



CARVER COUNTY

minnesota

Carver County Board of Commissioners December 19, 2023 Board Meeting

The County Board Room is open to the public

The Regular Session portion of the meeting will be webcast live at:
<https://youtube.com/@CarverCountyMN>

- 9:00 a.m. 1. a) **CONVENE**
 b) **Pledge of allegiance**
 c) **public comments that relate to an item on the agenda may be heard when that agenda item is discussed. Please limit your public comments to five minutes or less.**

Individuals unable to attend in person can provide public comments by email at admin-contact@co.carver.mn.us.

2. Agenda review and adoption
 3. Approve minutes of December 12, 2023 Regular Session 1-5
 4. Community Announcements

9:20 a.m. 5. **CONSENT AGENDA**

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

- 5.1 Contract Amendments For Paradise Commons..... 6-7
 5.2 2024 SSTS Direct Discharge Program..... 8-12
 5.3 Contract with Marbigail Therapy- Ape Siyalu Diyaniyan Girls' Supervision..... 13

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

- 5.4 Request for Approval to Renew Contract with Minnesota Occupational Health 14-15

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

- 5.5 Contract for Environmental Center Hazardous Waste Management..... 16

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

- 5.6 Review Health & Human Services and Commissioner Warrants..... NO ATT

- 9:20 a.m. 6. **COMMUNITIES: Create and maintain safe, healthy, and livable communities**
 6.1 Ordinance Establishing a Local Housing Trust Fund..... 17-20

9:50 a.m.	7.	CUSTOMER SERVICE: Continue the County’s delivery of high value, timely service and support	
	7.1	Carver County Jail Medical Direction	21
10:05 a.m.	8.	CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government	
	8.1	Personnel and Health and Safety Policy Manual Updates	22-28
	8.2	Resolution Setting 2024 County Attorney and County Sheriff Compensation	29-36
	8.3	Resolution Setting 2024 County Commissioner Compensation	37-41
11:05 a.m.	9.	CONNECTIONS: Develop strong public partnerships and connect people to services	
	9.1	2023 Year in Review.....	42
11:20 a.m.		COUNTY ADMINISTRATOR REPORT	
11:25 a.m.		ADJOURN REGULAR SESSION	

David Hemze
County Administrator

UPCOMING MEETINGS

December 26, 2023	No Meeting
January 2, 2024	9:00 a.m. 2024 Organizational Session
January 9, 2024	7:30 a.m. Carver County Legislative Breakfast
January 16, 2024	12:30 p.m. Paradise Commons Ribbon Cutting
January 23, 2024	7:00 p.m. Carver County Township Association Meeting

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on December 12, 2023. Chair John P. Fahey convened the session at 9:00 a.m.

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

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

Workman moved, Lynch seconded, to approve the minutes of the November 28, 2023, Special Session and November 28, 2023, Budget Public Hearing. Motion carried unanimously.

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

Approved contract with Barr Engineering Company pending finalization of the contract review process for radon testing and related Facilities budget amendment.

Contract with NorthStar Regional for a certified peer recovery specialist.

Approved professional services agreement with the Improve Group for the completion of the Community Resource Center community assessment with a not to exceed amount of \$72,408 for the period of December 1, 2023, through July 31, 2024.

Resolution #89-23, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 40 Project-Belle Plaine Area.

Approved amendment 1 to PSA with WSB & Associates in the amount of \$125,047 for additional land acquisition services for the Highway 212 Project-Benton Township, pending finalization of the contract review process.

Resolution #90-23, County Board Acknowledgment Highway 11 Resurfacing Project, Final Payment.

Resolution #91-23, County Board Acknowledgment 2023 Pavement Marking Project, Final Payment.

Resolution #92-23, County Board Acknowledgment 2023 HSIP Pavement Marking Project, Final Payment.

Grant agreement SG-24P5-03-01 with the Metropolitan Council and authorized Chair to sign pending finalization of the contract review process and related Parks budget amendment.

Grant agreement SG-24PZ-03-01 with the Metropolitan Council and authorized the Chair to sign pending finalization of the contract review process and related Parks budget amendment.

Grant agreement SG-24P4-03-02 and SG-24-P4-03-03 with the Metropolitan Council and authorized the Chair to sign pending finalization of the contract review process.

Authorized HH&S acceptance of cash donation in the amount of \$15,000 and approved investment of funds to support Health & Human Services employees' professional skills development activities and related budget amendment.

Approved agreement with DemCon for containers and hauling of commingled materials and cardboard for recycling.

Approved entering into an agreement to purchase wetland credits from Scott County SWCD for \$21,396.20 for the Highway 212 Project-Benton Township, pending finalization of the contract review process.

Renewed Microsoft Enterprise Agreement for the period 2024-2026 with SHI pending completion of the contract review process.

Adopted the recommendations in the master space plan as guidance for the next planning phases and approved entering into an agreement with Leo A Daly for predesign of the Government Center pending finalization of the contract review process.

Reviewed December 5, 2023, Community Social Services' actions/Commissioners' warrants in the amount of \$198,479.22 and reviewed December 12, 2023, Community Social Services' actions/Commissioners' warrants in the amount of \$356,431.74.

Martin Walsh, Parks, requested the Board approve a purchase agreement with Hennepin County Regional Railroad Authority for a three-mile segment of the Lake Minnetonka Regional Trail located in the County. He noted the previous agreement regarding the possible transfer, key terms included in that agreement and identified the location of the trail. He stated some repairs will be needed and they ran into some title issues. Walsh indicated the needed repairs are eligible to receive funding from the Met Council.

He explained they were working on a cost estimate for the needed repairs and an appraisal of the property is underway that was required to apply for Met Council funding. Walsh highlighted terms of the agreement that included it could only be used for transportation projects and the County's purchase was conditioned on receiving Met Council funding.

Mary Shimshak, Assistant County Attorney, stated the title work did expose some gaps and they requested Hennepin County correct these. She also pointed out Hennepin County has owned the property for 40 years and has not had an adverse claim.

Workman moved, Fahey seconded, to enter into a purchase agreement with HCRRA pending finalization of the contract review process. Degler, Fahey, Lynch, Workman voted aye. Udermann voted nay. Motion carried.

Dave Hemze, County Administrator, requested the Board approve their 2024 legislative priorities.

Tony Albright, lobbyist for Carver County, recognized the last session was historical in terms of budget and initiatives passed. He noted several initiatives will need corrections including the cannabis legislation. He also recognized the bonding bill, an initiative to reform the Met Council and the Family Medical Leave will be upcoming issues for the 2024 legislative session.

Hemze pointed out the previous work session held with the Board to review their priorities. He noted they strengthened the position on family medical leave. He highlighted each of the priorities, pointing out legislative changes from the past year that were impacting the organization. He recognized the current conversations on Met Council reform and the County's position that governance should be changed to provide for appointed elected officials.

Udermann moved, Degler seconded, to approve the 2024 Carver County Legislative Priorities as presented. Motion carried unanimously.

Hemze requested the Board approve the County's 2024 property tax levy and budget. He stated key challenges that have impacted the County for many years include valuations increasing rapidly, providing high level services, capital investments and employee retention. Hemze reviewed a breakdown of tax dollars on services the County provides.

Dave Frischmon, Finance, stated the County's overall tax base was 21.6B, with 1.4M of 2024 levy increase paid by new construction. He indicated value increases shifted the tax burden from residential to commercial and ag. He highlighted a summary of the budget over the last four years and 2024 levy adjustments. Frischmon reviewed projected vacancy savings and State County Program Aid. He pointed out recommended staffing changes that included additional money for STOC. He indicated Road and Bridge 2024 capital projects included \$115M from Federal, State and Sales Taxes and not levy funds. Frischmon indicated 10.6M was allocated for one-time projects, pointing out funding sources. Preliminary tax levy increase across the metro counties were reviewed.

He reviewed the recommended 4.5M levy increase and tax impact. Frischmon gave an update on the year end savings account and allocation of Covid funds. He pointed out the deadline to have the dollars spent. He stated the Resolution included a proposed allocation of 3M in Federal ARPA funds for the cost of eligible government services in 2023 and a commitment of 3M to CDA housing projects.

Frischmon reviewed the operating budget challenges in the Long-Term Financial Plan and future FTE requests based on population forecasts. He identified capital projects included in the Long-Term Plan and the budget schedule that was followed. He indicated the budget also included the WMO levy.

Degler offered the following Resolution, seconded by Lynch:

Resolution #93-23
Certifying 2024 Property Tax Levy

And

Resolution #94-23
County Board Adoption of the
2024 Budget
For Carver County

Udermann stated he could not support the 6.8% increase as it was unsustainable.

The Board discussed a listing of their out of state conferences and monthly stipends and if these should be brought back for formal Board approval for transparency.

Degler amended his motion to remove out of state travel from the Commissioner's conference and training list and require any of out of state travel be brought back to the Board for approval, Lynch seconded the amendment. Udermann offered a friendly amendment to require an itemization of expenses for their monthly stipends and Board approval. Degler/Lynch did not accept the amendment. On vote taken on the amendment to remove out of state conference from Commissioners conference and training, Fahey, Degler, Lynch voted aye. Udermann, Workman voted nay. Motion carried.

Hemze pointed out the current policy for Elected Officials travel and requirements for Board approval for out of state travel.

On vote taken on motion to approve 2024 Budget and Levy Resolution, with an amendment to Commissioners out of state travel, Degler, Fahey, Lynch, Workman voted aye. Udermann voted nay. Motion carried.

Frischmon requested the Board approve the 2025 Long Term Financial Plan.

Workman offered the following Resolution, seconded by Degler:

Resolution #95-23
County Board Adoption of the
2025 Long Term Financial Plan
For Carver County

On vote taken, all voted aye.

Workman left the room at 11:01 a.m.

Degler moved, Lynch seconded, to recess as the County Board and convene as the Carver County Regional Rail Authority. Fahey, Degler, Lynch, Udermann voted aye. Workman absent.

Lyndon Robjent, Public Works, requested the Rail Authority approve their 2024 levy and budget. He explained the 6.7% increase from 2023 to 2024 was to pay for ongoing staffing costs and stewardship of the rail corridors.

Udermann offered the following Resolution, seconded by Degler:

CCRRA #01-23
Certifying 2024 Property Tax Levy and
Adoption of 2024 Budget

On vote taken, Degler, Fahey, Lynch, Udermann voted aye. Workman absent.

Lynch moved, Degler seconded, to adjourn as the Carver County Regional Rail Authority and as the Carver County Board at 11:03 a.m. Degler, Fahey, Lynch, Udermann voted aye. Workman absent.

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:

Contract Amendments For Paradise Commons

Primary Originating Division/Dept: <u>Public Works - Parks</u>	Meeting Date: <u>12/19/2023</u>
Contact: <u>Martin Walsh</u> Title: <u>Parks and Recreation Director</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <u> </u> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <u> </u> Title: <u> </u>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

On June 28, 2022, the County Board authorized the award of contracts for the construction of the Paradise Commons building project at Lake Waconia Regional Park. The project began construction in October of 2022 and is expected to be substantially complete by December 31 and finish within approved funding.

Unlike projects where a general contractor holds all contracts, with the Construction Manager as Advisor service, the County holds individual contracts for each contractor on the project and the Construction Manager manages the construction schedule and contractors. As the project is coming to a close, final amounts for labor, materials, and consulting services become known. While there are contracts that will be below the awarded contracted amount, there are number of contracts that exceed the approved contract amount. The project was budgeted with a contingency for potential cost overruns. By County practice, contracts that exceed the awarded amount by 20% or \$30,000 go through the Board Approval process.

The following contracts meet this requirement and contract amendments are needed as shown:

- Amerec, Labor for Structural Steel, Additional Labor for Steel Column Connections, \$16,427
- Shaw Stewart, Revised Soffit Framing to Accommodate Fire Sprinklers. \$29,697
- Ebert Construction, Lost Productivity Due to Winter Conditions, and Additional Soffit Framing \$46,950
- Homeco, Removal of Insulation due to Air Barrier Inspection and Air Barrier Repair \$14,305
- Carciofini, Additional Joint Sealants for Building Exterior, \$7,150
- Pella, Bird Frit Glass, and Price Escalation \$12,326
- Davis Mechanical, Winter Conditions, Change to Cast Iron Piping, Temporary Roof Drains, \$37,540
- Kraft Mechanical, MN Dept. Health Additional Geothermal Well Requirements \$100,215
- Veit, Soil Correction, Winter Conditions, Utility Relocation, Aggregate for Service Drive \$137,510
- RJM, Amendment No. 3, Contract Extension for Construction Advisor Services \$43,707.20
- HGA, Amendment No. 4, contract Extension for Architectural Services \$41,355
- Total, 487.128.20

ACTION REQUESTED:

Motion to approve contract amendments with above listed contractors upon completion of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Paradise Commons

\$8,873,399.00

Total

\$8,873,399.00

Related Financial/FTE Comments:

Total Project Budget including Contingency \$8,873,399 Includes Additional Parks and Trails Funds of \$139,833

Less Total Project Costs (8,701,154) Includes Requested Amendment Amounts Above

Remaining Contingency Balance \$172,245

Office use only:

RBA 2023 - 9513

Carver County Board of Commissioners Request for Board Action



Agenda Item:
2024 SSTS Direct Discharge Program

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The County Board has approved a landowner incentive program for eliminating direct discharge Sub Surface Treatment Systems (SSTS) annually since 2008 and it has proven to be successful. The program has focused on the Bevens Creek, Carver Creek and Crow River watersheds in order to reduce the fecal coliform bacteria load sources in those watersheds.

The CCWMO advisory committee recommended the 2024 Priority Sub-Watersheds to the board at their November 28 meeting. The committee also recommended increasing the per-system incentive from \$2,000 to \$2,500 due to the increased costs of septic system replacement (See attached map and memo). Staff is requesting approval through the attached resolution for the 2024 SSTS direct discharge program.

ACTION REQUESTED:

Motion to adopt the resolution continuing implementation of the SSTS direct discharge incentive program for 2024.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	<input type="text" value=""/>
CCWMO 2024 funds	\$80,000.00
<input type="text" value=""/>	<input type="text" value=""/>
Total	\$80,000.00

Insert additional funding source

Related Financial/FTE Comments:

Funding for the incentives is derived from existing CCWMO levy funds set aside for the SSTS direct discharge program. \$80,000 would be the maximum amount needed if all likely systems need replacing. The actual amount could be lower. SSTS loan funds are held by the Minnesota Department of Agriculture.

Office use only:

RBA 2023 - 9500



Carver County Water Management Organization

Planning and Water Mgmt Dept
Government Center - Administration Building
600 East 4th Street
Chaska, Minnesota 55318
Phone: (952)361-1820
Fax: (952)361-1828
www.co.carver.mn.us/water

Memo

To: County Commissioners
From: Paul Moline, Carver County Public Services Deputy Director
Date: Dec 8, 2023
Re: PROPOSED 2024 SSTS DIRECT DISCHARGE INCENTIVE PROGRAM
Cc: Dave Hemze, Nick Koktavy

Enclosures: Priority sub-watershed map

In 2008, Carver County began a Sub-surface Sewage Treatment System (SSTS) direct discharge incentive program to replace direct discharge sewer systems and reduce bacteria entering Bevens and Carver Creeks. The program was expanded into the Crow River watershed in 2020. Each year new sub-watersheds are targeted for this program. The program has replaced 552 systems with the help of 169 loans since 2008.

2024 FUNDING

The Carver County Water Management Organization (CCWMO) budget has approximately \$100,000 available for SSTS direct discharge incentives.

2024 PROPOSAL

Staff is recommending that the program use funds to replace systems not accounted for in 2011 in the previously identified Bevens sub-watershed and continue implementation in the Crow River (see map).

1. Crow River: Sub-watershed: Camden Township of Crow 20.3 - 20 likely systems
2. Bevens Creek: Sub-watershed: BE21 - 12 likely systems

Factors leading to the recommendation are as follows:

- Targeting systems not accounted for in 2011
- Number of likely systems in the sub-watershed
- Sub-watershed containing a high level of E. Coli in 2023 per surface water sampling

Staff is also recommending that the incentive increase from \$2,000 to \$2,500 beginning in the 2024 program year. This is due to the substantial increase in system costs. Typical system installation currently costs between \$25,000 and \$30,000. System costs when the program started were typically less than \$15,000.

2024 QUALIFICATIONS

Owners of likely direct discharge systems in the priority sub-watersheds with no previous trigger (i.e. current enforcement, compliance inspection as a result of property transfer, complaint, or building permit) can receive the cash grant of \$2,500, must sign up by June 30, 2024, and must install the system by June 30, 2025. Owners that do not sign up shall be required to submit an as-built inspection to the County by June 30, 2024.

Payment will be issued to the SSTS contractor upon successful completion of the project (as determined by Environmental Services Staff). The County will also offer a low interest loan to qualified applicants and additional financial assistance for lower-income property owners through state grants.

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

DATE: December 19, 2023
MOTION BY COMMISSIONER:

RESOLUTION NO. __-23
SECONDED BY COMMISSIONER:

**A Resolution Continuing the Elimination of Direct Discharge
Sub-Surface Treatment Systems (SSTS) Program**

WHEREAS approximately 4,500 homes and businesses in Carver County are served by a private sewer system on the property; of these systems, about 700 are in cities and 3,800 lie in unincorporated areas; as of 2008, it was estimated that 500-700 of the systems in the unincorporated areas were still served by systems that likely had little or no treatment of sewage prior to discharge into the surface water and were considered direct discharge SSTS; and

WHEREAS Carver County is responsible for the regulation of SSTS in the County except in cities that have elected to assume responsibility; and

WHEREAS Carver County is responsible for water management, including water quality within the Carver County Water Management Organization (CCWMO); and

WHEREAS Bevens Creek, Carver Creek and the Crow River have been listed as impaired for bacteria with test showing loads of fecal coliform bacteria substantially in excess of MN state standards with direct discharge of untreated human sewage being a potential significant contributor to the load; and

WHEREAS the Carver County Board of Commissioners has determined that it is necessary to institute a program to accelerate the replacement of direct discharge SSTS in order to reach public health and water quality goals;

WHEREAS the Carver County Code of Ordinances section 52.043 gives the Board the authority to identify priority areas for SSTS compliance, including elimination of direct discharge systems, and to establish programs, including incentives and deadlines; and

WHEREAS the programs for SSTS Direct Discharge from 2008 through 2023 were largely successful in their goals; and

WHEREAS due to technology and record keeping improvements some SSTS were not accounted for in 2011 and could be likely direct discharge systems; and

WHEREAS the 2024 sub-watersheds are identified with 32 “likely systems;” and

WHEREAS the CCWMO Citizens Advisory Committee has recommended the 2024 SSTS Direct Discharge Program, funding, and sub-watersheds to the County Board;

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby adopts the “Carver County 2024 Direct Discharge SSTS Program” as follows:

Part I. Priority sub-watersheds

- “20.3” sub-watershed in the Crow River watershed.
- “BE 21” sub-watershed in the Bevens Creek watershed.

The County will provide a cash grant of \$2,500 for the upgrade of systems identified as a likely direct discharge in the priority sub-watersheds. Owners of likely direct discharge systems in the priority sub-watersheds with no previous trigger (i.e. current enforcement, compliance inspection as a result of property transfer, complaint, or building permit) must sign up by June 30, 2024, and must install the system by June 30, 2025. Owners that do not sign up shall be required to submit an as-built Inspection to the County by June 30, 2024. The County will also offer a low interest loan with an amortization of up to 10 years to qualified applicants.

Part II. For systems outside of the priority sub-watersheds, the loan funds with an amortization of up to 5 years and the cash incentive of \$2,500 will be available on a first-come, first-serve basis after June 30, 2024 until allocated funds are depleted. For systems outside of the priority sub-watersheds, the owner would be required to replace the SSTS within 12 months of submitting a cost share application.

Part III. Authorize the Finance Director, in cooperation with the Public Services Division, to continue to operate the current “safety net” program to assist property owners with extremely limited financial capability.

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 19th day of December, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 19th day of December, 2023

David Hemze, County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Contract with Marbigail Therapy- Ape Siyalu Diyaniyan Girls' Supervision

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Health and Human Services - Court Services has secured a federal grant through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Ape Siyalu Diyaniyan (All Our Daughters) program. This supervision curriculum for moderate and high risk female youth was written by Lindsay Jayawardena of Court Services and the grant award was one of only eight (1 of 8) handed out in the U.S. This contract reflects an agreement with a local therapy provider, Marbigail Therapy Services, LLC, to provide regular therapy and skills training, as well as prompt diagnostic and crisis services as part of the program, for female youth on Ms. Jayawardena's female-specific caseload. The Professional Service Agreement is effective through December 31, 2024, with a Not-to-Exceed amount of \$86,800.

ACTION REQUESTED:

Motion to approve contract with Marbigail Therapy Services, LLC , pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text" value=""/>
Federal Grant	\$86,800.00
Total	\$86,800.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

01-252-252-1857-6260

Office use only:

RBA 2023 - 9514

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: Employee Relations

Meeting Date: 12/19/2023

Contact: Danielle Griesmer Title: Occupational Health and Safe...

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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. Beginning in 2023, Minnesota Occupational Health also started to 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 renew contract with Minnesota Occupational Health.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$35,000.00

Total

\$35,000.00

FTE IMPACT: None

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 9509

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Contract for Environmental Center Hazardous Waste Management

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Carver County Environmental Services provides a permanent household hazardous waste drop-off collection at the Environmental Center (EC). More than 350,000 lbs. of household hazardous waste (HHW) are collected at the EC every year.

This agreement outlines provisions, pricing, and contractual obligations for Clean Harbors to assist Carver County with the containment, hauling, supplies, labor, and disposal of hazardous materials in 2024. This contract is made available through the MN Pollution Control Agency (MPCA), the State of Minnesota, and the MN Cooperative Purchasing Venture (CPV). It allows Carver County to purchase supplies and services from state vetted and approved service providers, at prices better than we would receive on the open market, while also receiving indemnification protection from the State of MN. This state contract is used by most MN Household Hazardous Waste (HHW) programs.

A cross comparison of line item pricing was done to determine fiscal impacts. When we compared the pricing of this contract to the pricing of the previous contract, it was determined there would only be a slight increase, if any. Pricing is predicted to remain flat and very similar to the previous 2023 agreement.

ACTION REQUESTED:

Motion to approve an agreement with Clean Harbors for assistance with hazardous materials management.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

Solid Waste Service Fee a

Total

Insert additional funding source

FTE IMPACT:

Related Financial/FTE Comments:

This agreement establishes pricing for various types of hazardous materials, supplies, labor and transport for materials collected at the Environmental Center.

Office use only:

RBA 2023 - 9508

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Ordinance Establishing a Local Housing Trust Fund

Primary Originating Division/Dept: <u>Public Services</u>	Meeting Date: <u>12/19/2023</u>
Contact: <u>Nick Koktavý</u> Title: <u>Assistant County Administrator</u>	Item Type: <u>Regular Session</u>
Amount of Time Requested: <u>30</u> minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: <u>Allison Steich</u> Title: <u>CDA Deputy Director</u>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Carver County Community Development Agency (CDA) has a desire to establish a Local Housing Trust Fund (LHTF). The LHTF would dedicate public revenues to a distinct fund that is used to address housing needs. The fund could be used for:

- Grants, loans, and loan guarantees for the development, rehabilitation, or financing of housing
- Acquisitions and construction of affordable housing units
- Match other funds from federal, state, or private resources for housing programs
- Rental assistance to persons of very low, low, and moderate-income
- Down payment assistance
- Homebuyer counseling services
- Payment of administrative expenses of the trust fund in the maximum amount of 10%

The CDA's 2024 budget includes \$100,000 to establish this fund. In addition, this fund would allow the CDA to leverage other public and private resources. At this time, no Carver County funds are budgeted for this fund. At a later date, the County Board could decide if they would like a portion of the local county aid or metro sales tax (estimated to be around \$5M annually) to go into this fund.

There are currently 13 cities and 7 counties in Minnesota with LHTFs. It is anticipated that others will establish because funding is available with the local county aid and metro sales tax.

At the October 17 County Board Work Session, the Minnesota Housing Partnership provided an overview of LHTFs from concept to implementation. Minnesota State Law requires that a LHTF be established by an elected body through an ordinance. Therefore, the CDA is requesting that the County Board consider Ordinance No. 104-2023 to establish a Local Housing Trust Fund in Carver County.

Minnesota Statute does not require a public hearing to establish a LHTF but, does require public notice. A public notice was placed in the December 7, 2023 Chaska Herald.

ACTION REQUESTED:

Motion to adopt and implement Ordinance No. 104-2023, an ordinance establishing a Local Housing Trust Fund in Carver County.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

--	--

Total

\$0.00

FTE IMPACT: None

Ordinance No. 104-2023

An Ordinance establishing a Local Housing Trust Fund in order to provide housing assistance within the Carver County

Be it ordained by the Board of Commissioners (the “Board”) of Carver County, Minnesota:

Section 1. Preamble.

- 1.01. Pursuant to Minnesota Statutes, Section 462C.16, Carver County (the “County”) is authorized to establish a local housing trust fund.
- 1.02. The County has determined to create a Local Housing Trust Fund to encourage the creation of affordable housing for rental housing and owner-occupied housing, to promote the preservation of existing affordable housing and naturally occurring affordable housing, and to provide rental assistance and homeownership assistance to persons of very low income, low income, and moderate-income.

Section 2. Definitions.

- 2.01. “Persons of very low income”- means families and individuals whose incomes do not exceed 50 percent of area median income, as median income was most recently determined by the United States Department of Housing and Urban Development for the Minneapolis-St. Paul-Bloomington, Minnesota Metropolitan Statistical Area, as adjusted for smaller and larger families.
- 2.02. “Persons of low income” means families and individuals whose incomes do not exceed 80 percent of the area median income, as median income was most recently determined by the United States Department of Housing and Urban Development for the Minneapolis-St. Paul-Bloomington, Minnesota Metropolitan Statistical Area, as adjusted for smaller and larger families.
- 2.03. “Persons of moderate-income” means families and individuals whose incomes exceed 80 percent, but do not exceed 120 percent, of area median income, as median income was most recently determined by the United States Department of Housing and Urban Development for the Minneapolis-St. Paul-Bloomington, Minnesota-Wisconsin Metropolitan Statistical Area, as adjusted for smaller and larger families.

Section 3. Establishing the Local Housing Trust Fund.

- 3.01. Pursuant to the authority granted to the County under Minnesota Statutes, Section 462C.16, a local housing trust fund is established to provide the following:

- (a) Grants, loans, and loan guarantees for the development, rehabilitation, or financing of housing.
- (b) Acquisitions and construction of affordable housing units.
- (c) Match other funds from federal, state, or private resources for housing programs.
- (d) Rental assistance to persons of very low, low, and moderate-income.
- (e) Down payment assistance.
- (f) Homebuyer counseling services.
- (g) Payment of administrative expenses of the Local Housing Trust Fund in the maximum amount of ten percent of the balance of the Local Housing Trust Fund.

Section 4. Funding Sources.

4.01. The Local Housing Trust Fund shall be initially funded by the Carver County CDA levy. The Board may also pledge other sources of funding, which may include, but are not limited to:

- (a) Private cash donations from individuals and corporations designated for the Local Housing Trust Fund.
- (b) Payments in lieu of participation in current or future affordable housing programs.
- (c) Grants or loans from a state, federal or local government or private sources.
- (d) The sale of real and personal property.
- (e) Local government appropriations, development fees, and other funds as designated from time to time by the Board.
- (f) Investment earnings from the Local Housing Trust Fund.
- (g) Tax Increment Finance (TIF) pooled funds.
- (h) Housing and Redevelopment levy funds.
- (i) Other sources of funding approved by the Board

Section 5. Administration of Local Housing Trust Fund.

5.01 The Carver County Community Development Agency in and for the County of Carver (the “CCCDA”) shall administer the Local Housing Trust Fund on behalf of the County.

5.02. The CCCDA shall report annually to the County on the use of the Local Housing Trust Fund, including the number of loans and grants made, the number and types of residential units assisted, and the number of households provided rental assistance and down payment assistance.

Section 6. Board Action.

6.01. The implementation of the Local Housing Trust Fund is hereby approved.

6.02. This ordinance is effective upon publication.

Adopted by the Board of Commissioners of Carver County, Minnesota on December 19, 2023.

Date of publication: December , 2023

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Carver County Jail Medical Direction

Primary Originating Division/Dept: Sheriff - Jail Services

Meeting Date: 12/19/2023

Contact: Ben Beyer Title: Assistant Jail Administrator

Item Type:
Regular Session

Amount of Time Requested: 15 minutes

Attachments: Yes No

Presenter: Ben Beyer Title: Assistant Jail Administrator

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

This contract provides medical direction for the Carver County Jail clinic for 2024. The request is for \$237,945 and the costs associated can be broken down in the following ways: \$128,245 for on-call medical services including holidays, \$72,000 for medical direction, \$22,100 for medical direction insurance, and \$15,600 for program management.

This request includes \$17,040 in additional costs compared to RBA-9243's initial request. The added costs are from \$5,040 for on-call medical services for 12 county holidays and \$12,000 for additional in-person hours for Dr. Wilcox (20 hours a month vs. 12 hours).

ACTION REQUESTED:

Review the contract for approval and consider additional costs.

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

FUNDING
County Dollars = **\$237,945.00**

FTE IMPACT: None

Total **\$237,945.00**

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2023 - 9515

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Personnel Policy Manual and Health & Safety Policy Manual Updates

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Regular Session

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Employee Relations is recommending updates and new provisions to certain County personnel policies and health and safety policies to promote positive, productive, safe, and effective workplace culture and practices; compliance with new laws and regulations; and to support clarity and ease of understanding and locating County policies for readers. Employee Relations recommends the County Board adopt the recommended new and updated policies.

ACTION REQUESTED:

Motion to adopt the recommended new and updated personnel, health, and safety policies.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Estimated cost is due to expansion of paid time off benefit to comply with Minnesota Earned Sick and Safe Time law.

Office use only:

RBA 2023 - 9517

Health & Safety Policy Manual Update Summary – 12/19/2023

Section B: General Workplace Safety

Proposed Updates to and Relocation of Emergency Closing of County Government Offices Policy:

Effective in 2008, this policy provides information about the County's practices should there be a dangerous weather or other emergency situation. Historically located in the Personnel Policy Manual, this policy is recommended to be relocated to the General Workplace Safety section of the Health & Safety Policy Manual. Additionally, edits are recommended to remove historical information including notification methods that are no longer relevant and add information about current practices. Updates incorporate reference to enhanced ability to deliver services remotely where possible, reducing the impact of potential service disruption events, and capitalizing on improved technology and accessibility.

Proposed Updates to and Relocation of Workplace Violence Policy:

Effective in 2008, this policy outlines the County's commitment to preventing and responding to acts of workplace violence. This policy historically has been located in the Personnel Policy Manual, but is recommended to be relocated to the General Workplace Safety section of the Health & Safety Policy Manual. A minor revision is recommended, citing updated employee guidance and internal resources including the County's Emergency Response Guide and Emergency Action Plan.

Section E: Workers' Compensation

Proposed Updates to Workers' Compensation Policy:

Effective in 2008 and associated with Minnesota Statutes § 176, this policy provides information about the County's Workers' Compensation related practices. Minor revisions are recommended to support reader clarity and understanding regarding existing practice.

Section H: Substance Misuse Prevention

Proposed Updates to Drug, Alcohol, and Cannabis Free Workplace Policy:

This policy sets forth the County's rules and expectations regarding use of drugs, alcohol and cannabis during work hours, while on the County's premises, and wherever County work is being performed. 2023 updates reflect the changes to Minnesota state laws regarding cannabis use for recreational purposes, and provide clarification of the County's prohibitions on the use of drugs, alcohol, and cannabis, as related to work activities.

Proposed Updates to DOT Drug and Alcohol Testing Policy:

The purpose of this policy is to assure worker fitness for duty and to protect employees, passengers, and the public from the risks posed by the misuse of alcohol and use of prohibited drugs. This policy is also intended to comply with all applicable federal regulations governing drug and alcohol testing programs in the transportation industry. With Minnesota state law changes pertaining to cannabis use for recreational purposes, 2023 policy updates provide additional clarification that it remains unacceptable for DOT regulated safety-sensitive employees to use marijuana for any reason. Use of lawfully purchased cannabinoid (CBD) products, even those that claim to be under the legal limit to be considered marijuana, may result in a positive drug test, which is subject to DOT-required follow-up procedures as well as disciplinary action, under the Carver County Personnel Rules and Regulations or applicable Collective Bargaining Agreement.

Section I: Health & Wellness

Proposed Updates to Lactation Support Policy:

This policy outlines the supports that the County has in place for breastfeeding and lactating employees. Amendments were made to Minnesota Statutes § 181.939, effective July 1, 2023, which have been integrated into the recommended updated policy. With this policy update, all nursing and lactating employees will receive break times as needed to express milk *regardless of their child's age* without losing compensation, as required by law. This update removes the twelve-month time period following the birth of the child as the protected period associated with breastfeeding and lactation rights. Additionally, employers are now required to notify all employees of the rights of pregnant and lactating employees upon hire and when an employee makes an inquiry about or requests parental leave.

Carver County achieved renewal of its status as a Breastfeeding Friendly Workplace in 2023 and maintains a best practice program. Updating this policy further strengthens the County's supportive efforts to create a family-friendly workplace and we are proud to continue in these efforts.

Personnel Policy Manual Updates Summary – 12/19/2023

Proposed Updates for Definitions Section

Proposed updates are being recommended to provide clarity regarding position types that are eligible for leave accrual benefits due to the new Earned Sick and Safe Time law that is effective January 1, 2024.

Proposed Updates for Disability and Workplace Accommodation Policy:

It is recommended to update and relocate the Pregnancy Accommodation section from its former location in the Leaves of Absence, Minnesota Pregnancy & Parental Leave, and Women's Economic Security Act (WESA) Rights Policy and incorporate current provisions into the Disability and Workplace Accommodation Policy. Pregnancy accommodation provisions are updated to comply with modifications made to MN Statutes §181.939 Nursing Mothers, Lactating Employees, and Pregnancy Accommodations during the 2023 legislative session, including defining additional accommodation rights for pregnant workers.

Proposed Updates for Termination Policy:

Recommended language removes the reference to the Employee Discipline and Discharge Policy, which is a housekeeping update rather than a substantive change.

Proposed Updates for Severance Compensation Policy:

Recommended updates include housekeeping edits and clarifies language surrounding employee groups eligible for a severance payment upon separation from employment.

Proposed Updates for Holidays Policy:

In 2023, the Minnesota Legislature made Juneteenth a State-recognized holiday. Additionally, on March 21, 2023, the County Board approved the inclusion of Christmas Eve as a designated holiday for non-bargaining employees through Board Resolution Number 23-23. This policy is being updated to memorialize the inclusion of Juneteenth and Christmas Eve as designated County holidays along with recommended language to clarify what occurs when a designated and observed holiday fall on the same day in certain years. Updates provide clarity and memorialize changes previously approved by the Board.

Proposed Updates for Leaves of Absence Policy:

Proposed updates are recommended to provide clarity and understanding for employees regarding Leaves of Absence. Proposed language recommends that various state mandated leave opportunities be relocated from the Leaves of Absence, Minnesota Pregnancy & Parental Leave, and Women's Economic Security Act (WESA) Rights Policy to this policy, with revisions to provide clarity and incorporate updated wording that corresponds to the most current Minnesota laws.

Proposed Elimination of the Leaves of Absence, Minnesota Pregnancy & Parental Leave, and Women's Economic Security Act (WESA) Rights Policy:

Proposed recommendation is to eliminate this policy, and relocate relevant or updated information that it contained, to other policies. Combining and streamlining this information supports clarity, accessibility, and efficiency, and improves employee experience when accessing policy information.

Proposed Updates for Employee Discipline and Discharge Policy:

Proposed recommendation is to rename the Employee Discipline and Discharge Policy to Code of Conduct Policy. The Code of Conduct terminology better reflects the broader framework of this policy. The policy not only covers discipline and discharge but also informs employees about expectations necessary to ensure efficient operation and delivery of services and a safe work environment. This change in terminology promotes a more comprehensive approach to standards of behavior and promotes that we value and prioritize ethical conduct. Recommended updates also include streamlining information presented, and including language that more precisely defines certain code of conduct expectations. The policy is also updated with adjusted language in light of recreational cannabis legalization to provide clarification of the County’s prohibitions on the use of drugs, alcohol, *and cannabis*, related to work duties.

Proposed Updates for Workplace Violence Policy:

It is recommended to relocate this policy to the Health and Safety Policy Manual. Consolidating related policies promotes ease of use and accessibility for employees, as they can more intuitively locate information.

Proposed Updates for Emergency Closing of Government Offices Policy:

It is recommended to relocate this policy to the Health and Safety Policy Manual. Consolidating related policies promotes ease of use and accessibility for employees, as they can more intuitively locate information.

Proposed Elimination of Life Threatening Illness Policy:

This is noted as a housekeeping item. The County Board of Commissioners approved removal of this policy on 3/17/2020 with the adoption of the Communicable Disease Prevention and Management Policy located in the Health and Safety Policy Manual.

Proposed Creation of a new Earned Sick and Safe Time Policy:

To comply with the legal obligations set forth by the new Minnesota Earned Sick and Safe Time (ESST) law, Employee Relations recommends establishment of a new Earned Sick and Safe Time (ESST) Policy. The recommended policy affirms that Carver County provides accrued paid leave time for employees which complies with the requirements of Minnesota ESST provisions and establishes that Carver County will, when appropriate, cross-designate as ESST the following paid leave types: Paid Time Off (PTO), Exempt Accrued Flex Time, Catastrophic Sick Bank (CSB), Sick Leave, Sick Bank, and/or Vacation.

**See Key Components of New the New Earned Sick and Safe Time Law below for additional information.*

Proposed Updates for Paid Time Off (PTO) Policy:

To address requirements in the new Earned Sick and Safe Time (ESST) law that goes into effect on January 1, 2024, updates are recommended for the County’s Paid Time Off (PTO) Policy. For employees eligible for PTO, PTO would be accrued and cross-designated as ESST.

The new ESST law requires provision of paid leave time to seasonal, temporary, on-call, casual and part-time employee groups. To address this new requirement, it is recommended the County provide PTO as its method to comply with ESST mandates. The proposed language provides PTO to unclassified and/or non-bargaining, seasonal, temporary, on-call, casual (STOC) employees; Health and Human Services youth experience workers; and employees with a budgeted FTE of less than 0.35. For employees newly eligible for PTO, PTO will accrue at a rate of 1 hour of PTO for every thirty hours worked, with the PTO

accrual capped at a maximum of 80 accrued hours at any time. This approach complies with the new ESST requirements through provision of consistent paid leave benefits.

Additionally, updates in the PTO policy with regard to existing rules for scheduling, approval, and usage of PTO make reference to exceptions as mandated by law for requests that qualify as protected leave including ESST.

Finance has estimated the anticipated annual cost to implement the requirements of ESST as mandated by the new law, by expanding PTO to additional groups as recommended in the updated policies, to be around \$20,000.

***Key Components the New Earned Sick and Safe Time Law**

The new Minnesota Earned Sick and Safe Time leave law, effective January 1, 2024, requires employers to provide *paid leave* to employees for various health and safety reasons. A paid time off (PTO) plan or other type of paid leave (including sick and vacation time) can satisfy the ESST law if the plan meets Minnesota's ESST requirements.

1. Eligibility: The law applies to employers with at least one employee in Minnesota and covers all employees, including full-time, *part-time*, and *temporary workers* who perform work in Minnesota for 80 hours or more in a year.
2. Accrual of ESST Leave: Employees will earn one hour of sick and safe leave for every 30 hours worked, up to a maximum of 48 hours per year.
3. Carry Over: Employees can carry over *unused* ESST into the next year. However, at no time can an employee's accrued ESST exceed 80 hours.

4. Eligible Uses for ESST Leave:

Employees can use the accrued leave for any of the following reasons:

- An employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.

When the need for ESST leave is not for the employee's own qualifying reason, in accordance with Minnesota ESST law, a "Covered Family Member" for purposes of ESST-qualifying leave is defined to mean any of the following:

- child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis; (ii) spouse or registered domestic partner; (iii) sibling, stepsibling, or foster sibling; (iv) biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child; (v) grandchild, foster

grandchild, or step-grandchild; (vi) grandparent or step-grandparent; (vii) a child of a sibling of the employee; (viii) a sibling of the parents of the employee; or (ix) a child-in-law or sibling-in-law; and

- Any family member listed above of a spouse or registered domestic partner; and
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
- Up to one individual annually designated by the employee.

5. Notice and Documentation: An Employer may require notice of up to seven days in advance when the need to use ESST is foreseeable. If the need is unforeseeable, an employer may require notice as soon as practicable. If an employer requires notice, it must have a written policy regarding notice procedures and must provide a written copy of the policy to employees. An Employer may require an employee to provide reasonable documentation of ESST use only when more than three consecutive days of ESST are used. If the employee is unable to secure the requested documentation, in most cases the employee may supply the employer with a written statement indicating the employee is using or used ESST for a qualifying purpose.

6. Retaliation and Protection: The law prohibits Employers from retaliating against employees for exercising their rights under the ESST law. Employees have the right to file complaints with the Minnesota Department of Labor and Industry for any violations and employees may bring a civil lawsuit to remedy ESST violations.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Setting 2024 County Attorney and County Sheriff Compensation

Primary Originating Division/Dept: Employee Relations

Meeting Date: 12/19/2023

Contact: Kerie Anderka Title: Employee Relations Division Dir

Item Type:
Regular Session

Amount of Time Requested: 10 minutes

Presenter: Kerie Anderka Title: Employee Relations Division Dire

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The County Board has the authority to set compensation, including salary and benefits, for elected County officials including the County Attorney and the County Sheriff. Minnesota law requires that the Board set the salaries of these elected officials with regard for the responsibilities and duties of office, as well as the elected official's experience, qualifications, and performance. In addition, court rulings indicate that Commissioners should take into consideration salaries in similarly situated counties in the state. The attached Resolutions address the 2024 compensation for the County Attorney and the County Sheriff.

County Attorney Salary:

County Attorney Mark Metz's 2023 salary is set at \$200,711. Market data is attached for the County Attorney position, reflecting current year (2023) data. The metro area average salary for County Attorney, excluding Carver County, is currently \$197,984. Serving in this role since 2011, County Attorney Metz's performance reflects substantial experience and expertise and a high level of performance. Based on a review of the relevant factors for determining the County Attorney's 2024 salary, the Board may wish to consider an increase of \$13,046 which is approximately 6.50%. The resulting 2024 annual salary for County Attorney Metz would be \$213,757. The salary increase suggested would recognize the high level of performance County Attorney Metz has demonstrated in his role, while maintaining competitive pay with regard to the market.

County Sheriff Salary:

County Sheriff Jason Kamerud's 2023 salary is set at \$179,200. Market data is attached for the County Sheriff position, reflecting current year (2023) data. The metro area average salary for County Sheriff, excluding Carver County, is \$180,851. Serving in this role since 2019, Sheriff Kamerud's performance reflects substantial experience and expertise and a high level of performance. Based on a review of the relevant factors for determining the County Sheriff's 2024 salary, the Board may wish to consider an increase of \$11,755, which is approximately 6.50%, with the percentage calculated on the metro (2023) average salary amount, in consideration of the Sheriff's current salary being positioned below the market average. The resulting 2024 annual salary for Sheriff Kamerud would be \$190,955. The salary increase suggested would recognize the high level of performance Sheriff Kamerud has demonstrated in his role, while maintaining competitive pay with regard to the market.

The action requested is to adopt the Resolutions defining the 2024 compensation for the County Attorney and for the County Sheriff; and providing both with 2024 cafeteria benefits and HRA or HSA contributions, at the same rates and in accordance with the same terms and timing as non-bargaining County employees.

ACTION REQUESTED:

Motion to adopt the Resolutions setting the 2024 compensation for the County Attorney and for the County Sheriff; and providing both with 2024 cafeteria benefits and HRA or HSA contributions, at the same rates and in accordance with the same terms and timing as non-bargaining County employees.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	<input type="text"/>
County Sheriff	\$245,552.00
County Attorney	\$272,596.00
Total	\$518,148.00

Insert additional funding source

Related Financial/FTE Comments:

The total cost is dependent on final salary amounts approved by the Board. The funding section above reflects total salary and benefits cost.

Office use only:

RBA 2023 - 9519

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Resolution: 2024 County Attorney Compensation & Benefits

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

WHEREAS, the Carver County Board of Commissioners has the authority to establish and revise compensation (salary and benefits) for elected officials; and

WHEREAS, the Carver County Board of Commissioners intends to establish the 2024 elected official salary for the County Attorney; and

WHEREAS, the Carver County Board of Commissioners intends to provide 2024 insurance benefits for the County Attorney within the established cafeteria system; and

THEREFORE, BE IT RESOLVED, Carver County shall provide the elected County Attorney with the following compensation in 2024:

- A. The County Attorney’s salary for 2024 shall be defined as follows: \$213,757 base salary.
- B. Insurance benefits for the County Attorney shall be provided through the cafeteria plan, and include the following insurance benefits: life insurance (employee \$50,000.00 life and \$100,000 AD&D, spouse \$2,000.00, and child \$1,000.00); and single dental insurance. Additionally, the County Attorney shall receive a monthly cafeteria contribution amount based on health insurance election: single \$1,048.59; employee + child(ren) \$1,405.58; employee + spouse \$1,880.61; or family, \$2,369.88 throughout 2024, to use toward eligible elective benefits, and/or additional cash compensation. If monthly cafeteria contributions for non-bargaining employees are adjusted for 2024, the amounts provided for the County Attorney shall be adjusted to match.
- C. The County shall also provide the County Attorney, if selecting the HRA Plan for health insurance, with a 2024 quarterly contribution to the Health Reimbursement Arrangement through a VEBA Trust. The County shall provide the County Attorney, if selecting the HRA Plan for health insurance and participating in the plan over the course of a year, an HRA contribution amount of \$750.00 for an election of single insurance, or \$1,500.00 for family insurance coverage tiers. The County shall provide the County Attorney, if selecting the HSA Plan for health insurance and participating in the plan over the course of a year, with a 2024 contribution of \$1,300.00 for an election of single insurance; or \$2,600.00 for an election of family insurance coverage tiers. If these County contributions for non-bargaining employees are adjusted for 2024, the amounts and terms provided for the County Attorney shall be adjusted to match.

BE IT FURTHER RESOLVED, that the County reserves the right to make additional adjustments to the County Attorney compensation (salary or benefits) by amendment to the Carver County Personnel Policies or future Board Actions.

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 19th day of December, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of December, 2023

County Administrator

County Attorney	Dakota County	Anoka County	Washington County	Scott County	Hennepin County	Ramsey County	Carver County	AVERAGE SALARY (Excluding Carver)
2016 Base Salary	\$170,623	\$155,000	\$154,960	\$154,501	\$173,254	\$166,608	\$152,000	\$162,491
2017 Base Salary	\$176,595	\$155,000	\$159,609	\$158,146	\$177,585	\$170,940	\$162,491	\$166,313
2018 Base Salary	\$184,542	\$155,000	\$171,580	\$163,424	\$182,025	\$175,214	\$169,191	\$171,964
2019 Base Salary	\$192,846	\$179,001	\$180,159	\$170,078	\$182,025	\$179,594	\$176,891	\$180,617
2020 Base Salary	\$199,596	\$184,371	\$187,346	\$182,224	\$191,240	\$184,084	\$185,391	\$188,144
2021 Base Salary	\$190,000	\$188,073	\$192,112	\$189,176	\$195,065	\$185,004	\$189,191	\$189,905
2022 Base Salary	\$193,800	\$193,731	\$190,507	\$194,378	\$195,065	\$187,779	\$192,991	\$192,543
2023 Base Salary	\$206,397	\$193,731	\$199,076	\$200,695	\$195,065	\$192,941	\$200,711	\$197,984
Start Date of Incumbent	2021	2023	2023	2015	2023	2011	2011	

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

Resolution: 2024 County Sheriff Compensation & Benefits

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

WHEREAS, the Carver County Board of Commissioners has the authority to establish and revise compensation (salary and benefits) for elected officials; and

WHEREAS, the Carver County Board of Commissioners intends to establish the 2024 elected official salary for the County Sheriff; and

WHEREAS, the Carver County Board of Commissioners intends to provide 2024 insurance benefits for the County Sheriff within the established cafeteria system; and

THEREFORE, BE IT RESOLVED, Carver County shall provide the elected County Sheriff with the following compensation in 2024:

- A. The County Sheriff’s salary for 2024 shall be defined as follows: \$190,955 base salary.
- B. Insurance benefits for the County Sheriff shall be provided through the cafeteria plan, and include the following insurance benefits: life insurance (employee \$50,000.00 life and \$100,000 AD&D, spouse \$2,000.00, and child \$1,000.00); and single dental insurance. Additionally, the County Sheriff shall receive a monthly cafeteria contribution amount based on health insurance election: single \$1,048.59; employee + child(ren) \$1,405.58; employee + spouse \$1,880.61; or family, \$2,369.88 throughout 2024, to use toward eligible elective benefits, and/or additional cash compensation. If monthly cafeteria contributions for non-bargaining employees are adjusted for 2024, the amounts provided for the County Sheriff shall be adjusted to match.
- C. The County shall also provide the County Sheriff, if selecting the HRA Plan for health insurance, with a 2024 quarterly contribution to the Health Reimbursement Arrangement through a VEBA Trust. The County shall provide the County Sheriff, if selecting the HRA Plan for health insurance and participating in the plan over the course of a year, an HRA contribution amount of \$750.00 for an election of single insurance, or \$1,500.00 for family insurance coverage tiers. The County shall provide the County Sheriff, if selecting the HSA Plan for health insurance and participating in the plan over the course of a year, with a 2024 contribution of \$1,300.00 for an election of single insurance; or \$2,600.00 for an election of family insurance coverage tiers. If these County contributions for non-bargaining employees are adjusted for 2024, the amounts and terms provided for the County Sheriff shall be adjusted to match.

BE IT FURTHER RESOLVED, that the County reserves the right to make additional adjustments to the County Sheriff compensation (salary or benefits) by amendment to the Carver County Personnel Policies or future Board Actions.

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 19th day of December, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of December, 2023

County Administrator

County Sheriff	Dakota County	Anoka County	Washington County	Scott County	Hennepin County	Ramsey County	Carver County	AVERAGE SALARY (Excluding Carver)
2016 Base Salary	\$144,986	\$142,903	\$154,960	\$141,027	\$165,002	\$151,972	\$142,000	\$150,142
2017 Base Salary	\$150,061	\$147,191	\$149,394	\$146,212	\$169,127	\$155,924	\$150,142	\$152,985
2018 Base Salary	\$156,814	\$151,607	\$153,876	\$149,198	\$173,356	\$159,822	\$156,342	\$157,446
2019 Base Salary	\$163,871	\$162,397	\$161,570	\$154,660	\$173,356	\$163,818	\$150,000	\$163,279
2020 Base Salary	\$171,245	\$167,273	\$168,022	\$159,460	\$182,132	\$163,818	\$158,500	\$168,658
2021 Base Salary	\$172,957	\$170,622	\$172,394	\$166,260	\$185,775	\$163,818	\$161,700	\$171,971
2022 Base Salary	\$179,107	\$179,171	\$178,422	\$170,832	\$185,775	\$163,818	\$168,600	\$176,188
2023 Base Salary	\$180,751	\$180,003	\$190,902	\$176,384	\$185,775	\$171,288	\$179,200	\$180,851
Start Date of Incumbent	2023	2023	2017	2016	2023	2019	2019	

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution Setting 2024 County Commissioner Compensation

Primary Originating Division/Dept: Employee Relations

Meeting Date: 12/19/2023

Contact: Kerie Anderka

Title: Employee Relations Division ...

Item Type:

Regular Session

Amount of Time Requested: 10 minutes

Presenter: Kerie Anderka

Title: Employee Relations Division Di...

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The County Board is charged with the responsibility to set compensation, including salary and benefits, for the County Commissioners.

Several factors are typically considered in setting Commissioner salaries, including market rates and internal salary history and patterns. Market information is attached, listing Carver County Commissioners' current annual salary which is set at \$77,786 in comparison to the metro county (2023) average of \$92,044. The attached market data reflects the current year (2023) data.

The County's current collective bargaining agreements establish a 2024 pay-for-performance (PFP) and general adjustment (GA) increase pattern including a January 2024 GA of 3.00% and performance-based pay of 0.00% for needs improvement, 2.00% for successful, 3.00% for exceeds expectations, and 4.00% for outstanding performance. Based on actual performance rating data for recent years, the majority of County employees receive either an "exceeds expectations" or an "outstanding" overall rating. The typical 2023 increase *including general adjustment and performance-based pay* was approximately 6.00% to 7.00% in early 2023 and is expected to be similar in 2024. Employees whose salaries are higher in the pay range for their position (fourth quartile of range) received a portion of their PFP increase as a base adjustment and the remaining portion as a lump sum. For employees who are below the target rate for the salary range associated with their classification, the performance-based increase percentage is calculated on the target rate of the assigned salary range. This helps to accelerate movement toward the target rate.

An increase of \$14,258 (over 18%) would be required to move the Carver County Commissioner salary to the current year metro average. It is anticipated that comparable counties will also be increasing their county commissioner salaries with regard for the current market and recent higher county compensation increase patterns responsive to market conditions. It is recommended the Board consider an increase that will not significantly widen the gap in relation to the comparable county average.

When defining the 2024 County Commissioner salary, the Board could consider an increase ranging from around 6.00% to 6.50% calculated based on the metro average (2023) salary amount, in order to maintain a salary relatively aligned with comparable county data.

For example,

- 6.00% (+ \$5,523) would result in a 2024 County Commissioner salary of \$83,309.
- 6.25% (+ \$5,753) would result in a 2024 County Commissioner salary of \$83,539.
- 6.50% (+ \$5,983) would result in a 2024 County Commissioner salary of \$83,769.

The Resolution provides annual salaries to be set by the Board; cafeteria benefits and HRA or HSA contributions at the same rates as non-bargaining employees; and expense allowances reflecting current rates of \$715.00 for the Chair, \$640.00 for the Vice-Chair, and \$615.00 for the other Commissioners, or amounts as updated and defined by the County Board for 2024.

The action requested is to define the 2024 County Commissioner compensation and benefits and adopt the Resolution establishing Carver County Commissioner salaries and monthly expense allowances for 2024; and providing 2024 cafeteria benefits and HRA or HSA contributions, at the same rates and in accordance with the same terms and timing as non-bargaining County employees.

ACTION REQUESTED:

Motion to adopt the Resolution setting the County Commissioner annual salaries and monthly expense allowances for 2024; and providing 2024 cafeteria benefits and HRA or HSA contributions, at the same rates and in accordance with the same terms and timing as non-bargaining employees.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

Total

FTE IMPACT: None

Related Financial/FTE Comments:

The total cost is dependent on final salary amounts approved by the Board. Total salary and benefits costs may range from \$528,483 to \$530,938.

Expense allowances: \$38,400

Office use only:

RBA 2023 - 9518

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Resolution: 2024 County Commissioner Compensation & Benefits

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

WHEREAS, the Carver County Board of Commissioners has the authority to establish and revise compensation (salary and benefits) for County Commissioners; and

WHEREAS, the Carver County Board of Commissioners intends to establish 2024 County Commissioner salaries; and

WHEREAS, the Carver County Board of Commissioners intends to provide 2024 insurance benefits for Commissioners within the established cafeteria system; and

THEREFORE, BE IT RESOLVED, Carver County shall provide County Commissioners with the following compensation in 2024:

- A. The County Commissioner annual salary amount shall be set at \$_____ for 2024.
- B. County Commissioner monthly expense allowances shall be set at \$715.00 for the Board Chair, \$640.00 for the Vice-Chair, and \$615.00 for the others.
- C. Insurance benefits for the County Commissioners shall be provided through the cafeteria plan, and include the following insurance benefits: life insurance (employee \$50,000.00 life and \$100,000 AD&D, spouse \$2,000.00, and child \$1,000.00); and single dental insurance. Additionally, the Commissioners shall receive a monthly cafeteria amount based on their health insurance elections: single \$1,048.59; employee + child(ren) \$1,405.58; employee + spouse \$1,880.61; or family, \$2,369.88 for 2024, to use toward elective benefits for which they are eligible, and/or additional cash compensation. If the monthly cafeteria contributions for non-bargaining employees are adjusted for 2024, the amounts provided for County Commissioners shall be adjusted to match.
- D. The County shall also provide County Commissioners, if selecting the HRA Plan for health insurance, with a 2024 quarterly contribution to the Health Reimbursement Arrangement through a VEBA Trust. The County shall provide the County Commissioner, if selecting the HRA Plan for health insurance and participating in the plan over the course of a year, an HRA contribution amount of \$750.00 for an election of single insurance, or \$1,500.00 for family insurance coverage tiers. The County shall provide the County Commissioner, if selecting the HSA Plan for health insurance and participating in the plan over the course of a year, with a 2024 contribution of \$1,300.00 for an election of single insurance; or \$2,600.00 for an election of family insurance coverage tiers. If these County contributions for non-bargaining employees are adjusted for 2024, the amounts and terms provided for the County Commissioners shall be adjusted to match.

BE IT FURTHER RESOLVED, that the County reserves the right to make additional adjustments to Commissioner benefits by amendment to the Carver County Personnel Policies or future Board Actions.

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

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 19th day of December, 2023, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of December, 2023

County Administrator

County Commissioners	Dakota County	Anoka County	Washington County	Scott County	Hennepin County	Ramsey County	Carver County	AVERAGE SALARY (Excluding Carver)
2016 Base Salary	\$74,830	\$63,614	\$52,713	\$57,919	\$108,093	\$87,884	\$48,564	\$74,176
2017 Base Salary	\$77,450	\$65,522	\$52,713	\$59,930	\$110,796	\$90,801	\$62,064	\$76,202
2018 Base Salary	\$80,160	\$67,488	\$52,713	\$62,627	\$113,566	\$92,423	\$65,164	\$78,163
2019 Base Salary	\$82,966	\$69,498	\$69,000	\$66,381	\$113,566	\$94,734	\$68,664	\$82,691
2020 Base Salary	\$85,869	\$71,593	\$70,720	\$72,306	\$113,566	\$97,102	\$72,294	\$85,193
2021 Base Salary	\$86,728	\$73,028	\$70,720	\$73,174	\$113,566	\$97,102	\$72,294	\$85,720
2022 Base Salary	\$88,463	\$75,192	\$72,488	\$75,186	\$113,566	\$97,588	\$74,651	\$87,081
2023 Base Salary	\$93,328	\$87,984	\$75,025	\$77,630	\$119,244	\$99,052	\$77,786	\$92,044

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2023 Year in Review

Primary Originating Division/Dept: Administration (County)

Meeting Date: 12/19/2023

Contact: Dave Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 15 minutes

Attachments: Yes No

Presenter: John P. Fahey Title: Board Chair

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County Board Chair Fahey will highlight Carver County year 2023 accomplishments and events.

ACTION REQUESTED:

No action required.

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 - 9444