



CARVER COUNTY

minnesota

Carver County Board of Commissioners February 6, 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 that relate to an item on the agenda may be heard when that agenda item is discussed. Please limit your public comments to five minutes or less.**

Individuals unable to attend in person can provide public comments by email at admin-contact@co.carver.mn.us.

2. Agenda review and adoption
3. Approve minutes of January 16, 2024, Regular Session 1-3
4. Community Announcements

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

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

- 5.1 Railroad Crossing Replacement Agreement No. 2024-1 on Highway 51 with Twin Cities and Western Railroad 4
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Customer service: Continue the County's delivery of high value, timely service and support

- 5.10 Out of State Travel Approval 19
5.11 Request for approval to contract with ENVISIONWARE INC 20-21

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

5.12	Amendment 5 to PSA with SRF Consulting Group for Highway 212 Project - Benton Township Preliminary Design	22
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5.18	Settlements for Right of Way Acquisition for the US 212 Project - Benton Township	46-50

Finances: Improve the County's financial health and economic profile

5.19	Donation to the Carver County Sheriff's Dive Team.....	51-52
5.20	Professional Services Agreement for 2024 Federal Government Relations Strategy t	53
5.21	Review Health & Human Services and Commissioner Warrants	NO ATT

9:20 a.m.	6.	COMMUNITIES: Create and maintain safe, healthy, and livable communities
	6.1	Metropolitan Mosquito Control Update
	6.2	CDA Carver Place Update and Agreement Amendment.....
	6.3	Lifeguard Services at County Beach Facilities
10:10 a.m.	7	CONNECTIONS: Develop strong public partnerships and connect people to services
	7.1	Committee Appointments and Assignments
	7.2	Advisory Committee Appointments
10:15 a.m.	8.	COUNTY ADMINISTRATOR REPORT
10:20 a.m.	9.	CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government
	9.1	Closed Session to Discuss County Administrator Annual Performance Evaluation
11:20 a.m.		ADJOURN CLOSED AND REGULAR SESSION

David Hemze
County Administrator

UPCOMING MEETINGS

February 7, 2024	3:00 p.m. Chaska Library 101 st Birthday Celebration
February 9, 2024	7:30 a.m. Eastern Community Leaders Meeting, Carver City Hall
February 13, 2024	10:00 a.m. Wright County Government Center Tour
February 20, 2024	9:00 a.m. Board Meeting

February 20, 2024	12:30 p.m. Paradise Commons Ribbon Cutting
February 27, 2024	9:00 a.m. Work Session
March 5, 2024	No Meeting
March 12, 2024	9:00 a.m. Board Meeting
March 19, 2024	9:00 a.m. Board Meeting
March 26, 2024	9:00 a.m. Work Session

REGULAR SESSION
January 16, 2024

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on January 16, 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 Tim Lynch.

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

Fahey moved, Lynch seconded, to approve the minutes of the January 2, 2024, Organizational Session. Motion carried unanimously.

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

Resolution #01-24, County Board Acknowledgment Flying Cloud Drive Channel Restoration Project, Final Payment.

Approved the Response Sustainability Grant contract with MDH for the grant period December 1, 2023, through June 30, 2027 and related HH&S budget amendment.

Approved staff funding recommendations for 2024 City and Township waste reduction and recycling grants.

Approved contract with Minnesota Department of Health for the MRC STTRONG grant and related budget amendment.

Approved the receipt and donation of short-term radon test kits to Carver County residents.

Authorized the issuance of a special event use permit to the Waconia Dandy Lions for their 2024 Frozen Fairway fundraiser event.

Issued a charitable gambling license to Chaska Snow Hawks to conduct a raffle to be held on March 2, 2024.

Adopted Proclamation in recognition of Chaska Boy Scouts of America Troop 3174.

Resolution #02-24 Authorizing Eminent Domain to Acquire Real Property Interests Needed for Highway 212 Project-Benton Township.

Approved eliminating an Administrative Technician (B21) FTE in Public Works and creating an Accounting Technician (B22) position and related budget amendment.

Resolution #03-24, Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 212 Project-Benton Township.

Reviewed January 9, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$235,927.98 and reviewed January 16, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$380,649.49.

Jen Romero, HH&S Housing Supervisor, requested the Board approve Statewide Affordable Housing Aid from the Department of Revenue.

She explained this was new funding administered by the Department of Revenue and a formula-based appropriation passed by the legislature in 2023. Romero stated the calculation was based on base aid and cost burdened household aid with the County receiving \$170,595. She indicated she was unsure if the dollars would remain the same and there was no end time set for this funding.

Romero explained they were currently focusing on an emergency rental assistance project for County residents that would run through the Health and Human Services Division. She indicated they planned to adapt criteria they currently have to administer. She added the State provided guidelines and they would work with community partners. Romero clarified funds would not be used for staffing and no levy funding would be used.

Udermann moved, Fahey seconded, to accept the Statewide Affordable Housing Aid from the Minnesota Department of Revenue and to approve related HH&S budget amendment. Motion carried unanimously.

The Board considered their remaining committee assignments and advisory committee appointments for 2024.

Udermann moved, Degler seconded, to approve the following committee assignments:

AMC Metropolitan Governance Task Force "Kitchen Cabinet Appointment": Fahey
Minnesota Valley Regional Rail Authority: Degler, Alt
Metropolitan Mosquito Control: Fahey
Transportation Advisory Board: Fahey
Library Board: Degler, Alt

Motion carried unanimously.

Fahey moved, Lynch seconded, to appoint Stacie Lindquist to the Library Board. Motion carried unanimously.

Degler moved, Lynch seconded, to appoint Laura Thom to the Minnesota Extension Committee. Motion carried unanimously.

Chair Degler explained the Board would be going into closed session to discuss property acquisitions related to Highway 212 in Benton Township and regarding the sale process of real estate owned by the County, PID #040080900, pursuant to Minn. Stat. Section 13D.05, Subd. 3 (c).

Mark Metz, County Attorney, clarified the specific PIDs were included in today's Board packet and both closed sessions were under the same Statute.

REGULAR SESSION
January 16, 2024

Lynch moved, Udermann seconded, to go into closed session at 9:40 a.m. Motion carried unanimously.

The Board adjourned the closed and Regular Session.

David Hemze
County Administrator

(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.)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Railroad Crossing Replacement Agreement No. 2024-1 on Highway 51 with Twin Cities and Western Railroad

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Darin Mielke

Title: Deputy County Engineer

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:

The County and TC&W Railroad have been involved in discussions dealing with the replacement of the railroad/highway grade crossing surface on Highway 51 near Bongards. It is the desire of both parties to enter into a written document regarding the replacement of said railroad/highway grade crossing surface and adjustment of the existing traffic control gates. Most of the work on this project will be completed by TC&W RR staff and crews. Carver County's only involvement in the project is traffic control, pavement removal and final patching of the pavement approaches to the RR crossing surface. TC&W owns the property where the crossing exists and where the project will occur. Carver County's road easement is over TC&W's property. This work will be coordinated with the upcoming Highway 212 Project in 2024.

ACTION REQUESTED:

Motion to approve an agreement with TC&W RAILROAD COMPANY for the railroad crossing replacement at Highway 51, pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$83,174.84

TC & W Railroad

\$38,758.52

FTE IMPACT: None

Total

\$121,933.36

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9338

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with Minnesota Department of Public Safety in receiving 2023 UASI grant

Primary Originating Division/Dept: Sheriff

Meeting Date: 2/6/2024

Contact: Kelly Miller Title: Emergency Management Specialist

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:

Carver County Emergency Management no longer receives 1% of the federally approved Minnesota Department of Public Safety - Homeland Security & Emergency Management Division (HSEM) allocation of the Urban Area Initiative (UASI) grant. After the 2019 UASI grant, the counties that previously received 1% of the UASI grant now must apply for UASI grant projects and allocations as part of a competitive pool. For the 2023 UASI, Carver County was awarded \$70,000 for a cyber security assessment managed by the county IT department, funds to support training and exercise developed by county emergency management for the county and external partners, and for equipment to enhance an alternate EOC/situation room in the Sheriff's Office. Allocated funds are based on approved grant justifications in accordance with federal grant guidelines. Carver County first responders, county government, and the citizens of Carver County benefit by having Carver County Emergency Management apply for and administer this grant program.

ACTION REQUESTED:

Motion to contract with Minnesota Department of Public Safety pending finalization of the contract review process and receiving the 2023 UASI grant.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars = \$0.00

UASI Grant \$70,000.00

Total \$70,000.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Carver County Emergency Management makes approved purchases and provides documentation that meets specific minimum standards by Minnesota HSEM. In return, HSEM reimburses federal grant dollars to the county for purchased items and/or services.

Office use only:

RBA 2024 - 9579

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request for approval to contract with Minnesota Department of Public Safety in receiving 2023 UASI grant

Department: <u>Sheriff</u>	Meeting Date: <u>2/6/2024</u>
Requested By: <u>Kelly Miller</u>	Fund:
	☒ 01 - General ☐ 02 - Reserve ☐ 03 - Public Works ☐ 11 - CSS ☐ 15 - CCRRA ☐ 30 - Building CIP ☐ 32 - Road/Bridge CIP ☐ 34 - Parks & Trails ☐ 35 - Debt Service

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Professional Services	01-201-280-1908-6260	\$70,000.00	UASI 2023 Grant	01-201-280-1908-...	\$70,000.00
TOTAL		\$70,000.00	TOTAL		\$70,000.00

Reason for Request:

We have been awarded the 2023 Urban Area Securities Initiative (UASI) Grant and are adding it to our budget.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution of Support for the Engler Boulevard Trail Project

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Darin Mielke

Title: Deputy County Engineer

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:

The City of Chaska is pursuing funding for a new pedestrian trail underpass of Highway 10, just west of the Ravoux Road intersection. This underpass will replace an existing at grade crossing to provide a crossing that is separated from the high-speed traffic on the highway. The Minnesota Department of Transportation is administering a new solicitation of Safe Routes to School (SRTS) funding and the City of Chaska plans to apply for this SRTS funding for the Engler Boulevard Trail Project. Since this trail underpass project impacts Highway 10, the City of Chaska is requesting a resolution in support of this project endeavor. The City of Chaska will cover all costs above and beyond the awarded SRTS funding. Staff is recommending approval of this resolution of support request.

ACTION REQUESTED:

Motion to approve of a resolution in support of the City of Chaska's application for Safe Routes to School funding for the Engler Boulevard Trail Project.

FISCAL IMPACT: None

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Total

\$0.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9582

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 6, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution of Support the City of Chaska's Application to the Minnesota Department of Transportation (MnDOT) for a Safe Routes to School Infrastructure Grant Program for the Engler Boulevard (CSAH 10) Trail Project

WHEREAS, the Safe Routes to School (SRTS) Infrastructure Grant Program provides grant funding for the construction of pedestrian and bicycle infrastructure projects that will improve safety, reduce traffic, and improve air quality around schools; and

WHEREAS, in this funding cycle the Minnesota Department of Transportation will award \$10.9 million in state funding to construct pedestrian and bicycle infrastructure improvements adjacent to schools; and

WHEREAS, the proposed project will enter construction during the 2025 calendar year and will have a useful life of over 10 years; and

WHEREAS, Engler Boulevard (CSAH 10) acts a significant transportation barrier for pedestrians; and

WHEREAS, The City of Chaska's 2016 Safe Routes to School identified the need to improve safety and access for pedestrian and students crossing Engler Boulevard (CSAH 10); and

WHEREAS, the Engler Boulevard Trail Project will fill trail gaps along Engler Boulevard and construct a grade-separated underpass that provides a safe pedestrian crossing for students to use that is completely separated from high speed highway traffic; and

WHEREAS, the proposed Engler Boulevard Trail Project will impact Carver County right-of-way along Engler Boulevard (CSAH 10); and

WHEREAS, Carver County has been working with MnDOT and the City of Chaska to develop improvements for Trunk Highway 41 and Engler Boulevard (CSAH 10) that will be coordinated with the city funded Engler Boulevard Trail Project; and

NOW THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners hereby supports the City of Chaska's request for state SRTS funding to construct the Engler Boulevard Trail Project.

YES

ABSENT

NO

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 6th day of February, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of February, 2024.

Dave Hemze

County Administrator

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Joint Powers Agreement with Scott County for Merriam Junction Trail Segment

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 2/6/2024

Contact: Martin Walsh

Title: Parks and Recreation Director

Item Type:

Ditch/Rail Authority

Amount of Time Requested: 15 minutes

Presenter: Martin Walsh

Title: Parks and Recreation Director

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Scott County is creating plans to construct the Minnesota River Bluffs Regional Trail, Merriam Junction Trail segment on the former Union Pacific railroad corridor in Carver and Scott Counties. Plans are currently at 60% . Site clearing of vegetation is planned for late winter early spring with a fall construction start tentatively planned. This segment extends from the City of Carver near Depot Park and across the Minnesota River to near Hwy 169 in Scott County. The project includes construction of approximately 2 miles of trail corridor as well as four bridges including Bridge No R0907 over the Minnesota River at the City of Carver. Overall estimated project cost is \$20,500,000.

Past support for the project included a resolution of support to Scott County for a USDOT's Multimodal Project Discretionary Grant Application for the Merriam Junction Trail segment of the MN River Bluffs Regional Trail March 7, 2023.

A joint powers agreement has been prepared. Summarized key terms of the agreement include:

Construction Phase Activities

- Scott Co. is lead agency, preparing plans, acquiring ROW, permitting, bidding, surveying, construction management, coordination with other agencies, provide trail detour route, site restoration and other necessary work to complete the project.
- Carver County will sign off on plans as it relates to the MN River Bluffs Regional Trail in Carver County
- Carver Co. will provide necessary easements, allow Scott Co. to make modifications to the MN River Bluffs RT at Carver to allow for access to the construction site including clearing vegetation.

Maintenance Upon Completion

- Scott maintains ownership of MN River Bridge (No. R0907) main space connection
- Scott County will coordinate maintenance of Bridge No. R0907 with Carver County
- Bridge inspections to be performed as recommended by state and federal guidance.

Project Cost Sharing

- Scott County will cap Carver County's cost at \$1.4 M for Bridge No. R0907 and bridge approach.

Ongoing Maintenance Cost

- Scott County will be responsible for the Merriam Junction Regional Trail Segment in Scott County and approach to

Bridge No. R0907 upon Completion

- Carver County will be responsible for the MN River Bluffs Regional Trail in Carver County and approach to Bridge No. R0907 in Carver County upon Completion
- Scott County will be responsible for Bridge No. R0907
- Scott County shall pay 100% of routine trail maintenance on Bridge No. R0907
- Shared costs between Carver and Scott County include routine inspections, maintenance needed based on inspection, longer-term repairs, flood mitigation repairs and debris removal from Bridge R0907

ACTION REQUESTED:

Motion to approve the Joint Powers Agreement with Scott County, authorize the Board Chair to sign, authorize staff to issue permits for clearing, construction and other permits as may be necessary upon completion of the contract review process.

FISCAL IMPACT: Other

If "Other", specify:

See comments below

FUNDING

County Dollars =

2024 Budget Attach E	\$1,100,000.00
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Transportation Advanc...	\$300,000.00
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Total	\$1,400,000.00
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FTE IMPACT: None

Related Financial/FTE Comments:

Consistent with the Parks Department financing plans included in the County's 2024 Budget, Carver County Parks and Met Council staff are finalizing a grant agreement to sell a trail easement on the former Union Pacific Railroad corridor from Carver County Regional Railroad Authority to Carver County for an approximate 3-mile segment between Athletic Park in Chaska to approximately Zemble Street in Chaska. The financial highlights of the grant agreement are Carver County would be eligible for approximately \$1,700,000 in SFY 2024, \$1,700,000 in SFY 2025, and \$265,000 in SFY 2026 in Met Council Park Acquisition Opportunity Funding. When received from the Met Council, the approximate \$3,665,000 is planned to replenish the County's YES Account (2024 Budget Attachment E funding source) for the \$1.1M and the Transportation Advancement Account for the \$300K which will be used to initially fund the County's \$1.4M contribution to the Merriam Junction Trail Project Joint Powers Agreement with Scott County. The remaining \$2,265,000 from the grant agreement with the Met Council will be available to fund other Carver County trail projects at the County Board's discretion.

Office use only:

RBA 2024 - 9602

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Scott County Boarding Agreement**

Primary Originating Division/Dept: Sheriff - Jail Services

Meeting Date: 2/6/2024

Contact: Ben Beyer

Title: Assistant Jail Administrator

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No**Strategic Initiative:**

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

BACKGROUND/JUSTIFICATION:

Scott County would like to continue to rent secure juvenile detention bed space from Carver County Jail/Juvenile Detention Center. The contract provides one secure detention bed for Scott County daily at a rate of \$120 per day for \$43,800.00 dollars per year. Scott County has signed the contract and it has been reviewed and approved by the Carver County County Attorney's Office and Risk Management.

ACTION REQUESTED:

Approve a motion to allow the Carver County Sheriff's Office to provide Scott County secure juvenile detention space.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None**Total**

\$0.00

☒ Insert additional funding source**Related Financial/FTE Comments:**

The \$43,800 of annual boarding revenue is included in the 2024 projected revenue.

Office use only:

RBA 2024 - 9562

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Blue Earth and Nicollet County Boarding Agreement

Primary Originating Division/Dept: Sheriff - Jail Services

Meeting Date: 2/6/2024

Contact: Ben Beyer

Title: Assistant Jail Administrator

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Blue Earth and Nicollet County would like to continue to rent secure juvenile detention bed space from Carver County Jail/Juvenile Detention Center. The contract provides one secure detention bed for either Blue Earth or Nicollet County at a daily rate of \$120, for a total of \$43,800.00 dollars per year. Blue Earth and Nicollet County have signed the contract and it has been reviewed and approved by the Carver County County Attorney's Office and Risk Management.

ACTION REQUESTED:

Approve a motion to allow the Carver County Sheriff's Office to provide Blue Earth and Nicollet County secure juvenile detention space.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

☒ Insert additional funding source

Related Financial/FTE Comments:

The \$43,800.00 annual boarding revenue is included in the 2024 projected revenue.

Office use only:

RBA 2024 - 9563

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application for Exempt Permit-Ridgeview Foundation

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

A Charitable Gambling application for Exempt Permit was received from the Ridgeview Foundation. They plan to hold a raffle on June 24, 2024 at Island View Golf Club located at 7795 Laketown Pkwy, Waconia, MN 55387. This applicant has received this same type of license previously.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License to the Ridgeview Foundation for a raffle to be held on June 24, 2024.

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 - 9587

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution to Request Design Variance on the Highway 41/10 Project

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Luke Schwarz

Title: Engineering Manager

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

As a part of the Highway 41/ 10 Project, two pedestrian/bike trail underpasses are being installed to provide enhanced pedestrian safety when crossing State Highway 41 and Highway 10. Due to site constraints, it is not feasible to have the trail entrance/exit on the west side of State Highway 41 meet the minimum State Aid rules standard design speed for bikers on the horizontal curve while still aligning the trail into the pedestrian underpass box culvert. Several options were explored to meet the applicable recommended standards, however, due to the constraints of the site it is not feasible. A variance design request to the State Aid rules process, overseen by the Minnesota Department of Transportation, provides an opportunity for the road authority to request a variance to the State Aid rules to allow the trail to be built under the recommended standards. The formal resolution presented here is a part of the packet that is required to be submitted for the variance process. The attached resolution requests the use of a 12 mile per hour horizontal curve for the trail on the west side of State Highway 41.

ACTION REQUESTED:

Motion to adopt a resolution requesting a design variance request to the State Aid rules from the Minnesota Department of Transportation for the Highway 41/10 Project.

FISCAL IMPACT: None

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Total

\$0.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9590

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

Date: February 6, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**Resolution requesting a variance from standard for State Aid Operation for
Project No. S. P. 010-591-002**

WHEREAS, Carver County is preparing plans for the County State Aid Highway (CSAH) 10 / Trunk Highway (TH) 41 Reconstruction Project in the City of Chaska, S.P. 1008-106. The project includes the reconstruction of the highway and the inclusion of a longitudinal off-road shared use path and an off-road shared use path crossing across TH 41 north of CSAH 10; and

WHEREAS, the project is proposed to be partially funded through State Transportation Economic Development (TED) funding, Federal Mobility Funding, Federal Safe Routes to School Grants, Carver County State Aid funds, City of Chaska Municipal State Aid Funds and local funding; and

WHEREAS, Minnesota Rules for State Aid Operation 8820.9995 require that the Off Road Shared Use Path be designed to accommodate a minimum 20 mph design speed; and

WHEREAS, the reasons for this variance requests are that as part of the shared use path crossing of TH 41, the horizontal curvature in one location on the west side of the box culvert crossing cannot accommodate the size of curve necessary to meet a 20 mph design speed due to constrained property conditions adjacent to the highway; and

NOW, THEREFORE BE IT RESOLVED, that Carver County does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9995 Minimum Off-Road and Shared Use Path Standards to allow:

A reduced speed of no less than 12 mph for approximately 50 feet from the west end of the box culvert that crosses under TH 41 (Approx. Sta 82+20 to Sta. 82+60).

BE IT FURTHER RESOLVED, that Carver County hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the reduced horizontal curve radius and vertical curve length accordance with Minnesota Rules 8820.9995 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

YES

ABSENT

NO

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 6th day of February, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of February, 2024.

Dave Hemze

County Administrator

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Out of State Travel -- CCAO Civil Division Mgr

Primary Originating Division/Dept: Attorney

Meeting Date: 2/6/2024

Contact: Mark Metz

Title: County Attorney

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The International Municipal Lawyers Association (IMLA) is a non-profit, professional organization that has been an advocate and resource for local government attorneys since 1935. IMLA serves as an international clearinghouse of legal information and cooperation on municipal legal matters. IMLA collects from and disseminates information to its membership across the United States.

Carver County, along with several other Minnesota Counties and Cities, is an IMLA member. IMLA's legal staff provides accurate, up-to-date information and valuable counsel to its members.

Jennifer Tichey, Civil Division Manager, is requesting to attend IMLA's mid-year seminar in Washington DC from April 17 - April 21, 2024. Conference costs include an estimated 18 continuing legal education credits (CLEs).

ACTION REQUESTED:

Motion to approve out-of-state travel, April 17 - April 21, 2024, to Washington DC, for Jennifer Tichey, Assistant County Attorney, Civil Division Manager.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$2,047.97

Total

\$2,047.97

FTE IMPACT: None

Related Financial/FTE Comments:

Estimated Costs: Flight = \$304.21; Conference = \$575 (early bird rate); Hotel = \$252/nt conference rate, plus tax x 4 nights = \$1168.76. Total levy dollars = \$2,047.97.

Office use only:

RBA 2024 - 9593

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Out of State Travel Approval

Primary Originating Division/Dept: Attorney

Meeting Date: 2/6/2024

Contact: Mark Metz

Title:

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

In early 2023, this Board approved the County Attorney's Office request to improve its electronic case management system by converting the current MCAPS Program to the PROSECUTORbyKarpel software product. The PROSECUTORbyKarpel ("PbK") case management system interfaces with MNCIS, BCA, Public Defender dDiscovery, and Law Enforcement RMS (CIS) ensuring ongoing statewide communication with Criminal Justice Information partners.

The County Attorney's Office went live with PbK on November 13, 2023. As the Office continues to navigate this new system, this request, if approved, would allow four (4) staff members of the County Attorney's Office, John Rekow, Donna Storm, Katie Schmidt, and Katie Olson, to attend a Conference in St. Louis, Missouri, for PbK users nationwide. The Conference is from April 2 - April 4, 2024.

ACTION REQUESTED:

Motion to Approve Out-of-State travel, April 2-4, 2024 to St. Louis, Missouri, for four (4) staff members from the County Attorney's Office.

FISCAL IMPACT: Other

If "Other", specify: Partial Levy and Partial Forfeiture Funds

FUNDING

County Dollars = \$2,311.88

Forfeiture Funds \$2,311.88

FTE IMPACT: None

Total \$4,623.76

☒ Insert additional funding source

Related Financial/FTE Comments:

Estimated costs: Flight = \$1,200 (\$300/person); Hotel = \$2,123.76 (\$530.94/person); Conference Fee = \$1,300 (\$325/person), for a total of \$4,623.76. Fifty percent (50%) of the costs will come from Fund 1, the County Attorney's Office levy budget. The remaining 50% will come from Fund 2, Forfeiture Funds.

Office use only:

RBA 2024 - 9585

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Request for approval to contract with ENVISIONWARE INC

Primary Originating Division/Dept: Public Services - Library

Meeting Date: 2/6/2024

Contact: Jodi Edstrom

Title: Library Director

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The current RFID contract is set to expire as of May 12, 2024 and the hardware and software that is utilized in all six libraries needs upgrading. The RFID solution provides a necessary and integral part of our service to library patrons and staff. The contract will include RFID hardware, software, and maintenance for a five-year term (2024-2029) including 26 staff workstations, 13 self-check stations, 1 security gate in Chanhassen and onsite configuration and training.

The Library Technology Team and County IT issued a RFP and four vendors provided proposals. After extensive evaluation and testing, Envisionware was selected for quality of customer service and support, quality of hardware, local support, and features that provide five-star customer service to our 64,483 patrons. Additionally, Envisionware is compatible with the County VDI environment, which is crucial for effective and efficiency of staff workflows. At their January 9, 2024 meeting, the Carver County Library Advisory Board voted to recommend Envisionware as the preferred vendor.

ACTION REQUESTED:

Motion to contract with ENVISIONWARE INC pending finalization of the contract review process.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$59,061.30
MELSA	\$114,009.02
Total	\$173,070.32

Related Financial/FTE Comments:

Staff has verified with MELSA that there are sufficient Phase Funds allocated to Carver County which are available to request in February 2024 for this project. Funds will be requested to cover the capital outlay cost of Year 1: \$114,009.02 for hardware, software and professional services. Budget Amendment included accounts for the MELSA funds not currently in the 2024 budget.

Years 2-5 for support and maintenance will be funded by the Library's Technology budget:

Year 2 - \$13,702.92

Year 3 - \$14,388.07

Year 4 - \$15,107.47

Year 5 - \$15,862.84

Total - \$59,061.30

Office use only:

RBA 2024 - 9600

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Request for approval to contract with ENVISIONWARE INC

Department:

Meeting Date: 2/6/2024

Fund:

- ☒ 01 - General
- ☐ 02 - Reserve
- ☐ 03 - Public Works
- ☐ 11 - CSS
- ☐ 15 - CCRRA
- ☐ 30 - Building CIP
- ☐ 32 - Road/Bridge CIP
- ☐ 34 - Parks & Trails
- ☐ 35 - Debt Service

Requested By: Jodi Edstrom

DEBIT

Description of Accounts	Acct #	Amount
Equipment	01-014-500-8003-6660	\$15,725.00
Noncapitalized Equipment	01-014-500-8003-6480	\$72,274.00
Professional Services	01-014-500-2408-6260	\$25,015.00
Software	01-014-500-8003-6265	\$995.00
TOTAL		\$114,009.00

CREDIT

Description of Accounts	Acct #	Amount
Library - MELSA Revenue	01-014-500-8003-...	\$114,009.00
TOTAL		\$114,009.00

Reason for Request:

Increase Library department revenue and expense budgets for year one of the Envisionware contract for RFID upgrade. Maintenance costs for years 2 through 5 (\$59,061.55) will be paid using funds available in the Library's technology budget in each year.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Amendment 5 to PSA with SRF Consulting Group for Highway 212 Project - Benton Township Preliminary Design

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Darin Mielke

Title: Deputy County Engineer

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County, MnDOT and the Southwest Corridor Transportation Coalition have been working together to improve Highway 212 between the Cities of Chaska and Carver and Norwood Young America for many years. Carver County has led or assisted in many activities along the corridor in the last 12 years. Carver County and MnDOT entered into a joint powers agreement for the preliminary design and environmental documentation to further prepare the project for other external grant funding sources and construction. Most of the costs for the preliminary design and environmental documentation work will be paid for by MnDOT Bond funding that the state legislature appropriated to several projects throughout the state in the 2020 legislative session or with other IJA State match funding. SRF Consulting Group, Inc needed to perform additional right of way acquisition work related to the right of way plat, parcel sketches and other needed graphics for property owners. The total contract cost is being increased due to the additional requested scope of work as described above.

ACTION REQUESTED:

Motion to approve Amendment 5 with SRF CONSULTING GROUP INC for \$44,318.32 for scope of work revisions for the Highway 212 Project - Benton Township, pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Sales Tax Funds

Total

\$44,318.23

\$44,318.23

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9577

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Professional Services Agmt. with Alliant Engineering, Inc. for County Wide Traffic Signal Systems Engineering

Primary Originating Division/Dept: Public Works - Operations

Meeting Date: 2/6/2024

Contact: Shelby Sovell

Title: Operations Engineer - Assista...

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The County issued a request for proposal to two engineering consultants, Alliant Engineering and Bolton and Menk for the preparation of plans and specifications along with technical expertise for an intelligent transportation systems (ITS) Corridor Enhancements Project. The project includes several traffic signal systems located throughout the county with the goal to add and upgrade existing traffic management and ITS. Upgrades include a new active traffic management system, expanded remote access and operations, upgraded traffic signal controllers and cabinets, conflict monitors, video detection system, additional CCTV devices, and fiber optic cable connections. The scope of services for the consultant includes preparing state aid/ federal aid approved plans, preparing all environmental documents and permits, preparing information and documents to be used by the county, coordination with state aid/federal aid representatives and providing technical expertise to the County. The proposals were evaluated regarding the consultant's project understanding, experience/qualifications, workplan/approach, deliverables, schedule, quality management and cost. Staff recommend the County contract with Alliant Engineering on this project.

The County applied for and was approved for federal Congestion Mitigation and Air Quality (CMAQ) funds for these improvements. The County applied through the Metropolitan Council's Regional Solicitation in 2022 for the CMAQ funds in the Roadway System Management program and was awarded \$2,000,000 in fiscal year 2026 funds. The project needs to be authorized for bids in 2026. The County is responsible to match 20% or \$500,000. Construction improvements are planned for 2026.

ACTION REQUESTED:

Motion to approve a Professional Services Agreement with Alliant Engineering, Inc. for Engineering Services in the amount of \$209,538, pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

\$209,538.00

Total

\$209,538.00

FTE IMPACT: None

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9584

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Z's Trees and Wood Products CUP (Home Extended Business Accessory Use)

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #PZ20230045. On January 16, 2024, the Planning Commission voted 6-0 to recommend approval of John Zimmerman's Conditional Use Permit (CUP) application for a Home Extended Business Accessory Use (custom sawmill, woodworking, firewood sales) on his 30-acre parcel in Section 35, Waconia Township.

Mr. Zimmerman is requesting a CUP to operate his business (Z's Trees and Wood Products) from the existing 36' x 44' sawmill structure and a 28' x 45' workshop, along with several accessory structures for storage and wood drying, within a 2.2-acre operational area on his property. A total of three workers and a maximum of four work vehicles on the site at any one time is proposed. Operating hours are typically 7AM-8PM (two to four days per week). The business usually delivers firewood and workshop products to customers, so customers rarely come to the property. The operational area and exterior storage areas are largely screened by existing trees (wooded areas). There are no neighboring residences within a 500-foot setback, as required for this type of land use. Business signage would conform to the standards of the ordinance regulations.

The Waconia Town Board recommended approval of the request, and as the road authority, the Town Board approved the access from 110th Street.

The Planning Commission Resolution is attached for the Board's consideration. A copy of the Planning Commission packet is available for review at: [638403116150670000 \(carvercountymn.gov\)](https://carvercountymn.gov/638403116150670000)

ACTION REQUESTED:

A motion to adopt the Findings of Fact and issue Order #PZ20230045 for the issuance of a Conditional Use Permit.

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 - 9589

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20230045

RESOLUTION #: 24-01

WHEREAS, the following application for a Conditional Use Permit has been submitted and accepted:

FILE #: PZ20230045

APPLICANT: John Zimmerman

OWNER: John & Barbara Zimmerman

SITE ADDRESS: 10850 110th Street, Cologne, 55322

PERMIT TYPE: Home Extended Business Accessory Use

PURSUANT TO: Carver County Code: Section 152.079 (C)(9)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 09-035-0400

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 16, 2024; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. John Zimmerman homesteads and owns an approximate 30-acre parcel located in the East Half (E½) of the Southwest Quarter (SW¼) of Section 35, Waconia Township. The property is improved with a single-family residence with an attached garage, a sawmill building, a woodworking shop, and several wood and machinery storage buildings. Mr. Zimmerman was granted a Conditional Use Permit (CUP) (#11746) to operate a Christmas tree farm on the property in 1999. The parcel is located in the Agricultural Zoning District and Carver County Water Management Organization - CCWMO (Carver Creek watershed). The neighborhood is comprised of a mixture of large agricultural and scattered residential uses.
2. The applicant is requesting a Conditional Use Permit (CUP) for a HEBAU to operate his existing custom sawmilling, firewood sales, and furniture and cabinet-making workshop, pursuant to Section 152.079 (C)(9) of the Carver County Zoning Code.
3. In 1999, Mr. Zimmerman obtained a Farm-Related Business Conditional Use Permit (CUP) (#11746) to operate a Christmas tree farm on the property and another nearby parcel. A condition of that permit stated a substantial change in the operation of the business, such as change in use, must be amended. Mr. Zimmerman no longer operates a tree farm, nor uses the nearby parcel as a commercial use, hence the reason for the CUP application. The type of land use and scale of the business (Z's Trees and Wood Products) categorizes it as a Home Extended Business Accessory Use (HEBAU).
4. The applicant has submitted an operational plan (dated December 18, 2023) outlining the details of the CUP operation. His narrative states the hours of operations of the sawmill/firewood processing operation are 7:00AM to 8:00PM operating about two to three days per week and usually not during the colder months of December to February. The furniture operation would be year-round from 8:00AM to 5:00PM typically one to four days per week. The workshop would have a maximum of three workers. The narrative states there is a maximum of four work vehicles "at the work site at any one time" and four trailers used for business purposes. Only limited numbers of the public come to the property. Furniture and cabinets constructed in the workshop are delivered to the customer and "Ninety-five percent of firewood sales involve delivery to the customer." The business would use the existing driveway access on 110th Street. The narrative lists the setbacks to neighboring residences, all of which exceed the required 500-foot minimum for this type of land use. The applicant states that porta-potties, serviced every two weeks, are used for sanitation.

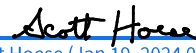
5. The applicant has submitted a site plan (dated December 4, 2023) showing the 2.2-acre operational area with structures and outdoor storage on the northwest portion of the property. Mr. Zimmerman proposes to use the existing 36' x 44' (1,584 square-foot) sawmill and 28' x 45' (1,260 square-foot) workshop for primary business operations. There are several structures for drying wood prior to processing. The site plan shows exterior storage areas for firewood and lumber, which are tucked behind woods on three sides and a row of trees along the fourth (driveway) side. The site plan shows dedicated areas for 10 vehicle spaces near the buildings, which appear to be adequate for the number of work vehicles, workers, and rare customers coming to the property, which is less than 10 vehicles per day. There is an existing 28 square foot sign at the driveway entrance. The application includes a photo, dated December 12, 2023, showing the sign. The operational plan and site plan appear to meet the standards of the Zoning Code.
6. On December 28, 2023, Jacob McLain, Senior Environmentalist - Carver County Environmental Services Department, reviewed the application and commented in an email: "A new septic system was recently installed at 10850 110th street for the residence. If they are using a mini biff as the waste management method on site, that is compliant with the septic ordinance."
7. The subject property is located within the CCWMO jurisdiction. Abigail Ernst of the CCWMO reviewed the application and in an email dated January 2, 2024, reported that she had no comments. Kristen Larson of the CCWMO reviewed the application and in an email dated January 3, 2024, commented: "The site in its current configuration predates the buffer requirement for wetlands. If the applicant makes a change that would trigger our rule in the future the wetland buffer requirement would likely come into play." If required, all CCWMO related permits and conditions shall be met prior to the issuance of any future building permits or beginning any excavation activity. Any wetlands on the property would be reviewed pursuant to the Wetland Conservation Act (WCA).
8. The Waconia Township Board reviewed the application request at their December 11, 2023, meeting. The Township Board recommend approval with the comment: "No complaints to this date!"
9. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends approval of the Conditional Use Permit application for a Home Extended Business Accessory Use on the parcel described in Exhibit A, the previous CUP (#11746) to operate a Farm-Related Business and any other prior permits, amendments or renewals for a Farm-Related Business would be terminated upon final approval (and recording) of the new CUP #PZ20230045. The following conditions should be considered part of the permit:

1. The permit is subject to administrative review. An owner of the business shall homestead and occupy the property. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early in the timeline of the proposed change as possible.
2. The operation shall be substantially in accordance with the submitted operational plan (dated December 18, 2023) and site plan (dated December 4, 2023). These plans shall be attached to and become part of this permit. The hours of the operation shall be within the hours of 7:00AM – 8:00PM (as described), with no more than three customers coming to the site at any time. Outdoor storage shall be screened and within the operational area.
3. All business-related trucks, equipment and supplies shall be stored within the approved operational area. Any expansion of the approved operational area shall constitute an expansion of the use and may require a review by Land Management for determination as to an amended Conditional Use Permit will be required.

4. Any grading and/or filling activity on the property shall be completed in accordance with CCWMO Water Resource Management standards and the Wetland Conservation Act (WCA), if applicable. All site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
5. All structures, utilized as part of the business, shall meet the applicable requirements of the County Zoning Code and MN State Building Code. Any required building permit(s) shall be applied for and issued prior to using the structure(s). Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary.
6. Any structure(s), not utilized for the business, shall be used only by the occupant(s) of the property owner for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by the County Zoning Code and shall meet State Building Code, if applicable.
7. The permittee shall comply with the road authority's (Waconia or Benton Township) access requirements, improvements and/or standards, if any. Parking along Township right-of-way shall be prohibited.
8. Permittee shall contact the Environmental Services Department to determine if a Hazardous Waste Generator License is required.
9. The Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code, Chapter 154 – Sign Regulations, Chapter 51 – Hazardous Waste Management, Chapter 52 - Subsurface Sewage Treatment System (SSTS) regulations, MN State Building Code requirements, and all other applicable local, state, and federal regulations. No signage shall be allowed within the public road right-of-way.
10. The Permittee shall submit Certificate of Workers' Compensation Insurance to the Land Management Department annually when there are additional employees beyond the owner/operator. The insurance shall be maintained for the duration of the CUP.

ADOPTED by the Carver County Planning Commission this 16th day of January 2024.

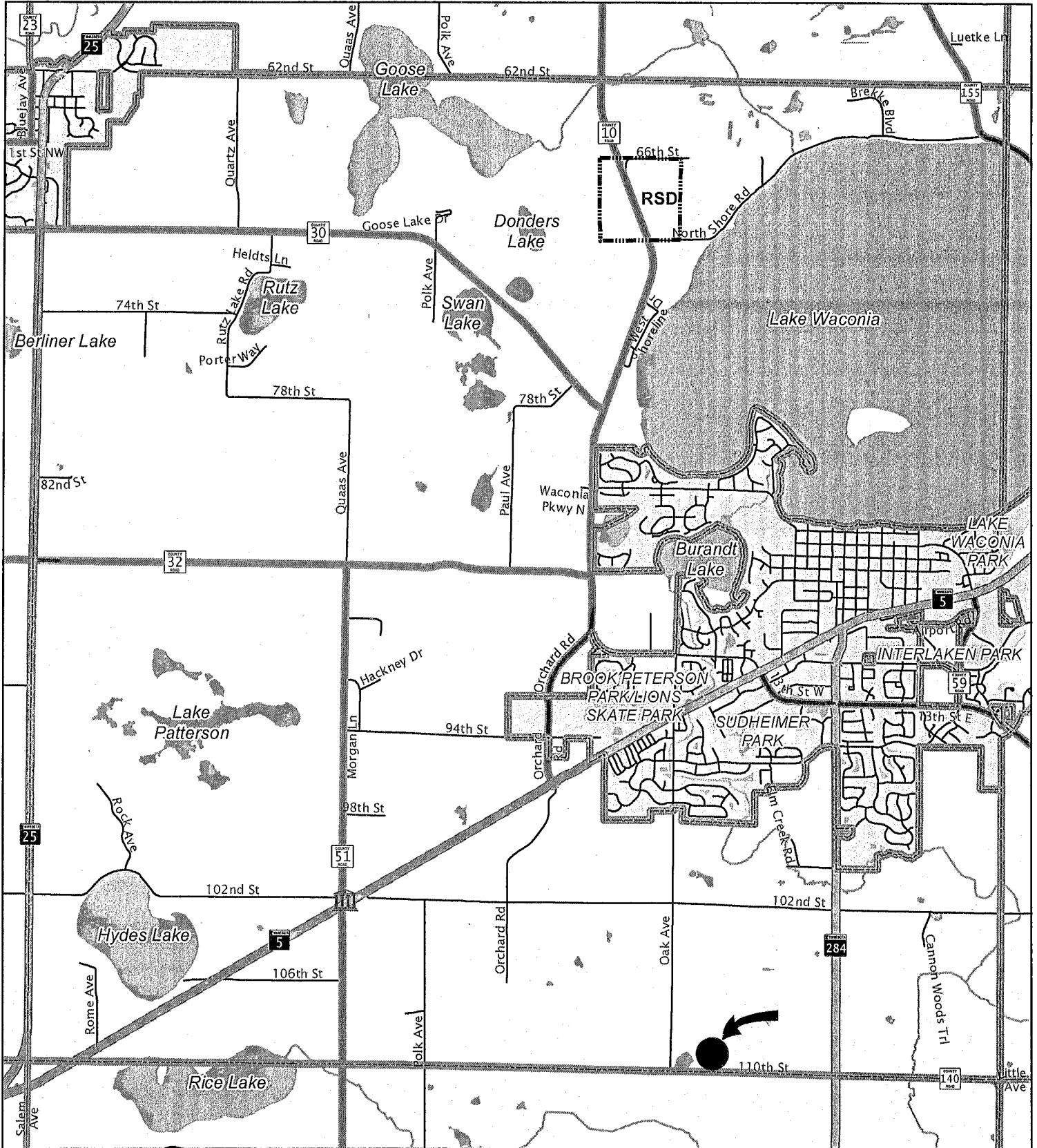

Scott Hoese (Jan 19, 2024 07:28 CST)

Scott Hoese, Chairman

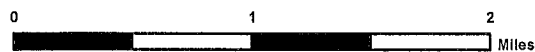
Carver County Planning Commission

01/19/24

WACONIA 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

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Resolution of Support for Highway 5 Arboretum Area Mobility Project Federal RAISE Grant Application

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Darin Mielke

Title: Deputy County Engineer

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The U.S. Department of Transportation (USDOT) is soliciting applications for the Fiscal Year (FY) 2024 Rebuilding American Infrastructure with Sustainability and Equity "RAISE" Program, which provides dedicated, discretionary funding for transportation projects of national or regional significance. \$1.5 billion in FY 2024 RAISE funds are available for awards.

Carver County, in partnership with the Minnesota Department of Transportation (MnDOT), the University of Minnesota Landscape Arboretum, and the cities of Chanhassen and Victoria is seeking funds to reconstruct Highway 5 from 80th St. in Victoria to Century Blvd. in Chanhassen. Highway 5 within the project area experiences significant congestion, mobility limitations and higher-than-average crash rates. Highway 5 carries 27,000 vehicles through the project area—including 800 heavy commercial vehicles—per day, currently serving a demand 50 percent above the threshold of a two-lane section. Without improvements, by 2040, increased congestion will result in 180,000 hours of annual delay during peak periods. Severe mobility limitations result in frequent two-mile backups throughout the corridor in which travel speeds are regularly reduced to 35 mph on a 55 mph posted speed roadway. Within the project area, 187 crashes occurred between 2014-2018, including a fatality. This results in a crash rate 2.5 times higher than the state average for similar roadways.

The improvements proposed in the Highway 5 Arboretum Area Mobility Project will address current crash and congestion issues while providing a solution that can accommodate growth essential for the region's economic vitality. The proposed solution is sensitive to the surrounding environment, climate change considerations, and a better quality of life for adjacent residents.

The resolution states that the County will provide funding towards the local match and partner with project partners to contribute to the overall local match and project funding as identified in the RAISE grant application. The grant application funding request is for \$25 million of the estimated \$114 million project. Funding secured to date includes \$12 million in federal funding through the Metropolitan Council's Regional Solicitation, \$9 million in Congressionally Directed Spending, \$10 million of PROTECT funding through the Metropolitan Council, \$20 million of State Bond Funding from the Legislature, as well as commitment from MnDOT of \$5.8 million. The County's share is identified as approximately \$24.7 million from the transportation sales tax and \$4.5 million of County State Aid Highway funding. Additional 2024 pursuit opportunities to reduce the transportation sales tax funding amount include, but are not limited to, MnDOT's Transportation Economic Development program and Minnesota Highway Freight Program, and the Metropolitan Council's next round of Regional Solicitation for federal transportation funding.

ACTION REQUESTED:

Motion to adopt a resolution of support and approve the submittal of the Highway 5 Arboretum Area Mobility Project application to the FY 2024 RAISE Transportation Grant Program to reconstruct and expand Highway 5 and to authorize and direct the Carver County Engineer to submit the application.

FISCAL IMPACT: Other

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Met Council Fed funding	\$12,000,000.00
CDS Fed Funding 2022	\$2,000,000.00
CDS Fed Funding 2024	\$7,000,000.00
State Bond Funding	\$20,000,000.00
PROTECT Funding	\$10,000,000.00
MnDOT	\$5,800,000.00
Cities (Chanhassen, Victo	\$3,000,000.00
County Sales Tax	\$24,700,000.00
County CSAH funding	\$4,500,000.00
RAISE Grant Request	\$25,000,000.00
Total	\$114,000,000.00

Insert additional funding source

Related Financial/FTE Comments:

This project is on the approved Transportation Sales Tax project list. Project cost is estimated and is subject to change.

Office use only:

RBA 2024 - 9597

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 6, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution of Support and Authorization for an Application to the United States Department of Transportation (USDOT) for a FY24 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program for the Highway 5 Arboretum Area Mobility Project.

WHEREAS, the USDOT announced its latest discretionary funding opportunity through the FY24 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant to regionally significant infrastructure projects; and

WHEREAS, in the 2021 Infrastructure Investment and Jobs Acts, the United States Congress allocated \$1.5 billion for the 2024 RAISE program to fund projects that improve safety, economic strength and global competitiveness, equity, and climate and sustainability consistent with USDOT's strategic goals; and

WHEREAS, Carver County partnered with the Minnesota Department of Transportation (MnDOT), the City of Victoria, the City of Chaska, and the City of Chanhassen to identify transportation system improvements in the area of the Minnesota Landscape Arboretum including Highway 5, Highway 41, Rolling Acres Road, Bavaria Road, and 82nd Street West; and

WHEREAS, the Arboretum Area Transportation Plan includes an implementation framework with estimated improvement costs, project sequencing, and timeframes to guide capital improvement planning for Carver County, MnDOT, the City of Victoria, the City of Chaska, the City of Chanhassen, and their partners for improvements along Highway 5, Highway 41, Rolling Acres Road, Bavaria Road; and

WHEREAS, the Highway 5 Arboretum Area Mobility Project is a high priority project to address critical transportation system failures on a trunk highway and regional thoroughfare; and

WHEREAS, Carver County is the fastest growing county in Minnesota and completion of the Highway 5 Mobility Project is critical to support planned growth for jobs and housing in the Minneapolis/St Paul Metropolitan region; and

WHEREAS, Highway 5 provides primary access to the University of Minnesota Landscape Arboretum, a national tourism destination and educational resource for 500,000 annual visitors, of which is planning investments that will result in new jobs and significant increase in annual visitors; and

WHEREAS, once funded and constructed the Highway 5 Arboretum Area Mobility Project will provide safer, faster, and more reliable movement of goods and people through the Carver County and the metropolitan region.

NOW, THEREFORE BE IT RESOLVED that the Carver County Board of Commissioners hereby supports and approves a 2024 RAISE request for \$25 million to construct the Highway 5 Arboretum Area Mobility Project and the board directs the Carver County Engineer to submit requested project information; and

BE IT FURTHER RESOLVED that Carver County is committed to the required local match of 20% and fully funding the project as proposed and on schedule; and

BE IT FURTHER RESOLVED that the Carver County Board approved contingency plan for full project funding and any unforeseen circumstances include our Local Option Sales Tax implemented in 2017 and County State Aid Funds (CSAH) which would fill gaps in the funding plan above and beyond commitments from our local partners and MnDOT and secured amounts from other competitive sources.

YES	ABSENT	NO

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 6th day of February, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of February, 2024.

Dave Hemze	County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Initial Offers for Right of Way Acquisition for the Highway 18 Project - Arboretum Area

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Darin Mielke

Title: Deputy County Engineer

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The 2024-2026 construction seasons includes the Highway 18 Project - Arboretum Area, which is the construction of new Highway 18 from the intersection with Highway 13/Bavaria Road in the City of Victoria to approximately 0.25 mile west of State Highway 41 in the City of Chaska. Carver County is the lead agency for this project. 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 appraisal for one potential total parcel acquisition and are recommending the county board authorize written initial offer of compensation to impacted property owner(s) for this potential total acquisition.

ACTION REQUESTED:

Motion to adopt a resolution to authorize written initial offers of compensation for right-of-way acquisitions for the Highway 18 Project - Arboretum Area.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Transportation Sales Tax \$399,900.00

Total

\$399,900.00

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9598

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 6, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 18 Project – Arboretum Area

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 approximately 2 miles of new County State Aid Highway (CSAH) 18 from the intersection of CSAH 13 (Bavaria Road) in the City of Victoria to 0.25 miles west of Trunk Highway 41 in the City of Chaska as part of the Highway 18 Project – Arboretum Area; 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 of approximately 2 miles of new County State Aid Highway (CSAH) 18 from the intersection of CSAH 13 (Bavaria

Road) in the City of Victoria to 0.25 miles west of Trunk Highway 41 in the City of Chaska as part of the Highway 18 Project – Arboretum Area 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

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 February 6, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this February 6, 2024.

Dave Hemze	County Administrator

EXHIBIT A

to

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

Highway 18 Project – Arboretum Area

Carver County Public Works No. 108365

Property Tax Identification No. 30.0170100

Parcel Number:

Fee Owners: Thomas A. Johnson

Property Address: 621 82nd Street West, Chaska, Minnesota

The Subject Property being taken in fee simple contains **108,464 SF**, more or less.

Permanent easement for public right-of-way purposes contains **17,845 SF**, more or less;

17,845 SF, after excluding existing easements.

Temporary easement for construction purposes contains **13,976 SF**, more or less; **13,976 SF**, after excluding existing easements.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approval to Make Offers for Necessary Right of Way Acquisitions for the Highway 41/10 Project

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Anthony Stucchi

Title: Assistant Right of Way Agent

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The 2025 construction season includes the expansion and modernization of the Highway 41/10 Intersection and reconstruction of Highway 10 from Bavaria Road to Park Ridge Drive. Additional Right of Way is needed to complete the project. Appraisals were obtained and reviewed by certified appraisers in order to determine market value for the needed right of way. Staff are recommending the making of initial offers, based on the market appraisals, to the impacted property owners.

ACTION REQUESTED:

Motion to adopt a resolution to authorize written initial offers of compensation to the impacted property owners related to the Highway 41/10 Project based on the appraisals obtained from a certified appraiser.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

\$0.00

MnDOT TED Funds

\$300,000.00

County Sales Tax

\$530,000.00

City of Chaska

\$530,000.00

Total

\$1,360,000.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Funding splits are estimated at this time.

Office use only:

RBA 2024 - 9603

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 6, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Offers of Just Compensation to Owners for Acquisition of Real Property Interests Needed for the Highway 41/10 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 41/10 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 41/10 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

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 February 6th, 2024 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 6th day of February 2024

Dave Hemze

County Administrator

Exhibit A

to

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

Highway 41/10 Project

Carver County Public Works No. 178820

Property Tax Identification No. 30.0050400

Parcel Number(s): 1

Fee Owners: Jacob D. Wiemiller & Megan Wiemiller

Property Address: 554 Victoria Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **139 sq. ft.**, more or less.

Temporary easement for construction purposes contains **1,530 sq. ft.**, more or less.

Property Tax Identification No. 30.4580010

Parcel Number(s): 2

Fee Owners: SB Chaska Partners, LLC

Property Address: 325 Engler Blvd, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **761 sq. ft.**, more or less.

Temporary easement for construction purposes contains **14,687 sq. ft.**, more or less.

Property Tax Identification No. 30.4680010

Parcel Number(s): 5

Fee Owners: 1580 White Oak Drive, LLC

Property Address: 1580 White Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **4,795 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **1,959 sq. ft.**, more or less.

Temporary easement for construction purposes contains **3,533 sq. ft.**, more or less.

Property Tax Identification No. 30.4680020

Parcel Number(s): 6

Fee Owners: Security Bank Waconia

Property Address: 1575 White Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **4,461 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **2,043 sq. ft.**, more or less.

Temporary easement for construction purposes contains **3,379 sq. ft.**, more or less.

Property Tax Identification No. 30.1710030

Parcel Number(s): 7

Fee Owners: Chaska Grandview Owner's Association, Inc.

Property Address: 1475 & 1485 White Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **1,319 sq. ft.**, more or less.

Temporary easement for construction purposes contains **4,410 sq. ft.**, more or less.

Property Tax Identification No. 30.1660020

Parcel Number(s): 8

Fee Owners: Holiday Station Stores, Inc.

Property Address: 1465 White Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **864 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **85 sq. ft.**, more or less.

Temporary easement for construction purposes contains **1,793 sq. ft.**, more or less.

Property Tax Identification No. 30.0041000

Parcel Number(s): 9

Fee Owners: Shepherd of the Hill Presbyterian Church of Chaska

Property Address: 145 Engler Blvd, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **16,513 sq. ft.**, more or less.

Permanent easement for wall maintenance purposes contains **1,802 sq. ft.**, more or less.

Temporary easement for construction purposes contains **18,698 sq. ft.**, more or less.

Property Tax Identification No. 30.6050010

Parcel Number(s): 10

Fee Owners: Troy P. Wagener, Daniel J. Wagener, & Bonita L. Wagener

Property Address: 1595 Crest Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **1,345 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **1,164 sq. ft.**, more or less.

Temporary easement for construction purposes contains **1,875 sq. ft.**, more or less.

Property Tax Identification No. 30.6080030

Parcel Number(s): 11

Fee Owners: Imrose Alam & Farzana H. Alam

Property Address: 1552 Sunshine Circle, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **1,004 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **949 sq. ft.**, more or less.

Temporary easement for construction purposes contains **4,138 sq. ft.**, more or less.

Property Tax Identification No. 30.6050010

Parcel Number(s): 12

Fee Owners: Michael D. Hammers & Rose A. Hammers

Property Address: 1558 Sunshine Circle, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **499 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **451 sq. ft.**, more or less.

Temporary easement for construction purposes contains **1,234 sq. ft.**, more or less.

Property Tax Identification No. 30.6080010

Parcel Number(s): 13

Fee Owners: CD Gemini Properties, LLC

Property Address: 1564 Sunshine Circle, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **71 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **52 sq. ft.**, more or less.

Temporary easement for construction purposes contains **571 sq. ft.**, more or less.

Property Tax Identification No. 30.6070010

Parcel Number(s): 14

Fee Owners: John F. Miller & Donna M. Miller

Property Address: 1570 Sunshine Circle, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **1,640 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **795 sq. ft.**, more or less.

Temporary easement for construction purposes contains **1,522 sq. ft.**, more or less.

Property Tax Identification No. 30.6070070

Parcel Number(s): 15

Fee Owners: Stephen R. Duvick & Courtney J. Duvick

Property Address: 1569 Skyview Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **37 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **286 sq. ft.**, more or less.

Temporary easement for construction purposes contains **3,883 sq. ft.**, more or less.

Property Tax Identification No. 30.6070130

Parcel Number(s): 16

Fee Owners: Scott A. Stanger & Nancy A. Stanger

Property Address: 1521 Sunshine Court, Chaska, MN 55318

Temporary easement for construction purposes contains **204 sq. ft.**, more or less.

Property Tax Identification No. 30.6070140

Parcel Number(s): 17

Fee Owners: James E. Finelli & Rachel M. Finelli

Property Address: 1517 Sunshine Court, Chaska, MN 55318

Temporary easement for construction purposes contains **1,498 sq. ft.**, more or less.

Property Tax Identification No. 30.0330700

Parcel Number(s): 21

Fee Owners: Independent School District 112

Property Address: 140 Engler Blvd, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **80,547 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **2,446 sq. ft.**, more or less.

Permanent easement for wall maintenance purposes contains **6,834 sq. ft.**, more or less.

Temporary easement for construction purposes contains **69,437 sq. ft.**, more or less.

Property Tax Identification No. 30.4520060

Parcel Number(s): 22

Fee Owners: David C. Liebelt & Kayleen A. Liebelt

Property Address: 1665 Highwood Drive, Chaska, MN 55318

Permanent easement for drainage and utility purposes contains **486 sq. ft.**, more or less.

Temporary easement for construction purposes contains **394 sq. ft.**, more or less.

Property Tax Identification No. 30.6570010

Parcel Number(s): 23

Fee Owners: Valley Evangelical Free Church

Property Address: 150 Engler Blvd, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **4,458 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **3,020 sq. ft.**, more or less.

Permanent easement for wall maintenance purposes contains **3,167 sq. ft.**, more or less.

Temporary easement for construction purposes contains **7,467 sq. ft.**, more or less.

Property Tax Identification No. 30.5810040

Parcel Number(s): 24

Fee Owners: Parrott Nest, LLC

Property Address: 1601 White Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **2,926 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **1,404 sq. ft.**, more or less.

Temporary easement for construction purposes contains **2,409 sq. ft.**, more or less.

Property Tax Identification No. 30.5810030

Parcel Number(s): 25

Fee Owners: Rebecca Lewis

Property Address: 1610 White Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **5,610 sq. ft.**, more or less.

Temporary easement for construction purposes contains **4,303 sq. ft.**, more or less.

Property Tax Identification No. 30.5800170

Parcel Number(s): 27

Fee Owners: Michael J. Maley & Diane L. Maley

Property Address: 355 Pondview Lane, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **1,551 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **831 sq. ft.**, more or less.

Temporary easement for construction purposes contains **1,744 sq. ft.**, more or less.

Property Tax Identification No. 30.5800140

Parcel Number(s): 28

Fee Owners: Kurtis A. Pemble & Hansen, Amy L

Property Address: 1605 Royal Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **2,853 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **1,269 sq. ft.**, more or less.

Temporary easement for construction purposes contains **958 sq. ft.**, more or less.

Property Tax Identification No. 30.5800010

Parcel Number(s): 29

Fee Owners: SFR Borrower 2022-A, LLC

Property Address: 1600 Royal Oak Drive, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **5,845 sq. ft.**, more or less.

Permanent easement for drainage and utility purposes contains **1,649 sq. ft.**, more or less.

Temporary easement for construction purposes contains **2,506 sq. ft.**, more or less.

Property Tax Identification No. 30.4690040

Parcel Number(s): 31

Fee Owners: North Meadows Office Condominiums Association, Inc.

Property Address: 542-586 Bavaria Lane, Chaska, MN 55318

Permanent easement for public right-of-way purposes contains **2,034 sq. ft.**, more or less.

Temporary easement for construction purposes contains **2,983sq. ft.**, more or less.

Property Tax Identification No. 30.0321500

Parcel Number(s): 32

Fee Owners: Kierstin Case

Property Address: 1695 Bavaria Road, Chaska, MN 55318

Temporary easement for construction purposes contains **2,243 sq. ft.**, more or less.

Property Tax Identification No. 30.5800230

Parcel Number(s): 33

Fee Owners: Goodwin Builders Inc.

Property Address: Vacant Land, Bavaria Road, Chaska, MN 55318

Permanent easement for drainage and utility purposes contains **34,358 sq. ft.**, more or less.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlements for Right of Way Acquisition for the US 212 Project - Benton Township

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 2/6/2024

Contact: Darin Mielke

Title: Deputy County Engineer

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The 2024-2026 construction seasons include the reconstruction of US 212 between approximately Highway 34 (Tacoma Avenue) in the City of Norwood Young America to Highway 36 on the west side of the City of Cologne into a 4-lane divided highway. Additional right-of-way is needed to complete the project. Appraisals were obtained by certified appraisers and the County Board approved the making of offers based on the appraised values at its October 17, 2023 regular session. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. Settlements with the property owners located at PID #'s 01.10130400, 01.0131400, 01.0172000, 01.0150800, 01.0140500, 01.018.0110 have been reached.

ACTION REQUESTED:

Motion to adopt a resolution approving the settlements for right-of-way acquisition for the US 212 Project - Benton Township for the properties located at PID #'s 01.10130400, 01.0131400, 01.0172000, 01.0150800, 01.0140500, 01.018.0110.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

MNDOT Funding

\$303,350.00

FTE IMPACT: None

Total

\$303,350.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Acquisition costs are split between MndOT and Carver County in accordance with an agreement between the agencies for this project.

Office use only:

RBA 2024 - 9606

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 6, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 212 Project - Benton Township

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 the reconstruction and expansion of Trunk Highway 212 to a 4-lane expressway as part of the Highway 212 Project - Benton Township (“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 identified 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 Owner submits to County the information necessary for reimbursement; and

WHEREAS, the Carver County Board of Commissioners authorized the Public Works Division Director or agents under his supervision, to make initial written offers of just compensation to the Owners within the Project from whom property interests are required; and

WHEREAS, the Public Works Division Director or agents under his supervision, have negotiated settlement(s) with the Owners impacted by the Project as described in said Exhibit A.

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 of the reconstruction and expansion of Trunk Highway 212 to a 4-lane expressway as part of the Highway 212 Project - Benton Township 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) and the negotiations between said Owner(s) and the Public Works Division Director or agents under his supervision, County shall make a payment of compensation to the Owners within the Project from whom the County must acquire needed real property interests, in the amounts as described in said Exhibit A; and

BE IT FURTHER RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Stipulation of Settlement Agreement with said property owner(s), in the name of the County of Carver for the Project.

YES	ABSENT	NO

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 February 6, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this February 6, 2024.

Dave Hemze	County Administrator

EXHIBIT A

to

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests

Highway 212 Project – Benton Township

Carver County Public Works No. 178826

Property Tax Identification No. 0110130400

Parcel Number(s): 2 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Kenneth B Briggs and Susan C. Briggs

Property Address: 15130 Highway 212, Norwood-Young America, MN 55368

Temporary easement for construction purposes contains **345 SQ FT**, more or less.

Amount:\$ 500

Appraisal Fee -

Amount: \$500

Settlement Amount: \$ 1,000 (Rounded)

Property Tax Identification No. 010131400

Parcel Number(s): 4 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Terrance L. Picha

Property Address: XXXX Salem Avenue, Norwood-Young America, MN 55368

A portion of the Subject Property being taken in fee simple contains **362,977 SQ FT**, more or less.

Amount: \$ 98,991.50

Temporary easement for construction purposes contains **45,782 SQ FT**, more or less.

Amount: \$3,139

Appraisal Fee –

Amount: \$5,000

Premium to Induce Settlement

Amount: \$17,800

Settlement Amount: \$125,000 (Rounded)

Property Tax Identification No. 010172000

Parcel Number(s): 8 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Mark S. Rolf and June M. Rolf Trusts

Property Address: 13440 Highway 212, Norwood-Young America, MN 55368

A portion of the Subject Property being taken in fee simple contains **357,376 SQ FT**, more or less.

Amount: \$81,418.50

Temporary easement for construction purposes contains **82,766 SQ FT**, more or less.

Amount: \$7,971.00

Improvements –

Amount: \$1,800

Appraisal Fee –

Amount: \$ 5,000

Premium to Induce Settlement

Amount: \$ 28,750

Settlement Amount: \$ 125,000 (Rounded)

Property Tax Identification 010150800

Parcel Number(s): 22 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Winkler Family Revocable Living Trust

Property Address: 11730 Highway 212 Cologne, MN 55322

A portion of the Subject Property being taken in fee simple contains **26,174 SQ FT**, more or less.

Amount: \$ 1,320

Temporary easement for construction purposes contains **509 SQ FT**, more or less.

Amount: \$ 53

Appraisal Fee –

Amount: \$ 1,500

Settlement Amount: \$ 2,900 (Rounded)

Property Tax Identification No. 010140300

Parcel Number(s): 30 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Michael K. Ewald

Property Address: 11030 Highway 212 Cologne, MN 55322

Temporary easement for construction purposes contains **23,613 SQ FT**, more or less.

Amount: \$ 1,169

Improvements –

Amount: \$ 3,281

Settlement Amount: \$ 4,450 (Rounded)

Property Tax Identification No. 010180110

Parcel Number(s): 53 of CARVER COUNTY RIGHT OF WAY PLAT NO. 35

Fee Owners: Gordon Dietel

Property Address: 13715 Hwy. 212, Norwood-Young America, MN 55368

A portion of the Subject Property being taken in fee simple contains **53,143 SQ FT**, more or less.

Amount: \$ 21,229

Temporary easement for construction purposes contains **5,022 SQ FT**, more or less.

Amount: \$ 569

Improvements –

Amount: \$ 9,592

Appraisal Fee –

Amount: \$ 1,500

Premium to Induce Settlement

Amount: \$ 12,100

Settlement Amount: \$ 45,000 (Rounded)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Donation to the Carver County Sheriff's Dive Team

Primary Originating Division/Dept: Sheriff - Support Services

Meeting Date: 2/6/2024

Contact: Ben Beyer

Title: Dive Team Supervisor

Item Type:

Consent

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

Finances: Improve the County's financial health and economic profile

BACKGROUND/JUSTIFICATION:

The Carver County Sheriff's Office Dive Team gave a presentation to the NYA West Carver Lion's outlining the team's responsibilities, training curriculum, and community engagement opportunities. The NYA West Carver Lions Club donated \$100.00 to the team.

ACTION REQUESTED:

Accept donation from NYA West Carver Lions

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

NYA Donation

\$100.00

Total

\$100.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Budget Amendment included to account for donation. Account #02-206-000-0000-5756

Office use only:

RBA 2024 - 9557

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Donation to the Carver County Sheriff's Dive Team

Department:

Meeting Date: 2/6/2024

Fund:

- ☐ 01 - General
- ☒ 02 - Reserve
- ☐ 03 - Public Works
- ☐ 11 - CSS
- ☐ 15 - CCRRA
- ☐ 30 - Building CIP
- ☐ 32 - Road/Bridge CIP
- ☐ 34 - Parks & Trails
- ☐ 35 - Debt Service

Requested By: Ben Beyer

DEBIT		
Description of Accounts	Acct #	Amount
Law Enforcement Supplies	02-206-6454	\$100.00
TOTAL		\$100.00

CREDIT		
Description of Accounts	Acct #	Amount
NYA West Carver Lions	02-206-5756	\$100.00
TOTAL		\$100.00

Reason for Request:

Increase budget for a donation received from NYA West Carver Lions RBA-9557

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agreement for 2024 Federal Government Relations Strategy

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Presenter: Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

Finances: Improve the County's financial health and economic profile

BACKGROUND/JUSTIFICATION:

Carver County has submitted several grant requests to the federal Department of Transportation (DOT) through the RURAL, SS4A and RAISE discretionary grant programs to reconstruct Highway 5 from Chanhassen to Victoria. Although unsuccessful to date, the county will resubmit a RAISE and RURAL and SS4A grant in 2024.

The County also submitted direct requests for congressional appropriations for Highway 5. In 2022, the county was successful in receiving \$2M for Highway 5 and is likely to receive another \$7M in 2024 and intends to continue submitting requests through this process.

DOT staff and our federal legislators have expressed that localized professional services are very beneficial to track grant activity and coordinate with the DOT and federal legislators when appropriate to ensure that Highway 5 grant applications and congressional requests are put in the best position to be considered for funding.

Primacy Group is a nationally recognized firm in federal government relations and has worked for several governmental agencies in Minnesota. They will monitor, analyze, and report all federal legislative, regulatory and administrative developments for potential impact on Carver County, particularly for TH 5 and advise the County when action would be beneficial to overall objectives. They will meet on the County's behalf and coordinate critical meetings for County representatives to attend. This contract is a renewal of the 2022-2023 contract.

ACTION REQUESTED:

Motion to approve a professional services agreement with Primacy Strategy Group for Federal Government Relations Strategy Services, pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =

Total

☒ Insert additional funding source

Related Financial/FTE Comments:

The county has the option to renew the contract at the same amount for 2025.

Office use only:

RBA 2024 - 9604

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Metropolitan Mosquito Control Update

Primary Originating Division/Dept: Administration (County) ▼

Meeting Date: 2/6/2024

Contact: Dave Hemze

Title: County Administrator

Item Type:

Regular Session ▼

Amount of Time Requested: 20 minutes

Presenter: Alex Carlson

Title: MMCD Public Affairs Manager al

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Alex Carlson, Public Affairs Manager, will be present to review the District's operations. Daniel Huff, MMCD's new Executive Director, will also be present to answer any questions.

ACTION REQUESTED:

Information only.

FISCAL IMPACT: None ▼

If "Other", specify:

FTE IMPACT: None ▼

FUNDING

County Dollars =

Total

\$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9575

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

CDA Carver Place Update and Agreement Amendment for Trails Edge Senior

Primary Originating Division/Dept: Public Services

Meeting Date: 2/6/2024

Contact: Nick Koktavy

Title: Assistant County Administrator

Item Type:

Regular Session

Amount of Time Requested: 15 minutes

Presenter: Allison Steich

Title: CDA Deputy Director

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

\$1,000,000 Funding Request for the Carver Place Apartment Project

Carver Place Apartment is a 60 unit Carver County Community Development Agency (CDA) development in the City of Carver. This project will serve households at or below 60% of area median income with some units having further income restrictions or requirements.

On November 16, 2021, the Carver County Board approved an agreement with the CDA to provide a total of \$3,000,000 in Federal ARPA funds for CDA housing projects: \$1,000,000 each for Carver Place Apartments, Trails Edge Senior and Carver Oaks Senior. The funds are contingent on the projects being fully funded and a presentation being made to the Carver County Board. The CDA has obtained funding for the Carver Place Apartment project which is estimated to cost about \$19.9M. At the February 6th County Board meeting, the CDA will present a project overview and request that \$1M for the Carver Place Apartment project be released.

Agreement Amendment to Extend the Obligation Date to January 31, 2025

In addition, the CDA is requesting a date amendment to the agreement. The current agreement states that funds for the three projects must be obligated by November 30, 2024 and spent by November 30, 2026. Carver Place and Carver Oaks Senior are expected to meet these deadlines. However, the CDA plans on submitting for a MHFA award for Trails Edge Senior in July. The CDA will not hear back on the MHFA awards until December of 2024. Therefore, they are requesting that the obligation date for the Trails Edge Senior project be amended to January 31, 2025.

ACTION REQUESTED:

Motion to release \$1,000,000 to the CDA from the CDA Housing Project Account for the Carver Place project and to amend the agreement by extending the obligation timeline for Trails Edge Senior to January 31, 2025 pending contract finalization process.

FISCAL IMPACT: Other

If "Other", specify:

See comment below

FUNDING

County Dollars = \$3,000,000.00

Carver Place Request (\$1,000,000.00)

Total \$2,000,000.00

FTE IMPACT: None

Related Financial/FTE Comments:

In December, 2023 the County Board approved Finance's recommendation to allocate \$3M in ARPA funds to pay for eligible 2023 County salaries/benefits and then simultaneously commit the \$3M to a CDA Housing Project account. The \$3M in the CDA Housing Project account are no longer Federal ARPA dollars and thus do not have the Federal ARPA deadlines to obligate no later than December 31, 2024 and spend no later than December 31, 2026.

Office use only:

RBA 2024- 9564

Carver County Board of Commissioners

Request for Board Action



Agenda Item:

Lifeguard Services at County Beach Facilities

Primary Originating Division/Dept: Public Works - Parks

Meeting Date: 2/6/2024

Contact: Sam Pertz

Title: Parks Supervisor

Item Type:

Regular Session

Amount of Time Requested: 10 minutes

Presenter: Sam Pertz

Title: Parks Supervisor

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Carver County has contracted with Minnetonka Aquatics for lifeguard services from mid-June through mid-August at Lake Waconia and Lake Minnewashta Regional Parks for many years.

During 2023 Minnetonka Aquatic notified that County that it would not be able to provide a full complement of lifeguards for the two beaches and agreed to supply lifeguards at Lake Minnewashta Regional Park

Another lifeguard service provider for the City of Waconia was also contacted. Ultimately, they could not provide the service for Waconia Regional Park and the beach went unguarded with no significant issues.

Going forward, neither service provider would have the necessary professional liability coverage needed to Carver County. This is due to their professional liability insurance limitation, which was only going to be provided at the facilities operated/owned by the lifeguard service provider and not to a second party such as the County that operated its own beach facilities.

The County requests professional liability of its contractors for coverage for any negligent act that might occur by a contractor on its property. Professional liability coverage limits the County's risk of exposure to a claim.

Additional, Minnesota Counties Insurance Trust has advised that the County has less risk exposure if the beaches are unguarded and properly signed as compared to providing lifeguard services.

Further, Staff have engaged with other area counties to understand their beach operations and lifeguard services. There are examples of both guarded and unguarded beach service models. However, many natural beaches in the Metropolitan Regional Park System are operated as unguarded facilities. This is due to the agency prioritizing its resources to the highest use facilities such as manmade swim ponds and aquatic parks.

Guarded and unguarded beach service model was also vetted through the Park Commission. The Park Commission considered what other agencies are doing along with survey results conducted through social media. The survey was to help determine if lifeguard service would attract or deter use of County operated beaches. Of the approximately 330 responses, results were nearly evenly split between those that wanted the service and those that indicated it would not deter them from use.

The Park Commission made recommendation at the January 17, 2024 meeting to discontinue lifeguard services for the 2024. Staff and Commission considered:

- The uncertainty of the County successfully obtaining enough staffing along with a significant increase in costs to provide the service.
- Other agencies in the metropolitan area provide unguarded beaches.
- The Waconia Regional Park beach went unguarded in 2023 with no significant negative impacts.

- Baylor Regional Park beach has gone unguarded for many years.
- Public engagement through social media survey did not provide clear direction to provide lifeguards.
- Minnesota Counties Insurance Trust has advised that the County it has less risk of exposure if the beaches are unguarded and properly operated as compared to providing properly operated beach facilities with lifeguard services.

ACTION REQUESTED:

Motion to discontinue lifeguard services at County beach facilities.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

\$0.00

Total

\$0.00

FTE IMPACT: None

Related Financial/FTE Comments:

Funds budgeted for lifeguard services of \$60,000 would remain in the professional services line item of the Parks Budget to be used for contracted park and trail maintenance, and park and trail planning services.

Office use only:

RBA 2024 - 9595

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Committee Appointments and Assignments

Primary Originating Division/Dept: Administration (County)

Meeting Date: 2/6/2024

Contact: Dave Hemze

Title: County Administrator

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

At the January 16th Board meeting, the Board considered their 2024 committee assignments and left open the following appointments:

Minnesota Inter-County Association (Two Appointments)

Transportation Advisory Board (Alternate Appointment)

ACTION REQUESTED:

Approve 2024 committee assignments to fill remaining openings.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9609

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Advisory Committee Appointments

Primary Originating Division/Dept: Administration (County)

Meeting Date: 2/6/2024

Contact: Dave Hemze

Title: County Administrator

Item Type:

Regular Session

Amount of Time Requested: 5 minutes

Presenter:

Title:

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

There is one vacancy on the Park Commission to represent District 1. Jon Thom, residing in District 1, and Kellen Schmidt, residing in District 5, have submitted an application to serve on the Park Commission.

There are five mandated vacancies to be filled on the Mental Health Committee. Naima Hussein, residing in District 1, has submitted an application to serve on the Mental Health Committee.

ACTION REQUESTED:

Approve an appointment on the Park Commission to represent District 1 and approve appointment to the Mental Health Advisory Committee.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9588

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Closed Session to Discuss County Administrator Annual Performance Evaluation

Primary Originating Division/Dept: Employee Relations

Meeting Date: 2/6/2024

Contact: Kerie Anderka

Title: Employee Relations Division Dir

Item Type:

Closed Session

Amount of Time Requested: 60 minutes

Presenter: Kristin Hack

Title: Employee Relations

Attachments: ☐ Yes ☒ No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Each year, the County Board provides an evaluation of the County Administrator's performance. Minnesota Statutes 13D.05, Subd. 3 (a) allows the Board to meet in closed session to evaluate the performance of an individual who is subject to its authority. The County Administrator reports directly to the Board, so a closed session is permitted for this discussion. At an upcoming regular session, a summary of the evaluation will be shared for public record.

ACTION REQUESTED:

Motion to enter into closed session as provided by Minnesota Statutes, to discuss County Administrator Hemze's annual performance evaluation.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total

\$0.00

☒ Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2024 - 9599