

In District Meeting with Congressman Phillips  
October 4, 2021 – 1:15 p.m.  
Congressman’s District Office  
13911 Ridgedale Dr., Suite 200  
Minnetonka, Minnesota



**Carver County Board of Commissioners  
October 5, 2021  
Regular Session**

**The County Board Room is open to the public. However, Board Room audience capacity is limited to twelve (12) due to COVID-19 concerns.**

**Individuals who are not able to attend in person and wish to provide public comments 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. Public comments received in writing such as those received by e-mail will be summarized during the meeting and posted on the County website at <https://www.co.carver.mn.us/government/county-board-of-commissioners/county-board-meetings-and-agendas> following the meeting. Voicemail public comments will be played during the meeting. If you would like to join the Regular Session videoconference please send an e-mail, no later than noon on the Monday prior to the scheduled meeting date, to Carver County Administration at [admin-contact@co.carver.mn.us](mailto:admin-contact@co.carver.mn.us) to receive a WebEx invitation.**

**Public comments that relate to an item on the agenda will be heard when that agenda item is discussed. Please limit your public comments to five minutes or less.**

**The Regular Session portion of the meeting will be webcast live at: <https://www.youtube.com/user/CarverCountyMN/live>**

- 9:00 a.m.
1. a) **CONVENE**  
b) **Pledge of allegiance**  
c) **Public comments submitted via email/voice mail**
  2. Agenda review and adoption
  3. Approve minutes of September 21, 2021 Regular Session ..... 1-4
  4. Community Announcements
- 9:20 a.m.
5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy, and livable communities*  
5.1 Settlements for Right of Way Acquisition for the Highway 24 Project.... 5-9

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

5.2 Family Homeless Prevention and Assistance Program (FHPAP)  
2021-2023 CAP Agency ..... 10

5.3 Family Homeless Prevention and Assistance Program (FHPAP)  
2021-2023 Greater Twin Cities United Way..... 11

5.4 Family Homeless Prevention and Assistance Program (FHPAP)  
2021-2023 His House Foundation ..... 12

*Customer service: Continue the County’s delivery of high value, timely service and support*

5.5 Hazardous Waste Management - Environmental Services ..... 13

5.6 Request for approval to contract with Braun Intertec Corporation ..... 14

5.7 Amendment No. 1 Professional Services Agreement with SRF Consulting Group for Construction Administration Services on Highway 5 Regional Trail Project ..... 15

5.8 Request for approval to contract with Marnita's Table Inc. .... 16

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

5.9 2022 Non-Bargaining Employee Insurance Contributions..... 17-18

5.10 2022 Retiree Health Insurance Contributions ..... 19-20

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

5.11 Heidi Dalbec - CUP for Contractor's Yard ..... 21-25

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

5.12 Review/Social/Commissioners’ Warrants..... NO ATT

9:20 a.m. **6. FINANCES: Improve the County’s financial health and economic profile**

6.1 Comment Letter on Metropolitan Council's 2022 Regional Solicitation ..... 26-31

9:45 a.m. **7. GROWTH: Manage the challenges and opportunities resulting from growth and development**

7.1 Greater MSP Board of Directors Nomination ..... 32

9:55 a.m. **8. County Administrator Report**

10:05 a.m. **ADJOURN REGULAR SESSION**

David Hemze  
County Administrator

**UPCOMING MEETINGS**

October 12, 2021	No Meeting
October 19, 2021	9:00 a.m. Board Meeting
October 19, 2021	11:30 a.m. Arboretum & Hwy 5 Regional Trail Ribbon Cutting (tentative-Oct 26 <sup>th</sup> rain date)
October 26, 2021	7:30 a.m. Carver County Leaders Meeting
October 26, 2021	9:00 a.m. Work Session
November 2, 2021	9:00 a.m. Board Meeting
November 9,2021	No Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on September 21, 2021. Vice Chair Gayle Degler convened the session at 9:00 a.m.

Members present: Gayle Degler, Vice Chair, John P. Fahey, Matt Udermann and Tom Workman.

Members absent: Tim Lynch.

Under public comments, Karen Johnson Leuthner, 15735 38<sup>th</sup> Street, Mayer, commented everyone was sitting six feet apart in the Boardroom but since 1999 the Hollywood Township citizens knew they were being impacted by massive rf and no one was paying attention. She stated since November 1999, she has been fighting for people to be safe. She explained at the last Hollywood Township meeting the broadband representative would not talk to the people and did not explain what was going on with the antennas. She stated her next step would be the freedom of information act. Johnson Leuthner pointed out the amount being spent on the Regional Park development, but nothing was being spent on the tower and equipment was being attached.

Workman moved, Fahey seconded, to approve the agenda. Motion carried unanimously.

Fahey moved, Workman seconded, to approve the minutes of the September 7, 2021, Regular Session. Motion carried unanimously.

Udermann moved, Fahey seconded, to approve the following consent agenda items:

Approved SCORE grant agreement FY 22-26 with the Minnesota Pollution Control Agency and delegated the Assistant County Administrator the authority to sign the grant agreement on behalf of the County.

Approved the grant agreements SG-22-P4-01, SG-22-P4-02, SG-22-P4-03, SG-22-P4-04, amendment SG SG-11266 and authorized Chair and Administrator to sign and approved related Parks budget amendment.

Contract with Equature for the maintenance, support and hardware refresh of the Sheriff's Dispatch logger/recorder system.

Resolution #84-21, County Board Acknowledgment Highway 50 Bridge Project, Final Payment.

Resolution #85-21, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interested Needed for Highway 10 Project-North Watertown.

Contract with Eastern Carver County Schools for Intercultural Specialist.

Approved contract to add audiovisual conferencing to the Sheriff's conference room which may also be used as an alternate EOC and related Sheriff's Office budget amendment.

Approved the purchase of Extreme Networks switches from High Point Networks for the CarverLink Broadband Fiber Network utilizing existing funding from CarverLink's budget.

Approved the following liquor licenses renewal applications:

Hollywood Sports LLC dba Hollywood Sports Complex  
Baumann Enterprises, Inc. dba B's on the River  
Hollywood Roadhouse LLC dba Hollywood Roadhouse  
Whistle Post LLC dba Sovereign Estate Wine  
Parley Lake Winery LLP dba Parley Lake Winery  
WJVA Inc dba Timber Creek Golf Course  
Schram Winery LLC dba Schram Vineyards  
Vandy's Grille LLC dba Vandy's Grille  
Big Sticks LLC dba Sticks Tavern & Trails End Event Center  
LuceLine Orchard, LLC dba Luceline Orchard

Confirmed the appointment of Scott Hoese as the Township appointment to the Planning Commission.

Approved the addition of an STOC Adult Mental Health Case Manager to cover employee leave and ongoing increase in case volume and related HH&S budget amendment.

Authorized the County Engineer, or his designee, to approve Change Order #27 for \$183,916.39 for the Jonathan Carver Parkway Project-Phase 1.

Approved the grant agreement with the Department of Natural Resources pending finalization of the contract review process and delegated the Administrator the authority to sign the grant agreement on behalf of the County and approved related Planning and Water Management budget amendment.

Approved a three year lease renewal with FPA River Gable-Moab, LLC, FPA River Gables-Archview, LLC, and FPA River Gables Associates, LLC, all Delaware limited liability companies, successor in interest to West Suburban Housing Partners, IV, LP for Outpatient Clinic in Chaska at 110 E. First Street, Suite R106, Chaska, pending legal and risk review and approval for the term 11/21/2021-11/30/2024

Reviewed September 14, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$226,396.01 and reviewed September 21, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$491,435.41.

Degler, Fahey, Udermann voted aye. Workman voted nay. Motion carried.

Udermann moved, Workman seconded, to recess as the County Board and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Marty Walsh, Parks, appeared before the Rail Authority to request approval to amend the Veterans Memorial Site Plan. He identified the location of the memorial in the City of Mayer and the development that has taken place. He noted the original plan was to have pads for equipment and the Veterans Memorial Registry was asking to add more equipment pads and connecting sidewalks. He reviewed the existing site plan and proposed changes. Walsh pointed out the next approvals that would need to be obtained.

Stan Heldt, representing Veterans Memorial Registry, explained they have 400 pavers and they were ready to make another order. He stated they have the capacity for 4,000. He explained the recent addition of barcodes to the panels that would allow visitors to access a website with additional identifying information. He believed the memorial and Parks trails have complimented each other. Heldt explained the proposal to add equipment and identified the proposed locations.

The Board recognized the Veterans Memorial Registry group had done an impressive job in developing the site.

Workman moved, Fahey seconded, to approve the amendment to the site plan with the Veterans' Memorial Registry. Moton carried unanimously.

Udermann moved, Fahey seconded, to adjourn as the Rail Authority and reconvene as the County Board. Motion carried unanimously.

Kate Probert, HH&S, requested the Board adopt the Governor's Proclamation to name September as Workforce Development Month. Probert shared statistics on the number of job postings and unemployment in the County, noting the County has been struggling to fill the jobs available. She explained the Work Force Center offers services to close the gap to help employers find workers and to make sure workers have jobs.

She explained the pandemic effects on childcare, home schooling and transportation and services they have been able to offer. Probert indicated they continue to host virtual events and restarted the youth program. She thanked staff, employers and community members for their support and the Board for their continued investment in workforce development.

Workman moved, Udermann seconded, to adopt the Governor's Proclamation and proclaim September as Workforce Development Month and to acknowledge the outstanding work of the HHS Workforce Development staff and its partners in Carver County. Motion carried unanimously.

David Frischmon, Finance, requested the Board approve the repurchase application for a tax forfeited property. He reviewed the Statutes related to tax forfeited parcels and process to repurchase. He explained on January 10, 2020, Statewide Auto Salvage forfeited to the State and the County took over. In May, 2020, the property owner submitted a request to repurchase and the Board approved the request with three conditions.

He displayed a visual of the before and current condition of the property. Frischmon stated the cars had been removed and all three conditions met.

REGULAR SESSION  
September 21, 2021

Workman moved, Fahey seconded, to approve the repurchase of forfeited property by the previous property owner. Motion carried unanimously.

Workman moved, Degler seconded, to adjourn the Regular Session at 10:00 a.m. Motion carried unanimously.

David Hemze  
County Administrator

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

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**  
**Settlements for Right of Way Acquisition for the Highway 24 Project**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="10/5/2021"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Senior 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="Communities: Create and maintain safe, healthy, and livable communities"/>	

**BACKGROUND/JUSTIFICATION:**

The 2022 construction season includes the Highway 24 Project, which is the reconstruction of Highway 24 and includes pavement rehabilitation and shoulder widening of Highway 24 from Highway 10 in the City of Watertown east to the Hennepin County border. Additional right-of-way is needed to complete this project. Appraisals were completed by a certified appraiser or minimum damage assessments completed by county staff and the County Board approved the making of offers based on the appraised values at its July 13, 2021 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 #'s 10.0141200, 10.2000020, 85.0092400, 85.4220030, 10.0131400, 10.0141500 were obtained.

**ACTION REQUESTED:**

Motion to adopt resolution for settlements for right-of-way acquisitions for the Highway 24 Project.

<b>FISCAL IMPACT:</b> <input type="text" value="None"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	<b>FUNDING</b> <table style="width: 100%;"> <tr> <td><b>County Dollars =</b></td> <td><input type="text"/></td> </tr> <tr> <td>Wheelage Tax</td> <td style="text-align: right;">\$59,187.68</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$59,187.68</b></td> </tr> </table> <input checked="" type="checkbox"/> Insert additional funding source	<b>County Dollars =</b>	<input type="text"/>	Wheelage Tax	\$59,187.68	<b>Total</b>	<b>\$59,187.68</b>
<b>County Dollars =</b>	<input type="text"/>						
Wheelage Tax	\$59,187.68						
<b>Total</b>	<b>\$59,187.68</b>						
<b>FTE IMPACT:</b> <input type="text" value="None"/>							
Related Financial/FTE Comments: <input type="text"/>							

Office use only:

RBA 2021 - 7901

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

Date: October 5, 2021

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

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

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

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**Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 24 Project**

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for shoulder widening as part of the Highway 24 Project (“Project”); and

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

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

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

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

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

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



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

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of shoulder widening as part of the Highway 24 Project constitute a valid public use or public purpose; and

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

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

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

STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on October 5, 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 October 2021

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

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

**Highway 24 Project**

Carver County Public Works No. 158794

**Property Tax Identification No. 10.0141200**

Fee Owners: Sheila M. Doughman, Single

Property Address: 3125 Oxford Ave, Watertown, MN

Settlement Amount: \$50,437.68

Permanent easement for public right-of-way purposes contains 22,102 sq. ft. (including existing easements), more or less.

**\$6,300.00**

Temporary easement for construction purposes contains 10,752 sq. ft., more or less.

**\$1,900.00**

Appraisal Fee

**\$5,000.00**

Damages to Trees & Fence

**\$37,237.68**

**Property Tax Identification No. 10.2000020**

Fee Owners: Ned and Sarah Schlosser

Property Address: 10475 County Road 24, Watertown MN

Settlement Amount: \$1,270.00

Temporary easement for construction purposes contains 1,992 sq. ft., more or less.

**\$270.00**

Additional amount to entice settlement

**\$1,000.00**

**Property Tax Identification No. 85.4220030**

Fee Owners: Richard B. Loycano, single and Amanda R. Loycano, Single

Property Address: 817 Dutchmans Way, Watertown, MN

Settlement Amount: \$5,200.00

Permanent easement for public right-of-way purposes contains 920 sq. ft. (including existing easements), more or less.

**\$3,700.00**

Appraisal Fee

**\$1,500.00**

**Property Tax Identification No. 10.0131400 and 10.0141500**

Fee Owners: St. Peter Lutheran Church of Watertown Township, Carver County, Minnesota

Property Address: 3030 Navajo Ave, Watertown MN

Settlement Amount: \$2,280.00

Existing permanent easement for roadway purposes contains 8,407 sq. ft., more or less.

Temporary easement for construction purposes contains 2,324 sq. ft., more or less.

**\$280.00**

Appraisal Fee

**\$2,000.00**

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Family Homeless Prevention and Assistance Program (FHPAP) 2021-2023 CAP Agency**

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

Meeting Date: 10/5/2021

Contact: Jen Romero Title: Housing Unit Supervisor

Item Type:  
Consent

Amount of Time Requested: minutes

Attachments:  Yes  No

Presenter: Title:

**Strategic Initiative:**

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

**BACKGROUND/JUSTIFICATION:**

The Family Homeless Prevention and Assistance Program (FHPAP) is granted to Carver County from MN Housing Finance Agency (MHFA). Carver County then sub-grants a portion of the grant to CAP Agency to provide housing related assistance such as rent assistance, damage deposits, and support services to Carver and Scott Counties in the amount of \$447,300.

On 8/17/2021 the Carver County Board passed a resolution approving the FHPAP Grant with MHFA and designating the CAP Agency as a subgrantee.

**ACTION REQUESTED:**

Motion to approve the FHPAP agreement with CAP Agency for the 2021-2023 biennium.

**FISCAL IMPACT:** Included in current budget

**FUNDING**

If "Other", specify:

County Dollars =

MHFA Grant \$447,300.00

**FTE IMPACT:** None

**Total** \$447,300.00

Insert additional funding source

**Related Financial/FTE Comments:**

Funds previously budgeted for during 8/17 Board meeting.

Office use only:

RBA 2021 - 7916

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Family Homeless Prevention and Assistance Program (FHPAP) 2021-2023 Greater Twin Cities United Way**

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 Family Homeless Prevention and Assistance Program (FHPAP) is granted to Carver County from MN Housing Finance Agency (MHFA). Carver County then sub-grants a portion of the grant to Greater Twin Cities United Way (211 First Call for Help) to provide prevention screening services to Carver and Scott Counties in the amount of \$42,000. This will allow people seeking assistance to call one central number 24/7 to be connected to the most appropriate service for them.

On 8/17/2021 the Carver County Board passed a resolution approving the FHPAP Grant with MHFA and designating the Greater Twin Cities United Way as a subgrantee.

**ACTION REQUESTED:**

Motion to approve the FHPAP agreement with the Greater Twin Cities United Way for the 2021-2023 Biennium.

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

**FUNDING**

<b>County Dollars =</b>	<input type="text"/>
MHFA Grant	\$42,000.00
<b>Total</b>	<b>\$42,000.00</b>

**FTE IMPACT:**

Insert additional funding source

**Related Financial/FTE Comments:**

Funds previously budgeted for during 8/17 Board meeting.

Office use only:

RBA 2021 - 7917

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Family Homeless Prevention and Assistance Program (FHPAP) 2021-2023 His House Foundation**

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 Family Homeless Prevention and Assistance Program (FHPAP) is granted to Carver County from MN Housing Finance Agency (MHFA). Carver County then sub-grants a portion of the grant to His House Foundation to provide Coordinated Entry Homeless Assessments and Homeless Outreach Programming to Carver and Scott Counties in the amount of \$100,000.

On 8/17/2021 the Carver County Board passed a resolution approving the FHPAP Grant with MHFA and designating the His House Foundation as a subgrantee.

**ACTION REQUESTED:**

Motion to approve the FHPAP Agreement with His House Foundation for the 2021-2023 Biennium.

**FISCAL IMPACT:**

If "Other", specify:

**FUNDING**

<b>County Dollars =</b>	<input type="text" value=""/>
MHFA Grant	\$100,000.00
<b>Total</b>	<b>\$100,000.00</b>

**FTE IMPACT:**

Insert additional funding source

**Related Financial/FTE Comments:**

Funds previously budgeted for during 8/17 Board meeting.

*Office use only:*

RBA 2021 - 7918

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Hazardous Waste Management - Environmental Services**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

Carver County is mandated by State Statute to establish collection programs for household hazardous waste, under the direction of the MN Pollution Control Agency. This state contract H-69(5) will allow the County to utilize services provided by the two state-approved vendors, Veolia Environmental Services, and Clean Harbors, for the management of hazardous materials collected at the Environmental Center and other collection events through June 2022. Utilizing vendors approved by the State of Minnesota, and services contained within this state contract, will provide Carver County with indemnification protection by the State of Minnesota, while also offering us significant cost savings.

Funding listed below is the anticipated cost for HHW services, as contained within our 2022 Environmental Services budget.

**ACTION REQUESTED:**

Motion to authorize the chair to enter into an agreement acquiring hazardous materials management services by the vendors contained within the State of Minnesota Cooperative Purchasing Venture program, and contract H-69(5).

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	<input type="text" value=""/>
Solid Waste Service Fee/C	\$350,000.00
<b>Total</b>	<b>\$350,000.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

Funding source is solid waste service fee and state grant dollars.

*Office use only:*

RBA 2021 - 7902

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request for approval to contract with BRAUN INTERTEC CORPORATION**

Primary Originating Division/Dept: <span style="border: 1px solid black; padding: 2px;">Public Services - Facilities</span>	Meeting Date: <span style="border: 1px solid black; padding: 2px;">10/5/2021</span>
Contact: <span style="border: 1px solid black; padding: 2px;">Jim Kuchelmeister</span> Title: <span style="border: 1px solid black; padding: 2px;">Facilities Services Manager</span>	Item Type: <span style="border: 1px solid black; padding: 2px; display: inline-block; width: 100px;">Consent</span>
Amount of Time Requested: <span style="border: 1px solid black; padding: 2px; width: 50px;"> </span> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <span style="border: 1px solid black; padding: 2px; width: 100px;"> </span> Title: <span style="border: 1px solid black; padding: 2px; width: 100px;"> </span>	

Strategic Initiative: CustomerService: Continue the County's delivery of high value, timelyservice and support

**BACKGROUND/JUSTIFICATION:**

Carver County Sheriff's Office and the Chaska Police Department used the Carlson's property in Chaska (near what is now the Schram Brewery) as a shooting range for many years. The Carlson's allowed this with the stipulation that the parties cleanup the property. The County and City entered into an agreement where the County would pay 100% of the testing costs (since we used it more) and we would evenly split the cleanup costs.

Since last Fall, County staff has been working with our consultant, Braun Intertec, City of Chaska, and Carlson family on testing and developing a cleanup plan.

For the testing, a grid with 15 sections on the embankment (areas where bullets would have entered the soil) and 8 sections on the flat shooting area (areas where bullet casings fell on the ground) were mapped. Soil borings were collected and tested for copper and lead. Two grid sections on the embankment had lead at high levels which require cleanup. The remaining 13 embankment sections tested at low or no lead levels and don't require further action. For the 8 flat sections, the top of the soil will be scraped off to remove any casings on the surface.

A response action plan was submitted to and approved by the Minnesota Pollution Control Agency (MPCA) as part of the Voluntary Investigation and Cleanup Program. Our goal is to cleanup the site and receive a "No Further Action" determination from the MPCA.

The County is now at a point to have the cleanup work completed. Staff is recommending that we contract with Braun Intertec to include: environmental monitoring, testing and documentation, response action plan implementation report preparation and project management. This portion of the project will cost \$11,820.

As part of our previous contract with Braun, the County had Braun conduct site walk through with vendors, vendor proposals and vendor selection. As part of that project, Braun solicited three vendors for the cleanup project. Under this agreement, they are recommending that Carl Bolander and Sons complete the cleanup work. They were the low bid on the project at \$67,760 and have the experience and project understanding to be successful. Half of this cost would be paid by the City of Chaska. The cleanup work will include excavating, lead stabilization, transporting and disposing of contaminated lead stabilized soil to an appropriate facility, import fill, place topsoil and seed and mulch.

**ACTION REQUESTED:**

Motion to contract with BRAUN INTERTEC CORPORATION pending finalization of the contract review process.

<b>FISCAL IMPACT:</b> <span style="border: 1px solid black; padding: 2px;">Included in current budget</span>	<b>FUNDING</b>						
<i>If "Other", specify:</i> <span style="border: 1px solid black; padding: 2px; width: 150px;"> </span>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"><b>County Dollars =</b></td> <td style="border: 1px solid black; text-align: right;"><b>\$45,700.00</b></td> </tr> <tr> <td>City of Chaska reimb.</td> <td style="border: 1px solid black; text-align: right;">\$33,880.00</td> </tr> <tr> <td><b>Total</b></td> <td style="border: 1px solid black; text-align: right;"><b>\$79,580.00</b></td> </tr> </table>	<b>County Dollars =</b>	<b>\$45,700.00</b>	City of Chaska reimb.	\$33,880.00	<b>Total</b>	<b>\$79,580.00</b>
<b>County Dollars =</b>	<b>\$45,700.00</b>						
City of Chaska reimb.	\$33,880.00						
<b>Total</b>	<b>\$79,580.00</b>						
<b>FTE IMPACT:</b> <span style="border: 1px solid black; padding: 2px;">None</span>	<input checked="" type="checkbox"/> Insert additional funding source						

Related Financial/FTE Comments:  
 Total cost of the agreement is \$79,580. This includes \$11,820 for testing, monitoring, documentation and project management and \$67,760 for the excavating, disposal of contaminated soil and restoration. Of that, the City of Chaska will pay \$33,880 and the County will pay \$45,700. Funding for this project will be provided by the proceeds from the sale of the former Public Works facility in Chaska.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Amendment No. 1 Professional Services Agreement with SRF Consulting Group for Construction Administration Services on Highway 5 Regional Trail Project**

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="10/5/2021"/>
Contact: <input type="text" value="Shelby Sovell"/> Title: <input type="text" value="Construction Supervisor"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Customer Service: Continue the County's delivery of high value, timely service and support"/>	

**BACKGROUND/JUSTIFICATION:**

Carver County entered into an agreement with SRF Consulting Group for construction administration services for Highway 5 Regional Trail Project located between Century Boulevard and Minnewashta Parkway in Chanhassen.

Carver County Public Works requests an amendment to the existing contract to include additional services for construction administration and coordination time that was needed to facilitate relocating private utilities. The delay caused by private utility and utility relocations resulted in the project construction timeline being extended by 3 months, lengthening on-site inspection service needs. Further, additional testing work was needed due to number of concrete pours, soil testing and environmental consultation at TH41. The additional cost for these services is in the amount of \$83,320.00

Staff has reviewed the additional expenses and finds them to be appropriate.

The additional contract amount is available in contingency funds for the project.

**ACTION REQUESTED:**

Motion to approve Amendment No. 1 to the professional services agreement with SRF Consulting Group for construction administration services on the Highway 5 Regional Trail Project pending the contract review process.

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

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	
Carver County Trail Funds:	\$41,660.00
City of Chanhassen 25%	\$20,830.00
U of M Arboretum 25%	\$20,830.00
<b>Total</b>	<b>\$83,320.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

The County's cost participation policy for trails shares the cost 50% Carver County and 50% other agencies for linking regional trails.

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Request for approval to contract with Marnita's Table Inc.**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

Community engagement has been a critical need for the Covid-19 pandemic response given the virus's social transmission capabilities and community response. The pandemic has highlighted health disparities and how important it is to reach marginalized populations, foster community trust, and to support equity-informed responses to ensure the health of all County residents.

In response to this need, Carver County Public Health will contract with Marnita's Table Inc. to provide outreach and community engagement. Assessment, analysis and reporting of information gained through community interaction events and activities, and collaboration with the Carver County Public Health on community wide leadership development and cross-cultural competency will also be provided.

This contractual partnership will greatly enhance the county's capacity to improve health outcomes and mitigate the negative concerns exasperated by the pandemic. Funding for contract will come from ARPA funds as approved by County Board on September 7th, 2021 (RBA 2021-7839). No county levy will be used for this contract.

**ACTION REQUESTED:**

Motion to approve contract with Marnita's Table Inc. pending approval of Attorney and Risk.

**FISCAL IMPACT:**

**FUNDING**

If "Other", specify:

<b>County Dollars =</b>	<input type="text" value=""/>
ARPA funding	\$50,000.00
<b>Total</b>	<b>\$50,000.00</b>

**FTE IMPACT:**

Insert additional funding source

**Related Financial/FTE Comments:**

ARPA funds as approved by Board on 9/7/2021 (RBA 2021-7839) will be used to pay for services. No county levy funds will be used for this contract.

*Office use only:*

RBA 2021 - 7926

# Carver County Board of Commissioners Request for Board Action



## Agenda Item:

### 2022 Non-Bargaining Employee Insurance Contributions

Primary Originating Division/Dept: <input type="text" value="Employee Relations"/>	Meeting Date: <input type="text" value="10/5/2021"/>
Contact: <input type="text" value="Kerie Anderka"/> Title: <input type="text" value="Employee Relations Director"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	
Strategic Initiative: <input type="text" value="Culture: Provide organizational culture fostering accountability to achieve goals &amp; sustain public trust/confidence in County government"/>	

## BACKGROUND/JUSTIFICATION:

The County Board of Commissioners has the authority to establish and revise benefits for non-bargaining employees.

Core benefits for full-time benefit eligible non-bargaining employees currently include life insurance, long-term and short-term disability insurance, and dental insurance. A monthly cafeteria contribution is provided based on the employee's election of health insurance. In addition, County contribution amounts to the Health Reimbursement Arrangement (HRA)/VEBA Trust or for employees electing the Health Savings Account (HSA) Health Plan option are provided when applicable based on health plan election. Elective benefits include additional short-term disability coverage, supplemental life insurance, medical and dependent care flexible spending accounts, and vision insurance.

It is recommended that the monthly cafeteria contribution be provided to full-time benefit eligible non-bargaining employees based on the employee's election of health insurance, with 2022 monthly County contribution for single at \$855.48; employee + spouse at \$1,393.20; employee + child(ren) at \$1,048.70; family at \$1,772.79, and \$150.00 for waiver. For non-bargaining employees budgeted at least half-time, but less than 0.8 FTE, provide \$250.00 per month toward the cost of single health insurance. It is recommended that the Board provide the same opportunity for non-bargaining employees to receive the employer contributions consistent with those provided for bargaining units that negotiated to accept the cafeteria contributions.

For full-time benefit eligible non-bargaining employees selecting the High Deductible Health Plan with an HRA, in 2022 it is recommended that the County provide a quarterly contribution to the Health Reimbursement Arrangement through a VEBA trust. For eligible employees participating in the plan over the course of the year, it is recommended that an amount of \$750.00 be provided for those with single insurance, and for those with family insurance it is recommended that a contribution of \$1,500.00 be provided. This is no change from the 2021 HRA arrangement.

For full-time benefit eligible non-bargaining employees selecting the High Deductible Health Plan with Health Savings Account Health Plan option, in 2022 it is recommended that for eligible employees participating in the plan over the course of a year, the County provide a contribution of \$1,100.00 for those with single insurance, and \$2,000.00 for those with family insurance. This is no change from the 2021 HSA arrangement.

The motion requested is to approve the 2022 benefits for non-bargaining employees to participate in the benefits package with County contributions as outlined above effective January 1, 2022.

**ACTION REQUESTED:**

Motion to approve the 2022 benefits for non-bargaining employees as outlined above including 2022 monthly cafeteria contribution amounts for full-time benefit eligible non-bargaining employees based on the employee's election of health insurance with \$855.48 for single, \$1,393.20 for employee + spouse, \$1,048.70 for employee + child(ren), \$1,772.79 for family, and \$150.00 for waiver; maintaining the \$250.00 per month toward the cost of single health insurance for employees budgeted at least half-time but less than 0.8 FTE; and providing HRA/VEBA contributions in the amounts of \$750/\$1,500 and contributions for those electing the HSA High Deductible Health Plan option in the amounts of \$1,100/\$2,000 as described above.

**FISCAL IMPACT:** Included in current budget   
If "Other", specify:

<b>FUNDING</b>	
County Dollars =	<b>\$46,427.00</b>
<input type="text"/>	<input type="text"/>
<b>Total</b>	<b>\$46,427.00</b>

**FTE IMPACT:** None

Insert additional funding source

Related Financial/FTE Comments:  
The incremental cost for the 2022 non-bargaining employee health insurance contribution is \$46,467. The health insurance 2022 Budget for non-bargaining employee health insurance contribution is \$556,280.

Office use only:  
RBA 2021 - 7903

# Carver County Board of Commissioners Request for Board Action



## Agenda Item:

### 2022 Retiree Health Insurance Contributions

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:  
Consent

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

## Strategic Initiative:

## BACKGROUND/JUSTIFICATION:

Carver County Personnel Policy and certain collective bargaining agreements require the County to contribute to County-sponsored health insurance for certain retirees. Personnel Policy further requires the Board to set the amount the County will contribute to each retiree's insurance for 2022. In order to qualify for this benefit, retirees must meet the following criteria:

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

The recommended monthly cafeteria contributions for active employees are \$855.48 for single, \$1,393.20 for employee + spouse, \$1,048.70 for employee + child(ren) and \$1,772.79 for family, based on employee health insurance plan election. The County's contribution shall not exceed the coverage tier level provided at the time of separation. In past years, the County Board has set the contribution for eligible retirees at an amount consistent with the cafeteria contributions. Retirees selecting family coverage would receive \$1,772.79 per month toward their insurance, employee + spouse would receive \$1,393.20, employee + children would receive \$1,048.70, and those electing single coverage would receive the lesser of the single premium amount or \$855.48 per month.

## ACTION REQUESTED:

Set health insurance contributions for eligible retirees as follows, not to exceed the coverage tier level provided at the time of separation: Retirees selecting family coverage would receive \$1,772.79 per month toward their medical insurance premium, employee + spouse would receive \$1,393.20, employee + children would receive \$1,048.70, and those electing single coverage would receive the lesser of the single premium amount or \$855.48 per month.

**FISCAL IMPACT:** Included in current budget

If "Other", specify:

**FUNDING**

County Dollars =

**FTE IMPACT:** None

**Total**

Insert additional funding source

**Related Financial/FTE Comments:**

The incremental cost for the 2022 retiree health insurance contribution is \$60,484. The 2022 Budget for retiree health insurance contribution is \$261,340.

Office use only:

RBA 2021 - 7904

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Heidi Dalbec - CUP for Contractor's Yard**

Primary Originating Division/Dept:

Meeting Date:

Contact:  Title:

Item Type:

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

**BACKGROUND/JUSTIFICATION:**

File #PZ20210052. On September 21, 2021, the Carver County Planning Commission recommended approval of Heidi Dalbec's Conditional Use Permit (CUP) for a Contractor's Yard (HD Landscaping, Inc). Ms. Dalbec owns an approximate 20.14-acre parcel located in Section 12, Watertown Township and is requesting approval to utilize a portion of the property for a Contractor's Yard including the potential for outdoor storage on an existing gravel pad area. The CUP request appears to meet the minimum standards for a Contractor's Yard CUP.

The business consists of the owner/operator, Ms. Dalbec, and 1-2 additional seasonal employees. Employees would report to the site Monday-Friday, April-November to pick up work vehicles, trailers, equipment, etc. to take to job sites. Typical hours of operation consist of 7:00AM – 5:00PM. The on-site activities would generate approximately 2-4 trips per day with access from County Road 127. No customers will be on site and no signage has been proposed.

The existing 64' x 33' (2,112 sq. ft.) accessory structure located on the property would be utilized as part of her operation. An outdoor area located to the west and south of the existing structure would allow for temporary storage of materials and four commercial vehicles and three trailers.

The County Environmental Services Department has reviewed the request and stated Ms. Dalbec would be required to provide a copy of the current signed contract for the portable toilet use.

County Public Works has reviewed the request and stated the access location for the land use and traffic is consistent with County policy. The applicant should coordinate with Public Works for required driveway specifications.

The Watertown Town Board supports the request.

**ACTION REQUESTED:**

A motion to adopt Findings of Fact and issue Order #PZ20210052 for the issuance of a Conditional Use Permit.

**FISCAL IMPACT:**

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**

**Total**

Insert additional funding source

Related Financial/FTE Comments:

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

**FILE #: PZ20210052**

**RESOLUTION #: 21-12**

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

**FILE #:** PZ20210052

**APPLICANT:** Heidi Dalbec

**OWNER:** Heidi Dalbec

**SITE ADDRESS:** 2680 County Rd 127, 55328

**PERMIT TYPE:** Conditional Use Permit - Contractor's Yard

**PURSUANT TO:** County Code, Chapter 152, Section 152.079 C (10)

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

**PARCEL #:** 10-012-0100

**WHEREAS**, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of September 21, 2021; and,

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

1. Heidi Dalbec owns an approximate 20.14-acre parcel in the North Half (N½) of the Southwest Quarter (SW¼) of Section 12, Watertown Township. The parcel is improved with a single-family dwelling with an attached garage, and a 64' x 33' pole building. This property is located in the Agricultural Zoning District and the CCWMO (Crow River watershed).
2. The applicant is requesting a Conditional Use Permit (CUP) to operate a Contractor's Yard pursuant to Section 152.079 C (10) of the Carver County Zoning Code.
3. Ms. Dalbec purchased the subject property in 2014 and is now requesting to use a portion of the subject property for a Contractor's Yard (HD Landscape, Inc) with the potential for outside storage on the existing graveled pad area.
4. Ms. Dalbec stated in her letter, dated August 24, 2021, that she would use the existing 64' x 33' pole barn (approximately 2,112 square feet) for the new Contractor's Yard business. She also stated that in addition to herself, there are 1-2 other seasonal employees of the business who would be on-site Monday-Friday, 7am-5pm, April-November. There would no employees on-site December-March. Employees reporting to the property would park their personal vehicles in a designated area within the operational area, gather equipment and take work vehicles to the job sites. The operation would consist of four (4) business-related vehicles and three (3) trailers. The number of trips generated to the site would total approximately 2-4 per day, with access from County Road 127. The applicant has indicated a portable toilet on-site would be utilized and serviced once per week from April-November for employee use.
5. The submitted site plan identifies an area west and south of the existing building for temporary outside storage of materials. In addition to this storage area, commercial vehicles associated with this business would also be kept outside. Because there are only four vehicles related to the business and no customers would visit the subject location, no additional parking areas have been included in this proposal. The applicant has indicated she does not have plans to place screening vegetation at this time but would be willing to do so if required along the outdoor storage area. The applicant appears to meet the minimum standards for a Contractor's Yard CUP.



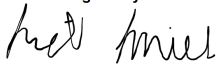
6. The applicant is not proposing any signage at this time, although if signage is proposed in the future, it would be required to meet the standards of Chapter 154 of the County Code; not to exceed 32 square feet of surface area. The size of a two-sided sign shall be calculated based on the surface area of only one of the sides, provided the sign surfaces are completely flush.
7. On September 7, 2021, this request was reviewed by Senior Environmentalist, Joe Enfield. Mr. Enfield stated that the applicant would be required to provide a copy of the current signed contract for the portable toilet use.
8. On September 10, 2021, this request was reviewed by Angie Stenson, Senior Transportation Planner for Carver County Public Works. Ms. Stenson stated that the access location for the proposed use and traffic is consistent with County policy, and the applicant should coordinate with Public Works for required driveway specifications.
9. The Watertown Board reviewed the request at their September 7, 2021, Town Board meeting and recommended approval with no additional conditions being requested.
10. During the Planning Commission public hearing on September 21, 2021, the board determined screening would not be required along the north property line. At the time of the CUP application request, no existing house has been constructed to warrant screening measures. The adjacent property to the north currently consists of a farm field (approx. 8.5 acres) and a wooded meadow area (approx. 5 acres). The Board determined in lieu of a fence or vegetation screening, a 15-foot buffer between any commercial activity and the north property line be maintained. Personal storage may not cross property line and is not restricted to the 15-foot buffer.
11. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

**THEREFORE, BE IT RESOLVED, THAT** the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20210052 for a Contractor's Yard (HD Landscape, Inc) on the land described in Exhibit "A" of the conditional use permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

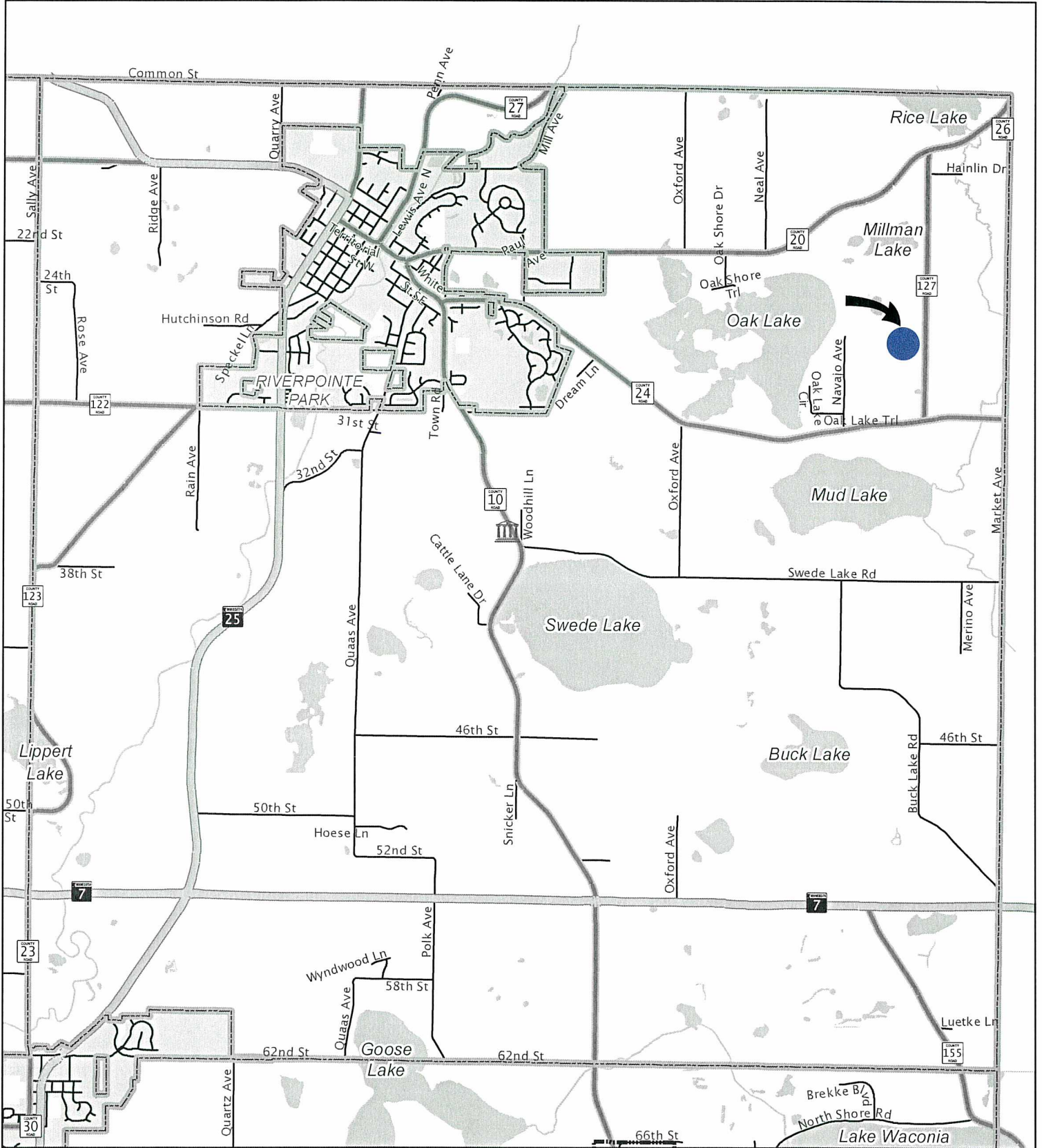
1. The permit is subject to administrative review. The Permittee shall maintain homestead status on the property. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early in the timeline of the proposed change as possible.
2. The operation shall be substantially in accordance with the submitted operational plan and site plan (dated: 8/24/2021). These plans shall be requirements of this permit. Any proposed expansion of the submitted site plan shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.
3. Any future remodeling or improvements of the proposed accessory structure shall require staff review and possible CUP review by the Carver County Planning Commission and Board of Commissioner's. Future construction of any new structure(s) to be utilized as part of the business, shall require a review of the CUP by the Carver County Planning Commission and Board of Commissioner's.
4. The Contractor's Yard must comply with the Subsurface Sewage Treatment System requirements of MN Rule 7080-7083 and Chapter 52 of the Carver County Code of Ordinances. The applicant shall provide the Carver County Environmental Services Department a copy of current signed contract for portable toilet use and annually submit a copy thereafter.
5. Permittee shall comply with all road authority (Carver County Public Works) requirements and coordinate a field visit to determine if existing driveway is adequate for described contractor's yard activities.

6. A maximum of four (4) business vehicles (including, but not limited to: commercial trucks utilized to supply the service) and 3 trailers may be stored and/or permitted on the site. All outside storage shall be reasonably screened from view of neighboring properties and the public road and all business-related trucks, equipment and supplies shall be stored within existing structures and/or the approved operational area. The permittee shall maintain a 15-foot setback between any commercial activity and the north property line. Personal storage may not cross property line and is not restricted to the 15-foot setback.
7. The permittee shall obtain and maintain a Non-generator's Certificate or contact the Environmental Services Department to obtain a Hazardous Waste Generator's License, if required.
8. The permittee shall submit a Certificate of Workers' Compensation Insurance and/or proper affidavit to the Land Management Department.
9. The entire operation shall comply with all local, state and federal regulations.

**ADOPTED** by the Carver County Planning Commission this 21<sup>st</sup> day of September 2021.

DocuSigned by:  
  
264C4CBCE58E486...  
Scott Smith, Chairman      9/23/2021 | 3:18:22 PM PDT  
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.



# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Comment Letter on Metropolitan Council's 2022 Regional Solicitation**

Primary Originating Division/Dept:  ▼

Meeting Date:

Contact:  Title:

Item Type:  
 ▼

Amount of Time Requested:  minutes

Attachments:  Yes  No

Presenter:  Title:

**Strategic Initiative:**

▼

**BACKGROUND/JUSTIFICATION:**

Every two years federal transportation funding is distributed via the Metropolitan Council's Regional Solicitation process for locally initiated projects that meet regional transportation needs. Critical changes were made to the application language, scoring methodology, and funding guidance for this important program. Metropolitan Council and the Transportation Advisory Board (TAB) are asking for comments on the changes with public comment open until October 18, 2021.

The letter states the County's position on proposed policy and technical changes. The TAB will consider comments and adopt the Regional Solicitation documents at their November meeting.

**ACTION REQUESTED:**

Motion to approve a letter of comments about the Metropolitan Council's 2022 Regional Solicitation and authorize the board chair to sign the letter.

**FISCAL IMPACT:**  ▼

*If "Other", specify:*

**FUNDING**

County Dollars =

**FTE IMPACT:**  ▼

**Total**

Insert additional funding source

Related Financial/FTE Comments:

*Office use only:*

RBA 2021 - 7913



**Office of County Commissioners**  
Carver County Government Center  
Human Services Building  
602 East Fourth Street  
Chaska, MN 55318-1202  
Phone: 952 361-1510  
Fax: 952 361-1581

October 5, 2021

Mayor James Hovland, Chair  
Transportation Advisory Board  
Metropolitan Council  
390 Robert Street North  
Saint Paul, MN 55101-1805

SUBJECT: 2022 Regional Solicitation Public Comments

Dear Chair Hovland and TAB Members,

Thank you for the opportunity to review and comment on the 2022 Regional Solicitation application language and funding guidance for the distribution of federal transportation funds to local initiated projects for regional transportation needs. Carver County recognizes and appreciates the work put in by the members of the Policy Work Group, the Technical Advisory Committee (TAC), the TAC Funding and Programming Committee, and the Metropolitan Council staff in this important area.

According to the 2020 Census, Carver County is the fastest growing County in the State with a 17.4% increase in population. The County's GDP grew 18.5% from 2012-2015, compared to 5.7% statewide, and accounts for 1.6% of the state's total GDP share (Bureau of Economic Analysis). Population and economic growth in Carver County directly benefits the Twin Cities Metro Area. Continued and increased investment in regional roadway and multimodal infrastructure is needed to serve population and economic growth and address critical safety, freight, and capacity needs of the highway system.

Carver County reviewed the proposed major changes, recognizes the potential crucial impact of these changes on future funding awards, and respectfully requests consideration of the following for incorporation into the 2022 Regional Solicitation application language and funding guidance:

**Requests for Policy Action**

1. Restore the mid-point funding ranges for the Road & Bridge Category and Bicycle & Pedestrian Category that were decreased in the 2020 Regional Solicitation by \$4 million and \$1 million, respectively. This change took away at least one project from each of these funding categories and negatively impacted the implementation of regional goals for safety, preservation, multimodal, and equity investments on the regional highway system. At a minimum, no additional funding decreases to the Road & Bridge or Bicycle & Pedestrian funding categories should be considered.

2. Lower the maximum award for the Multiuse Trails and Bicycle Facilities category from \$5.5 million to \$3.5 million or limit the number of projects that can receive \$5.5 million. The high maximum award limits the number of projects that are funded, which limits the regional and geographic impact of the funding. The midpoint of this funding category is \$26 million. At a maximum of \$5.5 million per project, this illustratively is only funding a minimum of 4.7 projects in the region. This funding category historically has the highest amount of application funding requests. In 2020, 37 funding applications were submitted in the Multiuse Trails & Bicycle Facilities and 10 projects were funded. Three projects received over half of the available funding (\$14.2 million).
  - a. The Regional Solicitation scoring structure is set up to benefit larger projects located in Urban and Urban Center communities (See Request for Technical Revision 3.a). In 2020, 76.8% of the funding for the Multiuse Trails & Bicycle Facilities category was awarded to Urban or Urban Center communities. When large projects are funded at or near the maximum of \$5.5 million, less funding is available for smaller projects outside of Urban and Urban Center communities, which creates a regional disparity in the funding and implementation of regional bicycle and pedestrian projects to Suburban and Rural areas.
3. Prioritize local agency projects to receive federal Highway Safety Improvement Program (HSIP) funding. In 2020, MnDOT selected to fund six (6) of their own projects as part of this funding solicitation while eighteen (18) projects from counties and cities were unfunded. MnDOT receives a separate allocation of HSIP funding apart from this funding solicitation.

### **Request for Technical Revisions**

1. Major revisions were made to the Pedestrian Safety measure in the Roadway applications. The changes to this measure do not reflect a priority to score major investments in pedestrian infrastructure with a higher score. The majority of the score is now based on 'Location-Based' risk and exposure factors such as nearby transit and pedestrian generators. Location-based attributes of a project are currently scored elsewhere in the application. The proposed pedestrian safety facilities and the associated roadway type, characteristics, and risk factors being mitigated by the proposed improvements should be the basis for the score.
  - a. The proposed 'Location-Based' risk factors only consider existing roadway configuration and not the proposed roadway facility. The scoring guidance includes an assumption that roadway projects should create an environment for vehicles to drive slower regardless of the pedestrian infrastructure being implemented with a project: *"Regardless of the speed limit, score projects more highly if they include design elements to help motorists drive slowly."*
  - b. The selected 'Location-Based' risk factors exclude the evaluation and prioritization of pedestrian safety investment along high-speed corridors. The selected threshold for scoring purposes is 30 MPH or above. This is not consistent with the extensive technical research and policy guidance that defines higher speed limits of 40-45 MPH+ as higher risk environment for pedestrians (MnDOT, FHWA, LRRB). In

addition, assigning the points for this risk factor based on a 30 MPH threshold means this measure will have little to no impact on a project's score. Eligible roadways are A-Minor Arterials, which are highly likely to be at least 30 MPH.

- c. The proposed Pedestrian Safety measure language does not include a recognition and subsequent prioritization of risks of a higher rate of severe and fatal pedestrian crashes in rural and suburban areas. Instead the revised measure focuses a priority on urban pedestrian infrastructure based on the measurement of proximity to people.
  - i. The scoring structure was developed based on the Regional Pedestrian Safety Plan conducted by Metropolitan Council in 2020-2021. The study concludes that "Pedestrian crash severity is higher in Rural and Suburban THRIVE Community types; Urban Center crashes are less likely to be severe than those in other parts of the region." The study also states: "Most crashes and most severe crashes occurred in urbanized areas; a higher proportion of pedestrian crashes occurring in rural areas resulted in death or serious injury." Likewise, as part of County Roadway Safety Plan work, MnDOT has identified Pedestrian crashes as the top area above baseline for severe crashes in Rural areas, with an increase of 35% compared to an increase of 12% for all rural crashes.
  - ii. **Request for Revision:** Change Sub-measure 2: Existing Location-Based Pedestrian Safety Risk Factors for the check box regarding the existing road design speed, posted speed limit, or speed study to at least 40 MPH. Change Sub-measure 3: Existing Location-Based Pedestrian Safety Exposure Factors to include Suburban and Rural highway severe and fatal crash risk factor in addition to or as an alternative to the other factors.
2. The Regional Solicitation Introduction includes the following direction in #14: *"If there is a high-scoring outlier on a particular measure, the TAC F&P Chair, TAB Coordinator, and Council staff will need to approve prorating the other scores based on the second highest scoring project instead of the top project or similar approach."*
  - a. Metropolitan Council staff presented information to the Technical Advisory Committees to show the varied interpretation of this guidance and how it has disproportionately negatively impacted higher scoring projects with often little impact to the distribution of scores.
    - i. **Request for Revision:** Change this guidance to mitigate the negative impact to the top scoring project. Add language that clarifies at what threshold the outlier approach should be implemented and how to implement it in order create a simplified and consistent approach to changing original project scores. Use a technical statistical analysis to determine if a score (or scores) would be outlier(s). In statistics, outliers are typically 2 to 3 standard deviations from the mean, with 2 standard deviations used for smaller sample sizes such as this case. A project's score would be used to determine

its percentile rank of all of the scores on a 0 to 100-point scale. By using this calculation, the highest scoring project would receive 100 points and the second place score would be adjusted upwards due to its percentile rank of all of the projects submitted. This statistical analysis is simple to compute and eliminates the subjectivity of determining an outlier like in past regional solicitations.

3. Project impacts are inaccurately measured by applying standardized buffer areas for all THRIVE Community Designation types. Standardized buffer measurements are incorporated throughout the Regional Solicitation and disproportionately disadvantage Suburban, Rural, and Rural Center communities by assuming all projects impact the same standard distance of area regardless of Community Designation and nearby roadway network.
  - a. Multiuse Trails and Bicycle Facilities Category: Criterion 2A. Potential Usage – Existing population and employment within 1-mile
    - i. Using a standardized buffer area of 1-mile to measure potential usage measure does not accurately capture facility usage in Suburban, Rural, or Rural Center communities. It does not capture usage for bicycle and pedestrian facilities that serve as the primary connection between communities or where the facility may serve as the only bicycle and pedestrian option for many miles. Likewise, it overestimates usage in Urban and Urban Center project locations that likely have multiple available bicycle and pedestrian facility options within 1-mile.
  - b. Roadway Categories: Equity and Affordable Housing
    - i. This measure uses a standardized buffer area of ½ mile of the proposed project to measure a project’s impact on equity and affordable housing. The ½ mile buffer area assumption is based on a project in an Urban Center or Urban THRIVE Community Designation area where the roadway network is dense and people more than a ½ mile away from a project are likely to use a different roadway. Projects in THRIVE Community Designations of Suburban, Rural, and Rural Center, however, impact people more than a ½ mile from the project area. With the buffer area limited to a ½ mile for these communities, many impacted by the project are excluded from being assigned value. The result is equity and affordable housing populations are not counted, even though the proposed project is likely to have a major impact on their community.
      1. **Request for Revision:** Revise criteria that use a standard buffer distance across all THRIVE Community Designations to calculate a project’s impact. Incorporate more accurate buffer distances based on the project location and THRIVE Community Designation. Use the buffer spacing from the Regional Bicycle Transportation Network and Regional Bicycle Barrier Study as an interim solution for the subject



solicitation: ½-mile for Urban Center communities, ¾-mile for Urban communities, 1-mile for Suburban communities, and 2-miles for Rural and Agricultural areas.

Sincerely,

Commissioner Tim Lynch  
Carver County Board Chair

cc: Commissioner Tom Workman, Carver County, Transportation Advisory Board Member  
Commissioner Matt Udermann, Carver County, Transportation Advisory Board Alternate  
Councilmember Deb Barber, Metropolitan Council Member, District 4  
Lyndon Robjent, P.E., Public Works Director/County Engineer, TAC Representative  
Elaine Koutsoukos, Metropolitan Council, TAB Coordinator

# Carver County Board of Commissioners Request for Board Action



**Agenda Item:**

**Greater MSP Board of Directors Nomination**

Primary Originating Division/Dept: <input type="text" value="Administration (County)"/>	Meeting Date: <input type="text" value="10/5/2021"/>
Contact: <input type="text" value="David Hemze"/> Title: <input type="text" value="County Admin"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="10"/> minutes Presenter: <input type="text" value="David Hemze"/> Title: <input type="text" value="County Admin."/>	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:**

Greater MSP is a private non-profit organization dedicated to providing public and private sector leadership, coordination and engagement to grow the economy of the 16-County Minneapolis Saint Paul region. With its economic partners from throughout the region, Greater MSP is advancing a coordinated regional economic development strategy, a coordinated regional brand to promote the region's assets, and a coordinated regional business retention, expansion, and recruitment program to stimulate capital investment and job creation in the region.

Carver County Community Development Agency (CDA) has been a member of Greater MSP for over a decade. However, CDA's role has been as a "fair share" member and Carver County has not had an active seat on Greater MSP's 46 member Board of Directors. Carver is the only metro county without a seat on this Board.

The Greater MSP Board of Directors typically meets 8 times per year during the daytime. This nomination would be considered by the Greater MSP Board during their October meeting.

**ACTION REQUESTED:**

Motion to nominate a County Commissioner for Greater MSP Board of Director member consideration.

**FISCAL IMPACT:**

*If "Other", specify:*

**FTE IMPACT:**

**FUNDING**

<b>County Dollars =</b>	
CDA Current Budget	\$27,500.00
CDA Additional Budget	\$2,500.00
<b>Total</b>	<b>\$30,000.00</b>

Insert additional funding source

**Related Financial/FTE Comments:**

Carver County is currently considered a "fair-share" member with dues set at \$27,500 annually. The incremental cost to obtain a seat on the Greater MSP Board is \$2,500 for total annual dues of \$30,000. Carver County CDA's budget includes the \$27,500 fee and will cover the additional \$2,500.

*Office use only:*

RBA 2021 - 7888