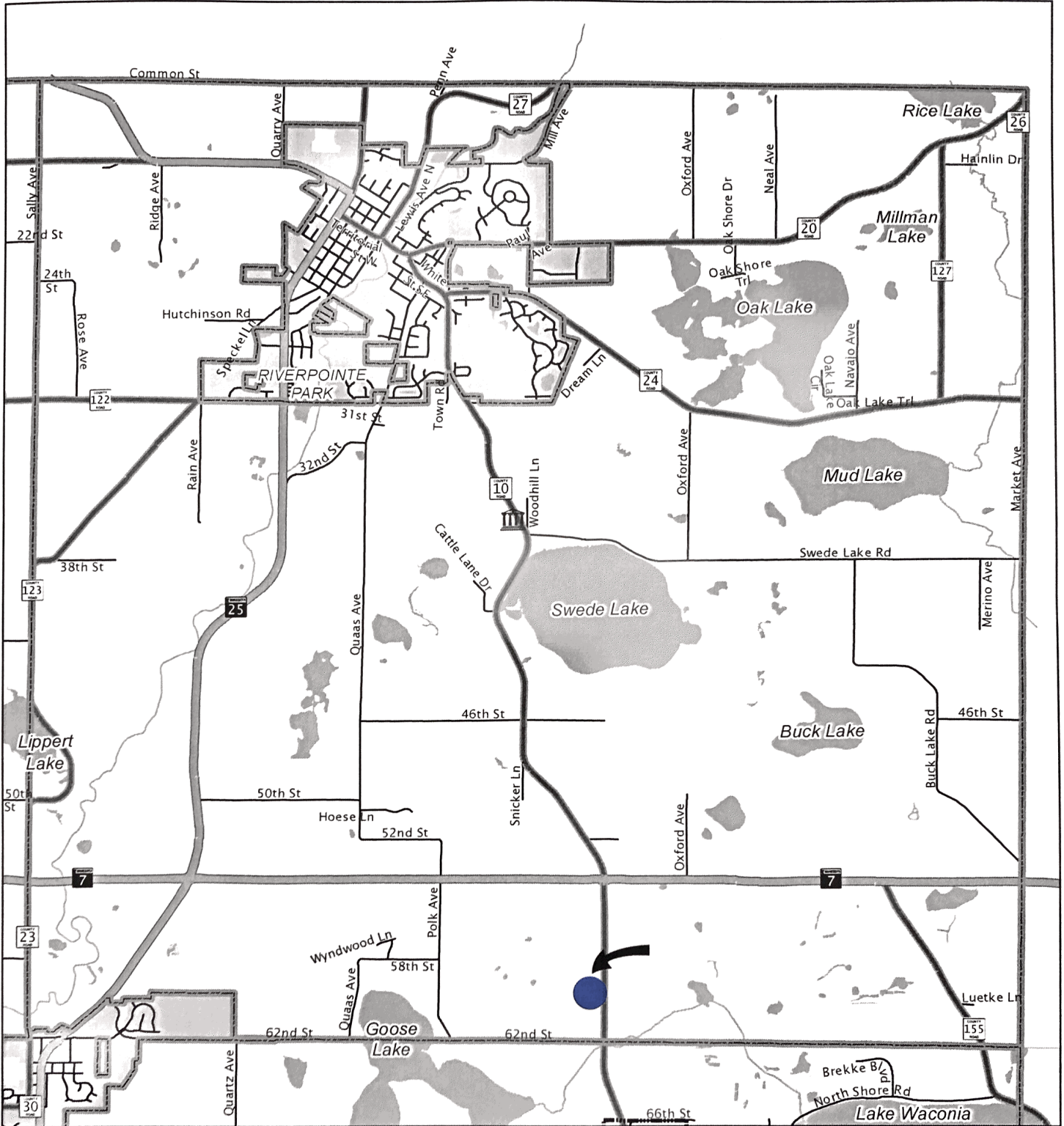
environmentally sensitive land(s). The potential for future road extension(s) or easement(s) shall be evaluated during the Preliminary Platting process.

5. As a part of the platting process the applicant shall develop covenants to be filed with the plat. The covenants shall address at least the following:
  - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any lot in the residential area.
  - B. A covenant stating that the area is rural in nature and that commercial agriculture and other rural land use activities shall likely be occurring in the area. A notification must be provided regarding “odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities”. Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the “A” district.
  - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
  - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he shall have to submit percolation tests and soil borings for another site before any building permit shall be issued.
  - E. The lot owners shall maintain the road until such time as the Township agrees to accept the road and assume maintenance responsibility.
6. The above-required covenants shall become part of the permit.
7. A completed CCWMO Water Rules application, with required attachments, shall be submitted with the Preliminary Plat application. A road plan, drainage plan, erosion control plan, and storm water management plan shall be submitted with the preliminary plat.
8. The boundaries of any possible wetlands must be included on the preliminary plat so appropriate drainage easements may be determined. If necessary, a wetland mitigation plan and application shall be submitted with the preliminary plat application.
9. Streets and drainage ways shall be designed so that public utilities can be installed at a later date.

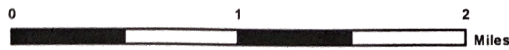
**ADOPTED** by the Carver County Planning Commission this 15<sup>th</sup> day of December 2020.

DocuSigned by:  
  
E757D2E3EEDD4FB... 12/18/2020 | 9:11:44 AM CST  
John Fahey, Chair  
Carver County Planning Commission

# WATERTOWN TOWNSHIP



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



Map Created by Carver County GIS

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Highway 11 Landscaping Agreement with City of Carver**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
Consent  ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

The City of Carver proposes streetscape and landscaping improvements along Highway 11 (Jonathan Carver Parkway) between West 4th Street and Highway 212. Carver County's landscaping policy requires the City to complete this agreement when permanent landscaping obstructions are installed (trees, poles, etc). This agreement sets forth the responsibilities of City for the full lifecycle of the landscaping features and establishes the authority of County to monitor the landscaping features and enforce the provisions of this agreement. The City assumes all liability and costs associated with the landscaping items installed along Highway 11. This is a template agreement that was developed by Public Works and the County Attorney's office staff and has been used on past similar projects.

**ACTION REQUESTED:**

Motion to approve a landscaping agreement with the City of Carver for the installation of landscaping features on Highway 11, pending finalization of the contract review process.

**FISCAL IMPACT:**  ▼

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**  \$0.00

Insert additional funding source

**Related Financial/FTE Comments:**

There is no cost to Carver County as the landscaping is a City requested and maintained item. The City of Carver cost for this work is estimated to be approximately \$600,000.

*Office use only:*

RBA 2021 - 7339

# 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: Public Works - Program Delivery

Meeting Date: 1/5/2021

Contact: Zachary Mahan Title: Right of Way Agent

Item Type: Consent

Amount of Time Requested: minutes

Attachments:  Yes  No

Presenter: Title:

**Strategic Initiative:**

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

**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 #04.0140400, 04.0140410, 04.0100500, 04.0100600 and 04.0162400 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:** Included in current budget

If "Other", specify:

**FTE IMPACT:** None

**FUNDING**

<b>County Dollars =</b>	
County Sales Tax	\$155,250.00
MnDOT Funding	\$155,250.00
<b>Total</b>	<b>\$310,500.00</b>

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 2021 - 7353

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

Date: January 5<sup>th</sup>, 2021

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 January 5<sup>th</sup>, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 5<sup>th</sup> day of January 2021

\_\_\_\_\_  
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. 04.0140400**

Fee Owners: Jeffrey & Ruth Heiland

Property Address: 6175 Highway 212, Chaska MN 55318

Settlement Amount: 105,000.00

**Property Tax Identification No. 04.0140410**

Fee Owners: John & Joyce Heiland Revocable Trust

Property Address: Vacant Land, Highway 212, Chaska MN 55318

Settlement Amount: \$200,000.00

**Property Tax Identification No. 04.0100500 & 04.0100600**

Fee Owners: Zoar United Church of Christ

Property Address: 7030 Highway 212, Chaska MN 55318

Settlement Amount: \$3,000.00

**Property Tax Identification No. 04.0162400**

Fee Owners: Dale Van Sloun & Nancy Van Sloun

Property Address: 7525 Highway 212, Chaska MN 55318

Settlement Amount: \$2,500.00



# 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="1/5/2021"/>
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"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="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 # 20.0960010 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.

<b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/>	<b>FUNDING</b>						
<i>If "Other", specify:</i> <input type="text"/>	<b>County Dollars =</b>						
<b>FTE IMPACT:</b> <input type="text" value="None"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">CSAH Reg./Muni. Const.</td> <td style="width: 30%; text-align: right;">\$10,600.00</td> </tr> <tr> <td>City of Carver</td> <td style="text-align: right;">\$10,600.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$21,200.00</b></td> </tr> </table>	CSAH Reg./Muni. Const.	\$10,600.00	City of Carver	\$10,600.00	<b>Total</b>	<b>\$21,200.00</b>
CSAH Reg./Muni. Const.	\$10,600.00						
City of Carver	\$10,600.00						
<b>Total</b>	<b>\$21,200.00</b>						
<input checked="" type="checkbox"/> Insert additional funding source							

**Related Financial/FTE Comments:**

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

*Office use only:*

RBA 2021 - 7354

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

Date: January 5<sup>th</sup>, 2021

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 January 5th, 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 5th day of January 2021

\_\_\_\_\_  
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. 20.0960010**

Fee Owners: Holder Properties, LLC

Property Address: 4725 Dahlgren Rd, Carver MN 55315

Settlement Amount: \$21,200.00

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request from State of MN to restart Road Tests at Chaska License Center**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

The State of Mn stopped offering Road Tests across the State due to COVID-19. The State has restarted offering Road Tests at several locations across the State and would like to start offering Road Tests again at the Chaska License Center beginning on Monday January 11th, 2021. The State requires that any building where State employees are working conduct mandatory temperature and wellness checks for employees and customers. The County conducts a daily wellness check for staff entering a County facility and conducts temperature checks for jail staff and visitors. The Chaska License Center and State of Mn staff have developed a plan to conduct temperature and wellness checks for employees and customers who enter the Chaska License Center which has been reviewed and approved by the County's Employee Relations staff.

**ACTION REQUESTED:**

Motion to approve the State's request to restart Road Tests at the Chaska License Center on Monday January 11th, 2021.

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

The State plans to eventually schedule up to 50 Road Tests per day. The Chaska License Center staff will transition back to its previous model of processing as many 1st time driver's license applications from successful Road Tests as possible which will correspondingly reduce the number of driver's license renewals and title transfers that can be processed at the Chaska License Center.

Office use only:

RBA 2021 - 7355

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Carver County Regional Rail Authority**

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/5/2021

Contact: Dave Hemze  Title:

Item Type:  
Ditch/Rail Authority

Amount of Time Requested: 5  minutes

Attachments:  Yes  No

Presenter: Dave Hemze  Title: County Administrator

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

In 1987, the Carver County Regional Rail Authority was established. The Regional Rail Authority needs to appoint a Chair, Vice Chair and Secretary/Treasurer for the Rail Authority for 2021.

**ACTION REQUESTED:**

Motion appointing Chair, Vice Chair and Secretary/Treasurer.

**FISCAL IMPACT:** None

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total**  \$0.00

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7250