

CARVER COUNTY COMMISSIONERS PROCEEDINGS

REGULAR SESSION – May 7, 2024

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 42nd 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.

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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 42nd 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.

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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.

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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.

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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.

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

David Hemze
County Administrator

ATTEST: David Hemze
David Hemze (May 21, 2024 14:09 CDT)
County Administrator

Gayle Degler
Gayle Degler (May 21, 2024 17:20 CDT)
Chair