



CARVER COUNTY *minnesota*

Carver County Board of Commissioners
May 5, 2020
Regular Session

Under Minnesota Statute 13D.021 the County Board has made a determination that an in-person meeting is not practical or prudent because of a health pandemic and an emergency has been declared under chapter 12.

The physical meeting location (Board Room) is closed because it is not feasible to be open due to the health pandemic. This meeting will be conducted via video teleconference due to COVID-19 concerns. Individuals who wish to provide public comments related to the meeting can do so at: admin-contact@co.carver.mn.us

**The meeting will be webcast live at:
<https://www.youtube.com/user/CarverCountyMN/live>**

Commissioners Degler will be attending the meeting in person. Commissioners Ische, Maluchnik, Lynch, and Workman’s attendance at the special meeting location is not feasible due to the health pandemic.

9:00 a.m.	1.	a) CONVENE b) Pledge of allegiance c) Attendance Roll Call d) Public comment submitted via email	
	2.	Agenda review and adoption	
	3.	Approve minutes of April 28, 2020, Special Session	1-4
	4.	Community Announcements	
9:05 a.m.	5.	CONSENT AGENDA	
		<i>Communities: Create and maintain safe, healthy and livable communities</i>	
	5.1	Well Sealing Cost-Share Program Amendment	5-6
	5.2	Authorize Submittal of Transportation Projects to Metropolitan Council's Regional Solicitation for Federal Funding	7-9
	5.3	West Chaska Creek Phase 2 LMRWD MOU	10-11
	5.4	Cooperative Construction Agreement with MnDOT for Highway 5/25 & 33 Project and Norwood Young America Underpass	12-13
	5.5	Carver County Pedestrian Crossing Policy for Uncontrolled Crossings	14-26
	5.6	Joint Powers Agreement with Norwood Young America for Highway 212 Pedestrian Crossing Project	27
		<i>Connections: Develop strong public partnerships and connect people to services</i>	
	5.7	Purchase IT Data Backup Solution	28

5.8	Memorandum of Understanding with Carver County Community Development Authority	29
5.9	Request for approval to contract with Ledgeview Partners.....	30

Culture: Provide organizational culture fostering accountability to achieve goal and sustain trust/confidence in County government

5.10	Multi-grade position hiring in Public Works.....	31
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Finances: Improve the County's financial health and economic profile

5.11	Request for approval to contract with Daikin for HVAC Chiller service and Inspections	32
5.12	Review/Social/Commissioners' Warrants.....	NO ATT

9:05 a.m. **6. FINANCES: Improve the County's financial health and economic profile**
6.1 Repurchase Application for Tax Forfeited Property - 25.0363000 ... 33-38

9:30 a.m. **ADJOURN AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAIL AUTHORITY**

9:30 a.m. **7. CONNECTIONS: Develop strong public partnerships and connect people to services**
7.1 Approve Support of Trail Projects on CRRRA Property to Metropolitan Council's Regional Solicitation for Federal Funding 39

9:45 a.m. **ADJOURN AS CARVER COUNTY REGIONAL RAIL AUTHORITY**

David Hemze
County Administrator

UPCOMING MEETINGS

May 12, 2020	No Meeting
May 19, 2020	4:00 p.m. Board Meeting
May 26, 2020	County Board and Division Director Strategic Planning Meeting
June 2, 2020	9:00 a.m. County Board Meeting

SPECIAL SESSION
April 28, 2020

A Special Session of the Carver County Board of Commissioners was conducted via video teleconference due to COVID-19 concerns on April 28, 2020. Vice Chair Gayle Degler convened the session at 9:01 a.m.

Members present: Gayle Degler, Vice Chair, (present in County Board Room), James Ische, Randy Maluchnik, Tim Lynch and Tom Workman (present via video teleconference).

Members absent: None

Vice Chair Degler welcomed the public to the April 28th videoconferenced County Board meeting. He recognized the Governor's current stay at home order in response to the COVID-19 emergency was in effect until May 4th. He explained the Government Center was currently closed and while he was speaking from the Boardroom, Commissioners Ische, Maluchnik, Lynch and Workman have videoconferenced in to ensure everyone's health and safety. He highlighted the email address to provide public comments for this meeting.

The following amendment was made to the agenda:

5.3 Resolution of Support for SouthWest Transit.

Lynch moved, Workman seconded, to approve the agenda as amended. On a roll call vote, Workman, Degler, Ische, Lynch, Maluchnik voted aye. Motion carried unanimously.

Ische moved, Maluchnik seconded, to approve the minutes of the April 21, 2020, Regular Session. On a roll call vote, Degler, Ische, Lynch, Maluchnik, Workman voted aye. Motion carried unanimously.

Ische moved, Lynch seconded, to approve the following consent agenda items:

Resolution #33-20, Supporting a 2020 Federal BUILD Grant Application for Minnesota Valley Regional Rail Authority.

Resolution #34-20, Support for SouthWest Transit.

Reviewed April 28, 2020, Community Social Services' actions/Commissioners' warrants in the amount of \$ 307,501.66.

On a roll call vote, Ische, Lynch, Maluchnik, Workman, Degler voted aye. Motion carried unanimously.

David Frischmon, Property and Financial Services, appeared before the Board to request property tax relief due to the COVID-19 pandemic. He explained businesses and residents have reached out to legislators, commissioners and staff to ask for some form of property tax relief. He pointed out property tax revenue represents local governments main source of revenue to operate mandated and community services and that impacting cash flow from any property tax relief needed careful

consideration.

He explained the County has the authority to abate penalties on late property tax payments due to hardships. He indicated the County's current policy specifically states the inability to pay did not meet the definition of a hardship. Frischmon stated he was recommending expanding the hardship definition to include financial hardships due to COVID-19. He explained this would allow a 30-day grace period for non-escrow taxpayers and a penalty waiver application would need to be completed. Frischmon stated he was also recommending revising the settlement disbursement dates and increasing normal advances of money to schools, townships and cities due to the grace period. He stated this would not have a significant impact to County cash balances but delinquent property taxes would be a concern for all taxing entities.

He indicated counties would prefer a good statewide solution but they did not expect that to happen at this point. He highlighted what other counties were doing to expand existing policies; granting general waivers or reducing late penalties. Frischmon stated they were recommending a targeted benefit just for non escrow taxpayers that can document they have a financial hardship.

Frischmon clarified Statutes limit what the County Board can do to related to property taxes. He noted assessed values are driven by Statute but the County does have the flexibility of waiving penalties.

The Board recognized they have limits on what they can do but this was a good start to assist people.

Lynch offered the following Resolution, seconded by Ische:

Resolution #35-20
Recognizing the Financial Impact of the COVID-19 Pandemic

On a roll call vote, Lynch, Maluchnik, Workman, Degler, Ische voted aye. Motion carried unanimously.

Richard Scott, Health and Human Services Deputy Director, appeared before the Board for an update on COVID-19. He stated Minnesota was experiencing a steady growth of cases and they were anticipating an increase as they expand testing . He indicated 78% of the deaths have been associated with long term care facilities. They have reached out to these facilities and there are no confirmed cases in long term facilities in Carver County.

He indicated until there is widespread testing, hospitalizations and the use of ICU are the best indicators of the actual extent of the disease outbreak Scott stated it was too early to say they have plateaued He highlighted the pandemic curve and where we might be, but it was difficult to know for sure.

He stressed their primary goal is to protect the health and safety of staff, clients, health care workers and the general public. Their secondary goal is to continue the slow the spread and prepare for

reopening the economy. Scott reviewed what they are currently doing and noted the need to prepare for a new normal. He stressed the need for reliable data; the need to have robust capacity to address the current needs; contingency plans for resurgence of widespread community transmission and clear, comprehensive and enforceable plans.

Scott highlighted the factors to consider in preparing for a new normal and indicated these items will guide decisions in reopening. He stated they are currently in Phase I and reviewed what they are currently doing as they begin to reopen. He highlighted phases III, III and IV that would follow. He pointed out resources that were available and encouraged citizens to reach out.

Vice Chair Degler thanked Dr. Scott for the update.

David Hemze, Administrator, appeared before the Board to discuss reopening Phase I for the County's organization. He stated this was the first step and guided by key variables. He pointed out the need to keep citizens and employees safe and was not recommending opening buildings during phase one. He explained strategies put in place in Phase I would include all buildings remaining closed; implementing service by appointment; electronically processing documents; getting physical spaces appropriately prepared and continuing telework.

He reviewed the details of Phase I for each Division beginning May 4th. He pointed out the recommended change to reopen the rural recycling drop off sites beginning this Saturday. Hemze indicated Board meetings would continue via WebEx and they are looking at better ways to get public input for other public meetings.

Lynch moved, Ische seconded, to adopt reopening Carver County Phase I effective Monday, May 4, 2020, with the three rural recycling drop off sites to reopen on Saturday. On vote taken, Maluchnik, Workman, Degler, Ische, Lynch voted aye. Motion carried unanimously.

Jason Kamerud, Sheriff, requested the Board adopt Proclamations recognizing National Correctional Officers Week, National Nurses Day and National Police Week in May. He stated he wanted to recognize these front-line workers and thank them for the work they do to promote public safety.

Maluchnik moved, Ische seconded, to approve proclamations recognizing National Correctional Officers Week 2020; National ^[DW1] Nurses' Day 2020 and National Police Week 2020 and National Peace Officers' Memorial Day. On a roll call vote, Workman, Degler, Ische, Lync, Maluchnik voted aye. Motion carried unanimously.

Ische moved, Lynch seconded, to enter into attorney-client privileged closed session pursuant to Minn. Stat. Section 13D.05, Subd. 3(b) to have confidential discussions with legal counsel regarding the strengths, weaknesses and case strategies, including the potential risks and expenditures, of the pending litigation involving the case of Donald and Kara Amorosi, individually and as parents, representatives, and co-trustees for the next-of-kin of A.T.A., decedent v. Carver County, Carver County Sheriff's Office, Jason Kamerud, in his official capacity as Carver County Sheriff, Carver County Attorney's Office, and Mark Metz, in his official capacity as Carver County Attorney. On a

SPECIAL SESSION
April 28, 2020

roll call vote, Degler, Ische, Lynch, Maluchnik, Workman voted aye. Motion carried unanimously.

Lynch moved, Ische seconded, to adjourn the closed and Regular Session at 12:20 p.m. On a roll call vote, Ische, Lynch, Maluchnik, Workman voted aye. Motion carried unanimously.

David Hemze
County Administrator

(These proceedings contain summaries of resolutions/claims reviewed. The full text of the resolutions and claims reviewed are available for public inspection in the office of the county administrator.)

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Well Sealing Cost-Share Program Amendment

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
Consent ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

▼

BACKGROUND/JUSTIFICATION:

The County has had an abandoned well sealing program in place for nearly 20 years. The eligibility criteria are approved by the County Board and the program is delivered by the Planning & Water Management Dept. Staff have seen an increase of residents requesting well sealing cost share applications for projects that have already been completed. The reason for this is that program information is often passed on from well drilling companies that have been hired by the resident, and residents may only learn about it while their well is being sealed. Staff is recommending adding language to the program criteria (attached) that includes a 6 month grace period for those that have completed a well sealing project and meet Carver County Well Sealing Cost Share Requirements.

ACTION REQUESTED:

Motion to approve the revised Carver County Well Sealing Cost Share Program Criteria.

FISCAL IMPACT: ▼

If "Other", specify:

FTE IMPACT: ▼

FUNDING

County Dollars =	
MN Board of Water Soil F	\$0.00
Carver County Water Ma	\$0.00
Total	\$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6842

CARVER COUNTY WELL SEALING COST SHARE PROGRAM

Eligibility: wells that are sealed **more than 6 months** prior to the approval of an application by the County Board shall not be eligible for funding. It is not the intent of the Board to subsidize the sealing of wells that will be sealed as part of the normal course of life and business. Specifically, wells required to be sealed as a result of a property transfer, or replacement of an existing well currently being utilized are not eligible for this program. Abandoned wells meeting one or more of the following criteria are eligible for participation in this program:

1. Wells that are a public safety hazard – large diameter open pit for example
2. Wells within 100' of an active feedlot
3. Wells within the 100 year floodplain
4. Wells in wellhead protection areas
5. Wells in industrial areas or in the right-of way of roads, railroads, or pipelines
6. Wells at unattended sites
7. Wells located within sensitive areas as identified by Geologic Atlas Part B
8. Multiple aquifer wells

Application: applications will be taken on forms developed by the County. Completed applications shall be submitted to the Planning and Water Management (PWM) Department. Applications not meeting at least one of the eligibility criteria listed above shall not be accepted.

Administration: the program shall be administered by the Planning and Water Management Department; applications shall be accepted on a rolling basis as long as funds are available. The Joint Agency group (made up of Planning and Water Management, Environmental Services, and Soil and Water Conservation District Staff) will make a recommendation to the County Board; the County Board shall have final approval authority.

Cost Share: the County will pay 75% of the sealing cost up to a maximum of \$1000 per well; however in cases where the cost is substantially higher and there is an imminent threat of contamination, staff will consider and the Board may increase County participation in percentage and/or amount of funding. If approved, an agreement will be entered into with the property owner and the county to ensure payment if the proper conditions are met (see below).

Payment: payment shall be made by Commissioner's claim upon submittal to PWM by the applicant of a well sealing log and invoice.

Duration: the program shall operate so long as funds are available. The Board may, from time to time, appropriate additional funds and/or program operation.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Authorize Submittal of Transportation Projects to Metropolitan Council's Regional Solicitation for Federal Funding

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 5/5/2020

Contact: Lyndon Robjent Title: Public Works Director

Item Type:
Consent

Amount of Time Requested: minutes

Presenter: Title:

Attachments: Yes No

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

Every two years the Metropolitan Council solicits funding applications for the Regional Solicitation to distribute federal transportation funds to locally initiated projects serving regional transportation needs. The Metropolitan Council estimates approximately \$180 million in federal transportation funding is available for Fiscal Years 2024 and 2025.

Eligible projects compete for funding within three modal categories: Roadways Including Multimodal Elements; Transit and Travel Demand Management; and Bicycle and Pedestrian Facilities, and each modal category includes multiple categories for a total of eleven funding categories. Staff considered relevant projects for each funding category and recommends submitting projects in the following funding categories: Roadway Expansion, Roadway Spot Mobility, Roadway Reconstruction/Modernization, Roadway Traffic Management Technologies, and Multiuse Trails and Bicycle Facilities.

The following eight (8) project applications are recommended to be submitted to the Metropolitan Council's regional solicitation process for federal transportation funding:

Roadways including Multimodal Elements – Roadway Expansion Funding Category:

A. Highway 212 Freight Mobility Expansion Project in Benton Township

- Reconstruct and expand approximately 2.5 miles of Highway 212 from a two-lane undivided rural highway to a four-lane divided expressway facility extending from Highway 51 east to the western Highway 36 intersection. The project includes corridor and intersection safety improvements including Reduced Conflict Intersections and wide paved shoulders.

B. Highway 5 Arboretum Area Mobility and Access Improvement

- Reconstruct and expand Highway 5 from a two-lane rural highway to a four-lane divided expressway between Rolling Acres Road and Minnewashta Parkway including intersection safety and access improvements and bicycle and pedestrian accommodations.

C. Highway 10 Mobility and Safety Corridor Improvement

- Reconstruct and expand Highway 10 (Engler Blvd.) between Bavaria Rd. and Park Ridge Dr. with intersection safety and mobility improvements at Bavaria Rd., White Oak Dr., Highway 41, and Park Ridge Dr./Skyview Dr. and bicycle and pedestrian improvements throughout the corridor.

Roadways including Multimodal Elements – Roadway Spot Mobility Funding Category:

D. Highway 212/Highway 51 Intersection Safety Improvement

- Construct an innovative, low-cost/high-benefit Reduced Conflict Intersection at the Highway 212/Highway 51 intersection to address this critical safety need.

E. Highway 11 Intersection Improvement Project

- Reconstruct and widen Highway 11 at the intersection of Highway 10 to include additional through lanes and turn lanes and a permanent traffic signal system; includes bicycle and pedestrian accommodations.

Roadways including Multimodal Elements – Roadway Reconstruction/Modernization Funding Category:

F. Highway 30 Rural Access Reconstruction Project

- Reconstruct Highway 30 between Highway 25 in Mayer and Highway 10 north of Waconia to State-Aid standards including a wider shoulder.

G. Carver County ITS Corridor Enhancements

- Add to and upgrade existing traffic management and intelligent transportation systems (ITS), with a focus on Lyman Boulevard, Pioneer Trail, and Main Street (Waconia) corridors.

Bicycle and Pedestrian Facilities – Multiuse Trails and Bicycle Facilities Funding Category:

H. Minnesota River Bluffs Regional Trail Connection

- Reconstruct and pave a segment of the Minnesota River Bluffs Regional Trail from Flying Could Drive to Pioneer Trail including approximately two miles of 10-foot wide, bituminous trail and addition of a small parking lot and informational kiosk.

Furthermore, the County supports and endorses the following projects submitted by Carver County partner agencies:

Bicycle and Pedestrian Facilities – Pedestrian Facilities Funding Category:

A. Highway 41 Pedestrian Improvements in Historic Downtown Chaska (City of Chaska application)

- Construct pedestrian facilities to enhance the livability and streetscape environment in the Highway 41 corridor and downtown business district and increase safety and mobility for all users in Historic Downtown Chaska.

Bicycle and Pedestrian Facilities – Multiuse Trails and Bicycle Facilities Funding Category:

B. Circle the Brick Trail (City of Chaska application)

- Construct a two mile trail along the old railroad alignment south of Highway 61 from Athletic Park to the bridge to west of Audubon Road to fill a trail system gap along Highway 61 and provide a centralized community connection into the historic downtown.

C. Merriam Junction Trail (Scott County application)

- The project will construct a regional pedestrian and bicycle trail and bridges along the County owned section of the former UP rail line including a crossing of the Minnesota River.

Bicycle and Pedestrian Facilities – Safe Routes to School Funding Category:

D. Highway 41 Pedestrian Underpass for Safe Routes to School (City of Chaska application)

- Construct a pedestrian underpass of Highway 41 north of Highway 10 (Engler Blvd.) to connect residential areas to the Chaska school campus and provide a separated grade crossing for pedestrians and bicyclists at this busy intersection.

Project applications must be submitted by May 15, 2020. A resolution is not required to submit applications for this grant solicitation.

ACTION REQUESTED:

Motion to support and authorize the Carver County Engineer to submit the eight transportation project applications identified above to the Transportation Advisory Board of the Metropolitan Council for consideration in the 2020 Regional Solicitation funding process and support the project applications identified above located within Carver County.

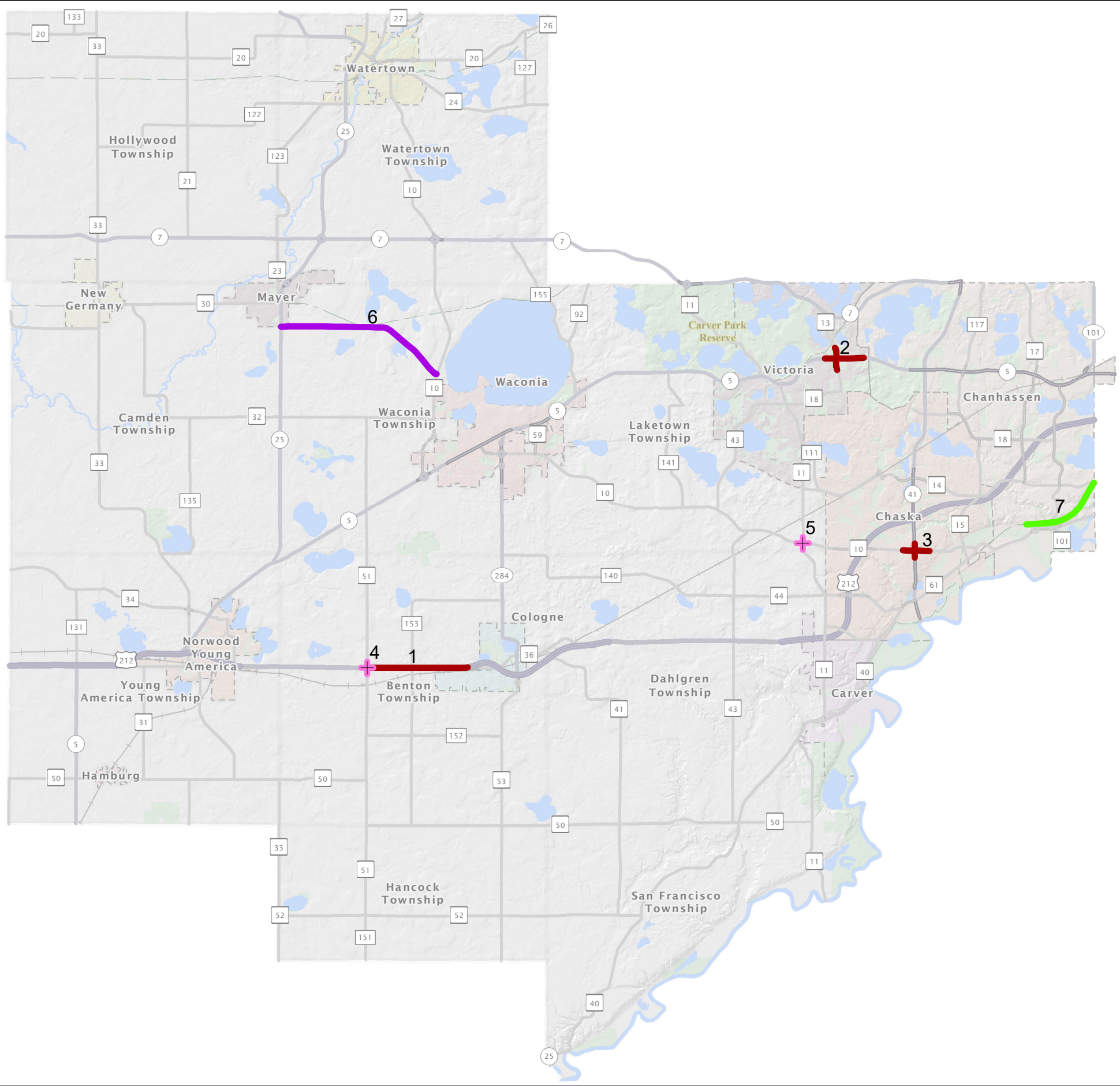
FISCAL IMPACT: Other <input type="text"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text"/>
FTE IMPACT: None <input type="text"/>	<input type="text"/>
	Total <input type="text"/> \$0.00
	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

Project concepts and cost estimates are being developed for the application deadline of May 15, 2020. The County share and grant requests will be determined at that time.

Office use only:

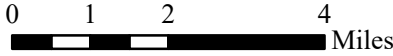
2020 Regional Solicitation Applications



Regional Solicitation

- Roadway Expansion
- + Roadway Spot Mobility & Safety
- Roadway Reconstruction
- Multiuse Trails & Bicycle Facilities

Ref. #	Regional Solicitation Application List	Category
1	Hwy 212 from CSAH 51 to CSAH 36	Roadway Expansion
2	Hwy 5 from Rolling Acres Rd to Minnewashta Pkwy	Roadway Expansion
3	CSAH 10 Corridor Expansion (Hwy 41/10)	Roadway Expansion
4	Hwy 212/CSAH 51 Intersection	Roadway Spot Mobility & Safety
5	Highway 11 Intersection Improvement Project	Roadway Spot Mobility & Safety
6	CSAH 30 from Hwy 25 to CSAH 10	Roadway Reconstruction
7	MN River Bluffs Regional Trail	Multiuse Trails & Bicycle Facilities
N/A	Traffic Signal Upgrades and Communication System	Roadway Traffic Management Tech



This map was created using a compilation of information and data from various City, County, State, and Federal offices. It 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.

CARVER COUNTY
 Public Works Division
 11360 Hwy 212, Suite 1
 Cologne, MN 55322
 (952) 466-5200
 Created: 4/23/2020

Carver County Board of Commissioners Request for Board Action



Agenda Item:

West Chaska Creek Phase 2 LMRWD MOU

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
 ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

▼

BACKGROUND/JUSTIFICATION:

The Carver County Water Management Organization (CCWMO) completed the first phase of the West Creek restoration project located in the City of Chaska that aims to reduce the amount of nutrients and sediments discharging to the Minnesota River. The project includes adding a 100 foot wide floodplain with re-meandering 1000 linear feet of a ditch that flows into a ravine before discharging to the Minnesota River.

The Lower Minnesota River Watershed District (LMRWD) has agreed to partner in Phase 2 of the project and contribute \$50,000 to this project as it helps their mission of protecting the water quality of the Minnesota River. Phase 2 will connect the existing ditch to the meanders that were created in Phase 1 and add a small wetland to handle a drainage tile main that is currently discharging into the ditch. Staff is recommending approval of an Memorandum of Understanding (MOU) with the LMRWD to formalize the funding arrangement.

ACTION REQUESTED:

Motion to approve the MOU with Lower Minnesota River Watershed District pending contract review.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

LMRWD

Total

FTE IMPACT: ▼

Insert additional funding source

Related Financial/FTE Comments:

Attached Budget Amendment

Office use only:

RBA 2020 - 6861

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: West Chaska Creek Phase 2 LMRWD MOU

Department: Public Services - Planning & Water Mgmt

Meeting Date: 5/5/2020

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

Requested By: Paul Moline

DEBIT		
Description of Accounts	Acct #	Amount
Professional and Tech. Fees	16-000-157-0424.6260	\$50,000.00
TOTAL		\$50,000.00

CREDIT		
Description of Accounts	Acct #	Amount
Local Funding	16-000-157-0424....	\$50,000.00
TOTAL		\$50,000.00

Reason for Request:
 Add amounts to the WMO budget for the MOU with Lower MN Watershed District (Phase 2 of the West Chaska Creek stream restoration project).

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Cooperative Construction Agreement with MnDOT for Highway 5/25 & 33 Project and Norwood Young America Underpass

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The purpose of this cooperative agreement is to define roles, responsibilities and funding obligations of the State of Minnesota (MnDOT) and Carver County for the Highway 5/33 Roundabout Project as well as the Highway 212 Pedestrian Crossing Project. The projects include construction of a roundabout at the intersection of Highway 5/25/33 in Norwood Young America, construction of a new pedestrian underpass under Highway 212 and the replacement of the traffic signal at the intersection of Highway 212 and Highway 33. This cooperative agreement is needed for Carver County, MnDOT and the City of Norwood Young America to complete the improvements for the projects.

Carver County applied for and was awarded Local Project Partnership (LPP) funding through MnDOT as well as Highway Safety Improvement (HSIP) funds through the regional solicitation for the Highway 5/33 Roundabout Project. Carver County, as the sponsor for the City of Norwood Young America, applied for and was awarded Safe Routes to School funding through the regional solicitation for the Highway 212 pedestrian underpass. Carver County is required to act as an agent for the city for the City of Norwood Young America to receive the Safe Routes to School funds. This Cooperative Construction Agreement formalizes the roles and responsibilities of the County and MnDOT for completion and maintenance after construction. The County and City will enter into a separate joint powers agreement to formalize the roles and responsibilities between the County and City of Norwood Young America for completion of the project and maintenance after completion.

ACTION REQUESTED:

Motion to approve Cooperative Construction Agreement #1035576 with the State of Minnesota pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	\$63,914.50
State LPP	\$644,000.00
Federal HSIP	\$2,000,000.00
SRTS (Federal TA)	\$1,225,360.00
CSAH Regular	\$48,082.83
NYA	\$562,351.60
Total	\$4,543,708.93

Insert additional funding source

Related Financial/FTE Comments:

The LPP, HSIP and SRTS funds are capped at the amounts shown. The other funding is an estimate at this time and will be finalized once the construction bids are known. Carver County will pay MnDOT the total amount shown and then get reimbursed from the applicable funding source.

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

Date: _____ Resolution No: _____
 Motion by Commissioner: _____ Seconded by Commissioner: _____

IT IS RESOLVED that Carver County enter into MnDOT Agreement NO. 1035576 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the County to the State of the County's share of the costs of the grading, bituminous mill and overlay, bituminous cold in-place recycle, bituminous surfacing, ADA improvements, retaining walls, traffic signals, lighting, box culvert Bridge No. 10X21, and roundabout construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 212 from 700 feet west of Trunk Highway No. 5 to 600 feet west of County State Aid Highway No. 36 and on Trunk Highway No. 5/25 from Trunk Highway No. 212 to 0.22 miles east of County State aid Highway No. 33 and on County State Aid Highway No. 33 from Trunk Highway No. 212 to 0.21 Miles north of Trunk Highway No. 5/25 within the corporate limits of the City of Norwood Young America under 1012-24 and No. 1013-97 (T.H. 212=12) and State project No. 1006-32 (T.H. 25=25).

IT IS FURTHER RESOLVED that the Carver County Administrator and the Carver County Board of Commissioners Chair are authorized to execute the Agreement and any amendments to the Agreement.

YES	ABSENT	NO

STATE OF MINNESOTA
 COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 5th day of May, 2020, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2018.

 Dave Hemze County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Carver County Pedestrian Crossing Policy for Uncontrolled Crossings

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Public Works staff developed a Pedestrian Crossing Policy for Uncontrolled Crossings of county highways. The policy is intended to establish consistency for Carver County Public Works in the consideration and application of crosswalks and pedestrian crossing treatments on County Highways to ensure they conform to the Minnesota Manual of Uniform Traffic Control Devices (MN MUTCD) and other related guidelines. This policy applies to uncontrolled crossings on highways under Carver County jurisdiction, which occur at intersections and mid-block locations where there is no mainline stop control or mainline traffic signal. Part of the policy includes an enhancement to the cost participation policy as it relates to standalone pedestrian crossing projects and related specialty electronic pedestrian warning signs, flashers and pedestrian hybrid beacons (HAWKs).

A presentation of the policy was given at the February 25, 2020 County Board Work Session. Thereafter the draft policy was shared with all City Engineers within Carver County for review and comment by each respective city. Based upon the feedback received, the draft policy was finalized and prepared for final approval and adoption by the County Board. Over time the policy may be updated based on experience and continued work with our local agency partners.

ACTION REQUESTED:

Motion to adopt the Carver County Pedestrian Crossing Policy for Uncontrolled Crossings.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6867



PEDESTRIAN CROSSING POLICY **FOR UNCONTROLLED CROSSINGS¹**

Adopted by the Carver County Board of Commissioners – May 5, 2020

Policy Statement

Purpose

It is the goal of Carver County to establish consistency and uniformity in the application, installation, and maintenance of pedestrian crossing facilities on Carver County's transportation system. Carver County strives to provide safe, accessible, and efficient travel for all modes of transportation, including pedestrians, bicycles, transit, and motor vehicles, while also maintaining long-term strategic priorities and cost-effective investments in highway rights-of-way. This includes balancing sometimes competing objectives of system preservation, mobility, and access for a broad range of users and needs.

Providing safe and effective crossing situations for pedestrians relies on placing crosswalks and other pedestrian crossing treatments at appropriate locations in a way that balances system and localized highway and land use conditions with different user demands, characteristics and interests. While pedestrians have a legal right to cross at any uncontrolled intersection, it is important and practical that motorists are also able to reasonably travel and fulfill their obligations to stop and yield to pedestrians given the prevailing speed and corridor conditions; and likewise for pedestrians to reasonably travel and expect motorists to reasonably observe them and yield and stop under the same or similar conditions.

The purpose of this policy is to provide guidelines and permissible locations for pedestrian crosswalk treatments at uncontrolled pedestrian crossing locations on highways under the jurisdiction of Carver County. As marked crosswalks are a traffic control device, this policy recognizes that the Minnesota Manual on Uniform Traffic Control Devices (MN MUTCD) is the standard for all traffic control devices on all public roads in Minnesota, and therefore all traffic control devices on Carver County's highway system must conform to its standards and specifications as specified in Minnesota State Statute 169.06. Every roadway intersection whether it is marked or not is a legal crossing for pedestrians. This policy will guide Carver County Public Works in documenting and implementing a pedestrian crossing program at uncontrolled crossings that is consistent with Carver County's Comprehensive Plan; county-level transportation system and highway functional classification service functions; state law

¹ Uncontrolled crossings occur at intersections where neither a stop or yield sign nor a traffic signal controls traffic at the street of the crossing. Intersections without traffic signals or stop or yield signs are considered uncontrolled intersections.

and rules of the road; industry standards for traffic control devices and engineering; and the various interests, values, and plans of both Carver County and local communities within Carver County.

Policy

All new pedestrian crosswalk crossing requests or existing pedestrian crosswalk crossings within the project area of a resurfacing or reconstruction project of a Carver County highway at uncontrolled crossings shall be reviewed and approved in accordance with the requirements and guidelines contained in related Minnesota State Statutes, the MN MUTCD and this policy. Marked crosswalks and pedestrian crossing treatments not explicitly required to be installed by the MN MUTCD at uncontrolled crossings should not be installed on Carver County's highway system unless otherwise specified in this policy or authorized by the Public Works Division Director.

The need, basis, priority, and risks for specific potential crossing locations shall be evaluated according to the policy guidelines and appropriate treatment options will be recommended by the traffic engineer as designated by the Public Works Division Director. Implementation of recommended treatments shall comply with the Carver County's Roadway Systems Plan, Capital Improvement Program, legal requirements, accepted professional engineering practice, and budgetary constraints.

Policy Guidelines

General

These policy guidelines were developed to provide a consistent and systematic approach to evaluate uncontrolled pedestrian crossing locations for the installation of marked crosswalks and additional pedestrian crossing treatments, that:

- Provides marked crosswalks at locations where there is substantial conflict between vehicle and pedestrian movements, where significant pedestrian concentrations occur, and where pedestrians and motorists would not otherwise recognize a crossing location; and
- Borrows from industry best-practices and proven, effective considerations and crossing treatments; and
- Includes the creation of an uncontrolled crosswalk warrant system, crossing treatment thresholds, and crossing treatment categories, that can be used on a system wide, network basis; and
- Balances potential crosswalk locations with other transportation users and needs, access management, highway system preservation, mobility, capacity and safety goals and guidelines.

It is in the interest of Carver County and the public to use the least restrictive but effective, sustainable method of traffic control, that relies on already established state statutes and rules of the road. Where additional measures are required, Carver County will plan, coordinate, prioritize, install, and maintain a responsive but limited, case by case, corridor planned, strategic number of pedestrian crossing locations on the county highway system.

A conservative use of pedestrian traffic control systems improves the effectiveness of the highest priority locations and balances interests in county highway regional system mobility and service needs. Prioritizing and focusing a limited number of substantiated, enhanced pedestrian traffic control systems achieves the following:

- Fulfills demonstrated needs
- Champions a command of attention
- Conveys a consistent, clear, simple meaning within a corridor's context
- Commands respect from road users
- Provides reasonable measures, adequate time, and proper cues for proper response and obligations required of motorists and pedestrians
- Supports the strategic, fiscally focused, and long-term interests of a Comprehensive Plan and specifically the Roadway Systems Plan

Consistency with Other Plans, Standards, and Guidelines

It is in the interest of Carver County and the public to provide a set of guidelines and a deliberate number of pedestrian crossing locations and appropriate, effective, and sustainable treatment options which are focused around the Carver County Comprehensive Plan and specifically the Roadway Systems Plan, which contains the functional classification and access management guidelines.

The MN MUTCD states that crosswalk pavement markings should not be placed indiscriminately, and an engineering study should be completed when crosswalk markings are being contemplated at a crossing. Defining where to place pedestrian crossing facilities depends on many factors, including pedestrian volume, vehicular traffic volume, sight lines, number of lanes to cross and the posted speed limit.

Special Considerations for County-Level Highways

Crosswalks and crossing treatments on Carver County highways need to be balanced with other key Carver County highway level objectives such as corridor mobility, capacity, system preservation, budget, and ongoing maintenance and operations. Not all crosswalk locations can be marked or treated properly, rather a given corridor may have the ability to include a few key crossing locations in a manner similar to the spacing and installation of traffic signals or all way stop controlled intersections. In addition, not all candidate crosswalk or crossing projects can be supported by the county budget, resources and adopted Capital Improvement Program.

Due to their nature and role in the transportation system, most county highways are thoroughfares with speed limits of 45 mph or higher. These arterial-like streets require higher order pedestrian crossing treatments and other substantial highway improvements. Cities and townships are different than a county, where generally there are lower speeds and more collector and local streets, where more frequent crossings and marked crosswalks can be accommodated. Where a highway has more demands for mobility versus access and speeds of 45 mph and over, most engineering standards and guidelines recommend or require special additional measures beyond simple crosswalk markings and signs.

Engineering Study Review and Legal Standards

The County has established this policy to help facilitate and formalize its standards and process for the evaluation, installation, and maintenance of pedestrian and bicycle crossing facilities on Carver County's highway system. Current practice and guidelines related to unsignalized intersections and midblock locations with no traffic signals or stop signs on the approach to the crossing follow closely to the same policy, standards, state statutes, rules of the road, MN MUTCD, and other guidelines from such sources as the Minnesota Department of Transportation and the Federal Highway Administration.

As a general standard based on the MN MUTCD guidance, standards, and requirements, marking of a crosswalk is not required, but is considered an enhancement to standard traffic control systems and rules of the road. Crosswalk markings by themselves, or in conjunction with other road crossing enhancements like signs and other measures, help to alert road users of a designated pedestrian crossing point across roadways at locations that are not controlled by traffic signals or stop or yield signs. At non-intersection locations, crosswalk markings legally establish the crosswalk.

The MN MUTCD states that crosswalk pavement markings should not be placed indiscriminately, and an engineering study should be completed when crosswalk markings are being contemplated at a crossing. Before placing crosswalk markings or other crossing treatments at uncontrolled intersections, an engineering study shall be completed to determine the necessity and feasibility of pedestrian crossing treatments.

Pedestrian Crossing Evaluation Criteria

Carver County has developed a pedestrian crossing evaluation process that combines and refines what is available in current practice and research into a consolidated process that:

- Screens locations with a minimum pedestrian or bicycle crossing volume threshold or warrant and location spacing and consistency with respect to a given corridor's functional classification and access management guidelines; and
- Evaluates the potential risk of a crossing in terms of speed, volume, and number of lanes at the crossing; and

- Recommends a package of treatments based on the highest level of risk, and other factors such as sight distance, higher speeds, access management / spacing guidelines, and transitions in corridor context / speed.

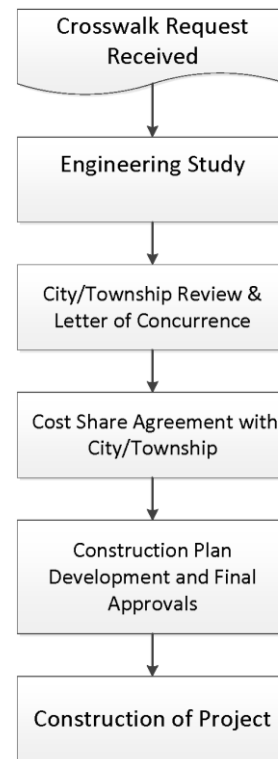
Pedestrian Crossing Review Process and Agreements with Local Agencies

As conveyed by state law, standards and guidelines, pedestrian crossings come in marked and unmarked crosswalk versions, and every roadway intersection is a legal crossing whether it is has a marked crosswalk or not. Crosswalk markings are not required for a crossing at an intersection to be legal and for motorists to be obligated to yield and stop for a pedestrian crossing the street.

Potential marked crosswalks or pedestrian crossing projects on highways of all ranges and types shall go through a formal review and justification process, and the development and selection of an appropriate crossing treatment that may include markings, signs, beacons, center median islands, and other substantial road improvements. Not at all potential crosswalk locations can be marked based on engineering and traffic control standards.

Potential crosswalk or pedestrian crossing locations on Carver County highways need to meet minimum criteria, and if approved may require formal agreements for local agency cost share and maintenance responsibilities. Specifically, potential crosswalk locations need to meet minimum criteria of pedestrian demand thresholds and be at a strategic well-spaced location, consistent with the highway’s functional classification and Carver County’s access management guidelines as shown in the Comprehensive Plan and specifically the Roadway Systems Plan.

Typical Flow of a Crosswalk Project



Carver County desires local agencies to be a partner on pedestrian crossing projects and processes including an engineering study, plan development and approvals, cost share agreements and public outreach approvals. The review and process of a potential crosswalk location involves several steps and the support of the local governmental unit is critical to successful implementation.

A given community’s priorities, contexts, resources, and values are important considerations. Carver County Public Works will coordinate with local agencies, who are generally responsible for sidewalks and trails located within the Carver County highway rights of way,

to evaluate and attempt to match pedestrian crossing locations with the local agency's interests and its sidewalk and trails comprehensive plan or master plan.

Upon receiving a crosswalk request, Carver County Public Works will conduct an engineering study based on this policy and engineering standards. The findings and recommendation of an engineering study for a potential marked crossing location will be shared with the respective local agency, for their formal review and concurrence prior to further action by Carver County Public Works.

Engineering Study Review and Criteria

The traffic engineer as designated by the County Engineer shall review and provide a recommendation for any pedestrian crossing request for a potential crosswalk and/or pedestrian crossing treatment. Prior to consideration for installation, the proposed location must have met the requirements of an engineering study and have a formal concurrence and joint powers agreement from the local agency to move forward with a marked crosswalk project or other crossing enhancement project.

A pedestrian crossing location request is required to go thru an engineering study that involves a deliberate process, data collection and various levels of review. Among other things the engineering study will review whether a potential crossing request meets basic warrants, proper location and spacing, justification thresholds and traffic and engineering criteria. A pedestrian crossing on a Carver County highway at a given location and given context needs to have a demonstrated pedestrian crossing demand in terms of pedestrians crossing per hour. In addition, the location needs to be at a strategic or key crossing location consistent and compatible with a road's functional classification and Carver County's access management guidelines in the Comprehensive Plan and specifically the Roadway Systems Plan.

Other factors in addition to the above may be considered such as a tiered prioritization or context of a corridor, context sensitive solutions and design, documented safety and crash issues, and demonstrated level of service or delay concerns. More specific details and criteria of an engineering study and engineering standards may be found in the MN MUTCD and related materials and guidelines, including Appendix A of this policy which may be updated by the County Engineer or his designee as deemed necessary.

Carver County Public Works may allow a local agency sponsored pedestrian crossing project subject to the local agency providing an engineering study in a manner that is consistent with this policy, for final review and approval and disposition by the County Engineer or his designee. A formal joint powers agreement may still be required to provide for cost sharing and other obligations or responsibilities including maintenance and operations.

With any project, conditions and interests may change such that the County Engineer or his designee may require the removal or modification of a previously approved pedestrian crosswalk or crossing treatment package after conducting an engineering study.

Formal Letter of Concurrence Required by Local Agency

Carver County Public Works desires to obtain local agency support of pedestrian crossing locations and to partner with them on the engineering study review and approval, plan development, cost share agreements and public outreach. Upon the formal concurrence of an engineering study by the local agency, the local agency may need to enter into a joint powers agreement with Carver County for project cost sharing and responsibilities for the implementation of the recommended project.

Carver County Public Works can evaluate and recommend a potential crossing as a candidate project with a Carver County recommended improvement, however, if a local agency does not concur or agree to move forward with a cost share agreements then such crossing location may be placed on file until such time as the local agency agrees to implement the recommended improvements. Carver County desires cooperative and proactive local partnerships with local agencies for pedestrian crossing locations and projects. Pedestrian crossing requests where a local agency does not respond within a reasonable time will be placed on file by Carver County Public Works. The respective local agency may request to reactivate a candidate project provided the local agency agrees to enter into a joint powers agreement.

Project Cost Share Agreements and Funding

After the completion of the engineering study and prior to construction plan development and related work, the local agency may need to enter into a joint powers agreement with Carver County to move forward with what is considered a stand-alone project. Carver County may, at its discretion, be able to incorporate a recommended pedestrian crossing treatment in its Capital Improvement Program (CIP) and seek available grant programs.

Carver County has adopted a Cost Participation Policy for county highway projects which will be applied to any pedestrian crossing project except as modified by this policy. See the Cost Participation Policy for more cost sharing information which may be updated from time to time.

Project Cost Participation and Maintenance

Prior to any pedestrian crosswalk installation, the local agency will need to work with Carver County to determine the cost share, maintenance and operations responsibilities according to Carver County Public Works standards, Cost Participation Policy and this policy.

Project Cost Sharing

Project costs for pedestrian crossing projects within a larger programmed capital improvement project will be cost shared by the parties in accordance with the current version of the Carver County Cost Participation Policy, and as may be augmented within an approved joint powers agreement.

Total project costs and responsibilities for stand-alone pedestrian crossing improvement projects will be cost shared by Carver County and the local agency in accordance with the current version of the Carver County Cost Participation Policy, for a Conventional Project, except as augmented as follows:

Carver County will pay for all project costs for a pedestrian crossing with a designation of a Destination Regional Trail as shown in the Carver County Comprehensive Plan, provided the pedestrian crossing project meets the requirements as established by this policy and funds are available in the Carver County budget.

For all other trails and sidewalk pedestrian crossings, Carver County will pay up to a maximum cap of 50% of total project costs, provided the pedestrian crossing project meets the requirements as established by this policy and funds are available in the Carver County and local agency's budgets. In determining the cost share for said non-Destination Regional Trail designated facilities, project construction elements involving specialty electronic pedestrian warning systems such as Rapid Rectangular Flashing Beacons or specialty pedestrian traffic control signal systems such as Pedestrian Hybrid Beacons (HAWKs) and Pedestrian Traffic Signals will be evenly cost shared, subject to said maximum Carver County funding cap.

The basis for project construction cost share shall be determined at the completion of the concept and design phases of the project, based upon a professional engineer's estimate of the total project cost. Upon the completion of the bidding process, the estimated total project cost and cost share shall be updated in accordance with the joint powers agreement.

The local agency will be required to pay for all local agency requested improvements that are included in the project that Carver County Public Works does not deem necessary to carry out the scope of the project, which would include painting of any specialty pedestrian systems. The cost share will show such requested improvement costs for the local agency's approval.

Maintenance and Operations Costs

Carver County will own, operate, and maintain all features of a pedestrian crossing, except that the local agency shall have the specific duties to maintain and pay for any costs for the power, lighting and painting for any specialty electronic pedestrian warning systems and pedestrian traffic control signal systems for pedestrian crossings that do not have a designation of a Destination Regional Trail as shown in the Carver County Comprehensive Plan.

Carver County will manage and oversee repairs due to damages from crashes, over the life-cycle of the specialty pedestrian crossing systems. Where a pedestrian crossing system requires replacement or reconstruction due to age or end of life and/or engineering or legal standards, the cost to modify, update, or completely reconstruct the specialty crossing systems will be cost shared at the same percentage as the original installation.

If the local agency does not adequately fulfill the said local agency requirements to maintain the specialty electronic pedestrian warning systems, specialty traffic control signal systems and lighting systems related to a pedestrian crossing project as specified in this policy within a reasonable time and upon written notice to the local agency, Carver County Public Works has the authority to make such proper remedies and the local agency shall reimburse Carver County Public Works for all costs incurred to perform this work.

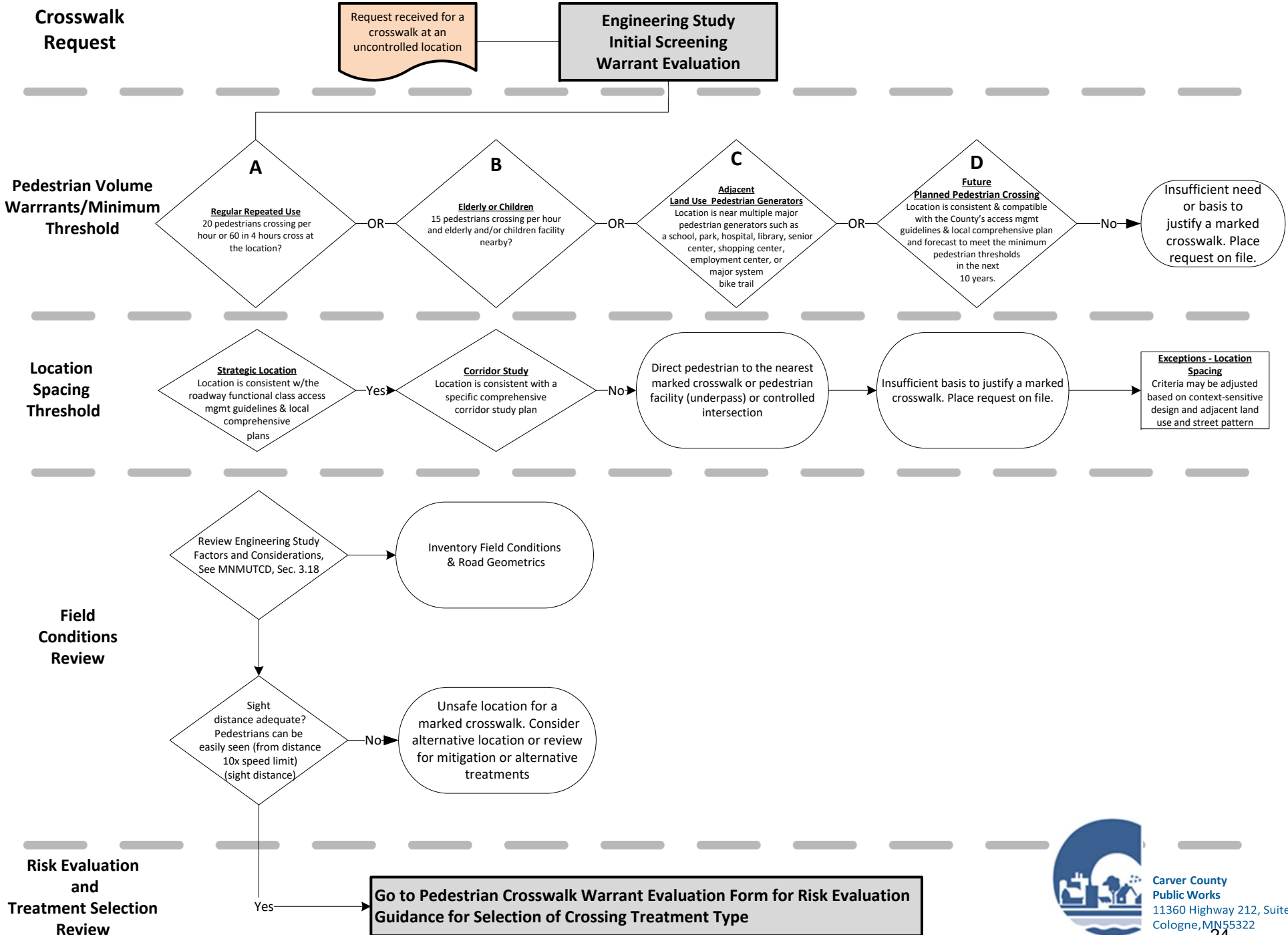
Oversight and Management

Carver County Public Works shall maintain ultimate oversight and approval of any pedestrian crossing improvements on Carver County highways unless agreed upon in the terms of a joint powers agreement or maintenance agreement.

Discretionary Decisions by Public Works Division Director

Situations may occasionally arise which require flexibility and practicality when following this policy. The Public Works Division Director is authorized to make good management decisions relating to matters not specifically addressed by this policy. Management decisions that are made should follow the general intent of this policy.

Flowchart for Engineering Study of a Marked Crosswalk at Uncontrolled Intersections (Figure 1)





Pedestrian Crossing Warrant Evaluation Form

Contact & project location information

City/Town:	Date:	County Highway:
Primary contact:	Phone:	Email:

Identify specific location of crossing for evaluation and attach location map.

Step 1: Warrant - pedestrian volume threshold or strategic connection

- A. Is the pedestrian & bicycle activity ≥ 20 per hour on a regular and repeated basis?
 No. Yes. Complete and attach pedestrian & bicycle count documentation.
- B. Is the pedestrian & bicycle activity ≥ 15 per hour for an elderly or child-related facility nearby?
 No. Yes. Complete and attach pedestrian & bicycle count documentation.
 Yes. Name of elderly or children facility: _____
- C. Does the crossing connect to multiple major generators such as a major park or regional trail?
 No. Yes. Name of major generators or regional trail: _____
- D. Is the proposed crossing forecast to meet pedestrian volume levels in the future?
 No. Yes. Please describe: _____

Volume warrant screening - Does the crossing meet one of the above warrants? Yes. No.
 Check warrant type: A. B. C. D.

Step 2: Warrant - pedestrian location threshold

- Is the location at a strategic location and nearest crosswalk both spaced consistent with County Access Management Guidelines or Special Corridor Study Plan?
- No. Direct pedestrian to the nearest marked crosswalk or ped. facility (underpass/controlled intersection)
 Yes. Confirm consistent with roadway functional class, access management, and Comprehensive Plan.

Step 3: Field Conditions Review

Review engineering study factors and considerations. Inventory field conditions and road geometrics. Is the sight distance adequate? (Pedestrians can be easily seen from distance 10x speed limit)
 Yes. No. If no, Consider alternative location or review for mitigation or alternative treatments.
 Note: ADA ramps; lighting; sight vision triangles; geometrics, etc.

Staff Notes

Step 4: Assess Level of Risk

● Low level of risk ● Moderate level of risk ● High level of risk

A. Legally established (posted) speed limit (mph):

● □ ≤30 ● □ 35 ● □ 40 ● □ 45 ● □ 50 ● ● □ ≥ 55 List order date: _____

B. List vehicle ADT (Year) and select category below: _____ (_____)Year

● □ ≤ 3,000 vpd ● □ > 3,000 - 6,000 ● □ > 6,000 - 9,000
 ● □ > 9,000 - 12,000 ● □ > 12,000 - 15,000 ● ● □ > 15,000

C. Number of lanes at crossing (include shoulder and parking width in crossing distance):

● □ 2 lanes (crossing distance ≤ 28')
 ● □ 3 lanes (> 28' to ≤ 36')
 ● □ Multilane (4 lanes: > 36' to ≤ 44')
 ● □ Multilane (5 lanes: > 44' to ≤ 52')
 ● □ Multilane (6 lanes: > 52' to ≤ 60')
 ● ● □ Multilane (7 or more lanes: > 60')

Step 5: Select Treatment Type by Highest Level of Risk Identified

Option A: Marked crosswalk with warning signs



Highest level of risk determines treatment type.

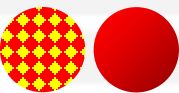
Option B: Option A + advance warning signs + curb extensions or median refuge islands



Option C: Option B + Ped activated, side-mounted warning device (RRFB)



Option D: Option C + Ped activated, overhead warning device (RRFB); advanced active warning



Option E: HAWK, Traffic Signal, Underpass, Overpass



Next Steps & References:

- ⇒ Intersection location will be cross-referenced with posted speed limit, traffic volume (vehicle ADT), and number of travel lanes to determine the best fitting pedestrian crossing treatment option.
- ⇒ The selection of treatment type Option will reference the associated table and notes: **Criteria for Crossing Treatments at Uncontrolled Locations.**
- ⇒ See **Treatment Descriptions** section and notes for full a definition of each Option.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Joint Powers Agreement with Norwood Young America for Highway 212 Pedestrian Crossing Project

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

As the sponsor for the City of Norwood Young America, Carver County applied for and was successful in being awarded Safe Routes to School funding for the construction of a pedestrian underpass under Highway 212 in the City of Norwood Young America. Carver County is required to act as an agent for the City of Norwood Young America to receive the Safe Route to School funds. This joint powers agreement formalizes the roles and responsibilities of the County and City of Norwood Young America, including the financial agent procedures for the Safe Routes to School funding.

ACTION REQUESTED:

Motion to approve a joint powers agreement with the City of Norwood Young America for the Highway 212 Pedestrian Crossing Project, pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	
City of NYA	\$351,596.00
State HSIP	\$250,000.00
Safe Routes to School	\$1,225,360.00
Total	\$1,826,956.00

Insert additional funding source

Related Financial/FTE Comments:

Carver County is acting as an agent for Norwood Young America to receive Safe Routes to School funds and the City is responsible for all pass through costs.

Office use only:

RBA 2020 - 6869

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Purchase IT Data Backup Solution

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Information Technology (IT) is requesting to purchase a replacement to the County's current IT Data Backup Solution. The current Data Backup Solution has been in place for six years and the support contract is expiring. IT researched other vendors that provide Data Backup Solutions and decided to move away from our current vendor towards a new solution that provides greater capabilities for backing up to and from Cloud services. IT has been running a proof of concept the past 2 months with the new solution and we have been very happy with its capabilities. IT did a cost analysis between different systems and the replacement system was very competitive with a minimal annual cost change. Finally, the system chosen meets the County's needs today and offers room for expansion if needed in the future.

The agreement with the new IT Data Backup Solution is for a three-year subscription costing \$71,740. The average annual cost of the subscription is \$23,913.

ACTION REQUESTED:

Motion to approve purchase of IT Backup Solution.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Three-year agreement for \$71,740, average annual cost is \$23,913.

Office use only:

RBA 2020 - 6849

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Memorandum of Understanding with Carver County Community Development Authority

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="5/5/2020"/>
Contact: <input type="text" value="Angie Stenson"/> Title: <input type="text" value="Planner - Transportaton, Senior"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text" value=""/> minutes Presenter: <input type="text" value=""/> Title: <input type="text" value=""/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

Carver County Public Works staff and Carver County Community Development Authority (CDA) have worked together on a memorandum of understanding that will facilitate the purchase of the property located at 800 Arboretum Boulevard (PID 650070900) in the City of Victoria. The CDA will acquire the property from willing property owners that are currently marketing the property for sale, with the intent to lease the property for a period of approximately 5 to 10 years, which meets the CDA's purpose and goals. Carver County Public Works and MnDOT have an interest to preserve this area at the northwest corner of Highway 5 and Rolling Acres Road for future intersection safety improvements as identified through the Arboretum Area Transportation Plan corridor study. There is a mutual benefit and desire by Carver County Public Works and MnDOT to purchase the property from the CDA in approximately 5 to 10 years at an amount equal to the CDA's purchase price of \$282,000. The CDA approved the purchase of the property and memorandum of understanding, pending County approval, at their April 16, 2020 regular board meeting and voiced support of this unique opportunity for partnership with Carver County.

ACTION REQUESTED:

Motion to approve a memorandum of understanding with the Carver County Community Development Authority for the purchase and conveyance of PID 650070900, pending finalization of the contract review process.

FISCAL IMPACT: <input type="text" value="Other"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	FUNDING County Dollars = <input type="text"/> <input type="text"/> Total <input type="text" value="\$0.00"/>
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source

Related Financial/FTE Comments:

The County will need to purchase the property in about 5 to 10 years from the CDA. The CDA will sell the property to the County for the purchase price (\$282,000), regardless of when the closing date occurs. The future purchase is eligible for funding from the county sales tax.

Office use only:

RBA 2020 - 6856

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with Ledgeview Partners

Primary Originating Division/Dept: <u>Public Services - IT</u>	Meeting Date: <u>5/5/2020</u>
Contact: <u>Chad Riley</u> Title: <u>IT Manager – GIS and Software</u>	Item Type: <u>Consent</u>
Amount of Time Requested: <input type="text"/> minutes	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Presenter: <input type="text"/> Title: <input type="text"/>	

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The Information Technology (IT) Department would like to contract with Ledgeview Partners to set up a platform for citizens and businesses to communicate, collaborate, and do business with County services through a portal. There are two deliverables that will be provided as part of this contract:

- Portal Architecture – a flexible webpage, or portal, will be built and deployed that will allow staff to build customer facing solutions that interact with our backend Customer Relationship Management (CRM) system. Portal architecture is important to ensure multiple solutions can be built on the same platform in the future, while ensuring security of the backend data is setup.
- Septic Pumping Solution – Septic pumping logs will be the first solution built on top of the portal architecture. This will allow septic contractors to enter required data that will go directly into the County's septic application within CRM. The portal will eliminate County staff entry of pumping logs currently provided to staff through email, and paper in some cases. Septic pumping was chosen as the initial solution because it represents a straight-forward portal implementation, without complex features such as accepting payment. A simple implementation will ensure we have a solid, functioning foundation that will allow us to add complex functionality in the future.

Once the portal is configured and set up for pumping logs, knowledge transfer will be provided by Ledgeview Partners to IT staff for future portal solutions. This way we will not need to rely on a vendor for every implementation moving forward. Multiple vendors were considered, however Ledgeview Partner's approach to discovery, architecture, building a usable product and knowledge transfer set them apart.

ACTION REQUESTED:

Motion to contract with Ledgeview Partners pending finalization of the contract review process.

FISCAL IMPACT: Included in current budget

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =	\$37,740.00
Total	\$37,740.00

Related Financial/FTE Comments:

Office use only:

RBA 2020- 6866

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Multi-grade position hiring in Public Works

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Transportation Operations Technicians are hard to find and in high demand which makes recruitment difficult for Public Works. Public Works is requesting the ability to recruit for vacant Transportation Operations Technician positions based on qualifications. The candidates could range from a Transportation Operations Technician (B22 DBM Grade Level) entry level position to a Senior Transportation Operations Technician (B23 DBM Grade Level) advanced position. Additional funds are not necessary as a current new FTE position is budgeted at the Senior Transportation Operations Technician (B23 DBM Grade Level).

Recruiting for multiple levels of Transportation Operations Technician should expand the applicant pool and provide Public Works the ability to hire the best fit for the organization at any given time.

ACTION REQUESTED:

Motion to approve hiring of future Transportation Operations Technician candidates based on the candidates qualifications as a Transportation Operations Technician up to a Senior Transportation Operations Technician classification.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6819

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request for approval to contract with Daikin for HVAC Chiller Service and Inspections

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Carver County Facility Services is recommending that we enter into a five-year contract with Daikin for preventative maintenance on the Government Center's two chillers. Daikin is the only authorized service contractor for these chillers. Daikin's quote is based on their GSA contract. The maintenance program involves four inspections each year including season startup, tube cleaning, and end of season shutdown. The contract includes labor, parts, oil and material needed for the maintenance. Timely inspections can minimize or prevent unscheduled downtime, ensure efficient operation and maximize equipment life.

ACTION REQUESTED:

Motion to contract with Daikin pending finalization of the contract review process.

FISCAL IMPACT:
If "Other", specify:

FUNDING	
County Dollars =	\$107,400.00
<input type="text"/>	<input type="text"/>
Total	\$107,400.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

\$21,400 per year for 5 years.

Office use only:

RBA 2020 - 6860

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Repurchase Application for Tax Forfeited Property - 25.0363000

Primary Originating Division/Dept: Property & Financial Services - Property Taxation	Meeting Date: 5/5/2020
Contact: Crystal Campos Title: Interim Property Tax Manager	Item Type: Regular Session
Amount of Time Requested: minutes	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Presenter: David Frischmon Title: Property and Financial Services...	
Strategic Initiative: Finances: Improve the County's financial health and economic profile	

BACKGROUND/JUSTIFICATION:

The real property located at 285 Flying Cloud Drive in Chanhassen, Parcel 25.0363000, forfeited to the State of MN in Trust on January 10, 2020, due to nonpayment of property taxes. State law requires the County to manage tax forfeited property basically as a caretaker on behalf of the State. The property was owned by Lavonne S. Dallman. LeVerne Vassar, who passed away on January 30, 2020, operated two businesses on the site, State-Wide Auto Salvage, Inc. and Foreign World Auto Parts, Inc.

State Statutes provide a process to repurchase forfeited property. Ms. Dallman has submitted a:

1. Written request to repurchase the property based on undue hardship;
2. "Action Plan" to dispose of scrap material with value or posing environmental concerns such as car bodies, tires, rims, batteries, etc.; and
3. A \$28K cashier's check for full payment of the delinquent taxes, assessments, penalties and interest.

State Statutes give the County Board the authority, and the responsibility to approve or disapprove a written request for repurchase. State Statutes allow the County Board to approve a written request for repurchase only if at least one of the following conditions is determined to be true:

1. *That undue hardship or injustice resulting from the tax forfeiture will be corrected by the repurchase.*
2. *The repurchase will best serve the public interest.*

The City of Chanhassen and the adjacent property owners, US Fish and Wildlife and MN DNR, were notified by mail about Ms. Dallman's request to repurchase the real property. The County received a written response from the City of Chanhassen but has not received a response from the adjacent property owners.

The County Board may impose conditions on the repurchase. Such conditions may include environmental remediation action plan restrictions (Minnesota Statute § 282.261). If the Board supports Ms. Dallman's undue hardship request to repurchase the property to continue its former commercial uses, County staff recommends that the County Board impose the following conditions at the applicant's expense:

1. Implement an "Above Ground Action Plan" to bring the site's Non-Conforming Use into compliance with the City of Chanhassen's Ordinance and a 1974 Court Order as recommended by City of Chanhassen Planning Department - see attached letter for details.
2. Conduct a Phase II Study and implement any environmental remediation (i.e. "Below Ground Action Plan") as recommended by the MN Pollution Control Agency and Carver County Environmental Services.
3. Survey the real property to verify the improvements and personal property of the businesses fall within the property's legal boundaries.

ACTION REQUESTED:

None - Board discussion and direction

FISCAL IMPACT: None	FUNDING County Dollars =
<i>If "Other", specify:</i> 	
FTE IMPACT: None	Total \$0.00
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:



CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

April 27, 2020

Ms. Crystal Campos
Manager - Property Tax
Carver County
600 East Fourth Street
Chaska, MN 55318

Re: Valley Auto Salvage Yard
285 Flying Cloud Drive / PID 250363000

Dear Ms. Campos:

I am writing to clarify the city's requirements should the property owner repurchase the property or for any other proposed use for the property.

If the property is to continue as an auto salvage yard:

Bring the site into compliance with the District Court Judgement (attached). Specifically, the owner would need to provide an inventory of vehicles on site as well as remove vehicles that are being stacked and stored on site after salvage is complete. The city has not been pursuing the salvage yard conditions of approval during the road construction for Flying Cloud Drive. With the completion of the road project, the city intends to bring all the uses along the corridor back into compliance with City Code.

The property owner would need to eliminate the hazardous and nuisance conditions on the property.

Clean-up and removal of the following items:

- Several sealed, 5-gallon pails and 55-gallon drums with unknown product in them
- 500-gallon tank that was 1/3 full of what appears to be a petroleum product (used oil)
- Several automotive batteries not protected from the environment
- Small consumer-sized containers of paints and lubricants
- Compressed gas cylinders
- Piles of tires
- Inside the buildings, a used oil tank, automotive batteries, small containers of paints, drums of lubricants and automotive chemicals, several electronic components (computer monitors, printers, etc.)

Ms. Crystal Campos
Valley Auto Salvage Yard
April 27, 2020
Page 2

If the salvage yard is not continued, then the city would require a clean-up of the automobile hulks as well as elimination of the nuisance conditions in the items listed above.

The site could then be used as permitted in the Agricultural Estate District, A-2, regulations. A link to the A-2 District regulations is:

https://library.municode.com/mn/chanhassen/codes/code_of_ordinances?nodeId=CICO_CH20ZO_ARTXAGESDI.

The preferred use of the property, which is consistent with the land use map designation and permitted in the zoning regulations, is for permanent open space as part of the Minnesota Valley National Wildlife Refuge under ownership of either the Minnesota Department of Natural Resources or U.S. Fish and Wildlife Services.

If you have any questions or need additional information, please contact me at (952) 227-1131 or bgenerous@ci.chanhassen.mn.us.

Sincerely,



Robert Generous, AICP
Senior Planner

cc: Kate Aanenson, Community Development Director
Todd Gerhardt, City Manager
Roger Knutson, City Attorney
Charlie Howley, City Engineer/Public Works Director
Greg Sticha, Finance Director

Attachment: District Court Decision

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ijr

445-1970

sd:
STATE OF MINNESOTA
COUNTY OF HENNEPIN

638 494

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Valley Auto Parts,
Plaintiff,

vs.

Village of Chanhassen,
Minnesota
Defendant,

JUDGMENT

April 26, 1974

The above entitled action having been regularly placed upon the calendar of the above named Court for the September A.D. 1973 General Term thereof, came on for trial before the Court on the 11th day of April A.D. 1974, and the Court, after hearing the evidence adduced at said trial and being fully advised in the premises, did, on the 11th day of April A.D. 1974, duly make and file its findings and order for judgment herein.

Now, pursuant to said order and on motion of Messrs. Rosen, Kaplan & Ballenthin by Howard L. Kaplan, Esq., Attorneys for the plaintiff, IT IS HEREBY ADJUDGED AND DECREED:

1. That Valley Auto Parts Company shall comply with all of the conditions and requirements as set forth in Section 6 (17) (a) under the zoning ordinance enacted for the Township of Chanhassen, Carver County, Minnesota, effective March 3, 1952. Any reference herein to Valley Auto Parts Company shall include the following: (a) LaVerne M. Vassar d/b/a Valley Auto Parts Company; (b) LaVerne M. Vassar, and (c) State Wide Auto Salvage, Inc. (successor to Valley Auto Parts Company) and any references to the City of Chanhassen shall be the same as if there was a reference to the Village of Chanhassen.

2. That Valley Auto Parts Company is presently operating its salvage yard pursuant to a permit granted to it in 1958 by the Township of Chanhassen under the authority granted in Section 6 (16) (a)

of Amendment 6 to the Chanhassen Township Zoning Ordinance, effective May 29, 1958.

3. That Valley Auto Parts Company shall furnish to the City of Chanhassen on or about April 1 of each year an inventory of all cars situated on its property as of March 15.

4. That the mobile home situated on the subject property shall not be rented or leased to any individual or family and shall only be used for purposes of providing housing for a watchman. LaVerne M. Vassar may reside in the mobile home in the capacity of a watchman for his property, but not including family residence use.

5. The automobiles situated on the subject property shall not be stacked on top of each other except in the southwest corner of the subject property where the cars may be stacked subject to the following conditions:

- A. The car bodies situated in the southwest corner shall be removed monthly from the subject property during the period of May 1 through November 1.
- B. During the period from November 1 through May 1, the car bodies situated in the southwest corner shall be removed every other month, to-wit; on or about January 1 and on or about March 1.

6. That Valley Auto Parts Company shall provide screening along the Highway 169 side of the subject property. The screening shall consist of lilac bushes, poplar trees, or similar screening, which shall be planted as soon as possible and shall be continuously maintained by Valley Auto Parts Company, its successors and assigns. In the event the existing natural screening on the other three sides of the subject property is destroyed Valley Auto Parts Company will plant lilac bushes or similar screening along those sides of the property.

7. That the City of Chanhassen shall permit Valley Auto Parts Company, its successors and assigns to operate an automobile salvage yard on the subject property as a non-conforming use under Section 20 of Ordinance No. 47 in accordance with the provisions therein except as modified by the terms of this settlement agreement.

8. Section 20.05 of Ordinance No. 47 of the City of Chanhassen shall not be applicable to the subject property. (Section 20.05 deals

In part with a four amortization period (four years).

9. Section 20.01 of Ordinance No. 47 of the City of Chanhassen which sets forth a time table of amortization for various types of buildings shall not be applicable to the building presently situated on the subject property, nor to the subject property itself.



10. Valley Auto Parts Company shall not enlarge the subject property by purchasing any abutting property to the subject property for purposes of expanding its business. The Courts' Order herein entered upon the Stipulation for Settlement by the parties hereto is without prejudice to Valley Auto Parts Company applying to the City of Chanhassen, the State of Minnesota, or any other governmental agency with respect to obtaining permission to construct a building on the subject property. With respect to any applications for a building permit made by Valley Auto Parts Company, Section 20.02 of Ordinance No. 47 of the City of Chanhassen which provides in part that no structural alterations shall be permitted for a nonconforming use, shall not be applicable in considering whether the permit shall be granted.

11. That Section 20.04 of Ordinance No. 47 of the City of Chanhassen shall be applicable to the subject property. (Section 20.04 deals with termination of use).

12. That Valley Auto Parts Company shall have the right to transfer, convey, and sell the subject property to any person, entity, or corporation for use as an automobile salvage yard on the condition that the terms of this agreement shall be binding upon its successors and assigns. The above shall include but not be limited to transfer of the property to the Estate of LaVerne Vassar upon his death and the further conveyance by the Estate.

13. The City of Chanhassen shall incorporate the terms of the settlement agreement in its Village Council Meeting Minutes and adopt a resolution approving the same.

14. Valley Auto Parts Company shall be governed by all other ordinances and regulations duly enacted by the City of Chanhassen except as otherwise provided herein.

JUDGMENT ROLL

Filed April 26, 1974
CLERK OF DISTRICT COURT

By Wm. Blomberg Deputy

BY THE COURT:

Clerk of District Court

By Wm. Blomberg

Deputy

-3-

STATE OF MINNESOTA, COUNTY OF HENNEPIN
Certified to be a true and correct copy of the
original on file and of record in my office.

MAY 13 1974

Clerk of District Court
By Cheryl... Deputy

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approve Support of Trail Projects on CCRRA Property to Metropolitan Council's Regional Solicitation for Federal Funding

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="5/5/2020"/>
Contact: <input type="text" value="Lyndon Robjent"/> Title: <input type="text" value="Public Works Director"/>	Item Type: <input type="text" value="Ditch/Rail Authority"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
Strategic Initiative: <input type="text" value="Connections: Develop strong public partnerships and connect people to services and information"/>	

BACKGROUND/JUSTIFICATION:

Every two years the Metropolitan Council solicits funding applications for the Regional Solicitation to distribute federal transportation funds to locally initiated projects serving regional transportation needs. The Metropolitan Council estimates approximately \$180 million in federal transportation funding is available for Fiscal Year 2024 and 2025.

Two (2) project applications proposed by partner agencies require support from the Carver County Regional Rail Authority due to potential future permitting, construction, and operation needs on CCRRA property. Support is requested for the following project applications to be submitted in the Bicycle and Pedestrian Facilities – Multiuse Trails and Bicycle Facilities funding category:

Circle the Brick Trail (City of Chaska application): Construct a two mile trail along the old railroad alignment south of Highway 61 from Athletic Park to the bridge to west of Audubon Road to fill a trail system gap along Highway 61 and provide a centralized community connection into the historic downtown.

Merriam Junction Trail (Scott County application): The project will construct a regional pedestrian and bicycle trail and bridges along the County owned section of the former UP rail line including a crossing of the Minnesota River.

ACTION REQUESTED:

Motion to support the project applications identified above for consideration in the Metropolitan Council's 2020 Regional Solicitation funding process, acknowledging potential future permitting, construction, and operation project needs within the Carver County Regional Rail Authority property and right of way.

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING County Dollars = <input type="text"/>
If "Other", specify: <input type="text"/>	<input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$0.00"/>
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:

Office use only:

RBA 2020 - 6862