



CARVER COUNTY

minnesota

Carver County Board of Commissioners June 14, 2022 Board Meeting

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>

- 9:00 a.m. 1. a) **CONVENE**
- b) **Pledge of allegiance**
- c) **Public comments submitted via email/voice mail**
- 2. Agenda review and adoption
- 3. Approve minutes of May 24, 2022, Special Session..... 1-3
- 4. Community Announcements
- 9:20 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy, and livable communities*
- 5.1 Eliminate .65 FTE and create .80 FTE in the HHS Child and Family Department 4-5
- 5.2 Amendment to the Permanent Utility Easement with the City of Waconia at Lake Waconia Regional Park 6

5.3	Amendment 3 to Professional Services Agreement with Kimley-Horn and Associates for Highway 10 and 24 Projects	7
5.4	Resolution for a variance for the Highway 40 Project-Belle Plaine Area	8-10
5.5	Community Living Infrastructure Grant 2022-2024.....	11-12

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

5.6	Request for approval to contract with Cybersecurity Monitoring Service	13
5.7	Tobacco License	14-16

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

5.8	Eliminate 0.3125 FTE, 0.39 FTE and 0.40 FTE Community Service Officer (CSO) and create 0.65 FTE CSO	17
-----	-----------------------------------------------------------------------------------------------------------	----

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

5.9	Request for approval to contract with MN Elevator Inc.....	18
-----	------------------------------------------------------------	----

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

5.10	Contract for Master Space Plan Update.....	19
5.11	Approval of the City of Watertown Local Water Management Plan ...	20-22
5.12	Bongards RSD - Farm-Related Business (CUP).....	23-28

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

5.13	Request for approval to contract with Mint Roofing	29-30
5.14	Donation to the Sheriff's Office Dive Team	31
5.15	Citizen monetary donation (\$300) for Sheriff's Chaplain	32
5.16	State Performance Measurement Program (2022)	33-45
5.17	Review Health & Human Services and Commissioner Warrants.....	NO ATT

9:20 a.m.	6. FINANCES : Improve the County's financial health and economic profile	
	6.1 Award Sale of Steiner Kelting Capital Improvement Plan Bonds.....	46-59
9:40 a.m.	7. GROWTH: Manage the challenges and opportunities resulting from growth and development	
	7.1 Closed Session for Initial Offer for Right of Way Acquisition for the Highway 5 Project - Arboretum Area.....	60
10:00 a.m.	8. GROWTH: Manage the challenges and opportunities resulting from growth and development	
	8.1 Initial Offer for Right of Way Acquisition for the for Highway 5 Project.....	61-64
10:05 a.m.	9. COMMUNITIES: Create and maintain safe, healthy, and livable communities	
	9.1 Request for approval to contract with His House Foundation.....	65
	9.2 Settlement Agreements for Right of Way Acquisitions for the Highway 25/County Road 20 Intersection Project.....	66-71
	9.3 Settlement Agreement for Right of Way Acquisition for the Highway 24 Project.....	72-75

10:30 a.m. **10. County Administrator Report**

10:35 a.m. **ADJOURN REGULAR SESSION**

WORK SESSION

10:35 a.m. **A. COMMUNITIES: Create and maintain safe, healthy, and livable communities**
Discussion of funding from the COVID-19 Budget Stabilization
Account ("BSA") 76-78

David Hemze
County Administrator

UPCOMING MEETINGS

June 21, 2022	9:00 a.m. County Board of Equalization
June 28, 2022	9:00 Board Meeting/Work Session
July 5, 2022	No Board Meeting
July 12, 2022	9:00 a.m. Board Meeting
July 19, 2022	9:00 a.m. Board Meeting
July 26, 2022	No Board Work Session

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 24, 2022. Chair Gayle Degler convened the session at 9:00 a.m.

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

Members absent: Matt Udermann.

No public comments were received.

The following amendment was made to the agenda:

Delete 5.7 Request to approve contract with His House Foundation

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

Fahey moved, Lynch seconded, to approve the minutes of the May 10, 2022, Special Session. Motion carried unanimously.

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

Approved the Carver County Veterans Treatment Court Grant Agreement FY23

Resolution #45-22, County Board Acknowledgment 2021 Highway Preservation Program Final Payment.

Resolution #46-22, State of Minnesota Agreement No. 1050525 for Traffic Control Signal System & Other Associated Construction at the Intersection of CSAH 61 and Walnut Street Under State Project No. 1008-97.

Resolution #47-22, Support for Hosting GreenCorps Member for 2022-2023 and authorized the host site agreement, pending completion of the contract review process.

Professional services agreement with SRF Consulting Group, Inc., for \$531,917 for design services for the Highway 41/10 project, pending finalization of the contract review process.

Contract with Dem-Con Companies for cardboard recycling collected at the Environmental Center.

Accepted Minnesota Public Health Infrastructure Grant funding in the amount of \$400,000 total for two years with year one allocation equaling \$200,000 and related HH&S budget amendment.

Authorized the County Engineer to submit and support the transportation project applications as outlined to the MnDOT Metro District for consideration in the Highway Safety Improvement Program grant funding solicitation.

Contract with OnDemand Group pending finalization of the contract review process.

Resolution #48-22, Awarding of the 2022 Highway Preservation Program Contract Carver County Contract 22-168 Project #'s 218887/218898/218899.

Approved the elimination of the 1.0 FTE IT Application Analyst position and created a 1.0 FTE IT Senior Application Analyst position and related Public Services IT budget amendment.

Resolution #49-22 Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests Needed for the Bevens Creek Dam Project.

Authorized County Engineer to submit and support the transportation project application for Highway 41/Highway 10 Improvement project to the MnDOT Metro District for consideration in the Local Partnership Program grant funding solicitation.

Authorized partnering with City of Chanhassen to establish a cardboard collection site and enter into an agreement with DemCon Companies for the containers and hauling service.

Motion carried unanimously.

The Board considered appointments to the CDA and Mental Health Advisory Committee to fill vacancies.

Fahey explained as a liaison to the CDA Board he had an opportunity to interview the applicants for the CDA Board and was impressed with their service to the community.

Dave Hemze, Administrator, pointed out Commissioner Udermann's support for the appointment of the two applicants from District 3.

Fahey moved, Workman seconded, to appoint Adam Teske as the District 5 appointment to the CDA Board and to approve the appointment of Kelli Brenny and Sarah Bot to the Mental Health Advisory Committee. Motion carried unanimously.

Workman moved, Lynch seconded, to adjourn the Regular Session and reconvene as the Carver County Board of Health. Motion carried unanimously.

Richard Scott, Community Health Services Administrator, shared the County's health rankings, noting the County has been named the healthiest for ten consecutive years. He recognized while the County was the healthiest, happiest and wealthiest, not all residents share that story. He pointed out the barriers they face and the need to better understand the needs of all our residents. Scott reviewed the County's rankings in the areas of health behaviors, clinical care, leading causes of death, economic factors and physical environment. He noted excessive drinking has been one of their ongoing challenges.

He pointed out how the County compared to other counties. Moving forward the County's greatest challenges included increased population with changing demographics, other impacts of Covid, and improving capacity to respond to future pandemics. Scott indicated they are looking forward to more conversations related to the communities of belonging.

Scott identified the four driving questions included in Community Health Improvement Plan. He stated the Community Health Improvement Plan has positioned Public Health to address the needs of the pandemic, has cultivated a broad base of partners and provided a comprehensive understanding of our communities. He pointed out communities of belonging was a high priority area and explained their vision. Scott recognized the ongoing impacts of Covid will continue to be a challenge for the future.

The Board thanked Dr. Scott for the report and encouraged Public Health to keep up the good work.

Lynch moved, Fahey seconded, to adjourn as the Carver County Board of Health at 9:47 a.m. Motion carried unanimously.

David Hemze
County Administrator

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

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request approval to delete .65 FTE and add .8 FTE in the HHS Child and Family Department

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
2022 salaries	11-422-700-0000-6111	\$19,829.22	2022 Opioid Allocation	11-423-710-0000-...	\$19,829.22
2023 salaries	11-422-700-0000-6111	\$39,658.46	2023 Opioid Allocation	11-423-710-0000-...	\$39,658.46
TOTAL		\$59,487.68	TOTAL		\$59,487.68

Reason for Request:

Delete a .65 FTE social worker position and add a .8 FTE social worker position to meet the growing demands of Foster Care Licensing.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment to the Permanent Utility Easement with the City of Waconia at Lake Waconia Regional Park

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

On August 20, 2019, the County Board took action to approve a development agreement with the City of Waconia for improvements to be made at Waconia Regional Park. At that time, the County agreed to a permanent utility easement for sewer and water services across the park and were depicted in an Exhibit F of the agreement. The agreement also specified that the City Engineer would prepare legal description for the easement area. Upon approval of the legal description, by the County surveyor, the City of Waconia and Carver County shall record an amendment to the Utility Easement that includes the legal description.

The City of Waconia has prepared the legal description and the description has been reviewed by the County Surveyor and by County Attorney Staff. Upon execution by the County, the document will be recorded and copy provided to the City of Waconia.

ACTION REQUESTED:

Motion to approve the Amendment to the Utility Easement with the City of Waconia and authorize Board Chair and County Administrator to sign.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8442

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment 3 to Professional Services Agreement with Kimley-Horn and Associates for Highway 10 and 24 Projects

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 amendment includes additional scope and budget for Professional Services related to the Highway 10 and 24 Projects in the City of Watertown and Watertown Township. Additional budget is necessary for the consultant to complete final plan production. Modifications were necessary to accommodate county construction staff requests for more detailed information, update plans to match new requirements from MNDOT's 2020 Special Provisions, and to complete additional watershed modeling for culvert design. In addition, plan revisions were necessary during the construction phase to accommodate improvements for a pedestrian crosswalk on Highway 10 and changes to the intersection of Highway 24 and Paul Avenue due to requests from the City of Watertown for additional improvements at these locations.

ACTION REQUESTED:

Motion to approve Amendment 3 to the Professional Services Agreement with Kimley-Horn and Associates for \$68,171 for the Highway 10 and 24 Projects, pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	<input type="text" value=""/>
Wheelage Tax	\$68,171.00
Total	\$68,171.00

Insert additional funding source

Related Financial/FTE Comments:

Amendment 3 to original contract for PR 158794 (CSAH24) and 158793 (CSAH 10).

Office use only:

RBA 2022 - 8447

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution for a variance for the Highway 40 Project- Belle Plaine Area

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
Consent ▼

Amount of Time Requested: minutes
Presenter: Title:

Attachments: Yes No

Strategic Initiative:
 ▼

BACKGROUND/JUSTIFICATION:

The Highway 40 Project-Belle Plaine Area is in the preliminary design stage. A specific section of this roadway known as Carter's Corner has two horizontal curves that are under the specified design speed for this roadway classification. The current preliminary design provides for two horizontal curves that slightly increase the design speed of the roadway in this area, but this improvement is still below the minimum design recommendations of the specific State Aid rules that are required to be met. The variance request to the State Aid rules process, overseen by the Minnesota Department of Transportation, provides an opportunity for the road authority to request a variance to the rules to allow the roadway to be built under the recommended standards. The formal resolution presented here is a part of the packet that is required to be submitted for the variance process. The attached resolution requests the use of two 35 mile per hour horizontal curves in the vicinity of Carter's Corner.

Pursuing this variance request does not require that this road alignment must be used as part of the final design of the roadway.

Public Works staff recommends the adoption of the attached resolution to allow for this road alignment to be considered as an option during the final design process.

ACTION REQUESTED:

Motion to adopt a resolution requesting a design variance request to the State Aid rules from the Minnesota Department of Transportation for the Highway 40 Project- Belle Plaine Area.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8451

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

Date: June 14, 2022 Resolution No: _____
Motion by Commissioner: _____ Seconded by Commissioner: _____

**A resolution requesting a variance from standard for State Aid Operation for Project No.
S.P. 010-640-016.**

WHEREAS, Carver County is preparing plans for reconstruction of County State Aid Highway (CSAH) 40 from Trunk Highway (TH) 25 northerly approximately 4 miles to CSAH 52 in San Francisco Township, MN; and

WHEREAS, Minnesota Rules for State Aid Operation 8820.9920 require minimum 40 miles per hour design speed for horizontal curvature; and

WHEREAS, the Carver County Board of Commissioners believes the minimum design standards set forth by Minnesota Rules for State Aid Operations 8820.9920 as applicable to the proposed horizontal curves located approximately 2,500 feet and 3,200 feet north of the intersection of TH 25 and CSAH 40 to meet 40 miles per hour design speed creates an undue burden; and

WHEREAS, the Carver County Board of Commissioners believes the minimum design standards set forth by Minnesota Rules for State Aid Operations 8820.9920 as applicable to the proposed horizontal curves located approximately 2,500 feet and 3,200 feet north of the intersection of TH 25 and CSAH 40 to meet 40 miles per hour result in a significant impact on adjacent properties and natural resources; and

NOW, THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9920 (Minimum Design Standards; Rural and Suburban Undivided; New or Reconstruction Projects) to allow two horizontal curves with a 35 mile per hour design speed in lieu of horizontal curves with a 40 mile per hour design speed;

BE IT FURTHER RESOLVED, that the Carver County Board of Commissioners hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the use of 35 mile per hour design speed horizontal curves on CSAH 40 in accordance with Minnesota Rules 8820.9920 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

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 14th day of June, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of June 2022.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Community Living Infrastructure Grant 2022-2024

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

An additional round of Community Living Infrastructure (CLI) grant funding was made available by Minnesota DHS. The Carver County Housing Unit applied for funding and was granted the full request of \$356,902. The grant period is 06/01/2022-03/31/2024. This funding will provide support for people with disabilities and housing instability who want to live in the community. Funding may be used for outreach to locate and engage people who are homeless or residing in a segregated setting to screen for basic needs and assist with a referral to community living resources; to build capacity, which can include hiring additional staff, to provide housing assistance to persons with both disabilities and low income; and provide direct assistance including monitoring and managing the Carver County Housing Hotline and assisting eligible households in Carver County who are exiting homelessness.

ACTION REQUESTED:

A motion to approve the contract for the Community Living Infrastructure Grant from MN DHS for 2022-2024 in the amount of \$356,902 pending approval from Risk Management and the County Attorney's Office.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	\$0.00
Minnesota DHS	\$356,902.00
Total	\$356,902.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

This CLI grant award operates as a reimbursement grant. Carver County reports expenditures quarterly to MN DHS to receive funds.

Office use only:

RBA 2022 - 8452

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Community Living Infrastructure Grant 2022-2024

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT		
Description of Accounts	Acct #	Amount
Salaries	11-480-755-0000-6111	\$251,152.00
Direct Client Assistance	11-480-755-4430-6040	\$100,000.00
Training	11-480-755-0000-6332	\$1,000.00
Mileage/Travel	11-480-755-0000-6331	\$2,200.00
Application Fees	11-480-755-0000-6260	\$1,000.00
Office Equipment	11-480-755-0000-6414	\$1,100.00
Misc. Costs	11-480-755-0000-6379	\$450.00
TOTAL		\$356,902.00

CREDIT		
Description of Accounts	Acct #	Amount
CLI Grant Award 22-24	11-480-755-0000-...	\$356,902.00
TOTAL		\$356,902.00

Reason for Request:

Acceptance of the CLI Grant effective from date of contract execution to 3/31/2024. \$178,318 for Outreach (which includes .9 of salary/benefit of 1.0 Case Manager new position), \$100,000 for Direct Assistance (which includes .1 salary/benefits for 3 current Case Managers & .1 of the new Case Manager) for a total of \$356,902.

Carver County Board of Commissioners

Request for Board Action



Agenda Item:
Request for approval to contract with Cybersecurity Monitoring Service

Primary Originating Division/Dept: <input type="text" value="Public Services - IT"/>	Meeting Date: <input type="text" value="6/14/2022"/>
Contact: <input type="text" value="Peter Henschel"/> Title: <input type="text" value="Chief Information Officer"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

Information Technology ("IT") is requesting approval to renew our cybersecurity monitoring service for managed cybersecurity detection and response services to bolster our cybersecurity posture. Cybersecurity continues to be a top priority for the IT Department with the increase in the number of employees working remotely and the cybersecurity incidents and threats that are happening across the nation. It is important for the County to protect our technology systems.

This service is a 24/7/365 service monitoring of a security information and event monitoring tool the County purchased in 2019. This tool correlates security logs from different sources, provides analytics behind the data, and alerts on security incidents based on the data analyzed. This security monitoring service will help augment IT security staff in security incident response responsibilities. The cybersecurity service was first implemented in June of 2021. The service has proven effective in reducing and mitigating cybersecurity threats to the organization. After a one-year trial the IT Department would like to renew this subscription service from 6/22/2022 to 8/26/2025. There is a cost savings of \$1,560 plus up to a 5% increase for year 2 and 3, equaling a cost savings up to \$12,869 for the term agreement. The cost includes the security information and event monitoring software and the 24/7/365 monitoring service. Multiple quotes were obtained in the initial review of the security information monitoring software.

ACTION REQUESTED:

Motion to approve renewal of cybersecurity monitoring services and software.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text" value="\$304,396.80"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$304,396.80"/>
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:

\$95,116.75 annual cost includes security software and monitoring service.

Office use only:

RBA 2022 - 8449

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Tobacco License

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/>	Meeting Date: <input type="text" value="6/14/2022"/>
Contact: <input type="text" value="Heather Perkins"/> Title: <input type="text" value="Election and Licensing Specialist"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

Attached is a list of businesses that have applied for a tobacco license and are in compliance with the Carver County Tobacco Ordinance. The owners are requesting the Carver County Board of Commissioners approval to sell tobacco products. These are all tobacco license renewals.

ACTION REQUESTED:

Approval of the County Board to issue tobacco licenses to the attached businesses. Board approval is subject to the receipt of all required paperwork, licensing fee paid, signed affidavit, and all delinquent taxes paid.

FISCAL IMPACT: <input type="text" value="None"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source
Related Financial/FTE Comments: <input style="height: 40px;" type="text"/>	

Office use only:

RBA 2022 - 8458

Tobacco License Applications To Be Approved by County Board

<p>License #10-513 58-0140951 Good Time Liquors LLC Danielle L Butler, Owner 400 Faxon Road Norwood Young America, MN 55368</p>	<p>License # 10-515 25-8900010 Holiday Stationstores, LLC dba Holiday Stationstore #199 Kate Nolan, License Administrator 441 79th Street West Chanhassen, MN 55317-4505</p>
<p>License # 10-523 40.0140700, 40.1500010 Mid-County Coop dba Holiday Stationstore #3577 William F. Reimers, General Manager 409 Paul Avenue North Cologne, MN 55322</p>	<p>License # 10-526 58-6880230 R E Smith Oil & Tire Co., Inc. Russell E Smith, Owner 503 Faxon Road North Norwood Young America, MN 55368</p>
<p>License # 10-566 20-0500390 Schoknecht, Inc dba Lisa's Place Lisa M Schoknecht, President 205 Broadway North Carver, MN 55315</p>	<p>License # 10-578 25-2860010 Kwik Trip, Inc dba Kwik Trip #402 Donald P. Zietlow, President 2201 West 78th Street Chanhassen, MN 55317</p>
<p>License # 10-594 65-2050010, 65.5100090 Holiday Stationstores, LLC dba Holiday Stationstore #360 Kate Nolan, License Administrator 1793 Arboretum Blvd. Victoria, MN 55386-7706</p>	<p>License # 10-596 25.4510010 Champlin 2005 LLC dba Cub Foods #1644(31564) Attn: Licensing 7900 Market Blvd. Chanhassen, MN 55317</p>
<p>License # 10-604 58.0145100 Holiday Stationstores, LLC dba Holiday Stationstore #371 Kate Nolan, License Administrator 502 North Faxon Road Norwood Young America, MN 55368-9734</p>	<p>License # 10-605 25.2520010 Walgreen Co dba Walgreens #09728 Alexander W Gourlay, President & CEO 600 West 79th Street Chanhassen, MN 55317</p>
<p>License # 10-611 58.0510380 Last Call Too dba Last Call Diane R. Henning, Owner 118 Main Street East NYA, MN 55397</p>	<p>License # 10-613 20.3500010 Casey's Retail Company dba Casey's General Store #2655 John C Soupene, President 300 County Road 40 East Carver MN 55315</p>
<p>License # 10-627 25.2480010 Kwik Trip, Inc. dba Kwik Trip #492 Donald P. Zietlow, President 8921 Crossroads Blvd. Chanhassen, MN 55317</p>	<p>License # 10-628 25.7940010 Walgreen Co. dba Walgreens #12434 Alexander W Gourley, President & CEO 2499 Highway 7 Excelsior, MN 55331-9701</p>
<p>License # 10-633 25.7940030 Northern Tier Retail LLC dba SuperAmerica #4366 Attn: Marketing Services 2391 Highway 7 Excelsior, MN 55331</p>	<p>License # 10-634 40.0750010 - Tenant GMB Enterprise, LLC dba Inn Town Wine & Spirits Gary Bjurstrom, Owner 102 Lake Street West Cologne, MN 55322</p>
<p>License # 10-637 20.2700020 Fleet Farm of Green Bay LLC dba Fleet Farm Fuel Jeffry L Meek / License Dept. 1921 Levi Griffin Road Carver, MN 55315</p>	<p>License # 10-638 58.8490020 Family Dollar Peter Barnett 713 Faxon Rd Norwood MN 55397</p>

License # 10-643 25.0760010 Northern Tier Retail, LLC dba SuperAmerica #5001 Attn: Marketing Services 2960 82nd Street Chaska MN 55318-2329	License # 10-646 25.2480020 MLNG LLC dba The Vintage Michael Clausen, Owner 8971 Crossroads Blvd., Suite 160 Chanhassen, MN 55317
License # 10-648 58.0143851 Kwik Trip, Inc dba Kwik Trip #854 Donald P Zietlow, President 520 Reform Street N NYA, MN 55368	License # 10-649 65.5100011 Churchills Quality Cigars & Gifts Derrick Smigiel, Owner/President 8000 Victoria Drive Victoria, MN 55386
License # 10-652 25.7650020 Minnesota Fine Wines & Spirits, LLC dba Total Wine & More Christy M Richards 510 Lake Dr Chanhassen, MN 55317	License # 10-654 20.2700010 Fleet Farm of Green Bay LLC dba Fleet Farm Jeffry L Meek/Licensing Dept 1935 Levi Griffin Rd Carver, MN 55315
License # 10-655 50.7000050 Casey's Retail Company dba Casey's General Store #3591 John C Soupene, President 313 Shimmcor St Mayer, MN 55360	License # 10-656 04.0150610 Big Stick's LLC Michele & Richard Imdieke 6940 Dahlgren Rd Chaska MN 55318
License # 10-657 25.4460010 Greenleaf Tobacco & E Cigs dba Greenleaf Tobacco Mohammad Mirib 600 Market St Unit 120 Chanhassen MN 55317	License # 10-658 07-116-22-33-0027 Yayin Gado I, LLC dba Top Ten Liquors Jonathan Halper 19900 W 78th St Chanhassen MN 55317
License # 10-660 20.0500840 Brian Charles Bar LLC DBA Dog House Bar Brian Chilman 313 N Broadway Carver MN 55315	License # 10-661 50.0500350 FILLMEUP LLC DBA FILLMEUP Ashvin K Patel 308 Ash Ave N Mayer MN 55360
License # 10-662 06.0331242 FILLMEUP LLC DBA FILLMEUP Ashvin K Patel 17535 Highway 7 New Germany MN 55367	License # 10-665 25.1720010 Tobacco & Vapes Ahmed Abualzain and Hazim Hasan 578 78th St W Chanhassen MN 55317
License # 10-667 65.4920030 Hamsa LLC Kashif Mahmood 1510 Commercial Ave Victoria MN 55386	License # 10-668 20.0970010 Kwik Trip, Inc dba Kwik Trip #1095 Donald P Zietlow 1700 Monroe Dr Carver MN 55315
License # 10-671 25.8790040 E-CIG POD USA LLC TOM MADDEN 840 W 78TH STREET CHANHASSEN MN 55317	License # 10-672 25.0690020 One Stop Station Two Chanhassen LLC Mervat Girgis 7755 Century Blvd Chanhassen MN 55317

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Eliminate 0.3125 FTE, 0.39 FTE and 0.40 FTE Community Service Officer (CSO) and create 0.65 FTE CSO

Primary Originating Division/Dept: <u>Sheriff</u>	Meeting Date: <u>6/14/2022</u>
Contact: <u>Mike Wollin</u> Title: <u>Commander</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <u> </u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u> </u> Title: <u> </u>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Carver County Sheriff's Office has had a long practice of providing contracted police services to the cities of Carver County. Part of these services are Community Service Officers (CSO). In October of 2021 the Board approved RBA-7927 for continuation of a part-time CSO hour increase which was offset by a temporary decrease in FTE in one of the existing CSO vacancies. At that time the Sheriff's Office had four existing (2-0.40 FTE, 1- 0.39 FTE, & 1- 0.3125 FTE) vacancies for PT CSO. On 04/11/2022, two new 0.40 FTE CSO's began employment with the Carver County Sheriff's Office reducing the number of vacancies from four to two. The Sheriff's Office still has a need to maintain contractual coverage to cities as well as hours of coverage to the County Parks Department. The temporary increase in hours proved efficient and effective to maintain fulfillment of current contract hours. Upon further review of previous decreased contracted services for CSO by cities and townships, the number of PT positions is also lessened. Because of the increased efficiencies and effectiveness, the Sheriff's Office is requesting a permanent increase by creating a 0.65 FTE CSO and eliminating a 0.3125, 0.39, and 0.40 FTE CSO and associated revenue remaining after conversion.

ACTION REQUESTED:

Discontinue the temporary increase of up to 28 hours per week and approve the elimination of 0.3125 FTE CSO, 0.39 FTE CSO, and 0.40 FTE CSO and associated revenue, and create a 0.65 FTE CSO.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: Decrease budgeted staff

FUNDING

County Dollars =	\$41,020.00
Eliminate .3125 FTE CSO	(\$18,745.00)
Eliminate .39 FTE CSO	(\$23,907.00)
Eliminate .40 FTE CSO	(\$23,907.00)
Total	(\$25,539.00)

Related Financial/FTE Comments:

Creation results in eliminated 0.45 FTE and revenue of \$25,539, this is included in the current budget.

No additional levy dollars will be needed for this FTE change.

Summary of FTEs (does not include Temporary/STOC positions):

2022 Budget Board approved FTEs - 1/1/22:	744.40
Non-levy funded Board Approved net FTE changes so far in 2022:	2.30
June 14th RBAs non-levy funded net FTE changes:	<u>(0.30)</u>
2022 Total FTE - 6/14/22	746.40

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with MN ELEVATOR INC

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The elevator in the Carver County Historical Society is due for modernization to meet current code requirements. Carver County owns and maintains this facility. The planned work includes new controllers, car panel interior and exterior, hoist way wiring and cables, toe guards, car stop station, and escape hatch switch. Every three years, the County goes through a bid process for elevator maintenance. MN Elevator Inc. (MEI) is the current provider and continues to provide quality repairs for best pricing. Minnesota Elevator is an approved vendor for the State of Minnesota E-120 contract state pricing.

ACTION REQUESTED:

Motion to contract with MN ELEVATOR INC pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Funded through CIP 30-948-000-0000-6640

Office use only:

RBA 2022 - 8439

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Contract for Master Space Plan Update

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Three years have passed since the County completed a space study. In that time, the County has seen significant changes which require a revisit of the initial plan and the reconsideration of the master plan recommendations. The most significant of these changes was the world-wide pandemic which shifted the County from a traditional in-office workplace model into an evolution of telework and hybrid in many of our divisions and departments. With that change, the County has a desire to create a more universal vision for our hybrid work spaces.

Therefore, staff is recommending that the master space plan be revisited and updated to reflect these new work conditions. Further, it is anticipated, based upon the adoption of the hybrid model, that not only the amenities and support spaces will change but, the original recommendation of a new HHS facility is likely to change - at least in its size and arrangement.

Staff is recommending that we continue to work with Leo A Daly. They completed the previous master space plan and continuing with this firm would allow us to pick up where we left off and not reinvent the wheel on much of the data that they have assembled about our workspaces.

The cost to complete the study update is \$48,600. It is estimated that it will take 3-5 months to complete the work.

ACTION REQUESTED:

Motion to approve contract with Leo A Daly for the completion of the master space plan update pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Project to be funded from the the Master Space Plan Projects CIP fund.

Office use only:

RBA 2022 - 8435

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of the City of Watertown Local Water Management Plan

Primary Originating Division/Dept: <input type="text" value="Public Services - Planning & Water Mgmt"/>	Meeting Date: <input type="text" value="6/14/2022"/>
Contact: <input type="text" value="Paul Moline"/> Title: <input type="text" value="PWM"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

Carver County is the water management authority (Carver County Water Management Organization-CCWMO) for the area of the County not under jurisdiction by a watershed district. State statute requires local government units within the watershed to prepare a local water management plan (LWMP) that complies with the CCWMO Plan and the general requirements of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410. Approval of the local water management plan by the CCWMO is required under MN Statute 103B.235.

The entirety of the City of Watertown is in the CCWMO and therefore must meet the requirements of the CCWMO Watershed Management Plan. The city has submitted a draft LWMP to the CCWMO for review, and a final LWMP for consideration for approval. Staff have reviewed the city's LWMP and found that it complies with the CCWMOs current plan as well as with state statute and rule. The City of Watertown and the CCWMO also are in the process of developing a memorandum of understanding regarding shared implementation of educational and other plan priorities.

Staff is requesting that the Board approve the City of Watertown's Local Water Management Plan (dated February 2022).

ACTION REQUESTED:

Motion to adopt a resolution approving the City of Watertown 2022 Local Water Management Plan.

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

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8430



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: June 14, 2022

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

A Resolution to Approve the Local Water Management Plan for the City of Watertown

WHEREAS, Under Minnesota Statute 103B.211 to 255, Carver County is the water management authority (Carver County Water Management Organization-CCWMO) for the area of the County not under jurisdiction by a watershed district, and;

WHEREAS, the CCWMO updated the Water Management Plan in 2020 which meets the requirements defined in MN statute 103B.231 - Surface Water Planning, and MN Statute 103B.255 and;

WHEREAS, MN state statute 103B.235 Local water management plans (LWMP's) requires that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program, and official controls as necessary to bring local water management into conformance with the CCWMO Plan within two years of the adoption of the WMO Plan. Local Plans must meet the requirements of the CCWMO Comprehensive Water Resources Management Plan (WMO Plan) as well as the general requirements of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410, and;

WHEREAS, the entirety of the City of Watertown is in the CCWMO and therefore must meet the requirements of the CCWMO Watershed Management Plan, and;

WHEREAS, the City of Watertown has submitted a draft plan to the CCWMO for review, and a final plan for approval consideration;

WHEREAS, the City of Watertown and the CCWMO will develop a memorandum of understanding regarding shared implementation of educational and other plan priorities;

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby approves the Local Water Management Plan (dated February 2022) for the City of Watertown with the conditional understanding that

- 1) The City will update project lists and priorities within the timeframes listed in the plans and will provide this information to the CCWMO.
- 2) CCWMO approval of the LMWP does not constitute approval of the funding requests listed in the plan as these will be evaluated and approved separately;
- 3) The City has not requested any delegation of authority in this plan and through this approval the CCWMO is not granting any such delegation.

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 14th day of June 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of June 2022

David Hemze
County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Bongards RSD - Farm-Related Business (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 #: PZ20220019. On May 17, 2022, the Planning Commission voted 5-0, with one abstention due to a conflict of interest, to recommend approval of Bongards Creameries' Conditional Use Permit (CUP) request to expand the Bongards Rural Service District (RSD) cheese-processing facility. Bongards Creameries owns and operates a large manufacturing facility located in Section 16 & 17 of the Bongards RSD. Since 1908, Bongards Creameries has processed dairy products on the site which has involved a series of different CUP's issued over the years.

In order to allow for greater operational and cost efficiencies, as well as reduce greenhouse gas production, Bongards Creameries is requesting a new CUP to expand the facility with the construction of an independent boiler building, propane storage area, and other updated site improvements. The new boiler would replace an aging system that burns #6 fuel oil, and said site improvements would include identifying employee and semi-trailer parking and landscape screening adjacent to a trailer storage area to reduce impacts on nearby residences. The CUP request also involves consolidating a number of Bongards-owned parcels into a single parcel in order to reduce the number of legal non-conforming parcels owned and operated by the creamery.

The request meets the standards of the Carver County Zoning Code Chapter 152, Section 152.097 (A)(B). The site expansion would be required to meet the Carver County Water Management Organization (CCWMO) Chapter 153 – Water Resource Management standards for the duration of the permit (i.e. stormwater management and vegetative cover).

During the May 17, 2022, Planning Commission public hearing, there was no identified neighborhood opposition and the Benton Town Board supported the request.

The Planning Commission resolution is attached for your review and provides more detail.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and issue Order #PZ20220019 for the approval of the Conditional Use Permit.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	<input type="text"/>
	<input type="text"/>
Total	\$0.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20220019

RESOLUTION #: 22-06

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

FILE #: PZ20220019

APPLICANT: Chris Anderson; Bongards Creameries

PROPERTY OWNER: Bongards Co-op Creamery

SITE ADDRESS: 13200 Co Rd 51 NYA, MN 55368

PERMIT TYPE: Rural Service District (Farm-Related Business)

PURSUANT TO: County Code, Chapter, Sections 152.097 (A) & (B)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCELS #: 01-017-0600, 01-017-0700, 01-017-1800, 01-017-2200, 01-017-2300, 01-017-2600, 01-016-0900,
01-016-1400, 01-016-1700, 01-016-2100, 01-016-2300, 01-016-2800

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 17, 2022; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Bongards Creameries currently own a collection of parcels totaling an approximate 192 acres in Sections 16 & 17 of Benton Township. The parcels are improved with a number of buildings that consist of a dairy processing facility, storage buildings, a retail store, office space, a large-scale solar energy system (CUP #PZ20150041), fuel storage facilities, a wastewater treatment center and multiple parking areas. The property is located in a Rural Service Overlay District (Bongards) and the CCWMO (Carver Creek Watershed).
2. Bongards Creameries is requesting a Conditional Use Permit (CUP) to expand the facility with the construction of an independent boiler building and propane storage area, consolidate a number of Bongards-owned parcels into a single parcel, and supersede the 2002 CUP (PZ20020064) to include a number of site improvements constructed since that CUP was issued. The CUP for a newly proposed use would be allowed pursuant to Sections 152.095, 152.096, 152.097 & 152.098 of the Carver County Zoning Code.
3. Since 1908 Bongards Creameries has processed dairy products on this site. Responding to market changes, increased capacity and satellite operations in Pelham, MN and Humboldt, TN, the Carver County facility focuses on processing cheese, shipping out 125 million pounds of cheese annually according to the submitted narrative (dated: April 21, 2022). There have been a series of CUPs issued related to Bongards dairy production and associated activities. CUP's have been issued related to constructing a fuel storage tank (1976 - now officially closed), building a cooler building (1977), incinerating whey waste (1990), injecting organic byproducts from milk production in local fields (1993, 1997, 1998), approving a master plan and upgrading the wastewater treatment facility (2003), and a constructing a solar garden (2015 – CUP #PZ20150041).
4. The proposed boiler plant, located adjacent to Co Rd 51, is a 1,200 square foot structure that meets all required structure setbacks. Located nearby, the proposed propane storage tanks measures about 1,400 square feet in area. The boiler would replace the site's need to burn fuel oil as part of normal operations. A 100,000-gallon fuel tank is scheduled to be removed from service after the construction of the proposed boiler building.

5. The submitted Overall Campus Site Plan (dated: April 22, 2022) shows the general facility building, administration building, retail, fuel storage facilities, maintenance garage, motor shed, storage sheds, exterior standby generators, a communications tower, wastewater office, chemical storage building, wastewater treatment ponds, a water tower and wells, the proposed boiler building, proposed propane tanks, parking areas and driveways for trailers and employee, contractor, and customer parking.
6. Bongards currently operates as a 24-hour 365 days per year operation, staffed by 227 employees. While two shifts of employees work in processed cheese production, other components of the facility, such as the store, lab, and administrative offices, are opened during limited hours on weekdays ranging from 6:30AM to 7:00PM.
7. Detailed in the submitted narrative (dated: April 21, 2022) is the anticipated traffic for the site, estimated at 194 vehicles entering and leaving the site daily. The vast majority of the vehicles belong to employees coming to work shifts or are Bongards work vehicles. About 31 trucks daily transport commodities and material to the property and ship off processed cheese to customers.
8. Site parking includes 14 parking lots surrounding the buildings with 185 parking spaces for trailers, employees, customers and contractors. The total amount of impervious surface is about 2 acres. With the exception of the parking areas for the store, lab, and offices, all parking areas are used on a 24 hour per day basis. Generally, the facility operations and vehicle traffic have little impact on neighboring properties. However, there are several residential properties adjacent to the north side of the site near the gravel area labeled Parking Lot A on the site plan. To mitigate any impacts of dust, light, or noise on adjacent neighboring parcels, the applicant has proposed landscape screening consisting of a single row of arbor vitae along the east boundary of the parking lot and surrounding three exterior lights. Glare shields are proposed to contain light on the site for the freestanding and wall-mounted lights. The planting plan appears, as shown on the Greater Campus Improvements Plan (dated: April 22, 2022), to comply with the screening requirements found in § 152.041. Due to the lack of proximity with any adjacent residences, documented in the submitted narrative, none of the other parking areas are proposed to be screened.
9. There are a number of legal nonconforming signs on the property. The total sign square footage (625 square feet of signage on buildings and facilities and 360 square feet on freestanding signs for a site total of 985 square feet) is assumed to have been erected or installed before the Sign Code was adopted. Such signs are regulated by the rules for nonconformities that allows for the signs to be maintained but not expanded. No new signage is proposed with this application.
10. The Carver County Water Management Organization (CCWMO) is in the process of reviewing the request and the proposed operational area with respect to the County Water Rules (Chapter 153), site stabilization requirements, and Best Management Practices (BMP's). The overall area of disturbance and the proposed operational area trigger additional permit requirements by the CCWMO. If required, all CCWMO related permits and conditions shall be met prior to the issuance of any future building permits or beginning any excavation activity. There are wetlands on the property but would not be impacted by any site improvement proposed in this application.
11. The Minnesota Pollution Control Agency (MPCA) is the regulatory authority for the wastewater treatment system. The permittee is responsible to the MPCA for compliance and/or monitoring of the National Pollutant Discharge Eliminations System (NPDES), State Disposal System (SDS) permits. Any County notification that is required by the NPDES/SDS permit should be sent to both the Land Management and Environmental Services Departments. The MPCA is also the permitting authority of any land application (injection) of bio-solids produced through the cheese manufacture process as a waste product. The 2003 MPCA Permit MN0002135 reduced the potential for conflicting conditions between the CUP approvals and NPDES/SDS permit. Due to Bongards' operating under an MPCA/SDS permit, no permitting required by the Carver County Subsurface Sewage Treatment System (SSTS) Program.
12. Vehicle access to the property is through multiple driveways on Co Rd 51. There is a railroad spur from the Twin Cities and Western Railroad, currently unused, to the southern boundary of the site. The Carver County Public Works Department has reviewed the site plan and proposed expansion on May 6, 2022, and provides the following comments:
 - The change in use to PID# 01-017-2300 with the addition of the 1,200 sq ft. boiler building requires reevaluation of the access to the site. It is preferred this parcel gain access from the existing internal roadway network likely

from the western property line instead of CSAH 51. If this is found to not be a feasible option, then an access permit and subsequent review of the access location to CSAH 51 would be required.

- The addition of PID#s 01-017-2200, 01-017-0700, and 01-017-1800 to the Conditional Use Permit would require review and management of access to CSAH 51 to balance existing access and use with proposed accesses and/or any changes in use to these parcels.
- County Public Works recommends discussion regarding how the upcoming County-led Highway 212 project in 2024/25 could incorporate any needed work on CSAH 51 regarding new accesses, combined accesses, and/or access management along the corridor.
- Ponding locations serving the site shall be located a minimum of 50 ft. from CSAH 51 roadway centerline.

13. The proposed use appears to meet the general requirements for a conditional use in the Rural Service District (i.e. newly proposed use, serving the needs of the people of the immediate area and surrounding rural community and supporting the agricultural economy).
14. The Benton Town Board reviewed the request during the April 14, 2022, Town Board meeting. The Township recommended approval and did not provide any further comments (i.e., no concerns or objections).
15. 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 approval of CUP #PZ20220019 for the Rural Service District (RSD) Farm-Related Business application. The previous CUP (#PZ20020064) and any other prior permits, amendments or renewals for an RSD (Farm-Related Business or Wastewater Treatment System or Land Application of Industrial Bio-Solids) shall be superseded and terminated, and the following conditions should be considered part of the permit:

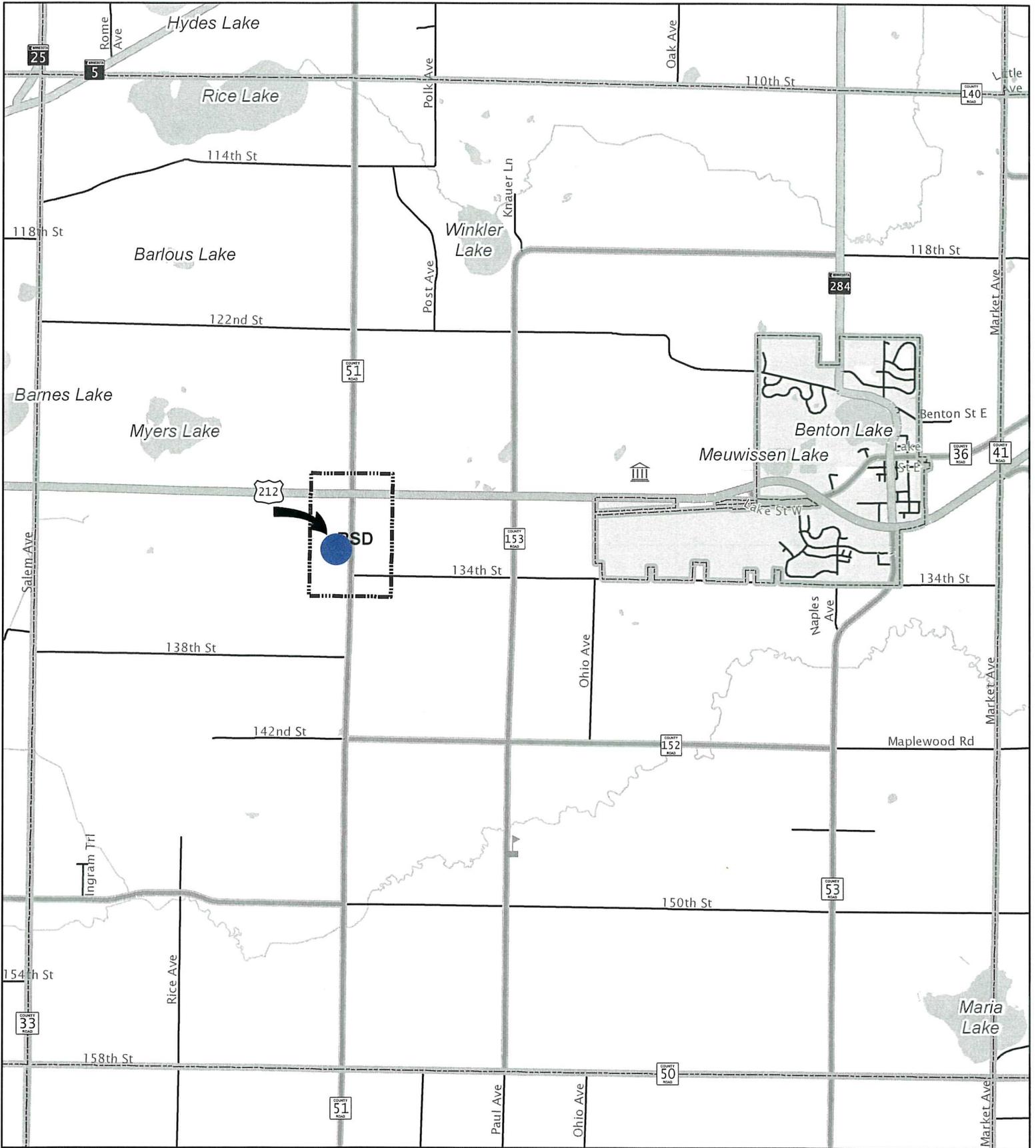
1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The operation shall be substantially in accordance with the submitted operational plan (dated: 4/21/2022) and site plan (dated: 4/11/2022). These plans shall be attached to and become part of this permit. If there are any inconsistencies between previously submitted versions, the terms of the most recent shall prevail and shall be considered requirements of this permit. Permit #PZ20220019 shall supersede and terminate #PZ20020064 and all prior permits, amendments, and renewals with the exception of #PZ20150041 (the permit for the Large Solar Energy System).
3. A parcel combination, through the Carver County Recorder's Office, for all land owned and occupied by Bongards west of County Road 51, with the exception of PID 01-017-1800, shall be submitted, reviewed and approved prior to the recording of any deeds and prior to the issuance of any building permit(s). A parcel combination, through the Carver County Recorder's Office, for all land east of County Road 51, and with the addition of PID 01-017-1800, shall take place by August 1, 2023, to reduce the number of legal nonconforming parcels owned and operated by Bongards.
4. All structures used in conjunction with the facility shall meet the applicable requirements of the Carver County Zoning Code and State Building Code and be consistent with approved site and operational plans. Any fences over seven feet in height require a building permit. Any required building permits must be obtained prior to construction.
5. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management Organization (CCWMO) 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. The vegetation screening shall be installed according to the approved planting plan and an escrow, the amount determined by the Fee Schedule, deposited with the County to ensure establishment of the vegetation. No landscaping shall be installed in the public right-of-way.
7. The permittee shall comply with the road access and ponding location requirements as determined by Carver County Public Works. Any required permits for work within the public right-of-way must be obtained prior to construction. Parking along County Road 51, within the road right-of-way, or on property owned by the TC&W Railroad shall be prohibited.
8. All business-related trucks, equipment and supplies shall be stored within the approved operational area. Any expansion of the approved operational area shall constitute an expansion of the use and may require a review by Land Management for determination as to an amended Conditional Use Permit will be required.
9. The permittee is responsible for compliance with all Minnesota Pollution Control Agency (MPCA) regulations where the MPCA is the permitting authority. (e.g. Wastewater Treatment Systems, Land Application of Bio-Solids, NPDES, SDS)
10. The permittee is responsible for compliance with all Federal, State and Local rules, regulations, and permitting requirements.
11. The permittee shall provide access to the wastewater and/or industrial bio-solid sampling procedures, locations, schedules and results, as requested by the Land Management Department or Environmental Services Department, whereby County Staff would be allowed to monitor the process periodically. Permittee shall, within two hours of being requested by County Staff, conduct sampling on its property in locations as determined by County Staff. County Staff shall be allowed access to permittee's property to monitor the sampling. Permittee shall be responsible for the cost of obtaining and testing the samples. The sampling required in this condition shall not exceed six (6) times per year, shall be independently taken, and may replace the ones that would otherwise have been completed by Bongards. NOTE: Pursuant to a condition from 2002 Wastewater Treatment System Upgrade CUP, if applicable.
12. The permittee shall submit a Certificate of Workers' Compensation Insurance to the Land Management Department. The insurance shall be maintained for the duration of the CUP.
13. The permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The permittee shall not increase the square footage of signage on the property. Any proposed signage within the public road right-of-way must be approved by the appropriate road authority.

ADOPTED by the Carver County Planning Commission this 17th day of May 2022.

Scott Wakefield, Chairman
Carver County Planning Commission

BENTON 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:
Request for approval to contract with Mint Roofing

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 Facilities recommends the replacement of the EPDM "rubber" roof above the mechanics shop area at the Public Works Headquarters in Cologne. The existing roof is 20+ years old, past its expected life, and has failed several times recently. Facilities has invested between \$3,000 and \$8,000 per year in maintaining and patching the existing roof.

The project will include parts, labor and equipment to remove the existing roof and install a new EPDM roof. The new roof will come with a 15 year manufacturer's warranty.

Facilities published a request for proposal and one vendor responded. Mint Roofing's proposal is \$197,500. This cost is within the project budget.

ACTION REQUESTED:

Motion to contract with Mint Roofing pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Funded through CIP 30-946-000-0000-6640. A small budget amendment is also requested to consolidate \$2,561 which was remaining from a previous roof repair project, to be reallocated to the current roof project.

Office use only:

RBA 2022 - 8433

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request for approval to contract with Mint Roofing

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Building Improvements	30-946.6640	\$2,561.00	Building Improvements	30-980.6640	\$2,561.00
TOTAL		\$2,561.00	TOTAL		\$2,561.00

Reason for Request:

Consolidate the remaining budget from prior CIP roof project, to be allocated to the current Public Works roof repair project.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Donation to the Sheriff's Office Dive Team

Primary Originating Division/Dept: Sheriff

Meeting Date: 6/14/2022

Contact: Ben Beyer Title: Dive Team Supervisor

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The dive team is in the process of training new volunteer members and outfitting them with scuba equipment. The Carver Lions Club has donated \$2,000.00 to member development.

ACTION REQUESTED:

Accept the donation from the Carver Lions Club.

FISCAL IMPACT: None
If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
Donation Carver Lions Cl	\$2,000.00
Total	\$2,000.00

FTE IMPACT: None

Insert additional funding source

Related Financial/FTE Comments:

Donation

Account #02-206-000-00005756

Office use only:

RBA 2022 - 8436

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Citizen monetary donation (\$300) for Sheriff's Chaplain

Primary Originating Division/Dept: Sheriff - Administrative Services

Meeting Date: 6/14/2022

Contact: Kate MIner Title: Admin. Services Manager

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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

BACKGROUND/JUSTIFICATION:

Board approval for receipt of citizen monetary donation for Sheriff's Chaplain. Citizen wanted to show appreciation for extra patrols at home, most actively during husbands funeral service.

ACTION REQUESTED:

Review and approval of citizen donation to the Sheriff's Office to use towards the Sheriff's Chaplain.

FISCAL IMPACT: Other
If "Other", specify: \$300 revenue

FUNDING

County Dollars =
Total \$0.00

FTE IMPACT: None

Insert additional funding source

Related Financial/FTE Comments:

\$300 to be deposited into Sheriff's Gifts - Restricted (01-201-201-0000-5756)

Office use only:

RBA 2022 - 8437

Carver County Board of Commissioners Request for Board Action



Agenda Item:
State Performance Measurement Program (2022)

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/>	Meeting Date: <input type="text" value="6/14/2022"/>
Contact: <input type="text" value="Mary Kaye Wahl"/> Title: <input type="text" value="Assistant Financial Services Dire"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Finances: Improve the County's financial health and economic profile"/>	

BACKGROUND/JUSTIFICATION:

On 6/21/11, the Carver County Board approved the 2011 participation in the State's Performance Measurement program. On 6/26/12, the Board certified that it had adopted and implemented the 10 performance measures developed by the Council on Local Results and Innovation and that the County is implementing a local performance measurement system.

For 2022, the Carver County Board is asked to approve the 2022 participation in the State's Performance Measurement Program by certifying prior to or on July 1, 2022 that it has adopted and implemented at least 10 performance measures developed by the Council; implement a system to use this information to help plan, budget, manage, and evaluate programs and processes for optimal future outcomes; and continue to report the results of the performance measures to its residents.

ACTION REQUESTED:

Motion to approve the attached resolution and the Performance Measures- 2022 Report

FISCAL IMPACT: <input type="text" value="Included in current budget"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	FUNDING County Dollars = <input type="text"/> State Performance Aid (2) <input type="text" value="\$14,969.00"/> Total <input type="text" value="\$14,969.00"/> <input checked="" type="checkbox"/> Insert additional funding source
FTE IMPACT: <input type="text" value="None"/>	

Related Financial/FTE Comments:
 Eligible for a reimbursement of \$0.14 per capita in local government aid, not to exceed \$25,000 and is also exempt from levy limits under sections 275.70 to 275.74 for taxes payable in 2023 if levy limits are in effect. In 2021, the county received \$14,969 for participation in this program.



CARVER
COUNTY

Program Year 2022

Performance Measures

About This Program

The Minnesota State Legislature in 2010 created the Council on Local Results and Innovation to develop standard performance measures to aid residents, taxpayers, and state and local elected officials in determining the efficiency and effectiveness of counties and cities in providing services and measuring residents' opinion of those services. The Council released a standard set of 10 performance measures for counties and created a comprehensive performance measurement system for counties to implement.

Carver County voluntarily agreed to participate in the state's Performance Measurement Program in 2011 and has participated each year since that time. The County follows the guidelines sent out by the Council and receives Local Government Aid reimbursement for its participation in the program. Carver County is one of 28 counties in the state (32 percent of all counties) that participate in the Performance Measurement Program.

The Performance Measurement Program reinforces Carver County's work to achieve its vision, mission, and goals listed and described as follows:

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

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.

Goals and Outcome/Output Measures: Carver County's Strategic Plan outlines five goals designed to serve as the foundation for all future strategies, work, and priorities of the County. Each year, the County Board works with County staff to develop an Implementation Plan that outlines outcome/output measures that address the following five goals:

- **Communities Goal:** Create and maintain safe, healthy, and livable communities.
- **Connections Goal:** Develop strong public partnerships and connect people to services and information.
- **Finances Goal:** Improve the County's financial health and economic profile.
- **Growth Goal:** Manage the challenges and opportunities resulting from growth and development.
- **Culture Goal:** Provide an organizational culture which fosters individual accountability to achieve goals and sustain public trust and confidence in County government.

Within this Performance Measurement and Indicators Report, the County's goal statements related to Communities, Connections, Finances, and Growth are listed with one or more performance measures or indicators listed under the goal. No performance measures or indicators for the Culture goal were included in this report since none of the state standards for performance measures align with the County's goal statement related to Culture.

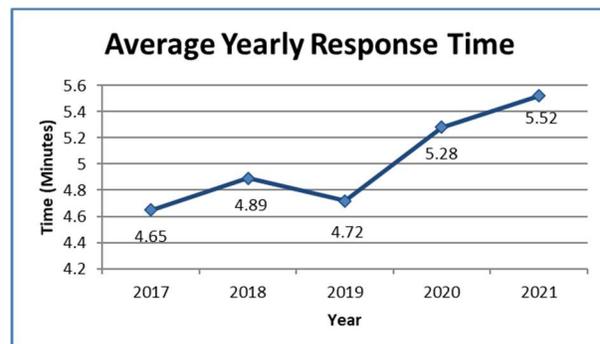
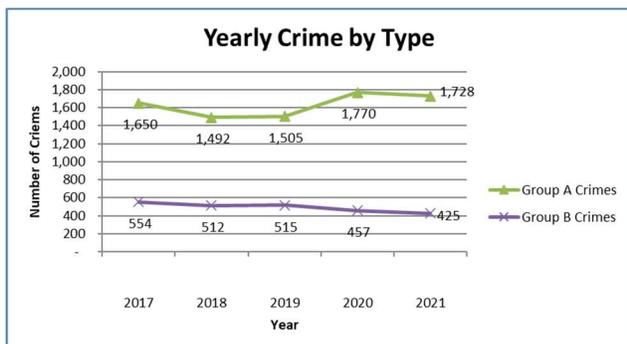
Communities Goal

Create and maintain safe, healthy, and livable communities.

Public Safety Standard Measures

Crime Rates and Response Times: One aspect of public safety is reflected in data submitted by the Minnesota Bureau of Criminal Apprehensions on Part I and Part II crimes committed in Carver County. Part I crimes include: homicide, rape, aggravated assault, burglary, robbery, auto theft, theft, and arson. Part II crimes include: other assaults, forgery, fraud, stolen property, vandalism, weapons, prostitution, other sex offenses, narcotics, gambling, family/children crime, driving under the influence (DUI), liquor laws, disorderly conduct, and other offenses. In 2016 a government mandated change in classification for crimes was released, Group A and Group B. Group A crimes include: animal cruelty, arson, assault, aggravated assault, bribery, burglary, counterfeiting/forgery, property damage, drugs, embezzlement, extortion/blackmail, fraud, gambling, homicide, human trafficking, kidnapping, theft/larceny, motor vehicle theft, pornography, prostitution, robbery, sex offenses (forcible and non-forcible), stolen property offenses, and weapons. Group B crimes include: bad checks, curfew/loitering, disorderly conduct, driving under the influence (DUI), drunkenness, family offenses (non-violent), liquor law violation, peeping tom, runaway, trespassing, ordinances, and all other offenses. The following table indicates Part I, Part II, Group A, and Group B crime rates for Carver County and the Carver County Deputy average response times for these types of crimes. The average response time is indicated in minutes from the time the call was dispatched to the first squad on the scene for a top-priority call for Part I, Part II, Group A, and Group B crimes:

Public Safety			
Year	Group A Crimes	Group B Crimes	Average Response Time In Minutes
2017	1,650	554	4.65
2018	1,492	512	4.89
2019	1,505	515	4.72
2020	1,770	457	5.28
2021	1,728	425	5.52



Adult Offenders with New Felony Convictions: The recidivism rate for felony offenders is another measure of public safety. Data from the Minnesota Sentencing Guidelines Commission is used to determine the percent of adult offenders with a new felony conviction within three years of discharge. Pre-trial supervision cases were excluded as these cases are not formal supervision, and different results are expected for cases placed on supervision post-adjudication.

Adult Offenders with New Felony Convictions Within 3 Years of Discharge	
Data Sample Analysis Year	Percent of Recidivism
2014-2015 Data Sample Analyzed in 2017	1.0% (1)
2015-2016 Data Sample Analyzed in 2018	5.0% (2)
2016-2017 Data Sample Analyzed in 2018	4.0% (3)
2017-2018 Data Sample Analyzed in 2019	4.0% (4)
2018-2019 Data Sample Analyzed in 2020	6.0% (5)

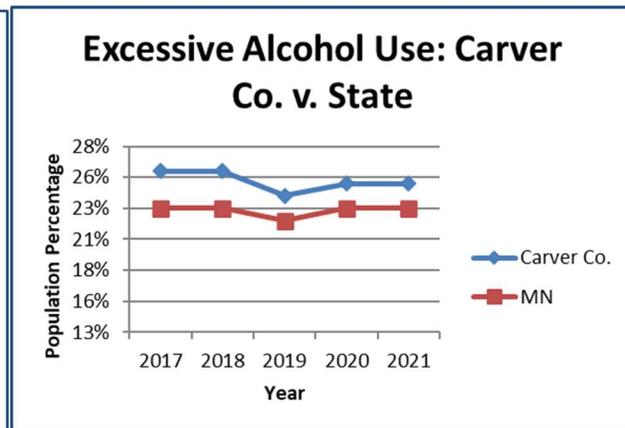
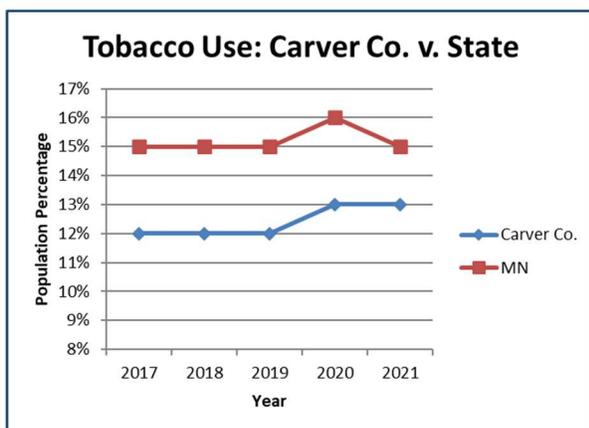
- (1) *Sample generated from a Court Services Tracking System (CSTS) report of closed cases from 6/1/14 to 6/1/15. Three year recidivism was tracked. Only felony convictions were counted as recidivism for this result. Pre-Trial Supervision cases were excluded, as these cases are not formal "supervision" and we expect different results for cases placed on supervision post-adjudication. Out of the sample of 494 cases, random clients were selected to total a sample of 87 offenders, which is approximately a 18% sample. Recidivism was tracked on these cases. 1 offender reoffended at a felony level.*
- (2) *Sample generated from a Court Services Tracking System (CSTS) report of closed cases from 6/1/15 to 6/1/16. Three year recidivism was tracked. Only felony convictions were counted as recidivism for this result. Pre-Trial Supervision cases were excluded, as these cases are not formal "supervision" and we expect different results for cases placed on supervision post-adjudication. Out of the sample of 504 cases, random clients were selected to total a sample of 100 offenders, which is approximately a 20% sample. Recidivism was tracked on these cases. 5 offenders reoffended at a felony level.*
- (3) *Sample generated from a Court Services Tracking System (CSTS) report of closed cases from 6/1/16 to 6/1/17. Three year recidivism was tracked. Only felony convictions were counted as recidivism for this result. Pre-Trial Supervision cases were excluded, as these cases are not formal "supervision" and we expect different results for cases placed on supervision post-adjudication. Out of the sample of 466 cases, random clients were selected to total a sample of 93 offenders, which is approximately a 20% sample. Recidivism was tracked on these cases. 4 offenders reoffended at a felony level.*
- (4) *Sample generated from a Court Services Tracking System (CSTS) report of closed cases from to 5/17/17 to 5/17/18. Three year recidivism was tracked. Only felony convictions were counted as recidivism for this result. Pre-Trial Supervision cases were excluded, as these cases are not formal "supervision" and we expect different results for cases placed on supervision post-adjudication. Out of the sample of 519 cases, random clients were selected to total a sample of 64 offenders, which is approximately a 13% sample. Recidivism was tracked on these cases. 2 offenders reoffended at a felony level.*
- (5) *Sample generated from a Court Services Tracking System (CSTS) report of closed cases from to 6/1/18 to 6/1/19. Three year recidivism was tracked. Only felony convictions were counted as recidivism for this result. Pre-Trial Supervision cases were excluded, as these cases are not formal "supervision" and we expect different results for cases placed on supervision post-adjudication. Out of the sample of 671 cases, random clients were selected to total a sample of 83 offenders, which is approximately a 12% sample. Recidivism was tracked on these cases. 5 offenders reoffended at a felony level.*

Public Health/Social Services Standard Measures

Tobacco and Alcohol Use: In assessing the health of the County, areas of focus for the Public Health Department have included tobacco use and excessive alcohol use by County residents. The department uses the County Health Rankings to obtain information on tobacco and alcohol use by County residents.

The table below compares the percentage of County residents who use tobacco with the state average, and it compares the percentage of County residents who drink alcohol excessively with the state average.

Tobacco and Excessive Alcohol Use				
Year	Carver County Tobacco Use	Minnesota Tobacco Use	Carver County Excessive Alcohol Use	Minnesota Excessive Alcohol Use
2017	12%	15%	26%	23%
2018	12%	15%	26%	23%
2019	12%	15%	24%	22%
2020	13%	16%	25%	23%
2021	13%	15%	25%	23%



Low-Weight Births: Another measure of a healthy community is reflected in the percentage of low-weight births that occur each year. Data from the Minnesota Department of Health and the County Health Rankings provide information on the percentage of low-birth-weight babies born to County residents. As the table below indicates, the percentage of low-weight births in the County has remained consistently below the state average from 2017-2021.

Low-Weight Births		
Year	Carver County	Minnesota
2017	3.2%	4.9%
2018	4.2%	4.3%
2019	1.2%	1.7%
2020	1.4%	1.8%
2021	1.4%	1.8%

Maltreatment of Children: The safety of children in terms of the prevention of child abuse and neglect is also a measure of a community’s health and safety. County records are used to determine the percent of children where there is a recurrence of maltreatment following an intervention. The measures indicated in the table below follow federal measurement guidelines used to determine the percentage of children who were victims of substantiated or indicated child abuse and/or neglect during the reporting period that had another substantiated or indicated report within 12 months.

Maltreatment of Children Recurrence	
Year	Percent of Recurrence of Child Abuse and/or Neglect in 12-Month Period
2017	2.5%
2018	2.0%
2019	5.3%
2020	0.0%
2021	0.0%

Elections Standard Measures

Accuracy of Post-Election Audit: One measure of a livable community is participation in elections and confidence in the accuracy of election results. Minnesota counties perform a post-election audit of election results returned by the optical scan ballot counters used in state general elections. The review is a hand count of the ballots for each eligible election in the precinct compared with the results from the voting system used in the precinct. The following table indicates the percentage of accuracy for the past five state elections.

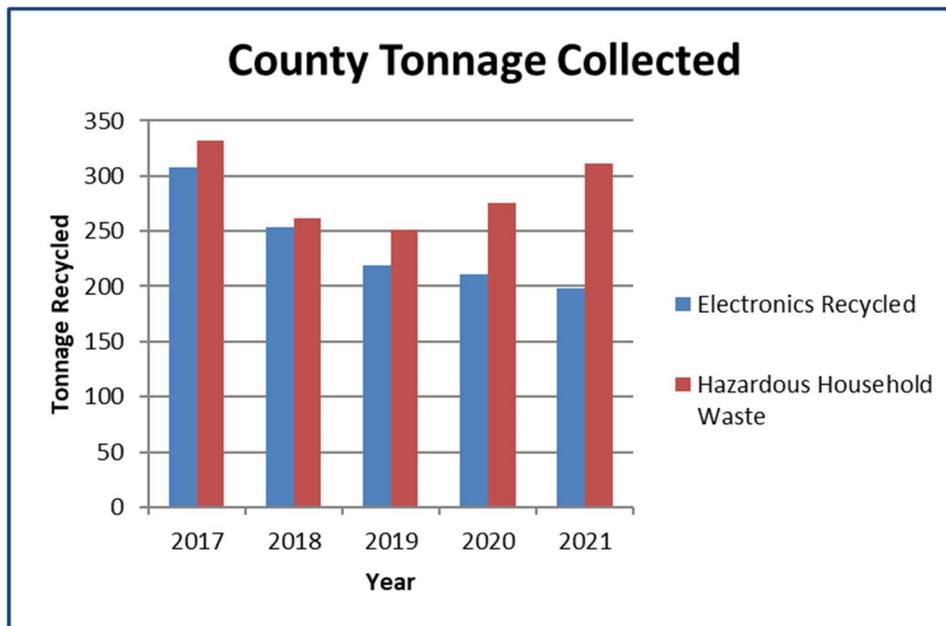
Election Results Accuracy Base on Post-Election Audit	
Year	Percentage of Accuracy
2012	100%
2014	100%
2016	100%
2018	100%
2020	100%

Environment Standard Measures

Collection of Hazardous Household Waste and Electronics: Hazardous waste can contaminate the soil and/or water supply if not disposed of properly, posing a threat to health and the environment. Recycling rates for hazardous household waste and electronic provide another measure of a healthy community.

The Carver County Environmental Center records the total tonnage of hazardous household waste and electronics collected for recycling. The following table lists the tonnage for electronics recycled in the County and the combined total for hazardous household waste and electronics.

Hazardous Household Waste and Electronics Collected			
Year	Electronics Recycled	Hazardous Household Waste	Total Hazardous Household Waste and Electronics Recycled
2017	308 tons	332 tons	640 tons
2018	254 tons	262 tons	516 tons
2019	219 tons	251 tons	470 tons
2020	211 tons	276 tons	487 tons
2021	198 tons	311 tons	509 tons



Connections Goal

Develop strong public partnerships and connect people to services and information.

Social Services Standard Measures

Workforce Participation Rates (also known as Self Support Index): The Minnesota Family Investment Program (MFIP) is the state’s public assistance reform program for low-income families with children. It helps families work their way out of poverty by focusing, supporting, and rewarding work. Direct benefits include food support and cash assistance. MFIP families also receive Medical Assistance (MA), childcare help, and employment and educational services. When most families first apply for cash assistance, they will participate in the Diversionary Work Program, or DWP. This is a four-month program that helps parents go immediately to work rather than receive long term public assistance benefits. Connecting MFIP/DWP participants to services and information so they can become self-sufficient through employment is one measure of strong public partnerships.

The table below reflects data from the Minnesota Department of Human Services on the percent of MFIP/DWP adult residents of the County who are working 30 or more hours per week or are off cash assistance three years after beginning the program.

Workforce Participation Rate (Self Support Index) for MFIP/DWP Participants	
Year	Percentage Working or Off Cash Assistance After Three Years
2017	48.1%
2018	40.3%
2019	39.0%
2020	11.9%
2021	22.8%

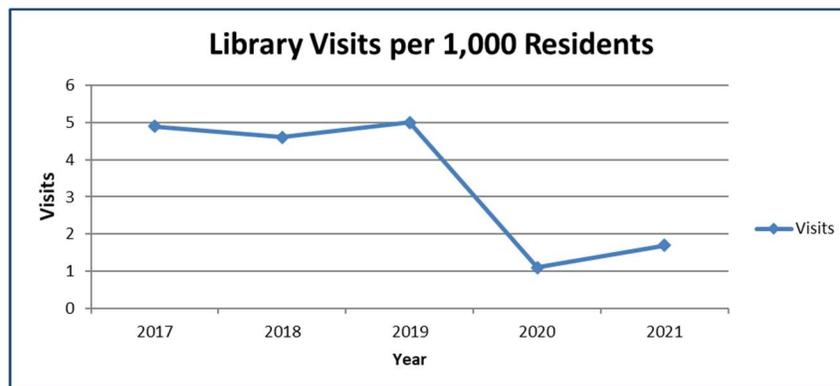
Library Standard Measures

Library Use: Another measure of the County’s efforts to connect people to services and information is reflected in the number of annual visits to County libraries. The County’s Library System consists of six public branch libraries in the communities of Chanhassen, Chaska, Norwood Young America, Victoria, Waconia and Watertown, a law library at the Government Center in Chaska, and four express library locations in Carver, Cologne, Mayer and Victoria.

The following table reflects the number of Library visits using County records to compare the total population, total number of visits per year, and the number of visits per 1,000 residents.

Library Annual Visits			
Year	County Population	Total Library Visits	Visits per 1,000 Residents
2017	102,119	505,807	5.0
2018	103,551	482,482	4.7
2019	105,089	533,596	5.1
2020	106,922	121,465	1.1*
2021	108,805	182,719	1.7*

*Impacts from COVID-19

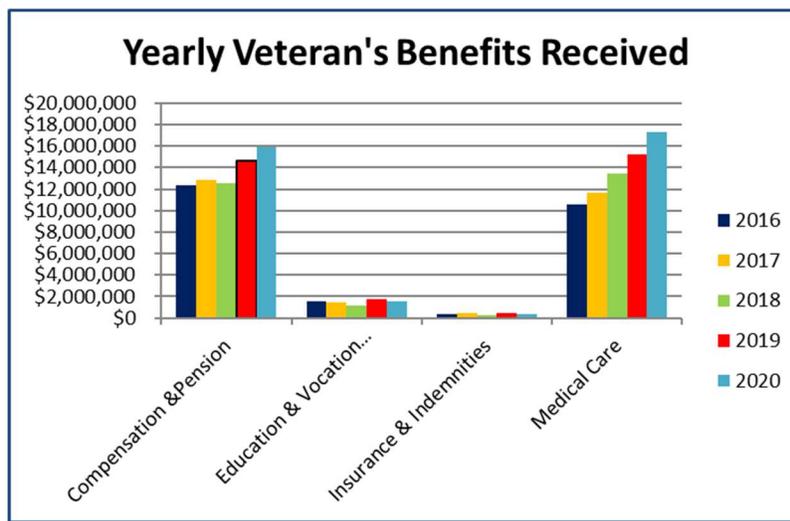
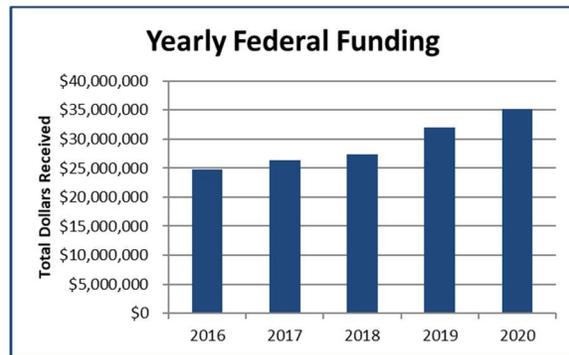
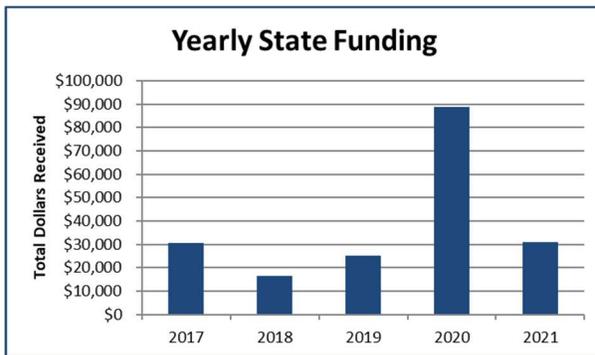


Veterans Services Standard Measures

Veterans Benefits: A main purpose of the County's Veterans Services Office is to connect veterans and their families with the benefits they are entitled to receive. One measure of the County's ability to connect veterans to the services and information they need is reflected in the total number of dollars brought into the County as benefits for veterans. The table below reflects the totals for federal and state programs.

Veterans Benefits					
Year	Federal: Compensation & Pension	Federal: Education & Vocation Rehab	Federal: Insurance & Indemnities	Federal: Medical Care	State: Soldiers Assistance
2017	\$12,841,505	\$1,425,000	\$449,000	\$11,695,000	\$30,661
2018	\$12,509,000	\$1,204,000	\$221,000	\$13,452,000	\$16,473
2019	\$14,578,000	\$1,734,000	\$431,000	\$15,208,000	\$25,032
2020	\$15,908,000	\$1,592,000	\$326,000	\$17,319,000	\$88,579
2021	N/A*	N/A*	N/A*	N/A*	\$30,980

* Federal VA numbers were not available at the time of issuance for this report. The 2020 numbers are still reflected in the below graphs for Federal funds.



Finances Goal

Improve the County's financial health and economic profile.

Financial Standard Measures

Bond Ratings: One indication of a county's financial health is its bond rating. Bond ratings are expressed as letters ranging from "AAA," which is the highest grade, to "C," also referred to as "Junk," which is the lowest grade. An issuer that is rated AAA has an exceptional degree of creditworthiness and can easily meet its financial commitments.

Carver County's ratings shown in the table below were issued by Standard and Poor's (S&P) Rating Services. Carver County is one of six Minnesota counties that received an "AAA" rating. Carver County's rating is also higher than Minnesota's rating of AA+.

Bond Ratings	
Year	S&P Rating
2017	AAA
2018	AAA
2019	AAA
2020	AAA
2021	AAA

Growth Goal

Manage the challenges and opportunities resulting from growth and development.

Taxation Standard Measures

Level of Assessment Ratio: Carver County is among the fastest growing counties in the state. As the number of households in the County increases along with population growth, the challenge is to provide accurate property value assessments. The level of assessment ratio is an indication of the quality and accuracy of the County's property value assessments. It is based on the difference between a property's assessed value and the actual sale price of the property. If the ratio falls between 90% and 105%, the level of assessment is determined to be acceptable. The following table shows the level of assessment ratio for all property types.

Level of Assessment Ratio	
Year	Median Ratio Percent
2017	95.2%
2018	95.8%
2019	94.3%
2020	94.1%
2021	95.0%*

**Based on sales from 10/01/20 through 09/30/21, market condition adjusted to 01/03/22 for the 2022 assessment.*

Public Works Standard Measures

Snow Plowing: As the County’s population has increased, so has traffic on its County road system. One of the challenges the County faces is to meet the financial challenge associated with plowing 279 miles of roadway in a timely manner during snow events. The following table provides estimates of how much time it takes to plow all County roads each year.

Snow Plowing –Hours to Plow County Road System		
Year	Range	Average
2017*	4.50 - 6.00 hours	4.81 hours
2018	5.00 - 8.00 hours	6.31 hours
2019**	6.00 - 15.50 hours	9.03 hours
2020	4.13 – 15.50 hours	7.22 hours
2021	4.50 – 13.50 hours	7.45 hours

**2017 was an abnormally light winter*

***The department was short staffed by 2 FTE for the majority of 2019*

County Pavement Condition Rating: Another challenge brought about by increased use of the County’s road system is maintaining road pavement conditions. The Public Works Division uses a rating of the surface quality of the pavement known as the Pavement Condition Index (PCI). The PCI uses a scale of 0 to 100 in which a rating of 85+ is Excellent, 55-84 is Acceptable, and 0-55 is Failed. The table below shows that the pavement conditions for all County Roads for each year.

Average County PCI Rating	
Year	Pavement Condition Index Rating
2017*	75.0
2018	77.9
2019	76.4
2020	73.2
2021	75.4

**A major system upgrade took place in 2017.*

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE June 14th, 2022
MOTION BY COMMISSIONER _____

RESOLUTION NO. _____
SECONDED BY COMMISSIONER _____

Performance Measurement Program, 2022 Report

WHEREAS, Benefits to Carver County for participation in the Minnesota Council on Local Results and Innovation’s comprehensive performance measurement program are outlined in MS 6.91 and include eligibility for a reimbursement as set by State statute; and

WHEREAS, the Council on Local Results and Innovation developed a Performance Measurement Program that is voluntary for counties and cities to participate in; and

WHEREAS, Any county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, The County Board has adopted and implemented at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes; and

NOW, THEREFORE, BE IT RESOLVED, Carver County will continue to report the results of the performance measures to its citizenry by the end of the year through posting on the county’s website.

BE IT FINALLY RESOLVED, Carver County will submit to the Office of the State Auditor the actual results of the performance measures adopted by the County.

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 ___ of _____, 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:

Award Sale of Steiner Kelting Capital Improvement Plan Bonds

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/>	Meeting Date: <input type="text" value="6/14/2022"/>
Contact: <input type="text" value="David Frischmon"/> Title: <input type="text" value="Property & Finance Director"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="10"/> minutes Presenter: <input type="text" value="David Frischmon"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Finances: Improve the County's financial health and economic profile"/>	

BACKGROUND/JUSTIFICATION:

Mn Statutes outlines a process for County Board's to issue bonds for eligible capital projects without a public referendum. This statutory process requires a Public Hearing and the adoption of the attached 5 Year Capital Improvement Bonding Plan which occurred on May 3, 2022.

This bond sale will provide funds to reimburse the County for the \$2.5 million in cash reserves that were used to acquire and improve the Steiner Kelting Mental Wellness Facility. The County also utilized \$1.25 million of State of Mn bond funds to complete the \$3.75 million dollar project which re-opened in October 2021. The County Board previously approved a declaration of official intent to issue bonds to reimburse capital expenditures which by IRS rules created an 18 month window from October 2021 to issue these bonds.

Sealed bids will be opened by Ehlers and Associates at Noon on June 13th and will be presented to the Board at the Board meeting on June 14th.

ACTION REQUESTED:

Motion to adopt the attached resolution authorizing and awarding sale of \$2,580,000 General Obligation Revenue Bonds, Series 2022A to the lowest bidder.

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

Related Financial/FTE Comments:

Peoples Inc. will pay the debt service and operating costs of the Steiner Kelting Mental Wellness facility under the terms of their long-term lease agreement with the County.

Office use only:

RBA 2022 - 8457

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

DATE: June 14, 2022

RESOLUTION NO. _____

MOTION BY COMMISSIONER:

SECONDED BY COMMISSIONER:

RESOLUTION AWARDING SALE OF \$2,580,000 GENERAL OBLIGATION CAPITAL
IMPROVEMENT PLAN BONDS, SERIES 2022A, FIXING THE FORM AND
SPECIFICATIONS THEREOF, PROVIDING FOR THEIR EXECUTION AND
DELIVERY, AND PROVIDING FOR THEIR PAYMENT

BE IT RESOLVED by the Board of Commissioners of Carver County, Minnesota, as follows:

1. The proposal of _____ to purchase the \$2,580,000 General Obligation Capital Improvement Bonds, Series 2022A of the County is hereby found and determined to be a favorable proposal, and shall be and is hereby accepted, said proposal being to purchase Bonds maturing and bearing interest as set forth in paragraph 2 at a price of \$ _____ plus accrued interest.

2. To provide funds to reimburse expenditures in connection with the Steiner Kelting Mental Wellness Facility pursuant to the County’s Five-Year Capital Improvement Plan approved May 3, 2022 (the “Capital Improvement Plan”), the County shall forthwith issue its negotiable General Obligation Capital Improvement Plan Bonds, Series 2022A (the “Bonds”), pursuant to Minnesota Statutes, Section 373.40 and Chapter 475. The Bonds shall be in the aggregate principal amount of \$2,580,000, to be dated July 7, 2022, bear interest at the rates per annum according to years of maturity set forth below, computed on the basis of a 360-day year of twelve 30-day months, payable June 20, 2023, and semiannually thereafter on June 20 and December 20 in each year, and mature serially on June 20 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2024	\$80,000	%	2036	\$115,000	%
2025	80,000		2037	115,000	
2026	85,000		2038	120,000	
2027	85,000		2039	125,000	
2028	90,000		2040	130,000	
2029	90,000		2041	130,000	
2030	95,000		2042	135,000	
2031	95,000		2043	140,000	
2032	100,000		2044	145,000	
2033	105,000		2045	150,000	
2034	105,000		2046	155,000	
2035	110,000				

[The Bonds maturing on June 20, 20__ (the “Term Bonds”) are subject to mandatory sinking fund redemption and shall be redeemed in part at par plus accrued interest on June 20 in the years and amounts as follows:

The principal amount of the Term Bonds required to be redeemed on the mandatory redemption date may be reduced through the earlier optional redemption thereof, with any partial optional redemption of Bonds of such maturity credited against the future mandatory redemption requirement for such Bonds. In addition, on or prior to the 60th day preceding the mandatory redemption date, the Registrar and Paying Agent may, and if directed by the County, shall, purchase Term Bonds in an amount not exceeding the amount of the Bonds required to be redeemed on such date and at a price not exceeding the principal amount thereof plus accrued interest. Any Bonds so purchased shall be canceled and the redemption thereof shall be credited against the principal amount of Bonds required to be redeemed on the mandatory redemption date.]

All Bonds maturing on or after June 20, 2032, are subject to redemption and prior payment in whole or in part in such order as the County may determine and by lot within a maturity at the option of the County on June 20, 2031, and any date thereafter at par and accrued interest. In the event of redemption by lot of Bonds of like maturity, the Bond Registrar shall assign to each Bond of such maturity then outstanding a distinctive number for each \$5,000 of the principal amount of such Bonds and shall select by lot in the manner it determines the order of numbers, at \$5,000 for each number, for all outstanding Bonds of like maturity. The order of selection of Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected, but only so much of the principal amount of each Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. The Bonds shall be numbered R-1 upwards in order of issuance or in such other order as the Registrar may determine and shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the amount maturing in any year.

3. The Bonds shall be payable as to principal upon presentation at the office of Bond Trust Services Corporation, Roseville, Minnesota, as Registrar and Paying Agent, or at the offices of such other successor agents as the County may hereafter designate upon 60 days’ mailed notice to the registered owners at their registered addresses. Interest shall be paid by check or draft of the Registrar mailed to the registered owners at their addresses shown on the registration books of the County on the 5th day of the month which includes the interest payment date

4. The Bonds, the Registrar's Certificate of Authentication and Registration and the form of assignment on the reverse side thereof shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF CARVER

No. R- _____ \$ _____

GENERAL OBLIGATION
CAPITAL IMPROVEMENT PLAN BOND, SERIES 2022A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
----------------------	----------------------	-------------------------------	--------------

July 7, 2022

Registered Owner:

Principal Amount:

The County of Carver, Minnesota, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above on the Maturity Date specified above, upon the presentation and surrender hereof, and to pay to the Registered Owner hereof interest on such Principal Amount at the Interest Rate specified above from the Date of Original Issue, or the most recent interest payment date to which interest has been paid or duly provided for as specified below, on June 20 and December 20 of each year, commencing June 20, 2023, until said principal amount is paid. Principal is payable in lawful money of the United States of America at the office of Bond Trust Services Corporation in Roseville, Minnesota, as Registrar or of a successor Registrar designated by the County, which designation shall be made upon notice of 60 days to the Registered Owners at their registered addresses. Interest is payable by check or draft mailed to the person in whose name this Bond is registered at the close of business on the 5th day of the month of each interest payment date (whether or not a business day) at the registered owner's address set forth on the registration books maintained by the Registrar. Any such interest not punctually paid or provided for will cease to be payable to the owner of record as of such regular record dates and such defaulted interest may be paid to the person in whose name this Bond shall be registered at the close of business on a special record date for the payment of such defaulted interest established by the Registrar. For the prompt and full payment of such principal and interest as the same become due, the full faith, credit and taxing powers of the County have been and are hereby irrevocably pledged.

[The Bonds of this series maturing on June 20, 20__ are subject to mandatory sinking fund redemption as provided in the Resolution described below.] The Bonds of this series maturing on or after June 20, 2032, are subject to redemption at the option of the County, in whole or in part in such order as the County may determine and by lot within a maturity, on June 20, 2031, and any date thereafter at par and accrued interest. Thirty days' notice of prior redemption will be given by mail to the bank where the Bonds are payable and to the

registered owners in the manner provided by Chapter 475, Minnesota Statutes. Any defect in mailing notice of redemption shall not affect the validity of the proceedings for redemption. Any Bond called for redemption, and for the payment of which moneys are set aside by the County on the redemption date, shall not bear interest after the redemption date, regardless of any delay in its presentation.

This Bond is one of an issue of Bonds in the aggregate principal amount of \$2,580,000, all of like date and tenor except as to maturity, interest rate and redemption privilege, issued pursuant to and in full conformity with the Constitution and Laws of the State of Minnesota, including Section 373.40, Minnesota Statutes, for the purpose of providing funds to reimburse expenditures in connection with a mental wellness facility pursuant to the County's Five-Year Capital Improvement Plan adopted May 3, 2022. The Bonds of this issue are payable primarily from taxes levied under the Resolution described below, and this Bond constitutes a general obligation of the County and to provide moneys for the prompt and full payment of said principal and interest as the same become due the full faith and credit of the County is hereby irrevocably pledged, and the County will levy additional ad valorem taxes on all taxable property in the County, if required for such purpose, without limitation as to rate or amount.

This Bond is transferable, as provided by the Resolution of the Board of County Commissioners authorizing the issuance of the Bonds of this series adopted June 14, 2022 (the "Resolution") only upon books of the County kept at the office of the Registrar by the Registered Owner hereof in person or by the Registered Owner's duly authorized attorney, upon surrender of this Bond for transfer at the office of the Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Registrar duly executed by, the Registered Owner hereof or the Registered Owner's duly authorized attorney, and, upon payment of any tax, fee or other governmental charge required to be paid with respect to such transfer, one or more fully registered Bonds of the series of the same principal amount, maturity and interest rate will be issued to the designated transferee or transferees. The Registered Owner of this Bond may be treated as the absolute owner hereof for all purposes.

The Bonds of this series are issuable only as fully registered bonds without coupons in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount maturing in any one year. As provided in the Resolution and subject to certain limitations therein set forth, the Bonds of this series are exchangeable for a like aggregate principal amount of Bonds of this series of a different authorized denomination, as requested by the Registered Owner or the Registered Owner's duly authorized attorney upon surrender thereof to the Registrar.

IT IS HEREBY CERTIFIED AND RECITED that this Bond is issued by authority of and in strict accordance with Minnesota Statutes, Section 373.40 and Chapter 475, that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed precedent to and in the issuance of this Bond have been done, have happened and have been performed in regular and due form, time and manner as required by law and that this Bond, together with all other indebtedness of the

County outstanding on the date of its issuance, does not exceed any constitutional or statutory limitation of indebtedness.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF, Carver County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed in its behalf by the facsimile signature of the Chair and by the facsimile signature of the County Administrator, all as of the Date of Original Issue specified above.

CARVER COUNTY, MINNESOTA

By _____ (Facsimile Signature)
Chair, Board of County Commissioners

By _____ (Facsimile Signature)
County Administrator

REGISTRAR'S CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This is one of the Bonds described in the within mentioned Resolution, and this Bond has been registered as to principal and interest in the name of the Registered Owner identified above.

Dated: July 7, 2022

BOND TRUST SERVICES CORPORATION, Bond Registrar

By _____
Authorized Signature

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

(Please Print or Typewrite Name and Address of Transferee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Please Insert Social Security Number or Other Identifying Number of Assignee

Notice: The signature to this assignment must correspond with the name as it appears on the face of this Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signatures must be guaranteed by a national bank or trust company or by a brokerage firm having membership in one of the major stock exchanges.

5. The Bonds shall be prepared in printed form under the direction of the County Administrator and when so prepared shall be executed on behalf of the County by the manual or facsimile signature of the Chair and by the manual or facsimile signature of the County Administrator. The Bonds shall not be valid for any purpose until authenticated by the Registrar. The Bonds initially issued hereunder shall be registered as of the date of delivery, and all Bonds issued in exchange therefor shall be registered as of such date, or, if issued after the first payment date, as of the most recent interest payment date on which interest was paid or duly provided for. When the Bonds shall have been so prepared and executed, they shall be delivered to the purchaser by the County Administrator or the Administrator's designee(s) upon receipt of the purchase price and accrued interest and the signed legal opinion of Kutak Rock LLP, as Bond Counsel, and the purchaser shall not be required to see to the proper application of the proceeds.

6. As long as any of the Bonds issued hereunder shall remain outstanding, the County shall maintain and keep at the office of the Registrar an office or agency for the payment of the principal of and interest on the Bonds, as in this Resolution provided, and for the registration and transfer of the Bonds, and shall also keep at the office of the Registrar books for such registration and transfer. Upon surrender for transfer of any Bond at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's duly authorized attorney, and upon payment of any tax, fee or other governmental charge required to be paid with respect to such transfer, the County shall execute and the Registrar shall authenticate and deliver, in the name of the

designated transferee or transferees, one or more fully registered Bonds of the same series and maturity date, of any authorized denominations of a like aggregate principal amount, maturity and interest rate. The Bonds, upon surrender thereof at the office of the Registrar, may at the option of the registered owner thereof be exchanged for an equal aggregate principal amount of Bonds of the same maturity date and interest rate of any authorized denominations. In all cases in which the privilege of exchanging Bonds or transferring fully registered Bonds is exercised, the County shall execute and the Registrar shall deliver Bonds in accordance with the provisions of this Resolution. For every such exchange or transfer of Bonds, whether temporary or definitive, the County or the Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. Notwithstanding any other provision of this Resolution, the cost of preparing each new Bond upon each exchange or transfer, and any other expenses of the County or the Registrar incurred in connection therewith (except any applicable tax, fee or other governmental charge) shall be paid by the County. The County and the Registrar shall not be required to make any transfer or exchange of any Bonds during the fifteen (15) days next preceding any June 20 or December 20 interest payment date.

7. Interest on any Bond which is payable, and is punctually paid or duly provided for, on any interest payment date shall be paid to the person in whose name that Bond (or one or more Bonds for which such Bond was exchanged) is registered at the close of business on the 15th day of the month preceding such interest payment date. Any interest on any Bond which is payable, but is not punctually paid or duly provided for, on any interest payment date shall forthwith cease to be payable to the registered holder on the relevant regular record date solely by virtue of such holder having been such holder; and such defaulted interest may be paid by the County in any lawful manner, if, after notice given by the County to the Registrar of the proposed payment pursuant to this paragraph, such payment shall be deemed practicable by the Registrar. Subject to the foregoing provisions of this paragraph, each Bond delivered under this Resolution upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond and each such Bond shall bear interest from such date that neither gain nor loss in interest shall result from such transfer, exchange or substitution.

8. As to any Bond, the County and the Registrar and their respective successors, each in its discretion, may deem and treat the person in whose name the same for the time being shall be registered as the absolute owner thereof for all purposes and neither the County nor the Registrar nor their respective successors shall be affected by any notice to the contrary. Payment of or on account of the principal of any such Bond shall be made only to or upon the order of the registered owner thereof, but such registration may be changed as above provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

9. (a) For purposes of this paragraph 9, the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participants” shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Blanket Letter of Representation from the County to DTC.

(b) The Bonds shall be initially issued as separate authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register of the County kept by the Registrar in the name of Cede & Co., as nominee of DTC. The Registrar and the County may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under this Resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the County shall be affected by any notice to the contrary. Neither the Registrar nor the County shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the registration books of the Registrar as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. The Registrar shall pay all principal of and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all such payments shall be valid and effective to fully satisfy and discharge the County’s obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the County to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in

place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with subparagraph (e) hereof.

(c) In the event the County determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bond certificates, the County may notify DTC and the Registrar, whereupon DTC shall notify the Participants, of the availability through DTC of Bond certificates. In such event, the Bonds will be transferable in accordance with subparagraph (f) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with subparagraph (e) hereof.

(d) Notwithstanding any other provision of this Resolution apparently to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, to DTC as provided in the Representation Letter.

(e) The application of the terms of the Representation Letter to the Bonds is hereby confirmed. The Representation Letter incorporates by reference certain matters with respect to, among other things, notices, consents and approvals by registered owners of the Bonds and Beneficial Owners and payments on the Bonds. The Registrar shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this Resolution.

(f) In the event that any transfer or exchange of Bonds is permitted under subparagraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar from the registered owners thereof of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of paragraph 6 hereof.

10. There is hereby created a special fund, to be known as the Capital Improvement Plan Bonds, Series 2022A Fund, for purpose of paying principal and interest on the Bonds, and in the event the principal of and interest upon the said Bonds shall become due and payable and there are insufficient moneys in said fund to pay such principal and interest, the County Treasurer is authorized and directed to pay said principal and interest from the general fund and thereafter to reimburse said general fund from collections of taxes levied pursuant hereto. Proceeds of the Bonds herein authorized shall be used solely for the payment of the costs of the projects described in the Capital Improvement Plan and costs described in Minnesota Statutes, Section 475.68. Any remaining proceeds may be used for any lawful purpose.

11. There is hereby levied upon all the taxable property in the County a direct annual ad valorem tax which shall be spread upon the tax rolls and collected as part of other general ad valorem taxes of the County in the years and amounts as follows:

<u>Levy Year</u>	<u>Collection Year</u>	<u>Amount</u>
2022	2023	\$
2023	2024	
2024	2025	
2025	2026	
2026	2027	
2027	2028	
2028	2029	
2029	2030	
2030	2031	
2031	2032	
2032	2033	
2033	2034	
2034	2035	
2035	2036	
2036	2037	
2037	2038	
2038	2039	
2039	2040	
2040	2041	
2041	2042	
2042	2043	
2043	2044	
2044	2045	
2045	2046	

Said levy shall be irrevocable and the taxes so levied are irrevocably appropriated to the debt service fund, but the County reserves the right to reduce said levy from funds in the Capital Improvement Bonds, Series 2022A Fund or other moneys in the manner and to the extent permitted by Minnesota Statutes, Section 475.61.

It is hereby found and determined that the foregoing taxes, together with \$_____ of Bond proceeds appropriated for such purpose, if collected in full, will produce at least five percent in excess of the amount needed to meet when due the payments of principal and interest on the Bonds; and the Bonds are general obligations of the County to which the full faith, credit and unlimited taxing powers of the County have been and are hereby pledged; and the Board of Commissioners shall additional levy general ad valorem taxes on all taxable property in the County, if necessary, to pay the principal of and interest on the Bonds when due.

12. The County Administrator is authorized and directed to prepare and furnish to the purchaser and to the attorneys approving the Bonds, certified copies of all proceedings and records relating to the issuance of the Bonds, and to the right, power and authority of the

County and its officers to issue the same, and said certified copies and certificates shall be deemed the representations of the County as to all matters stated therein.

13. The officers of the County are hereby authorized and directed to prepare and furnish to the Secretary of the Treasury a statement meeting the information reporting requirements of Section 149(e) of the Internal Revenue Code of 1986, as amended (the “Code”), by the 15th day of the second calendar month after the close of the calendar quarter in which the Bonds are issued.

14. The County shall not take or permit any action that would cause the Bonds to be “private activity bonds” within the meaning of Section 141 of the Code other than “qualified 501(c)(3) bonds” within the meaning of Section 145 of the Code. In addition, the County shall make no investment of funds that would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code and regulations thereunder. The County Administrator is authorized to make any elections available to the County under Section 148 of the Code and regulations thereunder. All terms used in this paragraph 14 shall have the meanings provided in the Code and regulations thereunder.

15. The County Administrator shall register the Bonds in the office of the County Auditor as required by law.

16. The Preliminary Official Statement relating to the Bonds, on file with the County Administrator and presented to this meeting, is hereby approved, and the County ratifies and confirms its designation of the Preliminary Official Statement as a “near final” Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission and the furnishing thereof to prospective purchasers of the Bonds, insofar as the same relates to the Bonds and the sale thereof. The Continuing Disclosure Certificate included in the Official Statement is hereby approved and shall be executed and delivered in connection with the delivery of the Bonds to the Purchaser.

17. The County authorizes the purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses to Bond Trust Services Corporation on the closing date for further distribution as directed by Ehlers and Associates, Inc.

18. The reasonably anticipated amount of tax-exempt obligations of the County (other than those not taken into account under Section 265(b)(3)(C)(ii) of the Code) issued during 2022 does not exceed \$10 million. The Bonds are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code.

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 14th day of June 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

David Hemze, County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Closed Session for Initial Offer for Right of Way Acquisition for the for Highway 5 Project - Arboretum Area

Primary Originating Division/Dept: <u>Public Works - Program Delivery</u>	Meeting Date: <u>6/14/2022</u>
Contact: <u>Darin Mielke</u> Title: <u>Deputy County Engineer</u>	Item Type: <u>Closed Session</u>
Amount of Time Requested: <u>15</u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: _____ Title: _____	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

In 2021, Carver County and MnDOT, in cooperation with the Cities of Victoria, Chanhassen, Chaska, and the University of Minnesota/Arboretum, completed the Arboretum Area Transportation Plan (AATP) to establish a corridor vision between approximately Highway 41 through the downtown of the City of Victoria to Highway 11 (N). This study was completed so that fiscally responsible improvements could be identified, funded, programmed, and implemented incrementally to improve the corridor’s mobility and safety, for motorists and pedestrians, in a timely manner. Land needed for Highway 5 Project - Arboretum can be lost to development (or redevelopment) because MnDOT is unable to purchase highway right-of-way until the time a road is programmed for actual construction. To address this, the 1982 Minnesota legislature established a revolving loan fund (RALF) program to acquire undeveloped (or underdeveloped) property located within an officially mapped metropolitan highway right-of-way that is threatened by development (or redevelopment).

One property, PID 25.0080200, was identified as a full acquisition in the AATP. This is an undeveloped parcel with its sole access to Highway 5. The property owners have been grading the site and currently working on building plans for a new residential home. The property owners are aware that the property is needed for future highway purposes. The property owners have indicated a willingness to sell this property instead of pursuing the construction of a new home on the property. This property will be officially mapped which will allow the use of the RALF program. Staff will provide a presentation in a closed session to discuss the initial offer amount to the property owner, since this is one individual parcel acquisition and the appraisal and appraisal amount is confidential information.

ACTION REQUESTED:

Motion to enter into closed session to discuss confidential appraisal data and an initial written offer for the purchase of real property of PID 25.0080200, pursuant to Minn. Stat. Section 13D.05, Subd. 3 (c).

FISCAL IMPACT: Other

If "Other", specify:

Ralf Funding

FUNDING

County Dollars = _____

Total _____ **\$0.00**

FTE IMPACT: None

Related Financial/FTE Comments:

This purchase will be contingent upon a willing seller and the ability to obtain RALF funding for a fair market value acquisition.

Office use only:

RBA 2022 - 8460

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Initial Offer for Right of Way Acquisition for the for Highway 5 Project - Arboretum Area

Primary Originating Division/Dept: <u>Public Works - Program Delivery</u>	Meeting Date: <u>6/14/2022</u>
Contact: <u>Darin Mielke</u> Title: <u>Deputy County Engineer</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <u>5</u> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <u>Angie Stenson/Eric Johnson</u> Title: <u>Sr. Transportation Planner</u>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

In 2021, Carver County and MnDOT, in cooperation with the Cities of Victoria, Chanhassen, Chaska, and the University of Minnesota/Arboretum, completed the Arboretum Area Transportation Plan (AATP) to establish a corridor vision between approximately Highway 41 through the downtown of the City of Victoria to Highway 11 (N). This study was completed so that fiscally responsible improvements could be identified, funded, programmed, and implemented incrementally to improve the corridor’s mobility and safety, for motorists and pedestrians, in a timely manner. Land needed for Highway 5 Project - Arboretum can be lost to development (or redevelopment) because MnDOT is unable to purchase highway right-of-way until the time a road is programmed for actual construction. To address this, the 1982 Minnesota legislature established a revolving loan fund (RALF) program to acquire undeveloped (or underdeveloped) property located within an officially mapped metropolitan highway right-of-way that is threatened by development (or redevelopment).

One property, PID 25.0080200, was identified as a full acquisition in the AATP. This is an undeveloped parcel with its sole access to Highway 5. The property owners have been grading the site and currently working on building plans for a new residential home. The property owners are aware that the property is needed for future highway purposes. The property owners have indicated a willingness to sell this property instead of pursuing the construction of a new home on the property. This property will be officially mapped which will allow the use of the RALF program. Staff are recommending an initial offer to the property owner at PID 25.0080200 based on the appraisal completed by a certified appraiser.

ACTION REQUESTED:

Motion to adopt a resolution to make an initial offer to the impacted property owner related to the Highway 5 Project - Arboretum Area, based on the appraisals completed by a certified appraiser.

FISCAL IMPACT: Other

If "Other", specify:

RALF Funding

FUNDING

County Dollars =

Total \$0.00

Related Financial/FTE Comments:

This purchase will be contingent upon a willing seller and the ability to obtain RALF funding for a fair market value acquisition.

Office use only:

RBA 2022 - 8443

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

Date: June 14, 2022

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 5 Project – Arboretum Area

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 of Trunk Highway 5 from County State Aid Highway 13 to Trunk Highway 41 as part of the Highway 5 Project – Arboretum Area (“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 described 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 Owners submit to the County the information necessary for reimbursement.

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 Trunk Highway 5 from County State Aid Highway 13 to Trunk Highway 41 as part of the Highway 5 Project – Arboretum Area 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), the Public Works Division Director or agents under his supervision, shall make initial written offers of just compensation to the Owners of the real property interests described in Exhibit A from whom the County must acquire real property interests needed for the Project; and

BE IT FURTHER RESOLVED that the Public Works Division Director or agents under his supervision, shall reimburse the Owners of said real property interests for an independent appraisal of damages from a licensed real estate appraiser to estimate the full amount of damages which will be caused to Owners by the County’s proposed acquisition of the real property interests described in said Exhibit A, and that, upon the Owners providing to County a copy of that appraisal report, evidence of the cost of that report, and evidence of payment of that amount to the appraiser, County shall reimburse Owners for the cost of Owners’ independent appraisal report, subject to the limits stated in Minn. Stat. §117.036. In lieu of said independent appraisal of damages, the Public Works Division Director or agents under his supervision, may offer in addition to the initial written offer to property Owners, an amount up to said limits in Minn. Stat. §117.036.

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 June 14, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this June 14, 2022.

Dave Hemze
County Administrator

Exhibit A

to

Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests

Highway 5 Project – Arboretum Area

Carver County Public Works No. 178827

Property Tax Identification No. 25.0080200

Parcel Number(s): 250080200

Fee Owners: Jeffrey and Debra Papke

Property Address: Chanhassen, MN 55318

The total acquisition of the Subject Property being taken in fee simple contains **9.6 Acres**, more or less.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with His House Foundation

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

His House Foundation (HHF), a 501(c)(3) organization, will assist Carver County Public Health to improve access and utilization of resources and opportunities to promote optimal health and wellbeing for all residents within Carver County. HHF will subcontract with Mi CASA and/or other approved local "grassroot" organizations to provide and/or improve access to health promotion activities, educational & career preparation opportunities, food security programs, and pandemic mitigation and recovery services to residents and their communities who are a higher risk for poor outcomes. HHF will serve as the fiscal host and the primary responsible organization who will provide oversight and coordination of services by Mi CASA and/or other approved local "grassroots" organizations in the fulfillment of specified goals. These goals will include but not be limited to: advisory and consultation; cultivation of Community of Belonging and civic engagement; food security; healthy lifestyle and recreational opportunities; mental wellbeing and improved access to mental health services; pandemic (all variants) mitigation and recovery; and access to educational and career services and opportunities. Funding for contracted services will come from existing UCARE Prosperity Carver funds, Local Public Health (LPH) grant, and the Minnesota Department of Health Public Health Infrastructure Grant (also scheduled for approval on today's consent agenda).

ACTION REQUESTED:

Motion to approve PSA with His House Foundation for provision of contracted services, not to exceed \$150,000.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	\$0.00
UCARE Prosperity Funds	\$22,427.00
LPH Grant	\$2,573.00
PH Infrastructure Grant	\$125,000.00
Total	\$150,000.00

Insert additional funding source

Related Financial/FTE Comments:

PSA not to exceed \$150,000. Funding for PSA will be paid from the existing UCARE Prosperity funds (\$22,427), LPH grant funds (\$2,573), and Public Health Infrastructure grant (\$125,000) which is also being requested for for County Board approval on the 6/14/22 agenda. No County tax levy will be utilized. PSA, in the contract portal, is pending approval by risk and the division director.

Office use only:

RBA 2022 - 8421

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreements for Right of Way Acquisitions for the Highway 25/County Road 20 Intersection 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 2023 construction season includes the reconstruction of the intersection at County Highway 20 and MN Highway 25 northwest of Watertown. Additional right-of-way is needed to complete this project. Appraisals were completed by a certified appraiser and the County Board approved the making of offers based on the appraised values at its May 5, 2022, regular session. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. Settlements with the property owners listed on the exhibit attached to the resolution have been reached and staff is recommending approval.

ACTION REQUESTED:

Motion to adopt a resolution authorizing settlements of compensation for acquisition of real property interests needed for the County Road 20/MN Highway 25 intersection project.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	<input type="text"/>
Wheelage Tax	\$91,000.00
Total	\$91,000.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8431

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

Date: June 14, 2022

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 20/MN 25 Intersection Project

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for the reconstruction of the intersection at CSAH 20 and MN Highway 25 (“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 including the reconstruction of the intersection at CSAH 20 and MN Highway 25 Project constitute a valid public use or public purpose; and

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

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

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on June 14, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of June 2022

Dave Hemze County Administrator

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

Highway 20/MN Highway 25 Intersection Project

Carver County Public Works No. 198866

Property Tax Identification No. 10.0060400

Fee Owners: Katrina J Gustafson & Bert E Grant Revocable Living Trusts

Property Address: 13985 County Road 20, Watertown, MN

Settlement Amount: \$13,100.00

Temporary easement for public right-of-way purposes contains 1,434 sq. ft. (including existing easements), more or less.

\$500.00

Negotiated premium in lieu of eminent domain

\$1,500.00

Damages to Trees & Fence

\$11,100.00

Property Tax Identification No. 10.0060200

Fee Owner: John D Pearce & Lisa Pearce, Married

Property Address: 13950 County Road 20, Watertown, MN

Settlement Amount: **\$38,600.00**

Permanent roadway easement for highway, utility and drainage purposes contains 6,114 sq. ft., more or less.

\$7,500.00

Temporary easement for public right-of-way purposes contains 45,750 sq. ft., more or less.

\$6,100.00

Negotiated premium in lieu of eminent domain

\$1,500.00

Damages to Trees

\$23,500.00

Property Tax Identification No. 10.0060300

Fee Owners: Rodney J & Jessica S Motzko, Married

Property 13975 Common St, Watertown, MN

Settlement Amount: **\$1,100.00**

Temporary easement for construction purpose contains 1,740 sq. ft. more or less.

\$100.00

Negotiated premium in lieu of eminent domain

\$1,000.00

Property Tax Identification No. 10.0060500

Fee Owners: Brian Harlan Weege, Single

Property Address: 13955 Co. Rd. 20 Watertown MN

Settlement Amount: **\$23,000.00**

Permanent easement for roadway purposes contains 450 sq. ft., more or less.

\$200.00

Temporary easement for construction purposes contains 50,628 sq. ft. more or less.

\$2,000.00

Damages to trees and crops

\$15,800.00

Negotiated premium in lieu of eminent domain

\$5,000.00

Property Tax Identification No. 10.0061400

Fee Owners: Mueller Farms, a Partnership and the R & M Trust dated October 6, 2021

Property Address: 13855 Common St, Watertown MN

Settlement Amount: **\$15,200.00**

Permanent easement for roadway purposes contains 2,348 sq. ft., more or less.

\$1,200.00

Temporary easement for construction purposes contains 31,043 sq. ft. more or less.

\$1,600.00

Damages to trees and shrubs

\$7,400.00

Negotiated premium in lieu of eminent domain

\$5,000.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreement for Right of Way Acquisition for the Highway 24 Project

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="6/14/2022"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Senior Right of Way Agent"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="5"/> minutes Presenter: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Senior Right of Way Agent"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

The 2022 construction season includes the Highway 24 Project, which includes pavement rehabilitation and shoulder widening of Highway 24 from Highway 10 in the City of Watertown east to the Hennepin County border. Additional right-of-way is needed to complete this project. Appraisals were completed by a certified appraiser or minimum damage assessments completed by county staff and the County Board approved the making of offers based on the appraised values at its July 13, 2021, regular session. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. A settlements with the property owner listed on the exhibit attached to the resolution have been reached and staff is recommending approval.

ACTION REQUESTED:

Motion to adopt a resolution authorizing settlement of compensation for acquisition of real property interests needed for the Highway 24 Project.

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING
If "Other", specify: <input type="text"/>	County Dollars = <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	Wheelage Tax <input type="text" value="\$12,500.00"/>
	Total <input type="text" value="\$12,500.00"/>
	<input checked="" type="checkbox"/> Insert additional funding source
Related Financial/FTE Comments:	

Office use only:

RBA 2022 - 8441

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

Date: June 14, 2022

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on June 14, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 14th day of June 2022

Dave Hemze County Administrator

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

Highway 24 Project

Carver County Public Works No. 158794

Property Tax Identification No. 10.0100300

Fee Owners: Lana M. Putt, Diane L. Neumann, Dawn J. Neumann & Richard N. Neumann

Property Address: XXX County Road 24, Watertown, MN

Settlement Amount: **\$12,500.00**

Permanent roadway easement for highway, utility and drainage purposes contains 24,057 sq. ft., more or less.

\$4,400.00

Temporary easement for public right-of-way purposes contains 3,819 sq. ft., more or less.

\$100.00

Negotiated premium in lieu of eminent domain

\$5,000.00

Damages to Crops

\$3,000.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Requests for Funding from the COVID-19 Budget Stabilization Account ("BSA")

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 County Board created the COVID-19 Budget Stabilization Account ("BSA") in Dec 2020 to account for the County's \$33.4 million pandemic allocation from the Federal Government. Please see the chart on the County's website [Carver County Recovery Plan | Carver County, MN](#) for further information about the \$33.4 million. The funds in the BSA are county property tax levy dollars (see Finance explanation below) and the current balance is \$8.6M.

The attached document summarizes the **\$28M** in internal and external requests for BSA funding. County staff will provide an high-level summary of the requests and then the following external organizations will present their requests to the Board:

1. **\$1,729,500 - Eva Sophia Project Land Acquisition**
2. **\$1,125,000 - A Better Society/Project Lin-ki Endowment & Software**
3. **\$450,000 - City of Chaska Grocery Land Trust**
4. **\$300,000 - Laketown and Dahlgren Townships Road Project**
5. **\$50,000 - Launch Ministry "Launch Your Day Cafe"**

ACTION REQUESTED:

None - Board input and direction only

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

BSA funds are county property tax levy dollars that are available for the County Board to spend on one-time projects because the County's Federal pandemic allocation was used to to pay for eligible 2020 and 2021 budgeted Public Health and Public Safety salaries and benefits.

Office use only:

RBA 2022 - 8455

\$28M BSA Requests Summary

County Board Workshop

6-14-22

\$23.3M Internal Requests:

\$5,000,000 County Administrator Priority - Future Pandemic Contingency

\$3,100,000 Pandemic Project Requests - 2023 Budget Attachment E

The County's 2023 budget identifies various pandemic related requests for County facility improvements like HVAC, air handling, etc., HHS housing support and workforce training/transportation and for a Broadband construction bid increase.

\$6,400,000 Non-Pandemic Project Requests - 2023 Budget Attachment E

The County's 2023 Budget identifies various funding requests for Parks capital projects and playground equipment including a Lakefront Service Center construction bid increase, Facility improvements for roofs, jail door controls and HHS, Property Tax and Assessing hardware and software projects.

\$8,800,000 2024 & Beyond Non-Pandemic Requests - Long Term Financial Plan

The County's Long Term Financial Plan identifies various projects for County building and technology upgrades/improvements, shelves and books for a new Chaska library and playground equipment.

\$4.7M External Requests:

\$1,729,500 Eva Sophia Project

The Eva Sophia Project is requesting \$1,729,500 for the purchase of land in Waconia and to hire an architect to build a \$10-\$12M residential housing project for those within our community who have intellectual or developmental disabilities. The Carver County Community Development Agency will be reviewing this request and considering a recommendation at their June 9th, 2022 Board Meeting.

\$1,125,000 A Better Society/Project Lin-ki

A Better Society is requesting \$125,000 to implement Project Lin-kij utilizing the software platform Unite Us. The goal is to create a collaborative network that connects registered community partners

to meet identified needs through a coordinated referral-based model. A Better Society is also requesting \$1,000,000 to create a permanent community endowment utilizing the Community Foundation for Carver County. With the annual funding created from the endowment (approximately \$50,000 per year) they will assist individual and families in crisis.

\$450,000 City of Chaska

The City of Chaska is requesting that \$450,000 out of \$500,000 that was previously Board approved utilizing ARPA/BSA housing funds and distributed to the CDA be reallocated for the purpose of covering the cost of land located at Cooper's Grocery Store in Chaska and to facilitate putting the property into a Commercial Community Land Trust. The Carver County Community Development Agency will be reviewing this request and consider a recommendation at their June 9th, 2022 Board Meeting.

\$300,000 Laketown and Dahlgren Townships

Laketown and Dahlgren Townships are asking for \$300,000 to repave approximately .6 miles of Augusta Road from County Road 43 west. It is a town line road. The pavement can no longer be repaired and needs to be completely replaced.

\$50,000 Launch Ministry

Launch Ministry is requesting \$50,000 to fund equipment, purchase product, and train staff to open Launch Your Day Café as a work site for Launch's youth employment 9-month training program where each youth will exit into job placement or continue their education. This is a proven training model utilized throughout the metro (e.g. Wildflyer Coffee and Fresh Grounds). This training program folds in seamlessly with Carver County's CareerForce youth workforce program. Launch has leased space for the coffee shop from Stars Early Learning Academy in Cologne.

\$715,000 The Outpost *(The Outpost presented at the 04/26/2022 County Board Work Session)*

The Outpost is requesting an investment in a proof-of-concept trades training program focusing on carpentry skills development. Part of the request is for one-time funding in the amount of \$399,000 to cover startup costs both for capital improvements to their facilities and to offset labor costs until the program becomes self-sustaining. They are also requesting \$316,000 over four years to offset annual operating costs.

\$400,000 Love, INC *(Love INC presented at the 04/26/2022 County Board Work Session)*

Love, INC is requesting an investment to replace lost revenue and stabilize their public service of delivering essentials such as furniture, baby supplies, etc. Because of the pandemic, the non-profit did not hold its annual fundraiser which significantly disrupted their cashflow. They are asking for a reset and time to create long-term strategies for sustainability. They are requesting \$140,000 to cover rent on their FurniShare store, \$10,000 for debt on their delivery truck, and \$250,000 for IT/Infrastructure and staff costs.