



CARVER COUNTY
COMMUNITY
DEVELOPMENT
AGENCY

Board of Commissioners Packet

October 24, 2024

5:00 p.m. - Regular Meeting

CDA Office, 705 N. Walnut Street, Chaska





**CARVER COUNTY CDA
BOARD OF COMMISSIONERS**

Agenda

Meeting Date: October 24, 2024	5:00 pm	CDA Boardroom, Chaska, MN
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1. Call To Order and Roll Call

2. Audience

Anyone wishing to address the CDA Board on an item not on the agenda, or an item on the consent agenda, may notify Ellie Logelin (elliel@carvercda.org or 952-448-7715) and instructions will be given to participate during the meeting or provide written comments. Verbal comments are limited to five minutes.

3. Approval of Agenda and Meeting Minutes

A. Approval of Meeting Minutes – September 19, 2024 Regular Meeting

4. Consent Agenda – All agenda items listed on the Consent Agenda are considered routine business and will be considered for approval by one motion. There will be no separate discussion of items unless requested to be removed by a Board Member. If removed, the item will be considered immediately following the adoption of the consent agenda.

A. Approval of October 2024 Dashboard

B. Approval of Write-Off of Past Tenant Balances for September 2024

C. Approval of Record of Disbursements – September 2024

5. Regular Agenda

A. Approval for the Execution and Delivery of Certain Documents Relating to the Development of Carver Oaks Apartments

B. Approval of Board of Commissioners Bylaws Amendment

C. 4100 Peavy Rd update

6. Information

A. John Fahey, Carver County Commissioner

B. Nick, Koktavy, Assistant County Administrator Carver County

D. Adjournment

For More Information, call 952-448-7715

Carver County CDA Board meeting agendas are available online at:

<https://www.carvercda.org/about-us/board-members>

Next Meeting:

CDA Board of Commissioners Regular Meeting

November 21, 2024 at 5:00 pm

Carver County CDA Boardroom, 705 N Walnut St Chaska, MN 55318



Board of Commissioners

Meeting Minutes

Meeting Date: September 19, 2024

5:00 pm

CDA Boardroom, Chaska, MN

Chair Greg Anderson called the meeting to order at 5:00 p.m.

COMMISSIONER ROLL CALL:

		Present	Absent
Chair	Greg Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair	Adam Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Secretary/Treasurer	Troy Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner	Jay Rohe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner	Greg Kummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CDA Staff in attendance:

Executive Director	Julie Frick
Deputy Director	Allison Streich
Director, Comm. Development	Melodie Bridgeman
Director, Finance	Karen Reed
Director, Housing	Shanika Bumphurs
Director, HR & Operations	Janette Meyer
HR & Operations Specialist	Ellie Logelin

Others in attendance:

John Fahey, Carver County Commissioner
John Fahey left the meeting at 5:25pm
Nick Koktavy, Assistant County Administrator Carver County
Nick Koktavy left the meeting at 5:25pm
Tim Keane, Kutak Rock

AUDIENCE

No audience members addressed the board.

24-62 Approval of Agenda and Meeting Minutes

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the agenda for the September 19, 2024, Regular CDA Board meeting be approved as written.

BE IT FURTHER RESOLVED by the Carver County Community Development Agency Board of Commissioners that the minutes for the August 15, 2024, Regular meeting be approved as written.

Motion: Rohe

Second: Kummer

	Ayes: 5	Nays: 0	Absent: 0	Abstain: 0
	Yes	No	Absent	Abstain
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Rohe
Kummer



CONSENT AGENDA

24-63 Approval of the September 2024 Dashboard

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the September 2024 Dashboard is approved as written.

24-64 Approval of the Write-Off of Past Tenant Balance for August 2024

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners that the Past Tenant balance for August 2024 is hereby approved to be written off.

24-65 Approval of Record of Disbursements – August 2024

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the August 2024 Record of Disbursements is approved as written.

24-66 Approval of Acceptance of LAHA (Local Affordable Housing Aid) Funding from Carver County

Motion to approve acceptance of Local Affordable Housing Aid funds with a distribution of 70% of the funds from Carver County Health and Human Services to the CDA.

24-67 Approval of the Conveyance of Jonathan Acres LLC dba Windstone Townhomes to the Carver County Community Development Agency

WHEREAS, the Carver Community Development Agency (the “Agency”), pursuant to Agency Resolution No. 10-12, approved the creation of Jonathan Acres LLC (the “Project”) for an Agency property located at 705 Walnut Street North, PID 305170021 in the City of Chaska, County of Carver, Minnesota (the “Property”); and

WHEREAS, the Lender for the Project required the borrower of the Loan to be a single asset entity; and

WHEREAS, the Project debt has been retired and the single-asset entity is no longer necessary; and

WHEREAS, the Project is commonly known as Windstone Townhomes; and

WHEREAS, Agency staff recommends that title in the Project and associated real estate be conveyed to the Agency and the single asset entity be dissolved.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Carver County Community Development Agency:

That the Executive Director, staff and Agency counsel are hereby authorized to take all actions necessary to carry out the dissolution of Jonathan Acres LLC in accordance with Minnesota law and transfer of title of the Property to the Agency as set forth in the attached deed.

Passed and adopted on this 19th day of September 2024.

24-68 Approval of the CDA 2024-2027 Strategic Plan

Motion to approve and adopt the CDA 2024-2027 Strategic Plan.

Motion: Williams**Second: Rohe**

	Ayes: 5	Nays: 0	Absent: 0	Abstain: 0
	Yes	No	Absent	Abstain
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rohe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REGULAR AGENDA**24-69 Approval of the Revised 2025 Budget and Levy**

WHEREAS, the Carver County Community Development Agency (the “Agency”) is duly organized and existing under the laws of the State of Minnesota, including Laws of Minnesota for 1980, Chapter 482, as amended (the “Special Law”); and

WHEREAS, with the approval of the Carver County Board of Commissioners (the “Carver County Board”), the Agency may levy special benefit taxes as authorized under Minnesota Statutes, section 469.107 or 469.033, Subd 6; and

WHEREAS, the Agency has prepared its 2025 General Administrative Operating Budget (the “2025 Budget”) and seeks the approval of the Carver County Board for the 2025 Budget and, to the extent required by law, the Agency’s levy of its special benefits tax, in order to continue the work of the Agency in Carver County;

WHEREAS, the Agency is required to certify a proposed special benefits tax levy to the Carver County Auditor (the “Auditor”) on or before September 30th, 2024, as required by Minnesota Statutes, Section 275.065, Subdivision 1(a), and to certify to the Auditor a final special benefits tax levy on or before December 27, 2024, which is five working days after December 20th, as required by Minnesota Statutes, Section 275.07;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Carver County Community Development Agency as follows:

1. The revised 2025 Budget is hereby approved and directed to be submitted to Carver County pursuant to the requirements of Minnesota Statutes, Sections 469.033 and 275.065.
2. Subject to the consent of the Carver County Board, to the extent required under Minnesota Statutes, Section 469.033, and the Special Law, the Executive Director of the Agency is hereby authorized to certify to the Auditor on or before September 30, 2024, a proposed levy of the Agency’s special benefits tax for taxes payable in 2025 in the amount of \$3,984,217 which, based on current estimates of market value for property in Carver County, is the maximum permitted by law, and to determine the final maximum amount of such levy and certify the final levy to the Auditor on or before December 27, 2024.
3. Upon approval of the Carver County Board of the Agency’s budget and levy of the special benefits tax, the County’s approving resolution shall be attached hereto and made a part of this resolution.

Motion: Teske**Second: Williams**

Ayes: 5	Nays: 0	Absent: 0	Abstain: 0
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	Yes	No	Absent	Abstain
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rohe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

24-70 Approval of Purchase of 107 Benton St. E Cologne

WHEREAS, pursuant to the laws of the State of Minnesota, particularly Minnesota Statutes, Sections 469.001 through 469.047 (the “Act”), the Carver Community Development Agency (the “Agency”) desires to purchase 107 Benton St E, Cologne, Minnesota.

WHEREAS, on this 19th day of September, 2024, there has been presented to the meeting of the members of the CDA a proposal for the CDA to purchase 107 Benton St E at a not to exceed amount of \$305,000.

WHEREAS, the Agency has the desire to purchase 107 Benton St E in Cologne as another potential affordable rental option within the community.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Carver County Community Development Agency as follows:

1. That the Executive Director is hereby authorized to execute and deliver a purchase agreement in a not to exceed amount of \$305,000, to purchase said Property on behalf of the Agency, subject to appraisal.

Motion: Williams

Second: Kummer

Ayes: 5

Nays: 0

Absent: 0

Abstain: 0

	Yes	No	Absent	Abstain
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rohe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

24-71 Approval of Procurement for Rural Development

WHEREAS, the Carver County Community Development Agency (herein called the CDA) accepted a Best Value bid for the concrete and asphalt work at Hilltop I, II and Mayer Elderly;

WHEREAS, the CDA purchased Hilltop I, II and Mayer Elderly in 2021 with outlined work that needed to be completed as part of the purchase under a Capital Needs Assessment (the “Improvements”); and

WHEREAS, the CDA board has authorized a loan from the CDA to the property for the Improvements; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of CDA that the Contracting Officer or his/her designee be authorized to sign a change order for the project and increase the not to exceed to \$256,000.

Motion: Rohe

Second: Teske

	Ayes: 5	Nays: 0	Absent: 0	Abstain: 0
	Yes	No	Absent	Abstain
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rohe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion to Move the October CDA Board Meeting Back One Week to Thursday, October 24th, 2024 at 5:00pm.

Motion: Kummer

Second: Teske

	Ayes: 5	Nays: 0	Absent: 0	Abstain: 0
	Yes	No	Absent	Abstain
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rohe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INFO - Carver County update

Carver County Commissioner Fahey provided an update.

- Provided an update on the Highway 5 project.
- Extended a “thank you” and “congratulations” to Julie Frick.

Carver County Assistant County Administrator Koltavy provided an update.

- Allison Streich will be at the County Board meeting on October 1st, 2024, to discuss the allocated ARPA Funds.

Tim Keane from Kutak Rock provided an Open Meeting Law training.

INFORMATION

The CDA received an early rejection letter from MN Housing for Trail’s Edge Senior.

The CDA participated in NAHRO advocacy throughout the month of August.

There is a NextStage event on October 16th about financing for start-ups and small businesses. The event is sponsored by Minnesota Bank and Trust.

ADJOURNMENT

24-72 Adjournment

BE IT RESOLVED that the Carver County Community Development Agency Board of Commissioners hereby adjourns until Thursday, October 24, 2024.

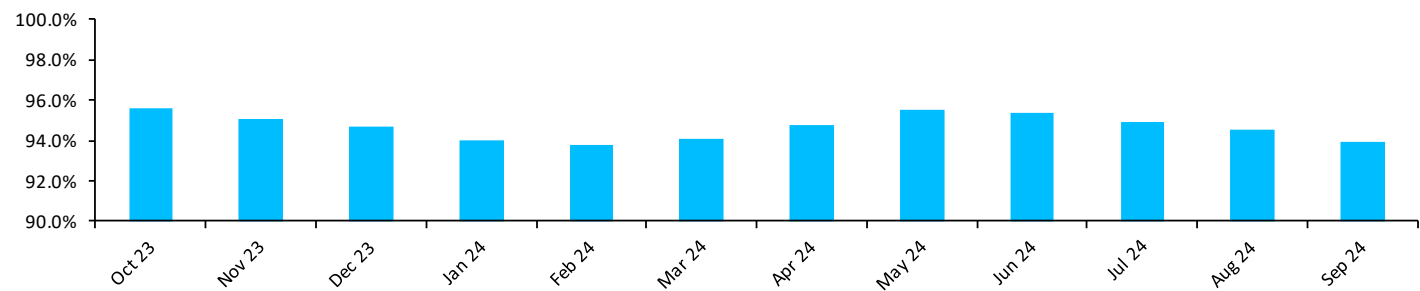
Motion: Kummer

Second: Teske

	Ayes: 5	Nays: 0	Absent: 0	Abstain: 0
	Yes	No	Absent	Abstain
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rohe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The CDA Board meeting adjourned at 5:54 p.m.

HOUSING UPDATES



2024 Capital Improvement Projects in Process:

Property	Improvement Project	Status and Tentative Schedule
Brickyard	<ul style="list-style-type: none">Brick and Concrete repairs around entire building.	<ul style="list-style-type: none">Project in progress and scheduled to be completed by early November.
Hilltop/Mayer	<ul style="list-style-type: none">Gutter Project & Attic InsulationParking lot RepairsResiding of Mayer	<ul style="list-style-type: none">Project will be completed by the end of 3rd week in October.Project completed at Mayer. Hilltop will be completed by the end of the 2nd week in October.Project will be completed by 10/11.
Windstone	<ul style="list-style-type: none">Concrete Entryway Stoop Replacement (4)Sealing Coating/Striping of Parking Lot at Fieldstone	<ul style="list-style-type: none">Completed 10/15Project completed on 10/4.
Crossings	<ul style="list-style-type: none">Seal Coating and Striping Parking LotsMagic Pak Replacement	<ul style="list-style-type: none">Completed at the end of September.Received and installed.
Bluff Creek	<ul style="list-style-type: none">Deck Repairs	<ul style="list-style-type: none">In-House Rebuilding of 2 Decks, still waiting for Permit Approval from the City.
Lake Grace	<ul style="list-style-type: none">Retaining Wall ReplacementInstall Bullet Edgers and Mulch around the D Building Entryways.	<ul style="list-style-type: none">Project will be completed after the landscaping work is done.Project starting on 10/10.
Centennial Hill	<ul style="list-style-type: none">Parking Lot Repairs	<ul style="list-style-type: none">Scheduled to start on 10/11.
Waybury	<ul style="list-style-type: none">Drainage Project (Northside of Building)	<ul style="list-style-type: none">Project to start by the end of the month.
Carver Homes	<ul style="list-style-type: none">310 Maple (Chaska)Clover Ridge Sidewalk and Stoop Project.Energy Efficiency Audits	<ul style="list-style-type: none">Drain Tile and Sump Pump Installation, pending asbestos remediation.Project expected to start on 10/14.Audit will be completed by the end of 2024. Work is pending audit completion.

Mayer Elderly Sidewalk and Parking Lot Project:



Mayer Elderly Siding Project:



Hilltop Parking Lot and Sidewalk Project:





Brickyard Project:





Staffing News:

- Welcome, Devin M.! Devin was hired as a Maintenance Assistant, he started 9/30. Devin will eventually oversee maintenance duties for Carver Oaks and Carver Place.
- Congratulations to Luis D.! Luis has been promoted from Caretaker to Maintenance Assistant. Luis will be assigned to Centennial Hills and Brickyard.
- We have the following vacant positions to fill:
 - Assistant Director of Property Management
 - Compliance Assistant
 - Property Manager (3)
 - Housing Quality Specialist (HQS)
 - Caretaker (1)

Miscellaneous Updates:

- We are continuing to work through the implementation process for Yardi Case Manager. Yardi Case Manager can be best described as a centralized tracking system that can be used to track and complete processes that are associated with residents and applicants that cannot be tracked within Yardi Voyager. As an example, some of these tasks include but are not limited to the following: Reasonable Accommodation and Modification requests, Lease Violations, Lease Terminations, Tenant Adjustments Approvals/Denials, and/or Applicant Appeals.
- We are currently looking into Waitlist Central by Housing Link to help manage the Interest List for properties that we do not have to manage a Waitlist for like we do for Waybury and Rural Development. Once we work through the implementation of the Interest List, we will work on importing and managing our Waitlist using this feature as well.

- The Housing Opportunity Through Modernization Act of 2016 also known as HOTMA is being delayed until 2025. The implementation of HOTMA will affect our Rural Development, Section 8, and LIHTC (Tax Credit) properties. HOTMA makes amendments to Sections 3, 8, and 16 of the Housing Act of 1937. These revisions to Sections 102, 103, and 104 of the HUD regulations found in 24 CFR Part 5 and 24 CFR Part 891, will have a significant impact on how we review, process, and define income and assets for households.
- We received an increase of the Contract Rents for the completion of the Rural Development rehab work at Mayer Elderly and Hilltop. Rents increased on a 1 bedroom from \$543 to \$725 and \$560 to \$825 on our 2 bedrooms. The increase is effective as of October 1, 2024. We are also requesting the annual increase of Contract Rents for January 1, 2025.
- We also received a Gross Rent Change for Waybury effective October 2, 2024!

SPECIAL PROGRAMS

Program	Grant Term	# Units Under Contract	% Under Contract
Bridges	7/1/23-6/30/25	13	100%
Bridges RTC	7/1/23-6/30/25	2	100%
Housing Trust Fund	10/1/23-9/30/25	15	86%
CoC PSH	8/1/23-7/31/24	14	86%

Resident Services

Presentations (2024)

Agency	Property	Number of Residents
SmartLink	Waybury	13
	Centennial	17
	Crossings	16
	Spruce	4
	Oak Grove	11
	Trail's Edge	3
SW Transit	Centennial	15
CAP Agency	Waybury	10/24/24
	Centennial	1
	Oak Grove	10/24/24
	Crossings	6
	Spruce	1
	Trail's Edge	10/24/24
Flu Clinic	Waybury	10/22/24
	Centennial	10/22/24
	Oak Grove	17
	Crossings	16

2024 YTD:

# of appointments	# of residents/clients	Mobile food shelf participants	Energy Assistance Program Application assistance
21	14	42	10

CDA SERVICES BY COMMUNITY

The table below lists the main CDA services and number of participants or units for each Carver County Community. Numbers are year to date (or are noted accordingly).

	Metro HRA Housing Choice Vouchers	CDA Affordable Rental Units	CDA Subsidized Rental Units	CDA Rental Assistance Participants	Septic Loans and Grants	Community Growth Partnership Initiative (awards since 2016) plus outstanding Business Loan Funds	Entrepreneur Support Program (Thru Q4 2021)	Land Trust Units	Housing Rehab (single family and multifamily rental)	Commercial and Mixed-Use Rehab
Carver	17	9	9	6		3	3			
Chanhassen	45	59	20	2		5	3			
Chaska	145	183	174	24		3	9	27	2	
Cologne			3	2		1	5	1		
Hamburg										
Mayer			10					1		
New Germany				1		4				
NYA	3	47	10	1		3	5		3	7
Victoria		3	3			4	4	1		
Waconia	13	119	51	7		2	4	9		
Watertown	2		34			4	2	1	7	9
Townships					17	1				
Other							1			
TOTAL	225	420	314	43	17	30	36	40	12	16

FINANCE

FINANCE				
		September 2024 YTD Actual	September 2024 YTD Budget	Variance
CDA	Revenue	14,007,479	12,265,519	1,741,960
	Expenses	8,146,230	9,393,235	1,247,005
	Cash Balance	6,750,324		

		September 2024 YTD Actual	September 2024 YTD Budget	Variance
Properties	Revenue	7,456,732	7,243,561	213,171
	Expenses	4,804,360	5,291,553	487,193
	Cash Balance	3,378,570		

Revenue Recapture collected through September

Note-Write-off amounts and collected amounts may not be from the same year.

Property:	Written off:	Collected:	Notes:
Lake Grace	\$ 13,223	\$ 745	
Carver Homes	\$23,092	\$18,281	
Bluff Creek	\$3,379		
Oak Grove			
Hilltop	\$3,687		
Trails	\$ 14,306	\$1,393	
Crossings	\$ 5,196		
Waybury	\$ 39,330	\$361	
Windstone	\$ 3,194	\$4,381	
Total:	\$105.407	\$25,161	

Other Finance updates

Consolidated YTD revenues for the CDA through September were \$14,007,479 and expenses were \$8,146,230. **Net Operating Income was \$5,861,249, 104% over budget.** The increase in revenues is due to a reclassification of grant funds from County of \$1,000,000, which in turn was loaned to Carver Place. YTD Revenues for the properties were \$7,456,732 and expenses were \$4,804,360. **Net Operating Income was \$2,652,372, 36% over budget.**

COMMUNITY & ECONOMIC DEVELOPMENT

COMMUNITY LAND TRUST (CCCLT)

Total Units	42
Total resales YTD	1
# of families helped	74
Waiting list	14
Acquisition this month	0

Notes:

Staff attended the 2024 Midwest CLT Regional Conference October 7 – 10 in Downtown Minneapolis. Valuable insights and information was obtained to better serve and expand the CCCLT.

RFP application submitted for MN Housing Community Homeownership Impact Funds

Funds will be used for a CCCLT Homebuyer Initiated Program (HIP) expansion

Selection decisions released by December 31, 2024

The CDA is committing \$100,000 in leverage funding for this application.

Vacant Lot at 413 Franklin Ave NE, Watertown, Grant Funds awarded 2023.

An additional grant application was submitted to Met Council to meet the anticipated increased value and affordability gap. Selections will be made in January 2025.

Working to issue RFP for general contractor in late October.

Chaska Yards (Ernst House) project general contractor chosen; DDK Construction. Working to obtain building permits.

BUSINESS DEVELOPMENT - NEXTSTAGE

	Q4 2023	Q1 2024	Q2 2024	Q3 2024	Total 4 Qtrs
Total Carver County Clients Assisted	10	19	24	34	87
# of Financing Events	1	2	1	1	5
Total Financing/Investment	\$275,000	\$483,150	\$460,000	\$746,650	\$1,964,800
New Business Starts	0	1	1	0	2
Business Expansions	0	0	0	0	0
New FT Jobs	2	2	2	0	6
New PT Jobs	1	6	1	0	8

MINNESOTA CITIES PARTICIPATION PROGRAM (MCP) –
2024 allocation is \$1,992,221 Numbers through September 2024

	# Committed loans	Total \$	% of allocated funds
First Mortgage Loans	22	\$5,482,737	275%
Additional Start-up loans	3	\$806,585	N/A
Step up loans	10	\$3,576,586	N/A
Down payment assistance		\$512,900	N/A
TOTALS	35	\$9,865,908	N/A

COMMUNITY GROWTH PARTNERSHIP INITIATIVE (CGPI)

Open Grants:

Year	Grant	City	Project	Budget
2020	Comm. Development	CDA – Chaska	Ernst House Rehab	\$85,000
2021	Comm. Development	CDA – Chaska	Ernst House Rehab	\$92,500
2023	Pre Development	Norwood Young Am	Housing Study	\$7,500
2023	Pre Development	Waconia	Waterford Assoc.	\$7,500
2023	Comm. Development	Mayer	Old Firehall	\$90,000
2023	Comm. Development	Waconia Township	Sovereign Estates	\$90,000
2023	Pre Development	Mayer	Creamery Bldg	\$7,500
2024	Pre Development	NYA	Urban Streetscape	\$7,500
2024	Pre Development	Watertown	Spring Hills	\$10,000
2024	Pre Development	Victoria	Tif Analysis	\$10,000
2024	Pre Development	Chaska	Zoning Audit	\$10,000
2024	Comm. Development	Cologne	Cooperative	\$100,000
2024	Comm. Development	Chanhassen	Downtown	\$100,000
2024	Comm. Development	NYA	Industrial Park	\$100,000

SEPTIC / WELL LOAN PROGRAM (SSTS)

	2025 new assessments	Underway (anticipated 2025 assessment)	2024 Paid Off	Total active assessments
Applications	6	25	0	65

ECONOMIC DEVELOPMENT (social media)

FACEBOOK choosecarvercounty

	Q4 2023	Q1 2024	Q2 2024	Q3 2024	Totals
Facebook Reach	10,700	17,100	5,800	233	34,691
Facebook Page new likes	9	22	84	163	278
Total Facebook Likes		160	244	247	
Total Facebook Followers		232	314	318	

- Note: Social media advertisements ran in Q4 2023 through Q2 2024.

CHOOSECARVERCOUNTY.COM

	Q4 2023 VCC	Q1 2024 VCC	Q2 2024 CCC	Q3 2024 CCC	Totals
Page Views	2,467	2,605	3,446	4,641	13,159
Average Engagement			2:15m	1:19m	
Top 3 Pages	Home, Events, Things to Do	Events, Home, Work Here	Events, Home, Contact Our Staff	Home, Events, Lake Auburn Campground	

ADMINISTRATIVE/OTHER ITEMS OF INTEREST

Staff presented on Section 515 Rural Housing/Rural Development at the MN NAHRO fall conference on September 18. The Executive Director and Director of Housing attended the conference.

Staff presented information from the housing study at a September 26 Southwest Metro Chamber event.

Staff will be presenting on the housing study to the Waconia City Council on November 4 and the Chanhassen Economic Development Commission on November 12.



Board of Commissioners

Request for Board Action

Meeting Date: October 24, 2024,

Agenda number: 4A

DEPARTMENT: Housing

FILE TYPE: Regular Consent

TITLE: Approval of Write-Off of Past Tenant Balances for September 2024

PURPOSE/ ACTION REQUESTED: Approve write-off of Past Tenant Balances

SUMMARY: The Carver County CDA's policy is to write off past tenant balances that have been submitted to MN Revenue Recapture and was approved by the CDA Board. When a past tenant moves out with a balance, the tenant has 10 business days to contact the CDA to either pay the balance in full or set up a repayment agreement. If the past tenant does not contact the CDA, the balance due is submitted to MN Revenue recapture. The CDA will "write-off" the past balance in Yardi once it has been submitted to MN Revenue Recapture. Any former resident that has been submitted to MN Revenue Recapture due to that past balance will remain there until such time as that balance is paid or the six-year statute of limitations has passed.

RECOMMENDATION: Staff recommend approval of the write-off of past tenant balances.

EXPLANATION OF FISCAL/ FTE IMPACTS:

☒ None ☐ Current budget ☐ Other ☐ Amendment requested ☐ New FTE(s) requested

RESOLUTION:

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners that the Past Tenant balance for September 2024 is hereby approved to be written off.

PREVIOUS BOARD ACTION

N/A

ATTACHMENTS

Past tenant balances

BOARD GOALS

☐ Focused Housing Programs ☐ Collaboration ☐ Development/Redevelopment
☐ Financial Sustainability ☒ Operational Effectiveness

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Shanika Bumphurs, Director of Housing

Author: Shanika Bumphurs, Director of Housing

Tenant Unpaid Charges

Status = Past

Property Code	Tenant Status	Charge Type	Current Owed	Amount Paid
bluff				
Resident 1				
	Past	RENT	\$534.46	\$1,039.54
	Past	DAMAGE	\$5,031.46	\$0.00
Total For Resident 1			\$5,565.92	\$1,039.54
centhill				
Resident 2				
	Past	MISC.	\$100.00	
	Past	LATE FEE	\$100.00	
	Past	RENT	\$223.58	\$858.42
Total For Resident 2			\$423.58	\$858.42
lakegrc				
Resident 3				
	Past	RENT	\$2,726.30	\$87.70
	Past	DAMAGE	\$5,808.39	\$0.00
Total ForResident 3			\$8,534.69	\$87.70
waybury				
Resident 4				
	Past	RENT	\$2,783.58	\$253.42
	Past	DAMAGE	\$4,404.36	\$0.00
Total For Resident 4			\$7,187.94	\$253.42
Total			\$21,712.13	\$2,239.08



Board of Commissioners

Request for Board Action

Meeting date: October 24, 2024

Agenda number: 4C

DEPARTMENT: Finance

FILE TYPE: Regular - Consent

TITLE: Approval of Record of Disbursements - September 2024

PURPOSE/ ACTION REQUESTED: Approve Record of Disbursements for September 2024

SUMMARY: In September 2024, the Carver County Community Development Agency (CDA) had \$1,206,722.27 in disbursements and \$218,529.65 in payroll expenses. Attachment A provides the breakdown of disbursements. Additional detail is available from the Finance Department.

RECOMMENDATION: Staff recommends approval of the Record of Disbursements for September, 2024.

EXPLANATION OF FISCAL/ FTE IMPACTS:

☐ None ☒ Current budget ☐ Other ☐ Amendment requested ☐ New FTE(s) requested

RESOLUTION:

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the September 2024 Record of Disbursements is approved as written.

PREVIOUS BOARD ACTION

N/A

ATTACHMENTS

Attachment A: Record of Disbursements - September 2024

BOARD GOALS

☐ Focused Housing Programs ☐ Collaboration ☐ Development/Redevelopment
☒ Financial Sustainability ☐ Operational Effectiveness

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Karen Reed, Director of Finance

Author: Karen Reed, Director of Finance

**Carver County CDA
Record of Disbursements
For the Month of September 2024**

	Date	Amount	Total
Carver Homes	09/05/24	\$5,624.79	
	09/11/24	\$23,697.77	
	09/18/24	\$20,199.98	
	09/25/24	\$16,544.78	
			\$66,067.32
CDA	09/05/24	\$76,044.53	(1)
	09/11/24	\$43,150.45	
	09/18/24	\$54,672.63	
	09/25/24	\$97,345.97	(2)
			\$271,213.58
Properties	09/03/24	\$54,351.45	
	09/09/24	\$319,023.88	(3)
	09/18/24	\$252,371.42	(4)
	09/25/24	\$243,694.62	(5)
			\$869,441.37
Total September 2024 Disbursements			\$1,206,722.27
September 2024 Payroll			
	09/11/24	\$78,862.47	
	09/25/24	\$139,667.18	
			\$218,529.65

Disbursement detail is available in the Finance Office

- (1) **University of MN - Carver Oaks - consulting - \$7,760**
HART - pension contribution - \$17,000
- (2) **Kutak Rock - legal - \$11,000**
Ripley Richard - consulting - Carver Oaks, Carver Place - \$13,000
Carver County - health, dental, life - \$34,000
- (3) **US Bank -Waybury debt service - \$34,000**
Pacific Life - Trail's Edge debt service - \$32,000
Interfund clearing - \$26,000
Hilltop replacement reserves - \$22,000
Project One - progress billing - Brickyard exterior project - \$131,000
- (4) **Interfund clearing - \$237,000**
- (5) **Interfund clearing - \$67,000**
Project One - progress billing - Brickyard exterior project - \$131,000



Board of Commissioners

Request for Board Action

Meeting date: October 24, 2024

Agenda number: 5A

DEPARTMENT: Property Management

FILE TYPE: Agenda-Regular

TITLE: Approval of the Execution and Delivery of Certain Documents Relating to the Development of Carver Oaks Apartments

PURPOSE/ ACTION REQUESTED: Approval of execution and delivery of documents for an early start on Carver Oaks Apartments.

SUMMARY: The CDA submitted a funding application to MN Housing for funding of Carver Oaks in 2023 and was awarded funding in December 2023. Carver Oaks will be a senior housing project consisting of 43 units, with a mix of 1- and 2-bedroom units. The development will be located at 1595 Hartwell Dr in Carver. A limited liability company will serve as the developer of the project. The CDA will be the sole member of the Developer.

The CDA, CCCDA Carver Oaks Senior Residence LP, and CCCDA Carver Oaks Senior Residence GP LLC need to adopt resolutions prior to commencing an early on Carver Oaks. This includes the acquisition of the property and entering into the construction and architect's agreements. Prior to closing on the project, adoption of a resolution for other items will include, the construction and permanent loans from MN Housing, the investment in the Partnership by R4 Capital LLC, the acceptance of additional funds, the acceptance of Project-Based Section 8 assistance and entering into a property management agreement.

RECOMMENDATION: Approve the Resolution to acquire the property and enter into the construction and architect's agreements for an early start for Carver Oaks Apartments

EXPLANATION OF FISCAL/ FTE IMPACTS:

☐ None ☐ Current budget ☒ Other ☐ Amendment requested ☐ New FTE(s) requested

RESOLUTION:

See attached Resolution

PREVIOUS BOARD ACTION

Resolution 24-18-Approval of the Creation of a Limited Partnership and Limited Liability Company General Partner-Carver Oaks

ATTACHMENTS

N/A

BOARD GOALS

☐ Focused Housing Programs ☐ Collaboration ☒ Development/Redevelopment
☐ Financial Sustainability ☐ Operational Effectiveness

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Allison Streich, Executive Director

Author: Allison Streich, Executive Director

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
OF
CARVER COUNTY COMMUNITY DEVELOPMENT AGENCY**

Resolution No:

The Board of Commissioners (the “Board of Commissioners”) of Carver County Community Development Agency, a public body corporate and politic of the State of Minnesota (the “CCCD”), the sole member of CCCDA Carver Oaks Senior Residence GP LLC, a Minnesota limited liability company (the “General Partner”), the general partner of CCCDA Carver Oaks Senior Residence LP, a Minnesota limited partnership (the “Partnership”), hereby adopts the resolutions set forth below with respect to the authorization of the following actions of the CCCDA, the General Partner, and the Partnership:

Acquisition of the Property by the Partnership

WHEREAS, the Partnership was organized to acquire, construct, own, hold, operate, lease, rent, manage, maintain, repair, remodel, mortgage, encumber, refinance by contract for deed and/or mortgage debt, sell, exchange, transfer, or otherwise dispose of or derive economic benefit from a low-income multifamily housing development to be located on the Property, as defined herein (the “Project”);

WHEREAS, the CCCDA desires to contribute to the General Partner, and the General Partner desires to accept such contribution (the “GP Real Estate Acquisition”), that certain real property located in the City of Carver, Minnesota, legally described on Schedule 1 attached hereto (the “Property”), pursuant to the terms of that certain Land Contribution Agreement by and between the CCCDA and the General Partner;

WHEREAS, the General Partner desires to contribute the Property to the Partnership, and the Partnership desires to accept such contribution (the “Partnership Real Estate Acquisition” and, together with the GP Real Estate Acquisition, the “Real Estate Acquisition”);

WHEREAS, the Board of Commissioners has determined it to be in the best business and pecuniary interest of the CCCDA, the General Partner, and the Partnership to complete the Real Estate Acquisition; and

WHEREAS, the CCCDA, the General Partner, and the Partnership must enter into various documents for the Real Estate Acquisition to occur (collectively, the “Real Estate Acquisition Documents”).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the CCCDA, authorizes and approves the Real Estate Acquisition and the execution of the Real Estate Acquisition Documents and any additional documents that may be required with respect to the Real Estate Acquisition.

RESOLVED FURTHER, that any one officer of the CCCDA and any one manager of the General Partner, including Allison Streich, or Karen Reed, the Executive Director, and Finance Director of the CCCDA, respectively, and the Vice President/Secretary and Vice President/Treasurer

of the General Partner, respectively (each an “Authorized Signatory”), is authorized and directed on behalf of CCCDA, the General Partner, and/or the Partnership to execute and deliver the Real Estate Acquisition Documents, as applicable.

Construction and Architect’s Contract

WHEREAS, the Partnership is entering into a contract for construction of the Project (the “GC Contract”) with Frana Companies, Inc. (the “Contractor”), and an architect’s contract (the “Architect’s Agreement” and, together with the GC Contract, the “Construction Contracts”) with Kaas Wilson National PC (the “Architect” and, together with the Contractor, the “Contractors”); and

WHEREAS, the Board of Commissioners has determined it to be in the best business and pecuniary interests of the Partnership to enter into the Construction Contracts.

NOW, THEREFORE, BE IT RESOLVED, that any one Authorized Signatory be and is authorized on behalf of the CCCDA any time hereafter and without further action by or authority or direction from the Board of Commissioners to execute and deliver on behalf of the CCCDA, the General Partner, and/or the Partnership any and all documents, contracts and instruments with the respect to the Construction Contracts:

1. That certain AIA Document A101 – 2017 Standard Form of Agreement Between Owner and Contractor between the Partnership and the Contractor, together with all exhibits and addenda thereto;
2. That certain AIA Document B109 – 2020 Standard Form of Agreement Between Owner and Architect between the Partnership and the Architect, together with all exhibits and addenda thereto; and
3. Any and all other documents, contracts and instruments to be executed by the Partnership in connection with the Construction Contracts.

RESOLVED FURTHER, that the foregoing resolutions are in addition to, and do not limit and shall not be limited by, any resolutions heretofore or hereafter adopted by or on behalf of the CCCDA, the General Partner, or the Partnership for the conduct of the business necessary to enable the execution of any and all documents in connection with the Real Estate Acquisition and the Construction Contracts (collectively, the “Resolved Matters”) and the foregoing resolutions shall continue in force until express written notice of their prospective rescission or modification as to future transactions that have not been undertaken or committed for has been received by the parties to the Resolved Matters.

RESOLVED FURTHER, that any one Authorized Signatory be and is authorized and directed on behalf of the CCCDA any time hereafter and without further action by or authority or direction from the Board of Commissioners to approve, execute, and deliver any documents that may be required with respect to the Resolved Matters on behalf of the CCCDA, the General Partner, and/or the Partnership as applicable.

RESOLVED FURTHER, that any and all actions regarding the Resolved Matters by or on behalf of the CCCDA, the General Partner, and/or the Partnership prior to the adoption of these resolutions be and are in all respects ratified, approved, and confirmed.

RESOLVED FURTHER, that each of the lenders herein described is authorized to rely on the continuing force and effect of these Resolutions until receipt by such party at its principal office of notice in writing from the CCCDA, the General Partner, and/or the Partnership, as applicable, of any amendments or alterations hereof.

RESOLVED FURTHER, to the extent required by the various counterparties referenced herein associated with the Resolved Matters, that any one Authorized Signatory be and is authorized and directed on behalf of the CCCDA any time hereafter and without further action by or authority or direction from the Board of Commissioners to revise the dollar amounts as they are listed herein and to add, amend, or replace the lists of documents provided in this Resolution, so long as such actions do not result in a material change to the Resolved Matters as they have been approved by the Board of Commissioners.

The remainder of this page has been left intentionally blank.

Adopted this 24th of October, 2024

Chair

Attest:

Secretary

SCHEDULE 1

Legal Description

Outlot A, Carver Place, according to the recorded plat thereof, Carver County, Minnesota.

(Torrens Property)



Board of Commissioners

Request for Board Action

Meeting date: October 24, 2024

Agenda number: 5B

DEPARTMENT: Administration

FILE TYPE: Regular Agenda

TITLE: Approval of Board of Commissioners Bylaws Amendment

PURPOSE/ ACTION REQUESTED: Approve the proposed amendments to the current bylaws

SUMMARY: In 2010 the CDA Board of Commissioners bylaws were amended to remove term limits. In 2023, the CDA established the Carver County Community Land Trust, LLC. The CDA is the sole member of the LLC. This was established for the West Creek project. The West Creek project is the only project in the LLC.

The CDA board serves as the board for the LLC. Under MN Statute 317A.207, a nonprofit director's term may not exceed 10 years. Therefore staff is recommending reinstating term limits so that the LLC may continue to use the same board as the CDA. This becomes effective immediately and is retroactive.

Additionally, amending the bylaws to include the addition of email as an option of notifying the board of proposed bylaw amendments.

RECOMMENDATION: Approve proposed bylaw amendments

EXPLANATION OF FISCAL/ FTE IMPACTS:

☒ None ☐ Current budget ☐ Other ☐ Amendment requested ☐ New FTE(s) requested

RESOLUTION:

BE IT RESOLVED by the Board of Commissioners of the Carver County Community Development Agency (the "Agency"), that the Bylaws of the Agency are hereby amended in their entirety to read as set forth in the form attached hereto. The amendments shall take effect immediately following adoption of this resolution.

PREVIOUS BOARD ACTION

n /a

ATTACHMENTS

Notice of bylaw amendment and proposed bylaw amendments

BOARD GOALS

☐ Focused Housing Programs ☐ Collaboration ☐ Development/Redevelopment
☐ Financial Sustainability ☒ Operational Effectiveness

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Allison Streich, Executive Director

Author: Allison Streich, Executive Director

Revised November 18th, 2010

**BYLAWS
OF
CARVER COUNTY
COMMUNITY DEVELOPMENT AGENCY
CARVER COUNTY, MINNESOTA**

PREAMBLE

The Community Development Agency of Carver County was originally created as a Housing and Redevelopment Authority by an act of the Legislature of the State of Minnesota in 1980, was renamed by an act of the Legislature of the State of Minnesota in 2006, and is regulated by Minnesota Statutes §§ 469.001 to 469.047 and 469.090 to 469.1082. On the 22nd day of April, 1980, the Carver County Board of Commissioners adopted a resolution in accordance with the findings under the State Law.

**ARTICLE I
AGENCY**

SECTION A. NAME: The legal name of the Agency is “Carver County Community Development Agency” (the “Agency”).

SECTION B. SEAL: The seal of the Agency is in the form of a circle and bears the name of the Agency and the Seal of the State of Minnesota.

SECTION C. OFFICE: The Office of the Agency is located at 705 North Walnut Street, City of Chaska, and State of Minnesota.

ARTICLE II **MEMBERSHIP**

SECTION A. NUMBER OF MEMBERS: The number of members of the Board of Commissioners (the “Board”) of the Agency shall be five (5).

SECTION B. APPOINTMENT: Each member (“Commissioner”) shall be appointed from the Board of Commissioners of the Carver County Board of Commissioners.

SECTION C. RESIDENCY: Each Commissioner shall be a resident of one of the county districts. A Commissioner who ceases to maintain a principal residence in one of the county districts shall cease to serve as a Commissioner.

SECTION D. TERM OF OFFICE: Commissioners shall serve five year terms which shall begin on the third Thursday following the first Monday in January. **Commissioner shall be limited to two consecutive terms.** A Commissioner shall also serve after the expiration of a term until a successor is appointed and qualified.

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ARTICLE III **OFFICERS AND MEMBERS**

SECTION A. OFFICERS: The Officers of the Agency shall be a Chair, a Vice-Chair and a combined Secretary/Treasurer.

SECTION B. CHAIR: The Chair shall preside at all meetings of the Commissioners and shall have general charge of and control over the affairs of the Agency subject to the Commissioners. At each meeting the Chair shall submit such recommendations and information as may be proper concerning the business affairs and policies of the Agency. Except as otherwise authorized by resolution of the Agency or as otherwise provided in these Bylaws, the Chair shall sign all contracts, deeds, and other instruments made by the Agency.

SECTION C. VICE-CHAIR: The Vice-Chair shall preside at all meetings of the Commissioners in the absence of the Chair and shall perform such duties as may be assigned to him by the Commissioners. In the case of death, retirement or disability of the Chair, the Vice-Chair shall perform and be vested with all the duties and powers of the

Chair until such time as the Agency shall select a new Chair.

SECTION D. SECRETARY/TREASURER: The Secretary/Treasurer shall perform the duties of a secretary and a treasurer for the Agency and such functions as may be determined by the Commissioners.

SECTION E. EXECUTIVE DIRECTOR: The Agency may employ an Executive Director who shall have general supervision over the administration of its business and affairs pursuant to policies adopted by the CDA Commissioners.

As assistant to the Secretary, the Executive Director, in the Executive Director's own name and title shall keep the records of the Agency, shall act as Secretary of the meetings of the Agency and record all votes, and shall keep a record of the proceedings of the Agency in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to the office. The Executive Director shall keep in safe custody the seal of the Agency and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Agency.

As assistant to the Treasurer, the Executive Director shall have the care and custody of all funds of the Agency and shall deposit the same in the name of the Agency in such bank or banks as the Agency may select. The Executive Director shall keep regular books of account for the Agency showing receipts and expenditures and shall render to the Agency, at the first meeting of each month, an account of the transactions and also the financial condition of the Agency. The Executive Director shall give such bond for the faithful performance of the Executive Director's duties as the Agency may determine.

SECTION F. ADDITIONAL DUTIES: The Officers of the Agency shall perform such other duties and functions as may from time to time be required by the Agency or the Bylaws or rules and regulations of the Agency.

SECTION G. ELECTRONIC COMMUNICATION: This section shall apply to all members of the Agency and all members of the Agency's committees, commissions, and sub-committees with regard to the transmittal of information or communication about which a quorum of the Agency Commissioners will be contacted regarding the same matter, or when county business is being discussed.

For purposes of this section, the following definitions shall apply: (1) Reference to “Member” shall include members of all other committees and groups subject to the Open Meeting Law; (2) “electronic means” includes email, instant messaging, chat rooms, and related electronic conversation; and (3) “Executive Director” means the Executive Director, manager, or his or her designee. The guidelines in this section apply regardless of whether the Member is using a county-provided email address and account, the Member’s personal email address or account, or one provided by the Commissioner’s employer.

1. Members shall act in accordance with the Minnesota Open Meeting Law. Members wishing to share information with other Members should do so through the Executive Director. The Member may request for the Executive Director to distribute materials to other Members, but the communication should not invite a response to, or a discussion of, such matters between Members. Materials relating to agenda items for county business must be provided to the public at the meetings. While one-to-one communication between Members communication is permitted, such communications should not be forwarded to other Members by the sender or the recipient. Likewise, Members should not partake in discussions on listserv distributions, electronic newsletters or through other electronic means in which the entire or any part of the group of participants might include other Members.
2. Electronic communication of meeting materials should be transmitted as a one-way communication from the Executive Director to the Members. Members may receive agenda materials, background information, and other meeting materials via email attachment or other electronic means (such as file sharing) from the Executive Director. Members’ questions or comments about materials received should be directed back to the Executive Director, and no other Member should be copied on such communication. The Executive Director may send follow-up materials or information to the other Members.

SECTION H. ELECTION AND APPOINTMENT OF OFFICERS: The first Chair shall, pursuant to his appointment, serve in the capacity of Chair until the expiration of his term of office as Commissioner. The Vice-Chair, Secretary/Treasurer and, except in the case of the first Chair, the Chair shall be elected at the annual meeting of the Agency from among the Commissioners of the Agency, and shall hold office for one year or until their successors are elected and qualified, with term of office commencing on the first regular Agency Board Meeting in January.

The Executive Director shall be appointed by the Agency. Any person appointed to fill the office of Executive Director, or any vacancy therein, shall have such term as the Agency fixes, but no Commissioner of the Agency shall be eligible for this office.

SECTION I. VACANCIES: Should the office of Chair, Vice-Chair, Secretary/Treasurer become vacant, the Agency shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office. When the Office of Executive Director becomes vacant, the Agency may appoint a successor, as aforesaid.

SECTION J. CALL FOR RESIGNATION: It shall be the duty of each Commissioner to actively participate in the affairs of the Agency and to attend its regular and special meetings. In the event that a Commissioner is not present for three consecutive regular meetings of the Agency, the Commissioners shall direct the Chair to send a Call for Resignation to the absent Commissioner. This shall be in the form of a request only and shall not preclude the application of the provisions of Minnesota Statutes §§ 469.009 and 469.010.

SECTION K. ADDITIONAL PERSONNEL: The Agency may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Municipal Housing Development Law of Minnesota applicable thereto. The selection and compensation of such personnel shall be determined by the Agency subject to the laws of the State of Minnesota.

ARTICLE IV
MEETINGS

SECTION A. ANNUAL MEETING: There shall be an Annual Meeting of the Agency held on the third Thursday of January at 5:00 p.m. at the Carver County Community Development Agency office located at 705 North Walnut Street, Chaska, Minnesota. In the event that such a date shall fall on a legal holiday, the annual meeting shall be held on the next succeeding day.

SECTION B. NOTICE OF ANNUAL MEETING: Notice of the Annual Meeting shall be published in the Official Newspaper of the Agency, delivered to each Agency Commissioner, each member of the County Board of Commissioners, to each active municipal Agency within Carver County and to the Council of each municipality within Carver County not less than ten days in advance of such meeting.

SECTION C. QUORUM FOR ANNUAL MEETING: Three Commissioners shall constitute a quorum to conduct business at the annual meeting. If a quorum is not present, the Chair shall establish a date for a new annual meeting and cause to give notice as provided in Section B of this Article.

SECTION D. CONDUCT OF BUSINESS AT THE ANNUAL MEETING: The following, among other appropriate matters, may be considered at the annual meeting:

1. Roll Call
2. Confirmation of new Commissioners
3. Election of Officers
4. Designation of Official Newspaper
5. Approval of the List of Depositories
6. Reading of Financial Statement

SECTION E. REGULAR MEETINGS: Regular meetings shall be held without notice on the third Thursday of each month at 5:00 p.m. at the Carver County Community

Development Agency Office, 705 North Walnut Street, Chaska, Minnesota. In the event that such a date shall fall on a legal holiday, the meeting shall be held on the next succeeding day.

SECTION F. SPECIAL MEETINGS: Special meetings of the Agency may be called by the Chair, or two members of the Agency for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered at any time prior to the time of the proposed meeting to each member of the Agency or may be mailed to the business or home address of each member of the Agency at least two (2) days prior to such special meeting. At such special meeting no business shall be considered other than as designated in the call, but if all members of the Agency are present at a special meeting, any and all business may be transacted at such special meeting. Such special meetings may be held in locations other than the place of regular meetings.

SECTION G. QUORUM FOR REGULAR AND SPECIAL MEETINGS: The powers of the Agency shall be vested in the Commissioners thereof in the office from time to time. Three Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Agency upon a vote of a majority of the Commissioners present.

SECTION H. OFFICIAL RECORD: The minutes of all meetings of the Board of Commissioners, once approved, shall constitute the official record of all actions of the Board and the “journal” required to be maintained by Minn. Stat. § 13D.01.

SECTION I. CONDUCT OF BUSINESS AT REGULAR MEETINGS: The agenda for regular meetings shall include the following in the order of business:

1. Call to order
2. Agenda review and adoption
3. Public Participation
- 4 Department Reports
- 5 Financial Report

6. Housing Department Report
7. Community Development/Economic Development Report
8. Other Business
10. Adjournment

SECTION J. VOTING: In addition to a quorum being required for each meeting of the Agency in order to conduct business, a majority vote of those members present shall be required to transact and conduct business and approve any matter before the Commissioner except that a different vote shall be required on the following matters.

1. Majority present. In order to approve financial payments, enter into contract or approve the budget, there shall be a vote of approval of a majority of members present. The vote shall be by roll call and the yeas and nays shall be entered in the minutes of such meeting.
2. Majority of membership. In order to amend the Bylaws, borrow money, condemn property or dismiss the Executive Director, there shall be a vote of not less than three members of the Agency who vote their approval. The vote shall be by roll call and the yeas and nays shall be entered in the minutes of such meeting.

ARTICLE V **SCOPE OF POWERS AND DUTIES**

SECTION A. GENERAL POWERS AND DUTIES: The powers and duties of the Agency shall be those as set forth in the applicable laws contained in Minnesota Statutes §§ 469.001 to 469.047 and 469.090 to 469.1082 as amended, and those provisions of the law applicable to Carver County.

SECTION B. SPECIFIC POWERS AND DUTIES: From time to time, as deemed necessary by the Commissioners of the Agency, policies shall be adopted that regulate the activities of the Agency including the following:

1. Procurement
2. Disposition
3. Development
4. Fund Management
5. Per Diem

ARTICLE VI
AMENDMENTS

These Bylaws may be amended at any meeting of the Agency provided that notice of such proposed amendment shall be mailed or emailed to each member of the Agency at least ten days prior to such meeting. The amendment of the Bylaws and the vote required shall be in accordance with that set forth under the voting provisions of these Bylaws.

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