



CARVER COUNTY

minnesota

Carver County Board of Commissioners August 16, 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**
- 2. Agenda review and adoption
- 3. Approve minutes of August 2, 2022, Regular Session..... 1-3
- 4. Community Announcements
- 9:20 a.m. 5. **CONSENT AGENDA**
- Communities: Create and maintain safe, healthy, and livable communities*
- 5.1 Professional Services Agreement with Bolton And Menk Inc. for Highway 20/25 Intersection Project..... 4
- 5.2 2020 and 2021 Parks and Trails Legacy Funding Requests to the Metropolitan Council..... 5
- 5.3 Joint Powers Agreement with City of Watertown for the Highway 24 Project and Highway 10 Project- North Watertown 6

5.4	Re-Appointment of Dan Tengwall as Carver County Veteran Services Officer.....	7
5.5	Concurrence in Award of Construction Contract for the Highway 41 Project- Downtown Chaska and Highway 61 Project – Brickyard Clayhole.....	8-9

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

5.6	Amy & Aaron Burkhart - Farm Related Business (CUP)	10-15
5.7	Freshwater Church Outdoor Service and Celebration Event.....	16-23
5.8	Approval of Purchase of Tax Forfeited Land for Authorized Public Purpose.....	24-30

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

5.9	Review Health & Human Services and Commissioner Warrants.....	NO ATT
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9:20 a.m.	6. CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government	
	6.1 Elections Update	31-32
11:20 a.m.	7. CONNECTIONS: Develop strong public partnerships and connect people to services and information	
	7.1 Southern Valley Alliance Presentation	33
11:50 a.m.	ADJOURN AS COUNTY BOARD AND CONVENE AS CARVER COUNTY DITCH BOARD	
11:55 a.m.	8. COMMUNITIES: Create and maintain safe, healthy, and livable communities	
	8.1 County Ditch 4A Maintenance	34-37
12:05 p.m.	9. County Administrator Report	
12:10 p.m.	ADJOURN CARVER COUNTY DITCH BOARD	

David Hemze
County Administrator

UPCOMING MEETINGS

August 23, 2022	9:00 a.m. Board Work Session
August 30, 2022	No Board Meeting
September 6, 2022	9:00 a.m. Board Meeting
September 6, 2022	1:00 p.m. Highway 212 Project Ribbon Cutting Event
September 13, 2022	No Meeting
September 20, 2022	9:00 a.m. Board Meeting
September 27, 2022	9:00 a.m. Board Work Session

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on August 2, 2022. Chair Gayle Degler convened the session at 9:02 a.m.

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

Members absent: None.

Under public comments, Debra Mangen, Carver, read a prepared statement on behalf of individuals that supported the County's election process and urged the Board to accept the recommendations of the Elections and Licensing Manager.

Tracy Leggett, Chaska, stated she attended the July 19th work session on elections. She noted the work session was not recorded and read her statement for the record. She stated, due to the pandemic, absentee voting allowed people to safely vote and noted the vote totals done for the 2018 recount remained the same. She indicated they needed to defend the election process.

Julie Weiss, Chaska, questioned the kind of power the Commissioners have for elections and if they could rely on the Board being nonpartisan.

Dave Hemze, Administrator, clarified the election issue would be discussed again on August 16th and there would be additional opportunity for discussion.

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

Udermann moved, Fahey seconded, to approve the minutes of the July 19, 2022, Regular Session. Motion carried unanimously.

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

Approved increase in Veterans Court Coordinator from 0.70 to 0.80 FTE and related HH&S budget amendment.

Authorized Park staff to issue use permits to ISD108 Central Schools and United Healthcare Children's Foundation for the special events planned on County park and trail properties.

Professional services agreement with Stonebrook Engineering in the amount of \$67,720 for 2022 bridge safety inspections, pending finalization of the contract review process.

Authorized the County Engineer, or his designee, to approve Change Orders 1-2 to contract #22-168 with GMH Asphalt Corporation for \$217,765.90 for the 2022 Highway Preservation Program.

Authorized acceptance of second quarter donations to the Encore program.

Approved the 1 day to 4 day temporary on sale liquor license application for the Justin Kukowski Foundation for October 1, 2022.

Adopted Findings of Fact and issue Order PZ20220029 for the issuance of a Conditional Use Permit, Dawn Thostenson, Dahlgren Township

Adopted Findings of Fact and issue Order PZ20220027 for the issuance of a Conditional Use Permit, Superior Lawn & Landscape, Waconia Township.

Resolution #66-22, Approving the Preliminary Plat of Serenity Place.

Authorized acceptance of \$200 citizen donation to the Sheriff's Office.

Reviewed July 26, 2022, Community Social Services' actions/Commissioners' warrants in the amount of \$593,902.19 and reviewed August 2, 2022, Community Social Services' actions/Commissioners' warrants in the amount of \$266,119.15.

Motion carried unanimously.

Bill Olson, representative for the Minnehaha Creek Watershed District, appeared before the Board for an update on the District. He explained watersheds were started in 1967 to control flooding and improve water quality and the District focuses on building high impact projects. Olson indicated their work is driven by science and data and they were proud of what has been accomplished. Olson introduced James Wisker, District Administrator, to profile the work done and future work.

Wisker explained the watershed was 178 square miles and covers portions of 29 communities in Hennepin and Carver County. He pointed out their partnerships with landowners and communities. He identified the Six Mile Creek Halsted Bay Subwatershed area and highlighted past and future work to be done. Wisker noted Lake Wassermann was on track to be meeting State standards. He also identified the future focus on Lake Auburn wetland, the Turbid Luntsen corridor and the work that would be starting over the next several months. He added they would continue working in partnership with the County, local communities and landowners and support the County's goals. Wisker added they are going through their budget process now and are anticipating a modest increase.

The Board thanked the District for their report.

Derek Gunderson, Mental Health Advisory Committee Chair, presented an update on the status of the committee and where they were going. He noted the committee has been discussing telehealth, broadband issues and rural outreach. He stated the committee has become more diverse and was at full capacity. He noted the limited resources for psychiatrists and encouraged the county to be competitive to serve residents. He indicated they would continue to work with programs to reduce stigma and reach out to residents. Gunderson recognized telehealth was a useful tool but is isolating for some. He stated they would continue to ask questions and make sure they are on top practices.

He noted the co-responder has been very effective and encouraged residents to call 988 if they needed help.

Chair Degler thanked Gunderson for the report and the Committee for their work.

Workman moved, Udermann seconded, to adjourn the Regular Session at 10:30 a.m. Motion carried unanimously.

David Hemze
County Administrator

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agreement with BOLTON AND MENK INC. for Highway 20/25 Intersection Project

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="8/16/2022"/>
Contact: <input type="text" value="Cory Spanier"/> Title: <input type="text" value="Project Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

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

The scope of services for the consultant includes preparing state aid approved plans, preparing all environmental documents and permits, and preparing information and documents to be used by the county right of way and survey departments. Bolton & Menk was awarded the original contract as based on the "Best Value" process.

That original contract #20-468 has expired in March 2022. The contract has since required extension for time and additional budget to complete final design and include future construction support from the consultant. The design phase was delayed due to MnDOT requested changes, scope changes including additional muck excavation, and right of way time requirements. Construction support budget has also been added, and this contract will be extending the timeline for professional services.

ACTION REQUESTED:

Motion to approve a professional services agreement in the amount of \$39,750.00 with Bolton & Menk, Inc. for design and construction support for the Highway 20/25 Intesection Project, pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	State Aid <input type="text"/> \$39,750.00
	Total <input type="text"/> \$39,750.00
	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8539

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2022 Parks and Trails Legacy Funding Requests to the Metropolitan Council

Primary Originating Division/Dept: <u>Public Works - Parks</u>	Meeting Date: <u>8/16/2022</u>
Contact: <u>Martin Walsh</u> Title: <u>Parks and Recreation Director</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

In 2008, voters approved the Legacy Amendment to provide 3/8ths of 1% sales tax for Outdoor Heritage, Clean Water, Parks and Trails, and Arts. The amendment was implemented in July of 2009 and will remain in effect for 25 years or until 2034. Parks and Trails Funds collected are to supplement traditional funding sources for the State Park System, Metropolitan Regional Park System and Regional Parks of Greater Minnesota. Carver County is an implementing agency of the Regional Park System, the total Parks and Trails Legacy Funding allocation for State Fiscal Year 2022 to the County is \$438,919.

Parks and Trail Legacy Funds are recommended to be allocated towards existing programs of Outreach (Staffing for recreation programs, marketing and purchase of recreation equipment), salaries for the Recreation and Volunteer Specialist, Park and Natural Resources Supervisor, and for a capital project of the Lake Waconia Regional Park Waterfront Service Center. Below is the recommended breakdown for allocation with the funding amounts.

- i. Outreach (Recreation Programing, Marketing, Recreation Equipment Purchases) **\$43,000**
- ii. Recreation and Volunteer Specialist (50% of Salary & Benefits) **\$40,400.**
- iii. Parks and Natural Resources Supervisor (50 % of Salary and Benefits) **\$48,700**
- iv. Lake Waconia RP, Waterfront Service Center **\$306,819**

It is proposed that the existing grant agreements for Outreach, Recreation and Volunteer Specialist, and Park and Natural Resources Supervisor be amended to include the above listed amounts. A new grant would be created for the Lake Waconia Regional Park Waterfront Service Center.

ACTION REQUESTED:

Motion to authorize the following grant requests:

- i. Amend SG-22P4-03-02 (outreach) for an additional amount of \$43,000
- ii. Amend SG-22p4-03-04 (Recreation and Volunteer Specialist) for an additional amount of \$40,400.
- iii. Amend SG-222p4-03-03 (Parks and Natural Resources Supervisor) for an additional amount of \$48,700
- iv. Enter into a new grant agreement for the Waterfront Service center for \$306,819.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$0.00
Parks and Trails Funds	\$483,919.00
Total	\$483,919.00

Related Financial/FTE Comments:

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Joint Powers Agreement with City of Watertown for the Highway 24 Project and Highway 10 Project- North Watertown

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="8/16/2022"/>
Contact: <input type="text" value="Neil Heinonen"/> Title: <input type="text" value="Engineering Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The County is completing improvements for the Highway 24 Project and Highway 10 Project- North Area in the City of Watertown. The work includes grading, pavement rehabilitation, culvert replacement, and shoulder widening along Highways 10 and 24. The County has led the design and construction process for this project. The need for this agreement arose after the City requested additional improvements be made to the pedestrian crossing on Highway 10 near the school campus, and for the Paul Avenue intersection at Highway 24. The County facilitated meetings and design services to accommodate these proposed improvements. This JPA will allow the County and the City to share costs for these improvements according to County's Cost Participation Policy.

This agreement has been approved by the City of Watertown.

ACTION REQUESTED:

Motion to approve a Joint Powers Agreement with the City of Watertown for the Highway 24 Project and Highway 10 Project- North Watertown, pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING										
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text"/>										
FTE IMPACT: <input type="text" value="None"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>LRIP (Grant)</td> <td style="text-align: right;">\$1,250,000.00</td> </tr> <tr> <td>CSAH (Reg)</td> <td style="text-align: right;">\$4,000,000.00</td> </tr> <tr> <td>Wheelage</td> <td style="text-align: right;">\$2,130,000.00</td> </tr> <tr> <td>City of Watertown</td> <td style="text-align: right;">\$50,000.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$7,430,000.00</td> </tr> </table>	LRIP (Grant)	\$1,250,000.00	CSAH (Reg)	\$4,000,000.00	Wheelage	\$2,130,000.00	City of Watertown	\$50,000.00	Total	\$7,430,000.00
LRIP (Grant)	\$1,250,000.00										
CSAH (Reg)	\$4,000,000.00										
Wheelage	\$2,130,000.00										
City of Watertown	\$50,000.00										
Total	\$7,430,000.00										
	<input checked="" type="checkbox"/> Insert additional funding source										

Related Financial/FTE Comments:
 The city share shown is estimated at this time.

Office use only:

RBA 2022 - 8542

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Re-Appointment of Dan Tengwall as Carver County Veteran Services Officer

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Per MN State Statute 197.60, each County in the State of Minnesota shall appoint a County Veterans Service Officer (CVSO). The term of appointment of a CVSO shall be four years. Dan Tengwall's second four-year term expires on September 1, 2022.

Dan Tengwall has served as the Carver County Veteran Services Officer since 2014. The staff recommendation is to reappoint Mr. Tengwall to this position. He meets all the requirements outlined in MN State Statute 197.601, qualifications of County Veterans Service Officers.

The Board Chair will administer the oath of office prior to September 1, 2022.

ACTION REQUESTED:

Motion to reappoint Dan Tengwall as Carver County Veteran Services Officer for an additional four-year term and authorize the Board Chair to administer the oath of office.

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 - 8546

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Concurrence in Award of Construction Contract for the Highway 41 Project- Downtown Chaska and Highway 61 Project - Brick yard Clayhole

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="8/16/2022"/>
Contact: <input type="text" value="Darin Mielke"/> Title: <input type="text" value="Deputy County Engineer"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

Carver County, the City of Chaska and the Minnesota Department of Transportation (MnDOT) have been working together for a number of years to reconstruct Highway 41 from the Minnesota River Bridge to Walnut Street and Highway 61 from Highway 41 to the East Chaska Creek Bridge. The project has been awarded \$4,000,000 in MnDOT Highway Freight Program Funds, \$3,500,000 in MnDOT TED funds, and \$1,000,000 federal funds from the regional solicitation. MnDOT is also contributing \$6,655,000 of state funds towards the project and providing construction administration and inspection in kind services for the work on Highway 41. The remaining funding will come from the MnDOT County Turnback fund, County Sales Tax and City funds. The County entered into a Joint Powers Agreement with the City of Chaska to define project responsibilities and funding splits at the September 7, 2021 regular county board meeting. The City of Chaska is the lead agency for the overall project and has led all of the project development efforts. Total project costs to reconstruct Highway 41 and Highway 61 are estimated to be \$30.6 million which includes construction, land acquisition and project development.

On July 22, the City opened bids for this project and received three bids as follows:

- S.M. Hentges & Sons, Inc.: \$22,824,715.48
- Eureka Construction, Inc.: \$24,865,049.11
- Max Steininger, Inc. \$28,792,076.04
- Engineers Estimate: \$19,628,699.03

The low responsible bidder was over the engineers estimate, however the City, MnDOT and county staff are recommending the award of the contract to S.M. Hentges & Sons, Inc. MnDOT was able to contribute an additional \$1.402 million for the trunk highway eligible expenses. The funding sources and amounts are shown below. The Transportation Sales Tax is a lump sum contribution for Highway 41 eligible costs. Since the low bid amount is more than the engineers estimate, the county board needs to concur in the award by the City of Chaska, which staff is recommending.

ACTION REQUESTED:

Motion to concur in the award of the construction contract through the City of Chaska for the Highway 41 Project - Downtown Chaska and Highway 61 Project - Brickyard Clayhole to the low responsible bidder, pending finalization of the contract review process.

FISCAL IMPACT:

FUNDING

If "Other", specify:

FTE IMPACT:

County Dollars =	
MnDOT Freight	\$4,000,000.00
MnDOT TED	\$3,500,000.00
Federal Regional Solicitat	\$1,000,000.00
MnDOT SRC Funds	\$8,056,986.33
MnDOT Const In Kind	\$717,899.52
MnDOT County Turnback	\$4,823,800.00
City of Chaska	\$4,852,857.73
Transportation Sales Tax	\$3,700,000.00
Total	\$30,651,543.58

Insert additional funding source

Related Financial/FTE Comments:

The Transportation Sales Tax can include an additional \$315,000 for change orders for additional trunk highway eligible costs that are not covered by the \$500,000 of additional MnDOT SRC funds for this same purpose.

Office use only:

RBA 2022 - 8552

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amy & Aaron Burkhart - Farm Related Business (CUP)

Primary Originating Division/Dept: <u>Public Services - Land Mgmt.</u>	Meeting Date: <u>8/16/2022</u>
Contact: <u>Donovan Hart</u> Title: <u>Senior Planner</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

File #PZ20220028. On July 19, 2022, the Planning Commission voted 7-0 to recommended approval of the Aaron and Amy Burkhart's Conditional Use Permit to amend their existing CUP (#PZ20200019) for a Farm-Related Business (Jack Cooper Meats), on their 30.7 acre parcel located in Section 1 of Benton Township. They are requesting to add a cargo container to store butchering waste products and expand their operating hours.

In 2020, Conditional Use Permit (#PZ20200019) was issued and authorized the Burkharths to operate a farm-related business, for commercial meat processing and butcher shop. The business consists of processing beef, pork, poultry, and other animals, then selling the finished product on site. The facility includes a commercial building for processing and retail sales, an outdoor holding pen for livestock, parking area and driveway. The applicants are requesting to expand hours to 7am-7pm, 7 days a week. They have 10 staff members and see an average of 14 trips per day. The existing parking is sufficient for the additional hours. The additional cargo container is placed directly behind the main building and holding pen, and will be used for byproduct/rendering material storage to be out of the elements while awaiting pickup.

This request was reviewed by Carver County Public Works, who stated that the main driveway shall be the only access point for the business use. Carver County Environmental Services has reviewed and approved this request with regard to the Subsurface Sewage Treatment System (SSTS) with no additional comments.

The overall area of disturbance and the proposed operational area will need to meet the permit requirements of the Carver County Water Management Organization (CCWMO). The Benton Town Board supports the request. The Planning Commission Resolution is attached for the Board's consideration.

ACTION REQUESTED:

A Motion to adopt the Findings of Fact and issue Order # PZ20220028 for the issuance of a Conditional Use Permit.

FISCAL IMPACT: None

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

<input type="text"/>	<input type="text"/>
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Total

\$0.00

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8526

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20220028

RESOLUTION #: 22-09

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

FILE #: PZ20220028

APPLICANT: Aaron Burkhart

PROPERTY OWNER: Aaron & Amy Burkhart

SITE ADDRESS: 9995 Co Rd 140 Cologne, MN 55322

PERMIT TYPE: Farm-Related Business

PURSUANT TO: County Code, Chapter 152, Sections 152.079 (C)(2)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 01-001-0827

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of July 19, 2022; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Aaron & Amy Burkhart own approximately 30.7 acres located in the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section 1. Benton Township. The property is improved with a house (w/an attached garage), personal accessory structure, agricultural storage structure, a personal solar array, man-made pond, pasture area for personal animals and livestock, and a Farm-Related Business (i.e. Jack Cooper Custom Meats) permitted by Conditional Use Permit #PZ20200019. The property is located in the Agricultural Zoning District, partially in the Shoreland Overlay District of a protected waters (Carver Creek), and the CCWMO (Carver Creek watershed).
2. The applicant is requesting to amend the existing Conditional Use Permit (CUP) to expand the hours of operation and add a structure as part of the Farm-Related Business (i.e. meat processing/butcher shop). The original Farm-Related Business CUP was issued to the property in July of 2020 (#PZ20200019). The proposed expansion to the commercial activity would allow the operation to continue to operate as a Farm-Related Business allowed pursuant to Section 152.079 (C)(2) of the Carver County Zoning Code.
3. Mr. & Mrs. Burkhart are requesting to expand their operational area of a commercial meat processing (butcher shop) facility as a farm-related business. The Burkharths' business consists of processing beef, pork, poultry, and other animals from area farmers and residents. The facility consists of a commercial building for processing and retail sales (approximately 50' x 80' or 4,000 sq. ft.), an outdoor "covered" holding pen (approximately 1,056 sq. ft.) for livestock, parking area, driveway stubbed off the existing access (located in the northwest corner of the property), SSTS location, and well location. The commercial building is utilized for animal slaughter, processing (including the meat processing equipment), freezers, storage space, as well as a small retail area and restroom.
4. As described in their letter (dated June 23, 2022), the applicants would like to expand business hours of operation from 7:00AM to 7:00PM, 7 days a week. The previous hours were 9:00AM to 4:00 PM Monday through Friday. The number of employees would consist of ten, a blend of full time and part time staff. Mr. Burkhart would fulfill the day-to-day business duties as the manager/owner, and Mrs. Burkhart would oversee the day-to-day reception and bookkeeping duties, as well as being co-owner. At this time, the Burkharths see about 14 sales per day, and do not anticipate needing to change parking or traffic concerns. The majority of the vehicle trip would be for dropping off livestock/animals for processing and the picking up of packaged meats. They do have a business/company vehicle stored onsite. The request appears to meet the minimum standards for a Farm-Related Business CUP.

5. The Burkharths are also requesting to expand the operational area with the addition of a 40'x 8' cargo container (already placed on-site) behind the drop-off pens adjacent to the main building, as shown on the site plan (dated June 23, 2022). This cargo container serves as the storage area for gut barrels (sealed 55-gallon drums used to hold byproducts after the butcher process, then picked up via a rendering truck). This prevents the drums being stored outside, where they could become a smell nuisance in the summer and freeze in the winter. The container is painted a neutral beige color and would have a refrigeration unit installed on the roof. The applicant has also indicated they would provide plantings (bushes or hostas) around the backside of the container for decorative screening. Pursuant to Section 152.040 – Operational Standards of the County Zoning Code, a single cargo container may be utilized for storage purposes if; a building permit for the container is obtained, meets setbacks, does not exceed 320 square feet, is a neutral color, and is prohibited from displaying any logo, sign, advertising, or message regulated by Chapter 154 (Sign Regulations) of the County Code of Ordinances. Additional conditions include, screening of the container must consist of a continuous evergreen vegetative buffer that faces a public road right-of-way. Based on the standards, the Burkharth's are allowed to have a cargo container with a few minor modifications (i.e. removal of logo and added screening).
6. The applicant stated that the animals brought to the facility would be processed within 24 hours of drop off. After processing is completed, meat is stored in freezers until the customer pickup or delivery takes place. The operation provides a service to the local area and would continue to conduct retail sales from the facility.
7. The county parking standards require one parking space for each 250 square feet of floor area for retail sales and four parking spaces plus one for each 400 square feet of processing of a product or material. The entire building is not utilized for either of the mentioned uses (e.g. storage, restroom, etc.); therefore, the identified parking stalls shown on the revised site plan (dated June 23, 2022) and area south of the parking could be utilized for overflow parking, if needed.
8. The subject property is located within the Carver County Water Management Organization (CCWMO) jurisdiction. Stormwater management, wetland buffers, site stabilization requirements, and Best Management Practices (BMP's) are typically reviewed as part of any site improvements pursuant to Chapter 153 of the County Code (Water Management Rules). The overall area of disturbance and the proposed operational area may 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. Any wetlands on the property would be reviewed pursuant to the Wetland Conservation Act (WCA).
9. All signage is required to meet the standards of Chapter 154 – Sign Regulations of the County Code; not to exceed 32 square feet of surface area. The size of a two-sided sign shall be calculated based on the surface area of only one of the sides, provided the sign surfaces are completely flush.
10. The original Conditional Use Permit operational plan submitted by the applicant proposed the use of holding tanks for wastewater management. The Subsurface Sewage Treatment System (SSTS) design plan was reviewed and approved as part of the commercial building permit process in 2020. All requirements of MN Rule 7080-7083 and Chapter 52 of the Carver County Code of Ordinances have been met. An SSTS Operating Permit and Maintenance Agreement with a licensed SSTS Maintainer shall be maintained for the duration of the CUP.
11. In order to operate the processing facility, Mr. & Mrs. Burkhart are required to work with the Minnesota Department of Agriculture (MDA) on a weekly basis. A condition of the permit would be for the Permittee to submit copies of all required permits and licenses to Carver County Land Management annually.
12. On July 8, 2022, Jack Johansen, Transportation Planner for Carver County Public Works, provided written comments with regard to the request. Mr. Johansen stated, "*Carver County Public Works has no comments on the proposed amendment to the Conditional Use Permit.*" However, Mr. Johansen indicated that during an onsite inspection, it was determined that the property has an unpermitted second access to the site, located east of the driveway. The location of the new unpermitted access was historically a field access, which are limited exclusively for purposes of farming and not inclusive of the site's use of a Butcher Shop. Carver County Public Works requests that the unpermitted gravel driveway at the field access location be removed.

13. This Benton Town Board reviewed and recommended approval of the request during their July 14, 2022, Town Board meeting with no further comments or conditions.
14. During the July 19, 2022, Planning Commission Public Hearing, comments were made in support of the request by the public.
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 the approval of Conditional Use Permit #PZ20220028 for a Farm-Related Business on the land described in Exhibit “A” of the permit application. The previous CUP #PZ20200019 (Document Number A700643) will be terminated upon final approval (and recording) of the new CUP #PZ20220028. Therefore, CUP #PZ20220028 would supersede any prior approvals. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to administrative review. The Permittee shall maintain homestead status and occupancy on the property. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners/operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The Farm-Related Business (Butcher Shop – Jack Cooper Custom Meats) shall operate in accordance with the operational letter and site plan (dated June 23, 2022). These plans shall be attached to and become part of this permit. Any proposed expansion of the submitted site plan shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.
3. The existing structure(s), not utilized for the business, shall be used only by the occupant(s) of the residence and/or property owner for agriculture, personal storage, hobbies, personal recreation and entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance.
4. The accessory building (cargo container) utilized for the proposed business shall meet MN State Building Code, as well, as MN Department of Agriculture and MN Department of Health standards. The permittee shall obtain the appropriate building permit(s) to utilize the structure. A Certificate of Occupancy must be issued in order to utilize the structure. Approval from the said agencies shall be obtained prior to the issuance of any building permit(s).
5. Any future remodeling or improvements structures on the property shall require Carver County Building Official review and permit approval. Future construction of any new structure to be utilized as part of the business, shall be permitted upon review and issuance of appropriate building permit(s) prior to construction.
6. The vegetation screening shall be installed according to the operational standards Section 152.040 and Section 152.041 of the County Zoning Code. A planting plan shall be submitted to Carver County Land Management for review and approval. An escrow, in the amount determined by the County Fee Schedule, shall be deposited with the County to ensure establishment of the vegetation, if applicable. No landscaping shall be installed in the public right-of-way.
7. Any grading, filling, or site improvement activity on the property shall be completed in accordance with the CCWMO Rules (Chapter 153 – Water Resource Management) and the Wetland Conservation Act (WCA), if applicable. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
8. Permittee shall comply with all road authority (i.e. Carver County Public Works Department) access requirements.

9. The Permittee shall maintain a conforming Subsurface Sewage Treatment System pursuant to Chapter 52 of the Carver County Code to accommodate any restroom(s) and wastewater produced within the structure utilized as part of the business operation. The permittee shall submit and maintain a pumping agreement (for the holding tanks) with a licensed SSTS contractor. All liquid wastewater shall be pumped and disposed of at a licensed facility. The Permittee shall submit a copy of their contracted hauler to the Land Management Department and Environmental Services annually.
10. All solid waste materials generated by the operation shall be done by contract with a licensed company. All future contracts must be submitted to the Land Management and Environmental Services Departments annually.
11. The Permittee is responsible to the Minnesota Department of Agriculture, Minnesota Department of Health, Minnesota Board of Animal Health, and to any other County, State or Federal agencies, for maintaining the required permits and licensures for meat processing and retail sales operations. The Permittee shall submit copies of all required permits and licenses to Carver County Land Management annually.
12. The Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations, Chapter 52 - Subsurface Sewage Treatment System (SSTS) regulations, MN State Building Code requirements, and all other applicable local, state, and federal regulations.
13. Any existing drain tile(s) on the site must be maintained and/or re-routed, such that flow through the property is not hindered or adversely altered.
14. The property including the structure and grounds shall be maintained in a neat and orderly manner.
15. The permittee shall submit Certificate of Workers' Compensation Insurance to the Land Management Department annually when there are additional employees beyond the owner/operator. The insurance shall be maintained for the duration of the CUP.

ADOPTED by the Carver County Planning Commission this 19th day of July 2022.

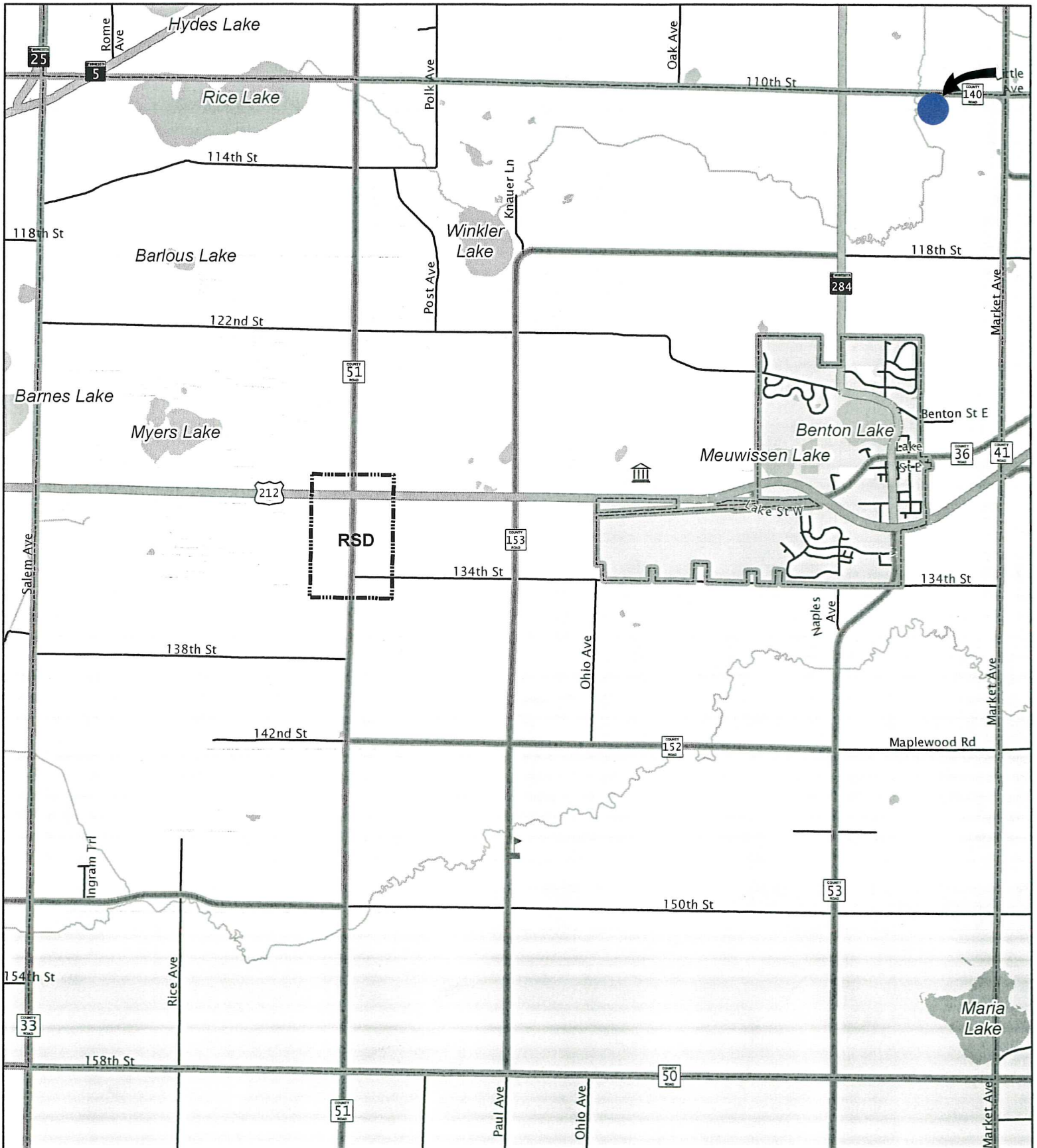


[Scott Wakefield \(Jul 21, 2022 10:54 CDT\)](#)

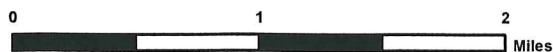
Scott Wakefield, Chairman
Carver County Planning Commission

07/21/22

BENTON TOWNSHIP



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Carver County Board of Commissioners Request for Board Action



Agenda Item:

Freshwater Church Outdoor Service and Celebration Event

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:

File #A20220139. Freshwater Church has requested a One-Time Administrative Special Event Permit for a Outdoor Service Gathering on Saturday, August 20, 2022, and Sunday, August 21, 2022, at their property located at 6635 Laketown Parkway (Section 6, Laketown Township). The event would consist of a worship service rehearsal the afternoon of Saturday August 20, and the Sunday worship service on August 21, 2022, followed by a day of socializing, music, yard games, inflatables, and food trucks. Parking will occur on site, and Freshwater Church is expecting up to 1,200 attendees. The band rehearsal (no public) is scheduled 4PM to 7PM on Saturday, and the celebration (public) portion of the event is scheduled 8AM to 3PM Sunday.

The applicant has provided written invoices for portable restrooms, commercial handwashing stations, trash disposal company, and proof of insurance.

On August 4, 2022, Public Works reviewed this application and added the following comments:

1. Visitors to the event cannot park along CSAH 92. Parking for the event must be on the subject property as detailed in the application.
2. Traffic shall be managed into and out of the site, with vehicle queuing occurring within the site. Traffic shall not be blocked on CSAH 92.
3. If item #1 and #2 cannot be met and the event will require closure of the traveled portion of the roadway or shoulder, a special event permit will need to be obtained through Public Works.
4. Parking within the site should be orderly to allow for maximum vehicle capacity.
5. The event shall not be detrimental to the highway or to the safety of the Public.

The Laketown Town Board reviewed and recommended approval of the request at their Monday, August 8th meeting.

ACTION REQUESTED:

A motion authorizing the issuance of a Certificate of Zoning Compliance (#A20220139) for the August 20-21, 2022, Freshwater Church Outdoor Service and Celebration.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Freshwater Church Outdoor Service Operational Plan
Date of Event: 8/20/22 & 8/21/22

Proposed Activity

A gathering event on the land of our future church home for a Sunday service and fellowship that includes music, a time of teaching, and social gathering with others. Saturday afternoon (Saturday Aug 20th 2022) is rehearsal and Sunday (Worship Service on Sunday Aug 21st 2022) begins with a spiritually moving worship experience, and is directly followed by a message, and social gathering.

Noise Control/Limitations

We will limit to afternoon band rehearsal with no crowd on Saturday Aug 20th 2022 between the hours of 4-7PM , rehearsal and Worship Service with crowd on Sunday Aug 21st 2022 between the hours of 8AM-3PM.

Litter/Disposable

In order to maintain a clean and litter free environment, the event will have several trash cans stationed throughout the event grounds. All trash cans will be pulled, trash liter tied, and removed from the property by the trash disposal company.

Sanitary Facilities

The building has indoor plumbing accessible to two full bathrooms. The event will have 7 standard and 1 handicap portable toilets and 2 double sided handwashing stations.

Crowds

Expected Attendance: 1,000-1,200 people

Crowd control and management begins with making sure that all attendees can find their way around the grounds and knows where to go. This is done by providing clear directional signs for all activities, tents, and various areas in the event space. The sitting area is controls by ensuring an appropriate amount of space and aisles between chairs and seating sections.

Parking/Traffic

The parking space is near the exit of the property, identified by signage and has roped sections to identify parking aisles. A parking team wearing bright visibility vests are equipped to help direct incoming and outgoing traffic on Sunday Aug 21st 2022 including parking into a designed spot.

Security/Monitoring of Event

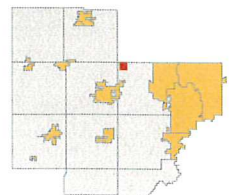
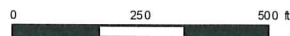
In order to ensure the safety of the event attendees, guests, and staff a trained security team is present to act accordingly, address, and assist in medical emergencies, assist with crowd control, deescalate troublesome guest or unexpected situations and to prevent any damage to the venue and related property.

FRESHWATER CHURCH PROPERTY - 6635 LAKETOWN PKWY

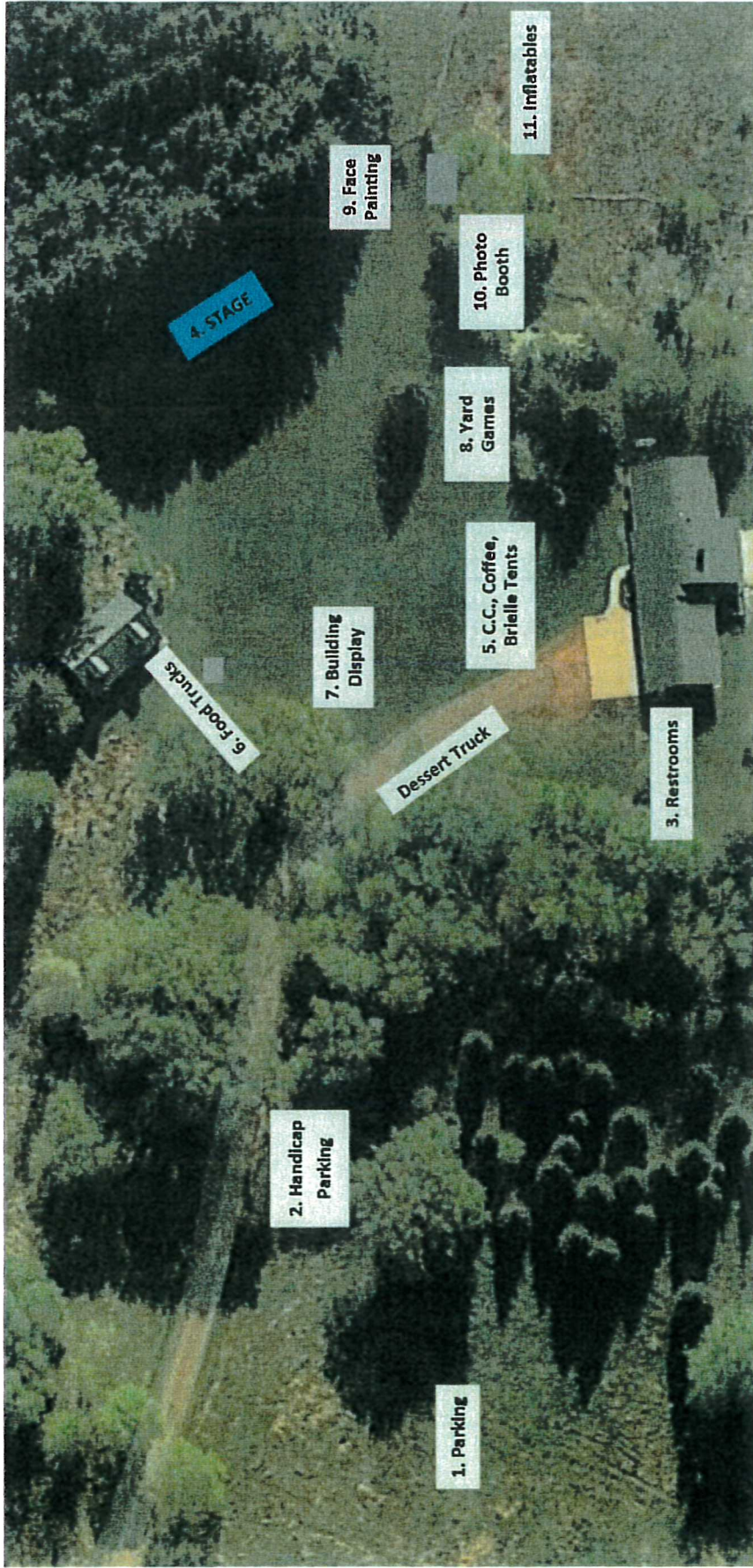


Date: 8/5/2022

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Outdoor Service—Layout



1. Parking Field
2. Handicap Parking
3. Restrooms
4. Stage
5. Connection Center Tent (20ft),
Brielle House (10ft tent), Coffee (10 ft tent)
6. Food Trucks
7. Building Display
8. Yard Games
9. Face Painting
10. Photo Booth
11. Inflatables
12. Photo Booth

COUNTY OF CARVER
CERTIFICATE OF ZONING COMPLIANCE

FILE/CERTIFICATE #: A20220139

DATE ISSUED: 8/16/2022

TYPE OF CERTIFICATE: ONE TIME SPECIAL EVENT
FRESHWATER CHURCH OUTDOOR WORSHIP SERVICE & CELEBRATION

This permit certificate is issued for the Freshwater Church Outdoor Worship Service & Celebration to be held on Sunday, May 22, 2022. The event will be held entirely on property owned by Freshwater Church, at 6635 Laketown Parkway in Section 6, Laketown Township. Festivities at the property will run from 4:00 pm – 7:00pm Saturday, August 20, 2022, for band rehearsal and 8:00 a.m. – 3:00 p.m. for the public worship service and celebration on Sunday, August 21, 2022. The event includes: worship, food trucks, children’s games, and music entertainment. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 (B)(6) of the Carver County Code. **This certificate is issued to:**

Freshwater Church
C/O Erika Emmings
6635 Laketown Parkway
Waconia, MN 55387

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

Purpose of Certificate: To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold an Outdoor Worship and Celebration event on Saturday August 20, 2022, and Sunday August 21, 2022. The event shall take place in Laketown Township in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 (B)(6) of the Carver County Code.

THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:

1. The Permit is valid only for the days of August 20, 2022 (4PM to 7PM), and August 21, 2022 (8AM to 3PM).
2. The event must be conducted in accordance with the Operational Plan & Site Maps attached hereto.
3. Per the event operations plan, there shall be at least seven (7) standard bathroom satellites and at least one (1) handicap accessible portable toilet available for the event, in addition to the indoor bathrooms located on site, as well as handwashing stations.
4. No parking shall be allowed along CSAH 92. Parking for the event must be on the subject property (i.e. PID #: 07-006-1121 - 6635 Laketown Parkway), and as detailed in the application.
5. Traffic shall be managed into and out of the site, with vehicle queuing occurring within the site. Traffic shall not be blocked on CSAH 92. In the event of wet weather, the applicant is responsible for keeping Laketown Parkway clear of mud and debris.

6. If item #4 and #5 cannot be met and the event would require closure of the traveled portion of the roadway or shoulder, a special event permit will need to be obtained through the Carver County Public Works Department.
7. Emergency vehicle access must be provided within the activity areas of the event.
8. The event shall not be detrimental to the highway or to the safety of the Public.
9. Parking within the site should be orderly to allow for maximum vehicle capacity.
10. The applicant shall submit a copy of the Certificate of Liability Insurance for the church to the Land Management Department prior to the event.
11. The event shall comply with the Noise standards pursuant to Section 152.040 (B)(9) of the Carver County Zoning Code. Noise levels are regulated by state and federal laws. Compliance with the laws shall be as determined by the appropriate state and/or federal regulatory agency, except as regulated by another county ordinance.
12. The church group and any sponsors are responsible to clean up all excess trash and litter during and after the event.
13. The permittee shall inform adjacent residents, Laketown Town Board, and the Carver County Public Works Department of the date(s) in which the event will take place. (Notification shall be provided prior to the event.)

Christina Neel
Land Management Planner

THIS CERTIFICATE IS ISSUED FOR SATURDAY AUGUST 20, 2022, AND SUNDAY, AUGUST 21, 2022, AND IS NOT EFFECTIVE UNTIL SIGNED:

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

Signature of Certificate Holder

Date

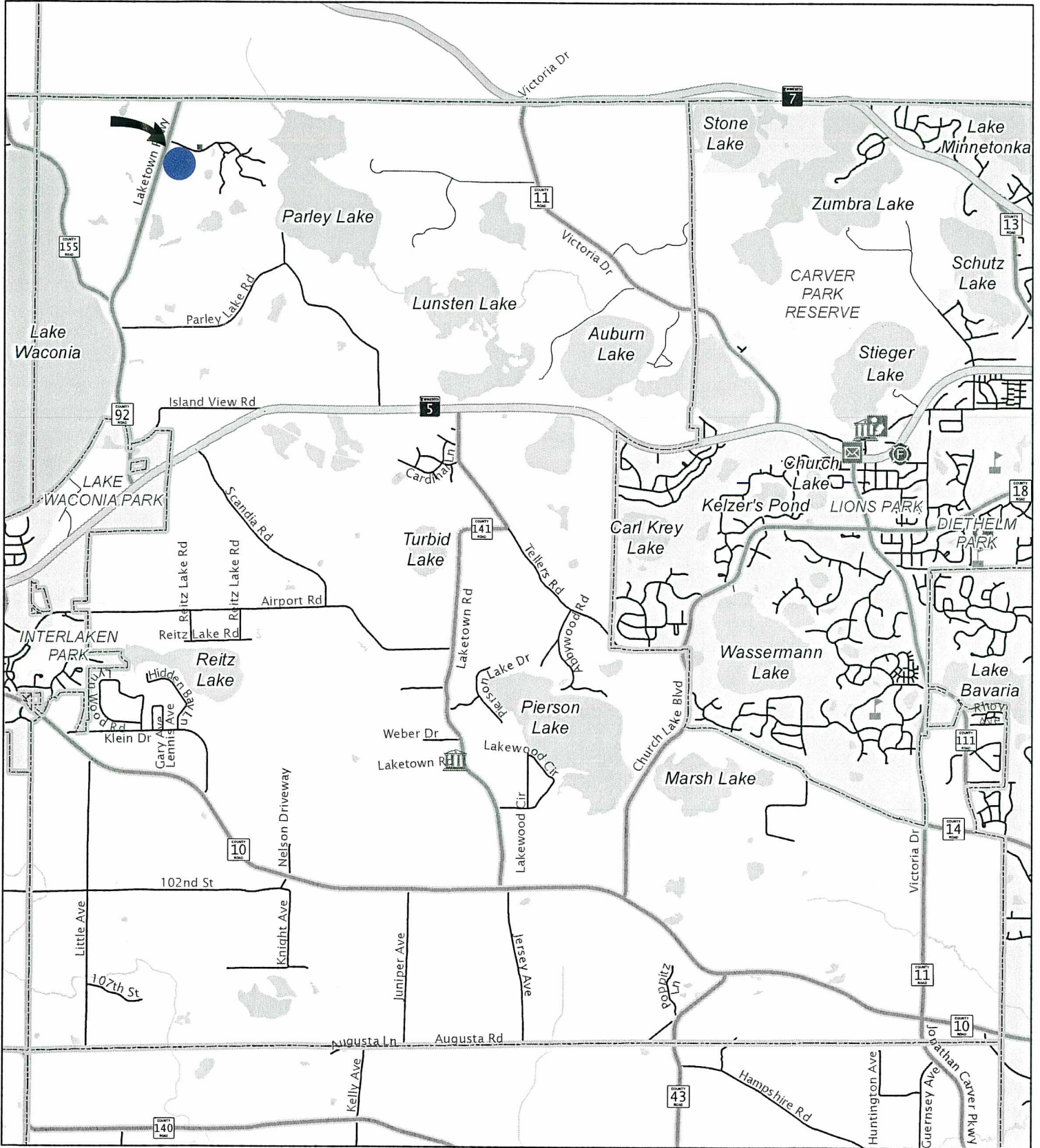
Attached To:

***Property outlined in attached site plans,
And PID #07-006-1121***

That part of the North 884.02 feet of the west 1736.94 feet of the Southeast Quarter that lies Easterly of the Centerline of County Road 30.

Prepared by Land Management

LAKETOWN TOWNSHIP



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Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval of Purchase of Tax Forfeited Land for Authorized Public Purpose

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Parcel 10.0311000 in Watertown Twp was identified as tax forfeiture in a list provided to the County Board in Feb. of 2022. The parcel was appraised at \$10,000 and withheld from public sale for public benefit evaluation. The Carver County Water Management Organization (CCWMO) expressed interest in purchasing the property to create a stormwater credit bank and offset stormwater treatment required for a nearby project. The parcel is largely located in the Crow River floodplain and is subsequently mostly unbuildable. The attached memo and maps provide more detail.

Staff is requesting that the County Board authorize the purchase of parcel 10.0311000 in Watertown Twp.

ACTION REQUESTED:

Motion to adopt a resolution authorizing the purchase of parcel 10.0311000 in Watertown.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text" value=""/>
CCWMO in-lieu fee fund	\$10,409.00
Total	\$10,409.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

The CCWMO funds are derived from an in-lieu fee previously paid by a developer (fee of \$15,425) choosing this option to meet the CCWMO water rules. The amount consists of the appraised value of the parcel (\$10,000) and associated purchase fees.

Office use only:

RBA 2022 - 8544

Memo

To: Carver County Board of Commissioners, David Hemze

From: Paul Moline, Planning & Water Management

Date: August 8, 2022

Re: Purchase of Tax-Forfeiture Parcel

Enclosures: None.

Recommendation

Staff is requesting that the Board authorize the purchase of parcel 10.0311000 in Watertown Twp which was listed as tax forfeiture and previously withheld from public sale.

Background

On Feb 1, 2022, the County Board approved appraised values for tax forfeited lands, and the Taxpayer Services Division subsequently notified governmental subdivisions, including the Carver County Water Management Organization (CCWMO), of the option to purchase the parcel for public purpose. Parcel 10.0311000 in Watertown Twp was appraised at \$10,000 and withheld from public sale for public benefit evaluation.

Parcel 10.0311000 in Watertown Twp is located almost entirely in the Crow River floodplain (see attached figure) and contains wetlands and forested lands. It is largely unbuildable without substantial floodplain fill activity. The CCWMO has interest in preservation of this parcel to create stormwater credits, and to preserve the wetlands on site. The current CCWMO rules allow developers to meet rule standards through alternative compliance options, one of which is to pay an in-lieu fee to the CCWMO. The CCWMO can use this fee to construct stormwater practices or create stormwater credit banks. This parcel could create such a bank though the establishment of upland preservation credits by a permanent conservation easement.

The Coldwater Crossing development in the City of Mayer chose to pay an in-lieu fee to the CCWMO in 2021 in the amount of \$15,425. This fund would be used to purchase the tax forfeiture parcel, create a portion of the stormwater credits required by this in-lieu fee.

The neighbor adjacent to this parcel has expressed interest in purchasing all or a portion of the tax forfeiture parcel. In discussions with the landowner, they have indicated their primary interest is in the non-floodplain areas (approx. 0.25 acres) abutting their property. Following Board approval of the parcel purchase, staff would propose to split the parcel and negotiate a sale of a portion of the property which the neighbor would have an opportunity to purchase.

The site contains some solid waste and debris (scrap metal, dumped appliances, concrete) which will need to be removed and disposed of properly. Other than this cleanup, limited maintenance of the site is expected.

Next Steps

If approved by the Board, staff will submit the appropriate application and fees to the Taxpayer Services Division and begin the lot split process. Staff would also conduct a wetland and floodplain delineation to finalize the stormwater credit amounts.



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: _____

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

APPROVAL OF SALE AND CONVEYANCE OF TAX FORFEITED LAND TO CARVER COUNTY FOR AN AUTHORIZED PUBLIC PURPOSE

WHEREAS, The Carver County Board of Commissioners, State of Minnesota, has reviewed the request for the purchase of tax-forfeited land for an authorized public purpose as listed on attached Exhibit A; said parcel were previously withheld from sale and does comply with the provisions of Minnesota Statutes 282.01, Subd.1a, and other statutes that require withholding of tax-forfeited lands from sale; and

WHEREAS, Said parcel of land has been reviewed by the Carver County Board of Commissioners and has been appraised by the Carver County Assessor’s Office and classified as non-conservation land as provided for in Minnesota Statutes §282.01.; and

NOW, THEREFORE BE IT RESOLVED, The Carver County Board of Commissioners hereby certify that the parcel of land listed on attached Exhibit A has been reviewed and does comply with the provisions of Minnesota Statutes §282.01, Subd.1a and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby approves the application submitted by the Carver County Water Management Organization (CCWMO) for sale and conveyance to Carver County for an authorized public purpose.

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 proceeding of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 16th day of August 2022, now on file in the Administration office, and have found the same to be true and correct copy thereof.

Dated this _____ day of _____, 2022.

David Hemze, County Administrator

EXHIBIT A

Withheld to Purchase for Public Purpose

TOWNSHIP	PIN	LEGAL DESCRIPTION	PURPOSE
WATERTOWN TWP	10.0311000	SECTION 31 TOWNSHIP 117 RANGE 025 P/O NW1/4 SW1/4 COMMENCING AT A POST ON THE WEST LINE OF SECTION 31 TOWNSHIP 117 RANGE 25 AT A DISTANCE OF 1 CHAIN 64.37 LINKS SOUTH OF THE QUARTER SECTION POST ON WEST LINE OF SAID SECTION 31; THENCE EAST 2.06 CHAINS TO A POST; THENCE NORTH 1 CHAIN 64.37 LINKS TO A POST ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE EAST ALONG SAID NORTH LINE 7.34 CHAINS TO A POST; THENCE SOUTH 49* WEST 11.90 CHAINS TO A POST IN THE CENTER OF THE HEVETIA ROAD; THENCE NORTH 70* WEST 2.0 CHAINS TO A POST IN WEST LINE OF SAID SECTION; THENCE NORTH ALONG SECTION LINE 7 CHAINS 32.13 LINKS TO THE PLACE OF BEGINNING. SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTIONS 31, TOWNSHIP 117 RANGE 25 AND CONTAINING 4.5 ACRES, MORE OR LESS. EXCEPT: THE NORTH 128.48 FEET, OF THE WEST 154.54 FEET, OF THE NW 1/4 OF THE SW 1/4 OF SECTION 31, TOWNSHIP 117, RANGE 25, EXCEPT SECTION 31, TOWNSHIP 117, RANGE 25, .34 ACRES COMMENCING AT NW CORNER OF NW 1/4 OF THE SW 1/4, THEN SOUTH 108.48 FEET, THEN EAST 135.96 FEET, THEN NORTH 108.48 FEET, THEN WEST 135.96 FEET TO BEGINNING, LOCATED IN CARVER COUNTY, MINNESOTA.	Stormwater Management Credit, Conservation

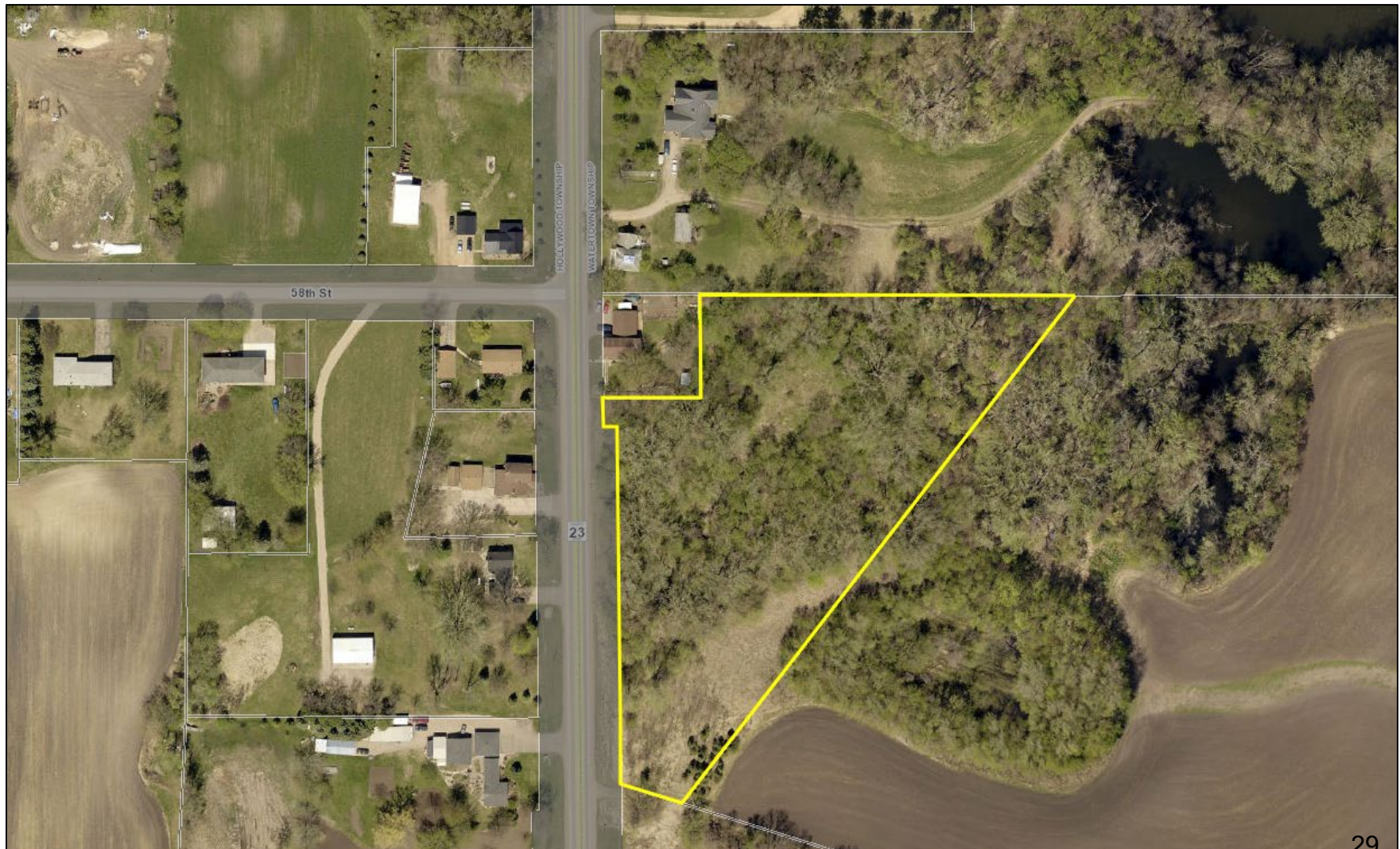
PIN: 10.0311000

Located in Watertown Township

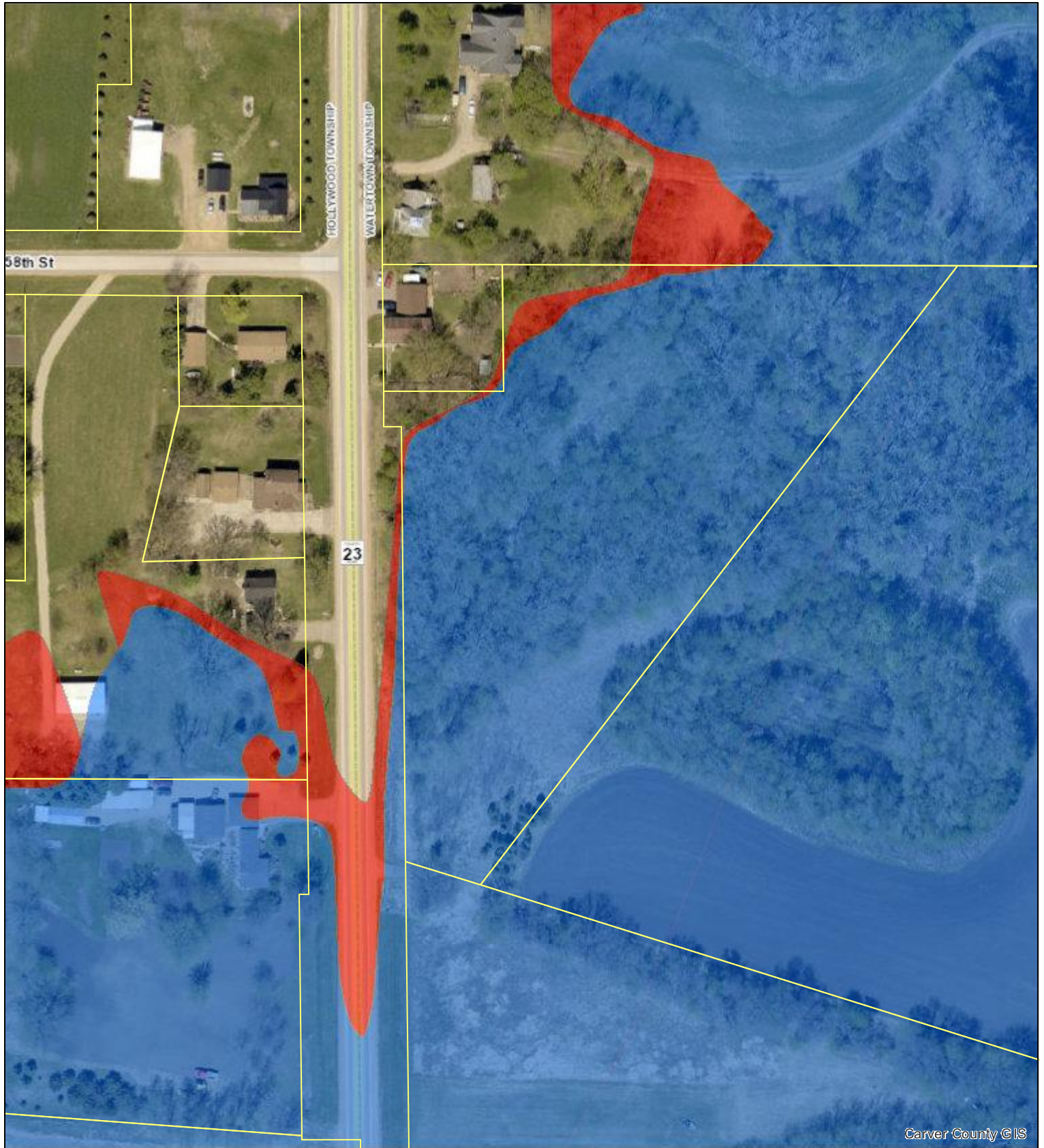
Appraised Value: \$10,000

Additional Comments: Land only

Approximate size: 4.35 acres



PLANNING & WATER MANAGEMENT WEB MAP

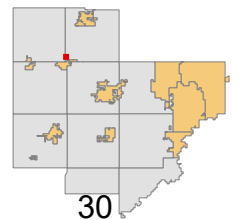


Date: 8/4/2022

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100 Year Floodplain



Carver County Board of Commissioners Request for Board Action



Agenda Item:
Elections Update

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's Absentee Ballot Board was created by a County Board Resolution adopted on January 22, 2008. County staff recommend updating this Resolution to reference:

1. A new Absentee Ballot Board Statute 203B.121 adopted by the Mn Legislature
2. The County Board appointing the Elections and Licensing Manager to the statutory role as the Elections Administrator on February 15, 2022.
3. A March, 2022 Supreme Court ruling which requires specific Absentee Ballot Board tasks to be conducted by election judges.

The 2021 MN Legislature adopted a new Absentee Ballot Box law which allows the use of ballot boxes with certain requirements. For the 2022 General Election, County staff is recommending to install an internal Absentee Ballot Slot within the Government Center building and not installing an external Absentee Ballot Box in the Government Center parking lot.

Other Election topics like updating voter history, election security and software updates, etc. will be presented by County staff with no recommended Board action.

ACTION REQUESTED:

Motion to approve the installation of an Absentee Ballot Slot within the County Government Center and to not install an Absentee Ballot Box for the 2022 General Election.

Motion to approve the attached Absentee Ballot Board Resolution.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8548

BOARD OF COMMISSIONERS CARVER COUNTY, MINNESOTA

DATE _____
MOTION BY COMMISSIONER _____

RESOLUTION NUMBER _____
SECONDED BY COMMISSIONER _____

AMENDMENT TO THE JANUARY 22, 2008 RESOLUTION ESTABLISHING AN ABSENTEE BALLOT BOARD

WHEREAS, Carver County is required by Minnesota Statutes Section 203B.121, Subd. 1, as amended, to establish an Absentee Ballot Board; and

WHEREAS, the Board has the authority to delegate to the Elections Administrator the appointment of election judges and deputized county auditors to the Absentee Ballot Board; and

WHEREAS, to the extent possible, given the names on the major party lists primarily identify people interested in being precinct election judges for the Primary and General Elections, election judges from the major party lists should conduct the Absentee Ballot Board tasks, like absentee ballot signature verification, that can only be conducted by election judges.

NOW, THEREFORE, BE IT RESOLVED, the Carver County Board of Commissioners delegates authority to the Elections Administrator to sign any necessary agreements and to appoint election judges and deputy county auditors to the Absentee Ballot Board for all future elections.

YES

ABSENT

NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, David J. 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 _____ day of _____, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2022.

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Southern Valley Alliance Presentation

Primary Originating Division/Dept: Attorney

Meeting Date: 8/16/2022

Contact: Mark Metz Title: County Attorney

Item Type:
Regular Session

Amount of Time Requested: 30 minutes

Attachments: Yes No

Presenter: Christie Larson Title: Executive Director, SVAMN

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Southern Valley Alliance of Minnesota provides domestic violence advocacy and support services in Carver and Scott Counties. Since its founding 40 years ago, this nonprofit has provided hope to more than 22,000 women, men and children, helping them to live healthy, violence-free lives. Executive Director, Christie Larson, will be presenting on services provided to Carver County residents and the organization's plans for expansion in the coming year.

ACTION REQUESTED:

None, this is an informational presentation.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars = \$0.00

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8547

Carver County Board of Commissioners Request for Board Action



Agenda Item:

County Ditch 4A Maintenance

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Mike Wannous, Carver County Soil & Water Conservation District Coordinator, is the County's Ditch Inspector. He has been working with DuWayne Harms on options for replacing a ditch crossing his farm. The crossing consists of two 60" x 30' pipes that are rusted out and starting to collapse. They looked into replacing the two pipes with one large arch pipe but the engineering and additional fill needed would be more expensive than replacing the crossing in-kind (using the same size pipes as what is currently there). Mike sent out a request for quotes to 4 local contractors to complete the work and received 3 bids back. Dirty Deeds Excavating was the low bid at \$14,750. The ditch maintenance form along with a document with a map and photos has been attached to provide additional details.

ACTION REQUESTED:

Approve ditch maintenance request for County Ditch 4A as recommended by the County's Ditch Inspector.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Landowners surrounding the ditch pay the maintenance cost to make the ditch flow properly. No County tax levy funds are used for ditch maintenance projects.

Office use only:

RBA 2022 - 8522

CARVER COUNTY DRAINAGE SYSTEM – REQUEST FOR MAINTENANCE FORM

Carver Soil & Water Conservation District

11360 Hwy 212

Cologne, MN 55322

APPLICANT INFORMATION

Name: DuWayne Harms

Status: Landowner Renter Other

Landowner Name (If not same as applicant) _____

Applicant/Landowner Address:

Street: 14720 142nd St

City: NYA Zip: 55368

Telephone: 612-240-4771

PROJECT INFORMATION:

Request Date: 08/2021 Drainage System No: CD #4A

Township Name: Young America Section #'s of requested repair: 24

Give a description of the type of maintenance that is requested and attach a map of the area.

Description: A ditch crossing on the DuWayne Harms property is failing and needs to be replaced. The crossing consists of two 60" x 30' corrugated metal culverts that have rusted out and are starting to collapse.

SOIL & WATER REVIEW INFORMATION

Date of project inspection: August, 2021 and April 2022

Inspection Comments: The culverts are failing and will need to be replaced. We looked into the option of replacing the two CMP's with one larger arch pipe culvert. Due to increased engineering costs the single arch pipe option was eliminated. The SWCD sent out a request for quotes to replace the crossing in April 2022. The low bid was received from Dirty Deeds Excavating in the amount of \$14,750.

Project Approval: Soil & Water _____

Division Director _____

County Ditch Board (if exceeds \$10,000) Low bid = \$14,750

