



CARVER COUNTY

minnesota

Carver County Board of Commissioners
May 10, 2022
Special Session

The County Board Room is open to the public.

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>

- 10:00 a.m. 1. a) **CONVENE**
- b) Pledge of allegiance
- c) Public comments submitted via email/voice mail
- 2. Agenda review and adoption
- 3. Approve minutes of May 3, 2022 Regular Session 1-4
- 4. Community Announcements
- 10:15 a.m. 5. **CONSENT AGENDA**
- Growth: Manage the challenges and opportunities resulting from growth and development*
- 5.1 Annual St. Peter Lutheran Church Maifest Event..... 5-17
- Finances: Improve the County's financial health and economic profile*
- 5.2 Review Health & Human Services and Commissioner Warrants..... NO ATT

- 10:15 a.m. 6. **County Administrator Report**
- 10:20 a.m. **ADJOURN REGULAR SESSION AND CONVENE AS
CARVER COUNTY DITCH AUTHORITY**
- 10:20 a.m. 7. **CONNECTIONS: Develop strong public partnerships and connect people to
services and information**
 - 1. Redetermination of Benefits, Appointing and Hiring Viewers for
County Ditches 18-20
- 10:30 a.m. **ADJOURN CARVER COUNTY DITCH AUTHORITY**

David Hemze
County Administrator

UPCOMING MEETINGS

<p>May 17, 2022</p> <p>May 24, 2022</p> <p>May 31, 2022</p> <p>June 7, 2022</p> <p>June 14, 2022</p>	<p>9:00 a.m. County Board/Division Director Strategic Planning Meeting</p> <p>9:00 a.m. Special Meeting/Work Session</p> <p>No Meeting</p> <p>No Meeting</p> <p>9:00 a.m. Board Meeting</p>
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A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 3, 2022. Chair Gayle Degler convened the session at 9:02 a.m.

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

Members absent: None.

Under public comments, Karen Johnson Leuthner, 15735 38th Street, Mayer, raised her concerns with parts of her comments being cut from last week's videotape of the meeting. She pointed out the public file that she distributed at today's meeting. She noted a previous Board's vote not to do a full investigation on the Hollywood Tower and referenced the additional information she distributed today. Johnson Leuthner stated her mission has been health concerns and wanted an investigation.

The following amendment was made to the agenda:
Add 5.25 Motorcycle Awareness Month in Carver County

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

Udermann moved, Workman seconded, to approve the minutes of the April 26, 2022, Special Session. Motion carried unanimously.

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

Resolution #37-22, Adopting Ordinance 98-2022 an Ordinance Imposing Slow-No Wake Watercraft Restrictions on Designated Lakes.

Approved professional services agreement for Habilitation Center, LLC.

Authorized the issuance of a special event use permit to St. Joseph Catholic Church of Waconia for their Walk on Waconia Fundraiser Event on May 21, 2022.

Agreements with the cities of Chanhassen, Chaska, Carver, Mayer and Waconia for snow removal on Destination Regional Trails upon completion of the contract review process.

Approved professional services agreement with MAXIM Healthcare Staffing Services, Inc., for the provision of professional services not to exceed \$50,000, pending approval of Attorney/Risk Management.

Resolution #38-22, Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 20/25 Intersection Project-Watertown.

Purchase of service agreement with Koch School Bus Services, Inc. and related HH&S budget amendment.

Approved the professional services agreement with Midwest Electric and Generator for the purchase and installation of the generator pending completion of the contract review process and transferring ownership of the generator to SW Transit once installation of the generator and all project deliverables have been completed.

Purchase agreement with Cartegraph Systems, Inc., pending finalization of the contract review process.

Approved the issuance of the special use permit to Podium Sports Marketing for the Lola's ½ Marathon Events on June 4, 2022.

Approved joint powers agreement with the City of Eden Prairie and District 272 Eden Prairie Schools pending completion of the contract review process.

Approved the professional services agreement with Castrejon, Inc. pending completion of the contract review process.

Approved professional services agreement with Taylor Electric in the amount of \$95,720 for traffic signal improvements on Highway 59, pending completion of the contract review process.

Resolution #39-22, Approving Carver County's Application for Funding from the Ballot Drop Box Grant Program.

Approved the release of the CCWMO Water Management Minor Plan Amendment for 30-day public and agency review.

Resolution #40-22, Amending the Carver County Water Management Water Stewardship Cost Share Program.

Approved software purchase agreements with Procore and Finario, pending finalization of the contract review process.

Resolution #41-22, Support and Approval of Submittal of Community Project Funding and Congressionally Directed Spending Requests.

Adopted Findings of Fact and issued Order #PZ20220012 for the issuance of a Conditional Use Permit, Emily and Zach Stover, Watertown Township.

Adopted the Findings of Fact and issued Order #PZ20220003 for the issuance of a Conditional User Permit, USS Dressen Family Solar, LLC, Watertown Township.

Adopted the Findings of Fact and issued Order #PZ20220011 for the issuance of a Conditional Use Permit, Tamie Schmitz, Watertown Township.

Resolution #42-22, Support and Approval for Submittal of the US Highway 212 Rural Freight Mobility and Safety Project to US DOT's Multimodal Project Discretionary Grant Opportunity Program.

Approved addendum to the agreement between the County Attorney, Mark Metz and the Chief Deputy County Attorney, Peter Ivy.

Reviewed May 4, 2022, Community Social Services' actions/Commissioners' warrants in the amount of \$448,855.70.

Motion carried unanimously.

The Board considered a Resolution to proclaim May as Motorcycle Awareness Month in Carver County. Workman read into the record the proposed Resolution.

Workman offered the following Resolution, seconded by Fahey:

Resolution #43-22
Motorcycle Awareness Month in Carver County

On vote taken, all voted aye.

David Frischmon, Finance, explained a public hearing was required for a 5-year Capital Improvement Bonding Plan and for a bond sale to reimburse the County for the 2.5 million in cash reserves that was used to acquire the Steiner Kelting Mental Wellness Facility. He stated previously the Board adopted a declaration of intent to reimburse the County with a bond sale that gives them an opportunity to get cash back to use for other purposes. He noted the 18-month time window to issue bonds and the public hearing that was required.

Workman moved, Udermann seconded to open the public hearing. Motion carried unanimously.

Nick Anhut, Ehlers and Associates, reviewed the bonding process. He stated the Steiner Kelting Facility was up and running and pointed out the related cost. He indicated the bond issue would recover 2.5 million that could be invested in other funding needs. Anhut noted a lease agreement was in place with People's Inc to provide for the bonds' debt service.

He identified the eight statutory CIP bond considerations. Anhut outlined the County's existing debt. He indicated they did not anticipate the 2.5 million bond would impose any limitations on the County's future plans and have no impact on the County's AAA rating. Anhut pointed out the petition period that would follow and the plan to present financing bids to the Board on June 14th. He clarified the County would not be able to lock in a rate until after that 30-day petition window. Anhut stated they estimated a 3.25 rate if they were to finalize this now based on a 24-year debt issuance.

Frischmon pointed out the State requirement to issue debt in order to pass that on through the lease agreement. He explained the 2.5 million would be used for the required match for the Lake Waconia Regional Park Phase II project.

No public testimony was received.

Workman moved, Degler seconded, to close the public hearing. Motion carried unanimously.

Workman offered the following Resolution, seconded by Lynch:

Resolution #44-22
Approving Five-Year Capital Improvement Plan 2022-2026 and
Confirming Intent to Issue Bonds

On vote taken, all voted aye.

Lyndon Robjent, Public Works, requested the Board approve a reorganization in public Works. He noted the work session that was previously held with the Board. He pointed out Public Works was very busy, that the County was growing rapidly, and they had large programs ahead of them in the next ten to twenty years. He highlighted the current organizational chart and explained proposed revisions in Operations, Program Delivery, Asset and Performance Management and the Parks Departments.

He reviewed costs and overall FTE changes. He noted as they get through the grading process, the costs may change.

Workman moved, Fahey seconded, to approve the reorganization in Public Works. Degler, Fahey, Lynch, Workman voted aye. Udermann voted nay. Motion carried

Lynch moved, Workman seconded, to adjourn the Regular Session at 10:14 a.m. and go into a work session with Public Services. 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:

Annual St. Peter Lutheran Church Maifest Event

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes
Presenter: Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #A20220068. St. Peter Lutheran Church has requested a One-Time Administrative Special Event Permit for the annual St. Peter Lutheran Church Maifest celebration on May 22nd in Section 11, Watertown Township. The event would be similar to previous years and would be held entirely on property owned by St. Peter Lutheran Church at 3030 Navajo Avenue, with the exception of attendee parking, which would be located on the two parcels adjacent to the west. A shuttle service would be provided from Christ Community Lutheran School parking lot in Watertown to the Maifest. Festivities at the church property would run from 11:00 a.m. to 3:00 p.m. and include: a German meal in the dining hall, children's games, a silent auction, and musical entertainment.

The applicant has provided written permission from neighboring property owners for parking, invoices for portable restrooms and commercial water receptacles, proof of insurance, and the appropriate liquor permits for the event.

The Watertown Town Board reviewed the request and did not have any objections.

ACTION REQUESTED:

A motion authorizing the issuance of a Certificate of Zoning Compliance (#A20220068) for the May 22, 2022, St. Peter Lutheran Church Maifest celebration.

FISCAL IMPACT:
If "Other", specify:

FUNDING
County Dollars =

Total

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8405



St. Peter Lutheran Church
“Serving the Lord and the Community”

3030 Navajo Avenue
Watertown, MN 55388
www.stpeterlc.org
email: admin@stpeterlc.org

2022 St. Peter Lutheran Church German Maifest
Sunday, May 22, 2022, 11am-3pm

The 2022 Maifest has been reformatted to accommodate possible social distancing while still providing a quality, fun cultural experience. We anticipate 1000+ guests in attendance. Please see attached advertisement for the main details.

2022 Maifest offers the opportunity to purchase authentic German food on line & schedule a time for pick up or you may attend in person. Online orders can be placed at www.stpeterlc.org. All food will be prepared on property in our commercial grade kitchen.

Schnitzel dinner, Bratwurst dinner, Apfelstudel & Pretzels will be served.

Our west parking lot entrance will be split in two sections with the west side being directed to park in the adjoining hay field & the east section being directed to the drive through food pick up line.

Guests will be encouraged to park at the CCLS parking lot in Watertown. A bus from Stahlke Bus Co., Delano will be employed to transport guests to & from the CCLS parking lot every 1/2 hour.

The drive through line will pass between the Church building & the service tent. Once the customers have picked up their prepaid orders they will exit out of the east parking lot, drive on to Navajo & back out on to 24.

There will be no entry allowed on the east side of the parking lot.

The event has been trimmed back from 9 hours to 4 hours.

The silent auction will be held in the church fellowship hall

There will be the maibaum raising ceremony and children's activities.

St. Peter members & volunteers will wear face masks & gloves when serving food & beverages to the guests, if state guidelines require it.

We will use only our own 20x30 tents for seating.

Attendees will enter through an open air information tent so attendance instructions & food menus may be distributed.

Guests will be encouraged to wear masks while shopping at the Maifest Markt & ordering food or beer.

Lupine Brewing Company, Delano MN will be our soul beer supplier.

Tent seating will be limited with the main seating along the tree line on the east side of the parking lot & in front of the 20x30 tents.

There will be only one band & one strolling musician.

Food will be ordered in a 10x20 "payment/order" tent and our youth group members will then pick up the orders from the food service tent & deliver the food to the tables.

Guests will be responsible for their own beer orders & pick up from the separate beer tent.

An open air Maifest Market will be placed on both the east & west side of the Church proper for guests to shop for gift & garden items.

Food service will operate out of both sides of a 20x30 cook/service tent with to go orders being picked up on the south side & on property dining orders being picked up on the north side by our youth members who will then deliver the orders to the guests at their tables.

Guests will dispose of their own garbage in strategically placed garbage cans throughout the property.

The beer tent will be set up to the east of the food tent & be a separate unit.

Guests will be responsible for their own alcoholic beverage pick up.


We will be renting a garbage dumpster from ~~Blackowiak Disposal, Mound MN.~~

We will be renting 2 regular & 2 handicap porta potties plus two hand wash stations from Mini Biff, Hutchinson MN. This is double our usual outdoor facilities due to no admittance to the Church proper for bathrooms

The township liquor application has been approved the county & state are pending but have been submitted, copies of all have been included.

Respectfully prepared by and submitted by,

Ronald R. Gust Jr.
St. Peter Maifest Board

Ronald's Delano 

Maifest 2022 is Sunday, May 22nd!

OFFICERS OF

St. Peter Lutheran Church

(Year *2022*)

(Name of Organization or Club)

President

FULL NAMES (first/middle/last)	<i>Dale Richard Gubbs</i>
Address	<i>P.O. 771 408 Fremont St. SW. Watkins Town MN. 55388</i>
	Phone number <i>(952) 955-2356</i>

Vice-President

FULL NAMES (first/middle/last)	<i>Brenda Wronel</i>
Address	<i>208 Ch Rd 92N Maple Plain MN. 55359</i>
	Phone number <i>(763) 479 3212</i>

Secretary

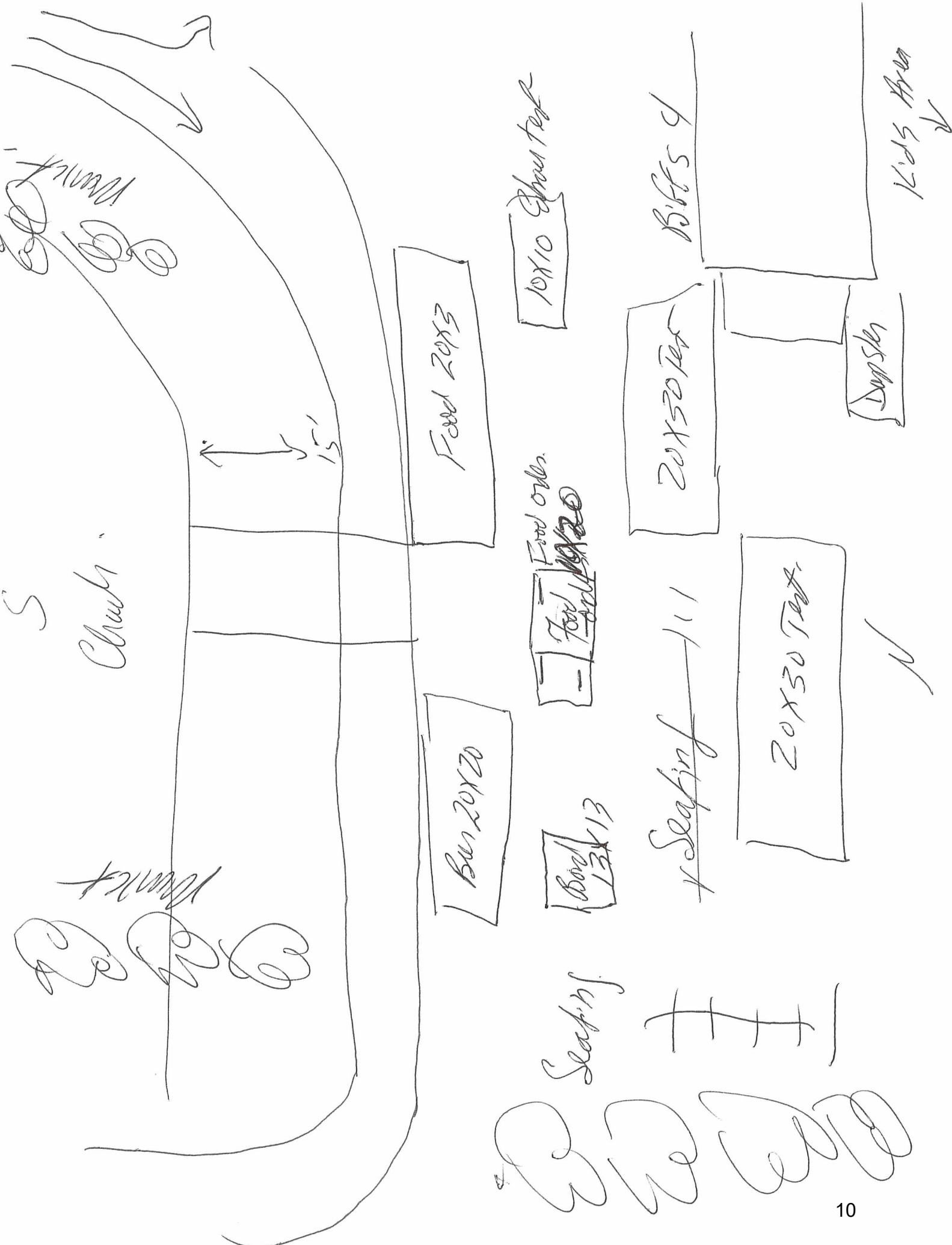
FULL NAMES (first/middle/last)	<i>Wendell Ann Gubbs</i>
Address	<i>P.O. 771 408 Fremont St. SW. Watkins Town MN. 55388</i>
	Phone number <i>(952) 955 2356</i>

Treasurer

FULL NAMES (first/middle/last)	<i>Joyce Ann De Noomel</i>
Address	<i>716 Green Ave S.E. Watkins Town MN. 55388</i>
	Phone number <i>(952) 955-2806</i>

Chairman

FULL NAMES (first/middle/last)	<i>Dale Richard Gubbs.</i>
Address	<i>P.O. 771 408 Fremont St. SW. Watkins town MN. 55388</i>
	Phone number <i>(952) 955-2354</i>





ST. PETER LUTHERAN CHURCH

3030 Navajo Avenue
P.O. Box 508
Watertown, Minnesota 55388
Church: (952) 955-1679
E-mail: admin@stpeterlc.org
www.stpeterlc.org

We the below signed land owners of the adjacent property to St. Peter Lutheran Church (3030 Navajo Ave Watertown, MN 55388) grant our permission to use our land to the west of the church property for parking on Sunday, May 22nd, 2022 for Maifest.

St Peter Lutheran Church has provided us with proof of insurance to cover any incident that may occur on our property that they will be using for parking.

Print name, address and date:

Mark and Laurie Eickhoff
10520 County Road 24
Watertown, MN 55388

Sign name:



ST. PETER LUTHERAN CHURCH

3030 Navajo Avenue
P.O. Box 508
Watertown, Minnesota 55388
Church: (952) 955-1679
E-mail: admin@stpeterlc.org
www.stpeterlc.org

We the below signed land owners of the adjacent property to St. Peter Lutheran Church (3030 Navajo Ave Watertown, MN 55388) grant our permission to use our land to the west of the church property for parking on Sunday May 22nd, 2022 for Maifest.

St Peter Lutheran Church has provided us with proof of insurance to cover any incident that may occur on our property that they will be using for parking.

Print name, address and date:

Doug and Margaret Runke
10535 Oak Lake Terrace
Watertown, MN 55388

Sign name:

CONSENT OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Watertown,
County of Carver, Minnesota, held on the 7th day of February, 2022,
a quorum of the Board being present, the following resolution was adopted:

Application having been made by:

St. Peter Lutheran Church.
(Name)

3030 Newajo Ave P.O. 508
(Address)

Watertown MN. 55389
(City/State/Zip)

For a Temporary Strong License
(Type of License)

Full Year License: _____ Temporary License: X

If temporary license:

Event date(s): May 22, 2022

Place of event: _____
(Enter only if address is different from above)

THEREFORE, BE IT RESOLVED that the County Board of Carver County hereby is authorized to issue such Liquor License.

Dated this 7th day of February, 2022.

Scott Hesse
Chairman of Town Board

Wayne Huber
Clerk of Town Board

Fee charged by Town Board: \$ _____

COUNTY OF CARVER
CERTIFICATE OF ZONING COMPLIANCE

FILE/CERTIFICATE # A20220068

DATE ISSUED: 5/10/2022

TYPE OF CERTIFICATE: ONE TIME SPECIAL EVENT – MAIFEST CELEBRATION

This permit certificate is issued for the St. Peter Lutheran Church Maifest Celebration to be held on Sunday, May 22, 2022. The event will be held entirely on property owned by St. Peter Lutheran Church, except for attendee parking which will be done on the two parcels adjacent to the west. Festivities at the property will run from 11:00 a.m. – 3:00 p.m. and includes: German meal in the dining hall, children’s games, silent auction and music entertainment. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 (B)(6) of the Carver County Code. **This certificate is issued to:**

**St. Peter Lutheran Church
C/O Ronald Gust Jr.
3030 Navajo Avenue
P.O. Box 508
Watertown, MN 55388**

And is not transferable to another person or to another parcel of property.

Purpose of Certificate: To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold a Maifest Celebration event on Sunday, May 22, 2022. The event shall take place in Watertown Township in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 (B)(6) of the Carver County Code.

THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:

1. The Permit is valid only for the day of May 22, 2022.
2. The event must be conducted in accordance with the Operational Plan & Site Maps attached hereto.
3. There shall be at least two (2) bathroom satellites available for the event.
4. The sponsors are responsible to clean up all excess trash and litter during and after the event.
5. Emergency vehicle access must be provided within the activity areas of the event.

6. Parking shall be provided as described in the application on the Runke and Eickhoff/Janning properties to the west of the church (PID #'s 10.150.0030 and 10.150.0040).
7. No parking shall be allowed on County Road 24. In the event of wet weather, the applicant is responsible for keeping County Road 24 clear of mud and debris.
8. The applicant shall submit a copy of the Certificate of Liability Insurance for the church to the Land Management Department prior to the event.
9. The applicant shall provide copies of the appropriate liquor licenses to allow for the serving of beer and brats for the event to the Land Management Department prior to the event.
10. The permittee shall inform adjacent residents, Watertown Town Board, City of Watertown and the Carver County Public Works Department of the date(s) in which the event will take place. (Notification shall be provided prior to the event.)

 Christina Neel
 Land Management Planner

THIS CERTIFICATE IS ISSUED FOR SUNDAY, MAY 22, 2022, AND IS NOT EFFECTIVE UNTIL SIGNED:

I HAVE READ THE ABOVE CONDITIONS AND AGREE TO FOLLOW THEM. I REALIZE THAT FAILURE TO ABIDE BY THE CONDITIONS IS A VIOLATION OF THE ZONING ORDINANCE. I AGREE THAT THE ZONING ADMINISTRATOR OR A DESIGNATED REPRESENTATIVE MAY ENTER UPON THE SUBJECT PROPERTY TO CHECK FOR COMPLIANCE OR FOR REVIEW PURPOSES. I ALSO UNDERSTAND THAT THIS IS NOT A BUILDING PERMIT AND THAT OTHER PERMITS MAY BE REQUIRED.

 Signature of Certificate Holder

 Date

Attached To:

***Property outlined in attached site plans,
And PID #10-014-1500***

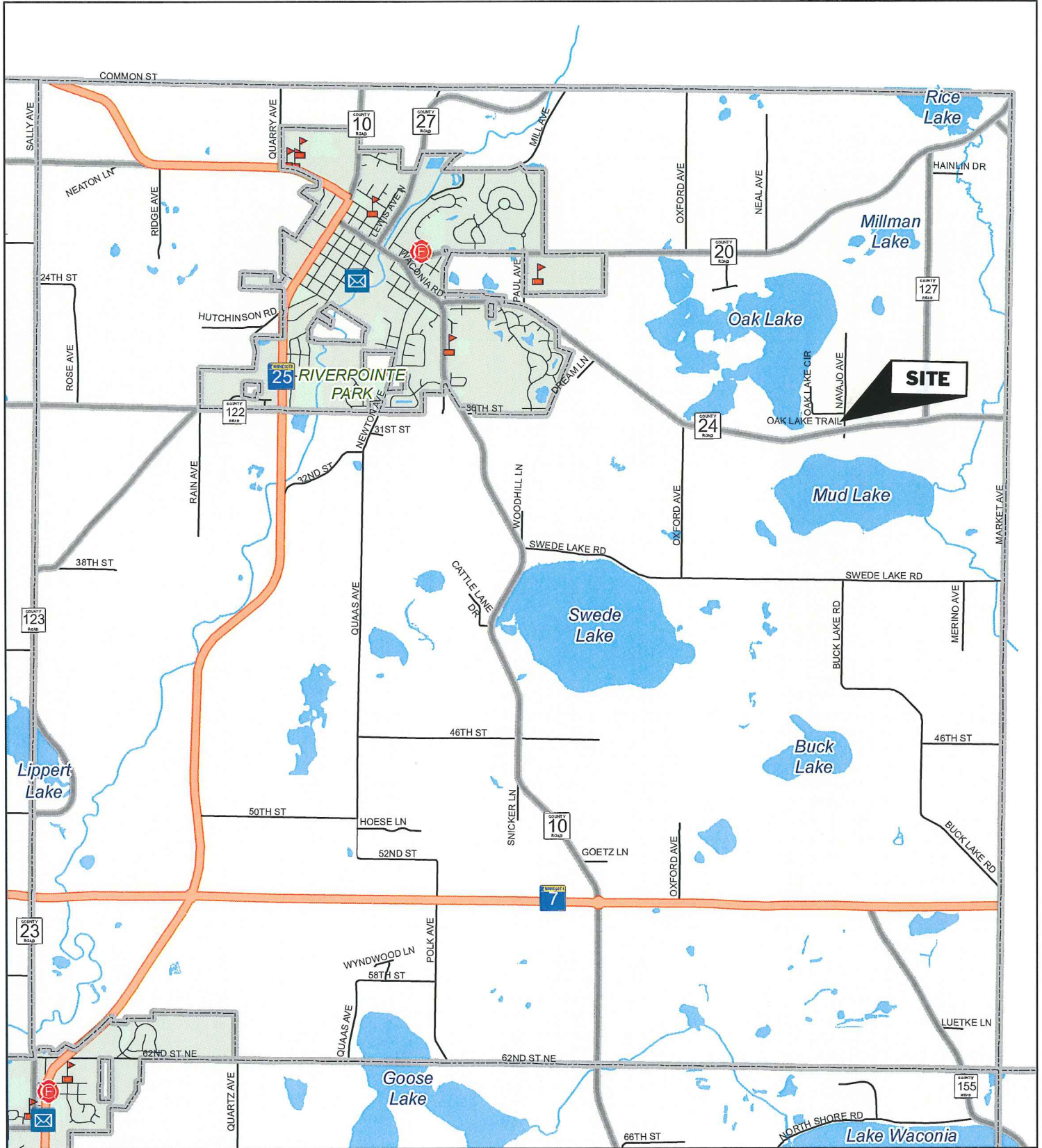
Two (2) acres of land in the Northwest quarter of Section 13-117-25 to be bounded as follows: To commence at the Northwest corner of said Section and run South on said Section line 31 rods; thence East 10 rods and five feet; thence North 31 rods; thence West 10 rods and five feet to the starting point.

Commencing at a point in the center of the road (now running through Section 13 of the Township 117 Range 25, known as the Watertown and Minnetrista road) on the West line of Lot 1 Section 13-117-25 and running thence South along the west line of said Section 13 a distance of 114 feet; thence East on a line with the said road a distance of 287 feet; thence North on a line parallel with the said Section line a distance of 114 feet; thence West along the center of the Watertown and Minnetrista road to the place of beginning a distance of 287 feet excepting and reserving therefrom a strip of land one rod wide along the Section line on the west side of the above described tract. Also two (2) rods along the North side of said tract being now occupied as a public highway of land as a cartway. The remainder to contain one half (1/2) acre of land.

Commencing at a point 114 feet South of the center of the road (now running through Section 13 of the Township 117 Range 25 known as the Watertown and Minnetrista Road) on the west line of Lot 1 Section 13-117-25 and running thence South along the said West line of said Section 13 a distance of 114 feet; thence East on a line with the said road a distance of 287 feet; thence North on a line parallel with the said Section line a distance of 114 feet; thence West on a line with the said road a distance of 287 feet excepting and reserving therefrom a strip of land one rod wide along the Section line on the West side of the above described tract of land as a cartway. The remainder to contain one half (1/2) acre of land.

Prepared by Land Management

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:

Redetermination of Benefits, Appointing and Hiring Viewers for County Ditches

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

On 2/15/22, the County Board, acting as the County's Ditch Authority, approved a motion on a 4 to 1 vote to order a Redetermination of Benefits and assign Viewers for County Ditches 2-3, 5, 6, 7, 9, 10. At a subsequent Joint Ditch meeting on February 22, 2022, additional questions were raised so the two firms who submitted viewer proposals have been invited to present their proposals to the County Ditch and Joint Ditch Authorities.

The attached Resolution providing detailed findings, Order for the Redetermination of Benefits , appointing and hiring Viewers was created based on the recommendation of legal counsel.

ACTION REQUESTED:

Rescind the County Board's 2/15/22 motion and replace with the attached Resolution.

Motion to approve the attached Findings and Order Resolution for the redetermination of benefits, appointment and hiring of _____ (insert H2O Viewers or Joe Jacobs Team) as Viewers for County Ditches 2-3, 5, 6, 7, 9, 10.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Benefitting property owners are responsible for all ditch related costs including Redeterminations and buffer strip payments.

Office use only:

RBA 2022 - 8220

**Carver County Board of Commissioners
Drainage Authority for
Carver County Ditches (“CD”)
State of Minnesota**

DATE _____ RESOLUTION NO. _____
MOTION BY COMMISSIONER _____ SECONDED BY COMMISSIONER _____

**Findings and Order Initiating the Redetermination of Benefits and Appointing Viewers for
Carver County Ditches 2-3, 5, 6, 7, 9, 10 by the Carver County Ditch Authority**

Findings:

1. County Ditches 2-3, 5, 6, 7, 9, 10 were established between 1904 and 1980 and County staff believe the current benefits roll reflects the benefited and damaged properties and benefitted and damaged areas as determined in the original proceedings.
2. Since the original determination of benefits and damages, land uses and drainage practices have changed to accelerate and increase to flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of CD 2-3, 5, 6, 7, 9, 10.
3. Since the original determination of benefits and damages, additional lands, not previously determined to be benefitted properties and areas have improved drainage to take advantage of CD 2-3, 5, 6, 7, 9, 10 as an outlet for drainage.
4. Since the original determination of benefits and damages, land values have substantially changed within the benefitted area of CD 2-3, 5, 6, 7, 9, 10.
5. The Drainage Authority for CD 2-3, 5, 6, 7, 9, 10 finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values and the benefitted areas have changed.

ORDER

A. A Redetermination of Benefits, pursuant to Minnesota Statutes 103E.351, is ordered to be completed and that the following is appointed as viewers to redetermine and report the benefits and damages for CD 2-3, 5, 6, 7, 9, 10:

(Insert Bryan Murphy, Larry Murphy, Aaron Goemann for H20 or _____ for Joe Jacobs Team)

B. The County Auditor is directed to call a first meeting of the viewers, to qualify said viewers and administer the viewers' oaths.

C. The Carver County Administrator and Board Chairman are authorized to enter a professional services contract with the viewers or their management company for the viewing services.

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 Drainage Authority for Carver County Ditches 2-3, 5, 6, 7, 9, 10 at its meeting held on the 10th day of May, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 10th day of May, 2022.

David Hemze
County Administrator