

January 3, 2023
8:30 a.m. Swearing in Ceremony
County Board Room



Carver County Board of Commissioners
January 3, 2023
Organizational Session

The County Board Room is open to the public.

Individuals who are not able to attend in person and wish to provide public comments can do so by email at admin-contact@co.carver.mn.us or by leaving a voicemail at (952) 361-1516. Public comments received in writing such as those received by e-mail will be summarized during the meeting and posted on the County website at [3https://www.co.carver.mn.us/government/county-board-of-commissioners/county-board-meetings-and-agendas](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://youtube.com/@CarverCountyMN>

PAGE

- 9:00 a.m.
1.
 - a) Pledge of allegiance
 - b) CALL TO ORDER BY THE COUNTY ADMINISTRATOR
 - c) Nomination and election of Chair for 2023
 - d) Nomination and election of Vice Chair for 2023
 - e) Public comments (limited to five minutes)
 - f) Community announcements
 2. Agenda review and adoption
 3. 2023 Board Operating Rules 1-19
 4. Adopt schedule of Regular Board meetings for the year 2023 20-22
 5. Committee appointments and assignments 23-25
 6. Appointments to advisory committees 26-30
 7. Approve minutes of December 20, 2022, Regular Session 31-34

10:00 a.m. **8. CONSENT AGENDA**

Communities: Create and maintain safe, healthy and livable communities

- 8.1 Donation to Sheriff's Office 35
- 8.2 Approve police contracts and contract community increase of Full Time Equivalent deputies..... 36-37
- 8.3 Award of Construction Contract to S.M. Hentges & Sons Inc. for Highway 41 Bridge Project 38-40
- 8.4 County Resolution to support funding for Community Supervision (Probation, Supervised Release)..... 41-44
- 8.5 Grant Agreement with MN Department of Transportation for Bridge No. 10556, Highway 41 Bridge Project..... 45-46
- 8.6 Professional Services Agreement with OldCastle Infrastructure for the Highway 51 Bridge Project 47
- 8.7 Two Temporary Social Workers needed in the HHS Child & Family Department 48-49

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

- 8.8 Agreement with Karpel Computer Systems, Inc. for purchase of PROSECUTOR Licensed Software and Professional Services 50
- 8.9 Donations to the HHS Child and Family Department..... 51

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

- 8.10 Request for Approval to Renew Contract with Minnesota Occupational Health 52

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

- 8.11 Amendment 2 to JPA 1045437 with the State of MN for Professional and Technical Services for Hwy 212 Project – Benton Township 53
- 8.12 Mark Eklo - Request for Additional Density Development- Wooded Lots (3 Lots) 54-59

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

- 8.13 Agency Agreement No. 1052167 for Federal Participation in Construction with the State of MN (resolution) 60-61
- 8.14 Review Health & Human Services and Commissioner Warrants..... NO ATT

10:00 a.m. **9. COMMUNITIES: Create and maintain safe, healthy and livable communities**

- 9.1 Award of Construction Contract to Mathiowetz Construction Co. for Highway 20/25 Intersection Project..... 62-64

10:10 a.m. **RECESS AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAILROAD AUTHORITY**

- 10:10 a.m. **10. CONNECTIONS: Develop strong public partnerships and connect people to services and information**
10.1 Appointment of Chair, Vice Chair and Secretary/Treasurer 65
- 10:15 a.m. **ADJOURN AS CARVER COUNTY REGIONAL RAIL AUTHORITY AND RECONVENE AS COUNTY BOARD**
- 10:15 a.m. **11. County Administrator Report**
- 10:20 a.m. **ADJOURN REGULAR SESSION**

David Hemze
County Administrator

UPCOMING MEETINGS

January 10, 2023 7:00 p.m. Carver County Township Association Meeting
Carver County Commons Building
Carver County Fairgrounds

Carver County Board of Commissioners Request for Board Action



Agenda Item:
2023 Board Operating Rules

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/3/2023

Contact: Dave Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 20 minutes

Attachments: Yes No

Presenter: Dave Hemze Title: County Administrator

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

BACKGROUND/JUSTIFICATION:

During the statutory meeting, the County Board is required to review, amend if necessary, and adopt operating rules for the year. The proposed 2023 Board Operating Rules are attached.

In addition, attached Amendment #1 has been requested by Commissioner Lynch and attached Amendment #2 has been requested by Commissioner Udermann.

ACTION REQUESTED:

Motion to adopt 2023 Board Operating Rules (with/without) proposed amendments.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 7981



CARVER
COUNTY

Board of Commissioners Board Operating Rules

Adopted

~~January 4, 2022~~

Proposed

January 3, 2023

I. Overview

A. Purpose

The Carver County Board of Commissioners is the body charged by law with the management of the affairs of Carver County. The County Board operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the County within the confines of state and federal law.

The County Board functions within the statutory framework of Minnesota law. General duties, powers and responsibilities are found in Minnesota Statutes, especially but not exclusively Chapters 370, 373, and 375. Minnesota Statutes supersede all bylaws, rules and policies established by the Board.

B. Statement of Principles

The Operating Rules intend to strike a procedural balance that considers all principles and enunciates a specific process by which those principles interact and work. The rules are representative of the following Carver County Strategic Plan.

I. Vision

Where the future builds on the past in keeping Carver County a great place to live, work, and play for a lifetime for all residents .

II. Mission

To meet the service requirements and special needs of our residents in a fiscally responsible and caring way. We will plan the county's growth to preserve its uniqueness and will encourage rural and urban compatibility. We will protect our history while planning for a dynamic future.

III. Goals - Summarized

To help define each goal statement, there is a distinctive and characteristic word which summarizes each goal. These five goals are designed to serve as the foundation for all future strategies, work and priorities of the County.

I. Communities: Create and maintain safe, healthy, and

livable communities.

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

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

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

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

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

C. Effective Date

These rules shall become effective upon passage by the County Board.

II. Amendments to the Operating Rules

During the statutory meeting, the County Board shall review, amend if necessary, and adopt the operating rules for the year.

Any time throughout the year, the County Board may amend (or suspend) the operating rules by an affirmative vote of the members. Changes shall be effective immediately upon passage.

Any member of the County Board or the County Administrator may initiate action to amend the operating rules

Any changes in statute or law affecting the rules are effective immediately and will be reflected in the next draft of the rules.

III. County Board Organization

A. Membership

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021, Jan 4, 2022

The County Board of Commissioners consists of five (5) members elected from single-member districts apportioned on the basis of population as provided by law.

B. Commissioner Districts

The boundaries of commissioner districts, including the procedures to follow in the event that a redistricting is needed, are established pursuant to Minn. Stat. §375.025.

C. Terms of Office

The term of each Board member is four years, except as otherwise established pursuant to Minn. Stat. §375.03.

D. Vacancy

A vacancy in the office of County Board is filled at a special election not less than 30 nor more than 90 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election but the special election shall be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term (Minn. Stat. §375.101).

If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at the general election for the ensuing term. That person shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office (Minn. Stat. §375.101).

E. Officers

The County Board, at its statutory meeting (first Tuesday after the first Monday of each year), elects from its members a Chair and a Vice-Chair. The Chair presides at the County Board meetings, decides on questions of order, subject to vote of the County Board, and signs all documents requiring signature of the County Board. The Chair's signature, attested to by the County Administrator or designee, is binding as the signature of the County Board.

The County Board elects from its membership a Vice-Chair at the same time and place and in the same manner as provided for the election of the chair. The Vice-Chair performs the duties of the chair when the chair is unable to perform those duties.

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

1. Open the floor for nominations
 - Recognition by the Chair is not required to make a nomination
 - After each nomination, the County Administrator repeats the name of the nominee to the members.
 - Nominations do not have to be seconded, but it is not out of order for members to second a nomination
 - A person can nominate himself or herself.
 - A member can decline the nomination during the nominating process.
2. Close the nominations
 - A motion to close is not necessary as the nomination process continues until no one wishes to make further nominations
 - When the nomination stops, the County Administrator calls three times for more nominations and declares nominations closed after making sure that no more nominations are forthcoming.
 - A motion to close nominations is out of order if any member still wishes to make a nomination.
3. Vote on nominations
 - Nominations are decided by majority vote.
 - A voice vote will be used, and the voting is over when someone wins the nomination by majority vote.
 - Voting on each nominee is conducted in the order in which they were nominated.
 - After naming the first nominee, the County Administrator will announce the votes.
 - This procedure continues until someone receives a majority vote.
 - If there is a tie vote or no one receives a majority vote, members keep voting until someone is elected.

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

If the Chair and Vice-Chair are absent from any meeting, the members present shall choose one of their members as temporary Chair, and all documents requiring the signature of the County Board shall be signed by a majority of it and attested to by the Clerk to the Board (Minn. Stat. §375.13).

At the statutory meeting (and if applicable during the

year), the Chair of the County Board shall have the authority to recommend committee chairs and appoint members of the County Board to standing committees and other County Board-member appointed committees, organizations and groups, subject to approval by the County Board.

F. Compensation

County Board members receive as compensation for services an annual salary as set by resolution of the County Board. (The salary must be established prior to the end of the preceding year and is effective January 1 of the new year.)

Prior to the effective date of a new salary, each County Board member shall have the option to accept or reject any salary increase in writing and submit it to Employee Relations.

G. Monthly Expense Allowance

Each member of the County Board is allowed a monthly expense allowance as determined by the County Board for expense while doing business for Carver County. (This expense allowance is provided for under Minnesota Laws, Chapter 66, adopted in 1981.) Typical expenditures for this allowance are mileage, parking, and meals while in the seven county metropolitan area for conferences, seminars and meetings. Expenses included in this allowance are generally considered to be ones that the Board Member deems to be necessary in order to fulfill the duties of office.

The County Board, by resolution, determines the annual expense allowance level. Within the seven county metropolitan area, this allowance is in lieu of traditional reimbursement plans including per diem expenses. The expense allowance is paid to the Board Members in twelve equal monthly installments.

Outside the seven county metropolitan area, all costs deemed necessary by the Board Member to fulfill the duties of office, are covered by County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. This would include reimbursement for actual costs while performing duties of the office of County Commissioner.

In addition, all overnight expenses associated with conferences, seminars, and meetings are costs eligible for reimbursement. Each Commissioner shall be allocated an annual conference and training budget with an amount to be determined according to the annual budget process. Conference and training funds not used by an

individual Commissioner during each respective budgetary year may be used by another Commissioner within that budget year upon mutual agreement between the Commissioner requesting the funds and the Commissioner providing the funds. Any out of state travel must meet the requirements outlined in the Elected Officials Out of State Travel policy included in the Carver County Administrative Policy Manual.

Cell phone expenses are costs eligible for reimbursement according to County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. In addition, remote computer access expenses are eligible for cost reimbursement.

H. County Board Budget

The County Board is allocated an annual budget which includes salary and benefits and general operating expenses (office supplies and other miscellaneous expenses).

IV. County Board Meetings

A. Regular Meetings

Members of the County Board are entitled to ten days' notice of regular Board meetings (Minn. Stat. §375.07). At the annual statutory meeting, the County Board shall adopt a schedule of regular board meetings for the upcoming year. The schedule will include the location, date and time of the meetings. During the year the schedule may be amended by general consensus or a vote if necessary of the County Board. Evening meetings may be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items.

Unless otherwise stated, all regular meetings of the County Board will be convened at the Carver County Government Center. The Board Room is located on the second floor of the Human Services Building. All regular meetings of the County Board are open to the public.

B. Statutory Meeting

The County Board meets in the County Board Room located at the Carver County Government Center, for the transaction of business on the first Tuesday after first Monday in January. The County Board transacts organizational business during this meeting, including:

1. Administrate oath of office (if required);
2. Elect officers;

3. Appoint commissioners to commissions committees and boards;
4. Appoint voting members to AMC;
5. Appoint members to Metropolitan Counties Computer Consortium;
6. Appoint advisory committee members.

D. Closed Meetings

The County Board may by motion convene in closed session for the purposes of transacting business. Business which may be considered in closed session are as follows.

- In accordance with the attorney/client privilege;
- To consider strategy for labor negotiations;
- To consider real estate negotiations;
- To consider security measures;
- Or as otherwise required or permitted by the Minnesota Open Meeting Law.

E. Special/Emergency Meetings

The Carver County Board may establish a special or emergency meeting. Procedures to schedule a special or emergency meeting shall be in accordance with Minn. Stat. Chap. 13D.

Adjourned or reconvened meetings may be held at any specific time, date and place the Board may adopt without additional notice. However, the time, date and place must be publicity specified by the Board prior to adjourning the meeting in which the time, date and place are established.

The County Board may schedule work sessions, retreats, forums or additional meetings. A schedule of such meetings shall be maintained in the County Administration Office. Work sessions and other informal meetings of the Board, not regularly held, shall be subject to the same notice requirements of the Minnesota Open Meeting Law.

A joint meeting with the County Board and any other political subdivision may be held within the boundaries of either subdivision and will be specified in the meeting notice.

Meetings of the County Board may also be conducted by interactive technology according to Minn. Stat. §13D.02.

F. Public Hearings

From time to time, the County Board conducts formal public hearings. In addition to those required by law, the County Board may hold public hearings on matters of

business when it decides that such hearings are in the best interest of the general public or issues under consideration.

The order of business for public hearings generally follows this procedure:

1. Presiding officer opens the hearing and states the purpose;
2. Brief description of issue by County staff or other appropriate persons;
3. Presentation, if applicable, by affected or interested persons;
4. Public hearing closed by the Board;
5. Decision of the County Board.

At any time during the process, the County Board may address questions as deemed appropriate.

The County Board may alter the public hearing procedure as needed to assure that the hearings are conducted in an orderly, fair and expeditious manner, including establishing reasonable time limits for speakers individually or on each side of the issue before the Board.

Rules adopted for public hearing procedures are intended to promote an orderly discussion, to give every person an opportunity to be heard, and to ensure that no individual is denied their right to free speech.

All comments by proponents, opponents, or members of the public shall be made at the microphones and individuals making comments shall first give their name and address. This is required for an official record of the public hearing.

G. Meeting Conduct

The following meeting conduct rules shall apply for all Board meetings:

1. Respect the dignity of each individual.
2. Respect one another's facts, opinions and right to speak.
3. We choose to deal with conflict in a healthy manner.
4. Listen respectfully - no interruptions.
5. In the interest of time, time limits may be established.
6. Questions may be asked of the presenters during the time allotted.

H. Broadcasting

Unless otherwise directed by law, all regular meetings of

the Carver County Board of Commissioners are streamed live and recorded for on-demand viewing via YouTube, from calling to order of the meeting to the adjournment of the meeting's regular session. Regional Rail Authority, Ditch Authority and Public Health Board meetings are also videotaped from calling to order to adjournment of the meeting. In the event that a meeting cannot be videotaped (i.e. technical malfunction, etc.), best efforts will be made to record the meeting with another recording device for future reference.

The County broadcasts and records all Board of Commissioners meetings via its YouTube channel. Local cable access channels can rebroadcast the meetings via these recordings. Residents can view the meeting recordings via YouTube, or from the links placed on the Board of Commissioners' webpage at www.co.carver.mn.us. The public can also view meetings on computers at Carver County Library branches

The Carver County Administration Department retains a copy of the broadcast for a period of two years and one week after the meeting date. These recordings are not the official minutes of the Carver County Board of Commissioners.

I. Quorum

A quorum shall be necessary for the transaction of business. A majority of the members of the Board shall constitute a quorum and no business shall be transacted unless voted on by a majority (three votes) of the whole County Board (Minn. Stat. §375.07). Less than a majority of members may convene a meeting, but no business may be transacted.

Any County Board member who, for any reason, anticipates or plans an absence at any regular or special meeting is encouraged to contact the County Board Chair or the County Administrator to indicate his or her planned absence.

J. Role of Presiding Officer

The presiding officer of the meeting will be the Chair. In the absence of the Chair, the presiding officer will be the Vice-Chair. The duties and powers of the presiding officer shall include the following:

1. Preside at all meetings of the County Board.
2. Call for a meeting recess without a vote if necessary
3. Preserve order and decide questions raised by members subject to appeal to the Board.
4. Require the vote on all questions regularly

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021, Jan 4, 2022

moved and to announce the result.

5. Review and comment on the draft agenda for each regular and special meeting of the Board.
6. Serve as representative of the Board in execution of contracts, orders, resolutions, determinations and minutes of the Board and certification of tax rolls.

The Chair of the Board may make a motion and has the same voting rights and responsibilities as other members.

K. Addressing the Chair

Formal protocol will be used when speaking to the County Board. The County Board Chair shall be addressed as "Mr./Madam Chair." Members of the County Board shall be addressed as "Commissioner (last name)."

L. County Administrator

The County Administrator or designee shall attend all meetings of the County Board. The County Administrator represents the Board at the meetings. The County Administrator may participate in the discussion or recommend a resolution or action to the County Board. A member of the Board may call on the County Administrator to participate in the discussion or provide a verbal recommendation on any subject pending before the Board.

The County Administrator or designee shall prepare a written agenda for all regular and special meetings of the County Board. The County Administrator or designee acts as the clerk of the board and shall also: 1) make regular entries of all Board resolutions and decisions upon all questions; 2) record the vote of each member on any question submitted to the Board; 3) preserve and file all business acted upon by the Board; 4) certify copy any and all resolutions or decisions of the Board; and 5) perform such further duties as designated by the Board.

V. CONDUCT OF DEBATE

A. Principles

The Rules of Parliamentary Practice embodied in Robert's Rules of Order (hereafter referred to the Rules of Order) shall guide the Board in all cases applicable, except as modified by the rules herein and applicable Minnesota Statutes. In all cases, except where Minnesota Statutes dictates, a majority vote will prevail when deciding a question.

B. Parliamentarian

The Rules of Order governing County Board meetings shall be referred to the County Board Chair for interpretation and enforcement. The County Board Chair may consult with Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

C. Role of the Chair

The Chair shall preside over the debate, ensuring equality and fairness in discussion. If necessary, the Chair may restate or ask the County Administrator or designee to restate who made the motion, who seconded the motion, and announce the result of the vote.

D. Suspension of the Rules

Any member of the Board may make a motion for a suspension of the Rules of Order at any time during the debate and, if in order and duly seconded, the Board will vote on the request.

E. Main Motion

The main motion shall be considered by the Board. A member may make only one main motion at a time. The Board member(s) may present an initial motion on the resolution and subsequently debate the question; or the

Board member(s) may call upon staff for additional information prior to introduction of the motion.

The introduction of a main, or substantive motion, is out of order while another main motion is pending. While the question is under debate, no other motion shall be received or entertained except for procedural motions permitted in the Rules of Order.

F. Second Required

All motions before the Board shall be seconded prior to consideration by the Board. The second may occur after brief informal discussion. Subsequent to the second of the motion, formal debate may ensue between the members of the Board prior to the formal vote being called.

G. Amended Motion

Any motion may be amended at any time before it is adopted. The amended motion shall have precedence over an existing motion and may be discussed prior to being voted upon. If the amended motion fails, the main motion

may proceed for consideration. If the amended motion passes, the amended motion becomes the main motion and may proceed for consideration. Once an amended motion is voted upon, a second amended motion may be entertained.

H. Division of the Question

Upon the request of any Board member, a motion or resolution in debate may be divided and separated into more than one action provided that the Chair rules that the motion or resolution will allow such a division. Each of the resulting motions or resolutions must be complete to allow independent consideration and action.

I. Withdrawal of Motion

After a motion has been stated by the Chair, it is deemed to be in the possession of the Board, but may be withdrawn by the member introducing the motion at any time before a vote. The Chair must accept or reject the withdrawal request. This motion cannot be debated or amended. If the motion is withdrawn, the effect is the same as if it had never been made.

J. Discussion Procedures

The following operating rules shall guide debate:

1. Any Commissioner desiring to speak shall address the Chair, and not proceed until being recognized. When two or more members address the Chair at the same time, the Chair shall designate the order of speaking.
2. Upon recognition of the Chair, the Board member making the motion has precedence to address the Board first, with the option of explaining the reasons why the motion is made. Subsequently the floor is open to any member of the Board.
3. A member, once recognized, shall not be interrupted when speaking, unless it is to call that member to order. No member shall interrupt another in debate without his/her consent. To obtain such consent, he/she shall first address the Chair.

K. Adoption

A motion or resolution shall be adopted if approved by a majority of the whole Board (Minn. Stat. §375.07).

L. Procedural Motion

In addition to the substantive motions, the following procedural motions shall be in order. This is a partial list of those motions from Robert's Rules that are most often used.; it is not intended to be a complete list.

These motions shall be considered in the following order of precedence as taken from Robert's Rules of Order:

1. Motion to Adjourn;
2. Motion to Recess;
3. Motion to Suspend the Rules;
4. Motion for Division of the Question;
5. Motion to Defer Consideration (Motion to Lay on the Table);
6. Call of the Previous Question;
7. Motion to Postpone to Certain Time or Day;
8. Motion to Refer to Committee;
9. Motion to Amend;
10. Motion to Reconsider.

M. Voting

It is the duty of every member to vote. Voting shall be recorded as a "yes" or "no" vote by the County Administrator and duly noted in the minutes. Unless a Commissioner signifies an abstention or vote in the negative on any given issue, the County Administrator shall be directed to record that each Commissioner has voted in the positive on that particular matter which is before the Board. A roll call, if requested by any member, shall be called by the Administrative Assistant alphabetically (from A-Z) by last name, and rotating with each resolution voted upon.

VI. TYPES OF COUNTY BOARD ACTION

A. Resolution

The County Board takes formal action by resolution (Minn. Stat. §373.02) or ordinance (Minn. Stat. §375.51) only, both of which are initiated through a motion. A motion may be introduced by any member of the County Board.

The main motion in the form of a resolution is the means by which a member may present a substantive proposal to the County Board for consideration and action. Since it is the basic motion for the transaction of business, only one subject may be considered at a time and the main motion may be proposed only when no other motion is before the County Board. (See Section V.)

B. Ordinance

The County Board may take formal action by ordinance (Minn. Stat. §375.51). An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the county. County Board action shall be taken by ordinance when required by law.

C. General Consensus

The County Board provides informal direction by consensus. Informal direction is most often used to provide staff with preliminary Board perspective on a matter which will require future formal action by resolution or ordinance. Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy or authorize action.

D. Policy Development

Authority for the development of policies in Carver County is granted to the County Board through Minn. Stat. Chapter 373 (Counties, Powers, Duties, and Privileges) and Minn. Stat. Chapter 375 (County Boards) and other statutes. With the powers granted within these statutes, the County Board may delegate certain authority, as appropriate, through Board resolutions. These delegations of authority may be rescinded at any time by the Board.

VII. COUNTY BOARD AGENDA

A. Preparation and Distribution

The County Administrator shall prepare the agenda and supporting material for each regular and special meeting. Members of the Board may direct that an item be placed on the Agenda by informing the County Administrator. The County Administrator shall include an item on the agenda if a member directs that the item be placed on the agenda at least three (3) days prior to the meeting for which the agenda is to be prepared.

The Board agenda packet, including the meeting agenda and supporting material, shall be received by each member of the Board no later than the Monday preceding the regular Tuesday meeting.

Copies of the agenda and supporting material shall be made available to the County staff, public and media as appropriate. A distribution list shall be maintained in the County Administration Office. Members of the public

who are interested in following issues considered by the Board may register their name and address with County Administration for placement on the agenda distribution list.

If possible and if time avails, Board members are encouraged to identify and request future agenda topics. Early identification of future agenda items informs the Board that a particular subject will be discussed and provides staff an opportunity to conduct any research, and provide background information sufficient to inform the Board.

B. Order of Business

The Order of Business for each regular meeting of the County Board shall be as follows:

1. Call to Order (start of cablecast)
2. Pledge of Allegiance
3. ~~Introduction of New Employees~~
4. Public Comments
5. Approval of Agenda
6. Approval of Minutes
7. Community Announcements
8. Consent Agenda
9. Regular Agenda
10. County Administrator Report
11. Adjourn Regular Session (end of cablecast)

The Order of Business may be changed as needed to accomplish objectives and priorities of the meeting. The Order of Business may be changed at the recommendation of the Chair, any member of the Board or the County Administrator subject to County Board consensus.

C. Consent Agenda

The Consent Agenda will consist of routine agenda items which are not likely to require additional debate and discussion. Examples of consent agenda items include, but in no circumstances are limited to, tax abatements (penalty and interest claims), minor budget amendments, personnel actions, tax forfeiture actions, and miscellaneous contract approvals and renewals.

The Consent Agenda shall be considered as one item of business. The Board may approve all items on the consent agenda by adopting one motion. In the minutes of the meeting, the items passed in the Consent Agenda shall be recorded individually.

Prior to approval of the Consent Agenda, any member can remove an item on the Consent Agenda for further discussion and/or for the purposes of separate consideration. The Chair shall determine the location on

the agenda for the item of business which will subsequently be considered.

D. Regular Agenda

The Regular Agenda will consist of items which are likely to and/or require additional discussion and review. Items of business within the Regular Agenda shall be considered individually and in the order of business as noted on the agenda.

E. Official Records

The County Administrator or designee shall prepare the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statutes in order to provide an accurate record of County Board actions. The record is not intended to be a verbatim transcript of all discussion and debate; the record is primarily a compilation of official actions (Minn. Stat. §331A.01).

The minutes of the County Board meeting shall be prepared and submitted for approval at the next succeeding County Board Meeting. Official proceedings of County Board meetings shall be published in the official County newspaper (Minn. Stat. §375.12). The

Official Board Proceedings are distributed to staff and interested parties and are also available on the Carver County website at www.co.carver.mn.us.

The official minutes of County Board meetings shall be available in the County Administration Office. The resolutions shall be numbered consecutively followed by the last two digits of the calendar year.

VIII. ADVISORY COMMITTEES AND OTHER STATUTORY APPOINTMENTS

A. Policy

The County Board appoints individuals to various boards, committees or commissions, (hereinafter referred to as Committees) which have been established by the County Board or pursuant to Minnesota Statute. Authority for establishment of the committees is prescribed in Minnesota Statutes and in Board Policy. County Administration will maintain a complete list of committees and their underlying source of creation.

B. Advisory Committees

Advisory Committees or Boards do not establish county or department policy, determine budget or resource allocations, or direct the operations of the department. These remain the sole responsibility of the County Board. Advisory Committees perform their duties and responsibilities as delegated by the County Board, they report to the County Board, and are under the County Board's jurisdiction.

A list of advisory committees includes, but is not limited to:

1. Arts Committee
2. Board of Adjustment
3. Library Board
4. Mental Health Advisory Committee
5. Minnesota Extension Committee
6. Park Commission
7. Personnel Board of Appeals
8. Planning Commission
9. Water Management Organization

C. Appointments to other Public Bodies

The County Board also makes appointments to entities that are created by special act and which, upon their establishment, are public bodies, corporate and politic, with all the powers, duties and authority as provided for in statute.

Term lengths, term limits and other operational procedures of these public bodies are governed by Minnesota Statute and/or the entity's by-laws.

A list of these public bodies includes, but is not limited to:

1. Community Development Agency
2. Lower Minnesota River Watershed District
3. Minnehaha Creek Watershed District
4. Riley-Purgatory-Bluff Creek Watershed

D. Role and Purpose of the Committees

Each Committee serves a statutory, policy, or operational purpose within Carver County. Each committee has specific staff assigned and designated to support its function. The function and reporting relationship to the Board will vary from committee to committee.

Committees are established to serve a variety of functions. The fundamental purposes for utilizing Committees in support of County government are:

1. To involve members of the public in the decision-making process.
2. To meet requirements of state law.
3. To ask residents to help define community standards and norms.
4. To provide technical expertise in certain areas.
5. To serve as advocates for the County.
6. To provide an independent sounding board for issues, ideas, and policy matters.

E. Operating Procedures

An open appointment policy governs the process for recruiting applicants to committees. The actual appointments are made by the County Board.

Individuals appointed by the Board to Committees receive a per diem reimbursement for attendance at regular or special meetings of such committees unless otherwise stated by the County Board. The per diem level is established from time to time by Board and/or Minnesota Statute.

F. Appointments

Unless mandated statutorily, appointments to the extent possible will be made by commissioner district. The Board will use discretion in this area and instances may occur when appointments will not follow district boundaries due to the target group the committee represents, availability of applicants, or other factors. The Carver County Board will attempt to select those candidates who will best represent the county and the committee's needs.

When a vacancy exists due to resignation or other reasons, the Board will follow the open appointment process. For the purpose of maintaining uniform length of terms the new appointee's partial term will be assumed to be a full term regardless of actual time remaining in the unexpired term.

The Carver County Library Board and Park Commission may each have a youth member (18 and under) appointment to the Library Board/Park Commission. The youth appointment will be an at large appointment; serve as a nonvoting liaison and not receive a per diem payment. Youth appointments will be for one year with a three year term limit

G. Attendance Policy

Advisory committee members missing three (3) consecutive meetings in a year without the formal consent of the advisory committee shall be deemed to

constitute a resignation of a member and a vacancy thus created shall be filled thereafter as provided by the open appointment process.

H. Residency Requirement

Applicants are not always restricted to Carver County residents.

I. Notification

County staff shall inform all appointees to committees at the initial yearly meeting or at the first meeting attended by a member of the contents of all applicable attendance policies, residency requirements and other pertinent information needed to perform the duties of a committee member.

J. Terms

Unless mandated statutorily, with the exception of the Youth Appointment to the Library Board and Park Commission, the County Board has standardized the length of term and number of terms each member to serve. The length of term is 3 years and the maximum number of consecutive terms each member may serve is 3. The Board's Township appointment to the Planning Commission shall serve after the expiration of his/her term until a successor is appointed and qualified.

K. Appointment of Chairs

Chairs of various committees are selected according to committee bylaws.

L. Reporting Requirements

The Committees shall report their activities to the designated Board member or the County Board as needed on a periodic basis.

IX. CODE OF ETHICS

It is the belief of the County Board that the trust bestowed upon them as elected officials is of utmost importance in the relationship between themselves and the public. With this belief, the following statements further emphasize the priority and commitment the County Board has placed on Ethical Standards.

In the execution of their official duties, all County Board Members shall strive to:

- Observe the highest moral and ethical standards.
- Maintain and respect the confidentiality of private and confidential information.
- Avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, sexual orientation, marital status, place of residence, or status with regard to public assistance.
- Comply with the ethical obligations imposed by law, including Minn. Stat. §10A.07, 10A.071, 382.18, 471.87-895, including, where appropriate, disclosing conflicts of interest, abstaining from decision-making, eliminating conflicts of interest, and declining gifts.
- Work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- Allow citizens, staff, or colleagues sufficient opportunity to present their views. Be tolerant, respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, staff or colleagues.
- Place cooperation, trust, and respect at the heart of all that is done.
- Behave ethically as daily responsibilities are carried out.
- Support one another at and beyond the County Board table.
- Operate as an effective team, continually improving that effectiveness.
- Work for "win-win" situations instead of "win-lose."
- Actively listen, keep an open mind and suspend judgment.
- Be pro-active in the exercise of the office.
- Do the best to answer questions posed by one another, the employees, and the community.
- Honor "discussion" before "decisions."
- Be consistent in process and operation.
- Be honest and candid with one another.
- Disagree agreeably and professionally.
- Realize and honor varying work styles, personalities, and process needs.
- Share information and avoid surprises.

X. CITIZENS

A. Citizen Participation

The public is invited and encouraged to attend and participate in County Board meetings. All approved

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021, Jan 4, 2022

minutes of Board meetings are published in the official county newspaper and agendas and minutes are available on the County website at www.co.carver.mn.us.

B. Audience/Citizens Requests

The County Board prefers all business matters initiated by citizens coming before them to first be reviewed by staff and scheduled for discussion on the appropriate agenda.

If an individual seeks to appear before the County Board he/she should notify the County Administration Office of his/her intention and the issue to be presented. Staff will confer with the individual, address the issue and, if necessary, schedule the issue accordingly on the appropriate agenda.

C. Audience Participation at Board Meetings

To the extent possible, interested citizens shall notify the County Administrator of their interest to speak at the meeting and the issue to be discussed. The County Administrator will notify the Chair. In an effort to encourage efficiency and early resolution of issues, the County Board recommends that citizens first contact staff to try to resolve matters before coming formally to the County Board meeting. Questions directed to the Board may not be answered immediately, however, whenever possible, all appropriate questions will be responded to in a timely and effective manner by the Board and/or County staff.

The Carver County Board wishes to provide an opportunity for the public to address the County Board. The County Board Chair has the discretion to request public input on issues that are included as part of the agenda. A person desiring to speak on an item on the agenda, after being recognized by the Chair, shall come to the podium, and state his/her name and address. Comments will be limited to five minutes and limited to the specific topic on the agenda. The Board will not address other specific requests not related to the agenda item. On unrelated issues, the Board will consult with staff administration and/or the County Attorney and address them at a later date.

For citizens who desire to discuss issues which are not on the agenda, every regular Board meeting has a Public Comments section.

It is the intention of the Board, by adoption of the following rules, to ensure that its affairs are conducted in an open, orderly, and efficient manner, that persons desiring to address the Board on matters pertaining to the agenda or germane to County business are afforded an

opportunity to speak, that persons in attendance may observe and hear the proceedings without distraction, and that the Board is able to transact County business with minimal disruption.

1. A person desiring to speak may only speak if acknowledged by the Board Chair and if they are being respectful and civil. All remarks shall be addressed to the County Board as a whole, not to any specific member(s) or to any person who is not a member of the County Board.

2. Comments are limited to a period of five (5) minutes. Additional time may be granted at the discretion of the Chair.

3. Copies of written materials must be provided to the County Board members, the County Administrator, the County Attorney, and any media present at the meeting. Handouts provided to the County Board members become government data and are thereafter under classifications designated in the Minnesota Government Data Practices Act and/or other privacy laws.

4. If there are a number of individuals present to speak on the same topic, all persons must sign in and designate a spokesperson or two.

5. Board members will listen to comments but will not engage in discussion, nor answer specific questions, during the Public Comments section of the agenda. Board members will listen to learn and understand, not to argue debate or discuss during the public comments portion. Board members or County staff may ask questions in order to gain a thorough understanding of concerns, suggestions, or requests. If follow-up to a person's comments is requested or required the Board Chair will direct the County Administrator or County Attorney to do so after they have had time to gather the facts, follow up on any legal issues if necessary and review the matter thoroughly.

6. Disruptive and/or disrespectful behavior will not be allowed. Examples of such behavior include arguments, obscenity, profanity, insults or attacks against a person in his or her personal capacity, physical violence or threat thereof, repetitious references, or such other comments or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting. The Chair will address such a speaker, give them a warning and/or use appropriate means to remove such a person from the meeting up to and including the use of law enforcement

D. Responding to

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021, Jan 4, 2022

Correspondence/Inquiry/Processing of Complaints from Citizens

County Board members and staff are committed to customer service and will endeavor to provide timely and efficient response and communication to the citizens of Carver County.

Upon receipt of a written inquiry, request for information, or complaint about County business which has been sent to a Board member, upon notification and direction from County Administrator or designee, staff will confer with the member to determine the appropriate course of action. The inquiry will be handled timely as directed with the County Administrator or designee advising the Board member upon completion.

Incoming telephone calls requesting a specific Board member should be forwarded to the Board member per his/her instructions. Administration staff will periodically review with Board members the preferred method of handling telephone inquiries. Every effort will be made to maintain open lines of communication between the Board members and their constituents.

Telephone calls requesting information about specific areas of County business are forwarded to the appropriate Division. Customer service is of primary importance to the County Board and staff and an appropriate method of tracking the information requests and responses will be utilized.

XI. Staff

A. County Administrator

The County Board adopted the County Administrator form of government on August 6, 1985.

The position of County Administrator is established pursuant to Minn. Stat. §375A.06. The County Administrator is the administrative head of the County, responsible for the administration of the affairs of the County delegated to him/her by Minnesota Statute and the County Board. The County Board has approved a job description which outlines in detail the duties and responsibilities of the County Administrator.

In general, the County Administrator shall exercise supervision of the divisions which function under the jurisdiction of the Carver County Board. The County Administrator shall coordinate the various activities of the County, unify the management of its affairs, and make recommendations to the Board regarding the structure of

County functions, including reporting relationships, physical facilities and locations. The County Administrator is accountable for hiring, training, advising, motivating, and appraising the performance of subordinates. The County Administrator recommends the annual budget and long range capital expenditure programs to the Board for approval.

The County Administrator recommends to the Board proposed policies concerning the administrative affairs of the County. The County Administrator will keep the Board informed, make recommendations, and comment upon legislative initiatives which affect the County and, as directed by the Board, will represent the County in its relations with other governments. The County Administrator will serve as the leader of the County Management teams, recommend short and long term goals to the Board, and periodically measure organizational and individual accomplishments against goals, objectives, and timetables.

B. Role of Staff

The County Administrator with the support of staff will, in a timely and responsible manner, answer inquiries and requests regarding issues and concerns brought by Board members or the citizens of Carver County. In certain instances Board members may want assistance or County staff involvement in evaluating policy and/or programmatic changes. Board members who wish to initiate policy or program change are encouraged to first present such requests to the appropriate Division.

Functions which are deemed routine such as interpretation of policy and procedure, general constituent business, and/or research which require minimal time may be directed by the Board or individual member, to the County Administrator or designee for action.

C. Legislative Protocol for Staff and Citizen Members of Appointed Boards

This following policy applies to all staff/citizen members and respective appointed Board members that lobby as a representative of Carver County.

Staff/citizen members who choose to lobby on a policy issue that would affect the operations of the County, are expected to confine their efforts to the County's current legislative agenda.

Staff/citizen member participation should be immediately

communicated to the Board appointed designee or the County Administrator. If the issue has not been addressed by the County's legislative agenda, a County Board position should be sought prior to any lobbying effort on your part.

The Board appointed designee, County Administrator, or designated personnel, will organize the county's efforts. Staff/citizen members should presume that s/he speak for the County Board, unless s/he has reviewed their positions or have checked with them on specific issues.

When the County is paying the dues for membership in a professional association, staff/citizen members shall not take a position within that professional association that is inconsistent with County Board policy.

All staff/citizens members and appointed representatives shall notify the County Board and/or the County Administrator of a pending appointment to an advisory board or task force initiated outside of the scope of County Board authority.

**Amendment #1:
Additional Proposed Changes to
County Board Operating Rules
1/3/2023 Board Meeting**

VII. COUNTY BOARD AGENDA

A. Preparation and Distribution

The County Administrator shall prepare the proposed agenda and supporting material for each regular and special meeting. Members of the Board may direct that an item be placed on the proposed agenda by informing the County Administrator. The County Administrator shall include an item on the proposed agenda if a member directs that the item be placed on the proposed agenda at least three (3) days prior to the meeting for which the agenda is to be prepared. Placement of requested item on the proposed agenda requires County Board Chair approval. The final agenda shall be formally approved by the County Board.

The Board agenda packet, including the meeting agenda and supporting material, shall be received by each member of the Board no later than the Monday preceding the regular Tuesday meeting.

C. Consent Agenda

The Consent Agenda will consist of routine agenda items which are not likely to require additional debate and discussion. Examples of consent agenda items include, but in no circumstances are limited to, tax abatements (penalty and interest claims), minor budget amendments, personnel actions, tax forfeiture actions, and miscellaneous contract approvals and renewals.

The Consent Agenda shall be considered as one item of business. The Board may approve all items on the consent agenda by adopting one motion. In the minutes of the meeting, the items passed in the Consent Agenda shall be recorded individually.

Prior to approval of the Consent Agenda, any member can ~~remove~~ propose removing an item on the Consent Agenda for further discussion and/or for the purposes of separate consideration. ~~The Chair shall determine the location on the agenda for the item of business which will subsequently be considered.~~ Placement of an alternate item on the final agenda requires formal approval by the County Board.

Amendment #2: Additional Proposed Changes to County Board Operating Rules 1/3/2023 Board Meeting

VII. COUNTY BOARD ORGANIZATION

E. Officers

The County Board, at its statutory meeting (first Tuesday after the first Monday of each year), ~~elects~~ affirms from its members a Chair and a Vice-Chair. The Chair presides at the County Board meetings, decides on questions of order, subject to vote of the County Board, and signs all documents requiring signature of the County Board. The Chair's signature, attested to by the County Administrator or designee, is binding as the signature of the County Board.

The County Board affirms ~~elects~~ from its membership a ViceChair at the same time and place and in the same manner as provided for the election of the chair. The Vice-Chair performs the duties of the chair when the chair is unable to perform those duties.

It is a normal convention to rotate the chair seat by commissioner district each year in order to share the opportunity and responsibility among the five commissioners. A commissioner may choose to decline and the rotation would advance.

The normal convention is a rotation from Vice Chair to Chair. Deviation from this normal convention should be extremely rare and must be accompanied by stated justification by the Commissioner making a nomination that does not conform to the normal convention.

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

~~1. Open the floor for nominations—~~

- ~~• Recognition by the Chair is not required to make a nomination—~~
- ~~• After each nomination, the County Administrator repeats the name of the nominee to the members.—~~
- ~~• Nominations do not have to be seconded, but it is not out of order for members to second a Carver County Board Operating Rules Adopted May 26, 1998 nomination—~~
- ~~• A person can nominate himself or herself.—~~
- ~~• A member can decline the nomination during the nominating process.—~~

~~2. Close the nominations—~~

- ~~• A motion to close is not necessary as the nomination process continues until no one wishes to make further nominations~~
- ~~• When the nomination stops, the County Administrator calls three times for more nominations and declares nominations closed after making sure that no more nominations are forthcoming.—~~

- ~~• A motion to close nominations is out of order if any member still wishes to make a nomination.~~
- ~~. Vote on nominations~~
- ~~• Nominations are decided by majority vote.~~
- ~~• A voice vote will be used, and the voting is over when someone wins the nomination by majority vote. • Voting on each nominee is conducted in the order in which they were nominated.~~
- ~~• After naming the first nominee, the County Administrator will announce the votes.~~
- ~~• This procedure continues until someone receives a majority vote.~~
- ~~• If there is a tie vote or no one receives a majority vote, members keep voting until someone is elected.~~

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

If the Chair and Vice-Chair are absent from any meeting, the members present shall choose one of their members as temporary Chair, and all documents requiring the signature of the County Board shall be signed by a majority of it and attested to by the Clerk to the Board (Minn. Stat. §375.13).

At the statutory meeting (and if applicable during the year), the Chair of the County Board shall have the authority to recommend committee chairs and appoint members of the County Board to standing committees and other County Board-member appointed committees, organizations and groups, subject to approval by the County Board.

G. Monthly Expense Allowance

Each member of the County Board is allowed a monthly expense allowance as determined by the County Board for expense while doing business for Carver County. (This expense allowance is provided for under Minnesota Laws, Chapter 66, adopted in 1981.) Typical expenditures for this allowance are mileage, parking, and meals while in the seven county metropolitan area for conferences, seminars and meetings. Expenses included in this allowance are generally considered to be ones that the Board Member deems to be necessary in order to fulfill the duties of office.

The County Board, by resolution, determines the annual expense allowance level. Within the seven county metropolitan area, this allowance is in lieu of traditional reimbursement plans including per diem expenses. The expense allowance is paid to the Board Members in twelve equal monthly installments.

Outside the seven county metropolitan area, all costs deemed necessary by the Board Member to fulfill the duties of office, are covered by County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. This would include reimbursement for actual costs while performing duties of the office of County Commissioner.

In addition, all overnight expenses associated with conferences, seminars, and meetings are costs eligible for reimbursement. Each Commissioner shall be allocated an annual conference and training budget with an amount to be determined according to the annual budget process. Conference and training funds not used by an individual Commissioner during each respective budgetary year may be used by another Commissioner within that budget year upon mutual agreement between the Commissioner requesting the funds and the Commissioner providing the funds. Any out of state travel must meet the requirements outlined in the Elected Officials Out of State Travel policy included in the Carver County Administrative Policy Manual.

Cell phone expenses are costs eligible for reimbursement according to County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. ~~In addition, remote computer access expenses are eligible for cost reimbursement.~~

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Adopt schedule of regular Board meetings for the year 2023

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/3/2023

Contact: Dave Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 5 minutes

Attachments: Yes No

Presenter: Dave Hemze Title: County Administrator

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

At the annual statutory meeting, the County Board adopts a schedule of regular Board meeting for the upcoming year.

Administration is recommending County Board meetings as follows.

- Regular session: First Tuesday of the month at 9:00 a.m.
- Regular session: Third Tuesday of the month at 9:00 a.m.
- Work session: Fourth Tuesday of the month at 9:00 a.m.

Minor changes to the above schedule are noted in the attached calendar.

The Board's Operating Rules provide for additional meetings to be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items.

ACTION REQUESTED:

Motion to adopt attached meeting schedule for 2023 as presented.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 8617

2023 BOARD MEETINGS

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

Tuesday	January 3, 2023	9:00 a.m.	Organizational Session
Tuesday	January 10, 2023		No Board Meeting
Tuesday	January 17, 2023	9:00 a.m.	Board Meeting
Tuesday	January 24, 2023	9:00 a.m.	Board Work Session
Tuesday	January 31, 2023		No Board Meeting

Tuesday	February 7, 2023	9:00 a.m.	Board Meeting
Tuesday	February 14, 2023		No Board Meeting
Tuesday	February 21, 2023	9:00 a.m.	Board Meeting
Tuesday	February 28, 2023	9:00 a.m.	Board Work Session

Tuesday	March 7, 2023	9:00 a.m.	Board Meeting
Tuesday	March 14, 2023		No Board Meeting
Tuesday	March 21, 2023	9:00 a.m.	Board Meeting
Tuesday	March 28, 2023	9:00 a.m.	Board Work Session

Tuesday	April 4, 2023	9:00 a.m.	Board Meeting
Tuesday	April 11, 2023		No Board Meeting
Tuesday	April 18, 2023	9:00 a.m.	Board Meeting
Tuesday	April 25, 2023	9:00 a.m.	Board Work Session

Tuesday	May 2, 2023	9:00 a.m.	Board Meeting
Tuesday	May 9, 2023		No Board Meeting
Tuesday	May 16, 2023	9:00 a.m.	Board Meeting
Tuesday	May 23, 2023	9:00 a.m.	Board Work Session
Tuesday	May 30, 2023	9:00 a.m.	Strategic Planning Retreat

Tuesday	June 6, 2023	9:00 a.m.	Board Meeting
Tuesday	June 13, 2023		No Meeting
Tuesday	June 20, 2023	9:00 a.m.	County Board of Equalization*
Tuesday	June 27, 2023	9:00 a.m.	Board Work Session
Thursday	June 27, 2023	1:00 p.m.	County Board of Equalization (if needed)*

Tuesday	July 4, 2023		No Board Meeting*
Tuesday	July 11, 2023	9:00 a.m.	Board Meeting*
Tuesday	July 18, 2023	9:00 a.m.	Board Meeting
Tuesday	July 25, 2023	9:00 a.m.	Board Work Session

Tuesday	August 1, 2023		No Board Meeting*
Tuesday	August 8, 2023	9:00 a.m.	Board Meeting*
Tuesday	August 15, 2023	9:00 a.m.	Board Meeting
Tuesday	August 22, 2023	9:00 a.m.	Board Work Session
Tuesday	August 29, 2023		No Board Meeting

Tuesday	September 5, 2023	9:00 a.m.	Board Meeting
Tuesday	September 12, 2023		No Board Meeting
Tuesday	September 19, 2023	9:00 a.m.	Board Meeting
Tuesday	September 26, 2023	9:00 a.m.	Board Work Session

Tuesday	October 3, 2023	9:00 a.m.	Board Meeting
Tuesday	October 10, 2023		No Board Meeting
Tuesday	October 17, 2023	9:00 a.m.	Board Meeting
Tuesday	October 24, 2023	9:00 a.m.	Board Work Session
Tuesday	October 31, 2023		No Board Meeting

Tuesday	November 7, 2023	9:00 a.m.	Board Meeting
Tuesday	November 14, 2023		No Board Meeting
Tuesday	November 21, 2023	9:00 a.m.	Board Meeting
Tuesday	November 28, 2023	9:00 a.m.	Board Work Session

Tuesday	December 5, 2023	AMC Conference	No Board Meeting*
Tuesday	December 12, 2023	9:00 a.m.	Board Meeting*
Tuesday	December 19, 2023	9:00 a.m.	Board Meeting
Tuesday	December 26, 2023		No Board Work Session*

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Committee Appointments and Assignments

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/3/2023

Contact: Dave Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 20 minutes

Attachments: Yes No

Presenter: Board Chair Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Administration is requesting that the Board make committee appointments and assignments for 2023. A list identifying the appointments and assignments to be made is attached.

ACTION REQUESTED:

Motion appointing Board members to various commissions, committees and boards.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 8621

Committee Appointments and Assignments

Committee	2022 Appointee	2023 Appointee
Association of Minnesota Counties Board of Directors	Degler, Alt Fahey	
AMC Environment & Natural Resources Policy Committee	Lynch	
AMC General Government Policy Committee	Degler	
AMC Health & Human Services Policy Committee	Udermann	
AMC Public Safety Policy Committee	Fahey	
AMC Transportation Policy Committee	Workman	
AMC Voting Delegates	Degler, Fahey, Lynch, Udermann, Workman, Dave Hemze, Lyndon Robjent, Red Franks <u>Heather Goodwin</u>	
CAP Agency Board of Directors	Degler, Alt Udermann	
Carver County Arts Committee	Udermann and Workman	
Carver County CDA	Fahey, Liaison, Alt. Workman	
Carver County Leaders	Udermann & Lynch	
Community Leaders (Eastern)	Degler, Udermann, Workman	
Courts Committee	Fahey & Degler, Alt. Lynch	
County's Strategic National Stockpile (SNS) Requestor	Degler, Hemze, Richard Scott	
County and Union Leaders Group	Udermann & Lynch	
Fair Board	Lynch, Liaison, Alt Fahey	
Greater MSP Board of Directors	Udermann	
Greater MSP Partner Advisory Council	Julie Frick (public) Deborah Everson (private)	
Hennepin Carver Workforce Development Board	Workman, liaison, Alt Udermann	
Historical Society Committee	Workman, Alt. Fahey	
Health Insurance LMC	Degler, Alt Lynch	
Joint Ditches:		
Joint Ditch #1*	Fahey, Degler Lynch , <u>Udermann</u> , *On 3/3/22 Udermann replaced Lynch on Joint Ditch #1	
Joint Ditch #2	Fahey, Degler	
Joint Ditch #3A	Fahey	
Joint Ditch #4	Fahey, Lynch, Workman	
Joint Ditch #5	Fahey, Lynch, Udermann	
Joint Ditch #21	Fahey, Lynch, Workman, Degler	
Joint Ditch #22	Fahey, Lynch, Udermann	
Joint Ditch #24	Fahey, Lynch, Degler	
Joint Ditch #28	Fahey	

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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Appointments to Advisory Committees

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/3/2023

Contact: Dave Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 30 minutes

Attachments: Yes No

Presenter: Board Chair Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Each year the Board is asked to make appointments to their various advisory committees. Those individuals that were eligible to reapply were sent an application. A list of applicants that have applied is attached.

The Board has the option to make appointments today or hold until such time as they find an applicant.

ACTION REQUESTED:

Motion appointing applicants to advisory committees.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 8618

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

ARTS COMMITTEE (3-year terms)

Current Members:

Megan White, at large

Lita Cantin, at large

Current vacancies: one at large

Applicants

Megan Bielefeldt, Commissioner District #3

BOARD OF ADJUSTMENT (3-year terms)

Current members:

Amanda Cvetich-Gorra, Resides District #2, Represents Commissioner District 1

Robin Bielefeldt, Commissioner District 3

Current vacancies 4: Commissioner District 2, 4, 5 and one at large

Applicants

Gerald Bruner, Commissioner District #4

Scott Selkin, Commissioner District #5

Kayla Pascoe, Commissioner District #5

Chad Reisner, Commissioner District #1

Steve Washburn, Commissioner District #4

Jeff Thompson, Commissioner District #5

COMMUNITY DEVELOPMENT AGENCY (5-year terms)

Current members:

Sarah Carlson, Commissioner District 1

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

Darrel Sudheimer, Commissioner District 4

Adam Teske, Commissioner District 5

Current vacancy 1: Commissioner District 3

Applicants:

Molly Kouyumaki, Commissioner District #3

Robin Bielefeldt, Commissioner District #3

Shannon Slavik, Commissioner District #3

LIBRARY BOARD (3-year terms)

Current members:

Janice Melchert, Commissioner District 1
Gwen Kuhrt, Resides Commissioner District 1 (Represents District 2)
Frank Foss, Commissioner District 4
Alan Krueger, Commissioner District 5

Current vacancies 2: Commissioner District 3 and one youth at large

Applicants:

Robin Bielefeldt, Commissioner District #3
Stacie Lindquist, Commissioner District #5
Charles Teh, Commissioner District #3
Tenley Rutledge, to fill youth at large

MENTAL HEALTH ADVISORY COMMITTEE(3-year terms)

Current Members:

Judith Kieffer, Commissioner District 1
Sandra Menzel, Commissioner District 4
Stacy Zellman, Commissioner District 5
Courtney Iverson, Has business in Carver County
Sergeant Mike Duzan, Chaska Police Department
Lindsey Konchar, Commissioner District 1
Katelyn Theimer, Commissioner District 3
Michelle Iverson, Commissioner District 5
Ellen Krug, Commissioner District 3
Sarah Bot, Commissioner District 3
Kelli Brenny, Commissioner District 3

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

Applicants:

Derek Gunderson, Commissioner District 3
Kayla Pascoe, Commissioner District 5

MINNESOTA EXTENSION COMMITTEE (3-year terms)

Current Members:

Georgiann Keport, Commissioner District 1
Carmen Gesinger, Commissioner District 4
Makayla Johnson, Youth representative

Vacancies: Commissioner Districts 2, 3 and 5

Applicants:

Patti Dietzel, Commissioner District 5

PARK COMMISSION (3-year terms)

Current members:

Curt Kobilarcsik, Commissioner District 1
Makiza Johnson, Resides Commissioner District 1, but Represents District 3
Scott Knight, Commissioner District 5
Mark Lagergren, Serving as at large appointment

Current Vacancies 3: Commissioner Districts 2, 4 and one at large appointment

Applicants:

Kayla Pascoe, Commissioner District 5
Reid Welch, Commissioner District 5
Jenn Brewington, Commissioner District 5
Christine Fenner, Commissioner District 4

PERSONNEL BOARD OF APPEALS (3-year terms)

Current members:

Connie Long, Commissioner District 1
Gerald Bruner, Commissioner District 4

Current vacancy 1 at large

Applicants:

Steven Dummer, Commissioner District 3

PLANNING COMMISSION (3-year terms)

Current members:

Greg Grazzinni, Commissioner District 1
Matthew Kerber, Commissioner District 3
Scott Wakefield, Commissioner District 4
Scott Hoese, Township Appointment

Current vacancies 2: Commissioner District 2 and 5

Applicants:

Andrew Steinhagen, Commissioner District 5
Reid Welch, Commissioner District 5
Kayla Pascoe, Commissioner District 5
Frank Mendez, Commissioner District 2

WATER MANAGEMENT ORGANIZATION (3-year terms)

Commissioner District Appointments:

Kevin Zahler, Commissioner District 2
Michael Lynch, Commissioner District 4
Lori Cox, Commissioner District 5
Doug Kammerer, Representing Crow River Watershed
Carroll Aasen, Representing East West Creek Watershed
Mary Strother, Representing Bevens Creek Watershed

Current Vacancies 3: Commissioner Districts 1 and 3 and one representative from Carver Creek Watershed

Applicants:

Jim Boettcher, Commissioner District 2, but had been representing District 1 on WMO
David Daubert, Commissioner District 4 and resides within Carver Creek Watershed
Kayla Pascoe, Commissioner District 5 and resides within Carver Creek Watershed

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on December 20, 2022. Chair Gayle Degler convened the session at 9:30 a.m.

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

Members absent: None.

No public comments were received.

The following amendment was made to the agenda:

Move 5.7 to 7.3 – HHS Extreme Weather and Housing Assistance Vouchers

Udermann moved, Workman seconded, to approve the agenda as amended. Motion carried unanimously.

Lynch moved, Fahey seconded, to approve the minutes of the December 13, 2022, Regular Session. Motion carried unanimously.

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

Agreement with DemCon for container and hauling services for materials to be recycled as collected at the Environmental Center.

Resolution #101-22 County Board Acknowledgment 2022 Highway Preservation Program Final Payment.

Contract with RMB Environmental Laboratories, Inc., pending finalization of the contract review process.

Adopted the County Policy for special event use permitting on County Park and Trail System properties.

Approved memorandum of agreement with the Lower Minnesota River Watershed District for water monitoring and educational services pending completion of the contract review process.

Professional services agreement with Bolton and Menk, Inc., for professional engineering services for the Highway 5 Project-Arboretum Area, in the amount of \$2,595,725.16 pending finalization of the contract review process.

Professional services agreement with HDR, Inc. for communication services for the Highway 5 Project-Arboretum Area, in amount of \$163,145.00, pending finalization of the contract review process.

Professional services agreement with WSB & Associates for design services for the 2023 Urban Highway Preservation Projects, pending finalization of the contract review process.

Resolution #102-22 Support for the City of Chaska's 2022 Active Transportation Infrastructure Program Application for the Circle the Brick Regional Trail.

Joint Powers Agreement with Watertown Township for the Rose Avenue Bridge Project, pending finalization of the contract review process.

Approved hiring of the vacant Senior Civil Engineer candidates based on the candidates qualifications as an Engineering Specialist, Civil Engineer, Senior Civil Engineer or Design Engineer classification and related Public Works budget amendment.

Resolution #103-22, Approving the Final Plat of Neumann Acres.

Resolution #104-22, County Board Acknowledgment Jonathan Carver Parkway-Phase 1 Project Final Payment

Approved Amendment 3 with SRF Consulting Group Inc., for \$482,478.78 scope of work additions for the Highway 212 Project-Benton Township, pending finalization of the contract review process.

Contract with Bolton and Menk, Inc, pending finalization of the contract review process, for professional engineering and transportation service for the Watertown North-South Corridor Study.

Approved a Joint Powers Agreement with the City of Watertown for professional engineering and transportation service for the Watertown North-South Corridor Study.

Reviewed December 20, 2022, Community Social Services' actions/Commissioners' warrants in the amount of \$670,632.71 .

Motion carried unanimously.

Jason Kamerud, Sheriff, requested the Board approve creating two 1.0 FTE Jail Health nurse positions. He explained they had a contract with a health care provider, but the vendor recently filed for bankruptcy and is no longer able to provide mandated health care services. He pointed out the number of nurse vacancies across the state. Sheriff stated they determined the best short-term solution is to create two 1.0 FTE limited term positions until December 31, 2023. He stated they needed 2023 to sort this out and decide how to best to provide this service.

Udermann moved, Workman seconded, to approve the Sheriffs' Office request to create two limited term 1.0 FTE positions of Jail Health Nurse that would terminate on or before December 31, 2023 and approve the ability to initially hire as STOCs if needed to maintain mandated services and related budget amendment. Motion carried unanimously.

Kerie Anderka, Employee Relations, requested the Board adopt Resolutions setting 2023 County Attorney and County Sheriff compensation. She explained the County Board had the authority to set elected officials compensation and Minnesota law requires the Board to set salaries with regard to the responsibilities of the office and the elected officials experience and qualifications.

She pointed out market data of comparable counties and the increases in the base salaries or a lump sum she was recommending.

Udermann moved, Workman seconded, to approve a 6% increase in base salary for County Attorney and County Sheriff. The Board discussed option to vote on increases separately. Workman offered a friendly amendment, Udermann accepted, to approve a 6% increase in base salary for the County Attorney. On vote taken, Udermann, Workman voted aye. Degler, Fahey, Lynch voted nay. Motion failed.

Lynch offered the following Resolution, seconded by Fahey, to approve the recommendation to increase the County Attorney's base salary 4% and a lump sum of 2% and providing 2023 cafeteria benefits and HRA or HSA contributions at the same rates as non-bargaining County employees.

Resolution #105-22
2023 County Attorney Compensation and Benefits

On vote taken, all voted aye.

Udermann offered the following Resolution, second by Workman, to approve the recommendation to increase the County Sheriff's salary 6% and providing 2023 cafeteria benefits and HRA or HSA contributions at the same rates as non-bargaining County employees.

Resolution #106-22
2023 County Sheriff Compensation and Benefits

On vote taken, all voted aye.

Anderka requested the Board adopt a Resolution setting 2023 County Commissioner compensation. She explained the Board was charged with the responsibility to set compensation, including salary and benefits, for the Commissioners. She pointed out market data of other metro counties and suggested the Board could consider an increase ranging from 3 to 6%.

Udermann moved, Workman seconded, to adopt a formula that translates into dollars based on a three-year rolling average wage increase for county employees of 4.175% less a quarter percent or 3.92% added to 2022 base resulting in a \$2926.32 increase to bring the 2023 proposed Commissioner salary to \$77,577.32. Udermann, Workman voted aye. Degler, Fahey, Lynch voted nay. Motion failed.

Fahey moved to increase the 2023 County Commissioner compensation 4.2% and an increase of \$250 to the monthly expense allowance. Motion failed for lack of a second.

Degler offered the following Resolution, Lynch seconded, to increase the 2023 County Commissioner compensation 4.2% or \$77,786, to maintain the current monthly expense allowances and to provide 2023 cafeteria benefits and HRA or HSA contributions at the same rate as non-bargaining employees.

Resolution #107-22
2023 County Commissioner Compensation

On vote taken, Degler, Fahey, Lynch, Workman voted aye. Udermann voted nay. Motion carried.

Heather Goodwin, Health & Human Services Director, requested the Board approve the reallocation of budget stabilization funds. She reviewed the dollars spent in various areas and proposal to reallocate certain BSA funds for extreme weather and housing assistance vouchers.

Jen Romero, HH&S, explained they have a number of different housing programs to help people who are in a housing crisis and the vouchers are the first step in addressing their needs as the most vulnerable residents of the County. She stated this request provides funding to two different types of vouchers, the extreme weather vouchers and more ongoing longer term hotel voucher program. She indicated both the CAP Agency and Launch Ministry received State grants, but it is not enough to cover the need and they are sending people to their waiting lists. She reviewed how the longer-term housing vouchers and extreme weather vouchers work and when they are used.

Udermann moved, Fahey seconded, to approve the \$16,500 for extreme weather vouchers in CY 2023 and CY 2024 and \$213,000 for housing assistance shelter program and stabilization costs for 2023 and hold back \$20,000 for future needs. Motion carried unanimously.

Chair Degler recognized the past year had provided a return to more normalcy with the County's service delivery, in person meetings and gatherings. He noted they transitioned into this new normal efficiently and mixed traditional service methods with newly discovered ones. He highlighted the Connect Up Carver project, the groundbreaking for the Lake Waconia Waterfront Service Center and phase one completion of Highway 212.

Degler pointed out the major accomplishments in the Finance Division, County Attorney, County Sheriff, Public Health, Health and Human Services, and Public Services Divisions. He recognized, as Minnesota's fastest growing county, they would have both challenges and opportunities in 2023 and beyond. He thanked staff for their high-level work and County residents for their trust over the past year.

Fahey moved, Lynch seconded, to enter into attorney-client privileged closed session pursuant to Minnesota Statutes 13D.05, Subd. 3(b) to discuss a pending grievance filed by AFSCME Council 65 regarding alleged violations of the Collective Bargaining Agreement with respect to Article 24 Discipline and Discharge and upon conclusion of the attorney-client privileged closed session, to enter into the next distinct closed session to discuss labor negotiation strategy. Motion carried unanimously.

The Board adjourned the closed and Regular Session at 1:40 p.m.

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:
Donation to Sheriff's Office

Primary Originating Division/Dept: Sheriff - Administrative Services <input type="text"/>	Meeting Date: 1/3/2023 <input type="text"/>
Contact: Brian Sloat <input type="text"/> Title: Lieutenant <input type="text"/>	Item Type: Consent <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities <input type="text"/>	

BACKGROUND/JUSTIFICATION:

Operation Underground Railroad (O.U.R.), a 501 (C) (3) non-profit organization exists to protect children from human trafficking and sexual exploitation. In 2021, O.U.R. donated funds to supply our office with the necessary investigative forensic tools (GrayKey) to enhance our ability to investigate these crimes, furthering successful resolution in court proceedings (reference RBA - 7805). O.U.R. would like to continue the alliance with the Carver County Sheriff's Office through a donation of a 1-year GrayKey Essentials License subscription. Acceptance of these funds will further enhance our mission to create and maintain safe, healthy, and livable communities.

ACTION REQUESTED:

Approve donation.

FISCAL IMPACT: None <input type="text"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	FUNDING <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%; text-align: right;">\$0.00</td> </tr> <tr> <td>Donation</td> <td style="text-align: right;">\$9,895.50</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$9,895.50</td> </tr> </table>	County Dollars =	\$0.00	Donation	\$9,895.50			Total	\$9,895.50
County Dollars =	\$0.00								
Donation	\$9,895.50								
Total	\$9,895.50								
FTE IMPACT: None <input type="text"/>	<input checked="" type="checkbox"/> Insert additional funding source								

Related Financial/FTE Comments:

This is not a direct cash donation. O.U.R. will pay the vendor directly and we will then receive the license software directly from the vendor. BS/806

Office use only:

RBA 2023 - 8809

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approve police contracts and contract community increase of Full Time Equivalent deputies

Primary Originating Division/Dept: Sheriff - Patrol Services <input type="button" value="v"/>	Meeting Date: 1/3/2023 <input type="button" value="calendar"/>
Contact: Mike Wollin Title: Commander	Item Type: Consent <input type="button" value="v"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities <input type="button" value="v"/>	

BACKGROUND/JUSTIFICATION:

Carver County continues a long standing relationship with the Cities of Carver County, especially in the area of Police Services. The cities of Waconia, Norwood Young America, Cologne and Hamburg currently contract for these services. Growth continues to impact services and an increasing workload requiring additional staffing. As a result, these cities have approved an increase in contract for licensed deputy positions for the city of Waconia and shared partnership of an additional licensed deputy serving the cities of Hamburg, Cologne, and NYA to their respective contracts commencing on or about July 1st, 2023. The Sheriff's Office will provide the specified contract services, all oversight required, vehicles and other specifics mentioned in the contract documents. The entire cost of these two additional FTE's will be paid by the contracting communities.

ACTION REQUESTED:

Approve the 2023 police contracts for Waconia, Cologne, NYA and Hamburg and the two additional contract licensed deputy FTE's in the Carver County Sheriff's Office.

FISCAL IMPACT: Budget amendment request form <input type="button" value="v"/> If "Other", specify: <input type="text" value="Costs paid through contracts"/>	FUNDING <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td><input type="text"/></td> </tr> <tr> <td>Contract Communities</td> <td style="text-align: right;">\$140,000.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$140,000.00</td> </tr> </table> <input checked="" type="checkbox"/> Insert additional funding source	County Dollars =	<input type="text"/>	Contract Communities	\$140,000.00	Total	\$140,000.00
County Dollars =	<input type="text"/>						
Contract Communities	\$140,000.00						
Total	\$140,000.00						
FTE IMPACT: Increase budgeted staff <input type="button" value="v"/>							

Related Financial/FTE Comments:

Increase of 2 licensed deputy FTE occurring on or about July 1st, 2023.

Office use only:

RBA 2023 - 8812

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Approve police contracts and contract community increase of Full Time Equivalent deputies

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
Salaries	01-201-236-0000-6111	\$140,000.00	Contract Revenue	01-201-236-0000-...	\$140,000.00
TOTAL		\$140,000.00	TOTAL		\$140,000.00

Reason for Request:

Increase in FTE/ revenue was not included in 2023 budget year preparation as increases were not yet approved by respective city councils.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Award of Construction Contract to S.M. Hentges & Sons Inc. for Highway 41 Bridge Project

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="1/3/2023"/>
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 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:

Bridge 10502 is located on County Highway 41 over Silver Creek in San Francisco Township. The structure was built in 1963 and consists of a 3-span timber bridge slab structure. The bridge is in need of replacement due to strength loss in the timber piling and decay in the pier caps. The replacement bridge design was completed by Stonebrooke Engineering.

Bids were opened on December 15, 2022 for the Construction of the Hwy 41 Bridge Project. Bids were received from six (6) bidders. The apparent low bidder was S.M. Hentges & Sons Inc. This company provided a bid in the amount of \$1,565,831.25. Public Works staff reviewed the bid and supporting documentation. Public Works staff recommends award of the contract to S.M. Hentges & Sons Inc. to proceed with construction of bridge 10556.

ACTION REQUESTED:

Motion to adopt a resolution to award a construction contract to S.M. Hentges & Sons Inc. for the Highway 41 Bridge Project pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING								
If "Other", specify: <input type="text"/>	<table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$1,084,695.00</td> </tr> <tr> <td>LBRP (Bridge Funds)</td> <td style="text-align: right;">\$481,136.25</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$1,565,831.25</td> </tr> </table>	County Dollars =	\$1,084,695.00	LBRP (Bridge Funds)	\$481,136.25			Total	\$1,565,831.25
County Dollars =	\$1,084,695.00								
LBRP (Bridge Funds)	\$481,136.25								
Total	\$1,565,831.25								
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source								

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 8817

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: January 3, 2023 Resolution No: _____
 Motion by Commissioner: _____ Seconded by Commissioner: _____

Awarding of the Highway 41 Bridge Project Carver County Contract 22-575 Project # 158796

WHEREAS, The County Engineer has secured and designated funding for this contract in the current fiscal year Road and Bridge budget; and

WHEREAS, On Thursday, December 15th at 10:00 A.M. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, six (6) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the Highway 41 Bridge Project, said bids for the responsible bidders are summarized as follows:

Bidder Name	Total Amount	% Over/Under Estimate
<i>Engineer's Estimate</i>	<i>\$1,568,978.50</i>	-
S.M. Hentges & Sons, Inc.	\$1,565,831.25	0%
Redstone Construction, LLC	\$1,595,372.50	2%
Robert R. Schroeder Construction, Inc.	\$1,765,787.76	13%
C.S. McCrossan Construction, Inc.	\$2,028,225.70	29%
Structural Specialties Inc.	\$2,072,972.70	32%
Meyer Contracting Inc.	\$2,123,988.38	35%

And WHEREAS, after examination of the bids by Carver County Public Works, S.M. Hentges & Sons, Inc. is the successful low responsible bidder.

NOW THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Carver County Contract 22-575 with S.M. Hentges & Sons, Inc. of Jordan, MN, in the name of the County of Carver for the construction of the Highway 41 Bridge Project in accordance with the construction plans and specifications contained in the project manual: and

BE IT FURTHER RESOLVED that Carver County Public Works is hereby authorized and directed to return the proposal guaranty to the bidders, except that of the successful low responsible bidder and second and third lowest bidder, which shall be retained until the construction contract has been signed and the performance and payment bonds of the low responsible bidder have been executed; and

BE IT FURTHER RESOLVED that Carver County Engineer, or his designee, is hereby authorized to take actions necessary and to enter into all change orders on behalf of Carver County as the lead contracting agency for the project, with the approval of the partnering agency(ies) for their respective cost share increase. The approval of the Carver County Engineer, or his designee, of Carver County's cost share of

the change orders is limited to an amount less than fifty thousand dollars (\$50,000) and an increased aggregate project total of all project changes of one hundred fifty thousand dollars (\$150,000.00), when time is of the essence to make contract changes due to unforeseen construction conditions in order to minimize construction delays and to efficiently carry out the planned project improvements.

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 3rd day of January, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3rd day of January 2023.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

County Resolution to support funding for Community Supervision (Probation, Supervised Release)

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Probation and supervised release funding has been discussed at length in recent years at the statewide level. Most recently, in the last legislative session, significant funding increases for probation were being discussed within public safety committees from both the MN House and Senate. Due to many complicating political factors, these talks broke down as did state budget negotiations in general. However, one positive development that came out of these budget talks was an agreement to form a task force to come up with a probation funding formula for the State of MN. Currently, this task force is meeting to create this formula that will provide equitable funding for probation departments across the state of MN. In doing so, this group is receiving assistance from the Association of Minnesota Counties (AMC), Council of State Governments (CSG), and the American Probation and Parole Association (APPA). Each of these entities are either providing leadership or consultation to this group. This task force has a short window to complete their task, as a formula recommendation is due to the MN legislature in late February. The group is made up of Probation Directors from all 3 delivery systems, as well as County Commissioners from a cross-section of counties. Attached to this RBA is an informational sheet about probation in MN. A couple points that are critical to mention are as follows: 1) "MN has become the state with the lowest level of corrections funding in the nation" 2) MN currently has the 5th most people on probation in the Country 3) County Probation agencies in MN (Carver as an example), has not received the level of reimbursement required by statute (50%) since the 1990s. In fact, Carver County's reimbursement level in 2022 was 26%. In summary, probation funding in the state of MN has been woefully inadequate, and local county government has been the most impacted. It should be noted that part of the recommendation of the task force listed above will be a "substantial appropriation request" to the legislature to fully fund county probation departments. AMC is asking for all MN counties to support the efforts of this work group to create a more effective probation system in MN.

ACTION REQUESTED:

Motion to approve a Carver County resolution to endorse the efforts of the Community Supervision Work Group and urge the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total **\$0.00**

Insert additional funding source

Related Financial/FTE Comments:

DRAFT

A RESOLUTION

Endorsing the efforts of the Community Supervision Work Group and urging the legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

WHEREAS, community supervision is a fundamental part of the criminal justice system in Minnesota and funding sufficient to ensure effective services is vital to public safety in all communities across the state; and

WHEREAS, community supervision includes services such as probation, supervised release, and intensive supervised release; and

WHEREAS, Minnesota's counties provide essential community supervision services both as mandated by M.S. Chapter 244.19 and also as delegated by the Department of Corrections under M.S. Chapter 401; and

WHEREAS, when the Legislature decided that community supervision was best delivered through a state-county partnership, it stated a clear intent that the state would provide significant funding to the counties for the operation of local programs; and

WHEREAS, over the past 20 years, Minnesota has become the state with the lowest level of corrections funding in the nation because the Legislature has not upheld its promise to provide adequate state resources to support community supervision; and

WHEREAS, the Legislature's failure to adequately fund community supervision has increased local property taxes on residents and businesses; and,

WHEREAS, a revised community supervision funding formula is necessary to ensure that all communities in Minnesota have enough state funding to provide a consistent standard for effective, evidence-based community supervision services, regardless of local capacity to pay; and

WHEREAS, the Association of Minnesota Counties assembled the Community Supervision Work Group including county leaders and experts in community supervision from all three supervision delivery systems to study the needs of community supervision departments statewide and develop a single funding formula that is transparent, needs based, and equitable among county and state supervision providers; and,

WHEREAS, the Community Supervision Workgroup has taken up its charge to convene stakeholders across the three probation delivery systems to oversee a study to create a unified recommendation for an equitable and adequate funding formula and appropriation; and,

WHEREAS, the Board of Directors of the Association of Minnesota Counties that represents the diverse interests of Minnesota's 87 counties, voted to support a new funding formula that provides counties with the resources needed to keep communities safe; now, therefore,

BE IT RESOLVED, the **CARVER** County Board of Commissioners endorses the efforts of the Community Supervision Work Group and urges the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

What is Probation?

Probation is one form of community supervision, which is an umbrella term that includes probation, supervised release, and pre-trial services. Many people use the term probation and community supervision interchangeably. Throughout this document, probation is used to refer to all parts of the community supervision system which are defined below.

Pre-Trial Supervision

Pretrial supervision is community supervision of person that has not yet been convicted of a crime. Agents ensure clients show up to court, comply with conditions of release, and connect them with voluntary services like substance use disorder and mental health treatment.

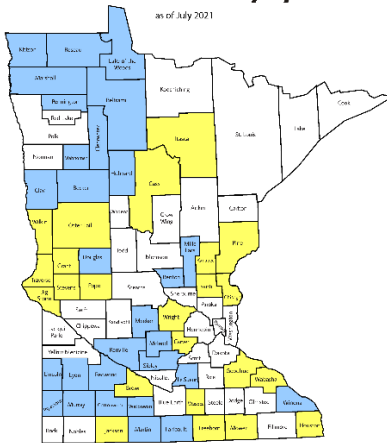
Supervised Release

Community supervision for those who committed felony offenses are released from prison on their court-ordered release date. In Minnesota, state law requires most people serve two-thirds of their sentence in prison and one-third in the community under supervision. Some people who require greater supervision are placed on intensive supervised release.

Probation

A community supervision sanction imposed on a person by the court as an alternative to or in conjunction with confinement or intermediate sanctions. They may be convicted of felony, gross misdemeanor, or misdemeanor offenses

Correctional Delivery Systems



There are three probation delivery systems in Minnesota that use a combination of state and county provided services. **Counties provide about 80% of the probation and supervised release services in the state and the Department of Corrections (DOC) provides the other 20%.**

- **DOC**
State Corrections Department provides all supervision services.
- **DOC/CPO**
State Corrections Department provides services for adult felons; county provides services for juveniles/adult non-felons.
- **CCA**
Community Corrections Act provides all supervision services.

How is Probation Funded in Minnesota?

Every probation delivery system has its own method of funding.

- The DOC receives a direct agency appropriation from the Legislature and is included in the Governor’s budget request to the Legislature. The Legislative funding is the main source of funding for the DOC. For DOC contract counties, the DOC provides all supervision services and bills the county for juvenile and adult non-felony cases. The county is eligible for a 50% reimbursement of costs just like the CPO Counties described in the next paragraph.
- CPO counties provide and pay for probation services for juveniles and adult non-felons, which is reimbursable up to 50% from the DOC. If the Legislature does not appropriate enough money to the DOC to reimburse the entire 50% of costs, the DOC pro-rates the reimbursements. CPO counties have not received the complete reimbursement amount since the 1990’s.
- CCA counties receive a subsidy from the Legislature after it passes through the DOC budget. The subsidy is distributed to the CCA counties through a complicated formula considering population, case filings, criminal defendants that are not sent to prison, and adjusted net tax capacity. In most counties, the state subsidy does not cover more than 1/3 of costs for probation that is provided by the county on behalf of the DOC – well below the intended 50% cost-share by the state.

The Problem – Confusion and Underfunding

The three different funding mechanisms used to fund Minnesota’s probation systems are not only difficult to understand but also create inequalities in service and outcomes. Every year, the three delivery systems approach the Legislature separately for funding to provide an essential public safety service. Counties are at a disadvantage because they are not at the table as a state agency therefore, they must rely on the DOC to include county funding in the governor’s proposed budget. If that does not happen, counties must bring an independent bill to ask for funding. When choosing between the state budget and county subsidies and reimbursements, legislators often cut the county funding proposals, which means that counties – who deliver more than 80% of the State’s probation services – are consistently underfunded. Even when the DOC field services budget gets an increase, it has not been enough to hire additional field agents.

Minnesota is last in the nation when it comes to general fund spending on corrections. The impact is felt severely by smaller counties with fewer resources. Without proper resources, probation staff cannot do their job effectively which impacts public safety in every county regardless of delivery system.

The Solution – More Funding and a New Formula Created by Counties

AMC has gone to the Legislature year after year for funding to support better outcomes but has been unsuccessful in obtaining any meaningful changes. Until the outdated formula and funding structure are amended, counties will be required to make up the difference between what the state provides and what public safety necessitates through increased property tax levies. Counties have the solution and are unified in their proposal to fix the probation funding formula.

The AMC Community Supervision Workgroup is creating a better probation funding formula to apply one method of funding for all counties. All three probation delivery systems are retained in this proposal, preserving county choice. The simplified formula will be based on data from a workload study that is currently underway and will be used to calculate the actual cost for probation. The workload study is tracking the work of agents throughout the state to determine how many staff are required to provide evidence-based practices throughout the state. Once the required staffing is determined, the Workgroup determine the daily cost of probation for each case which will be the basis for legislative appropriations. This will ensure that counties are part of the same funding stream as the DOC, so the entire system is funded as part of the state budget. **There will be a substantial appropriation request** in addition to the proposed formula **to ensure that all counties can maintain a base level of probation** and evidence-based practices that are proven to reduce the rate of reoffense.

The Resolution

AMC is asking for the support of all 87 counties to support the efforts of the Community Supervision Workgroup to create a more effective probation system in Minnesota. A resolution by all 87 counties is a message to legislators that they can no longer ignore this critical aspect of Minnesota’s public safety system and must do their job in 2023 by passing a new formula and accompanying funding.

If you have questions or would like more information, please contact Carli Stark, AMC Public Safety Policy Analyst and MACCAC Director, at 651-789-4335 or cstark@mncounties.org.

December 2022

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Grant Agreement with MN Department of Transportation for Bridge No. 10556, Highway 41 Bridge Project

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Bridge 10502 over Silver Creek in San Francisco Township is in need of replacement due to its condition and age. Public Works staff recently received bids for construction of Bridge No. 10556 to replace the existing timber bridge. A separate board action has been prepared for award of a contract to S.M. Hentges & Sons Inc. for the construction of the project.

A grant was made available through the Local Bridge Replacement Program (LBRP) for this project. This program is administered by MnDOT to provide funding to local agencies for reconstruction of bridges on their road system. LBRP funds cover 50 percent of the structure replacement cost for bridges on the County State Aid Highway system. The County is responsible for the remaining portion of the bridge costs and the approach grading and pavement costs.

Grant agreement No. 1049182 is for LBRP funds for construction of Bridge 10556 over Silver Creek on Highway 41. The grant agreement includes grant money in the amount of \$481,136.25 for construction of the new structure.

ACTION REQUESTED:

Motion to adopt a resolution to enter Agreement No. 1049182 to accept grant funds from the Minnesota Department of Transportation, pending finalization of the contract review process

FISCAL IMPACT:

FUNDING

If "Other", specify:

County Dollars =

LBRP Funds (MnDOT)

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 8825

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

Date: 1/03/2023

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

WHEREAS, Carver County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 10556 (SAP 010-641-006); and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$481,136.25 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Carver County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

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 3rd day of January, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3rd, day of January, 2023.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agreement with OldCastle Infrastructure for the Highway 51 Bridge Project

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="1/3/2023"/>
Contact: <input type="text" value="Neil Heinonen"/> Title: <input type="text" value="Engineering Manager"/>	Item Type: <input type="text"/>
Amount of Time Requested: <input type="text"/> minutes	Consent <input type="text"/>
Presenter: <input type="text"/> Title: <input type="text"/>	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:

Public Works staff is currently in the design phase for a culvert/bridge replacement project located along Highway 51, between Highway 212 and Highway 5 in Benton Township. A metal culvert exists in this location, and the culvert is in very poor condition. A new culvert/bridge proposed for this location is a box culvert to meet current design standard for rivers/natural waterways. Carver County has secured funding for this project as part of the Local Bridge Replacement Program, administered by MnDOT.

The box culvert production for the Highway 51 Bridge project was bid separately from the formal construction contract to be sure the culvert is fabricated for 2023 construction. Public Works staff has coordinated with MNDOT State Aid staff to allow this step to be implemented. The current market conditions have led to numerous production delays for culverts. The separate contract is being completed to expediate production.

Bids were received and evaluated on December 22, 2022 ,for the production of a box culvert for the Highway 51 Bridge Project. Bids were received from one bidder. The apparent low bidder was OldCastle Infrastructure. This company provided a bid in the amount of \$269,149.40. This bid was slightly over the Engineer's Estimate of \$248,000.00.

ACTION REQUESTED:

Motion to approve a Professional Services Agreement with OldCastle Infrastructure for box culvert production of the Highway 51 Bridge Project, pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING						
If "Other", specify: <input type="text"/>	<table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="text-align: right;">\$134,574.70</td> </tr> <tr> <td>LBRP (MnDOT)</td> <td style="text-align: right;">\$134,574.70</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$269,149.40</td> </tr> </table>	County Dollars =	\$134,574.70	LBRP (MnDOT)	\$134,574.70	Total	\$269,149.40
County Dollars =	\$134,574.70						
LBRP (MnDOT)	\$134,574.70						
Total	\$269,149.40						
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source						

Related Financial/FTE Comments:
County Project 148740

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Two Temporary Social Workers needed in the HHS Child & 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
Child & Family STOC	11-422-700-0000-6119	\$36,984.00	ER STOC	01-820-6119	\$36,984.00
TOTAL		\$36,984.00	TOTAL		\$36,984.00

Reason for Request:

Request for 2 Social Worker STOC positions for Child Protection in the Child & Family Unit

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Agreement with Karpel Computer Systems, Inc. for purchase of PROSECUTOR Licensed Software and Professional Services

Primary Originating Division/Dept: <input type="text" value="Attorney"/>	Meeting Date: <input type="text" value="1/3/2023"/>
Contact: <input type="text" value="John Rekow"/> Title: <input type="text" value="CCAO Office Manager"/>	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 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:

The County Attorney's Office is seeking to improve its electronic case management system by converting the current MCAPS Program to the PROSECUTORbyKarpel software product. The County will be acquiring 35 software licenses and Karpel Computer Systems, Inc. will provide installation, data configuration, template conversion and they will ensure system compatibility. Karpel will provide onsite training and ongoing annual support. The PROSECUTORbyKarpel case management system will be interfaced with MNCIS, BCA, Public Defender dDiscovery, and Law Enforcement RMS (CIS) to ensure ongoing statewide communication with Criminal Justice Information partners.

ACTION REQUESTED:

Motion to Approve the Agreement with Karpel Computer Systems, Inc., for the PROSECUTORbyKarpel software licenses, including professional support services, pending completion of the contract review process.

FISCAL IMPACT: <input type="text" value="Other"/> <p><i>If "Other", specify:</i> <input type="text" value="Included in 2023 Budget Request"/></p>	FUNDING County Dollars = <input type="text" value="\$189,625.00"/> Total <input type="text" value="\$189,625.00"/>
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Board approved \$189,625 in 2023 Budget Attachment E for the requested software purchase.

Office use only:

RBA 2023 - 8818

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Request for Approval to Renew Contract with Minnesota Occupational Health

Primary Originating Division/Dept: <u>Employee Relations</u>	Meeting Date: <u>1/3/2023</u>
Contact: <u>Danielle Griesmer</u> Title: <u>Occupational Health and Safe...</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:

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

BACKGROUND/JUSTIFICATION:

Minnesota Occupational Health is a comprehensive occupational health services provider that provides pre-placement screenings and other occupational health services. In order to ensure a job candidate is safely able to perform the duties of the position being offered, Carver County requires some job positions to receive a post-offer pre-placement screening. The positions subject to this requirement include those which are physically demanding, require precise physical movements, or are subject to certain OSHA or DOT requirements, and may pose a potential risk of injury if the candidate does not meet the functional criteria to perform the tasks of the job.

Services Minnesota Occupational Health will provide under this contract include: pre-placement medical screenings including specialty medical exams, work simulation exercises, audiograms, vision screenings, respirator clearance exams, DOT drug tests, electrocardiograms, tuberculosis screenings, and other lab tests. The components that each pre-placement protocol include have been determined by Carver County Employee Relations in collaboration with County Divisions/Departments, and consultation with other occupational health subject matter experts, occupational health guidance, and industry standards. Some pre-placement screening components are OSHA or DOT required components, including medical clearance for respirator use, baseline hearing testing, tuberculosis screening and DOT pre-employment drug testing. Following completion of a pre-placement screening, Minnesota Occupational Health will provide the County with a written recommendation regarding whether a job candidate is medically recommended for the position and if there are any limitations relating to the essential functions of the job.

In addition to pre-placement screenings, Minnesota Occupational Health may also provide bloodborne pathogen exposure follow up services, tuberculosis follow up, or other occupational health services as requested by the County. New in 2023, Minnesota Occupational Health will also assist the County with drug and alcohol testing program management, including random pool management and MRO services in compliance with DOT and other applicable regulations. By partnering with an experienced and professional occupational health services provider, Carver County better ensures that new employees can perform their job duties safely, while providing the candidate with an opportunity to assess the physical nature of the tasks they may be asked to perform, and also provides an opportunity for education on topics such as proper ergonomics and safe lifting, contributing to safer work practices beginning on day one working for Carver County. This contract also assists the County with some of its OSHA and DOT compliance needs.

ACTION REQUESTED:

Motion to contract with Minnesota Occupational Health.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$35,000.00
Total	\$35,000.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment 2 to JPA 1045437 with the State of MN for Professional and Technical Services for Hwy 212 Project - Benton Township

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="1/3/2023"/>
Contact: <input type="text" value="Darin Mielke"/> Title: <input type="text" value="Assistant Public Works Director"/>	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:

Carver County, MnDOT and the Southwest Corridor Transportation Coalition have been working together to improve Highway 212 between the Cities of Chaska and Carver and Norwood Young America for many years. Carver County has led or assisted in many activities along the corridor in the last eight years. Carver County and MnDOT entered into a joint powers agreement for the preliminary design and environmental documentation to further prepare the project for other external grant funding sources and construction. Most of the costs for the preliminary design and environmental documentation work will be paid for by MnDOT Bond funding that the state legislature appropriated to several projects throughout the state in the 2020 legislative session. The original joint powers agreement is being amended to add additional requested scope of work of SRF Consulting Group and their subconsultant team. This amendment to the scope of work includes additional environmental and design work to include alternative evaluations for the interchange at Highway 51, additional wetland delineations and soil borings and related testing for final design work that will be starting soon. MnDOT requires an amendment to document these changes. The total agreement cost is increased due to this change as described above.

ACTION REQUESTED:

Motion to approve Amendment 2 to Joint Powers Agreement No. 1045437 with the State of Minnesota for Professional and Technical Services for the Highway 212 Project - Benton Township, pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	FUNDING <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td><input type="text"/></td> </tr> <tr> <td>MnDOT SRC Funding</td> <td style="text-align: right;">\$511,032.85</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$511,032.85</td> </tr> </table> <input type="checkbox"/> Insert additional funding source	County Dollars =	<input type="text"/>	MnDOT SRC Funding	\$511,032.85	Total	\$511,032.85
County Dollars =	<input type="text"/>						
MnDOT SRC Funding	\$511,032.85						
Total	\$511,032.85						
FTE IMPACT: <input type="text" value="None"/>							
Related Financial/FTE Comments: <input style="width: 100%;" type="text"/>							

Office use only:

RBA 2023 - 8811

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Mark Eklo - Request for Additional Density Development- Wooded Lots (3 Lots)

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:

File #PZ20220046. On December 20, 2022, the Carver County Planning Commission recommended approval of Mark Eklo's Conditional Use Permit (CUP) for an Additional Density - Wooded Lot development on 8.16 acres, located in Section 3 of Waconia Township.

The proposed development would consist of a plat with three (3) residential lots of at least 2.5-acres in size. A total of three (3) building sites (single-family dwellings) would be allowed. The proposed development would need to be platted (i.e. Preliminary & Final approvals) pursuant to the County's Subdivision Ordinance and Zoning Code.

Waconia Township has provided for the Additional Density - Wooded Lot option in its chapter of the Comprehensive Plan. The subject property consists of a wooded area not in agricultural production, which is considered eligible land for the amenity. The development would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼).

The proposed development would gain access from an existing township road (66th Street). Therefore, no new public road construction is required, though driveway access permits would be required from the road authority (Waconia Township).

The development of the individual lots is required to meet the Carver County Water Management Organization (CCWMO) standards, as well as Carver County Environmental Services Subsurface Sewage Treatment System (SSTS) requirements. The Waconia Town Board has recommended approval of the request.

ACTION REQUESTED:

A motion to adopt Findings of Fact and issue Order #PZ20220046 for the issuance of a Conditional Use Permit.

FISCAL IMPACT:
If "Other", specify:

FUNDING

County Dollars =

Total

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20220046

RESOLUTION #: 22-18

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

FILE #: PZ20220046

APPLICANT: Mark Eklo

OWNER: Golf Lake Condos, LLC (Mark Eklo)

SITE ADDRESS: 11XXX 66th Street, Waconia, MN 55387

PERMIT TYPE: Additional Density (Wooded Lots)

PURSUANT TO: County Code, Chapter 152, Section 152.078 (B)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 09-003-1130

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of December 20, 2022; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Golf Lake Condos, LLC owns an approximately 8.16-acre parcel located in the Northeast Quarter (NE¹/₄) of the Southeast Quarter (SE¹/₄) Section 3, Waconia Township. The property is undeveloped, currently wooded with no wetlands. The site is adjacent to the Dakota Rail Trail (Carver County Regional Rail Authority) and is also located in the Agricultural Zoning District, Rural Service Overlay District (Maple), and the Carver County Water Management Organization - CCWMO (Carver Creek watershed).
2. The applicant, Mark Eklo, Manager of Golf Lake Condos, LLC., is proposing to develop three (3) residential parcels on the subject property. The proposed development would result in a total of three (3) building sites (single family dwellings) along an existing township road (66th Street). The applicant is requesting a Conditional Use Permit (CUP) pursuant to the "Additional Density Options" in Section 152.078 (A) and (B) of the Carver County Zoning Code.
3. Waconia Township has provided for the Wooded Lot additional density option in its chapter of the 2040 Comprehensive Plan. The Wooded Lot provision may only be exercised once for each parcel that was of record as of July 1, 1974. The subject property consists of wooded area not in agricultural production and is considered eligible land. The proposed development would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¹/₄¹/₄) based on the configuration of the parcel on July 1, 1974. Also, a Conditional Use Permit (CUP) has not been previously issued for additional density on the subject parcel. At the time the subject parcel was subdivided (File #A20160092) in 2016 by the previous owner (Hilk Family), it was documented the development rights would be retained by the subject 8.15-acre parcel. The determination was based on the area being the largest remnant amenity area of the parcel as it existed on July 1, 1974.
4. The applicant is proposing three (3) residential lots, each meeting the 2.5-acre minimum lot size required by the Zoning Code. A total of three (3) buildable lots would be proposed as part of the development (plat) consuming the entire 8.16-acre property. Each lot would meet the requirements for public road frontage along 66th Street; therefore, no additional township roadway design or construction is being proposed. All future driveway access point locations serving each building site would need to be reviewed and approved by the Waconia Town Board, as the road authority.

5. During the preliminary platting process, the applicant must document a suitable one (1) acre building site for each lot. The concept plan illustrates the potential locations for Subsurface Sewage Treatment Systems (SSTS) on each lot. A licensed SSTS professional has provided appropriate soils reports for the County's review. Environmental Services has reviewed the material and conducted a site visit. In an email dated November 30, 2022, Senior Environmentalist Jacob McLain reported "All lots include suitable areas for primary and alternative sites. Soils have been reviewed and approved."
6. Mike Wanous, District Manager of the Carver Soil & Water Conservation District, reviewed the proposed parcel subdivision and in an email dated December 5, 2022, had the following comments:
 - *If approved, the permits should acknowledge that any concentrated water flows (swales, culverts under the road) should be protected and not disturbed. It appears a natural swale is present on the east and west lots.*
 - *Given the significant slope to the south, perimeter controls should be used and all disturbed areas should be stabilized and seeded as soon as possible after disturbance.*
7. The development falls under the CCWMO Water Rules provisions. The individual lot owner(s) would be required to comply with the CCWMO Water Rules Standards. Each lot would be subject to review and approval by Carver County Planning and Water Management Department pursuant to Chapter 153. More specific details for each lot would need to be submitted to Carver County Planning & Water Management at the time of design for review and approval prior to the issuance of building permit(s) on individual lots.
8. Since the proposed subdivision is adjacent to the Dakota Rail Trail, a review was conducted by Marty Walsh, Parks & Recreation Director. In an email dated November 29, 2022, Mr. Walsh noted that due to the height of the railroad grade on which the trail is built, the proposed residential development would not impact the recreational amenity. However, future homeowners "should be advised that we do not provide fencing of railroad property. Access to the corridor/trail is via roadways or other trail connections officially."
9. The entire layout as proposed will properly be addressed during the preliminary plat process.
10. The Waconia Town Board reviewed and recommended approval of the request during their November 14, 2022, meeting with the comment: "Preliminary approval of concept plan as drawn."
11. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the approval of CUP #PZ20220046 for the creation of three (3) residential building eligibilities (i.e. Additional Density - Wooded Lots) on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions should be considered part of the permit:

1. Three (3) residential lots are permitted, provided the building site requirements and minimum lot standards are satisfied. The entire subject property shall be platted in accordance with M.S. Chapter 505 and the Carver County Code. A total of three (3) buildable lots (building eligibilities) shall be properly addressed as part of the platting process.
2. The proposed lots must have a one-acre building site, which shall be reviewed as a part of the Platting Process. Primary and alternate SSTS locations for each building site must be submitted with the application for preliminary plat. SSTS locations must be identified by a licensed SSTS contractor, for review/approval by the Environmental Services Department. It shall be the responsibility of the property owner to preserve and protect the soil treatment and dispersal areas from compaction, building, or other activities which could conceivably limit the use of the sites for sewage treatment and dispersal. The building sites must be located so that all buildings and SSTS systems shall meet County Code setback requirements.

3. The lots shall be laid out on the preliminary plat substantially as agreed upon by the Township, the County, and the developer during the Conditional Use Permit (CUP) process. The preliminary plat shall stipulate, at a minimum, the building eligibility status for each parcel, a statement regarding agricultural uses in the area, and the protection of environmentally sensitive land(s). The potential for future easement(s) shall be evaluated during the preliminary platting process.
4. Access permits must be approved by Waconia Township (road authority) prior to any work occurring within the proposed interior road right-of-way.
5. As a part of the platting process the applicant will develop covenants to be filed with the plat. The covenants will address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any lot in the residential area.
 - B. A covenant stating that the area is rural in nature and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notification must be provided regarding “odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities”. Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the “A” district.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he will have to submit percolation tests and soil borings for another site before any building permit will be issued.
6. The above-required covenants shall become part of the permit.
7. A completed CCWMO Water Rules application, with required attachments, shall be submitted with the Preliminary Plat application, if applicable.
8. Driveways and drainage ways will be designed so that public utilities can be installed at a later date.

ADOPTED by the Carver County Planning Commission this 20th day of December 2022.



[Scott Wakefield \(Dec 21, 2022 15:34 CST\)](#)

Scott Wakefield, Chairman 12/21/22
Carver County Planning Commission

Concept Plan



0 50 100
Foot

Total Property Area = 8.13 Acres

LEGEND

- - - 998 denotes Existing Contour
- - - denotes Building Setback Line
Front = 68' from Centerline
Side = 15'
Rear = 30'
- - - denotes Drainage & Utility Easement
Front = 10'
Side = 5'
Rear = 5'

Property Description:

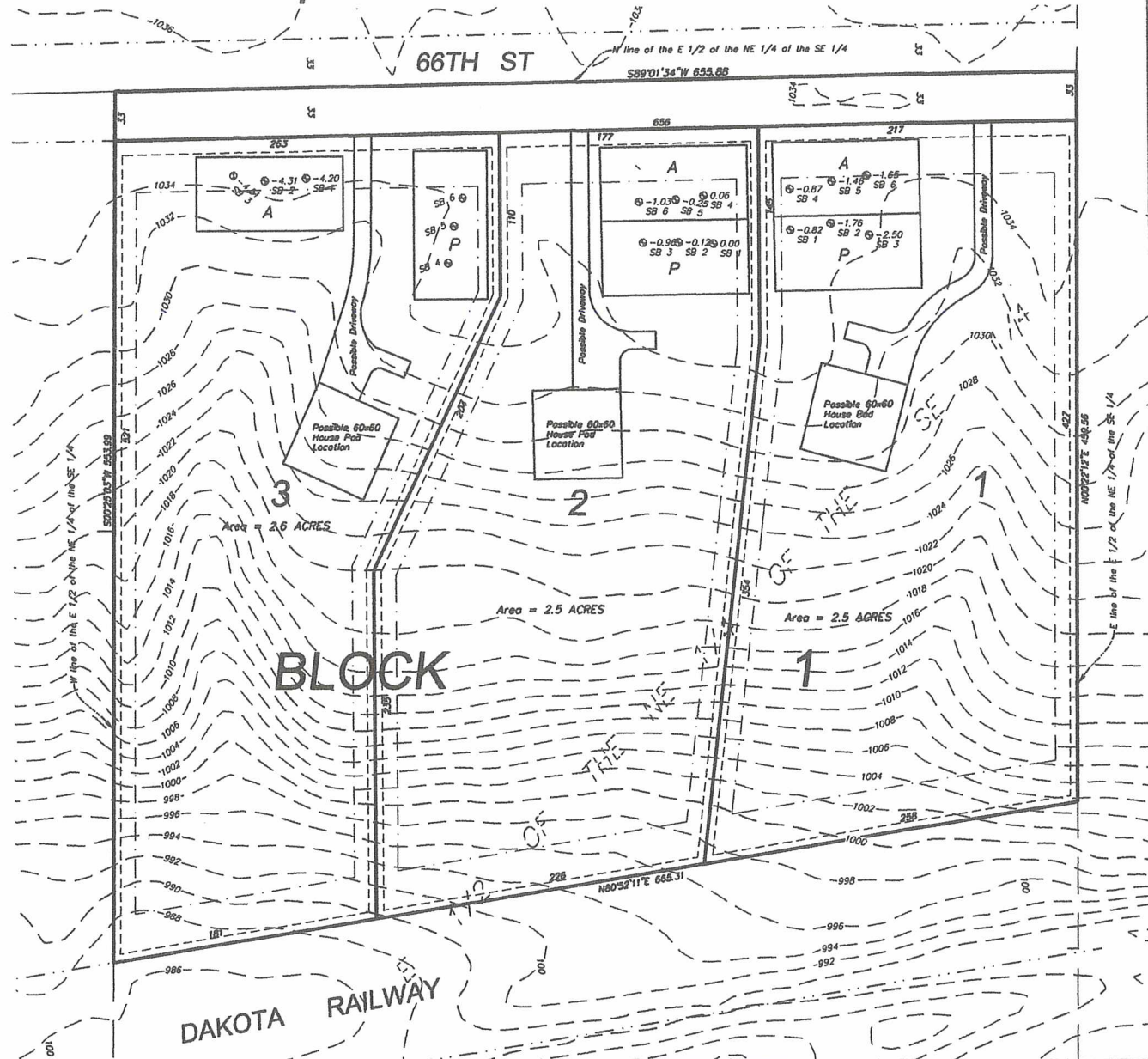
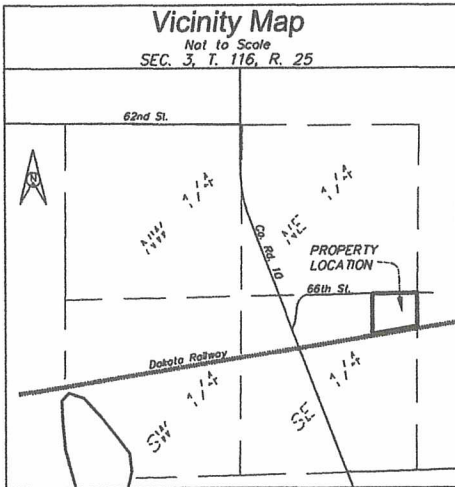
That part of the East Half of the Northeast Quarter of the Southeast Quarter of Section 3, Township 116, Range 25, Carver County, Minnesota that lies northerly of the northerly right-of-way of the Dakota Railway.

Note:

1. Septic borings and design by Blochholz Inc.
2. Topography is from County Map
3. A boundary survey has not yet been completed

Vicinity Map

Not to Scale
SEC. 3, T. 116, R. 25



Concept Plan on part of the E 1/2 of the NE 1/4 of the SE 1/4 of Sec. 3, T. 116, R. 25 Carver County, Minnesota

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul E. Otto
Paul E. Otto
License #40062 Date: 11-18-22

Requested By:

Mark Eklo

Date:

11-10-22

Drawn By:

T.R.K.

Scale:

1"=50'

Checked By:

P.E.O.



Engineers & Land Surveyors, Inc.

www.ottoassociates.com

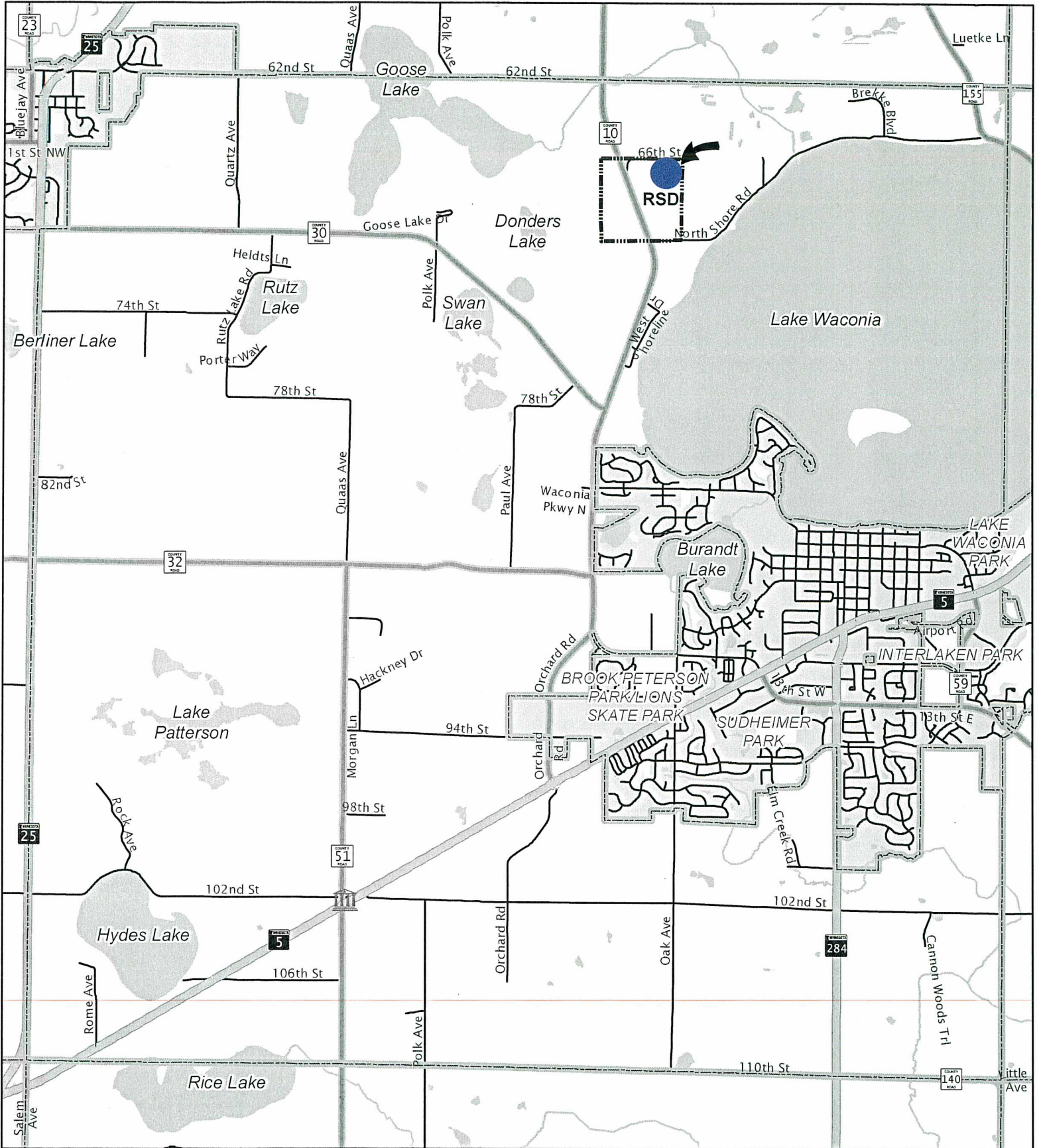
9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

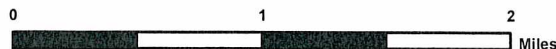
Project No.

22-0410

WACONIA 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.



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Carver County Board of Commissioners Request for Board Action



Agenda Item:

Agency Agreement No. 1052167 for Federal Participation in Construction with the State of MN (resolution)

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 agency agreement between the County and MnDOT allows for MnDOT to act as the County's agent in accepting federal aid for transportation projects. This agreement is intended to cover all federally funded transportation projects that the County is awarded funds for until revisions are needed to the agreement.

ACTION REQUESTED:

Motion to adopt a resolution to approve Agency Agreement for Federal Participation in Construction with State of MN, pending finalization of the contract review process.

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 2023 - 8821

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

Date: January 3, 2023

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**STATE OF MINNESOTA AND COUNTY OF CARVER
AGENCY AGREEMENT FOR FEDERAL PARTICIPATION IN CONSTRUCTION**

IT IS RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Carver County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the County Board Chair and the County Administrator are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1052167, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

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 3rd day of January, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3rd day of January, 2023.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Award of Construction Contract to Mathiowetz Construction Co. for Highway 20/25 Intersection Project

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="1/3/2023"/>
Contact: <input type="text" value="Cory Spanier"/> Title: <input type="text" value="Project Manager"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

Carver County and the Minnesota Department of Transportation (MnDOT) have been working together for the past two years on the Highway 20/ 25 Intersection Project, west of the City of Watertown. The project will re-align Highway 20 to intersect Highway 25 at a better sight angle and flatten the landing at the intersection. This project will also widen Highway 25 to allow for bypass and turn lanes for traffic entering Highway 20 at this location. The lighting and sightlines will be upgraded making this intersection much safer for the community. This project is planned to be under construction in the summer of 2023.

Bids were opened on December 13, 2022, for the Construction of the Hwy 20/25 Intersection Project. Bids were received from eleven (11) bidders. The apparent low bidder was Mathiowetz Construction Company. This company provided a bid in the amount of \$1,982,679.72. Public Works staff reviewed the bid and supporting documentation. Public Works staff recommends award of the contract to Mathiowetz Construction Company.

ACTION REQUESTED:

Motion to adopt a resolution to award a construction contract to Mathiowetz Construction Company for the Highway 20/25 Intersection Project pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Included in current budget"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	FUNDING <table style="width: 100%;"> <tr> <td>County Dollars =</td> <td><input type="text"/></td> </tr> <tr> <td>MnDOT State Funds</td> <td style="text-align: right;">\$948,704.00</td> </tr> <tr> <td>State Aid (CSAH)</td> <td style="text-align: right;">\$1,033,975.72</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$1,982,679.72</td> </tr> </table> <input type="checkbox"/> Insert additional funding source	County Dollars =	<input type="text"/>	MnDOT State Funds	\$948,704.00	State Aid (CSAH)	\$1,033,975.72	Total	\$1,982,679.72
County Dollars =	<input type="text"/>								
MnDOT State Funds	\$948,704.00								
State Aid (CSAH)	\$1,033,975.72								
Total	\$1,982,679.72								
FTE IMPACT: <input type="text" value="None"/>									
Related Financial/FTE Comments: N/A									

Office use only:

RBA 2023 - 8816

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: January 3, 2023 Resolution No: _____
 Motion by Commissioner: _____ Seconded by Commissioner: _____

Awarding of the 20-25 Intersection Project Carver County Contract 22-574 Project # 198866

WHEREAS, The County Engineer has secured and designated funding for this contract in the current fiscal year Road and Bridge budget; and

WHEREAS, On Tuesday, December 13th at 02:00 P.M. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, eleven (11) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the Highway 20-25 Intersection Project, said bids for the responsible bidders are summarized as follows:

Bidder Name	Total Amount	% Over/Under Estimate
<i>Engineer's Estimate</i>	<i>\$2,254,519.10</i>	
Mathiowetz Construction Company	\$1,982,679.72	-12%
Eureka Construction, Inc.	\$2,181,392.46	-3%
Minger Construction Co. Inc.	\$2,230,000.00	-1%
S.M. Hentges & Son, Inc.	\$2,259,924.09	0%
Midwest Contracting, LLC	\$2,282,513.40	1%
Valley Paving Inc.	\$2,295,622.86	2%
Meyer Contracting Inc.	\$2,355,008.96	4%
New Look Contracting, Inc.	\$2,463,951.50	9%
Landwehr Construction, Inc.	\$2,788,628.70	24%
Ramsey Companies	\$3,151,139.12	40%
R & R Excavating, Inc.	\$3,190,641.85	42%

And WHEREAS, after examination of the bids by Carver County Public Works, Mathiowetz Construction Company is the successful low responsible bidder.

NOW THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Carver County Contract 22-574 with Mathiowetz Construction Company of Sleepy Eye, MN, in the name of the County of Carver for the construction of the Highway 20 & 25 Intersection Project in accordance with the construction plans and specifications contained in the project manual; and

BE IT FURTHER RESOLVED that Carver County Public Works is hereby authorized and directed to return the proposal guaranty to the bidders, except that of the successful low responsible bidder and second

and third lowest bidder, which shall be retained until the construction contract has been signed and the performance and payment bonds of the low responsible bidder have been executed; and

BE IT FURTHER RESOLVED that Carver County Engineer, or his designee, is hereby authorized to take actions necessary and to enter into all change orders on behalf of Carver County as the lead contracting agency for the project, with the approval of the partnering agency(ies) for their respective cost share increase. The approval of the Carver County Engineer, or his designee, of Carver County's cost share of the change orders is limited to an amount less than seventy five thousand dollars (\$75,000) and an increased aggregate project total of all project changes of two hundred thousand dollars (\$200,000.00), when time is of the essence to make contract changes due to unforeseen construction conditions in order to minimize construction delays and to efficiently carry out the planned project improvements.

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 3rd day of January, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3rd day of January 2023.

Dave Hemze

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Carver County Regional Rail Authority

Primary Originating Division/Dept: Administration (County)

Meeting Date: 1/3/2023

Contact: Dave Hemze Title:

Item Type:
Ditch/Rail Authority

Amount of Time Requested: 5 minutes

Attachments: Yes No

Presenter: Dave Hemze Title: County Administrator

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

In 1987, the Carver County Regional Rail Authority was established. The Regional Rail Authority needs to appoint a Chair, Vice Chair and Secretary/Treasurer for the Rail Authority for 2023.

ACTION REQUESTED:

Motion appointing Chair, Vice Chair and Secretary/Treasurer.

FISCAL IMPACT: None
If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 8619