

Carver County
Board of Commissioners
Regular Meeting
November 19, 2024

A Regular Meeting of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on November 19, 2024. Chair Gayle Degler convened the session at 08:59 AM

Members present: Gayle Degler, John P Fahey, Tim Lynch, Matthew Udermann, Tom Workman

Kelly Wilkinson, Apple Valley, Carver County Crisis Therapist spoke on the contract with Ridgeview Medical Center and the future of the crisis team.

Jane Fleming, 2766 Simons Dr. Chaska worked for Carver County as a Prepetition screener for civil commitments. Fleming spoke on the importance of the Carver County mobile mental health crisis team and the importance of mental health workers to the community.

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

John P Fahey moved, Matthew Udermann seconded, to approve the minutes of the November 5, 2024, Regular Session. Motion carried unanimously

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

Approved the Memorandum of Agreement with MNPEA Licensed Sergeants regarding 2025 Health Insurance Benefits Package.

Approved motion to contract with Associated Mechanical Contractors pending finalization of the contract review process.

Approved motion to contract with Dynamic Lifecycle Innovations, pending final approval through the contract review process.

Approved motion to contract with Second Chance Recycling, pending final approval through the contract review process.

Approved motion to accept the donation of \$1,234.86 and authorize the use of these funds to discount the sale price of rain barrels and compost bins for County residents.

Approved motion to release the proposed amendment to the Carver County Water Management Organization Water Management Plan for a 30-day public comment period.

Approved motion to contract with Dem-Con Dumpsters, pending final approval through the contract review process.

Approved Amendment 4 to Professional Services Agreement for Program Management Services with Bolton and Menk Inc. for additional services needed through 2025 for \$544,080.00, pending completion of the contract review process.

Approved motion to contract with Groom and Bloom LLC for Snow Removal pending finalization of the contract review process Motion to contract with Excel for Snow Removal pending finalization of the contract review process.

Approved a professional services agreement with PE Services, LTD for \$1,477,867.05 for construction inspection, contract administration, surveying, and material testing during construction for the Highway 18 Project - Arboretum Area in the Cities of Victoria, Chaska, and Chanhassen, pending finalization of the contract review process.

Adopted resolution 99-24 to approve right of way acquisition settlements for the Highway 10/41 Project for the properties located at PID #'s: 30.0041000 and 30.6570010. Approval of the County Board to issue a tobacco license to Farmers Co-Op Oil Company of Renville for two locations in Carver County. The locations are currently located at and listed as Mayer - BP and New Germany - BP.

Approved a reorganization in the Public Works Program Delivery Department.

Approved a Joint Powers Agreement with the City of Victoria for the Highway 11 Project – Carver Park Reserve, pending finalization of the contract review process.

Approved a construction cooperative agreement for the Highway 11 Project - Carver Park Reserve and the Highway 5/11 Project with the City of Victoria and Three Rivers Park District.

Reviewed November 11, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$298,712.80 and reviewed November 15, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$381,426.41.

Motion carried unanimously.

David Frischmon, Property and Finance Division Director spoke on the County Cannabis Retail Registration Ordinance. It was noted that all Carver County townships have or are in the process of transferring Cannabis Retail Registration Authority (CCRA) to the county while the City of Waconia plans to keep CCRA and the other cities are waiting to see if the County Board adopts a Cannabis Retail Registration Ordinance.

Questions asked by Commissioners on where the state is at on regulations, the future of this ordinance and if it can be revisited in the future. It was noted the state is still working out the details, this ordinance can be revisited and Cities/townships can also take back their authority if they choose.

Tim Lynch moved, John P Fahey seconded, to approve motion to adopt the County Cannabis Retail Registration Ordinance. Motion carried unanimously.

John P Fahey moved, Matt Udermann seconded to open the public hearing for Ordinance 108-2024. Motion carried unanimously.

Jason Mielke, Land Use Manager, introduced the public hearing for Ordinance No. 108-2024 amending the County Zoning Code (including cannabis) and Zoning Map. The interim Ordinance (No. 107-2024) authorizing a study and imposing a moratorium on the operations of cannabis businesses in the unincorporated areas of Carver County shall cease upon the adoption of Ordinance No. 108-2024.

Cannabis Zoning was addressed and information on home/farm-based businesses, Large Scale businesses, retail businesses and cannabis events were discussed.

Chair Degler opened to the public for public comments – no comments from the public

Tom Workman moved, John P Fahey seconded to close the public hearing. Motion carried unanimously.

John P Fahey moved, Tim Lynch seconded to adopt resolution 100-24 enacting Ordinance No. 108-2024, amending the Zoning Code (Chapter 152) with the addition that no business located within the shoreline/overlay district or flood plane overlay district to the large-scale business. Motion carried unanimously.

Tim Lynch moved, Matt Udermann seconded the motion to open public hearing to consider changes to the County 2025 Fee Schedule.

Mary Kaye Wahl, Assistant Financial Services Director, hosted the public hearing on Ordinance 87-2025 (Carver County Fee Schedule) and adoption of Ordinance 87-2025 and fee schedule. Wahl spoke on some of the fee changes and explained they are not to make money but to cover costs. Also addressed was fees for data practice requests and explained those are dependent on multiple factors.

Chair Degler opened to the public for public comments – no comments from the public

Matt Udermann moved, Tom Workman seconded the motion to close public hearing.

Nick Koktavy, Assistant County Administrator spoke on data practices and what we can/can't charge based on statute.

Jennifer Tichey, Assistant County Attorney also reminded that you can always inspect data for free.

Tom Workman moved, Tim Lynch seconded the motion to adopt resolution 101-24 approving the 2025 County Fee Schedule and Ordinance.

Tim Lynch moved, Matt Udermann seconded to recess as County Board and convene as the County Ditch Board.

David Frischmon, Ditch Administrator, spoke on the 2025 Ditch Assessments. Joint Ditch 3A had a ditch repair in 2023 by Sibley County. Carver County's share is \$32,550 + \$2600 for ditch maintenance projects. The total amount owed is \$35,150, spreading the cost across 2 years would be \$17,550/year for 2025 and 2026.

Matt Udermann moved, John P Fahey seconded the motion to approve JD3A Ditch Assessment of \$17,550 for 2025 and \$17,550 for 2026.

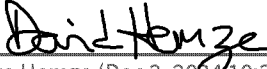
Tim Lynch moved, John P Fahey seconded to adjourn as County Ditch and reconvene as County Board.

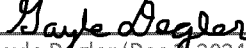
ADMINISTRATOR REPORT: Reminder to Commissioners about Hot Apple Cider Event.

Recess to enter into closed session to discuss labor negotiation strategy.

Lynch moved, Fahey seconded to adjourn at 11:50 a.m. Motion carried unanimously.

David Hemze
County Administrator

ATTEST: 
Dave Hemze (Dec 3, 2024 10:37 CST)
County Administrator


Gayle Degler (Dec 3, 2024 14:54 CST)
Chair