



**CARVER
COUNTY**

minnesota

**Carver County Board of Commissioners
July 19, 2022
Board Meeting/Work Session**

The County Board Room is open to the public.

Individuals who are not able to attend in person and wish to provide public comments can do so by email at admin-contact@co.carver.mn.us or by leaving a voicemail at (952) 361-1516. Public comments received in writing such as those received by e-mail will be summarized during the meeting and posted on the County website at <https://www.co.carver.mn.us/government/county-board-of-commissioners/county-board-meetings-and-agendas> following the meeting. Voicemail public comments will be played during the meeting. If you would like to join the Regular Session videoconference please send an e-mail, no later than noon on the Monday prior to the scheduled meeting date, to Carver County Administration at admin-contact@co.carver.mn.us to receive a WebEx invitation.

Public comments that relate to an item on the agenda will be heard when that agenda item is discussed. Please limit your public comments to five minutes or less.

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

Commissioner Tom Workman will be participating in the Carver County Board meeting via WebEx from 2100 Arrowood Lane NW, Alexandria, Minnesota, Lower Conference Room

- 9:00 a.m.
1. a) **CONVENE**
b) **Pledge of allegiance**
c) **Public comments submitted via email/voice mail**
 2. Agenda review and adoption
 3. Approve minutes of July 12, 2022, Regular Session 1-3
 4. Community Announcements

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

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

- 5.1 Renew contract with Eastern Carver County Schools for Intercultural Specialist services 4
- 5.2 Donations to Carver County Drug Treatment Court 5
- 5.3 Grant Agreement SG-21502 to design, construct, and equip a waterfront pavilion for Waconia Regional Park 6

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

- 5.4 Memorandum of Understanding with Carver County Community Development Agency for 780 Arboretum Blvd. 7

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

- 5.5 Request to add a Vitals 1.0 FTE and Eliminate a 0.60 FTE and Short-Term, Temporary Positions 8-9

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

- 5.6 Citizen monetary donation (\$40) to Sheriff’s Office in response to service call (ICR#22016973)..... 10
- 5.7 Review Health & Human Services and Commissioner Warrants..... NO ATT

9:20 a.m. 6. **GROWTH: Manage the challenges and opportunities resulting from growth and development**

- 6.1 **Public hearing** - Ordinance No. 101-2022 amending the County Feedlot Management Ordinance 11-17

9:40 a.m. 7. **CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government**

- 7.1 **Closed Session** for Labor Negotiation Strategy 18

10:40 a.m. 8. **County Administrator Report**

10:45 a.m. **ADJOURN REGULAR SESSION**

WORK SESSION

10:45 a.m. A. **CONNECTIONS: Develop strong public partnerships and connect people to services and information**

- 1. Elections Update 19

David Hemze
County Administrator

UPCOMING MEETINGS

- July 26, 2022 No Board Work Session
- July 26, 2022 7:30 a.m. Carver County Leaders Meeting
- July 26, 2022 7:00 p.m. Carver County Township Association Meeting
- Carver County Fairgrounds
- August 2, 2022 9:00 a.m. Board Meeting
- August 9, 2022 No Board Meeting
- August 16, 2022 9:00 a.m. Board Meeting
- August 23, 2022 9:00 a.m. Board Work Session

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on July 12, 2022. Chair Gayle Degler convened the session at 9:05 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.

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

Udermann moved, Fahey seconded, to approve the minutes of the June 28, 2022, Regular Session. Motion carried unanimously.

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

Authorized making interchange request for the US Highway 212/51 intersection to the Minnesota Department of Transportation and authorized the County Engineer, or his designee, to submit said request.

Approved cessation of the Steiner-Kelting Mental Wellness Facility Advisory Committee effective 7/12/22.

Approved issuing a tobacco license for JDK Liquors Inc., dba MGM Wine & Spirits, subject to the receipt of all required paperwork, licensing fee paid, signed affidavit and all delinquent taxes paid.

Approved the arbitration award and the AFSCME Assistant County Attorney 2021-2022 Collective Bargaining Agreement and related budget amendment.

Resolution #60-22, Designating Medsurety LLC and Matrix Trust as Health Reimbursement Arrangement Trustee.

Approved Kelly Small's out of state travel to Nashville, TN.

Resolution #61-22, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the Bevens Creek Dam Removal Project.

Adopted Findings of Fact and issue Order PZ20220023 for the issuance of a Conditional Use Permit, Todd Mesenbring, Benton Township.

Resolution #62-22, Authorizing and Setting Time and Terms of Tax Forfeited Land Sale.

Resolution #63-22, Authorizing and Setting Time and Terms of Tax Forfeited Land Sale, Private Sale of Tax Forfeited Lands by Sealed Bid.

Contract with Master's Touch pending finalization of the contract review process.

Reviewed July 5, 2022, Community Social Services' actions/Commissioners' warrants in the amount of \$222,515.40 and reviewed July 12, 2022, Community Social Services' actions/Commissioners' warrants in the amount of \$243,534.34.

Motion carried unanimously.

Michelle Miller, Employee Relations, appeared before the Board to recognize the Public Employees Excellence Recognition Program award recipients. She explained the program was designed to allow employees to nominate their co-workers for excellence in the areas of customer service, innovation and teamwork. Miller indicated the recipient for customer service award was Scott Davis, the recipient for Innovation was Jessica Norby, the Teamwork award recipient was the Public Health Department and the Judge's Choice award recipient was Michael Mrotz.

The Board congratulated the nominees and award recipients. The Board recognized employees do work together on behalf of the taxpayers and thanked employees.

Kerie Anderka, Employee Relations, explained at the request of Commissioner Udermann the County received a proposal from Gallup Consulting for employee engagement resources for the County. She reviewed Mr. Bath's expertise. Anderka indicated she meet with Steve Bath to learn more and introduced him.

Mr. Bath, Senior Workplace Consultant with Gallup, explained his firm helps build high performing organizations and teams. He stated the biggest challenges employer face are employees that are not engaged or are actively disengaged at work. Bath identified the four levels of employee engagement and noted outcomes of highly engaged businesses. He stressed they understand organizations and don't do anything without research.

He explained the Gallup access platform and advanced data tools. Bath reviewed the types of questions that could be included in the survey. He highlighted action plans and stated they have resources available on all different topics. Bath explained pricing for a three-year agreement.

The Board discussed their level of support for the proposal, cost factor, return on investment and option to review other proposals.

Anderka stated she did see the benefits and liked the resources provided. She indicated she had not, at this point, fully reviewed other options or candidates.

Dave Hemze, Administrator, recognized this issue was discussed at the strategic planning retreat and asked for clear direction on whether to pursue. He noted this proposal has a direct cost to it and this goes back to the direction of the Board.

Udermann moved, Workman seconded, to direct Kerie Anderka and her team to pursue other options in this vein so the Board can get objective feedback through some tool to understand the level of employee engagement in a window to leverage ARPA related dollars so that it does not come out of levy dollars. Udermann, Workman voted aye. Degler, Fahey, Lynch voted nay. Motion failed.

The Board provided general direction to give Employee Relations staff the flexibility to pursue other avenues for engagement that the Employee Relations Director feels are appropriate for the organization.

Fahey moved to not pursue the proposal with Gallop Consulting presented to the Board today. Motion died for lack of a second.

Workman left the meeting at 10:45 a.m.

Dave Frischmon, Property & Financial Services, explained County Assessor Meili had accepted a new position in a neighboring County and requested the Board appoint an interim County Assessor.

Lynch moved, Degler seconded, to appoint Ryan Johnson as the interim County Assessor until a new County Assessor is hired. Degler, Fahey, Lynch, Udermann voted aye. Workman absent. Motion carried.

Lynch moved, Fahey seconded, to adjourn the Regular Session at 10:50 a.m. and go into a work session with the Historical Society and to receive a legislative update from MICA. Degler, Fahey, Lynch, Udermann voted aye. Workman absent. Motion carried.

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:

Renew contract with Eastern Carver County Schools for Intercultural Specialist services

Primary Originating Division/Dept: <u>Health & Human Services - Public Health</u>	Meeting Date: <u>7/19/2022</u>
Contact: <u>Richard Scott</u> Title: <u>Deputy Division Director</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The COVID-19 pandemic has disproportionately affected residents of Carver County who are at high risk for negative health outcomes. Carver County has a robust system of education, health care, transportation, housing and economic opportunities, but these services are often not accessible to all residents due to systems that are not tailored sufficiently to be culturally or trauma responsive to all residents.

To address this issue, Carver County Public Health plans to renew its contract with Eastern Carver County Schools for the amount not to exceed \$65,000 to expand their Intercultural Specialist services. This will include, but not be limited to promoting health and educational equity by leveraging a comprehensive system of public and private non-profit programs to address the underlying factors contributing to health and educational disparities among at risk communities and residents of Carver County. Furthermore, Contractor will support local "grassroots" community organizing to engage and empower residents and community stakeholders to address the negative impact of discrimination, limited economic opportunity, powerlessness, homeless, and lack of access to quality education and culturally responsive health care.

This contractual partnership has and will continue to enhance the county's capacity to improve health outcomes and mitigate the negative sequelae exasperated by the pandemic. Funding for the contract will come from the Minnesota Department of Health COVID-19 Response and Vaccine Implementation Grant. No local county levy dollars will be used.

ACTION REQUESTED:

Motion to contract with Eastern Carver County Schools for Intercultural Specialist services pending finalization of the internal contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$0.00
MDH COVID-19 Respon...	\$65,000.00
Total	\$65,000.00

Related Financial/FTE Comments:

Payment for services shall be made directly to the Contractor after completion of services upon the presentation of an invoice in the manner provided by law for payment of claims against counties. Payment/Contract not to exceed \$65,000. No county tax levy will be used.

Office use only:

RBA 2022 - 8509

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Donations to Carver County Drug Treatment Court

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Periodically, our Carver County treatment courts receive donations from various individuals and groups in support of our services to Drug Court and Veterans' Court participants and their progress. Donations are typically used to purchase incentives, fund pro-social activities, and provide refreshments for graduation ceremonies.

Below are recent donations made to Carver County Drug Treatment Court (CCDTC):

May 4, 2022: \$126.63- from Chaska Lions Club- for a Pro-social event (Pizza)

May 11, 2022: \$2,000.00 from Chaska Lions Club

ACTION REQUESTED:

Motion to approve donations made to Carver County Drug Treatment Court.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars = **\$0.00**

FTE IMPACT:

Total **\$0.00**

Insert additional funding source

Related Financial/FTE Comments:

The donations above are submitted to the State of MN but are used to enhance our local treatment courts. The required State donation forms have already been submitted.

Office use only:

RBA 2022 - 8504

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Grant Agreement SG-21502 to design, construct, and equip a waterfront pavilion for Waconia Regional Park.

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The grant agreement with the Metropolitan Council provides \$2.5 million of state general obligation bonds to be matched with \$2.5 million of county funds for Carver County to design, construct, and equip a waterfront pavilion with restrooms and a rental concession building, and to design, construct, and equip utility connections at Lake Waconia Regional Park. On June 28th, 2022, the County Board approved funding that matches and exceeds dollars needed to match the state bonds. Designation of the matching funds is needed to execute the grant agreement.

ACTION REQUESTED:

Motion to approve grant agreement SG-10782 with the Metropolitan Council and authorize the Board Chair and County Administrator to sign upon completion of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

Met Council Grant SG-21:

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8511

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Memorandum of Understanding with Carver County Community Development Agency for 780 Arboretum Blvd.

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:

Public Works and Community Development Agency (CDA) staff partnered on this Memorandum of Understanding which will facilitate the purchase of the property located at 780 Arboretum Blvd. (PID 650070800) in the City of Victoria from willing property owner-sellers. The CDA will acquire the property with the intent to lease the property for a period of approximately 3 to 8 years, which meets agency purpose and goals.

Public Works and MnDOT have an interest to preserve this area at the northwest corner of Highway 5 and Rolling Acres Road for programmed intersection safety improvements, as identified through the Arboretum Area Transportation Plan corridor study. There is mutual benefit and plans to purchase the property from the CDA in approximately 3 to 8 years at an amount equal to the CDA's purchase price of \$385,000.

ACTION REQUESTED:

Motion to approve a memorandum of understanding with the Carver County Community Development Agency for the purchase and conveyance of PID 650070800, pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

The County is committing to purchase the property in approximately 3 to 8 years from the CDA. The CDA will sell the property to the County for the purchase price (\$385,000), regardless of when the closing date occurs. The future purchase is eligible for funding from the county sales tax and cost share from state and federal funds.

Office use only:

RBA 2022 - 8499

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request to add a Vitals 1.0 FTE and Eliminate a 0.60 FTE and Short-Term, Temporary Positions

Primary Originating Division/Dept: <u>Property & Financial Services - Property Records</u>	Meeting Date: <u>7/19/2022</u>
Contact: <u>Kathleen Smith & David Frisch...</u> Title: <u>Land Records & Vitals Manager</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:
Growth: Manage the challenges and opportunities resulting from growth and development

BACKGROUND/JUSTIFICATION:

The Land Records & Vitals Department is responsible for Vital Records. Vital records requests have increased over the last two years in part driven by the increased documentation required to obtain a REAL ID. A full-time Vitals 1.0 FTE will help maintain strong customer service for the Land Records Department and can also replace two short-term, temporary ("STOC") staff who were indexing a very large historical records project. By assisting with indexing historical records, Land Records technology funds can be redirected from funding the STOC positions to fund a portion of the permanent 1.0 FTE position.

ACTION REQUESTED:

Approve adding a Land Records & Vitals 1.0 FTE and eliminating a Permanent Part Time Land Records & Vitals 0.60 FTE and 0.94 FTE STOC positions.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars =

<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
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FTE IMPACT: Other staffing change (grade, classification, hours, etc.)

Total **\$0.00**

Related Financial/FTE Comments:

No additional levy dollars needed because funds redirected from eliminating a .60 FTE Permanent Part Time Land Records & Vitals position and 0.94 FTE of the Department's STOC positions will fund the new Vitals 1.0 FTE.

0.40 FTE increase in permanent FTEs offset by a 0.54 FTE decrease in Total FTEs which includes STOC. Summary of Permanent FTEs (does not include Temporary/STOC positions):

2022 Budget Board approved FTEs - 1/1/22:	744.40
Non-levy funded Board Approved net FTE changes so far in 2022:	2.00
July 18th RBA non-levy funded net FTE change:	0.40
2022 Total FTE - 7/18/22	746.80

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request to add a Vitals 1.0 FTE and Eliminate a 0.60 FTE and Short-Term, Temporary Positions

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT		
Description of Accounts	Acct #	Amount
Sal/Ben-FT	01-100.6111	\$72,492.00
Transfer In	01-100.5880	\$13,535.00
TOTAL		\$86,027.00

CREDIT		
Description of Accounts	Acct #	Amount
Sal/Ben- PT	01-100.6112	\$33,723.00
STOC- operating budget	01-100.6119	\$25,234.00
STOC- Recorder Tech	02-100.6119	\$13,535.00
Transfer Out	02-100.6932	\$13,535.00
TOTAL		\$86,027.00

Reason for Request:

Eliminate PT FTE and create 1.0 FTE in Land Records & Vitals. Funding for the 1.0FTE is covered by eliminated the 0.60 FTE, 0.75 FTE from operating STOC budget (fund 1) and 0.19 FTE from recorder tech funds (fund 2).

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Citizen monetary donation (\$40) to Sheriff's Office in response to service call (ICR#22016973)

Primary Originating Division/Dept: Sheriff - Administrative Services

Meeting Date: 7/19/2022

Contact: Kate Miner Title: Admin. Services Manager

Item Type: Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

A citizen wanted to show appreciation for a service call, and offered the Deputies on the scene cash to buy themselves dinner with. The deputies repeatedly declined the offer of money explaining that they could not accept the gift. The citizen was adamant and would not take no for an answer and threw the money through the open window of the squad car before hurrying off.

ACTION REQUESTED:

Review and authorize citizen donation to Sheriff's Office.

FISCAL IMPACT: Other

If "Other", specify: \$40.00 revenue

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

\$40 to be deposited into the County Employee Fund

Office use only:

RBA 2022 - 8505

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Ordinance No. 101-2022 amending the County Feedlot Management Ordinance

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

On June 21, 2022, the Carver County Planning Commission held a public hearing and recommended approval of changes to the County Feedlot Management Ordinance - Chapter 54. The Feedlot Ordinance update can be found on the [Feedlot Ordinance Amendment](https://www.co.carver.mn.us/departments/public-services/environmental-services/feedlots/feedlot-ordinance-amendment) page (<https://www.co.carver.mn.us/departments/public-services/environmental-services/feedlots/feedlot-ordinance-amendment>).

The purpose of these amendments is to update and clarify sections of the Ordinance, to remain consistent with Minnesota Rules Chapter 7020 and the County's Zoning Code.

The County Attorney's Office has reviewed the proposed ordinance language. The Planning Commission reviewed these changes at a Public Hearing on June 21, and recommended Board approval. No public input was received.

The following items are attached for the Board's consideration: 1) Planning Commission Resolution (dated: June 21, 2022); 2) a draft County Board Resolution; and 3) a memo with proposed changes and a process timeline.

ACTION REQUESTED:

1. Motion to open the public hearing.
2. Motion to close the public hearing.
3. Motion adopting a resolution enacting Ordinance No. 101-2022, amending Chapter 54, the Feedlot Management Ordinance.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8486

Memorandum

To: Carver County Board of Commissioners
From: Matt Steele, Senior Environmentalist – County Feedlot Officer
Re: Feedlot Management Ordinance – County Board Public Hearing

Environmental Services and the County Attorney's Office have drafted an ordinance amending Chapter 54, Feedlot Management of the Carver County Code. A public hearing is scheduled for July 19, 2022, on the Board of Commissioner's regular agenda.

The Feedlot Ordinance was established on July 23, 1996, with the last major revision taking place in 2003. Minor amendments related to Conditional Use Permits were adopted in 2007.

SUMMARY OF CHANGES: Proposed amendments include minor text modifications for clarity, additional tables for animal unit calculations and manure application setbacks, the addition of text from MN Rules Chapter 7020, updated definitions of "New Animal Feedlot" (to match MN Rules Chp 7020), an increased setback for manure stockpiles, along with minor changes in grammar, spacing, and punctuation.

All Feedlot Management Ordinance update documents can be found at:

www.co.carver.mn.us/departments/public-services/environmental-services/feedlots/feedlot-ordinance-amendment

PROPOSED ADOPTIONS: Proposed text amendments include additions of numerous definitions and other minor modifications, to be consistent with MN Rules Chp 7020 and the Carver County Zoning Code. Tables identifying animal unit calculations and manure application setbacks have been included. The proposed amendments also include the addition of the following sections:

- A. Construction Short-Form Permits and Interim Permits (§ 54.32): The current ordinance omits two types of feedlot permits issued by the County. Construction Short-Form Permits and Interim Permits are incorporated to align with MN Rules 7020.0535.
- B. Feedlot Registration (§ 54.33): Carver County requires feedlots of ten animal units or more to register with the County. Registration data and notification requirements are identified to match MN Rules 7020.0350.
- C. Setbacks (§ 54.46): Setback requirements for short-term manure stockpiles to sensitive features, road ditches, and water wells are included to align with MN Rules 7020.2125. Setback requirements for new and existing feedlots from lakes, rivers, and streams are also incorporated.
- D. Locations (§ 54.47): Location requirements for new and existing feedlots in shoreland districts or floodplain are proposed to be consistent with MN Rules Chapter 7020.2005.
- E. Short-term Manure Stockpiling Sites (§ 54.61): Technical requirements for short-term manure stockpiling sites are incorporated to be consistent with MN Rules 7020.2125.
- F. Animal Feedlot or Manure Storage Area Closure (§ 54.65): Regulations for permanently closing feedlots and manure storage areas are included to reflect Minnesota Rules 7020.2025.

PROPOSED REPEALS: Several definitions are described in § 54.04, but they are not used in the County Feedlot Management Ordinance. The proposed amendment also eliminates the following sections below:

- A. Education (§ 54.33): Education requirements identified in the ordinance have not been enforced for years.
- B. Steel Manure Holding Tanks (§ 54.62): Steel is not listed as an acceptable material used for the construction of liquid manure storage areas in Minnesota Rules 7020.2100.

PROPOSED CHANGES: The definition of a “New Animal Feedlot” has been modified to match Minnesota Rules Chapter 7020.0300. The setback for a manure stockpile has been increased from 200 to 300 feet from residences, churches, schools, regional parks, cemeteries, non-agricultural commercial activities, and restaurants. Minor changes such as grammar, spacing, punctuation, and other editorial changes have been changed throughout the ordinance, as well as the sections indicated below:

- A. Appeals (§ 54.19): The appeals section has been modified to match Chapter 152 of the Carver County Zoning Code.
- B. Commercial Manure Pumpers and Applicators (§ 54.63): Section 54.63 of the County Feedlot Management Ordinance was updated to reflect registration requirements for Commercial Animal Waste Technicians.

A BRIEF TIMELINE OF THIS PROCESS:

1. Staff notified the ten Townships and all registered Carver County feedlots of the County’s intent to propose amendments to the Feedlot Management Ordinance. Letters were sent to the Townships on April 20, 2022, and to registered feedlot owners on May 2, 2022.
2. A feedlot ordinance amendment webpage was created on April 21, 2022, to display the existing ordinance and the proposed text amendments. A comment section was open for submittal through 12:00 pm on Friday, June 3, 2022. No comments were received by the comment deadline.
3. Minnesota Statute requires counties amending an existing feedlot ordinance to notify the Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Agriculture (MDA) prior to adoption. A draft ordinance was delivered to the MPCA on January 24, 2022, and the MDA on May 5, 2022. Environmental Services also requested approval of draft text amendments by the Minnesota Department of Natural Resources (DNR) on January 31, 2022.
4. The Planning Commission held a public hearing during a regularly scheduled meeting on June 21, 2022.
 - A. The Planning Commission reviewed and discussed the language updates. No public comments were received as part of the public hearing process. At the conclusion of the public hearing, the Planning Commission recommended approval to the County Board of Commissioners.
 - B. The public hearing notice for the proposed text amendments was published in the Chaska Herald (official newspaper) on June 9th, several other local newspapers on June 9th and 10th, and it was sent to all ten townships in Carver County, MPCA, MDA, and the DNR.
5. On July 19, 2022, The County Board of Commissioners will hold a public hearing to enact Ordinance No. 101-2022. Public hearing notification was published in the Chaska Herald (official newspaper) July 7th.

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: OA-PZ20220022

RESOLUTION #: 22-08

FILE #: OA-PZ20220022

INITIATED BY: County Staff

TYPE: Ordinance No. 101-2022 to amend Chapter 54 of the County Code

LEGAL DESCRIPTION: County-wide

REGARDING: Ordinance No. 101-2022

WHEREAS, said amendments were duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting on June 21, 2022; and,

WHEREAS, the Carver County Planning Commission finds as follows:


1. The Carver County Feedlot Management Ordinance regulates animal feedlots and livestock wastes in Carver County. The purpose is to maintain and improve the County's agricultural economy and community, and to ensure that animal feedlots and animal wastes are properly managed to protect public health and the environment. The ordinance was established on July 23, 1996, with the last major revision taking place in 2003. Minor amendments related to Conditional Use Permits were adopted in 2007.
2. Carver County Environmental Services Carver County and the Carver County Attorney's Office have drafted an ordinance amending Chapter 54, Feedlot Management of the Carver County Code. The proposed amendments to the County Feedlot Management Ordinance are necessary to better align with Minnesota Rules Chapter 7020.
3. Staff notified the ten Townships and all registered Carver County feedlots of the County's intent to propose amendments to the Feedlot Management Ordinance. Letters were sent to the Townships on April 20, 2022, and to registered feedlot owners on May 2, 2022. A feedlot ordinance amendment webpage was created on April 21, 2022, to display the existing ordinance and the proposed text amendments. A comment section was open for submittal through 12:00 pm on Friday, June 3, 2022, and no comments were received by the comment deadline or at the time of writing this staff report.
4. Minn. Stat. § 394.25 Subd.3(C) requires counties amending an existing feedlot ordinance to notify the Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Agriculture (MDA) prior to adoption. A draft ordinance was delivered to the MPCA on January 24, 2022, and the MDA on May 5, 2022. Environmental Services also requested approval of draft text amendments by the Minnesota Department of Natural Resources (MnDNR) on January 31, 2022.
5. **PROPOSED ADOPTIONS:** The proposed text amendment includes additions of numerous definitions and other minor modifications to be consistent with Minnesota Rules Chapter 7020 and the Carver County Zoning Code. Tables identifying animal unit calculations and manure application setbacks have been included as well. The proposed amendments also include the additions of the following sections below:
 - A. **Construction Short-Form Permits and Interim Permits (§ 54.32)**
The current ordinance omits the two types of feedlot permits issued by the County. Construction Short-Form Permits and Interim Permits are incorporated to align with Minnesota Rules 7020.0535.
 - B. **Feedlot Registration (§ 54.33)**
Carver County requires feedlots of ten animal units or more to register with the County. Registration data and the required notification requirements are identified to match Minnesota Rules 7020.0350.

- C. Setbacks (§ 54.46)
Setback requirements for short-term manure stockpiles to sensitive features, road ditches, and water wells are included to align with Minnesota Rules Chapter 7020.2125. Setback requirements for new and existing feedlots from lakes, rivers, and streams are incorporated as well.
 - D. Locations (§ 54.47)
Location requirements for new and existing feedlots in the shoreland district or floodplain are proposed in order to be consistent with Minnesota Rules Chapter 7020.2005.
 - E. Short-term Manure Stockpiling Sites (§ 54.61)
Technical requirements for short-term manure stockpiling sites are incorporated to be consistent with Minnesota Rules 7020.2125.
 - F. Animal Feedlot or Manure Storage Area Closure (§ 54.65)
Regulations for permanently closing feedlots and manure storage areas are included to reflect Minnesota Rules 7020.2025.
6. PROPOSED REPEALS: Several definitions are described in § 54.04, but they are not used in the County Feedlot Management Ordinance. The proposed amendment also eliminates the following sections below:
- A. Education (§ 54.33)
Education requirements identified in the ordinance have not been enforced over the years.
 - B. Steel Manure Holding Tanks (§ 54.62)
Steel is not listed as an acceptable material used for the construction of liquid manure storage areas in Minnesota Rules 7020.2100.
7. PROPOSED CHANGES: The definition of a “New Animal Feedlot” has been modified to match Minnesota Rules Chapter 7020.0300. The setback for a manure stockpile has been increased from 200 feet to 300 feet from residences, churches, schools, regional parks, cemeteries, non-agricultural commercial activities, and restaurants. Minor changes such as grammar, spacing, punctuation, and other editorial changes have been changed throughout the ordinance, as well as the sections indicated below:
- A. Appeals (§ 54.19)
The appeals section has been modified to match Chapter 152 of the Carver County Zoning Code.
 - B. Commercial Manure Pumpers and Applicators (§ 54.63)
Section 54.63 of the County Feedlot Management Ordinance has been updated to accurately reflect registration requirements for Commercial Animal Waste Technicians.
8. The public hearing notice for the proposed text amendments was published in the Chaska Herald (official newspaper), several other local newspapers, and it was sent to all ten townships in Carver County, MPCA, MDA, and the MnDNR. Based on the approval by the Planning Commission, a public hearing would also be necessary at the County Board and the hearing notices would be properly titled “intent to enact” an ordinance.
9. The draft text amendments for Chapter 54, Feedlot Management were made available to the Planning Commission prior to the public hearing for review. (Note – underline is for new language and strikethrough is for deletion.) Tables identifying animal unit calculations and manure application setbacks were also made available to the Planning Commission for review.
10. Copies of the proposed Ordinance No. 101-2022 were made available at the Environmental Services Department, on the feedlot ordinance amendment webpage, or by calling (952) 361-1800.

11. The proposed amendments are in conformance with the Minnesota Pollution Control Agency (MPCA) standards, the 2040 County Comprehensive Plan, and the County Zoning Code. The amendments are not in conflict with any other official controls, and they would not be detrimental to the health, safety, or general welfare.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the adoption of Ordinance No. 101-2022 for the amendments to Chapter 54 of the Carver County Code.

ADOPTED by the Carver County Planning Commission this 21st day of June 2022.



Scott Wakefield (Jun 23, 2022 16:50 CDT)
Scott Wakefield, Chair 06/23/22
Carver County Planning Commission

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

Date: July 19, 2022

Resolution #:

Motion by Commissioner:

Seconded by Commissioner:

**A RESOLUTION ADOPTING ORDINANCE NO. 101-2022
AMENDING CHAPTER 54 OF THE COUNTY CODE**

WHEREAS, the Planning Commission held a public hearing at its regular meeting on June 21, 2022, and has adopted Resolution #22-08 recommending amendments to Chapter 54, Feedlot Management Ordinance; and,

WHEREAS, the text amendments and reorganized sections to the Carver County Feedlot Management Ordinance, Chapter 54, will provide a variety of updates necessary to better align with Minnesota Rules Chapter 7020, Animal Feedlot Rules and the County’s Zoning Code; and,

WHEREAS, Ordinance No. 101-2022 has been reviewed as to form and content by the County Attorney’s Office; and,

WHEREAS, the Planning Commission’s recommendation, and other testimony were duly considered at a public hearing held by the Carver County Board at its regular meeting of July 19, 2022, and the County Board finds as follows:

1. The amendments are in conformance with the Minnesota Pollution Control Agency (MPCA) standards.
2. The amendments are in conformance with the 2040 Comprehensive Plan.
3. The amendments are not in conflict with any other official controls.
4. The amendments will not be detrimental to the health, safety, or general welfare.

THEREFORE, BE IT RESOLVED THAT THE Carver County Board of Commissioners hereby adopts Ordinance No. 101-2022, amending Chapter 54, the Feedlot Management Ordinance.

YES

NO

ABSENT

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 19th day of July, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2022.

Dave Hemze, County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Closed Session for Labor Negotiation Strategy

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Minnesota Statutes 13D.03, subd 2 allows a public entity to enter into a closed session to plan and discuss labor negotiation strategy. Employee Relations requests to enter into a closed session with the Board to discuss labor negotiation strategy.

ACTION REQUESTED:

Motion to go into closed session to discuss labor negotiation strategy.

Upon conclusion of the closed session, a motion to return to regular session.

FISCAL IMPACT:
If "Other", specify:

FUNDING

County Dollars =

Total

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8513

Carver County Board of Commissioners Request for Board Action

**Agenda Item:**

Elections Update

Primary Originating Division/Dept: Property & Financial Services

Meeting Date: 7/19/2022

Contact: David Frischmon Title: Property & Finance Director

Item Type:
Work SessionAmount of Time Requested: 45 minutes
Presenter: Title:Attachments: Yes NoStrategic Initiative:
Connections: Develop strong public partnerships and connect people to services and information**BACKGROUND/JUSTIFICATION:**

The County Board has requested an Elections Update from County staff on a variety of election related issues and concerns raised by the public.

ACTION REQUESTED:

No formal action is being requested.

FISCAL IMPACT: None
*If "Other", specify:***FUNDING**County Dollars =
Total \$0.00

FTE IMPACT: None

 Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8512