



# CARVER COUNTY

minnesota

## Carver County Board of Commissioners May 21, 2024 Board Meeting

The County Board Room is open to the public

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

- 9:00 a.m. 1. a) **CONVENE**  
b) **Pledge of Allegiance**  
c) **Public Comments**
- Public comments that relate to an item on the agenda may be heard when that agenda item is discussed. Please limit your comments to five minutes or less.
- Individuals unable to attend in person can provide public comments by e-mail at [admin-contact@co.carver.mn.us](mailto:admin-contact@co.carver.mn.us).
2. Agenda review and adoption
3. Approve minutes of May 7, 2024, Regular Session ..... 1
4. Community Announcements

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

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

- 5.1 2024-2025 Minnesota GreenCorps Temporary Staff Member..... 6
- 5.2 Professional Services Agreement with SRF Consulting Group  
for Dakota Rail Regional Trailhead ..... 8
- 5.3 Professional Services Agreement with GMH Asphalt for  
Highway 53 & Highway 10 Watertown Roundabout Patching ..... 9
- 5.4 Grant Agreement with the Metropolitan Council for a  
Portable Rock-Climbing Wall ..... 10
- 5.5 Initial Offers for Right of Way Acquisition for the Highway  
11/14 Project ..... 11

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

- 5.6 Professional Services Agreement with Marbigail Therapy  
for STRIVE Program..... 16

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

- 5.7 Request for approval to contract with ExScape Property Services..... 18

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

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|            | 5.8 | Freshwater Church – Outdoor Service and Celebration<br>(Annual Special Event) .....                                                        | 19 |
|            | 5.9 | Nicholas Hartwig/Lone Oak Rodeo – Youth/Amateur Rodeo<br>(2 – One Time Special Events) .....                                               | 28 |
| 9:25 a.m.  | 6.  | <b>COMMUNITIES: Create and maintain safe, healthy, and livable communities</b>                                                             |    |
|            | 6.1 | Metropolitan Solid Waste Planning Group Appointment.....                                                                                   | 39 |
|            | 6.3 | Construction of the Lake Minnewashta Regional Park<br>Creative Playground Project .....                                                    | 40 |
|            | 6.4 | Continued Public Hearing of Ordinance No. 105-2024 and<br>Ordinance No. 106-2024 (Cannabis Public Use) and<br>Adoption of Ordinances ..... | 43 |
| 11:00 a.m. | 7.  | <b>CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government</b> |    |
|            | 7.1 | UAS Unmanned Aerial System Public Comment Meeting .....                                                                                    | 67 |
| 11:05 a.m. | 8.  | <b>GROWTH: Manage the challenges and opportunities resulting from growth and development</b>                                               |    |
|            | 8.1 | Hennepin-Carver Workforce Development Board<br>Local and Regional Plan.....                                                                | 68 |
| 11:20 a.m. |     | <b>ADJOURN REGULAR SESSION</b>                                                                                                             |    |
|            |     | <b>WORK SESSION</b>                                                                                                                        |    |
| 11:20 a.m. | A.  | <b>COMMUNITIES: Create and maintain safe, healthy, and livable communities</b>                                                             |    |
|            | 1.  | Environmental Center Long Term Planning .....                                                                                              | 70 |
| 11:50 a.m. | B.  | <b>CONNECTIONS: Develop strong public partnerships and connect people to services and information</b>                                      |    |
|            | 2.  | County Board Work Session Format .....                                                                                                     | 71 |
| 12:10 p.m. | C.  | <b>FINANCES: Improve the County’s financial health and economic profile</b>                                                                |    |
|            | 3.  | Regional Solicitation Evaluation Listening Session.....                                                                                    | 72 |
| 12:55 p.m. |     | <b>ADJOURN WORK SESSION</b>                                                                                                                |    |

David Hemze  
County Administrator

## UPCOMING MEETINGS

|                  |            |                                                                                                        |
|------------------|------------|--------------------------------------------------------------------------------------------------------|
| May 28, 2024     | 9:00 a.m.  | Strategic Planning Meeting, Paradise Commons                                                           |
| June 4, 2024     | 9:00 a.m.  | Board Meeting/Work Session                                                                             |
| June 11, 2024    |            | No Meeting                                                                                             |
| June 18, 2024    | 8:00 a.m.  | Special Meeting                                                                                        |
| June 18, 2024    | 9:00 a.m.  | County Board of Equalization                                                                           |
| June 18, 2024    | Noon       | Hoffmann Recognition Event                                                                             |
| June 21, 2024    | 3:00 p.m.  | Paradise Beach Bash, Paradise Commons                                                                  |
| June 25, 2024    | 9:00 a.m.  | Board Work Session                                                                                     |
| June 25, 2024    | 1:00 p.m.  | County Board of Equalization (if needed)                                                               |
| July 2, 2024     |            | No Meeting                                                                                             |
| July 9, 2024     | 9:00 a.m.  | Board Meeting                                                                                          |
| July 9, 2024     | 4:30 p.m.  | Highway 11/14 Roundabout Public Meeting<br>Lions Park Pavilion, 1505 82 <sup>nd</sup> Street, Victoria |
| July 9, 2024     | 7:00 p.m.  | Carver County Township Assn Meeting<br>Vandy's Grill, Waconia                                          |
| July 14-16, 2024 |            | Midwest Short Line & Regional Rail Conference<br>Brainerd, MN                                          |
| July 16, 2024    | 9:00 a.m.  | Board Meeting                                                                                          |
| July 23, 2024    | 9:00 a.m.  | Board Work Session                                                                                     |
| July 23, 2024    | 12:30 p.m. | Highway 212 Groundbreaking                                                                             |
| July 30, 2024    |            | No Meeting                                                                                             |
| August 6, 2024   | 9:00 a.m.  | Board Meeting                                                                                          |

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 7, 2024. Chair Gayle Degler convened the session at 9:00 a.m.

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

Members absent: None.

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

Udermann moved, Fahey seconded, to approve the minutes of the April 16, 2024, Regular Session. Motion carried unanimously.

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

Professional service agreement Koch School Bus Service.

Resolution #28-24, 2024 Traffic Safety Vehicle Grant and related budget amendment.

Contract with Natural Shore Technologies, Inc., pending finalization of the contract review process.

Resolution #29-34, County Board Acknowledgement 2023 County-Wide Pavement Marking Safety Project, Final Payment.

Contract with Stuedeman Construction Services, LLC for \$25,660 pending finalization of the contract review process.

Resolution #30-34, State of Minnesota Agency Agreement No. 1056836 for Federal Participation in Advance Construction for State Aid Project No. 010-596-013.

Authorized issuance of a special event use permit to the Waconia United Food Shelf for their May 18, 2024 planned event.

Professional services agreement with Erickson Engineering Co., LLC for design services for the 42<sup>nd</sup> Street Bridge Project, pending finalization of the contract review process.

Approved updated Data Practices Policy: Request for Public Data and updated Data Practices: Requests for Data About You and Your Rights as a Data Subject and appointed Jennifer Tichey as the Minnesota Government Data Practices Compliance Official.

Professional services agreement with Alliant Engineering, Inc., for \$92,950 for erosion control inspection services for the 2024 construction season, pending finalization of the contract review process.

Approved Joint Powers Agreement with Hollywood Township for the 42<sup>nd</sup> Street Bridge Project, pending finalization of the contract review process.

Resolution #31-24, County Board Acknowledgement CSAH 50 Project-Bevens Creek Area and the Highway 43 Resurfacing Project Final Payment.

Approved agreement to purchase wetland credits from Wetland Credit Agency for \$729,429.59 for the Highway 212 Project-Benton Township, pending finalization of the contract review process.

Contract with Advantage Coating Inc., pending finalization the contract review process.

Resolution #32-24, Vacating and Re-Establishing a Public Drainage and Utility Easement Over and Across a Part of Land Within Lots 2 and 3, Block 1 of the Maple View Hillside Subdivision.

Resolution #33-24, Carver County Right of Way Plat No. 36.

Authorized the issuance of a Certificate of Zoning Compliance (20240047) for the May 19, 2024, St. Peter Lutheran Church Maifest celebration.

Contract with Kennedy & Graven for professional legal services for the Highway 212 Project-Dahlgren Township, pending finalization of the contract review process.

Resolution #34-24 Support and Authorization for an Application to United States Department of Transportation (USDOT) for a FY24 Rural Surface Transportation Grant for the Highway 5 Mobility Improvement Project.

Contract with SpiralFZ, LLC for Health Secure EMR.

Adopted Findings of Fact and issued Order #PZ20240011 for the issuance of a Conditional Use Permit, John Zimmerman, Waconia Township.

Resolution #35-24, Support for Safe Streets and Roads for All Discretionary Grant Application for the Highway 5 Safety Project.

Resolution #36-24, Authorizing Eminent Domain to Acquire Real Property Interests Needed for the Highway 41/10 Project.

Professional services agreement with Bolton and Menk, Inc. for professional engineering services for the Highway 5 Project-Arboretum Area, in the amount of \$7,476,312.75 pending review and finalization of the contract review process.

Resolution #37-34, Office of Justice Programs Grant and related Sheriff's budget amendment.

Approved MN Department of Health grant amendment for additional funds and an extension in the grant expiration date and related Sheriff's budget amendment.

Reviewed April 23, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$627,218.33, reviewed April 30, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$366,711.19 and reviewed May 7, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$187,806.82.

Udermann moved, Lynch seconded, to open the public hearing on the Cannabis Public Use Ordinance. Motion carried unanimously.

Jennifer Tichey, Assistant County Attorney, pointed out the previous work sessions held and the discussions on the use of cannabis and cannabis derived products in public places. She stated public hearing notices were published in three newspapers. She reviewed Statutory prohibitions, the proposed County ordinance and revisions to the Park Ordinance on public use. Tichey identified the spaces that are allowed under Statutes that the County is not able to restrict.

She indicated the Ordinance applies county wide, but local jurisdictions could adopt their own Ordinance that can be more or less restrictive, but the County ordinance would still apply to county owned property. Tichey pointed out the language revisions made in the Park Ordinance.

David Ladner explained he was the founder of Crooked Beverage and made a hemp derived beverage sold in restaurants and stores. He questioned the County's definition of cannabis and pointed out hemp derived beverages, that are federally legal, can be consumed in bars and restaurants. Ladner stressed he did not want it to become illegal for these beverages to be served in public restaurants or places in the County.

Tichey agreed to do additional research on the concerns raised on the use in public spaces. She also clarified that the definition of hemp derived products was from State Statutes.

Workman moved, Lynch seconded, to continue the public hearing to May 21, 2024. Motion carried unanimously.

Richard Scott, HH&S Deputy Division Director, explained today they would be focusing on the prevention of mental health and introduced staff.

Stephanie Combey, Behavioral Health Manager, stated their goal was to prevent mental health concerns to the extent they can and when they cannot, their goal was to lessen the impact. She indicated over 3,000 clients were served last year. Combey shared examples of innovations in prevention in the County and pointed out the additional funding that was received that benefited schools. Combey noted the school linked mental services that supported the schools and the community. She explained the lasting impacts of trauma and stressed the need for trauma prevention.

Michelle Selinger, Child and Family Services Manager, stated mental health prevention begins before birth and continues throughout childhood. She highlighted services currently provided by the County. She pointed out the effects of adverse childhood experiences, the costs, and ways to prevent. She stated they are on the right track by working together with Public Health, school systems, child welfare and behavioral health.

Combey stressed early identification was an important part of managing mental health issues. She reviewed services that provide stability and symptom management. Combey recognized the importance of the Crisis and 988 line as a prevention strategy and the work of County staff.

Dr. Scott acknowledged it takes a village to address the issues and the County continues to be one of the healthiest. He requested the Board adopt a Proclamation to acknowledge May as Mental Health Awareness Month and read the Proclamation into the record.

Udermann moved, Lynch seconded, to approve a Proclamation recognizing May as Mental Health Awareness Month. Motion carried unanimously.

Eric Johnson, Court Services, requested the Board approve the Court Services/Department of Corrections Comprehensive Plan. He pointed out the requirement to submit a plan to qualify for State funding. He explained Court Services supervises adult misdemeanor cases and the Department of Corrections supervises adult felony cases.

He stated they all work together and explained Court Services relationship with the DOC and Sentencing to Serve crew. He indicated they do more individual case plans and focus on moderate to high-risk individuals by emphasizing change. Johnson pointed out their supervision is more intense and focused than prior years. He also updated the Board on the status of the Drug and Veterans Treatment Courts.

Udermann moved, Workman seconded, to approve the Comprehensive Plan submitted by the Carver County Court Services/Department of Corrections. Motion carried unanimously.

The Board considered a proclamation to recognize May 2024 as Motorcycle Awareness Month.

Workman offered the following Resolution, seconded by Degler:

Resolution #38-24  
Motorcycle Awareness Month in Carver County

On vote taken, all voted aye.

The Board considered appointments to advisory committees.

Workman moved, Lynch seconded, to appoint Bernard Hime to the Mental Health Advisory Committee. Motion carried unanimously.

Degler moved, Fahey seconded, to appoint Susan Kibler to the Community Development Agency to represent District #1. On vote taken, Degler, Fahey, Lynch, Workman voted aye. Udermann voted nay. Motion carried,

Lynch moved, Udermann seconded, to recess as the County Board and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Sam Pertz, Parks, requested the Rail Authority approve special use permits for T Road Tavern. He explained the events to be held on Rail Authority property.

Lynch moved, Fahey seconded, to authorize the issuance of special use event permit(s) to T Road Tavern for the planned 2024 classic car show event series and Ribfest BB competition on the Carver County Regional Rail Authority property. Motion carried unanimously.

Fahey moved, Lynch seconded, to adjourn as the Carver County Regional Rail Authority and reconvene as the County Board. Motion carried unanimously.

Lynch moved, Fahey seconded, seconded, to go into a closed session at 11:20 a.m. to discuss confidential appraisal data and last written offers for the purchase of real property pursuant to Minn. Statute Section 13D.05, (Subd.3), for Highway 41/10 project property acquisitions. Motion carried unanimously.

Workman left the room at this time.

The Board adjourned the closed and Regular Session and went into a work session regarding CDA Governance and restructuring options.

David Hemze  
County Administrator

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

**2024-2025 Minnesota GreenCorps Temporary Staff Member**

|                                                                                                                            |                                                 |
|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Primary Originating Division/Dept: <input type="text" value="Public Services - Environ. Svc."/>                            | Meeting Date: 5/21/2024                         |
| Contact: Brad Hanzel                                                                                                       | Title: Environmental Services Interi...         |
| Amount of Time Requested: <input type="text"/> minutes                                                                     | Item Type: <input type="text" value="Consent"/> |
| Presenter: <input type="text"/>                                                                                            | Title: <input type="text"/>                     |
| Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No                                                 |                                                 |
| Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/> |                                                 |

### BACKGROUND/JUSTIFICATION:

The Minnesota GreenCorps program is a statewide initiative, coordinated by the Minnesota Pollution Control Agency (MPCA), to preserve and protect Minnesota's environment while training a new generation of environmental professionals. The program places AmeriCorps members with host organizations around the state to assist communities and local governments in addressing a variety of statewide needs. Members serve at their host sites for 11 months, from mid-September through mid-August. Host site organizations include cities, counties, public schools, universities, watershed districts, and non-profit organizations.

Carver County Environmental Services has participated in the program since 2010, hosting members on nine occasions. We are fortunate to have been selected as a host site once again for 2024-2025. Our GreenCorps member will assist with several solid waste program efforts, including establishing the South West Metro Lending Library in Chaska and the development of an emerald ash borer tree care program. These efforts are important to meet strategies outlined in the Metropolitan Solid Waste Policy Plan and Carver County Solid Waste Management Plan.

Costs to Carver County are limited to in-kind training, supervision, office space/equipment, and potentially some minor incidental costs (such as mileage and training). Salaries of GreenCorps members are paid by the AmeriCorps program and the MPCA. The MPCA requires that host organizations submit a resolution of support from their governing body. Attached is a draft County Board Resolution expressing support for hosting a 2024-2025 GreenCorps member.

### ACTION REQUESTED:

Motion to approve a Resolution of Support for hosting one GreenCorps member for 2024-2025, and to authorize the Assistant County Administrator to sign the host site agreement, pending completion of the County's contract review process.

|                                                                      |                     |
|----------------------------------------------------------------------|---------------------|
| <b>FISCAL IMPACT:</b> <input type="text" value="None"/>              | <b>FUNDING</b>      |
| If "Other", specify: <input type="text"/>                            | County Dollars =    |
| <b>FTE IMPACT:</b> <input type="text" value="None"/>                 | <b>Total</b> \$0.00 |
| <input checked="" type="checkbox"/> Insert additional funding source |                     |

### Related Financial/FTE Comments:

In-kind match provided by the County through supervision, use of equipment, and space. Any minor incidental expenses (mileage, training) will be paid from existing Environmental Services budget. The temporary GreenCorps member will not be an employee of Carver County.

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

DATE: MAY 21, 2024  
MOTION BY COMMISSIONER:

RESOLUTION NO. \_\_\_\_-24  
SECONDED BY COMMISSIONER:

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**A Resolution Agreeing to Host a GreenCorps Member in 2024-2025**

**WHEREAS** the Environmental Services Department of the Carver County Public Services Division has applied to host one AmeriCorps member from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency (MPCA), for the 2024-2025 program year; and

**WHEREAS** the MPCA has selected the Environmental Services Department of the Carver County Public Services Division as a host site for the 2024-2025 program year; and

**WHEREAS** the County is committed to implementing the proposed projects as described in the host site application and in accordance with pre-scoped position description; and

**WHEREAS** the MPCA requires that the Environmental Services Department of the Carver County Public Services Division enter into a host site agreement with the MPCA that identifies terms, conditions, and roles and responsibilities; and

**WHEREAS** the Environmental Services Department of the Carver County Public Services Division has hosted nine AmeriCorps members through the State of Minnesota since 2010, with much success.

**THEREFORE, BE IT RESOLVED, THAT** Carver County, through the Public Services Division, hereby agrees to enter into and sign a host site agreement with the MPCA to carry out the member activities specified therein and to comply with all of the terms, conditions, and matching provisions of the host site agreement and authorizes and directs the Assistant County Administrator to sign the grant agreements on its behalf.

YES

ABSENT

NO

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STATE OF MINNESOTA  
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 21<sup>st</sup> day of May, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 21<sup>st</sup> day of May, 2024

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David Hemze, County Administrator

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

**Professional Services Agreement with SRF Consulting Group for Dakota Rail Regional Trailhead.**

Primary Originating Division/Dept:

Meeting Date: 5/21/2024



Contact: Hope Mack

Title:

Item Type:

Amount of Time Requested:  minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

### Strategic Initiative:

### BACKGROUND/JUSTIFICATION:

Public Works and the CCRRA has planned the Dakota Rail Regional Trailhead for many years. A request was made to fund the project in the 2024 budget using one-time funding (Attachment E).

SRF Consulting Group has done preliminary engineering of the site and this new contract is to complete the detailed design of a paved parking lot and concrete plaza, provide bidding and construction management services for a planned trailhead at County Road 10 and the Dakota Rail Regional Trail.

### ACTION REQUESTED:

Motion to approve a professional services agreement with SRF Consulting Group, Inc. pending finalization of the contract review process.

**FISCAL IMPACT:**

If "Other", specify:

### FUNDING

County Dollars =

**\$46,787.00**

**FTE IMPACT:**

**Total**

**\$46,787.00**

☐ Insert additional funding source

Related Financial/FTE Comments:

Funded by 2024 Attachment E (One time \$s)

Office use only:

RBA 2024 - 9818

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Professional Services Agreement with GMH Asphalt for Highway 53 & Highway 10 Watertown Roundabout Patching

Primary Originating Division/Dept:

Meeting Date: 5/21/2024



Contact: Shelby Sovell

Title:

Item Type:

Amount of Time Requested:  minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

### Strategic Initiative:

### BACKGROUND/JUSTIFICATION:

Public Works has identified harsh bumps in the roadway at two locations on highway 53 south of Cologne and one location on Westbound highway 10 in Watertown. Settlement due to culvert installations created the harsh bumps on highway 53, one 3,500 feet north of highway 50 (Gotha) and one 1.6 miles south of highway 50 (Gotha). Settlement due to bridge reconstruction on highway 10 in Watertown created the harsh bump between the roundabout and the bridge over the Crow River. The County requested quotes from three companies to repair the bumps, however, only received a quote from one. GMH Asphalt submitted a quote of \$47,500.00. The proposed cost is reasonable for the work and Public Works recommends proceeding with GMH Asphalt to contract for these bump repairs.

### ACTION REQUESTED:

Motion to approve a professional services agreement with GMH Asphalt for \$47,500.00 for the Highway 53 & Highway 10 Watertown Patching, pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

### FUNDING

County Dollars = \$47,500.00

FTE IMPACT:

Total \$47,500.00

☐ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9826

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Grant Agreement with the Metropolitan Council for a Portable Rock Climbing Wall

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 5/21/2024

Contact: Sam Pertz

Title: Parks Supervisor

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

### BACKGROUND/JUSTIFICATION:

In January of this year, an application was submitted by the Parks Department to the Metropolitan Council's 2024 Competitive Equity Grant Program.

The application was submitted for a purchasing a portable rock-climbing wall unit. The unit will significantly enhance the delivery of exciting outdoor recreation services offered today and position the Department well for responding to the growing service demands moving into the future.

The grant agreement will provide \$55,000 for the purchase and per the application requires a \$10,000 local match. The funding strategy will cover the full costs related to unit procurement and related soft-goods needed to operate.

The grant funds are eligible as of April this year and will expire June 2027. The Department plans to expend the grant funds this year.

The Park Commission was informed of the successful grant application at the May 8, 2024 meeting and was excited and supportive of the Departments interest to proceed.

### ACTION REQUESTED:

Motion to approve grant agreement SG- 24P3-03-01 with the Metropolitan Council through the 2024 Competitive Equity Grant Program in the amount of \$55,000 for the purchase of a portable rock-climbing wall unit to be used in the delivery of park & recreation services upon completion of the contract review process.

FISCAL IMPACT: None

If "Other", specify:

### FUNDING

County Dollars =

\$10,000.00

SG-24P3-03-01

\$55,000.00

Total

\$65,000.00

☐ Insert additional funding source

Related Financial/FTE Comments:

The \$10,000 County funds is programmed within the Department budget for 2024.

Office use only:

RBA 2024 - 9827

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Initial Offers for Right of Way Acquisition for the Highway 11/14 Project

|                                                                                                                            |                                                                            |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>                            | Meeting Date: 5/21/2024                                                    |
| Contact: Anthony Stucchi Title: <input type="text" value="Assistant Right of Way Agent"/>                                  | Item Type: <input type="text" value="Consent"/>                            |
| Amount of Time Requested: <input type="text"/> minutes                                                                     | Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Presenter: <input type="text"/> Title: <input type="text"/>                                                                |                                                                            |
| Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/> |                                                                            |

### BACKGROUND/JUSTIFICATION:

The 2024-2025 Construction Season includes the Highway 11/14 Project which entails the construction of a roundabout at the intersection of Highway 11 and Highway 14. The project limits fall within Laketown Township and the City of Victoria. Additional right-of-way is needed to complete the project scope. Carver County has contracted with appraisers in order to establish fair market value for the right of way acquisitions needed in support of the project. Public Works staff have reviewed the appraisals and are recommending the county board authorize written initial offers of compensation to impacted property owners.

### ACTION REQUESTED:

Motion to adopt a resolution to authorize written initial offers of compensation for right-of-way acquisitions for the Highway 11/14 Project.

|                                                                               |                                                                      |
|-------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>FISCAL IMPACT:</b> <input type="text" value="Included in current budget"/> | <b>FUNDING</b>                                                       |
| If "Other", specify: <input type="text"/>                                     | <b>County Dollars =</b>                                              |
| <b>FTE IMPACT:</b> <input type="text" value="None"/>                          | CSAH Reg. Funds \$107,775.00                                         |
|                                                                               | City of Victoria \$35,925.00                                         |
|                                                                               | <b>Total</b> \$143,700.00                                            |
|                                                                               | <input checked="" type="checkbox"/> Insert additional funding source |
| Related Financial/FTE Comments:                                               |                                                                      |

Office use only:

RBA 2024 - 9829

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

Date: May 21, 2024

Motion by Commissioner: \_\_\_\_\_

Resolution No: \_\_\_\_\_

Seconded by Commissioner: \_\_\_\_\_

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## **Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 11/14 Project**

WHEREAS, the Board of Commissioners of Carver County is the official governing body of Carver County (“County”); and

WHEREAS, the County, acting by and through its Board of Commissioners, is authorized by law, and pursuant to Minnesota Statutes, § 163.02, subd. 2; §117.012; and § 117.042, to acquire land and other real property interests in Carver County which the County needs for a public use or public purpose; and

WHEREAS, the County proposes to construct highway and related improvements in Carver County for a Highway 11/14 Project (“Project”); and

WHEREAS, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners of the real property interests described in said Exhibit A; and

WHEREAS, the County obtained either an appraisal(s) from a licensed real estate appraiser when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A exceeds \$25,000, or the County obtained a minimum damage acquisition report from a qualified person with appraisal knowledge, in lieu of an appraisal, when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A is under \$25,000; and

WHEREAS, County must determine and submit an initial written offer of just compensation to the Owners of said needed real property interests covering the full amount of damages caused by the County’s proposed acquisitions; and

WHEREAS, the Owners of said real property interests may obtain an independent appraisal by a qualified appraiser of the real property interests which the County proposes to acquire for the Project; and

WHEREAS, the Owners of said real property interests are entitled to reimbursement for the reasonable costs of the appraisal from the County up to a maximum of the limits stated in Minn. Stat. §117.036, provided the Owners submit to the County the information necessary for reimbursement.

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements as part of the Highway 11/14 Project constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that based upon the estimate of damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A which the County obtained either from an appraisal(s) or a minimum damage acquisition report(s), the Public Works Division Director or agents under his supervision, shall make initial written offers of just compensation to the Owners of the real property interests described in Exhibit A from whom the County must acquire real property interests needed for the Project; and

BE IT FURTHER RESOLVED that the Public Works Division Director or agents under his supervision, shall reimburse the Owners of said real property interests for an independent appraisal of damages from a licensed real estate appraiser to estimate the full amount of damages which will be caused to Owners by the County’s proposed acquisition of the real property interests described in said Exhibit A, and that, upon the Owners providing to County a copy of that appraisal report, evidence of the cost of that report, and evidence of payment of that amount to the appraiser, County shall reimburse Owners for the cost of Owners’ independent appraisal report, subject to the limits stated in Minn. Stat. §117.036. In lieu of said independent appraisal of damages, the Public Works Division Director or agents under his supervision, may offer in addition to the initial written offer to property Owners, an amount up to said limits in Minn. Stat. §117.036.

| YES         | ABSENT      | NO          |
|-------------|-------------|-------------|
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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 May 21st, 2024 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 21st day of May 2024

Dave Hemze

County Administrator

**Exhibit A**

**to**

**Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests**

**Highway 11/14 Project**

Carver County Public Works No. 218906

**Property Tax Identification No. 07.0251900**

**Parcel Number(s): 1**

Fee Owners: Schmieg Farm Land, LLC

Property Address: 5475 Marsh Lake Rd, Chaska, MN 55318

New Permanent easement for public right-of-way purposes contains **62,711 sq. ft.**, more or less.

Existing Permanent easement for public right-of-way purposes contains **46,489 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **4,818 sq. ft.**, more or less.

Temporary easement for construction purposes contains **9,640 sq. ft.**, more or less.

**Property Tax Identification No. 07.0252720**

**Parcel Number(s): 2**

Fee Owners: Richard J. Schmieg

Property Address: Marsh Lake Rd, Chaska, MN 55318

Existing Permanent easement for public right-of-way purposes contains **8,352 sq. ft.**, more or less.

Temporary easement for construction purposes contains **691 sq. ft.**, more or less.

**Property Tax Identification No. 07.0250200**

**Parcel Number(s): 3**

Fee Owners: Steven James Kelzer Revocable Trust

Property Address: 2025 Pioneer Trail Chaska, MN

Existing Permanent easement for public right-of-way purposes contains **168,069 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **1,748 sq. ft.**, more or less.

Temporary easement for construction purposes contains **4,030 sq. ft.**, more or less.

**Property Tax Identification No. 07.0540010**

**Parcel Number(s): 5**

Fee Owners: Christ Victorious Lutheran Church

Property Address: 9860 Shady Oak Dr, Chaska, MN 55318

New Permanent easement for public right-of-way purposes contains **118 sq. ft.**, more or less.

Existing Permanent easement for public right-of-way purposes contains **24,460 sq. ft.**, more or less.

Temporary easement for construction purposes contains **7,487 sq. ft.**, more or less.

**Property Tax Identification No. 07.7250100**

**Parcel Number(s): 6**

Fee Owners: Vassar Living Trust

Property Address: Vacant Land, Laketown Township, MN

New Permanent easement for public right-of-way purposes contains **9,811 sq. ft.**, more or less.

Existing Permanent easement for public right-of-way purposes contains **47,091 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **3,058 sq. ft.**, more or less.

Temporary easement for construction purposes contains **24,154 sq. ft.**, more or less.

**Property Tax Identification No. 65.0250900**

**Parcel Number(s): 8**

Fee Owners: Schmieg Farm Land, LLC

Property Address: Vacant Land, Marsh Lake Rd, Chaska, MN 55318

New Permanent easement for public right-of-way purposes contains **1,694 sq. ft.**, more or less.

Existing Permanent easement for public right-of-way purposes contains **228,827 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **8,470 sq. ft.**, more or less.

Temporary easement for construction purposes contains **24,885 sq. ft.**, more or less.

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Professional Services Agreement with Marbigail Therapy for STRIVE program

Primary Originating Division/Dept:

Meeting Date: 5/21/2024



Contact: Eric D Johnson

Title:

Item Type:

Amount of Time Requested:  minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

### BACKGROUND/JUSTIFICATION:

Health and Human Services-Court (Probation) Services department wishes to contract with Marbigail Therapy Services (MTS) to provide therapeutic services dedicated exclusively to the program Successfully Teaching Resilient Individuals Valuable Experiences (STRIVE) youth. The contract period runs through 12/31/2025 with an annual not to exceed amount of \$40,000. Services can be offered in both English and Spanish. MTS will provide services where STRIVE deems necessary such as, home, school, and in any community-based setting deemed appropriate, private, and secure for the youth engaging in therapeutic services. MTS will provide a weekly skills group to address Distress Tolerance and Emotional Regulation. Diagnostic Assessments and individual/family therapy services will be available upon request if it is clinically appropriate. Should a youth enter supervision via arrest/custody status, a rapid Diagnostic Assessment would be accessed via MTS.

The MTS team may have psychoeducation sessions with the primary caregiver(s) on effective parenting skills they can implement at home. The MTS team is diverse and offers services in differing modalities based upon the results of the initial Diagnostic Assessment; the following family support services would be available by MTS:

- Alternatives for Families-Cognitive Behavioral Therapy (AF-CBT) is offered because of its specificity in helping families who struggle with anger, conflict, and aggression. AF-CBT promotes the use of positive coping and self-control skills, effective and safe discipline strategies, and useful family problem solving and communication skills that can improve youth behavior and well-being, help families get along better, and maintain a safe and secure home environment.
- Trauma Focused-Cognitive Behavioral Therapy (TF-CBT) is an evidence-based treatment for children and adolescents impacted by trauma and their parents or caregivers. Research shows that TF-CBT successfully resolves a broad array of emotional and behavioral difficulties associated with single, multiple, and complex trauma experiences.

MTS will consult regularly with the STRIVE probation agents to create thematic activities for community service credit opportunities where youth are able to spend time practicing a particular skill related to wellness and/or healthful, prosocial social interactions. Appropriate recommendations for further specific evaluations, and/or medication management will also be provided by this partnership.

### ACTION REQUESTED:

Motion to approve Professional Services Agreement with Marbigail Therapy Services, LLC for STRIVE program.

FISCAL IMPACT:



If "Other", specify:

### FUNDING

County Dollars =

\$40,000.00

FTE IMPACT: None

County Dollars =

Total \$40,000.00

☐ Insert additional funding source

Related Financial/FTE Comments:

Contract expenditures shall not exceed \$40,000/yr. Budget Line: 01-252-254-3020-6040

This PSA has routed and been approved through the interal contracting process.

Office use only:

RBA 2024 - 9823

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

Request for approval to contract with ExScape property Services

Primary Originating Division/Dept:

Meeting Date: 5/21/2024



Contact: Brent Kath

Title:

Item Type:

Amount of Time Requested:  minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

### BACKGROUND/JUSTIFICATION:

Carver County Facilities is requesting to contract with a vendor for 2024 - 2026 lawn maintenance season. The properties include: Government Center, Cologne Public Works, Chaska & Chanhassen License Centers, Environmental Center, First Street Center, former Encore building and Historical Society. The service will include weekly mowing and trimming through October.

Facilities obtained two quotes for the work and are recommending the low quote from ExScape Property Services in the amount of \$97,394.18 for three years.

### ACTION REQUESTED:

Motion to contract with Exscape Property Services pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

### FUNDING

County Dollars =

\$97,394.18

FTE IMPACT:

Total

\$97,394.18

☐ Insert additional funding source

Related Financial/FTE Comments:

The total cost is \$97,394.18 for three years. This breaks down to: 2024 \$31,510; 2025 \$32,455.30; and 2026 \$33,242.88. This is paid on a fixed monthly rate.

Office use only:

RBA 2024 - 9824

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Freshwater Church - Outdoor Service and Celebration (Annual Special Event)

Primary Originating Division/Dept:

Meeting Date: 5/21/2024

Contact: Christina Neel

Title:

Item Type:

Amount of Time Requested:  minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

### BACKGROUND/JUSTIFICATION:

File #A20240086. Freshwater Church has requested a One-Time Administrative Special Event Permit for an outdoor service and celebration on June 8-9, 2024, in Section 6, Laketown Township. The event would be similar to previous events and would be held entirely on the church property at 6635 Laketown Parkway. The event will include setup and band rehearsal 12PM-7PM on Saturday June 8, 2024. Worship Service and social festivities will occur Sunday June 9, 2024, 8AM-3PM. All parking for attendees would be on-site pursuant to the submitted site plan. The event is expected to host up to 1,000-1,300 attendees with food trucks, portable restrooms, security, and scheduled disposal pickup after the event ceases.

The applicant has provided an operations narrative, site plan, parking map, invoices for portable restrooms and commercial recycling services, as well as proof of insurance.

Laketown Township reviewed the request and did not have any objections.

The County Zoning Code allows a maximum of three special event requests annually with County Board approval.

### ACTION REQUESTED:

A motion authorizing the issuance of a Certificate of Zoning Compliance (#A2024086) for the June 8-9, 2024, Outdoor Service and Celebration event.

FISCAL IMPACT:

If "Other", specify:

### FUNDING

County Dollars =

FTE IMPACT:

Total

\$0.00

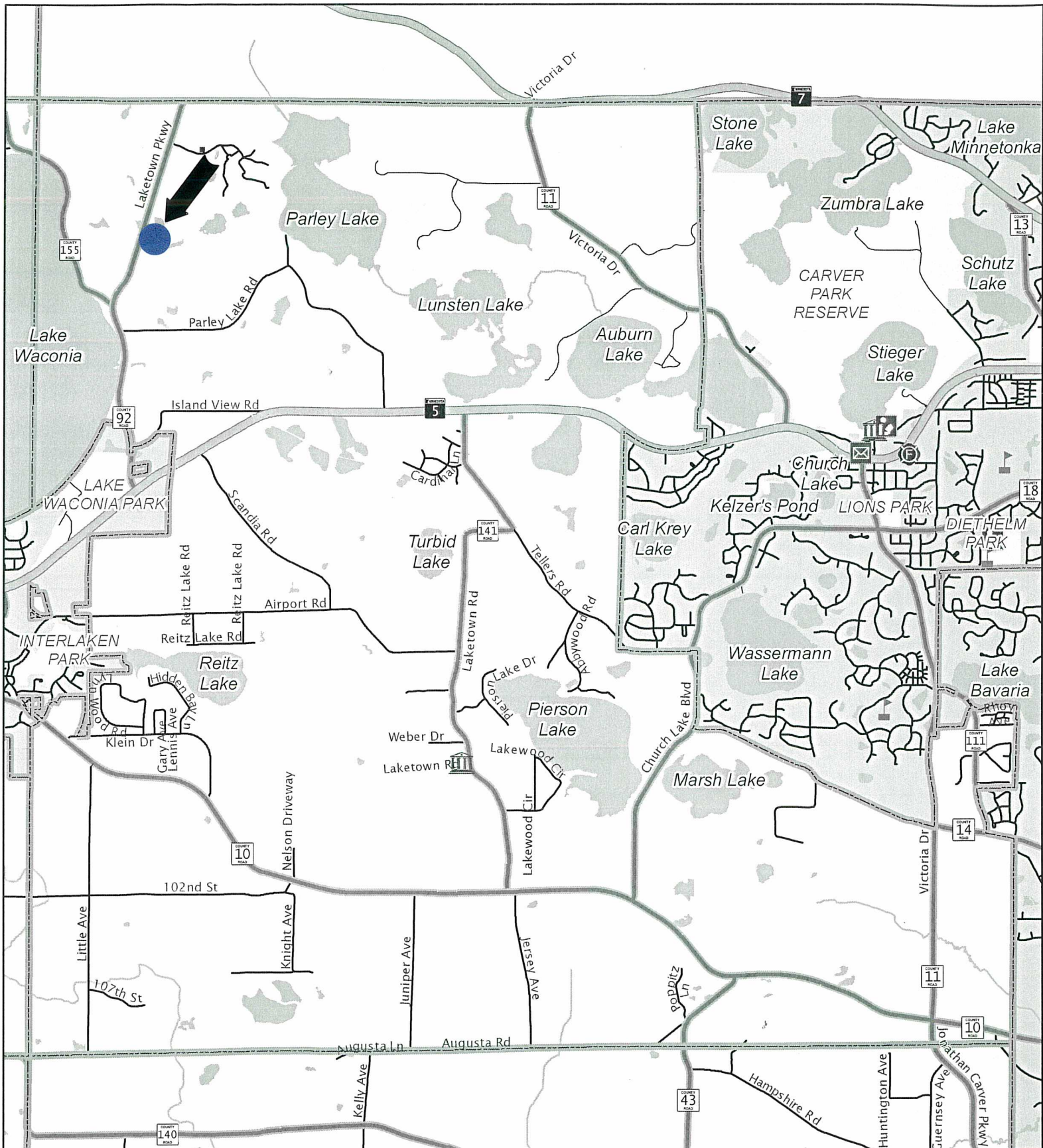
Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9813

# LAKETOWN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



## **Freshwater Church Outdoor Service Operational Plan**

**Date of Event: 6/8/2024 & 6/9/2024**

### **Proposed Activity**

A gathering event on the land of our future church home for a Sunday service and fellowship that includes music, a time of teaching, and social gathering with others. Saturday afternoon (6/8/24) is rehearsal and Sunday (Worship Service 6/9/24) begins with a spiritually moving worship experience and is directly followed by a message and social gathering.

### **Noise Control/Limitations**

We will limit to afternoon band rehearsal with no crowd on Saturday, June 8th, 2024 between the hours of 12pm-7 pm, and rehearsal and Worship Service with a crowd on Sunday, June 9th, 2024 between the hours of 8 am and 3 pm.

### **Litter/Disposable**

To maintain a clean and litter-free environment, the event will have several trash cans stationed throughout the grounds. All trash cans will be pulled, and trash/litter gathered, and removed from the property by the trash disposal company.

### **Sanitary Facilities**

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

### **Crowds**

Expected Attendance: 1,000-1,300 people

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

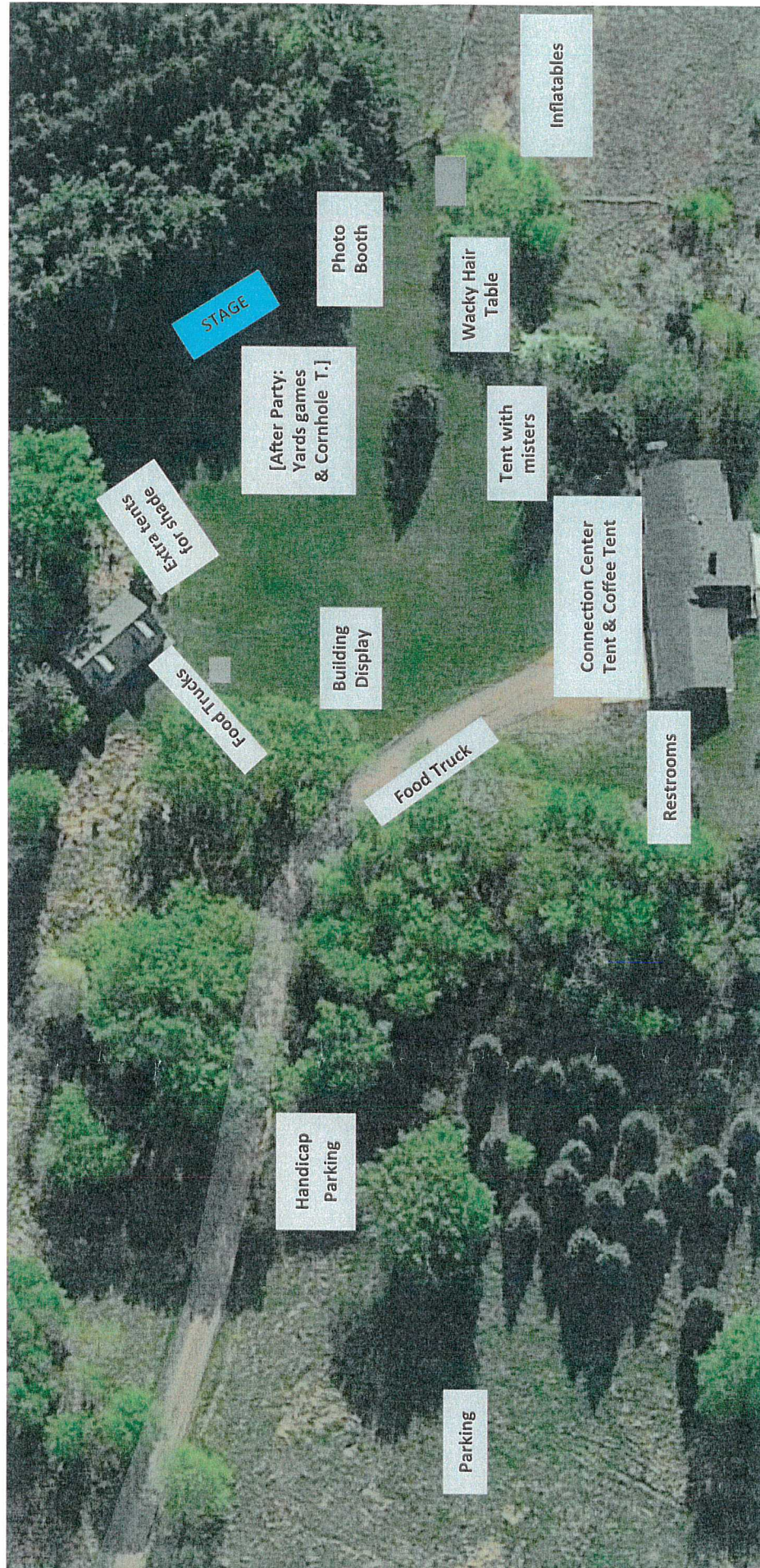
### **Parking/Traffic**

The parking space is near the exit of the property, identified by signage, and is roped off in sections to identify parking aisles. A parking team wearing bright visibility vests is equipped to help direct incoming and outgoing traffic on Sunday, June 9th, 2024 including parking in designated spots.

### **Security/Monitoring of Event**

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

# Outdoor Service — Layout





**Regular Parking\***

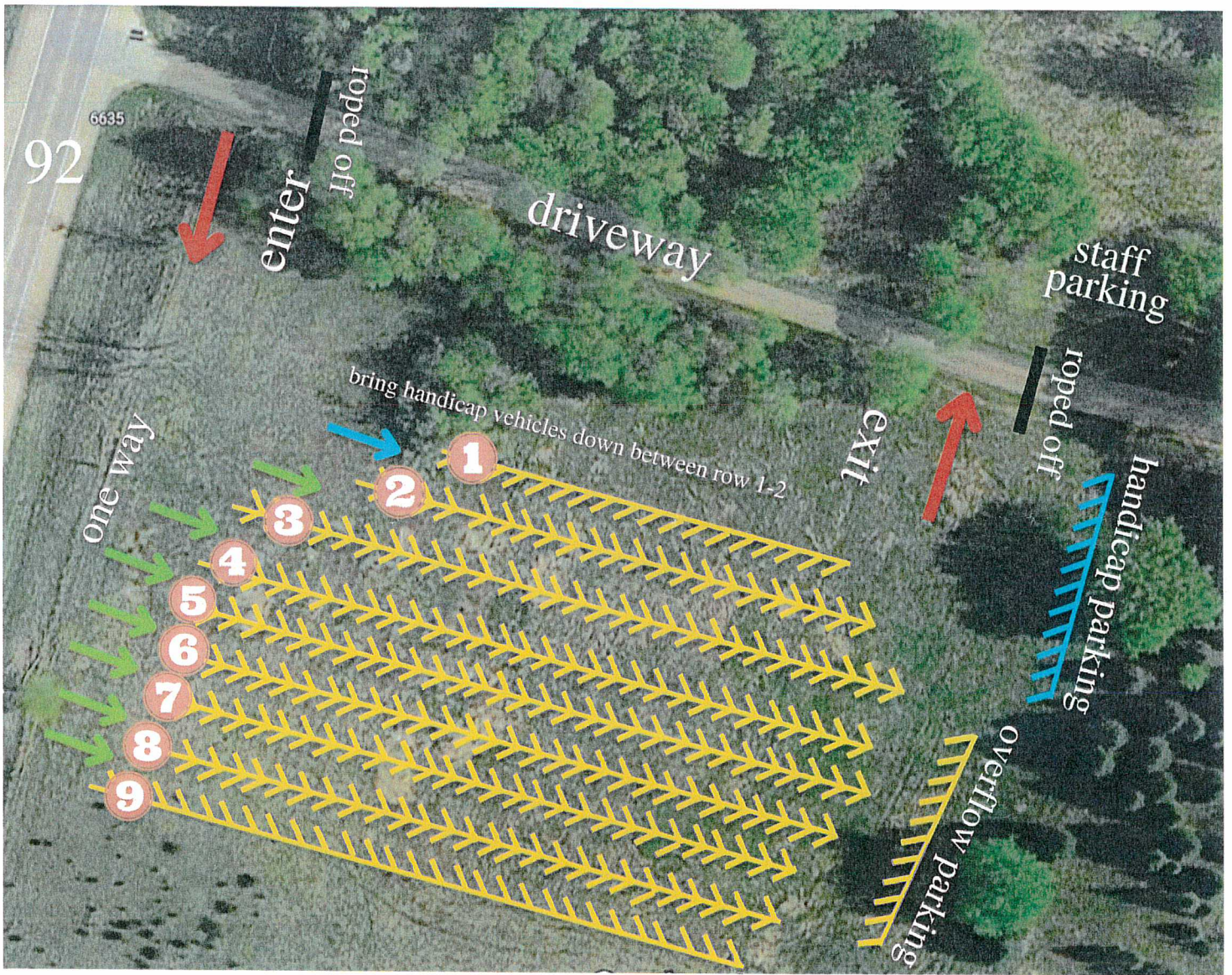
\*you will be directed to your spot



**Handicap Parking**



Ride to  
Outdoor Service



**COUNTY OF CARVER**  
**CERTIFICATE OF ZONING COMPLIANCE**

FILE/CERTIFICATE #: A20240086

DATE ISSUED: 5/21/2024

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

This permit certificate is issued for the Freshwater Church Outdoor Worship Service & Celebration to be held on June 8-9, 2024. The event will be held entirely on property owned by Freshwater Church, at 6635 Laketown Parkway in Section 6, Laketown Township. Festivities at the property will run from 12PM (noon) – 7PM Saturday, June 8, 2024, for band rehearsal and 8AM – 3PM for the public worship service and celebration on Sunday, June 9, 2024. The event includes: worship, food trucks, children’s games, and music entertainment. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 (B)(6) of the Carver County Code. **This certificate is issued to:**

**Freshwater Church**  
**C/O Becky Kutz**  
**6635 Laketown Parkway**  
**Waconia, MN 55387**

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

**Purpose of Certificate:** To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold an Outdoor Worship and Celebration event on Saturday June 8, 2024, and Sunday June 9, 2024. The event shall take place in Laketown Township in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 (B)(6) of the Carver County Code.

**THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:**

1. The Permit is valid only for the days of June 8, 2024 (rehearsal only from Noon to 7PM), and June 9, 2024 (worship and celebration from 8AM to 3PM). No music prior to Noon on June 8<sup>th</sup> and promptly ending at 7PM. No music prior to 7:45AM on June 9<sup>th</sup> and promptly ending at 3PM.
2. The event shall comply with the Noise standards pursuant to Section 152.040 (B)(9) of the Carver County Zoning Code. Noise levels are regulated by the Minnesota Pollution Control Agency (MPCA) Rules (Minn. Rules Ch. 7030). Compliance with the laws shall be as determined by the appropriate state regulatory agency, except as regulated by another county ordinance.

Minn. Rules Section 7030.0040 Noise Standards  
Subp. 2. Noise standards.

| Noise Area<br>Classification | Daytime         |                 | Nighttime       |                 |
|------------------------------|-----------------|-----------------|-----------------|-----------------|
|                              | L <sub>10</sub> | L <sub>50</sub> | L <sub>10</sub> | L <sub>50</sub> |
| 1                            | 65              | 60              | 55              | 50              |
| 2                            | 70              | 65              | 70              | 65              |
| 3                            | 80              | 75              | 80              | 75              |

Based on Minn. Rules Section 7030.0050 Noise Area Classification Standards, religious activities as a land use activity is classified as a NAC 1; therefore, the Daytime L10 sound level shall not exceed 65dB.

3. The event must be conducted in accordance with the Operational Plan & Site Maps attached hereto.
4. Per the event operations plan, there shall be at least seven (7) standard bathroom satellites and at least one (1) handicap accessible portable toilet available for the event, in addition to the indoor bathrooms located on site, as well as handwashing stations.
5. No parking shall be allowed along CSAH 92. Parking for the event must be on the subject property (i.e. PID #: 07-006-1121 - 6635 Laketown Parkway), and as detailed in the application.
6. Traffic shall be managed into and out of the site, with vehicle queuing occurring within the site. Traffic shall not be blocked on CSAH 92. In the event of wet weather, the applicant is responsible for keeping Laketown Parkway clear of mud and debris.
7. If item #4 and #5 cannot be met and the event would require closure of the traveled portion of the roadway or shoulder, a special event permit will need to be obtained through the Carver County Public Works Department.
8. Emergency vehicle access must be provided within the activity areas of the event.
9. The event shall not be detrimental to the highway or to the safety of the Public.
10. Parking within the site should be orderly to allow for maximum vehicle capacity.
11. The applicant shall submit a copy of the Certificate of Liability Insurance for the church to the Land Management Department prior to the event.
12. The church group and any sponsors are responsible to clean up all excess trash and litter during and after the event.
13. The permittee shall inform adjacent residents, Laketown Town Board, and the Carver County Public Works Department of the date(s) in which the event will take place. (Notification shall be provided prior to the event.)

---

Christina Neel  
Land Management Planner

**THIS CERTIFICATE IS ISSUED FOR THE WEEKEND OF SATURDAY JUNE 8, 2024, AND SUNDAY, JUNE 9, 2024, AND IS NOT EFFECTIVE UNTIL SIGNED:**

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

---

Signature of Certificate Holder

---

Date

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

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

Prepared by Land Management Dept.

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

**Nicholas Hartwig/Lone Oak Rodeo - Youth/Amateur Rodeo (2 - One Time Special Events)**

Primary Originating Division/Dept:  ▼

Meeting Date: 5/21/2024 

Contact: Christina Neel

Title:

Item Type:

▼

Amount of Time Requested:  minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

▼

### BACKGROUND/JUSTIFICATION:

File #A20240087 & #A20240088. Nicholas Hartwig has requested two separate One-Time Administrative Special Event Permits for a youth and amateur rough stock rodeo (with spectators) on May 31 – June 1, 2024, and August 16-17, 2024, in Section 16, Hollywood Township. The event would be similar to previous events and is sanctioned through the Iowa Roughstock Rodeo and Professional Youth Roughstock Association and would be held entirely on Mr. Hartwig's property at 3380 Vega Ave Mayer, MN. Events would include bull riding and saddle & bareback bronco riding. Setup would start at 12PM on Friday afternoon, with the events occurring from 5PM to 11PM Friday and Saturday, and approximately one hour of cleanup after the event ends Saturday. All parking for competitors and attendees would be on-site in an open grass meadow area, pursuant to the submitted site plan.

The events is insured for up to 500 attendees, with food and alcohol catered. The applicant has provided all catering permits (food & liquor), proof of contract for waste disposal, and sanitation facilities/portable restrooms.

The Carver County Sheriff's Department has reviewed the request and does not have any objections with the proposal.

Hollywood Township reviewed and recommended approval of the events during their March 11, 2024, meeting. The Town Board requested the applicant apply dust control to 300 feet of the Township Road (Vega Avenue) from the intersection of County Road 122, north to the property.

The County Zoning Code allows a maximum of three special event requests annually with County Board approval.

### ACTION REQUESTED:

A motion authorizing the issuance of two separate Certificate of Zoning Compliance (#A20240087 and #A20240088) for the May 31-June 1, 2024, and August 16-17, 2024, Youth and Amateur Rodeo event weekend.

FISCAL IMPACT:  ▼

If "Other", specify:

### FUNDING

County Dollars =

FTE IMPACT:  ▼

Total

\$0.00

☐ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

5/2/24

# Lone Oak Rodeo

3380 Vega Ave, Mayer

May 31-June 1, 2024

This event is sanctioned with the Iowa Roughstock Rodeo and Professional Youth Roughstock Association. Carver County has a copy of all insurance necessary for the event. (May 31-June 1)

Events include bull riding, saddle and bareback bronco riding and will utilize existing area onsite. Some setup will occur earlier in the day Friday 5/31, such as restroom and dumpster drop off and flagging off parking area as shown.

Advertising is primarily through our website and social media, with some flyers hung in local businesses. Parking and yard signs will be placed Friday morning for the event.

Dust control will be placed by Hollywood Township on Vega Avenue, per their statement at the March 11 Town Board meeting.

Onsite Companies is handling sanitation/portable restrooms.

Event has been stated to have a maximum of 500 attendees. Parking shall be according to site plan.

5/2/24

Lone Oak Rodeo

3380 Vega Ave, Mayer

August 16-17, 2024

This event is sanctioned with the Iowa Roughstock Rodeo and Professional Youth Roughstock Association. Carver County has a copy of all insurance necessary for the event. (August 16-17)

Events include bull riding, saddle and bareback bronco riding and will utilize existing area onsite. Some setup will occur earlier in the day Friday 8/16, such as restroom and dumpster drop off and flagging off parking area as shown.

Advertising is primarily through our website and social media, with some flyers hung in local businesses. Parking and yard signs will be placed Friday morning for the event.

Dust control will be placed by Hollywood Township on Vega Avenue, per their statement at the March 11 Town Board meeting.

Hollywood Sports Complex is catering food, beverage, alcohol for the event.

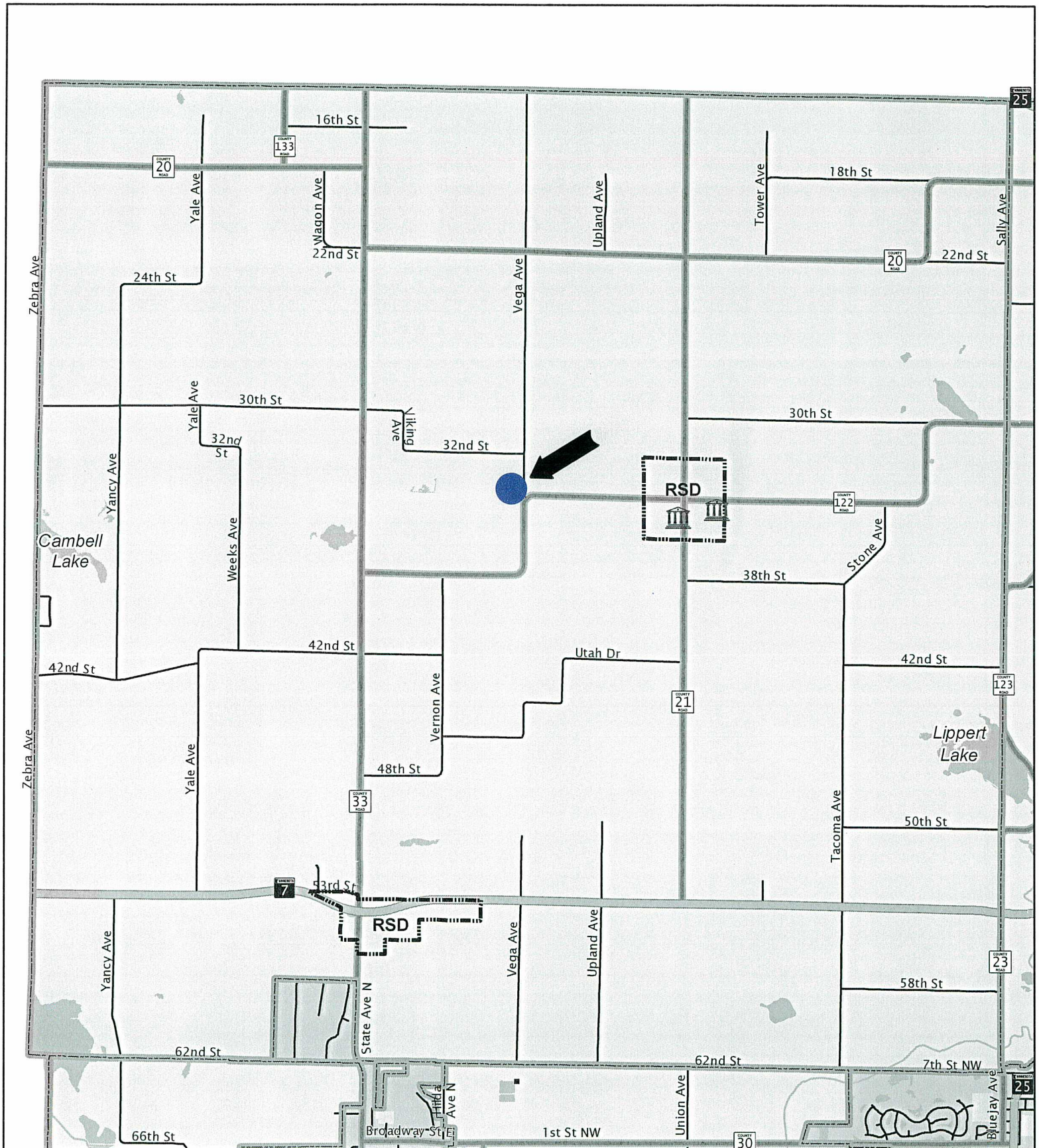
Onsite Companies is handling sanitation/portable restrooms.

Event has been stated to have a maximum of 500 attendees. Parking shall be according to site plan.

## An aerial photograph of a sports field complex. A large rectangular area at the top is outlined in orange and labeled "Parking". Below this, on the left, is a baseball field with a dirt infield and grass outfield. To the left of the field is a small structure labeled "Stock Pens". To the right of the field are two orange rectangular areas labeled "Bleachers". A yellow path runs along the right edge of the field, labeled "Emergency Services access". The surrounding area is mostly grass and dirt, with some trees and other structures visible in the background.



# HOLLYWOOD TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS

**COUNTY OF CARVER**  
**CERTIFICATE OF ZONING COMPLIANCE**

**FILE/CERTIFICATE # A20240087**

**DATE ISSUED: 5/21/2024**

**TYPE OF CERTIFICATE: ONE TIME SPECIAL EVENT – Youth and Amateur Rodeo**

This permit certificate is issued for a Youth and Amateur Roughstock Rodeo (Lone Oak Rodeo) to be held on Friday, May 31 and Saturday June 1, 2024. The event will be held entirely on property owned by Nicholas Hartwig. Festivities at the property will run from setup at 12:00PM to the event at 6:00PM – 10:00PM. The event includes: various rodeo events as well as catered food, beverage, and alcohol. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 (B)(6) of the Carver County Code. **This certificate is issued to:**

**Nicholas Hartwig  
3380 Vega Avenue  
Mayer, MN 55360**

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

**Purpose of Certificate:** To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold a Youth and Amateur Rodeo event on Friday, May 31 and Saturday, June 1, 2024. The event shall take place in Hollywood Township in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 (B)(6) of the Carver County Code.

**THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:**

1. The Permit is valid only for the weekend of Friday, May 31<sup>st</sup> and Saturday June 1<sup>st</sup>, 2024.
2. The event must be conducted in accordance with the application details & site map attached hereto.
3. There shall be at least two (2) bathroom satellites available for the event.
4. The sponsors are responsible to clean up all excess trash and litter during and after the event.
5. Emergency vehicle access must be provided within the activity areas of the event.
6. Parking shall be provided as described in the application, on site only.

7. No parking shall be allowed on Vega Ave. In the event of wet weather, the applicant is responsible for keeping Vega Ave clear of mud and debris. The applicant shall apply dust control to 300 feet of the Township Road (Vega Avenue) from the intersection of County Road 122, north to the property.
8. The applicant shall submit a copy of the Certificate of Liability Insurance for the event to the Land Management Department prior to the event.
9. The applicant shall provide copies of the appropriate liquor licenses to allow for the serving of any alcoholic beverages for the event to the Land Management Department prior to the event.
10. The permittee shall inform adjacent residents, Hollywood Town Board, and the Carver County Public Works Department of the date(s) in which the event will take place. (Notification shall be provided prior to the event.)

---

Christina Neel  
Land Management Planner

**THIS CERTIFICATE IS ISSUED FOR THE WEEKEND OF FRIDAY, MAY 31 AND SATURDAY, JUNE 1, 2024, AND IS NOT EFFECTIVE UNTIL SIGNED:**

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

---

Signature of Certificate Holder

---

Date

---

***Attached To:***

***Property outlined in attached site plans,  
And PID #06-016-0810***

---

That part of the Northeast Quarter of Section 16, Township 117, Range 26, Carver County, Minnesota, described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence on an assumed bearing of North along the east line of said Northeast Quarter, a distance of 125.52 feet to the point of beginning; thence continue on a bearing of North along said east line, a distance of 430.71 feet; thence North 88 degrees 19 minutes 24 seconds West, a distance of 1,148.48 feet; thence on a bearing of South, a distance of 404.15 feet; thence South 87 degrees 00 minutes 00 seconds East, a distance of 1,149.56 feet to the point of beginning.

**COUNTY OF CARVER**  
**CERTIFICATE OF ZONING COMPLIANCE**

**FILE/CERTIFICATE # A20240088**

**DATE ISSUED: 5/21/2024**

**TYPE OF CERTIFICATE: ONE TIME SPECIAL EVENT – Youth and Amateur Rodeo**

This permit certificate is issued for a Youth and Amateur Roughstock Rodeo (Lone Oak Rodeo) to be held on Friday, August 25 and Saturday August 26, 2024. The event will be held entirely on property owned by Nicholas Hartwig. Festivities at the property will run from setup at 12:00PM Friday to the event at 6:00PM–11:00PM. The event includes: various rodeo events (w/live music) as well as catered food, beverage, and alcohol. This event is allowed with a Certificate of Zoning Compliance, pursuant to Chapter 152, section 152.074 (B)(6) of the Carver County Code. **This certificate is issued to:**

**Nicholas Hartwig  
3380 Vega Avenue  
Mayer, MN 55360**

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

**Purpose of Certificate:** To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold a Youth and Amateur Rodeo event on Friday, August 25 and Saturday, August 26, 2024. The event shall take place in Hollywood Township in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 (B)(6) of the Carver County Code.

**THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:**

1. The Permit is valid only for the weekend of August 25-26, 2024.
2. The event must be conducted in accordance with the application details & site map attached hereto.
3. There shall be at least two (2) bathroom satellites available for the event.
4. The sponsors are responsible to clean up all excess trash and litter during and after the event.
5. Emergency vehicle access must be provided within the activity areas of the event.
6. Parking shall be provided as described in the application, on site only.

7. No parking shall be allowed on Vega Ave. In the event of wet weather, the applicant is responsible for keeping Vega Ave clear of mud and debris. The applicant shall apply dust control to 300 feet of the Township Road (Vega Avenue) from the intersection of County Road 122, north to the property.
8. The applicant shall submit a copy of the Certificate of Liability Insurance for the event to the Land Management Department prior to the event.
9. The applicant shall provide copies of the appropriate liquor licenses to allow for the serving of beer, wine, and/or liquor for the event to the Land Management Department prior to the event.
10. Any amplified music shall cease at 11:00PM.
11. The permittee shall inform adjacent residents, Hollywood Town Board, and the Carver County Public Works Department of the date(s) in which the event will take place. (Notification shall be provided prior to the event.)

---

Christina Neel  
Land Management Planner

**THIS CERTIFICATE IS ISSUED FOR THE WEEKEND OF AUGUST 25-26, 2024, AND IS NOT EFFECTIVE UNTIL SIGNED:**

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

---

Signature of Certificate Holder

---

Date

---

***Attached To:***

***Property outlined in attached site plans,  
And PID #06-016-0810***

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That part of the Northeast Quarter of Section 16, Township 117, Range 26, Carver County, Minnesota, described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence on an assumed bearing of North along the east line of said Northeast Quarter, a distance of 125.52 feet to the point of beginning; thence continue on a bearing of North along said east line, a distance of 430.71 feet; thence North 88 degrees 19 minutes 24 seconds West, a distance of 1,148.48 feet; thence on a bearing of South, a distance of 404.15 feet; thence South 87 degrees 00 minutes 00 seconds East, a distance of 1,149.56 feet to the point of beginning.

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Metropolitan Solid Waste Planning Group Appointment

Primary Originating Division/Dept:  ▼

Meeting Date: 5/21/2024

Contact: Brad Hanzel

Title:

Item Type:

▼

Amount of Time Requested:  minutes

Presenter: Brad Hanzel

Title:

Attachments: ☐ Yes ☒ No

### Strategic Initiative:

▼

### BACKGROUND/JUSTIFICATION:

The newly adopted Minnesota Pollution Control Agency (MPCA) Metropolitan Solid Waste Management Policy Plan includes a strategy requiring all Metropolitan counties to participate in an annual meeting on solid waste.

This meeting will provide an opportunity to get a county commissioner and lead staff from all seven counties together to discuss relevant waste topics. The purpose of this meeting is to help ensure that all seven county boards understand the challenges that each county faces, learn from the county solid waste management plans of other counties, and examine places to collaborate to meet the regions solid waste goals. The MPCA will take the lead in organizing this meeting at the inception.

The Association of Minnesota Counties (AMC) has also expressed an interest in having this same group meet to discuss solid waste topics impacting AMC District 10. The intent is to host an initial meeting and determine if there is a need to meet in the future.

### ACTION REQUESTED:

Motion to appoint a Commissioner to the Metropolitan Solid Waste Planning Group.

FISCAL IMPACT:  ▼

If "Other", specify:

### FUNDING

County Dollars =

FTE IMPACT:  ▼

Total

\$0.00

☐ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9809

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Construction of the Lake Minnewashta Regional Park Creative Playground Project

|                                                                                               |                                                                            |
|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Primary Originating Division/Dept: Public Works - Parks                                       | Meeting Date: 5/21/2024                                                    |
| Contact: Hope Mack Title: Parks Administrative Assistant                                      | Item Type: Regular Session                                                 |
| Amount of Time Requested: 20 minutes                                                          | Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Presenter: Marty Walsh Title: Parks & Recreation Director                                     |                                                                            |
| Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities |                                                                            |

### BACKGROUND/JUSTIFICATION:

Design of the new playground at Lake Minnewashta Regional Park began during the summer of 2023. The public was introduced to the initiative to replace the aged playground, and input was obtained for consideration of a new playground with an on-line survey beginning June 1, 2023 and concluding on June 12th. A pop-up on-site meeting was held in the park on August 12, 2023. Additional input was received from 4th and 5th graders from Clover Ridge Elementary on playground apparatus and design with our consulting planning firm SRF Consulting Group during October 2023. Lastly, a virtual open house was made available for additional public input on October 10, 2023.

SRF Consulting Group obtained sealed bids from 4 qualified playground equipment suppliers for the project. The Park Commission reviewed the playground equipment proposals and selected the Burke manufacturer provided by St. Croix Recreation at its February 21, 2024 meeting. The pricing for the playground equipment is \$418,569.72 when purchased off the state contract.

Installation of the playground equipment will be by Michael Basich Inc. who is a professional certified playground equipment installer for the equipment. The amount of this contract is \$64,000.00.

Advertisement for bids for grading and other site work for the playground began April 9th and remained open until close of bids on May 7, 2024. The lowest qualified bid with the selected bid alternates 1,2,4,5 was received from Blackstone Contractors LLC in the amount of \$551,204.98

The Park Commission recommended approval of the general site improvements with Blackstone Contractors on May 8, 2024.

### Project Cost

|                                                                       |                |
|-----------------------------------------------------------------------|----------------|
| Base Bid + Alternates 1,2,4,5 (Blackstone Contractors)                | \$551,204.98   |
| Construction Contingency                                              | \$55,121.50    |
| Play Equipment (St. Croix Recreation) State Contract Pricing          | \$418,569.72   |
| Play Equipment Installation (Michael Basich, Inc) Certified Installer | \$64,000.00    |
| Design and Engineering Fees (SRF Consulting)                          | \$89,700.00    |
| Construction Testing (Estimated)                                      | \$10,000.00    |
| Grand Total With Alternatives and Contingency                         | \$1,188,596.20 |

**ACTION REQUESTED:**

Motions:

1) Approve a contract with Blackstone Contractors LLC for \$551, 204.98 for site construction upon completing the contract review process.

2) Authorize the purchase from St. Croix Recreation for Burke play equipment for \$418,569.72 by purchase order.

3) Approve a contract with Michael Basich, Inc. for \$64,000 to install playground equipment upon completing the contract review process

3) Approve grant agreement SG-24P2-03-01 for state bond funds for the replacement of playground equipment at Lake Minnewashta Regional Park

4) Adopt a resolution to approve the Lake Minnewashta Regional Park Creative Playground Project, and committing to the project completion for the issuance of state bond funds

**FISCAL IMPACT:**

Included in current budget

▼

If "Other", specify:

**FTE IMPACT:**

None

▼

**FUNDING**

County Dollars =

\$0.00

State Bond Funds SG-2...

\$862,853.00

Parks and Trail Legacy F...

\$217,783.00

2025 Parks and Trail Fu...

\$107,960.20

Total

\$1,188,596.20

Insert additional funding source

Related Financial/FTE Comments:

Contract with SRF Consulting was previously executed for design and engineering.

Grant agreement SG-24P4-03-01 was previously executed.

2025 Parks and Trail Legacy funds are approved by the legislature. Carver County is eligible to expend against the grant funds for expenses that occur after July 1, 2024. The amount of grant funds programed from the 2025 Legacy funds is \$552,772. Of this amount, \$200,000 is programed for the playground.

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

Date: \_\_\_\_\_ Resolution No: \_\_\_\_\_  
Motion by Commissioner: \_\_\_\_\_ Seconded by Commissioner: \_\_\_\_\_

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**LAKE MINNEWASHTA REGIONAL PARK  
CREATIVE PLAYGROUND PROJECT**

WHEREAS, Carver County has budgeted for the replacement of the Lake Minnewashta Regional Park creative playground in its 2024 Capital Improvements Plan; and

WHEREAS, Carver County has created plans for the replacement of the Lake Minnewashta Regional Park creative playground;

NOWHEREFORE, BE IT RESOLVED, that the Carver County Board approves of the Lake Minnewashta Creative Playground Project and is committed to its completion.

YES

ABSENT

NO

|       |       |       |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

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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 \_\_\_\_\_ day of \_\_\_\_\_, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Dave Hemze

County Administrator

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

Continued Public Hearing of Ordinance No. 105-2024 and Ordinance No. 106-2024 (Cannabis Public Use) and Adoption of Ordinance No. 107-2024 (Amending Ch. 91)

|                                                                                               |                                  |
|-----------------------------------------------------------------------------------------------|----------------------------------|
| Primary Originating Division/Dept: Attorney                                                   | Meeting Date: 5/21/2024          |
| Contact: Mark Metz                                                                            | Title: County Attorney           |
| Amount of Time Requested: 20 minutes                                                          | Item Type: Regular Session       |
| Presenter: Jennifer Tichey                                                                    | Title: Assistant County Attorney |
| Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No                    |                                  |
| Strategic Initiative: Communities: Create and maintain safe, healthy, and livable communities |                                  |

### BACKGROUND/JUSTIFICATION:

At a County Board Work Session on August 22, 2023, staff presented information to the Board about the new Adult Use Cannabis law that went into effect on August 1, 2023, which decriminalized and allows for the possession, use, and home grow of cannabis in Minnesota for people 21 and older. Zoning, licensing, and legal use implications were discussed. At a County Board Work Session on February 27, 2024, County Attorney and Parks staff presented specific information about the proposed adoption of a new ordinance, as well as amendments to Chapter 91 Parks and Recreation Ordinance, regulating the use of cannabis and cannabis derived products in "public places." With the County Board's direction on how to proceed, the attached proposed Ordinance No. 105-2024 (Amending Ch. 91) and Ordinance No. 106-2024 (Adopting Ch. 94) were prepared. Notice of the Public Hearing and Intent to Enact both of the Ordinances of the Carver County Code were properly published in the Official Newspaper.

The public hearing was opened on May 7, 2024, and included testimony from a member of the public who expressed concern that the proposed ordinance and amendment to the park ordinance would prohibit sales/consumption, specifically of cannabis-derived beverages. The public hearing was continued to a date certain to allow staff to research the inquiry.

### ACTION REQUESTED:

1. Motion to enter into the continued public hearing to consider amendments to Ch. 91 of the Carver County Code of ordinances and to consider adoption of Ch. 94 of the Carver County Code of Ordinances.
2. Motion to conclude the public hearing.
3. Motion to adopt the resolution approving Adoption of the Ordinance Regulating the Use of Cannabis and Cannabis Derived Products in Public Places and Amending the Parks and Recreation Ordinance.

|                                                                      |                         |
|----------------------------------------------------------------------|-------------------------|
| FISCAL IMPACT: None                                                  | FUNDING                 |
| If "Other", specify:                                                 | County Dollars = \$0.00 |
| FTE IMPACT: None                                                     | Total \$0.00            |
| <input checked="" type="checkbox"/> Insert additional funding source |                         |
| Related Financial/FTE Comments:                                      |                         |

COUNTY OF CARVER  
STATE OF MINNESOTA

ORDINANCE No.: 106-2024

**AN ORDINANCE REGULATING THE USE OF CANNABIS  
AND CANNABIS DERIVED PRODUCTS IN PUBLIC PLACES**

THE CARVER COUNTY BOARD OF COMMISSIONERS HEREBY  
ORDAINS AS FOLLOWS:

**SECTION 1. STATUTORY AUTHORITY**

This ordinance is adopted pursuant to the authorization contained in Minn. Stat. Ch. 342 and Minn. Stat. §152.0263, subd. 5, as it may be amended from time to time, that allows County Boards to limit the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.

**SECTION 2. PURPOSE AND INTENT**

This Ordinance is adopted by the Carver County Board of Commissioners for the purpose of protecting public health and safety by prohibiting the use of cannabis and cannabis derived products in public places and places of public accommodation within Carver County.

The County intends to be proactive in protecting public health and safety by enacting an ordinance that will mitigate threats presented to the public and public health by the public use of cannabis. State Law authorizes adoption of ordinances to regulate actual or potential threats to the public health. See Minn. Stat. § 145.04 and § 145A.05.

Carver County (hereinafter “the County”) recognizes the risks that unintended access and use of cannabis products and exposure to cannabis and its effects present to the health, welfare, and safety of members of the public and in particular the youth of the County.

**SECTION 3. DEFINITIONS**

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them except where the context clearly indicates a different meaning.

- (a) **Adult-use cannabis flower.** “Adult-use cannabis flower” means cannabis flower that is approved for sale by the Minnesota Office of Cannabis Management or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.

(b) **Adult-use cannabis products.** “Adult-use cannabis products” means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

(c) **Cannabis flower.** “Cannabis flower” means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

(d) **Cannabis product.** “Cannabis product” means any of the following:

- (1) cannabis concentrate;
- (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
- (3) any other product that contains cannabis concentrate.

(e) **Hemp derived consumer products.**

(1) “Hemp derived consumer products” means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

- (i) contains or consists of hemp plant parts; or
- (ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

(2) Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

(f) **Lower-potency hemp edible.** A “lower-potency hemp edible” means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabinal, 25 milligrams of cannabinal, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than

delta-9 tetrahydrocannabinol;

(7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and

(8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

(g) **Public place.** A “public place” means (a) any and all properties and places within the County of Carver owned, leased, or controlled by the County of Carver, and (b) any and all private properties and places within the County of Carver that are made open to, accessible to, or available for use by the public. The term “public place” includes, but is not limited to, a public park; beach; recreation area or trail; parking lot; in a vehicle or recreational vehicle within a County park or trail; public street; right-of-way; or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, theaters; restaurants; bars; food establishments; places licensed to sell intoxicating liquor wine, or malt beverages; retail businesses; gyms; common areas in buildings; public shopping areas; auditoriums; arenas; or other places of public accommodation.

(h) **Place of public accommodation.** “Place of public accommodation” means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.”

(i) **Exceptions to the definition of public place or place of public accommodation.** “A public place” or “a place of public accommodation” does not include the following:

(1) a private residence, including the individual’s curtilage or yard.

(2) a private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or

(3) on the premises of an establishment or event licensed to permit on-site consumption.

(j) **Smoking.** “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

### SECTION 3. PROHIBITED ACTS

**Subd. 1.** No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp- derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or event licensed to permit on-site consumption of adult-use

cannabis flower and adult use cannabis products.

**Subd. 2.** No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor.

#### **SECTION 4. PENALTY**

**Subd. 1. Criminal Penalty.** A violation of this ordinance shall be a petty misdemeanor punishable by a fine of up to \$300. Nothing in this ordinance shall prohibit the United States, the State of Minnesota, or the County from investigating or prosecuting any other activity that is a crime under any other federal or state statute or county ordinance.

**Subd. 2.** An alleged violation or violation of this ordinance may be investigated by a peace officer as defined in Minn. Stat. 626.84, Subd. 1. Any alleged violation or violation of this ordinance shall be prosecuted by the Office of the Carver County Attorney.

#### **SECTION 5. JURISDICTION**

**Subd. 1.** If a city or town located in Carver County has enacted or enacts an ordinance for the purpose of regulating consumption of cannabis and cannabis derived products in public places, the city or town ordinance shall preempt and supersede the Carver County ordinance so as to control the consumption of regulated products in public places within that city or town. This ordinance will continue to govern any Carver County owned property and Carver County owned parks regardless of any local government adopted ordinance.

#### **SECTION 6. SEVERABILITY**

If any section or provision of this ordinance is held invalid, such invalidity will not affect any other section or provision that can be given force and effect without the invalidated section or provision.

#### **SECTION 7. EFFECTIVE DATE**

This ordinance shall be in full force and effect immediately from and after its passage and publication as required by law.

ADOPTED by the Carver County Board of Commissioners this \_\_\_\_\_ day of \_\_\_\_, 2024.

Commissioner John P. Fahey  
Carver County Board Chair

Attest: \_\_\_\_\_  
Dave Hemze  
Carver County Administrator

## CHAPTER 91: PARKS AND RECREATION

### Section

- [91.01](#) Purpose
- [91.02](#) Authority
- [91.03](#) Definitions
- [91.04](#) Public use regulations
- [91.05](#) Conduct; personal behavior
- [91.06](#) Operation requirements
- [91.07](#) Protection of property, structures and resources
- [91.08](#) Recreation activities
- [91.09](#) Traffic regulations
- [91.10](#) Enforcement
- [91.11](#) Slow-no wake watercraft restrictions on designated lakes

- [91.99](#) Penalty

### **Cross-reference:**

*Park Commission, see § [30.01](#)*

### **§ 91.01 PURPOSE.**

The purpose of this chapter, which is enacted pursuant to M.S. Chapter 398, as it may be amended from time to time, is for the Board to secure the quiet, orderly and suitable use and enjoyment of public County Ppark properties, and to protect the health, safety, and welfare of all Persons using County Parks. ~~by the Board of Commissioners.~~

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18)

### **§ 91.02 AUTHORITY.**

The Board ~~of Commissioners~~, under M.S. §§ 398.31 to 398.36, as it may be amended from time to time, in performing its primary duty of the acquisition, development, and maintenance of County Pparks, wildlife sanctuaries, forest, and other reservations, and providing the means for public access to historic sites, lakes, rivers, streams, and other natural phenomena is granted full power and authority to acquire and establish County Pparks and to operate, maintain, protect, and improve a Ppark system and conduct a recreational program. As an aid to the accomplishment of these duties, the Board is granted the authority to enact ordinances and to declare that the violation thereof shall be a payable or a penal offense.

The Board, under M.S. Chapter 342, or successor statute chapter, M.S. §§ 145A.04 and 145A.05 or successor statutes, M.S. § 144.414 or successor statute, and M.S. § 152.0263 or successor statute, has the power and authority to limit the use of alcohol, Tobacco, Cannabis Flower, Cannabis Products, Hemp-Derived Consumer Products, and Lower-Potency Hemp Edibles in public places in Carver County, Minnesota.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18)

### **§ 91.03 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AMUSEMENT CONTRAPTIONS.** Any device, contrivance, gadget, machine, or structure designed to test the skill or strength of the user or to provide the user with any sort of ride, lift, swing, or fall experience including, but not limited to, ball throwing contest devices, pinball type devices, electronic videos, animal ride devices, dunk tanks, ball and hammer devices, trampoline devices, and the like.

**AREA** or **AREAS.** A specified place within a **PARK**.

**ASSISTED MOBILITY DEVICE.** Any permitted single passenger, electric powered device, which provides access for a **PERSON(S)** in need of assistance due to a medical condition.

**BEACH.** The part of a body of water and shore designated for swimming.

**BICYCLE.** Any non-motorized **VEHICLE** which is driven by means of pedaling. Such **VEHICLES** include, but are not limited to, road bicycles, mountain bicycles, recumbent bicycles, tricycles, and mopeds with the motor off.

**BOARD.** The appointed and elected members of the County Board of Commissioners.

**CANNABIS FLOWER.** The harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

**CANNABIS PRODUCTS.** Any of the following:

- (1) cannabis concentrate;
- (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted, or derived from cannabis plants or cannabis flower; or
- (3) any other product that contains cannabis concentrate.

**CONTROLLED SUBSTANCE.** Any drug substance or immediate precursor in M.S. § 152.02, as it may be amended from time to time.

**COUNTY.** The County of Carver.

**CREATIVE PLAY AREA.** An outdoor area set aside for recreation and play, especially one containing equipment such as slides and swings.

**DISK GOLF.** A game played much like traditional golf. Instead of using a ball and clubs, players use a flying disc or frisbee from a tee area to an elevated target basket which is the "hole."

**GEOCACHING.** An outdoor recreational activity that involves the use of a global positioning system (GPS) receiver to find an object or geocache placed at a pre-determined location. The internet is often used to provide the direction and coordinates of the geocache.

**HEMP-DERIVED CONSUMER PRODUCTS.**

(1) "Hemp-derived consumer products" means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

(i) contains or consists of hemp plant parts; or

(ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

(2) Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

**HIKING.** Traveling on foot, specifically, walking, running, or with an **ASSISTIVE MOBILITY DEVICE**.

**HORSE.** A horse, mule, donkey, llama, alpaca, or other ungulate or ruminant that is used to transport people, equipment, or materials.

**LOWER-POTENCY HEMP EDIBLES.** A "lower-potency hemp edible" means any product that:

(1) is intended to be eaten or consumed as a beverage by humans;

(2) contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;

(3) is not a drug;

(4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabitol, or any combination of those cannabinoids that does not exceed the identified amounts;

(5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;

(6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;

(7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and

(8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

**MALT LIQUOR.** Any beer, ale, or other beverage made from malt by fermentation and containing not less than .5% alcohol by volume.

**METAL DETECTING.** To use an electronic or mechanical device to locate metals or other artifacts that are underground or under water.

**MOTORIZED RECREATION VEHICLE.** Any self-propelled, off the road or all-terrain **VEHICLE** including, but not limited to, snowmobile, mini-bike, amphibious **VEHICLE**, motorcycle, go-cart, trail bike, dune buggy, or all terrain cycle.

**NATURAL RESOURCES.** All flora and fauna within the Pparks and the physical factors upon which they depend, including air, water, soil, and minerals.

**PARK.** Any land, water area, or trail corridor, and all facilities thereon, owned, leased, controlled, or under the jurisdiction, ~~control, or ownership~~ of the County, whether through a lease, rental agreement, license agreement, or any other such agreement or instrument, for the recreational enjoyment of the public.

**PARKS AND RECREATION DIRECTOR.** The Pperson selected by the **BOARD** to serve as the Chief Administrative Officer of the **PARKS DEPARTMENT**.

**PARKS DEPARTMENT.** An operating unit of the Public Works Division responsible for the planning, development, operation, and maintenance of County Pparks.

**PERSON or PERSONS.** Any individual natural human beings, partnership, firms, corporations, association, societyies, or any group or gathering whatsoever.

**PET.** Any animal that is tamed and domesticated and kept as a companion.

**POLLUTANT.** Any substance, solid, liquid, or gas, which could cause contamination of air, land, or water, so as to create or cause a nuisance or render unclean or noxious or impure so as to be actually or potentially harmful or detrimental or injurious to public health, safety, or welfare, or that of wildlife or vegetation.

**PROPERTY.** Any land, waters, facilities, or possessions of the county.

**RESOLUTION.** Official control promulgated by the **BOARD** establishing additional rules and regulations relative to this chapter, and as on file in the County Auditor's Office.

**RESPONSIBLE PERSON.** The parent, guardian, or **PERSON** having lawful custody and control of a minor.

**ROLLER SKATER.** Any **PERSON** riding or propelling oneself by human power or gravity on wheeled devices that are worn on a **PERSON'S** feet or stood upon by a **PERSON**. Such devices specifically include, but are not limited to, roller skates, in-line skates, roller skis, skateboards, and scooters.

**SMOKE/SMOKING.** Inhaling, exhaling, burning, or carrying any lighted or heated ~~The inhaling or exhaling~~ **SMOKE** ~~from any lighted~~ cigar, cigarette, pipe, or any other lighted ~~tobacco or plant or heated~~ product containing, made, or derived from nicotine, Tobacco, marijuana, or any other plant intended for inhalation, whether natural or synthetic, including but not limited to Cannabis Flower, Cannabis Products, or Hemp-Derived Consumer Products. **SMOKING** includes the ~~inhaling~~ inhaling, exhaling, burning, or carrying of ~~of~~ nicotine, tobacco, or any other substance intended for human consumption ~~to stimulate~~ **SMOKING** ~~through inhalation of a vapor or aerosol~~ from ~~from~~ an electronic delivery device manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor. ~~SMOKING also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation.~~

**TOBACCO.** Tobacco has the meaning given in M.S. § 609.685, Subd. 1(a), as it may be amended from time to time.

**USE.** To ingest, inhale, or otherwise consume or introduce a substance into the human body in any manner, to leave, discard, or abandon a substance, or to smoke, vaporize, or aerosolize a substance through burning, heating, spraying, or any other method whatsoever.

**USE PERMIT.** The written permission that must be obtained from the Parks Division to carry out a given activity.

**VEHICLE.** Every device in, upon, or by which any **PERSON** or **PROPERTY** is or may be transported or drawn upon a roadway, except devices moved by human power or used exclusively upon stationary rails or tracks.

**WATERCRAFT.** Any contrivance used or designated for navigation on water other than seaplanes.

**WEAPON.** Any device, including, but not limited to, firearms, bows, electronic weapons, slings, and pellet or BB, guns from which a shot or projectile of any type is discharged or propelled by means of an explosive, gas, compressed air, or other means. An **ELECTRONIC WEAPON** means a portable device which is designed, used, or intended to be used, offensively or defensively, to immobilize or incapacitate ~~P~~persons by the use of an electronic current.

**WILDLIFE.** Any living creature, not human, wild by nature, endowed with sensation, power of voluntary motion, including, but not limited to, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.

**WINE.** A vinous beverage containing no more than 14% alcohol by volume.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 82-2015, passed 1-5-16; Am. Ord. 86-2018, passed 8-21-18)

## § 91.04 PUBLIC USE REGULATIONS.

### (A) *Hours of operation.*

(1) County Parks shall be open to the public daily at hours established by the Board. It shall be unlawful for any Person to enter or remain in a Park at any other time without a Use Permit, except when the Park area or facility is otherwise designated open to the public by the Board.

(2) Either the Board, the Parks and Recreation Director or his or her designee, is authorized to close any Park or portion thereof at any time for the protection of Park property or for the public health, safety, or welfare.

### (B) *Use Permits.*

(1) Use Permits shall be required for the exclusive or special use of all or portions of County Park areas, buildings, or trails; for use of Park areas and facilities when they are closed to the public; to conduct certain activities not normally permitted as per conditions of this chapter; for regulation of large group activities, as defined herein; or to reduce or eliminate certain user fees for groups, as defined herein.

(2) Procedures to issue Use Permits shall be in accordance with guidelines established by Board resolution.

(3) Use Permits shall be approved by the Director or his or her authorized designee, or if required by this chapter, by the Board. However, the Director reserves the right to defer any Use Permit approval to the Board.

(4) It shall be unlawful for a Person or Persons to violate any provisions of an approved Use Permit.

(5) It shall be unlawful for a Person or Persons to engage in any activity requiring a Use Permit without first obtaining the permit.

### (C) *User and special use fees/modifications.*

(1) User fees for entrance into County Parks and special use fees for various Park uses shall be set by Board resolution.

(2) It shall be unlawful for any Person to use, without payment, any facility or area for which a user fee or special use fee is charged, unless payment is reduced or waived by Use Permit.

(3) Upon group request for reduction or elimination of fees, the issuing authority shall evaluate the request including, but not limited to, the following factors:

- (a) Charitable nonprofit;
- (b) Property or income tax supported; and
- (c) Educational or religious.

(4) Use permits to reduce or eliminate fees shall be approved by the Board, the Director or his or her authorized designee. The Director reserves the right to defer any fee modification request to the Board.

(D) *Use by groups.* Use permits shall be required for any entertainment, tournament, exhibition, or any other special use which can reasonably be expected to have 20 or more ~~P~~ersons involved or potentially have a detrimental effect on ~~P~~ark property or other ~~P~~ark users.

(E) *Vehicle permits.* It shall be unlawful for any ~~P~~erson to bring a motor vehicle into a ~~P~~ark (where a vehicle permit is required) without appropriately displaying an approved annual, daily, or temporary vehicle permit, attached with its own adhesive, hung from a rear-view mirror or otherwise displayed as directed, unless exempted by a ~~U~~se ~~P~~ermit.

(Ord. 30, passed 4-14-87; Am. Ord. 65-2009, passed 8-4-09; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18) Penalty, see § [91.99](#)

### **§ 91.05 CONDUCT; PERSONAL BEHAVIOR.**

(A) *Drug and alcohol use.* It shall be unlawful for any ~~P~~erson to:

(1) Use, possess, or sell any controlled substance in violation of state statutes; and/or

(2) Serve, possess, or consume any alcoholic beverage, except malt liquor and wine, within a ~~C~~ounty ~~P~~ark, except at areas designated by either the Board, or by ~~U~~se ~~P~~ermit approved by the Board; and/or

(3) Serve, possess, consume, or bring beer or wine into a ~~P~~ark in kegs, barrels, or other bulk tap quantities.

(4) ~~Smoke or Use Cannabis Flower, Cannabis Products, Lower-Potency Hemp Edibles, or Hemp-Derived Consumer Products anywhere within the County Parks, including within a motor vehicle as defined in Minn. Stat. § 169A.03, Subd. 15, or within a recreational vehicle as defined in Minn. Stat. § 168.002, Subd. 27, when such vehicle is parked or otherwise present within the County Parks.~~

(B) *Gambling.* It shall be unlawful for any ~~P~~erson to gamble or participate in any game of chance for a consideration of items of value, except charitable gambling as approved by either the Board or by ~~U~~se ~~P~~ermit approved by the Board.

(C) *Disorderly conduct.* It shall be unlawful for any ~~P~~erson to engage in disorderly conduct as defined in M.S. § 609.72, subd. 1, as it may be amended from time to time.

(D) *Property of others.* It shall be unlawful for any ~~P~~erson to:

(1) Intentionally disturb, harass, or interfere with a ~~P~~ark visitor's property; and/or

(2) Leave or store personal property on ~~P~~ark property without prior authorization from either the Board, the Director his or her designee, or by ~~U~~se ~~P~~ermit.

(E) *Littering*. It shall be unlawful for any Person to deposit, scatter, drop, or abandon bottles, cans, broken glass, hot coals, ashes, sewage, waste, or other materials in a Park, except in receptacles provided for those purposes.

(F) *Firearms; dangerous weapons; fireworks*. It shall be unlawful for any Person to:

(1) Have in their possession within a Park, fire or discharge, or cause to be fired or discharged across, in, or into any portion of a Park, any gun or firearm, spear, bow and arrow, crossbow, sling shot, air or gas weapon, paintball gun, or any other dangerous weapon or projectile, except for purposes designated by either the Board, the Director or his or her designee, or by Use Permit approved by the Board, in areas and at times designated by the Director; and/or Persons who possess a valid Minnesota permit, or a valid permit from another state which is recognized in Minnesota, may carry, hold, keep, store, or possess a pistol within the Park lands, facilities, and buildings to the extent permitted by state law. Employees or volunteers when acting in the course and scope of their employment or duties are prohibited from carrying, holding, keeping, storing, or possessing a pistol within Park lands, facilities, and buildings. Licensed peace officers are exempt from the provisions of this division.

(2) Set off or attempt to set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns, or other pyrotechnics without authorization from either the Board or by Use Permit approved by the Board.

(G) *Smoking and use of Tobacco and cannabis-and tobacco-use*. It shall be unlawful for any Person to:

(1) Smoke or use any Tobacco product, Cannabis Flower, Cannabis Product, Lower-Potency Hemp Edible, or Hemp-Derived Consumer Product in or within 25 feet of any indoor area; or

(2) Smoke or use any Tobacco product, Cannabis Flower, Cannabis Product, Lower-Potency Hemp Edible, or Hemp-Derived Consumer Product inside the designated perimeter of any creative play area or beach.

(H) *Child safety*. It shall be unlawful for any Person to:

(1) Permit a child age 10 or under to be in a creative play area unless under the supervision of a responsible Person;

(2) Permit a child age 10 or under to swim or wade at beaches or swim ponds within a County Park, unless under the supervision of a responsible Person. Swimming is not permitted in other areas; or

(3) Permit a child age 10 or under to be in a designated sledding hill area unless under the supervision of a responsible Person.

(I) *Interference with employee performance of duty*. It shall be unlawful for any Person to impersonate any employee of the Parks Department or interfere with, harass, or hinder any employee in the discharge of their duties.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 82-2015, passed 1-5-16; Am. Ord. 86-2018, passed 8-21-18) Penalty, see § [91.99](#)

## § 91.06 OPERATION REQUIREMENTS.

(A) *Commercial use; solicitation; advertising and photography.* It shall be unlawful for any ~~P~~person

to:

(1) Solicit, sell, or otherwise peddle any goods, wares, merchandise, services, liquids, or edibles in a ~~P~~park, except by authorized concession or written permission granted by the Board;

(2) Operate a still, motion picture, video, or other camera for commercial purposes in a ~~P~~park without prior authorization from either the Board, the Director or his or her designee, or by ~~U~~use ~~P~~permit approved by the Board; and

(3) Expose, distribute, or place any sign, advertisement, notice, poster, or display in a ~~P~~park without authorization from the Parks Department.

(B) *Pets in ~~P~~arks.* It shall be unlawful for any ~~P~~person to:

(1) Bring any dog, cat, or other pet into a ~~P~~park, unless caged or kept on a leash not more than six feet in length and under the handler's control, unless in a pet exercise area designated by the Board;

(2) Allow any dog, cat, or other pet to enter a beach area, nature center area, refuge area, picnic area, ~~P~~park building, or other "no pet" designated areas within a ~~P~~park;

(3) Permit a pet under his or her control to disturb, harass, or interfere with any ~~P~~park visitor, a ~~P~~park visitor's property, or a ~~P~~park employee;

(4) Tether any animal to a tree, plant, building, or ~~P~~park equipment; and/or

(5) Have custody or control of any dog or domestic pet in a designated area of a ~~P~~park without possessing an appropriate device for cleaning up pet feces and disposing of it in a sanitary manner.

(C) *Noise; amplification of sound.*

(1) It shall be unlawful for any ~~P~~person, without the prior authorization either of the Board, the Director or his or her designee, or by ~~U~~use ~~P~~permit, to:

(a) Install, use, or operate within the ~~P~~park a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures, or transmitting music to any ~~P~~persons or assemblages of ~~P~~persons in or upon any place within the ~~P~~park;

(b) Use or operate, or permit the use or operation of any radio, tape player, phonograph, television set, music amplifier, or other machine or device for the production or reproduction of sound in a manner as to be disturbing or a nuisance to reasonable ~~P~~persons of normal sensitivity within the area of audibility; and/or

(c) Willfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet within any ~~P~~ark or which causes discomfort or annoyance to any reasonable ~~P~~ark visitor of normal sensitivity, except as duly authorized for special programs at dates and times.

(2) The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

- (a) Level of the noise;
- (b) The intensity of the noise;
- (c) Whether the nature of the noise is usual or unusual;
- (d) The level and intensity of the background noise, if any;
- (e) The type of area within which the noise emanates;
- (f) The intensity of human use of the area during the time at which the noise emanates;
- (g) The time of the day or night the noise occurs;
- (h) The duration of the noise; and
- (i) Whether the noise is recurrent, intermittent, or constant.

(D) *Fires*. It shall be unlawful for any ~~P~~erson to:

(1) Start a fire in a ~~P~~ark, except in a designated area, and then only in fire rings, portable stoves, or grills, except by ~~U~~se ~~P~~ermit;

(2) Leave a fire unattended or fail to fully extinguish a fire; and/or

(3) Scatter or leave unattended lighted matches, ashes, burning ~~I~~tobacco, paper, or other combustible material.

(E) *Assemblies, meetings, and the like*. It shall be unlawful for any ~~P~~erson to conduct public meetings, assemblies, worship services, entertainment, parades, or demonstrations within a ~~P~~ark without a ~~U~~se ~~P~~ermit or prior authorization from either the Board, the Director or his or her designee, or by ~~U~~se ~~P~~ermit.

(F) *Amusement contraptions*. It shall be unlawful to bring in, set up, construct, manage, or operate any amusement or entertainment contraption, device, or gadget without prior authorization from either the Board, the Director or his or her designee, or by ~~U~~se ~~P~~ermit.

(G) *Engine-powered models and toys*. It shall be unlawful for any ~~P~~erson to start, fly, or use any fuel or battery powered model aircraft, model boat, rocket, or like powered toy or model.

(H) *Unlawful occupancy*. It shall be unlawful for any ~~P~~erson to enter in any way any building, installation, or area that may be under construction or locked or closed to public use, or to enter or be upon any building, installation, or area after the posted

closing time or before the posted opening time, or contrary to posted notice in any ~~P~~park.

(I) *Aviation*. It shall be unlawful to use ~~P~~park property for a starting or landing field for aircraft, hot air balloons, parachutes, hang gliders, or other flying apparatus without a permit.

(Ord. 30, passed 4-14-87; Am. Ord. 61-2007, passed 11-6-07; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18) Penalty, see § [91.99](#)

## **§ 91.07 PROTECTION OF PROPERTY, STRUCTURES AND RESOURCES.**

(A) *Disturbance of natural features*. It shall be unlawful for any ~~P~~person to:

(1) Intentionally remove, alter, injure, or destroy any tree, other plant, rock, soil, or mineral;

(2) Dig trenches, holes, or other excavations;

(3) Introduce any plant, animal, or other agent within a ~~P~~park without a ~~U~~use ~~P~~permit, and other permits as required by state and federal law;

(4) Harvest/grow/cultivate a controlled substance;

(5) Cut or gather wood;

(6) Engage in metal detecting for reclaiming lost personal property without a permit; and/or

(7) Transport, possess, or burn firewood in a ~~C~~ounty ~~P~~park unless the firewood is purchased from the ~~C~~ounty or a Minnesota Department of Natural Resources approved firewood vendor.

(B) *Disturbance of wildlife*. It shall be unlawful for any ~~P~~person to:

(1) Kill, trap, hunt, pursue, or in any manner disturb or cause to be disturbed, any species of wildlife, except in nuisance situations as permitted by a ~~U~~use ~~P~~permit;

(2) Remove any animal, living or dead, from a ~~P~~park without a ~~U~~use ~~P~~permit; and any animal so removed or taken contrary to the provisions of this chapter or laws of the state shall be considered contraband and subject to seizure and confiscation; and/or

(3) Release or abandon any animal within a ~~P~~park.

(C) *Destruction or defacement*. It shall be unlawful for any ~~P~~person to:

(1) Intentionally deface, vandalize, or otherwise cause destruction to ~~P~~park property; and/or

(2) Intentionally deface, destroy, cover, damage, or remove any placard, notice, sign, or parts thereof, whether permanent or temporary, posted or exhibited by the Public Works Division.

(D) *Release of harmful or foreign substances*. It shall be unlawful for any ~~P~~person to:

(1) Place any debris or other pollutant in or upon any Park lands or any body of water in or adjacent to a Park, or any tributary, stream, storm sewer, or drain flowing into the waters; and/or

(2) Discharge waste water or any other wastes in a Park, except into designated containers, drains, or dumping stations.

(E) *Interference of Park property.* It shall be unlawful for any Person to cause or permit physical encroachment upon Park property including, but not limited to, actions such as mowing of grasses, and/or placement of personal property, debris, materials, buildings, sheds, other structures, informal trails, or signs on Park lands unless permitted.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18) Penalty, see § [91.99](#)

## **§ 91.08 RECREATION ACTIVITIES.**

(A) *Camping.* It shall be unlawful for any Person to:

(1) Camp in a Park, except in areas provided and designated for that purpose;

(2) Camp without a Use Permit from the Park system;

(3) Occupy camp sites in a Park contrary to a permit or otherwise violate provisions of a Use

Permit;

(4) Operate any vehicle within a campground during posted quiet hours, except in emergencies;

(5) Camp overnight in a Park if under 18 years of age, unless accompanied by parent or legal guardian, or possessing written permission from a parent or legal guardian;

(6) Camp in a Park longer than ten consecutive days; and/or

(7) Camp in a Park more than 14 days in a calendar month without approval of the Director or his or her designee.

(B) *Picnicking.* It shall be unlawful for any Person to:

(1) Assume exclusive use of a reservation picnic site without a Use Permit;

(2) Use a portion of a reservation picnic area without a permit if the area is reserved by permitted group;

(3) Conduct picnic activity at reservation picnic sites contrary to a Use Permit or otherwise violate provisions of a Use Permit; and/or

(4) Set up temporary shelters, such as tents, tarps, canopies, and other devices, other than in designated camping areas, without authorization by a Use Permit.

(C) *Swimming*. It shall be unlawful for any Person to:

- (1) Wade or swim within a Park, except at beaches and at times designated by the Board for those uses;
- (2) Wade, swim, or use any beach in a Park without proper attire;
- (3) Take glass bottles or glass containers of any kind into designated beach areas;
- (4) Use outside of a beach area so designated, any innertube, life raft, or other inflatable or buoyant object or flotation device intended to support a Person, except Persons are permitted to use a U.S. Coast Guard approved life jacket or vest when properly attached; and/or
- (5) Fail to obey posted beach safety rules as established by Board resolution for each Park system beach.

(D) *Boating*. It shall be unlawful for any Person to:

- (1) Launch or land any watercraft upon any waters within a Park, except at designated locations and times;
- (2) Leave any watercraft unattended on land or in the water, except in designated areas;
- (3) Operate any watercraft in a designated swimming area or other prohibited area;
- (4) Operate a watercraft in a Park; and/or
- (5) Tow a Person on water skis, surf board, knee board, innertube, or jet ski in a designated swimming area, boat launching area, or other unauthorized area, or enter a designated swimming area on the device.

(E) *Fishing*. It shall be unlawful for any Person to:

- (1) Fish in a Park in violation of any provision; and/or
- (2) Fish in a prohibited area.

(F) *Horses and horseback riding*. It shall be unlawful for any Person to ride, lead, or allow a horse within a Park except as authorized by the Board for Park patrolling and by Use Permit.

(G) *Bicycling*. It shall be unlawful for any Person to:

- (1) Operate any type of bicycle, except on roadways, paved or aggregate surfaced trail, and designated trails;
- (2) Operate any type of bicycle except as close to the right-hand side of the authorized trail or roadway as conditions permit, or to cross to the left of a solid yellow centerline;
- (3) Operate a bicycle in violation of M.S. Chapter 169, as it may be amended from time to time;

(4) Ride or operate a bicycle, except in a prudent and careful manner, and at speed faster than is reasonable and safe with regard to the safety of the operator and other Persons in the immediate area; and/or

(5) Park a bicycle at any Park beach except at a bicycle rack if the rack is provided.

(H) *Snowmobiling*. It shall be unlawful for any Person to:

(1) Operate a snowmobile anywhere in a Park, except on designated trails and then only on the right-hand side of the trail;

(2) Operate a snowmobile in a Park contrary to rules and regulations issued by the Board;

(3) Operate a snowmobile in a Park in excess of posted speed limits when present or at a rate of speed greater than reasonable or proper under current conditions, or in a careless, reckless, or negligent manner so as to endanger the Person or property of another or to cause injury or damage thereto;

(4) Operate a snowmobile in violation of M.S. §§ 84.81 to 84.91, as they may be amended from time to time, and published annually in the Minnesota Department of Natural Resources Snowmobile Rules and Regulations (all rules and regulations therein pertaining to "public land and water" shall apply on Park property);

(5) Operate a snowmobile in violation of any posted trail sign; and/or

(6) Tow another Person or thing, except through the use of a rigid tow bar attached to the rear of the snowmobile, except in emergencies.

(I) *Cross-country skiing*. It shall be unlawful for any Person to:

(1) Cross-country ski in any Park, except on designated trails at designated times when weather and grounds conditions permit;

(2) Conduct an organized meet or race on Park cross-country ski trails without a Use Permit;

(3) Cross-country ski in a Park in violation of M.S. §§ 85.40 to 85.45, as they may be amended from time to time; and/or

(4) Operate a dog sled or any motorized recreation vehicle on cross-country ski trails.

(J) *Other special activity uses*. It shall be unlawful for any Person to participate in or conduct any activity, except those uses for which a Park area or facility has been planned or promoted by the Parks Department, without a Use Permit.

(K) *Other winter activities*. It shall be unlawful for any Person to:

(1) Ice skate, sled, coast, snowshoe, or ski in a Park except at designated times and places; and/or

(2) Enter an area marked by signs indicating thin ice.

(L) *Hiking*. It shall be unlawful for any ~~P~~erson to:

(1) Hike in a ~~P~~ark except in recreation use areas and on designated trails and roadways, unless authorized by special ~~U~~se ~~P~~ermit; and/or

(2) Hike on designated packed or groomed cross-country ski trails after a two-inch or more snowfall.

(M) *Geocaching*. It shall be unlawful for any ~~P~~erson to place a geocache in a ~~P~~ark except by permit.

(N) *Disc golfing*. It shall be unlawful for any ~~P~~erson to play disc golf in a ~~P~~ark except in designated areas or by permit.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18) Penalty, see § [91.99](#)

## **§ 91.09 TRAFFIC REGULATIONS.**

(A) *Motorized recreation vehicles*. It shall be unlawful for any ~~P~~erson to operate a motorized recreation vehicle within a ~~P~~ark, except in areas and at times as designated by either the Board, the Director or his or her designee, or by ~~U~~se ~~P~~ermit.

(B) *Vehicle operation*. It shall be unlawful for any ~~P~~erson to:

(1) Operate a vehicle at a speed in excess of 25 mph or posted speed limits;

(2) Operate any vehicle within a ~~P~~ark, except upon roadways, parking areas, or other designated locations therefore, unless it is an assisted mobility device permitted by the Parks Department;

(3) Operate a vehicle within a ~~P~~ark in violation of posted regulations, M.S. Chapter 169, as it may be amended from time to time, or municipal traffic codes, or orders or directions of traffic officers authorized to direct traffic;

(4) Operate a vehicle in a careless or reckless manner;

(5) Operate a vehicle which emits excessive or unusual noise, noxious fumes, dense smoke, or other pollutants; and/or

(6) Fail to yield right-of-way to pedestrians and other trail users.

(C) *Parking vehicles*. It shall be unlawful for any ~~P~~erson to:

(1) Park or leave a vehicle standing, except in a designated area and then only in a manner so as not to restrict normal traffic flow;

(2) Leave a vehicle standing after posted closing hours without a valid ~~U~~se ~~P~~ermit;

(3) Park in a space designated for handicapped parking only, except with handicapped vehicle license or permit;

(4) Park or leave a vehicle without a boat trailer in a parking space designated for vehicles with boat trailers;

(5) Park a vehicle with a boat trailer, except in designated vehicle/boat-trailer parking areas;

(6) Leave a vehicle unattended with keys in the ignition; and/or

(7) Park on the grass or sides of campground roads. Vehicles in campsites must be parked on the gravel pads or designated campground parking areas.

(D) *Maintenance of personal vehicles.* It shall be unlawful for any ~~P~~erson to wash, polish, grease, change oil, or perform other maintenance on any vehicle on ~~P~~ark property, except in emergencies.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18) Penalty, see § [91.99](#)

#### **§ 91.10 ENFORCEMENT.**

(A) The County Sheriff's Department, local law enforcement agencies, and agents of the State Department of Natural Resources, in connection with duties imposed by law, shall enforce the provisions of this chapter and may issue citations and eject from any ~~P~~ark ~~P~~ersons acting in violation of the provisions of this chapter. The above agencies shall have the authority to seize, confiscate, and impound any substance, plant, animal, vehicle, or other article which upon probable cause, is found to be used or possessed in violation of this chapter.

(B) The Board shall have the right to adopt by resolution additional rules and regulations relative to this chapter.

(C) The County Sheriff's Department or local law enforcement agencies shall have the authority to impound pets found in violation of this chapter and shall collect an impoundment fee, plus a per diem fee, specified in the contract for impounding of animals which may be in force within an animal control service district.

(D) Either the Board or the Parks Department, shall have the authority to revoke for good cause any ~~U~~se ~~P~~permit. Any permit or reservation may be revoked upon violation by the permittee of any ordinance, rule, or regulation of the ~~C~~ounty.

(E) Nothing in this chapter shall prevent employees or agents of the Parks Department from performing their assigned duties.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18)

#### **§ 91.11 SLOW-NO WAKE WATERCRAFT RESTRICTIONS ON DESIGNATED LAKES.**

(A) *Title.* This section shall be known, cited, and referred to as the Carver County Slow-No Wake Ordinance.

(B) *Definitions.* Terms used in this section related to boating are defined in M.S. § 86B.005.

(C) *Statutory authorization and purpose.*

(1) This section is enacted under the general powers delegated to the counties by the State of Minnesota, pursuant to M.S. §§ 375.51, 86B.205, and 459.20, and Minn. Rules 6110.3000 through 6110.3800 as now in effect and as hereafter amended.

(2) It is the intent and purpose of this section to:

(a) To promote the full use and enjoyment by all of the people, now and in the future, and to promote safety for all ~~P~~persons and property in connection with the use of waters of Carver County;

(b) To conserve the quality of the natural environment;

(c) To harmonize and integrate the varying uses of said waters; and

(d) To promote the general health, safety, and welfare of the general public.

(D) *Declaration and designated lakes.*

(1) The County Board of Commissioners declares a high water emergency on the designated lakes as defined by division (D)(2) and imposes a slow-no wake restriction pursuant to Minn. Rule 6110.3700, Subpart 9.

(2) *Designated lakes.* This section shall control and regulate the use of the waters of the following lakes located in Carver County along with the following triggers:

| <b>Lake</b>   | <b>Area of lake</b> | <b>Water level at which slow-no wake restrictions apply</b> |
|---------------|---------------------|-------------------------------------------------------------|
| Lake Bavaria  | Entire water body   | At or above the ordinary high water level of 972.7'         |
| Reitz Lake    | Entire water body   | At or above ordinary high water level of 937.8'             |
| Lake Waconia  | 600' from shore     | At or above FEMA 100-yr. flood elevation 962.92'            |
| Lake Waconia  | Entire water body   | At or above ordinary high water level of 963.1'             |
| Piersons Lake | Entire water body   | At or above FEMA 100-yr. flood elevation 962.98'            |

(E) *Watercraft speed restrictions.* During the period this section is in effect, including any extensions herein, it shall be unlawful for any ~~P~~person to operate a watercraft at greater than a slow-no wake speed (five miles per hour), 24 hours per day within the slow-no wake restriction area specified on any designated lake.

(F) *Removal of speed restrictions.* The slow-no wake restrictions shall be promptly removed from any designated lake, pursuant to this section, once the water body has been 0.1 feet below the elevation that triggers the slow-no wake restriction for three consecutive days.

(G) *Enforcement.* The primary responsibility for enforcement of this section shall rest with the Carver County Sheriff's Office. Other licensed peace officers, including conservation officers of the Minnesota Department of Natural Resources, are also authorized to enforce the provisions of this section.

(H) *Penalty.* A ~~P~~person guilty of violating any provision of this chapter shall be guilty of a misdemeanor as defined in M.S. § 609.02(3), as it may be amended from time to time.

(I) *Exceptions.* All authorized resource management, emergency and enforcement personnel, while acting in the performance of their assigned duties, are exempt from the foregoing restrictions.

(J) *Notification.* It shall be the responsibility of Carver County to provide for adequate notification to the public, which shall include notification on its website and news releases. Carver County is also responsible for placement of a sign at each designated lake public watercraft access, outlining essential elements of this section.

(Ord. 98-2022, passed 5-3-22)

#### **§ 91.99 PENALTY.**

~~A~~Unless otherwise specified herein, a Pperson guilty of violating any provision of this chapter shall be guilty of a misdemeanor pursuant to M.S. § 398.34 and as defined in M.S. § 609.02(3), as they may be amended from time to time. A Person guilty of violating Section 91.05, Paragraph (A)(4) herein, shall be guilty of a petty misdemeanor as defined in M.S. § 609.02(4a), as it may be amended from time to time. -All fines collected under this chapter shall be deposited into the County Park Fund.

(Ord. 30, passed 4-14-87; Am. Ord. 72-2011, passed 1-17-12; Am. Ord. 86-2018, passed 8-21-18)

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

DATE May 21, 2024

RESOLUTION NO. \_\_\_\_\_

MOTION BY COMMISSIONER \_\_\_\_\_ SECONDED BY COMMISSIONER \_\_\_\_\_

**A RESOLUTION ADOPTING ORDINANCE 105-2024 and 106-2024,  
REGULATING THE USE OF CANNABIS AND CANNABIS DERIVED PRODUCTS  
IN PUBLIC PLACES**

**WHEREAS**, the County Board of Commissioners may adopt regulations that limits the use of cannabis and cannabis-derived products in public places; and

**WHEREAS**, there is a need to be proactive in protecting the public health and safety by mitigating the effects of cannabis products and exposure that threaten the public health, welfare and safety, particularly to the youth of the County; and

**WHEREAS**, Minnesota Statutes state that these regulations must be established by ordinance.

**NOW, THEREFORE BE IT RESOLVED**, that the Carver County Board of Commissioners hereby ordains adoption Ordinance No. 105-2024 and Ordinance No. 106-2024, effective upon adoption and publication.

| YES   | ABSENT | NO    |
|-------|--------|-------|
| _____ | _____  | _____ |
| _____ | _____  | _____ |
| _____ | _____  | _____ |
| _____ | _____  | _____ |
| _____ | _____  | _____ |

STATE OF MINNESOTA  
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 21st day of May, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
David Hemze, County Administrator

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

**UAS Unmanned Aerial System Public Comment Meeting**

Primary Originating Division/Dept: Sheriff

Meeting Date: 5/21/2024



Contact: George Pufahl

Title: Lieutenant Patrol Services

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter: Jason Kamerud

Title: Sheriff

Attachments: ☐ Yes ☒ No

### Strategic Initiative:

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

### BACKGROUND/JUSTIFICATION:

Per Minnesota State statute 626.19 subd. 9, Sheriff Kamerud seeks public comment before purchasing or using AUV equipment.

### ACTION REQUESTED:

Provide 5 to 10 minutes (est) to receive any public comment about UAV purchase or use.

FISCAL IMPACT: None

If "Other", specify:

### FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

☐ Insert additional funding source

Related Financial/FTE Comments:

N/A

Office use only:

RBA 2024 - 9799

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Hennepin-Carver Workforce Development Board Local and Regional Plan

Primary Originating Division/Dept:

Meeting Date: 5/21/2024



Contact: Jennifer Kielas

Title:

Item Type:

Amount of Time Requested:  minutes

Presenter: Kate Probert Fagundes

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

### BACKGROUND/JUSTIFICATION:

Under the provisions of the Workforce Innovation and Opportunity Act (WIOA), the Governor of each State or Territory must submit a Unified or Combined State Plan to the U.S. Department of Labor that outlines a strategy for the State's workforce development system. The publicly funded workforce development system is a national network of Federal, State, regional, and local agencies and organizations that provide a range of employment, education, training, and related services and supports to help all job-seekers secure good jobs while providing businesses with the skilled workers they need to compete in the global economy. In alignment with the State Plan, each local workforce development board must submit a three-year regional and local plan.

Hennepin-Carver Workforce Development Board Nine (WDA 09) has developed a local plan that meets the requirement of WIOA section 108 and requires submission to the Governor.

The local plan includes the following strategies:

- analysis of regional economic conditions with a focus on in-demand industry sectors.
- an analysis of the knowledge and skills needed to meet employment needs of the employers in the region.
- an analysis of the workforce, including current labor force employment (and unemployment) data, information on labor market trends, and the educational and skill levels of the workforce, including individuals with barriers to employment.
- an analysis of workforce development activities, including an analysis of the strengths and weaknesses of such services, and the capacity to provide such services.
- a description of strategies and goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment), including goals relating to the performance accountability measures to support regional economic growth and economic independence.

The Hennepin-Carver Workforce Development Board's goals are focused on expanding access to services for individuals who have been historically underserved and ensure that career pathways and partnerships are in place to comprehensively reduce barriers to employment. The Hennepin-Carver Workforce Development Board is committed to continued improvement, and achievement, of these goals through leveraged resources, and connections to education and training driven by input from our employer partners.

### ACTION REQUESTED:

Motion to approve the Hennepin-Carver Workforce Development Area (WDA 09) Workforce Innovation and Opportunity Act (WIOA) Local and Regional Plan for CY2024-2027 and authorize submission of the plan to the State Of Minnesota - Governor's office.

**FISCAL IMPACT:**

If "Other", specify:

**FTE IMPACT:**

**FUNDING**

**County Dollars =**

**Total** \$0.00

 Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9811

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Environmental Center Long Term Planning

Primary Originating Division/Dept:  ▼

Meeting Date: 5/21/2024

Contact: Brad Hanzel

Title:

Item Type:

▼

Amount of Time Requested:  minutes

Presenter: Brad Hanzel

Title:

Attachments: ☐ Yes ☒ No

### Strategic Initiative:

▼

### BACKGROUND/JUSTIFICATION:

Environmental Center (EC) participation and waste volumes continue to trend upward. The increase has been accelerated by our rapid growth as a County and a change in material composition. With this upward trend expected to continue, the County needs to explore options for future operations to assure continued safe operations and efficient movement of people and material at the EC.

In order to assess options at the EC, the County contracted with environmental engineering firm Burns & McDonnell to review current service levels and future trends, and to identify options for consideration by the County.

Bob Craggs of Burns & McDonnell will present the future services and facility plan analysis and recommended options.

### ACTION REQUESTED:

Direction on future options.

FISCAL IMPACT:  ▼

If "Other", specify:

### FUNDING

County Dollars =

FTE IMPACT:  ▼

Total

\$0.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9707

# Carver County Board of Commissioners Request for Board Action



## Agenda Item:

### County Board Work Session Format

Primary Originating Division/Dept: Administration (County) ▼

Meeting Date: 5/21/2024



Contact: David Hemze

Title: County Administrator

Item Type:

Work Session ▼

Amount of Time Requested: 20 minutes

Presenter: David Hemze

Title: County Administrator

Attachments: ☐ Yes ☒ No

## Strategic Initiative:

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

## BACKGROUND/JUSTIFICATION:

As requested by Commissioner Udermann, this item will include a discussion the County Board work session format. A summary of how metro counties handle their work sessions is provided below.

| County     | Video Tape Work Sessions?                                          |
|------------|--------------------------------------------------------------------|
| Anoka      | No                                                                 |
| Carver     | No.                                                                |
| Dakota     | No. Zoom link to listen remotely available to public upon request. |
| Hennepin   | Yes (referred to as Briefing Sessions).                            |
| Ramsey     | Yes. Public can watch via Zoom.                                    |
| Scott      | No.                                                                |
| Washington | No.                                                                |

As a related item, the discussion will include a summary of communication impacts related to the closure of the Chan Villager and Chaska Herald newspapers.

## ACTION REQUESTED:

Board direction regarding future work session format.

FISCAL IMPACT: None ▼

If "Other", specify:

## FUNDING

County Dollars =

FTE IMPACT: None ▼

Total

\$0.00

Insert additional funding source

Related Financial/FTE Comments:

# Carver County Board of Commissioners

## Request for Board Action



### Agenda Item:

#### Regional Solicitation Evaluation Listening Session

Primary Originating Division/Dept:

Meeting Date: 5/21/2024



Contact: Darin Mielke

Title:

Item Type:

Amount of Time Requested:  minutes

Presenter: Johnathan Nguyen or other Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

### BACKGROUND/JUSTIFICATION:

The Metropolitan Council would like to hear about recent experience with and perceptions of the Regional Solicitation to inform recommendations for potential changes to the structure of the solicitation. Consultant staff working on behalf of the Metropolitan Council will facilitate this listening session..

### ACTION REQUESTED:

County Board Input into the Regional Solicitation Evaluation Listening Session

FISCAL IMPACT:

If "Other", specify:

### FUNDING

County Dollars =

FTE IMPACT:

Total

\$0.00

☐ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9734