



**Carver County Board of Commissioners
June 3, 2025
Board Meeting**

The County Board Room is open to the public

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

- 9:00 a.m. 1. **CONVENE**
- 1.1. Pledge of allegiance
 - 1.2. Public comments that relate to an item on the agenda may be heard when that agenda item is discussed. Please limit your public comments to five minutes or less.

Individuals unable to attend in person can provide public comments by email at admin-contact@carvercountymn.gov
 - 1.3. Agenda review and adoption
 - 1.4. Approve May 20, 2025 minutes.....4-7
 - 1.5. Community Announcements
- 9:20 a.m. 2. **CONSENT AGENDA**
- 2.1. Eliminate 1 vacant full time equivalent deputy (FTE) and accompanying revenue due to non-renewal of contract with SWMID8-10
 - 2.2. Renewal of Annual Tobacco License11-14
 - 2.3. Amendment 2 to Professional Services Agreement for Staff Augmentation and Engineering Services with Apex Engineering15-16
 - 2.4. Dillon Derner - Request to operate a Contractor's Yard (CUP)17-22
 - 2.5. Wm Mueller & Sons - Request to operate a Mining and Land Reclamation Activity (IUP)23-32
 - 2.6. Carver County - Request to amend the County Public Works Facility Master Plan (CUP)33-39

	2.7. National Opioid Settlement - Funding Approval for Carver County Internal Program Application	40-42
	2.8. LVC County Buildings Fire System Testing and Inspections 2025- 2027	43-44
	2.9. Amendment to PSA with SRF Consulting Group for Highway 40 Project – Silver/Bevens Creek Area.....	45-46
	2.10. Health and Human Services: Crossover Youth Practice Model Grant	47-49
	2.11. Settlement Agreement for Right of Way Acquisitions for the Highway 212 Project - Dahlgren Township.....	50-54
	2.12. Review Health & Human Services and Commissioner Warrants	
9:30 a.m.	3. RECESS AS THE COUNTY BOARD AND CONVENE AS REGIONAL RAIL AUTHORITY	
	3.1. Continuation of CD2-3 Redetermination of Benefits Public Hearing	55-63
10:00 a.m.	4. RECESS AS REGIONAL RAIL AUTHORITY AND RECONVENE AS COUNTY BOARD	
10:00 a.m.	5. REGULAR SESSION	
	5.1. MCIT (Minnesota Counties Intergovernmental Trust) Report to the Board	64-65
10:15 a.m.	6. COUNTY ADMINISTRATOR REPORT	
10:20 a.m.	7. CLOSED SESSION	
	7.1. Closed Session for Sale of Real Property Related to the Highway 212 Project - Dahlgren Township	66-67
10:50 a.m.	8. ADJOURN REGULAR SESSION	
10:50 a.m.	9. WORK SESSION	
	9.1. Communication Department Update	68-69

UPCOMING MEETINGS AND EVENTS

June 10, 2025	9:00 a.m.	County Board of Equalization
June 24, 2025	9:00 a.m.	Board Special & Work Session
	1:00 p.m.	Board of Equalization continuation (if needed)
July 1, 2025	9:00 a.m.	Board Meeting
July 8, 2025	9:00 a.m.	Board Meeting
July 22, 2025	9:00 a.m.	Board Work Session
August 5, 2025	8:00 a.m.	PEER Awards (EOC, 604 East 4th St. Chaska)
	9:00 a.m.	Board Meeting
August 19, 2025	9:00 a.m.	Board Meeting
August 26, 2025	9:00 a.m.	Board Work Session
September 2, 2025	9:30 a.m.	Board Meeting
September 23, 2025	9:00 a.m.	Board Special & Work Session
October 7, 2025	9:00 a.m.	Board Meeting
October 21, 2025	9:00 a.m.	Board Meeting
October 28, 2025	9:00 a.m.	Board Work Session

Carver County
Board of Commissioners
Regular Meeting
May 20, 2025

A Regular Meeting of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on May 20, 2025. Chair Tom Workman convened the session at 9:03 a.m.

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

Matt Udermann moved, Lisa Anderson seconded, to approve the agenda with amendment to 2.11. Motion carried unanimously.

Tim Lynch moved, John P Fahey seconded, to approve the minutes of the May 6, 2025, Regular Session. Motion carried unanimously

Lisa Anderson moved, Matt Udermann seconded, to approve the following consent agenda items:

Approved updated County Retention Schedules for submission to the Minnesota Historical Society Records Disposition Panel.

Authorized the Assistant County Administrator to sign a letter on behalf of the County, confirming that the County will apply C-PACE special assessments in accordance with the Joint Powers Agreement pending review by the County Attorney's Office.

Approved Resolution 43-25 support for hosting two GreenCorps members for 2025-2026, and to authorize the Assistant County Administrator to sign the host site agreements, pending completion of the County's contract review process.

Approved motion to contract with Jackson & Associates pending finalization of the contract review process.

Approved motion to contract with Minnesota Elevator Inc pending finalization of the contract review process.

Approved the request for Board Chair to sign the City of Chanhassen AIS Watercraft Inspection Agreement pending contract review approval.

Approved the Programmatic Maintenance Agreement between the Minnehaha Creek Watershed District and Carver County for the Highway 11 Project - Carver Park Reserve, pending finalization of the contract review process.

Approved grant agreement 25-184 with Nordic Waste Management Inc. and authorize the Board Chair and County Administrator to sign the agreement, pending final approval through the contract review process.

Approved grant agreement 25-185 with Home Again Furnishings and authorize the Board

Chair and County Administrator to sign the agreement, pending final approval through the contract review process.

Approved a professional services agreement with Bolton & Menk, Inc., for the design of the Highway 41 trail and underpass at a cost not to exceed \$355,290.01, pending finalization of the contract review process.

Approved a permanent transportation agreement between Carver County Regional Rail Authority(CCRRA) and Carver County including applying for a PAOF grant, entering a stipulation for settlement agreement, entering a Joint Powers Agreement and making all data of an independent appraiser acting for Carver County for the purpose of acquiring land through CCRRA confidential.

Adopted resolution 44-25 to authorize written initial offers of compensation for right- of-way acquisitions for the Highway 27 Flood Mitigation and Resurfacing Project.

Adopted resolution 45-25 accepting all work as complete and authorizing final payment in the amount of \$160,569.00 to Kamco, Inc. of Dassel, MN.

Approved motion to authorize the chair to sign the Amendment to the BWSR Watershed-Based Implementation Funding Grant Agreement pending contract review.

Approved an amendment to a professional services agreement with Kennedy & Graven in the amount of \$200,000 for additional legal services, pending finalization of the contract review process.

Approved a Professional Service Agreement with Landwehr Construction Inc. for \$110,044.65 to repair a box culvert on Salem Avenue pending contract review by the County Attorney and Risk Management.

Adopted resolution 46-25 to approve a right of way acquisition settlement agreement for the Highway 18 Project - Arboretum Area for the property located at PID # 30.3340020.

Approved a resolution proclaiming the month of May 2025 as National Mental Health Awareness Month.

Adopted resolution 47-25 to approve right of way acquisition settlements for the Highway 212 Project - Dahlgren Township for the properties located at PID #: 04.0080210.

Approved Agreement with IES for conversion of the Dispatch analog phone lines to SIP and add the automated abandoned callback feature to the Dispatch Vesta 911 Call Handling System.

Adopted resolution 48-25 to include part-time Deputy Sheriffs in the PERA Police and Fire Retirement Plan.

Reviewed May 12, 2025, Community Social Services' actions/Commissioners' warrants in the amount of \$311,139.46.and reviewed May 15, 2025, Community Social Services' actions/Commissioners' warrants in the amount of \$405,174.76.

Motion carried unanimously

Samuel Pertz, Parks & Trails Supervisor gave a Project Update on the Coney Island Interpretive plan. Mr. Pertz reviewed their current plans and their future plans.

Chair Workman read a statement that County staff failed to provide proper notice of the Board's intent to adopt an ordinance when the Limited Number of Cannabis Retail Registrations Ordinance was adopted on November 19, 2024. Instead, the intent was notified only during the week of May 5, 2025, ahead of the May 20, 2025 meeting.

Tim Lynch moved, Lisa Anderson seconded to adopt the limited number of Cannabis Retail Registrations Ordinance. Motion carried unanimously.

Per County Attorney's Office, closed session not needed due to consent agenda approval.

Tim Lynch moved, John P Fahey seconded, to recess as the County Board and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Martin Walsh, Parks Director, provided an update on the Permanent Transportation Easement (PTE) between Carver County and the Carver County Regional Rail Authority (CCRRA). He discussed the project's background, necessary approvals, and the Joint Powers Agreement with Chaska, which defines responsibilities for maintenance, operation, repair, and costs. Currently, the PTE is in Phase 2 for SFY 2026, with appraisals completed on seven parcels. The next steps require securing key documentation, including the Stipulation for Settlement Agreement, the Permanent Transportation Easement Agreement, and the Joint Powers Agreement.

Tim Lynch moved, Matt Udermann seconded to authorize the CCRRA to Enter a transportation easement agreement with the County for conveyance of the PTE over Parcels 1, 3, 4, 5, and 6, contingent on the County securing a PAOF grant covering 75% of acquisition costs. Provide a 25% in-kind donation (\$456,125) of the PTE's fair market value to match a 75% Metropolitan Council Grant (\$1,368,375), for total acquisition costs of \$1,824,500. Execute a Stipulation for Settlement Agreement outlining the conveyance terms, conditions, and costs. Enter a Joint Powers Agreement, subject to approval, to transfer CCRRA's operations, maintenance, and repair responsibilities for select project improvements. Motion carried unanimously.

Tim Lynch moved, Lisa Anderson seconded, to adjourn as Carver County Regional Rail and convene as the County Ditch Board. Motion carried unanimously.

John Kolb, Rinke Noonan opened the discussion by requesting the board to reopen the redetermination of benefits public hearing, which was previously continued on February 4th, 2025. He outlined how ditch assessments are distributed to township ditches, ensuring residents do not face double assessments.

Scott Henderson, viewer for Carver County at H2Over Viewers then presented the Amended Viewers Report, addressing six key areas as requested by the board: Reevaluating benefits in watershed areas sections 20 and 21 of Laketown Township, Examining stormwater

discharges from the City of Waconia, including schools, Reviewing Mr. Niesen's property for potential adjustments, Assessing time-of-travel challenges for remote watershed locations, Introducing a fifth land class where benefits could be justified, Determining whether township ditches should be included in the benefitted area of CD 2-3, Ultimately, the review did not result in significant changes.

Tim Lynch moved, Lisa Anderson seconded to open Public Comments. Motion carried unanimously.

Public Comments were received by Joe Neisen, Mike Klingelhutz, Colleen Klingelhutz, Steve Rademacher, Sue Lowy

Tim Lynch Moved, Lisa Anderson seconded to close the Public Hearing. Motion carried unanimously.

Mr. Kolb explained board options moving forward. Chair Workman is asking for the viewers to provide a clear explanation on how they figure out the assessment differences between the different classifications.

Tim Lynch moved, Lisa Anderson seconded to continue this motion to the next meeting on June 3rd at 9:00 a.m. or thereafter. Motion carried unanimously 4-0, John P Fahey abstained.

Matt Udermann moved, Lisa Anderson seconded, to adjourn as County Ditch Board and reconvene as the Carver County Board. Motion carried unanimously.

COUNTY ADMINISTRATOR REPORT: Mr. Hemze provided updates on the Strategic Planning meeting set for May 27 from 9 a.m. to 1 p.m. He also discussed schedule changes, noting that the September 16 meeting has been canceled and the September 23 meeting will now serve as both a special session and a work session. Additionally, legislative discussions covered potential cost shifts, particularly in health and human services.

Matt Udermann moved, Lisa Anderson seconded, to adjourn the Regular Session at 11:20 a.m. Motion carried unanimously.

Dave Hemze
County Administrator



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Eliminate 1 vacant full time equivalent deputy (FTE) and accompanying revenue due to non-renewal of contract with SWMID

RBA Number: 2025-107

Department: County Sheriff

Contact: Mike Wollin, Commander, 952-361-1857

Presenter:

Contract Name & Number: SWMID School Resource Officer 2024-2025 Agreement 24-410

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The Carver County Sheriff's Office has been a longtime partner in service with the SouthWest Metro Intermediate School District in providing a safe learning environment for students and staff alike. The past few years have brought challenges to the public safety profession and interest in law enforcement careers has waned. As the Sheriff's Office continues to actively recruit candidates to continue in the public safety profession, we have determined we can no longer provide contracted police services to the district and will not be renewing any agreement upon expiration on June 30, 2025 which results in a 1.0 Deputy Sheriff elimination at the end of the contract term. The Sheriff's Office will dispatch appropriate resources to the district's call for service needs upon notifications through its PSAP center.

Action Requested:

Approve the elimination of 1 FTE and accompanying contract revenue due to non-renewal of contract.

Fiscal Impact:

Funding:	Amount Budgeted:
Contract Revenue	-\$76,327.50

Related Fiscal/FTE Comments:

Decreased contract revenue by \$76,327.50 (.5 year 2025) and elimination of 1.0 vacant FTE position effective July 1, 2025, (\$152.496 full budget) . There is no employee layoff in this action.

Budget Amendment request form included - decreasing budgeted staff and revenue.

Attachments:

1. BudgetAmendmentForm_Elim Vacant FTE- Non-Renewal fo SWMID Contract



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Renewal of Annual Tobacco License

RBA Number: 2025-760

Department: Property & Financial Services - Elections & Licensing

Contact: Heather Perkins, Elections & Licensing Specialist, 952-361-1976

Presenter:

Contract Name & Number:

Meeting Date: June 3, 2025

Item Type: Consent

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

Background/Justification:
Attached is a list of businesses that have applied for a tobacco license and are in compliance with the Carver County Tobacco Ordinance. The owners are requesting the Carver County Board of Commissioners' approval to sell tobacco products. These are all tobacco license renewals.

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

Fiscal Impact:	
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

1. 2025 Annual Tobacco License for RBA

Tobacco License Applications to Be Approved by County Board

License #10-513 Good Time Liquors LLC Danielle L Butler, Owner 400 Faxon Road Norwood Young America, MN 55368	License # 10-515 Holiday Stationstores, LLC dba Holiday Stationstore #199 Raven Roberts, License Analyst 441 79th Street West Chanhassen, MN 55317-4505
License # 10-523 Mid-County Coop dba Holiday Stationstore #3577 William F. Reimers, General Manager 409 Paul Avenue North Cologne, MN 55322	License # 10-526 R E Smith Oil & Tire Co., Inc. Russell E Smith, Owner 503 Faxon Road North Norwood Young America, MN 55368
License # 10-566 Schoknecht, Inc dba Lisa's Place Lisa M Schoknecht, President 205 Broadway North Carver, MN 55315	License # 10-578 Kwik Trip, Inc dba Kwik Trip #402 Scott P. Zietlow, President 2201 West 78th Street Chanhassen, MN 55317
License # 10-594 Holiday Stationstores, LLC dba Holiday Stationstore #360 Raven Roberts, License Analyst 1793 Arboretum Blvd. Victoria, MN 55386-7706	License # 10-596 Champlin 2005 LLC dba Cub Foods #1644(31564) Linda Schmeichel, Licensing Specialist 7900 Market Blvd. Chanhassen, MN 55317
License # 10-604 Holiday Stationstores, LLC dba Holiday Stationstore #371 Raven Roberts, License Analyst 502 Faxon Rd N Norwood MN 55368	License # 10-605 Walgreen Co dba Walgreens #09728 Tracey Brown, President 600 West 79th Street Chanhassen, MN 55317
License # 10-611 Last Call Too dba Last Call Diane R. Henning, Owner 118 Main Street East NYA, MN 55397	License # 10-613 Casey's Retail Company dba Casey's General Store #2655 Stephen P Bramlage Jr, President 300 County Road 40 East Carver, MN 55315
License # 10-624 JDK Liquors Inc DBA MGM Wine & Spirits Jason Kleinprintz 7856 Market Blvd. Chanhassen, MN 55317	License # 10-627 Kwik Trip, Inc. dba Kwik Trip #492 Scott P. Zietlow, President 8921 Crossroads Blvd. Chanhassen, MN 55317
License # 10-628 Walgreen Co. dba Walgreens #12434 Tracey Brown, President 2499 Highway 7 Excelsior, MN 55331-9701	License # 10-633 Northern Tier Retail LLC dba Speedway #4366 David L Seltzer 2391 Highway 7 Excelsior, MN 55331
License # 10-634 GMB Enterprise, LLC dba Inn Town Wine & Spirits Gary Bjurstrom, Owner 101 Paul Ave N Cologne, MN 55322	License # 10-637 Fleet Farm of Green Bay LLC dba Fleet Farm Fuel Maria Kozlowski / License Dept. 1921 Levi Griffin Road Carver, MN 55315
License # 10-638 Family Dollar Inc. dba Family DollarStore #26540 Carolyn Brown, AB License Specialist 713 Faxon Road Norwood, MN 55397	License # 10-643 Northern Tier Retail, LLC dba Speedway #4095 David L Seltzer 2960 82nd Street Chaska MN 55318

License # 10-646 MLNG LLC dba The Vintage Michael Clausen, Owner 8971 Crossroads Blvd., Suite 160 Chanhassen, MN 55317	License # 10-648 Kwik Trip, Inc dba Kwik Trip #854 Scott P Zietlow, President 520 Reform Street N NYA, MN 55368
License # 10-649 Churchills Quality Cigars & Gifts Derrick Smigiel, Owner/President 8000 Victoria Drive Victoria, MN 55386	License # 10-652 Minnesota Fine Wines & Spirits, LLC dba Total Wine & More Thomas Haubenstricker, Treasurer 510 Lake Dr Chanhassen, MN 55317
License # 10-655 Casey's Retail Company dba Casey's General Store #3591 Stephen P Bramlage Jr, President 313 Shimmcor St Mayer, MN 55360	License # 10-656 Big Stick's LLC dba Stick's Tavern Michele Imdieke 6940 Dahlgren Rd Chaska MN 55318
License # 10-657 Greenleaf Tobacco & E Cigs dba Greenleaf Tobacco Mohammad Mirib 600 Market St Unit 120 Chanhassen MN 55317	License # 10-658 Yayin Gadol, LLC dba Top Ten Liquors Jonathan Halper 19900 W 78th St Chanhassen MN 55317
License # 10-665 Tobacco & Vapes Ahmed Abualzain 578 78th St W Chanhassen MN 55317	License # 10-667 Hamsa LLC dba HI Five Market Fnu Rizwan Ullah 1510 Commercial Ave Victoria MN 55386
License # 10-668 Kwik Trip, Inc dba Kwik Trip #1095 Scott P Zietlow 1700 Monroe Dr Carver MN 55315	License # 10-671 E-CIG POD USA LLC TOM MADDEN 840 W 78TH STREET CHANHASSEN MN 55317
License # 10-672 ONE STOP STATION TWO CHANHASSEN LLC MERVAT GIRGIS 7755 CENTURY BLVD CHANHASSEN MN 55317	License # 10-673 DEER RUN GOLF CLUB THOMAS ABTS 8661 DEER RUN DR VICTORIA MN 55386
License # 10-674 Blue Dream Tobacco Syed Mahmood 640 Railroad Dr E Suite 200 NYA MN 55368	License # 10-675 Schram Winery Aaron Schram 8785 Airport Rd Waconia MN 55387
License # 10-676 TK 7888 DBA TOBACCO KING SALEH SALIM 7888 MARKET BLVD CHANHASSEN MN 55317	License # 10-677 MAYER BP FARMERS CO-OP OIL COMPANY 308 ASH AVE N MAYER MN 55360
License # 10-678 NEW GERMANY BP FARMERS CO-OP OIL COMPANY 17535 HIGHWAY 7 NEW GERMANY MN 55367	License #



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Amendment 2 to Professional Services Agreement for Staff Augmentation and Engineering Services with Apex Engineering

RBA Number: 2025-779

Department: Public Works - Program Delivery

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

Presenter:

Contract Name & Number: 25-234

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

In May 2024, Carver County entered into a contract with Apex Engineering Group to provide staff augmentation for a vacancy in the Engineering Manager position within the Public Works Program Delivery department. This consultant role supervises engineering staff that design several of our infrastructure projects. The staffing need arose due to a vacancy in the Engineering Manager position and the critical nature of maintaining project delivery schedules for 2024 and 2025.

Georgina Stanley, PE, was identified as the consultant filling this role, bringing 20 years of relevant experience and providing onsite support three days per week. The initial contract was for \$200,000 and assumed support through the end of 2024. Amendment 1 extended the contract term through December 31, 2025, but did not modify the budget.

This second amendment increases the contract amount by to \$100,000 to support continued services through September 2025 since the original contract budget has been

fully expended due to the consistent onsite presence. A new Engineering Manager has been hired and will begin on July 28, 2025. The additional budget will provide for critical overlap and knowledge transfer between the consultant and new staff member during the onboarding period. This transition support will help ensure continuity for active projects and maintain momentum on key initiatives. Extending this support through September will allow for a smoother handoff of responsibilities and reduce risk during the transition.

Action Requested:

Motion to approve Amendment 2 to Contract No. 24-175 with Apex Engineering Group, increasing the contract amount upto \$100,000, pending finalization of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
County Funds	\$100,000

Related Fiscal/FTE Comments:

Included in the 2025 operating professional services budget.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Dillon Derner - Request to operate a Contractor's Yard (CUP)

RBA Number: 2025-799

Department: Public Services - Land Management

Contact: Jason Mielke, Land Use Manager, 952-361-1817

Presenter:

Contract Name & Number:

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20250017. On May 20, 2025, the Planning Commission voted 5-0 to recommend approval of Dillon Derner's Conditional Use Permit (CUP) application for a Contractor's Yard to operate his residential lawn irrigation and snow removal business on a 6.5-acre parcel in Section 34, Watertown Township.

Mr. Derner is requesting a CUP to operate Aqua Pros, a business he inherited from his father, on his homesteaded property. The business is currently operating out of an approximate 2,640-square-foot shed, and Mr. Derner proposes constructing a new 60' x 100' (approximately 6,000 square feet) commercial building on the property in the future. The operation includes eight work vehicles and typically runs from 7AM to 6PM during the spring, summer, and fall, with reduced hours during the winter months. No customers will visit the site. A 32-square-foot sign has been installed on the property. The operational area, including employee parking and exterior storage of supplies, will be screened with two rows of staggered arborvitae trees. Employees generally visit the site only once a week to restock supplies for use at off-site locations.

As the nearest residence is approximately 421 feet from the proposed operational area,

Mr. Derner submitted and was granted a variance (V-PZ20250008) on April 2, 2025, to reduce the required 500-foot setback from a neighboring residence.

The Carver County Water Management Organization (CCWMO) reviewed the application and indicated that no stormwater permit is required at this time. The Carver County Public Works Department, which has jurisdiction over County Road 10 that serves the property, reviewed the request and had no comments. The Watertown Town Board recommended approval of the CUP request.

The Planning Commission's Resolution and Township location map are attached for the County Board's consideration. The May 20, 2025, Carver County Planning Commission meeting packet is available for review at:
<https://carvercomn.portal.civicclerk.com/event/486/files>

Action Requested:

A motion to adopt the Findings of Fact and issue Order #PZ20250017 for the issuance of a Conditional Use Permit.

Fiscal Impact:

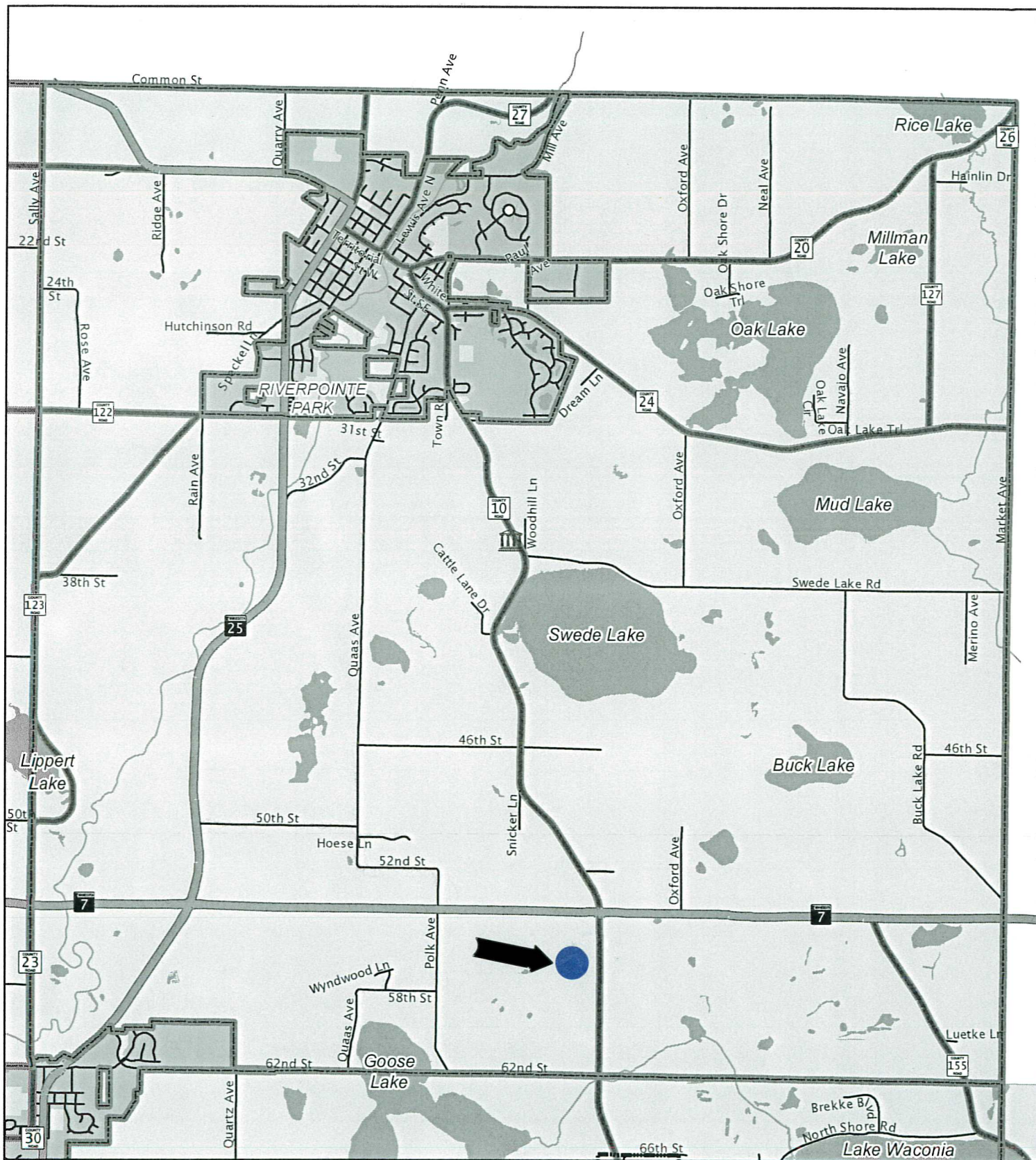
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

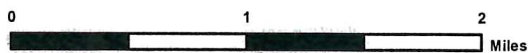
Attachments:

1. Township Location Map
2. CU-PZ20250017 - PLC Resolution-signed

WATERTOWN 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 #: PZ20250017

RESOLUTION #: 25-09

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

FILE #: PZ20250017

APPLICANT: Dillon Derner

OWNER: Dillon Derner

SITE ADDRESS: 5580 County Road 10 N, Waconia, MN 55387

PERMIT TYPE: Conditional Use Permit - Contractor's Yard

PURSUANT TO: County Code, Chapter 152, Section 152.079 (C)(10)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-034-0310

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 20, 2025; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Dillon Derner owns and homesteads an approximately 6.50-acre property located in the East Half (E½) of the Northwest Quarter (NW¼) of Section 34, Watertown Township. The property is improved with an existing single-family home with a detached garage, a 44-foot x 60-foot (2,640 sq. ft.) personal storage shed, and a 50-foot x 25-foot (1,250 sq. ft.) barn. The site is located within the Agricultural Zoning District and the Carver County Water Management Organization (CCWMO) - Crow River watershed.
2. According to Section 152.079(C)(10)(b) of the County Zoning Code, a contractor's yard must maintain a minimum setback of 500 feet from any neighboring residence not located on the same parcel. As the nearest residence is located approximately 421 feet from the proposed operational area, the applicant submitted a variance request (V-PZ20250008) to reduce the required setback. The variance was reviewed and approved on April 2, 2025.
3. The applicant is requesting a Conditional Use Permit to operate a residential irrigation and snow removal business from the subject property as a contractor's yard, pursuant to Section 152.079 (C)(10) of the Carver County Zoning Code. The proposed location of the contractor's yard is in a rural area of Watertown Township, with the nearest residence located approximately 421 feet south of the operational area, as shown on the submitted site plan. The applicant has received approval for a variance to reduce the 421-foot setback from the neighboring residence located to the south. A Conditional Use Permit is being requested to operate a residential irrigation and snow removal business within an existing 44-foot by 60-foot (2,640 sq. ft.) accessory structure. In accordance with the residency standard for home-based businesses, the business owner, Dillon Derner, resides on the property.
4. The submitted operational plan (dated April 21, 2025) describes Mr. Derner's request for a Conditional Use Permit to operate a family-run contractor's yard for lawn sprinkler system installation and maintenance at his residence. The business, originally started by his parents, serves residential and light commercial clients throughout Carver County. It includes six field employees and two remote office staff, with eight work vehicles generating 6–12 daily trips during the busy season. Operations run Monday through Friday, from 7:00 AM to 6:00 PM during the warmer months, with limited winter activity focused on snow plowing. Equipment and materials are stored in an existing 2,640 sq. ft. shed, and there are plans to construct an approximate 6,000 sq. ft. accessory structure west of the current structure, situated outside the 500-foot setback from nearby residences. Outdoor storage will include work-related materials such as pipe, fittings, sand, gravel, and irrigation parts, and will be screened in accordance with zoning requirements. The site benefits

from existing natural screening and will be further buffered with two staggered rows of arborvitae trees to be planted in spring 2025. No public access or retail sales will occur on-site, and the only signage will be a 4-foot x 8-foot winter service sign located outside the road right-of-way.

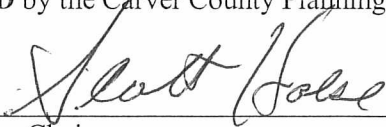
5. The site plan (dated March 7, 2025) illustrates the current layout of the property and the proposed commercial development. It identifies the private residence, three personal storage buildings, and a designated area for commercial storage. The existing shed, currently used for personal storage, will be temporarily repurposed for commercial use following the recently approved variance, until the construction of the new commercial area is complete. The proposed 6,000-square-foot commercial building is planned west of the existing structures, with development anticipated in 2027 or later. The plan also designates areas for work vehicle parking, operational activities, and future screening installations, all designed to comply with Section 152.041 of the County Zoning Code. Two 500.2-foot radius setback lines—one to the south and one to the northeast—are shown to illustrate compliance with required separation distances from neighboring residences. Site access will continue to utilize the existing driveway from County Road 10.
6. Jacob McLain, Senior Environmentalist with Carver County Environmental Services, reviewed the application materials and, in an email dated April 29, 2025, indicated that he had no comments. This was based on the applicant's clarification that employees are not stationed on-site and that the existing septic system is for personal use only. Mr. McLain also noted that the septic system passed a compliance inspection in 2024.
7. The subject property falls under the jurisdiction of the Carver County Water Management Organization (CCWMO). The application was forwarded to the CCWMO for review and comment on April 29, 2025. As of the preparation of this staff report, no comments have been received. Any additional information from the CCWMO will be provided prior to or during the meeting, if available.
8. The contractor's yard is accessed via a single driveway on County Road 10. In an email dated May 7, 2025, Drew Pflaumer, Transportation Planning Manager with Carver County Public Works, indicated there are no concerns regarding the use of the existing structure for equipment and material storage, nor with the construction of a future structure for the same purpose.
9. The Watertown Town Board reviewed the request at its March 3, 2025, meeting and expressed support, stating, "Per the description of the request above, all good."
10. 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 Contractor's Yard on the property legally described in Exhibit A. The following conditions should be considered part of the permit:

1. The permit is subject to administrative review. The Permittee shall homestead and occupy the property. Any change in ownership, operations, or operator shall prompt a review by the Land Management Department to determine if an amendment or similar application is necessary. Proposed owners and/or operators are encouraged to contact the Land Management Department as early as possible in the process of the proposed change.
2. The operation shall be substantially in accordance with the submitted operational plan (dated April 21, 2025) and site plan (submitted March 7, 2025). These plans shall be attached to and become part of this permit. The operation hours shall generally follow 7:00 AM to 6:00 PM on weekdays, during spring, summer, and fall. Winter hours will be minimal, mostly limited to snow plowing. Outdoor storage shall be screened and contained within the approved operational area.
3. All structures used in conjunction with the contractor's yard operation shall comply with the Minnesota State Building Code. The proposed shop building shall require review and approval from the Carver County Building Official, along with the necessary permits. Any future construction of new structures for the business shall also undergo review and receive the appropriate building permit(s) prior to commencing construction.

4. All business-related trucks, equipment, and supplies shall be stored within approved structures or the approved operational area. Any expansion of this area will be considered an expansion of the use and may require a review by the Land Management Department to determine if an amended Conditional Use Permit is necessary. All outside storage shall be screened from neighboring properties and the public road.
5. The Permittee shall comply with all Carver County Public Works access requirements. There shall be no parking within the public right-of-way.
6. Any grading and/or filling activity on the property shall comply with the Carver County Water Management Organization (CCWMO) and, if applicable, the Wetland Conservation Act (WCA). Any site improvements shall adhere to Chapter 153 – Water Resource Management. Stormwater management review and approval are required before construction or building permits can be issued.
7. The Permittee shall comply with all applicable County regulations, including Chapter 152 – Zoning Code, Chapter 154 – Sign Regulations, Minnesota 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.
8. The Permittee shall submit a Certificate of Workers' Compensation Insurance and/or an appropriate affidavit (if no employees are involved) to the Land Management Department. The insurance or affidavit shall be maintained for the duration of the Conditional Use Permit.

ADOPTED by the Carver County Planning Commission this 20th day of May, 2025.



Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Wm Mueller & Sons - Request to operate a Mining and Land Reclamation Activity (IUP)

RBA Number: 2025-798

Department: Public Services - Land Management

Contact: Jason Mielke, Land Use Manager, 952-361-1817

Presenter:

Contract Name & Number:

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20250012. On May 20, 2025, the Planning Commission voted 5-0 to recommend approval of the Interim Use Permit (IUP) application submitted by Wm. Mueller & Sons. The application proposes the removal of approximately 250,000 cubic yards of sand and aggregate material for use in local public and private projects. The anticipated annual production is between 15,000 and 25,000 cubic yards.

The subject property is approximately 101 acres and is located in Section 18, Camden Township, along the Carver County – McLeod County border. Mining activities are expected to continue for approximately 10 to 17 years, or until the aggregate resource is exhausted. With the consent of Bergen Township (McLeod County), haul trucks would exit the site heading west into McLeod County, where most of the project would take place. As a condition of the IUP, haul trucks would not be permitted on Camden Township roads.

To minimize impacts on surrounding properties, the applicant proposes: establishing circular truck routes to reduce the use of backup alarms within the mining area, applying calcium chloride to minimize and control dust, routing traffic away from Camden

Township roads, and stockpiling soil to construct berms, reducing visibility and noise from the mining operation.

The IUP would terminate upon the exhaustion of the aggregate resources or a change in ownership, whichever occurs first. However, the permit would remain active until all reclamation requirements are met in accordance with Zoning Code standards. The approximately 22-acre disturbed area would be fully reclaimed and returned to agricultural use or constructed wetland area upon completion.

The site is located within the Buffalo Creek Watershed District, which requires compliance with Minnesota Department of Natural Resources (MNDNR) regulations. The project must also meet the standards of the Wetland Conservation Act (WCA), administrated by Carver County and the Minnesota Board of Water and Soil Resources (BWSR). The Carver Soil and Water Conservation District (SWCD) would review the site for erosion & sediment control.

The Camden Town Board and the Bergen Town Board (McLeod County) have both recommended approval of the IUP request.

The Planning Commission's Resolution and Township location map are attached for the County Board's consideration. The May 20, 2025, Carver County Planning Commission meeting packet is available for review at:
<https://carvercomn.portal.civicclerk.com/event/486/files>

Action Requested:

A motion to adopt the Findings of Fact and issue Order #PZ20250012 for the issuance of an Interim Use Permit.

Fiscal Impact:

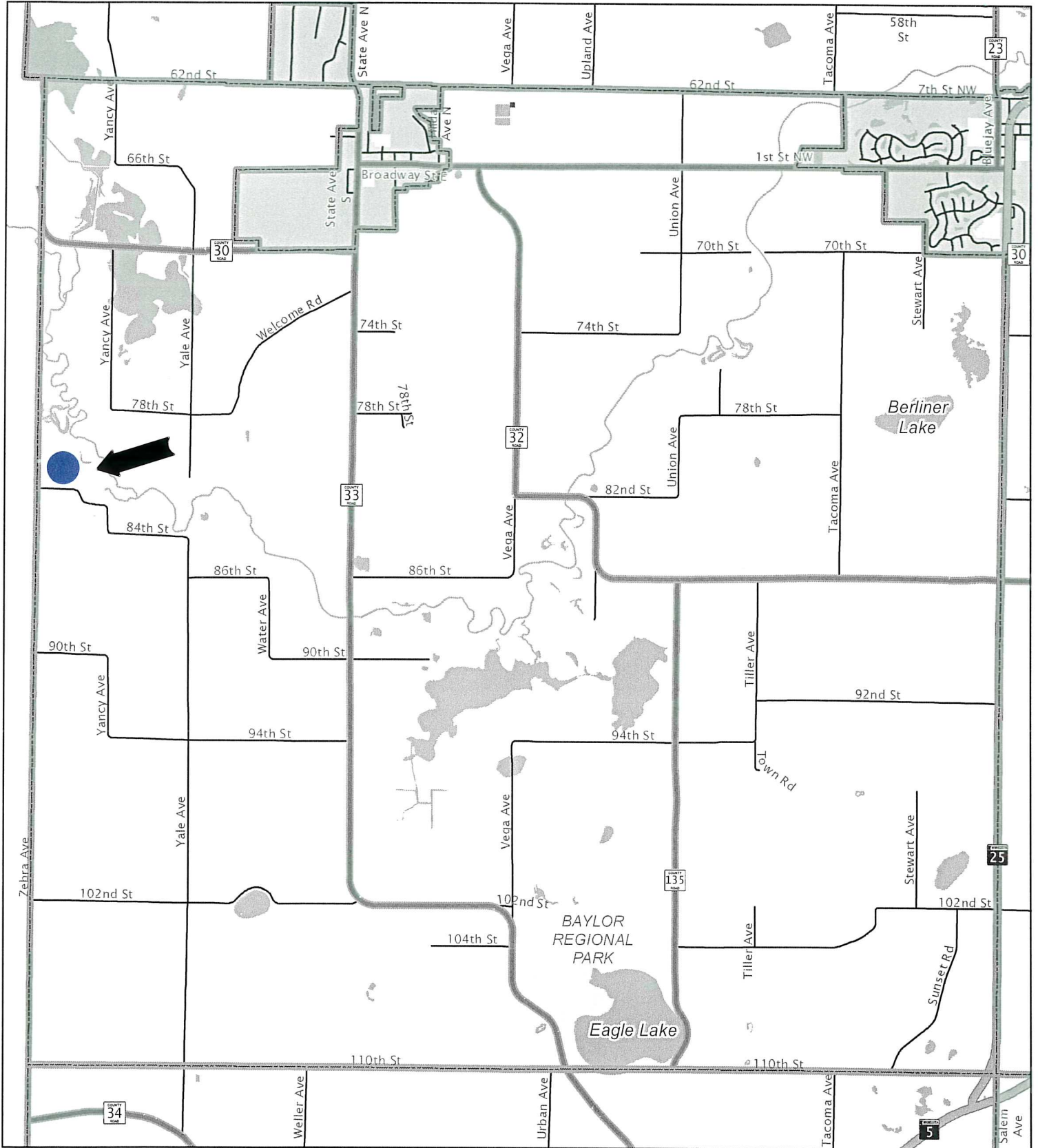
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

1. Township Location Map
2. IU-PZ20250012 - PLC Resolution-signed

CAMDEN 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 #: PZ20250010

RESOLUTION #: 25-11

WHEREAS, the following application for an Interim Use Permit has been submitted and accepted:

FILE #: PZ20250012

APPLICANT: Timothy Mueller (Wm Mueller & Sons, Inc.)

OWNER: Jon Dammann & Carol Jean Dammann

SITE ADDRESS: 19090 84th Street, NYA, MN 55397

PERMIT TYPE: Mining and/or Land Reclamation

PURSUANT TO: County Code, Chapter 152, Section(s) 152.081 and 152.082

LEGAL DESCRIPTIONS: See attached Exhibit "A"

PARCEL #: 02-018-0100

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 10, 2025; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Jon & Carol Jean Dammann own an approximately 101.21-acre parcel located in the Northwest Quarter (NW¼) of Section 18, Camden Township. The property is currently developed with a single-family dwelling, along with several accessory and agricultural structures. A mining Conditional Use Permit (CUP #5289) was previously issued for the property but was terminated in December 1994. The parcel is located within the Agricultural Zoning District, the Shoreland Overlay District and Floodplain Overlay District of the Crow River, and the Carver County Water Management Organization (CCWMO) – Crow River watershed.
2. Timothy Mueller of Wm Mueller & Sons, Inc. (“WMS”) is requesting an Interim Use Permit (IUP) for the operation of a new mining site in accordance with the County Zoning Code. The proposed project would involve the extraction of sand and gravel resources from an approximately 22-acre area. These materials would be processed on-site for use as base material in both private and public construction projects within the region. According to the project narrative, the anticipated annual production is between 15,000 and 25,000 cubic yards, with an estimated total resource volume of approximately 250,000 cubic yards—sufficient to support operations for roughly 10 to 17 years.
3. Sections 152.081 and 152.082 of the Carver County Zoning Code allows for mining and/or land reclamation involving 10,000 cubic yards or more as an Interim Use Permit (IUP).
4. The applicant’s engineer, Sunde Engineering, PLLC, has submitted the Interim Use Permit (IUP) application along with all supporting documentation and site plans. The project description, dated April 25, 2025, outlines the proposed mining operations and reclamation plan. Mining activities are planned to progress from north to south across the site.

Proposed activities include topsoil stripping, sand and gravel excavation, material screening and crushing, stockpiling, and site dewatering. Stockpiled soil will be used to construct perimeter berms, which will be seeded and remain in place until reclamation. Material processing equipment will be located within recessed portions of the mine floor, to the extent practical, and at least 1,000 feet from the nearest residence.

Typical site equipment will include excavators, front-end loaders, backhoes, haul trucks, skid loaders, and other standard machinery. Portable processing equipment may include crushing and screening plants, conveyors, stackers, and other ancillary equipment. Excavation will be performed using a backhoe to an approximate depth of 20 to 30 feet below the

water table, reaching about 918 feet above mean sea level. A DNR water appropriations permit will be obtained for dewatering purposes.

The project description also includes operational procedures addressing site safety, housekeeping, erosion control, noise mitigation, and dust control. Dust control measures include the application of calcium chloride as needed on interior haul roads and on 84th Street, which provides access to the site at the property's southwest corner.

Operating hours are proposed as Monday through Friday from 6:00 AM to 7:00 PM, and Saturday from 7:00 AM to 12:00 PM. During active mining periods, the site will be staffed by no more than five WMS employees.

No non-granular material will be removed from the site. Any non-granular material encountered during mining will be used in the reclamation process. If necessary, imported material may be brought to the site to meet final product specifications, though this will comprise less than 10 percent of the total aggregate volume.

5. The Mining Site Plan, dated April 25, 2025, identifies the proposed 22-acre excavation area, which includes approximately 3 acres within the Shoreland Overlay District and 7 acres within the Floodplain Overlay District. No excavation is proposed within the designated Floodway. Material stockpiles located in the Floodplain will not exceed 1,000 cubic yards.

Approximately 250,000 cubic yards of material are expected to be extracted from the site. The proposed mining pit will maintain the required 300-foot setback from all Type 3 through Type 8 wetlands. Additionally, processing equipment will not be located closer than 100 feet from the Ordinary High Water Level (OHWL) of Silver Creek.

No mining activities are proposed within the required 50-foot setback from property lines. The operational area will be substantially screened by a 5-foot-tall, vegetated berm and by the recessed elevation of the mine floor where active operations will occur.

6. Wetlands are present on the property. According to the project engineer, all proposed mining activities are located outside the required 300-foot setback from wetlands, as identified using U.S. Fish & Wildlife Service mapping. A wetland delineation report has been submitted and is currently under review by Carver County.

In an email dated May 6, 2025, Tim Sundby, Water Resources Supervisor, stated: *“The Wetland Conservation Act (WCA) process is not complete for assessing wetland boundaries, types, and impacts. Wetland assessments are currently under review. The application impact mitigation has not initiated the formal WCA process. Potential negative wetland impacts may necessitate changes to the proposed mining operations, depending on how the applicant chooses to proceed. Additionally, descriptions of activities and submitted plan sets provided to both the Carver County Water Management Organization and Carver County Land Management are conflicting, which adds uncertainty to the review process.”*

7. The applicant has submitted a Proposed Dewatering Plan, dated May 2, 2025, outlining the intended dewatering operations. According to the narrative, pumps will be used to lower the water table by approximately 5 to 10 feet to allow access to deeper sand and gravel deposits within the mining area. Pumping is expected to occur only for a few weeks per year, avoiding periods of seasonal flooding or high groundwater levels. The narrative also states that when pumps are not in use, “the water table would be allowed to fully recover to pre-pumping levels.”

Wm Mueller & Sons (WMS) will be applying for a Minnesota Department of Natural Resources (DNR) Water Appropriations Permit to allow pumping at a rate of up to 2,000 gallons per minute, with a maximum annual volume of 25 million gallons. Pump discharge will be directed to a sedimentation pond, which will overflow into Silver Creek.

The applicant anticipates no indirect impacts to nearby wetlands. However, if any impacts do occur, they are expected to be *“temporary and reversible in nature due to the relatively short period of time needed for dewatering (4–6 weeks per year), as opposed to a continual, season-long, or year-round dewatering operation.”*

8. The project narrative includes a table estimating the average daily trips (ADT) generated by the proposed mining operation. Based on projected annual exports of approximately 20,000 to 25,000 tons of aggregate, the average number of haul trips is estimated at 20 trips per day. On the high end, the applicant anticipates up to 150 trips per day, though such volumes are expected to occur infrequently and only for limited periods over the life of the mine.

The ADT estimates are based on an average load size of 18 tons and assume hauling will occur on approximately 180 days per year. Actual production rates and associated vehicle traffic will vary depending on market demand. The estimated a.m. peak-hour traffic is 16 trips per hour, while the average hourly traffic throughout the day is projected to be approximately 2 trips per hour.

9. The Reclamation Plan, dated April 25, 2025, illustrates the proposed final contours of the site following completion of aggregate extraction. Upon the conclusion of mining activities, the topsoil previously used to construct the screening berm will be redistributed across the former operational area.

In the northern section of the operational area, located within the Floodplain Overlay District, post-mining elevations will fall below the 100-year regulatory floodplain elevation, thereby increasing the site's overall floodwater storage capacity. In the southern portion of the mining area, finished land elevations will be approximately 7 to 13 feet lower than pre-mining conditions. The proposed maximum finished slope along the perimeter of the mined area will be 5:1 (horizontal to vertical).

10. The property is currently enrolled in the Agricultural Preserve program. In accordance with Interim Use Permit (IUP) standards, mining is permitted provided that the land is reclaimed and returned to agricultural use. The project narrative states: *"Reclamation will bring the excavated area above the water table, and overburden and topsoil will be placed to return the area to agricultural land use."*

The proposed reclamation plan appears to meet applicable zoning code requirements and will undergo further review by the Carver Soil & Water Conservation District (SWCD) and the Carver County Water Management Organization (CCWMO) to ensure compliance with all relevant agency standards.

11. The Interim Use Permit (IUP) will terminate upon the occurrence of the first of the following events: a change in ownership or the exhaustion of aggregate resources. However, Permit #PZ20250012 will not be considered terminated until all reclamation work is completed to the satisfaction of the Carver County Water Management Organization (CCWMO) and in compliance with Zoning Code standards. Additionally, termination is contingent upon the release of any applicable financial security.

12. The proposed mining site is located on the border of Bergen Township in McLeod County. Although the site has direct vehicle access to 84th Street, haul trucks will immediately travel west to 165th Street, which is under the jurisdiction of Bergen Township, the road authority for that gravel road. The applicant has submitted a Temporary Haul Road Designation Route agreement with Bergen Township, dated February 12, 2025. This agreement details dust control measures and road maintenance practices for 165th Street.

13. A CCWMO permit is required, and the applicant must meet Stormwater Management standards for the reclamation of all aggregate mining areas. To establish an appropriate restoration phasing plan, the applicant will need to secure a permit from the Planning and Water Management Department. The applicant has already submitted a Pollution Prevention Plan for review.

The permittee must submit a stormwater management application, provide the required financial security, and comply with all permit requirements, including topsoil depth standards for restoration and preservation.

14. Mike Wanous, District Manager with the Carver SWCD, was sent the application materials. As of the time this staff report was written, the Land Management Department had not yet received comments from him.

15. Garry Bennett, Floodplain Hydrologist with the Minnesota Department of Natural Resources (MNDNR), submitted comments via an email on April 8, 2025. Mr. Bennett stated that, *“based on a high-level review of the site plans, the proposed mining limits are partially located in the mapped flood fringe but do not encroach into the floodway, as shown on Sheet C2 of the draft plans.”* He confirmed that commercial extraction is a permitted use in the flood fringe and noted that the applicant proposes to conduct wet mining and locate stockpiles outside of the mapped floodplain, which the MNDNR recommends.

Mr. Bennett emphasized that all development within the floodplain must use construction methods that minimize flood damage, must not negatively impact adjoining areas, and must protect exposed materials from erosion, discharge, and sediment entering surface waters through vegetative cover or other methods as soon as possible.

He concluded that there are no major floodplain restrictions that would prevent mining in the proposed area.

16. Sheryl Blaisdell, a resident near the proposed mining site at 8040 Yale Avenue, emailed a letter to the Land Management Department on May 12, 2025. In her letter, she expressed concerns regarding the impacts of noise, air quality, and dust from the operations on her property, as well as the potential effects of the mining activities on wildlife and the Crow River.
17. Brett and Vanessa Martinson, residents near the subject property at 7800 Yancy Avenue, submitted an email received on May 19, 2025, stating their concerns about impacts on wildlife and river, the involvement of the watershed district, noise, and the overall effects on quality of life from the proposed mining activities.
18. During the May 20, 2025, public hearing, the Planning Commission heard testimony from nearby property owners expressing concerns about mining operations interrupting the quiet and natural views they currently enjoy, potential impacts on the river channel, dust generated by the mine, potential decrease in property values, and loss of wildlife that frequent the area.
19. In response to these concerns, Planning Commission members noted that pit excavation, along with perimeter berms constructed from stockpiled topsoil, would eventually create a recessed floor that screens mining operations from view. One commission member explained that the operating hours and haul truck traffic figures listed in the permit represent a “worst-case scenario” and would only occur during peak demand periods for aggregate material.

Another member referenced a previous, controversial mining Interim Use Permit (IUP) application that drew a large public turnout in 2024. In contrast, a year later, when the same operator returned to amend the IUP, no public comments were submitted, suggesting that initial concerns from neighbors may have been overstated.

The commission also discussed concerns about potential decreases in property values. One member stated that, in his experience, he has never seen property values decrease in the county. He attributed this to Carver County being part of the seven-county metropolitan area and benefiting from consistent regional growth.

20. The applicant referenced several noise control measures, including the use of “white noise” backup alarms for trucks, establishing a circular traffic pattern to minimize the use of backup alarms, and limiting the duration of dewatering activities. He also explained the need for extended operating hours due to the seasonal nature of mining. He emphasized that gravel is a necessary commodity for construction projects and noted that suitable material is only located in certain areas, making it more challenging to source.

The applicant clarified that mining activities are permitted under an Interim Use Permit (IUP), and the current property owner has entered into a lease agreement with Wm. Mueller & Sons to extract the aggregate material (i.e., sand deposit). The site would be used exclusively by Wm. Mueller & Sons for specific projects awarded to the company.

Mr. Mueller also addressed a neighbor’s concerns regarding wildlife and hunting. He stated that he is a deer hunter and has hunted on some of Mueller’s mining properties. Based on his observations, there has been no negative impact on local wildlife populations, and property values near their existing mining sites have increased.

21. The Camden Township Town Board reviewed and recommended approval of this request during their meeting on February 13, 2025, subject to the following conditions: *"All road maintenance will be the responsibility of Wm Mueller & Sons, which includes new gravel, grading, and dust control as needed. The road must be maintained in as good a condition as, or better than, its current state."*
22. 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 Interim Use Permit application for mining and processing activities on the property legally described on the attached Exhibit "A." The following conditions should be considered part of the permit:

GENERAL REQUIREMENTS:

1. This permit is subject to compliance review. The Interim Use Permit (IUP) is issued to Wm Mueller & Sons and authorizes extraction within the approximately 22-acre operational area. The permit is non-transferable to another property owner and cannot be leased. The permit shall terminate upon the exhaustion of the aggregate resources or a change in ownership, whichever occurs first. However, Permit #PZ20250012 will not be considered terminated until all reclamation areas are completed to the satisfaction of the approved Carver County Water Management Organization (CCWMO) permit and Zoning Code standards, and any applicable financial security has been released.
2. The Permittee shall comply with all Camden Township access requirements. Mining and similar activities shall not occur within 50 feet of the public right-of-way. The Permittee must obtain all required permits for work within the public right-of-way prior to commencing construction activities.
3. The Permittee shall comply with the conditions of the Temporary Haul Road Designation Route agreement with Bergen Township, dated February 12, 2025. No haul route traffic shall use Camden Township roads unless necessary to reach the mining site.
4. The Permittee shall comply with all applicable Carver County Water Management Organization (CCWMO) rules and regulations, including but not limited to grading, vegetation (with maintenance), and landscaping plans. An erosion/sediment control plan and stormwater management plan for site restoration, screening, vegetation, and maintenance shall be prepared and implemented in accordance with CCWMO Water Management guidelines and the Wetland Conservation Act (WCA) before mining commences. Any site improvements shall adhere to Chapter 153 – Water Resource Management. The Permittee shall also obtain a National Pollutant Discharge Elimination System (NPDES) permit as required by the Minnesota Pollution Control Agency (MPCA).
5. The Permittee shall obtain and maintain a Non-generator's Certificate or contact the Environmental Services (E.S.) Department to obtain a Hazardous Waste Generator's License, if required. The property's current septic system shall also comply with the standards as specified in County Ordinance Chapter 52 – Subsurface Sewage Treatment Systems.
6. The Permittee shall comply with all County standards as specified in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage for signage on the property.
7. The Permittee agrees to defend, indemnify, and hold harmless the County, its officers, and employees against any and all liability, loss, costs, damages, and expenses that the County, its officers, or employees may sustain, incur, or be required to pay, arising out of the Permittee's performance or failure to adequately perform its obligations under this permit, or arising out of any dispute regarding the ownership of the property.

OPERATIONAL REQUIREMENTS:

These requirements combined with the most current Site and Operational Plans shall govern the mining operation.

1. The mining activity shall be conducted in accordance with the submitted Project Description (dated April 25, 2025), Site Plan and Reclamation Plans (dated April 25, 2025), Temporary Haul Road Designation Route agreement with Bergen Township (dated February 12, 2025), Proposed Dewatering Plan (dated May 2, 2025), and any and all Carver County Water Management Organization (CCWMO) permit approvals (including stormwater infiltration, Best Management Practices (BMPs), site vegetation and plantings, and site reclamation). The mining operation shall also comply with all Camden Township conditions, Bergen Township (McLeod County) conditions, and right-of-way standards. In the event of any inconsistencies between previously submitted documents, the terms of the most recent submission shall prevail and be considered requirements of this permit. The mining activity shall operate in accordance with the Carver County Zoning Code (e.g., screening, noise mitigation, etc.). These plans shall be attached to and considered part of this permit.
2. The hours of operation shall be from 6:00 AM to 7:00 PM, Monday through Friday, and 7:00 AM to 12:00 PM on Saturdays. Mining and processing operations shall not occur on Sundays or federally observed holidays, unless for emergency purposes (e.g., flooding, etc.).
3. The construction equipment on-site includes, but is not limited to, excavators, front-end loaders, backhoes, haul trucks, skid loaders, etc. Portable processing equipment may include crushing and screening plants, conveyors, stackers, and other ancillary equipment.
4. Existing drainage patterns shall be maintained where possible. If alterations to drainage patterns are unavoidable, the changes must not adversely affect surrounding properties or cause erosion or sedimentation.
5. The Permittee shall submit quarterly tonnage reports to the Land Management Department to document the amount of aggregate material removed from the site.
6. Vertical faces of the mining area shall be kept to a minimum except during the actual mining operation, and in accordance with the County Zoning Code. Mining below the water table shall only occur in compliance with Minnesota Pollution Control Agency (MPCA), Minnesota Department of Natural Resources (DNR), and other applicable State or Federal regulations.
7. If internal access roads generate dust that affects surrounding properties, the access roads shall be treated with water or other similar dust control measures.
8. All equipment and materials used in the operation shall be stored within the designated operational area to minimize visual exposure from outside the mining area.
9. The Permittee shall comply with the noise pollution requirements of Minnesota State Rules Chapter 7030. White noise backup alarms shall be installed and maintained on all Permittee-owned mining equipment operating at the site. Circular traffic patterns for loading shall be established to reduce backup movements.
10. No trash, garbage, waste, construction debris, or similar materials shall be deposited in or near the operational area.

RESTORATION REQUIREMENTS:

1. The design of the restored areas shall comply with the standards outlined in the Zoning Code and CCWMO Water Management Rules. Restoration shall, to the extent possible, be staged so that exhausted phases of the operation are stabilized and have established vegetation. The restoration design may be subject to revisions and modifications by the Land Management Department and the Carver SWCD.

2. The Permittee must preserve existing vegetation wherever feasible and implement required erosion control measures in accordance with the CCWMO Rules. The Permittee is responsible for obtaining a CCWMO Permit regarding stormwater management and site reclamation for all aggregate mining areas. If a CCWMO Permit is not obtained within six (6) months of the County Board's approval, File #PZ20250012 shall be suspended until the appropriate permit is secured. A financial security for erosion control and restoration shall be held by the County for the duration of the project/permit.
3. Topsoil and overburden required for restoration shall be maintained and protected from erosion or other loss. Only material necessary for restoration may be hauled to the site. Such material shall either be incorporated into site restoration immediately or stockpiled according to the approved site plan.

PERFORMANCE SECURITIES & INSURANCE REQUIREMENTS:

1. The Permittee shall provide a performance security, pursuant to Section 152.082 (C) 5 (ii), in a form acceptable to the County, naming the County as an obligee. The performance security shall be effective for at least 3 months after the annual anniversary date of the permit. The required performance surety amount shall be \$10,000.00 per acre of open mining activities (i.e., mining, staging, and restoration areas).
2. The conditions of the surety are that if the Permittee fails to conform to any of the conditions or requirements of this permit, or for any reason ceases to operate the facility in accordance with the provisions of this permit, and the County is required to expend monies, labor, or material to bring the operation into conformance with the permit or perform restoration as required by this permit, the County may utilize the performance security to reimburse for any and all expenses incurred to remedy the Permittee's failure to comply.
3. The Permittee shall submit a Certificate of Insurance with coverage provided by an insurance company duly licensed by the State of Minnesota. The Certificate shall confirm that the Permittee has coverage for General Liability, Automobile Liability, Loading and Unloading, Completed Operations Liability, Explosion and Collapse of Underground Operations Liability, with a minimum limit of liability in the amount of \$2,000,000 for any one occurrence. The Certificate of Insurance shall also include Workers' Compensation Insurance, or the Permittee shall sign an affidavit regarding employee status and submit it to the Land Management Department. The Insurance Certificate(s) shall include an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
4. The insurance coverage required in item 3 shall be kept in effect for the duration of the permit. If the permit is terminated, insurance coverage shall be maintained until the completion of restoration and the return of the performance security.
5. The obligor and its sureties hereby indemnify and hold the County harmless from all losses, costs, and charges that may occur to the County due to default by the Permittee.
6. The Permittee shall submit a copy of the Worker's Compensation Insurance to the Carver County Land Management Department annually.

ADOPTED by the Carver County Planning Commission this 20th day of May 2025.



Scott Hoese (May 21, 2025 19:16 CDT)

Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Carver County - Request to amend the County Public Works Facility Master Plan (CUP)

RBA Number: 2025-803

Department: Public Services - Land Management

Contact: Jason Mielke, Land Use Manager, 952-361-1817

Presenter:

Contract Name & Number:

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

File #PZ20250018. On May 20, 2025, the Carver County Planning Commission voted 5-0 to recommend approval of a Conditional Use Permit (CUP) amendment for the Carver County Public Works Facility Master Plan. The facility is located on a 45-acre property in Section 15 of Benton Township and serves as the headquarters for the County's Public Works Division. It also provides office and storage space for several entities, including the Carver SWCD, University of Minnesota Extension, Benton Township, the Parks Department, and the Sheriff's Department.

Mr. Koktavy, Assistant County Administrator, representing Carver County, is proposing a Long-Term Master Plan amendment to guide future development of the public facility and address anticipated space and facility needs for several County departments and agencies with jurisdiction in the County. As part of the Highway 212 reconstruction project currently underway, the site's driveway is being relocated to the east, J-turns are being added for improved safety, and an "L-shaped" screening berm would be constructed along the western and southern edges. Additional improvements include new security fencing and plans for future parking, building expansions, and storage areas.

The property lies within the Agricultural Zoning District and the Carver County Water Management Organization (CCWMO) – Carver Creek watershed. The CUP amendment is consistent with the 2040 Comprehensive Plan, which allows for essential services and public uses in agricultural areas. The CCWMO has approved the driveway and berm plans and will review future expansion proposals. The Benton Town Board has also recommended approval of the CUP amendment.

The Planning Commission’s resolution and a township location map are attached for the County Board’s consideration. The full meeting packet from the May 20, 2025, Planning Commission meeting is available online at:

<https://carvercomn.portal.civicclerk.com/event/486/files>

Action Requested:

A motion to adopt the Findings of Fact and issue Order #PZ20250018 for the issuance of a Conditional Use Permit.

Fiscal Impact:

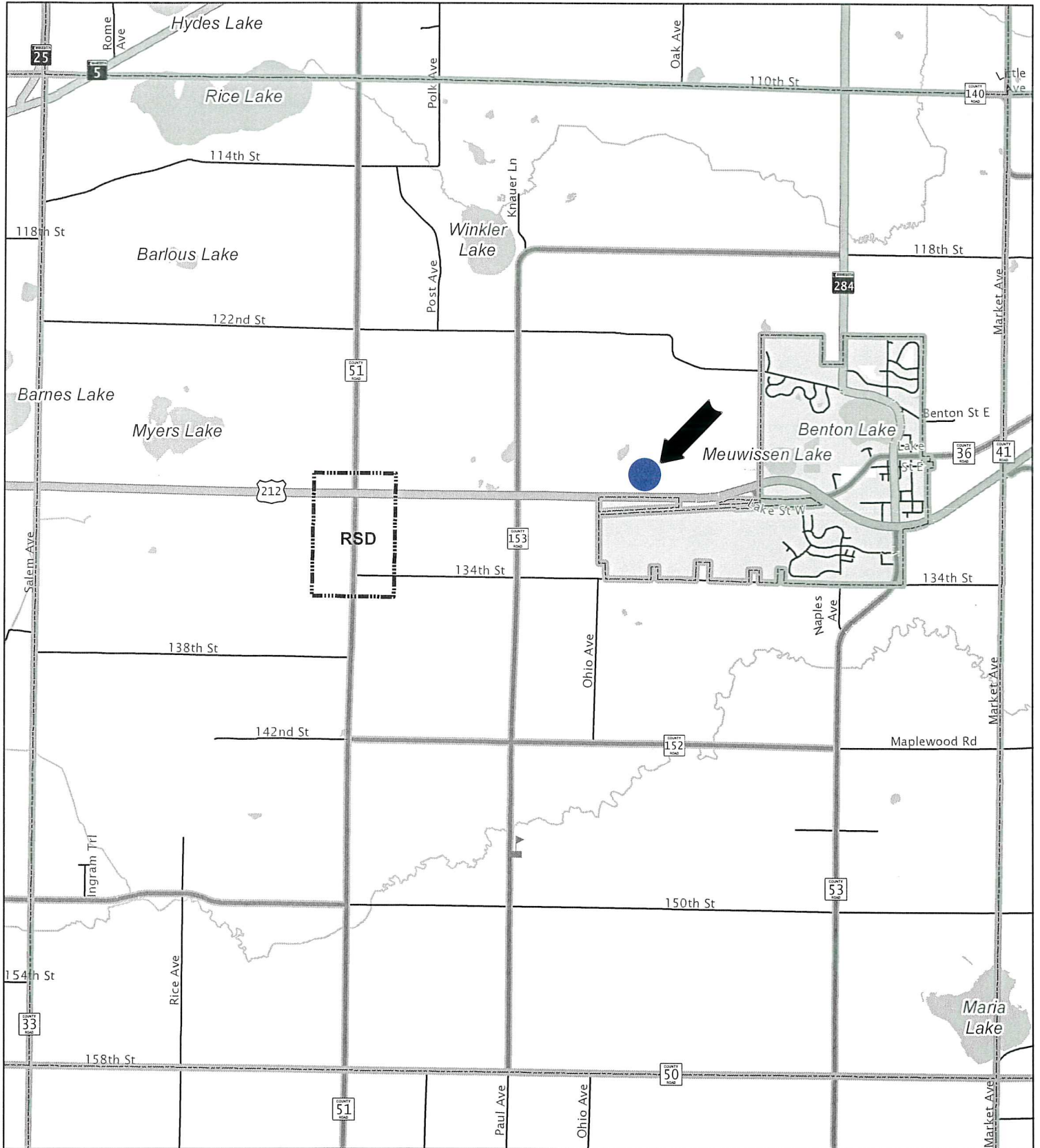
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Attachments:

1. Township Location Map
2. CU-PZ20250018 - PLC Resolution-signed

BENTON 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 #: PZ20250018

RESOLUTION #: 25-10

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

FILE #: PZ20250018

APPLICANT: Nick Koktavy, representing Carver County

OWNER: Carver County

SITE ADDRESS: 11360 Hwy 212 Cologne, MN 55322
(Carver County Public Works Facility)

PERMIT TYPE: Public/Quasi Public Facility

PURSUANT TO: County Code, Chapter 152, Section 152.054

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCELS #: 01-015-0200

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of May 20, 2025; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Carver County's Public Works Headquarters is located on a 45-acre property in the Northeast Quarter (NE¼) of Section 15, Benton Township. The facility includes multiple buildings used for offices, vehicle maintenance, and the storage of vehicles, supplies, and equipment. These buildings also house office space for the County Public Works Division, the Carver Soil & Water Conservation District (SWCD), the University of Minnesota Extension, Benton Township, among other County and community partners, and provide storage space for those entities as well as the County Parks Department and the County Sheriff's Department. The property was previously issued a Master Plan Conditional Use Permit (CUP #12405) in 2001 for development, as well as a Variance (#11791) and Conditional Use Permit (CUP #11792) in 2000 for a wireless communications tower. The site is located within the Agricultural Zoning District and the Carver County Water Management Organization (CCWMO) – Carver Creek watershed.
2. Nick Koktavy, Assistant County Administrator, representing Carver County, is proposing a Long-Term Master Plan amendment to guide future development of the public facility and address anticipated space and facility needs for several County departments and agencies with jurisdiction in the County. As part of the current Highway 212 project, the facility's driveway is being relocated to the east, along with the installation of J-turns on the highway to facilitate safer vehicle access to the site. Additionally, the highway reconstruction project includes the construction of an "L-shaped" screening berm along the western and southern perimeters of the property.
3. The 2040 Comprehensive Plan accommodates "Essential Services, Public and Quasi-Public Services, and Limited Private Uses That Serve a Community Purpose" (LU-20) as allowable land uses. The Public Works Headquarters is recognized as an essential service land use, appropriately located in the agricultural area due to its need for a large site to store equipment and materials, and its desirability for separation from nearby residences that could be affected by noise, dust, and extended operating hours. Carver County's application for a Long-Range Master Plan Conditional Use Permit (CUP) is submitted pursuant to Sections 152.050, 152.052, and 152.054 of the Zoning Code.
4. Developed in 2001, this property has served as the principal facility for Carver County Public Works, housing administrative offices and large structures for equipment maintenance and the storage of materials, vehicles, and equipment. The Public Works Division oversees the maintenance and administration of public rights-of-way and parks, with operations including snowplowing, patching, sealcoating, signage, traffic signal operations, pavement markings,

spraying, mowing, and culvert repair. The division maintains approximately 250 vehicles and equipment units and includes engineering staff, project and construction management, surveyors, GIS personnel, and other support staff. The original Conditional Use Permit (CUP) outlined the site's operations, including permitted uses, agency offices housed on-site, hours of operation, access points, security measures, traffic generation, signage, and screening/landscaping requirements. A private force main connects the facility to the City of Cologne's wastewater treatment plant to serve its sanitary sewer needs.

5. The submitted document titled "*Site Plan – Exist (With Proposed 212 Entry Re-Alignment)*", dated January 6, 2025, illustrates ingress and egress via a newly proposed County Road 127, which is scheduled for construction by Fall 2025. The plan identifies various designated areas, including space for K-9 training, a vehicle impound lot, stormwater treatment areas, warm and cold storage buildings, the main headquarters building, the Sheriff's Office building, a brine/wash bay, a fuel island, a salt shed, a fiber optics shed, and a conservation easement surrounding a wetland located in the northwest portion of the property. A utility easement runs diagonally through the northern part of the site. The plan also depicts a wireless communication tower, previously approved by conditional use (#11791), allowing a height of 255 feet.
6. The facility's monument sign, which was the subject of a variance (PZ20120042), allows for a 208-square-foot sign. The Long-Range Master Plan proposes relocating the sign to a position near the access drive leading to the public and County employee parking areas. The original variance request for the larger sign was justified by the need to provide "better identification to a critical 24/7 facility that serves the public."
7. The applicant's narrative (dated April 24, 2025) describes current operations and outlines existing and planned site improvements. Currently, 72 employees report to the facility. The narrative lists the square footage of the existing buildings and areas as follows: Headquarters Building (approx. 56,000 sq. ft.), Cold Storage (approx. 14,300 sq. ft.), Warm Storage (approx. 11,500 sq. ft.), Sheriff's Office Building (approx. 15,000 sq. ft.), Fiber Optics Shed (approx. 225 sq. ft.), Salt Shed (approx. 5,100 sq. ft.), and the Impound Lot area (approx. 30,000 sq. ft.). The wireless communications tower is located within a fenced area of approximately 9,000 sq. ft.
8. The facility is generally open to the public during regular County business hours, Monday through Friday from 7:30 AM to 4:00 PM, excluding holidays. Public Works operations staff typically work from 6:00 AM to 4:30 PM during the non-snow season and from 7:00 AM to 3:30 PM during the winter months. The facility is also used for evening and weekend meetings as needed. Due to the nature of certain essential functions—such as snow plowing, emergency road maintenance, and Sheriff's Department duties—the site operates on an as-needed basis, 24 hours a day, 365 days a year. As stated in the 2001 Master Plan, the projected 10-year estimate for traffic generation related to the facility was approximately 500–700 vehicle trips per day, a figure that continues to remain accurate.
9. The plan includes a proposed Special Events Area to host collection events where residents can dispose of materials such as oil, batteries, electronics, paint, appliances, and tires. While there are storage buildings for vehicles, approximately 10–20 vehicles are stored outside. The County also regularly stockpiles materials—such as gravel, seal coat chips, wood chips, and dirt—amounting to roughly 1,000 cubic yards, in the gravel area between the Cold Storage building and the Salt Shed. A total of 134 parking spaces are available for employees and the public.
10. The narrative further describes proposed changes outlined in the submitted Long Range Master Plan and the Potential Expansion Areas site plan. These include modifications to site ingress/egress, relocation of the monument sign, construction of screening berms, relocation of the fuel island, pavement replacement, expanded parking areas, installation of perimeter fencing and gates, a three-bay brine salt and material bunker, future public service areas, three storage expansion zones, a Sheriff's Office expansion area, and potential updates to stormwater treatment facilities.
11. The submitted document titled "*Site Plan – Long Range Master Plan*" (dated January 6, 2025) outlines the long-term vision for the Carver County Public Works site. The existing buildings will remain in place. The plan proposes re-striping of the employee parking lot to provide 138 parking spaces southwest of the Headquarters Building, as well as pavement replacement and relocation of the covered fuel island. A future three-bay brine salt/material bunker is also included.

12. With the exception of the parking areas located south of the Headquarters Building, the plan proposes the installation of security gates and perimeter fencing to enclose non-public portions of the facility.
13. The most prominent feature of the plan, in terms of area, is the "*Special Collection Area (Events)*" located in the northeast portion of the site. This area, within the fenced boundary, is designated for public collection events and includes a "*Future Paved Sign/Signal Shop, Storage, and Racking*" area. A berm is planned around the northeast corner to screen this expanded use. Additionally, the plan includes the construction of a 10- to 25-foot-tall berm along the western and southern edges of the property, which will be built as part of the Highway 212 project.
14. Finally, the plan identifies an expanded visitor parking area and an alternate route to the relocated fuel island, both situated to the east and southeast of the Headquarters Building.
15. The submitted document titled "*Site Plan – Long Range Planning – Potential Expansion Areas*" (dated January 6, 2025) outlines possible future expansion areas to accommodate Public Service and Sheriff's Department operations. Building upon the previously submitted **Long Range Master Plan**, this planning document highlights additional development areas using orange boxes. Identified areas include a designated Sheriff's Expansion Area in the northeast portion of the site, three potential **Warm Storage Building** locations (Options 1, 2, and 3) clustered near the Headquarters Building, a potential expansion of the Headquarters Building itself, and two Public Service Expansion Areas located south of the current facility. The plan also shows a proposed expansion of the employee parking lot, situated west of the existing parking area in front of the buildings.
16. The subject property is located within the jurisdiction of the Carver County Water Management Organization (CCWMO). In an email dated May 6, 2025, Abigail Ernst, Water Resources Program Analyst, confirmed approval of the new driveway and the screening berm along the western and southern boundaries. She stated, "*The CCWMO has already approved the Highway 212 realignment and the entrance to the public works building.*" Additionally, Ms. Ernst noted, "*The Long Range Master Plan will need to return for permitting by the CCWMO as the plans are developed.*"
17. This request was forwarded to the Carver SWCD for review and comment. As of the time of printing, no comments or concerns have been received. However, any comments that are submitted would be considered in alignment with the CCWMO review.
18. In an email dated May 7, 2025, Drew Pflaumer, Transportation Planning Manager with Carver County Public Works, indicated the County Public Works Division has no concerns and would like to voice support for the project.
19. At their meeting on May 8, 2025, the Benton Township Board reviewed the request and recommended approval, with the following comment: "*Unanimously approved with County staff recommendations.*"
20. 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 amendment to the Carver County Public Works Facility Long Range Master Plan Conditional Use Permit application as a Public/Quasi Public Facility on the property legally described in the attached Exhibit "A," the previous CUP (#12405) would be terminated upon final approval (and recording) of the new CUP (#PZ20250018). Therefore, CUP #PZ20250018 would supersede any prior approvals. The following conditions should be considered part of the permit:

1. The permit is subject to administrative review. Facility development shall be considered approved from a land use perspective if it substantially conforms to the Long-Range Master Plan. A change in the use of the property or scale of site improvements shall trigger a review by the Land Management Department to determine whether an amendment or similar application is necessary.

2. Operations shall be conducted substantially in accordance with the submitted narrative (dated April 24, 2025) and Site Plans (dated January 6, 2025).
3. The permittee shall comply with the conditions of the signage variance (PZ20120042).
4. A Landscaping Plan shall be prepared and implemented to reduce the visual impact of the facility as viewed from Highway 212, existing neighboring properties, and potential future development areas to the north and northeast. The plan should incorporate appropriate plantings, berms, or other visual screening elements to help break up the facility's visual profile and enhance site aesthetics.
5. Any grading and/or filling activity on the property shall comply with the regulations of Chapter 153 - Carver County Water Management Organization (CCWMO) and the Wetland Conservation Act (WCA), if applicable. This includes obtaining an Erosion and Sediment Control Permit, Stormwater Permit, and Wetland Delineation. Reviews and approvals must be completed prior to the issuance of construction and/or building permits, if applicable.
6. Any structures constructed on the property shall meet the applicable requirements of the Carver County Zoning Code, State Building Code, and Fire Code. Required building permits must be applied for and issued before construction begins.
7. The permittee shall comply with all applicable regulations, including those outlined in Chapter 152 – Zoning Code, Chapter 154 – Sign Regulations, the Minnesota State Building Code, and all other relevant local, state, and federal regulations.
8. The permittee shall comply with all conditions of Chapter 50 - Solid Waste Management of the Carver County Code of Ordinances regarding the storage and disposal of solid waste materials.

ADOPTED by the Carver County Planning Commission this 20th day of May, 2025.


Scott Hoese (May 21, 2025 19:16 CDT)

Scott Hoese, Chairman
Carver County Planning Commission



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: National Opioid Settlement - Funding Approval for Carver County Internal Program Application

RBA Number: 2025-780

Department: Health & Human Services - Administration

Contact: Samantha Downs, Community Health & Promotion Unit Supervisor, 952-361-1359

Presenter:

Contract Name & Number: Not Applicable

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

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 Memorandum of Agreement (MoA). The committee determined that a majority of the funding would be allocated to internal Carver County departmental 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 Carver County Sheriff's Office submitted a proposal which was approved by HHS leadership for an amount not-to-exceed \$23,000 to purchase and utilize the Guardian RFID (Radio Frequency Identification) system. This system is designed to improve the safety and health outcomes of inmates with substance-use disorders through enhanced

monitoring and documentation. Guardian RFID combines rugged hardware with advanced software to streamline wellness checks and compliance tracking. To support withdrawal management protocols, Guardian RFID allows facilities to configure custom alerts and reminders for completing COWS (Clinical Opiate Withdrawal Scale) and MINDS (Minnesota Detoxification Scale: an Instrument for Assessing withdrawal symptoms) screenings. These reminders ensure that nursing and clinical staff remain on schedule with required assessments, improving consistency and responsiveness in managing withdrawal symptoms following the jail's medical standards.

Action Requested:

Motion to approve the use of Carver County's allocation of National Opioid Settlement funds for an amount up to \$23,000 to support the implementation of Guardian RFID to improve the safety and health outcomes of local jail inmates with substance-use disorders through enhanced monitoring and documentation.

Fiscal Impact:

Funding:	Amount Budgeted:
National Opioid Settlement Fund	\$23,000

Related Fiscal/FTE Comments:

Fiscal Impact: Use of Opioid Settlement Funds in an amount up to (Not-To-Exceed) \$23,000.

FTE Impact: NONE

Attachments:

1. Guardian RFID BA



Carver County Board of Commissioners
Budget Amendment Request Form

Agenda Item: National Opioid Settlement - Funding Approval for Carver County Internal Program Application

Department: Health & Human Services - Administration

Meeting Date: 6/3/2025

Requested By: Denise Heckmann

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	\$23,000.00
Description of Accounts	Acct #	Amount	
Professional & Tech	12-460-000-0000-6260	\$23,000.00	

CREDIT	TOTAL	\$23,000.00
Description of Accounts	Acct #	Amount
Professional & Tech	12-460-000-0000-6260	\$23,000.00

Reason for Request: Motion to approve the use of Carver County's National Opioid Settlement funds for an amount up to \$23,000 to support the implementation of Guardian RFID to improve the safety and health outcomes of local jail inmates.



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: LVC County Buildings Fire System Testing and Inspections 2025-2027

RBA Number: 2025-782

Department: Public Services - Facility Services

Contact: Brent Kath, Facility Services Manager, 952-361-1557

Presenter:

Contract Name & Number: 25-236 County Buildings Fire System Testing and Inspections 2025-2027

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

This is a request to enter into a 3-year contract with LVC Companies to perform all required testing, inspections, and monitoring of fire systems on buildings listed below; keeping us current with all applicable state and federal regulations. LVC Companies is our current vendor. Facilities obtained a second quote for the work and LVC was about 15% lower.

The service agreement will cover the annual inspection of all County-owned properties' building fire alarm systems, sprinkler systems, and fire extinguishers and their certifications. The County Owned properties included in this contract are:

1st Street Center
600 West Admin / 602 Social Services
604 Courts / 606 Law Enforcement Center
Chanhassen License Center
Chaska License Center
Former Encore Building
Environmental Center
Historical Society Building

Steiner Kelting Facility
Public Works Building

It also includes 24/7 offsite monitoring services, including UL monitoring where needed. Corrective action proposals will be provided to address any deficient findings. The agreement does not include labor and materials outside the scope of work or overtime labor. Staff are requesting additional contingency funds for work outside the scope of work. The requested amount is equal to the amount the county paid during the 2022-2024 contract period.

Action Requested:

Request motion to approve Contract 25-235 with LVC Companies for Fire Life Safety Inspections and Monitoring pending contract finalization.

Fiscal Impact:

Funding:	Amount Budgeted:
County Dollars	\$98,000

Related Fiscal/FTE Comments:

This contract is already budgeted for and will be paid using funds from the Facilities Budget. Facilities is recommending \$21,877 in contingency funds to cover unexpected items outside the scope of work. Outside scope of work charges for 2022-2024 totaled \$21,877. They will not be included in the new contract.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Amendment to PSA with SRF Consulting Group for Highway 40 Project – Silver/Bevens Creek Area

RBA Number: 2025-733

Department: Public Works - Program Delivery

Contact: Lucas Rubash, Design Engineer, 952-466-5280

Presenter:

Contract Name & Number: 25-216

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

An amendment to the contract with SRF Consulting Group for the Highway 40 Project – Silver/Bevens Creek Area is required in order to complete additional project needs. This project will include pavement rehabilitation, resurfacing and shoulder widening of Highway 40 from Highway 52 to Highway 50. Shoulder widening will generate impacts beyond the Right of Way currently owned by Carver County. Excavations in select locations may contain archaeological items and may contain a protected plant variety, Kitten Tails (*Besseyia bullii*). An archaeological consultant is being compensated by MnDOT Cultural Resource Unit on behalf of Carver County. Additional efforts are required in order to coordinate this effort. A field review is needed in order to document and verify the potential presence of Kitten Tails within the projects' construction limits.

There is also a need to review potential safety improvement potential, specifically the potential realignment of Highway 40 south of Bevens Creek. Generating alternative alignments and providing analysis of the cost & impact that they would produce. Additional preliminary design efforts are needed for the realignment of the intersections with Highway 40 & Highway 50 as well as Highway 43 & Highway 50. This preliminary design effort requires additional surveying as well as professional services.

The Highway 50 project completed in 2021 was not able to complete the shoulder widening from 20 FEET East of Nathan Road to Highway 40 due to utility conflicts that were not able to be resolved. This widening has been added to the scope of services as well.

Action Requested:

Motion to approve contract amendment with SRF Consulting Group Inc for Highway 40 Project - Silver/Bevens Creek Area, pending finalization of the contract review process.

Fiscal Impact:

Funding:	Amount Budgeted:
Wheelage Tax	\$128,928.29

Related Fiscal/FTE Comments:

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Health and Human Services: Crossover Youth Practice Model Grant

RBA Number: 2025-804

Department: Health & Human Services - Child & Family

Contact: Michelle Selinger, Child & Family Services Manager, 952-361-1661

Presenter:

Contract Name & Number: N/A

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

On May 21, 2025, Carver County Health and Human Services (CCHHS) received an award letter from the Minnesota Department of Public Safety, Office of Justice Programs, informing Carver County Health and Human Services that the submitted grant proposal titled "Crossover Youth Practice Model/Dual Status Youth Initiative" was chosen for funding. The award amount is \$116,358. The project dates for this grant will be June 16, 2025, through December 15, 2026.

On April 15, 2025, CCHHS, through its Child and Family and Court/Probation Services Departments, applied for the Crossover Youth Care Management Practice Model/Dual Status Youth Initiative Grant issued by the Minnesota Department of Public Safety, Office of Justice Programs. The Crossover Youth Program (CYP) aims to serve youth who are impacted by both the Child Welfare and Juvenile Justice systems. Since 2012, CYP has been an active program offering integrated, preventive, and supportive services for families whose children have been arrested for Domestic Assault following family conflict. The CCHHS Child and Family and Court/Probation Services Departments will work together to address the needs of these youths and their families;

the Child and Family Department has assigned one Licensed Social Worker to partner with five different Probation Agents to carry out this joint work.

Part of this funding will provide specific Restorative Meditation and the Two-Generation/Full Family service model training to all Child and Family case managers and Court/Probation Services probation agents, and other key stakeholders who interface with at-risk and crossover youth. Program goals include: reducing the re-occurrence of physical aggression between crossover youth and their caregivers; and teaching about healthy conflict and effective resolution between caregivers and at-risk or crossover youth. The program will address deeply entrenched patterns of familial conflict to equip families with effective alternatives to aggression.

Action Requested:

Motion to accept a \$116,358 grant award and agreement from the Minnesota Department of Public Safety, Office of Justice Program, with project dates from June 16, 2025, through December 15, 2026, for the administration and implementation of the Crossover Youth Care Management Practice Model/Dual Status Youth Initiative.

Fiscal Impact:

Funding:	Amount Budgeted:
Crossover Youth Grant, Minnesota Department of Public Safety, Office of Justice Programs	\$116,358

Related Fiscal/FTE Comments:

A new general ledger account is needed for the CCHHS, Child and Family Department budget. A Budget Amendment is required to set up a new account. The total amount of grant funds to be received is \$116,358 for the time period of June 16, 2025, through December 15, 2026.

Attachments:

1. CROSSOVER YOUTH GRANT BA



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Settlement Agreement for Right of Way Acquisitions for the Highway 212 Project - Dahlgren Township

RBA Number: 2025-805

Department: Public Works - Program Delivery

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

Presenter:

Contract Name & Number:

Meeting Date: June 3, 2025

Item Type: Consent

Strategic Initiative:

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

Background/Justification:

The 2021 and 2022 construction seasons included the construction and realignment of Highway 212 from just west of Highway 11 in the City of Carver to just east of Highway 36 to the east of Cologne. In order to complete the project, additional right-of-way was needed from landowners along the project corridor. Appraisals were completed by a certified appraiser and offers made to the property owners impacted by the project. Property acquisitions were achieved by Settlement Agreements or Eminent Domain.

The project is now substantially complete, and this is the last parcel within the Eminent Domain process.

Negotiations have continued and staff have reached a recommended settlement with the following property owners located at PID#: 04.0090900.

Action Requested:

Motion to adopt a resolution to approve right of way acquisition settlements for the

Highway 212 Project - Dahlgren Township for the properties located at PID #: 04.0090900.

Fiscal Impact:

Funding:	Amount Budgeted:
County Sales Tax	\$160,000
MnDOT Funding	\$160,000

Related Fiscal/FTE Comments:

Included in current budget. The amounts shown reflect the remaining net payment to be made to the property owner.

Attachments:

1. 6-3-25 Resolution Authorizing Settlement of Compensation

BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: June 3rd, 2025

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for US 212 Project – Dahlgren Township

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for expansion to a four-lane highway as part of the US 212 Project – Dahlgren Township (“Project”); and

WHEREAS, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners of the real property interests identified in said Exhibit A; and

WHEREAS, the County obtained either an appraisal(s) from a licensed real estate appraiser when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A exceeds \$25,000, or the County obtained a minimum damage acquisition report from a qualified person with appraisal knowledge, in lieu of an appraisal, when the estimate of the damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A is under \$25,000; and

WHEREAS, County must determine and submit an initial written offer of just compensation to the Owners of said needed real property interests covering the full amount of damages caused by the County’s proposed acquisitions; and

WHEREAS, the Owners of said real property interests may obtain an independent appraisal by a qualified appraiser of the real property interests which the County proposes to acquire for the Project; and

WHEREAS, the Owners of said real property interests are entitled to reimbursement for the reasonable costs of the appraisal from the County up to a maximum of the limits stated in Minn. Stat. §117.036, provided the Owner submits to County the information necessary for reimbursement; and

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

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

NOW, THEREFORE, BE IT RESOLVED that County’s acquisition of the real property interests described in said Exhibit A and the construction of highway and related improvements of Expanding the roadway to 4 lanes as part of the US 212 Project - Dahlgren Township constitute a valid public use or public purpose; and

BE IT FURTHER RESOLVED that based upon the estimate of damages from the County’s proposed acquisitions of the real property interests described in said Exhibit A which the County obtained either from an appraisal(s) or a minimum damage acquisition report(s) and the negotiations between said Owner(s) and the Public Works Division Director or agents under his supervision, County shall make a payment of compensation to the Owners within the Project from whom the County must acquire needed real property interests, in the amounts as described in said Exhibit A; and

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

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

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 June 3rd, 2025, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 3rd day of June 2025

_____ Dave Hemze	_____ County Administrator
---------------------	-------------------------------

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

US 212 Project – Dahlgren Township

Carver County Public Works No. 178825

Property Tax Identification No. 04.0090900

Parcel Number(s): 5

Fee Owners: James Mieseler and Theresa Mieseler

Property Address: 7925 Highway 212 Chaska, MN 55318

Subject property being acquired in fee simple contains **416,938 sq. ft.**, more or less.

\$75,650.00

Subject property being acquired for temporary construction easement contains **35,169 sq. ft.**, more or less.

\$2,150.00

Severance damages.

\$61,600.00

Premium lieu of trial.

Cash Settlement Amount.

\$320,600.00

Less Court Deposit Already Paid.

\$139,400.00

Net Payment Total.

\$460,000.00



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Continuation of CD2-3 Redetermination of Benefits
Public Hearing

RBA Number: 2025-790

Department: Property & Financial Services

Contact:

Presenter: John Kolb
Ditch Attorney

Contract Name & Number:

Meeting Date: June 3, 2025

Item Type: Ditch/Rail Authority

Strategic Initiative:

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

Background/Justification:

On February 4th, the CD2-3 Ditch Authority continued their Redetermination of Benefits Public Hearing to May 20, 2025 and directed the Viewers to reexamine ditch benefits for a portion of the watershed areas in section 20 and 21 of Laketown township, City of Waconia stormwater discharges (including schools), Mr. Niesens property, time of travel issue for remote areas of watershed, whether a 5th land class with benefits can be justified and whether the watershed areas of the township tile ditches identified during the hearing should be included in the benefitted area of CD 2-3.

On May 20th, the CD2-3 Ditch Authority continued their Redetermination of Benefits Public Hearing to June 3, 2025 and requested additional information on how the ditch benefits for urban residential properties were determined by the Viewers. The Viewers response is below:

Viewers Clarification on Urban Residential Outlet Benefits – Carver County Ditch 2-3:

As requested during the continuation of the final hearing on May 20th, the following summary is provided to clarify how drainage benefits were applied to municipalities within the watershed, specifically the Cities of Waconia and Cologne.

Outlet benefits were assigned to these municipalities based on their use of the public drainage system as a primary outlet for urban runoff. This runoff burden is generally more significant in urban residential areas due to the prevalence of impervious surfaces, which contribute increased volumes of water to the system compared to rural settings. This higher level of hydrologic impact translates into greater usage and dependency on the system's capacity and maintenance.

To reflect this, urban residential parcels were assigned a benefit level approximately double that of rural residential properties within the watershed. This approach is grounded in established drainage benefit methodologies, supported by hydrologic principles, and informed by existing Best Management Practices (BMPs) and municipal water management plans. These tools help illustrate the scale and concentration of drainage reliance that urban development brings to the public system.

This clarification is being shared to enhance transparency around the process and provide additional context to landowners and stakeholders on how the viewer's determinations were made. The overall goal remains a fair, consistent, and technically informed application of benefits in accordance with Minnesota drainage law and policy.

Action Requested:

Ditch Attorney Kolb comments (remote)

Consider adopting the attached Findings and Order Adopting the Redetermination of Benefits for CD2-3. (**Exhibit A: Viewers Report** and **Exhibit B: Benefits and Damage Statement** are available on the Carver County Drainage Website:

<https://www.carvercountymn.gov/government/county-board-of-commissioners/drainage-authority-for-public-ditches/redetermination-of-drainage-ditch-benefits>)

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:

1. Final Hearing - Findings and Order Adopting Redetermined Benefits (CD 2-3) 1

STATE OF MINNESOTA
CARVER COUNTY BOARD OF COMMISSIONERS
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E
FOR CARVER COUNTY DITCH 2-3

The Matter of the Redetermination of
Benefits for Carver County Ditch 2-3

**Findings and Order Adopting
Redetermination of Benefits**

At a public hearing conducted by the Carver County Board of Commissioners, Drainage Authority for Carver County Ditch 2-3 (CD 2-3), on February 4, 2025, continued to May 20, 2025, and further continued to June 3, 2025, the Board considered the viewers' report, as amended, public comment and other evidence presented in the proceedings. Upon due consideration, Commissioner _____ moved, seconded by Commissioner _____ for adoption of the following Findings and Order:

Findings:

1. Both original establishment of CD 2-3 and current benefits pre-date several changes in the drainage code related to the scope and nature of benefits; changes to laws regulating drainage of wet and overflowed lands; and changes to farming and drainage practices in Carver County.
2. The current benefits roll reflects the benefitted properties, benefitted areas and benefit values as determined by viewers based on assumptions regarding the ability of landowners to convert wetlands for agricultural purposes.
3. Additionally, since the most recent determination of benefits and damages, land uses and drainage practices have evolved, changing the nature and value of benefits accruing to lands from the drainage system's construction.
4. Since the most recent determination of benefits and damages, additional lands not previously determined to be benefitted have improved drainage to take advantage of CD 2-3 as an outlet for drainage.
5. Since the most recent determination of benefits and damages, land values have changed within the benefitted area of CD 2-3.
6. Based on findings that the conditions required for the initiation of a redetermination of benefits existed, the Drainage Authority ordered a redetermination of benefits and appointed and qualified viewers for the redetermination of benefits.

7. As required, the Drainage Authority amended or rescinded viewer appointments to ensure qualified viewers remained in the proceedings.
8. Upon taking their oath, the viewers proceeded to redetermine benefits according to statutes chapter 103E.
9. CD 2-3 provides an outlet for lands, municipalities, public roads and Township Ditches in Sections 4, 5, 6, 7, 8, and 9 of Dahlgren Township; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, and 21 of Benton Township; Section 12 of Young America Township; Sections 6, 7, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 of Laketown Township; Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 of Waconia Township; Sections 24, 25, and 36 of Camden Township; and Sections 25, 26, 32, 33, 34, 35, and 36 of Watertown Township all in Carver County.
10. The viewers completed their report which included a Benefits and Damages Statement in August 2024 for all property affected by CD 2-3 and filed their report with the Drainage Authority.
11. Upon the direction, and under supervision, of the Drainage Authority, the viewers prepared Property Owners' Reports and mailed them to the owners of property identified in the Viewers' Report.
12. The Drainage Authority noticed and held an informational meeting on a proposed redetermination of benefits for CD 2-3 on September 3, 2024.
13. The initial final hearing was held on February 4, 2025. Subsequent continued hearings are outlined herein.
14. The Drainage Authority prepared and provided notice of the final hearing as required by statutes section 103E.325.
15. Evidence of all actions in this matter, including preliminary orders, appointments, oaths, affidavits of mailing, publication and posting as well as hearing agendas and presentation materials are present in the record of proceedings and are incorporated herein by reference.
16. At the February 4, 2025, hearing, the viewers appeared and presented the Viewers' Report, Benefits and Damages Statement and redetermined benefits.
17. The viewers included, in their determinations, the amount of damages necessary to acquire and establish a one rod grass buffer strip along all reaches of open ditch on CD 2-3.

18. Comments were offered during the public comment portion of the hearing as follows:
- a. Mike & Colleen Klingelhutz, 7940 Airport Rd, Waconia asked questions on the lake area and the city of Waconia's portion of CD 2-3, citing statute 103E.411.
 - b. Will Swanson, 10985 Little Ave, Cologne, inquired on how much they will be assessed.
 - c. Leon Worm, 9020 Laketown Road, Chaska asked about exempt acreage and had questions on the 24 hours to drain area.
 - d. Joe Neisen, 11255 100th St, Cologne has 20 acres that flood. Neisen advised Carver Creek is supposed to be a private ditch.
 - e. Cathy Hayes, 10405 Knight Ave, questioned how much has been spent and if there are any upcoming projects.
19. Following public comment, the Board invited staff to respond to several of the comments. Attorney John Kolb advised there are multiple statutes that need to be looked at when reviewing benefits and explained these statutes. Scott Henderson addressed exempt acreages and the 24-hour time of travel analysis applied by the viewers. David Frischmon addressed the questions on assessments. Frischmon will have a total in the next few weeks and the percentage owed is on the documents sent to residents. Mike Wanous advised there are currently no projects for CD 2-3. Kolb explained that maintenance fees up to \$10,000 do not need to be approved. Anything above \$10,000 will be brought to the board for approval. More than \$175,000 would require a hearing before that repair is approved. A notice to all residents that would need to pay for it would be sent.
20. Additionally, during public comment, mention was made of the existence of township ditches draining portions of the watershed area of CD 2-3 and using CD 2-3 as an outlet for drainage.
21. After opening the public comment period and receiving and replying to comments, the Drainage Authority adopted a motion to: close the hearing to public comment and to continue the hearing to its regular meeting on May 20, 2025 – directing the viewers to reexamine certain properties and watershed areas. Specifically, the Board directed the viewers to reexamine the benefits portion of watershed areas in section 20 and 21 of Laketown Township; City of Waconia stormwater discharges (including schools); Mr. Niesens property; time of travel issue for remote areas of watershed; whether there is a 5th land class with benefits can be justified; and whether the watershed areas of the township ditches identified during the hearing should be included in the benefitted area of CD 2-3 or assigned an outlet charge.
22. During their reexamination, the viewers, among other things, discovered four active township ditches within the watershed area of CD 2-3. All four ditches provide drainage to subwatershed portions of CD 2-3 and utilize CD 2-3 as their outlet. The township ditches identified are Benton Township ditches 1 and 2 and Waconia Township ditches 2 and 4-5.

23. In order to identify owners of property affected by the township ditches, the viewers investigated the Carver County Auditor's and township records to determine whether benefits rolls existed for the township ditches. Finding none, the viewers delineated the watershed areas of each township ditch and prepared mailing lists of owners of property within watershed areas of the township ditches. The mailing lists were used to give notice to owners of the consideration of an outlet charge. Additionally, these same owners and the townships themselves received notice of the original hearing by virtue of their inclusion in the original benefits recommendation of the viewers.
24. At the continued hearing the viewers presented their report on reexamination and amended report. The Viewers' Report, as amended, is attached as **Exhibit A**.
25. The viewers prepared a Benefits and Damages Statement outlining the basis of their benefits and damages determinations. The Benefits and Damages Statement is attached as **Exhibit B**.
26. The viewers determined the amount of damages to be paid for the acquisition of property for the establishment of best management practices, including grass strips, necessary to control erosion, sedimentation, improve water quality, or maintain the efficiency of the drainage system as required under statutes section 103E.021. The viewers compared sales in the area in arriving at an average sales price used in establishing a payment rate.
27. The viewers used maps, LIDAR data and other information, along with visual inspection of the watershed of the drainage system to determine the boundaries of the benefiting area.
28. Based on their detailed observations, the viewers determined benefit classifications, classified acres and assigned economic benefit on a per acre basis.
29. Outlet charges for the township ditches were calculated based on originally determined benefits within the subwatershed areas.
30. The Board finds that the method used by the viewers to determine outlet charges is reasonable and directly related to the burden, and costs of such burden, placed on the receiving drainage system by the outletting system.
31. Notice was given to each landowner on systems affected by the outlet charge determination and an opportunity to comment on the outlet charge determination was provided during the hearing.
32. Additional comments were offered at the continued hearing as follows:

- a. Joe Neisen commented that his property floods. The viewers responded that Mr. Neisen's property was on that was reexamined with reductions given for property demonstrating recurring flooding. Remaining acres on the Neisen property is recommended for the lowest benefits classification.
 - b. Mike Klingelhutz commented and displayed photos of municipal outlets from the school property in Waconia. Mr. Klingelhutz asked why the City of Waconia is only being recommended for approximately 9% of total benefits. The viewers responded by explaining their process for evaluating acres, whether urban or agricultural, for benefits. Mr. Klingelhutz further asked whether in their study the viewers or Houston Engineering identified all municipal outlets. Mr. Klingelhutz further questioned whether the viewers studied retention time on his various properties.
 - c. Coleen Klingelhutz commented regarding traditional agricultural vs. urban drainage and the relative burden placed on the drainage system by each.
 - d. Steve Rademacher (lives in the area of township ditch 2) commented regarding the impact of large rains on his property due to water backing up onto his property days after a rain event.
 - e. Sue Lowe commented regarding impacts to her property after a large rain.
33. Following public comment, the Board further continued the hearing to June 3, 2025, and asked the viewers to provide an explanation of how municipal outlet benefits are calculated as compared to non-municipal land classifications. The viewers provided an explanation which has been reviewed by the Board.
34. As explained by the viewers:

Outlet benefits were assigned to municipalities based on their use of the public drainage system as a primary outlet for urban runoff. This runoff burden is generally more significant in urban residential areas due to the prevalence of impervious surfaces, which contribute increased volumes of water to the system compared to rural settings. This higher level of hydrologic impact translates into greater usage and dependency on the system's capacity and maintenance.

To reflect this, urban residential parcels were assigned a benefit level approximately double that of rural residential properties within the watershed. This approach is grounded in established drainage benefit methodologies, supported by hydrologic principles, and informed by existing Best Management Practices (BMPs) and municipal water management plans. These tools help illustrate the scale and concentration of drainage reliance that urban development brings to the public system.
35. The Board finds the viewers' method for calculating municipal stormwater outlet benefits is reasonable, reflects the burden and capacity demand placed on the drainage system by municipal stormwater flows, reflects the added maintenance costs for providing said

capacity and considers the municipal stormwater management infrastructure and practices of the municipalities.

36. The viewers kept an accurate account of all time engaged in viewing, examination and every item of expense incurred by the viewers in said work.
37. The viewers' account of work has been filed with the Drainage Authority.
38. Upon review of information provided to the Drainage Authority during the public hearing, the Drainage Authority further finds and confirms that the benefits and damages determined in the original proceedings as well as the benefitted and damaged areas determined in the original proceedings, do not reflect current, existing, actual benefits and benefitted areas.
39. The Drainage Authority finds that the viewers applied appropriate and reasonable considerations in determining drainage benefits and damages. The considerations included but were not limited to: accelerated runoff and sediment delivery; pre- and post-establishment condition comparison; economic, productivity and income analyses; land values; drainage system efficiency; soils, land use, slope and cover conditions; and, historical conditions and land use changes.
40. Based on the record before it, and the comments of those present at the hearing, the Drainage Authority determines that the redetermined benefits, as reflected in the Viewers' Report at **Exhibit A** are proper, reasonable and conform to the drainage code.

Order:

- A. The redetermined benefits on CD 2-3, the amended Viewers' Report and the Benefits and Damages Statement, prepared by the viewers and attached hereto as **Exhibits A and B** are hereby adopted by the Drainage Authority.
- B. The viewers are allowed payment of their account of work.
- C. The Carver County Auditor shall ensure that the redetermined benefits replace the existing benefits previously determined for the ditch.
- D. Pending resolution of any appeals, the damages for the acquisition of the grass buffer area shall be paid and the grass buffer areas established and seeded as required by statute.
- E. The Drainage Authority staff is directed to work with the County Recorder's office to ensure that the drainage system and the grass buffer area acquisition is reflected on the property record of affected landowners.

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

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

Upon vote, the Board Chair declared the Resolution passed and the findings and order adopted.

Dated this ____ day of _____, 2025.

CARVER COUNTY, SEATED AS DRAINAGE
AUTHORITY UNDER STATUTES CHAPTER 103E
FOR CARVER COUNTY DITCH 2-3.

By _____
Chairperson

* * * * *

I, David Frischmon, Carver County Ditch Administrator, do hereby certify that I have compared the above motion; Findings and Order with the original thereof as the same appears of record and on file with the Carver County Board of Commissioners and find the same to be a true and correct transcript thereof. The above Order was filed with me, Carver County Auditor on _____, 2025.

IN TESTIMONY WHEREOF, I hereunto set my hand this ____ day of _____, 2025.

David Frischmon



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: MCIT (Minnesota Counties Intergovernmental Trust)
Report to the Board

RBA Number: 2025-666

Department: Employee Relations

Contact: Sonja Wolter, Risk Management Specialist, 952-361-1340

Presenter: Gerd Clabaugh
MCIT Executive Director

Contract Name & Number: N/A

Meeting Date: June 3, 2025

Item Type: Regular Session

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

Background/Justification:
Gerd Clabaugh, Executive Director with MCIT (Minnesota Counties Intergovernmental Trust), would like to provide the MCIT Member Report to the County Board. The report will reference the insurance and risk management program as well as performance goals of MCIT and Carver County.

Action Requested:
Provide any additional input and/or direction to MCIT and Employee Relations Risk Management staff in the areas discussed.

Fiscal Impact:	
Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

None

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Closed Session for Sale of Real Property Related to the Highway 212 Project - Dahlgren Township

RBA Number: 2025-742

Department: Public Works - Program Delivery

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

Presenter: Patrick Lambert, Senior Right of Way Agent

Contract Name & Number:

Meeting Date: June 3, 2025

Item Type: Closed Session

Strategic Initiative:

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

Background/Justification:

The 2021 and 2022 construction seasons included the construction and realignment of Highway 212 from just west of the County Highway 11 overpass to Cologne. In order to complete the project, additional right-of-way was needed from landowners along the project corridor. Appraisals were completed by certified appraisers and offers made to the property owners impacted by the project. A settlement was negotiated with one of the owners that included the total acquisition of their property including the house and detached garage located at 12404 Kelly Ave, Cologne, MN (PID 040080900).

The property was put up for bids in August, 2023 but no bids were received. In order to come up with a more reasonable value, the property was split into a 7 acre site that includes the house and detached garage, and a remnant site that includes the balance of land of approximately 20 acres.

On 12/17/25, the County Board of Commissioners gave direction for a new bid price, on the new 7 acre property, and the property was put up for bids in March, 2025, but again, no bids were received.

County personnel are requesting direction on next steps in selling the 7 acre property.

Action Requested:

Motion to enter closed session pursuant to Minn. Stat. §13.D.05, Subd. 3(c)(2) to review confidential or protected nonpublic appraisal data under Minn. Stat. §13.44, Subd. 3, and pursuant to Minn. Stat. §13.D.05, Subd. 3(c)(1) to determine the asking price for the sale of County-owned real property located at 12404 Kelly Avenue in Cologne and identified by Tax Parcel Identification Number 040080900.

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

None.

Attachments:

None



Carver County Board of Commissioners
Request for Board Action

Agenda Item Name: Communication Department Update
RBA Number: 2025-801
Department: Public Services - County Communications
Contact:
Presenter: Arianna Lyksett, Chief Communications Officer
Contract Name & Number:
Meeting Date: June 3, 2025
Item Type: Regular Session

Strategic Initiative:

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

Background/Justification:

The County Board identified communications as part of their 2024 strategic plan, prioritizing this initiative by hiring a Chief Communications Officer to align the County's communications goals, provide and implement a communications structure consisting of current County communications staff to forward communications efforts throughout the County, and identify actionable items for strategic priorities that include internal and external communications.

This presentation will consist of a one-year recap on the newly established Communications Department, provide an overview of the department's current structure, highlight key accomplishments, and share the department's strategic direction for 2026. The Communications Department will outline how communications efforts are aligning with broader organizational goals and offer insight into the priorities and initiatives that will guide their work over the next year.

Action Requested:

Update Only, no action needed

Fiscal Impact:

Funding:	Amount Budgeted:

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

None