



CARVER COUNTY

minnesota

Carver County Board of Commissioners
January 4, 2022
Organizational 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 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 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>

PAGE

- 9:00 a.m.
1.
 - a) Pledge of allegiance
 - b) CALL TO ORDER BY THE COUNTY ADMINISTRATOR
 - c) Nomination and election of Chair for 2022
 - d) Nomination and election of Vice Chair for 2022
 - e) Public comments (limited to five minutes)
 - f) Community announcements
 2. Agenda review and adoption
 3. 2022 Board Operating Rules 1-15
 4. Adopt schedule of Regular Board meetings for the year 2022 16-18
 5. Committee appointments and assignments 19-21
 6. Appointments to advisory committees 22-26
 7. Approve minutes of December 21, 2021, Regular Session 27-29

9:50 a.m. **8. CONSENT AGENDA**

Communities: Create and maintain safe, healthy and livable communities

- 8.1 Final Acceptance for 2021 County Wide Annual Pavement Marking Project (Long Line)..... 30-31
- 8.2 Resolution Authorizing Petition for Eminent Domain for the Highway 24 Project..... 32-83
- 8.3 Settlement Agreement for Right of Way Acquisition for Highway 32 Bridge Project 84-87
- 8.4 Special Use Permit Request - Special Olympics Minnesota, Polar Plunge Fundraiser 88

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

- 8.5 Approval to partner with State of Minnesota for Lidar Services..... 89
- 8.6 Request for approval to contract with Launch Ministries 90

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

- 8.7 Release of Draft Update to the CCWMO Water Rules 91-97
- 8.8 Henry Weinzierl - High Amenity Additional Density - One Lot Incentive (CUP)..... 98-102
- 8.9 Living Rock Church - Phase II construction of the church facility (CUP) 103-108

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

- 8.10 2022-2024 Carver County Newspaper 109-111
- 8.11 Review Health & Human Services and Commissioner Warrants..... NO ATT

9:50 a.m. **RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAILROAD AUTHORITY**

9:50 a.m. **9. CONNECTIONS: Develop strong public partnerships and connect people to services and information**

- 9.1 Appointment of Chair, Vice Chair and Secretary/Treasurer 112

10:00 a.m. **ADJOURN AS CARVER COUNTY REGIONAL RAIL AUTHORITY AND RECONVENE AS COUNTY BOARD**

10:00 a.m. **10. COMMUNITIES: Create and maintain safe, healthy and livable communities**
10.1 **Closed Session** for the Highway 24 Project Property Acquisition..... 113

11:00 a.m. **11. County Administrator Report**

11:05 a.m. **ADJOURN REGULAR SESSION**

David Hemze
County Administrator

UPCOMING MEETINGS

January 11, 2022 7:30 a.m. County Board Legislative Breakfast
American Legion, Chanhassen

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****2022 Board Operating Rules**Primary Originating Division/Dept: Administration (County) Meeting Date: 1/4/2022

Contact: Dave Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 10 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:**

During the statutory meeting, the County Board is required to review, amend if necessary, and adopt operating rules for the year. The proposed 2022 Board Operating Rules are attached. Proposed language added is underlined and ~~deletions are struck through~~.

ACTION REQUESTED:

Motion to adopt 2022 Board Operating Rules.

FISCAL IMPACT: None If "Other", specify: **FUNDING**County Dollars = **FTE IMPACT:** None **Total** \$0.00 Insert additional funding sourceRelated Financial/FTE Comments:
Office use only:

RBA 2022 - 7981



CARVER
COUNTY

Board of Commissioners Board Operating Rules

~~Adopted~~

~~January 5, 2021~~

Proposed

January 4, 2022

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. Customer Service: Continue the County's delivery

of high value, timely service and support.

~~II.~~ **III Culture:** Provide an organizational culture which fosters individual accountability to achieve goals and sustain public trust and confidence in County government.

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

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

~~V.~~ **VI. 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.

The process to open nominations for Chair shall be as follows:

1. Open the floor for nominations
 - Recognition by the Chair is not required to

- make a nomination
- After each nomination, the County Administrator repeats the name of the nominee to the members.
- Nominations do not have to be seconded, but it is not out of order for members to second a nomination
- A person can nominate himself or herself.
- A member can decline the nomination during the nominating process.

2. Close the nominations

- A motion to close is not necessary as the nomination process continues until no one wishes to make further nominations
- When the nomination stops, the County Administrator calls three times for more nominations and declares nominations closed after making sure that no more nominations are forthcoming.
- A motion to close nominations is out of order if any member still wishes to make a nomination.

3. Vote on nominations

- Nominations are decided by majority vote.
- A voice vote will be used, and the voting is over when someone wins the nomination by majority vote.
- Voting on each nominee is conducted in the order in which they were nominated.
- After naming the first nominee, the County Administrator will announce the votes.
- This procedure continues until someone receives a majority vote.
- If there is a tie vote or no one receives a majority vote, members keep voting until someone is elected.

Following the election of the Chair, the Chair will conduct the nomination of the Vice Chair and follow the same process.

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.

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 publicity 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~~ technology 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. ~~3.~~ 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.~~ 4. Listen respectfully - no interruptions.
- ~~6.~~ 5. In the interest of time, time limits may be established.
- ~~7.~~ 6. Questions may be asked of the presenters during the time allotted.

H. Broadcasting

Unless otherwise directed by law, all regular meetings of the Carver County Board of Commissioners 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.

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. The public can also view meetings on computers at Carver County Library branches

The Carver County Administration Department retains a copy of the broadcast for a period of two years and one week after the meeting date. These 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
11. Adjourn Regular Session (end of cablecast)

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.

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.

[The Carver County Library Board and Park Commission may each have a youth member \(18 and under\) appointment to the Library Board/Park Commission. The youth appointment will be an at large appointment; serve](#)

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021

as a nonvoting liaison and not receive a per diem payment. Youth appointments will be for one year with a three year term limit

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, with the exception of the Youth Appointment to the Library Board and Park Commission, 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.

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

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021

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 2022

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/4/2022

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 2022 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 2022 - 7977

2022 BOARD MEETINGS

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

| | | | |
|---------|------------------|-----------|------------------------|
| Tuesday | January 4, 2022 | 9:00 a.m. | Organizational Session |
| Tuesday | January 11, 2022 | | No Board Meeting |
| Tuesday | January 18, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | January 25, 2022 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|-------------------|-----------|--------------------|
| Tuesday | February 1, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | February 8, 2022 | | No Board Meeting |
| Tuesday | February 15, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | February 22, 2022 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|----------------|-----------|--------------------|
| Tuesday | March 1, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | March 8, 2022 | | No Board Meeting |
| Tuesday | March 15, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | March 22, 2022 | 9:00 a.m. | Board Work Session |
| Tuesday | March 29, 2022 | | No Board Meeting |

| | | | |
|---------|----------------|-----------|--------------------|
| Tuesday | April 5, 2022 | | No Board Meeting* |
| Tuesday | April 12, 2022 | 9:00 a.m. | Board Meeting* |
| Tuesday | April 19, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | April 26, 2022 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|--------------|-----------|--------------------|
| Tuesday | May 3, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | May 10, 2022 | | No Board Meeting |
| Tuesday | May 17, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | May 24, 2022 | 9:00 a.m. | Board Work Session |
| Tuesday | May 31, 2022 | | No Board Meeting |

| | | | |
|----------|---------------|-----------|---|
| Tuesday | June 7, 2022 | | No Board Meeting* |
| Tuesday | June 14, 2022 | 9:00 a.m. | Board Meeting* |
| Tuesday | June 21, 2022 | 9:00 a.m. | County Board of Equalization* |
| Tuesday | June 28, 2022 | 9:00 a.m. | Board Meeting & Work Session* |
| Thursday | June 30, 2022 | 1:00 p.m. | County Board of Equalization (if needed)* |

| | | | |
|---------|---------------|-----------|-----------------------|
| Tuesday | July 5, 2022 | | No Board Meeting* |
| Tuesday | July 12, 2022 | 9:00 a.m. | Board Meeting* |
| Tuesday | July 19, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | July 26, 2022 | | No Board Work Session |

| | | | |
|---------|-----------------|-----------|--------------------|
| Tuesday | August 2, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | August 9, 2022 | | No Board Meeting |
| Tuesday | August 16, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | August 23, 2022 | 9:00 a.m. | Board Work Session |
| Tuesday | August 30, 2022 | | No Board Meeting |

| | | | |
|---------|--------------------|-----------|--------------------|
| Tuesday | September 6, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | September 13, 2022 | | No Board Meeting |
| Tuesday | September 20, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | September 27, 2022 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|------------------|-----------|--------------------|
| Tuesday | October 4, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | October 11, 2022 | | No Board Meeting |
| Tuesday | October 18, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | October 25, 2022 | 9:00 a.m. | Board Work Session |

| | | | |
|---------|-------------------|-----------|--------------------|
| Tuesday | November 1, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | November 8, 2022 | | No Board Meeting |
| Tuesday | November 15, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | November 22, 2022 | 9:00 a.m. | Board Work Session |
| Tuesday | November 29, 2022 | | No Board Meeting |

| | | | |
|---------|-------------------|-------------------|------------------------|
| Tuesday | December 6, 2022 | AMC Conference | No Board Meeting* |
| Tuesday | December 13, 2022 | 9:00 a.m. | Board Meeting* |
| Tuesday | December 20, 2022 | 9:00 a.m. | Board Meeting |
| Tuesday | December 27, 2022 | | No 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: 1/4/2022

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 2022. 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 = | <input type="text"/> |
| <input type="text"/> | <input type="text"/> |
| Total | <input type="text" value="\$0.00"/> |

FTE IMPACT: None

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8031

Committee Appointments and Assignments

| Committee | 2021 Appointee | 2022 Appointee |
|---|--|----------------|
| Association of Minnesota Counties Board of Directors | Degler, Alt Fahey | |
| AMC Environment & Natural Resources Policy Committee | Lynch | |
| AMC General Government Policy Committee | Degler | |
| AMC Health & Human Services Policy Committee | Udermann | |
| AMC Public Safety Policy Committee | Fahey | |
| AMC Transportation Policy Committee | Workman | |
| AMC Voting Delegates | Degler, Fahey, Lynch, Udermann, Workman, Dave Hemze, Lyndon Robjent, Rod Franks | |
| CAP Agency Board of Directors | Degler, Alt Udermann | |
| Carver County Arts Committee | Udermann and Workman | |
| Carver County CDA | Fahey, Liaison, Alt. Workman | |
| Carver County Leaders | Udermann & Lynch | |
| Community Leaders (Eastern) | Degler, Udermann, Workman | |
| Courts Committee | Fahey & Degler, Alt. Lynch | |
| County's Strategic National Stockpile (SNS) Requestor | Degler, Hemze, Richard Scott | |
| County and Union Leaders Group | Udermann & Lynch | |
| Fair Board | Lynch, Liaison, Alt Fahey | |
| Greater MSP Board of Directors | Udermann | |
| Greater MSP Partner Advisory Council | Julie Frick (public) Deborah Everson (private) | |
| Hennepin Carver Workforce Development Board | Workman, liaison | |
| Historical Society Committee | Workman, Alt. Fahey | |
| Insurance Advisory Committee | Degler, Alt Lynch | |
| 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 | Fahey, Lynch, Degler Fahey Degler Fahey Fahey, Lynch, Workman Fahey, Lynch, Udermann Fahey, Lynch, Workman, Degler Fahey, Lynch, Udermann Fahey, Lynch, Degler Fahey | |
| Law Library Board | Degler | |
| Legislative Committee | Fahey & Workman | |
| Library Board | Udermann, Liaison | |

| | | |
|--|--|---|
| Lower Minnesota River Watershed | Udermann & Degler, Liaisons | |
| MCIT Voting Delegates | Hemze, Alt. Sonja Wolter | Hemze, Alt Sonja Wolter |
| MELSA | Udermann | |
| Mental Health Advisory Committee | Lynch, Alt. Udermann | |
| Mental Wellness Facility Advisory Committee (Steiner Kelting) | Workman, Alt Udermann | Committee will be sunsetting in 2022 |
| Metro Alliance for Healthy Families Joint Powers Board | Workman | |
| Metro GIS Policy Board | Workman, Alt. Peter Henschel | _____, Alt Peter Henschel |
| Metropolitan Emergency Services Board | Fahey & Degler | |
| Metropolitan Emergency Services Executive Board | Degler, Alt. Fahey | |
| Metropolitan Emergency Services Radio Technical Operations Committee | Susan Bowler Alt Deb Paige | Susan Bowler Alt Deb Paige |
| Metropolitan Emergency Services 911 Technical Operations | Susan Bowler Alt Deb Paige | Susan Bowler Alt Deb Paige |
| Minnesota Inter-County Association | Workman, second appt open | |
| Minnehaha Creek Watershed District | Workman Liaison, Alt. Udermann | |
| Minnesota Extension Committee | Degler & Lynch | |
| Minnesota Counties Computer Consortium: | Peter Henschel, Alt Dave Frischmon, Mary Kaye Wahl | Peter Henschel, Alt Dave Frischmon, Mary Kay Wahl |
| Minnesota Valley Regional Rail Authority | Workman, Alt. Fahey | |
| Mobility Management Board (SmartLink) | Udermann | |
| Mosquito Control District | Degler & Workman | |
| Park Commission | Lynch, Liaison, Alt Udermann | |
| Planning Commission | Fahey, Alt. Lynch | |
| Regional Hauler Licensing Board | Workman, Alt Lynch | |
| Riley-Purgatory-Bluff Creek Watershed | Workman & Degler, Liaisons | |
| Southwest Corridor Transportation Coalition | Workman & Fahey, Alt. Degler | |
| State CHS Advisory Committee (SCHSAC) | Richard Scott Alt. Fahey | Richard Scott, Alt. |
| Suburban County Representatives | Lynch & Workman | |
| Transportation Advisory Board – TAB | Workman, Alt. Udermann | |
| Water Management Organization | Lynch, Alt. Fahey | |

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Appointments to Advisory Committees

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/4/2022

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 2022 - 7978

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

BOARD OF ADJUSTMENT (3-year terms)

Current members:

Joe Polunc, Residing District 4, representing District 2

Gerald Bruner, Commissioner District 4

Kellen Schmidt, Commissioner District 5

Virgil Stender, At Large appointment

Current vacancies 2: Commissioner District 1 and 3

Applicants

Travis Anderson, Commissioner District 1

Amanda Cvetich-Gorra, Commissioner District 2

Robin Bielefeldt, Commissioner District 3

COMMUNITY DEVELOPMENT AGENCY (5-year terms)

Current members:

Sarah Carlson, Commissioner District 1

Greg Anderson, Residing in District 1, representing Commissioner District 2

Molly Kouvumaki, Commissioner District 3

Darrel Sudheimer, Commissioner District 4

Current vacancy 1: Commissioner District 5

Applicants:

Bryan Schmidt, Commissioner District 3

Greg Kummer, Commissioner District 5

LIBRARY BOARD (3-year terms)

Current members:

Charles Teh, Commissioner District 3
Frank Foss, Commissioner District 4
Alan Krueger, Commissioner District 5

Current vacancies 2: Commissioner Districts 1 and 2

Applicants:

Janice Melchert, Commissioner District 1
Gwen Kuhrt, Commissioner District 1 (but had been representing District 2)
Joelle Oliver, Commissioner District 1
Lucy Rehm, Commissioner District 1
Robert Roy, Commissioner District 2

MENTAL HEALTH ADVISORY COMMITTEE(3-year terms)

Current Members:

Mary Myss, Commissioner District 1
Judith Kieffer, Commissioner District 1
Derek Gunderson, Commissioner District 3
Jennifer Swan, Commissioner District 3
Heather Boll, Commissioner District 4
Sandra Menzel, Commissioner District 4
Stacy Zellman, Commissioner District 5
Courtney Iverson, Has business in Carver County

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

Applicants:

Sergeant Mike Duzan, Chaska Police Department
Lindsey Konchar, Commissioner District 1
Daniel Nelson, Commissioner District 3
Katelyn Theimer, Commissioner District 3
Michelle Iverson, Commissioner District 5

PARK COMMISSION (3-year terms)

Current members:

Curt Kobilarcsik, Commissioner District 1
Jim Boettcher, Commissioner District 2
Gerald Bruner, Commissioner District 4
Scott Knight, Commissioner District 5
Gary VanEyll, At large appointment

Current Vacancies 2: Commissioner District 3 and at large appointment

Applicants:

Makiza Johnson, Commissioner District 1
Kevin Zahler, Commissioner District 2
Melissa Reeder, Commissioner District 3
Mark Lagergren, Commissioner District 5, has been serving as at large appointment

PERSONNEL BOARD OF APPEALS (3-year terms)

Current members:

Connie Long, Commissioner District 1
Steven Dummer, Commissioner District 3

Current vacancy: 1 at large

Applicants:

Gerald Bruner, Commissioner District 4
Kellen Schmidt, Commissioner District 5

PLANNING COMMISSION (3-year terms)

Current members:

Greg Grazzinni, Commissioner District 1
Frank Mendez, Commissioner District 2
Scott Wakefield, Commissioner District 4
Roger Storms, Commissioner District 5
Scott Hoese, Township Appointment

Current vacancy 1: Commissioner District 3

Applicants:

Jan Strand, Commissioner District 2
Walter Linder, Commissioner District 2
Scott Smith, Commissioner District 3
Ellen Krug, Commissioner District 3
Matthew Kerber, Commissioner District 3
Andy Steinhagen, Commissioner District 5

WATER MANAGEMENT ORGANIZATION (3-year terms)

Commissioner District Appointments:

Jim Boettcher, Resides District 2, Representing District 1
Michael Lynch, Commissioner District 4
Eric Gentry, Representing Carver Creek
Doug Kammerer, Representing Crow River Watershed

**Current Vacancies 5: Commissioner Districts 2 and 5, unexpired term in
Commissioner District 3 and Bevens Creek and East West Creek
Watershed District representative**

Applicants:

Lucy Rehm, Commissioner District 1
Jay Johnson, Commissioner District 2
Kevin Zahler, Commissioner District 2
Lori Cox, Commissioner District 5 (Carver Creek Watershed)
Nathan Lindall, Commissioner District 5 (Carver Creek Watershed)
Carroll Aasen, Commissioner District 3 (East West Creek Watershed)

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

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

Members absent: None.

Under public participation, Karen Johnson Leuthner, 15735 38th Street, Mayer, stated the Board was a responsible accomplice to John Lindner obtaining a CUP permit. She explained she started questioning this 21 years ago and Hollywood Township ended up with a tower because the County approved Lindner's CUP request. She believed nothing was done to protect Hollywood Township residents and the people responsible should be held accountable.

Sam Cooke, 6044 Elliot Avenue North, stated his comments would be directed to the County Administrator and questioned whether the Administrator reached out to Linder to resolve this issue.

Chair Lynch clarified this was an opportunity to receive public comments and not for questions and answers.

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

Fahey moved, Workman seconded, to approve the minutes of the December 14, 2021, Regular Session. Motion carried unanimously.

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

Approved Amendment No. 1 to the professional service agreement with HSA Architects to increase the contract amount by \$40,000.00.

Approved Amendment 1 to professional services agreement with Bolton and Menk, Inc., for completion of a final design on the Highway 20/25 intersection project, pending finalization of the contract review process.

Resolution #108-21, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 24 project.

Resolution #109-21, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 10 Project – North Watertown.

Approved elimination of two 0.50 FTE Crisis Therapist positions and the addition of one 0.90 FTE Crisis Therapist and related HH&S budget amendment.

Approved memorandum of agreement with the City of Chaska for the Highway 41 Project-Downtown Chaska and Highway 61 Project-Brickyard Clayhole, pending finalization of the contract review process.

Approved the Joint Powers Agreement with SWCD for continued participation in, and administration of, group insurance benefits.

Approved the Joint Powers Agreement with CDA for continued participation in, and administration of, insurance benefits.

Approved VSO out of state travel to Ft. Bliss, TX for the reintegration of Minnesota National Guard soldiers.

Approved the Supervisors and Managers Association of Carver County (SMACC) 2021-2022 Collective Bargaining Agreement and related budget amendment.

Contract with Alliance Courier, Inc. pending finalization of the contract review process.

Approved Memorandum of Agreement with University of Minnesota pending finalization of the contract review process.

Reviewed December 21, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$329,104.18.

Motion carried unanimously.

Degler moved, Udermann seconded, to go into closed session to discuss labor negotiations strategy. Motion carried unanimously.

The Board adjourned the closed session at 10:35 a.m.

Mark Metz, County Attorney, requested the Board adopt a Resolution to approve the National Opioid Settlement. He explained the County hired a private firm that represented the County, as well as other counties and cities, in civil litigation against the manufacturers and distributors of prescription opioids. He stated recently there was a national settlement and as part of that settlement the County would release its claim from any future litigation and get a portion of those funds based on a certain percentage. He noted the amount the County is anticipated to receive and potential use of the funds. Metz indicated this was a good settlement and money would be received next year.

Workman offered the following Resolution, seconded by Degler:

Resolution #110-21
Authorizing County Staff to Execute all Necessary Documents to Ensure County
Participation in the Multistate Settlements Relating to Opioid Distributors and
Manufacturers, and in the Minnesota Opioids State-Subdivision Memorandum of
Agreement and Declaring Support for an Amendment to Minn. Stat. § 256.043, subd 3(d)

On vote taken, all voted aye.

Workman left the Boardroom at 10:47 a.m.

Chair Lynch highlighted the County's accomplishments and events over the last year. He recognized the ongoing pandemic and uncertainty but stated the County had flourished due to outstanding staff and residents willing to work together. In January, they welcomed new Board members Fahey and Udermann, as well as Commissioner Degler who was reelected. He pointed out departments continued to serve citizens while keeping employees and customers safe during the pandemic. Lynch highlighted the accomplishments of Public Health, Parks, Health and Human Services, Libraries, Information Technology, as well as the Sheriff's Department and County Attorney. He noted the Highway 212 project started and two other major road projects were completed.

On behalf of the Board he thanked County employees and citizens for their collective strength, resilience and expressed his appreciation for County staff for their continued dedication to serve County residents.

Degler moved, Udermann seconded, to adjourn the Regular Session at 11:10 a.m. and go into a work session to discuss 2022 organizational issues. 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:

Final Acceptance for 2021 County Wide Annual Pavement Marking Project (Long Line)

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

This 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 \$254,247.83 with Traffic Marking Service, Inc (Maple Lake, MN). The work for this project occurred during the 2021 construction season. Based upon final certifications and resolving miscellaneous quantities, the final grand total of the project work completed amount was \$235,561.70, resulting in an overall project cost savings of \$18,686.13 from the original project contract amount.

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 \$25,473.90.

ACTION REQUESTED:

Motion to adopt a resolution accepting all work as complete and authorizing final payment in the amount of \$25,473.90 to Traffic Marking Service, Inc. for the construction of the 2021 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 2022 - 7346

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

Date: January 4, 2022

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**COUNTY BOARD ACKNOWLEDGMENT
2021 County Wide Pavement Marking Project (Long Line)
Project 218016 (Contract 21-121)
FINAL PAYMENT**

WHEREAS, the construction project 2021 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

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 4th day of January, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of January, 2022.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Authorizing Petition for Eminent Domain for the Highway 24 Project

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The 2022 construction season includes the Highway 24 Project with pavement rehabilitation and shoulder widening from Highway 10 to the Hennepin County border. Additional right-of-way is needed to complete the project scope. Carver County has contracted with appraisers in order to establish fair market value for the right of way acquisitions needed in support of the project. On July 13, 2021, the County Board authorized Public Works staff to make offers for direct purchase of the impacted properties.

Public Works staff has been negotiating with property owners in good faith, and will continue to do so, to acquire the right-of-way and easements needed for the project. It is anticipated that the majority of parcels will be acquired by negotiation, however, in order to meet the schedule for construction bidding, it will be necessary to undertake eminent domain proceedings to acquire the necessary property interests from some property owners along the construction corridor.

A resolution, including the list of affected property owners, is attached for the County Board to consider for approval.

ACTION REQUESTED:

Motion to adopt a resolution authorizing and directing the County Attorney to take all steps necessary to acquire the right of way and easements necessary for the Highway 24 Project, by filing an action in eminent domain, negotiation of early entry authorization and the use of the quick-take procedure.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8101

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

Date: January 4, 2022

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**Resolution Authorizing Eminent Domain to Acquire
Real Property Interests Needed for the Highway 24 Project (SAP 010-624-001 and County
Project 158794)**

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

WHEREAS, the County proposes to construct highway and related improvements for the safety of the traveling public in Carver County for the Highway 24 Project (SAP 010-624-001 and County Project 158794) (“Project”); 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, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners identified in Exhibit B, attached hereto; and

WHEREAS, based upon the independent appraisal report(s) of damages obtained by the County from an independent licensed real estate appraiser, and in accordance with authorization of the Board of Commissioners, the Public Works Division Director or agents under his supervision have made offers of compensation to owners of affected property. Despite good faith efforts, negotiations with the Owners for the direct purchase of the proposed acquisitions of real property interests which the County needs for the Project have been unsuccessful; and

WHEREAS, the Board of Commissioners finds that it is reasonably necessary, proper, and convenient, in furtherance of the Project, and in the interest of the public health, convenience, and general welfare of the citizens of the County that the County acquire title to and possession of real property interests described in Exhibit A through use of the power of eminent domain; and

WHEREAS, the County has the right pursuant to Minnesota Statute § 117.042 to acquire title to and possession of the real property interests needed for the Project prior to the filing of an award by court appointment commissioners; and

WHEREAS, the Board of Commissioners finds that the funding and construction schedule for the Project make it necessary for the County to acquire title to and possession of the real property interests described in Exhibit A prior to the filing of the final report of the condemnation commissioners to be appointed by the district court.

NOW, THEREFORE, BE IT RESOLVED that County's acquisition of the real property interests described in Exhibit A from the Owners identified in Exhibit B, and the construction of highway and related improvements of the Highway 24 Project (SAP 010-624-001 and County Project 158794) constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that it is the considered judgment of the Board of Commissioners that the County acquire the real property interests described in Exhibit A, attached hereto and made a part hereof as though fully set forth at this point, from the Owners identified in Exhibit B, attached hereto and made a part hereof as though fully set forth at this point, for the stated public purposes, and that the County acquire said real property interests, if necessary, through the exercise of the power of eminent domain; and

BE IT FURTHER RESOLVED that the County Attorney and legal counsel retained by the County hereby are authorized to take all steps necessary to acquire the real property interests described in Exhibit A from the Owners identified in Exhibit B, including the filing of the Petition necessary to initiate an action in eminent domain in District Court, and prosecuting such action and all related matters needed to bring the action to a successful conclusion or until the action is abandoned, dismissed, or terminated by the County or District Court.

| 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 4, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of January, 2022.

Dave Hemze County Administrator

EXHIBIT A
TO RESOLUTION AUTHORIZING EMINENT DOMAIN

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 850092500

Parcel Number(s): 58

Fee Owners: David C Truax

Property Address: 12120 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

**All that part of the Southeast Quarter of the Northeast Quarter of Section 9, Township 117, Range 25, Carver County, Minnesota described as follows:
Commencing at the northwest corner of said Southeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 0 degrees 06 minutes 19 seconds West along the West line of said Southeast Quarter of the Northeast Quarter a distance of 72.16 feet to the point of beginning of the tract to be described; thence on a bearing of South 86 degrees 16 minutes 00 seconds East a distance of 678.71 feet; thence on a bearing of South 7 degrees 08 minutes 50 seconds West a distance of 186.60 feet; to the Northerly right of way line of County State Aid Highway Number 24; thence westerly along said northerly right of way line to the intersection with the west line of said Southeast Quarter of the Northeast Quarter; thence on a bearing of North 0 degrees 06 minutes 19 seconds East along said west line to the point of beginning and there terminating.**

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 58, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 58, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 32,840 sq. ft., more or less; 11,205 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 550 sq. ft., more or less; 550 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| David C. Truax | Fee Owner |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0101100

Parcel Number(s): 55

Fee Owners: Deutch Family LP

Property Address: 11950 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of real property lying Northerly of the centerline of County Road 24 and legally described as follows:

The South Half of Northwest Quarter of Section 10, in Township 117 North, Range 25 West, containing 80 acres of land, more or less, according to Government Survey thereof. Excepting therefrom all that part of the South Half of the Northwest Quarter of Section 10, Township 117 North, Range 25 West, lying North of the Railroad Tracks, and containing 20 acres of land, more or less. Also excepting that part of the Northwest Quarter of Section 10, Township 117 North, Range 25 West of the 5th Principal Meridian described as follows: Beginning at the point of intersection of the West line of said Northwest Quarter with the Southerly right-of-way line of the Chicago and Northwestern Transportation Company; thence South along said West line to a point distant 1751 feet South from the Northwest corner of said Northwest Quarter; thence deflecting left 66 degrees 35 minutes 30 seconds a distance of 192.2 feet; thence deflecting left 96 degrees 24 minutes 30 seconds to said Southerly right-of-way line; thence Westerly along said Southerly right-of-way line to the point of beginning.

Also except all that part of the South Half of the Northwest Quarter contained within the following: Commencing at Northwest corner of said Section 10; thence South along centerline of the Town Road, a distance of 1643.1 feet; thence South 53 degrees 34 minutes East a distance of 1355.6 feet to point on the centerline of County Road No. 24; thence South 0 degrees 31 minutes East a distance of 591.5 feet; thence South 72 degrees 46 minutes East a distance of 505.6 feet more or less to a line bearing Northeasterly running from a point on North line of said Southwest Quarter, said point being 32 rods East of Northwest corner of East Half of said Southwest Quarter to a point 80 rods South of said Northwest corner of East Half of Southwest Quarter; thence North 21 degrees 28 minutes East along said line bearing Northeasterly, a distance of 330.6 feet to said centerline of County Road No. 24; thence Northwesterly along said centerline a distance of 745 feet more or less to point of beginning. Containing 6.1 acres, more or less, and subject to 33 foot wide easement along the Northeasterly side thereof.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 55, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 55, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 69,791 sq. ft., more or less; 24,168 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 2,025 sq. ft., more or less; 2025 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Deutsch Family Limited Partnership | Fee Owner |
| Cooperative Power Association | Easement |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0101200

Parcel Number(s): 56

Fee Owners: Germain & Marian Boll Living Trust

Property Address: 11980 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of the South Half of the Northwest Quarter of Section 10, Township 117 North, Range 25 West, described as follows:

Beginning at the point of intersection of the West line of said Northwest Quarter with the Southerly right-of-way line of the Chicago and Northwestern Transportation Company (now right-of-way of the State of Minnesota); thence South along said West line to a point distant 1751.00 feet South from the Northwest corner of said Northwest Quarter; thence Deflecting Left 66 degrees 35 minutes 30 seconds a distance of 192.20 feet; thence deflecting left 96 degrees 24 minutes 30 seconds to said Southerly right-of-way line; thence Westerly along said Southerly right-of-way line to the point of beginning.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 56, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 9,986 sq. ft., more or less; 2,884 sq. ft., after excluding existing easements.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Germain Boll and Marian Boll, Trustees or their successors in Trust | Fee Owner |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0950010

Parcel Number(s): 10

Fee Owners: Stanely E & Denise A Kluge

Property Address: 2750 Dream Lane, Watertown, Minnesota

Legal Description of Subject Property:

Lot 1, Block 1, Dream Acres, Carver County, Minnesota.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 10, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said temporary easement for construction purposes contains 7,625 sq. ft., more or less; 7,625 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Stanley E & Denise A Kluge | Fee Owner |
| Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for Quicken Loans, Inc | Mortgage |
| Cooperative Power Association | Easement |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner’s intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.010500

Parcel Number(s): 53

Fee Owners: Robert W & Jane F Neumann

Property Address: 11730 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 10, Township 117, Range 25, Carver County, Minnesota described as follows:

Commencing at the Northwest corner of said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 47 minutes 12 seconds East, on an assumed bearing, along the north line of said Northeast Quarter of the Southwest Quarter a distance of 723.69 feet to the point of beginning of the land to be described and the point of beginning of a line described as Line "A"; thence South 22 degrees 04 minutes West a distance of 449.25 feet to the centerline of Carver County Highway #24, said point being the termination of "Line A"; thence southeasterly along the centerline of Carver County Highway #24 to the intersection with a line parallel to Line "A", said line 640 feet parallel with, easterly and southeasterly of Line "A" and its southwesterly and northeasterly extensions; thence northeasterly, along said parallel line to the north line of East and West Quarter section line; thence westerly, along said line to the point of beginning.

AND

That part of the Northeast Quarter of the Southwest Quarter of Section 10, Township 117, Range 25, Carver County, Minnesota, described as follows:

Commencing at the northwest corner of said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 47 minutes 12 seconds East assumed bearing along the north line of said Northeast Quarter of the Southwest Quarter, a distance of 514.51 feet to the actual point of beginning; thence continue North 89 degrees 47 minutes 12 seconds East along said north line, a distance of 13.49 feet; thence South 22 degrees 45 minutes 36 seconds West along a line, if extended South 22 degrees 46 minutes 36 seconds West would intersect the southwest corner of said Northeast Quarter of the Southwest Quarter, a distance of 5.43 feet; thence South 89 degrees 47 minutes 12 seconds West, a distance of 13.42 feet; thence North 22 degrees 04 minutes 00 seconds East, a distance of 5.40 feet to the point of beginning.

AND

That part of the Northeast Quarter of the Southwest Quarter of Section 10, Township 117, Range 25, Carver County, Minnesota, described as follows:

Commencing at the northwest corner of said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 47 minutes 12 seconds East assumed bearing along the north line of said Northeast Quarter of the Southwest Quarter, a distance of 528.0 feet; thence South 22 degrees 46 minutes 36 seconds West along a line, if extended South 22 degrees 46 minutes 36 seconds West, would intersect the southwest corner of said Northeast Quarter of the Southwest Quarter, a distance of 5.43 feet to the actual point of beginning; thence continue South 22 degrees 46 minutes 36 seconds West along said line, a distance of 321.51 feet to the centerline of Carver County Highway Number 24; thence

North 53 degrees 21 minutes 24 seconds West along said centerline, a distance of 8.71 feet; thence North 22 degrees 04 minutes 00 seconds East, a distance of 314.20 feet; thence North 89 degrees 47 minutes 12 seconds East, a distance of 13.42 feet to the point of beginning.

AND

That part of the Northeast Quarter of the Southwest Quarter of Section 10, Township 117, Range 25, Carver County, Minnesota, described as follows:

Commencing at the northwest corner of said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 47 minutes 12 seconds East assumed bearing along the north line of said Northeast Quarter of the Southwest Quarter, a distance of 528.00 feet to the actual point of beginning; thence South 22 degrees 46 minutes 36 seconds West, a distance of 321.51 feet to the centerline of Carver County Highway Number 24, the extension South 22 degrees 46 minutes 36 seconds West of the last described line would intersect the southwest corner of said Northeast Quarter of the Southwest Quarter; thence South 53 degrees 21 minutes 24 seconds East along said centerline a distance of 191.29 feet; thence North 22 degrees 04 minutes East, a distance of 449.25 feet to the north line of said Northeast Quarter of the Southwest Quarter; thence South 89 degrees 47 minutes 12 seconds West along said north line, a distance of 195.69 feet to the point of beginning.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 53, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 53, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 43,159 sq. ft., more or less; 14,669, after excluding existing easements.

Said temporary easement for construction purposes contains 4,906 sq. ft., more or less; 4,906 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---------------------------|---------------------------|
| Robert W & Jane F Neumann | Fee Owner |
| Wells Fargo Bank, N.A. | Mortgage |

| | |
|---|--|
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |
|---|--|

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0100400

Parcel Number(s): 8

Fee Owners: Michael & Glorianne Sexton Trust

Property Address: 11725 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

A tract of land in the Southwest Quarter of Section 10, Township 117, Range 25, described as follows: The Westerly line of this tract is a portion of a line which begins on the south line of said Section 10 at a point 32 rods Westerly from the southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 10, and then runs Northeasterly across the right of way of Carver County State Aid Highway No. 24, to a point on the North line of said Southwest Quarter of Section 10, 32 rods Easterly from the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 10; the point of beginning of this description being the point of intersection of said line and the center line of said public highway; thence running Southeasterly along said center line a distance of 200 feet to an iron monument; thence deflecting right 75 degrees 13 minutes 30 seconds and running Southwesterly parallel with the first above described line a distance of 653.4 feet to an iron monument; thence deflecting right 104 degrees 46 minutes 30 seconds and running Northwesterly along a line parallel with the center line of said public road a distance of 200 feet to an iron monument on the line first above described; thence running Northeasterly along said line to the place of beginning, containing 3.0 acres, more or less, and subject to the right of way of said public road.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 8, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 10,004 sq. ft., more or less; 3,240 sq. ft., after excluding existing easements.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|----------------------------|---------------------------|
| Michael & Glorianne Sexton | Fee Owner |

| | |
|---|--|
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |
|---|--|

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0131220

Parcel Number(s): 32

Fee Owners: Suzanne Schmit

Property Address: NA

Legal Description of Subject Property:

All that part of the North Half of the Northeast Quarter of Section 13, Township 117, Range 25, described as follows: Commencing at the Northwest corner of said Northeast Quarter; thence on an assumed bearing of South 89 degrees 06 minutes 25 seconds East along the North line of said Northeast Quarter a distance of 1588.37 feet to the point of beginning of parcel to be described; thence South 3 degrees 03 minutes 42 seconds East a distance of 784.18 feet; thence North 89 degrees 06 minutes 25 seconds West a distance of 678.00; thence South 3 degrees 03 minutes 42 seconds East a distance of 546.34 feet to the South line of said North Half of the Northeast Quarter; thence North 89 degrees 24 minutes 29 seconds West along the South line of said North Half of the Northeast Quarter a distance of 991.57 feet to the Southwest corner of said North Half of the Northeast Quarter; thence North 0 degrees 26 minutes 18 seconds East along the West line of said Northeast Quarter to the centerline of County Road No. 24; thence Easterly along said centerline to the North line of said Northeast Quarter; thence South 89 degrees 06 minutes 25 seconds East along said North line to the point of beginning and there terminating, Carver County, Minnesota. EXCEPTING THEREFROM: All that part of the North Half of the Northeast Quarter of Section 13, Township 117, Range 25, described as follows: Commencing at the Northwest corner of said Northeast Quarter; thence on an assumed bearing of South 89 degrees 06 minutes 25 seconds East along the North line of said Northeast Quarter a distance of 1588.37 feet to the point of beginning of parcel to be described; thence South 3 degrees 03 minutes 42 seconds East a distance of 784.18 feet; thence North 89 degrees 06 minutes 25 seconds West a distance of 555.48 feet; thence North 3 degrees 03 minutes 42 seconds West a distance of 784.18 feet to the North line of said Northeast Quarter; thence South 89 degrees 06 minutes 25 seconds East along said North line a distance of 555.48 feet to the point of beginning and there terminating, Carver County, Minnesota.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 32, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Drainage and Utility Purposes:

D&U Parcel 32, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 32, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 52,175 sq. ft., more or less; 17,435 sq. ft., after excluding existing easements.

Said permanent easement for public drainage and utility purposes contains 1,000 sq. ft., more or less; 1,000 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 10,865 sq. ft., more or less; 10,865 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Suzanne Schmit | Fee Owner |
| Northern State Power Company | Tenant |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0121210

Parcel Number(s): 33

Fee Owners: H. Douglas Hill Jr and Cheryl R Hill

Property Address: 9630 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of the Southeast Quarter of the Southeast Quarter of Section 12, Township 117 North, Range 25 West of the 5th Principal Meridian described as follows:

Beginning at the southeast corner of said Southeast Quarter of the Southeast Quarter; thence on an assumed bearing of West, along the south line of said Southeast Quarter of the Southeast Quarter, a distance of 260.00 feet; thence on a bearing of North a distance of 242.00 feet, thence North 32 degrees 00 minutes 00 seconds East a distance of 310.00 feet; thence on a bearing of East, to the east line of said Southeast Quarter of the Southeast Quarter; thence southerly, along said east line, to the point of beginning, Carver County, Minnesota. APN #R 10.0121210

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 33, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 33, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 13,008 sq. ft., more or less; 4,413 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 5,181 sq. ft., more or less; 5,181 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|-------------|--------------------|
|-------------|--------------------|

| | |
|---|--|
| H. Douglas Hill Jr and Cheryl R Hill | Fee Owner |
| Bank of America, N.A. | Mortgage |
| Nationstar Mortgage LLC D/B/A Champion Mortgage Company | Mortgage |
| Secretary of Housing and Urban Development | Mortgage |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0100800

Parcel Number(s): 51

Fee Owners: Lawrence & Elizabeth Frye

Property Address: 11350 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of the Southeast Quarter of the Southeast Quarter of Section 10, Township 117, Range 25, Carver County, Minnesota described as follows: Commencing at the Southeast corner of said Southeast Quarter of the Southeast Quarter; thence on an assumed bearing of West, along the south line of said Southeast Quarter of the Southeast Quarter a distance of 403.40 feet; thence North 54 degrees 02 minutes 00 seconds West a distance of 915.00 feet to the point of beginning; thence North 38 degrees 34 minutes 00 seconds East a distance of 33.01 feet; thence North 30 degrees 00 minutes 20 seconds East a distance of 349.37 feet; thence South 86 degrees 07 minutes 10 seconds East a distance of 96.00 feet; thence South 67 degrees 09 minutes 00 seconds East a distance of 98.54 feet; thence South 19 degrees 01 minutes 10 seconds East a distance of 125.15 feet; thence South 36 degrees 52 minutes 05 seconds West a distance of 385.96 feet to the center line of County Road Number 24; thence North 53 degrees 05 minutes 50 seconds West along said centerline a distance of 238.98 feet to the point of beginning.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 51, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 11,954 sq. ft., more or less; 4,080 sq. ft., after excluding existing easements.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Lawrence & Elizabeth Frye | Fee Owner |
| Cooperative Power Association | Easement |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.014900

Parcel Number(s): 58

Fee Owners: Red Door Ranch, LLC

Property Address: 11185 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) Section 14, Township 117 North, Range 25 West, which lies Southerly of the centerline of Carver County Highway No. 24, and East of the West 474.00 feet of said Northwest Quarter of Northwest Quarter, Carver County, Minnesota. Subject to the right-of-way of said County Highway, Carver County, Minnesota.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 16, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 16, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 42,475 sq. ft., more or less; 14,441 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 12,743 sq. ft., more or less; 12,743 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---------------------|---------------------------|
| Red Door Ranch, LLC | Fee Owner |

| | |
|---|--|
| Corner Stone State Bank-Le Sueur | Mortgage |
| Cooperative power Association | Easement |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0140800

Parcel Number(s): 17

Fee Owners: Bahram Akradi, LLC

Property Address: 11025 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of the East Half of the Northwest Quarter of Section 14, Township 117, Range 25, Carver County, Minnesota, which lies Southerly of the centerline of Carver County Highway Number 24 and West of the East 500.00 feet of said East Half of the Northwest Quarter.

Also, that part of the East 500.00 feet of the East Half of the Northwest Quarter of Section 14, Township 117, Range 25, Carver County, Minnesota which lies Southerly of the centerline of Carver County Highway Number 24.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 17, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 17, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 66,647 sq. ft., more or less; 21,178 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 6,705 sq. ft., more or less; 6,705 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|-------------|--------------------|
|-------------|--------------------|

| | |
|---|--|
| Bahram Akradi, LLC | Fee Owner |
| Alerus Financial, N.A | Mortgage |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.150010

Parcel Number(s): 46

Fee Owners: Jeffery L. Janning and Tara L. Janning

Property Address: 1120 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

Lot 1, Block 1, Janning Shores, Carver County, Minnesota.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 46, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said temporary easement for construction purposes contains 1,696 sq. ft., more or less; 1,696 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Jeffery L. Janning and Tara L. Janning | Fee Owner |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.1500020

Parcel Number(s): 45

Fee Owners: Robert L. Janning

Property Address: 10715 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

Lot 2, Block 1, Janning Shores, Carver County, Minnesota.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 45, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said temporary easement for construction purposes contains 14,617 sq. ft., more or less; 14,617 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Robert L. Janning | Fee Owner |
| The First National Bank of Waconia | Mortgage |
| Bankshares Mortgage Group, Inc. | Mortgage |
| Mortgage Electronic Registration Systems, Inc | Mortgage |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.1500030

Parcel Number(s): 44

Fee Owners: Laurie Janning & Mark Eickhoff

Property Address: 10520 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

Lot 3, Block 1, Janning Shores, Carver County, Minnesota.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 58, CARVER COUNTY RIGHT OF WAY PLAT NO. 33 containing 22,336 sq. ft.

Said temporary easement for construction purposes contains 22,3336 sq. ft., more or less; 22,336 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Laurie Janning & Mark Eickhoff | Fee Owner |
| KleinBank | Mortgage |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner’s intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.2000030

Parcel Number(s): 20

Fee Owners: Scott and Sharon L. Harding

Property Address: 10555 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

Lot 3, Block 1, Koehler Hills, Carver County, Minnesota.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 20, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said temporary easement for construction purposes contains 4,164 sq. ft., more or less; 4,164 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Scott and Sharon L. Harding | Fee Owner |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0142200

Parcel Number(s): 21

Fee Owners: Timothy Krueger

Property Address: 10515 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

Real property in Carver County, Minnesota; described as follows: That part of Government Lot 1, Section 14, Township 117, Range 25 described as follows: Commencing at the Northeast corner of said Government Lot 1; thence South along the East line of said Lot 1 distance 514.5 feet to the center line of County Road No. 24; thence deflecting to the right 99 degrees 29 minutes along said center line 556.0 feet; thence deflecting to the left 2 degrees 56 minutes along said center line 118.0 feet to the actual point of beginning; thence continuing along the last described course 198.0 feet; thence Southeasterly at right angles 220.0 feet; thence Northeasterly at right angles 198.0 feet; thence Northwesterly at right angles 220 feet to the point of beginning, Carver County, Minnesota. and That part of Government Lot 1 of Section 14, Township 117, Range 25, Carver County, Minnesota described as follows: Commencing at the Northeast corner of said Government Lot 1; thence South 0 degrees 0 minutes 50 seconds West (assumed bearing) along the East line of said Government Lot 1 a distance of 514.50 feet; thence South 80 degrees 30 minutes 15 seconds West a distance of 428.90 feet; thence Southwesterly along a tangential curve, concave to the South having a radius of 5486.07 feet and a central angle of 1 degree 21 minutes 38 seconds a distance of 130.28 feet to the actual point of beginning chord for said curve bears South 79 degrees 49 minutes 25 seconds West distant 130.28 feet; said point being on the centerline of Carver County Highway Number 24; thence continue Southwesterly along the last described curve a distance of 115.01 feet to the Northeasterly corner of a previously deeded 1.0 acre tract, chord for said curve bears South 78 degrees 32 minutes 34 seconds West distant 115.01 feet; thence South 12 degrees 25 minutes 45 seconds East along the East line of the said 1.0 acre tract a distance of 220.55 feet to the Southeast corner of the said 1.0 acre tract; thence North 77 degrees 34 minutes 15 seconds East a distance of 115.0 feet; thence North 12 degrees 25 minutes 45 seconds West a distance of 218.60 feet to the point of beginning, Carver County, Minnesota.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 21, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 21, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 10,064 sq. ft., more or less; 5,319 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 2,969 sq. ft., more or less; 2,969 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Timothy Krueger | Fee Owner |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0131010

Parcel Number(s): 26

Fee Owners: Michael S. & Elise M. Louwerse

Property Address: 10255 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of Government Lot 1, Section 13, Township 117, Range 25, Carver County, Minnesota described as follows: Commencing at the Northwest corner of said Section 13; thence on an assumed bearing of S 0°31'55" W along the West line of said Government Lot 1 a distance of 548.12 feet to the southerly right-of-way line of County Road No. 24; thence N 79°28'10" E along said southerly right-of-way line a distance of 304.19 feet to point A which is on the East line of the West 298.54 feet (as measured at right angles) of said Government Lot 1; thence S 0°31'55" W along said East line a distance of 194.68 feet to the intersection with a line that is 191.06 feet southerly and parallel with (as measured at right angles) the southerly right-of-way of County Road No. 24; thence S 79°28'10" W a distance of 166.79 feet; thence S 0°31'55" W a distance of 178.87 feet to point B; thence continuing S 0°31'55" W a distance of 650 feet to the shore line of Mud Lake to the point of beginning; thence N 0°31'55" E a distance of 650 feet to point B; thence N 79°28'10" E a distance of 166.79 feet; thence N 0°31'55" E a distance of 373.5 feet; thence S 79°28'10" W a distance of 150.00 feet to point A; thence N 0°31'55" E a distance of 33.71 feet to the center line of County Road No. 24; thence N 78°42'37" E along said center line a distance of 258.70 feet; thence northeasterly on a tangential curve concave to the south, having a radius of 4300.00 feet and a central angle of 4°37'34.5" for a distance of 347.20 feet and a chord bearing of N 81°01'25" E; thence S 3°37'32" E a distance of 571.30 feet; thence S 45°40'50" W a distance of 90.51 feet; thence S 14°06'53" W a distance of 409.5 feet to the shore line of Mud Lake; thence westerly and southwesterly along the shore line to the point of beginning.

Also a driveway easement described as follows:

Easement for ingress and egress over the following described property:

That part of Government Lot 1, Section 13, Township 117, Range 25, Carver County, Minnesota; Commencing at the Northwest corner of said Section 13; thence on an assumed bearing of S 0° 31' 55" W along the west line of said Government Lot 1 a distance of 514.50 feet to the center line of County Road No. 24; thence N 79° 28' 10" E along said center line a distance of 297.74 feet; thence N 78° 42' 37" E along said center line a distance of 265.17 feet; thence northeasterly along a tangential curve concave to the south, having a radius of 4300.00 feet and a central angle of 4° 37' 34.5" a distance of 347.20 feet and a chord bearing of N 81° 01' 25" E to the point of beginning of said easement; thence S 3° 37' 32" E a distance of 470.00 feet; thence N 86° 22' 28" E a distance of 15.00 feet; thence N 3° 37' 32" W a distance of 410.00 feet; thence N 86° 22' 28" E a distance of 55.00 feet; thence N 3° 37' 32" W a distance of 60.00 feet to the center line of County Road No. 24; thence southwesterly along said center line a distance of 70.00 to the point of beginning.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 26, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Drainage and Utility Purposes:

D&U Parcel 26, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 26, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 22,881 sq. ft., more or less; 7,801 sq. ft., after excluding existing easements.

Said permanent easement for drainage and utility purposes contains 1,000 sq. ft., more or less; 1,000 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 19,098 sq. ft., more or less; 19,098 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Michael S. and Elise M. Louwerson | Fee Owner |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

Property Tax Identification No. 10.0131000

Parcel Number(s): 27

Fee Owners: David A Dotzenroth Revocable Trust

Property Address: 10075 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of Government Lots 1 and 2, Section 13, Township 117 North, Range 25 West, described as follows: Beginning at a point on the centerline of County Road 24 (formerly Watertown and Minnetrista Road, or County Road No. 8), distant 287 feet measured along said centerline from the West line of said Government Lot 1; thence Easterly along said centerline, a distance of 1477.9 feet; thence South parallel with said West line to the shore of Mud Lake; thence Westerly along said shore to its intersection with a line drawn South through the point of beginning, parallel with said West line; thence North to the point of beginning, EXCEPTING THEREFROM the following described tract of land: That part of the West 298.54 feet of Government Lot 1, Section 13, Township 117 North, Range 25 West of the 5th Principal Meridian, described as follows: Commencing at the point of intersection of the West line of said government lot with the centerline of County Road No. 24; thence South along said West line a distance of 228 feet; thence Easterly parallel with said centerline a distance of 287 feet to the point of beginning of the property being described; thence continuing Easterly parallel with said centerline to the East line of said West 298.54 feet; thence North along said East line to the Southerly right-of-way line of said county road; thence Westerly along said Southerly right-of-way line to its intersection with a line drawn North parallel with said West line through the point of beginning; thence South to the point of beginning, Carver County, Minnesota.

And also EXCEPTING THEREFROM that part of Government Lot 1 in Section 13, Township 117, Range 25, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Section 13; thence on an assumed bearing of South 00 degrees 31 minutes 55 seconds West along the West line of said Government Lot Number 1, 548.12 feet to the southerly right-of-way line of Carver County Road Number 24; thence North 79 degrees 28 minutes 10 seconds East along said southerly right-of-way line 304.19 feet to a point on the East line of the West 298.54 feet of said Government Lot Number 1; said point being the point of beginning of the tract to be described; thence South 00 degrees 31 minutes 55 seconds West along said East line 194.68 feet to the intersection with a line that is 191.06 feet southerly of and parallel with as measured at right angles to the southerly right-of-way line of Carver County Road Number 24; thence South 79 degrees 28 minutes 10 seconds West 16.79 feet; thence South 00 degrees 31 minutes 55 seconds West 178.87 feet; thence North 79 degrees 28 minutes 10 seconds East 166.79 feet; thence North 00 degrees 31 minutes 55 seconds East 373.55 feet to the southerly right-of-way line of said Carver County Road Number 24; thence South 79 degrees 28 minutes 10 seconds West along said southerly right-of-way line 150.00 feet to the point of beginning.

And ALSO EXCEPTING That part of Government Lot 1, Section 13, Township 117, Range 25, Carver County, Minnesota described as follows: Commencing at the northwest corner of said Section 13; thence on an assumed bearing of South 0 degrees 31 minutes 55 seconds West along the West line of said Government Lot 1 a distance of 548.12 feet to the southerly right-of-way line of County Road No. 24; thence North 79 degrees 28 minutes 10 seconds East along said southerly right-of-way line a distance of 304.19 feet to Point A which is on the East line of the West 298.54 feet (as measured at right angles) of said Government Lot 1; thence South 0 degrees 31 minutes 55 seconds West along said East line a distance of 194.68 feet to the intersection with a line that is 191.06 feet southerly and parallel with (as measured at right angles) the southerly right-of-way of County Road No. 24; thence South 79 degrees 28 minutes 10 seconds West a distance of 16.79 feet; thence South 0 degrees 31 minutes 55 seconds West a distance of 178.87 feet to Point B; thence continuing South 0 degrees 31 minutes 55 seconds West a distance of 650 feet to the shore line of Mud Lake to the point of beginning; thence North 0 degrees 31 minutes 55 seconds East a distance of 650 feet to Point B; thence North 79 degrees 28 minutes 10 seconds East a distance of 166.79 feet; thence North 0 degrees 31 minutes 55 seconds East a distance of 373.5 feet; thence South 79 degrees 28 minutes 10 seconds West a distance of 150.00 feet to Point A; thence North 0 degrees 31 minutes 55 seconds East a distance of 33.71 feet to the center line of County Road No. 24; thence North 78 degrees 42 minutes 37 seconds East along said center line a distance of 258.70 feet; thence northeasterly on a tangential curve concave to the south, having a radius of 4300.00 feet and a central angle of 4 degrees 37 minutes 34.5 seconds for a distance of 347.20 feet and a chord bearing of North 81 degrees 01 minutes 25 seconds East; thence South 3 degrees 37 minutes 32 seconds East a distance of 571.30 feet; thence South 45 degrees 40 minutes 50 seconds West a distance of 90.51 feet; thence South 14 degrees 06 minutes 53 seconds West a distance of 409.5 feet to the shore line of Mud Lake; thence westerly and southwesterly along the shore line to the point of beginning.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 27, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 27, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 42,657sq. ft., more or less; 14,483 sq. ft. after excluding existing easements.

Said temporary easement for construction purposes contains 22,412 sq. ft., more or less; 22,412 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| David A. Dotzenroth and Jennifer P. Haag-Dotzenroth as Trustees of the David A. Dotzenroth Revocable Trust | Fee Owner |
| Michael S. & Elise M. Louwerse | Easement |
| Carver County | Covenant |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0130800

Parcel Number(s): 28

Fee Owners: David A Dotzenroth Revocable Trust

Property Address: 10085 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of Government Lot 2, Section 13, Township 117, Range 25 described as follows: Beginning at a point in the centerline of County Road No. 8, Carver County, Minnesota, 1764.9 feet northeasterly of the West line of said Section 13, measured along said centerline; thence thence South parallel with said West line 1490.0 feet more or less to the shore of Mud Lake; thence southeasterly along said shore to its intersection with the East line of said Lot 2; thence North along said East line 1865.9 feet more or less to the centerline of said County Road No. 8; thence southwesterly along said centerline 914.3 feet to the point of beginning, according to the map or plat thereof on file and of record in the Office of the Register of Deeds in and for said County and State, EXCEPT that part of Government Lot 2, Section 13, Township 117 North, Range 25 West, Carver County, Minnesota, described as follows: Commencing at a point in the centerline of County Road No. 24, a distance of 2246.25 feet northeasterly of the westerly line of said Section 13, as measured along said centerline; thence deflect to the right 104 degrees 05 minutes, a distance of 492.75 feet; thence deflect to the left 1 degrees 32 minutes, a distance of 678.05 feet; thence deflect to the left 84 degrees 00 minutes, a distance of 76.20 feet; thence deflect to the right 80 degrees 39 minutes, parallel with the easterly line of said Government Lot 2 and 433.76 feet distant therefrom, a distance of 459 feet more or less, to the northerly shore of Mud Lake; thence southeasterly along said northerly shore a distance of 522 feet, more or less, to the easterly line of said Government Lot 2; thence northerly along said easterly line a distance of 1664 feet, more or less, to the centerline of County Road; thence southwesterly along said centerline a distance of 432.95 feet to the point of beginning, according to the United States Government Survey thereof and situate in Carver County, Minnesota.

Together with an easement for ingress and egress along and 16.50 feet easterly of a line described as follows: Commencing at a point in the centerline of County Road No. 24 a distance of 2246.25 feet northeasterly of the westerly line of said Section 13 as measured along said centerline; thence deflect to the right 104 degrees 05 minutes, a distance of 492.75 feet; thence deflect to the left 1 degrees 32 minutes a distance of 678.05 feet and there terminating, according to the United States Government Survey thereof and situate in Carver County, Minnesota.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 28, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 28, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 24,11 sq. ft., more or less;

8,144 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 15,859 sq. ft., more or less; 15,859 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| David A. Dotzenroth and Jennifer P. Haag-Dotzenroth as Trustees of the David A. Dotzenroth Revocable Trust | Fee Owner |
| Carver County | Covenant |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0131100

Parcel Number(s): 29

Fee Owners: David A Dotzenroth Revocable Trust

Property Address: 10075 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of Government Lot 2, Section 13, Township 117 North, Range 25 West, Carver County, Minnesota, described as follows: Commencing at a point in the centerline of County Road 24, a distance of 2246.25 feet Northeasterly of the Westerly line of said Section 13, as measured along said centerline; thence deflect to the right 104 degrees 05 minutes a distance of 492.75 feet; thence deflect to the left 1 degree 32 minutes a distance of 678.05 feet; thence deflect to the left 84 degrees 00 minutes a distance of 76.20 feet; thence deflect to the right 80 degrees 39 minutes parallel with the Easterly line of said Government Lot 2 and 433.76 feet distant therefrom, a distance of 459 feet more or less, to the Northerly shore of Mud Lake; thence Southeasterly along said Northerly shore a distance of 522 feet, more or less, to the Easterly line of said Government Lot 2; thence Northerly along said Easterly line a distance of 1864 feet, more or less, to the centerline of said County Road; thence Southwesterly along said centerline a distance of 432.95 feet to the point of beginning, according to the United States Government Survey thereof and situate in Carver County, Minnesota.

Together with an easement for Ingress and Egress along and 16.50 feet Westerly of a line described as follows:

Commencing at a point in the centerline of County Road No. 24 a distance of 2246.25 feet Northeasterly of the Westerly line of said Section 13 as measured along said centerline; thence deflect to the right 104 degrees 05 minutes a distance of 492.75 feet; thence deflect to the left 1 degree 32 minutes a distance of 678.05 feet and there terminating.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 29, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 29, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 21,706 sq. ft., more or less; 7,400 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 14,896 sq. ft., more or less; 14,896 sq. ft., after

excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| David A. Dotzenroth and Jennifer P. Haag-Dotzenroth as Trustees of the David A. Dotzenroth Revocable Trust | Fee Owner |
| Carver County | Covenant |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0121400

Parcel Number(s): 38 and 34

Fee Owners: WJVA, Inc.

Property Address: 9750 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

The Southeast 1/4 of Section 12, and that part of the West 1/2 of the West 1/2 of the Northeast 1/4 of Section 13 lying North of the Watertown and Mound Road, all in Township 117, Range 25, Carver County, Minnesota.

EXCEPT that part of the Southeast Quarter of said Section 12 described as follows:

Beginning at the Southeast corner of said Southeast Quarter, thence on an assumed bearing of West, along the South line of said Southeast Quarter, a distance of 260.00 feet, thence on a bearing of North a distance of 242.00 feet, thence North 32 degrees 00 minutes 00 seconds East a distance of 310.00 feet; thence on a bearing of East, to the East line of said Southeast Quarter, thence Southerly, along said East line, to the point of beginning.

and EXCEPT that part of the Southeast Quarter of said Section 12 described as follows:

Those parts of the Southeast Quarter of Section 12 and the West Half of the West Half of the Northeast Quarter of Section 13, Township 117, Range 25, Carver County, Minnesota, described as commencing at the Southeast corner of said Southeast Quarter of Section 12; thence North 89 degrees 06 minutes 25 seconds West, assumed bearing, along the South line of said Southeast Quarter of Section 12, a distance of 1055.49 feet to the point of beginning of the land to be described; thence North 4 degrees 19 minutes 19 seconds West a distance of 365.52 feet; thence North 86 degrees 42 minutes 22 seconds West a distance of 304.63 feet; thence Northwesterly a distance of 432.43 feet along a tangential curve concave to the Northeast having a radius of 296.17 feet and a central angle of 83 degrees 39 minutes 23 seconds; thence North 3 degrees 02 minutes 59 seconds West a distance of 163.33 feet; thence North 89 degrees 30 minutes 16 seconds West a distance of 237.22 feet; thence South 36 degrees 22 minutes 31 seconds West a distance of 217.17 feet; thence South 13 degrees 58 minutes 53 seconds East a distance of 242.26 feet; thence South 39 degrees 47 minutes 46 seconds West a distance of 628.98 feet to the center of C.S.A.H. No. 24 also known as Watertown and Mound Road; thence North 80 degrees 27 minutes 18 seconds East, along said center of C.S.A.H. No. 24, a distance of 224.36 feet; thence Easterly a distance of 178.10 feet, along said center of C.S.A.H. No. 24, along a tangential curve concave to the South having a radius of 2910.74 feet and a central angle of 3 degrees 30 minutes 21 seconds to the East line of said West Half of the West Half of the Northeast Quarter of Section 13; thence North 0 degrees 23 minutes 56 seconds East, along said East line of said West Half of the West Half of the Northeast Quarter of Section 13, a distance of 19.34 feet to said South line of the Southeast Quarter of Section 12; thence South 89 degrees 06 minutes 25 seconds East, along said South line of the Southeast Quarter of Section 12, a distance of 931.44 feet to the point of beginning.

and EXCEPT that part of the Southeast Quarter of said Section 12 described as follows:

Beginning at the Northwest corner of said Southeast Quarter of Section 12; thence South 0 degrees 32 minutes 48 seconds West, assumed bearing, along the West line of said Southeast Quarter of Section 12 a distance of 833.24 feet; thence South 89 degrees 16 minutes 27 seconds East a distance of 99.30 feet; thence North 9 degrees 20 minutes 22 seconds East a distance of 842.74 feet to the North line of said Southeast Quarter of Section 12; thence North 89 degrees 16 minutes 27 seconds West along said North line of said Southeast Quarter of Section 12 a distance of 228.12 feet to the point of beginning.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcels 34 and 38, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcels 34 and 38, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 14,694 sq. ft., more or less; 4,706 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 2,901 sq. ft., more or less; 2,901 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| WJVA, Inc. | Fee Owner |
| Minnesota Business Finance Corporation | Mortgage |
| U.S. Small Business Administration | Mortgage |
| First Community Bank | Mortgage |
| Northern State Power Company | Easement |
| Carver County | Easement |
| Timber Creek Golf Course, Inc. | Easement |
| | Tenant |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0121200

Parcel Number(s): 36 and 37

Fee Owners: Jacob & Katherine Schmotter

Property Address: 9880 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

That part of the Southeast Quarter of Section 12, Township 117, Range 25, Carver County, Minnesota, described as commencing at the southeast corner of said Southeast Quarter of Section 12; thence North 89 degrees 06 minutes 25 seconds West, assumed bearing, along the south line of said Southeast Quarter of Section 12, a distance of 1055.49 feet to the point of beginning of the land to be described; thence North 4 degrees 19 minutes 19 seconds West a distance of 365.52 feet; thence North 86 degrees 42 minutes 22 seconds West a distance of 304.63 feet; thence northwesterly a distance of 181.52 feet along a tangential curve concave to the northeast having a radius of 296.17 feet and a central angle of 35 degrees 07 minutes 02 seconds; thence South 0 degrees 56 minutes 08 seconds West a distance of 437.76 feet to said south line of the Southeast Quarter of Section 12; thence South 89 degrees 06 minutes 25 seconds East, along said south line of the Southeast Quarter of Section 12, a distance of 505.87 feet to the point of beginning.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcels 36 and 37, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcels 36 and 37, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 14,694 sq. ft., more or less; 7,146 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 2,007 sq. ft., more or less; 2,007 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings

Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Jacob & Katherine Schmotter | Fee Owner |
| TrueStone Financial Federal Credit Union | Mortgage |
| Mortgage Electronic Registration Systems, Inc, (MERS) acting solely as a nominee for LeaderOne Financial Corporation | Mortgage |
| WVJA, Inc. d/b/a Timber Creek Golf Course | Contract for Deed |
| Northern State Power Company | Easement |
| Carver County | Easement |
| Timber Creek Golf Course, Inc. | Easement |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.0131210

Parcel Number(s): 30

Fee Owners: Paul M & Nancy A Vetscher

Property Address: 9825 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

All that part of the North Half of the Northeast Quarter of Section 13, Township 117, Range 25, described as follows: Commencing at the Northwest corner of said Northeast Quarter; thence on an assumed bearing of South 89 degrees 06 minutes 25 seconds East along the North line of said Northeast Quarter a distance of 1588.37 feet to the point of beginning of parcel to be described; thence South 3 degrees 03 minutes 42 seconds East a distance of 784.18 feet; thence North 89 degrees 06 minutes 25 seconds West a distance of 678.00; thence South 3 degrees 03 minutes 42 seconds East a distance of 546.34 feet to the South line of said North Half of the Northeast Quarter; thence North 89 degrees 24 minutes 29 seconds West along the South line of said North Half of the Northeast Quarter a distance of 991.57 feet to the Southwest corner of said North Half of the Northeast Quarter; thence North 0 degrees 26 minutes 18 seconds East along the West line of said Northeast Quarter to the centerline of County Road No. 24; thence Easterly along said centerline to the North line of said Northeast Quarter; thence South 89 degrees 06 minutes 25 seconds East along said North line to the point of beginning and there terminating, Carver County, Minnesota. EXCEPTING THEREFROM: All that part of the North Half of the Northeast Quarter of Section 13, Township 117, Range 25, described as follows: Commencing at the Northwest corner of said Northeast Quarter; thence on an assumed bearing of South 89 degrees 06 minutes 25 seconds East along the North line of said Northeast Quarter a distance of 1588.37 feet to the point of beginning of parcel to be described; thence South 3 degrees 03 minutes 42 seconds East a distance of 784.18 feet; thence North 89 degrees 06 minutes 25 seconds West a distance of 555.48 feet; thence North 3 degrees 03 minutes 42 seconds West a distance of 784.18 feet to the North line of said Northeast Quarter; thence South 89 degrees 06 minutes 25 seconds East along said North line a distance of 555.48 feet to the point of beginning and there terminating, Carver County, Minnesota.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 30, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 30, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 14,694 sq. ft., more or less; 17,767 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 7,390 sq. ft., more or less; 7,390 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Paul M. and Nancy A Vetscher | Fee Owner |
| Associated Bank National Association | Mortgage |
| Northern State Power Company | Easement |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

SAP 010-624-001

Carver County Public Works No. 158794

Property Tax Identification No. 10.00131200

Parcel Number(s): 31

Fee Owners: Paul M & Nancy A Vetscher

Property Address: 9825 County Road 24, Watertown, Minnesota

Legal Description of Subject Property:

All that part of the North Half of the Northeast Quarter of Section 13, Township 117, Range 25, described as follows:

Commencing at the Northwest corner of said Northeast Quarter; thence on an Assumed bearing of South 89 degrees 06 minutes 25 seconds East along the North line of said Northeast Quarter a distance of 1588.37 feet to the point of beginning of the parcel to be described; thence South 3 degrees 03 minutes 42 seconds East a distance of 784.18 feet; thence North 89 degrees 06 minutes 25 seconds West a distance of 555.48 feet; thence North 3 degrees 03 minutes 42 seconds West a distance of 784.18 feet to the North line of said Northeast Quarter; thence South 89 degrees 06 minutes 25 seconds East along said North line a distance of 555.48 feet to the pint of beginning and there terminating.

Subject to the right of way of County Road No. 24.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Right-of-Way Purposes:

Parcel 31, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Legal Description of Portion of Subject Property To Be Encumbered Herein By Permanent Easement For Public Drainage and Utility Purposes:

D & U Parcel 31, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Description of Portion of Subject Property To Be Encumbered Herein By Temporary Easement For Construction Purposes:

TE Parcel 31, CARVER COUNTY RIGHT OF WAY PLAT NO. 33.

Said permanent easement for public right-of-way purposes contains 14,694 sq. ft., more or less; 9,444 sq. ft., after excluding existing easements.

Said permanent easement for public drainage and utility purposes contains 440 sq. ft., more or less; 440 sq. ft., after excluding existing easements.

Said temporary easement for construction purposes contains 7,162 sq. ft., more or less; 7,162 sq. ft., after excluding existing easements.

Term of Temporary Easement:

The temporary easement will expire upon completion of construction of the Project Improvements and related activities, within and adjacent to the temporary easement, as determined in writing by the County Engineer, or on **June 30, 2023**, whichever occurs first.

Interests Being Acquired Herein As To Fee Takings and Being Encumbered Herein as to Easement Takings Within the Taking Areas Described Above:

| RESPONDENTS | NATURE OF INTEREST |
|---|--|
| Paul M. and Nancy A. Vetscher | Fee Owner |
| Associated Bank national Association | Mortgage |
| Northern State Power Company | Easement |
| All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any, of the named Respondents | Any right, title or interest within the encumbered portion of the Subject Property |

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

EXHIBIT B
TO RESOLUTION AUTHORIZING EMINENT DOMAIN

SAP 010-624-001

Carver County Public Works No. 158794

List of Property Owners

Property Tax Identification No. 850092500

Parcel Number(s): 58

Fee Owners: David C Truax

Property Address: 12120 County Road 24, Watertown, Minnesota

Mailing Address: 355 Lakeview Rd, Wayzata, Minnesota

Property Tax Identification No. 10.0101100

Parcel Number(s): 55

Fee Owners: Deutch Family LP

Property Address: 11950 County Road 24, Watertown, Minnesota

Mailing Address: PO BOX 189 New Ulm, Minnesota

Property Tax Identification No. 10.0101200

Parcel Number(s): 56

Fee Owners: Germain & Marian Boll Living Trust

Property Address: 11980 County Road 24, Watertown, Minnesota

Mailing Address: 11980 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0950010

Parcel Number(s): 10

Fee Owners: Stanely E & Denise A Kluge

Property Address: 2750 Dream Lane, Watertown, Minnesota

Mailing Address: 2750 Dream Lane, Watertown, Minnesota

Property Tax Identification No. 10.010500
Parcel Number(s): 53

Fee Owners: Robert W & Jane F Neumann

Property Address: 11730 County Road 24, Watertown, Minnesota

Mailing Address: 11730 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0100400
Parcel Number(s): 8

Fee Owners: Michael & Glorianne Sexton Trust

Property Address: 11725 County Road 24, Watertown, Minnesota

Mailing Address: 11725 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0131220
Parcel Number(s): 32

Fee Owners: Suzanne Schmit

Property Address: NA

Mailing Address: 9671 104th Ave N, Maple Grove, Minnesota

Property Tax Identification No. 10.0121210
Parcel Number(s): 33

Fee Owners: H. Douglas Hill Jr and Cheryl R Hill

Property Address: 9630 County Road 24, Watertown, Minnesota

Mailing Address: 9630 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0100800
Parcel Number(s): 51

Fee Owners: Lawrence & Elizabeth Frye

Property Address: 11350 County Road 24, Watertown, Minnesota

Mailing Address: 6785 Manor Drive, Minnetrista Minnesota

Property Tax Identification No. 10.014900

Parcel Number(s): 58

Fee Owners: Red Door Ranch, LLC

Property Address: 11185 County Road 24, Watertown, Minnesota

Mailing Address: 11185 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0140800

Parcel Number(s): 17

Fee Owners: Bahram Akradi, LLC

Property Address: 11025 County Road 24, Watertown, Minnesota

Mailing Address: 4600 Kings Point RD, Minnetrista Minnesota

Property Tax Identification No. 10.150010

Parcel Number(s): 46

Fee Owners: Jeffery L. Janning and Tara L. Janning

Property Address: 10780 County Road 24, Watertown, Minnesota

Mailing Address: 10780 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.1500020

Parcel Number(s): 45

Fee Owners: Robert L. Janning

Property Address: 10715 County Road 24, Watertown, Minnesota

Mailing Address: 10715 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.1500030
Parcel Number(s): 44

Fee Owners: Laurie Janning & Mark Eickhoff

Property Address: 10520 County Road 24, Watertown, Minnesota

Mailing Address: 10520 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.2000030
Parcel Number(s): 20

Fee Owners: Scott and Sharon L. Harding

Property Address: 10555 County Road 24, Watertown, Minnesota

Mailing Address: 10555 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0142200
Parcel Number(s): 21

Fee Owners: Timothy Krueger

Property Address: 10515 County Road 24, Watertown, Minnesota

Mailing Address: 10515 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0131010
Parcel Number(s): 26

Fee Owners: Michael S. & Elise M. Louwerse

Property Address: 10255 County Road 24, Watertown, Minnesota

Mailing Address: 10255 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0131000
Parcel Number(s): 27

Fee Owners: David A Dotzenroth Revocable Trust

Property Address: 10075 County Road 24, Watertown, Minnesota

Mailing Address: 10075 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0130800

Parcel Number(s): 28

Fee Owners: David A Dotzenroth Revocable Trust

Property Address: 10075 County Road 24, Watertown, Minnesota

Mailing Address: 10075 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0131100

Parcel Number(s): 29

Fee Owners: David A Dotzenroth Revocable Trust

Property Address: 10075 County Road 24, Watertown, Minnesota

Mailing Address: 10075 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0121400

Parcel Number(s): 38 and 34

Fee Owners: WJVA, Inc.

Property Address: 9750 County Road 24, Watertown, Minnesota

Mailing Address: 301 Division St E, Buffalo, Minnesota

Property Tax Identification No. 10.0121200

Parcel Number(s): 36 and 37

Fee Owners: Jacob & Katherine Schmotter

Property Address: 9880 County Road 24, Watertown, Minnesota

Mailing Address: 9880 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.0131100

Parcel Number(s): 30

Fee Owners: Paul M & Nancy A Vetscher

Property Address: 9825 County Road 24, Watertown, Minnesota

Mailing Address: 9825 County Road 24, Watertown, Minnesota

Property Tax Identification No. 10.00131200

Parcel Number(s): 31

Fee Owners: Paul M & Nancy A Vetscher

Property Address: 9825 County Road 24, Watertown, Minnesota

Mailing Address: 9825 County Road 24, Watertown, Minnesota

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreement for Right of Way Acquisition for Highway 32 Bridge Project

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The Highway 32 Bridge Project which includes the reconstruction of the bridge over the Crow River on Highway 32 was initially set to take place in 2020. However, due to delays caused by funding and permits for working in the river, the project has been delayed until 2022. The original temporary easement for PID #02.0151100 will expire on December 31, 2021. It was also discovered that additional temporary easement is required for heavy equipment to access the work area. The County's Senior Right of Way Agent completed a Minimum Damages Assessment to determine the value of the needed temporary easement along with the loss of numerous trees used as screening. Under the direction of the Carver County Public Works Director, negotiations were conducted with the property owner and a settlement has been reached for the extension of the existing temporary easement along with the expanded temporary easement area.

ACTION REQUESTED:

Motion to adopt a resolution authorizing settlement of compensation for acquisition of real property interests for the Highway 32 Bridge Project.

FISCAL IMPACT:

If "Other", specify:

FUNDING

| | |
|-------------------------|----------------------|
| County Dollars = | <input type="text"/> |
| State Aid Funds | \$20,900.00 |
| Total | \$20,900.00 |

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8106

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

Date: January 4, 2022
Motion by Commissioner: _____

Resolution No: _____
Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 32 Bridge, Project #148744

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 bridge replacement as part of the Highway 32 Bridge Project #148744 (“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 bridge reconstruction as part of the Highway 32 Bridge Project #148744 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 4, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th Day of January, 2022.

Dave Hemze
County Administrator

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

Highway 32 Bridge Project

Carver County Public Works No. 148744

Property Tax Identification No. 02.0151100

Parcel Number(s): N/A

Fee Owners: Michael K & Roxanne MD Rickert, married to each other

Property Address: 8155 County Road 32, New Germany, MN 55367

Temporary easement for construction purposes contains 11,102 sq. ft., more or less;

\$1,300.00

Impacts to improvements

Amount: \$18,100.00

Premium to avoid condemnation

\$1,500.00

Settlement Amount: **\$20,900.00**

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Special Use Permit Request - Special Olympics Minnesota, Polar Plunge Fundraiser

| | |
|---|--|
| Primary Originating Division/Dept: <u>Public Works - Parks</u> | Meeting Date: <u>1/4/2022</u> |
| Contact: <u>Sam Pertz</u> Title: <u>Parks & Trails 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:

Special Olympics Minnesota has requested a special use permit for a polar plunge event fundraiser on Saturday February 12, 2022. By County Ordinance, Chapter 91; special events require issuance of a use permit authorized by the County Board.

This organization first obtained a use permit in 2021 to conduct this event and has requested another use permit for 2022 after having.

The County Attorney's Office has reviewed the event and has indicated that the event can proceed as planned to include implementation of the necessary safety precautions for addressing the hole in the ice which is created for the event. The event and safety precautions are also coordinated with the Sheriff's Office.

Should snow/ice maintenance be needed, the Parks Department has offered to provide this service at no cost. Appropriate event liability insurance certificates will be received, reviewed, and approved in advance to the event. Department staff have indicated to event coordinators where other permitting items are likely needed – City of Waconia, Sheriff's Department etc.

The Park Commission heard and reviewed this special use permit request on December 8, 2021.

Staff with Special Olympics Minnesota are cognizant of the potential for a changing COVID19 landscape and how State or County preparedness requirements might require changes to event operations.

ACTION REQUESTED:

Motion to approve the special event use permit for Special Olympics Minnesota for the February 12, 2022 Polar Plunge fundraiser event held at Lake Waconia Regional Park.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

| | |
|------------------|---------------|
| County Dollars = | \$0.00 |
|------------------|---------------|

| | |
|---|---|
| <input style="width: 100%; height: 20px;" type="text"/> | <input style="width: 100%; height: 20px;" type="text"/> |
|---|---|

FTE IMPACT: None

| | |
|--------------|---------------|
| Total | \$0.00 |
|--------------|---------------|

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8107

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval to partner with State of Minnesota for Lidar Services

Primary Originating Division/Dept: Public Services - IT

Meeting Date: 1/4/2022

Contact: Chad Riley Title: IT Manager – GIS and Software

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:

Metro counties, including Carver County are partnering with the State of Minnesota to acquire digital elevation data known as Lidar (Light Detection and Ranging). This collaborative project between the metro counties, State of MN, and the United States Geological Service (USGS) provides a reduced cost of the Lidar acquisition to the County. Using sensors mounted on an aircraft, Lidar produces a digital elevation model (DEM), which is a highly accurate elevation representation of the earth's surface. A DEM is a GIS tool used in the county for engineering, permitting, and hydrologic modeling purposes. A bi-product, 2-foot contours, are used in County and public GIS applications providing topography data to County employees, residents, and businesses. The County last collected Lidar data in 2011. Construction and natural changes to the earth's surface makes the existing data less accurate and reliable over time.

Funding for the Lidar data collection was approved by the County Board in the 2022 budget as a one-time capital project.

ACTION REQUESTED:

Motion to contract with State of Minnesota pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars = \$60,000.00

FTE IMPACT: None

Total \$60,000.00

Insert additional funding source

Related Financial/FTE Comments:

Carver County contribution is to not exceed \$60,000 payable to the State for Lidar services

Office use only:

RBA 2022 - 8109

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with Launch Ministries

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 has been awarded \$88,680 from the MN Department of Human Services for a two year period to provide services to support eligible youth who have experienced an out of home placement through Carver or Scott County Health and Human Services and who are between 14 and 23 years of age. The STAY Grant will fund structured mentoring and skill building to these youth.

Launch Ministries shall provide services to support these youth through the STAY Grant in the amount of \$44,340 per year for 2022 and 2023. Carver County shall serve as the fiscal host for this grant for both Carver and Scott counties.

ACTION REQUESTED:

Motion to approve contract with Launch Ministries to provide grant related services to eligible Carver and Scott county youth.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

| County Dollars = | |
|------------------|--------------------|
| STAY Grant 2022 | \$44,340.00 |
| STAY Grant 2023 | \$44,340.00 |
| Total | \$88,680.00 |

Insert additional funding source

Related Financial/FTE Comments:

All services will be funded with DHS STAY Grant funds. No county levy dollars will be needed.

Office use only:

RBA 2022 - 8115

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Release of Draft Update to the CCWMO Water Rules

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 Carver County Water Management Organization (CCWMO) first instituted Water Management Rules through County ordinance on 2001. There have been several updates to the rules since that time, most recently in 2016. Staff has been developing additional updates for several months and discussed the changes with the Board at a work session in October.

The draft rules can be found on the CCWMO website: <https://www.co.carver.mn.us/departments/public-services/planning-water-management/water-management/get-involved/water-rules-update>

Attached is a summary of the proposed rule changes and the MN state required Statement of Need and Reasonableness (SONAR). Staff is requesting that the Board release the draft rules for a 60-day review and comment period.

ACTION REQUESTED:

Motion to release the draft update of the CCWMO Water Management Rules for public and agency comment.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8052



Summary of Proposed Amendments to Carver County Ordinance 153 Water Resource Management

ORDINANCE BACKGROUND

The Carver County Water Resource Management ordinance, known as water rules, regulate construction activity within the watershed boundaries. The water rules ordinance aims to ensure that runoff from development and redevelopment activities within the watershed do not harm water resources.

The current water rules were adopted by the county board on October 15th, 2016. There are two main permit types under the water rules: erosion and sediment control permit and stormwater permit.

The erosion and sediment control permit requires the protection of surface waters during construction through the use of erosion and sediment control practices, such as silt fence, erosion control blankets, and seeding. The stormwater permit requires erosion and sediment control, as well as installation of practices to treat storm water runoff after construction is complete. Projects requiring stormwater treatment need to meet standards for water quality, volume reduction, and rate control.

ORDINANCE REVISION PROCESS

To assist with the development and review of a revised ordinance, the CCWMO established a Technical Advisory Committee (TAC) consisting of technical representatives from municipalities in the watershed, state and local agencies, County PW staff and CCWMO staff. The TAC has provided review and comment throughout the ordinance revision process.

WHY ARE CHANGES NEEDED?

The County's Municipal Separate Storm Sewer System (MS4) permit, issued by the MPCA in 2020, requires the following specific updates to the Water Resource Management Ordinance (Water Rules):

- For construction projects, the water quality volume must be calculated as 1 inch of stormwater runoff times the sum of new and fully reconstructed impervious
- For linear construction projects, the water quality volume must be calculated as 1 inch of stormwater runoff times the new impervious or 0.5 inches times the new and fully reconstructed impervious, whichever is greater
- Provide additional flexibility on where treatment may be provided

In addition to the above changes, many of the proposed changes clarify the current standards, provide additional flexibility, and/or address gaps or specific problem areas that have become apparent since the last version of the ordinance was adopted.

WHAT TYPES OF CHANGES ARE PROPOSED?

The proposed revisions encompass the following:

- Updated stormwater runoff treatment requirements based on the above MS4 permit requirements
- Additional application requirements for each type of permit to clarify what needs to be submitted
- Additional standards and submittal requirements for bridge and culvert projects
- Expanded wetland protection standard to all surface water (lakes, rivers, streams, and wetlands)
- Updated Carver County Topsoil Standard based on on-site results collected over the last 5 years
- Updated alternative compliance process for constrained sites (where stormwater treatment is more challenging)
- Revised definitions and additional new terms

**STATEMENT OF NEED AND REASONABLENESS
For Amendments to Carver County Ordinance 153 Water Resource Management**

January 4, 2022

1. BACKGROUND

a. Introduction

This Statement of Need and Reasonableness (“SONAR”) presents a summary of proposed changes to Carver County Ordinance 153 Water Resource Management, which governs water resources within the boundaries of the Carver County Watershed Management Organization (CCWMO).

The SONAR provides information to support the CCWMO’s judgment that the proposed changes are beneficial to the water resources within the watersheds and that any administrative and compliance burdens associated with the changes are reasonable.

b. Legal Authority

The legal authority for the CCWMO’s Water Resource Management Ordinance derives from Minnesota Statutes Chapters 103B and Minnesota Rules 8410.

c. Ordinance Revision Process

As required by Minnesota Statutes §103B.231, the CCWMO adopted an updated watershed management plan (Plan) on February 4, 2020. As required by Minn. Statute, the CCWMO must update regulatory controls that implement the Plan within two years of adopting the Plan.

The CCWMO’s current ordinance was adopted and took effect on October 15, 2016. To assist with the development and review of a revised ordinance, the CCWMO established a Technical Advisory Committee (TAC) consisting of technical representatives of government agencies and municipalities in August 2019. The TAC provided review and comment throughout the ordinance revision process, meeting on 7 occasions between August 2019 and September 2021. The CCWMO’s existing Citizen Advisory Committee (CAC) also provided review and comment throughout the process.

The County’s Municipal Separate Storm Sewer System (MS4) permit, issued by the MPCA in 2020, requires specific updates to the Water Resource Management Ordinance (Rules) which are contained in these proposed changes. Other proposed changes clarify the current standards and address gaps or specific problem areas that have become apparent since the last ordinance was adopted. The proposed revisions encompass the following:

- Updated treatment volume requirement based on MS4 permit requirements
 - For construction projects, the water quality volume must be calculated as 1 inch times the sum of new and fully reconstructed impervious
 - For linear construction projects, the water quality volume must be calculated as 1 inches times the new impervious or 0.5 inches times the new and fully reconstructed impervious, whichever is greater

- Updated requirements to increase flexibility on where stormwater treatment may be provided to meet MS4 permit requirements
- Added application requirements for each type of permit to clarify what needs to be submitted
- Added standards and submittal requirements for bridge and culvert projects
- Expanded all wetland protection standard to all surface water (lakes, rivers, streams, and wetlands)
- Updated the Carver County Topsoil Standard based on on-site results collected since 2016
- Clarified topsoil management requirements for unique situations (linear projects, previously graded sites)
- Updated the alternative compliance process for constrained sites
- Clarified requirements for the in-lieu payment option for off-site stormwater treatment
- Revised existing definitions and added new terms
- Updated the Rule Guidelines and Calculator to help simplify the application process

2. RATIONALE FOR PROPOSED CHANGES

The following sections describe the proposed changes to the ordinance and the rationale for each change. This document does not cover all details of the proposed revisions; a copy of the draft text of the ordinance that shows all proposed changes in redline is included in Appendix A.

a. Changes to General Provisions (§153.01 – §153.03)

Definitions (§153.02) were updated to include new terms added to the ordinance, to provide clarification on ambiguous terms already included in the ordinance, and remove terms no longer referenced in the ordinance.

b. Changes to General Requirements and Review Process (§153.10 – §153.11)

§153.10 General Requirements for Compliance

Two additional activities were added to the exemptions currently listed in §153.10: utility projects that are part of a larger plan of development and in-kind construction or reconstruction of stream crossings. The current rule does exempt these activities but exempting both has been County policy for some time.

§153.11 Review Process

This section includes thresholds for each permit type. Minor changes to thresholds for erosion and sediment control (ESC) permits were made. The change was made to eliminate overlap between the ESC and stormwater permits that had long caused confusion.

Two additional permit types have been added to the section: stream crossing permits and maintenance permits. Stream crossing projects were previously permitted as ESC permits. Permitting stream crossing projects separately allows for development of permit thresholds,

standards, and submittal requirements specific to this type of project. This increases clarity around when a permit is required and what is required to be submitted for review.

Maintenance permits have been informally issued for several years for activities that may impact water resources but are below permit thresholds: maintenance of stormwater treatment practices, in-kind replacement of culverts, etc. Similarly, adding this permit type to the rule allows for development of permit thresholds, standards, standards, and submittal requirements specific to these types of projects and increases clarity around when a permit is required and what is required to be submitted for review. There is no permit fee for maintenance permits.

c. Changes to Application Requirements (§153.40 – §153.41)

§153.41 Submittal Requirements

This section describes information that should be submitted as part of the application for each permit type. Submittal requirements for ESC and stormwater permits were updated for clarity. Submittal requirements for stream crossings permits and maintenance permits were added.

d. Changes to Standards (§153.55 – §153.60)

§153.55 Erosion and Sediment Control Standards

This section describes the standards for erosion and sediment control. No changes were made to this section.

§153.56 Stormwater Management Standards

This section describes the standards for stormwater management. Several changes to this section were made to comply with the 2020 MS4 general permit:

- Treatment volume requirements were updated for non-linear projects. The treatment volume must be calculated as the larger of 1.0-inch times the new impervious surface or 0.5-inch times the sum of the new and fully reconstructed impervious surface.
- Updated treatment location requirements for sites that cannot provide full treatment on site
- Added an in-lieu fee option to the list of alternative compliance options for sites that cannot provide full treatment onsite (the list currently includes off-site treatment and purchasing credits from a bank)

The requirement for providing extended detention for ponds discharging to stream sites was removed. The WMO's and cities' rate control requirements have been found to provide necessary protection to stream channels.

Requirements for maintenance and access were updated to include a requirement for drainage and utility easements in situations where stormwater BMPs are placed on private property or when changes to drainage paths impact an adjacent property. Requiring a drainage and utility easement in these situations helps ensure long term function of and access to BMPs.

§153.57 Stream Crossing Standards

This section has been added to the ordinance to describe requirements for constructing, replacing, removing, or improving a stream crossing. The general goal of the standards is to prevent impacts to stream channels and adjacent property.

§153.57 Maintenance Permit Standards

This section has been added to the ordinance to describe requirements for several categories of maintenance permits, including: in-kind stream crossing replacements, culvert slip-lining, chip seal projects, utility projects within sensitive areas, and stormwater BMP maintenance.

§153.59 Surface Water Protection Setback Standards

The section was renumbered to account for the new sections preceding it and was renamed to account for its broader applicability. Language was updated to expand the wetland protection standard to all surface water (lakes, rivers, streams, and wetlands). The purpose of the change is to apply the setback standard equally to all surface water in the watershed.

§153.60 Shoreland Standards

The section was renumbered to account for the new sections preceding it. No changes were made to the language in the section.

§153.61 Floodplain Standards

The section was renumbered to account for the new sections preceding it. No changes were made to the language in the section.

§153.62 Topsoil Management Standards

The section was renumbered to account for the new sections preceding it.

The Carver County Topsoil Standard was updated to better reflect soils found within the county. An analysis of soil sample data provided by applicants between 2016 and 2020 was used to update the standard. Ranges for clay, sand, organic matter, and pH were updated based on the analysis. In general, the changes make the standard more reflective of soils in the county.

Specific requirements for onsite testing for linear projects and previously graded sites were added to provide better guidance.

A method for developing a site-specific standard was added to provide guidance on how to develop a standard after on-site testing.

§153.63 Upstream and Downstream Impact Standards

This language was previously included in the ordinance within the section covering Stormwater Management Standards (§153.56). No changes were made to the language. It was placed in its own section to make it easier to reference and locate the standard.

§153.64 Conservation Area Monumentation Standards

This section was added to the ordinance to provide guidance regarding locating conservation areas and guidance regarding monumentation (signage) for conservation areas.

e. Changes to Enforcement (§153.70 – §153.74)

§153.74 Financial Security

Language was changed to reference the Carver County Fee Schedule and indicate that the method for determining the amount of security owed is detailed in the Fee Schedule.

Language regarding returning the financial security was updated to include additional requirements for release that have long been included in permit approvals (see below). Including these items in the ordinance clarifies expectations regarding the when a project is considered complete and when the financial security can be returned.

- When applicable, the practices identified in the approved stormwater management plan have been installed and are working as designed;
- When applicable, record drawings have been received and reviewed by the county;
- When applicable, an Operation and Maintenance plan has been received and reviewed by the county;
- When applicable, conditions to final approval have been met;

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Henry Weinzierl - High Amenity Additional Density - One Lot Incentive (CUP)

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 #PZ20210056. On December 21, 2021, the Planning Commission recommended approval of Henry Weinzierl's Conditional Use Permit (CUP) for an Additional Density (High Amenity - One Lot Incentive) located in Section 27 of Watertown Township. The subject property (71.49 acres) is owned by Gerald & Janice Albrecht and improved with an existing farmstead, tillable agricultural land, wooded land and wetland area.

If approved, Mr. Weinzierl would split an approximate 16-acre wooded and wetland area located in the easterly portion of the property for one (1) High Amenity Lot. The remaining 55.49+/- acres would consist of the existing farmstead and tillable agricultural land. The attached PLC Resolution includes more details on the request regarding the building site.

The conditional use permit for a High Amenity additional density lot is allowed pursuant to Section 152.078 (A)(C) & (E) of the Carver County Zoning Code. If approved, this permit would allow the applicant to avoid the platting process or having a township road constructed; instead the applicant would need to submit an Administrative Minor Subdivision application for review and approval.

The development of the site would need to meet the CCWMO Water Rules, as well as the County Subsurface Sewage Treatment System (SSTS) requirements.

MnDOT granted a driveway access permit (#A-21-96115) for access on Highway 7.

The Watertown Town Board supports the request.

ACTION REQUESTED:

A motion to adopt Findings of Fact and issue Order #PZ20210056 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 #: PZ20210056

RESOLUTION #: 21-13

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

FILE #: PZ20210056

APPLICANT: Henry Weinzierl

PROPERTY OWNERS: The Trust Agreement of Gerald & Janice Albrecht
(Gerald & Janice Albrecht, Trustees)

SITE ADDRESS: 5325 County Road 10 N

PERMIT TYPE: Additional Density (One Lot Incentive)

PURSUANT TO: County Code, Chapter 152, Section(s) 152.078 (A) (C) & (E)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-027-0500

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

WHEREAS, the Carver County Planning Commission finds as follows:

1. Gerald and Janice Albrecht own an approximately 71.49-acre parcel located in the South Half (S½) of the Southeast Quarter (SE¼) of Section 27, Watertown Township. The property is improved with an existing house and several agricultural buildings. The parcel consists of agricultural production land, a wetland, wooded area and the potential for the additional density provision, High Amenity lots. The property is located in the Agricultural Zoning District and the CCWMO (Crow River watershed).
2. The applicant, Henry Weinzierl, has a purchase agreement in place with Gerald and Janice Albrecht. Mr. Weinzierl is requesting a Conditional Use Permit (CUP) to allow for the creation of one (1) High Amenity Lot. The request is pursuant to Section 152.078 (A) (C) and (E) of the Carver County Zoning Code.
3. The subject property has been a parcel of 40 acres or more (i.e. 71.49 acres) as of July 1, 1974 and has been under one ownership. Watertown Township provided for the additional density option "High Amenity" in their Chapter of the Comprehensive Plan.
4. The applicant is pursuing only one (1) residential building eligibility pursuant to 152.078 (C) "High Amenity" and (E) "one building eligibility incentive" which provides for flexibility and incentives for pursuing a single eligibility or lot split. The incentive avoids the platting process or having to construct a township road to meet the road frontage requirement for new lots. The proposed 16-acre lot consists of wooded and wetland areas which have not been in agricultural production for the past 20 years, and includes soils suitable for an SSTS; therefore, the proposal is considered eligible land. The proposed lot would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼¼). The subject property is not enrolled in the Ag Preserve program, nor has a Conditional Use Permit for additional density been issued previously on this parcel.
5. The applicant stated in his letter, dated October 20, 2021, that he is proposing one (1) residential lot, approximately 16 acres, which would meet the standards for a high amenity lot. He stated the residential building footprint will be approximately 88' x 48' and an attached garage/shop with a 40'x 80' footprint. The driveway and building site have been chosen to reduce the number of trees to be removed, as well as maintaining a maximum setback from the wetland to the north. Construction of the new house would begin as soon as legally possible after building permits have been issued in the late Winter / early Spring of 2022.

6. The applicant's request would meet the intent of the 2040 Comprehensive Plan. The proposed lot is substantially wooded which could support two building sites. The owners' remaining parcel would remain a conforming lot after the approximate 16-acre lot is subdivided. The proposed high amenity lot would not need to be platted, but an administrative Minor Subdivision application and approval would be required.
7. The applicant and current property owners have acknowledged that no additional amenity eligibilities would be permitted in the future. Section 152.078 states that the CUP provision may be exercised only once for each parcel that was of record as of July 1, 1974.
8. The newly created lot would be required to comply with the Carver County Water Management Organization (CCWMO) Water Rules Standards pursuant to Chapter 153. More specific details for this lot would need to be submitted to Carver County Planning & Water Management at the time of design for review and approval prior to the issuance of building permit(s) for the proposed parcel.
9. On December 6, 2021, this request was reviewed by Lori Brinkman, Senior Environmentalist with Carver County. Ms. Brinkman stated that the proposed SSTS locations and soil borings have been approved for this site and there are no additional concerns at this time.
10. The Minnesota Department of Transportation (MnDOT) permitting authority, Jeff Dierberger, has reviewed the request and granted a driveway access permit (#A-21-96115) for residential purposes on August 26, 2021.
11. The Watertown Town Board reviewed the request and recommended approval at their November 1, 2021, Town Board meeting with no additional conditions.
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 #PZ20210056 for the creation of one (1) residential building eligibility (i.e. High Amenity – One Lot Incentive) 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. One (1) high amenity lot building eligibility shall be available, pursuant to the approved site plan. Additional lots (eligibilities) shall not be granted as a conditional use. The proposed lot shall be subdivided in accordance with the Minor Subdivision requirements including but not limited to, a survey, and primary and alternate SSTS locations.
2. The driveway/access must meet all requirements and conditions of the approved Minnesota Department of Transportation Access Permit #A-21-96115.
3. Prior to any construction activities, appropriate building permits shall be obtained for the single-family house and any accessory buildings, garage, or other structures.
4. Notice pursuant to Section 152.078 (C)(5) is hereby provided stating the following:
 - (a) The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any residential lot.
 - (b) All conditional use permit activities shall be prohibited on any residential lot. Agricultural parcels (i.e. 20 acres or more) and/or lots shall be subject to the “A” District regulations.
 - (c) The area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notice should be provided regarding the odors, dirt, dust, insects, 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 the activities are being conducted in accordance with existing standards.

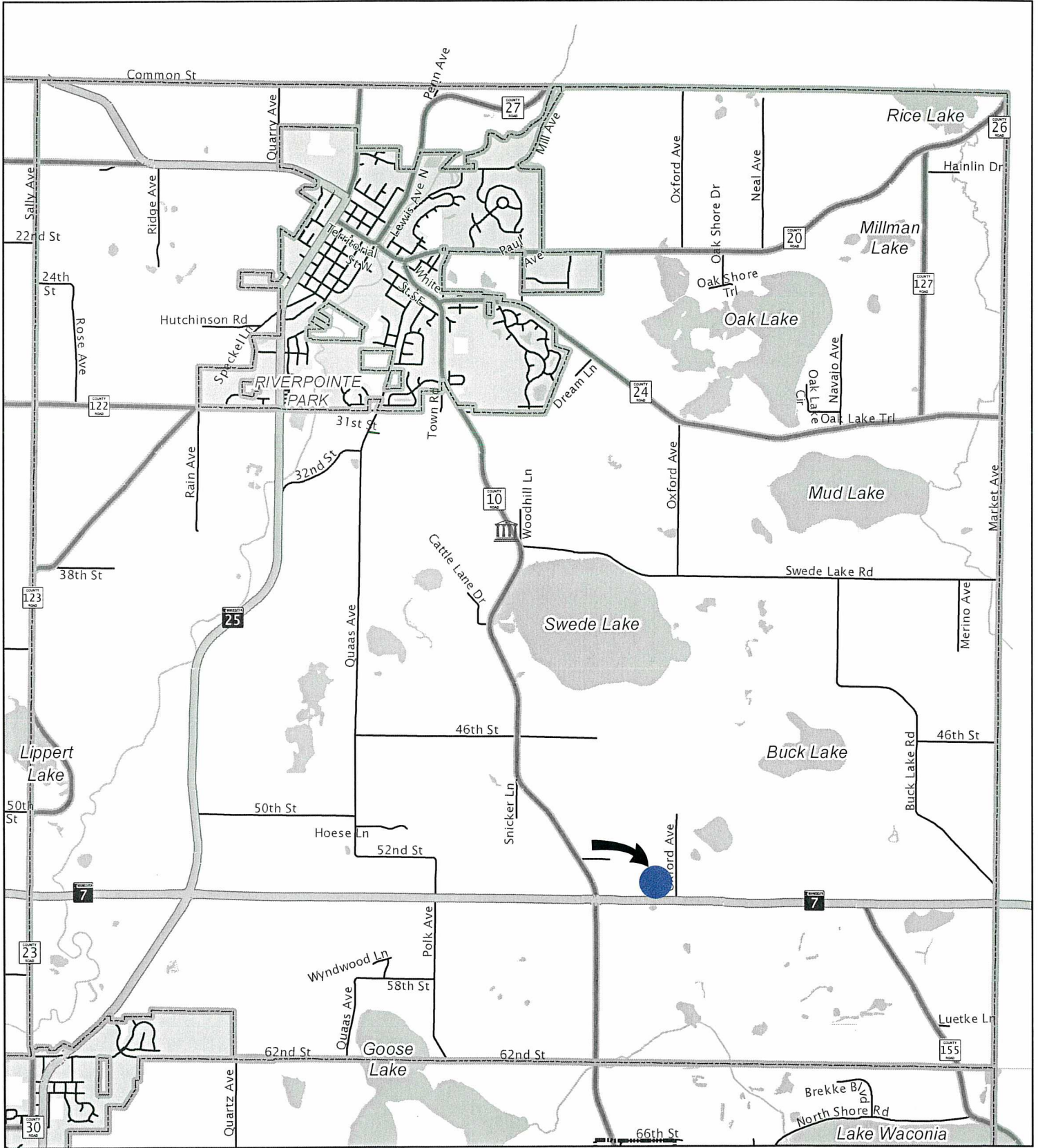
(d) The protection of environmentally sensitive land shall be enforced. The protections shall include; restrictions on clear cutting or vegetation removal; erosion control plan to control erosion during and after building construction; and designation of specific building sites or areas with buildings prohibited.

ADOPTED by the Carver County Planning Commission this 21st day of December, 2021.


Scott Smith (Dec 23, 2021 11:45 CST)

Scott Smith, Chairman
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:

Living Rock Church - Phase II construction of the church facility (CUP)

| | |
|--|--|
| Primary Originating Division/Dept: <u>Public Services - Land Mgmt.</u> | Meeting Date: <u>1/4/2022</u> |
| Contact: <u>Donovan Hart</u> Title: <u>Senior Planner</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 #PZ20210055. On December 21, 2021, the Planning Commission recommended approval of the Living Rock Church's Conditional Use Permit (CUP) to construct a church, along with accompanying site improvements, on property they own in Section 16 of Young America Township. The property consists of 15.8 acres and is located at 17125 Co Rd 31 near the intersection of Co Rd 31 and Hwy 212.

A church is allowed as a Large-Scale Activity - Church Facility, pursuant to Section 152.080 (C)(2) of the Carver County Zoning Code. Living Rock Church previously received a CUP in 2008 (#PZ20080004) to allow for remodeling and use of two existing buildings (i.e. house & accessory structure) on the property for office and meeting space for church activities. The current CUP indicated any future plans to expand/enlarge the facility, would require the applicant to apply and receive a new conditional use permit (i.e. Phase II).

If approved, Living Rock Church would proceed with Phase II of their plans and construct an approximately 12,200 square-foot single-story church, associated parking to accommodate approximately 110 vehicles, access improvements, new well and septic installation, and a stormwater retention system. Phases beyond Phase II of the project would require the applicant to apply for and receive a new conditional use permit. The attached PLC Resolution includes more detail on the site improvements and operational plan.

The development of the site would need to meet the CCWMO Water Rules, as well as the County Subsurface Sewage Treatment System (SSTS) requirements. The Carver County Public Works Department has reviewed and supports the request with the addition of public road improvements on Co Rd 31. The Young America Town Board support the request.

ACTION REQUESTED:

A motion to adopt Findings of Fact and issue Order #PZ20210055 for the issuance of a Conditional Use Permit.

FISCAL IMPACT: None

If "Other", specify:

FTE IMPACT: None

FUNDING

| | |
|---|---|
| County Dollars = | <input style="width: 100%;" type="text"/> |
| <input style="width: 100%;" type="text"/> | <input style="width: 100%;" type="text"/> |
| Total | \$0.00 |

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8112

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20210055

RESOLUTION #: 21-14

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

FILE #: PZ20210055

APPLICANT: Living Rock Church – Roger Eng

OWNER: Living Rock Church of the Christian and Missionary Alliance

SITE ADDRESS: 17125 Co Rd 31

PERMIT TYPE: Church

PURSUANT TO: County Code, Chapter 152, Section 152.080 (C)(2)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 11-016-0500

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

WHEREAS, the Carver County Planning Commission finds as follows:

1. Living Rock Church owns an approximate 14.8-acre parcel located in the North Half (N½) of the South Half (S½) of Section 16, Young America Township. The property is located at 17125 Co Rd 31 near the intersection of Co Rd 31 and Hwy 212. The property is currently improved with an existing house (utilized by the church as an office and meeting space), several accessory structures, agricultural production land, wooded grove and pasture area. The site is located in the Agricultural Zoning District and the CCWMO (Bevens Creek watershed).
2. In 2008, Living Rock Church received a Conditional Use Permit (CUP) to utilize the property for church purposes (CUP #20080004). The approved operation and site plan of CUP #PZ20080004 allowed for remodeling and use of two existing buildings on the property for office and meeting space for church activities. At the time the remodeled structures were for church events and church administration, but not for regular Sunday services, which occurred in the City limits of Norwood Young America. The original staff memo referenced the Church’s intention to “use the land and remodeled building for church events like picnics, bonfires, paintball games or other church activities.”
3. As the church didn’t propose full Sunday service worship that would generate significant on-site vehicle traffic, no significant site improvements were required by the 2008 CUP except to “widen the existing driveway and provide an appropriate parking area on site.” A gravel parking lot was constructed. In the original application the Church referenced future expansion plans, including “the construction of a church building, parking areas and increased church activities.” This CUP request is intended to realize that vision and meet the original CUP requirement that “Phase 2 of the Large-Scale activity would require an amendment as the size and/or scope of the operation intensifies.”
4. The applicant is requesting approval to proceed with Phase II of the existing Conditional Use Permit (CUP) in order to construct an approximate a church (i.e. worship facility) with an accompanying parking lot, revised driveway access location, and required site improvements such as stormwater management facilities. The request is part of the churches’ second phase operations for a Large-Scale Activity - Church Facility, pursuant to Section 152.080 (C)(2) of the Carver County Zoning Code.
5. The Conditional Use Permit (i.e. Phase II) would allow the applicant to construct an approximately 12,200 square-foot single story church (i.e. worship center, classrooms, restrooms, gathering area, etc.), associated parking to accommodate approximately 110 vehicles, access improvements (off County Road 11/CSAH 11), a new well and septic installation and a stormwater retention system. Future plans (shown with dashed lines) would allow for a church/building expansion

consisting of a worship center, offices, classrooms, gym, and associated parking for approximately 90 additional vehicles. At this time, the applicant is only looking for approval of the proposed building (shown in grey), parking area, and other site improvements as identified on the site plan submitted as part of the application. The existing structures (i.e. house/church office and accessory buildings) and use of the property for church events like picnics, bonfires, or other church activities are allowed as part of the initial Phase I CUP approval. Any future plans to expand/enlarge the facility, would require the applicant to apply and receive a new Conditional Use Permit (i.e. Phase III).

6. Sunday services would be held at 9:00AM and 10:30AM. Worship services, weddings, ministry meetings, and activities could be held throughout the week and weekends; therefore, no set hours of operation would exist. There would be office personnel on-site from 8:30AM to 4:30PM, Monday through Friday. The current total number of church employees is five (5), of which two (2) are part-time. This quantity may increase as the congregation grows in the future.
7. Currently, there are two existing occupied buildings on the property used for church purposes. The proposed assembly/worship hall of approximately 12,200 square feet is designed to provide seating capacity for 261 worshippers. The single level floor plan shows three large rooms for youths, restrooms, a separate “gathering” room and kitchen facilities. In addition to vehicle parking, an access drive, and stormwater management facilities, a “tot lot” on the south side of the proposed building has been identified. All structures (i.e. existing and proposed) meet the required Zoning Code setback standards.
8. It is anticipated that the church daily trips generated to and from the site on Mondays through Thursdays to be approximately 40 trips per day with a mid-week Wednesday peak of about 120 trips. The estimated number of daily trips anticipated on Sundays would be approximately 200 trips for the two worship services. These quantities would increase as the congregation expands. Future plans for the site also include expansion to the church which would increase the amount of traffic generated to and from the site on a daily basis but hasn’t been calculated at this time.
9. The county parking standards require one (1) parking space per three (3) seats based upon the design capacity of the main assembly/worship hall. The applicant has indicated the worship hall will be designed for 261 seats; therefore, requiring 87 parking spaces. The area and capacity of the on-site parking as shown on the site plan accommodates 110 vehicles, so the parking supply meets the minimum requirement of § 152.038 (C). The applicant also identified an area on the site plan for future parking, consisting of about 120 additional parking spaces.
10. Living Rock Church is working with the local road authority (Carver County Public Works Division) to allow for an access off of County Road 31. County Public Works has reviewed the request and provided written comments (dated: December 13, 2021) describing specific access standards/requirements for the subject property and proposed land use. The access to the site would be from CSAH 31, which is a highly traveled county road (collector classification). Based on the County Public Works comments, access improvements would need to be built and open for use prior to the occupancy of the building and will be a condition for the certificate of occupancy. The applicant would be required to secure an access permit from the road authority. Due to the location of the current driveway access location and proposed driveway access further east, the request has also been reviewed by the Minnesota Department of Transportation (MnDOT). On December 8, 2021, Buck Craig, MnDOT’s Metro Permits Section, submitted a letter indicating that any use of, or work within or affecting, MnDOT right of way will require a permit.
11. The applicant has indicated that the church is proposing to construct one 8’- 4” high by 12’- 0” wide illuminated monument sign constructed with a sign cabinet size of 32 square-foot limit, which meets the maximum sign square footage pursuant to Chapter 154 - Sign Regulations. The architectural site plan shows the monument sign in a conforming location near the location of the existing driveway.
12. County staff would review the parking standards (capacity) as future building projects are being proposed on the subject parcel. This would be done to ensure that the appropriate number of parking spaces are provided according to the parking requirements of the Zoning Code.

13. A Subsurface Sewage Treatment System (SSTS) location has been identified; however, prior to building permit approval, a design would need to be submitted to the Carver County Environmental Services Department for review and approval.
14. The church expansion project would be required to comply with the Carver County Water Management Organization (CCWMO) Water Rules Standards pursuant to Chapter 153. More specific stormwater details would need to be submitted to Carver County Planning & Water Management at the time of design for review and approval prior to the issuance of building permit(s) on the subject property.
15. The Young America Town Board reviewed and recommended approval of the church request during their November 9, 2021 Town Board meeting. The Town Board approved with a comment: “No objections with relocation of driveway.” An October 2021 submittal proposed an improved driveway at the current access location. In response to comments from the Town Board and County staff, the applicant resubmitted plans in late November that moved the access point to the new location along the east property line.
16. 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 #PZ20210055, for a Large-Scale Activity - Church Facility on the land described in Exhibit “A” of the permit application. This permit would terminate and supersede CUP #PZ20080004, which would be considered null and void. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The operation shall be in accordance with the submitted application including operational plan (letter dated: 11/24/2021) and submitted site plans (dated 11/30/2021). These plans shall be attached to and become part of this permit. Any proposed expansion of the submitted site plan shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.
3. The operational hours would typically follow a traditional church schedule. Worship services, weddings, meetings, and activities would also occur during the week and on Saturdays.
4. The Permittee shall comply with the local road authority (Carver County Public Works Department and MnDOT) access requirements and/or proposed improvements at County Road 31. This shall include securing an access permit from Carver County Public Works Department and MnDOT, if applicable.
5. Any grading and/or filling activity on the property shall be completed in accordance with the CCWMO Water Resource Management standards and the Wetland Conservation Act (WCA), if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
6. All necessary and required building permits shall be applied for and issued prior to construction. All structures utilized as part of the church facility shall meet the applicable Minnesota State Building Code requirements.
7. A Subsurface Sewage Treatment System (SSTS) location and design is submitted to the Carver County Environmental Services Department for review and approval. SSTS installation shall comply with all applicable SSTS regulations.
8. Parking of vehicles must be confined to the church property. Parking along County Road 31, within the road right-of-way, or within the MnDOT right of way shall be prohibited.

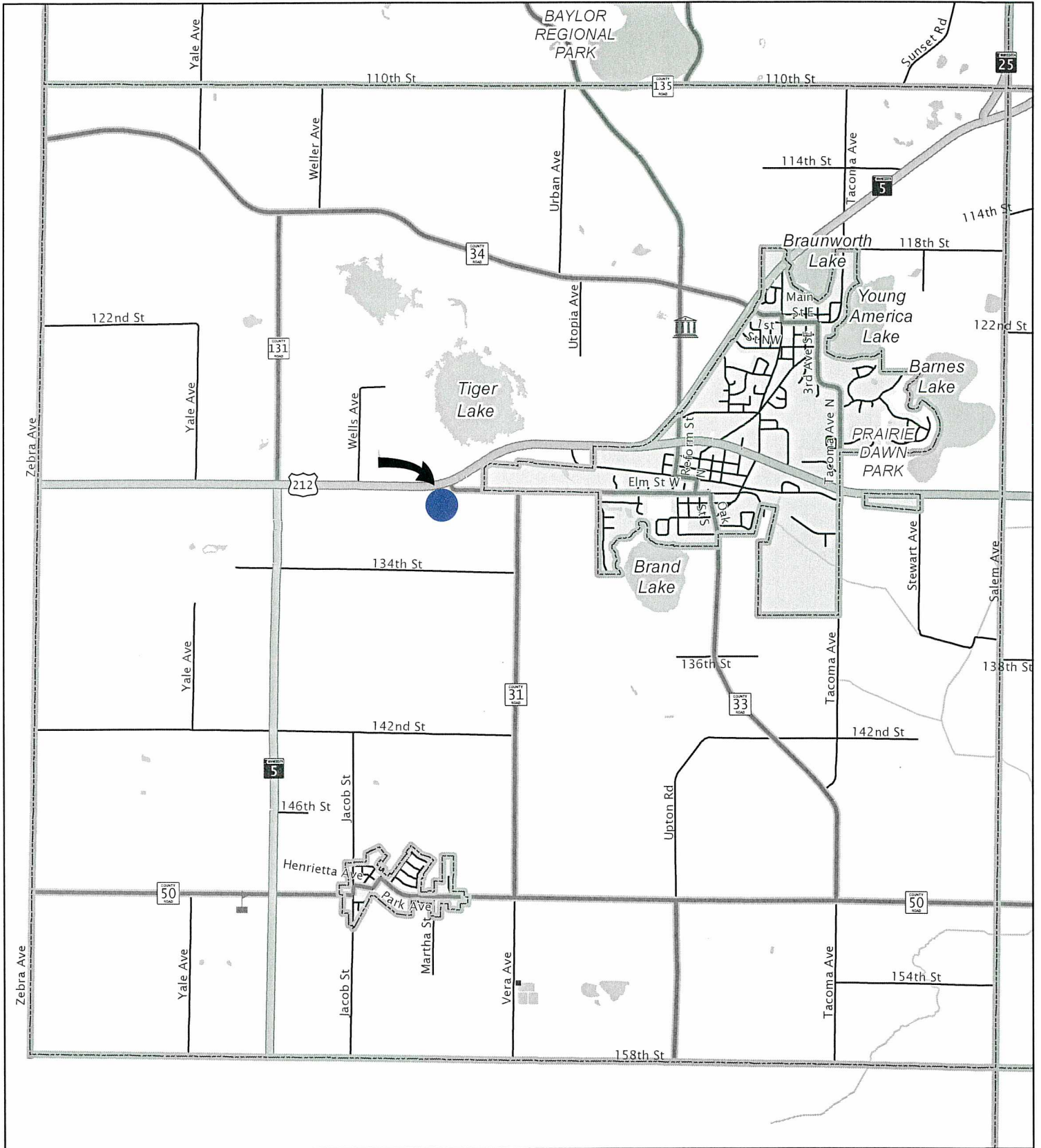
9. Any existing drain tile(s) on the site must be maintained and/or re-routed, such that flow through the property is not hindered or adversely altered.
10. Permittee shall submit a copy of the Certificate of Workers' Compensation Insurance or sign an appropriate affidavit regarding employee status and submit it to the Land Management Department. The insurance or affidavit shall be maintained for the duration of the CUP.
11. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. These regulations include, but are not limited to, standards for parking and signage. Parking capacity shall meet requirements of the Zoning Code at all times.

ADOPTED by the Carver County Planning Commission this 21st day of December, 2021.


Scott Smith (Dec 23, 2021 11:44 CST)

Scott Smith, Chairman
Carver County Planning Commission

YOUNG AMERICA TOWNSHIP



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



Carver County Board of Commissioners Request for Board Action



Agenda Item:

2022-2024 Carver County Newspaper

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/4/2022

Contact: Dave Hemze Title: County Administrator

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title: County Administrator

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

BACKGROUND/JUSTIFICATION:

Bid notices were published in the Waconia Patriot, News & Times, Chaska Herald and the Chanhassen Villager. The lowest bid was to be determined by using the Minnesota Newspaper Association Index Formula.

The following bids were received for the County's official newspaper and for the first publication of the financial statement:

Chanhassen Villager
2022-2024 bid - \$2.21 per column inch
Total Circulation (paid, voluntary and free) of 5,827

Chaska Herald
2022-2024 bid - \$2.21 per column inch
Total Circulation (paid, voluntary and free) of 6,964

The following bids were received for the second publication of the financial statement
Chanhassen Villager - \$4.61 per column inch
Chaska Herald - \$4.61 per column inch

No bids were received from the Waconia Patriot or News & Times.

In addition to using the index number to determine the lowest cost of newspaper publication, another useful measurement of the best value is the actual cost to reach each newspaper reader. The Chaska Herald has a total circulation which is about 20% larger than the circulation of the Chanhassen Villager. Therefore, the Chaska Herald offers the best value to Carver County.

ACTION REQUESTED:

Based upon the best value to Carver County, Administration recommends that the Board adopt a Resolution awarding the 2022-2024 newspaper bid to the Chaska Herald and award the second publication of the financial statement to the Chanhassen Villager. Resolution also designates the County's web site as the official publication of the transportation project legal notices.

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

FUNDING
County Dollars =

Total \$0.00

FTE IMPACT: None

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY

Date: January 4, 2022
Motion by Commissioner: _____

Resolution No. _____
Seconded by Commissioner: _____

Award of 2022, 2023 and 2024 Newspaper Publication Bids

Whereas, pursuant to bid advertisement, newspaper publication bids were received until 1:00 p.m., November 23, 2021, for the following publications:

- Publication of Official Proceedings of County Board
- Notices and Lists of Delinquent Real Estate Taxes
- 1st Publication of Financial Statement
- 2nd Publication of Financial Statement
- Publication of Equalization Proceedings of County Board
- Other Public Notices

Whereas, timely bids were received from the Chaska Herald and the Chanhassen Villager; and

Whereas, Carver County's newspaper publishing award is based on the lowest bid as determined according to the Minnesota Newspaper Association Index Formula, and the newspaper bid which provides the greatest value to Carver County; and

Whereas, although the bids submitted were equal as determined by the the Minnesota Newspaper Index Formula, the Chaska Herald actually provides the best value to Carver County because the Chaska Herald has a larger circulation and has a lower cost to reach each reader than the Chanhassen Villager; and

Whereas, pursuant to Minnesota Statute, § 375.17, subd. 3, in addition to the Carver County Board of Commissioners designating a newspaper as the official newspaper for the publication of the financial statement, the financial statement also must be published in one other newspaper of general circulation in a different municipality within the county; and

Whereas, pursuant to Minnesota Statute § 331A.12, the Carver County Board of Commissioners may designate the publication of legal notices for transportation projects on the Carver County Web site, in place of or in addition to any other required form of publication.

Now, Therefore Be It Resolved, that the Carver County Board of Commissioner hereby awards newspaper publication bids for 2022, 2023 and 2024 as follows:

- 1) Publication of Official Proceedings of County Board
Notices and Lists of Delinquent Real Estate Taxes
1st Publication of Financial Statement
Publication of Equalization Proceedings of County Boards
Other Public Notices

Chaska Herald

- 2) 2nd Publication of Financial Statement

Chanhassen Villager

Be It Further Resolved, that the Carver County, Minnesota Web site is designated as the official publication for transportation project legal notices; and

Be It Further Resolved, that a copy of this Resolution be forwarded to each newspaper.

| YES | ABSENT | NO |
|--|----------------------------------|----------------------------------|
| _____ _____ _____ _____ | _____ _____ _____ _____ | _____ _____ _____ _____ |
| STATE OF MINNESOTA COUNTY OF CARVER | | |

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 4th day of January, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Carver County Regional Rail Authority

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/4/2022

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 2022.

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 2022 - 7980

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Closed Session for the Highway 24 Project Property Acquisition

| | |
|--|--|
| Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/> | Meeting Date: <input type="text" value="1/4/2022"/> |
| Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Right-of-Way Agent"/> | Item Type: <input type="text" value="Closed Session"/> |
| Amount of Time Requested: <input type="text" value="30"/> minutes | Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Presenter: <input type="text" value="Pat Lambert"/> Title: <input type="text" value="Senior Right-of-Way Agent"/> | |
| 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 pavement rehabilitation and shoulder widening of the highway from Highway 10 to the Hennepin County border. Additional right-of-way is needed to complete the project scope. Carver County has contracted with appraisers in order to establish fair market value for the right of way acquisitions needed in support of the project. On July 13, 2021, the County Board authorized Public Works staff to make offers for direct purchase of the impacted properties.

Minnesota Statutes Section 117.031 provides that the condemning authority may make a last written offer of compensation prior to filing a Petition for Eminent Domain. A court may award reasonable attorney fees, expenses, and other costs and fees depending on how much greater the final judgment or award is than the last written offer.

Out of a total of fifty two (52) impacted parcels, twenty five (25) property owners have executed settlement agreements.

Prior to initiating the petition for eminent domain process, Public Works staff are recommending the County Board authorize last written offers of compensation to twenty one (21) remaining parcel owners identified as the following property identification numbers: 850092500; 100101100; 100101200; 100950010; 10010500; 100100400; 100131220; 100121210; 100100800; 10014900; 10150010; 101500020; 101500030; 102000030; 100142200; 100131010; 100131000; 100130800; 100131100; 100121400; 100121200; 100131100; 1000131200.

ACTION REQUESTED:

Motion to enter into closed session to discuss confidential appraisal data and last written offers for the purchase of real property, pursuant to Minn. Stat. Section 13D.05, Subd. 3 (c).

| | |
|---|--|
| FISCAL IMPACT: <input type="text" value="Included in current budget"/> | FUNDING |
| If "Other", specify: <input type="text"/> | County Dollars = <input type="text" value="\$0.00"/> |
| FTE IMPACT: <input type="text" value="None"/> | Total <input type="text" value="\$0.00"/> |
| <input checked="" type="checkbox"/> Insert additional funding source | |

Related Financial/FTE Comments: