

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on August 6, 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.

Under public comments, Sam Cooke, 310 38th Street, spoke on the Hollywood Township radio tower.

James Crannell, 622 82nd St W, Chaska would like clarity on property acquisition of his land.

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

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

Udermann requested to discuss Consent item 5.5 Professional Services Agreement with Bolton & Menk. Udermann moved, Workman seconded to move item 5.5 to the Regular Session as item 10.3, Motion carried unanimously.

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

- 5.1 Approved motion to approve 3rd contract amendment with RJM upon completion of the contract review process and motion to close out contracts and make final payment to contractors on the project upon receipt of proper documentation for the project.
- 5.2 Resolution 68-24 Stipulation for Settlement Agreement Between CCRRA and Carver County
- 5.3 Approved using public safety aid funds from the State of MN to purchase and implement a UAS system to include pilot training and certification in the Carver County Sheriff's Office.
- 5.4 Approved a professional services agreement with BOLTON AND MENK INC pending finalization of the contract review process.
- 5.6 Approved motion to authorize the issuance of a special event use permit to ISD 108 Central Schools for the planned 2024 HS cross country race events held at Baylor Regional Park.
- 5.7 Approved motion to authorize the issuance of a special event use permit to St. Johns Lutheran School for the planned September 17, 2024 middle school cross-country meet held at Baylor Regional Park.
- 5.8 Resolution 69-24 approving the settlement agreement with the MEnD Trustee, delegating authority to the Carver County Attorney's Office to execute the settlement agreement on behalf of Carver County, and authorizing payment to the MEnD Trustee in the amount of \$3,806.50.
- 5.9 Approved Motion to approve a Phased Retirement Option (PRO) for Peter Bendzick in the Public Works Division subject to satisfactory negotiation of the MOA.

- 5.10 Approved motion to authorize the chair to sign the BWSR Watershed-Based Implementation Funding Grant Agreement pending contract review.
- 5.11 Approved motion authorizing the issuance of a Certificate of Zoning Compliance (#A20240157) for the August 17-18, 2024, Outdoor Service and Celebration event.
- 5.12 Approved motion authorizing the issuance of a Certificate of Zoning Compliance (#A20240154) for the August 16-17, 2024, Carver County Recovery Fest event.
- 5.13 Approved motion to adopt Findings of Fact and issue Order #PZ20240022 for the issuance of a Conditional Use Permit.
- 5.14 Resolution 70-24 to award a contract to New Look Contracting, Inc. for the Highway 17/West 78th Street Intersection Project for \$592,248.00, pending finalization of the contract review process.
- 5.15 Resolution 71-24 to approve right of way acquisition settlements for the Highway 10/41 Project for the properties located at PID #'s: 30.0332400 and 30.0044520.

Reviewed July 19, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$208,604.81; reviewed July 24, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$988,017.91 and reviewed August 2, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$369,928.17.

Motion carried unanimously.

- 6.1 Dave Hemze, County Administrator spoke on the 2024-2025 strategic plan. The vision, mission and goals of Carver County will remain the same. Hemze summarized the document including key strategies moving forward.

Fahey moved, Lynch seconded to adopt Carver County's 2024-2025 Strategic plan. Motion carried unanimously.

- 7.1 A legislative update was provided by Tony Albrecht, Lobbyist at Poul Haas
- 8.1 Michelle Miller, Employee Relations spoke on the 14th annual PEER Award Recognition program and acknowledged recipients in four categories. Customer service award given to Social Worker, Chezni Rang. Innovation award given to Ryan Jaehnert with Court services. Project Based Teamwork went to library Branch Managers, Paul Erickson & Patrick Jones. Ann Wolf with IT received the Judges Choice award for exceling in all 3 categories.
- 9.1 Patrick Barry, Chief Deputy spoke on Sheriff's Office Table of Organization Adjustment. Asking to make adjustment to Emergency Management due to Commander Deb Paige retiring at the end of 2024. Motion to Eliminate 1 FTE Commander of Communications and Emergency Management and 1 FTE Emergency Management Specialist and Create 1 FTE Manager of Emergency Management and 1 FTE Commander of Operations and Support Services.

Lynch moved, Workman seconded, Motion carried unanimously.

- 10.1 Jason Mielke, Land Use Manager spoke on B.H. Aggregate - Request to Mine

Aggregate for road project (IUP). A public hearing was held on 6.16.24, planning commission voted unanimously to approve this request. Interim Use Permit for 85 acres and they will utilize just under 10 acres for the 212 Project. Motion to adopt the Findings of Fact and issue Order #PZ20240025 for the issuance of an Interim Use Permit.

Motion carried unanimously.

- 10.2 Jason Mielke, Land Use Manager discussed Ordinance No. 107-2024 Moratorium on cannabis business activity in the unincorporated area of Carver County (Zoning Standards). Continued request from 7.16.24 meeting, public hearing notification was made on 7.4.24 in the Patriot in addition to notifying townships and cities officials. A page is also set up specifically for public hearing information on cannabis moratorium on the Carver county website. Moratorium will give land management time to conduct research, study legislative language and develop zoning code language.

Udermann moved, Workman seconded to close public hearing, Motion carried unanimously.

Fahey moved, Lynch seconded, Motion to adopt Resolution 72-24 enacting an interim ordinance (Ordinance No. 107-2024), instituting an emergency moratorium on cannabis businesses in the unincorporated area of Carver County. Degler, Fahey, Lynch, Workman voted aye. Udermann nay. Motion carried 4 to 1.

- 10.3 Moved from consent agenda 5.5, Martin Walsh, Parks director clarified fees in the amount of \$17,006.05, associated with the Professional Services Agreement with Bolton and Menk for Design and Construction Administration Services.

Udermann moved, Workman seconded to approved PSA with Bolton & Menk upon the completion of the contract review process. Motion carried unanimously.

Commissioner Workman left the room at 11:26 a.m.

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

- 11.1 Martin Walsh, Parks Director spoke on the stipulation for Settlement Agreement Between CCRRA and Carver County.

Commissioner Workman returned to the room at 11:30 a.m.

Workman moved, Lynch seconded, to authorize CCRRA to enter the stipulation for settlement agreement upon completion of the contract review process and to authorize CCRRA to make an in-kind donation to the County of 25% the fair market value of the PTE over Parcels 2 & 7, provided the County receives grant funding of 75% of the fair market value of the Phases 1 acquisitions. Motion carried unanimously.

REGULAR SESSION
August 6, 2024

Fahey moved, Lynch seconded to adjourn as Carver County Regional Rail Authority and reconvene as county board, motion carried unanimously.

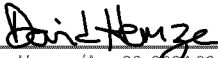
12. County Administrator Report: Today at 4:30pm is the Hoffman family event and tonight is the Night to Unite. Also 1:00pm on Thursday is the Hwy 212 groundbreaking.

Entered into a closed session to discuss Highway 41/10 Project Property Acquisitions PID #30.04580010 & 30.6570010.

Lynch moved, Fahey seconded, to adjourn the Regular Session at 11:47 a.m.

Motion carried unanimously.

David Hemze
County Administrator

ATTEST: 
Dave Hemze (Aug 20, 2024 09:32 CDT)
County Administrator


Gayle Degler (Aug 21, 2024 20:47 CDT)
Chair

(These proceedings contain summaries of resolutions/claims reviewed. The full text of the resolutions and claims reviewed are available for public inspection in the office of the county administrator.)