



**Carver County Board of Commissioners
February 4, 2025
Board Meeting**

The County Board Room is open to the public

This meeting will be broadcast live at:
<https://youtube.com/@CarverCountyMN>

- 8:00 a.m. 1. **CONVENE AS THE COUNTY DITCH AUTHORITY**
- 1.1. Pledge of allegiance
- 1.2. County Ditch #6 Redetermination of Benefits Public Hearing 4-5
- 1.3. County Ditch #9 Redetermination of Benefits Public Hearing 6-7
- 1.4. County Ditch #10 Redetermination of Benefits Public Hearing 8-9
- 9:00 a.m. 2. **RECESS AS COUNTY DITCH AUTHORITY AND CONVENE AS
 COUNTY BOARD**
- 2.1. 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
- 2.2. Agenda review and adoption
- 2.3. Approve January 14, 2025 minutes 10-12
- 2.4. Community Announcements
- 9:20 a.m. 3. **CONSENT AGENDA**
- 3.1. Charitable Gambling Application for Exempt Permit-Ridgeview
 Foundation13
- 3.2. Charitable Gambling Application for Exempt Permit-Chaska Sno Hawks
 14

3.3. Professional Services Agreement for Development of Project Schedule Templates.....	15-16
3.4. Mike & Colleen Klingelhutz - Request for Additional Density CUP (One Lot Incentive)	17-22
3.5. Mike Schonhardt - Request for Home Extended Business Accessory Use (CUP)	23-28
3.6. Peter & Wendy Daggett - Request for a Public Equestrian Facility (CUP)	29-35
3.7. PSA with Clean Harbors Environmental Services, Inc. for Hazardous Materials Collection and Processing.....	36-37
3.8. Law Library Staffing.....	38-40
3.9. Teamsters Licensed Management Unit 2025-2026 Collective Bargaining Agreement	41-43
3.10. Zimmerman Subdivision - Preliminary Plat.....	44-55
3.11. HHS Public Health: PSA for Emergency Preparedness Consultation Services	56-57
3.12. Professional Service Agreement with Scott-Carver-Dakota CAP Agency for Health Care Services.....	58-59
3.13. HHS staff attendance at 2025 Corporation for Supportive Housing Summit in Chicago, Illinois	60-61
3.14. National Opioid Settlement - Funding Approval for HHS-Probation and PSA for Marbigail Therapy Services	62-63
3.15. HHS Probation/Court Services: Diyanian Contract with Marbigail Therapy Services, LLC	64-65
3.16. HHS Probation/Court Services: Certified Peer Recover Specialist (CPRS) contract with NorthStar Regional for Drug Court	66-67
3.17. Donation(s) Authorization for Promotion of Parks & Recreation Services.....	68
3.18. Approval of Out of State Travel for Parks Department Staff	69
3.19. Construction Contract for Enhanced Pavement Markings Project with Century Traffic, LLC.....	70-73
3.20. Clarify Resolution No. 96-24: Purchase Agreement for the Highway 11 Project - Carver Park Reserve.....	74-81

- 3.21. Settlement Agreements for Right of Way Acquisitions for the Highway 5 Project - Arboretum Area 82-86
- 3.22. Settlement Agreements for Right of Way Acquisitions for the Highway 18 Project - Arboretum Area 87-91
- 3.23. Review Health & Human Services and Commissioner Warrants
- 9:30 a.m. 4. **REGULAR SESSION**
 - 4.1. Appointments to Advisory Committees 92-94
- 11:00 a.m. 5. **RECESS AS COUNTY BOARD AND RECONVENE AS COUNTY DITCH AUTHORITY**
 - 5.1. County Ditch #2-3 Redetermination of Benefits Public Hearing..... 95-96
- 6. **RECESS AS COUNTY DITCH AUTHORITY AND RECONVENE AS COUNTY BOARD**
- 12:00 p.m. 7. **COUNTY ADMINISTRATOR REPORT**
- 12:10 p.m. 8. **ADJOURN REGULAR SESSION**

UPCOMING MEETINGS AND EVENTS

February 4, 2025	12:30 p.m.	CDA Community & Economic Development Meeting at Charlson Meadows (1601 Hwy 7, Victoria, MN)
February 18, 2025	9:00 a.m.	Board meeting
February 25, 2025	9:00 a.m.	Board Work Session
March 4, 2025	9:00 a.m.	Board Meeting
March 18, 2025	9:00 a.m.	Board Meeting
March 25, 2025	9:00 a.m.	Board Work Session
April 1, 2025	9:00 a.m.	Board Meeting
April 8, 2025	9:00 a.m.	Board Meeting
April 22, 2025	9:00 a.m.	Board Work Session



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: County Ditch #6 Redetermination of Benefits Public Hearing

RBA Number: 2025-168

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2O Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Ditch/Rail Authority

Strategic Initiative:

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

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 22, 2022, the County Ditch Authority ordered a Redetermination of Benefits for CD6. The appointed viewers have submitted a viewers' report and a notice for a 2/4/25 public hearing at 8:00 am has been published, posted and mailed as required by law.

Action Requested:

Open Public Hearing

Take Public Comment

Close Public Hearing

Consider adopting Viewers recommended Redetermination of Benefits for CD6

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

All ditch costs are paid by benefiting land owners. No property tax dollars are spent on ditch related activities.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: County Ditch #9 Redetermination of Benefits Public Hearing

RBA Number: 2025-169

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2O Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Ditch/Rail Authority

Strategic Initiative:

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

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 22, 2022, the County Ditch Authority ordered a Redetermination of Benefits for CD9. The appointed viewers have submitted a viewers' report and a notice for a 2/4/25 public hearing at 8:00 am has been published, posted and mailed as required by law.

Action Requested:

Open Public Hearing

Take Public Comment

Close Public Hearing

Consider adopting Viewers recommended Redetermination of Benefits for CD9

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

All ditch costs are paid by benefiting land owners. No property tax dollars are spent on ditch related activities

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: County Ditch #10 Redetermination of Benefits Public Hearing

RBA Number: 2025-170

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2O Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Ditch/Rail Authority

Strategic Initiative:

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

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 22, 2022, the County Ditch Authority ordered a Redetermination of Benefits for CD10. The appointed viewers have submitted a viewers' report and a notice for a 2/4/25 public hearing at 8:00 am has been published, posted and mailed as required by law.

Action Requested:

Open Public Hearing

Take Public Comment

Close Public Hearing

Consider adopting Viewers recommended Redetermination of Benefits for CD10

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

All ditch costs are paid by benefiting land owners. No property tax dollars are spent on ditch related activities

Attachments:

None

Carver County Board of Commissioners
Regular Meeting
January 14, 2025

A Regular Meeting of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on January 14, 2025. Chair Tom Workman convened the session at 09:01 AM

Members present: John P Fahey, Tim Lynch, Matt Udermann, Tom Workman, Lisa Anderson

Matt Udermann moved, Tim Lynch seconded, to approve the agenda. Motion carried unanimously.

Lisa Anderson moved, Matt Udermann seconded, to approve the minutes of the January 7, 2025, Regular Session. Motion carried unanimously

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

County Board issued a tobacco license to Anna Tobacco and Smoke Shop Victoria. Board approval is subject to the receipt of all required paperwork, licensing fee paid, signed affidavit, and all delinquent taxes are paid.

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

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

Approved motion to contract with RMB Environmental Laboratories, Inc pending finalization of the contract review process.

Approved Professional Service Agreement with MiC.A.S.A. for the Opioid settlement Esperanza y Salud (Hope and Health) Project not to exceed \$45,000, utilizing National Opioid Settlement funds.

Approved Professional Service Agreement with Allos Ministries for the Allos Ministries National Opioid Settlement Funding Project not to exceed \$16,800, utilizing National Opioid Settlement funds.

Approved staff funding recommendations for 2025 city and township waste reduction and recycling grants.

Approved the use of \$255,000 of Local Affordable Housing Aid (LAHA) funding and approve Professional Service Agreements to support CAP Agency, Maverick Unified Services, Skyline Inc, and Volunteers of America agencies for the provision of Housing Support Programs to Carver County residents.

Approved the Joint Powers Agreement with McLeod County for provision of mental health crisis services with an amount of revenue not to exceed \$2,500 and a no later than end date of

March 31, 2025.

Approved motion to approve and accept the Minnesota Department of Health - cannabis and Substance Use Prevention Grant.

Approved contract with Eastern Carver County Independent School District 112 for provision of mental health services.

Approved motion to exercise the Board's discretion to make the appraisal and offer data public and Motion to adopt resolution 3-25 to approve right of way acquisition settlements for the Highway 5 Project - Arboretum Area for the property located at PID#'s: 65.5550010 and 65.4640670.

Approved motion to exercise the Board's discretion to make the appraisal and offer data public and a Motion to adopt resolution 4-25 to approve right of way acquisition settlements for the Highway 11 Project - Carver Park Reserve for the properties located at PID #'s: 65.0110210, 65.0110300, 65.3100110, and 65.0110220.

Approved the sale of K9 Ringo to Sergeant Nate Mueller on January 15th, 2025 pending review and approval by Carver County Risk management and County Attorney office.

Approved the acceptance and use of the funds towards new equipment for our K9 Unit.

Approved the 2025 Chanhassen policing contract which includes the elimination of 1.0 licensed deputy and creation of 1.0 licensed sergeant and buy-up of a 2080 licensed sergeant position to a 2184 licensed sergeant position.

Adopted resolution 5-25 authorizing and directing the consultant county attorney and county staff to take all steps necessary to acquire the right of way and easements necessary for the Highway 5 Project – Arboretum Area, by filing an action in eminent domain, negotiation of early entry authorization, and the use of the quick-take procedure.

Adopted resolution 6-25 of support for Scott County's submittal of a Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation Program Grant Application for the Minnesota River Crossing and Flood Resiliency Study

Approved the Master Easement Agreement between the Regents of the University of Minnesota and Carver County for the Arboretum Area Improvement Projects subject to completion of the contract review process.

Approved the 2025 Pay Equity Implementation Report and authorize Employee Relations to submit the report to the State of Minnesota.

Reviewed January 13, 2025, Community Social Services' actions/Commissioners' warrants in the amount of \$535,536.55.

Motion carried unanimously.

The County Board recognized and thanked 4 advisory committee members, Gwen Kuhrt, Library Board, Mark Lagergren, Park Commission, Mary Strother, Water Management Committee and Carroll Aasen, Water Management Committee. Mary Strother was presented and spoke on being on the Water Management Organization and also about the Arts Consortium of Carver County.

Discussion from Commissioners on Greater MSP annual membership, No motion on this agenda item, Commissioners requested representation from Greater MSP to attend a work session and speak on the return on investment for Carver County.

Tom Workman moved, Tim Lynch seconded to appoint Wendy Eggers to the Library Board for represent District 2.

John P. Fahey moved, Tim Lynch seconded to withdraw the appointment of Kellen Schmidt to District 5 on the Water Management Organization and appoint Kellen to represent Bevens Creek. Motion carried Unanimously.

John P. Fahey moved, Tim Lynch seconded to appoint Joe Polunc to District 5 for the Water Management Organization.

Lisa Anderson moved, John P. Fahey seconded to appoint Mary Stasson to represent East/West Chaska Creek on the Water Management Organization.

Tim Lynch moved, Matt Udermann seconded, to enter into a closed session at 10:13 a.m. to discuss confidential appraisal data and last written offers for the acquisition of real property for the Highway 5 Project – Arboretum Area, pursuant to Minnesota Statutes Section 13D.05, Subd. 3(c). Motion carried unanimously.

Tim Lynch moved, John P. Fahey seconded, to go back into regular session. Motion Carried Unanimously 4-0, Matt Udermann absent.

Tim Lynch moved, Lisa Anderson seconded, to reconvene as the Carver County Board. Motion Carried Unanimously 4-0, Matt Udermann absent.

Lisa Anderson moved, Tim Lynch seconded to adjourn as the Carver County board at 12:20 p.m. Motion Carried Unanimously 4-0, Matt Udermann absent.



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Charitable Gambling Application for Exempt Permit-
Ridgeview Foundation

RBA Number: 2025-109

Department: Property & Financial Services - Elections & Licensing

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

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

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

Background/Justification:
A Charitable Gambling application for Exempt Permit was received from the Ridgeview Foundation. They plan to hold a raffle on June 23, 2025 at Island View Golf Club located at 7795 Laketown Pkwy, Waconia, MN 55387. This applicant has received this same type of license previously.

Action Requested:
Approval to issue a Charitable Gambling License to the Ridgeview Foundation for a raffle to be held on June 23, 2025.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Charitable Gambling Application for Exempt Permit-
Chaska Sno Hawks

RBA Number: 2025-110

Department: Property & Financial Services - Elections & Licensing

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

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

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

Background/Justification:
A Charitable Gambling application for Exempt Permit was received from the Chaska Sno Hawks. They plan to hold a raffle on March 1, 2025 at Stick's Tavern located at 6940 Dahlgren Rd, Chaska, MN 55318. This applicant has received this type of license previously.

Action Requested:
Approval to issue a Charitable Gambling License to Chaska Sno Hawks to conduct a raffle to be held on March 1, 2025.

Fiscal Impact:	
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Professional Services Agreement for Development of Project Schedule Templates

RBA Number: 2025-113

Department: Public Works - Program Delivery

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

Presenter:

Contract Name & Number: 25-024

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Public Works seeks approval to enter into a professional services agreement with SRF Consulting Group, Inc., to develop standardized Microsoft Project schedule templates for highway projects. This initiative will streamline project scheduling, improve resource management, and enhance consistency across all highway project schedules. The scope of work includes the creation of one master schedule template and three tailored variations, designed in consultation with Carver County functional leads and SRF subject matter experts to align with County workflows. Additionally, SRF will provide training sessions and ongoing virtual support to facilitate implementation and ensure effective use. The total estimated cost for this project is \$48,455, with work to be completed within a mutually agreed timeline.

Action Requested:

Motion to approve the professional services agreement with SRF Consulting Group, Inc., for the development of project schedule templates at a cost not to exceed \$48,455, pending finalization of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
County Funds	\$48,455

Related Fiscal/FTE Comments:

Included in current budget

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Mike & Colleen Klingelhutz - Request for Additional Density CUP (One Lot Incentive)

RBA Number: 2025-144

Department: Public Services - Land Management

Contact: Donovan Hart, Senior Planner, 952-361-1815

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20240050. On January 21, 2025, the Planning Commission voted 5-0 to recommend approval of Michael and Colleen Klingelhutzes Conditional Use Permit (CUP) application. The request allows for the creation of one (1) High Amenity - Wooded Lot, pursuant to the Carver County Zoning Code. The additional density eligibility is specifically allocated to a portion of their 151.1-acre parcel in Section 21, Laketown Township. The parcel is primarily agricultural, featuring a farmstead and approximately 4.5 acres of wooded land.

Laketown Township provides for the additional density option "High Amenity" and the "One Building Eligibility Incentive" in the Laketown Township chapter of the Comprehensive Plan. Since the subject property has been a parcel of 40 acres or more as of July 1, 1974, is not enrolled in the Agricultural Preservation program, and the proposed 9.8-acre lot encompassing the existing farmstead would comply with the limitation of no more than four homes per quarter/quarter, it is eligible for the one building eligibility incentive Conditional Use Permit.

The "One Building Eligibility Incentive" density option requires that two building sites be identified, with the property owner foregoing the ability to create the second lot. Mr. and

Mrs. Klingelhutz have chosen not to pursue the more expensive and time-consuming platting process to create two lots. Access for the proposed amenity lot already exists, as it serves the current farmstead off Airport Road. The amenity lot would be subdivided in accordance with Minor Subdivision requirements.

The Laketown Town Board recommended approval of the request at its December 23, 2024, meeting.

The Laketown Township Location Map and approved Planning Commission Resolution are attached for the Board's consideration. A copy of the Planning Commission staff report is available for review at: [Planning Commission Meeting • Carver County • CivicClerk](#)

Action Requested:

A motion to adopt the Findings of Fact and issue Order #PZ20240050 for the issuance of a Conditional Use Permit.

Fiscal Impact:

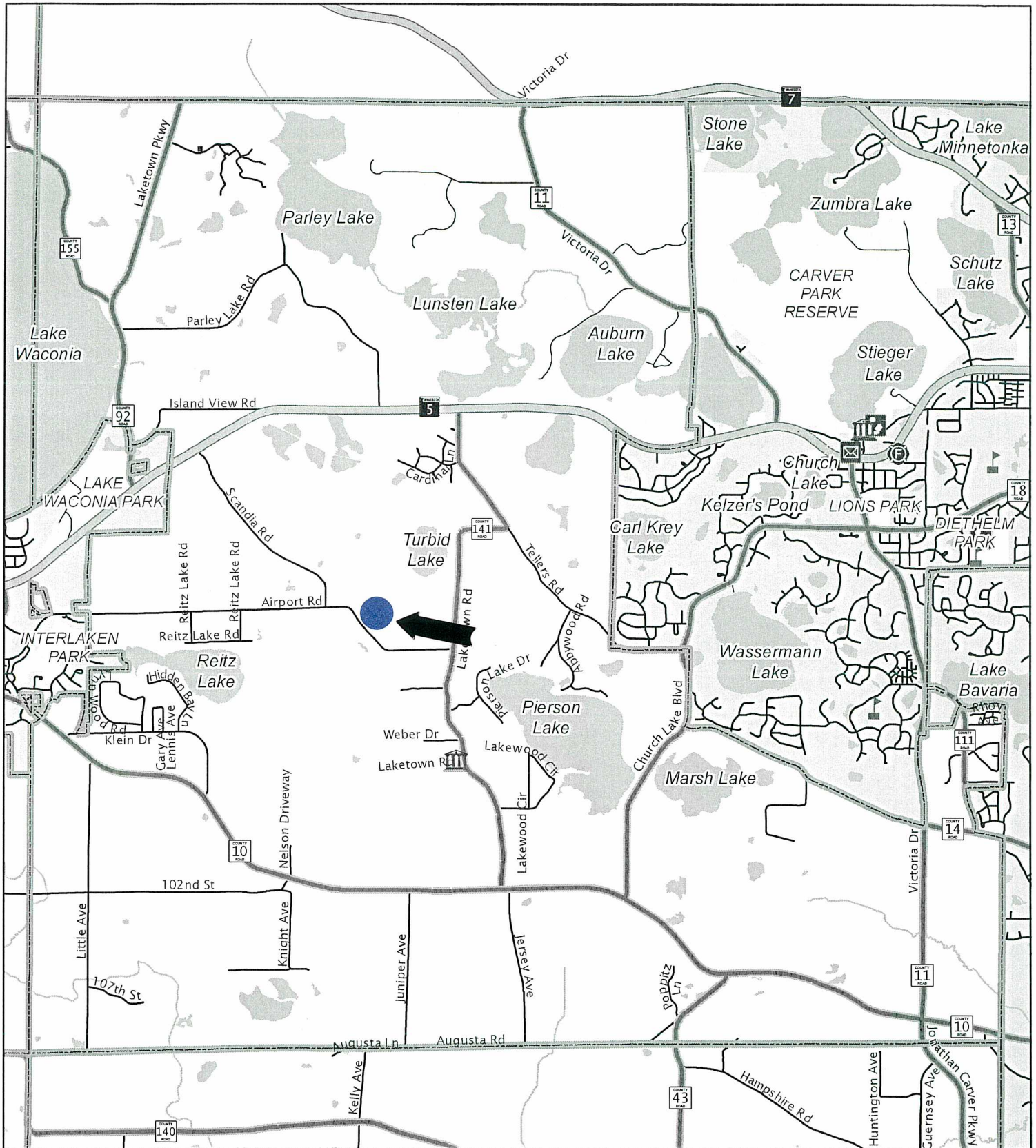
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

1. Laketown Township Location Map
2. CU-PZ20240050 - PLC Resolution signed

LAKETOWN TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS). It is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20240050

RESOLUTION #: 25-02

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

FILE #: PZ20240050

APPLICANT: Michael Klingelhutz

PROPERTY OWNERS: Michael J & Colleen M Klingelhutz

SITE ADDRESS: 7940 Airport Road, Waconia, 55387

PERMIT TYPE: Additional Density (High Amenity - One Building Eligibility Incentive)

PURSUANT TO: County Code, Chapter 152, Section(s) 152.078 (A) (C) & (E)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 07-021-1300

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 21, 2025; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Michael and Colleen Klingelhutz own an approximate 151.8-acre parcel located in the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) and the Southwest Quarter (SW¼) of Section 21, Laketown Township. The parcel consists of crop production land, wetlands, with a stand of trees adjacent to a single-family home, sheds, and agricultural buildings. The parcel is located in the Agricultural Zoning District, Shoreland Overlay District of Turbid Lake, and Carver County Water Management Organization (CCWMO) – Carver Creek Watershed.
2. Mr. & Mrs. Klingelhutz are requesting a Conditional Use Permit (CUP) to allow for the creation of one (1) High Amenity (Wooded) Lot with the One Lot Incentive. This additional density option is for landowners who are willing to pursue only one building eligibility as a conditional use. The request is pursuant to Section 152.078 (A) (C) and (E) of the Carver County Zoning Code.
3. The applicants are pursuing one (1) building eligibility pursuant to 152.078 (C) “High Amenity” and (E) “one building eligibility incentive” which provides for flexibility and incentives for pursuing a single eligibility or lot split. The incentive avoids the platting process or having to construct a township road to meet the road frontage requirement for new lots.
4. In the 2040 Comprehensive Plan’s Laketown Township section, adopted Township Policy LU-3, allows for the utilization of Option 3 – High Amenity Lots and Option 4 – Conservation Incentive for property owners seeking additional residential density. The proposed lot would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼¼). The subject property is not enrolled in the Agricultural Preserve program, nor has a Conditional Use Permit for additional density been previously issued on this parcel. Also, the subject property has been a parcel of 40 acres or more as of July 1, 1974.
5. The proposed 9.8-acre lot, not within the Shoreland Overlay District, consists of the farmstead with an existing SSTS system, detached accessory structures, and approx. 4.5 acres of wooded area. The wooded area contains trees of over 20 years of age and are a desirable species. Therefore, the proposal lot contains more than the 2.5-acre minimum amount of eligible acreage.

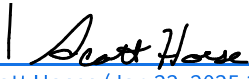
6. The “one building eligibility incentive” density option requires that two building sites be identified, then the property owner forgoes the ability to create two lots, in order to create a single lot and not undergo the more expensive and time-consuming platting process to create two lots. The location of the second building site (i.e., conservation incentive option) could be almost anywhere along the approximately 2/3-mile of eligible public frontage. Staff from Environmental Services and the Land Management Departments are confident an eligible building site exists within the large parcel; therefore, staff is not requiring a soils report to confirm the existence of the second eligible building site.
7. The applicants’ letter, dated December 5, 2024, states their request for a CUP for an additional density with a high amenity lot by utilizing the one building eligibility incentive option. The letter references the Township Chapter of the Comprehensive Plan and identifies the 9.8-acre farmstead lot as the amenity lot. The applicants describe the history of planting about 4.5 acres of coniferous and deciduous trees 27 years ago so that now most trees measure over 30 feet tall, thus creating eligible amenity acreage. The qualifying land could support two or more building site eligibilities. However, the applicants state that they are proposing to eliminate at least one potential building site in order to pursue only one building eligibility as a conditional use.
8. The proposed amenity lot is shown in the site plan, dated December 5, 2024. With the existing driveway access to Airport Road, the proposed parcel meets the minimum requirements for a residential lot. The existing structures and SSTS system meet applicable setbacks from the proposed parcel lines. The proposed high amenity lot would not need to be platted, but an administrative Minor Subdivision application and approval would be required. Section 152.078 states that the CUP provision may be exercised only once for each parcel that was of record as of July 1, 1974. The “1 per 40” building eligibility from the existing home would be available on the remnant parcel or placed on a conforming lot subdivided from the large remnant parcel.
9. In an email dated December 31, 2024, Tim Sundby, Water Resources Supervisor with the Carver County Water Management Organization (CCWMO), wrote that since no grading activities are proposed, no review comment is needed. Any newly created lot would be required to comply with the Carver County Water Management Organization (CCWMO) Water Rules Standards pursuant to Chapter 153.
10. This request was reviewed by Jacob McLain, Senior Environmentalist with Carver County Environmental Services. In an email dated January 2, 2025, Mr. McLain stated: “...as mentioned in their narrative, they will need to assess whether the existing system meets county standards (we currently have no information on the system). Therefore, a compliance inspection must be conducted on the existing system. If it fails, they will need to install a new system and identify an alternative site on the lot.”
11. The Laketown Town Board reviewed the request and recommended approval at their December 23, 2024, Town Board meeting with the comment: “Applicants attended 12-23-24 Board of Supervisors meeting at Laketown Township and presented their purpose of seeking Additional Density CUP Request per Section 152.078 High Amenity. Photos and surveys were observed, and a motion was made and passed to approve recommendation for approval.”
12. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the approval of CUP #PZ20240050 to utilize the one building eligibility incentive (High Amenity Lot) on property described in Exhibit “A” of the permit application. The Planning Commission further recommends that the following conditions should be considered part of the permit:

1. One (1) High Amenity Wooded Lot building eligibility shall be available, pursuant to the approved site plan. Additional lots (eligibilities) shall not be granted as a conditional use. The proposed lot shall be subdivided in accordance with the Minor Subdivision requirements including but not limited to, a survey, current septic compliance, and an alternate SSTS location.

2. If the applicant elects to create a residential lot for the “1 per 40” building eligibility, a Minor Subdivision application shall be submitted and approved prior to the recording of any deed(s). The parcels shall be subdivided in accordance with the County Zoning Code application requirements including by not limited to, a completed Minor Subdivision Application, Survey, and SSTS Compliance, if applicable.
3. Prior to any construction activities, appropriate building permits shall be obtained for a single-family house and any accessory buildings, garage, or other structures.
4. The access permit to Airport Road must be approved by Laketown Township, or if the driveway access is to Co Rd 141, by Carver County Public Works, prior to the issuance of a building permit, or creation of a new residential lot for the “1 per 40” building eligibility. Whichever applicable, a Laketown Township or Carver County permit is required prior to any work occurring within the road right-of-way.
5. Notice pursuant to Section 152.078 (C) (5) is hereby provided stating the following:
 - (a) The keeping of animals, with the exception of dogs, cats, similar animals kept as household pets, and fewer than 10 fowl, is prohibited on any residential lot.
 - (b) All conditional use permit activities shall be prohibited on any residential lot. Agricultural parcels (i.e. 20 acres or more) and/or lots shall be subject to the “A” District regulations.
 - (c) The area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notice should be provided regarding the odors, dirt, dust, insects, noises, long hours of operation and other factors associated with agriculture and feedlot activities. Complaints relating to these activities shall be considered unwarranted so long as the activities are being conducted in accordance with existing standards.
 - (d) The protection of environmentally sensitive land shall be enforced. The protections shall include restrictions on clear cutting or vegetation removal; erosion control plan to control erosion during and after building construction; and designation of specific building sites or areas with buildings prohibited.

ADOPTED by the Carver County Planning Commission this 21st day of January 2025.


Scott Hoese (Jan 22, 2025 19:27 CST)

Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Mike Schonhardt - Request for Home Extended Business Accessory Use (CUP)

RBA Number: 2025-146

Department: Public Services - Land Management

Contact: Christina Neel, Land Management Planner, 952-361-1814

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20240047. On January 21, 2025, the Planning Commission voted 6-0 to recommend approval of Mike Schonhardt's Conditional Use Permit (CUP) for a Home Extended Business Accessory Use (New Image Deck Construction) on his 7.36-acre parcel in Section 30, Waconia Township.

Mr. Schonhardt is requesting a CUP to operate his seasonal business (New Image Deck Construction) from existing structures and outdoor storage area. The owner and up to 3 additional employees arrive to the site daily to pick up supplies and drive work vehicles to job sites each morning and return in the evening. Hours of operation are 8:00AM to 6:00PM, March-December, and no customers come to the site. All employees will park their personal vehicles in a designated area.

Several structures and a specified outdoor area on the site will continue to be used for personal storage and hobby shop. One structure will be partially used as cold storage for the deck business during winter months. No additional buildings, structures, or signage is proposed as part of this request.

The Waconia Town Board reviewed and recommended approval without additional comments or conditions.

The Waconia Township Location Map and approved Planning Commission Resolution are attached for the Board's consideration. A copy of the Planning Commission staff report is available for review at: [Planning Commission Meeting • Carver County • CivicClerk](#)

Action Requested:

A motion to adopt the Findings of Fact and issue Order #PZ20240047 for the issuance of a Conditional Use Permit.

Fiscal Impact:

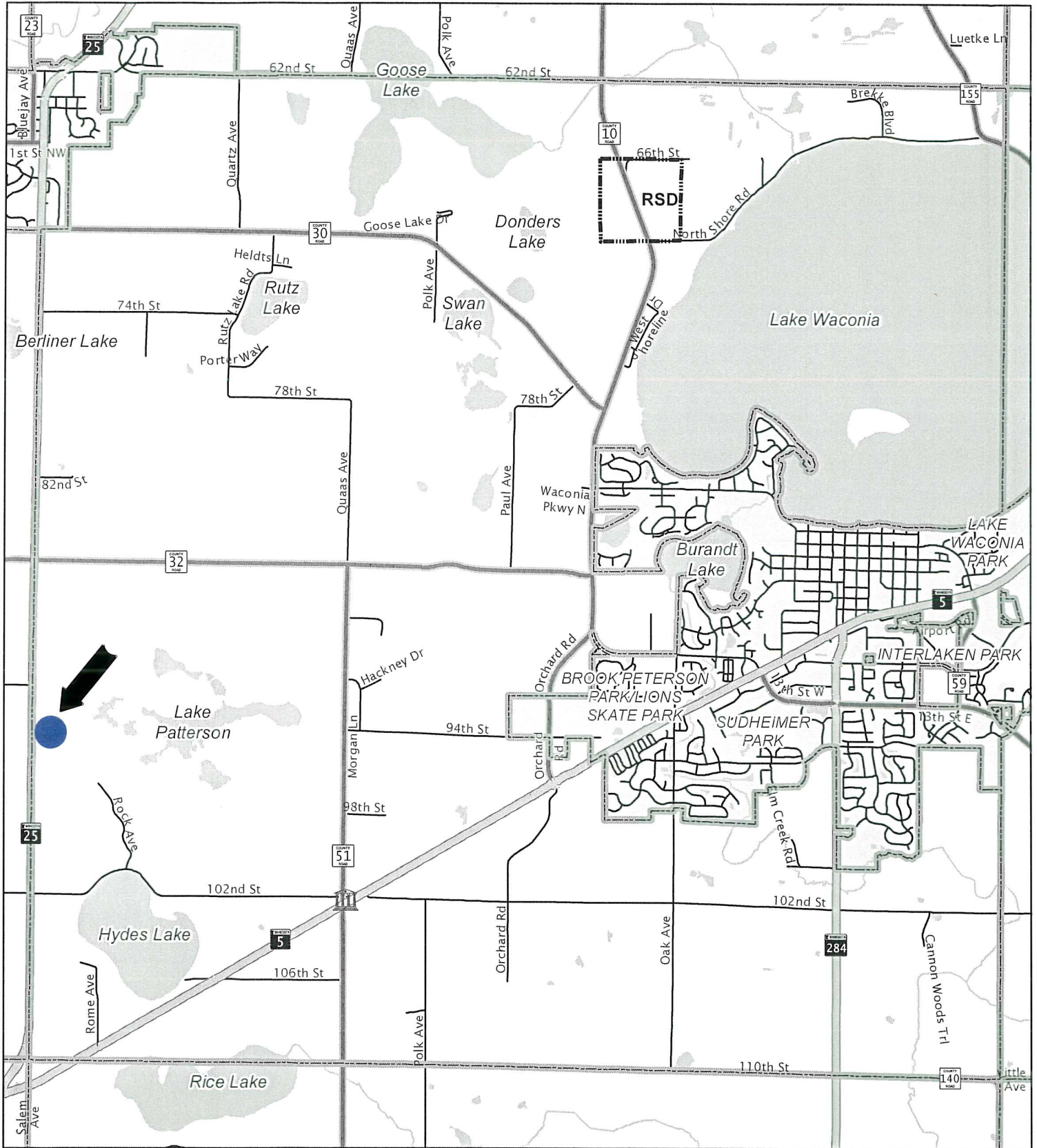
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

1. Waconia Township Location Map
2. CU-PZ20240047 - PLC Resolution signed

WACONIA TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20240047

RESOLUTION #: 25-03

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

FILE #: PZ20240047

APPLICANT: Mike Schonhardt

OWNER: Michael & Teresa Schonhardt

SITE ADDRESS: 9325 Highway 25, Cologne 55322

PERMIT TYPE: Home Extended Business Accessory Use

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

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 09-030-0340

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 21, 2025; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Michael and Teresa Schonhardt homestead and own an approximate 7.36-acre parcel located in the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 30, Waconia Township. The property is improved with a single-family residence with an attached garage and several accessory structures. The parcel is located in the Agricultural Zoning District, Shoreland Overlay District (Lake Patterson) and Carver County Water Management Organization (CCWMO) - Carver Creek watershed.
2. The applicant is requesting a Conditional Use Permit (CUP) for a Home Extended Business Accessory Use (HEBAU) to operate a deck construction business, pursuant to Section 152.079 (C)(9) of the Carver County Zoning Code.
3. The applicant has submitted an operational plan (dated November 4, 2024) outlining the details of the proposed business (New Image Deck Construction). The operational plan lists three employees who arrive to the site to pick up equipment and drive work vehicles to job sites each day, then return in the evening. Work hours extend from 8:00AM to 6:00PM from late March through early December. Three employees and the owner make 2-4 trips per day from the site, and employees park in a designated location on the property. There are four work vehicles stored on site, a combination of trucks and trailers used to haul equipment for the decking business.
4. The public hearing notice was not sent to the official county newspaper by the deadline, and the request was delayed one month, to be reviewed at the January Planning Commission meeting. The Land Management Department staff sent the applicant a "60-day Law Letter" dated December 10, 2024.
5. The applicant has submitted a site plan (dated November 27, 2024) showing the operational area with existing structures and outdoor areas to be utilized for the seasonal business. The applicant has identified several buildings that are used for personal storage and a personal hobby shop, as well as an outdoor area to be used for storing personal vehicles. The approximate 4,400-square foot accessory structure on the south side of the property will be used to store some personal lawncare equipment (tractor and attachments), as well as seasonal cold storage for the deck business, to keep vehicles and materials out of the elements. No additional buildings, structures, or signage is proposed at this time. The operations plan and site plan appear to meet the standards of the Zoning Code.

6. This request was reviewed by Justin Broughman, Transportation Planner at Carver County Public Works. In a memo dated December 2, 2024, Public Works stated,
 - *Given the limited amounts of traffic this business is expected to generate, as well as the large size of the existing driveway, Public Works sees no issue with this request and recommends its approval. In the expected event that Highway 25 is eventually taken over by Carver County, any future site changes at this location must not encroach on the 160-foot width needed for the two-lane rural highway right-of-way, as specified by the Carver County 2040 Comprehensive Plan.*
7. The application materials were reviewed by Carver County Soil and Water Conservation District. Mike Wanous, District Manager, commented in an email on December 2, 2024:
 - *The adjacent parcel is enrolled in the Conservation Reserve Enhancement Program (CREP) and has a permanent conservation easement requiring perennial vegetation of native grasses. No equipment, supplies, or personal storage shall be placed over the property line and into the conservation easement.*
8. The request was reviewed by Taylor Huinker, Area Hydrologist at Minnesota Department of Natural Resources. She stated that there are no concerns or comments regarding the Home Extended Business Accessory Use.
9. On November 27, 2024, Jacob McLain, Senior Environmentalist, Carver County Environmental Services Department, reviewed the application and commented in an email:
 - *Since the property is in Shoreland, they will need a compliance inspection. The COC for the site expired 10/17/2020.*
10. The subject property is located within the CCWMO jurisdiction. Tim Sundby, Water Resources Supervisor commented in an email on November 27, 2024, that the applicant's site plan shows less than one acre of new impervious surface and less than one acre of total disturbance, so no permit is needed at this time.
11. The Lake Management Department received an email (dated January 15, 2025) from Patricia Beier expressing concerns about previous materials and lumber being stored across the property line onto her land, which is enrolled in the Conservation Reserve Easement Program (CREP). She explains that if her property is in violation of the CREP agreement, she can lose her funding.
12. Augie Kreye, neighbor to Mr. Schonhardt and son-in-law to Patricia Beier, spoke at the January 21, 2025, public hearing and presented a letter from Carver County Soil and Water Conservation District (dated January 13, 2025), which described the easement boundary and corrective actions needed to maintain her land's compliance. The easement boundary was staked in January 2025, and Mr. Schonhardt removed any materials that were previously placed in the CREP easement and has agreed to keep all materials stored within the fence line of his property at all times.
13. The Waconia Township Board reviewed the application request at their November 25, 2024, meeting. The Township Board recommended approval with no additional conditions.
14. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends approval of the Conditional Use Permit application for a Home Extended Business Accessory Use on the parcel described in Exhibit A. The following conditions should be considered part of the permit:

1. The permit is subject to administrative review. An owner of the business shall homestead and occupy the property. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early in the timeline of the proposed change as possible.

2. The operation shall be substantially in accordance with the submitted operational plan (dated November 4, 2024) and site plan (dated November 27, 2024). These plans shall be attached to and become part of this permit. The hours of the operation shall be within the hours of 8:00AM – 6:00PM (as described), with no customers coming to the site at any time.
3. All business-related trucks, equipment and supplies shall be stored within the approved operational area. Any expansion of the approved operational area shall constitute an expansion of the use and may require a review by Land Management for determination as to an amended Conditional Use Permit will be required.
4. All structures, utilized as part of the business, shall meet the applicable requirements of the County Zoning Code and MN State Building Code. Any required building permit(s) shall be applied for and issued prior to using the structure(s). Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary.
5. Any structure(s), not utilized for the business, shall be used only by the property owner for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and as otherwise regulated by the County Zoning Code and shall meet State Building Code, if applicable.
6. A maximum of four (4) business vehicles (including but not limited to: pickup trucks and trailers utilized to transport materials to and from job sites) may be stored and/or permitted on site.
7. The permittee shall comply with the road authority's (Carver County Public Works) access requirements, improvements and/or standards, if any.
8. No equipment, vehicles, supplies, materials, or personal storage of items shall be placed on the adjacent property or any conservation easements.
9. Any grading and/or filling activity on the property shall be completed in accordance with CCWMO Water Resource Management standards and the Wetland Conservation Act (WCA), if applicable. All site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
10. The Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code, Chapter 154 – Sign Regulations, Chapter 51 – Hazardous Waste Management, Chapter 52 - Subsurface Sewage Treatment System (SSTS) regulations, MN State Building Code requirements, and all other applicable local, state, and federal regulations. No signage shall be allowed within the public road right-of-way.
11. The Permittee shall submit Certificate of Workers' Compensation Insurance to the Land Management Department annually when there are additional employees beyond the owner/operator. The insurance shall be maintained for the duration of the CUP.

ADOPTED by the Carver County Planning Commission this 21st day of January 2025.


Scott Hoese (Jan 22, 2025 19:27 CST)

Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Peter & Wendy Daggett - Request for a Public Equestrian Facility (CUP)

RBA Number: 2025-148

Department: Public Services - Land Management

Contact: Christina Neel, Land Management Planner, 952-361-1814

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20240048. On January 21, 2025, the Planning Commission voted 6-0 to recommend approval of Peter and Wendy Daggett's Conditional Use Permit (CUP) to amend the existing CUP (originally issued in 2010) for a Public Equestrian Facility (CU-PZ20100029) on their 20-acre parcel in Section 23, Hollywood Township. The property is improved with an existing house, a barn, an accessory structure with box stalls and indoor riding arena, and pastureland.

The Daggetts are requesting a CUP for a Public Equestrian Facility at 4010 Tacoma Avenue that would accommodate up to 19 horses within the existing structures and pastures, an increase of 7 animal units from the existing CUP.

The estimated hours of operation are 9:00AM-9:00PM, with no other employees. Boarders come to the site 2-3 days a week, with estimated up to 10 daily trips to the site. There is ample parking for boarders and accompanying horse trailers. The northern pastures are within the shoreland area of a watercourse, and no more than 9.9 animal units (9 horses) will be kept within the shoreland overlay area at any time. There is currently a sign on site at the driveway entrance that meets all code requirements.

The Hollywood Town Board recommended approval of the request.

The Hollywood Township Location Map and approved Planning Commission Resolution are attached for the Board's consideration. A copy of the Planning Commission packet is available for review at: Planning Commission Meeting • Carver County • CivicClerk

Action Requested:

A motion to adopt Findings of Fact and issue Order #PZ20240048 for the issuance of a Conditional Use Permit.

Fiscal Impact:

Funding:	Amount Budgeted:

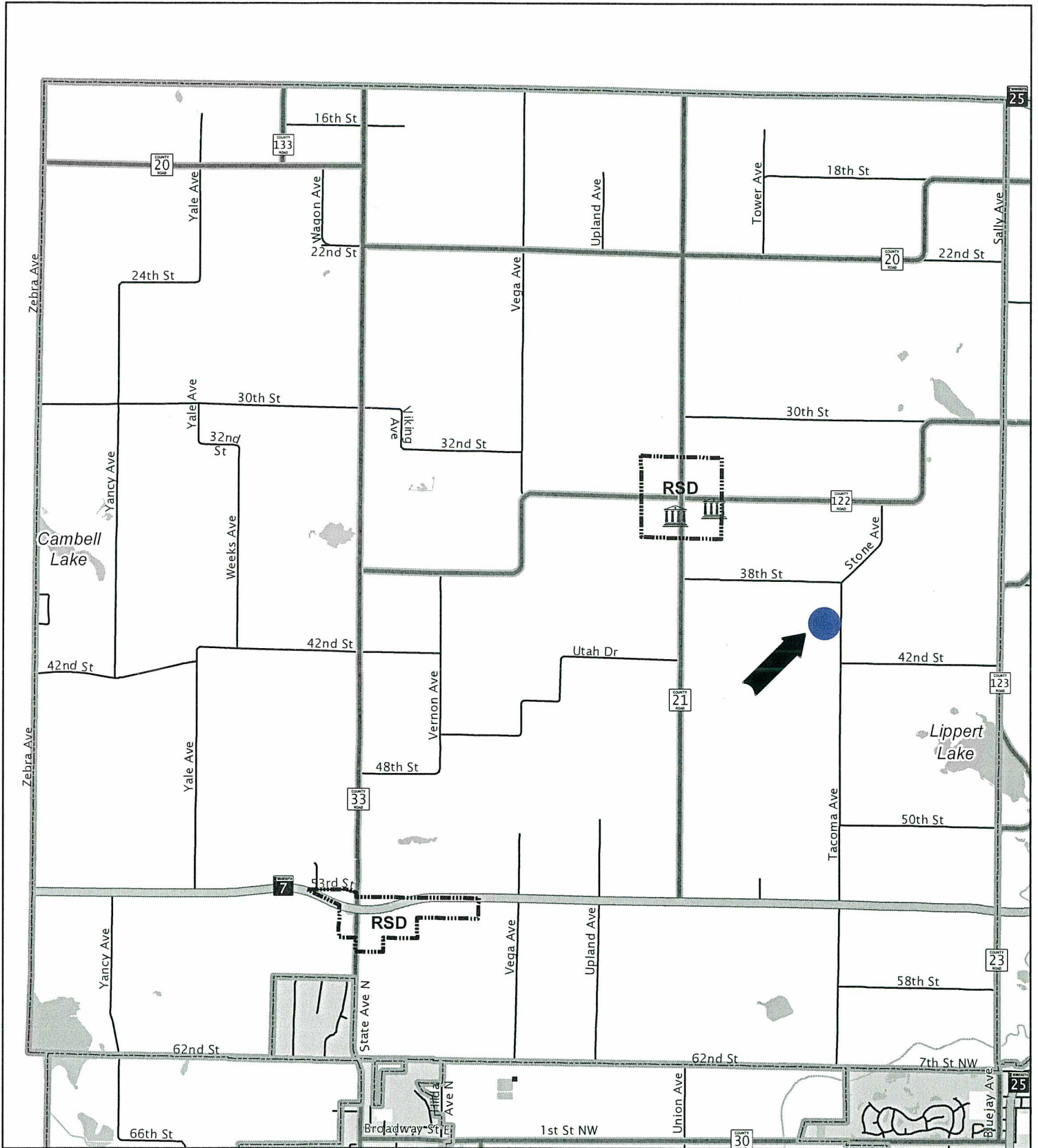
Related Fiscal/FTE Comments:

None

Attachments:

1. Hollywood Township Location Map
2. CU-PZ20240048 - PLC Resolution signed

HOLLYWOOD TOWNSHIP



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Map Created by Carver County GIS

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20240048

RESOLUTION #: 25-01

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

FILE #: PZ20240048

APPLICANT: Peter & Wendy Daggett

OWNER: Peter & Wendy Daggett

SITE ADDRESS: 4010 Tacoma Ave, Mayer 55360

PERMIT TYPE: Public Equestrian Facility

PURSUANT TO: County Code, Chapter 152, Section 152.079 (C)(5)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 06-023-0800

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 21, 2025; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Peter and Wendy Daggett own and homestead 20 acres located in the East Half (E½) of the Northeast Quarter (NE¼) of Section 23 of Hollywood Township. The property is improved with an existing house, a barn, an accessory structure with stalls and indoor riding arena, several small outbuildings, an outdoor riding arena and grazing pastures. The site is located within the Agriculture Zoning District, Shoreland Overlay District (a tributary watercourse), and the Carver County Water Management Organization (CCWMO) – Crow River watershed.
2. An existing Conditional Use Permit (CUP #PZ20100029, attached) was issued to the property to allow an equestrian facility with boarding and training for up to twelve (12) horses. The applicants wish to continue the horse boarding operation in the way the previous owners operated it and increase the total number of horses to 19 animals. The applicant is requesting a Conditional Use Permit pursuant to Section 152.079 (C)(5) of the Carver County Zoning Code.
3. Peter and Wendy Daggett purchased the property to house their own three horses and utilize the property for commercial horse boarding in accordance with the existing CUP (#PZ20100029). The Daggett's wish to add the ability to board an additional 5 horses on the property, for a total of 19 horses at maximum capacity. The additional animal units prompt the amendment of the CUP, which follows the same submittal and review process as a new CUP application.
4. The applicant's letter (dated December 20, 2024) provides background information and operations plan for the application. They explain they previously boarded their own horses at the facility prior to purchasing the property in 2020. They currently have 14 horses at the farm – 10 boarded by 7 owners, and their own 4 horses. Since purchasing the property, they have not increased the size of any pastures and have added one outdoor shelter. There is no formal training on site, as the boarders are casual riders who come to the site 2-3 times per week and rarely trailer their horses off site. There are no other employees outside of the family. On an average day, 3-5 vehicles come and go (up to 10 trips total). The total maximum vehicles on site at any given time is 7, and the applicants have ample parking for any trucks and trailers being used at that time. While the hours are 9AM to 9PM, boarders come and go throughout the day as it meets their schedule.
5. The applicants submitted a site plan, dated December 20, 2024, showing the operational area and existing layout of the property. There are four large pastures, each with a paddock, and one dry lot in the center of the property. There is an outdoor riding arena and a larger indoor riding arena. The barn containing the indoor riding arena contains 3 stalls, and the barn to the north contains 6 stalls. The two north pastures are entirely within the Shoreland Overlay District (within

300' of the tributary watercourse), and the southern pastures are partially in Shoreland. Boarder parking, along with space for any associated trucks and horse trailers, is to the north, west, and south of the riding arena barn as well as adjacent to the barn to the north.

6. One existing sign for “Daggett Farm”, approximately 3’ x 3’ (9 square feet) is near the driveway entrance. The sign is below the maximum 32 square-foot sign size and complies with a maximum 36 square feet of signage allowed for the parcel. No additional signage is proposed as part of this request.
7. Matt Steele, Carver County Feedlot Officer, reviewed the application materials and in an email dated January 10, 2025, provided the following response:
 - *I performed a routine compliance inspection on October 4, 2024, and determined the site to be non-compliant with Minnesota Rules Chapter 7020.2005. Staff identified a total of 11 horses (11 animal units) in the shoreland district at the time of inspection. Mr. Daggett returned to compliance with Minnesota’s Animal Feedlot Rules on November 22, 2024, by reducing the number of horses to 7 (7 animal units) in the shoreland district.*
 - *Minn. R. 7020.2005 subp. 1, prohibits new animal feedlots of 10 animal units or more from being built or established in the shoreland district, with certain exceptions. Notably, pastures and areas not classified as feedlot components are exempt from these location restrictions. However, these areas must still comply with Minnesota’s Water Quality Rules (Minn. R. Ch. 7050 and 7060).*
 - *During the compliance inspection, staff discovered that there were 17 horses (17 animal units) on site, and the operation was non-compliant with a condition listed in Conditional Use Permit (CUP) No. PZ20100029. The CUP allows a maximum of 12 horses on site, and the follow-up inspection letter identified two corrective action options for returning to compliance. Mr. Daggett was required to either reduce the herd size to 12 horses (animal units) by January 1, 2025, or submit a CUP application to the Land Management Department by December 27, 2024, to amend the current CUP for an increase in the number of horses allowed on site.*
 - *The site consists of the following feedlot components: A 16,200 square foot indoor riding arena with 3 stalls, an approximate 3,700 square foot barn with 6 stalls, 5 partial confinement barns (run-in sheds), and 7 paddock areas (open lots). Additionally, the site includes non-feedlot components including 4 pastures for rotational grazing, a round pen, and an outdoor riding arena. The applicants are currently boarding 10 of the horses, while the remaining 4 animals are owned by Mr. and Mrs. Daggett.*
 - *It is recommended that fencing is installed in the north pasture near the creek to prohibit entry of horses to surface waters.*
8. This request was reviewed by Minnesota Department of Natural Resources, as it is in the shoreland area of a tributary river. Taylor Huinker, Area Hydrologist, stated in an email dated December 30, 2024, that the DNR has no comments or concerns regarding the request.
9. Jacob McLain, Senior Environmentalist in Environmental Services, reviewed the septic records of the property and in an email dated January 2, 2025, reported:
 - *Since this property is located in shoreland, we would need a compliance inspection for the existing systems on site (mound system for the house and holding tank for the riding arena).*
10. The Hollywood Town Board reviewed and recommended approval of the request at their December 9, 2024, Town Board meeting without any additional conditions and/or concerns.
11. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends approval of the Conditional Use Permit application for a Public Equestrian Facility on the property legally described in Exhibit A. The current CUP (#PZ20100029) and any other prior permits, amendments, or renewals for an Equestrian Facility, would be terminated upon final approval (and recording) of the new CUP #PZ20240048. The Planning Commission further recommends that the following conditions should be considered part of the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early in the timeline of the proposed change as possible.
2. The Equestrian Facility shall operate in accordance with the applicant's letter (dated December 20, 2024) and site plan (dated December 20, 2024). These plans shall be attached to and become part of this permit. This equestrian facility request allows for up to a total of 19 horses to be boarded and trained on site. Location of outdoor storage for horse trailers and boarder vehicles shall be on the existing gravel area north and west of the indoor riding arena. Changes in the use of existing structures or the construction of new buildings or any plans to enlarge the facility or operational area in the future, would require the applicant to apply and receive a new Conditional Use Permit.
3. The existing structure(s), not utilized for the business, shall be used only by the occupant(s) of the residence and/or property owner for agriculture, personal storage, hobbies, personal recreation and entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance. All structures utilized as part of the operation in which public (boarding/employees/volunteers) have access shall meet the applicable State Building Code requirements.
4. The facility would continue to operate year-round, seven (7) days a week and maintain its current hours of operation open to the public (9AM-9PM) and otherwise would be present only in the case of a veterinary emergency. Changes to the days and/or hours of operation would require the submittal of a new CUP application.
5. Any Special Events "public activities" taking place on the property must be reviewed and approved by the Land Management Department prior to commencing the activities.
6. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management Organization (CCWMO) and the Wetland Conservation Act (WCA), if applicable. Any site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
7. Carver County Environmental Services Department, Feedlot Officer, reviews sites with Conditional Use Permits annually and may conduct unannounced inspections at any time during the year to inventory the number of animals on site, as well as review the following:
 - In accordance with Minn. R. 7020.2005 subp. 1, the feedlot components, as defined above, shall not exceed a maximum of 9.99 animal units at any time and all remaining animals must be kept on pasture.
 - The owner shall establish, operate, and maintain the facility such that there is no discharge to surface waters in accordance with Minn. R. 7020.2003, subp. 3. The permittee shall operate the facility in full compliance with MPCA Feedlot Rules and the Carver County Feedlot Management Ordinance.
8. The Permittee shall comply with Hollywood Township access requirements, improvements and/or standards, if any. Parking along the township right-of-way shall be prohibited.
9. Permittee shall submit Certificate of Workers' Compensation Insurance to the Land Management Department annually when there are additional employees beyond the owner/operator. The insurance shall be maintained for the duration of the CUP.

10. The Permittee shall at all times comply with the County standards as detailed in Chapter 152 – Zoning Code, Chapter 154 – Sign Regulations, Chapter 52 - Subsurface Sewage Treatment System (SSTS) regulations, Chapter 54 – Feedlot regulations, MN State Building Code requirements, and all other applicable local, state, and federal regulations.

ADOPTED by the Carver County Planning Commission this 21st day of January 2025.


Scott Hoese (Jan 22, 2025 19:27 CST)

Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: PSA with Clean Harbors Environmental Services, Inc. for Hazardous Materials Collection and Processing

RBA Number: 2025-131

Department: Public Services - Environmental Services

Contact: Brad Hanzel, Environmental Services Manager - Government Center, 952-361-1805

Presenter:

Contract Name & Number: 2025 Environmental Center Hazardous Waste Management 24-631

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County provides convenient year-round disposal for household hazardous waste (HHW) at the Environmental Center (EC), collecting over 350,000 pounds annually.

This agreement outlines the provisions, pricing, and contractual obligations for Clean Harbors Environmental Services, Inc. to assist Carver County with the containment, hauling, supplies, labor, and disposal of hazardous materials throughout 2025. Contract pricing has remained consistent over the years, with only minimal increases.

The contract is made available through the MN Pollution Control Agency, the State of MN, and the MN Cooperative Purchasing Venture. It allows counties to purchase supplies and services from state-approved providers at more competitive prices than those available on the open market, while also benefiting from indemnification protection provided by the State of MN. This state contract is used by most MN county HHW programs.

Environmental Services recommends the County contract with Clean Harbors

Environmental Services, Inc. for the collection and processing of hazardous materials at the EC.

Action Requested:

Motion to contract with Clean Harbors Environmental Services, Inc., pending final approval through the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
Solid Waste Service Fees and State Recycling Grants	\$300,000

Related Fiscal/FTE Comments:

This agreement establishes pricing for various types of hazardous materials, supplies, labor, and transport for materials collected at the Environmental Center. Funding for this contract will come from Solid Waste Service Fees and State Recycling Grants.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Law Library Staffing
RBA Number: 2025-164
Department: Public Services - Library Services
Contact: Jodi Edstrom, Library Director, 952-361-1432
Presenter:
Contract Name & Number:
Meeting Date: February 4, 2025
Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The Carver County Law Library is established under Minnesota Statute Chapter 143A. Governance of the Law Library is provided by a three-member board with a Judge, County Commissioner, and a local attorney. The Law Library is staffed by a Carver County employee. The previous Law Library paralegal resigned in February 2024 and the position has been vacant. The County Library also has a vacant 0.80 FTE Librarian position due to a recent retirement.

County staff and the Law Library Board have reviewed current vacancies and on January 15, 2025, the Law Library Board approved the plan to restructure the staffing of the Law Library.

- Eliminate the current 0.80 FTE Law Library paralegal position and eliminate a 0.80 FTE Librarian to create a 1.0 FTE Librarian that will split time between the Law Library and County public branches.
- The Law Library and County Library will be jointly seeking someone who has strong customer service and librarian skills who can navigate the legal process, can assist self-represented litigants, and who can also do collection development work for the public branches.

This action has an estimated cost savings of \$65,323 (levy & law library) and will reduce the FTE allocation by 0.60. The library anticipates that they will need additional staffing resources. This will be reviewed and brought to the County Board at a later date.

Action Requested:

Motion to eliminate the vacant 0.80 FTE Law Library Paralegal and vacant 0.80 Librarian in order to create a 1.0 FTE Librarian that will jointly serve the Law Library and County Library.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

No additional levy dollars will be needed for this FTE change, a budget amendment is included.

Elim 0.80 FTE Librarian (\$116,208)
Elim 0.80 FTE Law Librarian Paralegal (\$79,729)
Add 1.00 FTE Librarian \$130,614

Cost will be a 50/50 Split between the Law Library and County Library \$65,307
Law Library Estimated Savings \$14,422
County Library Estimated Savings \$50,901
Total Cost Estimated Savings \$65,323

*County Library savings will be reviewed for additional system staffing needs in 2025.

Attachments:

1. BudgetAmendmentForm- Library FTE



Carver County Board of Commissioners
Budget Amendment Request Form

Agenda Item: Law Library Staffing

Department: Public Services - Library Services

Meeting Date: 2/4/2025

Requested By: Jodi Edstrom

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** **\$65,323.00**

Description of Accounts	Acct #	Amount
Reference Books & Materials- Law Library	02-508.6453	\$14,422.00
Library Reorg	01-014-500.6111	\$50,901.00

CREDIT **TOTAL** **\$65,323.00**

Description of Accounts	Acct #	Amount
Sal & Ben Costs	02-508.6111	\$14,422.00
Sal & Ben Costs	01-014-500.6111	\$50,901.00

Reason for Request: Allocate FTE savings between Law Library and Levy



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Teamsters Licensed Management Unit 2025-2026
Collective Bargaining Agreement

RBA Number: 2025-147

Department: Employee Relations

Contact: Kerie Anderka, Employee Relations Division Director,
952-361-1570

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

Culture: Provide culture that fosters accountability to achieve goals and sustain public trust.

Background/Justification:

The Teamsters Licensed Management Unit and the County have completed negotiations for the successor collective bargaining agreement (CBA) and the membership has ratified the 2025-2026 CBA.

Following is a summary of the highlights of the tentative agreement reached with the Teamsters Licensed Management Bargaining Unit:

- Two year agreement (2025 – 2026)
- General Adjustment effective first full pay period in January
 - o 2025 General Adjustment: 4.00%
 - o 2026 General Adjustment: 4.00%
- Annual performance-based compensation effective first full pay period in March
 - o 2025 Performance-Based Compensation: Needs Improvement 0.00% or Achieved Performance 3.00%
 - o 2026 Performance-Based Compensation: Needs Improvement 0.00% or Achieved Performance 3.00%
 - o Multiple updates to streamline the County's performance-based compensation

- system for more effective administration and employee clarity
 - o Performance-based compensation may be granted up to the salary range maximum. If the performance-based increase exceeds the salary range maximum, the remainder shall be paid as a lump sum.
- Implement salary ranges as established by County Board effective first full pay period in January 2025
- Implement salary ranges as established by County Board effective first full pay period in January 2026
- Elimination of promotional trial period language and end of trial period increase
- Update promotional increase provision to comply with MN pay history ban law. Salary placement will be determined based on qualifications, experience, performance, and other relevant factors as permitted by law. Eliminate percentages referenced in contract language.
- Agreement that the employer and the employee will split the premiums for the MN Paid Family and Medical Leave program on a 50/50 basis
- Agreement relating to Earned Sick and Safe Time (ESST) law that the documentation provisions referenced in Minn. Stat. 181.9447, subd. 3 shall not apply to paid leave available to an employee for absences from work in excess of the minimum amount required by ESST
- Addition of language in relation to ESST law agreeing that employees in this unit may not use leave under the provisions of ESST for closure of the County due to weather or other public emergency, or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency, pursuant to Minn. Stat. 181.9447 subd. 1, clause (4)
- 2025 Insurance: Incorporate the terms of the Health Insurance MOA
- 2026 Insurance: Increase County cafeteria contributions reflecting defined dollar amounts. Maintain percentages defined in current contract language.
 - o Employee: \$1,045.34
 - o Employee + Child(ren): \$1,708.06
 - o Employee + Spouse: \$2,472.21
 - o Family: \$2,741.90
- 2026 HSA Contribution: Increase to \$1,350 for employee / \$3,300 for employee + and family tiers
- Addition of various holiday language updates and provisions as proposed by the County.
- An employee assigned during their non-scheduled work time to make budgetary or administrative decisions will receive 2 hours of pay (increased from 1 hour) for each day assigned, effective upon ratification of the labor agreement by both parties.
- Uniform Allowance – Increase uniform allowance to \$1000

Action Requested:

Motion to approve the 2025–2026 Teamsters Licensed Management Unit Collective Bargaining Agreement.

Fiscal Impact:

Funding:	Amount Budgeted:
County Funding	\$1,022,690

Related Fiscal/FTE Comments:

The wages and benefits for 2025 budget Teamsters Licensed Management Unit is \$1,022,690.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Zimmerman Subdivision - Preliminary Plat
RBA Number: 2025-145
Department: Public Services - Land Management
Contact: Donovan Hart, Senior Planner, 952-361-1815
Presenter:
Contract Name & Number:
Meeting Date: February 4, 2025
Item Type: Consent

Strategic Initiative:

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

Background/Justification:

On January 21, 2025, the Planning Commission voted 6-0 to recommend approval of the Preliminary Plat of the Zimmerman Subdivision. The applicant, John Zimmerman, is requesting approval to plat approximately 6.39 acres located in Section 35 of Waconia Township. The request would result in a total of two (2) residential parcels (Lots 1-2, Block 1), ranging in size from 2.9 acres to 3.1 acres. The project would be developed pursuant to the Wooded Lot additional density provision (Section 152.078 B) of the Carver County Zoning Code. Waconia Township has provided for the Wooded Lot option in its chapter of the 2040 Comprehensive Plan. All building sites meet the requirements of Conditional Use Permit (CUP) #PZ20240011, the County Subdivision Ordinance, and the County Zoning Code.

Acceptable soil boring and Subsurface Sewage Treatment System (SSTS) locations for both the primary and alternate septic sites on the two (2) undeveloped lots have been submitted, reviewed, and approved by the Carver County Environmental Services Department.

A new township road will not be necessary, as the proposed lots have frontage on the existing 110th Street, which would provide for individual driveway accesses. The Waconia Town Board (the road authority for 110th Street) will review and issue any access permits as part of the new house building permit application process. A Carver

County Water Management Organization (CCWMO) permit will be needed prior to final construction.

The draft covenants, as required by Conditional Use Permit #PZ20240011, have been submitted with the application. These covenants must be finalized and approved by Carver County prior to final plat approval.

The Waconia Town Board has recommended approval of the request.

The preliminary plat plan, the approved Planning Commission Resolution, and the draft County Board Resolution are attached for the Board's consideration. For additional information, the Planning Commission staff report is available at: [Planning Commission Meeting • Carver County • CivicClerk](#)

Action Requested:

A motion to adopt a Resolution approving the Preliminary Plat of Zimmerman Subdivision.

Fiscal Impact:

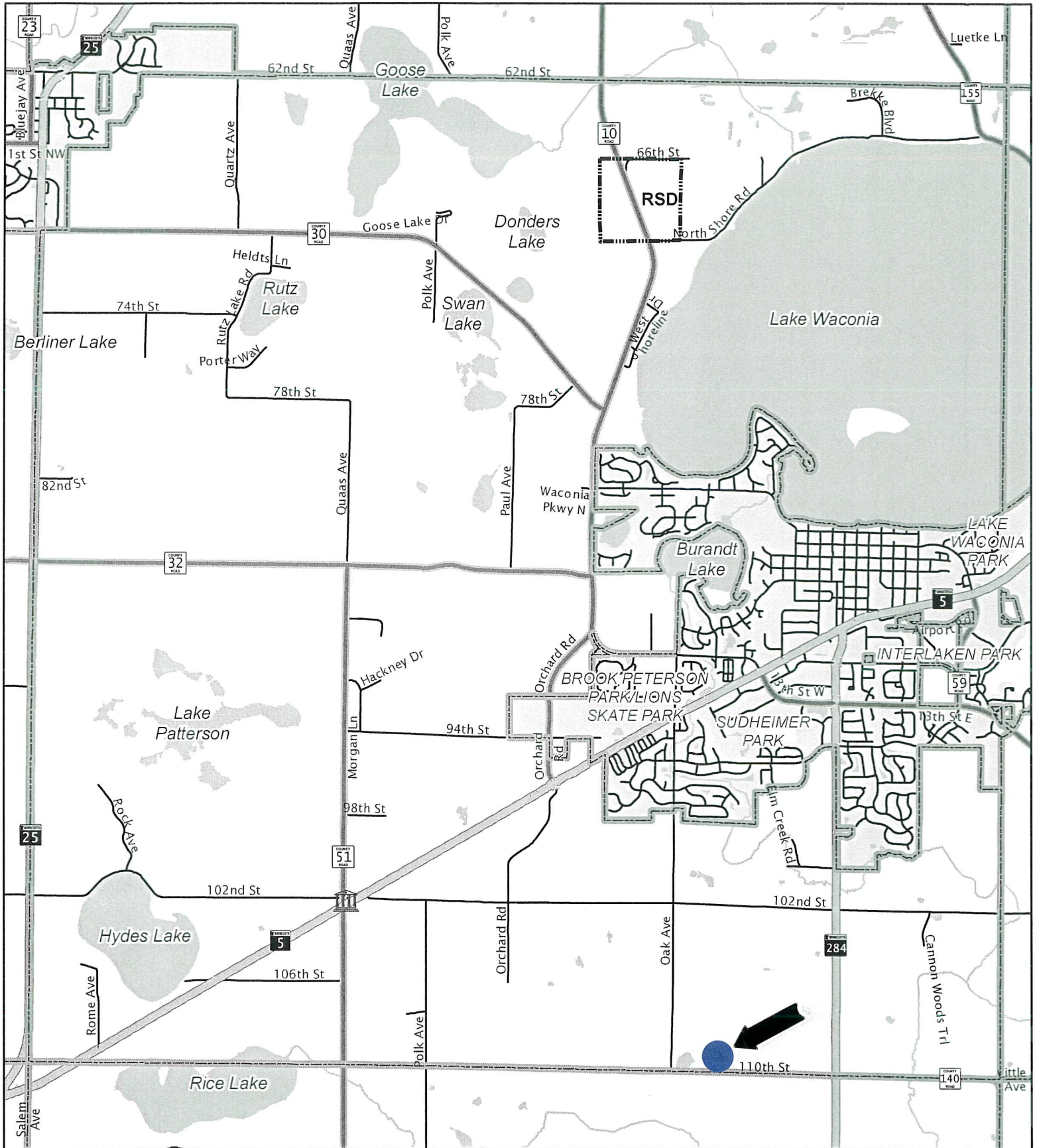
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

1. Waconia Township Location Map
2. PP-PZ20240049 - PLC Resolution (Pre Plat) signed
3. Zimmerman Subdivision Preliminary Plat
4. PP-PZ20240049 - Draft Co Bd Resolution (Pre Plat - Zimmerman Subdivision)

WACONIA TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PP-PZ20240049

RESOLUTION #: 25-04

WHEREAS, the following application for a Preliminary Plat (ZIMMERMAN SUBDIVISION) approval has been submitted and accepted:

FILE: PP-PZ20240049

APPLICANT: John Zimmerman

OWNERS: John M. & Barbara I. Zimmerman

SITE ADDRESS: 10850 110th Street, Cologne, 55322

PURSUANT TO: County Code, Chapters 151 & 152

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCELS #: 09-035-0400

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 21, 2025; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. John and Barbara Zimmerman own an approximately 30-acre parcel located in the East Half (E½) of the Southwest Quarter (SW¼) of Section 35, Waconia Township. The property includes a large wooded area, wetlands, and is improved with a single-family residence with an attached garage. The property is also improved with Mr. Zimmerman's woodworking business (CUP #PZ20230045), consisting of a sawmill complex and accompanying wood and equipment storage buildings. The site is located in the Agricultural Zoning District and the Carver County Water Management Organization (CCWMO) - Carver Creek watershed.
2. On May 7, 2024, Conditional Use Permit (CUP) #PZ20240011 (see attached) was issued to the subject property allowing for the creation of two (2) residential lots pursuant to the additional density provision (Section 152.078 B – Wooded Lots) of the Carver County Zoning Code. With the approval of the CUP, the applicant is now requesting an approval of the "Zimmerman Subdivision" Preliminary Plat. The request would consist of two residential lots (Lots 1 & 2, Block 1) for single-family homes.
3. Copies of the preliminary plat (signed date January 10, 2025) have been sent to the Waconia Township Clerk (Sue Goede), CCWMO (Abigail Ernst), Carver County Soil & Water Conservation District (SWCD), Carver County Environmental Services (Jacob McLain), City of Cologne (Michelle Morrison), City of Waconia (Lane Braaten), Waconia Schools District 110 (Finance & Operations Office), CenterPoint Energy (natural gas utility company serving the area), and Xcel Energy (electric utility company serving the area). The Environmental Services Department, City of Waconia, and the CCWMO have submitted comments.
4. The additional density, wooded lots, are laid out in such a manner that there are no more than four (4) homes per quarter-quarter as permitted by the density regulations of the Carver County Zoning Code. The residential lot sizes are approximately 2.9 acres and 3.1 acres. Each lot has a defined building site (i.e. minimum of a 1-acre building site) that conforms to code requirements, and any home constructed within the site would meet the zoning setback requirements. Said homes shall be set to allow for positive drainage on the property without impacting adjacent properties.

5. The preliminary plat shows 10-foot utility & drainage easements around each of the two (2) lots. There are wetlands identified on the subject property; therefore, wetland “drainage” easements, along with wetland buffers, are being provided as part of the platting process. No obstructions shall be permitted in any of the drainage and utility easements located around the perimeter of each lot. The covenants should address the preservation of the easements and that no obstructions shall be permitted within those areas.
6. The Zimmerman Subdivision plat does not involve the construction of an interior road (i.e. township road). Each of the subject lots would be provided access from the existing township road (i.e. 110th Street). Therefore, there would not be a development contract agreement as part of this platting process. Each proposed driveway access would be reviewed and approved by the road authority (Waconia Township) prior to driveway access permits and prior to building permit approvals.
7. The Carver County Environmental Services Department has received a report from a licensed SSTS professional identifying the primary and alternate Subsurface Sewage Treatment System (SSTS) locations. Environmental Services has reviewed the material and conducted a site visit. In an email dated January 2, 2025, Senior Environmentalist Jacob McLain reported: “New system was installed for 10850 110th Street in 2023, and borings have been completed for the two new lots. Everything is good!” No changes to primary and alternate SSTS sites have been proposed since the original submittal. All of the SSTS system locations would need to be fenced off and protected prior to any land alteration for driveway or house construction, etc.
8. The approximate 6-acre plat is located within the CCWMO jurisdiction. Stormwater management, and erosion control measures would need to be addressed pursuant to Chapter 153 of the County Code (i.e. Water Management Rules). In an email dated December 31, 2024, Tim Sundby, Water Resources Supervisor with the Carver County Planning and Water Department, confirmed that a combined erosion and sediment control and stormwater permit from the CCWMO would be required if the cumulative impervious surface constructed on all lots (drive, house pad, garage, other outbuildings, etc.) is greater than 1-acre. An erosion and sediment control permit from the CCWMO would be required if lots are constructed at the same time and the total disturbed area for all lots is greater than 1-acre. Additional information on stormwater and erosion and sediment control permits (requirements, application, guidance documents) is available on the County’s website. In the email, Mr. Sundby also noted that the buffer width of the wetland in Lot 2 would need to be increased due to the adjacent slope of the land.
9. In an email dated December 10, 2024, Abigail Ernst, Water Resources Program Analyst with the Carver County Water Management Organization, confirmed that she reviewed and approved the wetland boundaries shown in the submitted Zimmerman Property Wetland Investigation report (dated July 19, 2024).
10. The Carver Soil & Water Conservation District typically reviews the project with regard to the CCWMO “Water Management Rules”. All lots shall be reviewed for erosion/sediment control measures during the building permit process. The Carver SWCD would also be involved in the review and approval of the plans as they relate to the Water Rules, Wetland Conservation Act (WCA), and the Stormwater Pollution Prevention Plan (SWPPP), if applicable.
11. Lane Braaten, City of Waconia Community Development Director, reviewed the proposed Preliminary Plat and indicated in an email dated December 31, 2024, that he had no comments.
12. The proposal to create two residential lots was reviewed by Benjamin Jacobsen, Sales Consultant with CenterPoint Energy, the utility that provides natural gas to the area. In an email dated January 21, 2025, he responded that due to the nearest available tie-in point being about two miles away, and with the limited number of homes being proposed, it would not be feasible to extend gas service to the proposed parcels.

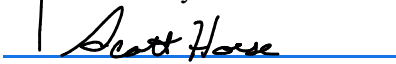
13. Draft covenants, as required by Conditional Use Permit #PZ20240011, have been submitted. Staff has reviewed the draft covenants and minor amendments to include text to prohibit mass grading of platted property and prohibition of impairment of drainage in the drainage and utility easements will be required. Subdivision covenants would need to be reviewed and approved by Carver County prior to final plat approval. The covenants shall be filed with the final plat and include minimum requirements as identified in the CUP.
14. The plat substantially meets the requirements of applicable County Zoning Code sections except where noted. The areas of deficiency would need to be addressed through conditions placed on the preliminary plat approval that must be complied with prior to acceptance of the final plat.
15. The Waconia Town Board reviewed and recommended approval of the Zimmerman Subdivision Preliminary Plat Revisions during their November 25, 2024, meeting with the comment: "No objections."
16. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the preliminary plat.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the approval of the Preliminary Plat of Zimmerman Subdivision on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the Preliminary Plat approval:

1. A total of two (2) residential wooded lots are permitted. The property shall be platted in accordance with M.S. Chapter 505, Carver County Zoning Subdivision Code 151, and the Carver County Zoning Code 152.
2. The layout of the final plat must substantially conform to the preliminary plat. Any significant departure from the preliminary plat must be approved by the Planning Commission before final plat consideration. As part of the preliminary plat approval, each lot shall document a suitable one (1) acre building site including a house location and primary & alternate septic site locations. All conditions of CUP #PZ20240011 shall be satisfied prior to the recording of the final plat.
3. The Covenants as required by CUP #PZ20240011 shall be reviewed and approved by Carver County prior to final plat consideration by the County Board. The Assistant County Attorney shall review and approve the covenants and County Surveyor shall review and approve any title work. The covenants shall address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats, and similar animals kept as household pets, and fewer than 10 fowl, is prohibited on any residential lot.
 - B. A covenant stating that the area is rural, and that commercial agriculture and other rural land use activities shall likely be occurring in the area. A notification must be provided regarding "odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities". Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the "A" district.
 - C. If the home sites include any environmentally sensitive land, then restrictions must be placed in the covenants addressing: clear cutting of land, mass grading, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.

- D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, they would have to submit soil borings for another site before any building permit will be issued.
 - E. A covenant must be added requiring the preservation of the easements and that no obstructions shall be permitted within any easement areas.
- 4. The above-required Covenants shall be become part of the plat approval.
 - 5. Each lot must be reviewed in the field prior to the issuance of any building permit and/or SSTs permit. All septic system locations (i.e. primary & alternate) shall be marked and protected (rope, fencing, etc.) to prohibit any disturbance to those areas. Furthermore, prior to the commencement of any construction related activity, the primary and alternate septic locations for each lot shall be protected.
 - 6. Each lot shall be reviewed and approved by CCWMO pursuant to Chapter 153 of the Zoning Code. Specific details for each lot must be submitted to the CCWMO for approval prior to issuance of building permit(s) on individual lots.
 - 7. The driveway for each lot shall conform to the Carver County Land Management Department and CCWMO requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authority (i.e. Waconia Township). An access permit for each driveway from 110th Street shall be obtained from the Township prior to issuance of an access permit or new home building permit(s).
 - 8. Prior to submitting a building permit application for a new house, the Permittee shall identify the lowest floor elevation to document an emergency overflow for stormwater. Said homes shall be set to allow for positive drainage on the property.
 - 9. As per Section 151.163 of the Carver County Code, all utility facilities are to be located underground. The access and drainage ways will be designed so that public utilities can be installed at a later date.

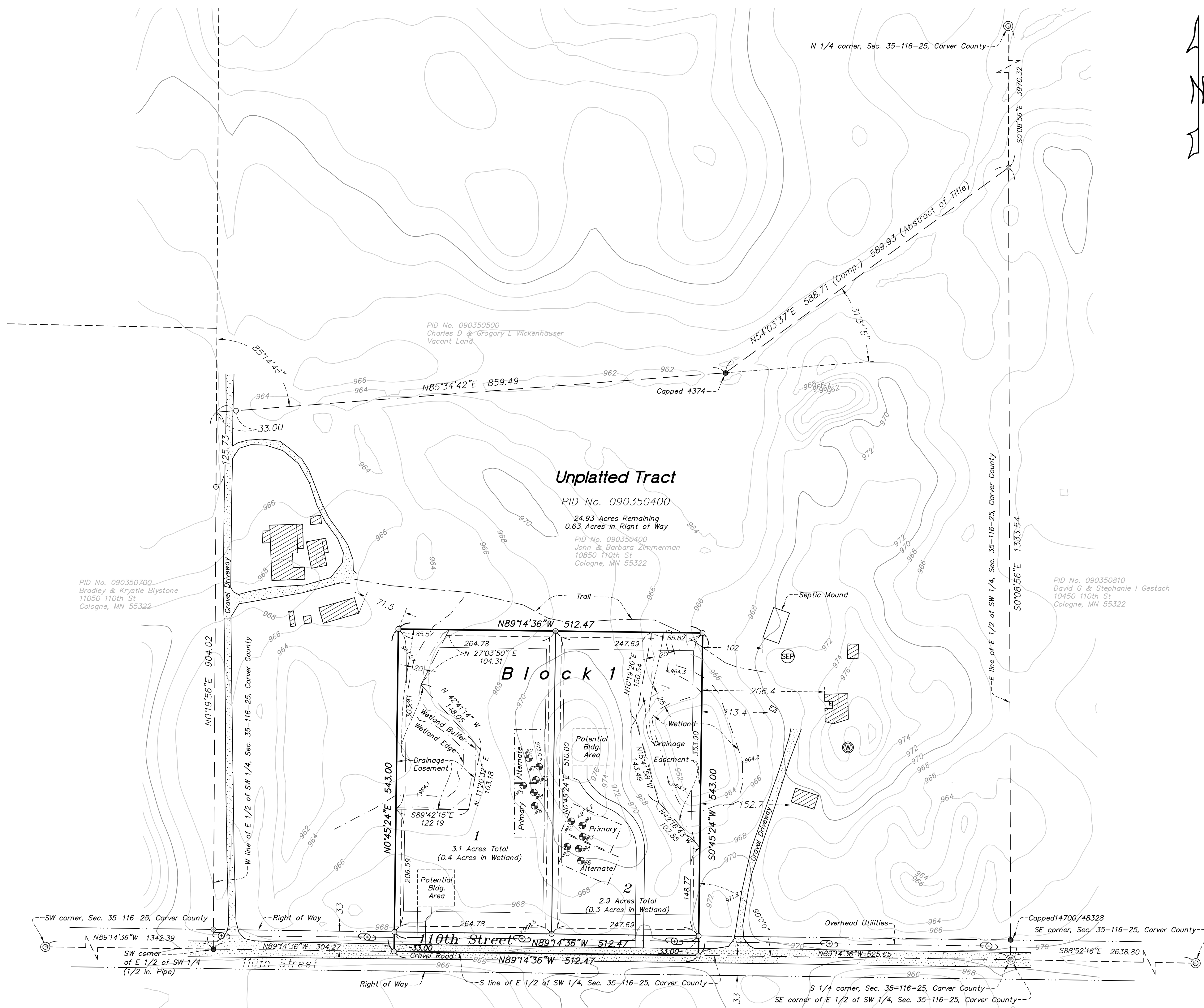
ADOPTED by the Carver County Planning Commission this 21st day of January 2025.


Scott Hoese (Jan 22, 2025 19:27 CST)

Scott Hoese, Chairman
Carver County Planning Commission

ZIMMERMAN SUBDIVISION

PRELIMINARY PLAT



EXISTING DESCRIPTION OF PARENT TRACT (PARCEL ID NUMBER 090350400)
Real Estate situated in Carver County, Minnesota

That part of the East Half of the Southwest Quarter (E1/2 of SW1/4) of Section 35, Township 116 North, Range 25 West of the 5th Principal Meridian, which lies Southerly of a line described as follows:

Commencing at the Southwest corner of said East half of the Southwest Quarter (E1/2 of SW1/4); thence Northerly along the West line of said East half of Southwest Quarter, a distance of 904.02 feet to the beginning of the line to be described; thence Easterly, deflecting to the right 85°14'16" a distance of 859.49 feet; thence Northeasterly, deflecting to the left 31°31'05" a distance of 589.93 feet to the East line of said East Half of the Southwest Quarter and said line there terminating.

DESCRIPTION FOR TRACT OF LAND TO BE INCLUDED IN PROPOSED PLAT
That part of the East Half of the Southwest Quarter of Section 35, Township 116, Range 25, Carver County, Minnesota, described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence on an assumed bearing of North 89 degrees 14 minutes 36 seconds West, along the south line thereof, 525.65 feet to the point of beginning of the tract of land to be described; thence North 0 degrees 45 minutes 24 seconds East, 543.00 feet; thence North 89 degrees 14 minutes 36 seconds West, 512.47 feet; thence South 0 degrees 45 minutes 24 seconds West, 543.00 feet to said south line of the Southwest Quarter; thence South 89 degrees 14 minutes 36 seconds East, along said south line, 512.47 feet to the point of beginning and there terminating.

DESCRIPTION FOR REMAINING LAND NOT TO BE INCLUDED IN PROPOSED PLAT
That part of the East Half of the Southwest Quarter of Section 35, Township 116, Range 25, Carver County, Minnesota, which lies Southerly of a line described as follows:

Commencing at the Southwest corner of said East half of the Southwest Quarter (E1/2 of SW1/4); thence Northerly along the West line of said East half of Southwest Quarter, a distance of 904.02 feet to the beginning of the line to be described; thence Easterly, deflecting to the right 85°14'16" a distance of 859.49 feet; thence Northeasterly, deflecting to the left 31°31'05" a distance of 589.93 feet to the East line of said East Half of the Southwest Quarter and said line there terminating.

EXCEPTING THEREFROM That part of the East Half of the Southwest Quarter of Section 35, Township 116, Range 25, Carver County, Minnesota, described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence on an assumed bearing of North 89 degrees 14 minutes 36 seconds West, along the south line thereof, 525.65 feet to the point of beginning of the tract of land to be described; thence North 0 degrees 45 minutes 24 seconds East, 543.00 feet; thence North 89 degrees 14 minutes 36 seconds West, 512.47 feet; thence South 0 degrees 45 minutes 24 seconds West, 543.00 feet to said south line of the Southwest Quarter; thence South 89 degrees 14 minutes 36 seconds East, along said south line, 512.47 feet to the point of beginning and there terminating.

OWNER/DEVELOPER

John Zimmerman
10850 110th St
Cologne, MN 55322

SEPTIC DESIGNER

Chip's Septic Services, LLC
16762 Babcock Ave
Lester Prairie, MN 55354

SURVEYOR

Schoborg Land Services, Inc.
8997 County Road 13 SE
Delano, MN 55328

WETLAND DELINEATOR

Anderson Engineering of Minnesota, LLC
13605 1st Avenue North, Suite 100
Plymouth, MN 55441

TOWNSHIP/DISTRICT INFORMATION

Waconia Township
School District No. 110
Carver County Watershed Management Organization

PARCEL ID NUMBER:

090350400

PROJECT BENCHMARK:

MNDOT Geodetic Monument "1014 F"
Elevation = 958.56 (NAVD88)

LOT/SIZE INFORMATION

Existing Zoning: Agricultural
Proposed Zoning: Agricultural
Plot Area = 6.39 acres (0.39 acres in right of way)

SETBACKS

Front= 68 feet from center line
Side = 15 feet
Rear = 30 feet

PROPOSED LOT AREAS

Lot 1 = 3.1 acres (135,036 sq. ft.)
Lot 2 = 2.9 acres (126,324 sq. ft.)

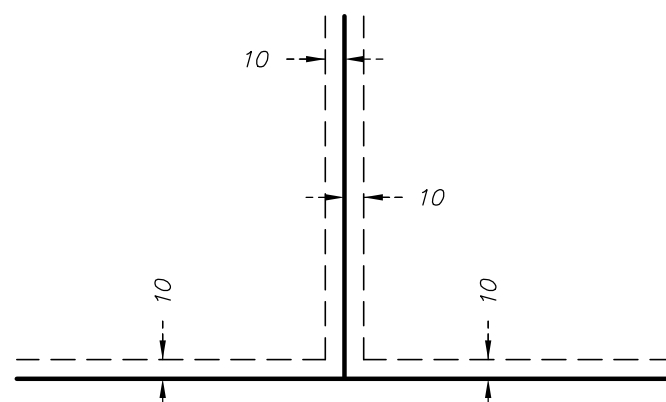
BUILDABLE AREAS (OUTSIDE SEPTIC EASEMENTS AND SETBACKS)

Lot 1 = 1.68 acres (72,972 sq. ft.)
Lot 2 = 1.55 acres (67,405 sq. ft.)

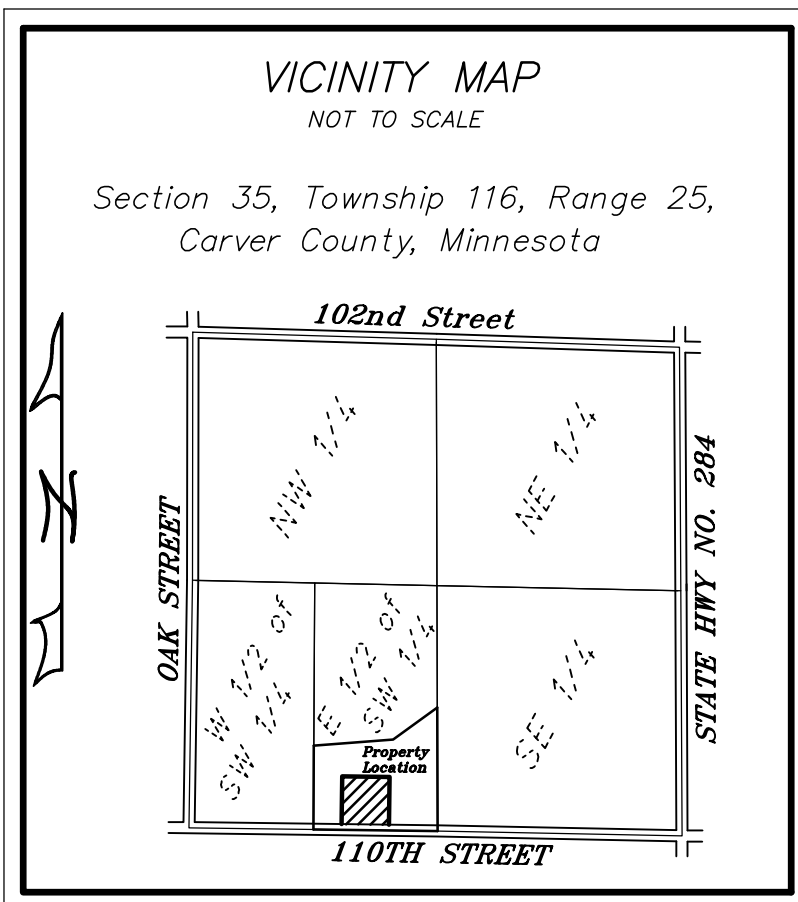
BASIS OF BEARING

The south line of the Southwest Quarter of Section 35, Township 116, Range 25, Carver County, Minnesota, is assumed to bear North 89 degrees 14 minutes 36 seconds West.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN AS THUS:



Drainage and Utility Easements being 10 feet in width and adjoining right-of-way lines, and being 10 feet in width and adjoining lot lines, unless otherwise indicated.



**SCHOBORG
LAND SERVICES
INC.**

763-972-3221
www.SchoborgLand.com

8997 Co. Rd. 13 SE
Delano, MN 55328

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Kelly L. Browne
Kelly L. Browne

Date: January 10, 2025 Registration No. 48328

Job Number: 9813
Survey Date: 9/9/24, 9/10/24
Drawing Name: Zimmerman.dwg
Drawn by: SKH
Revisions:

Prepared for:
John Zimmerman

Bearings based on Carver County Coordinate system. Elevations based on NAVD88 datum.

BOARD OF COUNTY COMMISSIONERS

CARVER COUNTY, MINNESOTA

DATE: _____ RESOLUTION #: _____
MOTION BY COMMISSIONER: _____ SECONDED BY COMMISSIONER: _____

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF ZIMMERMAN SUBDIVISION

WHEREAS, the following application for a Preliminary Plat has been submitted and accepted:

FILE: PP-PZ20240049

APPLICANT: John Zimmerman

OWNERS: John M. & Barbara I. Zimmerman

SITE ADDRESS: 10850 110th Street, Cologne, 55322

PURSUANT TO: County Code, Chapters 151 & 152

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCELS #: 09-035-0400

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of January 21, 2025, and forwarded to the Carver County Board of Commissioners for action; and

WHEREAS, the County Board has reviewed the recommendations and proposed conditions put forward by the Planning Commission after the public hearings on the matter and concurs with the findings, recommendations, and conditions of the Planning Commission; and

WHEREAS, the plat substantially meets the requirements of applicable county ordinances except as noted by Planning Commission Resolution No. 25-04 and the areas of deficiency can be addressed through conditions placed on the preliminary plat that must be complied with prior to acceptance of the Final Plat.

1. John and Barbara Zimmerman own an approximately 30-acre parcel located in the East Half (E½) of the Southwest Quarter (SW¼) of Section 35, Waconia Township. The property includes a large wooded area, wetlands, and is improved with a single-family residence with an attached garage. The property is also improved with Mr. Zimmerman's woodworking business (CUP #PZ20230045), consisting of a sawmill complex and accompanying wood and equipment storage buildings. The site is located in the Agricultural Zoning District and the Carver County Water Management Organization (CCWMO) - Carver Creek watershed.
2. On May 7, 2024, Conditional Use Permit (CUP) #PZ20240011 was issued to the subject property allowing for the creation of two (2) residential lots pursuant to the additional density provision (Section 152.078 B – Wooded Lots) of the Carver County Zoning Code. With the approval of the CUP, the applicant is now requesting an approval of the "Zimmerman Subdivision" Preliminary Plat. The request would consist of two residential lots (Lots 1 & 2, Block 1) for single-family homes.
3. Copies of the preliminary plat (signed date January 10, 2025) have been sent to the Waconia Township Clerk (Sue Goede), CCWMO (Abigail Ernst), Carver County Soil & Water Conservation District (SWCD), Carver County Environmental Services (Jacob McLain), City of Cologne (Michelle Morrison), City of Waconia (Lane Braaten), Waconia Schools District 110 (Finance & Operations Office), CenterPoint Energy (natural gas utility company serving the area), and Xcel Energy (electric utility company serving the area).

4. The additional density, wooded lots, are laid out in such a manner that there are no more than four (4) homes per quarter-quarter as permitted by the density regulations of the Carver County Zoning Code. The residential lot sizes are approximately 2.9 acres and 3.1 acres. Each lot has a defined building site (i.e. minimum of a 1-acre building site) that conforms to code requirements, and any home constructed within the site would meet the zoning setback requirements. Said homes shall be set to allow for positive drainage on the property without impacting adjacent properties.
5. The preliminary plat shows 10-foot utility & drainage easements around each of the two (2) lots. There are wetlands identified on the subject property; therefore, wetland “drainage” easements, along with wetland buffers, are being provided as part of the platting process. No obstructions shall be permitted in any of the drainage and utility easements located around the perimeter of each lot. The covenants should address the preservation of the easements and that no obstructions shall be permitted within those areas.
6. The Zimmerman Subdivision plat does not involve the construction of an interior road (i.e. township road). Each of the subject lots would be provided access from the existing township road (i.e. 110th Street). Therefore, there would not be a development contract agreement as part of this platting process. Each proposed driveway access would be reviewed and approved by the road authority (Waconia Township) prior to driveway access permits and prior to building permit approvals.
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8. The approximate 6-acre plat is located within the CCWMO jurisdiction. Stormwater management, and erosion control measures would need to be addressed pursuant to Chapter 153 of the County Code (i.e. Water Management Rules). In an email dated December 31, 2024, Tim Sundby, Water Resources Supervisor with the Carver County Planning and Water Department, confirmed that a combined erosion and sediment control and stormwater permit from the CCWMO would be required if the cumulative impervious surface constructed on all lots (drive, house pad, garage, other outbuildings, etc.) is greater than 1-acre. An erosion and sediment control permit from the CCWMO would be required if lots are constructed at the same time and the total disturbed area for all lots is greater than 1-acre. Additional information on stormwater and erosion and sediment control permits (requirements, application, guidance documents) is available on the County’s website. In the email, Mr. Sundby also noted that the buffer width of the wetland in Lot 2 would need to be increased due to the adjacent slope of the land.
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11. Lane Braaten, City of Waconia Community Development Director, reviewed the proposed Preliminary Plat and indicated in an email dated December 31, 2024, that he had no comments.
12. The proposal to create two residential lots was reviewed by Benjamin Jacobsen, Sales Consultant with CenterPoint Energy, the utility that provides natural gas to the area. In an email dated January 21, 2025, he responded that due to the nearest available tie-in point being about two miles away, and with the limited number of homes being proposed, it would not be feasible to extend gas service to the proposed parcels.

13. Draft covenants, as required by Conditional Use Permit #PZ20240011, have been submitted. Staff has reviewed the draft covenants and minor amendments to include text to prohibit mass grading of platted property and prohibition of impairment of drainage in the drainage and utility easements will be required. Subdivision covenants would need to be reviewed and approved by Carver County prior to final plat approval. The covenants shall be filed with the final plat and include minimum requirements as identified in the CUP.
14. The plat substantially meets the requirements of applicable County Zoning Code sections except where noted. The areas of deficiency would need to be addressed through conditions placed on the preliminary plat approval that must be complied with prior to acceptance of the final plat.
15. The Waconia Town Board reviewed and recommended approval of the Zimmerman Subdivision Preliminary Plat Revisions during their November 25, 2024, meeting with the comment: "No objections."
16. The County Board of Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the preliminary plat.

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby approves the Preliminary Plat of Zimmerman Subdivision for the land described on the preliminary plat, and with the following conditions attached to the preliminary plat approval:

1. A total of two (2) residential wooded amenity lots are permitted. The property shall be platted in accordance with M.S. Chapter 505, Carver County Zoning Subdivision Code 151, and the Carver County Zoning Code 152.
2. The layout of the final plat must substantially conform to the preliminary plat. Any significant departure from the preliminary plat must be approved by the Planning Commission before final plat consideration. As part of the preliminary plat approval, each lot shall document a suitable one (1) acre building site including a house location and primary & alternate septic site locations. All conditions of CUP #PZ20240011 shall be satisfied prior to the recording of the final plat.
3. The Covenants as required by CUP #PZ20240011 shall be reviewed and approved by Carver County prior to final plat consideration by the County Board. The Assistant County Attorney shall review and approve the covenants and County Surveyor shall review and approve any title work. The covenants shall address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats, and similar animals kept as household pets, and fewer than 10 fowl, is prohibited on any residential lot.
 - B. A covenant stating that the area is rural, and that commercial agriculture and other rural land use activities shall likely be occurring in the area. A notification must be provided regarding "odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities". Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the "A" district.
 - C. If the home sites include any environmentally sensitive land, then restrictions must be placed in the covenants addressing: clear cutting of land, mass grading, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, they would have to submit soil borings for another site

before any building permit will be issued.

E. A covenant must be added requiring the preservation of the easements and that no obstructions shall be permitted within any easement areas.

4. The above-required Covenants shall be become part of the plat approval.
5. Each lot must be reviewed in the field prior to the issuance of any building permit and/or SSTS permit. All septic system locations (i.e. primary & alternate) shall be marked and protected (rope, fencing, etc.) to prohibit any disturbance to those areas. Furthermore, prior to the commencement of any construction related activity, the primary and alternate septic locations for each lot shall be protected.
6. Each lot shall be reviewed and approved by CCWMO pursuant to the Chapter 153 -Water Management Standards and Wetland Conservation Act (WCA) requirements. Specific details for each lot must be submitted to the CCWMO for approval prior to issuance of building permit(s) on individual lots.
7. The driveway for each lot shall conform to the Carver County Land Management Department, CCWMO, Wetland Conservation Act (WCA) requirements. The applicant shall comply with any and/or all requirements established by the appropriate road authority (i.e. Waconia Township). An access permit for each driveway from 110th Street shall be obtained from the Township prior to issuance of an access permit or new home building permit(s).
8. Prior to submitting a building permit application for a new house, the Permittee shall identify the lowest floor elevation to document an emergency overflow for stormwater. Said homes shall be set to allow for positive drainage on the property.
9. As per Section 151.163 of the Carver County Code, all utility facilities are to be located underground. The access and drainage ways will be designed so that public utilities can be installed at a later date.

YES	ABSENT	NO

STATE OF MINNESOTA
COUNTY OF CARVER

I, David 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 4th day of February 2025, now on file in the Administration Office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of February 2025.

Dave Hemze, County Administrator



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: HHS Public Health: PSA for Emergency Preparedness Consultation Services

RBA Number: 2025-25

Department: Health & Human Services - Public Health

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

Presenter:

Contract Name & Number: Emergency Preparedness Consultant - Courtney Wetternach - Contract #24-666

Meeting Date: February 4, 2025

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 county board approval to contract with Courtney Wetternach, a recognized leader in the field of Emergency Preparedness, to provide consulting services to assess and update the division's/departments' Emergency Preparedness policies, procedures, operational guidelines, and training protocols. This also includes but is not limited to improving utilization of the Medical Reserve Corps (MRC), Family Assistance Center, Points of Dispensing, Disaster Behavior Health, and other mutually agreed upon Emergency Preparedness program areas.

CCPH's Emergency Preparedness activities focus on strengthening the capacity of the County and its residents to prepare for, respond to, and recover from the health impact of a public health emergency. Preparing for and responding to emergencies is one of the essential foundational capabilities statutorily required by Minnesota Statutes 145A for local public health agencies in Minnesota.

Minnesota Department of Health Emergency Preparedness grant funding in the amount not to exceed \$40,500 will be used for payment of contracted services (contract #24-666) with a contract end date of May 31, 2025. This funding has already been

accounted for in the 2025 approved budget for professional and technical fees. No County Levy will be required. The contract has already routed and been approved through the internal contract review process.

Action Requested:

Motion to approve Professional Service Agreement with Courtney Wetternach for Emergency Preparedness Consulting Services with an amount not to exceed \$40,500 through May 31, 2025.

Fiscal Impact:

Funding:	Amount Budgeted:
MDH MRC STTRONG Grant	\$30,000
MDH Response Sustainability Grant (RSG)	\$15,500

Related Fiscal/FTE Comments:

Fiscal Impact: MDH Grant funding from MRC STTRONG in the amount of \$30,000 and MDH Grant funding from the Response Sustainability Grant (RSG) grant in the amount of \$15,500 will be used to support contract. These funds and designated professional tech fee expenses are already in the 2025 approved HHS Budget; therefore, no budget amendment required.

FTE Impact: None

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Professional Service Agreement with Scott-Carver-Dakota CAP Agency for Health Care Services

RBA Number: 2025-136

Department: Health & Human Services - Public Health

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

Presenter:

Contract Name & Number: CAP Agency Contract for Health Care Services - Contract #25-007

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Health and Human Services - Public Health (CCPH) Department is seeking county board approval to contract with the Scott-Carver-Dakota CAP Agency to provide health care services to uninsured and underinsured residents from Carver County. This includes medical and nursing services, health education, information and referral services, and assistance with accessing other health care and supportive services and resources.

The CAP Agency is a non-profit organization serving Scott, Carver, and Dakota Counties. For sixty (60) years the CAP Agency has focused on meeting basic needs like food and nutrition, creating accessible, high-quality education, and providing safe and stable housing and support. With the acquisition of River Valley Community Partnership (d/b/a River Valley Health Services), the CAP Agency has expanded its capacity to provide low cost medical and nursing services, health education, information and referral, health navigation services to uninsured or underinsured residents.

The terms of the Professional Service Agreement (PSA) (contract #25-007) will be for a not-to-exceed amount of \$75,000 with end date of December 31, 2025. The contract has been reviewed and approved through the internal contract review process.

No County Levy will be required.

Action Requested:

Motion to approve Professional Service Agreement (Contract #25-007) with Scott-Carver-Dakota CAP Agency for \$75k for health care services through December 31, 2025.

Fiscal Impact:

Funding:	Amount Budgeted:
LTSS/LCTS Funds	\$55,000
MDH LPH Grant	\$20,000

Related Fiscal/FTE Comments:

Fiscal Impact: No Budget Amendment necessary. Funding for contract will come from LTSS/LCTS funds and MDH LPH Grant sources. Funds and professional and technical fees are already specified in the 2025 approved budget. Contract end date is 12/31/2025. No county levy required.

FTE Impact: None

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: HHS staff attendance at 2025 Corporation for Supportive Housing Summit in Chicago, Illinois

RBA Number: 2025-155

Department: Health & Human Services - Behavioral Health

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

Presenter:

Contract Name & Number: N/A

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

The Corporation for Supportive Housing (CSH) is hosting the 2025 CSH Supportive Housing Summit in Chicago, Illinois from April 23 through April 25, 2025. Since 2015, the CSH has gathered dedicated individuals to exchange knowledge and discover innovative approaches to strengthening the supportive housing field. This is the only national Summit of its kind focused solely on supportive housing as a proven community solution to help people thrive through affordable housing and support services. The 2025 conference will facilitate sessions that tackle these challenges with innovative, practical, and effective solutions, demonstrating supportive housing is a viable and sustainable alternative to institutionalization and housing instability. Attendees will leave with a toolbox of resources, protocols, practical strategies and an expanded network of contacts to help leverage and maximize the impact of their work towards advancing affordable and supportive housing in their communities.

Health and Human Services (HHS) would like to send one supervisory staff from the HHS- Housing Unit to the Summit.

Funding for this conference and related expenses will be provided by a scholarship from CSH. Total cost to attend the out-of-state conference is estimated to be \$2,652. No county levy needed.

Action Requested:

Motion to approve one staff from HHS to attend the Corporation for Supporting Housing (CSH) 2025 Supportive Housing Summit in Chicago, Illinois, in April 2025.

Fiscal Impact:

Funding:	Amount Budgeted:
CSH Scholarship	\$2,652

Related Fiscal/FTE Comments:

Fiscal Impact: A scholarship from CSH is provided to cover all conference expenses associated with the 2025 CSH Summit in Chicago, IL. All expenses and receipts will be submitted to CSH for reimbursement. Estimated costs include:

Registration (full conference + preconference workshop): \$890

Hotel: \$1000 for three days (may be more if added service fees)

Airfare: Economy \$300 (subject to change)

Meals: Based on GSA rate for Chicago \$276 for the three days (some meals may be included so this may be less)

Ground transport: \$92 each way for total of \$186 (hotel may have their own shuttle)

Total Estimated Cost: \$2,652.

No county levy required.

FTE Impact: None

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: National Opioid Settlement - Funding Approval for HHS- Probation and PSA for Marbigail Therapy Services

RBA Number: 2024-931

Department: Health & Human Services

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

Presenter:

Contract Name & Number: Marbigail: Juvenile Chemical Dependency Services - #25-016

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County, alongside the State of Minnesota and numerous other counties and cities, has been engaged in nationwide court cases against prescription opioid manufacturers and distributors due to the ongoing opioid crisis. In 2021, Carver County agreed to enter into settlement agreements with several pharmaceutical distributors and drug manufacturers, with additional settlement efforts still being discussed. Public Health agencies have been appointed as the Chief Strategist for these initiatives, focusing on local efforts, fostering community involvement, and utilizing collaborative, evidence-based approaches to prevent opioid use and address addiction.

The Carver County Opioid Settlement Advisory Committee, made up of internal Carver County stakeholders representing the following departments: HHS-Public Health, Jail, Sheriff's Office, HHS-Behavioral Health, HHS-Housing Unit, County Attorney's Office, HHS-Court/Probation Services and HHS-Child & Family, convened several times in 2024 to determine the process for allocating National Opioid Settlement funds to address the opioid crisis as outlined in the Minnesota Opioid Settlement Memorandum of Agreement (MoA). The Committee determined that a majority of the funding would be allocated to internal Carver County departmental/divisional projects addressing one or more priority areas outlined in the MoA: Prevention, Treatment, Harm Reduction,

Research and Training. Internal Carver County departments have the opportunity to submit project ideas monthly, on an ongoing basis. Funding ideas are reviewed by Health and Human Services leadership to ensure they address the priority areas outlined in the MoA.

The following project for a total of \$82,000 of National Opioid Settlement funds is being recommended for County Board approval for Carver County Health & Human Services – Court/Probation Services. Court/Probation Services will collaborate and contract with Marbigail Therapy Services, LLC to offer an Early Intervention Education Program (EIEP) and Certified Peer Recovery Services (CPRS) for juveniles ages 14-18 years old who are involved in the criminal justice system and have an identified substance use disorder. The contract will also offer rapid access to comprehensive and diagnostic assessments for juveniles with co-occurring disorders through a referral by their probation agent. This program addresses the following priority areas outline in the MoA: Treatment and Harm Reduction.

The contract (#25-016) will be for a not-to-exceed amount of \$82,000 with an end date of 12/31/2025. The contract has been reviewed and approved through the internal contract review process.

Action Requested:

Motion to approve the use of Carver County's allocation of National Opioid Settlement funds in the amount of \$82,000 to support Early Intervention Education Program (EIEP) and Certified Peer Recovery Services (CPRS) and motion to approve a Professional Service Agreement with Marbigail Therapy Services, LLC, through 12/31/2025.

Fiscal Impact:

Funding:	Amount Budgeted:
National Opioid Settlement funds	\$82,000

Related Fiscal/FTE Comments:

Fiscal Impact: Use \$82,000 of National Opioid Settlement funding to support project. A contract through the HHS-Court/Probation Services department will be with Marbigail Therapy Services with a NTE of \$82k through 12/31/2025 (contract #25-016).

FTE Impact: None

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: HHS Probation/Court Services: Diyaniyan Contract with Marbigail Therapy Services, LLC

RBA Number: 2025-18

Department: Health & Human Services - Court Services

Contact: Eric Johnson, Court Services Director, 952-361-1466

Presenter:

Contract Name & Number: Diyaniyan Contract with Marbigail Therapy 2025 - #24-696

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

Health and Human Services - Court/Probation Services Department secured a federal grant in fall of 2023 through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Ape Siyalu Diyaniyan (All Our Daughters) supervision curriculum receiving \$379,495 in federal grant dollars (RBA 9395). This supervision curriculum designed for moderate and high-risk girls was written by a current Carver County Court Services Agent. This contract reflects an agreement with a local therapy provider, Marbigail Therapy Services, LLC, to provide ongoing therapy and skills training, as well as prompt diagnostic and crisis services, for justice-involved juveniles on female-specific caseload. All services provided related to this contract will be funded by the federal grant, which runs through September 30, 2026. The County Board of Commissioners approved the first year of this same contract (#23-529) with this same vendor for 2024 (RBA 9514). This is the second year of this contract and will run through December 31, 2025. No county levy dollars will be used for the services related to this contract. The contract amount is not to exceed \$100,000.

Action Requested:

Motion to approve Diyaniyan Contract with Marbigail Therapy Services, LLC for \$100k through December 31, 2025.

Fiscal Impact:

Funding:	Amount Budgeted:
OJJDP Federal Grant	\$100,000

Related Fiscal/FTE Comments:

Contract has been reviewed and approved through the internal contract review process.

All costs related to contract will be paid using OJJDP federal grant funds.

No FTE impact.

No local levy impact.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: HHS Probation/Court Services: Certified Peer Recover Specialist (CPRS) contract with NorthStar Regional for Drug Court

RBA Number: 2025-142

Department: Health & Human Services - Court Services

Contact: Eric Johnson, Court Services Director, 952-361-1466

Presenter:

Contract Name & Number: Certified Peer Recovery Specialist (CPRS)- NorthStar Regional: Contract #25-029

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Health and Human Services - Probation/Court Services Department is seeking County Board approval to contract with NorthStar Regional for the services of a Certified Peer Recovery Specialist (CPRS) for the Carver County Drug Court. The CPRS will assist our Drug Court by serving as a recovery mentor for our Drug Court participants while in the program and upon graduation from the program. This service is currently budgeted within the federal Drug Treatment Court grant. The 2025 contract (end date December 31, 2025) will not exceed \$40,000, which essentially covers a halftime CPRS.

Action Requested:

Motion to approve Certified Peer Recovery Specialist (CPRS) contract with NorthStar Regional in an amount up to \$40k through December 31, 2025.

Fiscal Impact:

Funding:	Amount Budgeted:
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Federal Grant	\$40,000
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Related Fiscal/FTE Comments:

Not to exceed \$40,000- Professional and Technical Fees for Service for this contract are funded by a federal grant for the Carver County Drug Treatment Court. No local levy is involved. The funding is already in the 2025 budget for HHS. The contract has already routed and been approved through the internal contract review process.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Donation(s) Authorization for Promotion of Parks & Recreation Services

RBA Number: 2025-115

Department: Public Works - Parks

Contact: Martin Walsh, Parks Director, 952-361-1570

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

Connections: Develop strong public partnerships and connect people to services

Background/Justification:

Each year the Parks & Recreation Department receives requests from various organizations, businesses and groups in the local communities to contribute to their various charitable causes and promotional efforts planned for the year. The County Board has authorized the issuance of redeemable certificates for parks and recreation services and products. The Department has utilized these opportunities for marketing and promoting park services and facilities.

Data on utilization response from the issued certificates has indicated trends in what services are most valued by the end user.

To maximize flexibility for county staff and the customer, a capped dollar amount of \$2,100.00 is requested. The \$2,100 is totaled by the past certificate thresholds that were authorized. Certificates will be valid within 2025. Staff will use the department's reservation system to accurately manage the program.

Action Requested:

Motion to approve the donation of up to \$2,100 in redeemable certificates for 2025 Parks and Recreational services and products.



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Approval of Out of State Travel for Parks Department Staff

RBA Number: 2024-295

Department: Public Works - Parks

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

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

Culture: Provide culture that fosters accountability to achieve goals and sustain public trust.

Background/Justification:

Vermont Systems, the Department reservation software provider, holds an annual conference for clients. These regional conferences are free to attend and held once each fall, typically in the Chicago Illinois area. Valuable information and updates to the software are presented. Attendance would be highly beneficial for the Parks Administrative Assistant and Reservation Specialist to attend. Airfare, hotel, and car rental for 2 employees to attend is estimated to be \$1,000.

Action Requested:

Motion to approve out of state travel for the Parks Administrative Assistant and Reservation Specialist to attend Vermont Systems Conference in Chicago

Fiscal Impact:

Funding:	Amount Budgeted:
520-000-0000-6332	\$1,000

Related Fiscal/FTE Comments:



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Construction Contract for Enhanced Pavement Markings Project with Century Traffic, LLC

RBA Number: 2025-137

Department: Public Works - Program Delivery

Contact: Whitney Schroeder, Traffic Engineer, 952-466-5208

Presenter:

Contract Name & Number: 25-026

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

Carver County Public Works seeks approval to enter into a construction agreement with Century Traffic, LLC for installation of wet-reflective pavement markings along various County and County State Aid roadway segments to improve nighttime and inclement weather visibility and to reduce lane departure crashes. The purpose of this project is to implement MnDOT HSIP awarded grant application funds. The enhanced pavement markings will be utilized as a low-cost, widespread proven systemic highway safety improvement and will be consistent with highway safety focus areas of the FHWA, MnDOT Strategic Highway Safety Plan, and Carver County Roadway Safety Plan. Approximately 50 centerline miles of county roadways were identified as candidate segments based on multiple factors including safety and future project/maintenance prioritization. All work included within this project would be in kind replacement of current long line pavement markings on Carver County highways and follow standards and practices consistent with MnDOT and the MnMUTCD.

The project is funded through a combination of Federal Highway Safety Improvement Program (HSIP) Grant (\$810,000) and local funds.

Carver County solicited bids for the Enhancement Pavement Marking Project. Bids were opened on January 9, 2025 with three contractors submitting bids.

Bid Results:

Bidder Name	Total Amount	% Over Engineer's Estimate
<i>Engineer's Estimate</i>	\$884,790.96	
Century Traffic LLC	\$918,690.76	3.8%
Sir Lines-A-Lot, LLC	\$949,435.67	7.3%
Warning Lites of Minnesota	\$1,047,054.22	18.3%

Action Requested:

Motion to adopt a resolution awarding the construction contract for the Install Enhanced Pavement Markings Project to Century Traffic, LLC in the amount of \$918,690.76, pending finalization of the contract review process and MnDOT approvals.

Fiscal Impact:

Funding:	Amount Budgeted:
Federal Highway Safety Improvement Program Grant	\$810,000
CSAH Regular Funds	\$108,690.76

Related Fiscal/FTE Comments:

Included in the current budget.

Attachments:

1. Resolution Construction Contract 25-026

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 4th, 2025

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Awarding of the Install Enhanced Pavement Markings Project, Carver County Contract 25-026

WHEREAS, The County Engineer has secured and designated funding for this contract in the current fiscal year Road and Bridge budget; and

WHEREAS, On Thursday, January 9th, 2025 at 2:00 p.m. at Carver County Public Works, 11360 Highway 212, Cologne, Minnesota, three (3) bids were received by Carver County Public Works and opened by two (2) representatives of Carver County Public Works for the Install Enhanced Pavement Markings Project, said bids for the responsible bidders are summarized as follows:

<u>Contractor</u>	<u>Total Bid</u>	<u>Over/Under Engineers Estimate</u>
Century Traffic, LLC	\$918,690.76	+3.8 %
Sir Lines-A-Lot, LLC	\$949,435.67	+7.3 %
Warning Lites of Minnesota	\$1,047,054.22	+18.3 %
<i>Engineers Estimate</i>	<i>\$884,790.96</i>	

And WHEREAS, after examination of the bids by Carver County Public Works, Century Traffic, LLC is the successful low responsible bidder.

NOW THEREFORE, BE IT RESOLVED that the Carver County Board of Commissioners hereby authorizes and directs the Carver County Board Chairman and Carver County Administrator to enter into Carver County Contract 25-026 with Century Traffic, LLC of Pewaukee, Wisconsin, in the name of the County of Carver for the construction of the Install Enhanced Pavement Markings Project in accordance with the construction plans and specifications contained in the project manual; and

BE IT FURTHER RESOLVED that Carver County Public Works is hereby authorized and directed to return the proposal guaranty to the bidders, except that of the successful low responsible bidder and second and third lowest bidder, which shall be retained until the construction contract has been signed and the performance and payment bonds of the low responsible bidder have been executed; and

BE IT FURTHER RESOLVED that Carver County Engineer, or his designee, is hereby authorized to take actions necessary and to enter into work orders or change orders on behalf of Carver County with an amount less than fifty thousand dollars (\$50,000.00) and an increased aggregate project total of all project changes of one hundred thousand dollars (\$100,000.00), when time is of the essence to make contract changes due to unforeseen construction conditions in order to minimize construction delays and to efficiently carry out the planned project improvements.

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 4th day of February, 2025, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of February, 2025.

Dave Hemze

County Administrator



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Clarify Resolution No. 96-24: Purchase Agreement for the Highway 11 Project - Carver Park Reserve

RBA Number: 2025-165

Department: Public Works - Program Delivery

Contact: Anthony Stucchi, Assistant Right of Way Agent, 952-466-5285

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The 2025 construction season includes the Highway 11 Project - Carver Park Reserve. This project involves shoulder widening, grading, and resurfacing of Highway 11 from 0.27 miles north of Highway 5 to 0.1 miles south of Highway 7. To complete the project, additional land acquisition and rights-of-way are required. Appraisals have been conducted and reviewed by certified appraisers to determine the fair market value for the necessary rights-of-way. On October 1, 2024, the County Board authorized Public Works staff to make offers for the direct purchase of the affected properties.

A portion of the additional rights-of-way required for the project is owned by Three Rivers Park District (TRPD) and was originally purchased using grant funds from the Land and Water Conservation Act (LAWCON). Under LAWCON requirements, any impacts to lands funded by this program necessitate the provision of replacement land of at least equal fair market value and equivalent usefulness to TRPD, serving as compensation for the County's acquisition of these interests for the project.

Offers were submitted, and County staff reached an agreement with the landowner of Hennepin County PID #s 3511724430003 and 3511724430002 to provide this replacement land. On 11-4-24 the County Board authorized Public Works staff to enter

into a purchase agreement for these properties, but upon further review, additional steps are needed to meet statutory requirements, and this resolution is to clarify the steps necessary execute the purchase agreement.

These steps include authorizing Public Works Staff to:

1. Enter the Purchase Agreement upon approval by the Carver County Attorney's Office and the contract review process for the purchase of the Charlson Meadows Properties from Charlson Meadows; and
2. Close on the real estate transaction that is the subject of the Purchase Agreement upon full satisfaction of all of the conditions of the Purchase Agreement; and
3. Take any and all steps and actions reasonably necessary to complete the closing on the transaction that is the subject of the Purchase Agreement, according to its terms; and
4. Acquire the Interests from Three Rivers for the Project by conveying the Charlson Meadows Properties to Three Rivers for as a replacement for the County acquisitions of the Interests from Three Rivers for the Project, and as full satisfaction of LAWCON; and
5. Take any and all steps and actions reasonably necessary to convey the Charlson Meadows Properties to Three Rivers.

Action Requested:

Motion to adopt a resolution to:

1. Enter the Purchase Agreement upon approval by the Carver County Attorney's Office and the contract review process for the purchase of the Charlson Meadows Properties from Charlson Meadows; and
2. Close on the real estate transaction that is the subject of the Purchase Agreement upon full satisfaction of all of the conditions of the Purchase Agreement; and
3. Take any and all steps and actions reasonably necessary to complete the closing on the transaction that is the subject of the Purchase Agreement, according to its terms; and
4. Acquire the Interests from Three Rivers for the Project by conveying the Charlson Meadows Properties to Three Rivers for as a replacement for the County acquisitions of the Interests from Three Rivers for the Project, and as full satisfaction of LAWCON; and
5. Take any and all steps and actions reasonably necessary to convey the Charlson Meadows Properties to Three Rivers.

Fiscal Impact:

Funding:	Amount Budgeted:
County State Aid Regular	\$152,200

Related Fiscal/FTE Comments:

Included in current budget

Attachments:

1. 2-4-25 Resolution Clarifying Resolution No 96-24 Authorizing Purchase Agreement Charlson Meadows

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 4, 2025

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Clarifying Resolution No. 96-24 by Authorizing the County to Enter a Purchase Agreement, Close on said Real Property Transaction, and Convey Real Property Acquired Therefrom for the Highway 11 Project – Carver Park Reserve

WHEREAS, the Carver County Board of Commissioners, “**County**,” is authorized by law, and pursuant to Minnesota Statutes § 163.02, subd. 2, § 373.01, Subd. 1(2), 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 is authorized by law, and pursuant to Minnesota Statute § 373.01, Subd. 1(d), when acquiring real property for county highway right-of-way, to exchange parcels of real property of substantially similar or equal value without advertising for bids, the estimated values of said properties which shall be determined by the County Assessor; and

WHEREAS, the County plans to the reconstruct and make improvements to Highway 11 (a/k/a Victoria Drive) between Highways 7 and 5 in the City of Victoria, Carver County, Minnesota, as part of the Highway 11 Project- Carver Park Reserve, “**Project**,” and

WHEREAS, the County must acquire certain real property interests, “**Interests**,” from Three Rivers Parks District, a public corporation and political subdivision of the State of Minnesota, “**Three Rivers**,” for the Project; and

WHEREAS, Three Rivers purchased and acquired the Interests with grant funds made available under the federal Land and Water Conservation Act, “**LAWCON**,” and

WHEREAS, LAWCON requires the County to provide land of at least equal fair market value and equivalent usefulness to Three Rivers as a replacement for the County acquisition of the Interests from Three Rivers for the Project; and

WHEREAS, Charlson Meadows is the record owner of two parcels of real property located south of Highway 7 in Hennepin County, Minnesota, which are identified by Hennepin County Tax Property Identification Numbers 3511724430002 and 351172443003; legally described in Exhibit A and generally depicted in Exhibit B, both exhibits attached hereto, and incorporated herein, and collectively referred to hereinafter as the “**Charlson Meadows Properties**,” and

WHEREAS, on November 5, 2024, by Resolution Number 96-24, the County determined and resolved that the acquisition of the real property interests described therein for the Project and the construction of the Project constitute a valid public use or public purpose; and

WHEREAS, the County Assessor determined that as of today’s date, the Charlson Meadows Properties and the Interests of Three Rivers are of substantially similar or equal value; and

WHEREAS, Resolution Number 96-24 authorized the County to acquire Charlson Meadows Properties for the Project for the amount detailed therein, “**Settlement Amount;**” and

WHEREAS, County staff drafted a Purchase Agreement for the County’s acquisition of the Charlson Meadows Properties for the Settlement Amount;” and

WHEREAS, upon acquiring the Charlson Meadows Properties pursuant to the Board Resolution Number 96-24 and the Purchase Agreement, County staff will convey the Charlson Meadows Properties to Three Rivers in exchange for the Counties acquisitions of the Interests from Three Rivers and as full satisfaction of LAWCON requirements and pursuant to Minnesota Statute § 373.01, Subd. 1(d); and

NOW THEREFORE, be it resolved that the Carver County Board of Commissioners hereby authorizes County staff to:

1. Enter the Purchase Agreement upon approval by the Carver County Attorney’s Office and the contract review process for the purchase of the Charlson Meadows Properties from Charlson Meadows; and
2. Close on the real estate transaction that is the subject of the Purchase Agreement upon full satisfaction of all of the conditions of the Purchase Agreement; and
3. Take any and all steps and actions reasonably necessary to complete the closing on the transaction that is the subject of the Purchase Agreement, according to its terms; and
4. Acquire the Interests from Three Rivers for the Project by conveying the Charlson Meadows Properties to Three Rivers for as a replacement for the County acquisitions of the Interests from Three Rivers for the Project, and as full satisfaction of LAWCON; and
5. Take any and all steps and actions reasonably necessary to convey the Charlson Meadows Properties to Three Rivers.

	ABSENT	YES	NO
Tom Workman, Chair	_____	_____	_____
Tim Lynch, Vice Chair	_____	_____	_____
John P. Fahey	_____	_____	_____
Lisa Anderson	_____	_____	_____
Matt Udermann	_____	_____	_____

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 4th day of February, 2025 now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of February 2025

Dave Hemze
County Administrator

Exhibit A

to

Resolution Clarifying Resolution No. 96-24 by Authorizing the County to Enter a Purchase Agreement, Close on said Real Property Transaction, and Convey Real Property Acquired Therefrom for the Highway 11 Project – Carver Park Reserve

Carver County Public Works No. 218931

Hennepin County Property Tax Identification No. 3511724430003, 3511724430002

Fee Owners: Life Science Foundation; now known as Charlson Meadows, a Minnesota non-profit organization.

Property Address: Vacant Land adjacent to 1601 Highway 7, Excelsior, MN 55386

Subject property being acquired in fee simple contains **5.8 acres**.

\$150,000.00

Estimated attorney fees.

\$2,200.00

Settlement Amount: **\$152,200.00**

Hennepin County Property Tax Identification No. 3511724430003:

All that part of Lot 8, Auditor's subdivision number 292, Hennepin County, Minnesota, lying southerly of State Trunk Highway #7 and lying westerly of the following described line: Commencing at the southwest corner of said Lot 8; thence east along the south line of said Lot 8 a distance of 200 feet to the actual point of beginning of the line to be described; thence northeasterly deflecting to the left at an angle of 78° 50 minutes from last described course to the southerly line of said State Trunk highway #7 and there terminating. Also all that part of Lot 10, Auditor's subdivision number 292, Hennepin County, Minnesota, lying southerly of State Trunk Highway #7 and lying easterly of the following described line; commencing at the southeast corner of said Lot 10, thence west in a straight line passing through the government meander corner on the east side of Stone Lake, a distance of 385 feet to the actual point of beginning of the line to be described; thence northeasterly deflecting to the right at an angle of 99° and 12 minutes from last described course to the southerly line of said State Trunk Highway #7 and there terminating.

Hennepin County Property Tax Identification No. 3511724430002:

That part of Lot 8, "Auditor's Subdivision No. 292, Hennepin County, Minnesota", described as commencing at the Southwest corner of said Lot 8; thence East along the South line thereof 200 feet to the point of beginning; thence deflecting to the left at an angle of 78 degrees and 50 minutes to the center line of State Trunk Highway No. 7; thence Easterly along the center line of said Highway to its intersection with the South line of said Lot 8; thence West to the point of beginning.

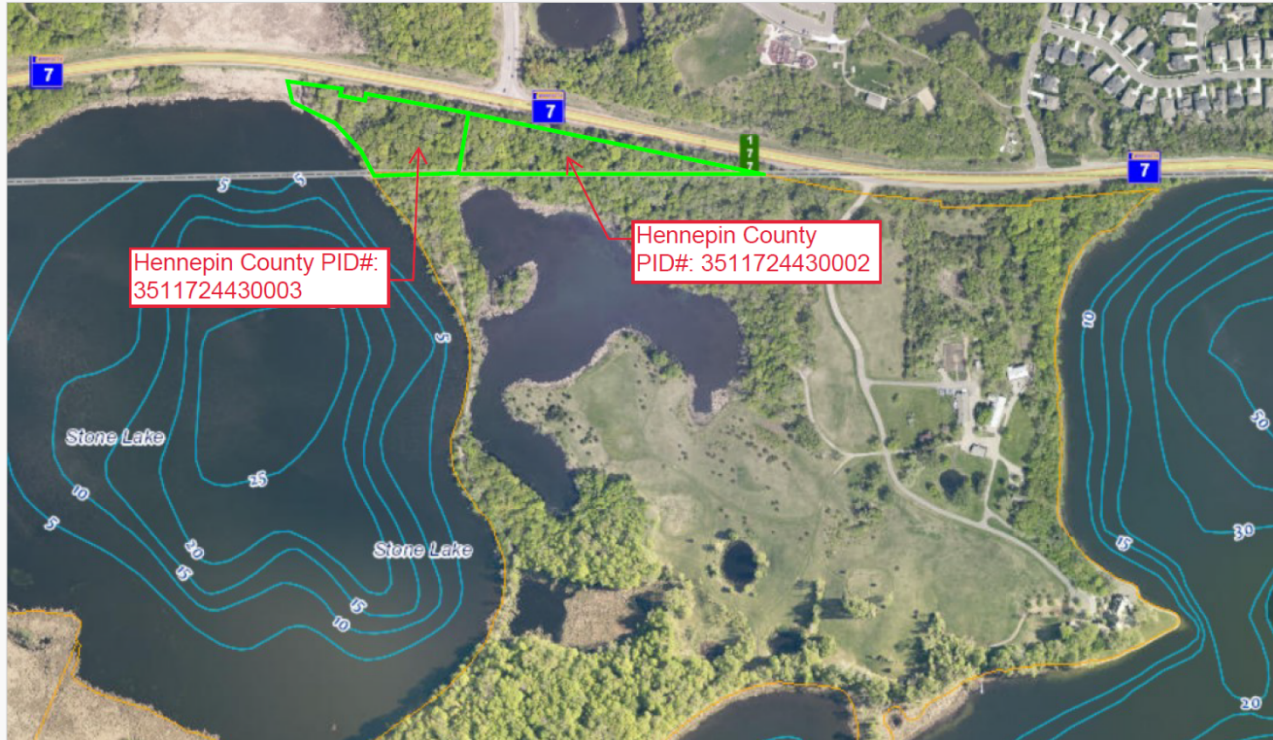
Subject to an easement in favor of the State of Minnesota to erect temporary snow fences upon lands adjacent to State Trunk Highway No. 7 and incidental rights connected therewith as set forth in Book 1990 of Deeds, page 217.

Exhibit B

to

Resolution Clarifying Resolution No. 96-24 by Authorizing the County to Enter a Purchase Agreement, Close on said Real Property Transaction, and Convey Real Property Acquired Therefrom for the Highway 11 Project – Carver Park Reserve

Carver County Public Works No. 218931





Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Settlement Agreements for Right of Way Acquisitions for the Highway 5 Project - Arboretum Area

RBA Number: 2025-166

Department: Public Works - Program Delivery

Contact: Anthony Stucchi, Assistant Right of Way Agent, 952-466-5285

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The 2025-2028 construction seasons includes the Highway 5 Project - Arboretum Area. This project will expand approximately 3.5 miles of State Highway 5 from 80th Street in the City of Victoria to Century Boulevard in the City of Chanhassen, and complete safety improvements to approximately 1.5 miles of County Highway 13 (Rolling Acres Road) from approximately 82nd Street to Fribourg Court in the City of Victoria. The project is on schedule for a 2025 federal project authorization aligning with the project funding.

Carver County is the lead agency for this project. Additional right-of-way is needed to complete the project scope. Carver County has contracted with appraisers in order to establish fair market value for the right of way acquisitions needed in support of the project. Appraisals were obtained and reviewed by certified appraisers in order to determine market value for the right of way needed. On September 9, 2024, the County Board authorized Public Works staff to make offers for direct purchase of the impacted properties.

Negotiations have continued and staff have reached a recommended settlement with

the property owners located at PID#'s: 65.5000130 and 65.0180610.

Action Requested:

Motion to adopt a resolution to approve right of way acquisition settlements for the Highway 5 Project - Arboretum Area for the property located at PID#'s: 65.5000130 and 65.0180610.

Fiscal Impact:

Funding:	Amount Budgeted:
Trans. Sales Tax	\$31,350

Related Fiscal/FTE Comments:

Included in current budget

Attachments:

1. CSAH 5 Resolution Authorizing Settlements 2-4-25

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 4, 2024

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for the TH 5 Project

WHEREAS, the Board of Commissioners of Carver County is the official governing body of Carver County (“County”); and

WHEREAS, the County, acting by and through its Board of Commissioners, is authorized by law, and pursuant to Minnesota Statutes, § 163.02, subd. 2; §117.012; and § 117.042, to acquire land and other real property interests in Carver County which the County needs for a public use or public purpose; and

WHEREAS, the County proposes to construct highway and related improvements in Carver County for improvements to Highway 5 between Downtown Victoria and Highway 41 in Chanhassen and to complete safety improvements to approximately 1.5 miles of County Highway 13 (Rolling Acres Road) from approximately 82nd Street to Fribourg Court in the City of Victoria. (“TH 5 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 TH 5 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.

	ABSENT	YES	NO
Tom Workman, Chair	_____	_____	_____
Tim Lynch, Vice Chair	_____	_____	_____
John P. Fahey	_____	_____	_____
Lisa Anderson	_____	_____	_____
Matt Udermann	_____	_____	_____

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on February 4, 2025, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of February 2025

_____ Dave Hemze	_____ County Administrator
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Exhibit A
to
Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property
Interests

TH 5 Project

Carver County Public Works No. 228963

Property Tax Identification No. 65.5000130

Parcel Number: 42

Fee Owner(s): William and Bonnie Johnson

Property Address: 1420 Marigold Circle, Victoria, MN 55386

Subject property being acquired in fee simple contains **1,447** sq. ft., more or less.

\$9,450.00

Subject property being acquired for temporary construction easement contains **1,406** sq. ft., more or less.

\$2,500.00

Damages – Trees.

\$3,000.00

Settlement Amount: **\$14,950.00**

Property Tax Identification No. 65.0180610

Parcel Number: 66

Fee Owner(s): JHL Properties LLC

Property Address: 8099 Bavaria Road, Victoria, MN 55386

Subject property being acquired for permanent drainage and utility easement contains **9,124** sq. ft., more or less.

\$10,000.00

Subject property being acquired for temporary construction easement contains **2,602** sq. ft., more or less.

\$2,500.00

Damages – Trees.

\$4,500.00

Settlement Amount: **\$16,400.00**



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

RBA Number: 2025-167

Department: Public Works - Program Delivery

Contact: Anthony Stucchi, Assistant Right of Way Agent, 952-466-5285

Presenter:

Contract Name & Number:

Meeting Date: February 4, 2025

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 owner located at PID #'s: 30.0180910, and 30.0170920.

Action Requested:

Adopt a resolution to approve right of way acquisition settlements for the Highway 18 Project - Arboretum Area for the property located at PID #'s: 30.0180910, and 30.0170920.

Fiscal Impact:

Funding:	Amount Budgeted:
Trans. Sales Tax	\$251,500

Related Fiscal/FTE Comments:

Included in current budget

Attachments:

1. CSAH 18 Resolution Authorizing Settlements 2-4-25

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: February 4, 2025

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.

	ABSENT	YES	NO
Tom Workman, Chair	_____	_____	_____
Tim Lynch, Vice Chair	_____	_____	_____
John P. Fahey	_____	_____	_____
Lisa Anderson	_____	_____	_____
Matt Udermann	_____	_____	_____

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on February 4, 2025, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 4th day of February 2025

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. 30.0180910

Parcel Number(s): 27

Fee Owners: George J & Kathy L Lenz

Property Address: 1181 82nd Street, Chaska, MN 55318

Subject property being acquired in fee simple contains **68,314 sq. ft.**, more or less.

\$83,000.00

Subject property being acquired for temporary construction easement contains **9,908 sq. ft.**, more or less.

\$4,700.00

Damages - Improvement.

\$19,650.00

Premium to Induce Settlement.

\$74,150.00

Settlement Amount: **\$181,500.00**

Property Tax Identification No. 30.0170920

Parcel Number(s): 13

Fee Owners: Mark A. Thom and Kara Douglass Thom

Property Address: 219 82nd Street West, Chaska, MN 55318

Subject property being acquired in fee simple contains **31,881 sq. ft.**, more or less.

\$13,000.00

Subject property being acquired for temporary construction easement contains **14,159 sq. ft.**, more or less.

\$2,100.00

Damages – 44 +/- trees, and landscaping.

\$22,000.00

Premium to Induce Settlement.

\$32,900.00

Settlement Amount: **\$70,000.00**



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Appointments to Advisory Committees
RBA Number: 2025-132
Department: County Administration
Contact:
Presenter:
Contract Name & Number:
Meeting Date: February 4, 2025
Item Type: Regular Session

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

Background/Justification:
There is currently an opening on the Library Board for a youth member and 1 opening on the Water management Organization for District 3. There are currently 7 openings on the Mental Health Advisory Committee, 4 of these openings are at-large and 3 are mandated openings. (see attached spreadsheet listing appointments).

Action Requested:
Motion to appoint Library Board Youth Member.
Motion to appoint Water Management Organization opening in District 3.
Motion to appoint Mental Health Advisory Committee Members.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

- 1. Advisory Committee Applicants 2.4.25

Advisory Committee Master List		Rev: 1-27-2025		
Committee	Name	Resides in District	District representing	
	Current Members:			
Library Board	Orn Bodvarsson	1	1	
Library Board	Wendy Eggers	1	2	
Library Board	Charles Teh	3	3	
Library Board	Daniel McDonald	4	4	
Library Board	Stacie Lindquist	5	5	
	Current Vacancy: Youth (1 Year Term)			
	Applicants:			
	Sarah Duffey	1		
	Current Members:			
Mental Health Advisory Committee	Latoyria Djanie	1	At Large	
Mental Health Advisory Committee	Brianna Liestman	1	Mandated	
Mental Health Advisory Committee	Kayla Pascoe	5	Mandated	
Mental Health Advisory Committee	Sandra Menzel	4	Mandated	
Mental Health Advisory Committee	Stacy Zellmann	5	Mandated	
Mental Health Advisory Committee	Betty Allen	4	Mandated	
Mental Health Advisory Committee	Bernard Hime	2	Mandated	
	Current Vacancies: 4 at-large and 3 mandated			
	Applicants:			
	Michelle Bohmert (Mandated)			
	Cassie Broll (Mandated)			
	Mike Duzan (At-Large)			

Committee	Name	Resides in District	District representing
	Current Members:		
Water Management Organization (WMO)	Jim Boettcher	2	1
Water Management Organization (WMO)	Kevin Zahler	2	2
Water Management Organization (WMO)	Michael Lynch	4	4
Water Management Organization (WMO)	Joseph Polunc	4	5
Water Management Organization (WMO)	Kayla Pascoe	5	Carver Creek
Water Management Organization (WMO)	Kellen Schmidt	5	Bevens Creek
Water Management Organization (WMO)	Mary Stasson	1	E/W Chaska Creek
Water Management Organization (WMO)	Michael Wegner	4	Crow River/Pioneer Creek
	Current Vacancy: District 3		
	Applicants:		
	Megan White	3	



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: County Ditch #2-3 Redetermination of Benefits Public Hearing

RBA Number: 2025-171

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2O Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: February 4, 2025

Item Type: Ditch/Rail Authority

Strategic Initiative:

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

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 22, 2022, the County Ditch Authority ordered a Redetermination of Benefits for CD2-3. The appointed viewers have submitted a viewers' report and a notice for a 2/4/25 public hearing at 11:00 am has been published, posted and mailed as required by law.

Action Requested:

Open Public Hearing

Take Public Comment

Close Public Hearing

Consider adopting Viewers recommended Redetermination of Benefits for CD2-3

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

All ditch costs are paid by benefiting land owners. No property tax dollars are spent on ditch related activities

Attachments:

None