



**Carver County Board of Commissioners
October 15, 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. **CONVENE**

1.1. Pledge of allegiance

1.2. 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@carvercountymn.gov

1.3. Agenda review and adoption

1.4. Approve October 1, 2024 minutes4-7

1.5. Community Announcements

9:20 a.m. 2. **CONSENT AGENDA**

2.1. Joint Powers Agreement for the Highway 11-14 Project with the City of Victoria.....8-9

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- 2.7. Contract with Seiche LLC for Public Health Communications
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- 2.9. Authorization to Contract with 106 Group - Coney Island
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- 2.10. PSA with [Contractor] for Highway 51 Culvert Replacement.....28-29
- 2.11. Settlement Agreements for Right of Way Acquisitions for the
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- 2.12. Highway18/82nd Street Project Local Road Improvement
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- 2.13. Application for 1 day to 4 day Temporary On-Sale Liquor
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- 2.14. Review Health & Human Services and Commissioner Warrants

9:30 a.m.	3.	REGULAR SESSION	
	3.1.	Comments on the Metropolitan Council's Imagine 2050 Policy Plan.....	41-52
9:40 a.m.	4.	RECESS AS THE COUNTY BOARD AND CONVENE AS COUNTY DITCH AUTHORITY	
	4.1.	Transitioning Carver CD 5 to a Joint Ditch Authority with Mcleod County	53-57
	4.2	Transitioning Carver CD 7 to A Joint Ditch Authority with Mcleod County	58-62
10:05 a.m.	5.	ADJOURN AS COUNTY DITCH AUTHORITY AND RECONVENE AS COUNTY BOARD	
10:05 a.m.	6.	COUNTY ADMINISTRATOR REPORT	
10:15 a.m.	7.	ADJOURN REGULAR SESSION	

UPCOMING MEETINGS AND EVENTS

October 22, 2024	9:00 a.m.	Special Session
	9:15 a.m.	Board Work Session
	11:30 a.m.	Employee Appreciation Lunch
	1:00 p.m.	Retiree and Years of Service Recognition
October 29, 2024		No Board Meeting
November 5, 2024	9:00 a.m.	Board Meeting
November 12, 2024	9:00 a.m.	Tentative Ditch Redetermination of Benefits Public Hearing
November 19, 2024	9:00 a.m.	Board Meeting
November 26, 2024	9:00 a.m.	Board Work Session
December 3, 2024	8:00 a.m.	Farewell for Commissioner Degler
December 3, 2024	9:00 a.m.	Board Meeting
December 10, 2024		No Board Meeting
December 17, 2024	7:30 a.m.	Legislative Breakfast (tentative)
	10:00 a.m.	Board Meeting (tentative time change)
December 24, 2024		No Board Meeting
December 31, 2024		No Board Meeting

Carver County Board of Commissioners

Regular Meeting

October 1, 2024

A Regular Meeting of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on October 1, 2024. Chair Gayle Degler convened the session at 08:59 AM

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

Matthew Udermann moved, Tom Workman seconded, to Approve the agenda. Motion carried unanimously.

John P. Fahey moved, Tim Lynch seconded, to Approve the September 3, 2024, minutes. Motion carried unanimously.

Matthew Udermann moved, Tim Lynch seconded, to approve the following consent agenda items.

Approved Amendment 4 to the Professional Services Agreement for CSAH 11 Project with Alliant Engineering Inc. for additional final design services in the amount of \$88,490, pending finalization of the contract review process.

Approved a professional services agreement with Stonebrooke Engineering in the amount of \$59,986 for 2024 Bridge Safety Inspections, pending finalization of the contract review process.

Adopted resolution 83-24 accepting all work as complete for the 2024 County Wide Seal Coat Project.

Adopted resolution 84-24 to approve Carver County Right of Way Plat No. 39 and authorize the Chair of the County Board to sign the plat.

Approved agreement with Poul Haas and Associates.

Approved motion to contract with Loffler pending finalization of the contract review process.

Approved motion to adopt Findings of Fact and issue Order #PZ20240036 for the issuance of an Interim Use Permit.

Approved motion to adopt Findings of Fact and Issue Order #PZ20240037 for the issuance of a Conditional Use Permit.

Approved motion to ratify the MnCCC IFS (General Ledger) professional services agreement with TriMin Systems Inc.

Approved hiring one STOC Child Support Officer for Carver County Health and Human Services utilizing a Health Partners Grant/Federal Reimbursement, effective October 2024.

Approved the Memorandum of Understanding (MOU) between Carver County Health and Human Services, Three Rivers Park District, and SouthWest Intermediate School District 288 for the Trades 360 program, with not to exceed amount of \$55k.

Approved the reallocation of \$50k BSA funds and approve the Professional Service Agreement with Bountiful Basket Food Shelf, for the Community Resource Navigator program with a not-to-exceed amount of \$50k for the period of October 1, 2024, through December 31, 2026, pending contract finalization.

Approved motion to adopt Findings of Fact and issue Order #PZ20240034 for the issuance of a Conditional Use Permit.

Resolution 85-24 to approve right of way acquisition settlements for the Highway 11/14 Project for the properties located at PID #'s: 07.0251900, 65.0250900, 07.0252720, 07.0250200, 07.0540010, 07.7250100.

Resolution 86-24, to authorize written initial offers of compensation for right-of-way acquisitions related to the Highway 11 Project - Carver Park Reserve based on the appraisals obtained from a certified appraiser.

Resolution 87-24 to approve right of way acquisition settlements for the Highway 18 Project - Arboretum Area for the properties located at PID #'s: 30.0160500, 65.5600012, 65.5600011, 65.1000360.

Approved contract amendment and final payment to Boyer Building Corporation for construction of boardwalk at Baylor Regional Park.

Approved contract with Metropolitan Mechanical Contractors for replacement of VAV coils pending the contract review process.

Approved a professional services agreement with HDR, Inc. for Construction Support Communications for the Highway 18 - Arboretum Area Project, subject to completion of the contract review process

Resolution 88-24 that the Carver County Sheriff's Office enter into grant agreements with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled Towards Zero Deaths during the period from October 1, 2024, through September 30, 2025.

Approved hire of a PT - Licensed Deputy under a FT - Licensed Deputy vacancy

Approved a joint powers agreement with Laketown Township for the reconstruction of Augusta Road subject to completion of the contract review process.

Reviewed August 30, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$323,873.96; reviewed September 9, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$161,713.13, reviewed September 13, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$562,420.42 and reviewed September 23, 2024, Community Social Services' actions/Commissioners' warrants in the amount of \$697,214.49.

Motion Carried Unanimously.

Allison Streich, CDA Director, gave an update on the CDA Housing Project Fund including Carver Oaks, Carver Place and Trail's Edge Senior Living. A timeline overview was also given on Carver Oaks and Trail's Edge Senior Living.

John P. Fahey moved, Matthew Udermann seconded, to Approve motion to release \$1,000,000 to the CDA from the CDA Housing Project Account for the Carver Oaks project and to amend the agreement by extending the obligation timeline for Trails Edge Senior to January 31, 2026, pending contract finalization process. Motion carried unanimously.

Nick Koktavy, Assistant County Administrator, spoke on the Master Space plan for long-term space needs. A review of the budget and the timeline of the building and remodeling starting in October 2024 with a projected completion date of July 2029. Also addressed were future committees, subcommittees and the next phase being engagement and pre-design.

Tim Lynch moved, Gayle Degler seconded, to Approve the master space plan phase one project including schedule, next steps, committees, projected budget of \$82 Million and appoint County Commissioner Fahey to serve on the executive committee. Motion carried unanimously.

Mia Johnson, Employee Relations spoke on the 2025 county contributions to Employee Health Insurance plans for the AFSCME and Teamsters Bargaining Units.

Matthew Udermann moved, Gayle Degler seconded, to Approve the memoranda of agreement

regarding 2025 health insurance benefits package with the following bargaining units: Teamsters Detention Deputy/911 Dispatcher/TAC, Teamsters Licensed Management, Teamsters Detention Sergeants/Emergency Communications Supervisors, AFSCME Health and Human Services, AFSCME Public Works, AFSCME Assistant County Attorneys, and AFSCME General. Motion carried unanimously.

Mia Johnson, Employee Relations spoke on the 2025 county contributions to Employee Health Insurance plans for the Non-Bargaining Employee Insurance Contributions.

Matthew Udermann moved, Tim Lynch seconded, to Approve the 2025 benefits for non-bargaining employees as outlined, including 2025 monthly cafeteria contribution amounts for full-time benefit eligible non-bargaining employees based on the employee's election of health insurance with \$933.34 for single, \$2,207.33 for employee + spouse, \$1,525.06 for employee + child(ren), \$2,448.13 for family; maintaining the \$250.00 per month toward the cost of single health insurance for employees budgeted at least half-time but less than 0.8 FTE; and providing contributions for those electing an HSA High Deductible Health Plan option in the amounts of \$1,325 for single and \$3,000 for family. Motion carried Unanimously.

Mia Johnson, Employee Relations spoke on the 2025 county contributions to Employee Health Insurance plans for the 2025 Retiree Health Insurance contributions.

Matthew Udermann moved, Tom Workman seconded, to Approve the 2025 health insurance contribution for eligible retirees as follows, not to exceed the coverage tier level provided at the time of separation: Retirees selecting family coverage would receive \$2,448.13 per month toward their insurance, employee + spouse would receive \$2,207.33, employee + children would receive \$1,525.06, and those electing single coverage would receive the lesser of the single premium amount or \$933.34 per month. Motion carried unanimously.

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

Sam Pertz, Parks & Trails Supervisor spoke on a special event use permit for business T-Road Tavern to host 2024 Oktoberfest. This will be a large event with nearly 2000 people in attendance expected with limited camping.

John P. Fahey moved, Tim Lynch seconded, to Approve motion to authorize the issuance of a special event use permit to T-Road Tavern for the coordination of the planned OktoberFest event held on Regional Rail Authority property on October 18,19, 20, 2024. Motion Carried Unanimously.

Matthew Udermann moved, Tim Lynch seconded, to adjourn as Carver County Regional Rail and convene as County Ditch Authority. Motion carried unanimously.

Dave Frischmon, Ditch Administrator spoke on County Ditches 2-3, 5,6,7,9 and 10 with the request for a change in viewers. Also is a request to change County Ditches 5 and 7 to Joint Ditches and appoint Commissioners to each ditch. Requesting 4 Carver County Commissioners and 1 McLeod County Commissioner to serve on new joint ditches. For County Ditches 5 and 7 the 4 commissioners assigned to both ditches are Commissioners Degler, Fahey, Lynch and Udermann.

John P. Fahey moved, Tom Workman seconded, to Approve resolution for Second Amendment to Findings and Order Appointing Viewers resolution for the Redetermination of Ditch Benefits for County Ditches 2-3, 5, 6, 7, 9, 10. Motion carried Unanimously.

Tom Workman moved, John P. Fahey seconded, to adopt a motion to create new Joint Ditches with McLeod County for County Ditches 5 and 7 appoint four Carver County Board members to each of the two new Joint Ditches Provide direction on the timing for four County Ditches 2-3, 6, 9, 10 Redetermination of Benefits Public Hearings. Motion carried Unanimously

Tom Workman moved, Tim Lynch seconded, to adjourn as Carver County Ditch and reconvene as the Carver County Board. Motion carried unanimously.

ADMINISTRATOR REPORT: Roll out of the new agenda software. Joseph Satre, County IT spoke on the Agenda Changes with the new CivicPlus Agenda Software.

Tom Workman moved, Matthew Udermann seconded, to adjourn the Regular Session at 11:09 AM. Motion carried unanimously.

Dave Hemze
County Administrator

ATTEST: _____
County Administrator

Chair



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Joint Powers Agreement for the Highway 11-14 Project with the City of Victoria

Department: Public Works - Program Delivery

Contact: Lyndon Robjent, Public Works Division Director / County Engineer, 952-466-5206

Presenter:

Contract Name & Number: 24-466 JPA for the Highway 11-14 Project with the City of Victoria

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County, in partnership with the City of Victoria, is leading the Highway 11/14 Project, which includes a new roundabout at the intersection of Highway 11, Highway 14 and Marsh Lake Road. The west half the project is located within the City of Victoria and the east half is within Laketown Township. The County applied for and was successful in securing a \$2 million Highway Safety Improvement Program (HSIP) grant through MnDOT. The County is planning to advertise for bids in the Winter of 2024/25 and anticipate construction to start in the spring of 2025. A full closure of the intersection will be required during construction for approximately 10-12 weeks. This JPA outlines the roles, responsibilities, and cost share for the project. The cost share splits will follow the adopted cost share policy and the City of Victoria and County will prorate the HSIP funding by the respective cost shares.

Construction Cost: \$3,671,756.55

Land Acquisition Cost: \$376,246.00

Professional Services Cost: \$664,866.47

Action Requested:

Motion to approve a joint powers agreement with the City of Victoria for the Highway 11-

14 Project

Fiscal Impact:

Funding:	Amount Budgeted:
HSIP Funding	\$2,000,000.00
CSAH Reg. Funds	\$1,970,462.92
City of Victoria	\$742,406.10

Related Fiscal/FTE Comments:

Included in the Current Budget. Costs are estimates at this time. Construction cost includes a 6.5% change order addition for unanticipated field changes during construction.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Donation to the Carver County Sheriff's Office
Department: County Sheriff - Patrol Services
Contact: Jason Breunig, Licensed Lieutenant, 952-361-1876
Presenter:
Contract Name & Number:
Meeting Date: October 15, 2024
Item Type: Consent

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

Background/Justification:
Kwik Trip has offered to donate \$1,000.00 to the Carver County Sheriff's Office to help offset the costs of purchasing Individual First Aid Kits (IFAKs) for our licensed personnel in the office.

Action Requested:
Request that Carver County Board allow the Sheriff's Office to accept donation from Kwik Trip.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:
A budget amendment included to account for donation.

- Attachments:**
1. Budget Amendment- CSO Donation- Patrol



Carver County Board of Commissioners
Budget Amendment Request Form

Agenda Item: Donation to the Carver County Sheriff's Office

Department: County Sheriff - Patrol Services

Meeting Date: 10/15/2024 Requested By: Jason Breunig

Fund: ☒ 01 - General ☐ 02 - Reserve ☐ 03 - Public Works ☐ 11 - CSS
☐ 15 - CCRRA ☐ 16 - CCWMO ☐ 30 - Building CIP
☐ 32 - Road/Bridge CIP ☐ 34 - Parks & Trails ☐ 35 - Debt Service

DEBIT **TOTAL** **\$1,000.00**

Description of Accounts	Acct #	Amount
Supplies	01-201-236.6430	\$1,000.00
◀▶		

CREDIT **TOTAL** **\$1,000.00**

Description of Accounts	Acct #	Amount
Gifts- Restricted	01-201-236.5756	\$1,000.00
◀▶		

Reason for Request:

Increase budget for donation and cost of first aid kits.



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Professional Services Agreement with Avicado Consulting Services for Procore Implementation

Department: Public Works - Administration

Contact: Perry Clark, Asset Manager, 952-466-5229

Presenter:

Contract Name & Number: PSA with Avicado for Procore Implementation Support - 24-469

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Public Works is implementing Procore, an enterprise construction management software system, for all road and bridge capital projects. Public Works has made significant advancements with the Procore Financials module, however, staffing shortages in the project development, project management and construction management groups have made it difficult to advance the areas of project management and construction. Public Works recommends hiring Avicado Consulting Services to support the Procore software implementation in these areas. Services covered under this contract include planning, technical support, standard operating procedure development and training. This contract is not to exceed \$86,800. Public Works researched companies that provide these services and received two proposals. Avicado was selected due to experience and price.

Action Requested:

Motion to approve a professional services agreement with Avicado Consulting Services for Procore implementation support, pending approval by the county attorney's and Risk Manager's offices.

Fiscal Impact:

Funding:	Amount Budgeted:
County Funds	\$86,800

Related Fiscal/FTE Comments:

Included in Current Budget. 03-301-000-0000-6260

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: New Tobacco License for Tobacco King Chanhassen
Department: Property & Financial Services - Elections & Licensing
Contact: Brenda Jurek, Elections & Licensing Specialist, 952-361-1943
Presenter:
Contract Name & Number:
Meeting Date: October 15, 2024
Item Type: Consent

Strategic Initiative:
Connections: Develop strong public partnerships and connect people to services

Background/Justification:
TK 7888 LLC DBA Tobacco King located at 7888 Market Blvd Chanhassen MN 55317 has applied for a tobacco license and is in compliance with the Carver County Tobacco Ordinance. The owners are requesting the Carver County Board of Commissioners approval to sell tobacco products. This will be a first time tobacco license for this business.

Action Requested:
Approval of the County board to issue a tobacco license to TK 7888 LLC DBA Tobacco King.

Fiscal Impact:	
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Public Works Building D Trench Drain Repair
Department: Public Services - Facility Services
Contact:
Presenter:
Contract Name & Number: PW Building D Trench Drain Repair 24-437
Meeting Date: October 15, 2024
Item Type: Consent

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

Background/Justification:
The trench drain in building D located at the Public Works Headquarters in Cologne has reached its end of life cycle. The current state has grates falling into the drain and presenting a safety hazard. The floor drain is 20+ years old and needs attention.

Facilities obtained quotes from two vendors. Michel Masonry Construction has the low quote of \$44,096.00. Michel Masonry will provide the labor to saw cut 2' on each side of the drain and dispose of the demo. In addition, they will dowel in 1/2" rods every 12" on existing concrete. They will form up for new drain grates and pour 6" of concrete to reform the trench.

Action Requested:
Motion to contract with Michel Masonry Construction INC for the repair of a trench drain in building D of Public Works Headquarters pending the contract review process
MICHEL MASONRY CONSTRUCTION INC

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

This project is already budgeted for and will be paid using funds from the facilities budget. No additional funds will be needed.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Professional Service Agreement between Carver County HHS Public Health & Mi C.A.S.A.

Department: Health & Human Services - Public Health

Contact: Richard Scott, Deputy Division Director, 952-361-1320

Presenter:

Contract Name & Number: MDH Innovation Grant - Mi CASA (Contract # 24-523)

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Health and Human Services, Public Health Department (CCPH), is seeking approval for a two-year contract (through 06/30/2026) with Mi C.A.S.A., with a not-to-exceed amount of \$200,000, to serve as program manager and implement the "Carver y Scott Unidos" (Carver and Scott United) project (Contract #24-523).

The Carver y Scott Unidos project aims to improve access to culturally affirming mental health services for the Latino community in both Carver and Scott Counties. This project will address barriers such as limited bilingual services, cultural stigma around mental health, and lack of affordable care, particularly for uninsured and underinsured populations. Services to be provided include but will not be limited to 1) Program development and service delivery of culturally responsive mental health programs for the Latino community; 2) Collaborative leadership with community organizations to develop, administer, and evaluate programs; 3) Evaluation and continuous improvement of programs and partnerships; and 4) Documentation of the process to support cross-agency learning.

Mi C.A.S.A has a decades-long history of community engagement and outreach to improve health, well-being, and social connection for the local Latino population. Over the past several years, Mi C.A.S.A has increased their focus on establishing strong connections and building relationships with local organizations in Carver and Scott

County to address critical issues such as substance abuse, trauma, adverse childhood experiences, and the complexities of navigating between two cultures.

Funding to support the Carver y Scott Unidos (Carver and Scott United) project comes from the Minnesota Department of Health (MDH) - Public Health Infrastructure Fund grant approved by the Carver County Board on 7/16/2024 (RBA 2024-9965). No County levy will be required for the expenditure of this program.

Action Requested:

Motion to approve the two-year Professional Service Agreement with Mi C.A.S.A. for an amount not to exceed \$200,000 to serve as program manager and implement the “Carver y Scott Unidos” (Carver and Scott United) project, pending approval through the internal contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
MDH Public Health Infrastructure Fund	\$200,000

Related Fiscal/FTE Comments:

Public Health Infrastructure Grant funds will be used to pay for this contract, with a not-to-exceed amount of \$200,000. No County levy is required. The PSA is currently routing through the internal contract review process (contract #24-523). The PSA end date is 06/30/2026.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Contract with Seiche LLC for Public Health Communications Plan Consultation

Department: Health & Human Services - Public Health

Contact: Richard Scott, Deputy Division Director, 952-361-1320

Presenter:

Contract Name & Number: Communication Consultant - Seiche LLC; Contract #24-423

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Health and Human Services through its Public Health department (CCPH) is seeking approval to contract with Seiche, LLC, through August 31, 2025, with an amount not to exceed \$30,000 to provide professional assistance to improve departmental strategic communications.

Communications is one of the Foundational Public Health Capabilities essential to enable Carver County Public Health (CCHP) to fulfill its mandate under MS 145A. This requires CCPH to develop and implement a communications plan that disseminates timely and accurate information to the public. Public Health communications are designed to prevent disease, protect residents from preventable injury, and promote optimal health and well-being in a format that is ADA compliant, and culturally and linguistically appropriate for the various communities served.

Seiche, LLC will work with CCPH staff to audit existing communications plans and materials. Seiche will conduct a thorough review and analysis of CCPH communication analytics and provide recommendations on how to improve the efficiency and impact of specified communications. Seiche will work in collaboration with CCPH and County Communication and IT personnel to develop a strategic communications plan and supporting materials, products, and messages to help fulfill its statutory responsibilities.

Funding for this contract will come from Minnesota Department of Health grants.
No County levy will be required for this contract.

Action Requested:

Motion to approve the contract with Seiche, LLC, through 08/31/2025 with a not-to-exceed amount of \$30k to provide strategic communications planning and materials for Carver County Public Health.

Fiscal Impact:

Funding:	Amount Budgeted:
COVID-19 Response and Vaccine Implementation Grant	\$20,000
CDC Federal Infrastructure Grant	\$10,000

Related Fiscal/FTE Comments:

This contract is not to exceed the amount of \$30,000. COVID-19 Response and Vaccine Implementation and CDC Federal Infrastructure grants will be used to pay for this contract. No County levy will be required for this contract. No FTE Impact and funding is already accounted for in current budget.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Liquor License Renewal
Department: Property & Financial Services - Elections & Licensing
Contact: Brenda Jurek, Elections & Licensing Specialist, 952-361-1943
Presenter:
Contract Name & Number:
Meeting Date: October 15, 2024
Item Type: Regular Session

Strategic Initiative:
Connections: Develop strong public partnerships and connect people to services

Background/Justification:
Attached is a list of businesses that have applied for a liquor license. The owners are requesting Carver County Board of Commissioners approval to sell liquor products. These are all liquor license renewals.

Action Requested:
Approval of the County Board to issue liquor licenses to the attached businesses. Board approval is subject to the receipt of all required paperwork, licensing fee paid, and all delinquent taxes paid.

Fiscal Impact:	
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

- Attachments:**
1. 24-25 List of Applicants for RBA Approval 10-15-2024

2024-2025 CARVER COUNTY LIQUOR LICENSE RENEWAL APPLICANTS

As of 10-15-2024 (Coverage through 10-31-2025)

	License Holder	LIC #	OFF-SALE	ON-SALE	SUNDAY	BREWER OFF-SALE	TWP
1.	Hollywood Sports LLC dba Hollywood Sports Complex Joseph P. Swartzter, Jr., President 15950 County Road 122 Watertown, MN 55388-8335 320-327-0133	10-02	\$150.00	\$2,000.00	\$200.00	NA	Hollywood
2	Baumann Enterprises, Inc. dba B's on the River Bryan Baumann, President 1455 County Road 27 Watertown, MN 55388-4532 952-955-2223 - Club	10-08	NA	\$2,000.00	\$200.00	NA	Watertown
3.	Whistle Post LLC dba Sovereign Estate Wine Paul Savaryn, President Teresa Savaryn, Vice President 9950 North Shore Road Waconia, MN 55387 952-446-9957 - Winery 952-392-9232 - Cell	10-13	NA	\$2,000.00	\$ 200.00	NA	Waconia
4.	Parley Lake Winery, LLP dba Parley Lake Winery Steven Zeller, President 8280 Parley Lake Road Waconia, MN 55387 952-201-9742 Steve Cell	10-14	NA	\$2,000.00	\$ 200.00	NA	Laketown
5.	WJVA Inc. dba Timber Creek Golf Course Brooks Ellingson, President 9750 County Road 24 Watertown, MN 55388-9326 952-955-3600 - Club 763-300-9035 Brooks	10-15	NA	\$2,000.00	\$ 200.00	NA	Watertown
6.	Schram Winery, LLC dba Schram Vineyards Aaron Schram, President 8785 Airport Road Waconia, MN 55387-9634 952-846-9458 - Aaron cell	10-16	NA	\$2,000.00	\$200.00	NA	Laketown
7.	Vandy's Grille LLC dba Vandy's Grille Corey Vanderhoff, President Vicki Vanderhoff, Vice President 7795 Laketown Parkway Waconia, MN 55387	10-19	NA	\$2,000.00	\$200.00	NA	Laketown
8.	Big Sticks LLC dba Sticks Tavern & Trails End Event Center Michele Imdieke, President 6940 Dahlgren Road Chaska, MN 55318 612-581-0084 Cell	10-20	NA	\$ 2,000.00	\$200.00	NA	Dahlgren

	License Holder	LIC #	OFF-SALE	ON-SALE	SUNDAY	BREWER OFF-SALE	TWP
9.	LuceLine Orchard, LLC dba LuceLine Orchard Richard Pawelk, President Theresa Pawelk, Vice President 2755 Rose Ave Watertown MN 55388-1104 612-817-6229	10-21	NA	\$2,000.00	\$200.00	NA	Watertown



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Authorization to Contract with 106 Group - Coney Island Interpretive Plan

Department: Public Works - Parks

Contact: Samuel Pertz, Parks & Trails Supervisor, 952-466-5253

Presenter: Samuel Pertz, Parks & Trails Supervisor

Contract Name & Number: 24-518

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

Carver County was successful with a grant application submitted to the Minnesota Historical Society at the end of 2023 that funds the work of interpretive planning for Coney Island. Past County Board resolution for this grant application was conducted. 106 Group specializes in this particular work and has performed a number of similar projects for other regional park agencies.

The project outcome will establish what interests the community desire for interpretive opportunities, themes and overall historical information are offered on Coney Island.

This project will involve a number of key stakeholders to include direct work with authentic Dakota individuals. Additionally, the Carver County Historical Society, Waconia Heritage Association as examples will be critical stakeholders. This project will involve critical community engagement.

Action Requested:

Authorization to approve the contractual agreement between Carver County and the 106 Group for the amount of \$50,000 to conduct a historical & cultural resources interpretive plan for Coney Island of the West pending the completion of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
Minnesota Historical Society 520-000-0000-6260	\$48,500 \$1,500

Related Fiscal/FTE Comments:**Attachments:**

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: PSA with Schneider Excavating and Grading, Inc. for Highway 51 Culvert Replacement

Department: Public Works - Program Delivery

Contact: Luke Weiers, Civil Engineer, 952-466-5323

Presenter:

Contract Name & Number: PSA with Schneider Excavating and Grading, Inc. for Highway 51 Culvert Replacement. Contract 24-519

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Operations staff have noted a failing centerline culvert on Highway 51 located 150 feet north of 114th Street in Benton Township. The culvert is in poor condition and eroding the creek bed and roadway slope to the east of the highway. The culvert needs to be replaced this fall prior to the planned resurfacing of Highway 51 in 2025 as part of the highway preservation program. Public Works staff prepared plans and obtained quotes for the culvert replacement from several contractors.

The following quotes were obtained for the Highway 51 culvert replacement:

Bidder Name:	Total Amount:
Engineer's Estimate	\$111,143.70
Mathiowetz Construcion Company	\$128,337.52
Schneider Excavating and Grading, Inc.	\$88,249.90
Minger Construction Companies, Inc.	\$129,988.10
Landwehr Construction, Inc.	\$114,873.40
Kusske Construction Company, LLC	\$114,760.00

Public Works staff have reviewed the bids, and recommend entering into Contract 24-519 with Schneider Excavating and Grading, Inc. to perform the Highway 51 culvert

replacement.

Action Requested:

Motion to approve a Professional Services Agreement with Schneider Excavating and Grading, Inc. pending finalization of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
County Funds	\$88,249.90

Related Fiscal/FTE Comments:

This project is included in the safety set-aside budget.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Settlement Agreements for Right of Way Acquisitions for the Highway 18 Project - Arboretum Area

Department: Public Works - Program Delivery

Contact: Darin Mielke, Assistant Public Works Director/Deputy County Engineer, 952-466-5222

Presenter:

Contract Name & Number:

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The Highway 18/82nd St. Project is a project identified in the 2021 Arboretum Area Transportation Plan. It aims to connect Highway 13 to Highway 41, providing a vital link for Victoria, and improved access to the Minnesota Landscape Arboretum, Chaska, and Chanhassen. Key features include upgrading the gravel road to a two-lane paved urban highway and adding a multi-use trail enhancing community connectivity. This initiative is a joint effort involving Carver County, and the cities of Chaska, Chanhassen, and Victoria. Construction is planned to begin late 2024 and conclude at the end of the 2025 construction season.

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. On June 4, 2024, the County Board authorized Public Works staff to make offers for direct purchase of the impacted properties.

On July 16, 2024, the county board gave Public Works staff direction on last written offers. On July 30, 2024 the County filed the petition for use of eminent domain.

Negotiations have continued and staff have reached recommended settlements with the following property owners located at PID#'s: 30.0170700 and 65.0910030.

Action Requested:

Motion to adopt a resolution to approve right of way acquisition settlements for the Highway 18 Project - Arboretum Area for the properties located at PID #'s 30.0170700 and 65.0910030.

Fiscal Impact:

Funding:	Amount Budgeted:
Transportation Sales tax	\$58,500

Related Fiscal/FTE Comments:

Included in current budget.

Attachments:

1. CSAH 18 Resolution Authorizing Settlements 10-15-24

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: October 15, 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 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 a new segment of County State Aid Highway 18 from .15 miles west, south, and north of the CSAH 13 (Bavaria Road) intersection in the City of Victoria to .2 miles west of Trunk Highway 41 in the City of Chaska (“CSAH 18 Project” or “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 part of the CSAH 18 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) 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 October 15, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 15th day of October 2024

Dave Hemze	County Administrator

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

Highway 18 Project – Arboretum Area

Carver County Public Works No. 108365

Property Tax Identification No. 30.0170700

Parcel Number(s): 12

Fee Owners: Stephen J. and Joan C. Apt

Property Address: 215 82nd Street West, Chaska, MN 55318

Subject property being acquired in fee simple contains **8,400 sq. ft.**, more or less.

\$7,000.00

Temporary easement for construction purposes contains **3,101 sq. ft.**, more or less.

\$1,200.00

Impacts to improvements, trees.

\$5,300.00

Settlement Amount: **\$13,500.00**

Property Tax Identification No. 65.0910030

Parcel Number(s): 38

Fee Owners: Mark & Andree Strauss

Property Address: 776 Arbor Woods Rd, Victoria, MN 55386

Subject property being acquired in fee simple contains **356 sq. ft.**, more or less.

\$3,000.00

Temporary easement for construction purposes contains **3,648 sq. ft.**, more or less.

\$2,300.00

Appraisal Fee.

\$1,500.00

Severance/Impacts to improvements, trees, driveway access.

\$38,200.00

Settlement Amount: **\$45,000.00**



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Highway 18/82nd Street Project Local Road Improvement Program Grant Agreement (resolutions)

Department: Public Works - Program Delivery

Contact: Darin Mielke, Assistant Public Works Director/Deputy County Engineer, 952-466-5222

Presenter:

Contract Name & Number: 24-527 and 24-528

Meeting Date: October 15, 2024

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The Highway 18/82nd Street Project is a project identified in the 2021 Arboretum Area Transportation Plan. The project aims to connect Highway 13 to Highway 41, providing a vital link for Victoria, and improve access to the Minnesota Landscape Arboretum, Chaska, and Chanhassen. Key features include upgrading the gravel road to a two-lane paved urban highway and adding a multi-use trail enhancing community connectivity. This initiative is a joint effort involving Carver County, and the cities of Chaska, Chanhassen, and Victoria. Construction is planned to begin late 2024 and conclude at the end of the 2025 construction season.

During the 2023 State legislative session, the project received two Local Road Improvement Project earmarks. The project received \$6,240,000.00 in General Funds and \$3,760,000 in GO Bonds. The County is working on agreements with the state to authorize these funds. These resolutions recognize that the funding amounts are fixed, and if the costs of the project exceed the grant amounts, the County is committed to covering the difference. The resolutions also recognize if all funds are not expended, the unused portions will be returned.

Action Requested:

Motion to adopt resolutions approving the Local Road Improvement Program Grant Agreement Grant Terms and Conditions for State General Funds and State General Obligation Bonds

Fiscal Impact:

Funding:	Amount Budgeted:
LRIP GO Bonds	\$3,760,000
LRIP General Funds	\$6,240,000
County Fund Balance	\$7,500,000
Transportation Sales Tax	\$5,900,000

Related Fiscal/FTE Comments:

The total costs shown above are based on estimates for the constructions costs for this project.

Attachments:

1. LRIP GO Bonds Resolution
2. LRIP General Funds Resolution

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

Date: October 15, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**Local Road Improvement Program Grant Agreement
Grant Terms and Conditions
SAP 010-618-016**

WHEREAS, Carver County has applied to the Commissioner of Transportation for a grant from the Local Road Improvement Fund; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$3,760,000.00 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Carver County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and will pay any additional amount by which the cost exceeds the estimate and will return to the Local Road Improvement Fund any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

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 15th day of October, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 15th day of October 2024.

Dave Hemze

County Administrator

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

Date: October 15, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

**Local Road Improvement Program Grant Agreement
Grant Terms and Conditions
SAP 010-618-016**

WHEREAS, Carver County has applied to the Commissioner of Transportation for a grant from the Local Road Improvement Fund; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$6,240,000.00 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Carver County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and will pay any additional amount by which the cost exceeds the estimate and will return to the Local Road Improvement Fund any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

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 15th day of October, 2024, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 15th day of October 2024.

Dave Hemze

County Administrator



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Application for 1 day to 4 day Temporary On-Sale Liquor License for Chaska Rotary Club

Department: Property & Financial Services - Elections & Licensing

Contact: Brenda Jurek, Elections & Licensing Specialist, 952-361-1943

Presenter:

Contract Name & Number:

Meeting Date: October 15, 2024

Item Type: Regular Session

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

The Chaska Rotary Club, 1 City Hall Plaza Chaska MN, has applied for a 1 Day to 4 Day Temporary On-Sale Liquor License. They are planning an event for Saturday, November 9, 2024. The event will be held at Solseng Farm, 16315 Jonathan Carver Pkwy Carver MN 55315. The officers are Erin Kerber (President); Celine Haga (Vice President); Kristy Miklas (Secretary); Patricia Schaffran (Treasurer). There are no delinquent taxes owing on this property.

Action Requested:

Motion to approve the 1 Day to 4 Day Temporary On-Sale Liquor License application for the Chaska Rotary Club for Saturday, November 09, 2024. Board approval is subject to the receipt of all required paperwork, licensing fees paid, and all delinquent taxes paid.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Comments on the Metropolitan Council's Imagine 2050 Policy Plan

Department: Public Services - Planning & Water Management

Contact: Paul Moline, Deputy Division Director - Public Services, 952-361-1825

Presenter: Paul Moline, Deputy Division Director - Public Services

Contract Name & Number:

Meeting Date: October 15, 2024

Item Type: Regular Session

Strategic Initiative:
Growth: Manage the challenges and opportunities resulting from growth and development.

Background/Justification:
The Metropolitan Council has released a draft of the Imagine 2050 document which includes vision, goals, and policy direction for land use, housing, transportation, water resources, and regional parks. The guide will shape how this region grows in the next 30 years and will inform the contents of local 2050 comprehensive plans for Carver County including the cities & townships. Staff have sent comments to the Metropolitan Council to meet the October 7 deadline. Staff is seeking the County Board's formal approval of the comments and any amendments.

Action Requested:
Motion to affirm the staff comments and for the Board Chair to sign the attached letter to the Metropolitan Council regarding Imagine 2050.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

1. 241015_Carver County Comments Imagine 2050 Board



**Carver County
Government Center**

602 East Fourth Street • Chaska, MN 55318-2102
www.carvercountymn.gov

October 15, 2024

Mr. Charlie Zelle, Chair
Metropolitan Council
290 Robert St. North
St. Paul, MN 55101

RE: Comments on Imagine 2050

Dear Mr. Zelle,

Thank you for the opportunity to review and comment on the draft *Imagine 2050 Regional Development Framework* and the set of regional policy plans under consideration by the Metropolitan Council. Carver County recognizes the importance of these documents in setting the tone and direction of the region's growth and development over the next several decades. This is particularly important to Carver County as we are one of the fastest growing counties in the State of Minnesota. The letter provides comments on the following planning documents: *Transportation, Land Use, Parks and Trails, Housing, and Water*. These comments follow input sent to Metropolitan Council staff on October 7, 2024.

Forecasts

The revised Metropolitan Council population and household forecasts for 2050 show a reduction in Carver County 2030 & 2040 numbers. We believe that these reductions are too low and do not reflect the rapid growth that is occurring and likely to continue in the County. Recent building permit data trends and ongoing demand seem to support more robust numbers. We encourage the Council to revisit the forecasts to better include the growth strategies of the individual communities, the acreage included in local comprehensive plans and the trends in this growing area. **The resulting forecasts out to 2050 should be higher than what is shown in the 2050 document.**

2050 Transportation Policy Plan

Draft Goals, Policies, and Actions Content

Carver County provided comments on April 11, 2024, on draft 2050 TPP goals, policies and actions. We also provided individual comments in the SharePoint Portal as instructed. We did not receive specific feedback on our comments but note that overall organization of the Overview/Imagine 20-50 Transportation Chapter has been improved from the draft. The following general comments still apply to Carver County.

Overall County Perspective

Imagine 2050 has 5 Goals:

- Our region is equitable and inclusive.
- Our communities are healthy and safe.

- Our region is dynamic and resilient.
- We lead on addressing climate change.
- We protect and restore natural systems.

The 2050 TPP does not appear to have specific transportation goals. This is a significant departure from 2040 and makes it difficult to establish a transportation vision for the region. The 2050 TPP appears to now contain objectives related to the 5 regional goals. This is fine unless objectives are missing because they don't fit with the goals. There are no goals or objectives that address how the future population growth in all counties and corresponding transportation needs will be met. Land use and transportation are directly linked but this is not adequately reflected in the plan.

Carver County's top priority related to transportation is that we provide a safe a reliable system that meets the needs of all users now and into the future. The 2050 TPP should account for the growth patterns in every county in the region. Not all areas of the region have the same transportation needs. Currently, the regional transportation facilities in Carver County do not meet the transportation needs generated from the substantial growth the County and region have seen in recent years. This issue is of increasing importance given that Carver County is growing at a rapid pace, the fastest in the region and state according to the 2020 Census and is projected to maintain its significant growth into the future. Underinvestment in regional mobility projects on the minor arterial Trunk Highways further emphasizes the need for the 2050 TPP to establish goals and policies that address the growth of our region.

Policy Actions:

There are 5 Goals, 16 Objectives, 33 Policies and about 190 Actions. Is it necessary to include this many policies and actions to meet the objectives and goals? Implementing this plan will be incredibly difficult. I urge the Met Council to consolidate the policies and actions to a reasonable number. Carver County prioritized the following Objectives in the initial listening session with Met Council staff.

- *Infrastructure in poor condition is repaired and replaced.*
- *Existing transportation is modernized to serve current and emerging travel needs.*
- *People do not die or face life-changing injuries on all forms of transportation.*
- *Transportation Infrastructure withstands and recovers quickly from climate, natural and security disruptions.*
- *People are protected from extreme weather and resulting outcomes while using transportation (e.g. heat, floods)*
- *People have timely, reliable, and affordable driving, transit, walking, and biking options for reaching their destinations.*
- *Areas with the highest population, job, and household growth receive priority for transportation investments that address their growing needs.*
- *Newly developing areas of the region are supported with transportation investments that are appropriate for local development patterns.*
- *Our region attracts and retains people and businesses with nationally and internationally competitive driving, freight, transit, walking, and biking options.*
- *People and businesses can rely on time- and cost- effective movement of freight and goods.*

Only the 2 underlined appear to have been included. Overall, the objectives, policies and actions are not balanced by transportation need or mode.

2050 Transportation Policy Plan - Draft Investment & Finance Chapters

Carver County provided comments on May 13, 2024 to the draft 2050 TPP Investment & Finance Chapters. We also provided individual comments in the SharePoint Portal as instructed. We did not receive specific feedback on our comments. It appears many comments are still valid and are repeated below.

Highway Chapter

- 1. Highway project funding prioritization.** We appreciate the quantitative assessment of the regional transportation highway system including regional mobility and reliability needs. Carver County supports prioritizing funding for highway projects that are identified as having “Excessive Highway Delay” and “Highway Reliability” issues.
- 2. Balancing existing and forecasted needs.** Balance the priority to address existing congestion to also consider how the transportation system can be expanded to accommodate regional growth. Carver County supports statement that: *“a growing region requires targeted investments in highway mobility”*. We appreciate the recognition how the planned highway investments in this plan continue the pattern of falling behind population growth. This discussion, however, contradicts the investment principle on page 25 that states: *“Funding should focus on addressing today’s congestion issues as opposed to forecasted congestion issues given the limited funding and the backlog of existing, unresolved transportation needs. Future highway demand must be anticipated, but projects should be prioritized to address existing problems before problems that are forecasted to occur.”* Carver County requests thoughtful consideration and discussion regarding a nuanced mobility need approach that can address and incorporate both the existing and forecasted needs.
- 3. Support for county priorities.** Carver County supports and acknowledges incorporation of county priorities into this chapter including an emphasis on prioritizing safety projects and infrastructure resilience due to flooding.
- 4. Recognize the full federal aid transportation planning system.** We understand that this plan, per historical plans and precedent, is oriented around Principal Arterials and a subsection of Minor Arterial highways; however, the full federal aid transportation planning highway system includes all roadways classified as Minor Arterials and Collectors. Carver County requests the acknowledgement of the needs of the full federal aid highway system at a high level and in relationship to safety and mobility factors in order to better illustrate the total regional highway investment need.

Finance Chapter

- 1. Clarification needed on regional transit funding grants (Section 5309 funding).** Carver County requests clarification on the assumption defined for regional transit federal Capital Investment Grants (Section 5309 funding). The assumption for the finance chapter indicates: *“Regional transit receives competitive funding through the federal Capital Investment Grants (CIG, section 5309) program for transitway capital. These awards are on a project-by-project basis as the projects are approved. Consistent with the projects identified in the Transit Investment Plan, the financial plan includes CIG funding for the remaining costs of the METRO Green Line extension and Gold Line, and the full costs of the METRO Blue Line extension, Purple Line, and the Riverview modern streetcar.”* We noted this is a different assumption compared to IIJA competitive funding for both highway and transit projects, which are only included in the financial forecast if the project was awarded funding. Please clarify if this level of funding is consistent with previous award levels and how much of the

total federal funding available nationwide this represents in order to better understand if this is a reasonable assumption of funding availability. Our concern is the risk included in this high level of federal funding assumption for these projects has the potential to impact regional transportation funding needs and priorities if federal funding is not awarded.

Transit Chapter

1. Funding suburban transit service needs. Carver County disagrees with the creation of a Metro Transit funding set-aside of \$25 million for Arterial Bus Rapid Transit from the federal funding made available through the Regional Solicitation. This is discussed on page 6: “In 2020, the Regional Solicitation created a special category to support the build out of the arterial bus rapid transit system discussed later in the Transit Investment Plan.” To establish this set-aside, the Metropolitan Council directed funds away from the highway and bicycle/pedestrian modes as well as using transit modal funding. The focus on high frequency and ABRT service for use of the federal funding through the Regional Solicitation has left supporting transit services behind and at a disadvantage for funding. This has the greatest impact to suburban service needs in areas like Carver County.

Bicycle Chapter

1. Expand RBTN to entire regional planning area. Carver County requests continued focus on development of the RBTN to expand to the full planning area. The RBTN was created in 2015 within the MUSA and did not include an analysis and system vision for the entire regional planning area. The 2021 process allowed for agencies to submit lengthy applications for additions to RBTN and resulted in only one new corridor. Without RBTN designations that covers the whole region, it means that rural and rural center communities will not receive transportation project funding through the regional solicitation. The RBTN needs to be expanded to include the entire region including rural centers and rural areas.

2. RBTN Tier Review. RBTN Tiers have not been revised or allowed to be adjusted since inception. The requested RBTN work should include the ability to review and revise the tier designation, since it directly ties to project scoring and funding outcomes.

Pedestrian Chapter

1. Specific discussion of pedestrian safety in suburban environments. The text accurately reflects study findings that crashes in rural areas had much higher serious injury/fatality rates. Carver County requests acknowledgement and discuss of elevated pedestrian safety risk and crash severity rates in suburban environments. Although included in the study as a finding, this did not translate to the pedestrian safety scoring, which primarily prioritizes projects based on their location in urban areas over rural and suburban locations with less emphasis on the project’s safety impact.

2. Additional review/revision needed for pedestrian investment prioritization factors. Carver County requests technical review and consideration for revision of the pedestrian investment direction Prioritization factors. Carver County disagrees and objects to incorporating the location-based approach to safety project prioritization with a focus on urban-only location-based factors. The location-based factors selected and listed for prioritization exclude rural and suburban risk factors. Urban areas were identified as the most at risk based on the total number of crashes versus the crash rate and specifically the highest severity rate risk found in suburban areas as part of the study. Prioritizing location-based factors for project selection means projects are selected on where they are

located rather than on the safety improvements and benefits of the project to pedestrian safety. This request is for review and incorporation of location-based safety prioritization that accurately reflects the data analysis in the study as well as continued prioritization on the actual pedestrian safety benefits that a proposed project will implement.

Freight Chapter

1. Additional regional review of regional truck freight corridors needed. Carver County requests a comprehensive regional review of the Regional Truck freight corridors using updated MnDOT HCAADT and including County collected HCAADT for CSAHs (page 16-18). The text notes that local agencies were given an opportunity to propose new segments in 2022. Only a few agencies chose to utilize this opportunity, and it took considerable local staff time to produce the required materials to propose a new segment. This is leading to an inconsistent system due to the responsibility being placed on local agencies. This is compounded by a high level of data errors in MnDOT HCAADT for CSAHs. The MnDOT HCAADT database and establishment of the network did not translate County-collected HCAADT correctly, and it showed up with a data error of 10 HCAADT for most county segments in the initial 2017 study. MnDOT has improved their incorporation of HCAADT's for CSAHs considerably since 2017. Carver County requests a refreshed regional evaluation of the Regional Truck freight corridors due to data errors that excluded HCAADTs on CSAHs in the initial 2017 study. This could even be a general look at what roadways meet the threshold with HCAADT over 300 and adding them to the freight network.

Land Use 2050 Policy Plan

Carver County has reviewed the draft 2050 Land Use Policy plan and has the following comments:

- 1. Overall development strategy.** Carver County generally supports many of the land use goals included in the policy plan. Most goals align well with goals included in the County's 2040 and earlier Comprehensive Plans. In particular, the intention to maintain the agricultural use and character of the rural area until urban development and infrastructure are ready to grow.
- 2. Figure 1 Generalized Land Use composition.** The map indicates large areas of "undeveloped" land use. Many of these areas represent unbuildable areas due to wetlands, steep slopes, etc. It is recommended that the map follow many of the objectives, policies, and actions identified in the land use section. These mention the importance of maintaining natural systems and not developing these sensitive areas (particularly in Objective 4). Adding a land use that identifies these areas more clearly and reflects goals would clarify the objective between "undevelopable land" that is excluded from land capacity and land that could or would be developed. An option would be to add another figure that depicts areas identified in Objective 4. **Carver County recommends amending Figure 1 or adding another figure to show the location of sensitive areas or natural systems within areas identified as undevelopable.**
- 3. Figure 2 2050 Community Designations.** The map and subsequent descriptions do not match County land use policy. Laketown Township is designated as "Diversified Rural" while the rest of the townships in Carver County are identified as "Agricultural". There is no distinction in the County Comprehensive Plan between any of the Townships and there has not been since the 1970's. The latest 2040 plan identifies all townships as agricultural and allow for the same zoning designation and land use housing density choices (1/40 or

4/40). Having only Laketown designated differently is confusing and does not impact any action steps that would be taken by the County in implementing the Comp Plan. The only difference is that Laketown Twp. has several “201” community sewer systems, which do not impact current policy or zoning. If the Met Council intends to have a different policy in providing sewage infrastructure, and that affects the land use designation, it should be spelled out in the policy document more clearly. **Carver County recommends changing Laketown Township to “Agricultural” or expanding on sewage infrastructure policy.**

4. **Table 2 Overall Density expectations by community designation and service area.** The table does not accurately reflect long-standing County policy which has a base density of 1/40 but allows townships to choose certain incentive options up to 4/40. This policy has been in place since the 1980’s and has been an effective way to protect natural areas and utilize non-prime ag land. By stating the density as “maximum allowed”, it conflicts with approved County land use policy. **Carver County recommends amending the table to include 4/40 in Agricultural areas as an incentive tool.**
5. **Objective 4 Prioritize land use and development activities that protect, restore, and enhance natural systems at all scales.** P1, A2 & P2, A1 seem like similar action steps and the difference between them is unclear. P1, A2 also needs more detail and examples as it is unclear what is expected of the County in Township areas. Does a broad land use policy of limiting development to 1/40 or 4/40 suffice or are more specific regulations anticipated? While it seems the County policies generally follow and support this effort, more specifics are needed before support of this action step can occur. P5, A3 create similar questions and comments as above. What is the requirement for the County in “creating interconnected networks...” **Carver County recommends adding clarifying language to these action steps.**
6. **Objective 7 Implement land use and development practices that reduce greenhouse gas emissions, embed climate adaptation, and create resilient communities.** P1, A6 & A7 have new requirements around greenhouse gas emissions that are very vague and could place the County in a difficult situation to meet. Many questions result from this action step: What does the inventory include?, How are projections made? Why is the County getting into this level of detail? How is the County involved in the whole range of land uses that generate greenhouse gases? What kind of strategies from a land use perspective would address the results of an inventory? Is an overall lower density land use policy strategy enough?

P5, A8 states that the County should allocate dedicated funding to support the action. More clarity is needed here about the requirements. Creating incentive policies is one thing, but finding local funds to tackle climate solutions is potentially a big lift for local government. Many of these actions steps seem better suited for regional or state implementation. **Carver County recommends removing the inventory, strategies, and funding requirement or adding significant clarifying language in these action steps.**

Parks and Trails 2050 Policy Plan

1. **Total Trail Miles.** The total number of regional trail miles varies in the plan. Page 2 indicates 457 miles of regional trail are open to the public while page 17 indicates there are 560 miles of regional trail.
2. **Cultural Landscape Subclassification (page 31).** A minimum size is not indicated. Additionally, if examples of cultural landscapes other than burial mounds exist they should also be included in the classification.

3. **Recreation, Facilities, and Programming Action 1 (page 81).** In reference to the statement, “A static list of eligible activities no longer sufficiently encompasses the needs of our future Regional Parks and Trails System,” often we are compared to the state park system in terms of providing outdoor based activities. While understanding the need to evolve recreation opportunities for greater inclusion of other cultures, our uses should be consistent with that of the state park system if we are going to make the comparison relevant in the eyes of Legislators.
4. **Recreation, Facilities, and Programming Action 3 (page 85).** In reference to the statement, regional parks “play an important role in our physical, social, emotional, spiritual, and mental health,” is there more direct term other than emotion or can specific emotions be called out? What emotions are we working to satisfy?
5. **Finance Policy – Regional and State Bond Funds (page 91).** The legislature has been unreliable in matching the capacity of Council bonds. The regional system has grown significantly since this amount was initially created. The Council should consider new funding methods to increase the ability to fund capital investments in the regional system.
6. **Finance Action 1 (page 93).** The funding formula does not recognize what it takes to create a new regional park. Emerging regional park agencies are not able to fund initial development costs under this funding formula. Other metrics are needed to bring a new regional park online to a service level that provides roads, parking, utilities, shelter, restrooms, and a level of amenity to attract users. Other metrics should be incorporated to advance the ability of emerging regional park agencies to fund capital costs beyond a formula basis. Without development, the ability for an emerging regional park agency to attract visits is diminished.
7. **Finance Action 3 (page 94).** Eligibility for the Park Acquisition Opportunity Fund should be broadened to include Phase I Development for new park areas to provide infrastructure of roads, parking lots, utilities, and restrooms.
8. **Finance Action 5 (page 95).** Regarding Federal funding for regional trails, there is a need to develop a two-tier system which allows urban/suburban projects to compete against one another and a second tier for the suburban/rural areas to compete for the funding.

Housing 2050 Policy Plan

1. Carver County would like to offer an overarching comment that the 2050 draft *Housing Policy Plan* seems to sit by itself. It lacks authentic collaboration, and superficially mentions, key partners in the space like the Minnesota Housing Finance Agency and Minnesota Department of Human Services. Carver County would encourage the Metropolitan Council to strengthen their partnership with State and local entities deeply immersed in this work.
2. **Objective 1: Fair Housing and Geographic Choices.**
 - a. **“Goal:** Encourage the development of affordable housing in all areas of the region by exploring options to provide funding for the development of local housing programs that will increase affordable housing opportunities, with priority for cities and townships that do not have a demonstrated history of developing affordable housing.”

Carver County Comment: Affordable housing development is needed everywhere, especially in the more rural parts of Carver County. Because these small communities, Watertown, Hamburg, or Norwood for example, lack public transportation, thus lose

points when applying for affordable housing dollars. If the goal is to give people choice in where they want to live and give priority for cities and townships (and towns) that do not have a demonstrated history of developing affordable housing, then how funding applications are scored needs to change. **Consider the population of smaller, rural communities in a revised scoring system.**

3. Objective 2: Options to Own and Rent.

- a. **“Goal:** Explore opportunities for Metro HRA to expand capacity for programs that increase the ability for voucher holders to build wealth and access the housing of their choice as their economic situation changes.”

Carver County Comment: We encourage adding a housing choice voucher homeownership program as an option for Metro HRA Housing Choice Voucher holders. Many voucher holders that we work with express a desire to use their voucher in this way, but it is not currently possible in the Metro HRA service area. Expand funding opportunities for affordable homeownership models (e.g. community land trusts).

- b. **“Goal:** Explore the Met Council’s ability to use Met Council-owned land to support affordable housing development, especially in identified Transit-Oriented Development areas.”

Carver County Comment: We understand this goal is specific to Metropolitan Council-owned land. However, affordable housing development is needed everywhere, in both transit-oriented areas and in communities that lack public transportation. Some rural communities that lack transit, want to bring more affordable housing development to their communities as well but have a hard time competing for funding when they lack the access to transit. Many low-income households who live in rural communities have vehicles because it is necessary. If the goal is to give people choice in where they want to live, there should be affordable housing options everywhere, not just where there is transit.

Provide technical assistance and share strategies to counties and local governments to coordinate use of new sources of housing funding and to develop affordable housing opportunities through local program development. This is an important goal outlined in Objective 2. Encourage the Met Council to reach out and learn more about the broader collaboration already taking place in the 7-county metro area on strategies to coordinate the use of new sources of housing funding.

4. Objective 3: Stability

- a. **“Goal:** Support continued participation in project-based subsidy programs by engaging property owners and emphasizing the community benefits of participation.”

Carver County Comment: Current waiting lists for project-based housing options, as well as Rural Development Projects, are long and difficult to access. Along with encouraging more project-based subsidy programs, we encourage continued support of the development of a centralized waiting list process where participants can complete one application and be placed on multiple waiting lists across a region at the same time.

- b. **“Goal:** Require local comprehensive plans to identify tools the local government will seek to use or continue to use to meet the need for stabilizing services and shelter.

AND Convene partners throughout the region to set goals and address the need for Shelter as a regional issue.”

Carver County Comment: Adequate funding dedicated to the creation of supportive shelter programs designed to meet local community needs, are essential to supporting any shelter plans created. Communities cannot be required to create shelter without the funding to support successful models.

5. Objective 4: Quality

- a. **“Goal:** Promote the use of housing code updates to encourage construction of more affordable, maintainable, high-quality, safe, and climate-resilient homes. AND promote the use of Housing code enforcement or rental licensing as tools to maintain unsubsidized affordable housing.

Carver County Comment: Encouraging and incentivizing rental property owners to accept Housing Choice Vouchers as well as Permanent Supportive Housing programs if the applicant passes all other selection criteria for the property creates an entrance to housing stability and future home ownership; and helps persons gain access to housing. When a property owner doesn’t accept vouchers, the application is denied because the applicant can’t prove that their income totals two to three times the monthly rent amount. But if the applicant has a voucher, the rent will automatically be 30% of their income. Better connect low income housing tax credit projects and voucher support to ensure that max rents are supported by vouchers.

Inform state building code updates to encourage construction of more affordable, maintainable, high-quality, safe, and climate-resilient homes. Balance this with the increased costs it adds to projects and ensure they are then properly funding projects and providing technical assistance prior to submitting an application to ensure this is accounted for in the total development costs.

Water 2050 Policy Plan

1. **Overall approach.** Carver County commends the Metropolitan Council on the inclusion of water planning, depth of analysis of the several layers of water related governance, and depth of technical review of the many water related issues in the policy plan. The specific actions that the Metropolitan Council will require from local government seem to get lost in this large document however. This is particularly important as local governments are subject to state (BWSR) and watershed requirements. **To help local governments, action strategies should be highlighted and summarized more clearly in the document.**
2. **“Objective 7: Pollution Prevention and Contaminant Management Policy - Actions: Partner.** (a) Develop potential water quality standards with stakeholder groups, state agencies, local utility organizations, researchers, and regional water professionals.”

Carver County Comment: More detail is needed here on what water quality standards the Met council is proposing over and above what are required by the state. Is the goal to collaborate with these stakeholders or have the Met Council adopt new standards?

3. **Objective 7 - Pollution Prevention and Contaminant Management Policy – Actions: Partner.** (i) Partner with local public works and city planners to ensure stormwater infrastructure helps protect and enhance receiving waterbody quality.

Carver County Comment: This statement needs more clarification on the Met Council's role. Regulation, standards, tech assistance, research, monitoring, implementation, etc.? Overall, the Council's identified role in stormwater involvement at the local level needs to be more straightforward.

4. **“Objective 8: Water Monitoring, Data, and Assessment Policy – Actions: Plan. (g) Explore and identify data sources to support the understanding of water value and use to support the Priority Waters List and its use by our stakeholders.”**

Carver County Comment: The County recommends adding language that the Priority Waters List should reflect priorities identified in Watershed Management Plans.

5. **Figure 3.7: Subregional water supply planning areas, from the Water Supply Planning Atlas.**

Carver County Comment: The organization of these area should reflect local planning more accurately. For example, the Counties are allowed to create GW plans that align with county areas. These new areas could increase confusion on planning authority.

6. **Table 3.9: Subregional water supply stakeholders proposed several actions.**

Carver County Comment: The planning section doesn't mention counties' role per state statute as mentioned earlier in document.

Thank you again for the opportunity to comment on these important regional vision documents and we look forward to reviewing the refined documents and working with the Council on the planning process moving forward.

Respectfully,

Gayle Degler, Carver County Board Chair

cc. David Hemze, Carver County Administrator



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Transitioning Carver CD 5 to a Joint Ditch Authority with Mcleod County

Department: Property & Financial Services

Contact: David Frischmon, Property and Finance Division
Director , 952-361-1506

Presenter: David Frischmon, Property and Finance Division
Director

Contract Name & Number:

Meeting Date: October 15, 2024

Item Type: Ditch/Rail Authority

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

Background/Justification:
The viewers appointed to redetermine drainage benefits for Carver CD 5 have determined that less than 1% of the drainage system has benefited property owners in Mcleod County. Thus, Carver County's ditch attorney is recommending that a new Joint Ditch Authority be established with Mcleod County consisting of 4 County Commissioners from Carver County and 1 County Commissioner from Mcleod County. Carver County's ditch attorney has prepared the attached resolution to create a new Carver/Mcleod Joint Ditch Authority to complete the redetermination of benefits process.

Action Requested:
Adopt the attached resolution creating a Joint Ditch Authority with Mcleod County for Carver CD 5

Fiscal Impact:	
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Ditch activities and projects are paid for by the benefiting property owners with no impact on the county budget or levy.

Attachments:

1. Carver County Resolution Forming JDA CD 5 1

**STATE OF MINNESOTA
CARVER COUNTY BOARD OF COMMISSIONERS
SEATED IN ITS CAPACITY AS A MEMBER OF THE PROPOSED JOINT COUNTY DRAINAGE
AUTHORITY OF CARVER AND MCLEOD COUNTIES FOR CARVER COUNTY DITCH 5**

At a duly noticed and public meeting, the Carver County Board of Commissioners, seated as a member of the Joint County Drainage Authority of Carver and McLeod Counties for Carver County Ditch (CD) 5, met to review the Resolution below. After a presentation and discussion of the matters herein, Commissioner _____ moved, seconded by Commissioner _____, to adopt the following Resolution:

**RESOLUTION TO CONFIRM AND RATIFY CARVER AND MCLEOD JOINT COUNTY DRAINAGE
AUTHORITY FOR CD 5, CONFIRMING SELECTION OF MEMBERS TO JOINT COUNTY DRAINAGE
AUTHORITY BOARD, DETERMINING SELECTION OF MEMBERS TO FILL VACANCIES, AND
DESIGNATING MAJORITY COUNTY**

WHEREAS, pursuant to Minnesota Statutes, section 103E.235, subdivision 2, a public drainage system established or benefitting land in two or more counties requires the formation of a joint county drainage authority board consisting of five members, with at least one member from each county board of commissioners; and

WHEREAS, Carver CD 5 is an established public drainage system with currently benefitted lands only in Carver County; and

WHEREAS, by Resolution 01-22, Carver County initiated a redetermination of benefits for CD 5; and

WHEREAS, during viewing, viewers have identified benefitted properties in McLeod County; and

WHEREAS, Carver and McLeod Counties must establish a Joint Drainage Authority ("Carver and McLeod JDA" or "JDA") to serve as the public drainage authority over McLeod County property benefitted by CD 5 and the Carver and McLeod JDA for CD 5 must include at least one member from McLeod County; and

WHEREAS, a vacancy in the membership of the joint county drainage authority must be filled by joint action of the boards.

NOW, THEREFORE, BE IT RESOLVED by this Board of Commissioners as follows:

1. The Boards of Commissioners of Carver and McLeod Counties are taking joint and concurrent action through identical resolutions to each select members from their respective boards of commissioners for appointment to the Carver and McLeod JDA for CD 5 and to proscribe the process for filling future vacancies in membership of the Carver and McLeod JDA.

2. That the Carver County Board of Commissioners appoints the following initial members from Carver County as members for appointment to the Carver and McLeod JDA for CD 5:

Gayle Degler (District 1)
Matt Udermann (District 3)
Tim Lynch (District 4)
John Fahey (District 5)

3. That the Carver County Board of Commissioners confirms the concurrent appointment by the McLeod County Board of Commissioners the following initial members from McLeod County as members for appointment to the Carver and McLeod JDA for CD 5:

Doug Krueger (District 2)

4. Future vacancies on the Carver and McLeod JDA for CD 5 from Carver County shall be filled by the successor Commissioner from the District indicated herein.
5. That since a majority of land benefited by CD 5 is located within Carver County, Carver County shall be the “majority” county under Minnesota Statutes, chapter 103E.
6. That this Resolution, upon being adopted by all counties constituting members of the Carver and McLeod JDA for CD 5, constitutes the joint meeting directed under Minnesota Statutes, section 103E.235, subdivision 2, and that said Resolutions by other member counties are cross-ratified by this Board for the formation of the Carver and McLeod Joint County Drainage Authority for CD 5 and for fulfilling all future vacancies by and through the process described herein.
7. That should the redetermination of benefits for CD 5 be adopted to include property in McLeod County, the Carver and McLeod JDA for CD 5 established herein shall be perpetual until either dissolved or modified by future action of the Carver and McLeod County Boards of Commissioners, seated jointly or through joint action.
8. That should the redetermination of benefits for CD 5 be adopted to include property in McLeod County, the Carver and McLeod JDA for CD 5 established herein shall redesignate CD 5 as a Joint Drainage System and assign a number not in conflict with current system designations in either County.
9. By this Resolution, the Carver County Board confirms and ratifies all of its prior acts in initiating the redetermination of benefits and appointing viewers in the proceedings.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing Resolution and there were _____ yeas, _____ nays, _____ absent, and _____ abstentions as follows:

	Yea	Nay	Absent	Abstain
DEGLER	☐	☐	☐	☐
WORKMAN	☐	☐	☐	☐
UDERMANN	☐	☐	☐	☐
LYNCH	☐	☐	☐	☐
FAHEY	☐	☐	☐	☐

Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

Gayle Degler, Chairman

Dated: _____

* * * * *

I, Crystal Campos, Carver County Auditor, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the Carver County drainage authority and find the same to be a true and correct transcript thereof. The above order was filed with me, Carver County Auditor, on _____, 2024.

IN TESTIMONY WHEREOF, I hereunto set my hand this ____ day of _____, 2024.

Crystal Campos, Auditor



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Transitioning Carver CD 7 to Joint Ditch Authority with Mcleod County

Department: Property & Financial Services

Contact: David Frischmon, Property and Finance Division Director , 952-361-1506

Presenter: David Frischmon, Property and Finance Division Director

Contract Name & Number:

Meeting Date: October 15, 2024

Item Type: Ditch/Rail Authority

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

Background/Justification:
The viewers appointed to redetermine drainage benefits for Carver CD 7 have determined that less than 5% of the drainage system have benefiting property owners in Mcleod County. Thus, Carver County's ditch attorney is recommending that a new Joint Ditch Authority be established with Mcleod County consisting of 4 County Commissioners from Carver County and 1 County Commissioner from Mcleod County. Carver County's ditch attorney has prepared the attached resolution to create a new Carver/Mcleod Joint Ditch Authority to complete the predetermination of benefits process.

Action Requested:
Adopt the attached resolution creating a Joint Ditch Authority with Mcleod County for Carver CD 7

Fiscal Impact:	
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Ditch activities and projects are paid for by the benefiting property owners with no impact on the county budget or levy.

Attachments:

1. Carver County Resolution Forming JDA CD 7 1

**STATE OF MINNESOTA
CARVER COUNTY BOARD OF COMMISSIONERS
SEATED IN ITS CAPACITY AS A MEMBER OF THE PROPOSED JOINT COUNTY DRAINAGE
AUTHORITY OF CARVER AND MCLEOD COUNTIES FOR CARVER COUNTY DITCH 7**

At a duly noticed and public meeting, the Carver County Board of Commissioners, seated as a member of the Joint County Drainage Authority of Carver and McLeod Counties for Carver County Ditch (CD) 7, met to review the Resolution below. After a presentation and discussion of the matters herein, Commissioner _____ moved, seconded by Commissioner _____, to adopt the following Resolution:

**RESOLUTION TO CONFIRM AND RATIFY CARVER AND MCLEOD JOINT COUNTY DRAINAGE
AUTHORITY FOR CD DITCH 7, CONFIRMING SELECTION OF MEMBERS TO JOINT COUNTY
DRAINAGE AUTHORITY BOARD, DETERMINING SELECTION OF MEMBERS TO FILL VACANCIES,
AND DESIGNATING MAJORITY COUNTY**

WHEREAS, pursuant to Minnesota Statutes, section 103E.235, subdivision 2, a public drainage system established or benefitting land in two or more counties requires the formation of a joint county drainage authority board consisting of five members, with at least one member from each county board of commissioners; and

WHEREAS, Carver CD 7 is an established public drainage system with currently benefitted lands only in Carver County; and

WHEREAS, by Resolution 01-22, Carver County initiated a redetermination of benefits for CD 7; and

WHEREAS, during viewing, viewers have identified benefitted properties in McLeod County; and

WHEREAS, Carver and McLeod Counties must establish a Joint Drainage Authority ("Carver and McLeod JDA" or "JDA") to serve as the public drainage authority over McLeod County property benefitted by CD 7 and the Carver and McLeod JDA for CD 7 must include at least one member from McLeod County; and

WHEREAS, a vacancy in the membership of the joint county drainage authority must be filled by joint action of the boards.

NOW, THEREFORE, BE IT RESOLVED by this Board of Commissioners as follows:

1. The Boards of Commissioners of Carver and McLeod Counties are taking joint and concurrent action through identical resolutions to each select members from their respective boards of commissioners for appointment to the Carver and McLeod JDA for CD 7 and to proscribe the process for filling future vacancies in membership of the Carver and McLeod JDA.

2. That the Carver County Board of Commissioners appoints the following initial members from Carver County as members for appointment to the Carver and McLeod JDA for CD 7:

Gayle Degler (District 1)
Matt Udermann (District 3)
Tim Lynch (District 4)
John Fahey (District 5)

3. That the Carver County Board of Commissioners confirms the concurrent appointment by the McLeod County Board of Commissioners the following initial members from McLeod County as members for appointment to the Carver and McLeod JDA for CD 7:

Nathan Schmalz (District 1)

4. Future vacancies on the Carver and McLeod JDA for CD 7 from Carver County shall be filled by the successor Commissioner from the District indicated herein.
5. That since a majority of land benefited by CD 7 is located within Carver County, Carver County shall be the “majority” county under Minnesota Statutes, chapter 103E.
6. That this Resolution, upon being adopted by all counties constituting members of the Carver and McLeod JDA for CD 7, constitutes the joint meeting directed under Minnesota Statutes, section 103E.235, subdivision 2, and that said Resolutions by other member counties are cross-ratified by this Board for the formation of the Carver and McLeod Joint County Drainage Authority for CD 7 and for fulfilling all future vacancies by and through the process described herein.
7. That should the redetermination of benefits for CD 7 be adopted to include property in McLeod County, the Carver and McLeod JDA for CD 7 established herein shall be perpetual until either dissolved or modified by future action of the Carver and McLeod County Boards of Commissioners, seated jointly or through joint action.
8. That should the redetermination of benefits for CD 7 be adopted to include property in McLeod County, the Carver and McLeod JDA for CD 7 established herein shall redesignate CD 7 as a Joint Drainage System and assign a number not in conflict with current system designations in either County.
9. By this Resolution, the Carver County Board confirms and ratifies all of its prior acts in initiating the redetermination of benefits and appointing viewers in the proceedings.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing Resolution and there were _____ yeas, _____ nays, _____ absent, and _____ abstentions as follows:

	Yea	Nay	Absent	Abstain
DEGLER	☐	☐	☐	☐
WORKMAN	☐	☐	☐	☐
UDERMANN	☐	☐	☐	☐
LYNCH	☐	☐	☐	☐
FAHEY	☐	☐	☐	☐

Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

Gayle Degler, Chairman

Dated: _____

* * * * *

I, Crystal Campos, Carver County Auditor, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the Carver County drainage authority and find the same to be a true and correct transcript thereof. The above order was filed with me, Carver County Auditor, on _____, 2024.

IN TESTIMONY WHEREOF, I hereunto set my hand this ____ day of _____, 2024.

Crystal Campos, Auditor